

The Supreme Court of South Carolina

Hon. Jean H. Toal, C.J.
P.O. Box 11330
Columbia, S.C. 29211

Mr. William C. McKinney, III
#256024
Attending Com. Just., F5/B-139
1057 Revolutionary Trail
P.O. Box 1151, Hwy 47
Fairfax, S.C. 29827

RECEIVED

JAN 16 2013

S.C. SUPREME COURT

January 9th 2013

RE: Mr. William C. McKinney, III #256024 vs. South Carolina Department of Corrections %ANu.: 2011-201846 or %ANu.: 2009-ALJ-02-00631-AP, & Opinion No.: 2011-UP-400 S.C. Ct. App. filed 8/22/11).

Dear Hon. Jean H. Toal, C.J.:

Enclosed you(r) shall find the Petitioner's Reply / Response to the Respondent's Return with Memorandum of Law in Support, pp. 1-9 of 9, and Proof of Service all dated 1/9/13. Which the Petitioner have not done the above mentioned for delay, but in good-faith, and with my warmest regards.

Sincerely

Mr. William C. McKinney, III #256024
WCM/ETA/CC/Alke

Mr. William C. M. Kennedy III
#256028
Aundale Com. Inst. 3 F-5 / B-139
1057 Revolutionary Trail
P.O. Box 1151, Hwy 47
Fairfax, S.C. 29827

reply to return
to cost filed

Friar
dept.
Mail

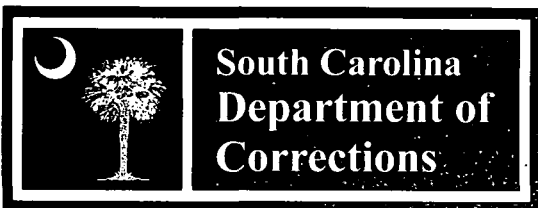
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JAN 10 2013

MAILROOM
ACI



The Supreme Court of South Carolina
Hon. Jean H. Toal, C.J.
P.O. Box 11330
Columbia, S.C. 29211



NIKKI R. HALEY, Governor
WILLIAM R. BYARS, JR., Director

January 4, 2012

The Honorable Daniel E. Shearouse
Supreme Court of South Carolina
P.O. Box 11330
Columbia, SC 29211

Re: William McKinnedy, III, # 256024 v. SCDC
Appellate Case No.: 2011-201846

Mr. Shearouse,

Please find enclosed an original and seven copies of the following:

- Return to Petition for a Writ of Certiorari

Please stamp the extra copy "filed" and return it in the enclosed self-addressed stamped envelope. Please do not hesitate to contact me with any questions. We greatly appreciate your assistance in this matter.

JAN 07 2013

S.C. SUPREME COURT

Sincerely,

Christopher D. Florian
Attorney for Respondent

cc: Mr. William McKinnedy, III, # 256024
Allendale Correctional Institution
P.O. Box 1151
Fairfax, SC 29827

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JAN 07 2013

S.C. SUPREME COURT

RECEIVED

JAN 07 2013

S.C. SUPREME COURT

The Supreme Court of South Carolina

William C. McKinnedy, III, #256024, Petitioner,

v.

South Carolina Department of Corrections, Respondent.

Appellate Case No. 2011-201846

ORDER

The request to order the South Carolina Court of Appeals to forward the briefs and record on appeal is denied as moot. This Court has obtained these documents from the South Carolina Court of Appeals. Any return to the petition for a writ of certiorari shall be served and filed within thirty (30) days of the date of this order.

 C.J.
FOR THE COURT

Columbia, South Carolina
December 12, 2012

cc: Christopher D. Florian, Esquire
Mr. William C. McKinnedy, III, 00256024
The Honorable Jenny Abbott Kitchings

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DEC - 5 2012

The State of South Carolina
In The Supreme Court

S.C. Supreme Court

Daniel E. Shearuse
Clerk of Court
P.O. Box 11330
Columbia, S.C. 29211

Mr. William C. Kennedy, III
#256024
Allendale Com. Inst. : F-5/B-139
1057 Revolutionary Trl
P.O. Box 1151, Hwy 417
Fairfax, S.C. 29827

November 29th 2012

RE: Mr. William C. Kennedy, III #256024 vs The South
Carolina Department of Corrections ("SCDC") Case No. 1
2011-201846

Dear Mr Shearuse (Clerk) : Enclosed you shall find
the Petitioners Mr. Kennedy, III's Appendix pp. i-iii (without
exhibits), because I was not given the right to get the
Record of Appeal nor transcripts from the S.C. Court of Appeals,
nor the right to go through my legal boxes - Mess Bags at the
Allendale Com. Insts. (Properly Controlled) to get any or all
of above mentioned legal documents and is a denial of
"Access to the Courts" by SCDC or "et al", writ of Certiorari,
pp. 1-17 of 17, Certificate of Compliance, and two (2) Proofs
of Services and two (2) letter heads, which I am requesting
for an extra copy of the writ of Certiorari, pp. 1-17 of 17
to be forward back with the extra copies mentioned
above clocked/stamped for my file. I have met the
informa papers states is why I am unable to get copies
for myself. It would all be greatly appreciate, since I
I have received my requests, that have been done,
with my warmest regards.

11/29/12
Fairfax, S.C.

1 of 1

Sincerely,
Mr. William C. Kennedy, III
W.C. Kennedy, III
Supreme Courts / Clerks

RECEIVED

DEC - 5 2012

The State of South Carolina
In the Supreme Court

S.C. Supreme Court

Daniel E. Shearouse
Clerk of Court
P.O. Box 11330
Columbia, S.C. 29211

Mr. William Clark Kennedy III
#256024
Allendale Com. Inst. 3F-5; B-139
1057 Revolutionary Trl
P.O. Box 1151, Hwy 47
Fairfax, S.C. 29827

November 29th 2012

RE: Mr. William Clark Kennedy III #256024 vs. The South
Carolina Department of Corrections ("SCDC") #A No. 3
2011-201846

Dear Clerk: Yours shall find enclosed inside is an Appendix,
p. 1-17 (without Exhibits, because I was not given the right to get
the Record of Appeal nor transcripts from the S.C. Court of Appeals nor
the right to go through my legal boxes, mess bags at Allendale Com.
Inst. to get any or all legal documents mentioned, and is a denial
of access to the courts by "SCDC" personnel), Writ of
Certiorari, pp. 1-17 of 17, Certificate of Compliance and two (2)
Proofs of Services and two (2) letter heads, which I am
requesting for an extra copy (s) of the Writ of Certiorari, p. 1-17 of
17 to be forward back to me as well as the above mentioned
extra copy (s) for my file due to the Court granting me the
right to proceed in forma pauperis. I am unable to get another
copy (s) done in a timely manner. So, I would appreciate it
greatly, if my requests are honored, that all have been
done, with my warmest regards.

Sincerely,
Mr. William Clark Kennedy III
WCK/KC/SL
Extra Copy (s) forward back
clocked/stamped for the
record, ok!

11/29/12
Fairfax, S.C.

1 of 1

Interdepartment
Mail

Mr. William C. McKinney, III

#256024

Allendale Corn. Inst. 3 E-5; B-139

1057 Revolutionary Trail

P.O. Box 1151, Hwy 47

Fairfax, S.C. 29827

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NOV 29 2012

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The Supreme Court of South Carolina
Hon. Daniel E. Shearouse, Clerk
P.O. Box 11330
Columbia, S.C. 29211

RECEIVED

The Supreme Court of South Carolina

Mr. William C. McKinney III
#256024
Petitioner,
vs.
South Carolina Department
of Corrections, "SCDC", "et al",
Respondents.

Case No.: 2011-201846
Motion For A Further
Enlargement (Extension)
Of Time Based On Good
Cause(s) Shown (Rehearing)

RECEIVED
NOV 08 2012
OFFICE OF
CHIEF JUSTICE

The Petitioner Mr. McKinney III is in receipt of the Order dated 10/26/12 - Granting an Extension until 12/06/12. Which I received on or by 10/29/12.

