

State of South Carolina

In the Supreme Court

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JAN 22 2019

S.C. SUPREME COURT

Appeal from the Administrative Law Court:

The Honorable Deborah Brooks Darden, (ALJ)

Case No.: 2016-ALJ-15-0034-AP

Appellate Case No.: 2019-000015

Dennis Davis, #288558,

Petitioner,

v.

South Carolina Dept. of Probation,

Parole and Pardon Services,

Respondent.

Motion for reinstatement

Petitioner makes this motion for reinstatement after the Clerk's recommendation to dismiss the Petition For a Writ of Certiorari. Petitioner is representing himself in the above matter and has a laymen understanding of the law. Petitioner is currently an inmate housed in 2020 at Hershaw Corr. Institution. We have been on lockdown since April of 2018 stemming from the Lee County incident. During the Christmas holidays we were advised that we would be on what was called holiday lockdown by the administration and staff here and that this was going to be statewide for the holidays. During this holiday lockdown only Character program inmates and workers were allowed out of their cells and out the unit. During this holiday lockdown I received an order denying my petition for rehearing

dated December 13, 2018. On or about December 20th or 21st 2018 is when I was in actual receipt of the order. During this lockdown I was unable to get to the Law Library so I could actually view Rule 242 of the SCACR and comply with rule 242. This is why I was not aware of and did not provide the two copies of the appendix (Rule 242(e)) and the filing fee required by rule 242(c). During this holiday lockdown I was unable to get to the Law Library, in fact since filing my petition for a rehearing I have not been to the law library. Based on the foregoing facts I respectfully ask that the petition for a writ of Certiorari be reinstated by this Honorable Court and I be allowed to correct my errors. I pray for the judgment of this Honorable Court. Respectfully Submitted,

S/ Dennis Davis

Dennis Davis # 288558

HCI. Mag-18A

4848 Goldmine Hwy.

Vershaw, SC. 29067

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Before the South Carolina Court of Appeals, the Appellate Case number was

2017-000663.

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Certificate of Service

I here by Certify that I have served a copy of the forgoing motion on counsel for the Respondent by depositing a copy in the United States Mail - postage prepaid on the 14th day of January, 2019. addressed as follows:

Tommy Evans Jr.
SCDPPPS
P.O. Box 50666
2221 Devine St.
Columbia, SC 29250

S/ Wanda Lewis
Dennis Davis # 288558
K.C.I. Mag-18A
4848 Goldmine Hwy,
Kershaw, S.C. 29067

Application to proceed without payment of costs and Affidavit In Support
Thereof

I, Dennis Rodger Davis Jr., hereby apply for leave to proceed in this
action without prepayment of fees or costs or security therefor. In support of
my application I declare under a penalty of perjury that the following facts are true.

- (1) I am the Petitioner in this action and I believe I am entitled to redress.
- (2) Because of my Poverty I am unable to pay the costs of said proceedings or give
security thereof.

S/Dennis Davis

Dennis Davis # 288558

K.C.I. Mag. 18A

4848 Goldmine Hwy.

Meridian, S.C. 29067

Sworn or affirmed to and subscribed before me this
_____ day of _____,