

Robert M. Watkins  
Appellant

In the South Carolina Court of Appeals  
of the State of South Carolina  
Appellate Case # 2015-002191

pld34

The State of South Carolina  
Greenville County  
Respondent

SCACR 240(e) expedited Motion  
to reinstate S.C. Court of Appeal  
Unpublished Opinion 2011-UP-091  
on Ground of Fraud upon The Court

1-4-2018

The above appellant comes before this Court by way of Motion Pursuant to SCACR 240(e) to reinstate it March 8 2011 unpublished opinion 2011-UP-091 on grounds that the State of South Carolina assistant attorney General William M. Blitch Jr. committed fraud upon the Court in order to get the S.C. Court of Appeals to recall the remittitur and Judgment of reversal Id in attached exhibit # 1. That reversed appellants September 24 2008 conviction under Indictment 2002-GS-23-1063 Id in attached exhibit # 2, in order to continue the criminal prosecution of Appellants case after he had been released from custody of SCDL on approval of the S.C. Attorney General's office that no appeal will proceed; the S.C. Court of Appeals April 21 2011 order issued denying Assistant Attorney General William M. Blitch Jr. Petition for a rehearing. SCDL Policy 21.09 § 21.5.C.

RECEIVED

JAN-09 2018

MSC Court of Appeals

Robert M. Watkins  
243813 420718  
P.C.F.  
430 Oaklawn Rd  
Pete SC 29669

On March 8 2011 This Court issued an Unpublished Opinion 2011-UP-091 Id as Exhibit #1 attached. reversed appellants September 21 2008 conviction under Indictment 2002-GS-23-1063 Id as Exhibit #2

Exhibit #1 was sent to Assistant Deputy Atty General Salley W Elliott informing her that Pursuant to Rule 221(b) of SCACR, the remittitur in this case will be sent to the clerk of Court for Greenville County after fifteen (15) days exclusive of the date of filing of this opinion. She forwarded Exhibit #1 to assistant Atty General William M Blitch Jr who on March 21, 2011 timely filed a Petition for a rehearing. Before this Court sent the remittitur. see Id as Exhibit #3 attached

This Court on April 21, 2011 issued an order denying Assistant attorney General William M. Blitch Jr. Petition for a rehearing see Id as Exhibit #4 attached (cover letter and actual order) 2 pages.

This Court sent the cover letter and April 26, 2011 filed order denying assistant Attorney General William M Blitch Jr. Petition for a rehearing to assistant Deputy Atty General Salley W. Elliott, informing her that the remittitur in this case will be held in this Court so long as required by SCACR 221(b). see Id as Exhibit #4 attached

Assistant Deputy attorney General Salley W Elliott, held on to the SC Court of Appeal April 21 2011 Filed order denying rehearing, resulting in the remittitur being properly sent to this court as required by SCACR 221(b), when this court did not receive the filing of a Petition for a writ of certiorari as required Pursuant to SCACR 242(c) on June 2<sup>nd</sup> 2011. see Id as Exhibit #5 attached

The Clerk of Court Greenville County received the remittitur and Judgment Id as Exhibit #5 on June 9<sup>th</sup> 2011, making that Judgment final.

On June 14 2011 Appellant was released from SCDL into the custody of Greenville County see Id as Exhibit #7 attached and held on a No Bond under arrest warrant 6865977-88, Indictment 2002-GS-23-1063 Id as Exhibit # (2)

I ask this Court to please notice the date that I received from Senior Assistant Attorney General Tracy Mayers Pursuant to S.C.F.O.I.A. request... A copy of Assistant Attorney General William M. Blitch Jr. Mail log from April 21, 2011 - June 15 2011, which was on January 6 2012 see Id as Exhibit # 8 attached

Assistant Deputy attorney General Salley W. Elliott Forward to assistant Attorney General William M. Blitch Jr. The June 2 2011 Remittitur This Court sent to her, which was logged in on his mail log on June 3<sup>rd</sup> 2011 see Id as exhibit # 8 attached

She then forwarded to him on June 15 2011 The This Courts April 21 2011 order denying his Petition for a rehearing for Robert Watkins see Id in Exhibit # 8 unfortunately it was too late to file

a Petition for a writ of Certiorari, in which would have been by May 21, 2011. Not only should assistant attorney General known by the exhibit # 4 that the time had expired for filing a Petition for a writ of Certiorari, But before assistant Deputy attorney General Salley W Elliott forward that order to him she forwarded the remittitur to him, which is logged in on his mail log on June 3<sup>rd</sup> 2011. see Id as Exhibit # 8 attached

Exhibit # 8 Contains evidence that assistant Attorney General William M. Blitch Jr. had received this Courts April 21 2011 order denying his Petition for a rehearing. logged in on his mail log on June 15. 2011.

### Fraud Upon This Court

On the same day June 15, 2011 This Courts April 21, 2011 filed order denying Petition for rehearing for Appellant Robert Watkins Id in exhibit # 8 assistant attorney General William M. Blitch Jr

Filed with this Court an Expedited Motion to recall the remittitur. See Id as exhibit # 9 attached

In that Expedited Motion to recall the remittitur, He included knowingly misstatement of Facts to deceive this Court, and to prevent my Appellate Counsel from challenging this expedited motion to recall the remittitur, because Counsel was not aware of its futility. Therefore appellants injury did not file a referendum that Motion pursuant to S.C.A.R. 240(c). Assistant attorney General William M. Blitch Jr. knowingly with a reckless disregard for the truth, with the intentions

That the representation of the false statement of facts be acted upon and Appellant's ignorance of its falsity, and this court's proximate reliance on its truth, that this court consequences and injury by ruling on the false information, as follows:

False statements of facts in Exhibit #1 Assistant attorney General William M. Blitch Jr. expedited Motion to recall the remittitur.

II

Respondent was never served with a copy of the Order of the Court of Appeals denying Respondent's Petition for Rehearing. The undersigned checked his incoming mail log, any unfiled mail, and the files associated with this appeal, and has been unable to find any indication of being served with a copy of the Order denying the Petition for a Rehearing.

II

Additionally, the undersigned rechecked his mail log and mail and was unable to find any order denying the Petition for Rehearing.

IV

As a result of never receiving the Order denying the Petition for Rehearing, Respondent never received notice that the time for serving and filing the intended Petition for Writ of Certiorari had begun to run.

V

The Undersigned asks the Court to recall the remittitur because it was sent without the undersigned receiving a copy of the Order denying the Petition for Rehearing, and as a result, the undersigned cannot Petition for Writ of Certiorari as intended. See *Wise v S. Carolina Dept. of Corr.* 372 S.C. 173, 174, 642 S.E.2d. 551, 551 (2007) citing *State v Keels*, 39 S.C. 533, 17 S.E. 802 (1893).

