

The Supreme Court of South Carolina

DANIEL E. SHEAROUSE
CLERK OF COURT

BRENDA F. SHEALY
CHIEF DEPUTY CLERK

POST OFFICE BOX 11330
COLUMBIA, SOUTH CAROLINA
29211
1231 GERVAIS STREET
COLUMBIA, SOUTH CAROLINA 29201
TELEPHONE: (803) 734-1080
FAX: (803) 734-1499
www.sccourts.org

November 29, 2017

Mr. Kenneth Whitmore, #227057
1009 David Lee Coffee Road
Anderson SC 29625

Re: Kenneth Whitmore v. The State
Appellate Case No. 2017-002067

Dear Mr. Whitmore:

The South Carolina Court of Appeals opened the above case up as an appeal and transferred this case to this Court.

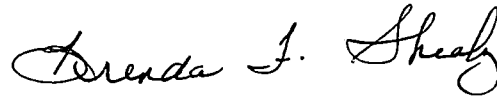
Based on my review of the notice of appeal dated October 3, 2017, the notice of appeal was an attempt to have the South Carolina Court of Appeals review this Court's decision in Appellate Court Case Number 2017-001691. Since the Court of Appeals has no authority to review a decision of this Court,¹ the Court of Appeals should not have opened this case up as an appeal and should have simply informed you that it has no authority to review a decision of this Court. Therefore, no action will be taken on this notice of appeal, and Appellate Court Case Number 2017-002067 has been marked as ended.

¹ Indeed, the decisions of this Court are binding as precedent on the Court of Appeals. Article V, § 9, South Carolina Constitution.

If you desire to seek appellate review of a decision of this Court, then I call your attention to the Rules of the Supreme Court of the United State (available at <https://www.supremecourt.gov/filingandrules/2017RulesoftheCourt.pdf>) and any applicable federal statutes relating to the Supreme Court of the United States.

Finally, you have filed documents entitled "Rule 60(b) (4) Relief from Judgement" and "Rule 205 Effect of Appeal." Both of these documents seek relief from criminal convictions and compensation. These two documents will be processed as petitions seeking relief under Rule 245 of the South Carolina Appellate Court Rules, and will be processed under Appellate Court Case Number 2017-002312. You will be advised when the Court takes action on these petitions.

Very truly yours,

A handwritten signature in cursive script that reads "Brenda J. Shealy".

CHIEF DEPUTY CLERK

cc: Megan Harrigan Jameson, Esquire