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MR. HAMID DEMMIRIO #  
LIEBER CORR. INST. WB-235  
POST OFFICE BOX 205  
RIDGEBVILLE, S.C. 29472

JAN 16 2018 JANUARY 8, 2018

S.C. SUPREME COURT

RE: APPELLATE NO.:  
2015-002184

SOUTH CAROLINA SUPREME COURT  
1231 GERVAIS ST., BOX 11330  
COLUMBIA, S.C. 29201

DEAR HONDRABLE COURT:

IN JANUARY 2016, I RECEIVED AN ORDER FROM THIS COURT IN WHICH I HAVE ENCLOSED A COPY OF THAT ORDER FOR YOUR VIEW. I'M WRITING TO KINDLY MOVE THIS COURT TO PLEASE COUNTERMAND AND/OR REVERSE THAT RULING IN THE INTEREST OF FAIRNESS AND DUE PROCESS WHEREFORE I, HAMID DEMMIRIO, MAY REDRESS THIS HONORABLE COURT ON MY MERITORIOUS VALID CLAIMS.

ISSUES

1. THE LOWER COURT ERRED BY SUMMARILY DISMISSING MY INITIAL 2003-CP-40-5340 P.C.R. APPLICATION AND DISMISSING THE 2007-CP-40-7566, 2009-CP-40-2685, 2013-CP-40-4121, AND 2016-CP-40-03723 BY NEVER CONDUCTING ANY TYPE OF HEARING WHATSOEVER IN NEITHER OF THE ABOVE CASES.
2. THE LOWER COURT ALSO ERRED BY NOT ENTITLING AND AWARDING ME TO AN EVIDENTIARY HEARING ON MY ASSERTIONS PURSUANT TO AUSTIN V. STATE, 305 S.C. 453, 409 S.E.2d 395 (1991) OR THAT "ONE BITE AT THE APPLE" CITING RICE V. STATE, 305 S.C. 448, 452, 409 S.E.2d 395 (1991).



# The Supreme Court of South Carolina

Hamid Demmirio, Petitioner,

v.

State of South Carolina, Respondent.

Appellate Case No. 2015-002184

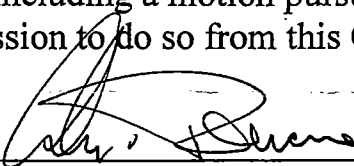
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## ORDER

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Petitioner has filed a notice of appeal from the denial and dismissal of his fourth application for post-conviction relief (PCR). Petitioner has also submitted the explanation required by Rule 243(c), SCACR. We find petitioner has failed to show there is an arguable basis for asserting the determination by the lower court was improper. Accordingly, we dismiss the notice of appeal in this matter.

Moreover, we hereby prohibit petitioner from filing any further collateral actions in the circuit court, including PCR actions and habeas corpus actions, as well as any motions relating to the previously filed collateral actions, challenging petitioner's 1987 convictions for murder and armed robbery (1987-GS-40-3393), or any motions in the underlying criminal case, including a motion pursuant to Rule 29, SCRCrimP, without first obtaining permission to do so from this Court.



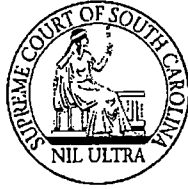
C.J.

FOR THE COURT

Columbia, South Carolina

January 7, 2016

cc: James Rutledge Johnson, Esquire  
Hamid Demmirio, #115800  
The Honorable Jeannette McBride



# The Supreme Court of South Carolina

DANIEL E. SHEAROUSE  
CLERK OF COURT

BRENDA F. SHEALY  
CHIEF DEPUTY CLERK

POST OFFICE BOX 11330  
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29211

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COLUMBIA, SOUTH CAROLINA 29201

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[www.sccourts.org](http://www.sccourts.org)

January 25, 2016

The Honorable Jeanette W. McBride  
PO Box 2766  
Columbia SC 29202-2766

## REMITTITUR

Re: Hamid Demmirio v. State  
Lower Court Case No. 2013CP4004121  
Appellate Case No. 2015-002184

Dear Clerk of Court:

The above referenced matter is hereby remitted to the lower court or tribunal. A copy of the judgment of this Court is enclosed.

Very truly yours,

CLERK

cc: James Rutledge Johnson, Esquire  
Hamid Demmirio, #115800

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LIEBER CORRECTIONAL INSTITUTION  
S.C. DEPARTMENT OF CORRECTIONS

THE DEPARTMENT OF CORRECTIONS HAS NOT  
INSPECTED OR CENSORED THIS ITEM. THEREFORE,  
THE DEPARTMENT DOES NOT ASSUME RESPONSIBILITY  
FOR ITS CONTENTS.

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S.C. DEPARTMENT OF CORRECTIONS

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