

Michael Donta Brooks
Appellate

IN THE COURT OF APPEALS
TWELFTH JUDICIAL CIRCUIT
State of South Carolina County
of Florence

V.S.
STATE OF SOUTH Carolina

Appellate
Case No: 2015-001384

MOTION TO COMPEL
RECEIVED

JUN 05 2023

SC Court of Appeals

I Michael Donta Brooks the above Applicant
Requesting That the SOUTH CAROLINA COURT OF APPEALS COURT/
SOUTH CAROLINA COURT ADMINISTRATION TO Forward
Copies of the August 18, 2017 Remittitur to the Required
Parties to see to Above Applicants Release From Prison. Please
FAX or Forward copies to: South Carolina Department of Correction
Florence Clerk of Court, Evans Correctional and to whom so
Requires a Copy of The Documents to see to the above
Applicant Release From Prison on Case # 2015-001384.

Sign: Michael Brooks
DATE: May 18, 2023
Print: Michael Brooks

Address:
Michael Brooks
Evans Correctional
610 Highway 9
Bennettsville SC

SWORN TO and subscribed before me
This 18th day of May, 2023
Jessica Oullen

my Commission Expires: 2/17/23



STATE OF SOUTH CAROLINA
COUNTY OF FLORENCE

Michael Donta Brooks
v. The State

Lower court case NO. 2014ES2100813
Appellate Case No. 2015-001384

IN THE COURT OF COMMON
PLEAS

TWELFTH JUDICIAL CIR
STATE OF SOUTH CAROLINA
County of Florence

Appellate case No.
RECEIVED 2015-00138

JUN 05 2023

SC Court of Appeals

Dear Honorable Judge,

I Michael Donta Brooks the above Applicant for
out by THE SOUTH CAROLINA COURT OF APPEALS that I have already be
given Relief on my case when I tried to File a Complaint against my
Lawyer Joshua A. Bailey. Applicant requested an inquiry into the
Case and was given the following. THE SOUTH CAROLINA COURT OF APPEALS
Sent a Letter Dated February 28, 2023 which stated: Dear Mr. Brooks
The court received your February 28, 2023, The remittitur was
issued on August 18, 2017. This Court does not have jurisdiction
over this case. No further action will be taken on your filing.
See: Exhibit Attached. Applicant then contacted the Lower Courts of
Florence South Carolina and was sent the Remittitur along with the Copy
of the Judgment of the Appellate Court, Filed August 21, 2017.
11. Rules of Appellate Practice A. Appeals Rule 22. Rehearing
and Remittitur (b). Remittitur. The remittitur states: Dear Clerk
OF COURT: The above referenced matter is hereby remitted to the
Lower Court or Tribunal. A Copy of the Judgment of this Court
is enclosed. See Exhibit Attached. After case # 2015-001384
was submitted on June 7, 2017 Filed August 2, 2017 Affirmance
The remittitur was issued on August 18, 2017 Filed by the Clerk
of Court in Florence on August 21, 2017 10:50 am. Applicant now
ask the Courts to Grant him relief on the above mentioned
Case since the Filing of the remittitur and the Opinion, order,
Judgment or decree of the Court Finally disposing of the
Matter. The above Applicant ask that the relief he has been seeking

When points arising in a case before a court have been decided, they become res judicata. And when the remittitur has been sent down this court loses jurisdiction, and cannot therefore in the further progress of the case, render a different decision as to affect the particular case in which the decision was rendered.

~~Signed~~
Signed: Michael Brooks
Print: Michael Brooks
DATE: May 18, 2023

Address: Michael D. B.
Evans Corbett
610 Highway 9
Bennettsville
21

I Michael Dante Brooks swear under penalty of perjury that this information is true to the best of my knowledge and contains no misrepresentation.

SWORN TO and subscribed before me
This 21st day of May, 2023
Sasha Outlaw
My Commission Expires: 2/17/24





The South Carolina Court of Appeals

JENNY ABBOTT KITCHINGS
CLERK

V. CLAIRE ALLEN
CHIEF DEPUTY CLERK

POST OFFICE BOX 11629
COLUMBIA, SOUTH CAROLINA 29211
1220 SENATE STREET
COLUMBIA, SOUTH CAROLINA 29201
TELEPHONE: (803) 734-1890
FAX: (803) 734-1839
www.sccourts.org

March 27, 2023

Michael Donta Brooks, 273967
Kershaw Correctional Institution
4848 Gold Mine Hwy
Kershaw SC 29069

Re: The State v. Michael Donta Brooks
Appellate Case No. 2015-001384

Dear Mr. Brooks:

The Court received your February 28, 2023. The remittitur was issued on August 18, 2017. This Court does not have jurisdiction over this case. No further action will be taken on your filing.

Very truly yours,

A handwritten signature in cursive script that reads "V. Claire Allen".

CLERK

cc: Alan McCrory Wilson, Esquire
Kathrine Haggard Hudgins, Esquire
David A. Spencer, Esquire
Edgar Lewis Clements, III, Esquire

**THIS OPINION HAS NO PRECEDENTIAL VALUE. IT SHOULD NOT BE
CITED OR RELIED ON AS PRECEDENT IN ANY PROCEEDING
EXCEPT AS PROVIDED BY RULE 268(d)(2), SCACR.**

**THE STATE OF SOUTH CAROLINA
In The Court of Appeals**

The State, Respondent,

v.

