

# The Supreme Court of South Carolina

DANIEL E. SHEAROUSE  
CLERK OF COURT

BRENDA F. SHEALY  
CHIEF DEPUTY CLERK

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www.sccourts.org

January 25, 2016

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

**RECEIVED**

JAN 25 2016

**SC Court of Appeals**

Re: Barry J. Barnette v. Derrick L. Cheeks  
Appellate Case No. 2015-002110

Dear Mr. Cheeks:

This responds to your letter dated January 15, 2016, which you sent to both myself and the Clerk of the South Carolina Court of Appeals.

As to obtaining a copy of the petition for a writ of mandamus that this Court construed as a petition to reinstate the petition for a writ of certiorari in this case, I can provide you with a copy of this document for \$ 2.65. This represents the cost of copying 9 pages at our standard rate of 25 cents a page plus a mailing fee of 40 cents. If you would like a copy, please send a check or money order in the above amount payable to the South Carolina Judicial Department.

Very truly yours,

CLERK

cc: Barry Joe Barnette, Esquire  
Robin Clark File, Esquire  
The Honorable Jenny Abbott Kitchings

Derrick L. Cheeks

Lee CI FGA 1140  
990 Wisacky Highway  
Bishopville, SC 29010

January 15, 2016

**RECEIVED**

JAN 25 2016

**S.C. SUPREME COURT**

Jenny Abbott Kitchings, Clerk

Post Office Box 11629  
Columbia, SC 29211

[Daniel E. Shearouse, Clerk]

Post Office Box 11330  
Columbia, SC 29211

**RECEIVED**

JAN 25 2016

**SC Court of Appeals**

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 I supposedly filed.

January 15, 2016

Sincerely  
Derrick S. Cheek



## The South Carolina Court of Appeals

JENNY ABBOTT KITCHINGS  
CLERK

V. CLAIRE ALLEN  
DEPUTY CLERK

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COLUMBIA, SOUTH CAROLINA 29201  
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FAX: (803) 734-1839  
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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  
DEPUTY CLERK

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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 written in a cursive, flowing style.

CLERK

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

Derrick L. Cheeks 343108

Lee CI F6A 1140

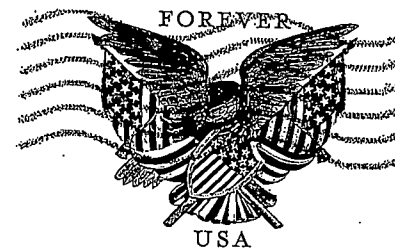
990 Wisacky Highway

Bishopville, SC 29010

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Christmas  
Packet

COLUMBIA SC 290

20 JAN 2016 PM 2 L



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