

pages numbered consecutively - 1-37

(pg # 1)
73013

THE SUPREME COURT OF SOUTH CAROLINA

BENJAMIN R. NABORS, petitioner pro se

VS.

THE STATE OF SOUTH CAROLINA RESPONDENT,
ATTORNEY GENERAL ALAN WILSON

Appellate case no:

#2013-001195

THE HONORABLE CLIFTON B. NEWMAN
LAUREN COUNTY, S.C.

RECEIVED

APPELLATE COURT CASE NO. 2011 CP 3000308

AUG 07 2013

S.C. SUPREME COURT

pro se
motion to reconsider

THIS MOTION/PETITION, COMES
BEFORE THIS MOST VERY HONORABLE
COURT TODAY - RESPECTFULLY MOTIONING
THIS COURT, TO RECONSIDER ITS ORDER
OF JULY 22, 2013, BY C.J. TOAD.

(Pg 77-2)
73013

ORDERING my (premature
appeal) "Notice of appeal"
dismissed, ON JULY 22, 2013.

C.J. Toad cited HUDSON vs. HUDSON,
290 S.C. 215, 349 S.E.2d 341 (1986)
AND ALSO RULE 6(b), SCRPC.

("THE ¹¹₆9:3 time for taking any
action under rules 50(b), 52(b),
59, and 60(b) may not be
extended except to the extent
and under the conditions stated
in them.") ALSO, please see
actual order from JULY 22, 2013
as it is attached, included
with this motion to reconsider
which has been ¹¹₆9:3 timely
submitted and accordingly
so, as stated by the applying court
rules governing such.

PG ~~111~~ 3
7-30-13

Being motions/petitions, addressed
to, brought before, this most
Honorable Court, as this pro

se party petitioner now does
attempt to do, with "very

good causes, he strongly feels,
he does seek this Honorable
Court's reconsideration concerning
its July 22, 2013 order,

for the following, below
reasons for such reconsideration.

IF IT SO PLEASES THIS
Honorable Court, AT ISSUE
IN THIS pro se parties
motion for reconsideration

(Pg ~~7777~~=4)
7-30-13)

IS the following exhibits
and brief digestion of such,
as this prose mover of
this motion/petition, does
so understand, and interrupts
the facts to be, which
such mover of this motion/
petition, does rightly, according
to current court rules/procedures,
believes he is entitled to this
honorable court's reconsideration
concerning order from C.J.
foal, dated July-22, 2013,
in regards to case no's:
2013-001195, and trial court
case no: 2011-cp-30-00308.

(P9 ~~XXXX~~-5)
7-30-13

(THE FACTS, SUPPORTING
THIS MOTION FOR RECONSIDERATION,
ARE AS FOLLOWS:)

ON 3-13-13, P.C.R.
APPLICANTS HEARING WAS HELD
IN THE EIGHTH CIRCUIT OF
COMMON PLEAS, LAURENS COUNTY,
S.C., WITHIN THE HONORABLE
CLIFTON B. NEWMONS COURT.

ON 4-25-13, THE P.C.R.
COURT VIOLATED THE P.C.R.
APPLICANTS FEDERAL, STATE, AND
DUE PROCESS CONSTITUTIONAL
RIGHTS, WHEN AFTER HAVING
PREJUDICIOSLY FORCED SUCH

(P.S. ~~7-30-13~~ 6)

P.C.R. applicants pro se
evidentiary hearing on 3-13-13,
did so sign an order of
dismissal of P.C.R. applicants pro se
application, with prejudice, on
4-25-13. This pro se party
will address each and every
fact, piece of supporting
factual evidence (S)

documentations, and expert
witness(es) testimony, of their
affidavits, within his pro se
appeal brief, which
he will submit before the
South Carolina Appeals court,
according to applicable rules
and court procedures which do so

7-30-13
~~PS. ~~XXXXXX~~~~

Govern such appellate
processes / procedures within
South Carolina (after)
this Honorable Court has
accordingly addressed
and ruled on this
motion for reconsideration.

Filed today, August, 1-2013,

by this pro se party.

