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AUG 14 2026

THE STATE OF SOUTH CAROLINA
In The Supreme Court

S.C. SUPREME COURT

APPEAL FROM MARION COUNTY
Court of Common Pleas

Milton G. Kimpson, Circuit Court Judge

Case No. 2026 - 000940

The State

Respondent

✓

Derrell Wiggins

Appellant

PETITION FOR REHEARING

The Appellant Derrell Wiggins pursuant to Rule 221, SCACR moves the Court to reconsider its July 20, 2026 Order. In support of the Petition the appellant shows the following to the Court:

1. This court overlooked proof that Appellant ordered transcript in the following respect.

a. On February 25, 2026 appellant PCR Case was dismissed. After receiving the Court written notice of entry of the Order denying relief, appellant timely filed a Notice of Appeal and Order of

transcript (See attachment 1, 2 and 3). While waiting on the transcript appellant received a letter from Clerk Patricia A. Howard instructing Appellant to provide proof that the transcript has been ordered (See attachment 4). Appellant indeed submitted proof of the Order of Transcript to the Clerk Patricia Howard (See attachment #5).

Then, on June 23, 2026 the Clerk of Court sent another letter (See attachment #6) informing appellant that the Office of Court Administration has no record showing that appellant has ordered and made payment arrangements for the transcript from the Court Reporter.

Appellant then submitted a letter to the Clerk of Court informing her that he has ordered the transcript but has not received it.

The Court then dismissed Petitioner case for failure to provide proof of transcript as required by Rule 243(b).

Rule 243(b) of the South Carolina Appellate Court Rules requires that a petitioner shall obtain from the Court reporter a transcript of the proceedings in the lower Court.

The willful failure of the lower Court to not comply with Rule 207(c)(1) and 243(b) by failing to provide transcript after Petitioner has ordered transcript simply does not constitute grounds for dismissal under this Rule.

Accordingly, Appellate Case should not have been dismissed under Rule 243 for failure to provide proof of transcript due to the fact that Appellate has shown proof to the Clerk of Court that he in fact ordered the transcript (see attachment # 2, 3, 7 and 8).

As such, the Court has overlooked Petitioner's Ordering of the transcript as required by Rule 243(b) and 207(c)(1) in which requires a different decision from the decision rendered by the Court of Appeals on July 20, 2026

WHEREFORE, the appellant respectfully requests the Court to reconsider it's July 20, 2026 order and rule in favor of the appellant.

Darrell Wiggins
Darrell Wiggins #395961
T.C.I. EA-124
1578 Clarence Coker Hwy
Turbeville, SC 29162

CC: Mackinnon Westroad
Christy Gray
Patricia Howard

Attachment #1)

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AUG 14 2026

S.C. SUPREME COURT

THE STATE OF SOUTH CAROLINA
In The Supreme Court

APPEAL FROM MARION COUNTY
Court of Common Pleas

Milton G. Kimpson, Circuit Court Judge

Case No: 2020-CP-33-00156

The State

Respondent.

v.

Derrell Wiggins

Appellant.

NOTICE OF APPEAL

Derrell Wiggins appeals his PCR final decision in this case. The final decision was imposed by Milton G. Kimpson on February 25, 2026.

April 3, 2026

Derrell Wiggins
Derrell Wiggins # 848961
T.C.I. EA-1241 T
1578 Clarence Coker Hwy
Turbeville, SC 29162

Other Counsel of record:
Mackinnon Westroad, AAG
P.O. Box 11549
Columbia, SC 29211
Attorney for Respondent

CLERK OF COURT
CHRISTY M. GRAY
MARION COUNTY SC

2026 APR 27 A 9:44

FILED

(attachment #2)

THE STATE OF SOUTH
CAROLINA

Respondent

4.

DERELL WIGGINS

Appellant

) IN THE COURT OF
) COMMON PLEAS FOR
) THE TWELFTH
) JUDICIAL CIRCUIT
) Case NO: 2020-CP-33-00156

ORDER OF TRANSCRIPT
PURSUANT TO RULE
207 and 227(b), SCACR

I Derrell Wiggins move for an order of the PCA transcript that was recorded on February 25, 2026 in this Court. The presiding judge was Milton G. Kimpson. I am requesting the transcript of that hearing pursuant to SCACR 207 and 227(b). I am indigent and do not have the funds to purchase one. I am also Pro Se.

