

The State Of South Carolina
In The Court Of Appeals
Appeal From The Administrative Law Court
Ralph King Anderson III Administrative Law Judge
Case no. 17-ALJ-04-0233-AP

SCDC

v

Billy Pee

Respondent

Appellant

Notice Of Appeal

I Billy Pee appeals the decision of the Honorable Ralph King Anderson dated
Appellant received a copy of this decision on

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NOV 17 2017

SC Court of Appeals

Billy Pee

The State Of South Carolina
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Appeal From The Administrative Law Court
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Respondent

SCDC

v
Billy Pee

Appellant

Proof Of Service

I certify that I have served The Notice Of Appeal on the Administrative Law Court Edgar A Brown Building 1205 Pendleton Street Suite 224 Columbia SC 29201, Office Of General Counsel P.O. Box 21787/4444 Broad River Rd Columbia SC 29221, SC Court Of Appeals P.O. Box 11629 Columbia SC 29211 by depositing a copy of it in the US Mail, postage prepaid on October 27, 2017, November 13, 2017

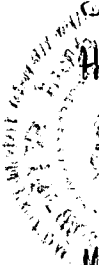
Billy Pee

Sworn to and subscribed before me

This 13th Day of November 2017

Yolanda Long
Notary Public

My commission expires 1/20/2022



Letter To The Appellate Court
Clerk Filing The Notice Of Appeal

The Honorable Jenny Abbott Kitchings
Clerk, SC Court Of Appeals
P.O. Box 11629 Columbia SC. 29211

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SC Court of Appeals

Re: Deficient law library; The Filing fee and the Proof of Service

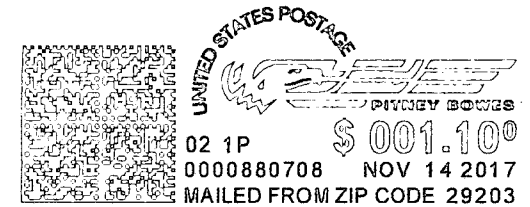
Dear Mrs. Abbott

I am writing you in concerns to the proof of service which you repeatedly keep stating to the record is deficient. Based upon the date, when in fact the notary public specifies the date it was served upon all the parties listed, the affidavit of service format is based upon the Federal. The reason the Petitioner has been formatting the Proof of Service like this is because Manning Correctional Institution has a deficient law library with no South Carolina Rules of Court the Associate Warden Patterson was made cognizant of this issue more than eight months ago, based upon the antecedent the Appellant should not be held liable

Furthermore concerning the filing fee the money was initially removed from the Appellants account then placed back on it. The actions of SCDC are ambiguous to the Appellant and out of his control the money has remained on the account and in abundance of caution the Appellant has refrained from spending it which has now impeded upon his way of life and living conditions. Additionally the court keep asserting within (10) days as if the time it signs its document is applicable as the initiating date. When in fact those 10 days donot apply until the Appellant recieves that document at the institution see *Houston v Lack* 487 US 266, 108 S.Ct. 2379 (1988) concerning the "prison mail box rule" which is analogous to SCRCiv P Rule 6(e) Additional Time After Service By Mail Or Upon Statutory Agen

Ergo the antecedent information considered dismissal is proscribed and if it is applied the Honorable Clerk would be impeding upon the Appellants appeal, when he satisfied the requisites of diligence.

Billy Pee 111433 Ward 7-HB
MCI 502 Beckman Drive
Columbia SC 29203



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