

Curtis Johnson, 337543
Broad River C.I. - Marion 214
4460 Broad River Rd.
Columbia, S.C. 29210
October 5, 2019

RECEIVED

OCT 10 2019

S.C. SUPREME COURT

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

RE: case No. 2013-CP-32-2941; Notice of Appeal, Abst-conviction Relief


Dear Mr. Shearouse:

Hello, All be well. Please find enclosed for filing in your office my Notice to Appeal in the above case. Also enclosed are the following:

- (1) Proof of service of the notice of appeal on all the parties involved
- (2) A copy of the Form 4 order of Dismissal
- (3) A copy of the P.C.R Judge's order Denying Motion to Alter or Amend Judgment
- (4) Circuit Court Judge Brooks Goldsmith's August 3, 2019 letter
- (5) S.C.D.C Receipt of Legal Correspondence Verification

This appeal is being filed with the Supreme Court pursuant to Rule 203(b)(1), SCACR. I ask that you please clock stamp this letter and clock stamp the above enclosed documents, also please send back to me copies of all these clock stamped documents, I have enclosed a self-addressed envelope for you to send these documents back to me.

I thank you for All of your help and concern. Peace and Blessings Always,

Sincerely,


STATE OF SOUTH CAROLINA) IN THE COURT OF COMMON PLEAS
 COUNTY OF LEXINGTON) ELEVENTH JUDICIAL CIRCUIT
)
 Curtis T. Johnson, #337543) Case No. 2013-CP-32-2941
 Applicant,)
) Honorable Brooks Goldsmith, Circuit Court
 VS.) Judge Active/Retired
)
 STATE OF SOUTH CAROLINA) NOTICE OF APPEAL, Pursuant to Rule 203(b)(1), SCACR
 Respondent.) (Post-Conviction Relief)

APPLICANT'S PRO-SE MOTION FOR NOTICE OF APPEAL

Applicant, Curtis T. Johnson, acting Pro-se, appeals the order [Judgment] of the Honorable Judge Brooks Goldsmith dated September 10, 2019. Applicant received written notice of entry of this order [Judgment] on October 2, 2019.

October 3, 2019

s/ Curtis Johnson
 Curtis Johnson, #337543
 Broad River C.I. - Marion 214
 4460 Broad River Rd.
 Columbia, S.C. 29210
 Pro-se Applicant

other Counsel of Record:
 Lillian L. Meadows
 Assistant Attorney General
 P.O. Box 11549
 Columbia, S.C. 29211
 Attorney for Respondent

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OCT 10 2019

S.C. SUPREME COURT

Curtis Johnson, 337543
Broad River C.I. - Marion 214
4460 Broad River Rd.
Columbia, S.C. 29210
October 2, 2019

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OCT. 10 2019

S.C. SUPREME COURT

Brooks Goldsmith
Circuit Judge Active/Retired
P.O. Box 895
Edisto Island, S.C. 29438

RE: Case No. 2013-CP-32-294 (PCR); Notice of Appeal and
Ruling on New Trial motion

Dear Honorable Judge Goldsmith,

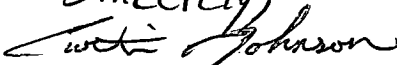
Hello, All be well. Please find enclosed to be filed in your office
my Notice of Appeal to your denial of my Motion to Alter or
Amend Judgment; which your order of denial is dated September
10, 2019. This appeal is being filed pursuant to Rule 203(b)(1), SCACR.

Also, in your order dated September 10, 2019 I see that you
had not made a ruling on my New Trial motion that I had sent
along with my motion to Alter or Amend Judgment. In your letter
dated August 3, 2019 that you sent to me you acknowledged
in your letter that you were in receipt of my "Motion to
Alter or Amend Judgment" and "Motion for New Trial"; I'm
requesting that you please make a ruling on my New Trial
motion also. "A timely motion for a new trial stays the time
for an appeal for all parties until receipt of written notice
of the order granting or denying such motion." Curtis v.
Blake, 672 S.E.2d 576 (S.C. 2009) "The trial court did not
lose jurisdiction to sign a written order confirming an oral
order granting a directed verdict even though the written
order was signed after a notice of appeal was filed because
when a form or other short order or judgment indicates

(U)

that a more full and complete order or judgment is to follow, Rule 203(b)(1), SCACR governs the time for service of a notice of appeal from the court of Common Pleas rather than Rule 204, SCACR; "Doe v. Berkeley Publishers, 471 S.E.2d 731 (1996); Rule 203(b)(1), SCACR.