Comes now the Petitioner to show good cause(s) for a further extension (enlargement) of time for the following reasons:

- 1) The Petitioner submitted a Motion For an Enlargement of time Dated: 10/20/12 explaining why I needed further time and my requests have not been considered (See Motion Dated: 10/20/12 pp 1-2 & 2 for an enlargement of time).
- 2) The Petitioner is in need of the Court (Supreme) ordering the lower Court (South Carolina Court of Appeals) to forward (remittar) a copy of the Record on Appeal etc... to this Supreme Court and/or forward to me a copy, so that I can meet the rules "et seq", SCACR for a writ of Certiorari and Appendix in which I am unable to do unless the above mentioned is granted to the Petitioner Mr. McKinney III.
- 3) The Petitioner have eight (8) more months on lock-up. In which I have to do day for day and not a third (1/3) of the (8) months, ok! Therefore, I am unable to get my legal materials and/or etc... out of my duffle-bag to meet the Courts requirements demanded by SCACR.

Good Cause Continues - 2 of 2

4) The Petitioner will be prejudiced thereby, if a further extension (enlargement) of time and the above mentioned is not granted until 01/06/13 or at least until the Supreme Court forward me my requests of the Record on Appeal, & that I can start, complete an effective Writ of Certiorari and Appendix. And, if not, the first extension (dated 3/10/26/12) will be in vain in its good cause(s) shown by the Petitioner Mr. McKinnedy ~~et al~~ for a further extension - enlargement of time and/or etc...

Which the Petitioner Mr. McKinnedy ~~et al~~ have done the above mentioned in good-faith and without delay.

Respectfully Submitted,

~~Mr. William C. McKinnedy et al~~

~~Mr. William C. McKinnedy et al~~

#256029

Attendale Court, E5/B-139

1057 Revolutionary Trail

P.O. Box 1151

Fairfax, S.C. 29827

WMC/et al / CC File

November 3rd 2012
Fairfax, S.C.

2 of 2

The Supreme Court of South Carolina

Mr. William C. McKinney III
#256024 Petitioner,

Case No: 2011-201846

Vs.

Certificate of Service

South Carolina Department
of Corrections ("SCDC"), "et. al",

Respondents

I, Mr. William C. McKinney III #256024, that I have placed a motion for a further enlargement of time based on good-causes shown (re hearing) 11/1-2/12 in the Allendale Com. Just. Workroom system with first-class postage prepaid for the U.S. Postal Services and addressed to the following:

The Supreme Court of South Carolina
Hon. Jean H. Toal, C.J.
P.O. Box 11330
Columbia, S.C. 29211 ; &

Christopher D. Flordan, esq.
S.C. Dept. of Corrections
P.O. Box 21287
Columbia, S.C. 29221-1287

Mr. William C. McKinney III

~~Mr. William C. McKinney III~~
#256024
Allendale Com. Just. E-5, B-139
US Revolutionary Int'l
P.O. Box 1151
Fairfax, S.C. 29827

~~WCM III / CC / Jde~~

11/03/12
Fairfax, S.C.

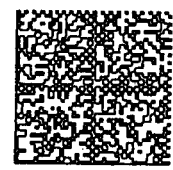
Mr. William C. Kennedy III
#256021
Allendale Cor. Just.: F-5; B-139
1057 Revolutionary Trail
P.O. Box 1151
Fairfax, S.C. 29821

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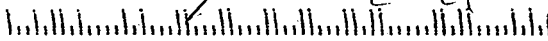


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The Supreme Court of South Carolina
Hon. Jean H. Toal, C.J.
P.O. Box 11330
Columbia, S.C. 29211



"THE DEPARTMENT OF CORRECTIONS HAS
NOT CENSORED THIS ITEM. THEREFORE, THE
DEPARTMENT DOES NOT ASSUME
RESPONSIBILITY FOR ITS WRITTEN CONTENTS."
ALLEDALE CORRECTIONAL INSTITUTION
SO DEPARTMENT OF CORRECTIONS

The Supreme Court of South Carolina

William C. McKinnedy, III, #256024, Petitioner,

v.

South Carolina Department of Corrections, Respondent.

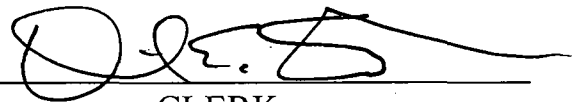
Appellate Case No. 2011-201846

ORDER

The request for an extension to serve and file the Petition for Writ of Certiorari and Appendix is granted and extended until December 6, 2012. Pursuant to the order of the Supreme Court of South Carolina dated March 18, 2009 (www.sccourts.org/courtOrders/displayOrder.cfm?orderNo=2009-03-18-01), any further extension request must be based on a showing of good cause.

FOR THE COURT

BY



CLERK

Columbia, South Carolina

October 26, 2012

cc:

Christopher D. Florian

William C. McKinnedy, III, 00256024

The Honorable Jenny Kitchings

The Supreme Court of South Carolina

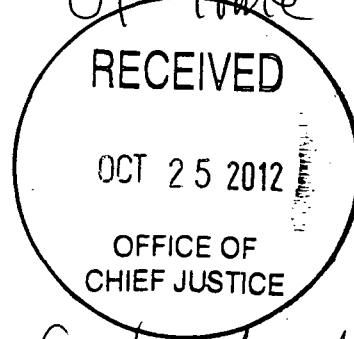
Mr. William C. McKinney, III
#256024 Petitioner,

vs.
South Carolina Department of
Corrections ("SCDC"), "et. al",
Respondents.

) A/c No.: 2011-20846

)
)
) Motion For An Enlargement

Of Time



RECEIVED

OCT 25 2012

S.C. SUPREME COURT

The Petitioner is in receipt of the Courts order dated 10/17/12 on 10/19/12,

Comes now the Petitioner [Mr. McKinney, III] pursuant to Rule 6 "et. seq" for an Enlargement of Time for the following reasons:

- 1) The Petitioner is now located on "SCDC's" lock-up (SMU) on Jasper at the Allendale Corr. Inst. and I am not in any possession of legal materials that is relevant to this instant case.
- 2) The Petitioner does not have access to legal (document(s)) materials that is needed to meet the Rules of the Court.
- 3) The Petitioner is unable to get legal copy(s) except for on Thursdays, but I must submit the legal documents on Tuesdays, that is unsafe & a great possibility, that they can get lost, and I am unable to produce the originals unless I get them back on the same day/date I give to be copied.
- 4) Which I am unable to reproduce the questions with their arguments that was submitted to the S.C. Court of Appeals (Rehearing), with the accuracy or brevity, nor do I have the Orders for dismissals, denials, nor affirmation of the lower courts in my possession on lock-up.
- 5) It would be "draconian" to hand write all the requirements for the Rules of the Court without having access to the necessary above mentioned legal documents, because all of my legal boxes - Mess-Bags have been confiscated and placed in property control by SCDC or unless the Court

tion for Time - 2 of 2

Orders for "SCDC" to let me go through my property that they have in their custody or for South Carolina Court of Appeals to send me true copies of the Record on Appeal and Brief (that I sent to them) done with all orders from them and the lower courts (Administrative Law Court & Grievances that was denied).

Which I will at least need (60) days from the day/date of the expiration of the (20) day(s) deadline 11/06/12 until 01/06/13 giving SCDC or S.C. Court of Appeals ample time to let me have access to legal materials (documents) and/or legal documents to be forward to me by the S.C. Court of Appeals, so that I can meet the Court requirements and/or Rules "et. seq",

Which I have not done the above mentioned for delay, but in good faith and with my warmest regards.