BEN R. NABORS.

* At the very heart
of this motion for
Reconsideration, is the fact
that upon signing into

~~PG 777~~ ~~778~~
7-30-13

LAW, ON 4-25-13

the p.c.R. COURT DID
VIOLATE RULE 71.1 (F)

71.1 (G), IN THAT JUDGE
CIBINNEWMAN DID NOT SEND

ORDER OF DISMISSAL DIRECTLY
TO COURT CLERK, BUT SENT p.c.R.
ORDER OF DISMISSAL SIGNED

ON 4-25-13 INSTEAD TO THE

ATTORNEY GENERAL'S OFFICE, SR.

J. Rutledge JOHNSON, EOS.

WHO THEN, "AFTER WITHHOLDING
SUCH ORDER FOR OVER A MONTH"

DID THEN MAKE SUCH
"UNFILED" TO ME, ON OR ABOUT

5-24-13, WHICH THEN
(LULLED) ME INTO ACTING

7-19930
P.S. ~~XXXXXXXXXX~~-9

upon such (unfiled)
copy, by while in a
severe mentally ill state
perhaps post distress syndrome
after ~~at~~ suffered as a victim
a brutal sexual assault on
about 5-12-13 and was
placed (after release from
palmeto Regional Hospital)
into p.H.D. "lock-up" at B.R.I.I.
at B.R.I.I., and it was
there, without my legal
law books of rules/procedures,
etc. or my case legal box,
or Aid of law books from
law library, etc. That →

PG # ~~7-30-13~~ ~~7-30-13~~ = 11

My appeal, no.
#2013-001195, then
on JULY-24-13

thereabout, p.c.R. court did
finally answer/rule on
59(e) filed on

5-25-13 prose by

me. So my motion
for reconsideration to
this most honorable court
is to reconsider all
facts/evidence, now
presented prose by me.

Pg. ~~XXXXXXXXXX~~ = 12

(7-30-13)

which should (enclosures)
record, prove by preponderance
of earth water that

my 59(e) ISSUES were
ruled on, preserved, on
receipt by me of on

7-23-13 of PAR CONT

7-16-13 59(e) RULING

and that I CAN (REFILE)

my notice of appeal

30 days within from

7-23-13 and that my

PG ~~730B~~ 730B

Notice of appeal should
therefore be accepted,
and reassigned same

case no: 2013-001195

with (record intact) of
history of such / ALL FACTS
PAPERS FILED MOTIONS
FILED, such as for
evidentiary hearings, etc.

please answer this motion,
place these motion for
Reconsideration on
COURT DOCKET forthwith.

7-30-13
Pg. ~~XXXXXXXXXXXX~~ = 14. 8-1-13
THE STATE OF SOUTH CAROLINA
EN. COURT APPEALS - SUPREME COURT

PROOF OF SERVICE OF MOTION
to RECONSIDER, REGARDING
CJ TOOLS ORDER OF APPEAL
DISMISSAL OF ABOUT ON
JULY 24-2013

APPEL FROM LAUREN COUNTY
COURT OF COMMON PLEAS,
CLIFTON B. NEWMAN, CIRCUIT JUDGE

CASE NO: 2011-CP-30-308

BENJAMIN RAY NABORS, PETITIONER, et al
PRO SE,
VS.
STATE OF SOUTH CAROLINA, RESPONDENT

Pg. ~~15~~ = 15

7-30-13

Proof Service, continued

PROOF OF SERVICE.

I certify that have served
this motion reconsideration on
C.J. Toal, via, Clerk Court
D. G. Shearouse, at:

DANIEL E. SHEAROUSE
CLERK, COURT SUPREME COURT
OF SOUTH CAROLINA
P.O. BOX 11330
COLUMBIA, S.C. 29211

PJ ~~XXXXXXXXXX-16~~
730-13

And this is proof of
Service (affidavit, best
This pro se party
can do and also informs
This Honorable Court that
he, "BEN R. NABORS" the mover
of this motion for rehearing,
reconsideration (is unable)
to conform / abide by RULES
240 (d), cause the S.C.D.C.
Office of General Counsel
CHRIS FLOPIAN, ESQ
803-896-1355

P.J. ~~XXXXXXXXXXXX~~
730-13

Has prevented this
prose appellant/petitioner/
mover of this motion/
petition, from receiving
(LEGAL COPIES)

from S.E.D.P. Mate Room

Supervisors, MR. KITT,

MR. COX, MRS. FINE

OF "HAND WRITTEN"

MOTIONS/PETITIONS etc.