Exhibit #8 Assistant Attorney General William M. Blitch Jr. mail log that Appellate received on Jan 6, 2012 show that the Respondent's undersigned did receive this court's Order denying Petition For a Rehearing, forward to his mail log and logged on June 15, 2011.

This Court relied on the false statement in which Respondent requests the call of remittitur because it never received notice of the Petition for rehearing denial. Because Respondent did not receive such notice, This Court granted Respondent's Assistant Attorney General William M Blich Jr. motion to recall the remittitur on June 30 2011. see Id as exhibit # 10 attached.

In which Assistant Atty General William M Blich Jr. maliciously sought to continue the criminal prosecution and appeal of appellants case, without Probable Cause to deprive him of his right to a reversal, of the conviction and a New trial granted to him by This Court on March 8 2011, in its Unpublished Opinion #2011-UP-091 State v Watkins, Id as exhibit # (1). By on July 14, 2011, filing a Petition for a writ of Certiorari, Appellate Case 2011-195272. see Id as Exhibit # (1) attached

The SC Supreme Court Granted The Petition for writ of Certiorari and on Dec 4, 2013 reversed This Court Judgment in its unpublished Opinion 2011-UP-091 in State v Watkins 406 S.C. 360, 752 S.E.2d 261 (2013), which affirmed the September 24 2008 Conviction Id as exhibit # (2).

Had it not been for the fraud upon the court by Assistant Atty General William M Blich Jr, and this Court acting or reliance of that fraud false statement of facts Id, that this Court issued a motion to recall the remittitur on. The SC Supreme Court would have never had jurisdiction to reverse This Courts Judgment in Unpublished Opinion 2011-UP-091 State v Watkins. Appellant therefore ask This Court to grant his expedited Motion to reinstate This Court Judgment unpublished opinion 2011-UP-091.

Appellant further shows this Court that proof exists that when documents are Received by the Attorney General's office they are stamped Received Date and Attorney General's office on the documents. Documents that are address and sent to the wrong designee, is always forwarded to the appropriate designee. see Appellants Oct 20, 2011

letter he sent to Assistant Deputy Atty General Salley W Elliott  
it was received on Oct, 24 2011 and route to Tracey Meyers  
to William M Blitch. Id as Exhibit # (12) attached

see the remittitur enclosed as Exhibit # (C) endorsed by  
The Attorney General's office when it was received.

It was sent to Assistant Atty General William M. Blitch Jr.  
It was sent to Assistant Deputy Atty General Salley W Elliott.  
But now see Assistant Atty General William M Blitch Jr.

Mail log Id as Exhibit # (8). On June 3rd 2011 its logged  
in on his Mail log. Assist. Deputy Atty General Salley  
W Elliott had to forwarded it to him.

I was not any mistake, error or inadvertence of this Court  
of any members of this Court, that The Respondent, Assistant Atty  
General William M Blitch Jr did not received This court  
April 21 2011 order denying his Petition for a rehearing,  
in time to file a petition for a Writ of Certiorari.

When this Court sent the April 21 2011 filed order and cover sheet to  
Assistant Deputy Atty General Salley W Elliott on April 21 2011. When its  
received, its stamped with date received by Attorney General's office.  
The cover letter would have the actual date received; the actual order  
wouldn't. There is no way the SC Attorney General's office can explain  
the non existence of the cover sheet that will have the date received on  
it, but have a copy of the actual order, which was logged in on  
Assistant Atty General William M Blitch Jr mail log on June 15 2011.  
That agency knows that if it produces that to me pursuant to SC  
FOIA. That it will show that it was received in time for it to be forwarded  
to William M Blitch. So that agency conceal its; and now the  
Attorney General's office has stopped inmates incarcerated from  
obtaining document from government agency because of the misconduct  
that agency is doing; that question the integrity of the public's  
interest in the Government,

Conclusion:

Relief Sought

Reinstatement of SC Court of Appeals  
Judgment of Unpublished Opinion  
2011-UP-091 State v. Watkins  
Filed March 8 2011

Exhibits in support of Motion

The search 2406) Expedited Motion to Reinstatement  
unpublished opinion 2011-UP-091 State v Watkins  
Consists of attached Exhibits, in support of Motion

- Exhibits # 1, - 3 pages
- # 2, - 4 pages
- # 3, - 1 page
- # 4, - 2 pages
- # 5, - 1 page
- # 7, - 2 pages
- # 8, - 5 pages
- # 9, - 4 pages
- # 10, - 1 page
- # 11, - 1 page
- # 12, - 1 page

Robert Watkins 243803  
Q2A118  
P. C. I  
430 Oaklawn Rd  
Petzer SC 29669

~~Exhibit~~ Exhibit # 1  
3 pages



# The South Carolina Court of Appeals

TANYA A. GEE  
CLERK

V. CLAIRE ALLEN  
DEPUTY CLERK

POST OFFICE BOX 11629  
COLUMBIA, SOUTH CAROLINA 29211  
1015 SUMTER STREET  
COLUMBIA, SOUTH CAROLINA 29201  
TELEPHONE: (803) 734-1890  
FAX: (803) 734-1839  
www.sccourts.org

March 8, 2011

Appellate Defender Elizabeth Franklin-Best  
South Carolina Commission on Indigent Defense  
P O Box 11589  
Columbia, SC 29211

Robert Watkins, #243803  
McCormick Correctional Institution  
386 Redemption Way  
McCormick, SC 29899

Assistant Deputy Attorney General Salley W. Elliott  
Office of the Attorney General  
P.O. Box 11549  
Columbia, SC 29211

Robert Mills Ariail, Esquire  
13th Circuit Solicitor's Office  
305 E. North St., Ste. 325  
Greenville, SC 29601-2185

Re: The State v. Watkins, Robert

Dear Counsel:

Enclosed is the opinion of the Court of Appeals in this case. Pursuant to Rule 221(b) of the South Carolina Appellate Court Rules, the remittitur in this case will be sent to the Clerk of Court for Greenville County after fifteen (15) days, exclusive of the date of filing of this opinion.

No extension for a Petition for Rehearing will be granted except in the most extraordinary circumstances and, except in the rarest cases, with seven days' notice.

