



The Supreme Court of South Carolina

DANIEL E. SHEAROUSE
CLERK OF COURT

BRENDA F. SHEALY
CHIEF DEPUTY CLERK

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May 17, 2016

Mr. Curtis J. Lemon, 256984
MacDougall Correctional Institution
1516 Old Gilliard Road
Ridgeville SC 29472

Re: Curtis Lemon v. State
Appellate Case No. 2016-001001
Lower Court Case No. 2015CP1001536

Dear Mr. Lemon:

This Court has received your notice of appeal, and the 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.

For this matter to proceed, you will need to provide the following within fifteen (15) days of the date of this letter:¹

- (1) A proof of service showing that a copy of the notice of appeal has been served on opposing counsel. A sample proof of service is enclosed along with a copy of your notice of appeal. Please note that the time to serve the notice of appeal on opposing counsel is relative short under Rules 243(b) and 203, SCACR, and this time cannot be extended under Rule 263, SCACR; and,
- (2) Since the order of the circuit court determined that this action is barred as being successive and/or as being untimely under the statute of limitations, Rule 243(c), SCACR, 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.

No action will be taken on you motion to appoint counsel until after the above documents are received by this Court.

Very truly yours,

A handwritten signature in black ink, appearing to be the name of the Clerk, written in a cursive style.

CLERK

Enclosures (Form 7 and Copy of Notice of Appeal)

cc: James Rutledge Johnson, Esquire (without enclosures)

¹ While you did not provide this Court with a copy of the Conditional Order of Dismissal or the Final Order of Dismissal as required by Rules 243(b) and 203(d)(1)(A)(ii), SCACR, this Court has obtained a copy of these orders from the Office of the Attorney General.

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

5-3-16

RECEIVED

MAY 06 2016

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas

Roger M. Young, Sr. Circuit Court Judge

Case No. 2015-CP-10-1536

The State _____ Respondent,
Curtis J. Lemon _____ v. _____ Appellant.

Notice of Appeal

Curtis J. Lemon appeals the order [judgment] of the Honorable Roger M. Young dated April 11, 2016. Appellant received written notice of entry of this order [judgment] on April 26, 2016.

May

Curtis Lemon
Curtis Lemon 256984
MacDougal C.I. M-1-A-13-A
1516 Old Gilliard Rd
Ridgeville, SC 29472-7408
PRO-SE Appellant

J. Rutledge Johnson
Attorney General's Office
PO Box 11549
Columbia, SC 29211-1549
Attorney For Respondent