

PETITIONER'S RULE 266 S.C.A.C.R.  
SUBSEQUENT APPLICATION FOR RELIEF

THE STATE OF SOUTH CAROLINA  
IN THE SUPREME COURT

RECEIVED

JAN 12 2017

S.C. SUPREME COURT

APPEAL FROM ADMINISTRATIVE LAW COURT

RALPH KING ANDERSON, III, CHIEF ADMINISTRATIVE LAW JUDGE

LOWER COURT CASE NO. 14-ALS-04-0664-AP.

APPELLATE COURT CASE NO. 2016-000701

GEORGE CLEVELAND, III, #357770, PETITIONER,

V.  
SOUTH CAROLINA DEPARTMENT

OF CORRECTIONS (S.C.D.C.), RESPONDENT.

S.C.D.C.

OFFICE GENERAL COUNSEL

CHRISTINA CATOE BIGELOW, ESQUIRE

P.O. BOX 21787

COLUMBIA, S.C. 29221-1787

ATTORNEY FOR THE RESPONDENT

GEORGE CLEVELAND, III #357770

TIGER RIVER CORRECTIONAL INST.

200 PRISON ROAD

ENOREE, S.C. 29335

PROSE PETITIONER

LEGAL MAIL

APPELLANT'S PROOF OF SERVICE

THE STATE OF SOUTH CAROLINA  
IN THE SUPREME COURT

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RALPH KING ANDERSON, III, CHIEF ADMINISTRATIVE LAW  
JUDGE

LOWER COURT CASE NO. 14-ALJ-04-0664-AP

APPELLATE CASE NO. 2016-000701

GEORGE CLEVELAND, III, #357770,

PETITIONER,

v,

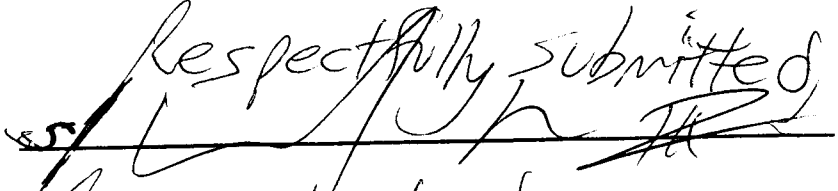
SOUTH CAROLINA DEPARTMENT  
OF CORRECTIONS, (S.C.D.C.),

RESPONDENT.

I, George Cleveland, III, certifies that on the date below, I inserted an properly addressed envelope to the Respondent's counsel of record my RULE 266 S.C.A.C. Application ... (19-pages), AND supporting Appendix (27-pages) to the following address;

LEGAL MAIL

S.C.D.C.  
OFFICE OF GENERAL COUNSEL  
CHRISTINA CATOE BIGELOW; ESQUIRE  
P.O. Box 21787  
Columbia S.C. 29221-1787.  
ATTORNEY FOR THE RESPONDENT

Respectfully submitted,  
  
George Cleveland #357770  
TYGER RIVER-CORRECTIONAL INST.  
200 PRISON ROAD  
ENOREE, S.C. 29335

LEGAL MAIL

DATED: JUNE 07, 2017

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PETITIONER'S APPENDIX IN SUPPORT  
OF RULE 266 S.C.A.C.R. SUBSEQUENT  
APPLICATION FOR RELIEF

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JAN 12 2017

S.C. SUPREME COURT

THE STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

APPEAL FROM ADMINISTRATIVE LAW COURT

RALPH KING ANDERSON, III, CHIEF ADMINISTRATIVE LAW JUDGE

LOWER COURT CASE NO. 14-ALJ-04-0664-AP

APPELLATE CASE NO. 2016-000701

GEORGE CLEVELAND, III, #357770 . . . . . PETITIONER,

SOUTH CAROLINA DEPARTMENT  
OF CORRECTIONS (S.C.D.C.), . . . . . RESPONDENT.

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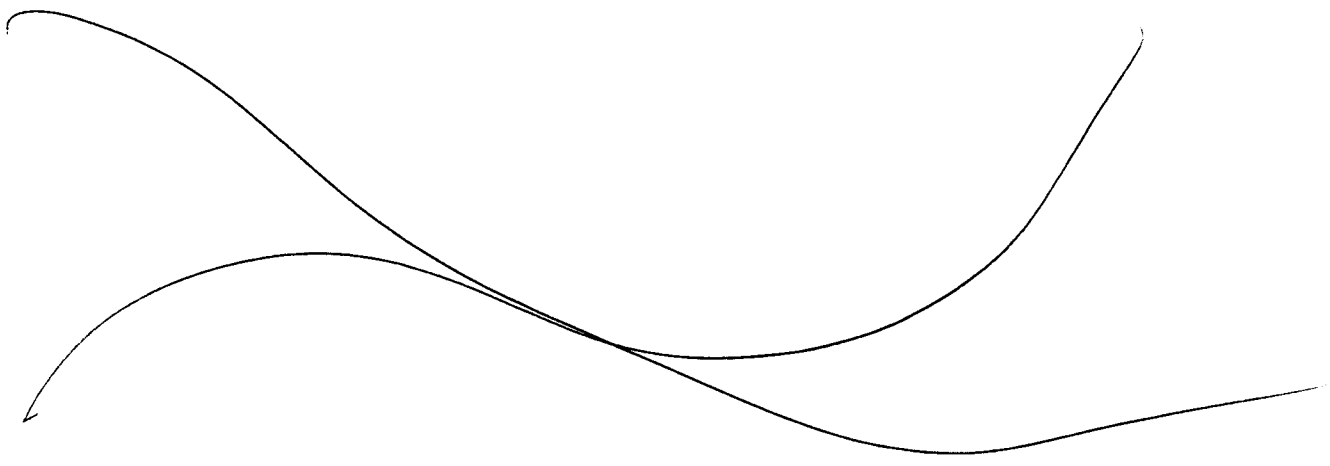
DEPUTY CLERK OF THE S.C. COURT OF APPEALS  
V. CLAIRE ALLEN RETURNING LEGAL PAPERS

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S.C. SUPREME COURT . . . . . 19-21

DOCKET REPORT FOR LUIS V. U.S. NO. 14-419  
OF THE U.S. SUPREME COURT . . . . . 22-25



LEGAL MAIL


JANUARY 03, 2017

THE SUPREME COURT OF SOUTH CAROLINA  
DANIEL E. SHEAROUSE; CLERK OF COURT  
P.O. BOX 11330  
COLUMBIA, S.C. 29211

Re: RULE 266 S.C.A.C.R. Application; George Cleveland, III  
v. S.C.D.C.; Appellate case No. 2016-000701. FILING.

1. DEAR OFFICE OF THE CLERK,

- CAN you please file the Attached Rule 266.  
S.C.A.C.R. Application (19-pages), supporting Appendix  
(27-pages), AND PROOF OF SERVICE. CAN this <sup>office</sup> ALSO  
place this filing on the court's docket, AND submit  
it to the court under Rule 215 S.C.A.C.R.

Respectfully Requested,  
  
George Cleveland, III #B57770  
TYGER RIVER CORRECTIONAL INST.  
200 PRISON ROAD  
ENDREE, S.C. 29335

CC: FILE

CHRISTINA CATOE BIGELOW, ESQUIRE

LEGAL MAIL

# The South Carolina Court of Appeals

George Cleveland #357770, Appellant,

v.

South Carolina Department of Corrections, Respondent.

