

SEPTEMBER 28, 2016

ATTN: DANIEL E. SHEAROUSE, ESQUIRE  
CLERK OF CLERK, SC SUP. CT.  
P.O. BOX 11330  
COLUMBIA, SC 29211

RECEIVED

OCT 03 2016

S.C. SUPREME COURT

FROM: BOBBY JOE BARTON, #163629  
: APPELLATE CASE NO: 2016-000995

Re: <sup>W</sup>MOTION FOR ENLARGEMENT OF TIME."

: DEAR CLERK,

I AM FILING THIS "MOTION FOR ENLARGEMENT OF TIME",  
CONCERNING MY APPEAL. I RESPECTFULLY REQUEST OF YOU TO PLEASE  
EXPEDITE MY MOTION TO "THE CHIEF JUDGE OF THE SUPREME COURT"  
FOR HIM TO RULE ON MY MOTION. I REQUEST OF YOU TO PLEASE CLOCK  
STAMP MY MOTION AND RETURN A COPY TO ME. I'VE ENCLOSED A  
SELF-ADDRESSED ENVELOPE. I ALSO REQUEST A LETTER WITH "THE"  
"THE SUPREME COURT LETTER HEAD", SHOWING "THE DEAD-LINE" WHERE  
I MUST HAVE THE INITIAL BRIEF FILED. I NEED THIS LETTER TO PROVE  
THAT I HAVE A DEAD-LINE IN ORDER TO RECEIVE A PASS FOR THE LAW  
LIBRARY HERE AT McCORMICK CORR. INST. I THANK YOU IN ADVANCE FOR  
YOUR TIME AND ASSISTANCE IN THIS MATTER.

RESPECTFULLY SUBMITTED,

*Bobby Joe Barton Prose*  
BOBBY JOE BARTON #163629  
McCORMICK CORR. INST.  
386 REDEMPTION WAY  
McCORMICK, SC 29899

MAILED ON 30<sup>TH</sup> DAY OF SEPTEMBER, 2016

CC: BOBBY JOE BARTON, PROSE  
BIB

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SEP 30 2016

STATE OF SOUTH CAROLINA  
IN THE SUPREME COURT

RECEIVED

OCT 03 2016

S.C. SUPREME COURT

BOBBY JOE BARTON,  
PRO SE APPELLANT

V.

STATE OF SOUTH CAROLINA,  
RESPONDENT

MOTION FOR  
ENLARGEMENT OF TIME.

APPELLATE CASE NO: 2016-000995

THE HEREBY APPELLANT HUMBLY MOVES BEFORE THE HONORABLE COURT REQUESTING FOR AN ENLARGEMENT OF TIME PURSUANT TO RULE 263(b) OF SCACR DUE TO THE FOLLOWING CIRCUMSTANCES THAT ARE BEYOND HIS CONTROL AS LISTED BELOW:

1.) THE APPELLANT RECEIVED NOTICE OF HIS PRO SE APPROVAL ON SEPTEMBER 21, 2016 FROM MCCORMICK'S MAIL ROOM (SEE EXHIBIT #1). ON 22<sup>ND</sup> OF SEPTEMBER, 2016 APPELLANT WAS ALLOWED (2) HRS IN THE LAW LIBRARY. ON THE 23<sup>RD</sup>, 24<sup>TH</sup>, & 25<sup>TH</sup> OF SEPTEMBER, 2016, THERE IS NO LAW LIBRARY OPEN TO THE POPULATION.

2.) ON THE 24<sup>TH</sup> OR 25<sup>TH</sup> OF SEPTEMBER, 2016 THERE WAS AN HOMICIDE COMMI- AND THE PRISON WAS LOCKED DOWN STRIKES. ON THE 26<sup>TH</sup> I WAS GIVEN (2) HRS TIME TO DO RESEARCH AND ATTEMPT TO PREPARE AN INITIAL BRIEF.

3.) ON THE 27<sup>TH</sup> OF SEPTEMBER, I WAS TOLD BY CPL. P. MURTON THAT I COULD COME TO THE LAW LIBRARY "ON MONDAYS" IN (THE A.M. (2) hrs OR THE P.M. (2) hrs - ONLY) AND REGARDLESS OF MY DEAD-LINE IN THE SUPREME COURT THAT I COULD NOT HAVE A THIRTY (30) DAYS AS DEFINED IN S.C.D.C. POLICY GA-01.03(1)

PAGE 1 of 3

WHICH IS PURSUANT TO ACCESS TO THE COURTS SUB. SEC 7.3 WHICH STATES  
"INMATES WHO CAN DEMONSTRATE A PENDING COURT DEAD-LINE WILL BE GIVEN  
PRIORITY TO USE THE LAW LIBRARY OVER INMATES WITH NO SUCH DEAD-LINES."

