



# The Supreme Court of South Carolina

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POST OFFICE BOX 11330  
COLUMBIA, SOUTH CAROLINA  
29211  
1231 GERVAIS STREET  
COLUMBIA, SOUTH CAROLINA 29201  
TELEPHONE: (803) 734-1080  
FAX: (803) 734-1499  
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November 7, 2019

Division of Appellate Defense  
PO Box 11589  
Columbia SC 29211

Re: Stephen D. Berry v. State  
Appellate Case No. 2019-001092  
Lower Court Case No. 207CP4400259

Dear Division of Appellate Defense:

Enclosed is correspondence received from Mr. Berry. Since your office now represents him in this case, no action will be taken on this *pro se* correspondence by this Court. *Miller v. State*, 388 S.C. 347, 697 S.E.2d 527 (2010); *Jones v. State*, 348 S.C. 13, 558 S.E.2d 517 (2002); *State v. Stuckey*, 333 S.C. 56, 508 S.E.2d 564 (1998); *Foster v. State*, 298 S.C. 306, 379 S.E.2d 907 (1989).

Since the *pro se* Rule 59 motion does not appear to me to be either proper or timely, I decline to dismiss this appellate case without prejudice under *Hudson v. Hudson*, 290 S.C. 215, 349 S.E.2d 341 (1986). If your office believes this case should be dismissed under *Hudson*, your office will need to serve and file a motion seeking that relief.

Very truly yours,



CLERK

Enclosure

cc: Janell H Gregory, Esquire (with enclosure)  
Mr. Stephen D. Berry