Sincerely,

*V. Claire Allen*

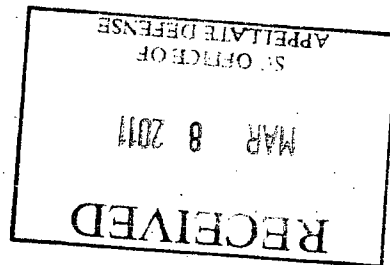
V. Claire Allen  
Deputy Clerk of Court

REHEARING? \_\_\_\_\_

(date due \_\_\_\_\_)

CLOSE? \_\_\_\_\_

CERT? \_\_\_\_\_



~~103~~ 9

187  
Both sides

THIS OPINION HAS NO PRECEDENTIAL VALUE. IT SHOULD NOT BE CITED OR RELIED ON AS PRECEDENT IN ANY PROCEEDING EXCEPT AS PROVIDED BY RULE 268(d)(2), SCACR.

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

The State,

Respondent,

v.

Robert Watkins,

Appellant.

\_\_\_\_\_  
Appeal From Greenville County  
Larry R. Patterson, Circuit Court Judge

\_\_\_\_\_  
Unpublished Opinion No. 2011-UP-091  
Submitted February 1, 2011 – Filed March 8, 2011

\_\_\_\_\_  
**REVERSED**  
\_\_\_\_\_

Appellate Defender Elizabeth Franklin-Best, of Columbia, for Appellant.

Attorney General Alan M. Wilson, Chief Deputy Attorney General John W. McIntosh, Assistant Deputy Attorney General Salley W. Elliott, and Assistant Attorney General William M. Blich, Jr., all of Columbia; and Solicitor Robert M. Arial, of Greenville, for Respondent.

*[Handwritten signature]*  
B-1-A 3/11/11  
10

**PER CURIAM:** Robert Watkins appeals his convictions for armed robbery and possession of a weapon during the commission of a violent crime. His trial resulted from a grant of post-conviction relief (PCR) by the South Carolina Supreme Court. The judge of that new trial was the same judge who presided over Watkins's PCR hearing. On appeal from the new trial, Watkins argues the trial judge erred in (1) denying Watkins's recusal motion and (2) granting Watkins's motion to proceed pro se. We reverse.<sup>1</sup>

Generally, "[a] judge shall disqualify himself or herself in a proceeding in which the judge's impartiality might reasonably be questioned . . . ." Canon 3(E)(1), CJC, Rule 501, SCACR. In Floyd v. State, 303 S.C. 298, 400 S.E.2d 145 (1991), the South Carolina Supreme Court granted a defendant a new PCR hearing because the judge who presided over his PCR hearing also presided over the trial from which PCR was sought. Id. at 299, 400 S.E.2d at 146. The court held that "in all [PCR] hearings . . . , a judge shall, upon motion, recuse himself if he was the judge who presided at the guilty plea, criminal trial, or probation revocation proceeding for which relief is being sought." Id. The Floyd court emphasized that "a per se rule of recusal . . . will eliminate even the suggestion of partiality." Id.

Here, we find Floyd's reasoning is equally applicable to the situation presented by Watkins's new trial. As held in Floyd, a judge must grant a recusal motion made during a new trial arising from a PCR hearing in which the judge also sat. Accordingly, the trial judge erred in denying Watkins's motion for recusal.

Because we reverse the trial court on the above issue, we do not address Watkins's remaining argument. See State v. Taylor, 388 S.C. 101, 124 n.23, 694 S.E.2d 60, 72 n.23 (Ct. App. 2010) (holding that an appellate court need not address remaining issues when a decision on a prior issue is dispositive).

**REVERSED.**

**WILLIAMS, GEATHERS, and LOCKEMY, JJ., concur.**

---

<sup>1</sup> We decide this case without oral argument pursuant to Rule 215, SCACR.

EXHIBIT #2 4 pages

WITNESSES

W.C. BRUCE

*Owens A*

GPD

12/19/01

DOCKET NO. 2002-GS-23-

TJQ

C1063

The State of South Carolina

County of Greenville

COURT OF GENERAL SESSIONS

FEBRUARY TERM 2002

A Certified Copy  
Paul B. Wiseman  
Clerk of Court, C.P. & G.S.  
Greenville County, SC  
Dated 1-28-15

12

THE STATE

vs.

*Guilty*

9-24-08  
**GUILTY**

ROBERT MAX WATKINS

ARREST WARRANT NUMBER

G 865977

G 865988

ACTION OF GRAND JURY

**TRUE BILL**

*Joan Holme*

FOREMAN GRAND JURY

Representative of Grand Jury

VERDICT

COUNT ONE: *Guilty*

COUNT TWO: *Guilty*

Indictment for

0139 ARMED ROBBERY

VIOLATION § 16-11-330

0549 POSSESSION OF A WEAPON DURING

THE COMMISSION OF OR THE ATTEMPT TO

COMMIT A VIOLENT CRIME

VIOLATION § 16-23-490

*Joan Holme*  
Foreperson of Petit Jury

*10/25/02*  
Date

273

ENTERED  
ACCT

SCANNED

STATE OF SOUTH CAROLINA )  
COUNTY OF GREENVILLE )

INDICTMENT FOR  
COUNT ONE - ARMED ROBBERY  
COUNT TWO - POSSESSION OF A WEAPON DURING  
THE COMMISSION OF OR THE ATTEMPT TO COMMIT  
A VIOLENT CRIME

At a Court of General Sessions, convened on FEBRUARY 19, 2002 the

Grand Jurors of Greenville County present upon their oath:

COUNT ONE - ARMED ROBBERY

That ROBERT MAX WATKINS did in Greenville County, on or about the 19th day of December, 2001, while armed with a deadly weapon, or while alleging, either by action or words or both, he was armed while using a representation of a deadly weapon or any object which a person present during the commission of the robbery reasonably believed to be a deadly weapon did, by use of force, threats or intimidation, take and carry away the property of another, to wit: U.S. currency from Chuckie Cheese. This is in violation of §16-11-330 of the South Carolina Code of Laws (1976) as amended.

COUNT TWO - POSSESSION OF A WEAPON DURING THE COMMISSION OF OR THE ATTEMPT TO COMMIT A VIOLENT CRIME

That ROBERT MAX WATKINS did in Greenville County, on or about the 19th day of December, 2001, possess or visibly display a handgun during the commission or attempted commission of a violent crime, to wit: Armed Robbery. This is in violation of §16-23-490 of the South Carolina Code of Laws (1976) as amended.

Against the peace and dignity of the State, and contrary to the statute in such case made and provided.