4.) ON THE 28<sup>TH</sup> OF SEPTEMBER, 2016 I RECEIVED A COMPLETE FILE FROM A ONE  
"CHRIS SWENSKI," LEGAL ASSISTANT DATED SEPTEMBER 20, 2016 LIST OF ITS CONTENTS  
BUT I RECEIVED THEM ON WEDNESDAY SEPTEMBER 28, 2016 FROM MS. FRANKLIN, MCCORMICKS  
MAILROOM PERSONEL. THEREFORE I'M PUT AT AN DISADVANTAGE RECEIVING THEM (9) DAYS  
BEHIND THE COURTS RULING TO PROCEED PRO SE. (SEE EXHIBIT-2, THE LETTER & EXHIBIT-3  
THE OUTER ENVELOPE WITH A VERY POOR DATE) APPELLANT STATES THAT THERE IS A ENDORSEMENT  
SIGNATURE OF THE PACKAGE HERE AT MCCORMICK MAILROOM FROM THE SC COMMISSION ON INDI-  
GENT DEFENSE. ON THE 28<sup>TH</sup> SEPTEMBER, 2016. (POSTAL SERVICE WAS NOT USED, INT. DEPARTMENTAL)

5.) THE APPELLANT STATES THAT HE CANNOT EFFECTIVELY PREPARE A BRIEF WITH ONLY  
ONLY 2-2 1/2 HOURS A WEEK AND THIS IS AMOUNTING TO DENIAL TO ACCESS TO THE  
COURT BY REFUSING HIM ACCESS FROM 9/27/16 THRU - 10/3/16 INTO THE LAW  
LIBRARY.

6.) THE APPELLANT HAS EXERCISED DUE DILLIGENCE IN BRING THE VIOLATION  
TO THE ATTENTION OF LT. CAMPBELL, CAPT. BAISLOE, AND ASSOCIATE WARDEN ALLEEN GLID-  
EWELL HEAD OF PROGRAMS HERE AT MCCORMICK CORR. INST.

7.) THE APPELLANT RESPECTFULLY BRING TO THE ATTENTION OF THE COURT THAT  
S.C. DEPT. OF CORRECTIONS ARE UNDER STAFFED AND LOCKS DOWN ON AN  
AVERAGE OF 5:00 P.M. TO 6:00 P.M., THEREFORE THE TWO (2) HRS. NIGHT  
LAW LIBRARY HAVE BEEN TOTALLY ELIMINATED.

THE APPELLANT BELIEVES THAT HE HAS SHOWN JUST CAUSE  
WHY THE HONORABLE COURT SHOULD GRANT HIS MOTION FOR  
ENLARGEMENT OF TIME PURSUANT TO RULE 263(b) OF SCACR.

PAGE 2 OF 3

IT IS WITH MUCH HOPE AND MANY PRAYERS THAT THE APPELLANT HOPES THAT THE COURT WILL GRANT HIM "THE ENLARGEMENT OF TIME," THAT THE COURT DEEM JUST AND PROPER CONCERNING THIS MATTER.

RESPECTFULLY SUBMITTED,

~~By Bobby Joe Barton Pro Se~~  
BOBBY JOE BARTON #163629  
McCORMICK CO. INST.  
386 REDEMPTION WAY  
McCORMICK, SC 29871

THE HEREBY UNDERSIGNED STATES THAT UNDER PENALTY OF PERJURY THAT THE ABOVE IS TRUE AND CORRECT.

