

Violation of S.C. App. Ct. R#243.
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APR 10 2015

Appellate#2014-002666

Dear, Ms, Kitchings

SC Court of Appeals

enclosed is a response to the States motion to dismiss
First of all the information in the information is incorrect.

#1. the State Stated that there was no Communication in Re:
to the transcript, as the Court's records will show -
appellant 100% timely responded to the Courts letter dated
Feb, 6th, 2015, in which appellant requested the Court to hold
any appeal process or dismissal of the appeal in abeyance
Until appellants motion Served on the S.C. Court of Appeals
on Jan, 9th, 2015, by the S.C. Supreme Court Clerk Mr. Daniel
E. Shearouse has been heard and a disposition made
because the order in the matter was captioned in the
Court of Common Pleas Where the Supreme Court of S.C.
has that Jurisdiction and the appellant would be required
to submit a petition for a writ of Certiorari to the S.C.
Supreme Court, thereby giving the S.C. Supreme Court discretion
to transfer the case to the S.C. Court of Appeals.
S.C. App. Ct. R#243, which has not taken place in this matter
thereby leaving the S.C. Court of Appeals without authority

Wherefore applicant respectfully request that the State's
Motion to dismiss be denied and the matter be
referred to a Judge for consideration of appellants
Motion to dismiss order & Grant New Trial.

CC:

Salley W. Elloit,
Supreme Court of SC

Respectfully Submitted,

James B. Curry #186737

Pro-se,

4-7-15

James B. Curry #186737

Lee C. I. FI #1125

990 Wisacky Hwy.

Bishopville, S.C. 29010

"agency mail"

The Honorable Jenny A. Kitchings
Clerk, South Carolina Court of Appeals.

P.O. Bx. 11629

Columbia, S.C. 29211

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