



The South Carolina Court of Appeals

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December 14, 2009

Jermaine T. Fuller # 338130
Kirkland Correctional
Institution
4344 Broad River Road
Columbia, SC 29210

Re: The State v. Fuller, Jermaine T.

Dear Mr. Fuller:

We have received your Notice of Appeal in the case noted above. This case will be docketed in the Court of Appeals and all communications concerning this case, including motions and petitions, initial and final briefs, and the Record on Appeal, should be directed to and filed in this Court. For all filings, please note the requirements of Rule 247(a) of the South Carolina Appellate Court Rules, and be further advised that Court of Appeals policy requires the firm name of any counsel shown must be included in his or her address.

Please be advised you will need to send an amended notice of appeal and proof of service with the caption corrected. It should be: State.....Respondent,

v.

Jermaine T. Fuller..... Appellant.

Kindly provide the requested documents within fourteen (14) days of the date of this letter.

We have enclosed a copy of the Affidavit of Indigency that must be completed and forwarded to the SC Commission of Indigent Defense Division of Appellate Defense at P.O. Box 11589, Columbia, SC 29211-1589, within fifteen (15) days of the date of this letter if you wish for them to represent you in this appeal. The Office of Appellate Defense shall notify this office within thirty (30) days of the indigency status of the appellant.

If you wish to represent yourself you will need to order the transcript on or before December 30, 2009. Please be advised that, if you intend to participate in this appeal pro se, the fact that you are not an attorney does not relieve you of the responsibility to comply with the South Carolina Appellate Court Rules. The South Carolina Appellate Court Rules are now available on the Internet at www.judicial.state.sc.us. If you do not have access to the website, you may purchase a copy of the rules from this court for a fee of \$5.00. Upon your request and receipt of the fee in this office, a copy of the rules will be mailed to you.

It is your responsibility to keep the Court advised of your current address at all times. If the above address is not correct, you must notify the Court immediately.

We suggest that large cells such as copies of final briefs and the Record On Appeal be sent directly to the Court via the street address: 1015 Sumter Street, Columbia, S.C. 29201. Thank you for your attention to this. Failure to file in the proper court may result in the dismissal of your appeal.

PLEASE BE ADVISED that, pursuant to Rule 207 of the South Carolina Appellate Court Rules, the transcript must be ordered within thirty(30) days of the proof of service of the Notice of Appeal and you must provide this Court, opposing counsel, and the Office of Court Administration with all correspondence regarding the transcript. It is also Appellant's responsibility to make satisfactory arrangements (including agreement regarding payment for the transcript) with the Court Reporter for furnishing the transcript. You are reminded of the notification requirements of Rule 207(a)(5). SCACR. also, please advise the Court in writing upon receipt of the transcript.

NOTE: If you believe this case has been improperly filed in the Court of Appeals, by reason of the limitations set forth in S.C. Code Ann. Section 14-8-200(b)(1998), as amended June 1, 1999, notify the Clerk's office of the Court of Appeals immediately. The cited Code Section prohibits the Court of Appeals from hearing appeals in seven classes of cases:

- 1) any final judgment from the circuit court which includes a sentence of death;
- 2) any final judgment from the circuit court setting public utility rates pursuant to Title 58;
- 3) any final judgment involving a challenge on state or federal grounds to the constitutionality of a state law or county or municipal ordinance where the principal issue is the constitutionality of the law or ordinance;
- 4) any final judgment from the circuit court involving the authorization, issuance, or proposed issuance of general obligation debt, revenue, institutional, industrial, or hospital bonds of the state, its agencies, political subdivisions, public service districts, counties, and municipalities or any other indebtedness now or hereafter authorized by Article X of the Constitution of this state;
- 5) any final judgment from the circuit court pertaining to elections and election procedure;
- 6) any order limiting an investigation by a State Grand Jury under S.C. Code Ann. Section 14-7-1630;
- 7) any order of the family court relating to an abortion by a minor under S.C. Code Ann. Section 44-41-33.

Very truly yours,

V. Claire Allen, Deputy
Jeanette F. Barber
CLERK

JFB/nb

cc: Acting Chief Appellate Defender Robert M. Dudek
Assistant Deputy Attorney General Salley W. Elliott