

THE SOUTH CAROLINA COURT OF APPEALS

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NOV 17 2014

SC Court of Appeals

THE STATE, RESPONDENT

v

CHRISTOPHER ANDREA ROBINSON
APPELLANT

MOTION TO RECONSIDER

CASE NO. 2014-001638

HONORABLE Judge FEW, I made an error when I filed my appeal on August 7, 2014. I have enclosed a copy of the letter from the SOUTH CAROLINA Supreme Court July 31, 2014, APPELLATE CASE NO. 2014-001638,

Assigning an Appellate case number showing that it was timely filed. The September 15, 2014 letter from the Court of appeals further proves the error on my part.

Appellant did file a NOTICE OF APPEAL from an order of the COURT OF GENERAL SESSIONS on July 28, 2014.

SEE ATTACHED LETTER FROM SOUTH CAROLINA SUPREME COURT, TIMELY FILED. THIS NOTICE THAT WAS FILED ON AUGUST 7TH, 2014 WAS A NOTICE THAT WAS APPEALING A DENIAL OF A 59(E) MOTION ON PROCEDURALS GROUNDS. APPELLANT INCORRECTLY GAVE THE WRONG CASE NUMBER 1998-GS-11-1203. A REVIEW OF THE APPEAL THAT WAS FILED WILL SHOW THAT THE DOCUMENT FILED ON JULY 28, 2014 WAS A TIMELY FILED NOTICE OF APPEAL.

IN LIGHT OF THE ERROR BY THE APPELLANT, INCORRECTLY USING THE WRONG CASE NUMBER, APPELLANT REQUEST THAT THE HONORABLE JUDGE FEW RECONSIDER HIS ORDER DISMISSING APPELLANT APPEAL AND REINSTATE SAID APPEAL.

IN THE SOUTH CAROLINA COURT OF APPEALS

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STATE OF SOUTH CAROLINA

V

CHRISTOPHER ANDREA ROBINSON

AFFADIVIT OF SERVICE SC Court of Appeals

CASE NO. 2014-001638

CHRISTOPHER A. ROBINSON DECLARES UNDER THE PENALTY OF PERJURY THAT HE MAILED A COPY OF HIS MOTION FOR RECONSIDERATION TO THE PARTIES LISTED BELOW BY PLACING IN THE U.S. MAIL, CLEARLY ADDRESSED,

HONORABLE CLERK OF COURT OF APPEALS

JENNY ABBOTT KITCHING, CLERK

POST OFFICE BOX 11629

COLUMBIA, SOUTH CAROLINA 29211

THANK YOU

CHRISTOPHER A. ROBINSON

SIGN

B.R.I. MOULTRIE

1043.

4460 Broad River Rd.

COLUMBIA, SOUTH CAROLINA

29210

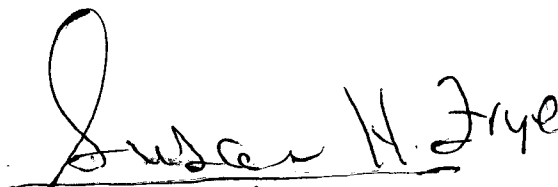
ALAN WILSON, ATTORNEY GENERAL

POST OFFICE BOX 11549

COLUMBIA, SOUTH CAROLINA 29211-1549

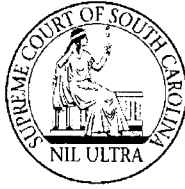
C.C. FILE

DATE: 11-12-14



NOTARY

NOVEMBER _____



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

July 31, 2014

Mr. Christopher Andrea Robinson, # 222938
Broad River Correctional Institution
4460 Broad River Road
Columbia SC 29210

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SC Court of Appeals

Re: The State v. Christopher Andrea Robinson
Appellate Case No. 2014-001638
Lower Court Case No. 1998-GS-11-01203

Dear Mr. Robinson:

This Court has correspondence from you indicating that you are filing an appeal from an order of the Court of General Sessions in the above case. This document has been construed as a notice of appeal, and the case has been assigned the appellate case number that appears above. Please use this number on all future correspondence relating to this matter.

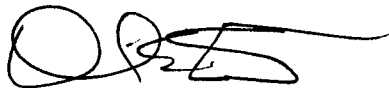
All parties to this matter are advised that all filings must comply with the requirements of Rule 267 of the South Carolina Appellate Court Rules (SCACR). The SCACR are available online at www.sccourts.org/courtreg. Additionally, any filings submitted by counsel admitted in South Carolina must include counsel's bar number.

The attention of the parties is directed to the order relating to the inclusion of personal data identifiers and other sensitive information in documents filed with the Supreme Court of South Carolina and the South Carolina Court of Appeals. The order can be found at www.sccourts.org/courtOrders/HTMLFiles/2007-08-13-

02.htm. Please note that the responsibility for insuring that information is redacted or sealed as required by this order rests with counsel and the parties. This office will *not* review filings for redaction or to determine if materials should be sealed.

