

Sorry

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JAN 11 2019

SC Court of Appeals

TherL Taylor

Appellant

R. Smith, SCDC, et al

VS

Respondent

APPELLANT'S RESPONSE TO APPEALS COURT ORDER

- 1) On January 4, 2019, Appellant received a December 18, 2018 ORDER from the South Carolina Court of Appeals "denying an <sup>interrupted</sup> petition for rehearing" of [a] ruling affecting the merits of this failure to protect case improperly dismissing directly [in]volved individual defendants.
- 2) Said order was incorrectly mailed, federal Postal Meter dated December 18, 2018 that is MacDougall Institutional date stamped "Dec. 20, 2018".
- 3) Evans Institution date stamp appears January 4, 2019". See Attachment A, a photocopy<sup>2</sup> of the appeals Court envelope specifying above facts.
- 4) This Courts August 8, 2018 order provided<sup>provisioned</sup> Appellant, through a third party to show proof arrangements were or are made for the May 15, 2018 hearing transcript. Appellant as done so through Dr. Lindy Wang (803) 385-2515 whom called the Court of Appeals and contacted the Court Reporter, Angela Berry and/or the South Carolina Court Administration by phone to meet the \$100 filing fee for said appeal and made arrangements for the transcript... back on or about August and September of 2018.
- 5) THEREFORE, Appellant respectfully seeks, as other Plaintiffs to present a Brief according to our South Carolina Appellate Rules<sup>et</sup> of the adverse lower Court order affecting the merits<sup>of this case</sup> by unfairly dismissing the most culpable - individual defendants or allow this motion to serve as NOTICE OF APPEAL or Notice of a timely Writ of Certiorari to the South Carolina Supreme Court.

Foot Note 1: Evans Institutional mail Room merely uses a single date, as here "Jan. 4, 2019" significantly different from all previous Institutions Appellant has endured the past 20 years of incarceration.

Foot Note 2: Since arriving at Evans Institution September of 2018, Appellant has been denied legal photocopies as an indigent pro se Plaintiff. Appellant has only been allowed photocopies twice from September to present, in addition to Attachment A and said order copied on January 4, 2019, an extreme rarity.

*TherL*

The South Carolina Court of Appeals  
Appellate Case No. 2018-001025

TherL Taylor

Appellant

v

R. Smith, SCDC, et al

Respondents.

PROOF OF SERVICE

I, Appellant certify that on the 7<sup>th</sup> day of January, 2019 pursuant to SCRPC, Rule 5 "service by mail is complete upon mailing of all pleadings and papers" and Houston v Lack, 108 S Ct 2379 (1988) of APPELLANT'S RESPONSE TO APPEALS COURT ORDER in the above referenced case and proof of service by depositing same in our United States Mail in an envelope with sufficient postage affixed thereto for First Class delivery, addressed as follows:

THE MCKAY LAW FIRM  
CLAUDE GARDIN, ATTORNEY  
1303 BLADING STREET  
PO BOX 7217  
COLUMBIA, SC 29202

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JAN 11 2019

SC Court of Appeals

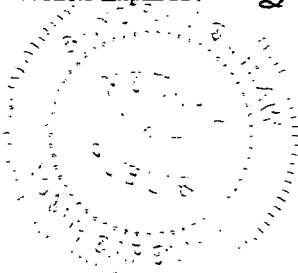
TherL Taylor

Affirmed and subscribed to  
on this 7 day of Jan, 2019

S. Ouellet

Notary Public

My Commission Expires: 2/17/24





**South Carolina Court of Appeals**

JENNY ABBOTT KITCHINGS, CLERK  
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COLUMBIA, SOUTH CAROLINA 29211

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*Evans 1B0139*

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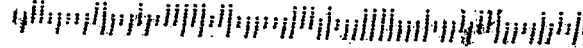
MacDougall Corr. Inst.  
Mailroom

*Rec'd  
Jan 4, 2019  
by M.S.S.  
Outlaw*

THERL TAYLOR, 260961  
MACDOUGALL CORRECTIONAL INSTITUTION  
1516 OLD GILLIARD ROAD  
RIDGEVILLE SC 29472

**JAN 04 2019**

2947237408 R004



*Attachment A*

# The South Carolina Court of Appeals

Ther L Taylor

Appellant

v.

R. Smith, SCDC, et al

Respondents.

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JAN 11 2019

SC Court of Appeals

Appellate Case No. 2018-001025

APPELLANT'S RESPONSE TO APPEALS COURT ORDER

PLEASE TAKE NOTICE

1) On January 4, 2019 Appellant received a December 18, 2018 ORDER from the South Carolina Court of Appeals "concerning an interrupted petition for rehearing" of [a] ruling affecting the merits of this feature to protect case, improperly basing said directly [in]volves individual defendants.

2) Said order was incorrectly mailed, federal postal meter dated "December 18, 2018" due to a stamp! Institutional date stamp! "Dec 27, 2018" (a) Evans Institution date stamp appears January 4, 2019" See Attachment A, a photocopy of the appeals court envelope specifying above facts.

3) This Court in August 6, 2018 order provisioned "appellee, through a third party to show proof arrangements were or are made for the May 15, 2018 hearing transcript. Appellee as done so through Dr Lindy Wang (BUS) 395-2515 whom called the Court of Appeals and contacted the Court Reporter, Angela Berry and for the South Carolina Court Administration by phone, etc to meet the \$100 filing fee for said appeal and made arrangements for the transcript back over about August and September of 2018.

4) THEREFORE, appellee respectfully seeks, as other Plaintiffs to present brief, according to our South Carolina appellate Rules, etc of the adverse lower court order affecting the merits of this case by unfairly misusing the most culpable individual offenders, or allow this action to serve as NOTICE OF APPEAL or notice of appeal, list of Certiorari to the South Carolina Supreme Court.

PLEASE TAKE NOTICE that this is a single date, as per the 4, 2019...  
Appellant has been denied...  
Appellant has only been allowed...  
in service to Attachment A and said...  
on January 4, 2019, as per the order...

January 7, 2019

Ther L Taylor  
610 Highway 9 West  
Bennettsville, SC 29512

S.C. COURT OF APPEALS

Jenny Kitchings, Clerk

P.O. Box 11629

Columbia, SC 29211

RE: Ther L Taylor v. R. Smith, SCDC, et al  
Appellate Case No. 2018-001025

**RECEIVED**

JAN 11 2019

SC Court of Appeals

January 4, 2019

Dear Ms. Kitchings:

Enclosed for filing are the original and one copy of APPELLANT'S RESPONSE TO APPEALS COURT ORDER in the above referenced case and proof of service.

Please return the extra copy clocked stamped within the pre-paid self addressed envelope herein.

Your help in this matter is appreciated.

Thank you.


Very truly,

*(Ther)*

cc: The South Carolina Supreme Court  
Supervising attorney  
File

P.S. Once again please  
correct present mailing  
address, as above.

Ther L Taylor  
Prison Institution 1B-139  
10 Hwy 9 West (260961)  
Mettsville, S.C.  
29512

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SC Court of Appeals

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