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February 25, 2019

VIA Fax Filing & Postmarked Mailed Filing

To: Court of Appeals

1015 Sumter St Ste 5.

Columbia SC 29201

(803) 734-1890

Fax# (803) 734-1839

To be filed by the
Clerk of Court
Of the Court of Appeals

Eli James Torrence, Petitioner SCDC#356338

V.

State of South Carolina, Respondent

Appellate Case No.2016-001753

Requesting Extension to file Petition for Rehearing & Petition for
Rehearing En Banc

RE: Petition for Writ of Certiorari, following the denial of Petitioners application for post-conviction relief.

Dear Court of Appeals & Court of Appeals Officials

On February 22, 2019, Defendant/Petitioner Eli James Torrence received NOTICE of Denial of Petition for Writ of Certiorari by 2 different parties. The 1st party that issued the Denial for Writ of Certiorari was Jenny Abbott Kitchings Clerk of South Carolina Court of Appeals postmarked 02/08/2019 and received by Petitioner on 02/22/2019 through Broad River Correctional Institution Mail Room services, 2nd Party that issued the Denial of Writ of Certiorari & Notice of Conclusion of representation (Abandoning Client) was Lacey Marie Thompson, Esquire

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(Petitioners Legal Counsel) postmarked 02/19/2019 and received by Petitioner on 02/22/2019 through Broad River Correctional Institution Mail Room services. The Petitioner intends to respond and respectfully requests an extension of the time to respond from 15 days to 30 days. Accordingly, Petitioner requests until March 10th, 2019 to respond to Denial of Petition for Writ of Certiorari with another Petition for Rehearing & Petition for Rehearing En Banc.

Why should Extension be granted

Petitioner has never reviewed the Brief for Petition for Writ of Certiorari (Even though petitioner requested to view the brief from Lacey Marie Thompson, Esquire / Petitioners Legal Counsel) VIA Email dated December 5th, 2016 (will be included as Exhibit A please see attachments), nor has petitioner ever viewed the South Carolina Court of Appeals panels reasoning, and citing of case law denying Petitioner for Writ of Certiorari.

Petitioner is filing for and requesting this extension Pro Se because Lacey Marie Thompson, Esquire (Defendant/Petitioners Legal Counsel) has abandoned Client and this is proven in a letter to Petitioner from Lacey Marie Thompson, Esquire (Defendants/Petitioners Legal Counsel) specifying the Conclusion of Representation had been met (will be included as Exhibit B please see attachments) and refused to fulfill Legal Duties and refused to fulfill Lawyer Client Contract by Concluding Representation before meeting the full completion of Lawyer Client contract which specified (Legal Representation) would include entire PCR Post Conviction Relief procedures, and if denied relief VIA PCR (Legal Representation) would also include the Appeal process following Denial of Relief VIA PCR with the proper Appeals procedures through Writ of Certiorari procedures. Lacey Marie Thompson, Esquire (Defendants/Petitioners Legal Counsel) didn't exhaust all state remedies and Refused to file necessary Petition for Rehearing & Petition for Rehearing En Banc on 02/22/2019 when requested to do so by Petitioner/Defendant on the same date Petitioner was informed of the Denial of Petition for Writ of Certiorari Friday 02/22/2019 and the last day for receipt of Appeal the Denial decision VIA Petition for Rehearing & Petition for Rehearing En Banc is Monday 02/25/2019 only 1 business day from receiving Notice of Denial of Petition for Writ of Certiorari and Notice of Abandonment stating she didn't have a belief there were appealable issues and Refused to file Petition for Rehearing & Petition for Rehearing En Banc after being informed and requested to do so VIA Fax, Email, & Phone conversation all on the same date of 02/22/2019.

