



The Supreme Court of South Carolina

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CLERK OF COURT

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March 31, 2016

Mr. Marion James Dodd, #236658
Tyger River Correctional Institution
Upper Yard
200 Prison Road
Enoree SC 29335-9308

Re: Marion James Dodd v. State
Appellate Case No. 2016-000664
Lower Court Case No. 2014CP2305943

Dear Mr. Dodd:

This responds to your letter dated March 22, 2016. While this office can find no prior record of having receiving a notice of appeal in this case prior to receiving your letter, this office has now obtained a copy of the notice of appeal dated May 25, 2015, that you filed with the clerk of the circuit court. This office has also obtained a copy of the conditional order of dismissal dated March 12, 2015, and the final order of dismissal dated May 12, 2015.

This case has been assigned the appellate case number that appears above. Please use this number on all future correspondence relating to this matter.

All parties to this matter are advised that all filings must comply with the requirements of Rule 267 of the South Carolina Appellate Court Rules (SCACR). The SCACR are available online at www.sccourts.org/courtreg. Additionally, any filings submitted by counsel admitted in South Carolina must include counsel's bar

number.

The attention of the parties is directed to the order relating to the inclusion of personal data identifiers and other sensitive information in documents filed with the Supreme Court of South Carolina and the South Carolina Court of Appeals.

The order can be found at

www.sccourts.org/courtOrders/displayOrder.cfm?orderNo=2014-04-15-02. Please note that the responsibility for insuring that information is redacted or sealed as required by this order rests with counsel and the parties. This office will not review filings for redaction or to determine if materials should be sealed.

Finally, for this matter to proceed, it will be necessary for you to provide the following to this Court:

- (1) A proof of service showing that the notice of appeal was timely served on the opposing counsel. *See* Rules 203 and 243, SCACR.¹
- (2) Since the order of the circuit court determined that this action is barred as being successive and as being untimely under the statute of limitations, Rule 243(c) of the South Carolina Appellate Court Rules requires you to provide a written 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. The failure to make a sufficient showing may result in the dismissal of this matter.

This proof of service and explanation must be provided within fifteen days of the date of this letter.

Very truly yours,



CLERK

Enclosure

cc: Karen Christine Ratigan, Esquire

¹ I have enclosed a sample proof of service.

FORM 7
PROOF OF SERVICE OF A NOTICE OF APPEAL

THE STATE OF SOUTH CAROLINA
In The Court of Appeals
[In The Supreme Court]

APPEAL FROM GREENVILLE COUNTY
Court of Common Pleas

George E. Brown, Circuit Court Judge

Case No. 2000-CP-00-0000

Stephen L. Doe, as Personal
Representative of the Estate of
John B. Doe, Respondent,

v.

Jane C. Roe, Appellant.

PROOF OF SERVICE

I certify that I have served the Notice of Appeal on Stephen L. Doe by depositing a copy of it in the United States Mail, postage prepaid, on September 15, 2000, addressed to his attorney of record, Mary P. Jones, Post Office Box 456, Greenville, South Carolina 29000 [by personally delivering a copy of it to his attorney of record, Mary P. Jones, at her office at 123 Oak Street, Greenville, South Carolina 29000, on September 15, 2000].

September 15, 2000

s/ John E. Smith
John E. Smith
Post Office Box 123
Greenville, South Carolina 29000
(864) 000-000-0000
Attorney for Appellant