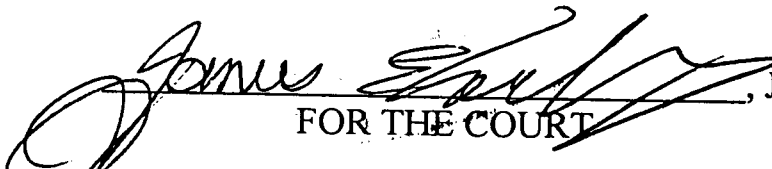
Appellate Case No. 2016-001033

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## ORDER RECALLING REMITTITUR

---

This Court's remittitur was sent to the Clerk of the Administrative Law Court on October 18, 2016. It is now necessary for this Court to recall the remittitur. The Clerk of the Administrative Law Court is, directed to return the remittitur to the Clerk of the South Carolina Court of Appeals within ten (10) days from the date of this order.

  
FOR THE COURT

Columbia, South Carolina

**FILED**

cc:

George Cleveland #357770  
Christina Catoe Bigelow, Esquire

November 4, 2016

APPELLANT'S PROOF OF SERVICE

THE STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

APPEAL FROM ADMINISTRATIVE LAW COURT

RALPH KING ANDERSON, III, CHIEF ADMINISTRATIVE  
LAW JUDGE

LOWER COURT CASE NO. 14-ALS-04-0664-AP.

APPELLATE CASE NO. 2016-000701

GEORGE CLEVELAND, III, #357770, . . . PETITIONER

vs.  
SOUTH CAROLINA DEPARTMENT

OF CORRECTIONS, (S.C.D.C.), . . . RESPONDENT.

George Cleveland, III, certifies that on the date below I inserted an properly addressed envelope to the Respondent's counsel of record my RULE 266 S.C.A.C.R. Application, (19 pages), and supporting Appendix (27 pages) to the following address:

S.C.D.C.

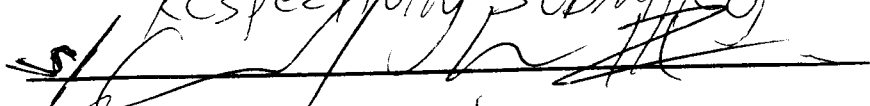
OFFICE OF GENERAL COUNSEL

CHRISTINA CATOE BIGELOW, ESQUIRE

P.O. Box 21787

COLUMBIA, S.C. 29221-1787

ATTORNEY FOR THE RESPONDENT

Respectfully submitted,  


George Cleveland, III #357770

TIGER RIVER CORRECTIONAL INST.

200 PRISON ROAD

ENOKEE, S.C. 29335

DATED: JANUARY 07, 2017

Page 2 of 2

PETITIONER'S RULE 266 S.C.A.C.R.  
SUBSEQUENT APPLICATION FOR RELIEF

THE STATE OF SOUTH CAROLINA  
IN THE SUPREME COURT

APPEAL FROM ADMINISTRATIVE LAW COURT

RALPH KING ANDERSON, III, CHIEF ADMINISTRATIVE LAW JUDGE  
LOWER COURT CASE NO. 14-ALJ-04-0664-AP.  
APPELLATE COURT CASE NO. 2016-000701

GEORGE CLEVELAND, III, #357770 . . . . . PETITIONER

v.

SOUTH CAROLINA DEPARTMENT  
OF CORRECTIONS, (S.C.D.C.) . . . . . RESPONDENT

S.C.D.C.  
OFFICE OF GENERAL COUNSEL  
CHRISTINA CATOE BIGELOW JESQUIRE  
P.O. BOX 21787  
COLUMBIA, S.C. 29221-1787  
ATTORNEY FOR THE RESPONDENT

GEORGE CLEVELAND, III, #357770  
TYGER RIVER CORRECTIONAL INST.  
200 PRISON ROAD  
ENOREE, S.C. 29335  
PROSE PETITIONER

**TRIAL MAIL**

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**LEGAL MAIL**

1.

RULE 266 S.C.A.C.R. SUBSEQUENT  
APPLICATION FOR RELIEF:

~~MAN~~ ~~IT~~ PLEASE THE COURT; George Cleveland,  
~~##~~, proceeding pro se respectfully files this Rule  
266 S.C.A.C.R. Subsequent Application for to recall  
the Remittitur sent on August 04, 2016 (Appellate case  
No. 2016-000701) R.p. 1. ON the following grounds:

ON November 04, 2016, the SOUTH CAROLINA COURT  
OF APPEALS recalled the Remittitur in:

George Cleveland, ~~##~~ ~~##~~ 357770 v. S.C.D.C.; Appellate.  
Case No. 2016-001033 because of errors by that  
court, AND similar characters were used in this  
Case:

The clerk of this court: MR. DANIEL E. SHEAROUSE.  
AND/OR other employees within the building of  
the S.C. Supreme Court exploited flaws in the  
court's software to fraudulently electronically

LEGAL MAIL

signed the JUSTICES' NAMES to my CERTIORARI  
Petition<sup>for</sup> - Rehearing petition. . . R.p. 2, AND  
SEVERAL OF THE S.C. APPELLATE COURT RULES BARRED  
THIS COURT FROM SENDING THE REMITTUR TO THE  
S.C. COURT OF APPEALS.

2<sup>11</sup>  
RELEVANT-CASE-BACKGROUND:

ON APRIL 05, 2016, THIS COURT DISMISSED "MY APPEAL  
AFTER ~~IF~~ timely filed my petition for Rehearing  
which WAS DENIED by this court ON JUNE 16, 2016.  
R.p. —. ON NOVEMBER 04, 2016, THE S.C. COURT OF  
APPEALS ORDERED THE REMITTUR RECALLED IN THE  
CASE OF GEORGE CLEVELAND ~~III~~ #357770 V. S.C.D.C.;  
APPELLATE CASE NO: 2016-004033. R.p. 3.

ON NOVEMBER 10, 2016, THE A.L.C. RETURNED THE  
REMITTUR ~~to~~ the S.C. COURT OF APPEALS. R.p. 4.

---

1. THIS UNDERLYING CASE DEALT WITH AN APPEAL FROM THE  
ALC. WITH AN S.C.D.C. DISCIPLINARY CONVICTION, AND  
THE DENIAL OF LEGAL MATERIALS FROM THE S.C.D.C. R.p. 5-7.  
PAGE 1-3 ORDER OF DISMISSAL OF ALC. 2.

The principal reason, the Remittitur was recalled, dealt with Deputy Clerk V. CHAIRÉ ALLEN of the S.C. COURT OF APPEALS returned my motion for a writ of certiorari in violation of Rule 242 S.C.A.C.R., R.p. 8. After my motion to recall the Remittitur on or around October 10, 2016 R.p. 18. This Rule 266 S.C.A.C.R. Application follows.

3.

### LEGAL-STANDING/ANALYSIS:

Subsequent Application for relief under Rule 266 S.C.A.C.R. states the following relevant part:

"When any judge of any of the courts of this state has declined to grant any case, and order of a similar character is made to appellate court or.

REGAL MAIL

3.

Any member thereof, it shall be incumbent upon the party . . . to show in the Application the former Refusal And the Judge or Justice who Refused the Same. . . ."

On June 16, 2016, the Rehearing petition from this court is ~~A~~ issue here because MR. Shearouse failed to put this case (Appellate case no. 2016-000701) on the court's docket for the case to be submitted to the justices for consideration in violation of Rule 215 S.C.A.C.R.;

"Unless otherwise ordered by the Appellate Court, All Appeals in civil cases which do not involve a constitutional question and in which the amount involved is \$1000.00 or less, shall be submitted to the Appellate court without oral argument

**LEGAL MAIL**

4

And Mr. Shearouse failed to allow the Appellate court to determine my petition for rehearing in violation of Rule 221(A) S.C.A.C.R.!

"A petition for rehearing shall state with PARTICULARITY the points supposed to have been overlooked or misapprehended by the court."

On the other hand, Deputy Clerk V. Claire Allen of the SC-Court of Appeals WAS barred from returning my legal documents, but instead required to transfer that case (Appellate case no. 2016-001033) to this court under Rule 204(A) S.C.A.C.R.!

