

RECEIVED

THE STATE OF SOUTH CAROLINA
IN the Supreme Court
JUL 5 2012

S.C. SUPREME COURT
APPEAL FROM DORCHESTER COUNTY

COURT OF COMMON PLEAS

Honorable Diane S. Goodstein

2011-CP-18-1130

Timothy Steward # 306441

Appellant

VS

The State

Respondent

APPELLANT'S WRITTEN EXPLANATION AS TO
WHY THE LOWER COURT FINDINGS WAS
IMPROPER PER S.C.A.C.R. RULE 243 (c)

ARGUMENT

The above named Appellant argue the same grounds set out in his return to Respondent's motion to Dismiss and order of Dismissal; and his 59(c) motion as the record shows.

That the lower court erred in finding that he was barred by the one year statute of limitations per 17-27-45 (a) and successive per. 17-27-90. And further argue that the lower court nor the Supreme Ct. has ruled, was first PCR Counsel's appeal was timely or that Applicant is entitled to his appeal per. Austin

For the foregoing reasons, Appellant's case must be remanded back to the lower Ct. for a full review upon all Appellant issues, if not per Austin.

Other counsel of record
A/A Gen Mary S. Williams

Respectfully

PROOF OF SERVICE

RECEIVED

JUL 5 2012

I, Timothy STEWARD certify that I have S.C. SUPREME COURT

Served my written explanation per SCACR-Rule 243(c) on the below persons. By placing the above said in the ME Corr. Inst. mail room on this 2012 day of perpaid, to be placed in the U.S. mail with postage

The Supreme Ct. Clerk
Daniel E. Shearouse
P.O. Box 11330
Columbia SC 29211

Office of Appellate Defense
(Appellant requesting repres-
entation)
1330 Lady St. Suite 401
P.O. Box 11589
Columbia, SC 29211

A/A Ben.

Mary S. Williams
P.O. Box 11549
Columbia SC 29211-1549

by Timothy STEWARD
Appellant

SWORN to before me
this 28 day of June

Jasper L Young
Notary Public

My Commission Expires 10 11 2021