Thomas J. Quinn  
SOLICITOR

A Certified Copy  
Paul B. Williams  
Clerk of Court, P. & G.S.  
Greenville County, SC  
Dated 1-28-15

13

STATE OF SOUTH CAROLINA

COUNTY OF Greenville  
STATE

VS.  
Robert Watkins

AKA:

Race: B Sex: M Age: 42

DOB: [redacted] SSN: [redacted]

Address: [redacted]

DL#: GREENVILLE, SC 00000 29607  
SID#: [redacted]

IN THE COURT OF GENERAL SESSIONS

INDICTMENT/CASE#: 2002GS2301063

A/W#: G865977

Date of Offense: 12/19/2001 - 1/19/2004

S.C. Code §: 16-11-0330(A)

CDR Code #: 0139

SENTENCE SHEET

In disposition of the said indictment comes now the Defendant who was  CONVICTED OF or  PLEADS TO: ROBBERY, ARMED WITH A DEADLY WEAPON (GS)

in violation of § 16-11-0330(A) of the S.C. Code of Laws, bearing CDR Code # 0139

NON-VIOLENT  VIOLENT  SERIOUS  MOST SERIOUS  Mandatory GPS(CSC)  §17-25-45 w/minor 1st or Lewd Act

The charge is:  As Indicted,  Lesser Included Offense,  Defendant Waives Presentment to Grand Jury. (Defendant initial)  
The plea is:  Without Negotiations or Recommendation,  Negotiated Sentence,  Recommendation by the State.

ATTEST: *J. C. Marchant*  
Marchant, Lucas

Defendant Attorney for Defendant SC Bar#

WHEREFORE, the Defendant is committed to the  State Department of Corrections,  County Detention Center, for a determinate term of 25 days/months/years or  under the Youthful Offender Act not to exceed \_\_\_\_\_ years and/or to pay a fine of \$ \_\_\_\_\_; provided that upon the service of \_\_\_\_\_ days/months/years and/or payment of \$ \_\_\_\_\_; plus costs and assessments as applicable\*; the balance is suspended with probation for \_\_\_\_\_ months/years and subject to South Carolina Department of Probation, Parole and Pardon Services standard conditions of probation, which are incorporated by reference.

CONCURRENT or  CONSECUTIVE to sentence on:  
 The Defendant is to be given credit for time served pursuant to S.C. Code § 24-13-40 to be calculated and applied by the State Department of Corrections.  
 The Defendant is to be placed on the Central Registry of Child Abuse and Neglect pursuant to S.C. Code §17-25-135.

SPECIAL CONDITIONS:

RESTITUTION:  Deferred  Def. Waives Hearing  Ordered PTUP

Total: \$ \_\_\_\_\_ plus 20% fee: \$ \_\_\_\_\_ days/hours Public Service Employment

Payment Terms:

set by SCDPPPS

- Obtain GED
- Attend Voc. Rehab. or Job Corp.
- May serve W/E beginning
- Substance Abuse Counseling
- Random Drug/Alcohol testing
- Fine may be pd. in equal, consecutive weekly/monthly pmts. of \$ \_\_\_\_\_ beginning
- \$ \_\_\_\_\_ paid to Public Defender Fund
- Other:

Recipient:

*Fine:		\$
§ 14-1-206 (Assessments 107.5 %)		\$
§ 14-1-211(A)(1) (Conv. Surcharge)	\$100	\$
§ 14-1-211(A)(2) (DUI Surcharge)	\$100	\$
§ 56-5-2995 (DUI Assessment)	\$12	\$
§ 35.13 (Public Def/Prob)	\$500	\$
§ 73.3, 1B TP (Law Enforce. Funding)	\$25	\$
§ 33.7, 1B TP (Drug Court Surcharge)	\$100	\$
§ 50-21-114(BUI Breath Test Fee)	\$50	\$
§ 56-5-2942(J) (Vehicle Assessment)	\$40/ea	\$
3% to County (if paid in installments)		\$
§ 90.11 TP (SCCJA Surcharge)	\$5	\$
TOTAL		\$

Appointed PD or appointed other counsel, §35.13 TP Requires \$500 be paid to Clerk during probation.

*Paul B. Wickens*  
Clerk of Court/ Deputy Clerk

Court Reporter: *M. Dirolamo*

PRESIDING JUDGE

Judge Code: 2

Sentence Date: *September 24, 2008*

STATE OF SOUTH CAROLINA

COUNTY OF Greenville  
STATE

VS.  
Robert Watkins

AKA:

Race: B Sex: M Age: 42  
DOB: SS#

Address: GREENVILLE, SC 0000029607

DL#: SID#

IN THE COURT OF GENERAL SESSIONS

INDICTMENT/CASE#: 2002GS2301063

A/W#: G865988

Date of Offense: 12/19/2001 - 1/19/2004

S.C. Code § : 16-23-0490

CDR Code #: 0549

SENTENCE SHEET

In disposition of the said indictment comes now the Defendant who was  CONVICTED OF or  PLEADS TO: POSSESSION OF A WEAPON DURING A VIOLENT CRIME

in violation of § 16-23-0490 of the S.C. Code of Laws, bearing CDR Code # 0549  
 NON-VIOLENT  VIOLENT  SERIOUS  MOST SERIOUS  Mandatory GPS(CSC §17-25-45 w/minor 1st or Lewd Act)

The charge is:  As Indicted,  Lesser Included Offense,  Defendant Waives Presentment to Grand Jury (Defendant initial)  
The plea is:  Without Negotiations or Recommendation,  Negotiated Sentence,  Recommendation by the State.

ATTEST: *J. C. Marchant*  
Marchant, Lucas

Defendant

Attorney for Defendant SC Bar#

WHEREFORE, the Defendant is committed to the  State Department of Corrections,  County Detention Center, for a determinate term of 5 days/months/years or  under the Youthful Offender Act not to exceed \_\_\_\_\_ years and/or to pay a fine of \$ \_\_\_\_\_; provided that upon the service of \_\_\_\_\_ days/months/years and/or payment of \$ \_\_\_\_\_, plus costs and assessments as applicable\*; the balance is suspended with **probation** for months/years and subject to South Carolina Department of Probation, Parole and Pardon Services standard conditions of probation, which are incorporated by reference.

CONCURRENT or  CONSECUTIVE to sentence on: September 24, 2008 for armed robbery  
 The Defendant is to be given credit for time served pursuant to S.C. Code § 24-13-40 to be calculated and applied by the State Department of Corrections.  
 The Defendant is to be placed on the Central Registry of Child Abuse and Neglect pursuant to S.C. Code §17-25-135.

