

Johnson, Janet

From: Steve Fowler <myfowlerlaw@gmail.com>
Sent: Friday, July 15, 2016 12:32 PM
To: Johnson, Janet
Subject: Leggette Form 4
Attachments: FORM 4 Legette Order 6 2 16.pdf

7 15 16

Re: PCR Dominic A. Leggette
Case No.: 2015-CP-22-00521

To: Clerk Janet Johnson, SC Supreme Court
From: Attorney Steve Fowler, Fowler Law Firm

Clerk Johnson:

Attached you will find the Form 4 provided to this office regarding the above referenced case.

Per our discussion today, I believe you understand this law firm's confusion and, i believe, valid concern about the language in the Form 4 stating "This Order (X) ends...this case." I appreciate you quoting the directive of former Chief Justice Toal directing Judges that the Form 4 does not properly end the case without some backing of law. That has not been done yet according to my discussions with the South Carolina Attorney General.

You did explain to me that, in the past, prior to Judge Toal's directive, the Form 4 was a relatively easy way to end the PCR matter at its initial level. Therefore, I hope you understand my concern when such language as "This Order ends the case" was stated in the Form 4. Because of said language, we wanted to make sure we filed any needed Order of Appeal as soon as possible.

Also, as I mentioned to you, I have spoken with Ann Mueller of the South Carolina Attorney General's office. Apparently, at this time, a formal "non-Form 4" order has not been approved by Judge Burch who heard the case. I have copied her on this e-mail. Therefore, a "Notice of Appeal" is not yet to be properly filed by this office or anyone.

I respectfully ask that your Court find that no Order has been entered in this matter and that this was a premature filing as that no "official" Order has been entered yet. Please take into account the "This Order ends the case" language that, to me, created the confusion.

If you have any questions, please contact me at 843 663 0006 or myfowlerlaw@gmail.com

Thank you very much for your assistance.

Attorney Steve Fowler
Fowler Law Firm

Attached: Form 4, filed May 23, 2016

cc:
SC Attorney General
SCCID Appellate Defense