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May 17 2023

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM DARLINGTON COUNTY
Court of General Sessions

Thomas W. Cooper, Circuit Court Judge

INDICTMENT #'S: 2013-GS-16-1460 & 2017-GS-16-00862

The State,

Respondent,

v.

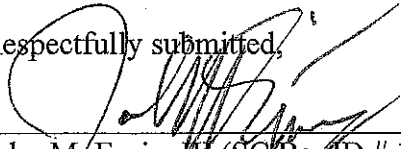
James Earl Smith,

Appellant.

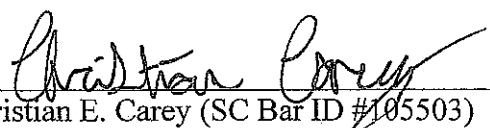
NOTICE OF INTENT TO APPEAL

James Earl Smith appeals his conviction and sentence in this case. The sentence was imposed by the Honorable Thomas W. Cooper on May 11, 2023, and an oral motion for a new trial was denied on the same date.

Respectfully submitted,



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Attorney for Appellant

Other Counsel of Record:
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Attorney for Respondent

Darlington, South Carolina
May 17, 2023

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DARLINGTON, SC.

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The State,

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v.


James Earl Smith,

Appellant.

PROOF OF SERVICE

I certify that I have served the Notice of Appeal on The State of South Carolina by hand-delivering a copy addressed to its attorney of record, Patti McKenzie Parker, Assistant Solicitor for Darlington County, 1 Public Square, Room 410, Darlington, South Carolina 29532 and Jenny A. Kitchings by depositing a copy of it in the United States Mail, postage prepaid to Post Office Box 11629 Columbia, South Carolina 29211. Furthermore, Jenny A. Kitchings was served a copy electronically at ctappfilings@sccourts.org.

May 17, 2023



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DARLINGTON COUNTY, S.C.



**ERVIN LAW OFFICE,
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SC Court of Appeals

Jenny A. Kitchings
Post Office Box 11629
Columbia, South Carolina 29211

RE: *State of South Carolina vs. James Smith*
Indictment Numbers: 2013-GS-16-1460 & 2017-GS-16-00862

Dear Ms. Kitchings:

Enclosed please find the Notice of Appeal and Proof of Service in the above referenced matter. If you have any questions or need anything else, please let me know.

With kind regards,

John M. Ervin, III

Enclosure: Notice of Appeal and Proof of Service

cc: Patti McKenzie Parker, SC Bar ID# 74836
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Attorney for Respondent