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SEP 02 2015

S.C. SUPREME COURT

John Alexander, 194748
Department of Corrections
386 Redemption Way
McCormick, SC 29899

August 27, 2015

The Supreme Court of South Carolina
Honorable Daniel L. Shearouse
Clerk of Court
Post Office Box 11330
Columbia, SC 29211

Re: Request to reinstate Petition For Writ
of Certiorari

Enclosed please find a request to reinstate the
Petition For Writ of Certiorari pursuant to the
South Carolina Court of Appeals' Order dated August
20, 2015 denying the above Petitioner's Petition
For Rehearing.

Also, please send me a clocked date stamped
copy for my personal file.

Respectfully Submitted
John Alexander

John D. Alexander, 194748
Department of Corrections
386 Redemption Way
McCormick, South Carolina
29899

The Supreme Court of South Carolina
Honorable Daniel L. Shearouse
Clerk of Court
Post Office Box 11330
Columbia, South Carolina 29211

Re: Appellate Case No. 2012-211390
Trial Case No. 2010CP4202428

Dear Honorable Shearouse:

On June 18, 2015 I submitted a prose Petition For Writ of Certiorari before the Supreme Court seeking a review of the Court of Appeals dismissal of my prose Writ of Certiorari and denial of Petition For Rehearing.

Subsequently, due to an error by the Court of Appeals in connection with dismissing my Petition For Rehearing, on June 26, 2015 the Court of Appeals sent me an Order Recalling Remittitur, a letter reinstating

2015 JUN 26 PM 4:15
JAMES BROWN
CLERK OF COURT

my Petition For Rehearing and Ordered opposing counsel to file a return to the petition no later than ten (10) days from the date (June 25, 2015) of the Order. Also, on June 26, 2015 the Supreme Court sent me its Order* dismissing the prose Writ of Certiorari. Consequently, as a result of the Court of Appeals void and annulled its initial Order denying the Petition for Rehearing and Recalled its Remittitur, on August 20, 2015 the Court of Appeals issued a separate order denying the Petition for Rehearing. See attachments

As such, the Petitioner asserts that there exist "special and important reasons" Justifying the exercise of the Supreme Court's discretion under Rule 242, SCACR (b) to review the Court of Appeals decision. Particularly, there are novel questions of law involved; two (2) the decision of the Court of Appeals is in conflict with prior and recent decisions of the Supreme Court; three (3) substantial constitutional issues are directly involved; and four (4) Federal questions are included and the decisions of the United States Supreme Court. Therefore, Ellison v. State, 282 S.C. 189, 676 S.E.2d 271 (2009); Haggins v. State, 377 S.C. 135, 659 S.E.2d 170 (2008); and Missouri v. State, 378 S.C. 594, 663 S.E.2d 480 (2008) can and should be deem inapplicable to the present case. And, to the contrary, the Supreme Court should exercise its discretion to entertain the Petition For Certiorari.

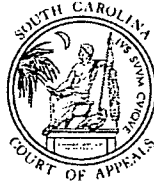
* Appellate Case No. 2015 - 001352

Wherefore, the Petitioner respectfully request the Supreme Court to grant his Petition For Writ of Certiorari, Appellate Case No. 2012-211390.

Dated 8/27/15.

Respectfully Submitted,
John D. Alexander

cc: Karin C. Ratigen, Senior Assistant Deputy Attorney General
Honorable V. Claire Allen, Deputy Clerk
Robert M. Pachak, Appellate Defender



The South Carolina Court of Appeals

JENNY ABBOTT KITCHINGS
CLERK

V. CLAIRE ALLEN
DEPUTY CLERK

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COLUMBIA, SOUTH CAROLINA 29211
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COLUMBIA, SOUTH CAROLINA 29201
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June 25, 2015

John Douglas Alexander, 194748
McCormick Correctional Institution
386 Redemption Way
McCormick SC 29899

Re: John Douglas Alexander v. State
Appellate Case No. 2012-211390

Dear Mr. Alexander:

This will acknowledge receipt of your Petition for Rehearing.

By copy of this letter, opposing counsel is requested to file an original and six (6) copies of a return to this motion no later than ten (10) days from the date of this letter.

Very truly yours,

V. Claire Allen, Deputy

CLERK

cc: Suzanne Hollifield White, Esquire
Robert M. Pachak, Esquire

The Supreme Court of South Carolina

John Douglas Alexander, Petitioner,

v.

