



# The Supreme Court of South Carolina

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December 8, 2017

Mr. Corey L. Williams, 259070  
Tyger River Correctional Institution  
Lower Yard  
100 Prison Road  
Enoree SC 29335-9308

Re: Corey L. Williams v. State  
Appellate Case No. 2017-002491  
Lower Court Case No. 2013CP0402353

Dear Mr. Williams:

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](http://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](http://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.

Since the order of the circuit court determined that this action is barred as being successive and/or as being untimely under the statute of limitations, Rule 243(c), SCACR, requires you to provide a written explanation as to why this determination was improper. This explanation must contain sufficient facts, argument and citation to legal authority to show that there is an arguable basis for asserting that the determination by the lower court was improper. The failure to make a sufficient showing may result in the dismissal of this matter.

I ask that you please provide the explanation required by Rule 243(c) within twenty (20) days of the date of this letter.

If it is appropriate to dismiss this notice of appeal without prejudice under *Hudson v. Hudson*<sup>1</sup> due the filing of a timely Rule 59, SCRCP, motion, then you will need to seek that relief from this Court.<sup>2</sup>

Finally, as to the Rule 60(b), SCRCP, motion I do call your attention to the fact that Rule 60(b) states "[d]uring the pendency of an appeal, leave to make the motion must be obtained from the appellate court."

Very truly yours,

A handwritten signature in black ink, consisting of a large, stylized initial 'L' followed by a series of loops and a long horizontal stroke extending to the right.

CLERK

cc: Lindsey Ann McCallister, Esquire

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<sup>1</sup>290 S.C. 215, 349 S.E.2d 341 (1986) ("in the event timely post-trial motions are filed under Rule 59, simultaneously with or subsequent to the filing of a Notice of Appeal, the appellant shall notify the Clerk of this Court in writing. Upon receipt of such notice, the appeal shall be dismissed without prejudice. Any party can appeal within ten (10) days after the order disposing of the post-trial motions.").

<sup>2</sup> The public case index for Anderson County does not reflect that the Rule 59 motion has been filed. You may want to check with the clerk of the circuit court to determine if this motion has in fact been filed.