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S.C. SUPREME COURT

From: [Ray Wedlake](#)  
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Cc: [ely.grote@mccabetrotter.com](mailto:ely.grote@mccabetrotter.com)  
Subject: Confusion/Errors in Order of 10/06/21 2021-000665  
Date: Monday, October 11, 2021 4:16:24 PM

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703 Creekview Drive  
Greenville, SC 29607  
October 11, 2021

The Honorable Chief Justice Donald W. Beatty  
The Supreme Court of South Carolina  
P.O. Box 11330  
Columbia, SC 29211  
supctfilings@sccourts.org (sent via e-mail)

cc: The Honorable Paul B. Wickensimer, Clerk  
Greenville County Courthouse  
305 E. North Street  
Greenville, SC 29601

Subject: Confusion/Errors in Order of 10/06/21 2021-000665

Dear Honorable Chief Justice Beatty:

Thank you for an Order you signed, dated October 6, 2021. However, confusion is noted. Once again I, as Appellant, must object to ERRORS OF FACT stated in this Order in two instances.

THE ORDER OF 06/24/2021 DID NOT  
DISMISS BASED UPON RULE 260, SCACR  
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The Order of 06/24/21 dismissed upon Rule 242(d), SCACR. It did so based upon FALSE GROUNDS via PRESUMPTION that

"... this notice of appeal has been construed as a petition for a writ of certiorari.

This petition for a writ of certiorari does not have the content required by Rule 242(d). Accordingly, this matter is dismissed."

Factually pursuant to Rule 242(c), SCACR, an actual "Petition for Writ of Certiorari" (Writ) was timely filed, but to date has been ignored by the Court. The filed Writ contained all content required by Rule 242(d). I believe the Clerk intentionally VIOLATED RULE 242(c), SCACR, to mislead Justices to simply ignore the actually filed Writ.

THE REMITTITUR WAS NOT PROPERLY SENT  
PURSUANT TO SOUTH CAROLINA APPELLATE COURT RULES  
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Correspondence dated September 28, 2021 from the Clerk (Honorable Patricia A. Howard) admits:

"... this Court's order denying your motion to reinstate was issued on September 21, 2021, and the Court of Appeals issued the remittitur the same day, thereby ending appellate jurisdiction over this case. ..."

Factually, pursuant to Rule 221(b), SCACR (appendix), a remittitur cannot be sent until 15 days after the Order. Similarly, in this case where an actual Writ was filed, Rule 221(b) requires that NO REMITTITUR be sent until after notification that the Writ has been denied. I believe the Clerk intentionally VIOLATED RULE 222(b), SCACR, "... ending appellate jurisdiction ..." such that my motions pointing out ERRORS OF FACT could, and would, simply be ignored by Supreme Court Justices.

Thank you again. However, I am appalled that the Clerk dismissed my case on FALSE GROUNDS. I am also appalled by Supreme Court Justices who ignore the facts, and then base Orders upon ERRORS OF FACT. The conduct of the Supreme Court to condone VIOLATION OF RULE 242(c) by the Clerk cannot be justified! Similarly, VIOLATION OF RULE 221(b) by Clerks cannot be justified!

Sincerely,

Raymond A. Wedlake  
864-254-9262 wedlakera@mail.com

----- Appendix -----

RULE 221 REHEARING AND REMITTITUR

(b) Remittitur. The remittitur ... shall not be sent to the lower court or administrative tribunal until fifteen (15) days have elapsed (the day of filing being excluded) since the filing of the opinion, order, judgment, or decree of the court finally disposing of the appeal. ... Where a petition for rehearing has been denied, the Court of Appeals shall not send the remittitur to the lower court or administrative tribunal until the time to petition for a writ of certiorari under Rule 242(c) has expired. If a petition for writ of certiorari is filed, the Court of Appeals shall not send the remittitur until notified that the petition has been denied. ...