IN the event that the [motion] is filed in

which the matter is filed shall issue  
An order transferring the case to the  
Appropriate court," And under Rule 82(b)  
S.C.R.C.P.: "when An Action is brought in  
the wrong . . . court, the court shall  
not dismiss the Action, but shall transfer  
it to any proper . . . court. . . ."

these Rule violations by Ms. Allen I argued  
in my October 10, 2016 motion to recall  
the Remittitur in (Appellate case No. 2016-  
001033) R. pp. 12-15 the Rule violation by Mr.  
Shearouse, And Ms. Allen denied me Access  
to this court to Review my Appeal in violation  
of Lewis v. Casey 518 U.S. 343, 116 S.Ct. 2174 (Ariz)  
(1996) 118 JAT 2178-812. And in violation of Rule:

2. whereas, the U.S. Supreme Court reasoned An prerequisite  
of "ACTUAL INJURY" in order to seek judicial Review:

266 S.C.A.C.R. which requires this court to review subsequent applications for relief when a similar case is presented to this court with "similar character[s]" between this case (Appellate case no. 2016-000701) and Appellate case No. 2016-001033 are both cases that dealt with employees of the S.C. Appellate Courts (Supreme Court and Court of Appeals) violating rule(s) of the S.C.A.C.R., i.e.; Mr. Shearouse Rules 215 and 221(A) S.C.A.C.R. and Ms. Allen Rule 204(A) S.C.A.C.R. and Rule 826 S.C.A.C.R.; accordingly, I have standing to and decision by the justices of this court to decide this Rule 215 S.C.A.C.R. subsequent application for relief respectively.

4.  
MR. SHEAROUSE FAILED TO  
PUT MY CASE ON THIS COURT'S  
DOCKET FOR REVIEW BY THE  
JUSTICES OF THIS COURT!

MR. Shearouse failed to put my case on this court's docket for review by the justices of this court which is required to do so in order for this case to be submitted to this court.

"Unless otherwise ordered by this Appellate court, all appeals in civil cases . . . shall be submitted to the Appellate court without oral argument!"

Pursuant to the Roster of cases for hearings in June of 2016, there were 8-cases were.

MAIL

decided:

STATE V. GREENE;

STATE V. JARRAD, SR.;

STATE V. REARICK;

HUTTO, et al., v. SOUTH CAROLINA RETIREMENT  
SYSTEM . . . ;

PASCO, et al., v. PARKS, et al.;

PASCO, et al., v. WILSON, et al. ;

THOMAS v. STATE AND

BAYLOCK v. STATE. R. Rep. 19-21

The prerequisite for this court to review my  
case, required my case to first be placed  
on this court's docket, e.g.:

PLANTS NEED WATER TO STAY ALIVE.

In this example, supra, the required element  
is the water, the same is true for my

CASE to be submitted to this court under Rule 215 S.C.A.C.R. MR. SHEAROUSE failed to place this case on the docket for review by this court, and instead, MR. SHEAROUSE exploited flaws in this court's software by forging the signatures of the justices of this court; accordingly, MR. SHEAROUSE violated Rule 215 S.C.A.C.R. "SUBMISSION WITHOUT ORAL ARGUMENT."

5.  
RULE 221(A) S.C.A.C.R. REQUIRED  
THE JUSTICES OF THIS COURT TO  
DETERMINE IF THERE WERE  
LEGAL MATTERS OVERLOOKED,  
NOT MR. SHEAROUSE;

Rule 221(A) S.C.A.C.R. Required MR. SHEAROUSE to submit my Rehearing Petition pursuant to Rule 215 S.C.A.C.R. to this court, NOT MR. SHEAROUSE.

LEGAL MAIL

Ruling on the Rehearing Petition which  
"shall state with particularity the points  
supposed to have been overlooked or  
misapprehended by the court;" Rule 22(A)  
S.C.R.

Mr. Shearouse, and all other employees of the  
clerk of the court for the S.C. Supreme  
Court are not part of "the court" because  
his "duty of the clerk [of the S.C. Supreme  
Court] in the absence of instructions  
from the court to the contrary to accept  
for filing any paper presented to him."  
BURNS v. STATE OF OHIO 360 U.S. 252, 79 S.Ct.  
1164 (1959) id. at 256; at 1168 (hereinafter BURNS)  
see also DANIELS v. MOSES 12 S.C. 130, 1879 WL

4939 (1879) *id.*, At 133-35 MR. SHEAROUSE  
LACKS THE LEGAL AUTHORITY UNDER BURNS  
TO DETERMINE WHATS LEGAL "POINTS SUPPOSED  
TO HAVE BEEN OVERLOOKED OR MISAPPREHENDED  
BY THE COURT". Rule 221(A) S.C.A.C.R. *IBID.*

BURNS DISTINGUISHES THE WORD "COURT" FROM  
THE WORD "CLERK" BY REASONING:

"IN THE ABSENCE OF INSTRUCTIONS FROM  
THE COURT TO THE CONTRARY" i.e. the court,  
BY HOLDING: "THE CLERK OF COURT POWERS AND  
DUTIES COME "FROM THE COURT" WHICH IN  
THIS PARTICULAR CASE, Rule 221(A) S.C.A.C.R. REQUIRED  
ME TO ARGUE OVERLOOKED LEGAL PRINCIPLES TO THE  
COURT. NOTHING IN THE LANGUAGE OF Rule 221(A)  
S.C.A.C.R. GIVES MR. SHEAROUSE OR ANY OTHER  
12.

employee of his office instructions to decide the June 16, 2016 Rehearing Petition, but Rule 221(A) S.C.A.C.R. Required Mr. Shearouse to simply file my petition.

For a Rehearing, and supporting documents which BURNS requires only that Mr. Shearouse. "Accept for filing [my Rehearing that was] presented to him." see BURNS, At 256 At 1168; therefore, Mr. Shearouse failed to submit my Rehearing petition to the justices under Rule 215 S.C.A.C.R. so the "court", i.e., the justices, so my Rehearing petition can be reviewed, and decided by this court: LEGAL PRINCIPALS overlooked pursuant to Rule 221(A) S.C.A.C.R.

6.  
CONCLUSION:

MR. SHEAROUSE WAS BARRED FROM DECIDING MY REHEARING PETITION, BUT INSTEAD HE WAS ONLY REQUIRED TO FILE REHEARING PETITION, AND ALL ATTACHED DOCUMENTS ATTACHED THERETO, THE JUNE OF 2016 ROSTER OF CASES. SHOWS THE EVIDENCE THAT HE DID NOT PUT MY REHEARING PETITION ON THE DOCKET AS THE ROSTER OF CASES DID NOT BEAR MY CASE NAME. RPP. 19-21

~~IN~~ Luis v. United States NO. 14-419, THE U.S. SUPREME COURT DOCKET REPORT SHOWS, THE DATE, AND SPECIFIC NAME OF THE PROCEEDINGS, E.G.:

“OCT 22, 2014 DISTRIBUTED FOR CONFERENCE OF NOVEMBER. 7, 2014, R.P. 22.”

“AUG 25, 2015 BRIEF AMICUS CURIAE OF  
14.”

Americans for Forfeiture Reform filed" R.p. 23,

"Oct 27, 2015 Reply of Petitioner Sila Luis  
filed (distributed." FBID.

Based on the foregoing facts, supporting authorities  
and supporting documents (in the Appendix), and  
legal authorities herein, I PRAY for the following  
relief respectively,

6-1. WHEREFORE; GRANT this Rule 266 S.C.A.C.F.  
Application.

