

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

August 22, 2012

Mr. Donald W. Gay, 00244300
Lee Correctional Institution
990 Wisacky Highway
Bishopville SC 29010

Re: Donald Gay v. The State, 2012-CP-40-01540

Dear Mr. Gay:

This Court has received your letter dated August 20, 2012. Attached to this letter is a copy of the final order in the above matter. This order is dated July 31, 2012, and was filed with the clerk of the circuit court on August 1, 2012.

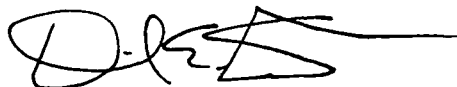
I do not understand why you have sent this letter and order to this Court. The notice of appeal that you filed in this case in April 2012 was dismissed by order dated May 1, 2012, and the remittitur was sent on May 31, 2012. *Gay v. State*, Appellate Case No. 2012-211606. The sending of the remittitur ended appellate jurisdiction over this case. *Wise v. South Carolina Department of Corrections*, 372 S.C. 173, 642 S.E.2d 551 (2007). Further, this office can find no record of any other notice of appeal being filed in the above matter.

If your intent is to appeal the final order, you will need to timely serve and file a new notice of appeal. If you do so, please be sure to include the explanation required by Rule 243(c) of the South Carolina Appellate Court Rules (SCACR)¹ since this matter was dismissed as being successive and as being barred by the

¹ A copy of the SCACR should be available to you in your prison library.

statute of limitations. Please note that the time to serve the notice of appeal on the opposing counsel under Rules 243(b) and 203(b)(1), SCACR, is relatively short and this time cannot be extended. Rule 263(b), SCACR.

Very truly yours,

A handwritten signature in black ink, appearing to be "D. E. S.", with a long horizontal line extending to the right.

CLERK

cc: Robert Daniel Corney, Esquire