

Notice of Appeal

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S.C. SUPREME COURT
VS.

Kevin E. Herrott,

Appellant,

The State of South Carolina,

Respondent.

RE: Kevin Herrott, # 313842, v. State of South Carolina

2018-CP-10-600

Notice of Appeal

November 01, 2018

History

On the 23rd day of October, 2018, and notice mailed first class on Wednesday, October 24, 2018, to all counsel of record for Final Order of Dismissal, PCR Application Denied pursuant to Rule 74A SCRPC as a result Appellant objected by letter of response dated October 30, 2018. However, prior to sending the response by letter via mail of objection to the proposed order the Appellant upon receipt received proposal of Final Order of Dismissal on the 17th day of October, 2018 whose mailroom personnel Broad River Correctional Institution received stamped clock on the 16th that was sent by the AG office on the 15th day of October, 2018. Nevertheless, Appellant attempted to respond to the proposal of Final Order of Dismissal October 17th, 2018 by a timely objection when Appellant notice that his mail was compromise by mailroom personnel Mrs. Ms. Mitchell whom have already been grieved through the prison grievance policy system due to her actions for tamper with mail interfering with legal deadlines. The first attempt was on the 18th day of October, 2018 dated from the 17th day of October, 2018. The 2nd attempt was on a Friday, the 19th day of October sending the same letter by response.

The third attempt Wednesday 24th, 2018 only to have my stopious confirmed when I didn't receive my receipt back for sending the contents out so I wrote another response dated October 30, 2018 when the Final Order of Dismissal was signed already on the 23rd day of October. I am now in the process of turning state evidence of becoming a witness to the April 2018 Deadly Riot where I was Wardkeeper and (I.R.C.) Inmate Representative Chairman for the Unit of Sumter, A TU Building at Lee Correctional Institution and my testimony was intercepted by this same mail room personnel on the 23rd day of August, 2018. This was complained about, but fell on deaf ears.

Nevertheless The Final Order was dismissed pursuant to Rule 77 when it deviated from A Conditional Order of Dismissal if dismissed was to be in accordance to rule S.C. Code Ann. §17-27-70(b). Upon Receipt of Final Order of Dismissal the state has order Appellant that he must file and serve a Notice of Appeal within thirty days of the service which was on the 1st day of November, 2018, of this order to secure appellate review. See Rule 203, S.C.A.C.R. and Rule 227, S.C.A.C.R.

Wherefore, based upon the aforementioned, Notice of Appeal, is to be sought, reviewed, and ruled before this court.

Respectfully Submitted,
K. Herriott

Kevin Herriott #31382
SALUDA 102
Broad River C.I. | Columbia, SC
4460 Broad River Rd. | 29210

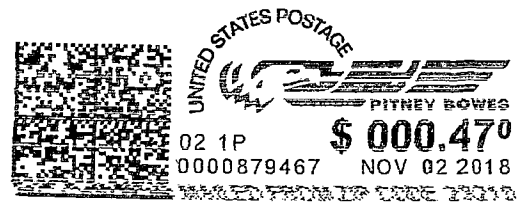
CERTIFICATE OF SERVICE

I, Kevin Herriott, do hereby certify that on this 01st day of November, 2018, I have served Notice of Appeal to Final Order of Dismissal to these actions and by depositing a true copy of the same in this U.S. Mail:

The Honorable Daniel E. Shearouse
Supreme Court Clerk of South Carolina
Columbia, South Carolina 29211

cc: Benjamin H. Limbaugh
Assistant Attorney General

Kevin Harvott # 313862
SALUDA 102
Broad River Correctional Institution
4460 Broad River Rd
Columbia, SC 29210



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Daniel E. Sheppard
Clerk of Court
The Supreme Court
Columbia, SC 29211

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