P9. ~~THE STATE OF TEXAS~~
7-30-13 AEW-18

By telling / informing,
posting memorandum
to SCDC, BRCI, make
room staff stating the

SAME. ALSO petitioner
direct this courts attention
to Appellate case no.

2013-001240, "also

dismissed by this court,
and under prose parties
consideration to appeal
decision of, order on

P9. ~~Handwritten text~~ = 19
(7-30-13)

July-25-13, 5 ~~#~~ ~~#~~ enclosures
of order, also included.

NOTE: * therefore, due to
this pro se parties
"Health Medical Issues,"
he (can not) hand copy, or,
(Be reasonably) expected to
hand copy -) such motions,
petitions / CONT COMMUNICATIONS,
etc. as this, further
more, This petitioner
hereby assents on penalty,
under (all) penalties.

7-30-13
PJ ~~7-30-13~~ ~~7-30-13~~ = 20

of perjury. That he, diligently
attempted to construct

male, serve, this

pro se petition/motion,

for Reconsideration,

Rehearing, on, today's

DATE: 7-30-13, and

~~SCMED ON 8-1-13~~

AUGUST-1st 2013

today's DATE is

Respectfully

Submitted by

pro se mover/petitioner

BENJAMIN RAY NABORS

SCDC # 233844

4460 BROADS AVENUE RD

COLUMBIA SC 29210

PJ: A = 2 / 7-30-13

JUL 24 2013

The Supreme Court of South Carolina

SCJC
PAL ROOM

Benjamin Ray Nabors, Petitioner,

v.

The State of South Carolina, Respondent.

Appellate Case No. 2013-001195

RECEIVED

JUL 24 2013

SCJC
PAL ROOM

The Honorable Clifton Newman
Laurens County
Trial Court Case No. 2011CP3000308

ORDER

The order on appeal was signed by the circuit court judge on April 25, 2013. Petitioner indicates that he did not receive a copy of the order showing that it had been filed with the clerk of the circuit court until May 31, 2013. The proof of service that petitioner has filed states that counsel for the respondent was served with a copy of the notice of appeal on July 2, 2013.

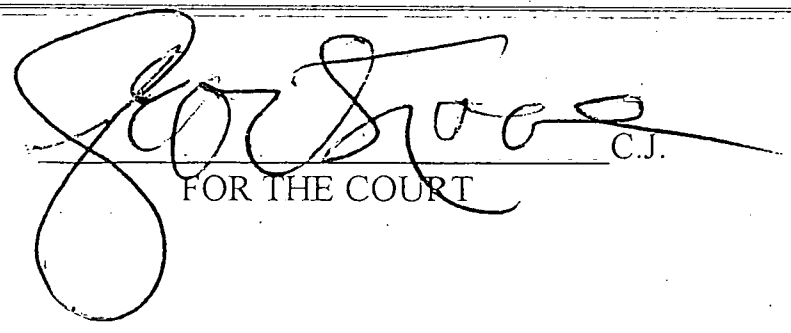
The time to serve the notice of appeal on opposing counsel is limited and that time cannot be extended. Rule 263(b), SCACR; Elam v. South Carolina Dept. of Transportation, 361 S.C. 9, 602 S.E.2d 772 (2004) (“The requirement of service of the notice of appeal is jurisdictional, *i.e.*, if a party misses the deadline, the appellate court lacks jurisdiction to consider the appeal and has no authority or discretion to ‘rescue’ the delinquent party by extending or ignoring the deadline for service of the notice.”).