RESTITUTION:  Deferred  Def. Waives Hearing  Ordered PTUP

Total: \$ \_\_\_\_\_ plus 20% fee: \$ \_\_\_\_\_

Payment Terms:

set by SCDPPPS

days/hours Public Service Employment

Recipient:

\*Fine:

§ 14-1-206 (Assessments 107.5 %)		\$	
§ 14-1-211(A)(1) (Conv. Surcharge)	\$100	\$	
§ 14-1-211(A)(2) (DUI Surcharge)	\$100	\$	100
§ 56-5-2995 (DUI Assessment)	\$12	\$	
§ 35.13 (Public Def/Prob)	\$500	\$	
§ 73.3, 1B TP (Law Enforce. Funding)	\$25	\$	
§ 33.7, 1B TP (Drug Court Surcharge)	\$100	\$	25
§ 50-21-114(BUI Breath Test Fee)	\$50	\$	
§ 56-5-2942(J) (Vehicle Assessment)	\$40/ea	\$	
3% to County (if paid in installments)		\$	
§ 90.11 TP (SCCJA Surcharge)	\$5	\$	
TOTAL		\$	

- Obtain GED
- Attend Voc. Rehab. or Job Corp.
- May serve W/E beginning
- Substance Abuse Counseling
- Random Drug/Alcohol testing
- Fine may be pd. in equal, consecutive weekly/monthly pmts. of \$ \_\_\_\_\_ beginning
- \$ \_\_\_\_\_ paid to Public Defender Fund
- Other:

Appointed PD or appointed other counsel, §35.13 TP Requires \$500 be paid to Clerk during probation.

*Paul B. Wickens*  
Clerk of Court/ Deputy Clerk

Court Reporter: *M. D. Arvola*

PRESIDING JUDGE

Judge Code: *20315*

Sentence Date: *September 24, 2008*

Exhibit # 3



ALAN WILSON  
ATTORNEY GENERAL

March 21, 2011

**VIA HAND DELIVERY**

The Honorable Tanya A. Gee  
Clerk, South Carolina Court of Appeals  
Post Office Box 11629  
Columbia, South Carolina 29211

Re: State v. Robert Watkins

Dear Ms. Gee:

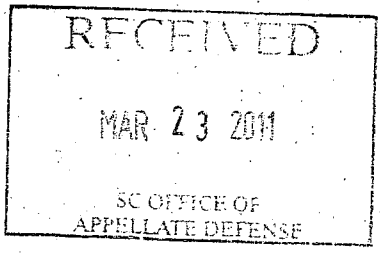
Please find enclosed for filing the original and six (6) copies of the Petition for Rehearing, with proof of service, in the above-referenced case.

Sincerely,

William M. Blich, Jr.  
Assistant Attorney General

Enclosures

cc: ~~Elizabeth A. Franklin-Best, Esquire (2 copies enclosed)~~  
Victim's Services (enclosure)



16



Exhibit #4  
2 pages

## The South Carolina Court of Appeals

TANYA A. GEE  
CLERK

V. CLAIRE ALLEN  
DEPUTY CLERK

POST OFFICE BOX 11679  
COLUMBIA, SOUTH CAROLINA 29211  
1015 SUMNER STREET  
COLUMBIA, SOUTH CAROLINA 29201  
TELEPHONE: (803) 734-1890  
FAX: (803) 734-1839  
www.sccourts.org

April 21, 2011

Assistant Deputy Attorney General Salley W. Elliott  
Office of the Attorney General  
P.O. Box 11549  
Columbia, SC 29211

Re: The State v. Watkins, Robert

Dear Counsel:

Enclosed is a copy of an Order of the Court denying your Petition for Rehearing in the above case.

The Remittitur in this case will be held in this Court only so long as required by Appellate Court Rule 221 (b).

Please notify this office, in writing, within ten (10) days from the date of this letter, whether or not you want any of the remaining Records on Appeal and briefs we may have in this case. Also enclose a check payable to the S. C. Court of Appeals, in the amount of \$7.50, to cover mailing costs. If we have not heard from you within ten (10) days, the Record on Appeal and briefs will be disposed of.

Sincerely,

*V. Claire Allen* *jt*

V. Claire Allen  
Deputy Clerk of Court

VCA/lf

cc: Appellate Defender Elizabeth Franklin-Best  
Robert Watkins, #243803  
Robert Mills Ariail, Esquire

10

# The South Carolina Court of Appeals

The State,

Respondent,

v.

Robert Watkins,

Appellant.

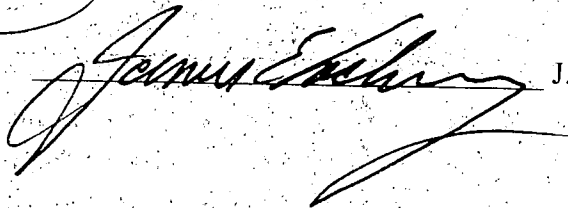
The Honorable Larry R. Patterson  
Greenville County  
Trial Court Case No. 2002-GS-23-01063

ORDER

After a careful consideration of the Petition for Rehearing, the Court is unable to discover any material fact or principle of law that has been either overlooked or disregarded and hence, there is no basis for granting a rehearing. It is, therefore, ordered that the Petition for Rehearing be denied.

 J.

 J.

 J.

Columbia, South Carolina

**FILED**

April 21, 2011

*Edith*

Exhibit #5  
1 page



RECEIVED

JUN - 3 2011

ATTORNEY GENERALS  
OFFICE

The South Carolina Court of Appeals

TANYA A. GEE  
CLERK

V. CLAIRE ALLEN  
DEPUTY CLERK

POST OFFICE BOX 11629  
COLUMBIA, SOUTH CAROLINA 29211  
1015 SUMNER STREET  
COLUMBIA, SOUTH CAROLINA 29201  
TELEPHONE (803) 734-1890  
FAX (803) 734-1839  
www.sccourts.org

June 2, 2011

REMITTITUR

The Honorable Paul B. Wickensimer  
305 E. North Street  
Greenville, SC 29601-2120

Re: The State v. Watkins, Robert  
2002-GS-23-01063

Dear Mr. Wickensimer:

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

Sincerely,  
*V. Claire Allen*

V. Claire Allen  
Deputy Clerk of Court

VCA/lf

cc: Appellate Defender Elizabeth Franklin-Best  
Robert Watkins, #243803  
Assistant Deputy Attorney General Salley W. Elliott  
Robert Mills Ariail, Esquire

*No Petition for a Writ of Habeas  
was received or filed with SC Court  
of Appeal pursuant to SCRA 242(c)  
So under SCRA 242(b) the  
remittitur was sent  
on June 14, 2011 & was  
released for custody  
of SCOC.  
M. Comstock*

Jail #: 0194 Pack #: 134960 Juv#: Cell: YEL Custody Level: MED SS

Name (L/F/M/S): WATKINS ROBERT MAX  
Addr: 106 EISENHOWER DR 8 C: GREENVILLE S: SC ZIP: 29607  
POB: DC Age: 46 DOB: 05/22/1965 Race: B Sex: M WgtIn: 225 HgtIn: 601  
CC: SSN: [REDACTED] Hair: BLK Eyes: BRO Wgtout: HgtOut:  
Phone: 864-232-9277 Rel Pref: ISL Educ: XXX Ins:  
Attorney: Photo#: 32003988 B.Money: \$0.00

