

The Supreme Court of S.C.

**RECEIVED**

ANTONIO D. PATTERSON  
PETITIONER

JUL 06 2016

V.  
THE STATE  
RESPONDENT

S.C. SUPREME COURT

CASE No: 2014-002684

MOTION TO BE HEARD / MOTION TO REINSTATEMENT /  
REHEARING PETITION

Appellate Case No: 2016-001315  
LOWER COURT NO 2006 GS-1009248

MOTION TO RECONSIDERATION

LOCAL RULE 46 (F) PROCEEDING PROSE! AN  
INDIVIDUAL MAY PROCEED WITHOUT THE AID OF  
COUNSEL.

The Supreme Court of S.C.

**RECEIVED** Antonio D. Patterson (Petitioner)

JUL 06 2016

v.

The State Respondent

DEAR CLERK

S.C. SUPREME COURT / A # 2014-002684

My name is Antonio D. Patterson, 342594 MacDougall Correctional Inst. I received an order from the S.C. Court of Appeals dated June 7, 2016 DENIAL OF PETITIONER'S Application For Forensic DNA Testing Under the Access to Justice Post-Conviction DNA Testing Act. (BASE ON VOTE OF THE PANEL), Exhibit 1

I, then notify my Attorney Mrs Tiffany L. Butler that I would like to file an appeal or petitions for rehearing / petitions to be reinstated.

I, then received a letter dated June 9, 2016 from my lawyer: stating that the court will not consider my appeal. Exhibit 2

So it would be right to Hybrid Representation that is partially 'PROSE' BECAUSE MY LAWYER WAS ASK TO FILED THESE MOTIONS BUT REFUSED.

All motions was filed 'PROSE' in a timely matter but returned, because I am represented by counsel. (Road Block) Exhibit 3

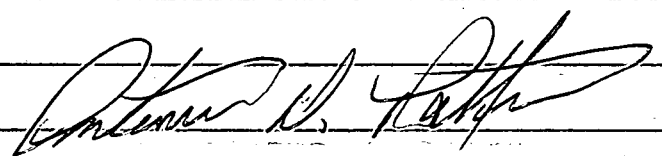
UNDER RULE 242(A), SCACR, THIS COURT WILL ONLY REVIEW A FINAL DECISION OF THE COURT OF APPEALS, AND A DECISION IS NOT FINAL FOR THE PURPOSES OF REVIEW UNTIL A PETITION FOR REHEARING OR REINSTATEMENT HAS BEEN ACTED ON BY THE COURT OF APPEALS. THE COURT OF APPEALS DID RECEIVED A PETITION FOR REHEARING / REINSTATEMENT PROSE' MOTIONS IN A TIMELY MATTER. BECAUSE MY ATTORNEY REFUSED TO ACT, AFTER BEING ASKED TO PLACED THESE MOTIONS. SEE EXHIBIT 2. (WAS RETURN)

I, SHOULD NOT BE ROAD BLOCK, BECAUSE MY ATTORNEY REFUSED TO REPRESENT ME IN THIS MATTER. MY MOTIONS SHOULD BE HEARD OR MY ATTORNEY SHOULD BE MADE TO DO HER JOB.

### CONCLUSION

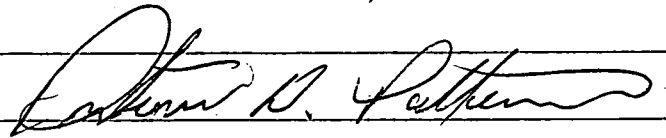
THIS PETITION FOR WRIT OF CERTIORARI SHOULD NOT BE DISMISSED BUT REVERSE, AND HEARD. OR PETITION FOR REHEARING / REINSTATEMENT SHOULD BE RULED ON. LAWYER SHOULD BE MADE TO DO HER JOB.

THIS CASE SHOULD NOT BE DISMISS FROM INEFFECTIVE COUNSEL.



## PROOF OF SERVICE

I, ANTONIO D. PATTERSON, CERTIFY THAT ON THE 16<sup>TH</sup> DAY OF JUNE 2016 MAIL A PETITION FOR REINSTATE / REHEARING MOTION FOR THE DENIAL OF DNA FORENSIC TEST. TO THE CLERK OF COURT JENNY ABOU KITCHINGS COURT OF APPEALS P.O. BOX 11629 COLUMBIA S.C. 29211, AND OFFICE OF ATTORNEY GENERAL P.O. BOX 11549 COLUMBIA S.C. 29211 ALLAN WILSON, AND THE SUPREME COURT OF S.C. CLERK DANIEL E. SHEAROWS P.O. BOX 11330 COLUMBIA S.C. 29211. PETITION FOR WRIT OF CERTIORARI BE DISMISSED; AND WAS RETURN JUNE 27, 2016



THIS 28, DAY OF JUNE  
2016

RESPECTFULLY  
SUBMITTED.

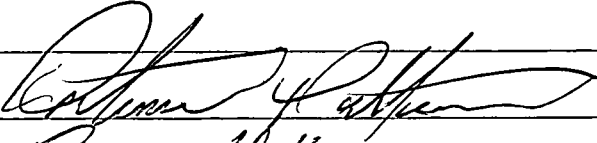
# PROOF OF SERVICE

I, ANTONIO D. PATTERSON, 342594 PROSE'  
CERTIFY THAT ON THE 28<sup>TH</sup> DAY OF JUNE 2016  
A MOTION TO BE HEARD / MOTION TO REINSTATE /  
MOTION TO REHEARING / MOTION FOR RECONSIDERATION  
WAS MAILED TO CLERK OF COURT DANIEL E. SHEAROUSE  
THE SUPREME COURT OF S.C., P.O. BOX 11330  
COLUMBIA S.C. 29211.

