

Johnell Richardson #00355032
Broad River Correctional Institution
SB/224
4460 Broad River Road
Columbia, SC 29210

Johnell Richardson 355032, Appellant
V.
The State of South Carolina, Respondent.
Appellate Case No. 2021-000405

RECEIVED

Motion to set aside MAR 14 2022
SC Court of Appeals

Appellant ask this court to set aside its order to dismiss his Writ of Habeas Corpus because if you look at the documents attached to this motion Appellant did not receive notice that he failed to provide a proof of service until the 5th of January and he replied to the notice January 4th 2022 for an example of a proof of service but for some reason the post office returned the letter back to sender on the 1st of March, that envelope is also submitted with this motion to show that the appellant is making this motion in good faith and not an attempt to misconstrue these proceedings.

January 09, 2022

RE: Johnell Richardson v. State
Appellate Case No. 2021-000905

Dear Ms. Kitchings

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MAR 14 2022

I do not know what a proof of service
look like. May you send me a copy to
get an understanding. Also may you send me a
copy of my Writ of Habeas Corpus so I can
send them together.

Very Truly Yours,

Johnell Richardson

The South Carolina Court of Appeals

Johnell Richardson, SCDC #355032, Appellant,
v.

The State of South Carolina, Respondent.

Appellate Case No. 2021-000905

The Honorable Michael G. Nettles
Florence County
Trial Court Case No. 2020CP2101467

ORDER

Appellant has failed to provide a proof of service for his Writ of Habeas Corpus, as required by Rule 203(d)(1)(B)(vi) of the South Carolina Appellate Court Rules and this Court's letter dated December 7, 2021. Accordingly, this appeal is dismissed. The remittitur will be sent as provided by Rule 221(b), SCACR.

FOR THE COURT

BY *V. Claire Allen*
CLERK

Columbia, South Carolina

cc:
Philip Bryan Atkinson, Esquire
Michael D. Davidson, Esquire
Johnell Richardson, 355032



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
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January 05, 2022

Johnell Richardson, 355032
4460 Broad River Road
Columbia SC 29210

Re: Johnell Richardson v. State
Appellate Case No. 2021-000905

Dear Mr. Richardson:

Upon reviewing your Writ of Habeas Corpus, 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 this appeal will be dismissed:

- A proof of service has not been provided. You must serve and file a proof of service substantially in the format shown by Form 7 in Appendix C to part II of the SCACR:

Very truly yours,

V. Claire Allen

CLERK

cc: Philip Bryan Atkinson, Esquire
Michael D. Davidson, Esquire

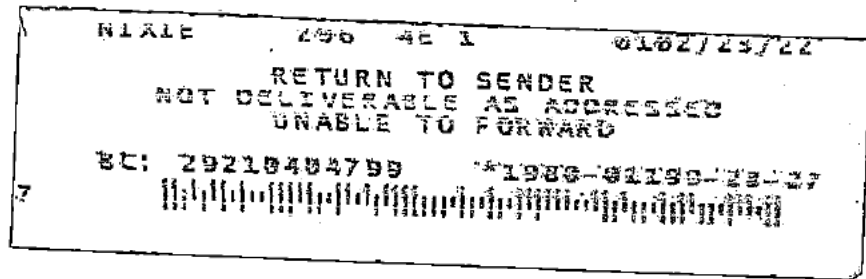
Johnell Richardson #00355032
Broad River Correctional Institution
SB/224 - A
4460 Broad River Road
Columbia SC 29210

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SCDC
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MAIL




Jenny Abbot Kitchings, Clerk
Post Office Box 11624
Columbia, S.C. 29211

Johnell Richardson #00355032
Broad River Correctional Institution
SB/224
4460 Broad River Road

Columbia, SC. 29210



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SC Court of Appeals South Carolina court of Appeals

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P.O. Box 11629
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MAR 09 2022

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