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SC Court of Appeals

STATE OF SOUTH CAROLINA
IN COURT OF APPEALS

APPEAL FROM THE ADMINISTRATIVE LAW COURT -
S. PHILLIP LENSKI, ADMINISTRATIVE LAW JUDGE

UNPUBLISHED OPINION NO. 2018-UP-426
SUBMITTED OCT 1, 2018 - FILED NOV. 14, 2018

ANDRA B. TAMISON
PRO-SE

APPELLANT

v

SOUTH CAROLINA DEPARTMENT OF CORRECTION RESPONDENT

MOTION FOR THE COURT TO PETITION FOR REHEARING
DUE TO REMITTER SENT DOWN BY MISTAKE, ERROR
OR INADVERTENCE OF THE APPELLANT COURT



ANDRA B. TAMISON # 337461
PRO-SE

GOODMAN C/I B1-333
4536 BROADRIVER RD.

COLA SC 29210

DATE 10TH DEC 2018

NOW COMES THE APPELLANT, I ANDRA B JAMISON # 337461 PRO-SE LITIGANT. RESPECTFULLY MOTIONING THIS COURT TO RECONSIDER THE APPELLANT'S PETITION FOR REHEARING DUE TO THE REMITTUR BEING PREMATURELY SENT ON THE 15TH DAY, AND NOT PROPERLY SENT WHEN THE (15) DAYS HAD ELAPSED AS PER RULE 221 (B).

THE DAY OF FILING WAS THE 14TH OF NOV. FOR THE DECISION OF THE COURT (THE DAY OF FILING BEING EXCLUDED). THE 15TH THROUGH 30TH OF NOV. EQUALS 15 DAYS. THE REMITTUR UNLESS OTHERWISE ORDERED BY THE COURT SHALL NOT BE SENT TO THE LOWER COURT OR ADMINISTRATIVE TRIBUNAL UNTIL FIFTEEN (15) DAYS HAVE ELAPSED. SEE APPELLANT COURT RULES (RULE 221(B))

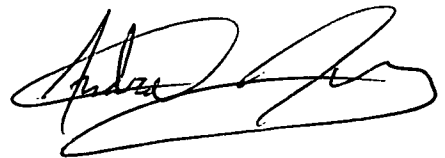
HERE THE REMITTUR WAS DATED NOVEMBER 30, 2018 AND ALSO POST MARKED NOVEMBER 30, 2018, CLEARLY IN VIOLATION OF RULE 221 (B) (SEE COPY INCLUDED ATTACHED)

WHEN REMITTUR HAS BEEN PROPERLY SENT, THE APPELLATE COURT NO LONGER HAS JURISDICTION OVER THE MATTER, AND NO LONGER CAN MOTIONS BE HEARD THEREAFTER, THE ONLY EXCEPTION TO THE RULE IS WHEN THE REMITTUR IS SENT DOWN BY MIS TAKE, ERROR OR INADVERTENCE OF THE APPELLATE COURT SEE WISE V SCDL (SC. 2007) 372 SC 173, 642 SE 2d 551. ~~SEE~~

CONCLUSION

HERE THE RESPONDENT HAS CLEARLY VIOLATED APPELLATE RULE 221(B) BY NOT ALLOWING THE ALLOTTED 15 DAYS TO EXPIRE OR ELAPSE BEFORE SENDING THE REMITTUR.

10TH DEC 2018

A handwritten signature in black ink, appearing to be "Andrew" followed by a stylized flourish.

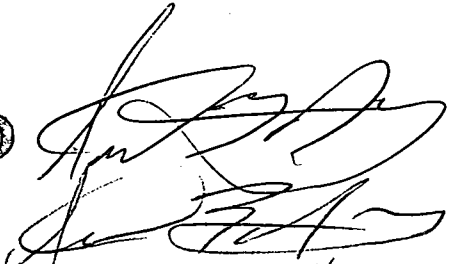
CERTIFICATE OF SERVICE

I AMORA B. JAMISON # 337461 DO HEREBY FILE THIS PETITION/MOTION TO RECONSIDER APPELLANT'S REQUEST FOR REHEARING DUE TO VIOLATION OF RULE 221(B) BY DEPOSITING SUCH IN THE HANDS OF GOODMAN'S MAIL ROOM CLERK DONE IN ACCORDANCE WITH AND PURSUANT TO THE "MAIL BOX" RULE AND HOUSTON V LACK. THE ENVELOPE IS PROPERLY ADDRESSED PREPAID AND STAMPED 1ST CLASS MAIL ALL ON THIS DAY 10 OF DEC 2018 AND MAIL TO ADDRESSES BELOW:

ADDRESSEES:

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- JENNY A. KITCHING CLERK SC Court of Appeals AMORA B. JAMISON # 337461
SC. COURT OF APPEALS
P.O. Box 11629
COLUMBIA SC. 29211

- CHRISTINA CATOE BIGELOW
SCDC GEN COUNSEL
4444 BROAD RIVER RD
COLUMBIA SC 29210

SWORN BEFORE ME
THIS DAY 12th of December 2018
COUNTY OF Richland
STATE OF SC.



COMMISSION EXPIRES

8/30/2026



The South Carolina Court of Appeals

JENNY ABBOTT KITCHINGS
CLERK

V. CLAIRE ALLEN
DEPUTY CLERK

POST OFFICE BOX 11629
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November 30, 2018

The Honorable Jana E. Shealy
1205 Pendleton Street
Columbia SC 29201

REMITTITUR

Re: Andra Jamison #337461 v. SCDC (2)
Lower Court Case No. 2016ALJ040767IJ
Appellate Case No. 2017-000914

Dear Clerk of Court:

The above referenced matter is hereby remitted to the lower court or tribunal. A copy of the judgment of this Court is enclosed.

Very truly yours,


CLERK

Enclosure

cc: Andra Jamison #337461
Christina Catoe Bigelow, Esquire



South Carolina Court of Appeals

JENNY ABBOTT KITCHINGS, CLERK
POST OFFICE BOX 11629
COLUMBIA, SOUTH CAROLINA 29211

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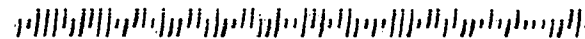
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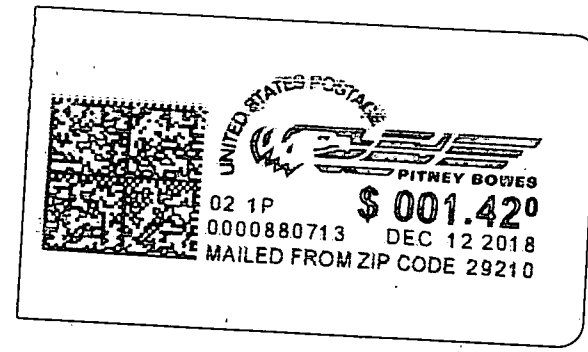
GCI - AMMUNITION

B/33B

ANDRA JAMISON #337461
GOODMAN CORRECTIONAL INSTITUTION
4556 BROAD RIVER RD.
COLUMBIA SC 29210

2921034095 0077





A JAMSocw # 357461
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MAIL ROOM

Jenny A. Kitching Clerk
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