

July 15, 2024

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S.C. SUPREME COURT

ATTN: Hon. Patricia A. Howard,
CLERK OF COURT, THE SUPREME COURT OF SOUTH CAROLINA
P.O. Box 11330
Columbia, SC 29211

From: Bobby Joe Barton, #163629
C/A No. 2021-CP-23-03093

Re: Bobby Joe Barton, APPELLANT, v. THE STATE OF SOUTH CAROLINA,
RESPONDENT

Madam Clerk

I am filing this NOTICE OF APPEAL with your court and I've also placed all parties involved of this NOTICE as shown by the certificate of service. I am enclosing a true copy of a motion of notice of intent, if need be to file 59(c) & or 52(a), S.C.R. CRP. (SCDC MAIL-ROOM DATE, JUN. 10, 2024) and an motion of a 59(c) & 52(a), S.C.P. CP with an OBJECTION placed on record for asking the attorney general's office to draft the final order of dismissal. Appellant is not an attorney but did file these motions within (10) days of receiving the order of dismissal on June 26, 2024 in which S.C.D.C. Receipt of Legal Correspondence Verification Form (EXHIBIT #A) attached. The appellant is bringing to the attention of the honorable court that should the lower court refuse or failed to address these motions and preserve for appellate review. The appellant would show through physical documentation that he has done so with proof that he did serve all parties within a timely manner and therefore the appropriate remedy would be to...

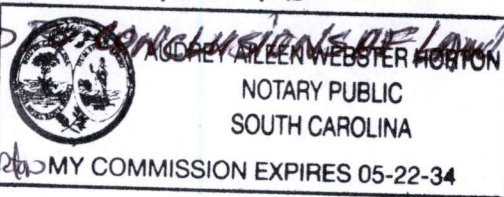
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REVERSE AND REMAND INSTRUCTING THE LOWER COURT (COURT OF COMMON PLEAS, 13th JUDICIAL CIR) TO #1.) ADDRESS THE APPLICATION WITH SPECIFIC FINDINGS OF FACT AND CONCLUSIONS OF LAW ARE REQUIRED, AND #2.) THAT A 59(e) MOTION WAS FILED IF ISSUES ARE NOT ADEQUATELY ADDRESSED IN ORDER TO PRESERVE THE ISSUES FOR APPELLATE REVIEW. "Mankin" 653 S.E.2d, ¶ 267. APPELLANT CITE "PRUITT V. STATE" 423 S.E.2d. 127, 128 (S.C., 1992) (REMANDING TO ADDRESS THE 59(e) AND 52(a), SC R CP MOTION.)

APPELLANT BRINGS THIS TO THE ATTENTION OF THE HONORABLE COURT SHOULD THE LOWER COURT OF THE COMMON PLEAS, 13th JUDICIAL CIRCUIT BY PASS ANY OR ALL PROCEDURES TO A PRO SE PETITIONER, EXCEPT DAYS AFTER FINALITY OF MOTIONS HAVE BEEN EXECUTED IN THAT COURT.

WHEREFORE THE APPELLANT ASK THIS COURT TO PLEASE ACKNOWLEDGE THIS COVER LETTER AND ITS CONTENTS SHOULD THE 59(e) & 52(a) MOTION BE OVERLOOKED AND NOT ADDRESSED PRIOR TO THE (30) DAY APPEAL STATUTE EXPIRE AND APPELLANT MUST FILE IT DUE TO THE FACT THAT THE LOWER COURT'S FAILURE TO ACKNOWLEDGE THE MOTION AND ADDRESS THE ISSUE WITH FINDINGS OF FACTS AND SUPPORTED AND ERROR FREE AS TO THE 52(a) SC R CP.



Audrey Allen Webster Houston
07-09-2024

ON THIS 15th day of JULY 2024
IN THE COUNTY OF SPARTANBERG

RESPECTFULLY SUBMITTED,

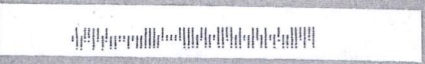
[Signature] #163629

BOBBY JOE BARTON, #163629
LIVESAY C.I. (B) CAMP
P.O. BOX 580

CC: BRICE GARRETT, CLK OF CT.
Melody J. Brown, A.G. OFFICE
SC Comm. ON INDIGENT DEFENSE
Bobby Joe Barton, APPELLANT

IN # SC 29378-0580

BOBBY BARTON #163629
LIVESAY C.I. (B) CAMP (3-1)
P.O. BOX 580
UNA SC 29378-0580



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"LEGAL-MAIL"

THE SUPREME COURT OF SOUTH CAROLINA
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