6-2. ORDER FURTHER BRIEFING FROM BOTH PARTIES OR  
the party that pleases the court;

6-3. ORDER THE REMITTOR RECALLED FROM THE S.C. COURT  
OF APPEALS;

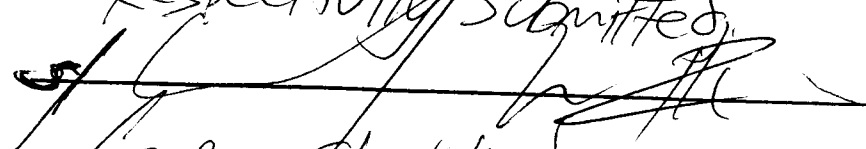
6-4. ORDER CLERK OF THIS COURT TO PLACE THIS CASE ON  
THE COURT'S DOCKET;

6-5. ORDER THE S.C. COURT ADMINISTRATION'S INFORMATION

LEGAL MAIL

Technology (I.T.) Division to find, and fix the court's software that's allowing Mr. Shearouse access to the justices' signature that's then inserted on orders from this court he and any other clerk of court staff lacking the authority to act on behalf of the justices of this court.

6-6. ANY OTHER RELIEF THIS COURT DEEMS JUST, PROPER, AND/OR IMPARTIAL.

Respectfully submitted,  
  
George Cleveland III #35770  
TYGER RIVER CORRECTIONAL INST.  
200 PRISON ROAD  
ENOREE, S.C. 29335

DATED: JANUARY 06, 2017

MAIL

PETITIONER'S APPENDIX IN SUPPORT  
OF RULE 266 S.C.A.C.R. SUBSEQUENT  
APPLICATION FOR RELIEF

THE STATE OF SOUTH CAROLINA  
IN THE SUPREME COURT

APPEAL FROM ADMINISTRATIVE LAW COURT

RALPH KING ANDERSON III, CHIEF ADMINISTRATIVE LAW  
JUDGE

LOWER COURT CASE NO. 14-ALJ-04-0664-AP

APPELLATE CASE NO. 2016-000761

GEORGE CLEVELAND III #357770 . . . . . PETITIONER,

v.  
SOUTH CAROLINA DEPARTMENT  
OF CORRECTIONS, (S.C.D.C.), . . . . . RESPONDENT.

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PETITIONER'S APPENDIX CONTINUED

APPELLATE CASE NO. 2016-000701

A.L.C. ORDER OF DISMISSAL . . . . . page No(s)  
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DEPUTY CLERK OF THE S.C. COURT OF APPEALS  
V. CLAIRE ALLEN RETURNING LEGAL PAPERS

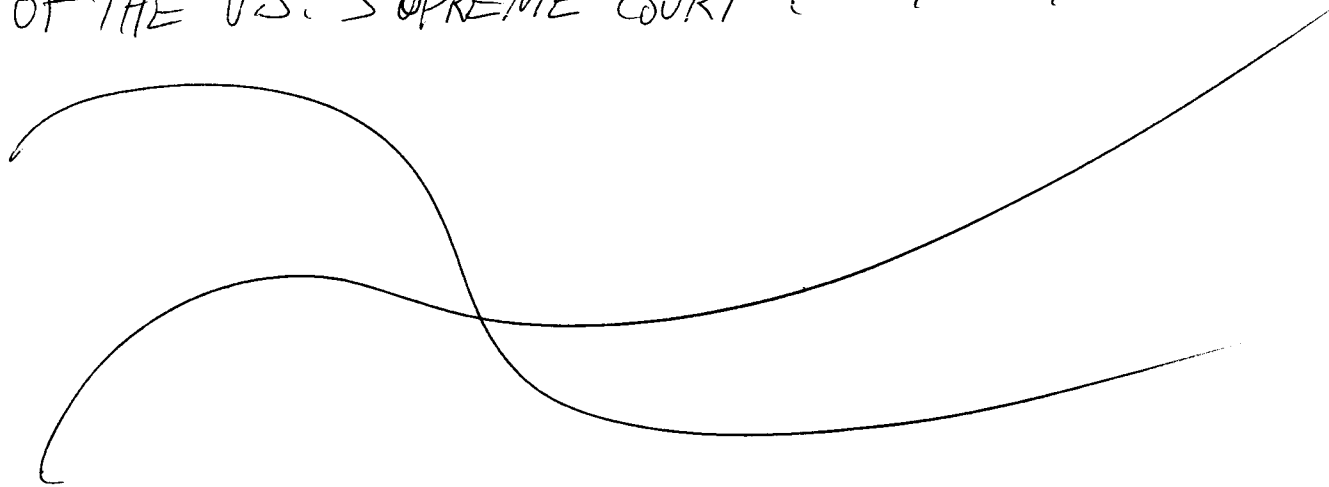
. . . . . 8

PETITIONER'S MOTION TO RECALL REMITTITUR.

~~DATED~~ OCTOBER 10, 2016 . . . . . 9-18

ROSTER OF CASES OF JUNE 2016 FOR THE  
S.C. SUPREME COURT . . . . . 19-21

DOCKET REPORT FOR LUIS V. U.S. NO. 14-419  
OF THE U.S. SUPREME COURT . . . . . 22-25





page - 1

# The South Carolina Court of Appeals

JENNY ABBOTT KITCHINGS  
CLERK

V. CLAIRE ALLEN  
DEPUTY CLERK

POST OFFICE BOX 11629  
COLUMBIA, SOUTH CAROLINA 29211  
1220 SENATE STREET  
COLUMBIA, SOUTH CAROLINA 29201  
TELEPHONE: (803) 734-1890  
FAX: (803) 734-1839  
www.sccourts.org

June 04, 2015

The Honorable Jana E. Shealy  
Edgar A. Brown Building  
1205 Pendleton Street  
Suite 224  
Columbia SC 29201

## REMITTITUR

Re: George Cleveland v. SCDC (3)  
Lower Court Case No. 2014ALJ040664AP  
Appellate Case No. 2015-000957

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 "Jana E. Shealy".

CLERK

Enclosure

cc: George Cleveland, 357770  
Daniel John Crooks, III, Esquire

# The Supreme Court of South Carolina

George Cleveland, III, #357770, Petitioner,

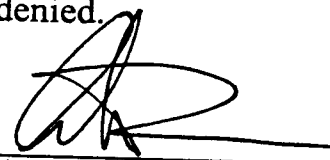
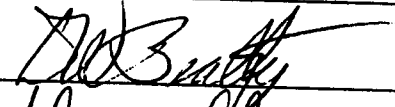
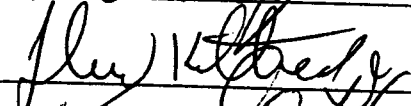
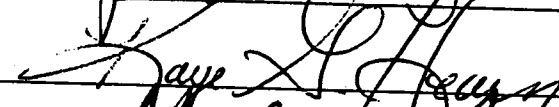
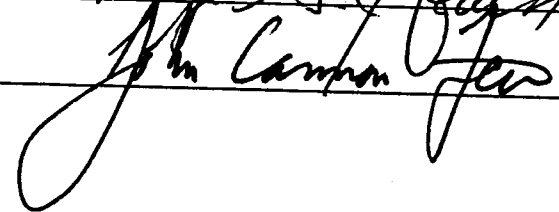
v.

South Carolina Department of Corrections, Respondent.

Appellate Case No. 2016-000701

\_\_\_\_\_  
ORDER  
\_\_\_\_\_

The petition for rehearing filed by petitioner is denied.

	_____	C.J.
	_____	J.
	_____	J.
	_____	J.
	_____	J.

Columbia, South Carolina  
June 16, 2016

cc:  
Christina Catoe Bigelow, Esquire  
The Honorable Jenny Abbott Kitchings  
George Cleveland, III

# The South Carolina Court of Appeals

George Cleveland #357770, Appellant,

v.

South Carolina Department of Corrections, Respondent.

