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January 14, 2014

The Honorable Daniel E. Shearouse
Clerk, Supreme Court of South Carolina
P.O. Box 11330
Columbia, SC 29211

RECEIVED

JAN 17 2014

RE: Antonio Gordon v. State of South Carolina.
Appellate Case No. 2013-002153

S.C. Supreme Court

Dear Mr. Shearouse:

I had previously received a letter from the Court dated December 10, 2013 asking that I search any remaining file I have from this case for an Order dated August 25, 2006 denying a *pro se* Motion for Rehearing or Reconsideration. I was subsequently granted an extension of time in which to search for this material until Monday, January 20, 2014. I have received an email indicating that Mr. Gordon has now acknowledged that the Order denying his *pro se* motion was in fact dated December 9, 2003 and was filed December 15, 2003.

I apparently filed an appeal on behalf of Mr. Gordon from the Order of Dismissal entered on August 18, 2003 and filed on November 25, 2003. According to the Notice of Appeal I didn't receive the August 18, 2003 Order of Dismissal until November 20, 2003. It is apparent that for some reason I wasn't served with a clocked copy of the Order of Dismissal which was filed August 20, 2003 until that date in November. From your letter and attachments I see that Mr. Gordon's *pro se* motion was dated November 18th and was filed by the York County Court of Common Pleas on November 25, 2003. Since I obviously didn't have a clocked copy of the Order of Dismissal until November 20, 2003, I could not have provided Mr. Gordon a clocked copy before that date. As is my custom, I may have sent Mr. Gordon an unsigned copy of the Order when it was sent to me by the State as a proposed order.

I am confident that when I filed the Notice of Appeal on November 25, 2003 I was not aware of any pending motion in the Circuit Court addressing this Order of Dismissal. Obviously I cannot say for certain without reviewing this file. It would appear however that this *pro se* motion was mailed for filing before I filed a Notice of Appeal on Mr. Gordon's behalf. Since he was represented by counsel his *pro se* motion should not have been filed and accepted for review. Please let me know if there is any additional information or documentation that the Court would like me to try and retrieve from my closed file. Given the age of the file, it would take some doing to get to the right box in my storage

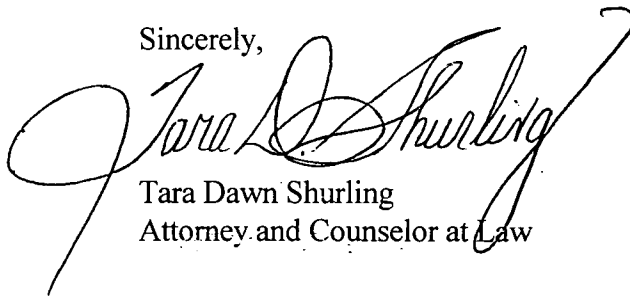
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Page 2 of 2

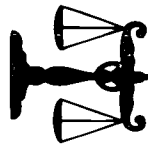
warehouse however, I will of course be happy to undertake that task if the Court desires for me to look for anything further in that closed file. Please let me know whether the Court desires any additional information from me or if I may consider this matter resolved. With best regards, I remain,

Sincerely,

A handwritten signature in cursive script that reads "Tara Dawn Shurling". The signature is written in black ink and is positioned above the printed name and title.

Tara Dawn Shurling
Attorney and Counselor at Law


TDS/sg



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