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Dec 06 2022

SC Court of Appeals

From: [J Snickette](#)
To: [Court Of Appeals Filings](#)
Cc: [Ernie Peagler](#); [Supreme Court Filings](#)
Subject: Fw: Notice of Appeal For Filing
Date: Tuesday, December 6, 2022 10:57:08 AM

*** **EXTERNAL EMAIL:** This email originated from outside the organization. Please exercise caution before clicking any links or opening attachments. ***

Clerk for the S.C. Court of Appeals,

It appears as though a mistake has been made, resulting in an appeal to the S.C. Supreme Court being sent to the S.C. Court of Appeals. Please see the below inquiry which was made to Patricia A. Howard, Clerk for the South Carolina Supreme Court. I am trying to get an answer as to how this appeal ended up in the S.C. Court of Appeals. The case number given on the Order from the S.C. Court of Appeals is: 2022-001598.

Please respond back to this email address. The Respondent's attorney is cc'd on this message, as well as the Clerk for the S.C. Supreme Court.

Thank You,

Johnathan Daniels

----- Forwarded Message -----

From: J Snickette <chesssetbyj@yahoo.com>
To: Supreme Court Filings <supctfilings@sccourts.org>
Cc: Ernie Peagler <epeagler@johnsonsclaw.com>
Sent: Monday, December 5, 2022 at 11:23:37 AM EST
Subject: Re: Notice of Appeal For Filing

Good Morning Ms. Howard,

On today, I received a notice from the South Carolina Court of Appeals that this appeal has been dismissed due to that court's lack of jurisdiction.

However, this appeal was made to the **South Carolina Supreme Court under the Court's appellate authority given at S.C. Code 14-3-330 (2)(a)**, to review orders affecting substantial rights, and this appeal meets all of the requirements of the section. I am writing you to inquire as to why this case was sent to the South Carolina Court of Appeals.

Additionally, I have not seen any order referring this appeal from the Supreme Court to the South Carolina Court of Appeals, and since the appeal was made to the Supreme Court under SC 14-3-330 (2)(a), the notice of dismissal should come from

the Supreme Court. It makes no sense to refer the case to the Court of Appeals because... of course they have no jurisdiction (SC 14-3-330(2)(a) grants jurisdiction to the Supreme Court not the Court of Appeals). Was a mistake made in this matter?

If so, please provide a response to that effect. Such an error gravely undermines my right to appeal to the Supreme Court of this state, and puts me in the position of having to petition for a writ of certiorari when I first had the right to appeal under the statute.

Regards,

Johnathan Daniels

On Wednesday, November 16, 2022 at 10:18:00 AM EST, J Snickette <chesssetbyj@yahoo.com> wrote:

The Honorable Patricia A. Howard
Clerk, Supreme Court of South Carolina
Post Office Box 11330
Columbia, South Carolina 29211

RE: State, City of Cayce, Respondent, v. Johnathan M. Daniels, Appellant,
Case No. 20210370007763-20210370007764

Dear Ms. Howard:

Enclosed for filing is a notice of appeal in the above case. Also enclosed are the following:

- (1) Notice of Appeal.
- (2) Proof of service of the notice of appeal on the respondent.
- (3) Appeal is being filed without a copy of the order that is to be challenged, because no written order issued from the court.
- (4) A filing fee of \$0.00 for this criminal appeal.
- (5) This appeal is being filed with the Supreme Court because such filing is proper under South Carolina Section 14-3-330 (2)(a).

Sincerely,

Johnathan M. Daniels, Appellant, Pro Per

P.O. Box 30651

Columbia, South Carolina 29230
Phone: (803) 770-8863
Email: chesssetbyj@yahoo.com

CC:

Daniel E. Peagler
Prosecutor, City of Cayce
3975 Southeastern Way
West Columbia, SC 29169
Phone: (803) 814-0550
Email: epeagler@johnsonsclaw.com
Attorney for Respondent