

The Supreme Court of South Carolina

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CLERK OF COURT

BRENDA F. SHEALY
CHIEF DEPUTY CLERK

RECEIVED JUL - 9 2020

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July 7, 2020

Kenneth R. Young, Jr., Esquire
23 W. Calhoun St.
Sumter SC 29150

Re: Adrian McCray v. State
Appellate Case No. 2020-000738

Dear Counsel:

This Court has received your second notice of appeal in the above post-conviction relief action.¹ 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. 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.

¹ The initial notice of appeal was dismissed on May 14, 2020, based on the failure to provide a copy of the final order of dismissal. At that time, the public case index for Williamsburg County failed to show that a final order had been filed in this case. The current notice of appeal indicates counsel received written notice of entry of the final order of dismissal on June 1, 2020.

In the event you determine that you do not have a good faith explanation to provide pursuant to Rule 243(c), you must provide this Court with a letter stating that as an officer of the Court you are unable to set forth any arguable basis for asserting the determination by the PCR judge was improper. The letter should also advise petitioner that he has twenty (20) days from the date of the letter to file a *pro se* explanation as to why the petitioner believes that this determination by the circuit court was improper. *Dennison v. State*, 371 S.C. 221, 639 S.E.2d 35 (2006). The letter filed with this Court should include proof of service showing that a copy of the letter has been sent to the petitioner.

Please either provide the explanation required by Rule 243(c) or the response permitted by *Dennison* within ten (10) days of the date of this letter.

Very truly yours,

A handwritten signature in black ink, appearing to be the initials 'JBN' with a stylized flourish.

DEPUTY CLERK

cc:

Brianna Lynn Schill, Esquire

Circuit Court Division/RMC
Williamsburg County Courthouse
125 W Main Street
Kingstree, SC 29556
843-355-9321 ext. 7100
FAX: 843-355-1580

Williamsburg County

Sharon W. Staggers

Clerk of Court

sharon.staggers@williamsburgcounty.sc.gov

Family Court Division
Williamsburg County Complex
147 W Main Street
Kingstree, SC 29556
843-355-9321 ext. 6100
FAX: 843-355-1586

2016-CP-45-244

PLEASE NOTE ITEMS CHECKED BELOW AND MAKE APPROPRIATE CORRECTIONS

- Check not Signed
- Account Information (Family Court/ Court Cost/ Conditional Discharge/Probation)
- please pay this amount
- Signature of Grantor/Mortgagor omitted.
- Document not dated.
- Need _____ witnesses to signature of _____.
- Need Additional Information
- Fee amount insufficient. Please remit an additional \$ _____.
- No check enclosed. Please remit \$ _____.
- please Make Contact with the Clerk of Court Staff Mrs. Sharron M. Richardson
- please make contact with the Kingstree Police Dept. (843) 355-5435
- please make contact with the Williamsburg County Magistrate Office (843)355-9565
- please make contact with the Williamsburg County Sheriff Dept. (843) 355-6381
- This office do not handle the enclosed request. Please contact _____

Other: Mr. McCray, our record shows that you have a pending PCR case, 2016-CP-45-00244. We have Attorney Kenneth R. Young representing you. Therefore all court documents must come from him.

RETURN THIS DOCUMENT WITH YOUR CORRECTIONS/ADDITIONS. IF YOU HAVE QUESTIONS, PLEASE CONTACT THIS OFFICE AT THE ABOVE LISTED NUMBER.

Laura, Clerk

KENNETH R. YOUNG, JR.
LAW FIRM, P.A.

ATTORNEY AT LAW
23 WEST CALHOUN STREET
SUMTER, SOUTH CAROLINA 29150
803-773-4371 • FAX 773-4374

KENNETH R. YOUNG, JR.*
kyoung@sumterattorney.com

* CERTIFIED FAMILY COURT MEDIATOR
* CERTIFIED CIVIL COURT MEDIATOR
* CERTIFIED ARBITRATOR
* LICENSED BEFORE US SUPREME CT.

July 16, 2020

The Supreme Court of South Carolina
Post Office Box 11330
Columbia, SC 29211

RE: Adrian McCray vs. State of South Carolina
Appellate Case No: 2020-000738

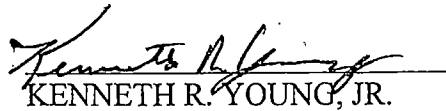
Dear Sir/Madam:

Pursuant to your letter of July 7, 2020 concerning the above referenced matter, please be advised that as an officer of the court, I am unable to set forth an arguable basis for asserting the determination by the PCR Judge was improper. As instructed, I am advising Mr. McCray that he has (20) days from the date of my letter, to file a pro'se explanation as to why he believes that this determination by the Circuit Court was improper.

I have also included a proof of service showing that a copy of this letter was sent to the Petitioner.

With kindest regards, I am

Sincerely yours,


KENNETH R. YOUNG, JR.

KRYjr/km
Cc: Adrian McCray