I thank you for All of your help and concern. Peace and Blessings Always.

Sincerely,

Curtis Johnson, 337543
Pro-se Applicant

Cc: The Honorable Lisa M. Comes, Lexington County clerk of Court

Cc: The Honorable Daniel E. Shearouse, Supreme Court of South Carolina clerk of court

Cc: Lillian L. Meadows, Assistant Attorney General

Cc: South Carolina Commission on Indigent Defense, Division of Appellate Defense.

FORM 4

STATE OF SOUTH CAROLINA
 COUNTY OF LEXINGTON
 IN THE COURT OF COMMON PLEAS

JUDGMENT IN A CIVIL CASE
 CASE NUMBER 2013CP3202941

Curtis T Johnson #337543

State of South Carolina

PLAINTIFF(S)

DEFENDANT(S)

Submitted by:

Attorney for: Plaintiff Defendant
 Self-Represented Litigant

DISPOSITION TYPE (CHECK ONE)

- JURY VERDICT.** This action came before the court for a trial by jury. The issues have been tried and a verdict rendered.
- DECISION BY THE COURT.** This action came to trial or hearing before the court. The issues have been tried or heard and a decision rendered. See Page 2 for additional information.
- ACTION DISMISSED (CHECK REASON):** Rule 12(b), SCRPC; Rule 41(a), SCRPC (Vol. Nonsuit);
 Rule 43(k), SCRPC (Settled); Other: _____
- ACTION STRICKEN (CHECK REASON):** Rule 40(j) SCRPC; Bankruptcy;
 Binding arbitration, subject to right to restore to confirm, vacate or modify arbitration award; Other: _____
- DISPOSITION OF APPEAL TO THE CIRCUIT COURT (CHECK APPLICABLE BOX):**
 Affirmed; Reversed; Remanded; Other: _____

NOTE: ATTORNEYS ARE RESPONSIBLE FOR NOTIFYING LOWER COURT, TRIBUNAL, OR ADMINISTRATIVE AGENCY OF THE CIRCUIT COURT RULING IN THIS APPEAL.

IT IS ORDERED AND ADJUDGED: See attached order; (formal order to follow) Statement of Judgment by the Court:

ORDER INFORMATION

PCR hearing was held on April 21, 2015 @ 930am. PCR heard and denied.
 Attorney General's Office to prepare a more formal order.

This order ends does not end the case.

Additional Information for the Clerk: _____

INFORMATION FOR THE JUDGMENT INDEX

Complete this section below when the judgment affects title to real or personal property or if any amount should be enrolled. If there is no judgment information, indicate "N/A" in one of the boxes below.

Judgment in Favor of (List name(s) below)	Judgment Against (List name(s) below)	Judgment Amount To be Enrolled (List amount(s) below)

If applicable, describe the property, including tax map information and address, referenced in the order:

The judgment information above has been provided by the submitting party. Disputes concerning the amounts contained in this form may be addressed by way of motion pursuant to the SC Rules of Civil Procedure. Amounts to be computed such as interest or additional taxable costs not available at the time the form and final order are submitted to the judge may be provided to the clerk. Note: Title abstractors and researchers should refer to the official court order for judgment details.

Circuit Court Judge

Judge Code

4/28/2015

Date

For Clerk of Court Office Use Only

This judgment was entered on 15th May '15, and a copy mailed first class or placed in the appropriate attorney's box on 15th May '15, to attorneys of record or to parties (when appearing pro se) as follows:

Curtis T Johnson #337543 Broad River Corr Inst - Murray
188 4460 Broad River Rd Columbia, SC 29210
Anna Good 1720 Main Street Suite 303 Columbia, SC 29201

J Walt Whitmire SC Attorney Generals Office

ATTORNEY(S) FOR THE PLAINTIFF(S)

ATTORNEY(S) FOR THE DEFENDANT(S)

Beth A. Carrigg / *Mh*

Court Reporter

Beth A. Carrigg - Clerk of Court

ADDITIONAL INFORMATION REGARDING DECISION BY THE COURT AS REFERENCED ON PAGE 1.

