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MAR 24 2021

S.C. SUPREME COURT

ROBERT WILLIAM WAZNEY

990 Wisacky Highway
Bishopville, S.C. 29010
803-428-2800

March 19, 2021

Supreme Court of South Carolina
PO Box 11330
Columbia, SC 29211

S.C. Dept. of Corrections
Salley W. Elliott, ESQ
4444 Broad River Road
Box 21787
Columbia, SC 29211-1787
RE: 2021-000223 (2020-000995)

Dear S.C. Supreme Court:

I am in receipt of this courts paper dated March 03, 2021 which I received sometime after March 8 and before today. Your paper states it received my 1/28/21 petition for writ of certiorari to review S.C. Court of Appeals decision of case number 2020-000995. Your paper also states that Court of Appeals denied rehearing on 12/22/20, remittitur was sent 2/3/21, and writ of certiorari had to be served on or before 1/22/21, and that no further motion or petition can be considered by either appellate court, citations for Stoydill, and Wise. And that no action will be taken on my motion for writ of certiorari.

South Carolina Appellate Court Rule 242(c) clearly reads "A petition for writ of certiorari shall be served with the Clerk of the Court of Appeals and the Clerk of the Supreme Court within thirty (30) days after the petition for rehearing or reinstatement is finally decided by the Court of Appeals". And, Rule 242(a) reads "The Supreme Court, or any (2) justices thereof, may in its discretion, on motion of any party to the case or on its own motion, issue a writ of certiorari to review a final decision of the Court of Appeals".

Professional attorneys are notified of Court of Appeals order electronically or sometimes by mail same day or 2-3 days after Court of Appeals order, providing them with 27-30 full days to prepare and serve their papers to the Supreme Court for writ of certiorari. I am a convict, a prisoner of the state, and I was notified fourteen (14) days after Court of Appeals Order. This is an unfair advantage given to professional attorneys, and, there should be some consideration that I, a prisoner, am not an attorney and it takes me longer to prepare papers; I regularly have trouble getting to law library to obtain resources to prepare papers, and I am not trained in the complex science of law. Being I was given only 16 days to serve and file such writ of certiorari, I feel there should be some lenience exercised by the Supreme Court in it's determination made in its March 03, 2021 paper to not take any action upon writ of certiorari I sent to it a few days late. . I filed writ of certiorari on 1/28/21 or 6 days late and 22 days after 1/5/21 notice of ORDER. It only seems fair that prisoners are given the same amount of time—if not more—to provide Supreme Court with papers as provided and given to a professional attorney. I, a prisoner, am also pro se and do not have electronic access for notifications from the court, and I must wait on the mailing of the decision around the scheduling of the prison.

I experience great difficulty attending the prison law library, and the non-treatment of my serious medical condition by prison staff diminishes my ability to function and diminishes my health and causes me needless pain and suffering. The prison law library hours remain below federal standards because it is so very dangerous here. I need the library to do my papers.

PREMISES CONSIDERED, with good cause shown, I request this Court to use its discretion in accepting my writ of certiorari which is already in its possession to prevent a gross miscarriage of justice, and/or any other relief as this Court deems fit and appropriate.

I certify that I have served this Motion paper upon all parties to this action by placing the same in the prison mail system addressed to their last known address on this day.

I declare under penalty of perjury the foregoing is true and correct.

March 19, 2021.

/s/

ROBERT WILLIAM WAZNEY
Pro se petitioner

cc: SCCA

ROBERT WILLIAM WAZNEY
c/o Lee Correctional Institution
F32214 363679
990 Wisacky Highway
Bishopville, South Carolina 29010

COLUMBIA SC 290

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FOREVER
USA



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Supreme Court of South Carolina
PO Box 11330
Columbia, SC 29211

29211-133030



THE DEPARTMENT OF CORRECTIONS HAS NOT
INSPECTED OR CENSORED THIS ITEM.
THEREFORE, THE DEPARTMENT DOES NOT
ASSUME RESPONSIBILITY FOR ITS WRITTEN
CONTENTS.

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SC DEPARTMENT OF CORRECTIONS

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