

# The South Carolina Court of Appeals

The State, Respondent,

v.

Anthony Duane Sutherland, Appellant.

Appellate Case No. 2023-000723

---

## ORDER

---

This appeal arises out of an order of the circuit court dated March 2, 2023. Appellant received notice of the order on March 17, 2023. The proof of service provided with the notice of appeal shows service on the Respondent on May 9, 2023. Because the notice of appeal was not timely served, the appeal is dismissed. *See State v. Devore*, 416 S.C. 115, 119, 784 S.E.2d 690, 692 (Ct. App. 2016) (noting timely service of the notice of appeal is a jurisdictional requirement); Rule 203(b)(2), SCACR ("After a plea or trial resulting in conviction or a proceeding resulting in revocation of probation, a notice of appeal shall be served on all respondents within ten (10) days after the sentence is imposed."). The remittitur will be sent as provided by Rule 221(b) of the South Carolina Appellate Court Rules.

  
\_\_\_\_\_, J.  
FOR THE COURT

Columbia, South Carolina

cc:  
Anthony Duane Sutherland  
Alan McCrory Wilson, Esquire

**FILED**  
**May 16 2023**

---

William M. Blich, Jr., Esquire  
Spenser Holloran Smith, Esquire