

RECEIVED

Jun 16 2023

SC Court of Appeals

From: jfalknerwilkes@gmail.com
To: [Court Of Appeals Filings](#); mbrown@scag.gov; "Cassie Hall"
Cc: "[Caroline Collins](#)"; abennett@scag.gov
Subject: State v. Timothy F. Green, 2023-000961
Date: Friday, June 16, 2023 4:49:11 PM

***** EXTERNAL EMAIL:** This email originated from outside the organization. Please exercise caution before clicking any links or opening attachments. ***

Dear Ms. Kitchings,

This email is in response to the Court's request for clarification. As stated in the Amended Notice of Appeal, Timothy F. Green, Defendant in the above captioned case, appeals from the denial of the Defendant's Rule 29 Motion for a new trial. After a hearing on the merits the Court denied the Defendant's Motion for a new trial. The ruling was made from the bench and announced in open court on June 14, 2023, by the Hon. Jocelyn Newman, and no written order is known to have been entered or expected.

There was an earlier set of orders granting post conviction DNA testing. Based on the results of the testing the Appellant filed a Rule 29 Motion for new trial alleging that the results of the DNA tests entitled him to a new trial. An evidentiary hearing was held with SLED lab and ACSO chain of custody and custodians of evidence. The Court ruled that the test results were not sufficiently exculpatory to entitle Mr. Green to a new trial. Since there was no indication that a written order would follow I filed the appeal immediately.

Jeff Wilkes

J. Falkner Wilkes
Attorney at Law
248 Deerwood Park Drive
Oakland, MS 38948
(864) 421-4618
jfalknerwilkes@gmail.com

~~~ CONFIDENTIALITY NOTICE ~~~ This message is intended only for the addressee and may contain information that is confidential. If you are not the intended recipient, do not read, copy, retain, or disseminate this message or any attachment. If you have received this message in error, please contact the sender immediately and delete all copies of the message and any attachments.