

RECEIVED

Nov 27 2023

S.C. SUPREME COURT

STATE OF SOUTH CAROLINA
In The Supreme Court

CERTIORARI TO RICHLAND COUNTY
Court of Common Pleas
Jean Hoefler Toal, Post-Conviction Relief Court Judge

Case No. 2014-CP-40-4543

Erick E. Wells, SCDC #281942,.....Respondent,
v.
State of South Carolina, Petitioner.

NOTICE OF APPEAL

The State of South Carolina appeals the Honorable Jean H. Toal's order granting post-conviction relief filed on September 5, 2019. Respondent filed a timely motion to reconsider, alter, or amend pursuant to Rule 59(e), SCRCP, which was denied by Judge Toal on October 26, 2023. Counsel for Respondent received written notice of the entry of this order on November 1, 2023. A copy of the order granting post-conviction relief, a copy of the Rule 59(e), SCRCP motion, and a copy of the order denying Respondent's 59(e), SCRCP, motion is attached hereto.

November 27, 2023,

Respectfully submitted,

ALAN WILSON
Attorney General

D. RUSSELL BARLOW, II
Assistant Attorney General
S.C. Bar No. 105228
Post Office Box 11549
Columbia, South Carolina 29211
(803) 734-3737

By: 
Attorneys for Petitioner

Other Counsel of Record:
Arthur K. Aiken
P.O. Box 90707
Columbia, SC 29290
(803) 799-5205
Attorney for Respondent

cc: Honorable Jeanette W. McBride, Richland County Clerk of Court