

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal From Aiken County

Honorable J. Cordell Maddox, Circuit Court Judge

THE STATE,

v.

MICHAEL ALEXANDER COLLINS,

RESPONDENT,
SC Court of Appeals

RECEIVED
JAN 13 2020

APPELLANT,
APPELLATE Case No: 2018-002027

NOTICE OF PREJUDICE: FOR RESPONDENT'S FAILURE
TO COMPLY WITH THE SOUTH CAROLINA RULES OF
APPELLATE PROCEDURE TO SUBMIT ~~THE~~ RESPONSE BRIEF

I request this court to take notice ~~of~~ of Respondent's failure to respond to Appellant's brief submitted on 8/7/19 and Pro se Brief submitted on 9/19/19. The responses was due on 9/8/19 and 10/21/19. It is unfair and prejudicial to Appellant for the Respondent to violate these rules that are set forth in the South Carolina Rules of Appellate Procedures. It creates an unfair and prejudicial advantage to any party not bound by these rules. The time itself is the advantage to respondent by giving respondent more opportunity to research, draft, prepare ect. a brief. When the respondent already has the unfair advantage over Appellant with its unlimited resources. Appellant is prejudiced one hundred times over especially when he ~~follows~~ follows the rules and has only limited resources. Respondent has internet access, all the law at his disposal with a whole office at his command, being Attorney General affords the greatest advantage. Appellant is only allowed one day a week to access a law Library with outdated Books only four working Computers with a one hour limit to look up current cases which are limited to Westlaw basic subscription. Appellant is not allowed to make copies of hand written documents,

not allowed to print out cases, if forced to write any and all laws, cases rules ect. by hand. Which takes time. The Respondent can copy, print, paste, type anything he wishes. Respondent is also very knowledgeable of the law. As where appellant is just learning.

Respondant has experience - where appellant has very limited. To sum it up there is already an unfair advantage in the beginning, but when Respondant can violate the rules without sanction the advantage is unlimited. And prejudice is an understatement. Appellant has Mental Illness, learning disabilities, 5th grade equivalent and if I can follow the rules, ~~we~~ We can presume that one educated and licensed to practice law knows the rules and should follow them. In order to request the court to order that the relief sought in this case be made, I have to present a showing of prejudice to the Respondents violation. I do believe I have met that burden. And to top it off. Prejudice is made for delaying the very process to obtain Justice and possibly release, if not a new trial or sentence. The respondent should not have more time than allowed. He should be able to respond on time, and if he can't respond on time, then we should assume that he has no adequate argument and should not be given time to perfect his response.

Time was not given to appellant without the court's order. Appellant requested more time and followed the Rules. If this court allows the respondent to get away with violations. Appellant requests the same treatment, or prejudice is automatically established by the partiality of the court. Prima Facie.

Due to the uncontested Appeal that is in the record. I ~~do not~~ request that the court rule in my favor. There is no argument, no issues of facts, no response at all from the respondent. Tacit agreement is presumed. Silence is acceptance. And respondent is silent as of this date. I pray for the court to grant relief and to remand for new trial after reversal of convictions.

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X 1/6/20

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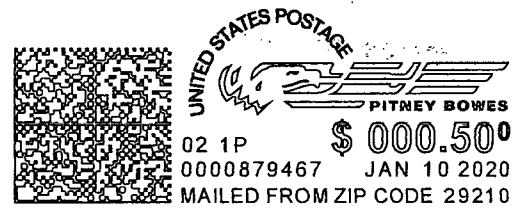
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SC Court of Appeals

Jenny Abbott Kitchings, Clerk
P.O. Box 11629
Columbia, SC 29211



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JAN 10 2020

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