

Aug. 5, 2015

OFFICE OF THE CLERK OF COURT
SOUTH CAROLINA COURT OF APPEALS
1015 SUMNER ST. P.O. BOX 11629
COLUMBIA, SO. CAR. 29211

RE: STEVEN W. LITTLEJOHN V. STATE OF SOUTH CAROLINA
2013-CP-11-0192

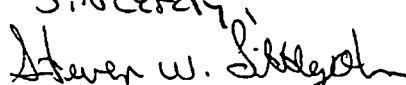
DEAR CLERK:

ENCLOSED FOR FILING IS THE BRIEF OF APPELLANT
IN THE ABOVE CASE. ALSO ENCLOSED ARE THE FOLLOWING:

- 1.) Exhibits
- 2.) PROOF OF SERVICE SERVED ON RESPONDENT'S

IF YOU HAVE QUESTIONS, PLEASE CONTACT ME AT
THE ADDRESS LISTED BELOW. YOUR ASSISTANCE IN THIS
MATTER IS GREATLY APPRECIATED.

CC SUZANNE H. WHITE
ASSISTANCE DEPUTY ATTORNEY GENERAL
POST OFFICE BOX 11549
COLUMBIA, SO. CAR.
29211-1549

Sincerely,

STEVEN W. LITTLEJOHN #321946
SELOC 'A' #124
TURBEVILLE CORR. INST.
POST OFFICE BOX 252
TURBEVILLE, SO. CAR. 29162

Aug. 5, 2015

SUZANNE H. WHITE
ASSISTANCE DEPUTY ATTORNEY GENERAL
POST OFFICE BOX 11549
COLUMBIA, SO. CAR. 29211-1549

RE: STEVEN W. LITTLEJOHN V. STATE OF SOUTH CAROLINA

DEAR MRS. WHITE

PLEASE FIND ENCLOSED A COPY OF THE APPELLANT'S
BRIEF IN THE ABOVE CASE.

Sincerely,
Steven W. Littlejohn

The State of South Carolina
In The Court of Appeals

Appeal From Cherokee County
Court of Common Pleas

R. Keith Kelly, Circuit Court Judge

CASE NO. 2013-CP-11-0192

State of South Carolina Respondent

v.

Steven W. Littlejohn Appellant

BRIEF OF APPELLANT

Steven W. Littlejohn #321946
~~Steven W. Littlejohn~~
Turbeville Correctional Inst.
SELOC 'A' #724
Post Office Box 252
Turbeville, So. Car.
29162

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Questions On Appeal

1. Did the Respondent's Violate the Appellant Fourteenth Amendment Due Process rights?
2. Did the Procedural Due Process Violations Procedurally Default the Appellant Claim?
3. Did the Failure of the Respondent to Provide Notice of the Court Order Deprive the Appellant of a State and Federal Created Liberty Interest?
4. Did the Respondent's Follow Standard Procedures for Extension requests in Not Notifying both Parties?
5. Did the Failure to Provide Notice of the Court Order interfere and Contaminate the Proceeding?
6. Did the Failure to Provide Notice of the Court Order Violate Constitutionally Protected rights Under the Fourteenth Amendment?
7. Did the Failure to Provide Notice Prejudiced the Appellant?
8. Did the Court below Err in Not Conducting an Evidentiary Hearing regarding the Newly Discovered Evidence?
9. Did the Signing of the Conditional order of Dismissal by the Appellant's Sentencing Judge Violate a Supreme Court Order dated April 12, 2013?
10. Did the Respondent's Violation of a Supreme Court Order Violate Judicial Conduct?
11. Did the Violation of the Code of Judicial Conduct rise to the level of Misconduct?
12. Did the Violation of a Supreme Court Order Prejudiced the Appellant and Violate Due Process of Law 14th Amendment?
13. Did the Respondents Violate a Supreme Court Order dated May 3, 2007?

14. Did the Respondents Violation of a Supreme Court Order violate the rules of Professional Conduct Rule 407 SCACR?
15. Did the Violation of the rules of Professional Conduct Rise to the level of Misconduct?
16. Did the respondents retaliate Against the Appellant for exercising his Protected Conduct?
17. Did the respondent's Establish a Pattern of Retaliation by their Adverse Actions?
18. Did the Respondents establish a Pattern of Violating Supreme Court Orders?
19. Did the respondents Violate the Fourteenth Amendment Due Process Clause?
20. Did the respondents Violate ADA Protections while the Appellant was in a disable Status?
21. Did the Adverse Actions of the Respondents Procedurally Default the Appellant's Claim?
22. Did the respondent's Violate SCACR Rule 607(i)?

STATEMENT OF THE CASE

While ON Appeal to the U.S. Supreme Court Challenging his Sentencing ON the grounds OF INEFFECTIVE ASSISTANCE OF COUNSEL FOR FAILURE TO INFORM THE APPELLANT OF THE PLEA OFFER AND EXPIRATION DATE.

Appellant first learned newly discovered evidence that the Respondent's had violated A Supreme Court Order dated MAY 3, 2007 (~~See exhibit #1~~) that removed SCACR Rule 224. By using and filing an improper motion (~~See exhibit #2~~) (passed the statute of limitation) to supplement the record pursuant to this rule 224 ON Appeal procedurally defaulting the Appellant's claim.

ON March 22, 2013, Appellant filed a second PCR Application ON the grounds OF "Prosecutorial Misconduct" (No. 2012-CP-11-0192) Pursuant to the Statutory Provisions OF 17-27-45 (B) AND (C), because this newly discovered evidence arose ON Appeal, the successive Rule is inapplicable in this case.

The Respondent's filed a Return AND Motion TO Dismiss, Also A Proposed Conditional Order OF Dismissal that WAS received by the Appellant JAN. 28, 2014 allowing twenty (20) DAYS to show why the Order should NOT become FINAL.

On Feb. 1, 2014 the Appellant was hospitalized with a heart attack and on Feb. 12, 2014 timely filed a letter (see exhibit #3) requesting an extension. No court order was received as verified by SCDC legal mail room between Feb. 12, thru March 12, 2014 (see exhibits #4 & 5). Court order will be discussed in Argument I.

March 24, 2014, Appellant received a signed conditional order of dismissal dated March 12, 2014 allowing him twenty (20) days to show why the order should not become final. This issue will be discussed in Argument II.

On April 4, 2014, Appellant timely filed a "Motion for Enlargement of Time" (see exhibit #6) for medical treatment, recovery and transfer issues. Also requested medical records to be sent to Chief Judge for administrative purposes. Confirmation received June 7, 2014 from SCDC Health Information Services (see exhibit #7) Appellant was hospitalized Oct. 10 thru 15, 2014 for heart catheterization surgery (see exhibit #8).