This action came to trial or hearing before the court. The issues have been tried or heard and a decision rendered.

YOUR PCR STATUS
is Dismissed.
I've included the
ORDER dated
5/2/15. It says
the PCR was
heard and
denied (dismissed).

Mr. Curtis T. Johnson,
SCDC # 337543
Broad River C.I.-Marion 214
4460 Broad River Road
Columbia, S.C. 29210

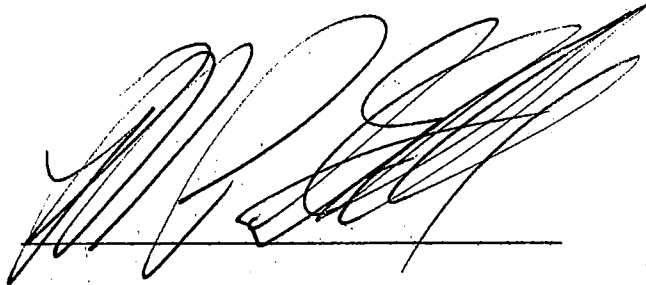
August 3, 2019

RE: 2013-CP-32-2941 (PCR)

Mr. Johnson,

I am in receipt of a Motion To Alter Or Amend Judgment and a Motion For New Trial in the above referenced matter. I have decided to resolve these motions by each side submitting briefs should they choose to do so. As the moving party you must submit your brief no later than August 23,2019. Any such brief should be filed with the clerk of court, and a copy provided to the Attorney General and me.

The Respondent shall file any response brief within 15 days of receipt of your brief.



Brooks P. Goldsmith

Circuit Judge, Active/Retired

Cc: Ms.Carolym Scrantom

STATE OF SOUTH CAROLINA) IN THE COURT OF COMMON PLEAS
COUNTY OF LEXINGTON) FOR THE ELEVENTH JUDICIAL
) CIRCUIT

Curtis T. Johnson, #337543) C/A No. 2013-CP-32-02941

Applicant,)

v.) ORDER DENYING MOTION

State of South Carolina,)

Respondent)

2019 SEP 19 AM 7:17
LISA H. COMER
CLERK OF COURT
LEXINGTON SC
FILED

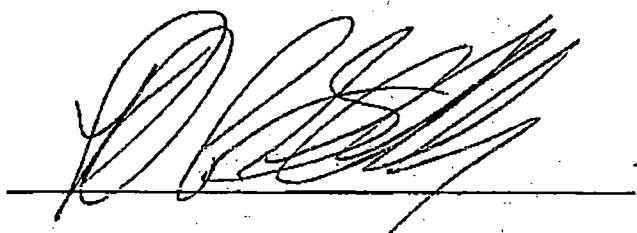
THIS MATTER COMES BEFORE THE COURT UPON APPLICANT'S MOTION TO RECONSIDER THE COURT'S ORDER OF DISMISSAL DATED JUNE 7th, 2019. BOTH PARTIES SUBMITTED BRIEF'S IN SUPPORT OF THEIR RESPECTIVE POSITIONS.

AFTER CONSIDERING THE BRIEF'S OF BOTH PARTIES, I FIND NO REASON TO ALTER OR AMEND THE PRIOR OF THIS COURT.

ACCORDINGLY THE APPLICANT'S MOTION IS HEREBY DENIED.

IT IS ALL SO ORDERED.