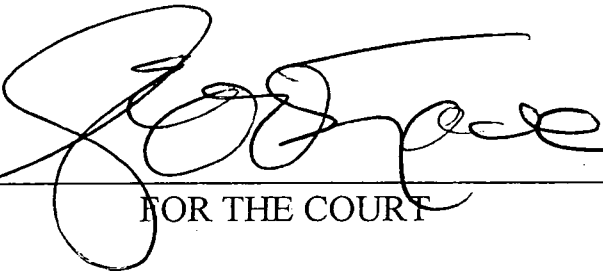
State of South Carolina, Respondent.

Appellate Case No. 2015-001352

ORDER

The South Carolina Court of Appeals denied the petition for a writ of certiorari in this post-conviction relief (PCR) case. Petitioner has now filed a petition for a writ of certiorari to review the decision of the Court of Appeals.

In *Ellison v. State*, 382 S.C. 189, 676 S.E.2d 671 (2009), this Court held that it will no longer entertain petitions for writs of certiorari where the Court of Appeals has denied a petition for a writ of certiorari in a PCR case. Accordingly, the petition for a writ of certiorari is dismissed.


C.J.
FOR THE COURT

Columbia, South Carolina

June 26, 2015

cc: Suzanne H. White, Esquire
Mr. John Douglas Alexander, 194748
The Honorable Jenny Abbott Kitchings
The Honorable M. Hope Blackley

The South Carolina Court of Appeals

John Douglas Alexander, Petitioner,

v.

State of South Carolina, Respondent.

Appellate Case No. 2012-211390

The Honorable J. Mark Hayes, II
Spartanburg County
Trial Court Case No. 2010CP4202428

ORDER RECALLING REMITTITUR

This Court's remittitur was sent to the Clerk of Spartanburg County on June 8, 2015. It is now necessary for this Court to recall the remittitur. The Clerk of Spartanburg County is, therefore, directed to return the remittitur to the Clerk of the South Carolina Court of Appeals within ten (10) days from the date of this order.

FOR THE COURT

BY V. Claire Allen, Deputy
CLERK

Columbia, South Carolina

FILED

June 25, 2015

cc: Suzanne Hollifield White, Esquire
John Douglas Alexander, 194748
Robert M. Pachak, Esquire
M. Hope Blackley

The South Carolina Court of Appeals

John Douglas Alexander, Petitioner,

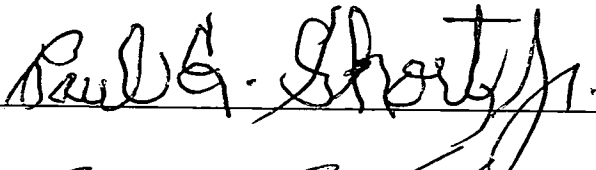
v.

State of South Carolina, Respondent.

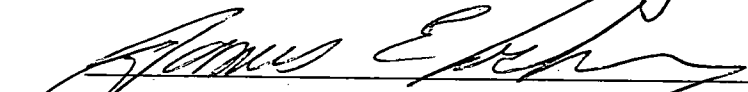
Appellate Case No. 2012-211390

ORDER

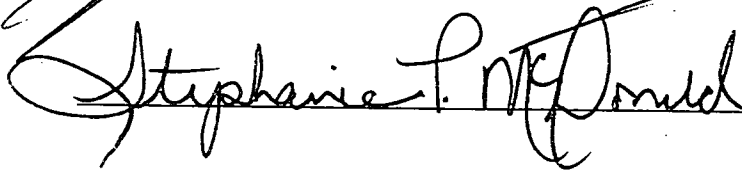
After careful consideration of the petition for rehearing, the Court is unable to discover that any material fact or principle of law has been either overlooked or disregarded, and hence, there is no basis for granting a rehearing. Accordingly, the petition for rehearing is denied.



Paul G. Shortz, J.



James E. ..., J.



Stephanie P. McDonald, J.

Columbia, South Carolina

cc: Suzanne Hollifield White, Esquire
Robert M. Pachak, Esquire
John Douglas Alexander, 194748

FILED

August 20, 2015

John Alexander, 194748
McCormick Correctional Institute
385 Redemption Way
McCormick, SC 29899

The Supreme Court of South Carolina
Hon. Daniel L. Shearouse
Clerk of Court
Post Office Box 11330
Columbia, SC 29211

LEGAL MAIL
MAIL ROOM

RECEIVED

AUG 27 2015

MCCI
MAIL ROOM

THE DEPARTMENT OF CORRECTIONS HAS NOT
INSPECTED OR CENSORED THIS ITEM; THEREFORE,
THE DEPARTMENT DOES NOT ASSUME RESPONSIBILITY
FOR ITS CONTENTS.

MCCORMICK CORRECTIONAL INST.
S.C. DEPARTMENT OF CORRECTIONS