

THE STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

APPEAL FROM FLORENCE COUNTY  
COURT OF COMMON PLEAS

D. CRAIG BROOKIN, Circuit Judge

CASE NO. # 2011-CP-21-2095

**RECEIVED**

JUL 14 2014

**SC Court of Appeals**

CARMICHAEL T. FLOWERS . . . . . Appellant

VS.

WILLIAM K. BOONE, CAPT J. BRANSON,  
LEAH HARRIS, JOSEPH D. THOMPSON

AND ANNA AND/OR JOHN DOE . . . . . Respondents

AMENDED PETITION FOR REHEARING

ON 6/30/14 THE HON. JASPER CURETON, Assoc Justice for THE SOUTH CAROLINA COURT OF APPEALS filed AN ORDER dismissing Appellants Appeal.

Justice CURETON STATES IN HIS ORDER THAT "THE COURT HAS LEARNED FROM THE COURT OF ADMINISTRATION THAT Appellant NEVER furnished THE COURT REPORTER WITH date of THE HEARING AND ALSO THAT I (Appellant) FAILED TO RESPOND TO COURT REPORTER'S REQUEST FOR THE DATE."

Appellant immediately filed a petition for rehearing due to the erroneous assumption that I failed to provide the court reporter with the date of the hearing, and also to the assumption that the court reporter had somehow communicated with appellant.

Again as I mentioned in my petition, I found it eccentric that Ms. Holmes (Court Reporter) would wait 9 months until now to write me an unsigned letter dated (May 29<sup>th</sup> 2014) (see enclosed) to tell me that she received my request for a transcript, and would I give her the hearing date.

Ms. Desiree R. Allen, (Court Reporter Manager) sent me a letter also dated July 1, 2014, "after the fact" outlining for me to provide the date of the hearing, (see letter dated Sept. 19.13, exhibit (C) enclosed).

In any event I'm enclosing copies of all the letters and dates, as to make some kind of consensus of all of this in hope that the court will perhaps reverse the order of dismissal.

As soon as the Appellate Court granted "In forma Pauperis," on or about Aug. 14.13 I began to ask as to who the court reporter was, I received that information on Sept. 19.13.

Appellant's first letter to court reporter Crystal Holmes was dated Sept. 19.13, I requested the transcript and cost, I also provided a hearing date,

IT APPEARS EVERYONE (ALL PARTIES) GOT A COPY BUT MS. HOLMES, NO ONE (THE COURT) WOULD RETURN A STAMPED CLOCKED COPY AS REQUESTED OR RESPOND.


I AGAIN WROTE MS. HOLMES PER COURT ORDER (DATED MAY 14.14), PROVIDED ALL PARTIES WITH A COPY AND I REQUESTED A STAMPED CLOCKED COPY FOR MY RECORDS, NEITHER THE APPELLATE COURT OR COURT ADMINISTRATION WOULD RESPOND.

MS. DESIREE ALLEN FROM COURT ADMINISTRATION SENT ME THE ENCLOSED LETTERS, AFTER I HAD INITIALLY FILED MY PETITION FOR REHEARING.

### Conclusion

I'm ASKING THE COURT TO EXAMINE THE DATES AND LETTERS, ALSO THE FACT THAT I HAD IN FACT PROVIDED THE "DATE" OF THE HEARING 9 MONTHS AGO, AND AS STATED EARLIER, IF THE COURT OF ADMIN. OF THE COURT REPORTER HAD SENT LETTERS IN A TIMELY MANNER "THERE WOULD HAVE BEEN A RECORD OF RECEIPT."

DATE: July 10. 14

  
Michael Holmes  
INI Pro-SE

THE STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

Appeal from Florence County  
Court of Common Pleas

D. Craig Brown, Circuit Judge

CASE NO. # 2011-CP-21-2095

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**SC Court of Appeals**

CARMICHAEL T. FLOWERS . . . . Appellant

VS

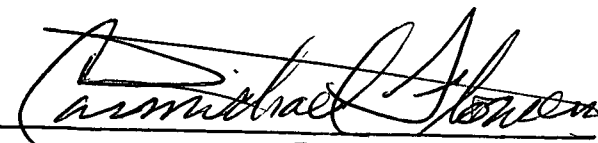
William K. Boone, Capt. J. Bronson,  
Leah Harris, Joseph D. Thompson,  
AND ANN AND/OR JOHN DOE . . . . Respondents

Certificate of Service

I, THE UNDERSIGNED, IN PRO-SE, HEREBY CERTIFY THAT I HAVE APPELLANT'S AMENDED PETITION FOR REHEARING, UPON RESPONDENT'S ATTY OF RECORD by placing THE SAME IN AN ENVELOPE, POSTAGED PREPAID, IN THE U.S. MAIL ADDRESSED AS FOLLOWS:

Date: July 10, 14  
Jasper Co.

