

13, 2014. And Lee Correctional Institutional Mail Room's stamp indicates they received Petitioner's Petition for mailing on October 9, 2014. The date of filing the actual Petition for Rehearing must have been actually received by the Court no later than October 11, 2014 not October 9, 2014. Because Petitioner received the initial Order on September 26, 2014. Because it arrived at the institution on September 25, 2014. The proper declaration of every order (envelope) which Petitioner received is labeled as Exhibits A, B & C. Which the envelope stamp indicates when the legal material actually arrive at the institution.

Therefore, Attorney General is wrong in his finding that the petition should have been received in the office on or before October 9, 2014. Thus according unto Houston v. Lack, 108 S.Ct. 2379, (1988). The date of filing is the date Petitioner gave his Petition for Rehearing unto the prison officials for mailing. So therefore, Petitioner's Petition for Rehearing was in an timely and fashion manner. Attorney General is precluding Orders to try and make as though Petitioner is not applying his case unto the well establish Rule of SOLR Rule 221(a). Recently, Judge Cameron McGowan Green, United States District Court Judge, addressed a situation similar to the prison mailroom rule and it is found as follows:

Absent specific indication by prison authorities as to the date received for mailing, courts look to the date the petition is executed by the inmate, or the postmark date. Houston, 487 U.S. at 275 (emphasizing importance of objective indicia of delivery to alleviate need to "dispute a prisoner's assertions that he delivered the paper on a different date."); See, e.g. Marsh v. Soles, 223 F.3d 1217, 1218 n. 1 (10th Cir. 2000) ("Liberal application of the mailbox rule... causes us to treat the petition as placed in the hands of prison authorities on the same day it was signed.") and Douglas v. Abelle, 567 F.3d 1103, 1109 (9th Cir. 2009) (considering postmark as evidence of date of mailing in applying prison mailbox rule).

Therefore, it is clearly shown that the specific time and date that the court has relied upon is false and the Remittitur was sent down by a mistake according to Attorney Daniel Cowley using predated orders and misleading tactics which his actual predated order for the Remittitur was dated for October 10, 2014 which Petitioner didn't receive until October 15, 2014. If it arrived at the Institutional Mailroom on October 14, 2014. So Petitioner properly filed his Petition in the (15) day filing period according to SOLR Rule 221(a).

For these reasons asserted, Petitioner hopes and prays that the Respondents will look into this matter and properly review his Explanational required by ~~SCCR~~ Rule 243(c) and review the overlooked Petition For Rehearing.

Thanks in regards of this matter.

This the 22nd day of October, 2014.

Respectfully submitted,

Jason A. Brown

Jason A. Brown, #395561

Jee Coll. Inst. Flc Meth 2107

990 Wisackel Highway

Bishopville, SC 29010

The Supreme Court of South Carolina
DANIEL E. SHEAROUSE, CLERK OF COURT
POST OFFICE BOX 11330
COLUMBIA, SOUTH CAROLINA 29211

RECEIVED
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COLUMBIA SC 29405

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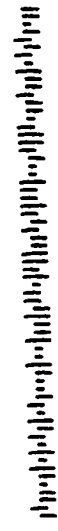


F10 210713

JASON A. BROWN, #325561
LEE CORRECTIONAL INSTITUTION
990 WISACKY HIGHWAY
BISHOPVILLE SC 29010

Motion For Rehearing

29010177590



"K. F. H. B."

"Exhibit 2"

The Supreme Court of South Carolina

Jason A. Brown, Petitioner,

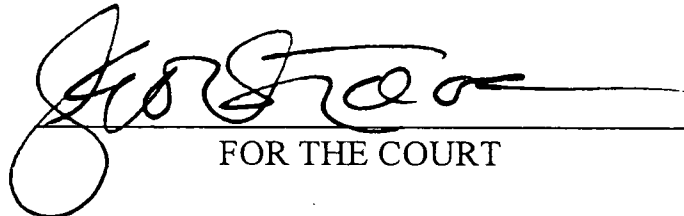
v.

State of South Carolina, Respondent.

Appellate Case No. 2014-001670

ORDER

In the explanation required by Rule 243(c) of South Carolina Appellate Court Rules (SCACR), petitioner has failed to show that there is an arguable basis for asserting that the determination by the lower court was improper. Accordingly, this matter is dismissed. The remittitur will be sent as provided by Rule 221(b), SCACR.



FOR THE COURT C.J.

