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Jun 10 2024

SC Court of Appeals

THE STATE OF SOUTH CAROLINA

In The Court of Appeals

AMENDED NOTICE OF APPEAL IN A CRIMINAL CASE

**APPEAL FROM BEAUFORT COUNTY
Court of Common Pleas**

Judge Marvin H. Dukes, III

Court of Common Pleas Appellate Case No.: 2024-000929

State of South Carolina

Respondent

v.

Benjamin J. Hays

Appellant.

AMENDED NOTICE OF APPEAL

Ben Hayes, Appellant in the underlying action, appeals the original Magistrate Order of Conviction filed September 23, 2023, the Order Affirming Conviction (Appeal Dismissed) of the Honorable Marvin H. Dukes, III filed May 3, 2024, and the Order [Denying Defendant's Motion for Reconsideration] also filed June 3, 2024. Because today is June 10, 2024, this amended notice of appeal is timely.

June 10, 2024

[See Next Page for Signature Block]

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**FORM 7
PROOF OF SERVICE OF
AMENDED NOTICE OF APPEAL**

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM BEAUFORT COUNTY
Court of Common Pleas

Marvin H. Dukes, Circuit Court Judge

Appellate No. 2024-000929

State of South Carolina,

Respondent,

v.

Benjamin J. Hays,

Appellant.

PROOF OF SERVICE

I certify that I have served the Amended Notice of Appeal on Mary Jordan Neal Lempesis and Brian Christopher Kiel by email to mjlempesis@scsolicitor14.org and brian.kiel@bcgov.net, on June 3, 2024, and Alan McCrory Wilson and Mark Reynolds Fathering by placing a copy of same in the mail with adequate postage addressed to The Honorable Alan Wilson and Mark Fathering P.O. Box 11549 Columbia, S.C. 29211 on June 10, 2024.

Respectfully Submitted,

William S. Hammett III

- William S. Hammett, III, (SC Bar #100627)
- Deanne Gray, (SC Bar #17221)
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