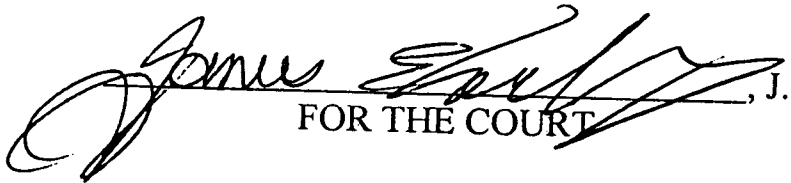
Appellate Case No. 2016-001033

---

## ORDER RECALLING REMITTITUR

---

This Court's remittitur was sent to the Clerk of the Administrative Law Court on October 18, 2016. It is now necessary for this Court to recall the remittitur. The Clerk of the Administrative Law Court is, directed to return the remittitur to the Clerk of the South Carolina Court of Appeals within ten (10) days from the date of this order.

  
FOR THE COURT, J.

Columbia, South Carolina

cc:

George Cleveland #357770

Christina Catoe Bigelow, Esquire

**FILED**

November 4, 2016

STATE OF SOUTH CAROLINA  
**Administrative Law Court**

*Page 1/1*

**Ralph K. Anderson, III**  
*Chief Judge*

**Jana E. Cox Shealy**  
*Clerk*



PHONE: (803) 734-0550  
FAX: (803) 734-6400  
WEB: WWW.SCALC.NET

November 10, 2016

The Honorable Jenny Abbott Kitchings  
Clerk, South Carolina Court of Appeals  
P.O. Box 11629  
Columbia, SC 29211

Re: George Cleveland #357770 v. SCDOC  
ALC Docket No. 16-ALJ-04-0030-AP  
Appellate Case No. 2016-001033

Dear Clerk Kitchings:

Pursuant to the Court's Order filed November 4, 2016, I am hereby returning the Remittitur in the above-captioned matter.

Please let me know if you have any questions.

With warm personal regards, I am,

Sincerely,

Jana E. Shealy  
Clerk

Enclosure

cc: Christina Catoe Bigelow, Esquire  
George Cleveland, #357770

STATE OF SOUTH CAROLINA  
ADMINISTRATIVE LAW COURT

1426  
Page - 5

George Cleveland, III, #357770, )  
)  
Appellant, )  
)  
v. )  
)  
South Carolina Department of Corrections. )  
)  
Respondent. )

Docket No. 14-ALJ-04-0664-AP

ORDER OF DISMISSAL

**FILED**

February 27, 2015

SC ADMIN. LAW COURT

This matter comes before the South Carolina Administrative Law Court (ALC or Court) pursuant to an appeal filed by George Cleveland, III (Appellant), an inmate incarcerated with the South Carolina Department of Corrections (SCDC or Department). Appellant appeals his February 26, 2014 disciplinary conviction for Offense 810, "Striking an Inmate With or Without a Weapon" (Offense 810) under SCDC Policy OP-22.14.

On February 8, 2014, Appellant was charged with Offense 810 following an altercation with another inmate. A Disciplinary Hearing Officer (DHO) held a hearing on the charge on February 26, 2014. Appellant was represented by counsel substitute and chose not to have his accuser present at the hearing. At the end of the hearing, the DHO found Appellant guilty of the charge and issued several sanctions, including the loss of 60 days of good time.

On February 26, 2014, Appellant filed a Step 1 Grievance regarding his conviction for Offense 810. After the warden denied the conviction, Appellant filed a Step 2 Grievance on March 7, 2014. Appellant filed a Notice of Appeal on August 27, 2014, and the Notice of Assignment was filed September 11, 2014.

On October 20, 2014, Appellant filed an "Affidavit in Support of An Enlargement," requesting an extension until December 5, 2014 to file his Initial Brief. On October 27, 2014, the Department filed a Motion to Enlarge Time to File Record, requesting an extension of thirty days from the date of the Order granting such relief. On November 14, 2014, the Court granted the Department's motion, which not only gave the Department until December 15, 2014 to file the Record on Appeal but also gave Appellant until January 5, 2015 to file his brief, which was more time than Appellant was originally seeking to file his brief. On December 16, 2014, the Department filed a second Motion to Enlarge Time to File Record, requesting an additional

George Cleveland ~~III~~ v. SOUTH CAROLINA DEPARTMENT  
OF CORRECTIONS

~~Page 6~~  
~~Page 3~~  
Appel

ISSUING COURT: SC. ADMINISTRATIVE LAW COURT

twenty days to file the Record on Appeal. However, three days later, on December 19, 2014, before the Court could rule on this motion, the Department filed the Record on Appeal. On December 29, 2014, Appellant filed a "Motion to Strike and Response to Enlargement," arguing that the Department's filings should be stricken, because it filed both its second Motion to Enlarge Time to File Record and the Record on Appeal after the December 15, 2014 deadline to file to Record on Appeal set by the Court. On December 31, Appellant filed a "Motion to Compel."<sup>1</sup> On January 16, 2015, the Department filed its brief. On February 2, 2015, Appellant filed a Response to Respondent's Brief.

At the outset, I agree with Appellant that the Department did not file its second Motion to Enlarge Time to File Record and the Record on Appeal by the December 15, 2014 deadline set by the Court. The Court may resolve the appeal adversely against the Department. ALC Rule 62 allows an Administrative Law Judge to "resolve [an] appeal adversely to the offending party for failure to comply with any of the rules of procedure for appeals, including the failure to comply with any of the time limits . . . ." However, in this instance, I do not find that dismissal is warranted because Appellant has not demonstrated any prejudice he suffered as a result of the Department's four-day delay in filing of the Record on Appeal. I therefore deny Appellant's "Motion to Strike and Response to Enlargement."

The Court's November 14, 2014 Order gave Appellant until January 5, 2015 to file his brief, and despite the Department's four-day delay in filing the Record on Appeal, Appellant managed to file a 7-page "Motion to Strike and Response to Enlargement" on December 29, 2014 and a 6-page "Motion to Compel" on December 31, 2014, both after the Record on Appeal was filed and well before Appellant's deadline for filing his Initial Brief. Appellant even filed an 11-page "Response to Respondent's Brief" on February 2, 2015. Notwithstanding the fact that Appellant clearly had the time and ability to draft an Initial Brief and file it, Appellant never did. In the first paragraph of his "Response to Respondent's Brief," Appellant even acknowledged that he had not filed his "original brief."

---

<sup>1</sup> In his "Motion to Compel," Appellant requested a legal packet from the Department and the inclusion in the Record on Appeal of a hand-written statement from an inmate that was allegedly read in part by the DHO and some photos that had purportedly been shown to him at the hearing. First, Appellant has cited to no authority allowing this Court to consider a motion to compel discovery at the appellate level. Second, Appellant had an opportunity at the hearing to seek to introduce documents or photographs into evidence. Therefore, Appellant's motion is denied. Moreover, Appellant's filing of this motion, as will be discussed *infra*, did not absolve Appellant of his responsibility to file his brief, pursuant to Rule 63 of the Rules of Procedure for the ALC (ALC Rules).

George Cleveland ~~III~~ v. South Carolina Department  
of Corrections; S.C. Administrative Law Court  
ISSUING COURT: S.C. Administrative Law Court  
Appellant seems to suggest in his response, that he failed to file his "original brief"

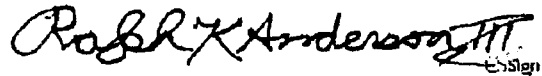
PAGE - 7  
~~Page 10~~  
APB

because "the court had not ruled on [his] pending motion compelling discovery among other things." However, ALC Rule 63 provides that "[t]he filing of a motion does not toll any time limits imposed by these Rules[.]" including the deadline in ALC Rule 60(A) for filing an appellant's brief. Thus, Appellant still had a responsibility to file his Initial Brief. Had Appellant filed his brief up to four days after it was due, the Court, under the facts of this case, would have excused his delay in filing his brief; but Appellant instead has not filed his Initial Brief as of the date of this Order or filed a timely motion requesting additional time to file his brief. According to ALC Rule 62, "on its own motion, an Administrative Law Judge may dismiss an appeal . . . for failure to comply with any of the rules of procedure for appeals, including the failure to comply with any of the time limits provided by this section . . . ." Because Appellant failed to file his Initial Brief, and has not notified the ALC of any extenuating circumstances regarding his failure to so file, I conclude *sua sponte* that this matter should be dismissed, pursuant to ALC Rule 62.