Respectfully Submitted,

William C. Kennedy III

Mr. William C. Kennedy III

#256021
Attendant Corr. Inst. - E-5/B-139

1057 Revolutionary Trail

P.O. Box 1151

Fairfax, S.C. 29827

wmckenn3/cck@bellsouth.net

2 of 2

October 20th 2012
Fairfax, S.C.

The Supreme Court of South Carolina

Mr. William C. McKinney III
#256024 Petitioner,
vs.
South Carolina Department of
Corrections, "et al",
Respondents.

A/C No.: 2011-201846

Certificate of Service

I, Mr. William C. McKinney III, #256024 (Petitioner), that I have placed a Motion for an Enlargement of Time, pp. 1-2 of 2 in the Allendale Cor. Inst. mailroom system, with first-class postage pre-paid for the U.S. Postal Services and addressed to the following:

The Supreme Court of South Carolina
Hon. Jean H. Toal, CJ,
P.O. Box 11330
Columbia, S.C. 29211

Christopher D. Flordan, esq.
S. Dept. of Corrections
P.O. Box 21787
Columbia, S.C. 29221-1787

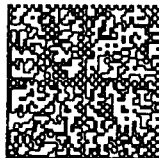
10/20/12
Fairfax, S.C.

Mr. William C. McKinney III #256024

Mr. William C. McKinney III
#256024
Allendale Cor. Inst. #E5; B-139
1057 Revolutionary Trail
P.O. Box 1151
Fairfax, S.C. 29827

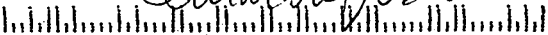
WMCK III / CC-ABe
S.C. Supreme Court
SCDC / Respondents

Mr. William C. McKennedy III
#356024
Attenable Court Just.: F-5; B-139
1057 Revolutionary Trail
P.O. Box 1151
Fairfax, S.C. 29827



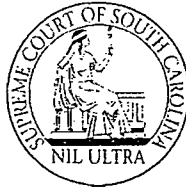
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The Supreme Court of South Carolina
Hon. Jean H. Toal, C.J.
P.O. Box 11330
Columbia, S.C. 29211



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THE DEPARTMENT OF CORRECTIONS HAS
NOT CENSORED THIS ITEM. THEREFORE, THE
DEPARTMENT DOES NOT ASSUME
RESPONSIBILITY FOR ITS WRITTEN CONTENTS.
ALLENDALE CORRECTIONAL INSTITUTION
SC DEPARTMENT OF CORRECTIONS



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

October 17, 2012

William C. McKinnedy, III, #256024
1051 Revolutionary Trial: F-2; B-37
PO Box 1151
Fairfax SC 29827

Re: William C. McKinnedy, III (#2) v. SCDC
Appellate Case No. 2011-201846

Dear Counsel:

Enclosed is the Court's order granting your Motion to Waive Filing Fees and/or etc..."et.seq".

This is to advise your Petition for Writ of Certiorari and Appendix shall be served and filed pursuant to Rule 242, SCACR (copy attached), within twenty (20) days from the date of this letter.

Very truly yours,

CLERK

cc: Christopher D. Florian
The Honorable Jenny Kitchings

The Supreme Court of South Carolina

William C. McKinnedy, III, #256024, Petitioner,

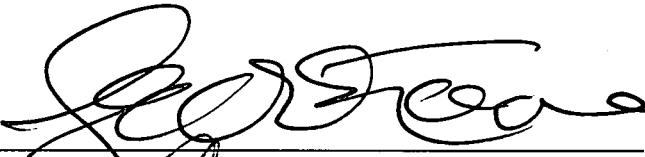
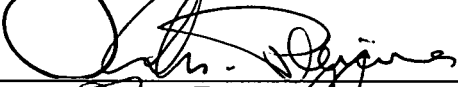

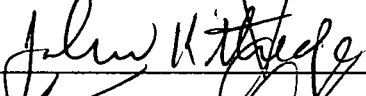

v.

South Carolina Department of Corrections, Respondent.

Appellate Case No. 2011-201846

ORDER

Petitioner has filed a motion to waive the filing fee in this matter. The motion is granted.

	C.J.
	J.
	J.
	J.
	J.

Columbia, South Carolina

October 17, 2012

cc:

Christopher D. Florian

William C. McKinnedy, III, 00256024

The Honorable Jenny Kitchings

The State of South Carolina
In the Supreme Court

Appeal from Administrative Law Court
Hon. John D. McLeod, Adm. Law Judge or
Hon. Ralph K. Anderson, III, Adm. Law Judge

RECEIVED

MAR 16 2012

C/No. : 2009-ALJ-04-00031-AP S.C. Supreme Court

Mr. William C. McKinney, III, #250021, Petitioner
South Carolina Department of Corrections, Respondents

Motion To Waive Filing Fees And/
Or etc... "et. seq"

Comes now the Petitioner [Mr. McKinney, III] (pursuant to Rules 203 (B) (iii) "et. seq" or etc... SCACR. The Petitioner originally filed the claims with South Carolina Department of Corrections ("SCDC") Grievance System or procedure (3) Step 1 process, that was denied for the "miscalculation" of my original sentence of (18) years, that was a paroleable offense with me only having to serve 51% of the (18) years from 04/01/98, that made me parole eligible in 9/2000, with "Earned Work Credits" ("EWC's"), with me maxing out on or by 7/2007 or 2009 without the EWC's, that was taken away and the courts' sentence was adjusted to meet an 85% No Parole Offense, that changed my max-out to 7/2013 with (2) yrs. Community Supervision, that the trial court did not sentence me to that, I was not given a fair notice of right to defend, nor to face my accuser, and without judicial review

Motion Continues - 2 of 3

before my trial sentence was enhanced for me to serve 35% of (18) years, that was "Excessive"; but was not meted out by the trial court on or by 02/03/99. So, I filed a Step 2 Guidance, and it was denied on or by 12/11/08. I was given the right to appeal to the Administrative Law Court ("ALC") that did not charge me a filing fee, but it was dismissed with prejudice. And, I appealed to the South Carolina Court of Appeals by notice and it was filed without a filing fee. The ALC's decision was affirmed by the South Carolina Court of Appeals and I filed a motion for rehearing that was denied on or by 12/10/11. So, I petitioned the Supreme Court of South Carolina and I was denied on or by 01/20/12 pursuant to Rule 242 "et seq". which I was given the right to file a petition to waive the filing fee and I petitioned for an enlargement of time and it was granted on 02/16/12 for 03/20/12 deadline and now this petition to waive filing fees etc., and/or "et seq" now follows.

The Petitioner Mr. McKinnedy III (will show, that I am indigent (See Exhibit: (A) (Financial Account Sheet)), and that, I am entitled to having the filing fees waived for the above mentioned reasons), that proves that the instant case of the Petitioner is about the sentencing and conviction for Distribution of Crack Cocaine CSR-Codes 112 (Paroleable Offense) § 44-53-375 (A)(2) (for selling, distributing, or etc., of less than a gram) § 44-53-110 "et seq", that the Grand Jury indicted me for on or by 06/09/98, that constitutes the guarantees of the Due Process and Equal Protection of the laws. Because I have meet the statutory or constitutional exceptions pursuant to Rule 3(c) "et seq" SCA CR, when my claims are about the respondents ("SCSC") depriving me of due process and equal protection of the laws, when they ("SCSC") Inmate Records for Classification adjusted my trial/sentence without ("SCSC") having "Subject

Motion Continues - 3 of 3

Matter Jurisdiction" to, nor did the trial court have jurisdiction after (10) days of the sentencing day/date 02/03/99. Which respondents ("SJC") did not give me a fair notice, right to defend, nor judicial review to challenge their decisions, to adjust my sentence to an 85% No Parole Offense after it had "crystallized" should be enough for this Supreme Court to grant the Petitioner / Mr. McKinney, III the right to waive filing fees or to proceed in forma pauperis to give me a fundamental right of "access to the courts" (See, Douglas vs. California, 83 S.Ct. 814, 815-816; Griffin vs. Illinois, 76 S.Ct. 585, 590-91; Bounds vs Smith, 97 S.Ct. 1492, 1493 (focus on the same entitlements of access to the courts); & also see, In Re Henry W. Martin, 171 3E2d 135). which I should be given the right to have my instant case heard as one that can afford it, and if not it would be "Discrimination" (and will fall short of constitutional standard of fairness, that is guaranteed by the Due Process and Equal Protection Clauses), that provides justice for all "Rich or Poor". The Petitioner have not done the above mentioned for delay, but in good faith and with my warmest regards.