Derrell Wiggins
Derrell Wiggins #345961
T.C.I. EA-124-T
1578 Clarence Coker Hwy
Turbeville, SC 29162

MAHON COUNTY SC
CHRISTY M. GRAY
CLERK OF COURT

2026 APR 27 A 9:44

03712

Attachment #3)

Certificate of Service

I Derrell Wiggins did upon the 22nd
day of April Send an original copy
of Notice of Appeal/Order of Discharge to the person listed
below: Christy Gray
P.O. Box 295
Monroeville, SC 29571

By sending a copy of 2 handwritten copies
to the person listed above by pre-paid via mail
authorized and notarized by mailroom personnel
here at the Turbeville Correctional Institution.

FILED

2026 APR 27 A 9:49

MARKET COUNTY SC
CLERK OF COURT

Derrell Wiggins
Derrell Wiggins # 345961
T.C.I. EA-124
1578 Clarence Coker Hwy
Turbeville, SC 29162

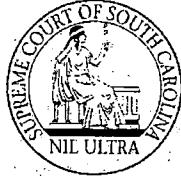
Sworn before me
this 22nd day of April 2026

J. Cant
Notary Public of South Carolina

8-13-2034
My Commission Expires

LEF 10 PMA

(Attachment #4)



The Supreme Court of South Carolina

PATRICIA A. HOWARD
CLERK OF COURT

BRENDA F. SHEALY
CHIEF DEPUTY CLERK

BLAIRE CANN
CHIEF DEPUTY CLERK

POST OFFICE BOX 11330
COLUMBIA, SOUTH CAROLINA
29211

1231 GERVAIS STREET
COLUMBIA, SOUTH CAROLINA 29201

TELEPHONE: (803) 734-1080

FAX: (803) 734-1499

www.sccourts.org

May 21, 2026

Derell D. Wiggins, 345961
1578 Clarence Coker Hwy
Turbeville, SC 29162

Re: Derell D. Wiggins v. State
Appellate Case No. 2026-000940

Dear Mr. Wiggins:

Please be advised the transcript is past due, and you must provide proof that the transcript has been ordered within twenty days of the date of this letter.

Sincerely,

Patricia A. Howard

CLERK

cc: MacKinnon Grace Westraad

Attachment # 5)

Dorell Wiggins

dd

10th

See W 10

Dorell Wiggins

10

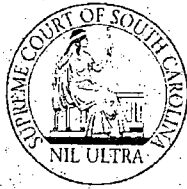
See

June

Budget Item - Direct

March 15, 2031

Attachment #6)



The Supreme Court of South Carolina

PATRICIA A. HOWARD
CLERK OF COURT

BRENDA F. SHEALY
CHIEF DEPUTY CLERK

BLAIRE CANN
CHIEF DEPUTY CLERK

POST OFFICE BOX 11330
COLUMBIA, SOUTH CAROLINA
29211
1231 GERVAIS STREET
COLUMBIA, SOUTH CAROLINA 29201
TELEPHONE: (803) 734-1080
FAX: (803) 734-1499
www.sccourts.org

June 23, 2026

Derell D. Wiggins, 345961
1578 Clarence Coker Hwy
Turbeville, SC 29162

Re: Derell D. Wiggins v. State
Appellate Case No. 2026-000940

Dear Mr. Wiggins:

The Office of Court Administration has no record showing that you have ordered and made payment arrangements for the transcript from the court reporter, Cynthia Weaver. Within ten days, you must provide proof that you have ordered and made payment arrangements for the transcript. Cynthia Weaver's address is 1164 Harvester Circle, Myrtle Beach, SC 29579. Under 207(a)(1), SCACR, you must copy the Office of Court Administration and this Court on all correspondence with the court reporter. Failure to make timely and satisfactory arrangements with the court reporter for the furnishing of the transcript may result in the dismissal of this appeal.

Sincerely,

Patricia A. Howard

CLERK

Attachment #7)

Certificate of Service

I Dereel Wiggins did upon the 20th
day of July 2026 send an original
Copy of ~~letter to Cynthia Wiggins order of~~^{Pr} to the person listed
below: Patricia A Howard
P.O. Box 11330
Columbia, SC 29211

By sending a copy of the document listed above
to the above person by U.S. postage prepaid via
mail authorized and notarized by mailroom personell
here at the Turbeville Correctional Institution.