~~By Bobby Joe Barton Pro Se~~  
BOBBY JOE BARTON #163629

CC: KAREN C. RATIGAN, ATTORNEY GENERAL'S OFFICE  
BOBBY JOE BARTON, PRO SE  
BJB

PAGE 3 OF 3

JAM JAGG  
MOOF JAM

# PROOF-OF-SERVICE

APPELLATE CASE NO: 2016-000995

THE HEREBY UNDERSIGNED STATES UNDER THE PENALTY OF PERJURY THAT HE HAS SERVED A "MOTION FOR ENLARGEMENT OF TIME" PURSUANT TO RULE 263(b) OF SCACR WITH (3) EXHIBITS UPON: "DANIEL E. SHEAROUSE", CLERK OF COURT, OF THE SUPREME COURT OF SOUTH CAROLINA, P. O. BOX 11330, COLUMBIA, SC 29211 BY HAND DELIVERING THE SAID MOTION TO MCCORMICK'S MAILROOM PERSONEL ON THE 30<sup>th</sup> DAY OF SEPTEMBER, 2016

~~Bobly Joe Barton Pro Se~~  
BOBBY JOE BARTON #163629  
MCCORMICK CORR. INST.  
386 REDEMPTION WAY  
MCCORMICK, SC 29899

CC: KAREN C. RATIGAN, ATTORNEY GENERAL'S OFFICE  
BOBBY JOE BARTON, PRO SE  
BJB

FILED  
2016-09-30

The Supreme Court of South Carolina

DANIEL E. SHEAROUSE, CLERK OF COURT

POST OFFICE BOX 11330  
COLUMBIA, SOUTH CAROLINA 29211

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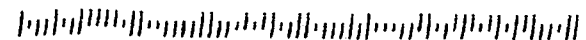
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BOBBY JOE BARTON, #163629  
MCCORMICK CORRECTIONAL INSTITUTION  
386 REDEMPTION WAY  
MCCORMICK SC 29899

RECEIVED  
MAIL ROOM  
SEP 21 2016

EXHIBIT # 1

29899-





# SCCID

SOUTH CAROLINA COMMISSION ON INDIGENT DEFENSE

Division of Appellate Defense  
1330 Lady Street, Suite 401  
Columbia, South Carolina 29201-3332

Post Office Box 11589  
Columbia, South Carolina 29211-1589  
Telephone: (803) 734-1330  
Facsimile: (803) 734-1397

Robert M. Dudek, Chief Appellate Defender  
Wanda H. Carter, Deputy Chief Appellate Defender

September 20, 2016

Mr. Bobby Joe Barton, #163629  
McCormick Correctional Institution  
386 Redemption Way  
McCormick, SC 29899

Re: Your Case

Dear Mr. Barton:

Please find enclosed an Order from the South Carolina Supreme Court related to your case. As you can see, if you wish, my office will be responsible for prints and copies only. In order to file and serve your documents on time, we need them in advance as much as possible before the deadlines. Again, my sole responsibility as it relates to this matter is printing and copying, no revising or preparing indexes, captions, etc. We will also not provide any advice or recommendations.

I have also enclosed all necessary documents from your file for constructing the appendix. The standard appendix order we use in PCR cases is as follows: 1. Trial transcript 2. PCR Application 3. Return 4. PCR Transcript 5. Order of Dismissal 6. Any necessary exhibits 7. Indictments.

Please provide us with a signed copy of all of your filings. We will serve them and file them with the court. Feel free to contact me with any questions or concerns regarding this matter.

Sincerely,

Chris Swenski  
Legal Assistant

EXHIBIT-#2

South Carolina Commission on Indigent Defense  
Division of Appellate Defense  
1330 Lady Street, Suite 401  
Columbia, SC 29201

CONFIDENTIAL LEGAL MAIL

MCCI  
MAIL ROOM

EXHIBIT #3

RECEIVED

SEP 27 2016

MCCI  
MAIL ROOM

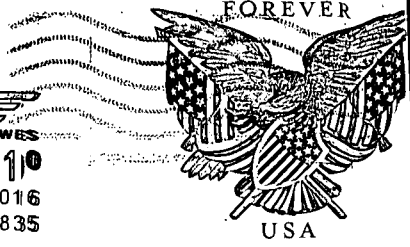
CONFIDENTIAL LEGAL MAIL

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Mr. Bobby Joe Barton, #163629  
McCormick Correctional Institution  
386 Redemption Way  
McCormick, SC 29899

BOBBY BARTON, #163629  
McCormick Corr. Inst.  
386 REDEMPTION WAY  
McCORMICK, SC 29899

AUGUST POSTAGE 309  
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THE SUPREME COURT OF SOUTH CAROLINA  
ATTN: DANIEL E. SHEAROUSE, ESQUIRE  
CLERK OF COURT  
P.O. BOX 11330  
COLUMBIA, SC 29211

"LEGAL-MAIL"

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S.C. DEPARTMENT OF CORRECTIONS



SEP 30 2016  
MCCI  
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