

# The Supreme Court of South Carolina

Randolph Ashford, Petitioner,

v.

State of South Carolina, Respondent.

Appellate Case No. 2019-001416

Lower Court Case No. 2012-CP-40-01053

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SEP 30 2019

SC Court of Appeals

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## ORDER

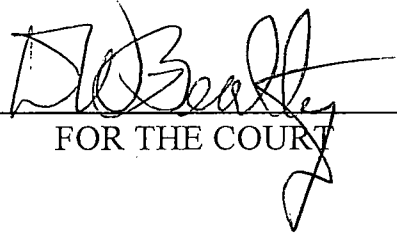
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Petitioner has sent a letter to the Clerk of Court alleging the post-conviction relief (PCR) court failed to specifically address all of the issues raised in his PCR application in its November 9, 2015 order. The court of appeals denied Petitioner's request for a writ of certiorari to review the order of the PCR court on February 28, 2018. Because over two years has elapsed since the decision of the court of appeals, this matter is not properly before this Court. *See* Rule 242(c), SCACR (stating a petition for writ of certiorari shall be served and filed within thirty days after the petition for rehearing is finally decided by the court of appeals).

Further, neither this Court nor the court of appeals has jurisdiction to review the PCR court's order after the proper sending of the remittitur on March 16, 2018. *See Wise v. S.C. Dep't of Corr.*, 372 S.C. 173, 174, 642 S.E.2d 551, 551 (2007) (holding after the remittitur has been sent, the appellate court no longer has jurisdiction over the matter unless the remittitur was sent down by mistake, error, or inadvertence of the court).

Finally, to the extent Petitioner is asking this Court to decide this matter in our original jurisdiction, Petitioner has presented no reason for this Court to do so. *See* Rule 245(a), SCACR (stating this Court may hear matters in its original jurisdiction if the public interest is involved, or if special grounds of emergency or other good reasons exist); *Key v. Currie*, 305 S.C. 115, 116, 406 S.E.2d 356, 357 (1991) (holding only if an extraordinary reason, such as a question of significant public interest or an emergency, exists will the Court determine a matter in its

original jurisdiction). Accordingly, no action will be taken on Petitioner's letter.



C.J.

FOR THE COURT



Columbia, South Carolina

September 30, 2019

cc:

James Clayton Mitchell, III, Esquire

Randolph Ashford, 256638

The Honorable Jenny Abbott Kitchings