

Greetings to the Recipients of this Letter;

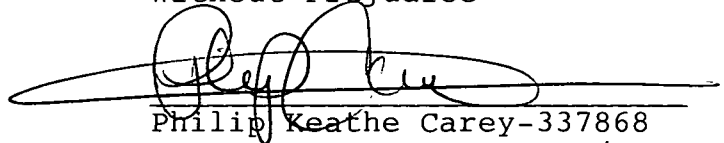
Upon receipt of the enclosed documents, MOTION FOR REMEDY AND VACATION OF SENTENCE, Pro Se Response, as well as this Cover Letter, a grace period of thirty (30) days will be granted to perform to the facts of this Motion and Pro Se Response. A true and filed copy of this Letter and all enclosed documents shall be sent to the below mentioned correspondence, as well as a true and filed copy sent to Petitioner at the below address.

Upon non-rebuttal of the facts presented herein will be deemed a tacit agreement and relief shall be granted immediately thereafter the expiration of granted thirty (30) day period.

Thank you for stepping away to acknowledge this Motion and all enclosed documents.

Dated this 31st day of July, A.D. 2013.

Without Prejudice



Philip Keathe Carey-337868
Tyger River Corr. Inst./U7-224B
200 Prison Road
Enoree, South Carolina
[29335]

CC: Daniel E. Shearouse, Supreme Court Clerk of Court
CC: Karen C. Ratigan, Asst. Attorney General
CC: Paul B. Wickensimer, Greenville County Clerk of Court
CC: Philip Keathe Carey, Petitioner
CC: Walt Wilkins, Head Solicitor of Greenville County

RECEIVED

AUG 08 2013

S.C. SUPREME COURT

Philip Carey - 337868
Tyger River Corr. Inst./ U7-224B
200 Prison Road
Enoree, South Carolina
[29335]

Date: 07-31-2013

The Supreme Court of South Carolina
Daniel E. Shearouse, Clerk of Court
Post Office Box 11330
Columbia, South Carolina
[29211]

RECEIVED

AUG 08 2013

RE: Pro Se Response

S.C. SUPREME COURT

I, Philip Carey, move this Honorable Court with both hands raised to the Heavens and as a man on the land of Greenville County, I have duly sworn, depose, and say and declare that the facts in this letter and the attached motion are true, correct, and complete to the best of my knowledge and belief.

According to the South Carolina Rules of Civil Procedure (SCRPC) Rule 12(a), the State of South Carolina has knowingly, intentionally, and voluntarily submitted a return on Appellant on December 16, 2010, exceeding the granted grace period established under SCRPC Rule 12(a) of sixty (60) days. As stated in the attached motion, the Post-Conviction Relief (PCR) application filed August 11, 2010, was arose out of a guilty plea, hence the sixty (60) day grace period was exceeded. (See attached MOTION FOR REMEDY AND VACATION OF SENTENCE.)

Further, the State of South Carolina has also knowingly, intentionally, and voluntarily and illegally violated South Carolina Appellate Court Rules (SCACR) Rule 240(e) failing to timely file a return to the abovementioned PCR application dated August 11, 2010. (See MOTION FOR REMEDY AND VACATION OF SENTENCE Article II.)

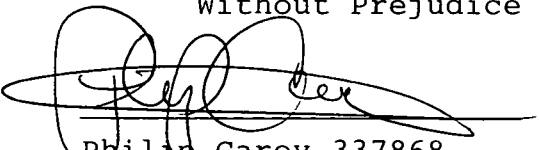
Therefore, the actions of the State of South Carolina are held without merit and actions of Appellant are of absolute truth and acceptable and shall be acknowledged by this Honorable Court. Such relief shall be granted as stated in Article III, of attached MOTION FOR REMEDY AND VACATION OF SENTENCE.

Be advised, upon Appellant's receiving of the letter dated the 7th day of June in THE YEAR OF OUR LORD TWO-THOUSAND THIRTEEN, it is stated in part in paragraph (2) that "...Petitioner has forty-five (45) days of the date of this

letter to file a pro se response...", such letter was not date stamp received until the 24th day of June in THE YEAR OF OUR LORD TWO-THOUSAND THIRTEEN. Therefore a timely response within your forty-five (45) day period cannot be established. Upon the receipt of the letter date stamped by the Tyger River Corr. Inst. Mail Room, gives Petitioner a forty-five (45) day response from the 24th day of June in THE YEAR OF OUR LORD TWO-THOUSAND THIRTEEN. Clerk may not and shall not force Petitioner into default judgment.

Sincerely,

Without Prejudice



Philip Carey-337868
Tyger River C.I./U7-224B
200 Prison Road
Enoree, South Carolina
[29335]

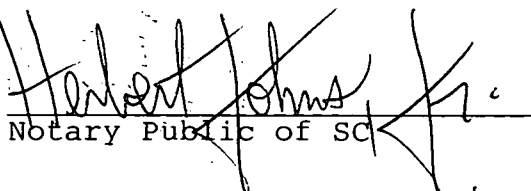
State of South Carolina

County of Greenville

SUBSCRIBED and SWORN before me this

31st day of July,
A.D. 2013.

WITNESS my hand and official seal.

 (Seal)
Notary Public of SC

My Commission Expires: 1-14-2019

the motion or petition." Limehouse v. Hulsey, 397 S.C. 49, 723 S.E.2d 211. (Also see SCRCF Rule 12(a).)

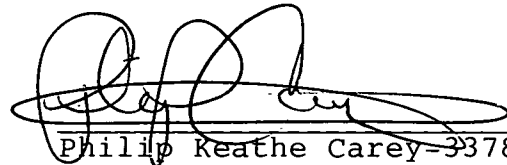
III.

To abolish this Motion would be to abolish both SCACR Rule 240(e) and SCRCF Rule 12(a). The relief sought in this motion of and for Post-Conviction Relief action filed August 11, 2010 as is stated, a vacation of the thirteen (13) year sentence.

CONCLUSION

Please be advised and with all due respect, that upon receipt of this MOTION FOR REMEDY AND VACATION OF SENTENCE, the State of South Carolina is given thirty (30) days to perform to the facts presented within this Motion. If said thirty (30) days expires, such relief shall be granted and the facts in this motion will be held as truth in both the public and private venue.

Without Prejudice



Philip Keathe Carey-337868
Tyger River Corr. Inst./U7-224B
200 Prison Road
Enoree, South Carolina
[29335]

PHILIP LEATHER CAREY - [331868]
RYGER RINER CORP. INST. | UT-224B
200 POKSON ROAD
ANDREWE, SOUTH CAROLINA
[29335]

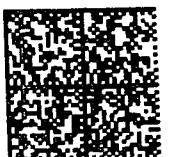
8-25-11
Hi Mr

SCDC

AUG 02 2013

MAIL ROOM

ATTN: DANIEL E. SHEAROUSE
THE SUPREME COURT OF SOUTH CAROLINA
CLERK OF COURT
POST OFFICE BOX 11330
COLUMBIA, SOUTH CAROLINA
[29211]



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