**RECEIVED**

JUL 06 2016

**S.C. SUPREME COURT**

  
Respectfully  
Submitted

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# The South Carolina Court of Appeals

Antonio D. Patterson, Petitioner,

v.

The State, Respondent.

Appellate Case No. 2014-002684

ORDER

This matter is before the Court on a petition for a writ of certiorari following the denial of Petitioner's application for forensic DNA testing under the Access to Justice Post-Conviction DNA Testing Act.<sup>1</sup> Based on the vote of the panel, the petition for a writ of certiorari is denied.

FOR THE COURT

BY

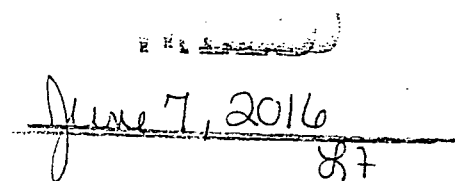
  
CLERK

Columbia, South Carolina

cc:

- Donald J. Zelenka, Esquire
- Alan McCrory Wilson, Esquire
- Tiffany Lorraine Butler, Esquire
- John W. McIntosh, Esquire
- Sherrie Ann Butterbaugh, Esquire
- Antonio D. Patterson, 342594

<sup>1</sup> S.C. Code Ann. § 17-28-10 to -120 (2014).

  
87

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# SCCID

SOUTH CAROLINA COMMISSION ON INDIGENT DEFENSE

Division of Appellate Defense  
1330 Lady Street, Suite 401  
Columbia, South Carolina 29201-3332  
Post Office Box 11589  
Columbia, South Carolina 29211-1589  
Telephone: (803) 734-1330  
Facsimile: (803) 734-1397

Robert M. Dudek, Chief Appellate Defender  
Wanda H. Carter, Deputy Chief Appellate Defender

June 9, 2016

Antonio D. Patterson, #342594  
Macdougall Correctional Institution  
1516 Old Gilliard Road  
Ridgeville, SC 29472

Re: Your case

Dear Mr. Patterson:

Enclosed please find a copy of the order from the South Carolina Court of Appeals denying the petition for writ of certiorari filed in your case. The Court will not consider your appeal.

Please do not hesitate to contact me if you have any questions.

Sincerely,

Tiffany L. Butler  
Appellate Defender

TLB/ccf

Enclosure

3



# The South Carolina Court of Appeals

JENNY ABBOTT KITCHINGS  
CLERK

V. CLAIRE ALLEN  
DEPUTY CLERK

POST OFFICE BOX 11629  
COLUMBIA, SOUTH CAROLINA 29211  
1220 SENATE STREET  
COLUMBIA, SOUTH CAROLINA 29201  
TELEPHONE: (803) 734-1890  
FAX: (803) 734-1839  
www.sccourts.org

June 27, 2016

Antonio D. Patterson, 342594  
MacDougall Correctional Institution  
1516 Old Gilliard Road  
Ridgeville SC 29472

Re: Antonio D. Patterson v. State  
Appellate Case No. 2014-002684

Dear Mr. Patterson:

The Court has received your petitions for rehearing/petitions to reinstate. Because you are represented by counsel, we are returning your filings to you. See *Miller v. State*, 388 S.C. 347, 347, 697 S.E.2d 527, 527 (2010) ("Since there is no right to 'hybrid representation' that is partially pro se and partially by counsel, substantive documents, with the exception of motions to relieve counsel, filed pro se by a person represented by counsel are not to be accepted unless submitted by counsel.").

Very truly yours,

*Jenny A. Kitchings*  
CLERK

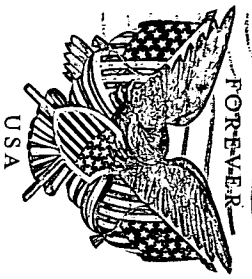
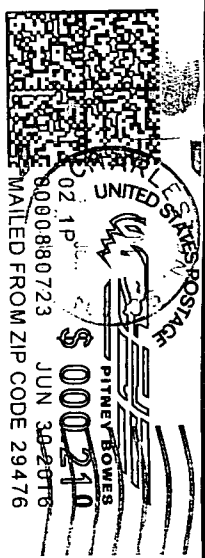
cc: Donald J. Zelenka, Esquire  
Alan McCrory Wilson, Esquire  
Tiffany Lorraine Butler, Esquire  
John W. McIntosh, Esquire  
Sherrie Ann Butterbaugh, Esquire

Antonio D. Patterson 348594  
MacDougall Correctional Inst  
1516 Old Gilliard Rd.  
Ridgeville S.C. 29472

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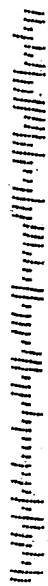
JUN 3 9 2010

MacDougall Corr. Inst  
Mailroom



The Supreme Court of S.C.  
DANIEL E. SHEAROUSE Clerk  
P.O. Box 11330  
Columbia S.C. 29211

29211-1330 8088



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The Department of Corrections has not censored this item, therefore, the Department does not assume responsibility for its written contents - MacDougall Correctional Institution.