

To the Court of Appeals For South Carolina

State of South Carolina  
Plaintiff

Case #'s - 1408149  
- 1408150  
- 1408151  
- 1408152  
- 1408153

VS.

**RECEIVED**

MAR 10 2023

Michael Jay Kemper  
Defendant

Indictment #'s SC Court of Appeals

- 2010GS2310038  
- 2010GS2310039  
- 2010GS2310040  
- 2010GS2310041  
- 2010GS2310042

Petition For WRIT OF MANDAMUS

Pursuant to the Rules of the 13<sup>th</sup> Circuit Court, I respectfully petition this Court for a WRIT OF mandamus to compell the Lower Tribunal Court to Dismiss OR Resolve these very old Cases.

1.)

## Statement of The Facts

The petitioner, Michael Jay Kemmer, was charged in 2010 with these charges of 4 counts of obtaining controlled substance by fraud and 1 count of attempting to obtain control substance by fraud. I WAS sentenced to probation for these charges AND I Regretably left the state for nearly 13 years. I have filed 2 motions to the 13<sup>th</sup> District Court of Greenville County and 1 motion to compell over a years period from Feb 2022 - ~~Feb~~ - 2022 with no response whatsoever other than a Return letter out of the blue from the clerks office after the second motion, stating they had sent

Copies to the Judge, state's Attorney, and  
Probation office Nearly 4 months prior  
And they have not received any information  
so I could continue with the next step.  
I was sure these motions for plea in  
Absentia would have been worth clearing  
these very old cases off the books even  
if I pled guilty to the violation and the  
sentence was ran concurrent with my time  
I'm currently serving on unrelated charges  
in Florida DOC. My sentence is a 5 year  
sentence from 7-3-2021 and my tentative release  
date is 10-01-2025.

3.)

## Nature of Relief Sought

The Nature of the Relief Sought is for this Court to Force the 13<sup>th</sup> Circuit Court of Greenville County South Carolina to Dispose or Resolve these very old warrants and cases. These warrants are hindering me from receiving certain helpful betterment classes, courses, work programs and even work release now while I'm currently incarcerated. I Humbly ASK the Court to Help me with the Reentry Help I'm seeking.

## Declaration

I Hereby Declare, under the penalty of Perjury,  
That I Michael Jay Kemper the petitioner in the  
Above styled Cause AND that I have Read the  
foregoing petition for WRIT of Mandamus and  
have Personal Knowledge of the facts and matters  
therein set forth and alledged. AND that each  
AND all facts and matters are True and correct.

I AM Sober and Not under the influence of ANY  
legal nor Non-Legal Substance of ANY Kind. Executed  
This 1<sup>st</sup> Day of MARCH 2023.

Michael J. Kemper  
X96460 - E21225  
Lawtey C.I.  
P.O. Box 2000  
Lawtey, FL 32058

s.)

# CERTIFICATE OF SERVICE

# Certificate of Service

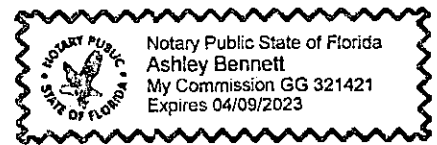
I hereby certify that a True and Correct Copy of the foregoing instrument, petition for WRIT of Mandamus has been furnished to:

Court of Appeals  
(For South Carolina)  
1015 Sumter St.  
Columbia, SC 29201

AND

Clerk of Court  
13th District for  
Greenville, SC  
305 East Northst.  
Greenville, SC 29601

Ashley Bennett 3/2/23



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MAR 10 2023

SC Court of Appeals

By placing same in U.S. MAIL within the  
confine of Lawtey, CI P.O. Box 2000 Lawtey, FL 32058  
this <sup>2ND</sup> ~~1st~~ Day of MARCH 2023.  
MK

(6.)

Michael J. Kemmel  
X96460-E21225

Michael Kemmel



**MEMO TO:** SOUTH CAROLINA COURT OF APPEALS

**FROM:** ASHLEY BENNETT, CSS

**DATE:** MARCH 2, 2023

**SUBJECT:** INMATE KEMRER, MICHAEL DC#X96460

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The above referenced offender is currently housed in the Department of Corrections. He was incarcerated in The Department of Corrections on 12/07/21. His current Tentative Release Date, which is subject to change, is 02/14/26. He is currently housed at Lawtey Correctional Institution. His current mailing address is P.O. Box 2000 Lawtey, FL 32058.

Michael J. Kemmer  
X96460-E21225  
Lawtey CJ  
P.O. Box 2000  
Lawtey, FL 32058

Mailed From  
A State  
Correctional  
Facility



LEGAL MAIL  
PROVIDED TO LAWTEY C.J.  
DATE 3/2/23 FOR MAILING  
OFFICER'S INITIALS TJB

(South Carolina)  
Court of Appeals  
1015 Sumter St.  
Columbia, SC 29201

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