NextKin (L/F/M/S): LATTIMORE FRANCES  
Phone: 864-232-5786 Relationship: GM  
Addr: 12 MARIE ST C: GREENVILLE S: SC ZIP: 29609

Notify Victim?: N Arrs Off: WORTKOETTER Records Clerk: EHUCKS  
Booked: 13:09 06/14/2011 B.ORI: 000 B.Off: LSMITH S.Off: CCOLLOGAN

Charges:	Warrant	Case	Court & Judge	Ori
HOLD FOR COURT Indict: Sentenced on 09/24/2011 - see Charge Comments	APPEALNEXT2	HOLD/COURT	3 SOLICI SOLICI	000
POSS GUN/KNIFE DURING COMM OF VI G865988 Indict: 2002GS2301063 Sentenced on 09/24/2011 - see Charge Comments		UNDERSENT	3 PATER PATER	000
ROBBERY: ARMED ROBBERY W/A DEADL G865977 Indict: 2002GS2301063 Sentenced on 09/24/2011 - see Charge Comments		UNDERSENT	3 PATER PATER	000
BENCH WARRANT: MAGISTRATES Indict: (CS) Sentenced on 12/15/2011 to 200.00 or 30 dys	Y780115	01102993	1 GRIMSL CAGLE	000

01835233  
C-Smith  
C-Smith 1-30-12  
INMATE RECORDS OFFICE  
APR 18 2012

nic warr

Released Date: 1/20/12 Judge: Patterson Release Where? Cust.

Released Off-> [Signature] c: 1980 S: [Signature]

GREENVILLE COUNTY  
DETENTION CENTER - RECORDS  
CERTIFIED COPY  
10/18/12  
Current Date

Jail #: 0194 Pack #: 134960 Juv#: Cell: YEL Custody Level: MED SS

Name (L/F/M/S): WATKINS ROBERT MAX

Comments:

GENERAL COMMENTS:

TAG # 078353/0455795

SENTENCE COMMENTS:

CHARGES G865977 AND G865988 ARE PENDING FINAL DISPOSITION OF APPEALS' PROCESS. INMATE CURRENTLY CONSIDERED AS BEING SENTENCED AS THE APPEAL IS STILL PENDING.

Other Names:

BASE ROBERT  
WALKINS ROBERT MAX  
WALKINS ROBERT MAXWELL

Search & Classification at Booking:

T NPF CW PW SU C1 PAO 3F5 EH DH ES CAO KIB MF Cus Ovr Date  
A F N Y N SS Y N N Y N Y CLR F MAX MED 12/15/2011

Search Exp:

Class Exp:

GREENVILLE COUNTY  
DETENTION CENTER - RECORDS  
CERTIFIED COPY  
10/11/12  
Current Date

INMATE RECORDS OFFICE  
2012 APR 18 AM 10:18

~~Rj 46 f 50~~



WILLIAM BLITCH'S MAIL LOG APRIL 21, 2011 - JUNE 15, 2011

April 21, 2011 Court of Appeals	Opinion	Tyquan Jared Amir Jones
April 22, 2011 SCCID-Hudgins Court of Appeals Court of Appeals Court of Appeals SCCID-Hudgins	FBOA James Letter Order denying rehearing Order denying rehearing Petition to file ext	Walter Thompson Brian Keith Kelly Ervin Gamble Juan Orozco James Walter Thompson
April 25, 2011 Samuel Whitner	Request	
April 26, 2011 SCCID- Dudek Court of Appeals Supreme Court Court of Appeals	letter re: amended final briefs letter re: status of case Time allotment for argument Motion for ext granted	Gerald Pitts James Miller Gerald Carlisle
April 27, 2011 Court of Appeals Court of Appeals Court of Appeals Court of Appeals	letter re: oral argument letter re: oral argument Pet. For ext granted letter re: oral argument	Charles Coleman Leon Hill Jack Harrison MacArthur Lee, Jr.
April 28, 2011 Court of Appeals Supreme Court SCCID-Franklin-Best	pet for ext granted Letter Samuel Whitner Petition for Rehearing	Benjamin P. Green James C. Miller
April 29, 2011 Court of Appeals Richard Harpootlian	Opinion consent motion for ext	Antoine Miller Kendra Samuel
May 2, 2011 SCCID-Hudgins	FBOR	Bryant J. Kinloch
May 3, 2011 John Martin Foster	Motion for ext	Mark Allen Hoyle
May 4, 2011 G. Dewy Oxner, Jr- Haynesworth, Sinkler, Boyd	Motion to file Amicus Brief Amicus Brief	John M. Sterling

~~Handwritten signature~~  
23

22  
May 5, 2011

Supreme Court Order  
Court of Appeals Order  
SCCIDtranscript request  
SCCID-Hudgins FBOA Marco

John M. Sterling, Jr.  
Christopher Spriggs  
Jermaine T. Fuller  
Andrea Clark

May 6, 2011

Court of Appeals Petition Granted

Mark Alan Hoyle

May 9, 2011

Supreme Court Order granting Cert  
SCCID-Dudek Letter Gerald Carl Pitts  
Supreme Court Order granting Cert  
Court of Appeals Remittitur

Zeb Eron Binnarr

Reginald R. Latimore  
Tyquan Jared Amir Jones

May 10, 2011

Supreme Court letter  
John H. Blume letter re: order  
Joseph M. MCCulloch, Jr. Response to Petition for Rehearing  
G. Dewey Oxner Motion to Admit Counsel Pro Hac Vice

Samuel Whitner  
Christopher Sprigg  
Ryan Hercheck  
John M. Sterling

May 11, 2011

Court of Appeals submitted case  
Supreme Court Order  
Court of Appeals Opinion

Kevin M. Ware  
John M. Sterling, Jr.  
Kevin Allen Chase

May 17, 2011

SCCID-Franklin-Best ROA  
Court of Appeals Remittitur  
Court of Appeals Remittitur

Taylor K.  
Antoine Miller  
Marcus McKenzie

May 18, 2011

Court of Appeals ext Order  
Court of Appeals no oral argument  
Court of Appeals no oral argument  
Court of Appeals no oral argument

Dominic Leggette  
Leon Hill  
Bobby Lee Burdine  
MacArthur Lee, Jr.

May 20, 2011

Jack B. Swerling Letter

Jack Harrison, Jr.

