



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

October 28, 2016

Rodney Duane Davis, Esquire
4000 Faber Place Drive
Suite 300
Charleston SC 29405

James Rutledge Johnson, Esquire
PO Box 11549
Columbia SC 29211

Re: Samuel Brown v. State
Appellate Case No. 2016-002157
Lower Court Case No. 2014CP0802566

Dear Counsel:

This Court has received the notice of appeal in this matter, and the 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.

The notice of appeal states that the order on appeal was issued after an evidentiary hearing was held. The order on appeal is a Form 4 order that simply states that summary judgment is granted to the State because petitioner has served his sentence. The order does not indicate that a full written order is to follow.

I ask counsel to confirm that this form order was issued after an evidentiary hearing was held by the circuit court. If this is the case, I ask each counsel to explain how this order complies with the requirements of S.C. Code Ann. § 17-27-80 (After conducting an evidentiary hearing, "[t]he court shall make specific findings of fact, and state expressly its conclusions of law, relating to each issue presented.").

Finally, I would ask the counsel for the State to advise this Court of the date on which petitioner completed the underlying sentence since the Department of Corrections website continues to show that both the sentence in this case which arose in Berkeley County (2013GS08011334) and his Charleston County sentence are both active.

I ask that each counsel respond within ten (10) days of the date of this letter.

Very truly yours,

A handwritten signature in black ink, consisting of a large, stylized initial 'D' followed by a series of loops and a long horizontal stroke extending to the right.

CLERK