Based on the failure of the petitioner to timely serve the notice of appeal under Rules 243(b) and 203(b)(1) of the South Carolina Appellate Court Rules, the notice of appeal is hereby dismissed. The motion for an evidentiary hearing, the motion

PJ: A = 1

pg 10-22 730-13

for the appointment of counsel and any other request for relief that petitioner has filed in this matter are denied as moot.¹ The remittitur will be sent as provided by Rule 221(b), SCAER.


FOR THE COURT

Columbia, South Carolina
July 22, 2013

cc: Salley W. Elliott, Esquire
Mr. Benjamin Nabors, #233844

¹ Petitioner asserts that he timely filed a Rule 59, SCRCR, motion with the circuit court. Further, petitioner has filed a motion seeking an extension to file a Rule 59 motion with this Court. Any issue regarding the filing of the Rule 59 motion or any extension of the time to file a Rule 59 motion is a matter that would have to be raised to the circuit court rather than to this Court. "If a timely post-trial motion was in fact timely made, then the time to appeal does not begin to run until that motion is ruled on." Rule 203(b)(1), SCACR ("When a timely . . . motion to alter or amend the judgment (Rules 52 and 59, SCRCR), . . . has been made, the time for appeal for all parties shall be stayed and shall run from receipt of written notice of entry of the order granting or denying such motion."); see also *Hudson v. Hudson*, 290 S.C. 215, 349 S.E.2d 341 (1986) (if a timely post-trial motion under Rule 59, SCRCR, is filed, any appeal is premature); see also Rule 6(b), SCRCR ("The time for taking any action under rules 50(b), 52(b), 59, and 60(b) may not be extended except to the extent and under the conditions stated in them.").

pg 10-22

PG# 23
7-30-13

STATE OF SOUTH CAROLINA)
LYNN W. LANCASTER) IN THE COURT OF COMMON PLEAS
COUNTY OF LAURENS) CIVIL ACTION NO.: 2010-CP-30-00308

2013 JUL 19 A) 8:47

Benjamin Nabors,
S.C.D.C. No. 233844

Applicant,

vs.

State of South Carolina,

Respondent.

LAURENS COUNTY
CLERK OF COURT

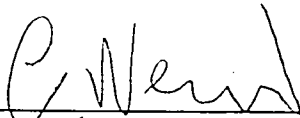
**ORDER DENYING MOTION
TO ALTER OR AMEND**

This matter comes before the Court by way of Applicant's Motion to Alter or Amend the Order of Dismissal filed May 22, 2013 in the Laurens County Clerk of Court office. The Applicant's Motion to Alter or Amend was not filed with the Clerk of Court, but was mailed to my chambers in Kingstree, South Carolina.

However, having carefully considered the arguments submitted and applicable law, the Court finds that the Motion to Alter or Amend should be DENIED.

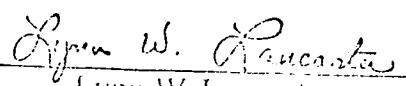
It is therefore ORDERED that the Applicant's Motion to Alter or Amend is DENIED.

AND, IT IS SO ORDERED.


Clifton Newman
Presiding Judge

July 16, 2013
Columbia, South Carolina

RECEIVED
JUL 23 2013
FBI
LABOR ROOM

A TRUE COPY OF ORIGINAL

Lynn W. Lancaster
Laurens County CCCP & CS

PG# 23

pg # 24
7-30-13

Lynn W. Lancaster
Laurens County Clerk of Court
P. O. Box 287
Laurens, SC 29360

June 3, 2013

Ben Nabors #233844
Broad River Correctional Institution
Saluda 148-A
4460 Broad River Road
Columbia, SC 29210

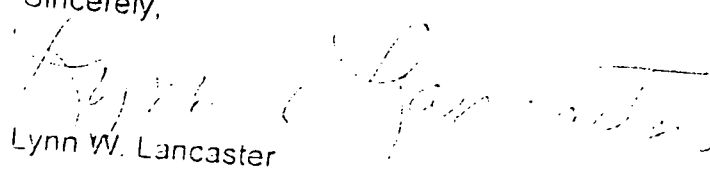
RE: Benjamin Nabors vs. State of South Carolina
2011-CP-30-308

Dear Mr. Nabors:

I am returning your motion for Rule 59(e) unfiled due to the fact that you filed a Notice of Appeal in the above captioned matter several days prior to the receipt of this filing. This court no longer has jurisdiction to rule on your motion.

