



The Supreme Court of South Carolina

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CLERK OF COURT

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January 03, 2013

Mr. Lorenzo Pygatt, 229026
Lee Correctional Institution
990 Wisacky Highway
Bishopville, SC 29010

Re: Lorenzo Pygatt v. State
Appellate Case No. 2012-213502
Lower Court Case No. 2011-CP-21-00343

Dear Pygatt:

This responds to your letters dated December 10, 2012, and December 15, 2012. As to your request for an extension to provide this office with a copy of the conditional order of dismissal and the final order of dismissal, your time to provide these documents is hereby extended until January 23, 2013.

Further, it appears that this matter was dismissed because the circuit court determined that this action is barred as being successive and as being untimely under the statute of limitations. Therefore, under Rule 243(c) of the South Carolina Appellate Court Rules, you must 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. The explanation required by Rule 243(c) should be served on opposing counsel and filed with this Court by January 23, 2013.

As to your request to withdraw the notice of appeal, I want to make sure that you understand that if this appeal is withdrawn it will be dismissed, and it cannot simply be restored at some later time. If you still desire to have this matter dismissed, I ask that you notify me of this fact by January 23, 2013.

Very truly yours,

A handwritten signature in black ink, appearing to be "D. E. S.", written in a cursive style with a long horizontal flourish extending to the right.

CLERK

cc: David A. Spencer, Esquire