

THE SOUTH CAROLINA COURT OF APPEALS

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NOV 15 2021

SC Court of Appeals

WILLIE YOUNG,
Appellant

CASE NO. 2021-001044
MOTION TO REINSTATE
MOTION FOR COSTS

V

SOUTH CAROLINA DEPARTMENT
OF CORRECTIONS
Respondents

Comes now the above named Appellant in the above referenced matter motion(ing) for this court to REINSTATE the above matter Pursuant to Rule 224 SCACR

The Appellant, by institutional mail on 11/2/21 received order from the Clerk of Court dated 10/28/21 stating the above referenced matter had been dismissed as the Appellant had failed to submit the Notice of Appeal filing fee. This Appellant objects to this dismissal based on the following:

In good faith on 10/2/21 the Appellant filed and forwarded to this court motion for cost, providing record for this court he is indigent. The clerk's office clock stamped the motion was received 10/6/21, but noted the Appellant prematurely filed this motion, and that it was being returned.

As a pro-se litigant, the Appellant acting in good faith, adhered to the courts other requirements, and was awaiting the court's direction, if any, in this regard.

The Appellant further notes he is incarcerated, and due to covid-19 protocols, institutional staff periodically mandates institutional quarantine for safety purposes, therefore making the forwarding of legal mail impossible during this period.

Appellant asserts it was under these "Dire Circumstances", however in good will, that he forwarded the MOTION FOR COSTS for this courts consideration.

Appellant contends he has abided by the courts rules, and as/is a pro-se litigant, humbly requesting of this court to grant his motion(s); for reinstatement & motion for costs

/s/ Willie Young

Date 11/12/21



The South Carolina Court of Appeals

JENNY ABBOTT KITCHINGS
CLERK

V. CLAIRE ALLEN
CHIEF DEPUTY CLERK

POST OFFICE BOX 11629
COLUMBIA, SOUTH CAROLINA 29211
1220 SENATE STREET
COLUMBIA, SOUTH CAROLINA 29201
TELEPHONE: (803) 734-1890
FAX: (803) 734-1839
www.sccourts.org

October 12, 2021

Willie Young, III, 285487
Kershaw Correctional Institution
4848 Gold Mine Hwy
Kershaw SC 29069

Re: Willie Young, #285487 v. SCDC
Appellate Case No. 2021-001044

Dear Mr. Young:

The Court is in receipt of your Motion to Costs that was filed on October 6, 2021. The motion for costs has been filed prematurely and is being returned to you. The motion for costs can only be served and filed within 15 days of issuance of the remittitur, pursuant to Rule 222(d), SCACR.

The notice of appeal filing fee or, in the alternative, the motion to proceed in forma pauperis or waive fees, must be submitted or served and filed within ten (10) days from the date of this letter or your appeal will be dismissed.

Very truly yours,

V. Claire Allen

CLERK

Enclosure

cc: Christina Catoe Bigelow, Esquire

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IN THE STATE OF SOUTH CAROLINA
In The Court of APPEAL

RECEIVED

WILLIE YOUNG

Appellant

V

South Carolina Department
of Corrections
respondent

CASE NO. 2021-001044

OCT 06 2021

MOTION FOR COST

SC Court of Appeals

Comes now the above named Appellant in the above referenced matter, motion(ing) for this court pursuant to rule 222(D) S.C.A.R.C , requesting of this court that cost be taxed at the conclusion of the proceeding's.

Appellant further humbly asserts upon receipt September 29, 2021 of a deficiency letter from the court requiring filing fee, he has attached a institutional finance statement attesting he is indigent and do not have the finanancial ability.

Appellant humbly request's. /s/ Willie Young

Date 10/2/21

PROOF OF SERVICE

I Willie Young attest that a copy of the above motion was served on sc attorney general office, pob 11549 cola sc 29201, SC court of appeal pob 11629 cola sc29211, scdc general counsel pob 21787 cola sc 29221

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OCT 06 2021

SC Court of Appeals

ATTACH-1

OB-57

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS

E.H. COOPER

ACCOUNT STATEMENT

DATE: 09/01/21 TO 09/30/21

ACCOUNT NO. 00285487

YOUNG, III, WILLIE -

CURR BAL AS OF 10/01/21: 14.98

TRANS. DATE	TRANS. TYPE	DEPOSIT	WITHDRAWAL	BALANCE
09/29/21	INTEREST	0.09	0.00	14.98
09/21/21	CANTEEN PURC	0.00	79.23	14.89
09/21/21	DNA PROCESSI	0.00	2.50	94.12
09/20/21	MONEY ORDER	50.00	0.00	96.62
09/17/21	COPIES	0.00	6.75	46.62
09/14/21	CANTEEN PURC	0.00	72.09	53.37
09/14/21	DNA PROCESSI	0.00	2.50	125.46
09/13/21	MONEY ORDER	50.00	0.00	127.96
09/13/21	DNA PROCESSI	0.00	3.75	77.96
09/12/21	MONEY ORDER	35.00	0.00	81.71
09/12/21	MONEY ORDER	40.00	0.00	46.71
09/07/21	CANTEEN PURC	0.00	24.45	6.71
09/02/21	DNA PROCESSI	0.00	1.50	31.16
09/01/21	MONEY ORDER	30.00	0.00	32.66

The South Carolina Court of Appeals

Willie Young, #285487, Appellant,

v.

South Carolina Department of Corrections, Respondent.

Appellate Case No. 2021-001044

The Honorable Ralph King Anderson, III
Trial Court Case No. 2021ALJ040118AP

ORDER

Appellant has failed to submit the notice of appeal filing fee, as required by Rule 203 of the South Carolina Appellate Court Rules and the Court's letters dated September 23, 2021 and October 12, 2021. Accordingly, this matter is dismissed. The remittitur will be sent as provided by Rule 221(b), SCACR.

FOR THE COURT

BY


CLERK

Columbia, South Carolina

cc:

Willie Young, III, 285487
Imani Diane Byas, Esquire

FILED
Oct 28 2021

PROOF OF SERVICE

I, Willie Yang, attest a copy of this motion to reinstate and motion for costs has been served on scdc general counsel, po box 21787 cola sc 29221

/s/ Willie Yang

Date 11/12/21

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NOV 15 2021
SC Court of Appeals

W. Young 285487

KFC 0B 57

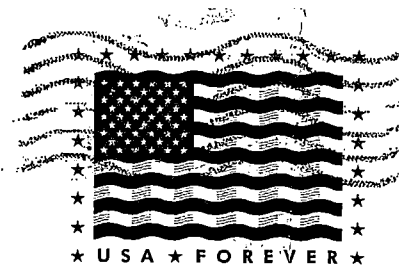
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Kershaw SC 29067

Legal

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SC Court of Appeals

SC Court of Appeals
po box 11629

COLA SC 29211

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