As you no longer have a pending matter in front of this court, there is no need to correspond further. This is my final response.

Sincerely,


Lynn W. Lancaster

/lwl
Enclosures

pg # 4

Exhibit #5 pg. # = 25
7-30-13



State of South Carolina
The Circuit Court of the Third Judicial Circuit

Clifton Newman
Judge

Post Office Box 516
Kingstree, SC 29556-0516
Phone: (843) 355-9321
Ext: 7302
Fax: (843) 355-1576
cnewmanj@sccourts.org

June 25, 2013

Benjamin R. Nabors, #233844
Broad River Correctional Institution
4460 Broad River Road
Columbia, South Carolina 29210

Dear Mr. Nabors:

This letter responds to all of your correspondences to Judge Newman from March 13, 2013 to June 25, 2013. Judge Newman has received several documents, which include, but not limited to, previous correspondences you have sent to other court officials, attorneys, court reporters, and the clerk of court. Please be advised that Judge Newman cannot assist you with these matters.

Further, this letter is to inform you that Judge Newman only had jurisdiction over your PCR Application. Because the Order of Dismissal of your PCR Application was filed with the Laurens County Clerk of Court on May 22, 2013 and you did not file a Motion to Alter or Amend a Judgment pursuant to Rule 59(e) of the South Carolina Rules of Civil Procedure within 10 days of being served with the Order, Judge Newman no longer has jurisdiction over the matter.

Please do not forward anymore correspondences to Judge Newman's office as he will not be able to respond to or address any of your concerns.

Sincerely,

Sutania A. Radlein
Law Clerk

PJ: ~~HTP~~ P-5

CC: The Honorable Lynn W. Lancaster, Laurens County Clerk of Court
Rutledge Johnson, Assistant Attorney General

pg # = 26
7-30-13

~~Lynn W. Lancaster~~
Laurens County Clerk of Court
P. O. Box 287
Laurens, SC 29360

June 28, 2013

Ben Nabors #233844
Broad River Correctional Institution
Saluda 148-A
4460 Broad River Road
Columbia, SC 29210

RE: Status of Motions

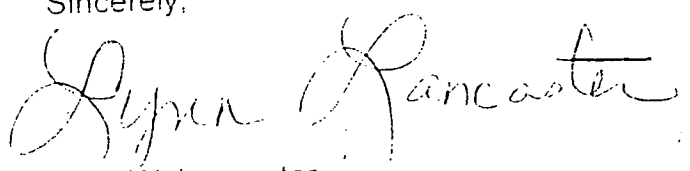
Dear Mr. Nabors:

You repeatedly refer to Rule 52 and 59 motions and ask for the status of the same. You do not have a Rule 59 motion in front of the court because I refused to file the same. Your case is on appeal and this court no longer has jurisdiction to consider that motion.

There may have been another motion filed after the March hearing date; however, according to Judge Newman's recent letter, he is of the opinion that his jurisdiction was concluded with the Order of Dismissal filed on May 22, 2013.

I am only writing to you today because Court Administration asked that I assist you in reference to the recent correspondence you sent to them.

Sincerely,



Lynn W. Lancaster

/lwl

pg # = 6

EX 1005
H 4
PS: A-27
A-309-13



The Supreme Court of South Carolina

DANIEL E. SHEAROUSE
CLERK OF COURT
BRENDA F. SHEALY
CHIEF DEPUTY CLERK

POST OFFICE BOX 11330
COLUMBIA, SOUTH CAROLINA
29211
1231 GERVAIS STREET
COLUMBIA, SOUTH CAROLINA 29201
TELEPHONE (803) 734-1050
FAX (803) 734-1499
www.sccourts.org

June 13, 2013

Rodney Wade Richey, Esquire
P.O. Box 10916
Greenville, SC 29603-0916

Re: Ben Nabors v. State
Appellate Case No. 2013-001195
Lower Court Case No. 2011-CP-30-00308

Dear Counsel:

Enclosed is a *pro se* notice of appeal and letter that has been filed by Mr. Nabors. Since the public case index for Laurens County shows that you are his counsel in this matter, I remind you that under Rule 71.1(g) of the South Carolina Appellate Court Rules (SCACR) that you remain his counsel of record before this Court.