May 21, 2014, Appellant filed a motion to alter or amend the judgment (59E) (Motion to Reconsider) based on newly discovered evidence that the respondents had failed to provide and notify the Appellant with a Court Order from the Supreme Court Clerk violating his procedural due process rights and liberty interest created by the Court Order (Fourteenth Amendment

Due Process rights and Liberty Interest Created by the Court Order (Fourteenth Amendment Due Process Violation). Provided evidence of the standard procedure that was guaranteed by the U.S. and State Constitutions (Argument I).

Also informed the Court that the Appellant learned for the first time that the signing of the Conditional Order of Dismissal by his former Plea Judge was a Conflict of Interest (Argument II).

July 9, 2015, Appellant received an Order denying the Motion to Reconsider dated June 29, 2015.

June 26, 2015 Appellant filed an objection to Respondent's Return to Motion to Reconsider providing evidence that the signing of the Conditional Order of Dismissal by the Plea Judge was a violation of a Supreme Court order dated April 12, 2013.

Also raised the issue of retaliation by the Respondent's based on the newly discovered evidence of the Respondent's Adverse Actions.

Argument I

Appellant WAS Prejudiced by the Failure of the Respondent's to Provide the Court Order For AN EXTENSION OF TIME Requested. (Questions 1, 2, 3, 4, 5, 6, 7, 8, 12, 19, 20, 21)

Respondent's Violated the Fourteenth Amendment Procedural Due Process Clause by it's Failure to Provide Notice of the Court Order (From the South Carolina Supreme Court Clerk of Court) Procedurally Defaulting the Appellant's Claim.

The Appellant Submits that to establish a Procedural Due Process claim, A person must show Deprivation of his Federal and State Created Liberty Interest due to the respondent's Failure to provide Notice (Court Order) that interfered with and Violated A Constitutionally Protected right.

The respondent's Failure to provide A Protected Liberty interest (Created by the Court Order) deprived the Appellant of Procedural Due Process Violating his Fourteenth Amendment Constitutional right, WAS Prejudicial Contaminating the entire Process, Procedurally Defaulting the Appellant Claim.

Appellant Provided the Court with evidence of the Standard Procedural Process For AN extension request MADE by the Respondent's in the ORIGINAL PCR Action where both were granted and Order's issued by

the Clerk of the South Carolina Supreme Court
With Copies Sent to All Parties (See Exhibits 9-10).
Respondents Failed to Provide the Court Order As
Verified by the SCDC Legal Mail System between
Feb. 12, thru March 12, 2014 (See Exhibits 4-5)

Appellant was Entitled to the Same Procedural
Due Process treatment and Equal Protection of the
Law.

There is a reasonable Probability that the Appellant
would have filed another timely extension had he received
and been informed of the Court Order As Due Process
requires because the Appellant:

1. Exercised Protected Conduct by Filing a request
timely for an extension of time that was pending.
2. Had a Serious Medical Need under the Eighth
Amendment that was worthy of treatment, affected
major daily life activities and caused serious
pain; was verified by medical records.
3. Had never violated the extension request policy
or rule.
4. Had a legitimate Constitutional claim
(Prosecutorial Misconduct)

The U.S. Constitution is the Supreme law of the
land and the Amendments provide individuals with
certain rights. Within the U.S. Constitution, the main
protection against actions by state officials is

Found in the Fourteenth Amendment.

" No State shall... deprive any person of life, ~~liberty~~ or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the law."

These guarantees are known as the "Due Process Clause" and the "Equal Protection Clause"

The respondent's failure to provide notice of the court order (that created liberty interest) interfered with and violated a constitutionally protected right under the Fourteenth Amendment procedurally defaulting the appellant's claim.

For this reason, the ruling must be reversed to hold an evidentiary hearing with the appointment of counsel to address all issues that arose on appeal in the original PCR proceeding.

ARGUMENT II

The Violation OF A Supreme Court Order Violate Judicial Conduct AND WAS Prejudicial Violating the Appellant's Fourteenth Amendment Procedural Due Process rights. Questions (1, 2, 8, 9, 10, 11, 12, 18, 19, 20, 21)

The Appellant would point to the fact that the signing of the Conditional Order of Dismissal by the Appellant's Sentencing Judge was a conflict that violated A Supreme Court Order dated April 12, 2013.

Enclosed are copies of the Supreme Court Order (See Exhibit #11), A Signed Conditional Order of Dismissal (See Exhibit #12) AND A Signed Sentencing Sheet (See Exhibit #13) As evidence of the signature procedural violations.

Rule 502 SCACR Rule 7(A)(1)(2)(7) Misconduct For Judge to Violate the Code of Judicial Conduct AND Willfully Violate A Valid Supreme Court Order. Respondent's Conduct Violated the Code of Judicial Conduct AS CONTAINED IN Rule 501 SCACR, SPECIFICALLY CANON 1(A)(2)(3)

The Respondent's Violation OF A Supreme Court Order Violated Judicial Conduct, WAS Prejudicial AND Violated the Fourteenth Amendment Procedural Due Process, Procedurally Defaulting the Appellant's Claim. For this reason, the Order OF Dismissal in this case must be reversed.

Argument III

The Respondent's Illegally Retaliated Against the Appellant for Filing a "Prosecutorial Misconduct" Claim. (Questions 1, 2, 8, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22)

Appellant exercised his protected right to file a "Prosecutorial Misconduct" claim after discovering newly discovered evidence that the respondent's had violated a Supreme Court Order dated May 3, 2007 that removed SCACR Rule 224 (~~See Exhibit #1~~). By using and filing an improper motion (~~See Exhibit #2~~) passed the statute of limitation to supplement the record on appeal, pursuant to SCACR Rule 224 that was removed/reserved procedurally defaulting the Appellant's claim.

Respondent's also violated SCACR Rule 607(i) that allowed thirty (30) days to challenge the accuracy of the transcript. This rule was used twenty (23) months after delivery (~~See Exhibit #4~~),

Rule 413 SCACR Rule 7(A)(1)(3)(7) Misconduct for lawyer to violate the Rules of Professional Conduct and willfully violate a valid Supreme Court Order. Respondent's conduct violated the Rules of Professional Conduct as contained in Rule 407 SCACR,

Specifically Rule 8.4 Misconduct (A)(d)(E)(g).

In Retaliation the Respondent's Violated Appellant's Fourteenth Amendment Procedural Due Process rights by their Adverse Action of intentionally Not Providing the Court Order (Argument I) And intentionally Violating A Supreme Court Order (Argument II) because of the Appellant's "Protected Action" in Filing A "Prosecutorial Misconduct" Claim (Protected Conduct).

