

The Supreme Court of South Carolina

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CLERK OF COURT

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July 10, 2015

Mr. Kevin Davis #308569
Ridgeland Correctional Institute
Post Office Box 2039
Ridgeland, South Carolina 29336

Re: *Davis v. State*, 2013CP4002226

Dear Mr. Davis:

This responds to your letter seeking an extension. Please be advised that this office can find no record of any notice of appeal being filed in the above post-conviction relief case. Therefore, no action will be taken on your request for an extension in the above case.

I do note that the time to serve a notice of appeal under Rules 243(b) and 203 of the South Carolina Appellate Court Rules is relatively short, and that the time to serve the notice of appeal on the opposing counsel cannot be extended. Rule 263(b), SCACR; Elam v. South Carolina Dept. of Transportation, 361 S.C. 9, 602 S.E.2d 772 (2004) (“The requirement of service of the notice of appeal is jurisdictional, *i.e.*, if a party misses the deadline, the appellate court lacks jurisdiction to consider the appeal and has no authority or discretion to ‘rescue’ the delinquent party by extending or ignoring the deadline for service of the notice.”). If a notice of appeal has been timely served in this matter, you will need to immediately provide this Court with a copy of that notice of appeal along with a proof of service for the notice of appeal and a copy of the order(s) under appeal.

Very truly yours,

CLERK

cc: Office of the Attorney General

Davis, Kevin

To: The Supreme Court of South Carolina:

Petitioner, Mr. Kevin Davis, was granted a notice of appeal on June 3, 2015, Petitioner, received on June 17, 2015. Petitioner asked the principal, who is in charge of the Law Library, for some time in the Law Library, she reviewed the Order, and said the paper work looked to be tampered with, so she sent it to General Council to see was the paper work for real; I haven't received an answer from her as of yet. Petitioner is asking this Honorable Court to grant him an extension, because he is being denied access to the Law Library. The Principal name is Ms. Brown. If there is any kind of way that you can assist me in this matter, it would be greatly appreciated.

Case No: 2013-CJ-40-02226

Sincerely,

Kevin Davis

308569

Kevin Davis # 368569

Ridgeland Corr Inst, CB-24

P.O. Box 2039

Ridgeland S.C. 29336

Ridgeland Correctional Institution

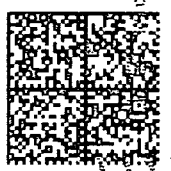
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The Supreme Court of South Carolina
Daniel E. Shearouse, Clerk of Court

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