

THE HONORABLE DONALD BEATTY
THE SUPREME COURT OF SOUTH CAROLINA, Justice
P.O. BOX 3543
Spartanburg, SC 29304

RECEIVED

JUL 13 2016

March 01, 2016

S.C. SUPREME COURT

RE: Kevin Herriott vs. The State
Appellate Case No.: 2015-002500
PCR Action No.: 2013-CP-10-1084

Dear Justice Beatty:

I hope this correspondence finds you doing well. I am writing concerning the above matter. Please be advised that on the 15th day of February, 2016, I wrote this office addressing an due process violation and a denial of access by the lower court to file documents pro se.

However, I received an packet from the Charleston County, Clerk Julie J. Armstrong, of the Ninth Judicial Circuit on the 26th day of February, 2016 in which a document dated December 16, 2015 addressed the clerk's office by a Supreme Court staff attorney on December 09, 2015. As a result of that contact an assistant clerk from the lower court explained that their office were in error and apologized for the mistake, but that matter was on going which deprived me of an fair hearing.(see attach document)

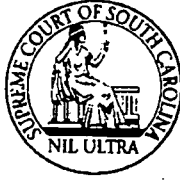
Furthermore, that document was not revealed before my PCR Hearing dated January 19, 2016, but was disclosed on the 26th day of February, 2016, after my 59(e) motion was entered. Justice Beatty, I am seeking a new PCR Hearing. I am asking that this process be remanded or dismissed on grounds due to the errors and discrepancies by the lower court or the clerk of court.

With best regards, I am

Sincerely,

181 

Kevin Herriott #313862
Lieber Correctional Institution
P.O. Box 205/ Ridgeville, SC 29472



13-1084

The Supreme Court of South Carolina

DANIEL E. SHEAROUSE
CLERK OF COURT

BRENDA F. SHEALY
CHIEF DEPUTY CLERK

POST OFFICE BOX 11330
COLUMBIA, SOUTH CAROLINA
29211
1231 GERVAIS STREET
COLUMBIA, SOUTH CAROLINA 29201
TELEPHONE: (803) 734-1080
FAX: (803) 734-1499
www.sccourts.org

December 16, 2015

The Honorable Julie J. Armstrong
100 Broad Street
Suite 106
Charleston, S.C. 29204-2210

Re: Kevin Herriott v. State of South Carolina
Appellate Case No. 2015-002500
Lower Court Case No. 2013-CP-10-01084

FILED
2016 JAN -5 PM 12:09
JULIE J. ARMSTRONG
CLERK OF COURT

Dear Ms. Armstrong:

On December 3, 2015, the Court received a letter from Mr. Kevin Herriott alleging your office had refused to accept his *pro se* motions and document because he was represented by counsel.

Mr. Herriott provided a copy of Judge Roger E. Henderson's August 10, 2015 order relieving counsel and allowing Mr. Herriott to proceed *pro se*. Mr. Herriott also provided copies of two notices he received from your office. The first, dated August 24, 2015, states, "The court has received the order relieving counsel. You may now file documents *pro se*." Nevertheless, when he attempted to file *pro se* materials, Mr. Herriott received a second notice from your office dated November 19, 2015, refusing to accept his documents and stating, "An attorney has been appointed for you. Therefore, all documents must be filed by him."

A Supreme Court staff attorney contacted your office on December 9, 2015. An assistant clerk explained the November 19, 2015 notice was in error, apologized for the mistake, and assured the staff attorney Mr. Herriott would be allowed to file his *pro se* documents in the future. Accordingly, the Court now considers this matter concluded.

Very truly yours,

A handwritten signature in black ink, appearing to be a stylized name, possibly "J. [unclear]".

CLERK

cc: Kevin Herriott, #313862

CERTIFICATE OF SERVICE

I, Kevin Herriott, do hereby certify that on this 1st, day of March, 2016, I served the foregoing "leter" upon all parties to this action by depositing a true copy of the same in the U.S. mail, prepaid postage, addressed to the following:

Justice Donald Beatty
Supreme Court of South Carolina
P.O. Box 3543
Spartanburg, SC 29304

cc.//FILED

Kevin Herrick
313862 / scsc #
Lieber Correctional Institution
P.O. Box 205
Ridgely, SC 29472 - 0205

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MAR 03 2016

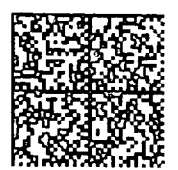
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LIEBER

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MAIL ROOM

TIME
SENSITIVE
MATERIAL

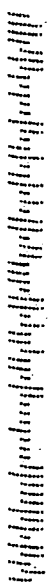
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The Honorable Donald Beatty
The Supreme Court of South Carolina, Justice
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Spartanburg, SC 29304

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LIEBER CORRECTIONAL INSTITUTION
S.C. DEPARTMENT OF CORRECTIONS

THE DEPARTMENT OF CORRECTIONS HAS FULLY
INSPECTED OR CENSORED THIS ITEM; THEREFORE,
THE DEPARTMENT DOES NOT ASSUME RESPONSIBILITY
FOR ITS CONTENTS.