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Apr 01 2024

SC Court of Appeals

**John Garvin
Ridgeland Correctional Institution
P.O. Box # 2039
Ridgeland, S.C. 29936**

ATTN: Hon. Catherine S. Harrison, Chief Deputy Clerk
Clerks Office of The S.C. Court of Appeals
P.O. Box # 11629
Columbia, S.C. 29211

RE: John Garvin v. SCDC, Case No.: 2023 – 001291, The Returning of Appellant’s Initial Reply Brief, When It Was Timely Filed On March 11, 2024

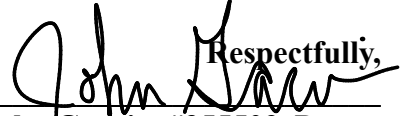
Dear Hon. Chief Deputy Clerk Harrison:

I send you this letter in regards to your March 29, 2024, letter, about the returning of my initial reply brief that was timely filed and received by the South Carolina Court of Appeals on March 11, 2024, without action. Insomuch as, I don’t understand why this Court is returning my Initial Reply Brief, when it was filed on time, pursuant to Rule – 208(a)(3) and Rule – 263(a), SCACR.

Here, the Respondent’s filed their response brief on February 28, 2024. Whereas, I the Appellant had ten (10) days to file my initial reply brief, pursuant to Rule – 208(a)(3), SCACR, thus, making the filing deadline to be on March 9, 2024, which lands on a Saturday. Therefore, making the filing period of time deadline “run[] until the end of the next day which is neither a Saturday, Sunday nor such holiday [and puts the filing deadline period of time to be on March 11, 2024].” See Rule – 263(a), SCACR.

Now, when I, the Appellant received the Respondent’s initial response brief, I had less than four days to make that March 11, 2024, filing period of time deadline. Whereas, I mistakenly filed a Motion for Extension of Time, out of an abundance of caution for the filing period to be extended to March 15, 2024, because I thought that I would not be finished by March 11, 2024. Insomuch as, this Court issued me a deficiency letter on March 7, 2024, requiring me to pay the filing fee within ten days or the filing of my Motion would not be considered. Being that I did not pay the filing fee, and that I filed my initial reply brief on time. Why is this Court not accepting my initial reply brief when it was filed on time on March 11, 2024.

Dated: April 1, 2024

Respectfully,


John Garvin, #355509, Pro-se.

JG/al
cc: Christina Catoe Bigelow, SCDC General Counsel