

THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

APPEAL FROM AIKEN COUNTY
COURT OF COMMON PLEAS

RECEIVED
JUL 05 2018
SC Court of Appeals

The Honorable Robert E. Hood, Circuit Court Judge

Appellate Case No. 2016-002367

Cedric L. Woods, #265789,

Appellant,

v.

State of South Carolina,

Respondant.

Reply to Respondent's Motion to Strike and Appellant's Rule 214¹
SCACR Motion to Consolidate Cases on Appeal

1 Rule 214 SCACR CONSOLIDATION

Where there is more than one appeal... or where the same question is involved in two or more appeals in different cases, the appellate court may, in its discretion, order the appeal to be consolidated.

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The Petitioner prays that this Court deny and dismiss the State's Motion to Strike and grant his Motion to Consolidate cases 2014-CP-02-00784 with 2016-CP-02-01406, into a single case, per Rule 214, SCACR, for judicial economy and to expedite adjudication of all of his claims. It has taken ^{years for} four the opportunity to be heard on the original matter in this Court and jurisdictional issues may be "raised at any time."

This Petitioner suffered a debilitating stroke in September of 2015 and has been nearly blind since. As a result of his medical condition he has been moved twice to other SCDC prisons before being returned to Allendale C.I. In these moves and the subsequent shakedown process he has been subjected to when packed and unpacked at each location, his files, which are numerous, are in disarray. This combined with his diminished sight accounts for his confusing the 2014 and 2016 cases.

At the time the Petitioner received the State's response, he was on State-wide lockdown due to the murders of seven inmates at Lee C.I. and was not allowed to leave his cell, much less go to the law library to look up the citings in the State's brief or find support cases with which to counter. This and the confusion caused by the Dismissal Order on the 2016 case he received at about the same time his reply was due also contributed to delay his reply.

The State has been granted numerous extensions to make its response and they have unlimited resources in which to do so. The Petitioner on the other hand, has extremely limited resources with which to compete. It is a true David and Goliath situation. In his library the SE2d books stop at February 2003 and the Supreme Court Reporter stops at 2012. Even though he now has access to Westlaw Correctional Online, it is available for only one hour on only one day.

week. He is unable to print any of the cases he may find and he must read, digest, and hand copy any information that is pertinent to his case. This is an antediluvian way to work. It is little wonder that the Courts of this State are not overwhelmed with nonsensical filings of inmates due to the lack of adequate resources or availability to use them. Additionally, copies can be made only on Mondays and only if he has the funds in his account.

Conclusion

With the numerous extensions granted the State with its unlimited resources and the delays in adjudication of the cases through the lower courts that have frustrated this Petitioner's right to be heard in a meaningful manner and in a timely fashion, as well as the obstacles and limited resources the Petitioner has to do battle with, the State's Motion to Strike should be denied and the Petitioner's Motion to Consolidate should be granted.

The Petitioner still asserts his innocence of all of these charges and has spent the last 18 years of what is left of his life trying to exonerate himself with a new trial.

The Petitioner therefore respectfully asks that this Court dismiss the State's motion out of fairness and grant his Motion to Consolidate as well as any other relief it deems just and appropriate.

Respectfully submitted
Cedric L. Woods, # 265789

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PROOF OF SERVICE

I certify that on this the 2nd day of July, 2018, I have served copies of my reply to the Respondant's Motion to Strike and Motion to Consolidate, per Rule 214, SCACR by delivering copies to the ACl mail room with first class postage to be deposited in the USPS mail and addressed to this Court and the Office of the S.C. Attorney General.

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