

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

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NOV 27 2023

SC Court of Appeals

Appeal From The Administrative Law Court

The Honorable Milton G. Kimpson, Administrative Law Judge

Docket No. 2022-ALJ-04-0183-AP

Case No. 2023-000948

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

vs

South Carolina Department of
Corrections, -----

RESPONDENT.

MOTION FOR REVIEW
BY PANEL

Appellant, Alonzo C. Jeter, III, comes respectfully, and moves that this Court will provide a rehearing review of Appellant's Motion to Recall Remittitur which was filed on October 26, 2023. This motion was denied by way of an order filed November 14, 2023, which was issued by an individual Judge or Justice. Appellant moves pursuant to Rule 240(d) and (i), SCACR.

Specifically, Appellant would like his Motion To Recall Remittitur

be presented to and before two or more Judges or Justices of this Court and that de novo review of the motion be provided.

Appellant seeks that it is clearly understood that albeit the November 14, 2023, order dismissing the motion is correct in stating:

"On July 27, 2023, this court dismissed Appellant's appeal because he failed to pay the required filing fee. On August 29, 2023, we denied Appellant's petition for rehearing. Appellant filed a notice of appeal with the supreme court challenging this court's dismissal of his appeal, and the supreme court dismissed his action on September 25, 2023."

This Court seems to misapprehend or overlook the following:

- a) Appellant's Notice of Appeal to the Supreme Court was timely filed, accepted, and he provided a case number.
- b) On the date (September 25, 2023) the Supreme Court filed its order dismissing the appeal - Appellant was housed at MacDougal Correctional Institution, SCDC.
- c) Appellant was shipped to Evans Correctional Institution on September 27, 2023, consequently not receiving notice and written copy of the Supreme Court's order of

dismissed, as the order either haven't yet reached "MacDougall Correctional Institution by mail, or either the MacDougall Correctional Institution mail room personnel hadn't had opportunity to provide the order to Appellant by way of its Legal Mail System.

d) MacDougall's mail room personnel later forwarded the order to Evans Correctional Institution's mail room personnel for delivering the order to Appellant by and through Evans' Legal Mail System.

e) Appellant received written notice and copy of the Supreme Court's order of dismissal on October 19, 2023, by and through Evans' Legal Mail System.

f) On October 19, 2023, Appellant also received this Court's Remittitur, dated October 17, 2023, by and through Evans' Legal Mail System.

g) Appellant did attach copies of the envelopes which bear Evans' Legal Mail System's date stamp of October 19, 2023 upon the envelopes - unambiguously demonstrating and displaying that Appellant received the mailings on that date (October 19, 2023). Notice should also be given to the fact that MacDougall provided resub

date stamp, because MacDougall's mail room personnel did not provide the order to Appellant through its Legal Mail System - but rather did forward the order to Evans for delivery to Appellant through the Evans legal mail system.

Appellant seeks this Court's understanding and fundamental fairness in this regard.

Respectfully submitted, 

Alonzo C. Jeter, III
APPELLANT/prose

Evans Correctional Institution
610 Hwy 9 West
Bennettsville, SC 29512

This 20th day of November, 2023.

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

v

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

CERTIFICATE OF SERVICE

I, Alonzo C. Jeter, III, hereby certify that I have served the Motion For Review By Panel on the South Carolina Department of Corrections, by placing a copy of the same within a postage prepaid envelope, and by placing said envelope in the hands of Evans Correctional Institution's mailroom personnel on the 22nd day of November, 2023, for mailing via the United States Mail, addressed as follows: Joseph R. Shakibanarab, 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 29216.


Alonzo C. Jeter, III

November 20, 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
PO Box 11629
Columbia, South Carolina 29211

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RE: Alonzo C. Jeter, III, #282902 v South Carolina Dept of Corrections
Appellate Case No. 2023-000948

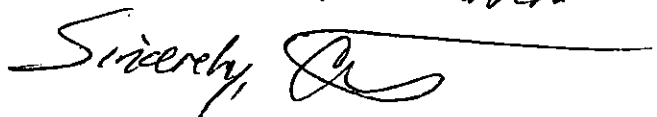
Dear Honorable Clerk:

Enclosed for filing, please find the Motion For Review
By Panel, along with a Certificate of Service regarding the same.

Enclosed also, please find an additional copy of these
documents, along with a self-addressed stamped envelope.

Please return to me a filed stamped copy of this filing by
way of the provided ~~SAFE~~. Unable to obtain envelope at this time.

Thank you for your assistance in this matter.

Sincerely, 
Alonzo C. Jeter, III

Alonzo C. Tate, III #282902

Evans Correctional Institution

610 Hwy 9 West

Bennettsville, SC 29512

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SC Court of Appeals

The Honorable Jerry A. Kitchings
Clerk, South Carolina Court of Appeals
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