



The Supreme Court of South Carolina

DANIEL E. SHEAROUSE
CLERK OF COURT

BRENDA F. SHEALY
CHIEF DEPUTY CLERK

POST OFFICE BOX 11330
COLUMBIA, SOUTH CAROLINA
29211
1231 GERVAIS STREET
COLUMBIA, SOUTH CAROLINA 29201
TELEPHONE: (803) 734-1080
FAX: (803) 734-1499
www.sccourts.org

January 02, 2019

Mr. Eugene A. Gardner, III, 357996
McCormick Correctional Institution
386 Redemption Way
McCormick SC 29899

Re: Eugene A. Gardner, III v. State
Appellate Case No. 2017-000881

Dear Mr. Gardner:

This responds to your letter dated December 27, 2018.

I can provide you with a copy of the documents filed in this case for \$146.50. This represents the cost of copying 506 pages at our standard rate of 25 cents a page plus a mailing fee of \$20. If you would like a copy, please send a check or money order payable to the South Carolina Judicial Department in the above amount. I note that the filings made in this case are available for viewing and printing without charge at www.sccourts.org/ACMS/index.cfm. Simply enter the above case number on the search screen.

As to the State's failure to file a reply to your return to the petition for a writ of certiorari under Rule 243(h) of the South Carolina Appellate Court Rules, this rule has never been interpreted as requiring a reply to be filed. Indeed, in most cases a reply is not filed.

The general duties of the clerk of the circuit court is set forth in Chapter 17 of Title 14 of the South Carolina Code of Laws. A copy of the Code should be available to you in your prison library and is also available at www.scstatehouse.gov/code/statmast.php. Further, the Office of Court Administration has prepared a Clerk of Courts Manual which is available at www.sccourts.org/clerkOfCourtManual/index.cfm. Finally, Rules 2, 3, 7, 13, and 30 of the South Carolina Rules of Criminal Procedure, set forth various duties of the clerk of court in criminal cases. The Rules of Criminal Procedure should be available to you in your prison library and are also available at www.sccourts.org/courtreg.

Since this Court cannot provide legal advice or assistance, I will be unable to respond to your legal questions relating to the actions of the circuit court clerk. I am providing a copy of your letter to your counsel in this case.

Very truly yours,

A handwritten signature in black ink, consisting of a large, stylized initial 'D' followed by a series of loops and a long horizontal stroke extending to the right.

CLERK

cc: Johnny Ellis James, Jr., Esquire (with copy of letter)
David Alexander, Esquire (with copy of letter)