Retaliation is also shown as the Respondent's Violated the Appellant's ADA Protections (AMERICAN WITH DISABILITIES ACT TITLE II TECHNICAL ASSISTANCE MANUAL) (II-1.2000; II-2.2000; II-2.4000; II-2.5000; II-3.11000 Retaliation) rights by their Adverse Actions (Arguments I, II, III shown above) because of the Appellant's Protected Action in Filing A Motion For An extension of time Protected Conduct requested while the Appellant was in a Disable status receiving treatment from a Heart Attack. A Clear Pattern of Retaliation is shown by the procedure violations in (Arguments I, II, III) that occurred during this proceeding, Procedurally Defaulting the Appellant's Claim.

There is a CAUSAL CONNECTION in the Respondent's

doing what they did because of what the Appellant was doing. The Respondent's Adverse Actions was directly related to the Appellant's Protected Conduct.

The respondents need to show that they would have taken the same Actions against the Appellant regardless of his "Prosecutorial Misconduct" claim and the motion for extension requested.

A valid claim of retaliation is shown unless the respondents have some other reason for violating the Appellant's procedural due process rights covered under the Fourteenth Amendment (Arguments I, II, III) of the State and Federal Constitutions.

Argument IV

The Court below Erred in Not Conducting An Evidentiary hearing to Address the Newly discovered Evidence raised in the 59E Motion to reconsider. (Questions 1, 2, 8)

The Appellant raised Newly discovered Evidence of a Procedural Due Process Fourteenth Amendment Violation (Failure to Provide Notice of the Court Order) and a Supreme Court Order Violation, Presenting Evidence of both being Fourteenth Amendment Due Process Violations and Retaliation resulting from these violations that procedurally defaulted the Appellant's claim.

The Weight of these Constitutional claims and evidence provided (Genuine issues of Material Fact) was sufficient to warrant an evidentiary hearing to protect the Appellant's Fourteenth Amendment Due Process and ADA Protections (Federal & State) of the Appellant.

CONCLUSION

Due to the Constitutional Fourteenth Amendment Due Process and ADA protections violation that were prejudicial, the Appellant Pray's that the Order will be reversed with instructions to Appoint An Attorney and hold AN Evidentiary hearing since the case has been procedurally defaulted by the respondents Adverse Actions to Allow All Newly discovered evidence Addressed At the hearing to resolve All issue's, Not Previously raised, that occurred at the Original PCR Appeal.

Prosecutorial Misconduct, Supreme Court Orders Violations SCACR Violations, to include PCR (NO. 15CP-110242) Newly discovered evidence (Ineffective Assistance of Appellate Counsel, Jurisdiction) (~~See Exhibit #15~~)

Due to the Unique Factors in this case as it was held in Case vs. State 289 S.E. 2d 413 (1982)

"Unique Facts" MAY require A Court to review Successive Application on A case by case basis."

Appellant hereby request that this Honorable Court would find in the interest of Justice and

THE MEANS OF FAIRNESS TO GRANT APPELLANT'S
APPEAL.

APPELLANT PRAYS THAT THIS HONORABLE COURT
WILL ALSO TAKE INTO CONSIDERATION THAT HE IS
A "PRO SE" LITIGANT WITHOUT SUBSTANTIAL KNOWLEDGE
AND EXPERIENCE IN THE MATTERS OF LAW AND THE
COURT WILL ASSIST HIM TO ASSURE FAIRNESS.

AUG. 5, 2015

Steven W. Steyer
SE Loc A-124
Turbeville Correctional Inst.
Post Office Box 252
Turbeville, S.C. 29162

The State of South Carolina
In the Court of Appeals

Appeal From Cherokee County
Court of Common Pleas

R. Keith Kelly, Circuit Court Judge

CASE NO. 2013-CP-11-0192

State of South Carolina

Respondent

v.

Steven W. Littlejohn

Appellant

Proof of Service

I certify that I have served the Brief of the Appellant on the State of South Carolina by depositing a copy of it in the United States Mail, Postage prepaid on Aug. 5, 2015 Address to his Attorney of Record SUZANNE H. WHITE Post Office Box 11549 Columbia, So. Car. 29211-1549.

Aug. 5, 2015

Steven W. Littlejohn #321946

~~Steven W. Littlejohn~~

Turbeville Correctional Inst. #

Sec. 'A', Post Box #252

Turbeville, So. Car.

29162

Mary McCabe

From: Chris Florian
Sent: Wednesday, May 23, 2012 9:32 AM
To: Mary McCabe
Subject: RE: Scan from a Xerox WorkCentre

~~Reserved means that there is no Rule 224, they are keeping it as a placeholder. This was done by way of Supreme Court Order dated 5/3/2007.~~

Chris

-----Original Message-----
From: Mary McCabe
Sent: Tuesday, May 22, 2012 6:14 PM
To: Chris Florian
Subject: RE: Scan from a Xerox WorkCentre

We need to know what this means: "Reserved" in 2009. And what month did it take effect?
mhm

-----Original Message-----
From: Chris Florian
Sent: Tuesday, May 22, 2012 9:02 AM
To: Mary McCabe
Subject: RE: Scan from a Xerox WorkCentre

Rule 224 was marked "RESERVED" in 2009.

Chris

-----Original Message-----
From: Mary McCabe
Sent: Monday, May 21, 2012 6:07 PM
To: Chris Florian
Subject: FW: Scan from a Xerox WorkCentre

Mr. Florian, here's another I need answered. Thanks in advance. mhm

-----Original Message-----
From: DoNotReply@doc.state.sc.us [mailto:DoNotReply@doc.state.sc.us]
Sent: Monday, May 21, 2012 7:09 PM
To: Mary McCabe
Subject: Scan from a Xerox WorkCentre

Please open the attached document. It was scanned and sent to you using a Xerox WorkCentre.

Attachment File Type: PDF

WorkCentre Location: Tyger River CI UY Education (DC016106) 896-3527

For more information on Xerox products and solutions, please visit <http://www.xerox.com>

P

~~EXHIBIT #1~~
EXHIBIT #1

10

STATE OF SOUTH CAROLINA
In The Supreme Court

CERTIORARI TO CHEROKEE COUNTY
Court of Common Pleas

The Honorable Kenneth G. Goode, Circuit Court Judge
2007-CP-11-495

Steven Wayne Littlejohn, 321946..... Petitioner,

v.

State of South Carolina,..... Respondent.