3 of 3

03/13/12
Fairfax, D.C.

Respectfully Submitted,

Mr. William C. McKinney III #256021

Mr. William C. McKinney III #256021

Allendale Corr. Inst. 3E-2; B-37

1057 Revolutionary Trail

P.O. Box 1151

Fairfax, D.C. 29827

WCMCIII/EC/H/le

INMATE TRUST FUND ACCOUNT REPORT
for SOUTH CAROLINA COURT FILING FEES

Allental

RECEIVED

INSTRUCTIONS TO INMATE: Complete top portion and give to your mailroom. When returned from Accounting, you must mail this form with any payment to the Court.

By signing my name below, I am asking the Financial Accounting Office of the South Carolina Department of Corrections to complete this report. In accordance with SC Code of Laws §24-27-100 and 150, I authorize payment of the full filing fee. If I have insufficient funds in my account at this time to pay the court's full filing fee, I authorize SCDC to deduct the initial and subsequent payments until payment is completed.

INMATE NAME (print): Mr. William C. McKinney, III

SCDC # 256024 INMATE SIGNATURE: *William C. McKinney III*
1/3/12

F2 037

I plan to file this action in the SC County of _____

The section below is for SCDC - Financial Accounting Branch's use ONLY.

- (1) Total deposits to inmate's account for preceding six months' period* 0
- (2) Twenty percent (20%) of line 1 0
- (3) Account balance - current date 0
- (4) PAYMENT AMOUNT **
(lesser of line 2 or line 3) 0
Enclosed check # _____

Exhibit (A)

**NOTE to COURT: If payment is for partial fee, Court must notify SCDC once case is accepted and filed. Send notice with case # and balance owed to address below. SCDC will NOT process any additional payments until notification is received from Court.

South Carolina Department of Corrections
Financial Accounting - Room 234
PO Box 21787
Columbia, SC 29221-1787

SCDC-FINANCIAL ACCTG
2012 JAN -4 PM 2:30

*Admission date is noted here if inmate incarcerated less than 6 months / /

[Signature]
Prepared by Financial Accounting Branch - SCDC

1/4/12
Date cd12scmst5prepared 797

The State of South Carolina
In The Supreme Court

Appeal From The Administrative Law Court
Hon. John D. McLeod, Adm. Law Judge or
Hon. Ralph K. Anderson, III, Adm. Law Judge

Mr. William C. McKinney, III, #256024 Petitioner
South Carolina Department of Corrections v/s Respondents

Proof of Service

I certify, that Mr. William C. McKinney, III, #256024 have placed a Motion to Waive Filing Fees etc. and for "et. seq", pp. 1-3 of 3, with Exhibits: (A) (Financial Account Sheet) in the Allendale Cor. Inst. mailroom system with first-class postage prepaid for the U.S. Postal Service and addressed to the following:

The South Carolina Supreme Court
Hon. Daniel E. Shearouse, Clerk
P.O. Box 11330
Columbia, S.C. 29211 ; /

Christopher D. Florian, esq.
S.C. Dept. of Corrections
P.O. Box 21787
Columbia, S.C. 29221-1787

03/13/12
Fairfax, S.C.

RECEIVED
MAR 16 2012
S.C. SUPREME COURT

Mr. William C. McKinney, III, #256024
Mr. William C. McKinney, III, #256024
Allendale Cor. Inst. : #2, B-37
1057 Revolutionary Trail
P.O. Box 1151
Fairfax, S.C. 29827
WCMC III / ec:file

Mr. William C. McKinney, III
#256024
Allendale Cmn. Inst. E-2; B-37
1057 Revolutionary Trl
P.O. Box 1151
Fairfax, S.C. 29827

COA

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MAR 14 2012

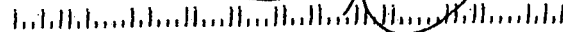
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ACI

2921181990



The Supreme Court of South Carolina
Hon. Daniel E. Shearouse, Clerk
P.O. Box 11330
Columbia, S.C. 29211



The Supreme Court of South Carolina

W. E. Shearouse
Clerk of Court
P.O. Box 11330
Columbia, S.C. 29211

Mr. William C. McKinney III
#250024
Attentive Court Inst.: F-5/A-116
1057 Revolutionary Trail
P.O. Box 1151
Fairfax, S.C. 29827

RECEIVED

July 17th 2012

JUL 20 2012

RE: Mr. McKinney III, William C. (#2) vs. SCDC
Appellate Case No.: 2011-201846

S.C. Supreme Court

Dear Clerk: I am in receipt of your office letter that is dated 6/05/12 telling me that the above mentioned case is pending and for etc... which my concerns is the statute of limitations for the Court to hear the above mentioned case before the statute of limitations runs out for the sentence imposed in which I have petitioned about.

I also need to know, how much longer do I have to wait to get the Court to grant me leave to be heard in forma pauperis status?

Also I am in need of a speedy response for the above mentioned inquiries for my concerns about getting relief, that have been done, with my warmest regards for the Ends of Justice,

Sincerely,
Mr. William C. McKinney III #250024
Christopher D. Flanagan, esq.

07/17/12
Fairfax, S.C.

Mr. William C. McKinney, III
#256024
Allendale Corr. Inst. 3 E-5; A-116
1057 Revolutionary Trail
P.O. Box 1151
Fairfax, S.C. 29827

RECEIVED

JUL 18 2012

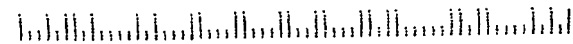
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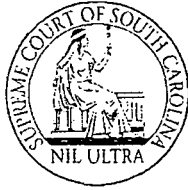
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The Supreme Court of South Carolina
Daniel E. Shearouse, Clerk of Court
P.O. Box 11330
Columbia, South Carolina 29211





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

June 5, 2012

William C. McKinnedy, III,
#256024
Allendale Correctional Institution:F-2; B-37
1051 Revolutionary Trail
PO Box 1151
Fairfax SC 29827

Re: McKinnedy, III, William (#2) v. SCDC
Appellate Case No. 2011-201846

Dear Mr. McKinnedy:

Your motion is pending. You will be advised when the Court takes action.

Very truly yours,

CLERK

cc:

Christopher D. Florian

The Supreme Court of South Carolina

RECEIVED

MAY 24 2012

S.C. SUPREME COURT

Mr. William C. McKennedy, III
#256029
Albiondale Court, Apt. #E-2, B-37
1057 Revolutionary Trail
P.O. Box 1151
Fairfax, S.C. 29827

Clerk of Court
P.O. Box 11330
Columbia, S.C. 29211

May 23rd, 2012

RE: McKennedy, III, William C. vs. SCSC, 2009-AL-04-00631

Dear Clerk:

I have sent your office a request to forward me a response to the above mentioned case on or by 05/08/12, which my concern is the Court going to grant me the right to proceed under in forma pauperis or not? Which the above mentioned has been done, with my warmest regards.

Sincerely Yours,

William C. McKennedy, III
#256029
WCMC/III/EC/FILE
Respondents: SCSC

05/23/12
Fairfax, S.C.