J. SCOTT KOZACKI  
P.O. BOX 1909  
Florence, SC 29503

  
IN PRO-SE



**South Carolina Court Administration  
South Carolina Supreme Court  
Columbia, South Carolina**

ROSALYN FRIERSON  
DIRECTOR

1015 SUMTER STREET SUITE 200  
COLUMBIA, SOUTH CAROLINA 29201  
TELEPHONE (803) 734-1800  
FAX (803) 734-0269

July 1, 2014


Carmichael Flowers #335945  
RCI  
P. O. Box 2039  
Ridgeland, SC 29936

Dear Mr. Flowers:

This is in response to your letter received dated June 25, 2014, which was forwarded to the Court Reporter Section for response. Our records reflect and we have attached the letter that Ms. Holmes has sent in response to your request.

Please follow the instructions outlined in her letter and provide the date of the hearing for the transcript you are requesting.

Sincerely,

  
Desiree R. Allen  
Court Reporter Manager

Enclosure: Unsigned copy of letter  
CC: Crystal M. Holmes, Court Reporter

CRYSTAL M. HOLMES  
P.O. BOX 611, COLUMBIA,  
SOUTH CAROLINA 29202-0611

May 29<sup>th</sup>, 2014

Carmichael T. Flowers  
Agency # 3359445, RCI  
PO Box 2039, SB44  
Ridgeland, SC 29936

Case Number: 2011-CP-21-2095

Dear Mr. Flowers,

I have received your request for a transcript in the above-referenced matter. The cost of a transcript is \$3.25 per page plus shipping and handling. After reviewing your request I did not see where you included the date of the hearing. Your letter indicated the hearing was held in Florence Co. before Honorable D. Craig Brown in Common Pleas.

If you would tell me the date the hearing took place I will be able to locate the hearing and give an estimate on the transcript.

If you have any further questions, please contact me at the above address. Thank you.

Sincerely,

Crystal M. Holmes

JUNE 19, 2014

THE HON. ROSALYN W. FRIERSON  
Dir. SOUTH CAROLINA Court Admin.  
1015 Sumner Street, Ste 200  
Columbia, S.C. 29201

RE: CARMICHAEL T. FLOWERS  
Appellant

vs

William K. Boone, et al

Respondents CASE NO. # 2013-000823

DEAR MS. FRIERSON,

I SENT THE COURT ADMIN. A COPY OF 2<sup>ND</sup> LETTER TO COURT REPORTER CRYSTAL M. HOLMES REQUESTING THE TRANSCRIPT, HOWEVER I HAVE NOT RECEIVED A STAMPED CONFIRMATION.

SECONDLY, I HAVE NOT RECEIVED THE TRANSCRIPT IN A TIMELY MANNER.

With the kindest of regards. . . I Am,

cc Court Admin.  
cc Jerome Scott Kozacki, ESP  
cc S.C. Appellate Court  
cc Court Reporter Crystal M. Holmes

Sincerely,  
Carmichael Flowers

SEPT. 19.13

Mr. Carmichael T. Flowers  
 Agency # 335945 / EVANS C.I.  
 610 HWY # 9 WEST, FI-B-141A  
 Bennettsville, SC 29512

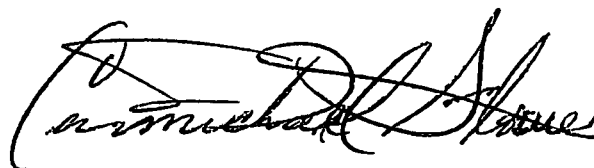
Ms. Crystal M. Holmes  
 P.O. Box 611  
 Columbia, S.C. 29202

RE: CA NO# 2011-CP-21-2095

Ms. Holmes,

A HEARING WAS HELD in Florence County, IN THE COURT  
 of Common Pleas ON MAR. 21.13 IN THE ABOVE MATTER, please  
 provide me with the "Minimal Cost" for this transcript, thanks

With Kind Regards...



cc. J. SCOTT KOZACKI, ESD.  
 cc S.C. Court of Administration  
 cc Appellate Court



South Carolina Court Administration  
1015 Sumter Street, Suite 200  
Columbia, South Carolina 29201-3739

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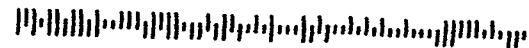
Carmichael Flowers #335945  
RCI  
P. O. Box 2039  
Ridgeland, SC 29936

RIDGELAND CORRECTIONAL  
INSTITUTION

JUL 07 2014

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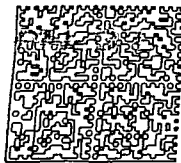
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Mr. MICHAEL T. FLOWERS  
Agency # 335945, RCI  
P.O. BOX 2039, SB 44  
Ridgeland, SC 29936

CHARLESTON SC 294

JUL 11 2014



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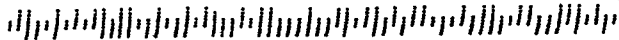
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JUL 14 2014

**SC Court of Appeals**

SOUTH CAROLINA Court of Appeals  
THE HON. JENNY Abbott Kitchings, Clerk  
1015 Sumter ST  
Columbia, SC 29201  
ATTN: MS. ELIZABETH CARTER, CASE ANALYST

29201+3726



#335945  
LEGAL MAIL