

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

Certiorari to Cherokee County
Honorable R. Keith Kelly, Circuit Court Judge

ALONZO COLUMBUS JETER, III,

PETITIONER,

v

STATE OF SOUTH CAROLINA,

RESPONDENT.

APPELLATE CASE NO. 2018-001471

MOTION FOR SUMMARY JUDGEMENT

Alonzo Columbus Jeter, III

Tyger River Correctional Institution

200 Prison Road

Emoree, SC 29335

PETITIONER / Pro Se

Comes Now the Petitioner, Alonzo C. Jeter, III, whom moves this Honorable Court for an order granting summary judgement in favor of Petitioner in the above captioned case. This motion is based on the following grounds.

THRESHOLD MATTER

As a threshold matter, the State, represented by Assistant Attorney General Jordan A. Cox, Esq., has defaulted in this case by failing to file a timely Return to Petitioner's Petition for Writ of Certiorari. Petitioner filed with this Court a Petition for Writ of Certiorari on September 24, 2018. Rule 243(9) of the South Carolina Appellate Court Rules, requires that the Return to the Petition for Writ of Certiorari be filed with the Court 30 days after the Respondent has received the Petition. The State (Respondent) has failed to comply with this Rule and is therefore in default, as the Reply to the Petition for Writ of Certiorari was due to be filed and served by October 29, 2018.

Assistant Attorney General Jordan A. Cox, whom represents the State (Respondent) in this case, submitted a letter dated November 5, 2018, to this Honorable Court's Clerk of Court, the Honorable Daniel E. Shearouse, requesting a 30-day extension to serve and file the Return. A copy of this letter of request was received by the Petitioner on November 8, 2018, at the Tyger River Correctional Institution mail room. Subsequently, the Petitioner has served and filed an Objection to the request of the 30-day extension and now asks that Petitioner's Motion for Summary Judgement be granted in favor of the Petitioner.

CONCLUSION

For the reasons set forth in Petitioner's Objection to the 30-day extension request and this motion, the Petitioner asks that this Honorable Court grant summary judgement in favor of Petitioner in this case, this case be remanded and Petitioner's convictions and sentences reversed.

[SIGNATURE BLOCK ON FOLLOWING PAGE]

Respectfully Submitted, 

Alonzo C. Jeter, III
PETITIONER/Pro Se

Tyger River Correctional Institution
200 Prison Road
Enoree, SC 29335

November 14, 2018
Enoree, South Carolina

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

Certiorari to Cherokee County
Honorable R. Keith Kelly, Circuit Court Judge

ALONZO COLUMBUS JETER, III,

PETITIONER,

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STATE OF SOUTH CAROLINA,

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CERTIFICATE OF SERVICE

The Petitioner, Alonzo C. Jeter, III, hereby certify that he has served the "Motion for Summary Judgment" on Respondent by depositing a copy of the same in the United States Mail, postage prepaid, by and through the interagency mail room at Tyger River Correctional Institution this 14 day of November, 2018, addressed to: Jordan Adriane Cox, Assistant Attorney General, Office of the Attorney General, Post Office Box, 11549, Columbia, SC, 29211.

SWORN and Subscribed before me
this 14 day of November, 2018

Paul James Cook
Notary Public for South Carolina

My Commission Expires: Dec. 10, 2024

~~Alonzo~~
Alonzo Columbus Jeter, III
PETITIONER / Pro Se

Tyger River Correctional Institution
200 Prison Road
Enoree, SC 29335

November 14, 2018

Alonzo C. Jeter, III
Tyger River Correctional Institution
U-9-216A/#2B2902
200 Prison Road
Enoree, SC 29335

The Honorable Daniel E. Shearouse
Clerk, South Carolina Supreme Court
Post Office Box 11330
Columbia, SC 29211

RE: Alonzo Columbus Jeter, III, v State of South Carolina
Appellate Case No. 2018-001471

Dear Mr. Shearouse:

Enclosed, please find one (1) original and one (1) copy of the 'Motion for Summary Judgement' and Certificate of Service, both dated November 14, 2018, in the above referenced case. Please also find one (1) self-addressed stamped envelope. Please mail to me file-stamped copies of the 'Motion for Summary Judgement' and Certificate of Service by way of the provided self-addressed stamped envelope.

Thank you for your assistance in this matter.

Sincerely, ~~Alonzo C. Jeter, III~~
Alonzo C. Jeter, III
PETITIONER

CC: Jordan A. Cox, Esq.
FILE

Alonzo C Jeter, III
Tyger River Correctional Institution
U-9-216A/#282902
200 Prison Road
Florence, SC 29535

RECEIVED

NOV 14 2018

TYRER MAIL ROOM

Interdepartmental
Mail

Jordan A. Cox, Esq.
Assistant Attorney General
Office of the Attorney General
Post Office Box 11549
Columbia, SC 29211

LEGAL MAIL