

The South Carolina Court of Appeals.

2 of 4.

Case# 2021-001412.

The State, Respondent.)
Vs.

James B. Curry
Appellant.

Rule 59 (e. Motion.

In RE: to Order dated.

4-19-22. + Order dated

3-3-22. **RECEIVED**

APR 29 2022

SC Court of Appeals

Appellant, Move's the Court to rule on the matter raised in the petition to rehear the dismissal of the appeal dated. 3-3-22. Which ~~the~~ appellant received a 10 day extension letter from the S.C. Court of Appeals dated. 2-14-22. giving appellant 10 days to correct his proof of service, appellant complied and resubmitted the proof of service dated. 2-18-22. Thus, on 3-3-22. appellant received an order from the S.C. Court ^{of Appeals} in 100% error, stating that the appeal is denied as untimely, because the proof of service is dated. 2-18-22. Note. appellant has requested Clerk Kitchings to investigate and submit a copy of the letter dated. 2-14-22. in re: to the 10 day extension sent to appellant, be submitted to the court in his Rule 59.e Motion request to be rule on specifically. And. Note appellant's proof of service was timely by 6 days because of the 10 day extension dated 2-14-22. See Exhibit's and letter dated. 2-14-22.

James B. Curry #186737
Perry C. I. #2-A-114
#430 Oaklawn Rd.
Pelzer, S.C. 29669

4-27-22.

cc:

Alan McCrory Wilson, Esq.
William M. Blich, Jr.
Clerk Kitchings.

"Exhibit.

3-OF 4.

The South Carolina Court of Appeals

The State, Respondent,

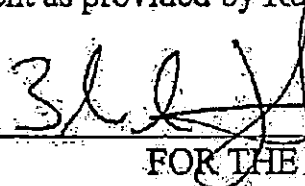
v.

James B. Curry, Appellant.

Appellate Case No. 2021-001412

ORDER

This appeal arises out of an order of the circuit court dated December 10, 2021. Appellant received written notice of the entry of the order on January 11, 2022. The proof of service provided shows service on February 18, 2022. Because Appellant has failed to provide proof of timely service upon the Respondent as required by Rule 203(b) of the South Carolina Appellate Court Rules, this matter is dismissed.¹ The remittitur will be sent as provided by Rule 221(b), SCACR.



FOR THE COURT

, J.

Columbia, South Carolina

cc:

James B Curry, 00186737

Alan McCrory Wilson, Esquire

William M. Blich, Jr., Esquire

FILED
Mar 03 2022

¹ Appellant has filed numerous other documents with the Court, including a request to present oral argument, allegations against the trial court, and a request for a new trial. None of these filings are accompanied by a proof of service or are otherwise in compliance with Rule 240, SCACR. Based upon our disposition herein, we decline to take any action on the requests for relief.

Exhibit.

40F4.

The South Carolina Court of Appeals

The State, Respondent,

v.

James B. Curry, Appellant.

Appellate Case No. 2021-001412

ORDER

Appellant has filed a motion to reinstate this appeal, which we construe as a petition to rehear the dismissal. 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.

Paul W. Thomas

J.

Stephanie P. McDowell

J.

3L L J

J.

Columbia, South Carolina

cc:

James B Curry, -00186737

Alan McCrory Wilson, Esquire

William M. Blich, Jr., Esquire

FILED
Apr 19 2022

The South Carolina Court of Appeals

Case# 2021-001412.

1 of 4.

The State, Respondent,)
Vs.)

James B. Curry)
Appellant.)

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SC Court of Appeals

PROOF OF SERVICE.

"Appellant, James B. Curry hereby certify that a proof of service has been served on all parties in RE: to the Rule 59.e motion dated: 4-27-22. by placing it in the U.S. Mail to them.

cc:

Alan McCrory Wilson, Esq.
William M. Blich, Jr
Clerk Kitchings

James B. Curry #186737.
Perry C.I. Q2-A-114
#430 Oaklawn Rd.
Pelzer, S.C 29669
4-27-22.

YOUR RECORDS

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Dear Clerk Kitchings. APR 29 2022

SC Court of Appeals

"Will you please look back through all correspondence that was sent to appellant Curry, specifically on Feb, 14, 2022. being the 10 day extension letter, once you locate it please show it to the court an request that relief be granted on the grounds of prejudice.

"Thank you.

Note
mile

Mrs, Kitchings I'm ready to try to be found not Guilty at a new trial, "So i can go home 16yrs. I'm ready to F

* James B. Curry #186737
Perry C.T. Q2-A-114
#430 Oaklawn Rd.
Pelzer, S.C. 29669

I. H. Mail

Rule (59)e. Motion

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APR 29 2022

SC Court of Appeals

Attn: Jenny Abbott Kitchings, Clerk.

S.C. Court of Appeals

P.O. Bx # 11629

Columbia, S.C. 29211

RECEIVED

APR 27 2022

FOI MAILROOM