

The Supreme Court of South Carolina

DANIEL E. SHEAROUSE
CLERK OF COURT

BRENDA F. SHEALY
CHIEF DEPUTY CLERK

POST OFFICE BOX 11330
COLUMBIA, SOUTH CAROLINA
29211
1231 GERVAIS STREET
COLUMBIA, SOUTH CAROLINA 29201
TELEPHONE: (803) 734-1080
FAX: (803) 734-1499
www.sccourts.org

May 09, 2012

LaNelle Cantey DuRant
1330 Lady St.
Columbia SC 29211

Harold M. Coombs, Jr.
PO Box 11549
Columbia SC 29211

Re: The State v. Curry, James J. Jr.
Appellate Case No. 2010-153826

Dear Counsel:

The above case appeared on an earlier preliminary list, but was not scheduled for argument. The matter will likely be scheduled for September, 2012. The Court will hold arguments on September 18, 19 and 20.

Very truly yours,

CLERK



SCCID

SOUTH CAROLINA COMMISSION ON INDIGENT DEFENSE

Division of Appellate Defense
1330 Lady Street, Suite 401
Columbia, South Carolina 29201-3332
Post Office Box 11589
Columbia, South Carolina 29211-1589
Telephone: (803) 734-1330
Facsimile: (803) 734-1397

Robert M. Dudek, Chief Appellate Defender
Wanda H. Carter, Deputy Chief Appellate Defender

April 25, 2012

Daniel Honorable Daniel E. Shearouse
Clerk, South Carolina Supreme Court
Post Office Box 11330
Columbia, South Carolina 29211

RECEIVED

APR 25 2012

S.C. Supreme Court

Re: The State v. James J. Curry, Jr.

Dear Mr. Shearouse:

I have received notice that the above-referenced case will probably be heard at the June 2012 term of Court. Please be advised that I will be on annual leave for my annual family vacation June 3 – 10, 2012. However, if the Court needs to do the argument during that time, I will abide by the Court's decision as I would like to argue this case myself.

By copy of this letter, I am informing opposing counsel, Harold Coombs, Esquire, of the Attorney General's Office, of this request. Thank you for your consideration of this request.

If I can be of any further assistance, please contact me.

Thank you.

Sincerely,

LaNelle C. Durant
Appellate Defender

LCD:pds

cc: Harold Coombs, Esquire



ALAN WILSON
ATTORNEY GENERAL

RECEIVED

APR 26 2012

S.C. Supreme Court

April 26, 2012

The Honorable Daniel E. Shearouse
Clerk, South Carolina Supreme Court
Post Office Box 11330
Columbia, South Carolina 29211

RE: State v. James Curry
June 2012 Preliminary List

Dear Mr. Shearouse:

Thank you for the June 2012 Preliminary List advising that the above referenced case may be set for June 5, 6, 7, 19, or 20.

I plan to retire June 16 and, if the case is reached during the June term, I hope that it can be set on June 5, 6, or 7.

As always, your thoughtful attention is greatly appreciated.

Sincerely,

Harold M. Coombs, Jr.
Senior Assistant Attorney General

HMCjr./ab

cc: LaNelle C. DuRant, Esquire
Ms. Trisha Allen



The South Carolina Supreme Court

DANIEL E. SHEAROUSE
CLERK OF COURT
BRENDA F. SHEALY
DEPUTY CLERK

P.O. BOX 11330
COLUMBIA, S.C. 29211
PHONE NO. 734-1080

To: Appellate Defender LaNelle C. DuRant
From: Daniel E. Shearouse
Date: April 24, 2012
RE: June Preliminary List

Pursuant to the provisions of Rule 216 of the South Carolina Appellate Court Rules, this is to advise that the following case(s) will probably be reached for hearing at the June 2012 term of the South Carolina Supreme Court. Our records indicate that you are counsel of record in one or more of these case(s).

Court will meet the days of June 5, 6, 7, 19 and 20. Please notify this office in writing prior to May 1, 2012 as to any scheduling conflicts for the June term, and any changes or additions of counsel that should be made to the record for the purpose of argument. If you do have a scheduling conflict, please advise as to the specific nature of the conflict.

The State v. Curry, James J. Jr.



