

Gregory Pencille
Lee CI F2B 2254
990 Wisacky hwy
Bishopville SC 29010

Date: August 17, 2018

Jenny Abbott Kitchings, Clerk
S.C. Court of Appeals
P.O. Box 11629
Columbia, SC 29211

RECEIVED
AUG 21 2018
SC Court of Appeals

Re: **Appellate Case No.** (2017-001724 & 2017-011725)

Dear Mrs. Kitchings,

I have not received a reply to the compliance letter I sent on July 2, 2018. On July 16th appellant mailed a second notice to this court with appropriate certificate of service and has yet to receive a response to that paper. An order was received on July 23rd, dated July 17th, stating the court has construed a letter filed but gives no date of the letter they ruled on and states "a very strong showing... that remittitur was send down through some mistake or advertence on the part of this court or it's officer" *State v. Keels*, 39 S.C.553, 17 S.E.802 (1893). The court has sent the remittitur down by mistake for several obvious reasons:

- Appellant was denied ability to pay the courts filing fee by his captors,
- Appellant is in the a state of *force messier* due to a massacre that occurred on April 15th, 2018, giving me little or no time to access the courts,
- This court sent an order one day after I had mailed a compliance letter, meaning this court responded to a letter to which they said no action will be taken,
- And, This court construes letters as to their own preference, not construing a motion 59 as the only paper it could have been a **motion to rehear** as per the rules of appellate court in SC.

It is asked that this court recall the remittitur and order the respondent to allow Appellant the ability to pay the court fees as the court has already received the Appellants initial brief and it is construed by me that this court and the SCDC are stalling in an attempt to circumvent justice.



Gregory Pencille, Appellant

Cc: Christina Catoe Bigelow
Hon. Jana E. Shealy
Hon. Paul E. Short

STATE OF SOUTH CAROLINA
Court of Appeals

RECEIVED

Appellate Case No. 2017-001724 & 2017-001725

AUG 21 2018

Gregory T. Pencille,

Appellant,

SC Court of Appeals

v.

South Carolina Department of Corrections,

Respondent.

CERTIFICATE OF SERVICE

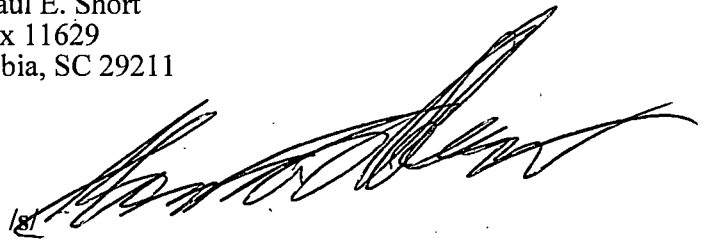
The undersigned hereby certifies that on August 17th, 2018, true and correct copies of the **LETTER TO COURT** have been served by placing the same in the prison mail system, U.S. Mail, postage pre-paid, to the following addresses:

Jenny Abbot Kitchings, Clerk
S.C. Court of Appeals
PO Box 11629
Columbia, SC 29211

Hon. Jana E. Shealy
Edgar Brown Bldg.
1205 Pendleton St. Suite 224
Columbia, SC 29201

Christina Catoe Bigelow, Esq.
Dept. of Corrections
PO Box 21787
Columbia, SC 29221

Hon. Paul E. Short
PO Box 11629
Columbia, SC 29211

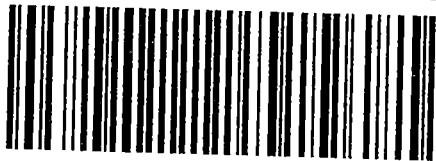


GREGORY T. PENCILLE
990 Wisacky Highway
Bishopville, SC 29010
Appellant, Pro se

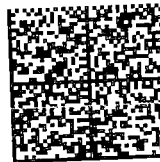
Gregory Penelle 312332
Lee Ct F2B 2254
990 Wisacky Hwy
Bishopville SC 29010

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