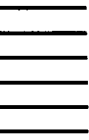


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CLERK OF COURT, C.P. & G.S.
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KEVIN EDWARD HERRIOTT
313862 LIEBER C I
PO BOX 205
RIDGEVILLE SC 29472-0205

NOTICE OF ENTRY OF JUDGMENT/ORDER PURSUANT TO RULE 77 SCRPC

Order-applicant mot to reconsider is denied

CASE NO: 2013CP1001084

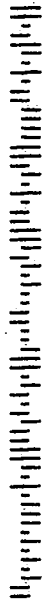
Kevin Edward Herriott VS South Carolina State of

This judgment was entered on the 02th day of May, 2016, and notice mailed first class on Tuesday, May 03, 2016, to all counsel of record and/or all parties entitled to receive notice.

You may view and download this document at <http://clerkofcourt.charlestoncounty.org> or obtain a copy in person at the Clerk of Court's Office during regular Charleston County business hours.



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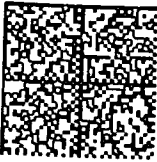
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Kevin Edward Herriott
#313862 Lieber C I
P O Box 205
Ridgeville, SC 29472

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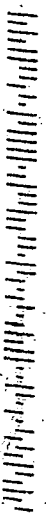


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STATE OF SOUTH CAROLINA)
)
COUNTY OF CHARLESTON)
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Kevin E. Herriott, #313862,)
)
Applicant,)
v.)
State of South Carolina,)
)
Respondent.)
_____)

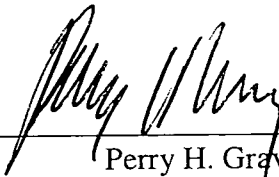
IN THE COURT OF COMMON PLEAS
NINTH JUDICIAL CIRCUIT
Case No. 2013-CP-10-1084

ORDER

FILED
2016 MAY -2 PM 2:15
JULIE W. HARRINGTON
CLERK OF COURT

This matter comes before the Court in the form of a motion titled "Order/Judgment disposition of Amended Motion to Reconsider" filed by the pro se Applicant, Kevin E. Herriott. The Court has considered this as a Motion to Reconsider the Order denying Applicant's Post-Conviction Relief Application after a hearing on January 19, 2016. The Court finds that oral argument or a hearing is not needed after careful consideration of the Applicant's request and review of the underlying Order. The Applicant's Motion to Reconsider is denied.

IT IS SO ORDERED.



Perry H. Gravely #2755
Presiding Judge

Pickens, South Carolina

April 27, 2016

South Carolina Attorney General's Office
J. Rutledge Johnson, Assistant Deputy Attorney General
Post Office Box 11549
Columbia, South Carolina 29211

The Honorable Perry H. Gravely
Presiding Judge, Ninth Judicial Circuit
Post Office Box 219
Pickens, South Carolina 29671

April 01, 2016

2016 MAY -2 PM 3:05
JULIE J. JAMES
CLERK OF COURT

FILED

RE: Karin Herrriott vs. The State
PCR Action Case No.: 2013-CP-10-1084
Order/Judgment disposition of Amended Motion to Reconsider

Dear Judge Gravely:

I hope this letter finds you doing well, very well quite frankly. I am addressing you in the form of an letter because there are several issues that need to be address. The thought alone to make you aware.

First of all, by choice due to unlikely circumstances, I exercised my right to proceed as an indigent pro se litigant (applicant). However, on July 21st 2015 and September 09th 2015 I did in fact asked for my case file in which The Honorable Judges, Judge Larry B. Hyman on September 09, 2015 (my second PCR appearance);

Judge Roger E. Henderson on July 21, 2015 (my first PCR appearance) ordered both attorneys Mary A. Ford, Esquire of the Public Defender Office and Rodney D. Davis, Esquire of the Low Country Law Office (former PCR appointed Counsel) to turn over their entire case file. In response, given such instructions verbatim by both judges the two counsels agreed, but later failed to comply with the specific instructions that was agreed upon.

