

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

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OCT 15 2020

SC Court of Appeals

MICHAEL BRAXTON #119081)

PETITIONER)

v.)

SOUTH CAROLINA DEPARTMENT OF)
CORRECTIONS)

APPELLATE CASE NO.)

2017-001964)

MOTION REQUESTING IMMEDIATE RELEASE FROM STATE CUSTODY. (HABEAS CORPUS)

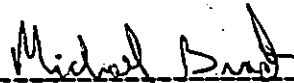
Here comes the Petitioner Michael Braxton before this honorable court of Appeals who is still currently incarcerated unlawfully by the South Carolina Department of Corrections, at Kershaw Correctional Institution, Kershaw, south Carolina.

This prolonged detention is apparently in contempt of this honorable court's order dated July 1, 2020, as well as the order rendered by the Administrative Law Court on August 26, 2020. ALJ-04-0325-A-AP

The South Carolina Department of Corrections are at present aware of these orders, as well as their intended directive; however, even after contacting Administrative Law judge H.W. Funderburk for guidance on September 1, 2020, in which he promptly directed them back to this honorable court, they still have NOT recalculated the Petitioner's sentence to reflect the (2) ~~TWO~~ years (16) Sixteen days that was ordered to be incorporated within it. This delinquent time EXPIRED the Petitioner's sentence on or around March of 2019!!

(See Attached Exhibits A & B)

Therefore, at this time the Petitioner humbly request that this honorable court assist while asserting to the South Carolina Department of Corrections the necessity of prompt compliance to court orders; Additionally, the Petitioner ask that the Court conveys to the South Carolina Department of Corrections that he should be immediately and unconditionally released from state custody.



Dated: 10/12/20

MICHAEL BRAXTON #119081
4848 Goldmine Hwy
Kershaw, SC 29067

STATE OF SOUTH CAROLINA
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MICHAEL BRAXTON #119081

PETITIONER

v.

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS

RESPONDENT

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CERTIFICATE OF SERVICE

The Petitioner hereby certifies that on *October 12,* 2020 he placed a copy of his MOTION REQUESTING IMMEDIATE RELEASE FROM STATE CUSTODY. (HABEAS CORPUS) In the U.S. Mail to be forwarded to the address listed below:

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS
OFFICE OF GENERAL COUNSEL
P.O. Box 21787
Columbia, sc 29221

MICHAEL BRAXTON 119081
4848 GOLDMINE HWY
KERSHAW, SC 29067

Michael BRAXTON # 116081

P.B. # 62

4848 Goldmine Hwy

Kershaw, SC 29067



SOUTH CAROLINA COURT OF APPEALS
c/o JENNY ABBOTT KITCHINGS, CLERK
V Clark Allen, Deputy Clerk

P.O. Box 11629

Columbia, SC 29211

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