

State of South Carolina
In the Supreme Court

Appeal from South Carolina Court
of Appeal

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S.C. Supreme Court

Appellate Case No. 2014-001564

Reply to Respondent's Motion

Casey Lewis #259254
Pro Se

Argument

Respondent concludes that Intent to Appeal is a Jurisdictional requirement - and the Court has no authority to extend or expand the time in which Appeals must be served. Although there are rules regarding the timeliness of Appeals, the Courts has acknowledged that circumstances may occur that may allow the Petitioner to Proceed beyond the ordinary application of established rules (State v. David (1881) 14 S.C. 428; State v. Workman (1881) 15 S.C. 340; State v. Anderson (1910) 85 S.C. 229 - 67 S.E. 237; State v. Nance (1886) 25 S.C. 168; Henning v. Kate 415 S.E2d 794; Erickson v. Pardes 551 U.S. 89, 94 (2007); Estelle 429 U.S. at 106-87 S.Ct 285; Fed Rule Civ. Pro Rule 8(a) (2) (F) 28 U.S.C.A. At issue is should Petitioner be held to the same standards as an attorney of law? Should inadvertant error bar Petitioner from receiving an appeal of the merits of Appellant's colorable claims? Questions which have already been answered by the Supreme Court of South Carolina (Henning v. Kate 415 S.E2d 794) and the Federal Court (Erickson v. Pardes 551 U.S. 89-94 (2007); Gordon v. Leeke 574 F.2d 1147; Estelle 429 U.S. at 106-87 S.Ct 285).

Petitioner asserts that the Honorable Court of Appeals should have taken into Consideration that Petitioner was a layman of the law and had no attorney - nor has he received any legal assistance of persons trained in the law. Therefore, the Court of Appeals should have construed liberally the Petitioner's colorable merits of Petitioner's Claim (Gordon v Leeke 574 F.2d 1147). Furthermore, the respondents failure to Address the fact that Petitioner's Post-trial Motion was also Captioned and Presented to the Court of General Sessions Pursuant to S.C. R.C.P. Rule 60(b)1, Rule 60(b)3, Rule 60(b)4 which voids Petitioner's "1999" Fifth-Five (55) Year Sentence because of the Clarification of the "2010" Year Version of 16-3-20, is an acquiescence for the Petitioner to Move Forward Pursuant to Marden v. Bradford, 661 S.E2d 390 (S.C. App. 2008); Thompson v. Thompson 661 S.E2d 130 (S.C. App. 2008); Parrish v. Allison, 656 S.E2d 382 (S.C. App. 2007).

Petitioner believed, with his limited interpretation of the law, since he motioned the Court Pursuant to S.C. R.C.P. Rule 60(b)1, Rule 60(b)3, Rule 60(b)4 to Modify and Correct his Sentence, he had a legal right to Motion the Honorable William Jeffrey Young Pursuant to Rule 59(c) to Clarify

his ruling with legal case law before Petitioner can proceed further with his Petition. It is because of various mistakes that may occur, throughout the course of litigating colorable merits of law by layman, or even trained attorneys of law, the Courts have established Guidelines that where colorable merits exist minute technicalities should not be grounds to have the merits of a case overlooked and dismissed.

Conclusion

Petitioner, now, asks the Honorable Supreme Court to Grant writ of Certiorari to address the merits of Petitioner's Motion to Modify and Correct Sentence.

This 7th day of September, 2014

Case Lewis # 259254

Pro Se

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In the Supreme Court

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S.C. SUPREME COURT

Appeal from South Carolina Court of Appeals

Appellate Case No. 2014-001564

Certificate of Service

The undersigned certified that this "Reply to Respondent's Motion has been served to the Attorney General's office.

This Day 8th of this Month September 2014

Caset Lewis # 259254
BIRLIT Wat A-#185
4460 Broad River Rd
Columbia SC 29210

Sworn to and Subscribed before me
This 8th Day of September 2014
Jessie A. Dyer
Notary Public for South Carolina

My Commission Expires _____

My Commission Expires
March 5, 2018

Pro Se

The Supreme Court of South Carolina

The State - Respondent

v.

Casel Lewis - Petitioner

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S.C. SUPREME COURT

Appellate Case No. 2014-00564

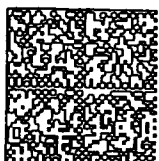
Dear Mr. Shearouse:

Enclosed is a copy of the Reply brief to the Respondent's response to the Writ of Certiorari. I hope that this handwritten copy doesn't upset you or any of the Justices by any chance. I am truly sorry if it does. I would like to have this Reply filed as a part of the record for Writ of Certiorari.

Thank you for taking the time out of your busy schedule to review my concern. Have a nice day!

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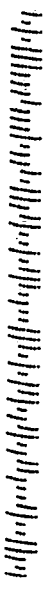
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