



The Supreme Court of South Carolina

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September 12, 2016

Mr. Judex Desir, 298745
Ridgeland Correctional Institution
P.O. Box 2039
Ridgeland SC 29936

Re: Judex Desir v. State
Appellate Case No. 2016-001853
Lower Court Case No. 2014CP0700933

Dear Mr. Desir:

This Court has received your notice of appeal in this matter, and this case has been assigned the appellate case number that appears above. Please use this number on all future correspondence relating to this matter.

All parties to this matter are advised that all filings must comply with the requirements of Rule 267 of the South Carolina Appellate Court Rules (SCACR). The SCACR are available online at www.sccourts.org/courtreg. Additionally, any filings submitted by counsel admitted in South Carolina must include counsel's bar number.

The attention of the parties is directed to the order relating to the inclusion of personal data identifiers and other sensitive information in documents filed with the Supreme Court of South Carolina and the South Carolina Court of Appeals. The order can be found at

www.sccourts.org/courtOrders/displayOrder.cfm?orderNo=2014-04-15-02. Please

note that the responsibility for insuring that information is redacted or sealed as required by this order rests with counsel and the parties. This office will not review filings for redaction or to determine if materials should be sealed.

For this matter to proceed, it will be necessary for you to provide this Court with the following documents within fifteen (15) days of the date of this letter:

- (1) A proof of service showing that a copy of the notice of appeal has been served on the opposing counsel as required by Rules 243(a) and 203, SCACR. I have enclosed a sample proof of service.
- (2) Since the order of the circuit court determined that this action is barred as being successive and as being untimely under the statute of limitations, Rule 243(c), SCACR, requires you to provide a written explanation as to why these determinations were improper. This explanation must 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. The failure to make a sufficient showing may result in the dismissal of this matter.

Very truly yours,



CLERK

Enclosure

cc: Ruston Wesley Neely, Esquire