

The Supreme Court of South Carolina

Ricardo Fishburne, Petitioner,

v.

State of South Carolina, Respondent.

Appellate Case No. 2021-000386

ORDER

Petitioner has filed a notice of appeal from an order denying his fifth application for post-conviction relief (PCR). By letter dated April 19, 2021, the Court requested the explanation required by Rule 243(c), SCACR, any reason why the Court should not prohibit any future filings by Petitioner in the circuit court without first obtaining permission from this Court, and proof of service of the notice of appeal on opposing counsel.

Although Petitioner provided the Court with proof of service of the notice of appeal, he failed to provide a Rule 243(c) explanation. Accordingly, the notice of appeal is dismissed. Rule 243(c), SCACR (providing if the petitioner fails to make a sufficient showing that the PCR court's decision was improper, the notice of appeal may be dismissed).

In addition, we hereby prohibit Petitioner from filing any further collateral actions in the circuit court, including PCR actions and habeas corpus actions, as well as any motions relating to the previously filed collateral actions, challenging his 2001 convictions and sentences for first degree burglary (Indictment No. 2001-GS-15-417) and assault and battery with intent to kill (Indictment Nos. 2001-GS-15-415 and 2001-GS-15-416), or any motions in the underlying criminal case, including a motion pursuant to Rule 29, SCRCrimP, without first obtaining permission to do so from this Court.



FOR THE COURT C.J.

Columbia, South Carolina
May 14, 2021

cc:
Benjamin Hunter Limbaugh, Esquire
Ricardo Fishburne, #279661