

The Supreme Court of South Carolina

The State, Respondent,

v.

Kashif Q. Washington, Appellant.

Appellate Case No. 2013-001294

The Honorable J. C. Nicholson, Jr., J. C. Nicholson, Jr.,
J. C. Nicholson, Jr., J. C. Nicholson, Jr., J. C. Nicholson,
Jr.

Charleston County

Trial Court Case No. 2013GS1000133, 2012GS1004002,
2012GS1004512, 2012GS1006806, 2012GS1006812

ORDER

The appeal in this matter is hereby transferred to the South Carolina Court of Appeals.

FOR THE COURT

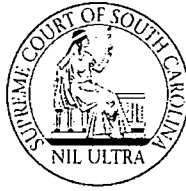
BY



CLERK

Columbia, South Carolina
June 14, 2013

cc: David P. Schwacke, Esquire
Office of the Attorney General



The Supreme Court of South Carolina

DANIEL E. SHEAROUSE
CLERK OF COURT

BRENDA F. SHEALY
CHIEF DEPUTY CLERK

POST OFFICE BOX 11330
COLUMBIA, SOUTH CAROLINA
29211

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COLUMBIA, SOUTH CAROLINA 29201

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June 14, 2013

Mr. David P. Schwacke
PO Box 1687
Moncks Corner SC 29461-1687

Re: State v. Kashif Q. Washington
Appellate Case No. 2013-001294
Lower Court Case Nos. 2013-GS-10-00133, 2012-GS-10-04002, 2012-GS-10-04512, 2012-GS-10-06806 and 2012-GS-10-06812

Dear Counsel:

This Court has received your notice of appeal, and the case has been assigned the appellate case number that appears above. Please use this number on all future correspondence relating to this matter.

All parties to this matter are advised that all filings must comply with the requirements of Rule 267 of the South Carolina Appellate Court Rules (SCACR). The SCACR are available online at www.sccourts.org/courtreg. Additionally, any filings submitted by counsel admitted in South Carolina must include counsel's bar number.

The attention of the parties is directed to the order relating to the inclusion of personal data identifiers and other sensitive information in documents filed with the Supreme Court of South Carolina and the South Carolina Court of Appeals. The order can be found at www.sccourts.org/courtOrders/HTMLFiles/2007-08-13-02.htm. Please note that the responsibility for insuring that information is redacted

or sealed as required by this order rests with counsel and the parties. This office will *not* review filings for redaction or to determine if materials should be sealed.

Since this appeal does not fall within any of the categories of cases that are to be filed with this Court under Rule 203(d)(1)(A), SCACR, I have enclosed an order transferring the case to the South Carolina Court of Appeals. In the future, I would ask that you please file appeals with the appropriate appellate court as provided by the rule.

Finally, since this appeal is from guilty pleas, Rule 203(d)(1)(B)(iv) of the South Carolina Appellate Court Rules requires you to provide "a written explanation showing that there is an issue which can be reviewed on appeal. This explanation should identify the issue(s) to be raised on appeal and the factual basis for the issue(s) including how the issue(s) was raised below and the ruling of the lower court on that issue(s). If an issue was not raised to and ruled on by the lower court, the explanation shall include argument and citation to legal authority showing how this issue can be reviewed on appeal." Failure to make a sufficient showing may result in dismissal of this appeal.¹

This explanation should be served and filed with the Court of Appeals within ten (10) days of the date of this letter.

Very truly yours,

A handwritten signature in black ink, appearing to be a stylized name, possibly "D. E. S.", written over a horizontal line.

CLERK

Enclosure

cc: Office of the Attorney General

¹ In the event you determine that you do not have a good faith explanation to provide, I would recommend that you follow a procedure similar to that provided for in *Dennison v. State*, 371 S.C. 221, 639 S.E.2d 35 (2006), for the explanation required by Rule 243(c), SCACR. This will give the petitioner an opportunity to provide a *pro se* explanation for allowing an appeal from guilty pleas in this matter.

BERKELEY COUNTY PUBLIC DEFENDER

219 N. HWY. 52, SUITE E POST OFFICE BOX 1687
MONCK'S CORNER, SOUTH CAROLINA 29401
(OFFICE) (843) 899-2777 • (FAX) (843) 899-2701

RECEIVED

June 11, 2013

JUN 14 2013

Honorable Daniel E. Shearouse
Clerk of Court
South Carolina Supreme Court
Post Office Box 11330
Columbia, South Carolina 29211

S.C. SUPREME COURT

RE: State of South Carolina, Respondent vs. Kashif Q. Washington, Appellant
Case No.(s): 13-GS-10-133; 12-GS-10-4002;4512;6806;6812

Dear Mr. Shearouse:

Enclosed please find a filed copy of the Defendant's Notice of Intent to Appeal and Affidavit of Service for the same in connection with the above referenced matter. A filed copy has also been served on the Charleston County Solicitor's Office.

If you have any questions regarding this matter, or need any additional information, please do not hesitate to contact me.

With kind regards,



David P. Schwacke,
Assistant Public Defender

DPS:pnc

Enclosures as Stated

FILED

2013 JUN -7 PM 12: 19

JULIE J. ARMSTRONG
CLERK OF COURT

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

BY MDL

APPEAL FROM CHARLESTON COUNTY
Court of General Sessions

J. C. Nicholson, Jr., Circuit Court Judge

Case No. 13-GS-10-0133; 12-GS-10-04002;4512;6806;6812;

The State,

Respondent,

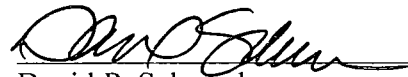
v.

Kashif Q. Washington,

Appellant.

NOTICE OF APPEAL

Kashif Q. Washington appeals his guilty plea and sentence in this case. The sentence was imposed by the Honorable J. C. Nicholson on the 20th day of March, 2013 and a Motion for Reconsideration was denied by the Court on June 3, 2013. This appeal is taken as to the judgment and the sentence pursuant to the statues made and provided in the applicable provisions of the South Carolina Code of Laws, 1976, as amended. In compliance with Appellate Practice Rule 203 (d) (1) B (iv), the Defendant's attorney asserts that this appeal is being filed at the request of the Defendant.



David P. Schwacke,
219 North Highway 52, Suite E
Moncks Corner, South Carolina 29461
(843) 899-2701
Attorney for Appellant

Other Counsel of Record:
Michael Nelson and Greg Voight
Assistant Solicitors
100 Broad Street
Charleston, South Carolina 29401
(843) 958-1900

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JUN 14 2013

S.C. SUPREME COURT

FILED

2013 JUN -7 PM 12: 17

JULIE J. ARMSTRONG
CLERK OF COURT

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

BY mdk APPEAL FROM CHARLESTON COUNTY
Court of General Sessions

J. C. Nicholson, Jr., Circuit Court Judge

Case No. 13-GS-10-0133; 12-GS-10-04002;4512;6806;6812

The State,

Respondent,

v.

Kashif Q. Washington,

Appellant.

PROOF OF SERVICE

I certify that I have served the Notice of Appeal on Michael Nelson and Greg Voight by personally delivering a copy of it to their office and leaving the same with Debbie Strick, Administrative Assistant for the Solicitor's Office located at 100 Broad Street, Charleston South Carolina 29401, on June 7th, 2013.

June 7, 2013

Joanie Driggers
Joanie Driggers
101 Meeting Street
Charleston, South Carolina 29401
(843) 958-1850
Paralegal