MOTION TO CORRECT THE RECORD AND FILE A SUPPLEMENTAL APPENDIX

~~(Pursuant to Rule 224 of the South Carolina Appellate Court Rules, counsel for Respondent moves for this Court to allow the Respondent to correct the record and file a supplemental Appendix in this case. It has come to the Respondent's attention that the guilty plea transcript found in the appellate record contains a material typographical error.~~

The Petitioner claims he was not informed of a five-year plea deal prior to his pleading. This claim is based on the appearance of the word "five" on page 3 of his guilty plea transcript. (App. p. 109). The court reporter has sworn by an attached affidavit that the word "five" should actually be the word "fifteen." Page 109 of the Appendix reflects page 3 of the guilty plea transcript. Lines 15-17 currently read, "The state and his attorney, Mr. Roger Poole, have negotiated a sentence of five years to run concurrent on all of these charges." These lines should be corrected to read, "The state and his attorney, Mr. Roger Poole, have negotiated a sentence of fifteen years to run concurrent on all of these charges."

The Petitioner did not raise his allegation of a five-year plea offer in his post-conviction relief

~~EXHIBIT #2~~

application. He briefly raised it at his post-conviction relief hearing, noting that he had not heard anything about a five-year offer until he read his guilty plea transcript. Though the Petitioner mentioned it in his testimony, the record indicates it was not the focus of the PCR hearing. It was not until his Petition for Writ of Certiorari that the Petitioner made substantial argument on the appearance of the word "five" in his guilty plea transcript.

The Petitioner enumerated 31 allegations in his post-conviction relief application, but none of them related to the typographical error discussed herein. The Respondent did not investigate the appearance of the word "five" in the transcript prior to the post-conviction relief hearing because the Petitioner failed to notify the Respondent he intended to raise this issue. At the time of the PCR hearing, the Respondent believed the brief mention of a five-year negotiation was a misstatement by the solicitor. It was clear in following paragraphs that all parties appearing in the record understood the plea negotiation to be for fifteen years rather than five years.

The claim regarding the five years was merely mentioned by the Petitioner and was not the focus of his PCR claim. Further, the PCR Court did not make a finding on this issue and the Petitioner failed to request a finding on this issue through a 59 (e) motion. Rather, the Petitioner raised the issue for the first time in a significant way during his Petition for Writ of Certiorari.

In preparing the State's response to the petition, the Respondent realized the guilty plea transcript possibly contained a significant typographical error. After speaking with the court reporter, Linda Moffitt, it became clear that where the record reflects the solicitor mentioning a five-year negotiation, the solicitor actually stated it was a fifteen-year negotiation. Linda Moffitt was able to conclusively determine a typographical error had been made and the record is erroneous.

The Respondent requests this Court hold time in abeyance to allow for the correction of the error in the record. The Respondent moves to correct the record and supplement the appendix.

An accurate transcript is required for a full and fair review of the lower court's findings. Inasmuch as

the above records are relevant and pertinent material under Rule 227(e), SCACR that should be included in the Appendix, counsel moves this Court to allow the Respondent to include a corrected guilty plea transcript in a Supplemental Appendix.

WHEREFORE, as the Appendix is incorrect, counsel for Respondent requests this Court: (1) grant the motion to allow the Respondent to correct and supplement the Appendix and (2) hold time limits for the filing of the Return to Petition for Writ of Certiorari in abeyance until the motion is ruled upon.

Respectfully submitted,

HENRY DARGAN McMASTER
Attorney General

JOHN W. McINTOSH
Chief Deputy Attorney General

SALLEY W. ELLIOTT
Assistant Deputy Attorney General

MICHELLE PARSONS KELLEY
Assistant Attorney General
Post Office Box 11549
Columbia, S.C. 29211
(803) 734-3737

By: 
ATTORNEYS FOR RESPONDENT

September 9, 2009.

Feb. 12, 2014

Livesay Correctional
P.O. Box 580
Una, SC 29378

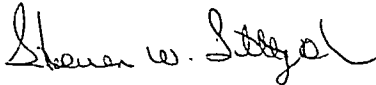
Brandy W McBee
Cherokee County Clerk of Court
P.O. Box 2289
125 E. Floyd Baker Blvd.
Gaffney, S.C. 29342

Dear Ms. McBee:

Please be advised that I, Steven W. Littlejohn #321946 will not be able to meet the deadline to file the Return of Motion regarding the PCR Motion For Dismissal since I am currently hospitalized after experiencing a heart attack and emergency surgery on February 1, 2014.

An extension will be needed upon my release and support documents of my condition will be made available to you.

Yours Truly,

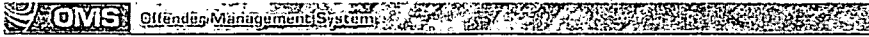


Steven W. Littlejohn #321946

Telephone: 864-487-2571

Fax: 864-487-2754

~~Exhibit #3~~



OMS Messenger
0 new

File Inmate Non-Inmate Settings Tools Reports Help

Name: LITTLEJOHN, STEVEN Release: Location: TURBEVILLE Perm #: 321946
 D.O.B.: 06/00/0000 Adm CID #:
 Sex: SS #: Block: SA Bkg Date: 05/15/2013
 Race: B SCDC#: 321946 Cell: Bed: 0124 B Classif:

Mail - Level 1

WorkFlow Tasks

Inmate Requests

WorkFlow: Inmate Requests

Inmate Request Information

Request Type: Mail Reference: 15-715018
 Date Requested: 07/14/2015 17:08 Number:
 Requested By: Klask
 Request Details: MRS. HODGE, I RECEIVED THE STATEMENT YOU SENT TODAY BUT IT HAS THE WRONG DATES. I NEED THE DATES FEB. 12 - MAR. 12, 2014 TO BE SHOWN TO BE CORRECT FOR THE COURTS. THESE ARE THE DATES SHOWN ON THE ORIGINAL REQUEST. YOUR HELP IS GREATLY APPRECIATED IN THIS MATTER.
 Review Level:
 Disposition: Complete
 Officer: KJOSK
 Disposition Date: 07/16/2015 07:15

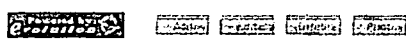
Request Responses

Date	Author	Note
07/16/2015 07:25	Evelyn Hodge	You didn't have any Legal Mail from February 12, 2014 thru March 12, 2014

Exhibit #

Date Author Note

Print Email



Name: LITTLEJOHN, STEVEN Release: Location: TURBEVILLE Perm #: 321946
 D.O.B.: 0000/0000 Adm CID #:
 Sex: SS #: Block: SA Bkg Date: 05/15/2013
 Race: B SCDC#: 321946 Coll. Bed: 0124 B Classif:

Mail - Level 1

Workflow Tasks
 Inmate Requests

Workflow: Inmate Requests

Inmate Request Information

Request Type: Mail Reference: 15-660582
 Date Requested: 06/10/2015 18:58 Number:
 Requested By: Kiosk
 Request Details: I NEED A NOTARIZED STATEMENT FROM THE MAIL ROOM THAT VERIFIES I DID NOT RECEIVE OR SIGN ANY LEGAL MAIL LOG FROM THE SUPREME COURT OF SOUTH CAROLINA, DANIEL E. SHEAROUSE, CLERK OF COURT BETWEEN FEB. 12, AND MARCH 12, 2014. THIS INFORMATION IS NEEDED AS PROOF FOR THE COURTS REGARDING THIS MATTER.
 Review Level:
 Disposition: Complete
 Officer: KIOSK
 Disposition Date: 07/07/2015 07:34

Request Responses		
Date	Author	Note
07/07/2015 07:45	Evelyn Hodge	You didn't have any Legal mail from February 21, 2014 thru March 12, 2014.

Exhibit #5

Date	Author	Note

Print Exit



Home Search My Profile My Requests My Alerts

STATE OF SOUTH CAROLINA)	IN THE COURT OF COMMON PLEAS
COUNTY OF CHEROKEE)	SEVENTH JUDICIAL CIRCUIT
)	
STEVEN WAYNE LITTLEJOHN, #321946,)	2013-CP-11-0192
Applicant,)	
)	
V.)	MOTION FOR
)	ENLARGEMENT OF TIME.
STATE OF SOUTH CAROLINA,)	
Respondent.)	

The Applicant, STEVEN WAYNE LITTLEJOHN, #321946, hereby moves this Honorable Court with his MOTION FOR ENLARGEMENT OF TIME in the above referenced matter.

The Applicant, STEVEN WAYNE LITTLEJOHN, #321946, hereafter referred to as The Applicant, request an enlargement of time as provided by the South Carolina State Rules of Court, Rules of Civil Procedure, Rule 6 (b), in the Court's discretion, for good cause shown, to permit the act to be done.

The Applicant submits this motion based on the following:

1. MONDAY, JANUARY 27, 2014, Applicant received a CONDITIONAL ORDER OF DISMISSAL requesting that his current application for post-conviction relief be summarily dismissed.
2. MONDAY, JANUARY 27, 2014, Applicant also received a RETURN and MOTION TO DISMISS his application.
3. SATURDAY, FEBRUARY 01, 2014, Applicant had a heart attack and was admitted to the Spartanburg Regional Hospital where he underwent life-saving emergency heart surgery, which led to further hospitalization until Tuesday, February 04, 2014.
4. TUESDAY, FEBRUARY 04, 2014, Applicant was placed in the Infirmary at the Kirkland Medical Center, Columbia, S.C. and remained admitted for a total of eighteen (18) days.

~~Exhibit #6~~

5. WEDNESDAY, FEBRUARY 12, 2014, Applicant's family member notified the Cherokee County Clerk of Court of his medical status and his inability to respond to any legal matters which were pending in the court. Also, a request was made to the Clerk of Court's Office to forward to all parties of relevance to the case that Applicant was incapacitated at the present time.

6. TUESDAY, FEBRUARY 18, 2014, Applicant was placed under twenty-four (24) hour required medical care and then sent to the Turbeville Correctional Institution, Turbeville, South Carolina, which is a state facility of the South Carolina Department of Corrections offering twenty-four (24) hour medical care.

7. FRIDAY 21, 2014, Applicant received some of his legal materials from his prior housing location. Documents relating to this case at hand and other current legal material did not arrive to date.

8. THURSDAY, FEBRUARY 27, 2014, Applicant enlisted to attend the Turbeville Correctional Institution Law Library to make attempts to continue with his legal requirements, but experienced many institutional delays.

9. WEDNESDAY, MARCH 12, 2014, South Carolina Department of Corrections, Turbeville Correctional Institution required Applicant to attend to required medical appointments due to this ongoing health condition and recuperation period.

10. Due to Applicant's uncontrolled movements by the South Carolina Department of Corrections from the LIVESAY CORRECTIONAL INSTITUTION in Una, South Carolina, to the SPARTANBURG REGIONAL HOSPITAL in Spartanburg, South Carolina, to the KIRKLAND CORRECTIONAL MEDICAL FACILITY in Columbia, South Carolina, and then on to the TURBEVILLE CORRECTIONAL INSTITUTION in Turbeville, South Carolina, Applicant was unable to attend to his legal requirements and did not have control over his legal property.

11. Due to Applicant's frequent medically required change of locations and institutions, Applicant submits a copy of the South Carolina Department of Corrections Legal Mail Delivery Log to verify that he did not receive the CONDITIONAL ORDER OF DISMISSAL until Monday, March 24, 2014, which now makes it relevant to have an extension/enlargement of time to appropriately respond.

12. THURSDAY, MARCH 27, 2014, Applicant requested and is awaiting a medical print-out to be submitted to the court for verification to support his request for additional time. To date, the Department of Corrections have not provided the requested copy for submission to the court. (See attached/enclosed copy of request/letter.)

CONCLUSION

Based on the above Medical factors and reasons submitted, Applicant, STEVEN WAYNE LITTLEJOHN, #321946, has shown the Court that the delays experienced were not of his own doing and thereby were never intentionally orchestrated by him. Applicant hereby requests that this Honorable Court would find it in the interest of justice, and the means of fairness, to grant Applicant's

MOTION FOR ENLARGEMENT OF TIME.

Applicant prays that this Honorable Court will also take into consideration that he is a PRO SE LITIGANT without substantial knowledge and experience in the matters of law and the Court will assist him to assure fairness.

DATED: 4-4-14

s/ Steven W. Littlejohn

STEVEN W. LITTLEJOHN, #321946.
SELOC A-108,
TURBEVILLE CORRECTIONAL INST.,
POST OFFICE BOX 252,
TURBEVILLE, S.C. 29162.

Sworn to and Subscribed before me
this 4th day of APRIL, 2014.

Earley H. Hays
Notary Public for South Carolina.

My Commission expires 4-27-2016.

**SOUTH CAROLINA DEPARTMENT OF CORRECTIONS
REQUEST TO STAFF MEMBER**

TO: NAME: <u>(H.I.R.)</u> TITLE: <u>HEALTH INFORMATION RESOURCES</u>	DATE: <u>THURSDAY 03-27-14</u>
INMATE'S NAME: <u>STEVEN LITTLEJOHN</u>	SCDC #: <u>321946</u>
INSTITUTION: <u>TURBEVILLE C-I</u>	LIVING QUARTERS: <u>SEWC A-108</u>

I requested a print-out from MEDICAL, but was advised to request it from H.I.R.