Mr. William C. Kennedy III
#251024
Allendale Corr. Inst. : F-2/B-37
1057 Revolutionary Trail
P.O. Box 1151
Fairfax, S.C. 29827

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MAY 23 2012

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29211+1330



The South Carolina Supreme Court
Clerk of Court
P.O. Box 11330
Columbia, S.C. 29211



The Supreme Court of South Carolina

Hon. Jean H. Teal, C.J.
P.O. Box 11330
Columbia, S.C. 29211

Mr. William C. McKinney III
#256024
Allendale Corr. Inst.: F-2; B-37
1057 Revolutionary Trail
P.O. Box 1151
Fairfax, S.C. 29827

May 08th, 2012

RE: Mr. McKinney III, William C. #256024 vs.
SCDC, 2009-AL-04-00631

Dear Chief Judge Teal: I am concerned about not getting a timely response from the Motion to Proceed in forma pauperis status for the above mentioned case or case numbers.

Which I would appreciate it greatly, if I can be forward a letter in regards to the above mentioned case and its status for my file.

Which I have only mentioned the above concerns, that have been, with my warmest regards.

May 08th, 2012
Fairfax, S.C.



MAY 17, 2012

YOUR MOTION IS PENDING
YOU WILL BE ADVISED
WHEN THE COURT TAKES
ACTION.

CLERK

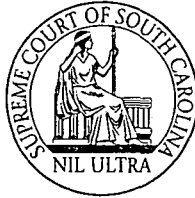
Sincerely Yours,

WCMC III
Cof, esp.

RECEIVED

MAY 9 2012

S.C. SUPREME COURT



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

(803) 734-1080

FAX (803) 734-1499

February 16, 2012

Mr. William C. McKinnedy, III, #256024
Allendale Corr. Inst.
F-2; B-37
PO Box 1151
Fairfax, SC 29827

Re: McKinnedy, III, William (#2) v. SCDC

Dear Mr. McKinnedy:

The following Order has been endorsed on your Motion for an Enlargement of Time in the above entitled case on appeal.

“Granted until March 20, 2012.
No further extensions will be granted.

s/ Jean H. Toal C.J.
For the Court

February 16, 2012.”

Please be advised that by copy of this letter we are advising all interested parties of the action by the Court.

Very truly yours,

CLERK

DES/lda

cc: Christopher D. Florian, Esquire
The Honorable Tanya Gee

The Supreme Court of South Carolina

Mr. William C. McKinney, III
#250024 Petitioner,
vs.
South Carolina
Department of Corrections
Respondents.

Case No.: 2009-AL-04-00631

Motion For An Enlargement
Of Time

RECEIVED

FEB 10 2012

S.C. SUPREME COURT

Comes now the Petitioner Mr. McKinney, III pursuant to Rule 6 "et. seq", SCRCP for an "Enlargement of Time" which I received an Order dated 02/06/12 demanding that, I file a motion to proceed in forma pauperis status on 02/08/12.

1. The Petitioner has an Order from the US District Court to respond to a Report and Recommendation (R/R) within (14) days in which I need an "Enlargement of Time" for it as well.

2. The Petitioner gets only a maximum of (10) hrs. per week to do research in the law library only when the institution is not on a lock-down ("Disruptive") scheduling.

3. Allendale Cor. Inst. has been on a "Disruptive" scheduling every week that hinders me from going to the law library on my scheduled days (Mon & Fri) and Mondays is the only days to get legal copies.

4. The Petitioner needs an additional (30) days to complete the Motion for in forma pauperis by doing more research for it and an Order for my request (04/06/12).

The Petitioner have not motioned for an "Enlargement of Time" for a delay, but in good-faith and, with my warmest regards.

02/12/12 Granted until March 20, 2012.

Fairfax, S.C.

1 of 1 No further extensions will be granted

Respectfully Submitted,

William C. McKinney, III
#250024

Scott Roe of WMCU, et al

February 16 2012

The Supreme Court of South Carolina

Mr. William C. McKinney, III
#256024 Petitioner,

Case No.: 2009-AL-04-00031

Certificate of Service

Vs.

South Carolina
Department of Corrections
Respondents

;
;
;
;
;
;
;

I certify that Mr. William C. McKinney, III #256024 have placed a motion for an "Enlargement of Time" in the Allen-
dale Com. Inst. mailroom system with first-class postage pre paid
for the U.S. Postal Services and addressed to the following:

The Supreme Court of South Carolina
Hon. Daniel E. Shearouse, Clerk
P.O. Box 11330
Columbia, S.C. 29211 ; #

Christopher D. Florian, Esq.,
S.C. Dept. of Corr.
P.O. Box 21787
Columbia, S.C. 29221-1787

Mr. William C. McKinney, III #256024

Mr. William C. McKinney, III #256024
Attor. Gen. Inst. #2, B-37
1057 Revolutionary Trail
P.O. Box 1151
Fairfax, S.C. 29827

WCMC III / CDF

February 12th, 2012
Fairfax, S.C.

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FEB 15 2012

S.C. SUPREME COURT

Mr. William C. Kennedy III

#256024

Alleendale Com. Inst. : F-2 ; B-37

1057 Revolutionary Trail

P.O. Box 1151

Fairfax, S.C. 29827

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FEB 14 2012

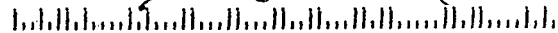
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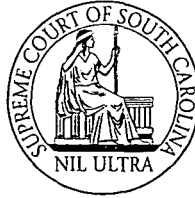
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The Supreme Court of South Carolina
Hon. Daniel E. Shearouse, Clerk
P.O. Box 11330
Columbia, S.C. 29211





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

(803) 734-1080

FAX (803) 734-1499

February 6, 2012

Mr. William C. McKinnedy, III, #256024
Allendale Corr. Inst.
F-2; B-37
PO Box 1151
Fairfax, SC 29827

Re: William C. McKinnedy, #256024 v. SCDC

Dear Mr. McKinnedy:

Enclosed is the order issued in the above entitled matter.

By copy of this letter and order, we are advising all interested parties of the action by the Court.

Very truly yours,



CLERK

DES/lda

Enclosure

cc: Christopher D. Florian, Esquire
The Honorable Tanya Gee

The Supreme Court of South Carolina

William C. McKinnedy, III,
#256024,

Petitioner,

v.

South Carolina Department of
Corrections,

Respondent.

ORDER

By order dated October 28, 2011, this matter was dismissed due to petitioner's failure to serve and file a petition for a writ of certiorari in accordance with Rule 242(c) and (d), SCACR, and his failure to file an appendix in accordance with Rule 242(e), SCACR. Petitioner has now filed a "Petition for Reinstatement: Motion to Stay/Transcript of Proceeding-Appendix/Time/ & Reinstatement to File Petition, Appendix & Motion to Waive the Filing Fees or 'et.seq'." Therein, petitioner seeks reinstatement of this matter and a stay based on the fact that he has been unable to procure a copy of the record on appeal and briefs filed in the Court of Appeals, which he states he needs to assemble the appendix, petition for a writ of certiorari, and motion to waive the filing fee. Because petitioner's ability to proceed

with this matter, and thus his need for copies of the record on appeal and briefs, depends on his ability to proceed *in forma pauperis*, we hereby hold this matter in abeyance in order to give petitioner the opportunity to file a motion to proceed *in forma pauperis* which not only establishes his indigency, but also establishes that this is the type of case in which he is entitled to proceed *in forma pauperis*. Neither the record on appeal nor the briefs are necessary for preparation of such a motion. Petitioner shall file the motion within thirty days of the date of this order.

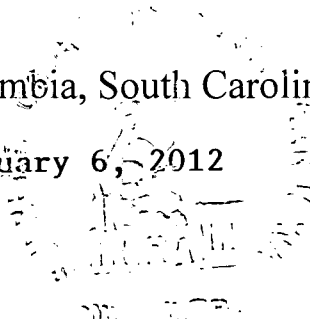
IT IS SO ORDERED.



FOR THE COURT C. J.

