

# The South Carolina Court of Appeals

The State, Respondent,

v.

James C. Williams, Appellant.

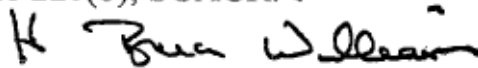
Appellate Case No. 2023-001902

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## ORDER

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This appeal arises out of a criminal conviction and the denial of a Rule 29, SCRCrimP motion. Counsel received written notice of entry of the order denying the Rule 29 motion on October 11, 2023. The notice of appeal was served on December 11, 2023. The appeal is dismissed for the failure to timely serve the notice of appeal. *See* Rule 203(b)(2), SCACR ("[A] notice of appeal shall be served on all respondents within ten (10) days after receipt of written notice of entry of the order or judgment. When a timely post-trial motion is made under Rule 29(a), SCRCrimP, the time to appeal shall be stayed and shall begin to run from receipt of written notice of entry of an order granting or denying such motion."); *State v. Devore*, 416 S.C. 115, 119, 784 S.E.2d 690, 692 (Ct. App. 2016) ("[I]n the absence of a timely served notice of appeal, this court has no jurisdiction."). Based on the failure to timely serve the notice of appeal, we decline to take action on counsel's motion to file the notice of appeal out of time. The remittitur will be sent pursuant to Rule 221(b), SCACR.



, C.J.

FOR THE COURT

Columbia, South Carolina

cc:

Ashley A. McMahan, Esquire

Robert Michael Dudek, Esquire

Alan McCrory Wilson, Esquire

**FILED**  
**Jan 24 2024**

Angela Garrick Martin, Esquire  
Mark Reynolds Farthing, Esquire  
James C. Williams

**FILED**  
**Jan 24 2024**