**ORDER**

**IT IS THEREFORE ORDERED** that this appeal is **DISMISSED WITH PREJUDICE.**

**AND IT IS SO ORDERED.**



Ralph King Anderson, III  
Chief Administrative Law Judge

February 27, 2015  
Columbia, South Carolina



*Page 8*

# The South Carolina Court of Appeals

JENNY ABBOTT KITCHINGS  
CLERK

V. CLAIRE ALLEN  
DEPUTY CLERK

POST OFFICE BOX 11829  
COLUMBIA, SOUTH CAROLINA 29211  
1220 SENATE STREET  
COLUMBIA, SOUTH CAROLINA 29201  
TELEPHONE: (803) 734-1890  
FAX: (803) 734-1839  
[www.sccourts.org](http://www.sccourts.org)

September 19, 2016

George Cleveland #357770  
TCI  
1578 Clarence Coker Hwy.  
Turbeville SC 29162

Re: George Cleveland #357770 v. SCDC (5)  
Appellate Case No. 2016-001033

Dear Mr. Cleveland:

We are returning your "motion for an extension to file certiorari petition." Pursuant to Rule 242 of the South Carolina Appellate Court Rules, SCACR, your documents must be filed with the South Carolina Supreme Court.

Very truly yours,

*V. Claire Allen, Deputy*

CLERK

cc: Christina Catoe Bigelow, Esquire  
Enclosure

PETITIONER'S MOTION FOR LEAVE  
OF COURT TO RECALL REMITTITUR.

THE STATE OF SOUTH CAROLINA.  
IN THE SUPREME COURT

APPEAL FROM ADMINISTRATIVE LAW COURT

S. PHILLIP LENSKI, ADMINISTRATIVE LAW JUDGE

LOWER COURT CASE NO. 16-ALJ-04-0030 -AP

APPELLATE CASE NO. 2016-1033

GEORGE CLEVELAND, III

S.C.D.C. NO. 357770,

v.

SOUTH CAROLINA DEPARTMENT  
OF CORRECTIONS, (S.C.D.C.)

PETITIONER,

RESPONDENT

S.C.D.C.

OFFICE OF GENERAL COUNSEL  
c/o CHRISTINA CATOE BIGELOW, CLERK  
P.O. BOX 21787  
COLUMBIA, S.C. 29221-1787  
ATTORNEY FOR THE RESPONDENT

GEORGE CLEVELAND, III  
TYGER RIVER CORRECTIONAL INST  
200 PRISON ROAD  
ENOREE, S.C. 29335  
PROSE PETITIONER,

LEGAL MAIL

1.

PETITIONER'S MOTION TO RECALL REMITTUR:

COMES NOW, George Cleveland, III, proceeding pro se respectfully moves this court to RECALL the REMITTUR sent to the Administrative Law court ON September 19, 2016. R.P. 1. REMITTUR. Sent. This Request is on the following grounds:

foreclosed by Rule 204 (A) S.C.A.C.R. And Rule 82(b) S.C.R.P., and violation of my first (Access to the courts; Fourteenth (due process Liberty/Property Interest) Amendments under the constitution of the United States.

2

RELEVANT-BACKGROUND:

ON September 11, 2016, I mailed to the South CAROLINA COURT OF APPEALS my motion for an extension to file petition for a writ of CERTIORARI in the above case until Sept. 28, 2016. R.P. 2 At PAR. 2, supporting Affidavit.

LEGAL MAIL ON September 28, 2016, I signed for and received.

A letter from Deputy Clerk V. Claire Allen, R.P. 4. Letter dated Sept 19, 2016. she stated, my motion ~~was~~ RETURNED, as it was filed in the wrong court. ~~IBID.~~

3. The letter was mailed to the wrong address despite me informing that court (Court of Appeals) of my change of mailing address in late July of 2016. R.P. 2 At PAR. 3 supporting Affidavit. 1.

6. The mailing date of this motion, was the earliest I could mail out because S.C.D.C.'s computer systems were down at my assigned prison from Sept. 27 - Oct 04, 2016 which prevented me from looking up the relevant court rules on the computer in the prison's LAW LIBRARY briefly to conduct legal research, and the state of emergency signed by Governor Haley on Oct 05, 2016 caused the entire prison to be locked down with no movement outside of my assigned dock. R.P. 3 At PAR. 4, supporting Affidavit.

7. The letter reached my former assigned prison on Sept. 20, 2016; which took 8 days to reach me. R.P. 2 At PAR. 3! Supporting Affidavit, see also: R.P. 5 & 6 copy of envelope.

LEGAL MAIL

RULE 204(A) SCACR FORECLOSED  
REMITTITUR BEING SENT.

DEPUTY CLERK ALLEN, SUPRT, AT PAR 2 FAILED to transfer this case to this court as required by Rule 204(A) SCACR.:

"IN the event that the [motion] is filed in the wrong appellate court, the appellate court in which the matter is filed shall issue an order transferring the case to the appropriate court."

Deputy clerk Allen was foreclosed under Rule 204(A) SCACR. From sending the remittitur to the Administrative Law court instead, she was required to: "issue an order transferring the case to the appropriate court." Therefore, the remittitur was sent in error and must be recalled, and required transfer to this court.

3-1  
MOTION FOR AN EXTENSION  
WAS TIMELY FILED FORECLOSING  
REMITTITUR FROM BEING SENT  
UNDER RULE 233(A)(2) SCACR:  
3.

TELETYPE MAIL

The Appellate court denied my petition for Rehearing which was filed on August 11, 2016. R.P. 7, order denying Rehearing. Rule 242 SCACR required my petition for a writ of CERTIORARI to be filed on or before September 11, 2016. My motion for EXTRA time to file my CERTIORARI petition on September <sup>11, 2016</sup> by MAIL:

"By depositing the documents in the U.S. MAIL properly addressed to the clerk... the date of filing shall be the... date of mailing." Rule 233(A) SCACR.

My motion was timely filed on September 11, 2016. R.P. 2 APPAR. 2, supporting Affidavit. As this was the date that I put the properly addressed envelope in the prison's mail-box this effectively foreclosed Deputy Clerk Allen from sending of the REMITTUR WAS ERROR. under Rule 233(A) SCACR; consequently my motion for AN extension of time to file petition for a writ of CERTIORARI was timely filed, and the REMITTUR WAS sent by ERROR.

RULE 82(b) SCRCR FORECLOSED  
FROM  
REMITTITUR BEING SENT!

Deputy clerk Allen did not have the Authority to send the Remittitur to the Administrative Law Court by her own Admission in her September 19, 2016 letter:

"We are returning your motion for an extension to file certiorari petition. YOUR documents must be filed with the South Carolina Supreme Court." R.P. 4.

Rule 82(b) SCRCR Required Deputy clerk Allen to not type-up a letter stating that: my... documents must be filed with the South Carolina Supreme Court." IBID.

Instead Rule 82(b) SCRCR Required her to transfer my case to the South Carolina Supreme Court:

"When an action is brought in the wrong court, the court shall not dismiss the action but shall transfer it to any proper court

Rule 82(b) S.C.R.C.P. Ms. Allen failed to transfer this case to this court; accordingly, Deputy Clerk Allen was foreclosed under Rule 82(b) S.C.R.C.P. from sending the remittitur to the Administrative Law Court, but instead she was required to transfer my case to this court.