Columbia, South Carolina

February 6, 2012



The State of South Carolina
In The Supreme Court

Appeal From Administrative Law Court
Hon. John D. McLeod, Adm. Law Judge

Case No.: 2009-AL-01-00631

RECEIVED
NOV 09 2011
S.C. SUPREME COURT

Mr. William C. McKinney, III, #256024, Petitioner,
Vs.
South Carolina Department of Corrections, Respondent

Petition For Reinstatement: Motion to Stay /
Transcript of Proceeding - Appendix / Time; & Reinstatement to
File Petition for Writ of Certiorari, Appendix; & Motion to Waive
the Filing Fees or "et. seq".

Comes now the Petitioner Mr. William C. McKinney, III, pursuant
to Rules 241 - Stay, Rule 207 - Transcript of Proceeding - Appendix, Rules
263 - Time, SCA CR or "et. seq". Due to receiving an Order of Dismissal
on 11/01/11 & Dated: 10/28/11.

Which the Petitioner is in need of a granting of a Motion to Stay - due
to not having been sent the record on Appeal and Briefs (Transcripts), so,
that I can put together the "Appendix & Petition of Writ of Certiorari,
with the Motion to Waive the filing fees as provided by Rule 267(d) "et. seq",
SCA CR. Which the Petitioner is "Indigent", and have been from the
beginning of the original filing of the Step 1 Guidance to the Petitioner for
Rehearing in the South Carolina Court of Appeals Dental's. Ⓞ

Ⓞ (See, The Order Dated: 10/17/11, In McKinney vs. SCDC, No.: 2009-AL-01-00631,
Granted for the (Same) above mentioned reasons, In Supreme Court of South Carolina.)

tion Continues - 2 of 3

I have sent several letters requesting for the S.C. Court of Appeals forward me my Record on Appeal and Briefs (Transcripts) for the above mentioned case and the Clerk have written back stating that, if I file a petition for a writ of Certiorari, that she will forward my Record of Appeal Briefs (Transcripts) to the Supreme Court for South Carolina. So, I am unable to comply with Rule 243(d) "et. seq" until I can meet its requirements of the Rules (See, Exhibits: 10/28/11 / Letter from the South Carolina Court of Appeals: Adm. Specialist - R.S.J.).

Which is why I have motioned for a "Stay" pursuant to Rule 241 Exceptions: (b)(2) as provided in S.C. Code Ann. § 18-9-150; / or (b)(1); Appeals from Adm-Administrative tribunals as provided in S.C. Code Ann. § 1-23-380 (A)(2); / or § 1-23-600 (D)(5). Also pursuant to Rule 207, SCACR, I need time for the Supreme Court (S.C.) to receive the Transcripts / Record on Appeal / Briefs pursuant to Rule 242 "et. seq", SCACR, which this Supreme Court for S.C. have already dismissed my Notice of Appeal on or by 10/28/11 due to my failure to serve and file a petition for a writ of Certiorari, that is required by the above mentioned Rules alone without timely serving an "Appendix", as required by Rule 242 "et. seq", SCACR. (See, Exhibit 6) 10/28/11 pp 1-2 of 2 / Order of Dismissal, dated: 10/28/11 & signed by Hon. J. H. Teal, C.J.) which was only because of my "Indigency". I am unable to pay for the postage (\$7.50) to the South Carolina Court of Appeals, so, that they will forward me the Record on Appeal & Briefs (Transcripts), that will make-up for an "Appendix" for the requirements for the writ of Certiorari and the Rules (SCACR).

I should be given "Access to the Courts" even, if I am indigent (See, Lewis vs Carey, 116 Sct. 2174, 2179; Ex parte Hull, 41 Sct. 640-642; e.g. Burns vs. Ohio, 79 Sct. 1164, 1168-1169; e.g. Garrison vs. Illinois, 76 Sct. 58-590-591; / Burndt vs Smith, 97 Sct. at 1492-1493 (focus on the same entitlements of "Access to the Courts").

Which is why I need to be reinstated pursuant to Rule 260, SCACR I will need thirty (30) days pursuant to Rule 243(d) SCACR to file the Petition of Writ of Certiorari, Appendix, & Motion to Waive the

Petition Continues - 3 of 3

filing fees, with the Supreme Court of South Carolina and a copy to respondents, with proof of service or etc. . . after receiving an order granting the above mentioned Motions / Petitions.

So, I am in need of the Chief Justice; Hon. Jean H. Toal to grant an Order to Stay or etc. . . For the above mentioned reasons, that have not been done for delay by the Petitioner Mr. McKimedy III, but in good faith, and with my warmest regards pursuant to the Rules of the Supreme Court of South Carolina, that I am unable to comply with due to my indigency status.

Respectfully Submitted,

Mr. William C. McKimedy III #256029

Mr. William C. McKimedy III #256029
Abendale Cm. Trst. 3rd B-37
1057 Revolutionary Trail
P.O. Box 1151
Fairfax, S.C. 29827

WCMC III / ec file

November 7th, 2011
Fairfax, S.C.

3 of 3



The South Carolina Court of Appeals

TANYA A. GEE
CLERK

V. CLAIRE ALLEN
DEPUTY CLERK

POST OFFICE BOX 11629
COLUMBIA, SOUTH CAROLINA 29211
1015 SUMNER STREET
COLUMBIA, SOUTH CAROLINA 29201
TELEPHONE: (803) 734-1890
FAX: (803) 734-1839
www.sccourts.org

October 20, 2011

William McKinney # 256024
Allendale Correctional
Institution
P. O. Box 1151, Hwy 47
Fairfax, SC 29827

Exhibits: 10/20/11

Re: McKinney, William v. SCDC (3)

Dear Mr. McKinney :

Your letter, dated October 13, 2011, requesting the records in the above case has been received by the Court. Indigent status does not come into effect with the mailing fee for the records.

If you are planning to file a Petition for Certiorari at the Supreme Court we will send the records to the Supreme Court if requested by that Court.

Sincerely,

A handwritten signature in black ink, appearing to read "Renee S. Johnson".

Renee S. Johnson
Administrative Specialist

VIA
TAG/rj

cc: Christopher D. Florian, Esquire

this Court within the time specified by Rule 260(a), SCACR, and must comply with the requirements of Rule 240, SCACR. Additionally, any petition for reinstatement should be accompanied by a petition for a writ of certiorari and appendix that comply with the content requirements of Rule 242(d) and (e), SCACR, and a proof of service showing that a copy of the petition for a writ of certiorari has been served on opposing counsel. Based on the earlier order of the Court of Appeals reducing the number of copies to be filed in this matter, only one copy of these documents need be filed with this Court.

JEAN H. TOAL, CHIEF JUSTICE

BY



CLERK

Columbia, South Carolina

October 28, 2011

ESQUIRE
10/28/11

cc: Mr. William C. McKinney, III, #256024
Christopher D. Florian, Esquire
The Honorable Tanya Gee

The State of South Carolina
In the Supreme Court

Appeal From Administrative Law Court
Hon. John D. McLeod, Adm. Law Judge



Case No.: 2009-AL-04-00631

RECEIVED

NOV 09 2011

Mr. William C. Kennedy, III #256024 Petitioner,
vs,
South Carolina Department of Corrections Respondents

Proof of Service

I certify that, I Mr. William C. Kennedy, III #256024 have placed a Petition for Reinstatement; Motion to Stay / Transcript of Proceeding - Appendix / Time; / Reinstatement to file Petition, Appendix, Motion to Waive the Filing Fees or "et. seq", pp. 1-3 of 3, with Exhibits; 10/20/11 p. 1; / Exhibits; 10/28/11 p. 1-2 of 2 in the Allendale Com. Inst. mailroom system, with first-class postage pre-paid for the U.S. Postal Services and addressed to the following:

The Supreme Court of South Carolina
Hon. Jeanette Teal, C.J.
P.O. Box 11330
Columbia, S.C. 29211;
Christopher D. Flanagan, Esq.,
S.C. Dept. of Corrections
P.O. Box 21787
Columbia, S.C. 29221-1787;
11/07/11
Fairfax, S.C.

