

THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

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OCT 18 2022

SC Court of Appeals

The State,

Respondent,

vs.

Kevin E. Herriott,

Appellant.

APPELLATE CASE NO.: 2019-000969

OBJECTIONS

COMES NOW, APPELLANT KEVIN E. HERRIOTT,
MOVES BEFORE THIS HONORABLE COURT ASKING FOR A(N)
ORDER GRANTING APPELLANT(S) OBJECTIONS.

(THE APPELLANT AVERS THAT HE PROPERLY PRESERVES
HIS RIGHT FOR A(N) HIGHER SITTING COURT TO
REVIEW THE DECISION AND DETERMINATION OF HONORABLE
STEPHANIE P. McDONALD COURT ORDER DATED OCTOBER 6,
2022.

1) THE APPELLANT SPECIFICALLY OBJECTS TO THE ORDER
THAT STATES IN PART :

"AFTER CAREFUL CONSIDERATION, RESPONDENT'S MOTION
TO STRIKE IS GRANTED."

THE BASIS FOR THIS OBJECTION BECAUSE HONORABLE MCDONALD DID NOT STATE ANY GROUNDS TO GRANT THE MOTION TO STRIKE.

THE APPELLANT'S MOTION IN OPPOSITION TO RESPONDENT'S MOTION TO STRIKE SHOW THE COURT THAT RULE 211(b), SCACR, IS AMBIGUOUS. THE LANGUAGE IN RULE 211, SCACR, DOES INTERPRET THAT THE BRIEF COMPLIES WITH RULE 208, SCACR.

ACCORDING TO RULE 208, SCACR, THERE IS LANGUAGE USED IN ITS NATURAL AND ORDINARY SENSE THAT THE FINAL BRIEF CAN BE IDENTICAL TO BOTH THE INITIAL BRIEF AND THE REPLY BRIEF. ALTHOUGH, THERE IS NO LANGUAGE OR CASE LAWS TO SAY OTHERWISE.

2) THE APPELLANT SPECIFICALLY OBJECTS TO THE ORDER THAT STATES IN PART:

"APPELLANT SHALL FILE A FINAL BRIEF...
THE FINAL BRIEF BE IDENTICAL TO THE
INITIAL BRIEF."

THE BASIS FOR THIS OBJECTION BECAUSE HONORABLE MCDONALD ATTEMPTS TO REJECT APPELLANT'S CLAIMS THAT HAS BEEN FAIRLY PRESENTED DESERVING ONE (1) FULL ROUND ACCORDING TO THE EXHAUSTION DOCTRINE. See 28 U.S.C.A. § 2254.

WHEREFORE UPON, THE ABOVE LEGAL PREMISES
THE APPELLANT ASK THE HONORABLE COURT TO RULE
IN FAVOR OF THE APPELLANT OBJECTIONS.

Done This Day 13th of October, 2022.

Respectfully Submitted,

K E Herriott

Kevin E. Herriott

T97826

NCCI - Gardner

Post Office Box 466

Gardner, MA 01440

October 13, 2022
Date

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SC Court of Appeals

Appeal from Lee County
Ralph Ferrell Cothran, Circuit Judge
Appellate Case No.: 2019-000969

The State,

Respondent,

v.

Kevin E. Herriott,

Appellant.

PROOF OF SERVICE

I, Kevin E. Herriott, do hereby serve notice of objections upon all parties by depositing a(n) copy in the internal mailing system at NCCI - Gardner, Post Office box 466, Gardner, MA 01440.

10/13/2022
Date

15/ Kevin E. Herriott
Kevin E. Herriott

Kevin E. Herrriott
#T97826
NCCI - Gardner -
Post Office Box 466
Gardner, MA 01440

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SC Court of Appeals

October 13, 2022

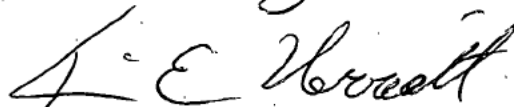
V. Claire Allen, Chief Deputy Clerk
Clerk's Office
S.C. Court of Appeals
1220 Senate Street
Columbia, SC 29201

Re: The State vs. Kevin E. Herrriott
Appellate Case No.: 2019-000969

Dear Clerk:

ENCLOSED PLEASE FIND ONE (1) MOTION OF OBJECTION
WOULD PLEASE IMMEDIATELY FILE. I THANK YOU IN ADVANCE.

Yours Truly,


Kevin E. Herrriott, PRO SE.

Kevin E. Herrriott, # T97826

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SC Court of Appeals

V. Claire Allen, Chief Deputy Clerk

Clerk's Office

S.C. Court of Appeals

1220 Senate Street

Columbus, SC 29201

25201-976335

