



The Supreme Court of South Carolina

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October 22, 2013

Ms. Brenda Nesbitt
Leath Correctional Institution
2809 Airport Road
Greenwood, SC 29649

RE: *Nesbitt v. State*, 2011-CP-23-00547

Dear Ms. Nesbitt:

This responds to your letter dated October 10, 2013. This Court can find no record of a notice of appeal being filed in the above matter.

If you did timely serve a notice of appeal from the final order in the post-conviction relief case, it will be necessary for you to serve and file a motion seeking permission to allow the late filing of the notice of appeal. That motion will need to be accompanied by a copy of the notice of appeal, a proof of service showing that the notice of appeal has been served on opposing counsel, a copy of the order(s) on appeal (including any conditional order of dismissal), the explanation required by Rule 243(c) of the South Carolina Appellate Court Rules if the application was dismissed as successive or as being barred by the statute of limitations, and a proof of service showing that a copy of the motion for late filing has been served on opposing counsel. This motion and documents should be filed with this Court within twenty (20) days of the date of this letter.

Sincerely,



Daniel E. Shearouse

cc: Office of the Attorney General

*Nesbitt
Brenda*