

To: Honorable Daniel E. Shearous
Clerk of the Court
South Carolina Supreme Court
P.O. Box 11330
Columbia, South Carolina, 29211

RECEIVED

APR 18 2013

S.C. SUPREME COURT

April 14, 2013

Re: Pro se Response-brief: Appellate Case No.
2011-196593

Dear Sir,

I am writing to your office in regards to the above captioned matter. In filing my Pro se Response-brief, I failed to file a Return-copy of this documentation due to time and funding. I am requesting, if at all possible, that a copy of this documentation be forwarded to me. It would be greatly appreciated. Please allow me to thank you in advance for your assistance in this matter.

1st Albert C. Smith, II 333203
Albert C. Smith, II, 333203

Affidavit of Service

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APR 18 2013

S.C. SUPREME COURT

I, Albert C. Smith, II, 333203, am serving a copy of Petition for Rehearing on the Honorable Panel E. Shearouse, Clerk of the Court, South Carolina Supreme Court, P.O. Box 11330, Columbia, South Carolina, 29211, by depositing a copy of said documentation into the United States mail with first class postage on the effective date of April 16, 2013 by delivering it to the McCormick Correctional Facility Mailroom-Clerk.

15/ Albert C. Smith, II 333203
Albert C. Smith, II, 333203
386 Redemption Way, FA174
McCormick, South Carolina, 29849.

SUBSCRIBED TO AND SWORN
before me on this 16 day of
April, 2013

J Franklin

Notary Public

My Commission expires: 12-16-2019

The Supreme Court of South Carolina

Albert C. Smith II, Petitioner,

v

State of South Carolina, Respondent

Appellate Case No. 2011-196593

Petition for Rehearing

This Petition for Rehearing comes before this Honorable Court as a result of an order issued by the Honorable Chief Justice Jean H. Toal on April 5, 2013; denying the Petitioner's Petition for Writ of Certiorari. The Petitioner filed a Pro se Response in this matter after a Johnson Brief was filed by his appellate Counsel.

The Petitioner would assert now before this Honorable Court that the Respondent is in agreement with the Petitioner's allegations that were raised in his pro se brief. The Respondent has failed to properly respond in any manner to the issues raised in his pro se brief in accord-

ance to the Rules of Civil Procedures. Under the S.C.R.C. Proc. and the F.R.C. Proc. Rule 8(c), the silence or no response to any allegation made toward a defendant or respondent is deemed as the party has agreed to that point raised.

Therefore the Petitioner would request that he be granted a rehearing in this matter.

April 14, 2013

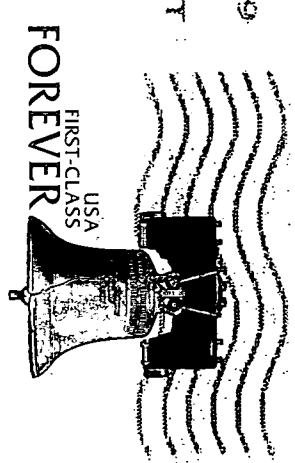
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386 Redemption Way, F3A174
McLernick, South Carolina, 29899

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12-16-2019

Albert C. Smith, II (333203)
386 Redemption Way
McCormick, SC 29899

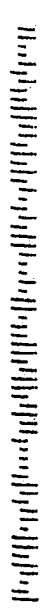
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The Supreme Court of South Carolina
Daniel E. Shearouse, Clerk of Court
P.O. Box 11330
Columbia, SC 29211

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