

The South Carolina Court of Appeals

Leonard L. Foster, #179576, Appellant,

v.

State of South Carolina, Respondent.

Appellate Case No: 2021-000497

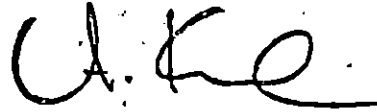
RECEIVED

OCT 25 2021

SC Court of Appeals

ORDER

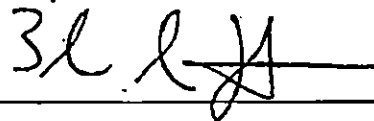
After careful consideration of the petition for rehearing, the Court is unable to discover that any material fact or principle of law has been either overlooked or disregarded, and hence, there is no basis for granting a rehearing. Accordingly, the petition for rehearing is denied.



J.



J.



J.

Columbia, South Carolina

FILED

Sep 30 2021

cc:

Leonard L. Foster, 179576

Alan McCrory Wilson, Esquire

Chelsey Faith Marto, Esquire

The South Carolina Court of Appeals

Leonard L. Foster, #179576, Appellant,

v.

State of South Carolina, Respondent.

Appellate Case No. 2021-000497

ORDER

Appellant has appealed the circuit court's order dismissing his petition for habeas corpus because the issues raised in the habeas petition could have been raised in a timely application under the Post-conviction Relief Act. Pursuant to Rule 203(d)(1)(B)(vi), SCACR, Appellant is required to provide a written explanation to this Court as to why the lower court's determination was improper. Appellant has filed an explanation, but the explanation does not "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." Rule 203(d)(1)(B)(vi), SCACR. Accordingly, this appeal is dismissed. The remittitur will be sent as provided in Rule 221, SCACR.


FOR THE COURT

Columbia, South Carolina

FILED
May 27 2021

cc:

Leonard L. Foster, 179576

Alan McCrory Wilson, Esquire

Chelsey Faith Marto, Esquire



The South Carolina Court of Appeals

JENNY ABBOTT KITCHINGS
CLERK

V. CLAIRE ALLEN
CHIEF DEPUTY CLERK

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August 16, 2021

Leonard L. Foster, 179576
1578 Clarence Coker Hwy
Turbeville SC 29162

Re: Leonard Foster v. State
Appellate Case No. 2021-000497

Dear Mr. Foster:

Upon reviewing your correspondence filed on June 14, 2021, which this Court construes as a motion to reinstate this appeal, the following deficiency has been noted under the South Carolina Appellate Court Rules (SCACR), and this deficiency must be corrected within ten (10) days of the date of this letter or your motion will not be considered:

- The required filing fee has not been submitted. The correct filing fee is \$50.00.

Very truly yours,

Catherine J. Fanning, deputy
CLERK

cc: Alan McCrory Wilson, Esquire
Chelsey Faith Marto, Esquire

The South Carolina Court of Appeals

Leonard L. Foster, #179576, Appellant,

v.

State of South Carolina, Respondent.

Appellate Case No. 2021-000497

The Honorable J. Mark Hayes, II
Cherokee County
Trial Court Case No. 2019CP1100535

ORDER

This Court's remittitur was sent to the Clerk of Cherokee County on June 14, 2021. It is now necessary for this Court to recall the remittitur. The Clerk of Cherokee County is, therefore, directed to return the remittitur to the Clerk of the South Carolina Court of Appeals within ten (10) days of the date of this order.

FOR THE COURT
BY *Catherine Jamison, deputy*
CLERK

Columbia, South Carolina

cc:

Leonard L. Foster, 179576
Alan McCrory Wilson, Esquire
Chelsey Faith Marto, Esquire
Brandy W. McBee

FILED
Jul 06 2021

Lean and Foster #179576
1574 Clarence Coker Hwy,
Turbeville S.C. 29162

COLUMBIA SC 290

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South Carolina Supreme Court
Jenny Abbott Kitching Clerk
Post office Box 11629
Columbia S.C. 29211

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SC Court of Appeals

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