

RECEIVED

JAN 17 2017

THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

SC Court of Appeals

THE STATE,

RESPONDENT,

U.

SHEDRICK WELFAILL,

APPELLANT.

Appeal from EDGEFIELD COUNTY

FRANK R. ADDY CIRCUIT COURT JUDGE

OPINION No. 2015-001190

PETITION FOR REHEARING

PURSUANT TO RULE 221 (A) APPELLANT PETITIONS FOR REHEARING THIS COURT'S OPINION NUMBER 2015-00-1190, FILED ON OCTOBER 13, 2016, AS THE COURT MAY HAVE OVERLOOKED OR MISAPPREHENDED THE FOLLOWING POINTS:

1. APPELLATE SHEDRICK WELFAILL WAS DENIED BY ORDER FILED IN THE COURT OF APPEALS, ON OCTOBER 13, 2016

APPELLATE WAS DENIED, ON HIS APPEAL, BECAUSE THE STATE CLAIM THE STATE WAS NOT SERVE WITH A "PROFF OF SERVICE", ALTHOUGH THE STATE AND THE CLERKS OFFICE WAS SERVE WITH A COPY OF THE SIXTEEN PAGE BRIEF ON THE "SAME" DAY.

2. APPELLATE SHOULD HAVE BEEN GRANTED, A CHANCE TO RESUBMIT BOTH PAPERS WITH NEW COPIES OF BRIEF AND WITH PROFF OF SERVE ATTACHED TO BOTH BRIEF.

3. APPELLANT KEIL SHOWS THAT THIS COURT HAS OVERLOOKED AND MISAPPREHENDED THE FOLLOWING POINTS.

1. APPELLANT WAS NEVER WAIVED OVER FROM A JUVENILE TO ADULT.

2. APPELLANT WAS NEVER APPOINTED TWO (2) ATTORNEY'S AS REQUIRE BY LAW 1, PURSUANT TO SECTION 16-3-26

3. APPELLANT WAS NOT AFFORD, A HEARING ON PETRESS TO STAND TRIAL. PURSUANT TO 44-23-430

4. Appellant was not afforded a preliminary examination

5. Appellant "NEVER" BEEN TRANSFERRED OVER FROM A JUVENILE TO ADULT, IS APPELLANT STRONGEST ISSUE, WHICH NEEDS TO BE RULED ON. IT'S A SUBJECT MATTER JURISDICTION ISSUE. APPELLANT IS UNLAWFUL AND ILLEGALLY IN PRISON, SINCE THE DAY OF SENTENCE OF February 6th, 1978.

THIS IS A FUNDAMENTAL MISGRADGE OF JUSTICE.

PATTON V. TOY, 867 F. Supp. 356 (1994)

KENT V. UNITED STATES, 86 S. Ct 1045 (1966)

KEMPLEN V. MARYLAND, 428 F.2d 169, 172 (4th Cir. 1970)

6. Appellant respectfully ask that REHEARING BE GRANTED.

Respectfully Submitted,
Shedrick Wiggall

THIS 11th day of January, 2017

STATE of SOUTH CAROLINA
IN THE COURT of APPEALS

RECEIVED

APPEAL from EDGEFIELD County
FRANK R. Addy, Circuit Court Judge

JAN 17 2017

SC Court of Appeals

THE STATE,

RESPONDENT,

v.

SHEDRICK WIGFALL,

APPELLANT.

CERTIFICATE of SERVICE

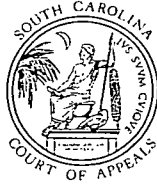
THE APPELLANT PRO-SE HEREBY CERTIFIES THAT A TRUE COPY OF THE PETITIONS FOR REHEARING IN THE ABOVE-ENTITLED CASE HAS BEEN SERVED UPON T. PARKER C. HUNTER, ESQUIRE, THIS 11th day of January.

Shedrick Wigfall
SHEDRICK WIGFALL, 90323
Appellant

SUBSCRIBED to before ME this 11 day

January 11, 2017
Shirley Marshall (L.S.)
Notary Public for South Carolina

MY COMMISSION EXPIRES May 12, 2021
4 of 4



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

January 04, 2017

The Honorable Charles L. Reel
P O Box 34
Edgefield SC 29824

RECEIVED

JAN 17 2017

SC Court of Appeals

REMITTITUR

Re: Shedrick Wigfall v. The State
Lower Court Case No. 2014CP1900249
Appellate Case No. 2015-001190

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,

V. Claire Allen, Deputy

CLERK

Enclosure

cc: Shedrick Wigfall, #90323
T. Parkin C. Hunter, Esquire

The South Carolina Court of Appeals

Shedrick Wigfall, Appellant,

v.

The State of South Carolina, Respondent.

Appellate Case No. 2015-001190

The Honorable Frank R. Addy, Jr.
Edgefield County
Trial Court Case No. 2014CP1900249

ORDER

Appellant has failed to provide proof of service of the record on appeal, as required by Rule 210 of the South Carolina Appellate Court Rules, and as requested in the Court's order dated June 24, 2016 and the Court's letter dated August 15, 2016. Accordingly, this matter is dismissed. The remittitur will be sent as provided by Rule 221(b), SCACR.

FOR THE COURT

BY V. Claire Allen, Deputy
CLERK

Columbia, South Carolina

cc:

Shedrick Wigfall, #90323
T. Parkin C. Hunter, Esquire

FILED

October 13, 2016