

The State of South Carolina

Vincent Rice # 314178

Appellant

V.  
South Carolina Department of Corrections  
Respondents

In the Court of Appeals

Case No: 2017-001484

Appellant's Motion in  
Opposition of Respondents failure  
to timely reply to Amended initial Brief

Now comes, I Appellant, Vincent Rice and submit this motion in opposition of Respondents failure to reply to my amended initial Brief, in compliance with S.C. Appellate Court rule (208)(2), and moves for the court to refuse acceptance of the Respondents brief in they've violation of court rule (208)(a)(4)

I shall establish the grounds of this motion beginning with the appearance of Respondents Attorney Annie Rumber into the case, staff Attorney, Annie Rumber's notice of appearance was filed in this court on September 23, 2017, the Respondents initial reply brief was filed and submitted by Attorney Annie Rumber the following day in this court on September 24, 2017.

However, I submitted an amended initial brief with amended facts in this court on September 28, 2017, in accordance with SC rule (208)(a)(2), the Respondents were obligated to respond to the facts and statements, in my initial amended brief within (30) days from September 28, 2017. No reply, to my amended claims within (30) days is an automatic grounds for a ruling in opposition to Respondents; being that my facts have not been refuted.

The Court should Rule in opposition to  
the Respondents due to the following:

- 1.) The Respondents, used the "appearance" as a strategy to "disrupt my initial briefing to the court. Attorney Rumber was in fact the initial Respondents Attorney from the lower Administrative Court (see exhibit B) records on appeal.
- 2.) The Respondents staff are professional legal experts that communicate and operate with the judicial dept at a segment. They also have a legal obligation by oath to comply with court Rules
- 3.) (208)(a)(4) - Upon the failure of Respondents to timely file a brief, the Appellate court may take such action it deems necessary.

Conclusion

Respondent's Sept 24, 2017 reply brief was untimely. The court should refuse to accept this brief and not allow an amendment. For the court to rule otherwise would be wholly unfair and prejudice, because I assert the fact that the Respondents has held me in "unlawful custody" due to a "internal determination of law on my last day in prison. I've been held in illegal custody for over (382) days, suffering harm, while the Respondents allowed to "stagnate" justice on the court's dock. It is for the above reasons, the court should rule in opposition of the Respondents and refuse they've untimely briefs.

Respectfully Submitted

October 17, 2017

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OCT 20 2017

SC Court of Appeals

Vincent Rice  
V.C.L.  
P.O. Box 205  
Ridgeville, S.C. 29478

# Certificate of Service

I, Appellant Vincent Rice #016178, did forward a hand written copy of Motion to rule in opposition to the Respondents by via mail on October 17, 2017, to the following address with sufficient postage.

Annie Brewster  
Respondents Attorney  
444 Broad River Rd  
Columbia, SC 29210

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Vincent Rice # 214178  
L.C.I.  
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OCT 18 2017

MAIL ROOM  
LIEBER C.I.

Clerk of Appellate Court  
1220 Senate St  
Columbia, S.C. 29201

**RECEIVED**

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