

The Honorable Jenny Abbott Kitchings this is David J Tate. I'm writing about the concern of my appeal being dismissed. It's saying the reason being was that it wasn't timely served. I'd repeatedly called my public defender but he wasn't in. Then they finally told me he was out on vacation and that he wouldn't return till the following week which would be past the 10 days. So I still wrote him and the clerk of court within the 10 days notifying that I wanted an appeal. Then I receive three letters Oct. 14th Notice of Appeal, Proof of Service and a letter to inform you of any arguable basis within 20 days of the date on the letter which is Oct. 7th. Which I did, on the 17th (3 days from the date I received the 3 letters) then I received the appeal dismissed letter on the 21st. Which I did reach out and wrote to my public defender within (and the clerk of court) the 10 days notifying that I wanted an appeal. Why did he file for it so late? I don't know and is beyond me. But I did everything I was suppose to do in the timely manner. I also have the letters that was sent to me if you need me to send them to you for proof I can. Can you please write me back in response? Thanks in advance.

David J Tate

RECEIVED

OCT 31 2022

SC Court of Appeals

David J Tate 389129
Kirkland Correctional Institution
434 ~~1/2~~ River Road
Columbia, SC 29210

RECEIVED

OCT 31 2022

SC Court of Appeals



US POSTAGE TM PITNEY BOWES



ZIP 29210 \$ 000.57⁰

02 4W

0000378357 OCT 28, 2022

SCDC

NOV 10 2022

MAIL ROOM

The Honorable Jenny Abbott Kitchings Clerk

The S.C. Court of Appeals

P.O. Box 11629

Columbia, South Carolina 29210

2921181629