September 10, 2019



Brooks P. Goldsmith, Circuit Judge

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS

Receipt of Legal Correspondence Verification

This is to verify that legal correspondence from (Name and Address):

Clerk of Courts Office
County of Lexington
505 N. Main Street
Lexington, SC 29072

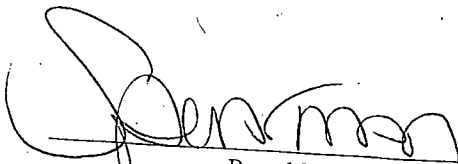
Addressed to (Inmate Name, SCDC#, and Address):

Curtis Johnson 337343
400 Broad Street
Columbia, SC 29210

was received and logged in on SCDC Form 10-12, "Legal/Privileged/Certified Mail Delivery Log," at the
BRCI Correctional Mailroom on (Date) 10/1/19

On (Date) 10/2/19, the above referenced correspondence was delivered to
Inmate Curtis Johnson, SCDC # 337343, and his signature
was obtained on SCDC Form 10-12, "Legal/Privileged/Certified Mail Delivery Log".

Additional Notes:


Postal Director/Institution

10/2/19
Date

STATE OF SOUTH CAROLINA
COUNTY OF LEXINGTON

) IN THE COURT OF COMMON PLEAS
) ELEVENTH JUDICIAL CIRCUIT
)

Curtis T. Johnson, #337543
Applicant,

) Case No. 2013-CP-32-2941
)

VS.

) Honorable Brooks Goldsmith, Circuit Court
) Judge Active/Retired
)

STATE OF SOUTH CAROLINA,
Respondent,

) Proof of SERVICE
) (Post-Conviction Relief)

APPLICANT'S PRO-SE PROOF OF SERVICE

I, the undersigned Applicant Curtis Johnson, acting Pro-se, being duly sworn upon my oath, do hereby certify that I have served a copy of 'Notice of Appeal', 'Form 4 order of Dismissal', 'Circuit Court Judge Brooks Goldsmith's August 3, 2019 Letter', 'Order Denying Motion to Alter or Amend Judgment', 'S.C.D.C. Receipt of Legal Correspondence Verification' and 'Applicant's October 2, 2019 letter to circuit court Judge Brooks Goldsmith' together upon Lisa M. Comer, Lexington County Clerk of Court; upon Daniel E. Shearouse, Supreme Court of South Carolina Clerk of Court; upon Circuit Court Judge Brooks Goldsmith; upon Lillian L. Meadows, Assistant Attorney General and upon the South Carolina Commission Indigent Defense, Division of Appellate Defense on 10/8/2019 by depositing a copy of it in the United States mail, postage prepaid, on 10/8/2019 addressed as follows:

-The Honorable Lisa M. Comer
County of Lexington, clerk of court's office
Common Pleas
205 East Main St.
Lexington, S.C. 29072

-Lillian L. Meadows, Esquire
Assistant Attorney General
P.O. Box 11549
Columbia, S.C. 29211-1549

(1)

RECEIVED

OCT 10 2019

S.C. SUPREME COURT

- The Honorable Brooks Goldsmith
Circuit Judge Active/Retired
P.O. BOX 895
Edisto Island, S.C. 29438

- The Honorable Daniel E. Shearouse
Clerk of Court, Supreme Court of South Carolina
P.O. BOX 11330
Columbia, S.C. 29211

- South Carolina Commission on Indigent Defense
Division of Appellate Defense
1330 Lady Street, Suite 401
Columbia, S.C. 29201-3332

SWORN or AFFIRMED to and subscribed before me this

8th day of October, 2019

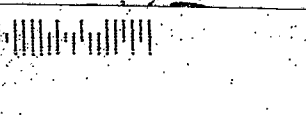
Karzen K. Olson
Notary Public

my Commission Expires: 8/5/2024

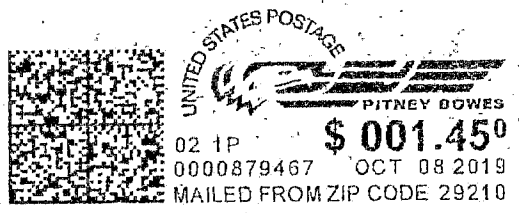


Curtis Johnson
Curtis Johnson, 337543
Broad River C.I., - Marion 214
4460 Broad River Rd,
Columbia, S.C. 29210
Pro-Se Applicant
October 5, 2019

(2)



Marion 214
er Rd,
29210



Honorable Daniel E. Shearouse
court, Supreme Court of South Carolina
Box 11330
Columbia, S.C. 29211