This case has been assigned the appellate case number that appears above. Please use this number on all future correspondence relating to this matter.

For this matter to proceed, it will be necessary for you to provide the following within ten (10) days of the date of this letter:

- (1) A proof of service showing that the notice of appeal has been timely served on opposing counsel; and
- (2) A copy of the order(s) to be challenged on appeal.

DM

PS: A-309-13

pg. 28
7-30-13

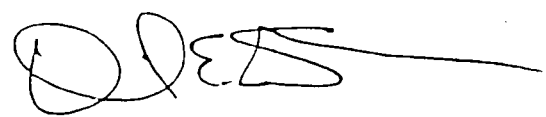
All parties to this matter are advised that all filings must comply with the requirements of Rule 267, SCACR. The SCACR are available online at www.sccourts.org/courtreg. Additionally, any filings submitted by counsel admitted in South Carolina must include counsel's bar number.

*

The attention of the parties is directed to the order relating to the inclusion of personal data identifiers and other sensitive information in documents filed with the Supreme Court of South Carolina and the South Carolina Court of Appeals. The order can be found at www.sccourts.org/courtOrders/HTMLFiles/2007-08-13-02.htm. Please note that the responsibility for insuring that information is redacted or sealed as required by this order rests with counsel and the parties. This office will not review filings for redaction or to determine if materials should be sealed.

Finally, in the notice of appeal, your client makes reference to the filing of a Rule 59, SCRCP, motion. The public case index does not show that any Rule 59 motion has been filed with the clerk of the lower court.

Very truly yours,

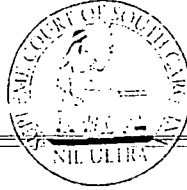

CLERK

cc: Mr. Ben Nabors, 233844
Salley W. Elliott, Esquire

PJ. ~~XXXXXXXXXX~~ 8



PS-# = 309
7-30-13



The Supreme Court of South Carolina

DANIEL E. SHEAROUSE
CLERK OF COURT

BRENDA F. SHEALY
CHIEF DEPUTY CLERK

POST OFFICE BOX 11330
COLUMBIA, SOUTH CAROLINA
29211

1231 GERVAIS STREET
COLUMBIA, SOUTH CAROLINA 29201
TELEPHONE (803) 734-1050
FAX (803) 734-1499
www.sccourts.org

June 27, 2013

Mr. Benjamin Nabors, #233844
Broad River Correctional Institution
4460 Broad River Road
Columbia SC 29210

Re: Benjamin Nabors v. The State
Appellate Case No. 2013-001195
Lower Court Case No. 2011-CP-30-00308

Dear Mr. Nabors:

Mr. Richey has now advised this office that he was relieved as your counsel. Therefore, we are marking our records to reflect that you are currently proceeding *pro se* in this matter. By copy of this letter, I do ask that Mr. Richey contact the clerk of court to correct it records since the public case index for Laurens County still lists him as your counsel.

For this matter to proceed, it will be necessary for you to provide the Court with a proof of service showing that the notice of appeal has been timely served on opposing counsel. This document should be provided within ten days of the date of this order. This proof of service should be substantially in the form specified in

PS. # = 10

pg # 31
7-30-13

the attached form.

Very truly yours,



CLERK

Enclosure

Form 7- Proof of Service for a Notice of Appeal

cc: Salley W. Elliott, Esquire
Rodney Wade Richey, Esquire

pg. ~~XXXXXXXXXX~~ = 11

PSA-32
7-30-13

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS
Post Office Box 21787 - Columbia, South Carolina 29221

Pursuant to Rule 4(d)(2), SCRPC, the Director of the South Carolina Department of Corrections has designated Curtis Hicks (Server) as his duly authorized agent for the purpose of making service of the signed Order of Dismissal on the below named individual.

