

RECEIVED

FEB 06 2017

THE STATE OF SOUTH CAROLINA
In The Supreme Court

APPEAL FROM SPARTANBURG COUNTY
Court of General Sessions

S.C. SUPREME COURT

R. Lawton McIntosh, Circuit Court Judge

S.C. Ct. App. Orders filed May 4, 2016, & July 7, 2016

Appellate Case No. 2016-001615

The State of South Carolina Respondent,
v.
John Garvin Appellant.

**PETITIONER’S REPLY/RESPONSE TO
RESPONDENT’S SUPPLEMENTAL INITIAL BRIEF OF
PETITION FOR WRIT OF CERTIORARI**

For the reason set forth below, Petitioner, John Garvin, submits that Respondent’s January 26, 2017, Return and Motion to Strike Petitioner’s “Supplemental Initial Brief of Petition for Writ of Certiorari” is legal jargon that is without merit. The Petitioner, proceeding as pro-se and making a Reply/Response to the Respondent’s Return and Motion to Strike Petitioner’s Supplemental Initial Brief, Would respectfully show unto this court.

The South Carolina Appellate Court Rules set forth the procedures a party must follow when submitting it’s initial brief pursuant to Rule-208(a)(b), SCACR. And “when pertinent and significant authorities come to the attention of a party after his initial brief [] has been served and filed, the party shall promptly advise the clerk of the [] court, by letter, with a copy to all counsel, setting forth the citations. There shall be a reference either to the page of the brief or to an issue to which the citations pertain, but the letter

shall, without argument, state the reasons for the supplemental citations. [And] any response shall be made promptly and shall be similarly limited.” See Rule-208(b)(7), SCACR

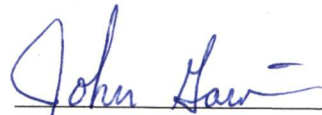
Here, petitioner has filed a supplemental initial brief, that’s, will within The South Carolina Appellate Court Rules. At this time, Petitioner state’s that the Respondents Return and Motion to Strike Petitioner’s Supplemental Initial Brief for Writ of Certiorari is without actual merit and is nothing more than just legal jargon.

For the reasons set forth in this Reply/Response to Respondent’s Return and Motion to Strike Petitioner’s Supplemental Initial Brief of Petition for Writ of Certiorari, the Petitioner requests that Respondent’s Return/Motion to Strike be denied. The Court of Appeals has abuse its discretion with the dismissal of Petitioner’s attempt to appeal the denial of his post-trial motion and that dismissal should be reversed and remanded. For the reason set out in Petitioner’s Supplemental Initial Brief for Writ of Certiorari.

WHEREFORE, having made a Reply/Response to Respondent’s Return/Motion to Strike. Petitioner’s Supplemental Initial Brief of Petition for Writ of Certiorari should be granted by this court.

Dated: February 3, 2017

Respectfully Submitted,



John Garvin, # 355509, Pro-se
Lee Correctional Institution
990 Wisacky Highway
Bishopville, S.C. 29010

RECEIVED

FEB 06 2017

S.C. SUPREME COURT

THE STATE OF SOUTH CAROLINA
In The Supreme Court

APPEAL FROM SPARTANBURG COUNTY
Court of General Sessions
R. Lawton McIntosh, Circuit Court Judge

S.C. Ct. App Orders filed May 4, 2016, & July 7, 2016


Appellate Case No. 2016-001615

The State of South Carolina Respondent,
v.
John Garvin Appellant.

PROOF OF SERVICE

I, John Garvin, Certify that I have served a **REPLY/RESPONSE TO RESPONDENT'S RETURN AND MOTION TO STRIKE PETITIONER'S SUPPLEMENTAL INITIAL BRIEF OF PETITION FOR A WRIT OF CERIORARI** on the respondent, The State of South Carolina by depositing a copy of it in the Institutional Mailbox to be delivered via the United States Postal Mail on February 3, 2017, addressed to the respondent involved in the appeal. John B. Aplin and Alan Wilson, 1000 Assembly Street, Columbia, South Carolina 29211; Mr. Daniel E. Shearouse, 1232 Gervais Street, Columbia, S.C. 29201; James E. Hunter, 180 Magnolia Street, Spartanburg, S.C. 29304-3483;

Dated: February 3, 2017


John Garvin, # 355509, Pro-se
Lee Correctional Institution
990 Wisacky Highway
Bishopville, S.C. 29010

RECEIVED

FEB 06 2017

S.C. SUPREME COURT

Court Dead line Do Not Delay !!!

RECEIVED

FEB 3 2017

LEE CI MAIL ROOM

THE DEPARTMENT OF CORRECTIONS HAS NOT CENSORED
THIS ITEM. THEREFORE, THE DEPARTMENT DOES NOT
ASSUME RESPONSIBILITY FOR ITS WRITTEN CONTENTS
LEE CORRECTIONAL INSTITUTE
SC DEPARTMENT OF CORRECTIONS



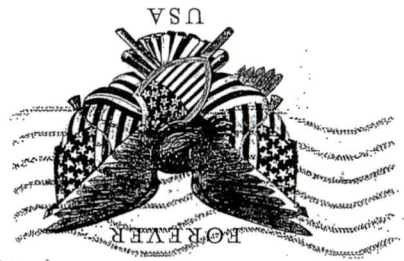
THIS ENVELOPE IS RECYCLABLE AND MADE WITH 30% POST CONSUMER CONTENT

© USPS 2013

1232 Gervais Street
South Carolina Supreme Court
Columbia, S.C. 29201
2/3/2017

LEGAL MAIL

ATTN: Mr. Daniel E. Shearouse, Clerk
South Carolina Supreme Court
1232 Gervais Street
Columbia, S.C. 29201



03 FEB 2017 PM 4.1

COLUMBIA SC 290

John Garvin - # 355504
Lee Correctional Institution
990 Wiscacky Hwy.
Bishopville, S.C. 29010