

Re: Jeffrey S. Clegg v. State  
2013-000570

DEAR CLERK,

April 16, 2013

I AM CORRESPONDING TO INFORM  
YOU OF SOME SPECIFIC INFORMATION. I AM  
HOUSED IN THE ALABAMA DEPT. OF  
CORRECTIONS AT ELMORE CORRECTIONAL  
FACILITY, AND I CAN'T GET MY PAPER-  
WORK NOTARIZED. SO I WENT AHEAD  
AND COMPLETED IT AND MAILED IT IN

Jeffrey Clegg

**RECEIVED**

APR 22 2013

S.C. SUPREME COURT

SUPREME COURT OF  
SOUTH CAROLINA

Jeffrey Scott Clegg  
Appellant,

CASE 2013-000570  
FROM YORK COUNTY

v.

State of South Carolina  
Appellee.

MOTION  
OF  
NOTICE  
TO  
THE  
COURT

Now Comes the Appellant in the  
Above-styled Cause and Action  
and honors the Request of the  
Clerk of Court so that said Clerk  
can determine the timeliness of the  
service of the Notice of Appeal in  
this matter (See Exhibit 'A' Attached)

The Final Order of Dismissal was  
issued January 28, 2013. The Appellant  
received the same in the mail approximately  
February 21, 2013 in which said order  
directed the Appellant that he had

30 days from the date of the entry of the order to file his Notice of Appeal for purposes of Appellate Review Consideration

The Appellant then filed his Notice of Appeal with the Circuit Court which the same is signed and notarized by the Appellant on the date of February 23, 2013 and forwarded to the Circuit Court. The Circuit Clerk filed the Notice of Appeal on March 1, 2013. The Appellant sent a copy of the Notice of Appeal to the former South Carolina Court of Appeals Address

The Appellant to date has forwarded the above documents titled Notice of Appeal and another document titled Notice of Appeal (Motion for Order) to the former South Carolina Court of Appeals Address

April 16, 2013  
Date

Jeffrey Clegg  
Appellant

SWORN TO AND SUBSCRIBED BEFORE ME  
THIS THE \_\_\_\_\_ DAY OF APRIL 2013.  
MY COMMISSION EXPIRES  
NOTARY PUBLIC

APRIL 16, 2013  
DATE

*Jeffrey Clegg*  
APPRENTICE

ELMORE CORR. FACILITY  
3520 MARION SPILLWAY RD.  
ELMORE, AL

36025

**RECEIVED**

APR 22 2013

S.C. SUPREME COURT

## CERTIFICATE OF SERVICE

I, the Petitioner, have served a copy of this Motion of Notice to the Court on the Appellee via U.S. MAIL AS Addressed below

Office of the Attorney General  
J. Rutledge Johnson  
P.O. Box 11549  
Columbia, SC

29211

SUPREME COURT OF  
SOUTH CAROLINA

Jeffrey Scott Clegg  
Appellant,

CASE 2013-000570  
FROM YORK COUNTY

v.

State of South Carolina  
Appellee.

' MOTION  
FOR  
ORDER  
TO  
FILE  
SUCCESSIVE  
PETITION '

Now Comes the Appellant in the  
Above - styled Cause and Action  
and respectfully ~~resp~~ requests that  
this Honorable Court issue an order  
for the Appellant to be able to file  
A Successive (Second) Post-Conviction  
Petition in the Circuit Court of York  
County. The Appellant demonstrates  
for good cause shown why he should  
be allowed to file A Second Petition

The Appellant states that extraordinary  
circumstances prevented him from

filing A PROPER initial Post-Conviction Petition. At the time that the Appellant filed his Petition he WAS AND still is housed in the ALABAMA Dept. of CORRECTIONS in which there is no SOUTH CAROLINA LAW LIBRARY in the ALABAMA Dept. of CORRECTIONS

The Appellant WAS without counsel AND denied A HEARING when he filed his Post-Conviction Petition. The S.C. High Court permitted A Successive Petition when filed without benefit of counsel AND dismissed without A hearing. CASE v. STATE, 277 S.C. 474, 289 S.E. 2d 413-414 (1982)

The Appellant states that he cannot file A BRIEF in ACCORDANCE with South CAROLINA LAW due to the SAME AND Requests Respectfully that this Action be Remanded back to the Circuit Court so that Counsel can be Appointed AND A Successive Post-Conviction Petition can be filed

Sworn To And Subscribed Before Me  
This the \_\_\_\_\_ day of April 2013  
My Commission Expires \_\_\_\_\_  
NOTARY PUBLIC \_\_\_\_\_

April 16, 2013  
DATE

#276457  
Jeffrey Clegg  
Applicant  
ELMORE CORR. FACILITY  
3520 MARION Spillway Rd.  
ELMORE, AL  
36025

CERTIFICATE OF SERVICE

I, the Petitioner, have served a copy of this Motion for Order to File Successive Petition on the Appellee via U.S. MAIL AS Addressed below

Office of the Attorney General  
J. Rutledge Johnson  
P.O. Box 11549  
Columbia, S.C.

29211

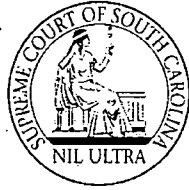


Exhibit 'A'

## The Supreme Court of South Carolina

DANIEL E. SHEAROUSE  
CLERK OF COURT

BRENDA F. SHEALY  
CHIEF DEPUTY CLERK

POST OFFICE BOX 11330  
COLUMBIA, SOUTH CAROLINA  
29211  
1231 GERVAIS STREET  
COLUMBIA, SOUTH CAROLINA 29201  
TELEPHONE: (803) 734-1080  
FAX: (803) 734-1499  
[www.sccourts.org](http://www.sccourts.org)

April 03, 2013

Mr. Jeffrey S. Clegg, #276457  
Limestone Correctional Facility  
28779 Nick Davis Road  
Harvest, AL 35749

Re: Jeffrey Clegg v. State  
Appellate Case No. 2013-000570

Dear Petitioner:

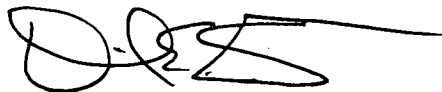
This Court has received the notice of appeal in the above post-conviction relief action. Since the order of the circuit court determined that this action is barred as being untimely under the statute of limitations, Rule 243(c) of the South Carolina Appellate Court Rules requires you to provide a written 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. Since you are not located in South Carolina, I have enclosed a copy of Rule 243.

Further, to determine the timeliness of the service of the notice of appeal in this matter, it will be necessary for you to advise this Court of the date on which you received written notice of entry of the final order of dismissal dated January 28, 2013, and entered by the circuit court clerk on February 18, 2013.

Therefore, you will need to provide the explanation required by Rule 243(c) and the date you received written notice of the entry of the final order within twenty

(20) days of the date of this letter. Failure to do so may result in the dismissal of this matter.

Very truly yours,

A handwritten signature in black ink, consisting of several loops and a long horizontal stroke extending to the right.

CLERK

Enclosure

cc: James Rutledge Johnson, Esquire

Stephen S. Clegg # 2716457  
EMORA CORR. FACILITY, BZ-13B  
3520 MARION SPILLWAY ROAD  
EMORA, AL 36025

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

2921133030



This correspondence is forwarded from an Alabama State Prison. The contents have not been evaluated, and the Alabama Department of Corrections is not responsible for the substance or content of the enclosed communication.