STATE OF SOUTH CAROLINA) AFFIDAVIT OF PERSONAL SERVICE
COUNTY OF)

On this 20th day of June, 2013, I served the signed Order of Dismissal on Inmate Benjamin R. Nabors SCDC Inmate No. 233844 by delivering personally and leaving a copy of the same at Broad River Correctional Institution, Columbia, South Carolina. Deponent is not a party to this action.

s/ [Signature]
SCDC Server

SWORN TO AND SUBSCRIBED BEFORE ME

this 20th day of June, 2013
[Signature] (L.S.)
Notary Public for South Carolina

October 29, 2017
My Commission Expires: [Signature]

was NOTS represented
by NO COUNSEL AT [initials] OF
sign this. I do NOT
WAIVE my appeal AT
Rights, do NOT
WAIVE my appeal

ADMISSION OF SERVICE

Service of a copy of the signed Order of Dismissal is admitted at the S.C. Department of Corrections, Broad River Correctional Institution, Columbia, Richland County, South Carolina, this 20th day of June, 2013.

s/ [Signature]
Inmate Signature
SCDC No. 233844

List case number here
2011-CP-30-0308

PJ. ~~XXXXXXXXXXXX~~ = 12

199-33
7-30-13

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS
Post Office Box 21787 - Columbia, South Carolina 29221

Pursuant to Rule 4(d)(2), SCRCP, the Director of the South Carolina Department of Corrections has designated Robert A. Gothers (Server) as his duly authorized agent for the purpose of making service on the below named individual.

STATE OF SOUTH CAROLINA)
COUNTY OF Richland) AFFIDAVIT OF PERSONAL SERVICE

On this 9th day of July, 2013, I served the Order of Dismissal, on Inmate Benjamin R. Nelson, SCDC Inmate # 233844, by delivering personally and leaving a copy of same at Beard River Correctional Institution, Columbia, SC.

I am not a party to this action.

[Signature]
SCDC Server

SWORN TO AND SUBSCRIBED BEFORE ME at this 9th day of July, 2013.
[Signature]
Notary Public for South Carolina
My commission expires: October 29, 2017

was not represented
ON 7/26/13 This was served
do not know
what it is is and
do not waive my 59(c)
PCR motion NORIS my
RIGHTS) to appeal Judge
NEW C.B. NEWMAN'S
DISMISSAL ORDER
ON 4-25-13

ACCEPTANCE OF SERVICE

Service of a copy of the within Legal Pleadings is accepted at the S.C. Department of Corrections (Beard River Correctional Institution), Richland County, SC this 9th day of July, 2013.

[Signature]

BJ-AAAAA=13

ps. #34
7-30-13



The Supreme Court of South Carolina

DANIEL E. SHEAROUSE
CLERK OF COURT

BRENDA F. SHEALY
CHIEF DEPUTY CLERK

POST OFFICE BOX 11330
COLUMBIA, SOUTH CAROLINA
29211
1231 GERVAIS STREET
COLUMBIA, SOUTH CAROLINA 29201
TELEPHONE: (803) 734-1080
FAX: (803) 734-1499
www.sccourts.org

June 13, 2013

Mr. Ben Nabors, 233844
Broad River Correctional Institution
4460 Broad River Road
Columbia SC 29210

Re: Benjamin Nabors v. State of South Carolina.
Appellate Case No. 2013-001240

Dear Nabors:

This responds to your letter dated June 10, 2013. Your petition for an injunction has been assigned the appellate case number that appears above.

As to the other questions or concerns raised in your letter, I cannot determine what you are asking. Further, this Court cannot provide legal advice or assistance. You may want to consult with an attorney or consult the South Carolina Appellate Court Rules which should be available you in your prison library.