Columbia, South Carolina

September 24, 2014

cc:

Daniel Francis Gourley, II, Esquire

Jason A. Brown, #325561

The Supreme Court of South Carolina
DANIEL E. SHEAROUSE, CLERK OF COURT
POST OFFICE BOX 11330
COLUMBIA, SOUTH CAROLINA 29211

RECEIVED

OCT 14 2014

LEE CJ. MAIL ROOM

FIRST-CLASS MAIL

Hasler

10/10/2014

US POSTAGE

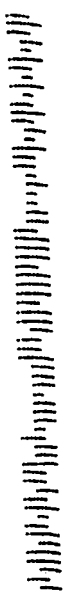
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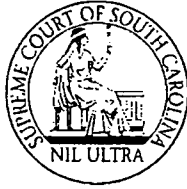
Mo 2107

JASON A. BROWN, #325561
LEE CORRECTIONAL INSTITUTION
990 WISACKY HIGHWAY
BISHOPVILLE SC 29010



2901031775 0002

"Exhibit B"



"Exhibit B"

The Supreme Court of South Carolina

DANIEL E. SHEAROUSE
CLERK OF COURT

BRENDA F. SHEALY
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

October 10, 2014

The Honorable Beulah G. Roberts
PO Box 136
Manning SC 29102-0136

REMITTITUR

Re: Jason A. Brown v. State
Lower Court Case No. 2013CP1400019
Appellate Case No. 2014-001670

Dear Clerk of Court:

The above referenced matter is hereby remitted to the lower court or tribunal. A copy of the judgment of this Court is enclosed.

Very truly yours,

CLERK

cc: Daniel Francis Gourley, II, Esquire
Jason A. Brown, #325561

The Supreme Court of South Carolina
DANIEL E. SHEAROUSE, CLERK OF COURT
POST OFFICE BOX 11330
COLUMBIA, SOUTH CAROLINA 29211

RECEIVED
OCT 16 2014
LEE CI MAIL ROOM

FD
2107

COLUMBIA
SC 2930
15 OCT '14
PM 11.1

Hasler
10/15/2014
US POSTAGE
FIRST-CLASS MAIL
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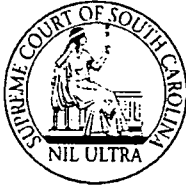
ZIP 29201
011D12602823

JASON A. BROWN, #325561
LEE CORRECTIONAL INSTITUTION
990 WISACKY HIGHWAY
BISHOPVILLE SC 29010

29010177590



"Exhibit C"



"Exhibit C"

The Supreme Court of South Carolina

DANIEL E. SHEAROUSE
CLERK OF COURT

BRENDA F. SHEALY
CHIEF DEPUTY CLERK

POST OFFICE BOX 11330
COLUMBIA, SOUTH CAROLINA
29211
1231 GERVAIS STREET
COLUMBIA, SOUTH CAROLINA 29203
TELEPHONE: (803) 734-1080
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www.sccourts.org

October 14, 2014

Jason A. Brown, #325561
Lee Correctional Institution
990 Wisacky Highway
Bishopville SC 29010

Re: Jason A. Brown v. State
Appellate Case No. 2014-001670

Dear Petitioner:

This responds to your Petition for Rehearing dated ~~October 8, 2014~~ and received by this office on ~~October 13, 2014~~. Lee Correctional Institution Mail Room's stamp indicates they received this for mailing on ~~October 9, 2014~~.

The order dismissing the appeal in this matter was filed on ~~September 24, 2014~~. Under Rule 221(a), SCACR, any petition for rehearing in this matter must have been actually received by this Court on or before ~~October 9, 2014~~. Therefore, your request for rehearing is untimely.

Further the remittitur in this matter (copy attached) was sent to the circuit court on October 9, 2014. The sending of the remittitur ended this Court's jurisdiction over this case. Accordingly, no action will be taken on your motion.

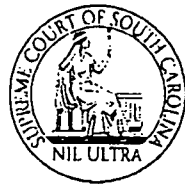
"Exhibit C"

Very truly yours,

Daniel E. Shearouse
SS

CLERK

cc: Daniel Francis Gourley, II, Esquire
The Honorable Beulah G. Roberts



"Exhibit C"

The Supreme Court of South Carolina

DANIEL E. SHEAROUSE
CLERK OF COURT

BRENDA F. SHEALY
CHIEF DEPUTY CLERK

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COLUMBIA, SOUTH CAROLINA
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October 10, 2014

The Honorable Beulah G. Roberts
PO Box 136
Manning SC 29102-0136

REMITTITUR

Re: Jason A. Brown v. State
Lower Court Case No. 2013CPI400019
Appellate Case No. 2014-001670

Dear Clerk of Court:

The above referenced matter is hereby remitted to the lower court or tribunal. A copy of the judgment of this Court is enclosed.

Very truly yours,

CLERK

cc: Daniel Francis Gourley, II, Esquire
Jason A. Brown, #325561

Mr. Jason A. Brown, #325561
Lee Corr. Inst. Flo N. 2107
990 Wisacky Highway
Bishopville, SC 29010

RECEIVED

OCT 23 2014

RECEIVED ROOM

Daniel E. Shearhouse,

THE SUPREME COURT OF SOUTH CAROLINA
Post Office Box 11330
Columbia, SC 29211