3-3.  
 FIRST AND FOURTEENTH AMENDMENT  
 UNDER THE U.S. CONST. REQUIRES  
 ADEQUATE ACCESS TO  
THE COURT;

The first and fourteenth amendments under the United States Constitution required Deputy Clerk to provide me adequate access to the courts which under *Bounds v. Smith* 430 U.S. 819, 97 S.Ct. 1491 U.S., N.C. (1977); whereas, the Supreme Court of the United States to shoulder affirmative obligations to assure all prisoners meaningful access to the courts, *id.* at 824-825. I submit this "required access to the courts" doctrine is to be applied

broadly to include the Appellate court clerk office transfer cases filed by inmates in the wrong court to the correct court to preserve the status quo, i.e., preserve the time filed in <sup>the</sup> wrong court because access to the courts does not stop at the feet of prison officials, but at the feet of the clerk's office, which in this case is with the south CAROLINA COURT OF APPEALS, only then will the inmates' filing be properly before the court for judicial review.

since ~~DEATH~~ clerk ALLEN of the south CAROLINA COURT OF APPEALS did not transfer my case to the supreme court of south CAROLINA which caused ~~the~~ Remittitur to be erroneously sent to the Administrative Law court which started the enforcement of the judgment, in violation of my first (Access to the courts) and fourteenth (due process / liberty / property interest) Amendments under the constitution of the United States. Actual Injury is required under Lewis

V. CASEY 518 U.S. 343, 116 S.Ct. 2174 U.S. ARIZ 1996, id., At 2178-81 which I have argued, id., therefore, Deputy clerk Allen denied me Adequate Access to this Court.

#### 4. LEGAL STANDARD:

The Legal Principle enumerated under *Wise v. S.C.D.C.* 372 S.C. 173, 642 S.E. 2d 551, S.C. (2007), which requires "The Remittitur . . . [to be recalled if it is] sent down by mistake, error or inadvertence of the court," id., At 551.

I submit to this Court, Deputy clerk V. CLAIRE Allen of the South CAROLINA COURT OF APPEALS sent the Remittitur on Sept. 19, 2016 to the Administrative COURT OF SOUTH CAROLINA by mistake, error, and inadvertence because - Rule 20(A) SCACR and Rule 82(b) SCRCR precluded Deputy clerk Allen to transfer my case to this Court, and precluded Ms. Allen from sending the Remittitur to the Lower Court, id., therefore, this Court must order the

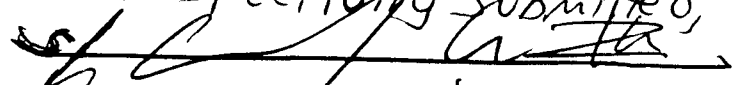
COURT OF APPEALS TO RECALL THE REMITTITUR FROM THE ADMINISTRATIVE LAW COURT

5.

CONCLUSION:

BASED ON THE FOREGOING FACTS, I RESPECTFULLY REQUEST THE FOLLOWING RELIEF:

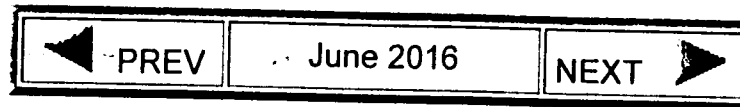
- 5-1. GRANT MY MOTION TO RECALL REMITTITUR;
- 5-2. ORDER THE SOUTH CAROLINA COURT OF APPEALS; P.O. BOX 11629 COLUMBIA, S.C. 29211 TO ORDER THE ADMINISTRATIVE LAW COURT OF SOUTH CAROLINA; 1205 PERDUE TON STREET; COLUMBIA, S.C. 29201 TO SEND TO THE REMITTITUR IN CASE NO. 2016ALJ040030 AP TO THE COURT OF APPEALS IN APPELLATE CASE NO. 2016-001033;
- 5-3. SET THE DEADLINE TO FILE A WRIT OF CERTIORARI PETITION IN THIS COURT FOR THIS INSTANT CASE FIFTEEN (5) DAYS AFTER THE FILING OF THIS COURT'S ORDER IN THIS CASE;
- 5-4. ANY OTHER RELIEF THIS COURT DEEMS JUST, PROPER, AND/OR IMPARTIAL.

Respectfully submitted,  
  
 George Cleveland, III, #357770  
 TYGER RIVER CORRECTIONAL INST  
 205 PRISON ROAD  
 9. ENOREE, S.C. 29335

DATED: OCTOBER 10, 2016

LEGAL MAIL

June 2016



The summary below each case is prepared to offer lawyers and the public a general overview of what issues are included in a case which will be argued. The summary is not a limit on what issues a party to a case may present at oral argument.

Tuesday, June 14, 2016  
Supreme Court Courtroom

09:30 a.m.

(Time Limits: 15-15-5)

**2014-000764 The State, Respondent, v. Stephanie Irene Greene, Appellant.**

Clarence Rauch Wise, of Greenwood, for Appellant. Attorney General Alan M. Wilson and Senior Assistant Attorney General David A. Spencer, both of Columbia, and Solicitor Barry Joe Barnette, of Spartanburg, for Respondent.

Stephanie Irene Greene was convicted of homicide by child abuse, involuntary manslaughter, and unlawful conduct towards a child. Greene appealed and this Court certified the appeal. Greene alleges the trial court erred in (1) not directing a verdict for Greene on all three charges because the State did not prove the morphine in Greene's deceased child came from breastfeeding, (2) not directing a verdict for Greene or granting Greene a new trial on the homicide by child abuse charge because the State did not prove Greene acted with extreme indifference, (3) not instructing the jury that convicting Greene of more than one of the charges would violate double jeopardy, and (4) not requiring the State in its closing argument to open on the law and the facts of the case and reply only to arguments raised in Greene's closing argument.

10:00 a.m.

(Time Limits: 10-10-5)

**2015-000334 The State, Respondent, v. Jon Wynn Jarrard, Sr., Petitioner.**

Chief Appellate Defender Robert Michael Dudek and Craig Robert Stanley, both of Columbia, for Petitioner. Attorney General Alan McCrory Wilson, Senior Assistant Deputy Attorney General Deborah R.J. Shupe and Assistant Attorney General Mark R. Farthing, all of Columbia, and Solicitor Jimmy A. Richardson, II, of Conway, for Respondent.

The Court reviews the Court of Appeals' decision in State v. Jon Wynn Jarrard, Op. No. 2014-UP-470 (S.C. Ct. App. filed Dec. 17, 2014).

Wednesday, June 15, 2016  
Supreme Court Courtroom

09:30 a.m.

(Time Limits: 10-10-5)

**2014-001692 The State, Respondent, v. Bryan Rearick, Appellant.**

Chief Appellate Defender Robert M. Dudek, of Columbia, for Appellant. Attorney General Alan Wilson, Senior Assistant Deputy Attorney General J. Benjamin Anlin, Senior Assistant

After the circuit court declared a mistrial during a bench trial for the charge of felony driving under the influence resulting in death, Appellant moved to bar subsequent prosecution on the ground a second trial would violate the Double Jeopardy Clause. Appellant appeals the ~~circuit court's order denying his motion. Specifically, Appellant argues: (1) the denial of a motion to dismiss on double jeopardy grounds is immediately appealable and, if so, (2) the circuit court's grant of a mistrial was erroneous in that there was no "manifest necessity" to warrant the ruling.~~

10:00 a.m.

