



# The South Carolina Court of Appeals

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August 15, 2016

The Honorable Jeanette W. McBride  
PO Box 2766  
Columbia SC 29202-2766

## REMITTITUR

Re: Elijah Marshall, #186970 v. State of SC  
Lower Court Case No. 2014CP4005355  
Appellate Case No. 2016-000957

Dear Clerk of Court:

The above referenced matter is hereby remitted to the lower court or tribunal. A copy of the judgment of this Court is enclosed.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Jenny Abbott Kitchings".

CLERK

Enclosure

cc: Elijah Marshall, 186970  
T. Parkin C. Hunter, Esquire  
Harley Littleton Kirkland, Esquire

# The South Carolina Court of Appeals

Elijah Marshall, #186970, Appellant,

v.

State of South Carolina, Respondent.

Appellate Case No. 2016-000957

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## ORDER

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Appellant is attempting to appeal from a habeas corpus proceeding in which the lower court determined that habeas corpus relief was improper because the issues could have been raised in a timely application under the Post-Conviction Relief Act. Pursuant to Rule 203(d)(1)(B)(vi), SCACR, Appellant is required to provide a written explanation to this Court as to why the lower court's determination was improper. Appellant has filed an explanation, but the explanation does not "contain sufficient facts, argument and citation to legal authority to show that there is an arguable basis for asserting that the determination by the lower court was improper." Rule 203(d)(1)(B)(vi), SCACR. Accordingly, the appeal is dismissed.

  
FOR THE COURT

Columbia, South Carolina

cc:  
Elijah Marshall, 186970  
T. Parkin C. Hunter, Esquire  
Harley Littleton Kirkland, Esquire

**FILED**

July 28, 2016