



The Supreme Court of South Carolina

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CLERK OF COURT

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June 23, 2021

Susannah Conyers Ross, Esquire
330 East Coffee St.
Greenville SC 29601

Re: Anthony Lounds v. State
Appellate Case No. 2021-000645
Lower Court Case No. 2019-CP2300816

Dear Counsel:

This Court has received the notice of appeal, and the case 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. 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. 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 the order of the circuit court determined that this action is barred as being successive and as being untimely under the statute of limitations, Rule 243(c), SCACR, requires a written explanation to be provided 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.

In the event you determine that you do not have a good faith explanation to provide pursuant to Rule 243(c), you must provide this Court with a letter stating that as an officer of the Court you are unable to set forth any arguable basis for asserting the determination by the PCR judge was improper. The letter should also advise petitioner that he has twenty (20) days from the date of the letter to file a *pro se* explanation as to why the petitioner believes that this determination by the circuit court was improper. *Dennison v. State*, 371 S.C. 221, 639 S.E.2d 35 (2006). The letter filed with this Court should include proof of service showing that a copy of the letter has been sent to the petitioner.

I ask that you either provide the explanation required by Rule 243(c) or the response permitted by *Dennison* within ten (10) days of the date of this letter.

Finally, since petitioner has filed multiple post-conviction relief applications challenging the underlying criminal convictions, this Court, if it determines that an adequate explanation under Rule 243(c), SCACR, has not been provided, may decide to prohibit petitioner from filing any post-conviction relief application, habeas corpus action or any other action, motion or petition in the circuit court challenging this conviction(s) and sentence(s) (including a motion under Rule 29 of the South Carolina Rules of Criminal Procedure) without first obtaining the permission of this Court to do so. If you believe that there is any reason(s) why such a prohibition should not be imposed on future filings by petitioner in the circuit court, those reasons should be provided within ten (10) days of the date of

this letter.¹

Very truly yours,

A handwritten signature in black ink, appearing to read "D. E. Smith". The signature is written in a cursive style with a long horizontal flourish extending to the right.

CLERK

cc: Taylor Zane Smith, Esquire

¹ In the event you do determine that you cannot in good faith present such a reason, I would encourage you to follow a similar procedure to that outlined in Dennison so the petitioner will be afforded the opportunity to submit any *pro se* reason he might have.