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S.C. SUPREME COURT

In The Supreme Court of South Carolina

Michael Alonza Rokes

v

Case no: _____

State of South Carolina

Lower Court Case no: 2017-CP-31-00311

Request For Extension of Time to File
Petition

COMES NOW Michael Alonza Rokes, an individual and "non-officer person" as prescribed SC Code § 2-7-30, herein "Appellant" acting pro se in respectfully requesting this Court for an extension of time to file his appellate brief in this matter, if necessary, and other extra ordinary relief due to the following:

Applicable Facts

Appellant's inability to access legal research materials for South Carolina deprives him of the ability and right to inform himself of the procedural requisites associated the manner-venue of seeking appellate review of the lower court's ruling on the timeliness for filing said appellate petition. See "Purser's Ordering of Copy of Entire Lower Court Record"; "Request for Review of Equitable Post-Conviction Relief Action,"; and "Request for Disqualification of All Judges-Justices of The State of South Carolina" incorporated herein by reference.

Appellant's abovementioned lack of necessities deprives him of the ability to inform himself of the legal authorities associated the officers of this Court and the lower court's employment into the unconstitutional custom of "universalty," being contrary to the "uniformity" of SC Code § 2-7-30, by recommendations of other participants of the custom and receipt of supplemental-incentive type payments in addition to their lawfully established salaries, See pgs 7-8 of 9 of Request for Disqualification..., which he is in need of to appropriately seek subpoena duces tecum on

other extra ordinary - ordinary remedy to seek from persons or agencies of South Carolina documentation to support his claims of being deprived of his constitutionally guaranteed right to a fair and impartial tribunal, See Request For Disqualification..., that ultimately involves his original trial court proceedings also.

AS SUCH Appellant respectfully requests that pursuant to its equitable and legal powers this Court issues an order extending Appellant's time to file the appellate brief required this matter; issue an order directing that Appellant be produced to a South Carolina facility wherein he will have access to legal research materials and/or persons necessary for him to properly prosecute this matter as required by law, equity, and justice.

While Appellant is without legal authorities of South Carolina to support his requests herein and through this proceeding he points out that general authority on the subject and circumstances supports his requests herein. See *Whitney v Florida*, 389 US 138-139; See also *Hazel-Atlas Glass Co. v Hartford-Empire Co.*, 322 US 238, 248 "Created to avert the evils of archaic rigidity, this equitable procedure has always been characterized by flexibility which enables it to meet new situations which demand equitable intervention, and to accord all relief necessary to correct the constructive injustices involved in these situations."

Consistently with the aforementioned sciences "This Court has emphasized, taking into account the office of the writ and the fact that the prisoner, being in custody, is usually handicapped in developing the evidence needed to support its necessary denial the facts alleged in his petition, that a habeas corpus proceeding must not be allowed to founder in a procedural morass." *Harris v Nelson* 399 US 206

Though Appellant cannot say with certainty that the aforementioned citations are authoritative under the adjudications of South Carolina he is of the position that these principles and basis, being of an equitable and common law nature, must be considered authoritative under this State's adoption of the common laws of England and the principles of equity thereunder.

WHEREFORE upon inquiry into these pleadings Appellant prays that this Court issue an order or orders granting him an extension of time to submit his brief in this matter; issue an order requiring Appellant's production to a facility in South Carolina wherein he would have access to legal research materials of this State relevant to the prosecution of this matter and/or persons legally capable of assisting him in such matters and any other relief warranted in his favor as permitted law, equity, and justice under the circumstances.


Michael Alonzo Rufus - Pro SE

CERTIFICATE OF SERVICE

I certify by my signature that a copy of the foregoing is being mailed to Megan H. Jamason, Sr. Asst. Deputy Attorney General, Ronald C. Dennis Bldg, P.O. Box 11549, Columbia, SC 29211-1549 this 24 day of October, 2022.


Michael Alonzo Rufus - Pro SE