It is not clear what order you are appealing. Within ten (10) days of the date of this letter, it will be necessary for you to provide this Court with a copy of the order(s) of the Court of General Sessions that are being appealed along with the date on which you received written notice of entry of this order(s).¹

Very truly yours,

A handwritten signature in black ink, consisting of a large, stylized 'O' followed by a series of loops and a long horizontal stroke extending to the right.

CLERK

cc: Alan McCrory Wilson, Esquire

¹ The only order that you have provided with the notice of appeal is an order of the circuit court directing the clerk of court to issue a bench warrant, and this order was filed in April 2012.



The South Carolina Court of Appeals

JENNY ABBOTT KITCHINGS
CLERK

V. CLAIRE ALLEN
DEPUTY CLERK

POST OFFICE BOX 11629
COLUMBIA, SOUTH CAROLINA 29211
1015 SUMTER STREET
COLUMBIA, SOUTH CAROLINA 29201
TELEPHONE: (803) 734-1890
FAX: (803) 734-1839
www.sccourts.org

September 15, 2014

Christopher Andrea Robinson, # 222938
Broad River Correctional Institution
4460 Broad River Road
Columbia SC 29210

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NOV 17 2014

SC Court of Appeals

Re: The State v. Christopher Andrea Robinson
Appellate Case No. 2014-001638

Dear Mr. Robinson:

We have received your letter dated August 7, 2014, and the order filed July 2, 2014, in the Cherokee County Court of General Sessions. Within ten (10) days of the date of this letter, please provide this Court with the date you received written notice of the entry of the July 2, 2014 order.

Very truly yours,

Handwritten signature of Jenny Abbott Kitchings in cursive script.
CLERK

cc: Alan McCrory Wilson, Esquire
Salley W. Elliott, Esquire



After 5 Days Return To:
 Mrs. Brandy W. McBee
 Clerk of Court, Cherokee County
 Post Office Drawer 2289
 Gaffney, S.C. 29342

ALAN WILSON ATTORNEY GENERAL
 Post Office Box 11549
 COLUMBIA, SOUTH CAROLINA
 29211-11549

Christopher A. Robinson #222938
 Broad River Corr. Inst.
 Maultire Unit
 4460 Broad River Rd.
 Columbia, SC 29210

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 SC 296

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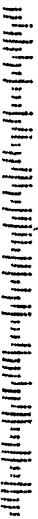
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THE Supreme Court of SOUTH CAROLINA
 DANIEL E. SHEAROUSE, CLERK OF COURT
 POST OFFICE BOX 11330
 COLUMBIA, S.C. 29211

25210404759



COPY
 9-18-2014

The South Carolina Court of Appeals

The State, Respondent,

v.

Christopher Andrea Robinson, Appellant.

Appellate Case No. 2014-001638

ORDER

Appellant has filed a notice of appeal from an order of the Court of General Sessions, which he indicates he received July 7, 2014. Appellant filed two certificates of service, one indicates Appellant served the notice of appeal on July 28, 2014 and the other shows service on August 7, 2014. Because Appellant has failed to provide proof he timely served the notice of appeal, this appeal is dismissed. *See* Rule 203(b)(2), SCACR ("After a plea or trial resulting in conviction or a proceeding resulting in revocation of probation, a notice of appeal shall be served on all respondents within ten (10) days after the sentence is imposed. *In all other cases, a notice of appeal shall be served on all respondents within ten (10) days after receipt of written notice of entry of the order or judgment.*" (emphasis added)); Rule 263, SCACR ("The time prescribed by these Rules for performing any act *except the time for serving the notice of appeal* under Rules 203 and 243 may be extended or shortened by the appellate court, or by any judge or justice thereof." (emphasis added)). Because this appeal is dismissed, this Court declines to act on Appellant's pending motion.


FOR THE COURT

Columbia, South Carolina

FILED

10/24/14

cc:

Christopher Andrea Robinson, # 222938

Alan McCrory Wilson, Esquire

Salley W. Elliott, Esquire

The Supreme Court of South Carolina

The State, Respondent,

v.

Christopher Andrea Robinson, Appellant.

Appellate Case No. 2014-001638

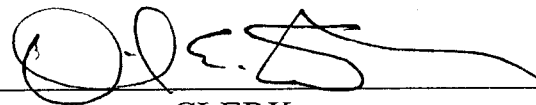
Lower Court Case No. 1998GS1101203

ORDER

Pursuant to Rule 204(a) of the South Carolina Appellate Court Rules, this appeal is hereby transferred to the South Carolina Court of Appeals.

FOR THE COURT

BY



CLERK

Columbia, South Carolina
August 11, 2014

cc: Mr. Christopher Andrea Robinson, # 222938
Alan McCrory Wilson, Esquire



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HONORABLE CLERK OF COURT OF APPEALS
 JENNY ABBOTT KITCHING
 POST OFFICE BOX 11629
 COLUMBIA, SOUTH CAROLINA 29211

LEGAL MAIL

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED