

THE SUPREME COURT
STATE OF SOUTH CAROLINA

PETITION FROM COURT OF APPEALS
APPELLATE CASE 2016-000640

DOCKET No. _____

RECEIVED

JUN 12 2017

SC Court of Appeals

JASON MORRIS GOURDINE,

PETITIONER

Vs.

THE STATE OF SOUTH CAROLINA,

RESPONDENT

AFFIDAVIT OF SERVICE

I, JASON MORRIS GOURDINE, DO HEREBY CERTIFY, THAT I HAVE MAILED AND OR SERVED A COPY OF A WRIT OF MANDAMUS, ON THE S.C. COURT OF APPEALS, THE S.C. ATTORNEY GENERAL AND THE S.C. SUPREME COURT, BY U.S. MAIL POSTAGE PREPAID, BY DEPOSITING IT IN THE INSTITUTION MAILBOX ON JUNE 9. 2017.

RESPECTFULLY,

JASON MORRIS GOURDINE

Jason Morris Gourdine

JUNE 9, 2017

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SUMMONS

IN RE: GOURDINE

TO: THE S.C. COURT OF APPEALS,

YOU ARE HEREBY SUMMONED AND REQUIRED, to answer and be in compliance (emphasis added), to The Writ Of Mandamus, a copy of which is herewith served upon you, and you are to serve a copy of your answer and proof of compliance (emphasis added) upon the subscriber at the address listed below within

(30) days after service thereof, exclusive of the day of such service, and if you fail to answer and be in compliance, default and judgment will be rendered against you for the relief sought within the Mandamus.

JASON MORRIS GOURDINE
199055 WANDO C-255
LIEBER C.I. P.O. BOX 205
RIDGEVILLE, S.C. 29472

Jason Morris Gourdin

RICHLAND COUNTY
JUNE 1, 2017

THE SUPREME COURT
STATE OF SOUTH CAROLINA

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RESPONDENT

AFFIDAVIT OF FACTS GIVING JUDICIAL NOTICE, FILING
WRIT OF MANDAMUS AND MOTION TO MOTION THEREFOR

IN RE: JASON GOURDINE

TO: THE SUPREME COURT ET. AL.,

In pursuant to Article 4 § 20 powers of justices and or judges at chambers, each of the justices and or judges at chambers, including The South Carolina Supreme Court, and all Courts on record, shall have the same powers at chambers, to issue Writs Of Habeas Corpus, Mandamus, Quo Warranto, Certio-

rari,...and pursuant to Rule 65 and 21 of State and Federal Rules Of Procedure.

Pursuant to Rule 57 Of State and or Federal Rules Of Civil and or Criminal Rules Of Procedure and or S.C. Code Ann § 15-53-10 through § 15-53-140 and or 28 U.S.C. §§ 2201, 2202. In cases of actual controversy,...any court of The United States, upon the filing of an appropriate pleading, may declare the right and other legal relations of any interested party seeking such Declaration whether or not further relief is or good be sought****.

The petitioner/ appellant give the Courts and all parties Judicial Notice. The Appellant was given opportunity by the S.C. Court Of Appeals to submit Brief. An extension of time was given for which the appellant sincerely appreciated. At that juncture, the appellant filed his motion to exceed the page limit so that he would not be prejudiced when submitting his Brief due to his desire to argue against several precedent setting cases that are established in this state. The appellant is indisputably permitted to argue against the precedent if they bear upon the issues intended to be submitted in his case. This justifies the granting of the motion to exceed the page limit; Joseph v. South Carolina Dept. Of Labor, Licensing And Regulation, 417 S.C. 436, 790 S.E.2d. 763(S.C.App.2016); Stokes-Craven Holding Corp. v. Robinson, 416 S.C. 517, 787 S.E.2d. 485(S.C.App.2016); Johnson v. Johnson, S.E.2d., 2014 WL 2721680 (S.C.App.2014).

Insomuch, it has been well over a month. No disrespect intended towards the honorable Court Of Appeals. But it doesn't take over a month to rule on a simple uncomplicated motion. I motion to have the Ruling expedited. This produces an inordinate delay and potentially obstruction of justice, Benton v. Burns, 2017 WL 491251(D.C.Md.2017); Pegg v. Heranberger, 845 F3d. 112(4th.Cir.2017); Johnson v. Byrd, 2016 WL 6839410 (N.C.2016); Lacra v. Rosenbaum, 2016 WL 6775638(N.C.2016);

Graham v. Gayron, 831 F3d. 176(4th.Cir.2016).

The petitioner just want the motion ruled on without any further unjust delays to permit the appellant to bring forth his issues before the S.C. Court Of Appeals in a timely manner. This is not an unreasonable request by the appellant's rights of Due Process. The appellant has a Due Process right to have his motion ruled on in a timely manner within any unnecessary delays or potentially acts of machination. Thus, this Writ Of Mandamus seeking this relief is now filed, Valentine v. Jagodzinski, 2016 WL 6638014(2016); Strong v. H.M.A. Fentress County General Hospital LLC., 194 F.Supp.3d. 685(Tenn.2016); Porter v. Jedziniak, 334 S.C. 16, 18, 512 S.E.2d. 497, 498(1999) citing Williams v. City Of Greenville, 243 S.C. 82, 132 S.E.2d. 169 (1963); IN RE: Wainwright, CA5 (Fla.) 1975, 518 F2d. 173; IN RE: First Federal Savings & Loan Association Of Dorham, 860 F2d. 135, 138(4th.Cir.1988); 198 F3d. at 511.

IT IS SO ORDERED

DATE

JASON MORRIS GOURDINE

Jason Morris Gourdine

JUNE 1, 2017

Jason Morris Gourdine 199055
LIEBER, C. I. Wando-C-255
P.O. Box 205
Ridgeville S.C. 29472

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