The reason why I did not mention or even brought up these issues with the supporting facts at the January 19th, 2016, proceeding because I could not show proof of documents if were required at that time due to copies were not sent back to me, but was filed in the Supreme Court prior to the December proceeding after the September proceeding. (see Case Appellate Case No. 2015-002500)

Nonetheless, I did sent the motion in a timely manner, but was denied access to the Lower Courts. Furthermore, I truly believe I was not given a fair bite of the apple even when appointed Counsel Rodney Davis, Esquire, was assigned because he was relieved of his duties due to his ineffectiveness. Also, I truly believe that you were not made aware of what I am sharing because you would have granted justice.

I was denied due process of law and denied equal protection of law when I could not file my documents pro se such as:

- 1) subpoenas
- 2) motions
- 3) letters
- 4) amended application, etc.

As a result of the Clerk of Court Office for Charleston County from

such responses made by their office I made former Chief Justice Jean Toal of the Supreme Court of South Carolina aware which Justice Toal got involved twice during the times I was schedule for my PCR Hearings in September, 2015 and the week of the 16th in December, 2015. Once for the lack of the order relieving Counsel Davis back on July 21, 2015 (the order was given verbatim) where the record still had reflected that counsel was assigned to the case that stopped me from filing pro se. The Supreme Court got involved the second time when I was approved on August 31, 2015 that I can now file pro se (not to mention that I had a(n) hearing (PCR) less than 10 days), then I was denied in November 2015 again to stop filing after the clerk's office advised me on August 24th 2015 that counsel had been relieved (see attach document).

I went forward pro se during the PCR proceeding without Counsel who was appointed because of what I encountered with the lawyer. Several months of wasted time (in fact a whole year and 3 months) not prevailing the professional norm - due to his ineffectiveness, then not knowing who was going to be substituted as counsel in his stead going through the process all over again. I did not wanted to drag out the proceeding so I accepted the challenge, but I acknowledge I was not schooled in the law to produce a win or just result.

Nevertheless, I'm not asking for sympathy, I am asking for you to reconsider your order/judgment. The reason why because I was never given a fair bite of the apple despite the attorney general's assistant who may argue against such allegation, but to show cause and prejudice that his motion before the court was not properly before.

the court. Also, enclosed please find a copy of the original motion and amended motion to Reconsider Pursuant to Rules 59(e) And or 60(a)(b)(1) & (3); correspondence of a Supreme Court Staff and clerk of Court office in Charleston County showing how the issue was on going and it prejudice me not only from a fair hearing, but it was never resolved.

With best regards, I am

Sincerely,

cc://FILED.

1s/ Kevin Herriott

Kevin Edward Herriott # 313862
Lieber Corr. Inst.
Post Office Box 205
Ridgeville, South Carolina 29472

13-1084

CERTIFICATE OF SERVICE

I, Kevin Herrriott, do hereby certify that on this 01st day of April, 2016, I served the foregoing "letter" 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:

South Carolina Attorney General's Office
J. Rutledge Johnson, Assistant Deputy ~~Attorney~~ General
Post Office Box 11549
Columbia, South Carolina 29211

The Honorable Perry H. Gravely
Presiding Judge, Ninth Judicial Circuit
Post Office Box 219
Pickens, South Carolina 29671

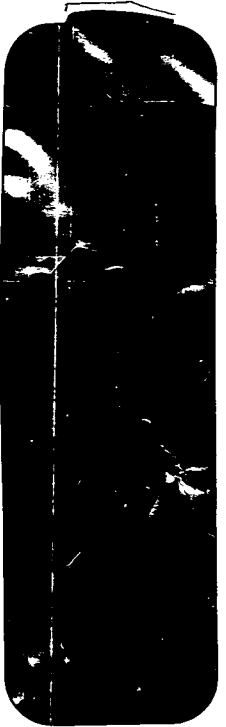
2016 MAY -2 PM 3:05
JULIE J. WOODRUFF
CLERK OF COURT

FILED

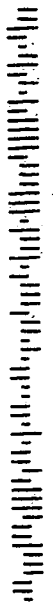
CC. FILED.