Please see attached/enclosed which was returned for specifics of this request. If for security reasons or other, please send this information to

~~The Honorable Judge J. Derham Cole,~~
Seventh Circuit Administrative Judge,
Post Office Box 1744,
Spartanburg, S.C. 29304.

CASE Number: 2013-CP-11-0192

and notify me of your proceedings. *S/ Steven Littlejohn*

DISPOSITION BY STAFF MEMBER:

RECEIVED
HEALTH INFORMATION RESOURCES
MAR 31 2014

~~Attached requested records to
the Judge listed above.~~

DATE: <u>6/4/14</u>	SIGNATURE: <u>Kathy Hill/HIR</u>
---------------------	----------------------------------

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS
REQUEST TO STAFF MEMBER

RECEIVED
JUL 24 2015

BY:

TO: NAME: Mr. Blackwell	TITLE: Med. CAT	DATE: 7-24-15
INMATE'S NAME: STEVEN W. Littlejohn		SCDC #: 321946
INSTITUTION: T.C.I.	LIVING QUARTERS: S1A #124	

I Need ~~to~~ CONFIRMATION that I WAS hospitalized FROM OCT. 10-14 2014 FOR A HEART CATHETERIZATION PROCEDURE.

DISPOSITION BY STAFF MEMBER:

According to our notes, you were at Palmetto Richland Memorial Hospital undergoing a cardiac catheterization on ~~10/12/14~~. On ~~10/11/14~~ you were transferred to Kirkland Correctional Infirmary until ~~10/15/14~~, then back to Turbeville Correctional Facility to your dorm on 10/15/14. ~~_____~~

DATE: 07/31/15	SIGNATURE: _____ EXHIBIT # 8
-------------------	---



COPY

HENRY McMASTER
ATTORNEY GENERAL

August 26, 2009

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

RE: Steven W. Littlejohn v. State of South Carolina
2007-CP-11-0495

Dear Mr. Shearouse:

The Return to the Petition for Writ of Certiorari in the above appeal is due to be served and filed on today's date. However, this is to respectfully request a 30-day extension in which to serve and file this Return.

This extension request is not intended for the purpose of delay. Rather, this extension request is necessitated by a heavy workload and made for good cause.

Yours very truly,


Michelle Parsons Kelley
Assistant Attorney General

MPK/aam

cc: John R. Ferguson, Esquire

8/27/09

Mr. Littlejohn -
I predict that the court will grant the extension.
I think it's interesting that they have not filed anything
concerning the court reporter's alleged error. They know
I will fight them on that.

JR7

~~Exhibit #9~~

The Supreme Court of South Carolina

Steven W. Littlejohn,

Petitioner,

COPY

v.

State of South Carolina,

Respondent.

The Honorable Kenneth G. Goode
Cherokee County
Trial Court Case No. 2007-CP-11-00495

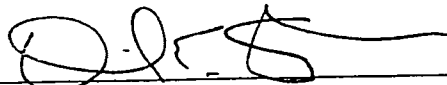
~~ORDER~~

For good cause shown, the request for an extension until September 25, 2009 to serve and file the Return to the Petition for Writ of Certiorari is granted. Pursuant to this Court's order dated March 18, 2009, any further extension request must be based on a showing of good cause and must be signed by the appropriate attorneys.

IT IS SO ORDERED.

JEAN H. TOAL, CHIEF JUSTICE

BY



Clerk

Columbia, South Carolina

August 27, 2009

cc: John Ferguson, Esq
Assistant Attorney G

*For Your
Information*

ms Kelley

COPY



HENRY McMASTER
ATTORNEY GENERAL

July 27, 2009

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

RE: Steven W. Littlejohn v. State of South Carolina
2007-CP-11-495

Dear Mr. Shearouse:

The Return to the Petition for Writ of Certiorari in the above appeal is due to be served and filed on today's date. However, this is to respectfully request a 30-day extension in which to serve and file this Return.

This extension request is not intended for the purpose of delay. Rather, this extension request is necessitated by a heavy workload.

Yours very truly,

Michelle Parsons Keiley for
Michelle Parsons Keiley
Assistant Attorney General

MPK/aam.

cc: John R. Ferguson, Esquire

*This probably will
not make much
difference in when
the Court considers
your case*

JRF

~~EXHIBIT #10~~

The Supreme Court of South Carolina

Steven W. Littlejohn, Petitioner,

v.

State of South Carolina, Respondent.

The Honorable Kenneth G. Goode
Cherokee County
Trial Court Case No. 2007-CP-11-00495

~~ORDER~~

The request for an extension until August 26, 2009 to serve and file the Return to the Petition for Writ of Certiorari is granted. Pursuant to this Court's order dated March 18, 2009, any further extension request must be based on a showing of good cause.

IT IS SO ORDERED.

JEAN H. TOAL, CHIEF JUSTICE

BY Brenda J. Stealy
Clerk

Columbia, South Carolina *Chief Deputy*

July 28, 2009

cc: John Ferguson, E
Assistant Attorne

~~This is the usual way~~ arsons
~~this is handled,~~
so it is not significant for your case.
J.R.F.

The Supreme Court of South Carolina

ORDER

I find that in the event of a conflict that prevents a circuit court chief judge for administrative purposes from signing a Conditional Order of Dismissal or a Final Order in a Post-Conviction Relief Matter, judicial efficiency requires a procedure unique to these matters. Now, therefore,

Pursuant to the provisions of S. C. CONST. Art. V, §4,

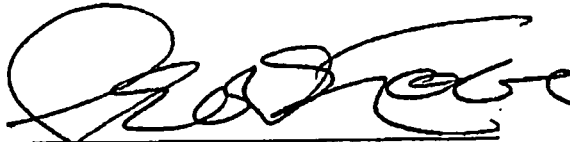
IT IS ORDERED that Conditional Orders of Dismissal and Final Orders in Post-Conviction Relief Matters are subject to the following procedures:

a. If the circuit court ~~chief judge for administrative purposes~~ has a ~~conflict~~ and is unable to sign a Conditional Order of Dismissal or Final Order in a Post-Conviction Relief Matter, any circuit judge that is a resident of the judicial circuit may sign the Conditional Order of Dismissal or Final Order.

b. If the resident circuit judges of the judicial circuit are unable or unavailable to sign a Conditional Order of Dismissal or Final Order in a Post-Conviction Relief Matter, any circuit judge assigned to the judicial circuit may sign the Conditional Order of Dismissal or Final Order.

