



The Supreme Court of South Carolina

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December 22, 2015

Mr. Robert James Miller, Jr., #316047
Manning Correctional Institution
502 Beckham Drive
Columbia SC 29203

Re: R. James Miller Jr. v. State
Appellate Case No. 2015-001730
Lower Court Case No. 2015CP2000078

Dear Mr. Miller:

This responds to your motion to appoint counsel dated December 17, 2015. This Court can find no record of receiving any notice of appeal from the final order of dismissal in this case.

If you have timely served a notice of appeal from the final order, then you will need to provide this Court with a copy of the notice of appeal, a copy of the orders under appeal, and a proof of service showing that the notice of appeal has been timely served on the opposing counsel. Further, if the post-conviction relief judge determined that this action was barred as being successive and/or untimely under the statute of limitations, you will also need to provide the explanation required by Rule 243(c) of the South Carolina Appellate Court Rules.¹ These documents and

¹ Rule 243(c) states:

If the lower court has determined that the post-conviction relief action is barred as successive or being untimely under the statute of limitations, the petitioner must, at the time the notice of appeal is filed, provide an

explanation, if applicable, should be provided within fifteen (15) days of the date of this letter.

Until a notice of appeal is received by this Court and a determination is made under Rule 243(c), if applicable, no action will be taken on your motion to appoint counsel.

Very truly yours,

A handwritten signature in black ink, consisting of a large, stylized initial 'C' followed by a series of horizontal strokes that extend to the right.

CLERK

cc: John Croom Colvin Hunter, Esquire

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 lower court was improper. If the petitioner fails to make a sufficient showing, the notice of appeal may be dismissed.
