

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

Appeal from the Administrative Law Court  
The Honorable Milton B. Kimpson, Judge  
Case No. 22-ALT-04-0183-AP

Case No. 2023-000948

Alonzo C. Jeter, III, #282902 ----- APPELLANT,

South Carolina Department of  
Corrections, ----- RESPONDENT.  
v

MOTION TO RECALL THE  
REMITTITUR

Appellant, Alonzo C. Jeter, III, comes respectfully moving that this Court would recall the remittitur issued in this case on October 17, 2023.

State v Keels, 39 S.C. 553, 17 S.E. 802 (1893) ("In order to justify this court in exercising the unusual power of recalling the remittitur after it has been sent down, a very strong showing would be required that the remittitur was sent down through some mistake or inadvertence on the part of this court or its officer...")


Appellant filed a Notice of Appeal with the South Carolina Supreme Court, appealing this Court's decision, on this case.

The Notice of Appeal was in fact also served on this Court as evidenced by this Court's September 22, 2023, filing of the same. Appellant's case was provided a docket number of 2023-001508, by the SC Supreme Court - evidencing the SC Supreme Court's receipt of and filing of Appellant's ~~Appell~~ Appeal.

As such, this Court has sent the remittitur down through some mistake or inadvertence on the part of this Court or its officer.

In addition, Appellant questions this Court's power and jurisdiction in issuing of the remittitur as it was now the South Carolina Supreme Court whom seems had the power and jurisdiction over Appellant's case. See i.e. State v Barnes, 413 SC 1, 774 S.E.2d 454 (2015) (providing contrast to Appellant's jurisdictional question as to the power to issue the remittitur.)

In any event, Appellant comes ~~down~~ not demanding, but rather asking respectfully and prayerfully that the remittitur be recalled - and that hopefully this Court understands Appellant's circumstance.

Respectfully Submitted, 

Alonzo C. Jeter, III

APPELLANT / pro se

Evans Correctional Institution

610 Hwy 9 West

Evansville, South Carolina

29512

This 26<sup>th</sup> day of October, 2023.



**South Carolina Court of Appeals**

JENNY ABBOTT KITCHINGS, CLERK  
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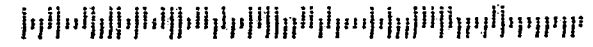
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OCT 19

ALONZO C. JETER, III, 282902  
EVANS CORRECTIONAL INSTITUTION  
610 HWY. 9  
BENNETTSVILLE SC 29512

29512-213010



**The Supreme Court of South Carolina**

PATRICIA A. HOWARD, CLERK OF COURT  
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ALONZO C. JETER, III, 282902  
MACDOUGALL CORRECTIONAL INSTITUTION  
1516 OLD GILLIARD ROAD  
RIDGEVILLE SC 29472

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

Appeal From The Administrative Law Court  
The Honorable Milton G. Kimpson, Judge  
Case No. ~~2022-ALJ-04-0183-AP~~

Case No. 2023-000948

Alonzo C. Jeter, III, #282902, ----- APPELLANT,

South Carolina Department of  
Corrections, ----- RESPONDENT.

CERTIFICATE OF SERVICE

I, Alonzo C. Jeter, III, hereby certify that I have served the Motion to Recall The Remittitur on the Respondent, by placing a copy of the same inside of a postage prepaid envelope, and by placing said envelope in the hands of Evans Correctional Institution's mail room personnel on this 26<sup>th</sup> day of October, 2023, for mailing via the United States Mail, addressed as follows: Joseph R. Shakibanwasab, Esq., Office of General Counsel, South Carolina Department of Corrections, PO Box 21787, Columbia SC 29221-1787; Jenny A. Kitchings, Clerk, PO Box 11629, Columbia, SC 29211; Patricia A. Howard, Clerk, South Carolina Supreme Court, PO Box 11330, Columbia SC 29211.

SKA

Alonzo C. Jeter, III  
Evans Correctional Institution  
610 Hwy 9 West  
Bennettsville, SC 29512

October 26, 2023

Alonzo C. Jeter, III, #282902  
Evans Correctional Institution  
610 Hwy 9 West  
Bennettsville, South Carolina 29512

The Honorable Jenny A. Kitchings  
Clerk, South Carolina Court of Appeals  
Post Office Box 11629  
Columbia, South Carolina 29211

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SC Court of Appeals

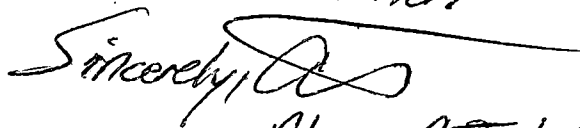
RE: Alonzo C. Jeter, III v South Carolina Department of Corrections  
Appellate Case No. 2023-000948

Dear Honorable Clerk,

Please find enclosed for filing, the Motion To Recall The Remittitur along with a Certificate of Service regarding the same, and Petition For Rehearing with Certificate of Service which are to be filed as attachments to the Motion To Recall The Remittitur.

Please find also an additional copy of these documents along with a self-addressed stamped envelope. Please do return to me a file-stamped copy of this cover letter as well as the enclosed duplicate copy of filings.

Thank you for your assistance in this matter.

Sincerely,  
  
Alonzo C. Jeter, III

October 26, 2023

Alonzo C. Jeter, III, #282902  
Evans Correctional Institution  
610 Hwy 9 West  
Bennettsville, South Carolina 29512

Joseph R. Shakibanasab, Esq.  
Office of General Counsel  
South Carolina Department of Corrections  
P O Box 21287  
Columbia, South Carolina 29221-1287

RE: Alonzo C. Jeter, III, #282902 v South Carolina Department of Corrections  
Appellate Case-2023-000948 (SC Court of Appeals)  
Appellate Case-2023-001508 (SC Supreme Court)

Dear Mr. Shakibanasab:

Please find the enclosed Motion to Recall the Remittitur and also Petition For Rehearing - filed in the South Carolina Court of Appeals and the South Carolina Supreme Court, respectively.

Please be advised that the Motion included the Petition as an attachment and the Petition included the Motion as an attachment.

With regards, I am 

Alonzo C. Jeter, III

H. Monzo C. Jeter, III, #282902  
Evans Correctional Institution  
610 Hwy 9 West  
Bennettsville, South Carolina 29512



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The Honorable Jenny A. Kitchings, Clerk  
South Carolina Court of Appeals  
Post Office Box 11629  
Columbia, South Carolina 29211

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SC Court of Appeals

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