



# The Supreme Court of South Carolina

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September 17, 2024

Fai'Quan Swindell, 384536  
Broad River Correctional Institution  
4460 Broad River Road  
Columbia, SC 29210

Re: Fai'Quan Swindell v. State  
Appellate Case No. 2024-001504

Dear Mr. Swindell:

Your counsel filed a notice of appeal in the above post-conviction relief action. Since the order of the circuit court determined that this action is barred as being successive and/or as being untimely under the statute of limitations, Rule 243(c) of the South Carolina Appellate Court Rules requires a written explanation as to why this determination was improper. Your counsel filed a response, but you may also file a *pro se* explanation. Your explanation must contain sufficient facts, argument and citation to legal authority to show that there is an arguable basis for asserting that the determination by the lower court was improper. The failure to make a sufficient showing may result in the dismissal of this matter.

Please provide the explanation within twenty (20) days of the date of this letter.

Very truly yours,

*Patricia A. Howard*

CLERK

cc: Chelsey Faith Marto  
Robert Michael Dudek  
D. Russell Barlow, II