Exhibit # 11

c. If the circuit judges assigned to the judicial circuit are unable or unavailable to sign a Conditional Order of Dismissal or Final Order in a Post-Conviction Relief Matter, any circuit judge residing in or assigned to an adjoining judicial circuit may sign the Conditional Order of Dismissal or Final Order.



Jean Hofer Toal
Chief Justice

~~April 12 2013~~
Columbia, South Carolina

STATE OF SOUTH CAROLINA
COUNTY OF CHEROKEE

IN THE COURT OF COMMON PLEAS
SEVENTH JUDICIAL CIRCUIT

Steven Wayne Littlejohn, #321946,

2013-CP-11-0192

Applicant,

v.

State of South Carolina,

Respondent.

CONDITIONAL
ORDER OF DISMISSAL

This matter comes before this Court by way of an application for post conviction relief filed March 22, 2013.


I. PROCEDURAL HISTORY

The Applicant is presently confined in the South Carolina Department of Corrections pursuant to orders of commitment of the Clerk of Court for Cherokee County. The Applicant was indicted at the May 2006 term of the Cherokee County Grand Jury for two counts of Possession with Intent to Distribute (PWID) Cocaine near School and/or Playground (06-GS-11-412; -414), one count of Possession with Intent to Distribute Crack Cocaine (06-GS-11-415 and one count of Trafficking in Cocaine, 28-100 g, third offense (06-GS-11-416). He was represented on the charges by Roger J. Poole, Esquire. On May 21, 2007, the Applicant pleaded guilty to two counts of PWID cocaine near School and/or Playground, PWID Cocaine, and Trafficking in Cocaine, second offense. He was sentenced by the Honorable J. Derham Cole to confinement for a period of ten (10) years on each count of the PWID Cocaine near School or Playground, fifteen (15) years on PWID Cocaine, and fifteen (15) years for trafficking in Cocaine. The sentences were to run concurrently. The Applicant did not appeal his conviction or sentence.

Applicant shall file any reasons he may have with the Cherokee County Clerk of Court and shall serve opposing counsel at the following address:

Office of the Attorney General
J. Clayton Mitchell, Esquire
PCR Division - 7th Circuit
P.O. Box 11549
Columbia, SC 29211

AND IT IS SO ORDERED this 12 day of March, 2014.



J. Derham Cole
~~Chief Judge for Administrative Purposes~~
Seventh Judicial Circuit

Gaffney, South Carolina

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF CHEROKEE
STATE VS.

INDICTMENT/CASE#:

2006 -GS- 11 - 416
AW#: H-854404
Date of Offense: 2-9-06
S.C. Code §: 44-53-370
CDR Code #: 0 1 1 1 4 1 8

AKA: STEVE WAYNE LITTEJOHN

Race: B Sex: M Age: 56

DOB: 10-13-50 SS#: 2

Address: Goucher Schell Road

City, State, Zip: Gaffney SC 29341

DL# _____ SID# _____

CASE RESTORED
SENTENCE
 PLEA TRIAL

In disposition of the said indictment comes now the Defendant who was CONVICTED OF or PLEADS

TO: TRAFFICKING COCAINE 2-4 OFF. (9-304) (28-1002)

in violation of § 44-53-370 of the S.C. Code of Laws, bearing CDR Code # 0 1 3 1 8 1 8

NON-VIOLENT VIOLENT SERIOUS MOST SERIOUS 17-25-45

The charge is: As Indicted, Lesser Included Offense, Defendant Waives Presentment to Grand Jury.

The plea is: Without Negotiations or Recommendation, Negotiated Sentence, Recommendation by the State.

ATTEST:

[Signature]
Solicitor

[Signature] 15 yrs.
Defendant

[Signature]
Attorney for Defendant

WHEREFORE, the Defendant is committed to the State Department of Corrections, County Detention Center, for a determinate term of 15 days/months/years or under the Youthful Offender Act not to exceed _____ years and/or to pay a fine of \$ _____; provided that upon the service of _____ days/months/years and/or payment of \$ _____; plus costs and assessments as applicable; the balance is suspended with probation for _____ months/years and subject to South Carolina Department of Probation, Parole and Pardon Services standard conditions of probation, which are incorporated by reference.

CONCURRENT or CONSECUTIVE to sentence on: _____

The Defendant is to be given credit for time served pursuant to S.C. Code §24-13-40 to be calculated and applied by the State Department of Corrections.

SPECIAL CONDITIONS:

RESTITUTION: Heard, Waived, Ordered
Total: \$ _____ plus 20% fee: \$ _____
Payment Terms: _____
 set by SCDPPPS _____

PTUP _____ days/hours Public Service Employment
Obtain GED
Attend Voc. Rehab. or Job Corp.
May serve W/E beginning _____
Substance Abuse Counseling A TRUE COPY
Random Drug/Alcohol Test [Signature]
Fine may be pd. in equal consecutive weekly/monthly
pmts. of \$ _____ beginning of COURT
\$ _____ Cherokee Public Defender Fund
Other: _____

Recipient:	
*Fine:	\$ _____
§14-1-206 (Assessments 107.5%)	\$ _____
§14-1-211(A)(1) (Conv. Surcharge)	\$100 \$ <u>100.00</u>
§14-1-211(A)(2) (DUI Surcharge)	\$100 \$ _____
§56-5-2995 (DUI Assessment)	\$12 \$ _____
§ 35.13 (Public Def/Prob)	\$500 \$ _____
§73.3, 1B TP (Law Enforce. Funding)	\$25 \$ <u>25.00</u>
§33.7, 1B TP (Drug Court Surcharge)	\$100 \$ <u>100.00</u>
§50-21-114(BUI Breath Test Fee)	\$50 \$ _____
§56-5-2942(J) (Vehicle Assessment)	\$40/ea \$ _____
3% to County (if paid in installments)	\$ <u>6.75</u>
TOTAL	\$ <u>231.75</u>

Appointed PD or appointed other counsel, §35.13 TP Requires \$500. be paid to Clerk during probation.

