

STATE OF SOUTH CAROLINA

In The Court of Appeals

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MAY 03 2024

SC Court of Appeals

APPEAL FROM HORRY COUNTY

Court of General Sessions

The Honorable Benjamin H. Culbertson, Circuit Court Judge

Indict No. 2023GS2604885-886, 2023GS2603140, 146

State of South Carolina, .....Appellant,

v.

Richard Leroy Anderson, .....Respondent.

NOTICE OF APPEAL

In the above criminal action, the State of South Carolina appeals from the pre-trial Order of the Honorable Benjamin H. Culbertson, dated February 22, 2024, and filed March 11, 2024, granting Respondent's motion to suppress drug evidence seized from Respondent. Appellant filed a Motion to Reconsider on March 20, 2024. The Honorable Benjamin H. Culbertson denied the motion based on Appellant's brief without oral arguments. Appellant received written notice of entry of the Order on April 24, 2024.

May 2, 2024

*Kaitlin Cook*

Kaitlin Cook  
Assistant Solicitor  
Fifteenth Circuit Solicitor's Office  
1301 2<sup>nd</sup> Avenue  
Conway, South Carolina 29526  
cook.kaitlin@horrycountysc.gov

Other Counsel of Record:

Melinda Knowles, Esq.  
1400 Church Street, Ste. 300D  
Conway, SC 29526

FILED  
HORRY COUNTY  
2024 MAY - 2 A 11:40  
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CLERK OF COURT  
HORRY COUNTY, SC

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SC Court of Appeals

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State of South Carolina, .....Appellant,

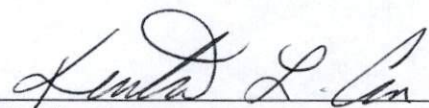
v.

Richard Leroy Anderson, .....Respondent.

**PROOF OF SERVICE**

The undersigned attorney hereby certifies that a copy of the **Notice of Appeal** in the above-referenced case has been served upon Respondent by mailing a copy in an envelope properly addressed with postage prepaid this 2nd day of May, 2024, addressed to the following:

Melinda Knowles, Esq.  
1400 Church Street, Ste. 300D  
Conway, SC 29526

  
Kaitlin Cook  
Assistant Solicitor  
Fifteenth Circuit Solicitor's Office  
1301 2<sup>nd</sup> Avenue  
Conway, South Carolina 29526  
cook.kaitlin@horrycountysc.gov  
(843) 915-8653

FILED  
HORRY COUNTY  
2024 MAY - 2 A 11:40  
BENJAMIN H. CULBERTSON  
CLERK OF COURT  
HORRY COUNTY, SC

State of South Carolina  
Office of the Solicitor  
Fifteenth Judicial Circuit

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MAY 03 2024

SC Court of Appeals

Alicia A. Richardson  
Deputy Solicitor

REPLY TO

P.O. BOX 1688  
GEORGETOWN, SC 29442  
843-545-3169  
FAX: 843-545-3268

Scott R. Hixson  
Chief Deputy Solicitor

REPLY TO

P.O. BOX 1276  
CONWAY, SC 29528  
843-915-5460  
FAX: 843-915-6461



JIMMY A. RICHARDSON, II  
Solicitor

May 2, 2024

The Honorable Jenny Abbott Kitchings  
Clerk of Court, South Carolina Court of Appeals  
Post Office Box 11629  
Columbia, South Carolina 29211

**RE:** State v. Richard Leroy Anderson,  
Lower Court Case No. 2023-GS-26-04885; 4886, 2023-GS-26-03140; 3146

Dear Ms. Kitchings:

Enclosed please find the original **Notice of Appeal** attached to the Order filed March 11, 2024, along with a Proof of Service for filing in your office. The State has ordered and received a copy of the transcript from the Respondent's motion to suppress. By copy of this letter, we are serving opposing counsel with this Notice today, as well as a copy of the Notice to the Clerk of Court for Horry County for filing in her office. This is a pre-trial State's appeal in a criminal action from an Order suppressing drug evidence seized from the Defendant.

Please contact me if you have any questions.

Sincerely,

Kaitlin Cook  
Assistant Solicitor  
SC Bar No. 104108

FILED  
Horry County  
2024 MAY -2 P 12:26  
OFFICE OF THE CLERK OF COURT  
HORRY COUNTY, SC

KLC

Enclosures

CC: Melinda Knowles, Esq.  
The Honorable Renee Elvis, Clerk of Court, Horry County

The mission of the Fifteenth Circuit Solicitor's Office is to uphold the public's trust in the pursuit of justice and enforcement of the law.

State of South Carolina  
Office of the Solicitor  
Fifteenth Judicial Circuit

Scott R. Hixson  
Chief Deputy Solicitor

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**RE:** State v. Richard Leroy Anderson,  
Lower Court Case No. 2023-GS-26-04885; 4886, 2023-GS-26-03140; 3146

Dear Ms. Kitchings:

Enclosed please find the original **Notice of Appeal** attached to the Order filed March 11, 2024, along with a Proof of Service for filing in your office. The State also enclosed a copy of the Order Granting Defendant's Motion to Suppress. By copy of this letter, we are serving opposing counsel with this Notice today, as well as a copy of the Notice to the Clerk of Court for Horry County for filing in her office. This is a pre-trial State's appeal in a criminal action from an Order suppressing drug evidence seized from the Defendant.

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Sincerely,

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Enclosures

CC: Melinda Knowles, Esq.  
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