May 23, 2011

Court of Appeals Motion for ext granted  
Court of Appeals Petition for ext granted

May 24, 2011

Court of Appeals Opinion  
Court of Appeals argument acknowledgment  
The Finney Law Firm Petition for Writ of Cert

Najjar De'Breece Byers  
Charles Coleman  
Adam Whitsett

May 25, 2011

Supreme Court extension order  
Court of Appeals extension order  
SCCID-Dudekext letter  
Supreme Court Letter and order  
Court of Appeals case submitted on briefs  
Court of Appeals Opinion

Juan Orozco  
Steven Burton  
Juan Orozco  
Ervin Gamble  
Charles Coleman  
Eugene Payton

May 26, 2011

Supreme Court Request denied

John M. Sterling, Jr.

May 27, 2011

Tara Dawn Shurling Petition for rehearing  
SCCID-Pachak IBOR

Kevin Chase  
Danny Long

June 1, 2011

Court of Appeals Order denying rehearing  
SCCID-Dudekext letter Samuel Whitner  
Brigid Jones Amended Final Reply brief  
Brigid Jones Amended Initial Reply brief

Thomas Simmons  
John M. Sterling, Jr.  
John M. Sterling, Jr.

June 2, 2011

Supreme Court ext order  
Court of Appeals Letter  
Court of Appeals Motion Granted

Samuel Whitner  
Christopher Spriggs  
Marco Andrea Clark

June 3, 2011

Court of Appeals Remittitur

Robert Watkins

June 6, 2011

John Martin Foster FBOR

Mark Allen Hoyle

June 7, 2011

SCCID-Franklin-Best FBOA  
SCCID-DuRant BOA

Taylor Key  
Reginald R. Latimore

June 8, 2011

Court of Appeals Opinion  
Court of Appeals ext Order

Phillip Wesley Sawyer  
David Johnson

~~Robert Watkins~~ 25

June 9, 2011		
Court of Appeals	Opinion	Kevin M. Ware
Supreme Court	Motion Denied	John M. Sterling
Supreme Court	Remittitur	Najjar De'Breece Byers
Court of Appeals	Opinion	Vincent N. Way
June 10, 2011		
Court of Appeals	Remittitur	Eugene Payton
June 13, 2011		
<u>Robert Watkins</u>	<u>Letter</u>	
June 14, 2011		
Court of Appeals	Opinion	Bobby Lee Burdine
Court of Appeals	Motion Granted	Mark Alan Hoyle
June 15, 2011		
Robert M. Dudek	Record on Appeal	Samuel L. Whitner
Court of Appeals	Ext Order	Hazard Cameron
Court of Appeals	Motion for ext granted	Mark Alan Hoyle
Court of Appeals	ext order	Dominic Leggett
<u>Court of Appeals</u>	<u>order denying rehearing</u>	<u>Robert Watkins</u>

~~Robert Watkins~~ 26

*Exhibit # 9  
9 pages*

**ORIGINAL**

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

\_\_\_\_\_  
Appeal From Greenville County  
Hon. Larry R. Patterson, Circuit Court Judge

**RECEIVED**  
JUN 15 2011  
SC Court of Appeals

The State,

Respondent,

v.

Robert Watkins,

Appellant.

**EXPEDITED MOTION TO RECALL REMITTITUR**

Respondent, through its undersigned counsel, would respectfully show unto this Court as follows:

I.

On March 8, 2011, this Court filed an opinion reversing and remanding this case to the circuit court for a new trial. Pursuant to Rule 221, SCACR, Respondent served and filed its Petition for Rehearing on March 21, 2011.

II.

Respondent was never served with a copy of the Order of the Court of Appeals denying Respondent's Petition for Rehearing. The undersigned checked his incoming mail log, any unfiled mail, and the file associated with this appeal, and has been unable to find any indication of being served with a copy of the Order denying the Petition for Rehearing.

*Robert Watkins* 27

## III.

Respondent contacted the docketing office of the Court of Appeals and was informed the Order was sent on or around April 21, but was sent to Salley Elliott with this office instead of the undersigned. As a result, the legal assistant for Salley Elliott checked the mail log and mail for Salley Elliott since the beginning of April. She could not locate any Order received by Salley Elliott related to this appeal.<sup>1</sup> Additionally, the undersigned rechecked his mail log and mail and was unable to find any Order denying the Petition for Rehearing.

## IV.

As a result of never receiving the Order denying the Petition for Rehearing, Respondent never received notice that the time for serving and filing the intended Petition for Writ of Certiorari had begun to run. In the event the Petition for Rehearing was denied, it has always been the intention of the undersigned to seek certiorari in the South Carolina Supreme Court.

## V.

Further, it has come to the undersigned's attention that items from the Court, including recent Orders, have been received by the Office of Appellate Defense even though they were intended for receipt by this office. As an example, the undersigned recently received an Order in the State v. Mark Hoyle appeal that originally went to the Office of Appellate Defense, as evidence by a received stamp, and was forwarded to the undersigned approximately 5 days later. Other individuals in the office have indicated similar circumstances.

The undersigned asks the Court to recall the remittitur because it was sent without the undersigned receiving a copy of the Order denying the Petition for Rehearing, and as a result, the

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<sup>1</sup>Both the undersigned and Salley Elliott are willing to provide Affidavits indicating neither has ever been served a copy of the Court of Appeals' Order denying Respondent's Petition for Rehearing if this Court finds Affidavits would be beneficial.

REBUA 28

undersigned cannot Petition for Writ of Certiorari as intended. See Wise v. S. Carolina Dept. of Corr., 372 S.C. 173, 174, 642 S.E.2d 551, 551 (2007) (citing State v. Keels, 39 S.C. 553, 17 S.E. 802 (1893)).

WHEREFORE, Respondent asks the Court to recall the remittitur because Respondent was never served a copy of the Order denying the Petition for Rehearing, and for such other relief as the Court deems appropriate.

Respectfully submitted,

ALAN WILSON  
Attorney General


JOHN W. McINTOSH  
Chief Deputy Attorney General

SALLEY W. ELLIOTT  
Assistant Deputy Attorney General

WILLIAM M. BLITCH, JR.  
Assistant Attorney General

W. WALTER WILKINS, III  
Solicitor, 13<sup>th</sup> Judicial Circuit


305 E. North Street, Suite 325  
Greenville, South Carolina 29601-2185  
(864) 467-8647

BY:   
William M. Blitch, Jr.

Office of the Attorney General  
Post Office Box 11549  
Columbia, SC 29211  
(803) 734-3727

ATTORNEYS FOR RESPONDENT

June 15, 2011

  
29

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

Appeal From Greenville County  
Hon. Larry R. Patterson, Circuit Court Judge

**RECEIVED**  
JUN 15 2011  
SC Court of Appeals

The State,

Respondent,

v.

