

Jimmy D. Meggs Jr., 277400
TCI SA-227
1578 Clarence Coker Hwy.
Turbeville SC 29162

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MAY 16 2017

SC Court of Appeals

May 8 2017

RE: 2017-000232

South Carolina Dept. of Corrections
The Honorable Christina Catoe Bigelow, Esquire
post Office Box 21787
Columbia, SC 29221-1787

Dear Mrs. Bigelow:

Ma'am, I am writing concerning the above mentioned appeal before the South Carolina Court of Appeals. I would like to point out as a point of clarity that my brief is the same and I would humbly ask that my fourth issue as it relates to receiving credit for Good time credits be specifically addressed by your Respondent's brief, as this was apart of the brief before the S.C. Administrative Law Court and the blanketly dismissed the appeal for essentially the two defenses that you raised before the ALC.

First, you raised the Retroactivity of the amendment defense in which you asserted that I should not receive the benefits due to the fact that I was convicted before the enactment of the 2013 Bill. Ma'am, you cited Varner, which as you know deals with a Criminal Statute of Kidnapping and the sentence a sit relates to that Criminal conviction. This is different and Varner is not applicable as this is not a Criminal Statute i.e. 24-13-40. I understand that Criminal Statutes are to be construed prospectively only absent a specific intent to the contrary. Futher, when taking the Statute as a whole with the other Statute Language which clearly says "IN EVERY CASE IN COMPUTING THE TIME SERVED BY A PRISONER, FULL CREDIT AGAINST THE SENTENCE MUST BE GIVEN FOR TIME SERVED PRIOR TO TRIAL AND SENTENCING AND MAY BE GIVEN FOR ANY TIME SPENT UNDER MONITORED HOUSE ARREST. In Part". As a point of comparison, When looking at the recent decision by our Courts in both Fowler and Bolin, the Statutory language there says MAY. AND THE Court there ruled that time was to be calculated in a way that made it mandatory.

Ma'am, I will be Petitioning the Court to obtain an Appeals Bond due to the circumstances surrounding this case. If allowed this Credit I would have went home January 1 2017. As I do not wish to sue for this situation, I agree not sue if allowed to leave before May 25 2017.

I am humbly asking for you to consent to the allowance of this 17 months with the stipulation that I be barred from Legal recourse. I was an Engineer for CSXT Railroad and will be gainfully employed upon my release. I served in the S.C. Army National Guard 263D Tank, and received an Honorable Discharge for my service. My Plea is that you please grant my credit and allow me to be a productive member of society. I want to thank you for your Thoughtful consideration in this request. Again Thank you and God Bless.

With kind Regards...I Am.

Sincerely, Yours,

A handwritten signature in cursive script, appearing to read "Jimmy D. Meggs Jr.", followed by a horizontal flourish line.

Jimmy D. Meggs Jr.

CC: J/A/K
C/C/B
File

ENCLOSURES:
Notice of Motion
Motion for Appeals Bond
Proof of Service

Jimmy D. Meggs Jr., 277400
P.O. Box SA-227
1578 Clarence Coker Hwy.
Turbeville, SC 29162

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LEGAL MAIL

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

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S. C. DEPARTMENT OF CORRECTIONS



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