The South Carolina Court of Appeals
Hon. Tanya A. Cree, Clerk
P.O. Box 11629
Columbia, S.C. 29211; /

Mr. William C. Kennedy, III #256024
Mr. William C. Kennedy, III #256024
Allendale Com. Inst.: E2; B-37
1057 Revolutionary Trail
P.O. Box 1151
Fairfax, S.C. 29827
WMCKEIII/PCFile

Mr. William C. Kennedy III
#256024
Allendale Corr. Inst. : F-2; B-37
1057 Revolutionary Trail
P.O. Box 1151
Fairfax, S.C. 29827

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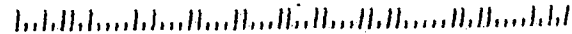
NOV 07 2011

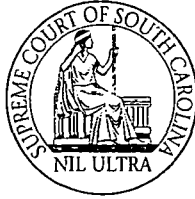
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ACI

2921161330



The Supreme Court of South Carolina
Hon. Jean H. Toal, C.J.
P.O. Box 11330
Columbia, S.C. 29211





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

(803) 734-1080

FAX (803) 734-1499

December 19, 2011

Mr. William C. McKinnedy, III, #256024
Allendale Correctional Institution
F-2; B-37
PO Box 1151
Fairfax, SC 29827

Re: McKinnedy, III, William v. SCDC, 2009-AL-04-00631 (Case Tracking No.
case 2011201846)
McKinnedy, III, William v. SCDC, 2009-AL-04-00009 (Case Tracking No.
2011198088)

Dear Mr. McKinnedy:

This responds to your letter to Chief Justice Toal dated December 15, 2011. Your petitions/motions are pending in these cases and you will be advised when the Court takes action. Due to the number of pending matters, it may take up to a month for the Court to act.

Very truly yours,



CLERK

cc: Christopher D. Florian, Esquire

The State of South Carolina
In The Supreme Court

RECEIVED

DEC 19 2011

S.C. SUPREME COURT

Mr. William C. Kennedy III
#256024
Allendale Court, F-2, B-37
1057 Revolutionary Trail
P.O. Box 1151
Fairfax, S.C. 29827



Hon. Jean H. Toal, C.J.
P.O. Box 11330
Columbia, S.C. 29211

December 15th, 2011

RE: Mr. William C. Kennedy III, vs. SCDC No.: 2009-AL-04-00009, & 2009-AL-04-00631

Dear Chief Judge Toal:

I am writing in regards to the above mentioned cases, that is pending in your court, that I am waiting on your order granting these mentioned motions, that was filed on or by November 2011, and I am patiently waiting on your response. Which, if you have already responded to the above mentioned case numbers I have not got any "notices", and my address is as mentioned above. Alone, with my concerns is all done, with my warmest regards,

"Happy Holidays" ☺

12/15/11
Fairfax, S.C.

Sincerely Yours,
Mr. William C. Kennedy III
#256024
WMC/EM /CC/BE
Respondent /CDF, Esq.

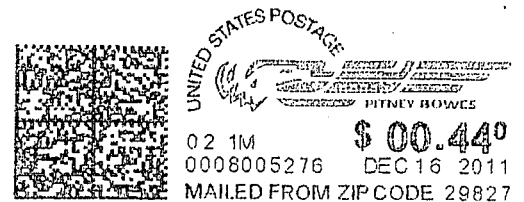
Mr. William C. McKinney, III
#256024
Abendale Com. Just. : F-2; B-37
1057 Revolutionary Trail
P.O. Box 1151
Fairfax, S.C. 29827

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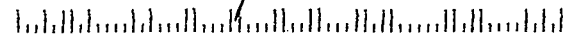
DEC 16 2011

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29211+1330



The Supreme Court of South Carolina
Hon. Jean He Toal, C.J.
P.O. Box 11330
Columbia, S.C. 29244



The Supreme Court of South Carolina

William C. McKinnedy, III,
#256024, Petitioner,

v.

South Carolina Department of
Corrections, Respondent.

The Honorable John McLeod
Richland County
Trial Court Case No. 2009-AL-04-00631

ORDER of DISMISSAL

Petitioner has filed a notice of appeal seeking review of the decision of the South Carolina Court of Appeals in this matter. Based on the failure of the petitioner to serve and file a petition for a writ of certiorari as required by Rule 242(c), SCACR, and his failure to timely serve and file an appendix as required by Rule 242(e), SCACR,

IT IS ORDERED that this matter is hereby dismissed. Any petition for reinstatement must be served on opposing counsel and filed with

this Court within the time specified by Rule 260(a), SCACR, and must comply with the requirements of Rule 240, SCACR. Additionally, any petition for reinstatement should be accompanied by a petition for a writ of certiorari and appendix that comply with the content requirements of Rule 242(d) and (e), SCACR, and a proof of service showing that a copy of the petition for a writ of certiorari has been served on opposing counsel. Based on the earlier order of the Court of Appeals reducing the number of copies to be filed in this matter, only one copy of these documents need be filed with this Court.

JEAN H. TOAL, CHIEF JUSTICE

BY



CLERK

Columbia, South Carolina

October 28, 2011

cc: Mr. William-C. McKinnedy, III, #256024
Christopher D. Florian, Esquire
The Honorable Tanya Gee

The State of South Carolina
In The Supreme Court

Mr. William C. McKinney III
#256024
Allendale Cmn. Just. : F-2; B-37
1057 Revolutionary Trail
P.O. Box 1151
Fairfax, S.C. 29827

October 24th, 2011

Hon D. Shearouse, Clerk
P.O. Box 11330
Columbia, S.C. 29211

RE: Mr. William C. McKinney III vs. SCDC (3)
No.: 2009-AL-04-00631

RECEIVED

OCT 27 2011

S.C. SUPREME COURT

Dear Clerk: I am in need of your office forwarding me back one (1) copy of the Orders of Denial for Rehearing by John C. Crew, C.J. and concurring judges file dated: 10/10/11. Which due to my oversight I placed two (2) copies instead of one (1) as required that was unintentional, so, I am looking forward to getting a speedy-fast response about the above mentioned due to the other copy belonging to respondents for their Notice of Appeal all dated: 10/21/11 for their file as well. Which I have not done for delay, but in good faith and, with my warmest regards.

October 24th, 2011
Fairfax, S.C.

Sincerely,
Mr. William C. McKinney III #256024
WCMC III
Respondents/SCDC

Mr. William C. McKinney & ~~TM~~

#256029

Allendale Cor. Inst. : F-2 B-37

1057 Revolutionary Trail

P.O. Box 1151

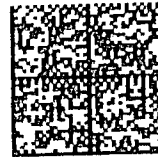
Fairfax, Va. 29827

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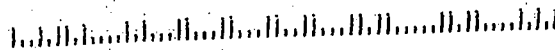
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The Supreme Court of South Carolina

Hon. D. Shearouse, Clerk

P.O. Box 11330

Columbia, S.C. 29211



The State of South Carolina
In The Supreme Court

Appeal From Administrative Law Court
Hon. John D. McLeod, Adm. Law Judge **RECEIVED**

Case No.: 2009-AL-04-00631

OCT 25 2011

S.C. Supreme Court

Mr. William C. McKinney, III, #256024 Appellant,
South Carolina Department of Corrections Respondents

Notice Of Appeal

Mr. William C. McKinney, III, #256024 appeals the order(s) (judgment(s)) of the hon. John C. Few, C.J., and two (2) other(s) Judges concurring and denied Motion for Rehearing Dated: 10/10/11, and received by the Appellant on or by 10/13/11 by way of an order to report (OTR) from the Abbeville Correctional Institution's mailroom system.

