



The Supreme Court of South Carolina

DANIEL E. SHEAROUSE
CLERK OF COURT

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July 12, 2019

Mr. Clifton Lyles, 294075
Turbeville Correctional Institution
P.O. Box 252
Turbeville SC 29162

Re: Clifton Lyles v. State
Appellate Case No. 2019-001128
Lower Court Case No. 2017CP4603864

Dear Mr. Lyles:

This Court has received your notice of appeal, and the case has been assigned the appellate case number that appears above. Please use this number on all future correspondence relating to this matter.

All parties to this matter are advised that all filings must comply with the requirements of Rule 267 of the South Carolina Appellate Court Rules (SCACR). The SCACR are available online at www.sccourts.org/courtreg. Additionally, any filings submitted by counsel admitted in South Carolina must include counsel's bar number.

The attention of the parties is directed to the order relating to the inclusion of personal data identifiers and other sensitive information in documents filed with the Supreme Court of South Carolina and the South Carolina Court of Appeals. The order can be found at www.sccourts.org/courtOrders/displayOrder.cfm?orderNo=2014-04-15-02. Please

note that the responsibility for insuring that information is redacted or sealed as required by this order rests with counsel and the parties. This office will not review filings for redaction or to determine if materials should be sealed.

I am aware that you have filed a motion under Rule 59 of the South Carolina Rules of Civil Procedure. Since I cannot determine if this motion was timely filed with the circuit court, I decline to dismiss this notice of appeal under *Hudson v. Hudson*, 290 S.C. 215, 349 S.E.2d 341 (1986). If you believe it should be dismissed without prejudice under *Hudson*, you will need to seek that relief by motion to this Court. That motion should be made within ten (10) days of the letter.

Since the order of the circuit court determined that this action is barred as being successive and/or as being untimely under the statute of limitations, Rule 243(c) of the South Carolina Appellate Court Rules requires you to provide a written explanation as to why this determination was improper.¹ 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 lower court was improper. The failure to make a sufficient showing may result in the dismissal of this matter.

Please provide the explanation required by Rule 243(c) within twenty (20) days of the date of this letter.

Since you have filed multiple post-conviction relief applications challenging the underlying criminal conviction(s), along with several federal and state habeas corpus actions, the Court, if it determines that you have failed to provide an adequate explanation under Rule 243(c), SCACR, may decide to prohibit you from filing a post-conviction relief application, habeas corpus action or any other action, motion or petition in the circuit court challenging this conviction(s) and sentence(s) (including a motion under Rule 29 of the South Carolina Rules of Criminal Procedure) without first obtaining the permission of this Court to do so. If you believe that there is some reason(s) why such a prohibition should not be imposed on future filings by you in the circuit court, those reasons should be

¹ While you did not provide this Court with a copy of the conditional and final orders of dismissal, this Court has obtained this documents from the public case index in York County.

provided within twenty (20) days of the date of this letter.

Very truly yours,

A handwritten signature in black ink, consisting of a large, stylized initial 'D' followed by several horizontal strokes.

CLERK

cc: Janell H Gregory, Esquire