As previously stated Petitioner intends to respond Pro Se to the ORDER of Denial for Writ of Certiorari since Legal Counsel (Lacey Marie Thompson, Esquire) has abandoned duties of

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representation, but can't respond due to Petitioner doesn't have sufficient documentation (Writ of Certiorari Brief & Entire Explanation and case law from Judges Panel of the Court of Appeals) and has never viewed either document (Writ of Certiorari Brief & Entire Explanation and case law from Judges Panel of the Court of Appeals) To be able to prepare and formulate a proper Petition for Rehearing & Petition for Rehearing En Banc. So according to Constitutional Amendment's and Due Process Petitioner hasn't had the right Due Process needed to be able to articulate a response due to the lack of knowledge on reasoning and case law/case citing's behind the South Carolina Court of Appeals denying Petition for Writ of Certiorari

So the Petitioner should be granted the Extension to be able to request and receive the proper Documents absolutely necessary in order to be able to respond to Denial of Writ of Certiorari with a Petition for Rehearing & Petition for Rehearing En Banc. Petitioner will request Both documents from the South Carolina Clerk of the Court of Appeals & Lacey Marie Thompson, Esquire.

Please feel free to contact me should you have any questions. Also please Update Petitioners Address on File

Eli James Torrence SCDC#356338
Broad River Correctional Institution
4460 Broad River Road
Columbia SC, 29210

Copies will be sent to the following:

South Carolina Clerk of Court of Appeals
VIA Fax & Postmarked Mail Filing

Lacey Marie Thompson, Esquire
Via Fax & Email

EXHIBIT A

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Eli Torrence <eltorrence_bsa@gmail.com>
to laceylee

Dec 5, 2016, 1:25 PM



Ok thank you very much lacey, I'd like to see the documentation before it's submitted please, also if you take Notice in the transcripts from the PCR hearing John Dejong even admitted he WASN'T even sure if he explained the ELEMENTS of the crime that he believed what we discussed was pretty much just the AMOUNT of time being faced and the SEVERITY of the crime. If you Look over the case law and (Case sites) I sent over you can also take into account that a defendant has the right by SC law and IS Constitutional rights to be put on NOTICE the PROPER elements of the offense he's pleading guilty to as well. Make sure the case law used in the emails to Bobby and from the PCR hearing along with my last few emails are placed in the Appeal Brief as well so my arguments are preserved and there's case law and sites there to be reviewed by the receiving part so they have sufficient information to do there DUE DILIGENCE and see clearly the illegal errors made on this case again Common law, SC code of laws, Constitutional rights etc. Thank you again

On Dec 5, 2016 12:39 PM, <laceylee@grandstrandlaw.com> wrote:

Good afternoon Eli,

You would not need to sign a waiver as to my representation. In the fee agreement, Bobby put that he may contract outside attorneys for your representation.

As to the issues, we have not waived any of the issues from the PCR hearing. I have finished the initial brief, and I will be e-mailing it to Bobby to look over today. He still wants to help on your case. We will pass it back and forth to make sure all of the issues are covered in detail before filing it.

Please let us know if you have any questions.

Thank you,

Lacey Thompson
Thompson Defense Firm
516 29th Ave. N
Myrtle Beach, SC 29577
Phone: 843-444-6122
Fax: 843-444-6133

Reply

Forward

EXHIBIT B

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THOMPSON DEFENSE FIRM

Lacey Thompson

604 16th Ave. N, Myrtle Beach, SC 29577
lthompson@grandstrandlaw.com

Telephone: 843-444-6122
Fax: 843-444-6133

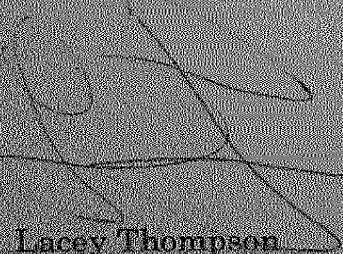
February 19, 2019

Broad River Correctional Institution
Inmate Eli Torrence #00356338
4460 Broad River Road
Columbia, SC 29210

Eli,

Unfortunately, we were denied writ of certiorari by the South Carolina Court of Appeals. We have attached the letter from the court. As you may remember, your case was transferred to that court by the South Carolina Supreme Court. Under the case law, we cannot appeal to the Supreme Court since it was transferred.

This will conclude our representation on your case. We will retain your file electronically for six years. Please feel free to contact my office if you should ever need a copy of any documents from your file.



Lacey Thompson
Attorney at Law

Enclosures

FAX COVER SHEET

TO	State of South Carolina
COMPANY	Court of Appeals
FAX NUMBER	18037341839
FROM	
DATE	2019-02-25 08:08:56 GMT
RE	LetterRequestingExtension

COVER MESSAGE

For Response to Writ of Cert Denial