[Signature]
Clerk of Court/Deputy Clerk
Court Reporter: [Signature]

PRESIDING JUDGE [Signature]
Judge Code: 1 0 1 5 1 3
Sentence Date: May 21, 2007

Exhibit # 133

ARREST WARRANT 854404
 H# 854404
 STATE OF SOUTH CAROLINA
 County/ Municipality of Cherokee

THE STATE
 against

Steven Wayne Littlejohn
 Address Goucher School Road
 Gaffney, SC 29340
 Phone: 864-487-5023 SSN
 Sex: M Race: B Height: 5'06" Weight: 170
 DL State: SC DL # 001950912
 DOB: 10/13/1950 Agency ORI #: SC0110000
 Prosecuting Agency: Cherokee Co. Metro Narcotics
 Prosecuting Officer: S/A Kevin Wilson
 Offense: Trafficking Cocaine more 28 grams but less than 100 grams
 Code/Ordinance Sec. 44-53-370

This warrant is CERTIFIED FOR SERVICE in the
 County/ Municipality of
 is to be arrested and brought before me to be dealt with according to law.
 The accused

Signature of Judge _____ (L.S.)
 Date: _____

RETURN
 A copy of this arrest warrant was delivered to defendant STEVEN WAYNE LITTLEJOHN on 2-10-06
 Signature of Constable/Law Enforcement Officer _____ (32130)

RETURN WARRANT TO:
 Robert B Howell, Magistrate
 112 E. Frederick Street
 Gaffney, SC 29340
 107-2502

STATE OF SOUTH CAROLINA
 County/ Municipality of Cherokee

AFFIDAVIT
 Personally appeared before me the affiant S/A Kevin Wilson who being duly sworn deposes and says that defendant Steven Wayne Littlejohn did within this county and state on February 9, 2006 violate the criminal laws of the State of South Carolina (or ordinance of County/ Municipality of Cherokee) in the following particulars:

DESCRIPTION OF OFFENSE: Trafficking Cocaine more 28 grams but less than 100 grams
 I further state that there is probable cause to believe that the defendant named above did commit the crime set forth and that probable cause is based on the following facts:

That on the date of February 9, 2006, the defendant Steven Wayne Littlejohn, did traffick in a quantity of cocaine, a schedule II controlled substance while at his residence located at 599 Goucher School Road located near Gaffney, South Carolina within Cherokee county. This being in violation of the South Carolina Code of Laws, 1976, as amended.

Warrant based on investigation of the Cherokee County Metro Narcotics Unit
 Case number: 2006-000461

Signature of Affiant _____
 STATE OF SOUTH CAROLINA
 County/ Municipality of Cherokee
 Affiant's Address 312 E. Frederick Street
 Gaffney, SC 29340
 Affiant's Telephone 487-2504

ARREST WARRANT
 TO ANY LAW ENFORCEMENT OFFICER OF THIS STATE OR MUNICIPALITY OR ANY CONSTABLE OF THIS COUNTY:
 It appearing from the above affidavit that there are reasonable grounds to believe that on February 9, 2006 defendant STEVEN WAYNE LITTLEJOHN did violate the criminal laws of the State of South Carolina (or ordinance of County/ Municipality of Cherokee) as set forth below:

DESCRIPTION OF OFFENSE: Trafficking Cocaine more 28 grams but less than 100 grams
 Sworn to and subscribed before me on 02/10/2006

Having found probable cause and the above affiant having sworn before me, you are empowered and directed to arrest the said defendant and bring him or her before me forthwith to be dealt with according to law. A copy of this warrant shall be delivered to the defendant at the time of its execution, or as soon thereafter as is practicable.
 Sworn to and subscribed before me on 02/10/2006
 Signature of Issuing Judge _____
 Judge Code: _____

Judge's Address 312 E. Frederick Street
Gaffney, SC 29340
 Judge's Telephone 487-2502
 Issuing Court: Municipal Magistrate

Form Approved by
 S.C. Attorney General
 April 21, 2003
 SCCA 018

FILED IN OFFICE OF
 CLERK OF COURT
 CHEROKEE COUNTY, S.C.
 FEB 16 A 8:38
 ANDY W. MCBEE

A TRUE COPY
 Randy W. McBe

ORIGINAL

H-854404

013CP-110192

Exhibit
1

LINDA D. MOFFITT

Circuit Court Reporter
800 Belcher Road
Spartanburg, SC 29316

864-599-0657

September 30, 2009

COPY

John R. Ferguson, Esquire
Cox and Ferguson
P. O. Box 286
Laurens, SC 29360

Re: Steven Wayne Littlejohn 2006-GS-11-413-416


Dear Mr. Ferguson:

In reference to your letter of September 28, 2009, concerning the above matter, the ~~Rules allow 30 days to challenge the accuracy of any transcript. This transcript was delivered in October of 2007. There was no question until September of 2009 when I was contacted by the attorney general's office, and a~~ typographical error was corrected accordingly on page 3 to read 15 years instead of five years.

All other reference in the transcript was to 15 years as the understanding of all parties as to the negotiated sentence.

Thank you.

Sincerely yours,


Linda D. Moffitt
Circuit Court Reporter

cc: Office of the Attorney General
Office of Court Administration

~~EXHIBIT 14~~

STATE OF SOUTH CAROLINA

COUNTY OF ~~_____~~ Cherokee

Steven W. Littlejohn 321946
Full name and prison number (if any) of Applicant.

v.

State of South Carolina

IN THE COURT OF COMMON PLEAS

015CP-110242

FILED IN OFFICE OF
CLERK OF COURT
SHEROKEE COUNTY, S.C.
2015 MAR 7 PM 11 20
BRANDY W. COBBEE

APPLICATION FOR
POST-CONVICTION RELIEF

INSTRUCTIONS - READ CAREFULLY

In order for this application to receive consideration by the Court, it shall be in writing (legibly handwritten or typewritten), signed by the applicant and verified (notarized), and it shall set forth in concise form the answers to each applicable question. If necessary, applicant may furnish his answer to a particular question on the reverse side of the page or on an additional page. Applicant shall make clear to which question any such continued answer refers.

Since every application must be sworn under oath, any false statement of a material fact therein may serve as the basis of prosecution and conviction for perjury. Applicants should, therefore, exercise care to assure that all answers are true and correct.

If the application is taken in forma pauperis, it shall include an affidavit (attached at the back of the form) setting forth information which establishes that applicant will be unable to pay the fees and costs of the proceedings. When the application is completed, the original shall be mailed to the Clerk of Court for the County in which the applicant was convicted.

1. Place of detention Turbeville Correctional Institution
2. Name and location of Court which imposed sentence
Cherokee County Court of General Sessions, Cherokee South Carolina
3. Name(s) of co-defendant(s) (if any)

4. The indictment number or numbers (if known) upon which and the offense for which sentence was imposed:
 - (a) 06-GS-11-412, 414.
 - (b) 06-GS-11-415
 - (c) 06-GS-11-416

FILED IN OFFICE OF
CLERK OF COURT
SHEROKEE COUNTY, S.C.
2015 JAN 2 PM 11 15
BRANDY W. COBBEE

CLOCKED IN ERROR

Revised 3/2003

1
5-OF-29 Exhibit # 15
50F29 150F46