

THE STATE OF SOUTH CAROLINA
THE SUPREME COURT

RECEIVED

Apr 02 2025

S.C. SUPREME COURT

CASE NO. 2023-01318

RUFUS RIVERS AND MERLE RIVERS, PRO SE
RESPONDENTS

VS.

JAMES SMITH, JR.
PETITIONER

REQUEST FOR CLARIFICATION AND RECALL OF THE REMITTITUR

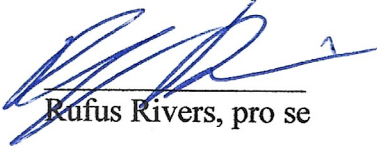
COMES NOW, Petitioners to address concerns regarding the remittitur in the above-referenced case decided on February 19, 2025.

It appears that the remittitur was sent to the circuit court, even though the case originated in the magistrate's court. Additionally, Petitioners want to note that while the email notice was drafted on February 19, 2025, it was not sent until February 24, 2025, nor was the opinion available in c-track until 02/24/2025.(see attachments & screenshot)). Petitioners are concerned that this delay may have impacted the timely processing and routing of the remittitur.

Petitioners would like to confirm whether the remittitur remains valid despite these issues and whether it was intended to restore jurisdiction to the magistrate's court. If the remittitur was sent to the incorrect court, Petitioners respectfully request that it be recalled and reissued with proper instructions to ensure it is directed to the proper court. See *Goldberg v. Kelly*, 397 U.S. 254 (1970), *Freeman v. Califano*, 574 F.2d 264, 267 (5th Cir. 1978).

Please advise Petitioners if additional documentation is needed to facilitate this request. Please consider this request and any other further relief the court deems necessary and proper,

March 31, 2025



Rufus Rivers, pro se



Merle Rivers, pro se

email: rrivers788@gmail.com
phone: 803-937-1860

attachments:

Attorney For Petitioner
Kathleen McDaniel, Esq.
P. O. Box 1929
Columbia, South Carolina 29202