

The South Carolina Court of Appeals

Billy Lee Lisenby, Jr., Appellant,

v.

State of South Carolina, Respondent.

Appellate Case No. 2012-212384

ORDER

Appellant's motion to appoint counsel is denied. See Coleman v. Thompson, 501 U.S. 722 (1991) (holding there is no right to counsel on appeal from the denial of a state habeas corpus petition). Appellant's motion for a writ of mandamus is also denied. Furthermore, as we requested by letter of August 17, 2012, because the circuit court determined that habeas corpus relief was improper because the issues could have been raised in a timely application under the Post-Conviction Relief Act (*see Simpson v. State*, 329 S.C. 43, 495 S.E.2d 429 (1998)), you must file a written explanation as to why this determination was improper. This explanation must contain sufficient facts, argument and citation to legal authority to show that there is an arguable basis for asserting that the determination by the circuit court was improper. *See* Rule 203(d)(1)(B)(vi), SCACR. Failure to provide an explanation within twenty days may result in the dismissal of your appeal.


FOR THE COURT

Columbia, South Carolina

cc:

Billy Lee Lisenby, Jr., 00200273

Tyson A. Johnson, Sr.

FILED

1-23-13