Robert Watkins,

Appellant.

**PROOF OF SERVICE**

I, Ellen R. DuBois, certify that I have served the within Expedited Motion to Recall Remittitur by depositing two copies of the same in the United States mail, postage prepaid, addressed to:

Elizabeth A. Franklin-Best, Esquire  
SC Commission on Indigent Defense  
Division of Appellate Defense  
P. O. Box 11589  
Columbia, South Carolina 29211

I further certify that all parties required by Rule to be served have been served.  
This 15<sup>th</sup> day of June, 2011.

Ellen R. DuBois  
ELLEN R. DuBOIS  
Administrative Assistant  
Office of Attorney General  
Post Office Box 11549  
Columbia, SC 29211  
(803) 734-3727

# The South Carolina Court of Appeals

Handwritten mark

The State,

Respondent,

Exhibit #10

1P08

v.

Robert Watkins,

Appellant.

The Honorable Larry R. Patterson  
Greenville County  
Trial Court Case No. 2002-GS-23-01063

2011 JUN -7 11:11 AM  
RECEIVED  
CLERK OF COURT  
GREENVILLE COUNTY

## ORDER

Respondent has asked this court to recall the remittitur in the above-captioned appeal to seek certiorari in the Supreme Court. On March 10, 2011, this Court reversed Appellant's conviction. Respondent timely filed a petition for rehearing, which this Court denied on April 21, 2011. Remittitur was issued on June 2, 2011.

Respondent requests the recall of remittitur because it never received notice of the petition for rehearing's denial. Because Respondent did not receive such notice, we grant Respondent's motion to recall remittitur. See State v. Keels, 39 S.C. 553, 553, 17 S.E. 802, 802 (1893) (providing that remittitur may be recalled upon "a very strong showing . . . that remittitur was sent down through some mistake or inadvertence on the part of this Court or its officer . . .").

AND IT IS SO ORDERED.

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INDEXED

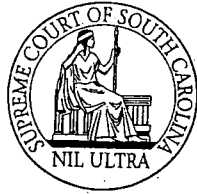


Exhibit # 11

11

# 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

(803) 734-1080

FAX (803) 734-1499

September 12, 2011

Mr. Robert Watkins, #0194  
Greenville County Detention Center  
20 McGee Street  
Greenville, SC 29601-2210

Re: The State v. Watkins, Robert

Dear Mr. Watkins:

This is in response to your letter dated September 6, 2011.

Please be advised that the South Carolina Office of the Attorney General has filed a Petition for Writ of Certiorari in your case on July 14, 2011.

Your attorney will be notified as soon as action has been taken on the above matter.

Very truly yours,

CLERK

DES/lda

cc: Attorney General Alan Wilson  
Chief Deputy Attorney General John W. McIntosh  
Assistant Deputy Attorney General Salley W. Elliott  
Assistant Attorney General William M. Blich, Jr.  
Solicitor W. Walter Wilkins, III  
Appellate Defender Elizabeth A. Franklin-Best

32

Robert M Watkins

Exhibit #

03 p.m. 10-25-2011

in the attorney General Office

2/2  
route to  
Joey  
Meyers

The State of South Carolina  
Attorney General Office  
Salley W. Elliott, Assist. Deputy Attorney General  
Respondent

SC FOIA request

Case 2002-GS-23-106

October 20, 2011

RECEIVED

OCT 24 2011 Wh

ATTORNEY GENERALS  
OFFICE

William

FYI -  
Please  
fill in  
your  
file.

To: The assistant <sup>Deputy</sup> Attorney General Salley W. Elliott  
How are you doing Ma'am  
can you please forward to me, a copy of the  
Notice provided to you by the S.C. Court of Appeals along with  
the order issued denying your petition for a rehearing on  
April 21, 2011. Also can you provide me a copy of  
the motion the attorney General's office filed asking the S.C. Court  
of Appeal to recall the June 2, 2011 remittitur it sent and back  
down to the 13<sup>th</sup> Judicial Circuit Court of Greenville County, office of  
the clerk of Court of General Session Court to Paul B. Wickensloer,  
and the 13<sup>th</sup> Judicial Circuit Court Solicitor Robert M. Arrait.

as well as a copy of the order issued by the  
S.C. Court of Appeal granting the attorney General's office motion  
to recall the June 2, 2011 remittitur.

I am requesting this information and copies of these  
documents, ~~confer~~ pursuant to SC FOIA. In reference  
to the above case 2002-GS-23-1063 State v Robert M Watkins

With Kind Regards Thank you.

Sincerely Yours

Robert M. Watkins 134960 Yellow Post  
Rm 27  
GCDC  
20 W. Gees St, Greenville SC, 29601

cc Assistant Attorney General Salley W. Elliott  
office of the Attorney General  
P.O. Box 11549  
Columbia, SC 29211

cc SC Office of ~~Disciplinary~~ Disciplinary Council

Proof of Service

I Appellant Robert M Watkins Placed in The Perry  
Corr Inst mail room on 1-4-18 my Expedited Motion pursuant  
to SCOR 240e to reinstate SC Court of Appeals judgment  
of Unpublished Opinion 2011-UP-091, addressed to the S.C.  
Attorney General's office Alan Wilson.

**RECEIVED**

JAN 09 2018

SC Court of Appeals

Robert M Watkins 293803  
92A-118

Perry Corr Inst

430 Oaklawn Rd

Pelzer SC 29669

As an indigent prison, Request that the S.C. Court of Appeals  
allow me to file only one copy of my Expedited Motion pursuant  
to SCOR 240e instead of six copies due to my indigency and  
lengthy incarceration. SCDC doesn't make copies of hand written  
documents. Under the oath of perjury I hereby state that I  
am indigent and unable to file pursuant to SCOR 240e six  
copies of my Expedited Motion to reinstate SC Court of Appeals  
Judgment of unpublished opinion 2011-UP-091 in the acts of  
fraud upon the court

Robert Watkins

Sworn to before me on this 4th day

January month 2018 year SC Notary Jamaica Conwell

My Commission Expires  
September 25, 2020

**RECEIVED**

JAN 04 2018

P.C.I. MAILROOM

34

Robert M Watkins 243803 42A118

Perry Correctional Inst

430 Oaklawn Rd

Pelzer SC 29669

South Carolina Court of Appeals  
~~Post Office Box~~

1220 Senate Street

Columbia South Carolina 29201

RECEIVED

JAN 09 2018

SC Court of Appeals

RECEIVED

JAN 04 2018

P.C.I. MAILROOM

LEGAL MAIL