

In The Supreme Court of South Carolina

Michél A. Dukes, SR. #311176
Petitioner,
v.
State of South Carolina;
Alan Wilson, Willie L.
Eagleton, warden

Appellate case No. - 2016-000040
Lower court case No. 2013 CP 2602686
Motion to allow the late filing of the
notice of appeal or motion to reinstate
Pursuant to Rule 240 SCACR

Petitioner hereby request for a motion for late filing of the notice of appeal
be granted due to no fault of his own for the delay but for the reason of the
clerk of court of horry county failing to file and serve the Supreme
Court clerk with the notice of appeal. Petitioner served the horry county
appellate review of the petition for writ of habeas corpus by the Supreme
Court of South Carolina, and petitioner is hereby asking the courts to allow
the late filing of the notice of appeal due to no fault of his own!!!

for the petitioner ever prays,

Sincerely,

RECEIVED

APR 20 2016

S.C. SUPREME COURT

Michél A. Dukes, Sr.
311176-ECI-F5-A-176 #
610 Hwy 9 west
Bennettsville, SC.
29512

Date: 4-18-16

In The Supreme Court of South Carolina

MichêL A. DukEs, ^{SR.} #311176
Petitioners

v.

State of South Carolina;
Alan Wilson; Willie L.
Eagleton; Warden

Appellate case No. - 2016-000040
Lower court case No. 2013 CP 2602686

AFFIDAVIT OF MichêL A. DukEs, ^{SR.}
#311176

Following:

By way under the penalty of perjury I state the

- 1) I am the petitioner in the above-captioned action.
- 2) Regular communication by mail exists throughout the state of South Carolina and that this is a proper circumstance of service by mail.
- 3) Due to no fault of petitioners' own the clerk of court of horry county has caused the filing of the notice of appeal to be late for filing within the Supreme Court of South Carolina.
- 4) I have this day served a copy of the explanation, Affidavit, and notice of appeal in the above-captioned matter on the following persons by depositing same in the United States mail, postage prepaid:

The Supreme Court of South Carolina
Daniel E. Shearouse, Clerk of Court
Post Office Box 11330
Columbia, S.C.

29211

RECEIVED

APR 20 2016

SC SUPREME COURT

Sincerely,

MichêL A. DukEs, ^{SR.} #311176
ECI-FS-A-170
610 Hwy 9 West
Bennettsville, S.C.

29512

Date: 4-18-16

In The Supreme Court of South Carolina

Certificate of Service

I Michel A. Dukes, ^{SR} #311176 hereby certify that I have served the motion to allow the late filing of the notice of appeal or motion to reinstate pursuant to rule 240 SCACR, and also the written explanation as to why the determination was improper, and a Affidavit upon the clerk of the Supreme Court of South Carolina, by depositing a copy of the above following in the U.S. Mail postage prepaid addressed as follows:

The Supreme Court of South Carolina
Daniel E. Shearouse, Clerk of Court
Post Office Box 11330
Columbia, S.C.
29211

RECEIVED

APR 20 2016

SC SUPREME COURT

Sincerely,

Michel A. Dukes ^{SR}
ECT-F5-A-170 #311176
610 Hwy 9 West
Bennettsville, S.C.
29512

Date: 4-18-16