The South Carolina Supreme Court

DANIEL E. SHEAROUSE
CLERK OF COURT
BRENDA F. SHEALY
DEPUTY CLERK

P.O. BOX 11330
COLUMBIA, S.C. 29211
PHONE NO. 734-1080

To: Attorney General Alan Wilson
Chief Deputy Attorney General John W. McIntosh
Assistant Deputy Attorney General Salley W. Elliott
Assistant Attorney General Harold M. Coombs, Jr.

From: Daniel E. Shearouse

Date: April 24, 2012

RE: June Preliminary List

Pursuant to the provisions of Rule 216 of the South Carolina Appellate Court Rules, this is to advise that the following case(s) will probably be reached for hearing at the June 2012 term of the South Carolina Supreme Court. Our records indicate that you are counsel of record in one or more of these case(s).

Court will meet the days of June 5, 6, 7, 19 and 20. Please notify this office in writing prior to May 1, 2012 as to any scheduling conflicts for the June term, and any changes or additions of counsel that should be made to the record for the purpose of argument. If you do have a scheduling conflict, please advise as to the specific nature of the conflict.

The State v. Curry, James J. Jr.



The South Carolina Supreme Court

DANIEL E. SHEAROUSE
CLERK OF COURT
BRENDA F. SHEALY
DEPUTY CLERK

P.O. BOX 11330
COLUMBIA, S.C. 29211
PHONE NO. 734-1080

To: Douglas A. Barfield, Jr, Esquire
From: Daniel E. Shearouse
Date: April 24, 2012
RE: June Preliminary List

Pursuant to the provisions of Rule 216 of the South Carolina Appellate Court Rules, this is to advise that the following case(s) will probably be reached for hearing at the June 2012 term of the South Carolina Supreme Court. Our records indicate that you are counsel of record in one or more of these case(s).

Court will meet the days of June 5, 6, 7, 19 and 20. Please notify this office in writing prior to May 1, 2012 as to any scheduling conflicts for the June term, and any changes or additions of counsel that should be made to the record for the purpose of argument. If you do have a scheduling conflict, please advise as to the specific nature of the conflict.

The State v. Curry, James J. Jr.

The Supreme Court of South Carolina

The State,

Respondent,

v.

James J. Curry,


Appellant.

The Honorable Brooks P. Goldsmith
Lancaster County
Trial Court Case No. 2009-GS-29-578

ORDER

Pursuant to Rule 204(b) of the South Carolina Appellate Court Rules, this appeal is hereby certified for review by the South Carolina Supreme Court.

Upon receipt of this order, the Court of Appeals is hereby directed to forward the case file, all records and briefs and any exhibits on file to this Court.


C. J.
FOR THE COURT

Columbia, South Carolina

March 30, 2012

cc: Appellate Defender LaNelle C. Durant
Attorney General Alan Wilson
Deputy Attorney General John W. McIntosh
Assistant Deputy Attorney General Salley W. Elliott
Senior Assistant Attorney General Harold M. Coombs, Jr.
Douglas A. Barfield, Jr., Esquire
The Honorable Jenny Kitchings



The South Carolina Court of Appeals

JENNY ABBOTT KITCHINGS
CLERK

V. CLAIRE ALLEN
DEPUTY CLERK

POST OFFICE BOX 11629
COLUMBIA, SOUTH CAROLINA 29211
1015 SUMTER STREET
COLUMBIA, SOUTH CAROLINA 29201
TELEPHONE: (803) 734-1890
FAX: (803) 734-1839
www.sccourts.org

March 29, 2012

Appellate Defender LaNelle C. DuRant
South Carolina Commission
on Indigent Defense
P O Box 11589
Columbia, SC 29211

Assistant Attorney General Harold M. Coombs, Jr.
Office of the Attorney General
P.O. Box 11549
Columbia, SC 29211

Douglas A. Barfield, Jr, Esquire
Sixth Judicial Circuit Solicitor
P.O. Box 607
Lancaster, SC 29721-0607

Re: The State v. Curry, James J. Jr.

Dear Counsel:

The Court has requested certification from the Supreme Court in this case. Accordingly, it will be placed in held in abeyance status and will not be heard during the month of April 2012.

