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Oct 17 2024

SC Court of Appeals

REQUEST FOR JUDICIAL NOTICE

To the honorable Judge John Kittredge Supreme Court South Carolina, Columbia, South Carolina

James Smith, Jr. vs. Rufus Rivers and Merle Rivers.

**Re: Supreme Court Case No. 2023-001318
Appellate Case No. 2020-000451**

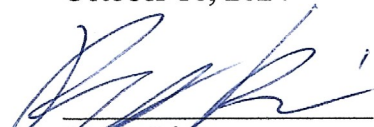
To the Honorable Chief Justice John Kittredge, we Rufus Rivers and Merle Rivers, respectfully request that the Court take judicial notice of the following fact:

1. The mandate was not issued by the Court of Appeals after its decision on June 23, 2023. In support of this request, we state as follows:


1. The non-issuance of the mandate is a fact that is not subject to reasonable dispute because it is readily verifiable from the Court of Appeals records.
2. The petition for certiorari was filed by the losing party and was granted review without requesting a stay.
3. Therefore, we request that the Court take notice of the aforementioned fact pursuant to Federal Rule of Evidence 201.

Respectfully submitted,

October 16, 2024


Rufus Rivers, pro se

Attorney for Petitioner
Kathleen McDaniel, Esq.
Columbia, South Carolina 29202


Merle Rivers, pro se

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SC Court of Appeals

**THE STATE OF SOUTH CAROLINA
THE SUPREME COURT**

**APPEL FROM ORANGEBURG COUNTY
The Honorable Edgar W. Dickson, Circuit Judge**

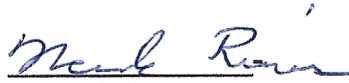
**Case No. 2018-CP-38-01339
Supreme Court Case No. 2023-001318**

PROOF OF SERVICE

Respondents hereby certify that a copy of Respondents' Request For Judicial Notice was served on James Smith, Jr., The Court of Appeals, and The Supreme Court by email and a copy deposited in the U. S. mail addressed with proper postage affixed and sent to his attorney of record, Kathleen McDaniel, Esq., at the last known address of P.O. Box 1929, Columbia, South Carolina, 29202. Copies were also e-filed with the Court of Appeals and the Supreme Court.

October 16, 2024


Rufus Rivers, pro se


Merle Rivers, pro se

cc: Court Of Appeals

cc: Supreme Court