

The Supreme Court of South Carolina

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April 10, 2017

Lance S. Boozer, Esquire
1400 Laurel Street
Suite 4A
Columbia SC 29201

Re: Lee E. Ellerbee v. State
Appellate Case No. 2017-000830

Dear Counsel:

This Court has received your notice of appeal, 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.¹

I note that this Court has also received a *pro se* notice of appeal from petitioner, and this notice of appeal has been combined with the notice of appeal that you filed.

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

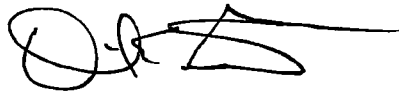
¹ While you did not provide a copy of the Conditional Order of Dismissal with the notice of appeal, this Court has obtained a copy of the Conditional Order of Dismissal dated September 30, 2016, from the Office of the Attorney General.

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.

Finally, as you advised him in the notice of appeal, petitioner has until April 24, 2017, to file any *pro se* explanation under Rule 243(c), SCACR.²

Very truly yours,



CLERK

cc: Valerie Garcia Giovanoli, Esquire

² Rule 243(c) states:

If the lower court has determined that the post-conviction relief action is barred as successive or being untimely under the statute of limitations, the petitioner must, at the time the notice of appeal is filed, provide an explanation as to why this determination was 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. If the petitioner fails to make a sufficient showing, the notice of appeal may be dismissed.