



The South Carolina Court of Appeals

JENNY ABBOTT KITCHINGS
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September 27, 2013

Fate T. McClurkin, # 263209, 263209
Kershaw Correctional Institute
4848 Goldmine Hwy.
Kershaw SC 29067

Re: Fate McClurkin v. State of South Carolina
Appellate Case No. 2013-001987

Dear Counsel:

This Court has received your notice of appeal. Since the circuit court determined that habeas corpus relief was improper in the circuit court because the issues could have been raised in a timely application under the Post-Conviction Relief Act (*see Simpson v. State*, 329 S.C. 43, 495 S.E.2d 429 (1998)), you must file a written explanation as to why this determination was improper. This 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 circuit court was improper. Rule 203(d)(1)(B)(vi), SCACR.

Please file the required explanation within ten (10) days of the date of this letter.

Very truly yours,

Handwritten signature of Jenny A. Kitchings in cursive script.
CLERK

cc: James Rutledge Johnson