Other Counsel of Record:
Christopher D. Floridan
Staff Attorney
S.C. Dept. of Corrections
P.O. Box 21787
Columbia, S.C. 29221-1787

~~Mr. William C. McKinney, III, #256024~~
Mr. William C. McKinney, III, #256024
Abbeville Cor. Inst. iE2/B-37
1057 Revolutionary Trail
P.O. Box 1151
Fairfax, S.C. 29827
WMCA/III/CC-File
The Supreme Court, S.C.

October 20th, 2011
Fairfax, S.C.



The South Carolina Court of Appeals

TANYA A. GEE
CLERK

V. CLAIRE ALLEN
DEPUTY CLERK

POST OFFICE BOX 11629
COLUMBIA, SOUTH CAROLINA 29211
1015 SUMTER STREET
COLUMBIA, SOUTH CAROLINA 29201
TELEPHONE: (803) 734-1890
FAX: (803) 734-1839
www.sccourts.org

October 10, 2011

William McKinnedy # 256024
Allendale Correctional
Institution
P. O. Box 1151, Hwy 47
Fairfax, SC 29827

Re: McKinnedy, William v. SCDC (3)

Dear Mr. McKinnedy :

Enclosed is a copy of an Order of the Court denying your Petition for Rehearing in the above case.

The Remittitur in this case will be held in this Court only so long as required by Appellate Court Rule 221 (b).

We have also received another motion to recuse Chief Judge Few. No action will be taken on the this motion as it merely restates your previously filed motion to recuse, which has already been denied.

Please notify this office, in writing, within ten (10) days from the date of this letter, whether or not you want any of the remaining Records on Appeal and briefs we may have in this case. Also enclose a check payable to the S. C. Court of Appeals, in the amount of \$7.50, to cover mailing costs. If we have not heard from you within ten (10) days, the Record on Appeal and briefs will be disposed of.

Sincerely,

A handwritten signature in black ink, appearing to read "Renee S. Johnson".

Renee S. Johnson
Administrative Specialist

Handwritten initials "TAG/rj" in black ink.

cc: Christopher D. Florian, Esquire

The South Carolina Court of Appeals

William McKinney,

Appellant,

v.

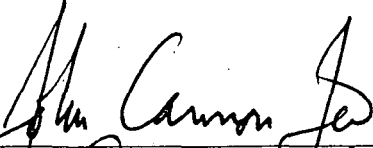
South Carolina Department of
Corrections,

Respondent.

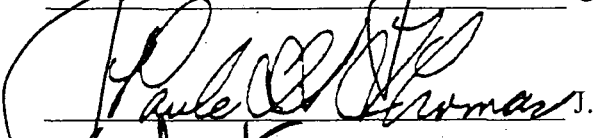
The Honorable John D. McLeod
Administrative Law Court
Case No. 2009-AL-04-00631

ORDER


After a careful consideration of the Petition for Rehearing, the Court is unable to discover that any material fact or principle of law has been either overlooked or disregarded and hence, there is no basis for granting a rehearing. It is, therefore, ordered that the Petition for Rehearing be denied.



C.J.



J.



J.

Columbia, South Carolina

FILED

OCT 10 2011



The South Carolina Court of Appeals

TANYA A. GEE
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V. CLAIRE ALLEN
DEPUTY CLERK

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September 22, 2011

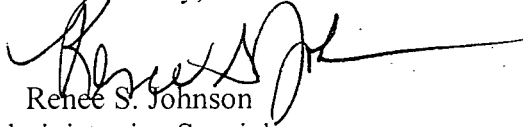
William McKinney # 256024
Allendale Correctional
Institution
P. O. Box 1151, Hwy 47
Fairfax, SC 29827

Re: McKinney, William v. SCDC (3)

Dear Mr. McKinney:

Enclosed is a copy of an Order of the Court Denying your Motion for Recusal in the above case.

Sincerely,


Renee S. Johnson
Administrative Specialist

VCA
TAG/rj

cc: Christopher D. Florian, Esquire

The South Carolina Court of Appeals

William McKinney,

Appellant,

v.

South Carolina Department of
Corrections,

Respondent.

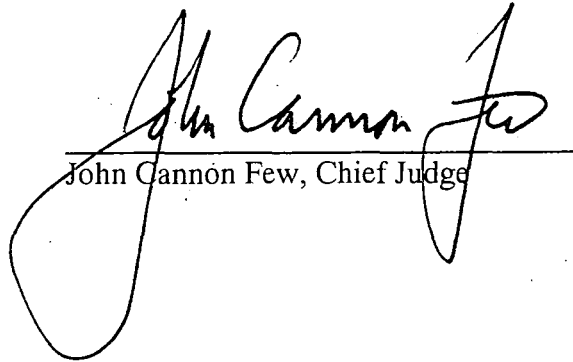
The Honorable John McLeod
Richland County
Trial Court Case No. 2009-AL-04-00631

ORDER DENYING MOTION FOR RECUSAL

Appellant William McKinney has filed a motion asking me to recuse myself from this appeal. McKinney claims I must recuse myself because in a separate case I heard as a circuit court judge, I dismissed his application for post-conviction relief as successive and untimely. Because that was a separate case, I am not technically prohibited from participating in this case. Cf. S.C. Code Ann. § 14-8-70 (Supp. 2010) (prohibiting a Court of Appeals judge from sitting in the appeal of any case over which he presided in an inferior court); Floyd v. State, 303 S.C. 298, 299, 400 S.E.2d 145, 146 (1991) (per curiam) (requiring judge who presided over guilty plea, criminal trial, or probation revocation to recuse himself from post-conviction relief proceedings if applicant moves for recusal). Further, I have carefully reviewed Rule 3(E)(1) of the Code of Judicial Conduct, Rule 501, SCACR, and I do not believe my participation in McKinney's post-conviction relief action warrants my recusal from this case. Accordingly, I am required to continue participating in this case. See Rule 3(B)(1), CJC, Rule 501, SCACR ("A judge shall

hear and decide matters assigned to the judge except those in which disqualification is required."). Therefore, McKinnedy's motion is denied.

IT IS SO ORDERED.


John Cannon Few, Chief Judge

Columbia, South Carolina
September 22, 2011

cc: William McKinnedy # 256024
Christopher D. Florian

FILED
SEP 22 2011

The State of South Carolina
In The Supreme Court

Appeal From Administrative Law Court
Hon. John D. McLeod, Adm. Law Judge

Case No.: 2009-AL-07-00631

Mr. William C. McKinney, III #256024 Appellant,
South Carolina Department of Corrections Respondents

Proof of Service

I certify, that I, Mr. William C. McKinney, III #256024 have placed the Notice of Appeal, and Order(s) [Rehearing] in the Alleendale Correctional Institutions, mailroom system, with first class postage prepaid for the U.S. Postal Services and addressed to the following:
The Supreme Court of South Carolina, Hon. D. Shearouse, Clerk, P.O. Box 11330, Columbia, S.C. 29211; & Christopher D. Flordan, Esq., Staff Attorney, S.C. Dept. of Corrections, P.O. Box 21787, Columbia, S.C. 29221-1787.

- of the Supreme Court, S.C.
- The Court of Appeals, S.C.
- WMC/III/CC/FILE
- SCDL/Respondents

October 20th, 2011
Fairfax, S.C.

~~Mr. William C. McKinney, III #256024~~
Mr. William C. McKinney, III #256024
Alleendale Corr. Inst. #2; B-37
1057 Revolutionary Trail
P.O. Box 1151
Fairfax, S.C. 29827

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S.C. SUPREME COURT

Mr. William C. McKinney, III

#256024

Allendale Corr. Inst.; E-2; B-37

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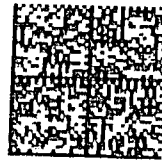
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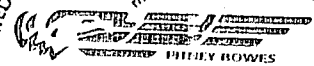
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