

July 31, 2013

South Carolina Court of Appeals

Clerk of Court S. Kitchings

~~108~~ 1015 Sumter St.

Columbia, SC 29201

Re: Writ of Certiorari: # 2009-146727

Dear Clerk:

I am in receipt of your letter dated July 26, 2013. Ms. Kitchings, on July 12, 2013, I received a letter from Ms. Lavelle Durant at the S.C. office of Indigent Defense, stating that "I am closing your file with this letter." The letter you sent me states "Since you are represented by counsel in this matter, no action will be taken on this pro se filing." Ms. Durant has not requested to be removed from my but yet, I asked her to file a petition for rehearing for me. Just like I asked Ms. Leah B. Moody to amend my P.C.R. application as well as Ms. E. Franklin-Best, but no action was taken. I am still not sure who is assigned to my case under Ms. Durant or Franklin-Best. The letter from Ms. L. Durant is attached because I knew I only had 14 days to file the petitions. I seems like Ms. Moody, Ms. Durant and Ms. Franklin-Best is in contact with the state.

cc. Attachment x 3

Jay [Signature]



# The South Carolina Court of Appeals

JENNY ABBOTT KITCHINGS  
CLERK

V. CLAIRE ALLEN  
DEPUTY CLERK

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July 26, 2013

Tony Moore 00188313  
Tyger River Correctional Institution  
Lower Yard  
100 Prison Rd  
Enoree, SC 29335-9308

Re: Moore, Tony v. The State  
Appellate Case No. 2009-146727

Dear Mr. Moore:

This responds to your recent correspondence dated July 17, 2013. Since you are represented by counsel in this matter, no action will be taken on this *pro se* filing. *Miller v. State*, 388 S.C. 347, 697 S.E.2d 527 (2010); *Jones v. State*, 348 S.C. 13, 558 S.E.2d 517 (2002); *State v. Stuckey*, 333 S.C. 56, 508 S.E.2d 564 (1998); *Foster v. State*, 298 S.C. 306, 379 S.E.2d 907 (1989). The letter is being returned to you. Any inquiries or motions need to go through your counsel, Elizabeth A. Franklin-Best at the South Carolina Commission on Indigent Defense, Division of Appellate Defense.

Very truly yours,

*V. Claire Allen, Deputy*

CLERK

cc: Jennifer Anne Kinzeler  
Elizabeth Anne Franklin-Best  
LaNelle Cantey DuRant



# SCCID

SOUTH CAROLINA COMMISSION ON INDIGENT DEFENSE

Division of Appellate Defense  
1330 Lady Street, Suite 401  
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Robert M. Dudek, Chief Appellate Defender  
Wanda H. Carter, Deputy Chief Appellate Defender

July 12, 2013

Tony Moore, #188313  
Tyger River Correctional Institution  
200 Prison Road  
Enoree, SC 29335-9308

Re: Your case

Dear Mr. Moore:

Enclosed is a copy of the Order of the Court of Appeals denying our Petition for Writ of Certiorari. This means that you have now exhausted your state court remedies.

There is now a **one-year statute of limitations for filing an application for a writ of habeas corpus in federal court**. However, please be aware that the time between your direct appeal becoming final, and the date your PCR application is filed **will count against your federal habeas statute of limitations in the future**. This statute of limitations is strictly enforced. I have enclosed a copy of the pertinent section of that statute for you to review. I am closing your file with this letter. Please understand that it is **your obligation alone** to ensure that a federal habeas application is timely filed if you want to continue challenging your conviction. Feel free to contact me if you have any questions, but writing to me **does not stay** the applicability of the statute of limitations. I do wish you the best in the future.

Sincerely,

LaNelle Cantey DuRant  
Appellate Defender

LCD/mpm

Enclosure: Habeas Corpus Application