



The South Carolina Court of Appeals

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August 17, 2012

Billy Lee Lisenby, 00200273
Kershaw Correctional Institution
4848 Gold Mine Highway
Kershaw SC 29069

Re: Billy Lee Lisenby, Jr. v. State
Appellate Case No. 2012-212384

Dear Counsel:

This Court has received your notice of appeal. Since the circuit court determined that habeas corpus relief was improper in the circuit court because the issues could have been raised in a timely application under the Post-Conviction Relief Act (*see Simpson v. State*, 329 S.C. 43, 495 S.E.2d 429 (1998)), you must file a written explanation as to why this determination was improper. This explanation must contain sufficient facts, argument and citation to legal authority to show that there is an arguable basis for asserting that the determination by the circuit court was improper. Rule 203(d)(1)(B)(vi), SCACR.

Please file the required explanation within ten (10) days of the date of this letter.

Very truly yours,

Jenny Abbott Kitchings

CLERK

cc: Tyson A. Johnson, Sr.