



# The Supreme Court of South Carolina

DANIEL E. SHEAROUSE  
CLERK OF COURT

BRENDA F. SHEALY  
CHIEF DEPUTY CLERK

POST OFFICE BOX 11330  
COLUMBIA, SOUTH CAROLINA  
29211  
1231 GERVAIS STREET  
COLUMBIA, SOUTH CAROLINA 29201  
TELEPHONE: (803) 734-1080  
FAX: (803) 734-1499  
[www.sccourts.org](http://www.sccourts.org)

September 3, 2020

Irven L. Myers, 201410  
Ridgeland Correctional Institution  
P.O. Box 2039  
Ridgeland SC 29936

Re: Irven Myers v. State  
Appellate Case No. 2020-001192  
Lower Court Case No. 2018CP1100268

Dear Petitioner:

This Court has received a number of documents from you, which appear to constitute an attempt to appeal the above post-conviction relief action. The matter has been assigned the appellate case number that appears above. Please use this number on all future correspondence relating to this matter.

All parties to this matter are advised that all filings must comply with the requirements of Rule 267 of the South Carolina Appellate Court Rules (SCACR). The SCACR are available online at [www.sccourts.org/courtreg](http://www.sccourts.org/courtreg). Additionally, any filings submitted by counsel admitted in South Carolina must include counsel's bar number.

The attention of the parties is directed to the order relating to the inclusion of personal data identifiers and other sensitive information in documents filed with the Supreme Court of South Carolina and the South Carolina Court of Appeals. The order can be found at [www.sccourts.org/courtOrders/displayOrder.cfm?orderNo=2014-04-15-02](http://www.sccourts.org/courtOrders/displayOrder.cfm?orderNo=2014-04-15-02). Please

note that the responsibility for insuring that information is redacted or sealed as required by this order rests with counsel and the parties. This office will not review filings for redaction or to determine if materials should be sealed.

Since you failed to file a notice of appeal, and you have not provided this Court with a proof of service showing a notice of appeal has been served on counsel for the State, I have provided a sample proof of service and a sample notice of appeal, which may assist you in serving and filing a notice of appeal and providing a proof of service. Please note that the time to serve the notice of appeal on the opposing counsel is relatively short under Rules 243(b) and 203, SCACR, and this time may not be extended. Rule 263(b), SCACR.

Further, to determine the timeliness of the service of the notice of appeal, you will need to provide this Court with the date on which you received written notice of entry of the final order in this case.

Finally, since the order of the circuit court determined that this action is barred as being successive and as being untimely under the statute of limitations,<sup>1</sup> Rule 243(c), SCACR, 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.

Accordingly, within fifteen (15) days of the date of this letter, you will need to provide this Court with the following:

- (1) The written explanation required by Rule 243(c), SCACR.
- (2) A notice of appeal and a proof of service showing that a copy of the notice of appeal has been served on opposing counsel.
- (3) A statement as to the date you received written notice of entry of the final order dated July 7, 2020. This order was apparently filed with the clerk of the circuit court on July 31, 2020, and a Form 4 order

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<sup>1</sup> While you did not provide a copy of the Conditional Order of Dismissal and Final Order of Dismissal with the notice of appeal, a copy of these orders have been obtained by this Court.

entered on August 4, 2020, indicates the final order was mailed to you by the clerk of the circuit court on August 4, 2020.

Very truly yours,



DEPUTY CLERK

cc:  
Chelsey Faith Marto, Esquire