

THE STATE OF SOUTH CAROLINA

In the Supreme Court

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S.C. SUPREME COURT

APPEAL FROM THE COUNTY OF FLORENCE

Court of Common Pleas

The Honorable Circuit Court Judge, D. CRAIG BROWN.

Case No. 2021-CP-21-1712

James Edgar Hutchinson #258003..... Petitioner,

v.

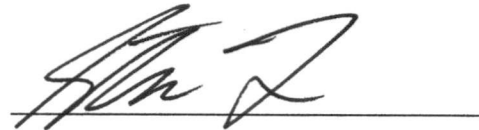
State of South Carolina,Respondent.

NOTICE OF APPEAL

The Petitioner appeals the Honorable Judge D. Craig Brown Order filed denying post conviction relief to the Petitioner.

The Order was received by the undersigned counsel on January 9, 2023. A copy of the said Order on appeal is attached to this Notice.

This is the 30th day of January, 2023.



Steven W. Fowler

Fowler Law Firm

730 Main Street, Unit 237

North Myrtle Beach, SC 29582

Telephone: 843-663-0006

Fax: 843-280-0003

myfowlerlaw@gmail.com

SC Bar #69683

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STATE OF SOUTH CAROLINA)
COUNTY OF FLORENCE)

IN THE COURT OF COMMON PLEAS)
TWELFTH JUDICIAL CIRCUIT)

2022 NOV 22 AM 10:51

FEB 02 2023

James Edgar Hutchinson, #258003)

CASE NO. 2021-CP-21-1712)

S.C. SUPREME COURT)

Applicant)

CLERK OF COURT)
CCCP & GS)
FLORENCE COUNTY SC)

v.)

FINAL ORDER OF DISMISSAL)

State of South Carolina,)

Respondent.)

This matter comes before this Court by way of a post-conviction relief (PCR) action commenced by James Edgar Hutchinson (Applicant) filed on August 5, 2021. The State made its return on October 28, 2021, requesting this action be summarily dismissed because the circuit court had jurisdiction to accept Applicant's guilty plea; the application was filed after the statute of limitations had expired; and for failure to state a cognizable claim for relief.


Pursuant to this request, and after reviewing the pleadings in this matter and all of the records attached thereto, this Court issued a Conditional Order of Dismissal signed December 8, 2021, and filed December 15, 2021, provisionally denying and dismissing this action while giving Applicant twenty days from the date of service of said order in which to show why the Conditional Order of Dismissal should not become final. Attached to this Final Order and incorporated herein by reference is a certificate of service dated February 10, 2022, indicating the State served the above-mentioned Conditional Order of Dismissal on Applicant at the Lee Correctional Institution.

Applicant submitted multiple responses to the Florence County Clerk of Court to include: (1) "Affidavit of Merits" numbering sixteen pages and dated December 21, 2021, and filed December 28, 2021; (2) "Affidavit of Merits" numbering six pages dated December 21, 2021, and

PCP
A-1713

This Court hereby advises Applicant he must file and serve a notice of appeal within thirty days of the service of this Order to secure appellate review. See Rule 203, SCACR. Applicant's attention is directed to Rule 243, SCACR, for the procedures following the filing and service of the notice of appeal.

AND IT IS SO ORDERED this 22nd day of November, 2022.


D. CRAIG BROWN
Chief Administrative Judge
Twelfth Judicial Circuit

Florence, South Carolina.

DOMESTIC COURT
COURT & GS
FLORENCE COUNTY, SC

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P. 373

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JUDGMENT IN A CIVIL CASE
CASE NUMBER 2021CP2101712

STATE OF SOUTH CAROLINA
COUNTY OF FLORENCE
IN THE COURT OF COMMON PLEAS

James Edgar Hutchinson

2022 NOV 28 AM 10:51
South Carolina State Of

PLAINTIFF(S)

DORIS JULIUS CHIARA
CCCP # 85
FLORENCE COUNTY

DEFENDANT(S)

Attorney for: Plaintiff Defendant
 Self-Represented Litigant

Submitted by:

DISPOSITION TYPE (CHECK ONE)

- JURY VERDICT.** This action came before the court for a trial by jury. The issues have been tried and a verdict rendered.
- DECISION BY THE COURT.** This action came to trial or hearing before the court. The issues have been tried or heard and a decision rendered. See Page 2 for additional information.
- ACTION DISMISSED (CHECK REASON):** Rule 12(b), SCRPC; Rule 41(a), SCRPC (Vol. Nonsuit);
 Rule 43(k), SCRPC (Settled); Other: _____
- ACTION STRICKEN (CHECK REASON):** Rule 40(j) SCRPC; Bankruptcy;
 Binding arbitration, subject to right to restore to confirm, vacate or modify arbitration award; Other: _____
- STAYED DUE TO BANKRUPTCY**
- DISPOSITION OF APPEAL TO THE CIRCUIT COURT (CHECK APPLICABLE BOX):**
 Affirmed; Reversed; Remanded; Other: _____

NOTE: ATTORNEYS ARE RESPONSIBLE FOR NOTIFYING LOWER COURT, TRIBUNAL, OR ADMINISTRATIVE AGENCY OF THE CIRCUIT COURT RULING IN THIS APPEAL.

IT IS ORDERED AND ADJUDGED: See attached order; (formal order to follow) Statement of Judgment by the Court:

ORDER INFORMATION

This order ends does not end the case.

Additional Information for the Clerk: _____

INFORMATION FOR THE JUDGMENT INDEX

Complete this section below when the judgment affects title to real or personal property or if any amount should be enrolled. If there is no judgment information, indicate "N/A" in one of the boxes below.

Judgment in Favor of (List name(s) below)	Judgment Against (List name(s) below)	Judgment Amount To be Enrolled (List amount(s) below)

If applicable, describe the property, including tax map information and address, referenced in the order:

The judgment information above has been provided by the submitting party. Disputes concerning the amounts contained in this form may be addressed by way of motion pursuant to the SC Rules of Civil Procedure.

Steven Willard Fowler 730 Main Street Unit # 237 North
Myrtle Beach, SC 29582

Danielle Dixon PO Box 11549 Columbia, SC 29211

ATTORNEY(S) FOR THE PLAINTIFF(S)

ATTORNEY(S) FOR THE DEFENDANT(S)

Doris P. O'Hara

Court Reporter

Doris Poulos O'Hara - Clerk of Court

Court Reporter:

E-Filing Note: In E-Filing counties, the date of Entry of Judgment is the same date as reflected on the Electronic File Stamp and the clerk's entering of the date of judgment above is not required in those counties. The clerk will mail a copy of the judgement to parties who are not E-Filers or who are appearing pro se. See Rule 77(d), SCRPC.

ADDITIONAL INFORMATION REGARDING DECISION BY THE COURT AS REFERENCED ON PAGE 1.

This action came to trial or hearing before the court. The issues have been tried or heard and a decision rendered.