13/4 - Herrriott

Kevin Edward Herrriott
SCDC # 313862



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ALAN WILSON
ATTORNEY GENERAL

April 4, 2016

Kevin Herriott, #313862
Lieber Correctional Institution
PO Box 205
Ridgeville, SC 29472-0205

Re: Kevin E. Herriott, #313862 v. State of South Carolina
2013-CP-10-1084

Dear Mr. Herriott:

Enclosed please find a copy of the **Order of Dismissal** in the above-captioned case signed by the Honorable Perry H. Gravely and filed with the Charleston County Clerk of Court.

Sincerely,


J. Rutledge Johnson
Assistant Deputy Attorney General

JRJ/jyb
Enclosure(s)

STATE OF SOUTH CAROLINA
COUNTY OF CHARLESTON
IN THE COURT OF COMMON PLEAS

KEVIN E. HERRIOTT, #313862,

Applicant,

v.

STATE OF SOUTH CAROLINA,


Respondent.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true copy of the **Order of Dismissal** has been served upon the applicant by mailing one (1) copy in the United States mail, postage prepaid, addressed to:


**Kevin Herriott, #313862
Lieber Correctional Institution
PO Box 205
Ridgeville, SC 29472-0205**

This 4th day of April, 2016.



J. RUTLEDGE JOHNSON
ATTORNEY FOR RESPONDENT

SWORN to before me this 4th day of April, 2016.



Notary Public for South Carolina.
My Commission Expires: 12/16/2024

J. Rutledge Johnson
South Carolina Attorney General's Office
Post Office Box 11549
Columbia, South Carolina 29211

The Honorable Julie J. Armstrong
Clerk of Court, C.P. & G.S.
Charleston County
100 Broad Street, Suite 106
Charleston, SC 29401-2258

BY _____

JULIE J. ARMSTRONG
CLERK OF COURT

2016 MAY - 2 PM 2:35

FILED

April 27, 2016

RE: Kevin Herrriott v. The State
PCR Action Case No. : 2013-CP-10-1084

Dear Madam Armstrong :

I am writing in a form of a letter asking for the disposition of my 'Motion to Reconsider' requesting a(n) judgment pursuant to SERCP Rules 59(e) and/or 60(a)(b)(1)(3).

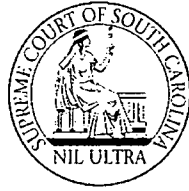
With best regards, I am

Sincerely,

1/s/ Kevin E. Herrriott

Kevin E. Herrriott # 313862

Lieber Corr. Inst. / Post Office Box 205 / Ridgerville, SC 29472



The Supreme Court of South Carolina

DANIEL E. SHEAROUSE
CLERK OF COURT

BRENDA F. SHEALY
CHIEF DEPUTY CLERK

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COLUMBIA, SOUTH CAROLINA 29201
TELEPHONE: (803) 734-1080
FAX: (803) 734-1499
www.sccourts.org

July 15, 2016

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

Re: Kevin Herriott v. State
Appellate Case No. 2016-001131
Lower Court Case No. 2013CP1001084

Dear Mr. Herriott:

This Court has received your proof of service. To determine the timeliness of the notice of appeal, it will be necessary for you to provide this Court with the date on which you received written notice of entry of the order of April 27, 2016, denying the motion to reconsider. The order shows that it was filed with the clerk of the circuit court on May 2, 2016.

This additional information must be provided within ten (10) days of the date of this letter.

Very truly yours,

CLERK

cc: James Rutledge Johnson, Esquire

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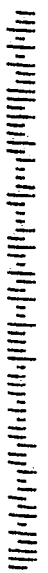
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KEVIN HERRIOTT, #313862
LIEBER CORRECTIONAL INSTITUTION
P. O. BOX 205
RIDGEVILLE SC 29472

29472-020505



Main E. Harttolt #315862
Lieber C. T.
P.O. Box 205
Ridgely, SC 29472

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JUL 26 2016

MAILROOM
LIEBER C.

The Honorable Daniel E. Shearouse
Clerk of Court
Post Office Box 1330
Columbia, South Carolina 29211

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Urgent!