Michael Donta Brooks, Appellant.

Appellate Case No. 2015-001384

Appeal From Florence County
Michael G. Nettles, Circuit Court Judge

Unpublished Opinion No. 2017-UP-321
Submitted June 1, 2017 – Filed August 2, 2017

AFFIRMED

Appellate Defender Kathrine Haggard Hudgins, of
Columbia, for Appellant.

Attorney General Alan McCrory Wilson and Assistant
Deputy Attorney General David A. Spencer, both of
Columbia; and Solicitor Edgar Lewis Clements, III, of
Florence, all for Respondent.

PER CURIAM: Michael Donta Brooks appeals his convictions for armed robbery, first-degree burglary, kidnapping, possession of a weapon during the commission of a violent crime, and possession of a firearm by a person convicted

2017 AUG 21 AM 10:50
DORIS POULOS O'HARA
CCCP & GS
FLORENCE COUNTY, SC

FILED

CERTIFIED. A TRUE COPY
D. Donta Brooks
CLERK OF COURT C.P. & G.S.
FLORENCE COUNTY, S.C.



The South Carolina Court of Appeals

JENNY ABBOTT KITCHINGS
CLERK

V. CLAIRE ALLEN
DEPUTY CLERK

POST OFFICE BOX 11629
COLUMBIA, SOUTH CAROLINA 29211
1220 SENATE STREET
COLUMBIA, SOUTH CAROLINA 29201
TELEPHONE: (803) 734-1890
FAX: (803) 734-1839
www.sccourts.org

August 18, 2017

The Honorable Doris Poulos O'Hara
180 N. Irby Street MSC-E
Florence SC 29501

REMITTITUR

Re: The State v. Michael Donta Brooks
Lower Court Case No. 2014GS2100813
Appellate Case No. 2015-001384

Dear Clerk of Court:

The above referenced matter is hereby remitted to the lower court or tribunal. A copy of the judgment of this Court is enclosed.

Very truly yours,

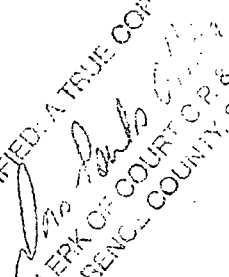

CLERK

Enclosure

cc: Alan McCrory Wilson, Esquire
Kathrine Haggard Hudgins, Esquire
David A. Spencer, Esquire
Edgar Lewis Clements, III, Esquire

2017 AUG 21 AM 10: 50
DONIS POULOS O'HARA
CCCP & GS
FLORENCE COUNTY, SC

FILED

CERTIFIED TRUE COPY

CLERK OF COURT C.P. & GS
FLORENCE COUNTY, S.C.

SOUTH CAROLINA APPELLATE COURT RULES

11. RULES OF APPELLATE PRACTICE

A. Appeals

Rule 221. Rehearing and Remittitur (Pardon)

(b) Remittitur. The remittitur shall contain a copy of the Judgment of the Appellate Court shall be sealed with the seal and signed by the Clerk of the Court and unless otherwise ordered by the Court shall not be sent to the lower court or administrative tribunal until fifteen (15) days have elapsed (The date of the filing being excluded) since the filing of the opinion order, judgment, or decree of the Court finally disposing of the Appeal.

Michael Donta Brooks Case No: 2015-001384
Appellate
v.s South Carolina

1) Direct Appeal - Submitted June 7 - 2017
Filed August 2, 2017 Affirmed

2) Remittitur (Pardon) Issued (15) days later
August 18, 2017

... (2017) Filed



South Carolina Court of Appeals

JENNY ABBOTT KITCHINGS, CLERK
POST OFFICE BOX 11629
COLUMBIA, SOUTH CAROLINA 29211

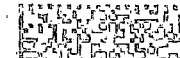
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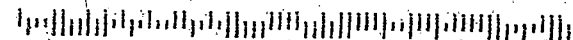
MICHAEL DONTA BROOKS, 273967
KERSHAW CORRECTIONAL INSTITUTION
4848 GOLD MINE HWY
KERSHAW SC 29069

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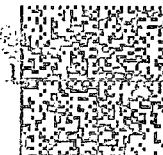
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DORIS POULOS O'HARA
CLERK OF COURT
COUNTY COMPLEX
181 N. IRBY STREET, SUITE 1100
FLORENCE, SC 29501

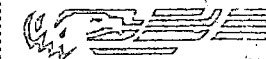
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Michael D. Brooks #273967
Evans Correctional
6010 Highway 9 West
Bennettsville SC 29512

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Michael Dante Brooks 273967
Evans CI/Wax B-119
601 Highway 9 west
Bennettsville, SC 29512



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JUN 05 2023

SC Court of Appeals

South Carolina Court of Appeals
Jenny Abbott Kitchings Clerk
Post office BOX 11629
Columbia, South Carolina 29211

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