



The Supreme Court of South Carolina

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COLUMBIA, SOUTH CAROLINA
29211

1231 GERVAIS STREET
COLUMBIA, SOUTH CAROLINA 29201
TELEPHONE: (803) 734-1080
FAX: (803) 734-1499
www.sccourts.org

February 17, 2015

Mr. James P. Robinson, #250720
Kirkland Correctional Institution
4344 Broad River Road
Columbia SC 29210

Re: James P. Robinson v. State
Appellate Case No. 2014-002565

Dear Mr. Robinson:

This responds to your document entitled "Notice of Appeal." In this document, you ask that this matter be reinstated. No action will be taken on this filing for several reasons.

First, you are represented by Mary P. Mills, Esquire, in this matter. Rule 71.1(g) of the South Carolina Rules of Civil Procedure (SCRCP); Rule 264 of the South Carolina Appellate Court Rules (SCACR). If it is appropriate for a motion to be made to this Court, that motion will have to be made by Ms. Mills as your counsel. *Miller v. State*, 388 S.C. 347, 697 S.E.2d 527 (2010); *Jones v. State*, 348 S.C. 13, 558 S.E.2d 517 (2002); *State v. Stuckey*, 333 S.C. 56, 508 S.E.2d 564 (1998); *Foster v. State*, 298 S.C. 306, 379 S.E.2d 907 (1989).

Second, even if this *pro se* motion were appropriate, no action can be taken on it since you have not served a copy of the motion on the counsel for the State. This Court cannot act on *ex parte* communications about this matter.

Third, the time to make a motion to reinstate under Rule 260(a) of the South Carolina Appellate Court Rules ended on February 4, 2015. Therefore, the request to reinstate this matter is untimely.¹

Finally, the sending of the remittitur ended appellate jurisdiction over this case. *Wise v. S.C. Dept. of Corr.*, 372 S.C. 173, 642 S.E.2d 551 (2007).

Therefore, no action will be taken on your *pro se* request to reinstate this matter.

Very truly yours,



CLERK

cc: Mary P. Miles, Esquire
James Clayton Mitchell, III, Esquire (with copy of notice of appeal)

¹I note that Rule 60(b) of the South Carolina Rules of Civil Procedure (SCRCP) is only applicable to the trial courts of this State. Rule 81, SCRCP ("These rules, or any of them, shall apply to every trial court of civil jurisdiction within this state . . .").