

STATE OF SOUTH CAROLINA
COUNTY OF RICHLAND

IN THE SOUTH CAROLINA
SUPREME COURT

ROBERT JAMES #261393
Appellant,
v.
STATE OF SOUTH CAROLINA
Respondent.

Appellate Case No:
2017-001174

TIMELY FILING OF
PETITION FOR REHEARING *

The dismissal order in this case was filed on June 13, 2017, however, the Kershaw Correctional Institution mailroom did not receive the order until June 14, 2017 (see, enclosed with this letter, a copy of the date-stamped envelope that the order arrived in and a copy of the order).

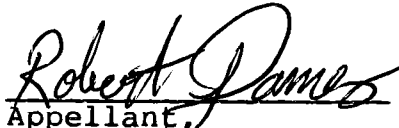
And it wasn't until June 15, 2017, that I the Appellant, signed for and actually received the order. My timeline to file does not begin until I actually receive the order, which was on June 15, 2017. Per Rule 221(a) of the South Carolina Appellate Court Rules (SCACR), any petition for rehearing would have had to be actually received by the Court on or before June 30, 2017.

The Court received the Appellant's petition for rehearing on June 30, 2017, therefore, the Appellant's petition for rehearing **was filed timely**. Thus, the June 29, 2017 sending of the remittitur was prematurely sent.

Furthermore, the Appellant respectfully notes that, this letter would have been sent sooner, however, the Appellant has been diligently attempting to obtain a copy of the actual form (which shows the actual date) that an inmate signs any time he receives any legal material. However, the Appellant was finally informed by the Kershaw mailroom Director C. Amason, that inmates are not allowed a copy of that form. And **only** by instructions from South Carolina Department of Correction Headquarter or a court order, could Kershaw mailroom provide the Appellant with a copy of the form that shows the actual date that he actually received the court order.

Therefore, in light of these facts, the Appellant respectfully asks this Court to reconsider accepting his petition for rehearing since the petition **was filed timely**.

Respectfully submitted,


Appellant,

Robert James #261393
K.C.I. H.C.114
4848 Goldmine Hwy.
Kershaw, S.C. 29207

DATE: July 13, 2017

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JUL 19 2017
S.C. SUPREME COURT

me Court of South Carolina

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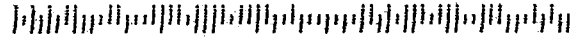
JUN 14 2017

KC101
MAILROOM

ROBERT ANTHONY JAMES, 261393
KERSHAW CORRECTIONAL INSTITUTION
4848 GOLD MINE HWY
KERSHAW SC 29069

KC114

29067-013699



The Supreme Court of South Carolina

Robert Anthony James, Petitioner,

v.

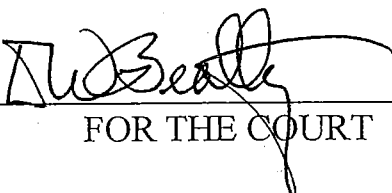
State of South Carolina, Respondent.

Appellate Case No. 2017-001174

Lower Court Case No. 2015CP4005186

ORDER

In the explanation required by Rule 243(c) of South Carolina Appellate Court Rules (SCACR), petitioner has failed to show that there is an arguable basis for asserting that the determination by the lower court was improper. Accordingly, this matter is dismissed. The remittitur will be sent as provided by Rule 221(b), SCACR.

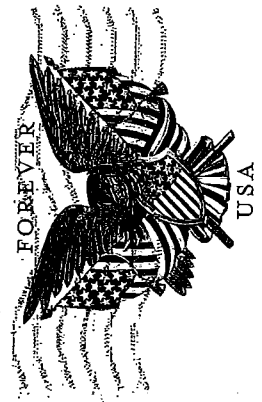


FOR THE COURT C.J.

Columbia, South Carolina
June 13, 2017

cc: Julie Amanda Coleman, Esquire
Mr. Robert Anthony James, 261393

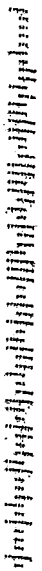
ROBERT JAMES #261393
K.C.1. H.C. 114
4848 Goldmine Hwy.
Kershaw, S.C. 29067

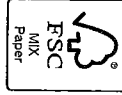


COLUMBIA, SC 29200
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THE SUPREME COURT OF SOUTH CAROLINA
Daniel E. Shearouse, Clerk of Court
Post Office Box 11330
Columbia South Carolina 29211

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