



# The Supreme Court of South Carolina

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October 15, 2021

Albert Scruggs, 136701  
Broad River Correctional Institution  
4460 Broad River Road  
Columbia SC 29210

Re: Albert Scruggs v. State  
Appellate Case No. 2021-001161

Dear Petitioner:

This Court has received the notice of appeal in the above post-conviction relief action. Since the order of the circuit court determined that this action is barred as being successive and/or as being untimely under the statute of limitations, Rule 243(c) of the South Carolina Appellate Court Rules requires you to provide a written explanation 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. Please provide the explanation required by Rule 243(c) within twenty (20) days of the date of this letter.

Further, since you have filed multiple post-conviction relief applications challenging the underlying criminal conviction, the Court, if it determines that you have failed to provide an adequate explanation under Rule 243(c), SCACR, may decide to prohibit you from filing a post-conviction relief application, habeas

corpus action or any other action, motion or petition in the circuit court challenging this conviction and sentence (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 some reason(s) why such a prohibition should not be imposed on future filings by you in the circuit court, those reasons should be provided within twenty (20) days of the date of this letter.

Very truly yours,

*Patricia A. Howard*

CLERK

cc:

Megan Harrigan Jameson, Esquire  
Yasmeen Ebbini Klein, Esquire