Sincerely,

Daniel E. Shearouse

ps. #34-13

1 OF 126
FUT
SOUTH CAROLINA

CASE NO. 2013-001240

pg 35

The Supreme Court of South Carolina

7-30-13

RECEIVED

ORDER

JUL 29 2013

BRCI MAILROOM 406

The following matters are dismissed pursuant to *Key v. Currie*, 338 S.E.2d 356 (1991), because no extraordinary reason exists to entertain them in this Court's jurisdiction:

1. *Benjamin Nabors v. South Carolina Department of Corrections*. Petition for Injunction dated June 5, 2013, with documents dated June 10th and June 12th, 2013. Appellate Case No. 2013-001240.
2. *Jerome Curry*. Letter to the Clerk of Court and Petition to the Supreme Court, dated June 3, 2013. Appellate Case No. 2013-001254.
3. *Mario Hinojos*. Letter to the Clerk of Court dated June 6, 2013. Appellate Case No. 2013-001278.
4. *Louis G. Lopez-Montero*. Letter to the Clerk of Court dated June 7, 2013 and Letter to the Deputy Chief Clerk of Court dated June 24, 2013. Appellate Case Nos. 2013-001337 and 2013-001439.
5. ~~*Benjamin Heyward*. Letter to the Chief Justice dated June 17, 2013. Appellate Case No. 2013-001389.~~
6. *Hao Qing Zhan*. Letter to the Court dated June 19, 2013. Appellate Case No. 2013-001397.
7. *Aric George Drummond*. Letter to the Clerk of Court dated June 17, 2013. Appellate Case No. 2013-001363.
8. *Toryast Johnson v. Ola Johnson*. Notice of Motion and Motion to Surrender Entire Case File dated June 7, 2013. Appellate Case No. 2013-001360.


19-36 7-30-13

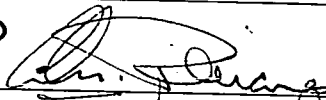
9. *Rickey Mazique v. State of South Carolina*. Petition for Original Jurisdiction dated June 24, 2013. Appellate Case No. 2013-001432.


10. *Tavarise Ferguson*. Letter to the Chief Justice dated June 26, 2013. Appellate Case No. 2013-001468.

11. *Frederick M. Howell*. Letter to the Chief Deputy Clerk of Court dated April 24, 2013. Appellate Case No. 2013-000951.

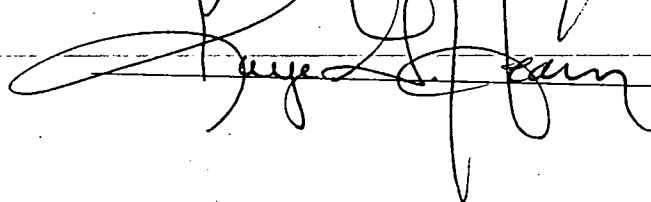
12. *William C. Mitchell v. South Carolina Contractors' Licensing Board and South Carolina Department of Labor, Licensing, and Regulation*. Motion for Ex Parte Writ of Mandamus dated July 10, 2013. Appellate Case No. 2013-001502.

 C.J.

 J.

 J.

 J.

 J.

Columbia, South Carolina

July 25, 2013

pp 4-37
7-30-13

July 25, 2013

CC:

Mr. Benjamin Nabors
Mr. Jerome Curry
Mr. Mario Ramos Hinojos, Jr.
Mr. Louis G. Lopez-Montero
Mr. Benjamin Heyward
Mr. Hoa Qing Zhan
Mr. Aric George Drummond
Mr. Toryast Johnson
Mr. Rickey Mazique
Mr. Tavarie Ferguson
The Honorable Winnifa Brown-Clark
The Honorable Edgar W. Dickson
Mr. Frederick L. Howell
Mr. William C. Mitchell



UNITED STATES POSTAGE

02 1M \$ 02.120
0008003534 AUG 02 2013
MAILED FROM ZIP CODE 29210

ENCLOSED IS
MOTION FOR REHEARING
* RULE: 221-240 ON SC. AC. R.
mailed on 8-1-13
BN

Suprem Court SC
Honorable: DANIEL E. SHEAROUSE
P.O. BOX 11330
COTE SC 29211

LEGAL MAIL