

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

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AUG 01 2022

SC Court of Appeals

APPEAL FROM PICKENS COUNTY  
Court of Common Pleas

R. Scott Sprouse, Circuit Court Judge

Case No. 2019-CP-39-00920

Matthew Benninger, #378932

Appellant,

v.

State of South Carolina,

Respondent.

NOTICE OF APPEAL

Matthew Benninger appeals the order of the Honorable R. Scott Sprouse dated July 5, 2022. Appellant received written notice of entry of this order on July 7, 2022.

July 22, 2022



Don A. Thompson  
2131 Woodruff Road  
Suite 2100, #292  
Greenville, S.C. 29607  
(864) 270-2831  
Attorney for Appellant

Other Counsel of Record:  
Taylor Zane Smith  
Assistant Attorney General  
S.C. Attorney General's Office  
P.O. Box 11549  
Columbia, S.C. 29211-1549  
(803) 734-1173  
Attorney for Respondent

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Appellant,

vs.


State of South Carolina,

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PROOF OF SERVICE

I certify that I have served the Notice of Appeal on the State of South Carolina (respondent) by depositing a copy of it in the United States Mail, postage prepaid, on July 23, 2022, addressed to the State's attorney of record, Taylor Zane Smith, Assistant Attorney General, S.C. Attorney General's Office, Post Office Box 11549, Columbia, South Carolina 29211-1549.

July 23, 2022.

  
\_\_\_\_\_  
Don A. Thompson  
(S.C. Bar No. 5545)  
2131 Woodruff Road  
Suite 2100, #292  
Greenville, S.C. 29607  
(864) 270-2831  
Attorney for Appellant

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R. Scott Sprouse, Circuit Court Judge

Case No. 2019-CP-39-00920

Matthew Benninger, #378932,

Appellant,

vs.

State of South Carolina,

Respondent.

CERTIFICATE OF FILING  
WITH PICKENS COUNTY CLERK OF COURT

I certify that I have filed the Notice of Appeal and Proof of Service in this matter with the Pickens County Clerk of Court by depositing a copy of it in the United States Mail, postage prepaid, on July 28, 2022, addressed to The Honorable Harold P. Welborn, Jr., Pickens County Clerk of Court, P.O. Box 215, Pickens, S.C. 29671.

July 28, 2022



Don A. Thompson  
(S.C. Bar No. 5545)  
2131 Woodruff Road  
Suite 2100, #292  
Greenville, S.C. 29607  
(864) 270-2831  
Attorney for Appellant

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**Don A. Thompson**  
Attorney at Law

2131 Woodruff Road  
Suite 2100, #292  
Greenville, S.C. 29607

Telephone: (864) 270-2831  
0153

Fax: (864) 248-

July 28, 2022

The Honorable Jenny Abbott Kitchings  
Clerk, The South Carolina Court of Appeals  
P.O. Box 11629  
Columbia, S.C. 29211

RE: Matthew Benninger #378932, Appellant -vs- State of South Carolina, Respondent  
2019-CP-39-00920

Dear Mrs. Kitchings:

I was appointed to represent Mr. Benninger in a post-conviction relief action. Judge Sprouse has denied him relief and dismissed the action. Mr. Benninger has instructed me to file an appeal.

Enclosed, for filing, please find the following relating to this matter:

- 1) A copy of Judge Sprouse's written Order;
- 2) A Notice of Appeal;
- 3) A Proof of Service; and
- 4) A Certificate of Filing (as to the filing of the Notice of Appeal and Proof of Service in the Pickens County Court).

I am turning this matter over to the Office of Appellate Defense for any further proceedings.

Sincerely yours,



Don A. Thompson

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Don A. Thompson  
Attorney at Law  
2131 Woodruff Road  
Suite 2100, #292  
Greenville, S.C. 29607

TO:

The Honorable Jenny Abbott Kitchings  
Clerk, The South Carolina Court of Appeals  
P.O. Box 11629  
Columbia, S.C. 29211

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