(Time Limits: 15-15-5)

**2016-000021 Gail M. Hutto, Debra J. Andrews, Elizabeth W. Hodge, Margaret B. Lineberger, Lynn R. Rogers, Nancy G. Sullivan, Jane P. Terwilliger, Julian W. Walls, and all others similarly situated, Appellants, v. South Carolina Retirement System, Police Officers Retirement System, South Carolina Retirement Systems Group Trust, South Carolina Budget and Control Board and South Carolina Public Employee Benefit Authority, Respondents.**

Richard A. Harpootlian and Christopher P. Kenney, both of Richard A. Harpootlian, P.A., of Columbia, James M. Griffin and Margaret N. Fox, both of Griffin Davis, of Columbia, for Appellants. Robert E. Stepp and Tina M. Cundari, both of Sowell Gray Stepp & Laffitte, of Columbia and Stephen Van Camp and Justin R. Werner, both of S.C. Public Employee Benefit Authority, of Columbia, for Respondents.

In this case, Appellants seek review of the circuit court's order dismissing their claims for declarative relief and repayment of earned wages from the State Retirement System.

Thursday, June 16, 2016  
Supreme Court Courtroom

09:30 a.m.

(Time Limits: 20-20-10)

**2016-000630 David M. Pascoe, Solicitor of the First Judicial Circuit, Petitioner, v. James R. Parks, Clerk of Court for the State Grand Jury, Respondent.**

David M. Pascoe, Jr., of Orangeburg, pro se Petitioner. Attorney General Alan McCrory Wilson, Chief Deputy Attorney General John W. McIntosh, Solicitor General Robert D. Cook and Assistant Deputy Attorney General S. Creighton Waters, all of Columbia and C. Mitchell Brown, of Nelson Mullins Riley & Scarborough, LLP, of Columbia, for Respondent.

The Court granted the parties petition for original jurisdiction as to petitioner's request for a writ of mandamus.

09:30 a.m.

(Time Limits: 20-20-10)

**2016-000671 David M. Pascoe, Solicitor of the First Judicial Circuit, Petitioner v. Alan M. Wilson, South Carolina Attorney General, Respondent.**

David M. Pascoe, Jr., of Orangeburg, pro se petitioner. Attorney General Alan M. Wilson, Chief Deputy Attorney General John W. McIntosh, Solicitor General Robert D. Cook and Assistant Deputy Attorney General S. Creighton Waters, all of Columbia and C. Mitchell Brown, of Nelson Mullins Riley & Scarborough, LLP, of Columbia, for Respondent.

The Court granted the parties petition for original jurisdiction as to petitioner's request for a declaratory judgment.

Travaughn Thomas, Petitioner, v. State of South Carolina, Respondent.

Page 21

Appellate Defender Susan B. Hackett, of Columbia, for Petitioner. Attorney General Alan Wilson and Senior Assistant Attorney General Karen Christine Ratigan, both of Columbia, for Respondent.

Elijah Baylock Jr., Petitioner, v. State of South Carolina, Respondent.

Appellate Defender Lara M. Caudy, of Columbia, for Petitioner. Attorney General Alan M. Wilson and Assistant Attorney General Justin J. Hunter, both of Columbia, for Respondent.

No. 14-419

*Page-22*

Title: Sila Luis, Petitioner  
v.  
United States

Docketed: October 9, 2014  
Lower Ct: United States Court of Appeals for the Eleventh Circuit  
Case Nos.: (13-13719)  
Decision Date: May 1, 2014  
Rehearing Denied: July 9, 2014  
Questions Presented

~~~Date~~~ ~~~~~Proceedings and Orders~~~~~

Oct 7 2014 Petition for a writ of certiorari filed. (Response due November 10, 2014)

Oct 16 2014 Waiver of right of respondent United States to respond filed.

Oct 20 2014 Consent to the filing of amicus curiae briefs, in support of either party or of neither party received from counsel for the petitioner.

Oct 22 2014 DISTRIBUTED for Conference of November 7, 2014.

Oct.28 2014 Response Requested . (Due November 28, 2014)

Nov 18 2014 Order extending time to file response to petition to and including December 29, 2014.

Nov 26 2014 Brief amici curiae of U.S. Justice Foundation, et al. filed.

Nov 28 2014 Brief amici curiae of Associations of Criminal Defense Attorneys filed.

Dec 23 2014 Order further extending time to file response to petition to and including February 27, 2015.

Feb 18 2015 Order further extending time to file response to petition to and including March 30, 2015.

Mar 30 2015 Brief of respondent United States in opposition filed.

Apr 15 2015 DISTRIBUTED for Conference of May 1, 2015.

Apr 16 2015 Reply of petitioner Sila Luis filed. (Distributed)

May 1 2015 Rescheduled.

May 4 2015 DISTRIBUTED for Conference of May 14, 2015.

May 18 2015 DISTRIBUTED for Conference of May 21, 2015.

May 26 2015 DISTRIBUTED for Conference of May 28, 2015.

Jun 1 2015 DISTRIBUTED for Conference of June 4, 2015.

Jun 8 2015 Petition GRANTED.

Jun 15 2015 The time to file the joint appendix and petitioner's brief on the merits is extended to and including August 18, 2015.

Jun 15 2015 The time to file respondent's brief on the merits is extended to and including September 30, 2015.

Aug 4 2015 Consent to the filing of amicus curiae briefs in support of either party, or of neither party, received from counsel for the petitioner.

Aug 18 2015 Joint appendix filed. (Statement of costs filed)

Aug 18 2015 Brief of petitioner Sila Luis filed.

Aug 25 2015 Brief amici curiae of United States Justice Foundation, et al. filed.

Aug 25 2015 Brief amici curiae of Cato Institute and the DKT Liberty Project filed.

Aug 25 2015 Brief amici curiae of Association of Criminal Defense Attorneys, et al. filed.

PAGE 23

- Aug 25 2015 Brief amicus curiae of Americans for Forfeiture Reform filed.
- Aug 25 2015 Brief amicus curiae of New York Council of Defense Lawyers filed.
- Aug 25 2015 Brief amicus curiae of American Bar Association filed.
- Aug 25 2015 Brief amicus curiae of Rutherford Institute filed.
- Sep 9 2015 SET FOR ARGUMENT on Tuesday, November 10, 2015
- Sep 10 2015 Record requested from the U.S.C.A. 11th Circuit.
- Sep 21 2015 Record received from the U.S.D.C. Southern District of Florida is electronic and located on PACER, with the exception of one SEALED Document. (1 envelope)
- Sep 22 2015 The record from the U.S.C.A. 11th Circuit is electronic and located on PACER.
- Sep 30 2015 Brief of respondent United States filed.
- Oct 2 2015 CIRCULATED
- Oct 7 2015 Brief amici curiae of National Association of State Legislators, et al. filed. (Distributed)
- Oct 9 2015 Motion of Americans for Forfeiture Reform out-of-time for leave to participate in oral argument as amicus curiae and for divided argument filed.
- Oct 29 2015 Reply of petitioner Sila Luis filed. (Distributed)
- Oct 30 2015 Motion of Americans for Forfeiture Reform out-of-time for leave to participate in oral argument as amicus curiae and for divided argument DENIED.
- Nov 10 2015 Argued. For petitioner: Howard Srebnick, Miami, Fla. For respondent: Michael R. Dreeben, Deputy Solicitor General, Department of Justice, Washington, D. C.

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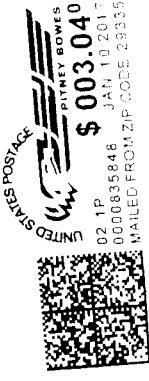
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*George Clark*

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TYRRI MAILROOM

*Case No*

*701*

THE SUPREME COURT OF SOUTH CAROLINA  
DANIEL E. SHERROUSE, CLERK OF COURT  
P.O. Box 11330  
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**R**

TYRRI MAILROOM