



The Supreme Court of South Carolina

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CLERK OF COURT

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September 05, 2017

Mr. Donald W. Gay, 00244300
Lee Correctional Institution
990 Wisacky Highway
Bishopville SC 29010

Re: Donald W. Gay v. State
Appellate Case No. 2017-001808
Lower Court Case No. 2012CP4007275

Dear Petitioner:

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.

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 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.

Further, for this matter to proceed, you will need to provide the following within twenty (20) days of the date of this letter:

- (1) A proof of service showing that a copy of the notice of appeal has been served on opposing counsel as required by Rules 243(b) and 203(d)(1)(B)(i), SCACR. I have enclosed a sample proof of service along with a copy of your notice of appeal; and,
- (2) The written explanation required by Rule 243(c), SCACR. This explanation must contain sufficient facts, argument and citation to legal authority to show that there is an arguable basis for asserting that the lower court's determination that this matter is barred as being untimely under the statute of limitations and as being successive is improper. The failure to make a sufficient showing may result in the dismissal of this matter.

Finally, since you have filed multiple post-conviction relief applications challenging the underlying criminal conviction(s), the Court, if it determines that you have failed to provide an adequate explanation under Rule 243(c), SCACR, may decide to prohibit you from filing a post-conviction relief application, habeas corpus action or any other action, motion or petition in the circuit court challenging this conviction(s) and sentence(s) (including a motion under Rule 29 of the South Carolina Rules of Criminal Procedure) without first obtaining the permission of this Court to do so. If you believe that there is some reason(s) why such a prohibition should not be imposed on future filings by you in the circuit court, those reasons should be provided within twenty (20) days of the date of this letter.

Very truly yours,



CLERK

Enclosures

cc: Jessica Elizabeth Kinard, Esquire

FORM 7
PROOF OF SERVICE OF A NOTICE OF APPEAL

THE STATE OF SOUTH CAROLINA
In The Court of Appeals
[In The Supreme Court]

APPEAL FROM GREENVILLE COUNTY
Court of Common Pleas

George E. Brown, Circuit Court Judge

Case No. 2000-CP-00-0000

Stephen L. Doe, as Personal
Representative of the Estate of
John B. Doe, Respondent,

v.

Jane C. Roe, Appellant.

PROOF OF SERVICE

I certify that I have served the Notice of Appeal on Stephen L. Doe by depositing a copy of it in the United States Mail, postage prepaid, on September 15, 2000, addressed to his attorney of record, Mary P. Jones, Post Office Box 456, Greenville, South Carolina 29000 [by personally delivering a copy of it to his attorney of record, Mary P. Jones, at her office at 123 Oak Street, Greenville, South Carolina 29000, on September 15, 2000].

September 15, 2000

s/ John E. Smith
John E. Smith
Post Office Box 123
Greenville, South Carolina 29000
(864) 000-000-0000
Attorney for Appellant