The Supreme Court of South Carolina

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September 16, 2013

Mr. Benjamin Nabors, #233844
Broad River Correctional Institution
4460 Broad River Road
Columbia SC 29210

Re: Benjamin Nabors v. The State
Appellate Case No. 2013-001195

Dear Nabors:

The notice of appeal in the above appellate case was dismissed by order dated July 22, 2013. The Court subsequently denied your petition for reinstatement on August 26, 2013, and the remittitur was sent on that same day. The sending of the remittitur ended appellate jurisdiction and no further motion can be considered in this matter. *Wise v. South Carolina Department of Corrections*, 372 S.C. 173, 642 S.E.2d 551 (2007). Therefore, there is no reason to grant you any extension to file any motion in the above matter.[1]

I again note that your appeal from the order dated July 16, 2013, is pending under Appellate Case Number 2013-001797, and that the Division of Appellate Defense is representing you in that case. After it receives the transcripts that have been

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[1] In this regard, Rule 59 of the South Carolina Rules of Civil Procedure is inapplicable to appellate review in post-conviction relief cases. Rule 81, SCRCP ("These rules, or any of them, shall apply to every trial court of civil jurisdiction within this state . . . .").

ordered, that office will assign a specific attorney to represent you.

Very truly yours,

CLERK

cc: Salley W. Elliott, Esquire
Office of Appellate Defense