

S.C. Court of Appeals
P.O. Box 11629
Columbia, S.C. 29211

RECEIVED

JUN 04 2013

SC Court of Appeals

Date: 5/20/13

Re: Status of Appeal, Motions, Case No. 2012-212970

Dear Clerk of Court:

My name is Terry Damien Whisenhunt #343850. I am the appellant in these matters, I am proceeding Pro-Se.

On 27 August 2013, appellant plead guilty to armed robbery and burglary second in the County of Calhoun before the Honorable Kristi Harrington. Defense Attorney- Glenn Walters. Mr. Walters filed a notice of appeal on 6 September 2012 with this Court. This notice was timely filed. Appellant was transferred to Kirkland Correctional Institution, Reception and Evaluation Center (KCI) on 30 August 2012. KCI does not afford intake inmates the use of the institution's law library. Appellant filed a motion for an extension of time with this Court on 20 September 2012. Appellant also wrote a letter to this Court in late November pertaining to the above mentioned motion and describing the problems involving incoming/outgoing mail during appellant's stay at KCI. Appellant volunteered his sister, Katrina Hooker, to contact this Court to have persistent mailroom problems documented. Several letters from appellant's family, friends, and attorney were delayed for extended periods of time, or, never reached appellant at all.

It has been some time since appellant has received any letters from this Court. Appellant remains patient. Appellant understands that the mechanics of the Judicial System can take time due to the volume of cases and amount of work processed by the Court. Appellant respectfully requests, if possible, to be updated with the status of appellant's appeal.

Appellant would now place pertinent matters on the record with this Court:

1. Appellant was twenty one years of age upon entering the South Carolina Department of Corrections (SCDC);
2. Appellant's knowledge of the laws of our great Country and of our fine State were limited ;
3. Appellant was transferred from KCI to Lieber Correctional Institution (LCI) on 4 October 2012 ;
4. Upon arrival at LCI appellant was placed in dorm Ashley- B ;
5. Appellant deduced his placement in Ashley- B was based upon being of a younger age rather than being a "trouble maker ;
6. Appellant has no disciplinaries ;
7. Ashley- B is on a twenty-four hour lockdown schedule and this limits appellant's ability to perfect appeal ;
8. Appellant actively seeks employment at LCI ;
9. Appellant has been able to access the law library at LCI a few times for one hour at a time ;
10. Appellant's research of the laws and rules reveal that the strict requirements of this Court may be lowered pertaining to appellant ;

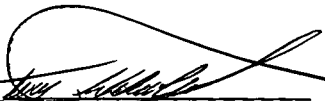
11. Appellant desires to gain proficiency in the ability to perfect appeal ;
12. Appellant's family has taken the liberty of sending legal materials and books to aid in appellant's appeal efforts.

Along with this letter appellant has included :

1. Motion- Extension of Time ;
2. Motion- To Proceed Pro-Se.

Appellant in no way wishes to waste this Court's time.

I just want to thank you for your time and attention and taking the effort to respond to this letter.


S/ ~~Terry Whisenhunt~~
Terry Whisenhunt, #343850,
Lieber C.I. Ashley- B 49
P.O. Box 205
Ridgeville, S.C. 29472

cc:
Attorney General's Office ;
Katrina Hooker, (Sister) ;

Terry Whisenhunt,)
SCDC # 343850,)
Appellant,)
V.)
County of Calhoun,)
Respondent.)

IN THE STATE OF SOUTH CAROLINA
In the Court of Appeals

Case No.: 2012-212970

MOTION - For an Extension of Time

The appellant now moves for an extension of time according to the following reasons:

1. Appellant is aware of he persistent problems with the U.S. Postal Service. Perhaps these coupled with the problems appellant has encountered with the mailing system of the SCDC have seemingly affected appellant's ability to effectively appeal.


2. Appellant has attempted to make good faith showings of appellant's desire and efforts to appeal. However, several obstacles have been inadvertently placed in appellant's way. Appellant will list a few without expounding in great detail, so as not to waste this Court's time:

a) Appellant's lack of resources i.e., legal sized paper, pencils, erasers, legal materials, envelopes, access to the law library, etc., during appellant's residency at Kirkland Cor. Inst., R and E Center;

b) The general daily environment which governs my situation here at Lieber Cor. Inst., e.g., months of extensive lockdown, limited/no access to the law library as well as limited/no access to the Courts.

Your honor, Appellant wants to focus solely on studying the necessary law to reunite appellant with appellant's family, however, appellant resides in a dorm of younger gentlemen who, though not all, there are some who ruin it for the rest of us in hindering others' efforts to learn the law, go to the library, gym, chapel, etc.

Appellant is thankful to have your honor consider and rule accordingly.


Terry Whisenhunt
SCDC # 343850
Lieber Correctional Institution
Dorm: Ashley B-49
P.O. Box 205
Ridgeville, S.C. 29472

RECEIVED

JUN 04 2013

SC Court of Appeals

Terry Whisenhunt,)
SCDC # 343850,)
Appellant,)
V.)
County of Calhoun,)
Respondent.)
_____)
—)

IN THE STATE OF SOUTH CAROLINA
In the Court of Appeals

Case No.: 2012-212970

MOTION - To Proceed Pro-Se

The appellant moves to proceed Pro-Se for the following reasons:

1. Appellant greatly desires to be allowed the opportunity to appeal the convictions of armed robbery and burglary (second).

2. Appellant prays that the Court not hold appellant to the lofty standards of professional Attorneys, and that all shortcomings or format and procedures would be overlooked.


3. Appellant is learning daily how to adequately perfect his appeal.

4. Appellant prays that this Court would offer a chance to a young man to take his turn, in the mercy of this Court and the interests of justice to take his one bite out of the apple during the process of Direct Appeal.

5. Appellant filed for an extension of time with this Court on 20 September 2012. Appellant has not received anything from this Court in a while and is curious if it is due to problems with the U.S. Postal Service or perhaps the institutions mail room.

Appellant is extremely grateful for having Your Honor consider and grant this important motion.

Thank You,


s/ Terry Whisenhunt
SCDC # 343850
Lieber Correctional Institution
Dorm: Ashley B-49
Post Office Box 205
Ridgeville, S.C. 29472

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

Appellate Case No: 2012-212970

The State,

Respondent,

v.

Terry D. Whisenhunt #343850,

Appellant.

Appeal From Calhoun County
Honorable Kristi Harrington, Circuit Court Judge

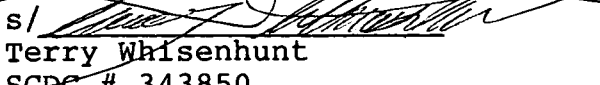
Certificate of Service

The Appellant hereby certifies that he has served the enclosed letter addressed to Rosalyn Frierson of the South Carolina Court of Administration on the below listed parties by depositing a copy of the same in the United States Mail, postage prepaid on this 30 day of May, 2013; addressed as follows:

(1) Clerk of Court
South Carolina Court of Appeals
Post Office Box 11629
Columbia, South Carolina 29211

(2) Attorney General
Post Office Box 11549
Columbia, S.C. 29211-

(3) Clerk of Court
Post Office Box 1525
Orangeburg, S.C. 29116

s/ 
Terry Whisenhunt
SCDC # 343850
Lieber Correctional Institution
Dorm: Ashley B-49
Post Office Box 205
Ridgeville, S.C. 29472

RECEIVED
JUN 04 2013
SC Court of Appeals