

Derrick L. Cheeks

Lee CF F6A 1140  
990 Wisacky Highway  
Bishopville, SC 29010

**RECEIVED**

JAN 25 2016

**S.C. SUPREME COURT**

January 15, 2016

Jenny Abbott Kitchings, Clerk

Post Office Box 11629

Columbia, SC 29211

[Daniel E. Shearouse, Clerk]

Post Office Box 11330

Columbia, SC 29211

RE: Appellate Case No. 2014-002647

Dear Ms Kitchings (Mr Shearouse):

The letter dated December 15, 2015, unequivocally asserts a copy of "this" Court is enclosed. Curiously, the judgement of the court was not enclosed in the letter or envelope.

The letter dated January 5, 2016 asserts the "Court of Appeals sent the remittitur upon receipt of the Supreme Court's order denying a motion to reinstate the petition for writ of certiorari."

In light of State v. Rucker 321 S.C. 552 Rule 242, SCACR does not contain any provision to authorize a petition for rehearing following the denial of a petition for a writ of certiorari by the Supreme Court. Pursuant to Rule 221, SCACR the remittitur is a fraud document because my writ of certiorari hasnt been reviewed by any justices for the Court of Appeals to send a remittitur following a judgment. In addition would you please forward me a copy of the motion to reinstate the petition for writ of certiorari ~~is~~ supposedly filed.

January 15, 2016

Sincerely  
Derrick S. Cheeks



## The South Carolina Court of Appeals

JENNY ABBOTT KITCHINGS  
CLERK

V. CLAIRE ALLEN  
DEPUTY CLERK

POST OFFICE BOX 11629  
COLUMBIA, SOUTH CAROLINA 29211  
1220 SENATE STREET  
COLUMBIA, SOUTH CAROLINA 29201  
TELEPHONE: (803) 734-1890  
FAX: (803) 734-1839  
[www.sccourts.org](http://www.sccourts.org)

December 15, 2015

The Honorable M. Hope Blackley  
PO Box 3483  
Spartanburg SC 29304-3483

### REMITTITUR

Re: Barry J. Barnette v. Derrick Cheeks  
Lower Court Case No. 2011CP4200753  
Appellate Case No. 2014-002647

Dear Clerk of Court:

The above referenced matter is hereby remitted to the lower court or tribunal. A copy of the judgment of this Court is enclosed.

Very truly yours,

*V. Claire Allen, Deputy*

CLERK

Enclosure

cc: Derrick L. Cheeks, 343108  
Barry Joe Barnette, Esquire  
Robin Clark File, Esquire



## The South Carolina Court of Appeals

JENNY ABBOTT KITCHINGS  
CLERK

V. CLAIRE ALLEN  
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January 05, 2016

Derrick L. Cheeks, 343108  
Lee Correctional Institution  
990 Wisacky Highway  
Bishopville SC 29010

Re: Barry J. Barnette v. Derrick Cheeks  
Appellate Case No. 2014-002647

Dear Mr. Cheeks:

This Court received your letter dated December 22, 2015. However, we sent the remittitur on December 15, 2015, upon receipt of the Supreme Court's order denying your motion to reinstate the petition for writ of certiorari. Accordingly, we no longer have jurisdiction to act in this appeal. No further action will be taken on your filing.

Very truly yours,

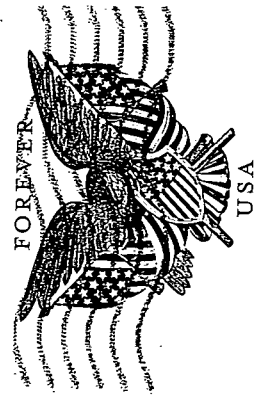
A handwritten signature in black ink, appearing to read "Jenny A. Kitchens". The signature is fluid and cursive.

CLERK

cc: Barry Joe Barnette, Esquire  
Robin Clark File, Esquire

Derrick L. Cheeks 343108  
Lee CI F6A 1140  
990 Wisacky Highway  
Bishopville, SC 29010

SCDC  
Christmas  
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COLUMBIA SC 290  
20 JAN 2016 PM 2 L

Daniel E. Shearouse  
Clerk, Supreme Court South Carolina  
Post Office Box 11330  
Columbia, SC 29212

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