Dereel Wiggins
Dereel Wiggins T# 5961
T.C.I. EA-124
1578 Clarence Coker Hwy
Turbeville, SC 29162

Sworn before me this

20th day of July 2026

J. Smith
Notary Public of South Carolina

8-13-2034
my Commission Expires

(attachment #8)

Certificate of Service

I Dorell Wiggins did upon the 20th
day of July 2026 send an original
Copy of Request for Transcript to the person listed
below: Court Reporter
Cynthia Weaver
1164 Harvester Circle
Myrtle Beach, SC 29579

By sending a copy of one (1) original handwritten
copy of the document listed above to the above person
by U.S. postage prepaid via mail authorized and notarized
by mailroom personnel hereat the Turbeville Correctional
Institution.

Dorell Wiggins
Dorell Wiggins # 345861
T.C.I. EA-124
1578 Clarence Coker Hwy
Turbeville, SC 29162

Sworn before me this

20th day of July 2026

J. Canty
Notary Public of South Carolina

8-13-2034
My Commission Expires

(Attachment #9)

Certificate of Service

I Derrell Wiggins did upon the 6th
day of May 2026 send an original
Copy of Proof of Service to the person listed
below: Patricia A Howard, Clerk of Court
P.O. Box 11330
Columbia, SC 29211

By sending an original copy of three (3) handwritten
copies of the listed document to the above person
by U.S. Postage Prepaid via mail authorized and
notarized by mailroom personnel here at the
Turberville Correctional Institution

Derrell Wiggins
Derrell Wiggins #345461
T.C.I. EA-124
1578 Clarence Coker Hwy
Turberville, SC 29162

Sworn before me this

6th day of May 2026

8-13-26
My Commission Expires

[Signature]
Notary Public of South Carolina

RECEIVED

MAY 06 2026

MAILROOM
TURBERVILLE CI

(Attachment #10)

Certificate of Service

I Darrell Wiggins did upon the 6th
day of May 2026 send an original
Copy of Proof of Service to the person listed
below: Mackinnon westroad, AAG
P.O. Box 11549
Columbia, SC 29211

By sending an original copy of three (3) handwritten
copies of the listed document to the above person
by U.S. postage prepaid via mail authorized and
notarized by mailroom personnel here at the
Turbeville Correctional Institution.

Darrell Wiggins

Darrell Wiggins A 345961

T.C.I. EA-124

1578 Clarence Coker Hwy

Turbeville, SC 29162

Subscribed before me this

6th

day of

May

2026

813-2034

my Commission Expires

RECEIVED

MAY 06 2026

MAILROOM
TURBEVILLE CI

[Signature]
Notary Public of South Carolina

Attachment #11

Derrell Wiggins #345961

T.C.I. EA-124

1578 Clarence Coker Hwy

Turbeville, SC 29162

Clerk of Court

Christy M. Gray

P.O. Box 295

Monroeville, SC 29571

Re: Derrell D. Wiggins #345961 v. State of South Carolina
Case No: 2020-CP-33-00156

Dear Christy Gray:

Please be advised that on February 29, 2025 I had a PCR hearing in the Florence County Court. Following this I filed a notice of appeal and a order of transcripts in Florence Court where my case was heard. However, the Florence County Clerk insisted that I send the notice of appeal and the order of transcript to this Court.

18000 LB 101570
CLERK OF COURT
CHRISTY M. GRAY
MARION COUNTY SC

2025 APR 27 A 9:44

FILED

Derrell Wiggins
Derrell Wiggins #345961
T.C.I. EA-124
1578 Clarence Coker Hwy
Turbeville, SC 29162

LEGAL MAIL
MAIL ROOM

Derrell Wiggins #345961
T.C.I. EA-124
1578 Clarence Coker Hwy
Turbeville, SC 29162



RECEIVED

AUG 14 2026

S.C. SUPREME COURT

Patricia A. Howard
Clerk of Court
P.O. Box 11330
Columbia, SC 29211

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AUG 05 2026
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TURBEVILLE CI

Legalmail

