

June 28, 2016

South Carolina Supreme Court
Post Office Box 11330
Columbia, South Carolina 29211

RECEIVED

JUN 29 2016

S.C. SUPREME COURT

Re: Case No. 2012-CP-32-3237

Dear Mr. Shearouse;

My former attorney David K. Allen, E.S.Q., in the above case alleges that he sent me a copy of the order denying the Rule 59(a), S.C.R.C.P. motion to alter/amend the judgment filed June 13, 2016. I received no such order, and have no record that such order was ever filed with the Lexington County Clerk, and requests that such order be verified by the court by providing me with a copy of the order since such order was claimed to be filed with the notice of intent to appeal with this court.

Sincerely,

Hayward L. Rogers

June 28, 2016

CC: Daniel F. Shearouse

David K. Allen, E.S.Q.

Beth A. Carrigg

Patrick Schmeckpeper, E.S.Q.

June 28, 2016

Hayward L. Rogers, 278510
Broad River Correctional Inst.
4460 Broad River Road
Columbia, South Carolina

Re: Case No. 2012-CP-32-3237

Dear Mr. Allen:

where is the copy of the order denying the Rule 59(e) motion to alter/amend the judgment signed by Judge Mark Hayes, filed June 13, 2016? your letter dated June 20, 2016 only contained two copies of the order of dismissal dated April 29, 2016, and a copy of the notice of intent to appeal, but no copy of the order denying the Rule 59(e), S.C.R.C.P.

Please provide me with a copy of the order denying the Rule 59(e), S.C.R.C.P. to alter/amend the judgment.

June 28, 2016

Hayward L. Rogers

CC: Daniel E. Shearouse

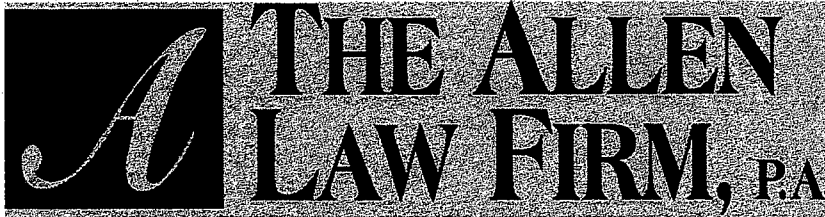
Beth A. Carrigg

David K. Allen, E.S.Q.

Patrick Schmeckpeper, E.S.Q.

Kellum W. Allen, Esq.*
Kellum@TheAllenLawFirm.org

David K. Allen, Esq.
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June 20, 2016

The Supreme Court of South Carolina
ATTN: Daniel Shearouse, Clerk of Court
PO Box 11330
Columbia, SC 29211

Re: Notice of Intent to Appeal from:
Hayward Rogers, #278510, v. State of South Carolina;
Case Number: 2012-CP-32-3237

Dear Sir or Madam:

I was Court Appointed, and I expect appellate defense will probably handle the appeal. Enclosed please find a Notice of Appeal along with a Proof of Service and a copy of the Order being appealed. Also enclosed is a copy which I request you stamp as "filed" and return to me in the enclosed stamped envelope.

Thank you for your assistance.

Sincerely:

David K. Allen, Esq.

DKA/idi
Enclosures

cc: Mr. Hayward Rogers
Patrick Lowell Schmeckpeper, Esq.

THE SOUTH CAROLINA SUPREME COURT

APPEAL FROM LEXINGTON COUNTY
Court of Common Pleas

J. Mark Hayes, II, Circuit Court Judge

Case No.
(2012-CP-32-3237)

Hayward Rogers,..... Appellant

v.

State of South Carolina, Respondent.

NOTICE OF INTENT TO APPEAL

Appellant appeals the Order of Dismissal denying his Application for Post-Conviction Relief filed April 29, 2016, sent by the Clerk of Court on May 9, 2016 and received by Counsel on May 12, 2016, and the Order denying Rule 59(e) Motion filed June 13, 2016, sent by the Clerk of Court on June 14, 2016 and received by Counsel on June 16, 2016. Appellant hereby files and serves this Notice of Intent to Appeal by regular mail today, June 20, 2016.

THE ALLEN LAW FIRM, P.A.



David K. Allen
Attorney for Applicant
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519 Meeting Street
West Columbia, SC 29169
(803) 764-2328
(803) 764-2548 (fax)

Patrick Lowell Schmeckpeper, Esquire
Office of the Attorney General
P.O. Box 11549
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Hayward L. ROGERS, 298510
Broad River Correctional Institution
4460 Broad River Road, MLT-A2111
Columbia, S.C. 29210


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