Very truly yours,

DEPUTY CLERK



SCCID

SOUTH CAROLINA COMMISSION ON INDIGENT DEFENSE

Division of Appellate Defense
1330 Lady Street, Suite 401
Columbia, South Carolina 29201-3332
Post Office Box 11589
Columbia, South Carolina 29211-1589
Telephone: (803) 734-1330
Facsimile: (803) 734-1397

Robert M. Dudek, Chief Appellate Defender
Wanda H. Carter, Deputy Chief Appellate Defender

August 16, 2011

RECEIVED

AUG 16 2011

S.C. Supreme Court

The Honorable Tanya A. Gee
Clerk, S.C. Court of Appeals
P.O. Box 11629
Columbia, SC 29211

Re: The State v. James J. Curry

Dear Ms. Gee:

The record on appeal in the above referenced case was due to be served and filed with the Court on June 22, 2011. However, this date was inadvertently miscalendared. Therefore, counsel is requesting that the Court accept this record on appeal as filed out of time.

As indicated by signature below, Harold M. Coombs, Jr., of the Attorney General's Office, consents to this request.

Sincerely,

LaNelle C. Durant
Appellate Defender

LCD:pds

I consent:

Harold M. Coombs, Jr., Esquire



The South Carolina Court of Appeals

TANYA A. GEE
CLERK

V. CLAIRE ALLEN
DEPUTY CLERK

POST OFFICE BOX 11629
COLUMBIA, SOUTH CAROLINA 29211
1015 SUMTER STREET
COLUMBIA, SOUTH CAROLINA 29201
TELEPHONE: (803) 734-1890
FAX: (803) 734-1839
www.sccourts.org

August 12, 2011

Appellate Defender LaNelle C. Durant
South Carolina Commission
on Indigent Defense
P O Box 11589
Columbia, SC 29211

Re: The State v. Curry, James J. Jr.
2010153826

Dear Counsel:

We have received your letter dated August 16, 2011.

Please be advised that according to Rule 240 of the South Carolina Appellate Rules, it will be necessary for you to file a formal motion to request your Record on Appeal be filed out of time. Please forward your motion within ten (10) days from the date of this letter.

Very truly yours,

V. Claire Allen
DEPUTY CLERK

VCA/dw

cc: Assistant Attorney General Harold M. Coombs, Jr.

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

Appeal From Lancaster County
Honorable Brooks P. Goldsmith, Judge

SC Court of Appeals

MAY 23 2011

P
S
T
A
M
P

THE STATE,

Respondent,

vs.

JAMES J. CURRY,

Appellant.

PROOF OF SERVICE

I, Harold M. Coombs, Jr., certify that I have served the within Initial Brief of Respondent and Designation of Matter on Appellant by depositing two copies of the same in the United States mail, postage prepaid, addressed to his attorney of record, LaNelle C. DuRant, Esquire, South Carolina Commission on Indigent Defense, Division of Appellate Defense, P.O. Box 11589, Columbia, South Carolina 29211.

I further certify that all parties required by Rule to be served have been served.

This 23rd day of May, 2011.

Harold M. Coombs, Jr.
HAROLD M. COOMBS, JR.

Office of Attorney General
Post Office Box 11549
Columbia, SC 29211
(803) 734-3727

ATTORNEY FOR RESPONDENT

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

Appeal From Lancaster County
Honorable Brooks P. Goldsmith, Judge

RECEIVED
MAY 23 2011
SC Court of Appeals

THE STATE,

Respondent,

vs.

JAMES J. CURRY,

Appellant.

**DESIGNATION OF MATTER
TO BE INCLUDED IN THE RECORD ON APPEAL**

In addition to the matter designated by the Appellant, Respondent proposes the following to be included in the Record on Appeal:

additional trial transcript pp. 1-4 (title page and index); 79-117; 199-359; 444-457; 488-682.

To facilitate the preparation of the Final Brief, Respondent requests that counsel for Appellant retain the page numbers of the trial transcript in the Record on Appeal, in addition to the new page numbers. Additionally, Respondent notes personal data identifiers and other sensitive information should be redacted from the transcript or other documents pursuant to the South Carolina Supreme Court Order dated August 13, 2007.

The undersigned hereby certifies this Designation contains no matter which is irrelevant to this appeal.

ALAN WILSON
Attorney General

JOHN W. McINTOSH
Chief Deputy Attorney General

SALLEY W. ELLIOTT
Assistant Deputy Attorney General

HAROLD M. COOMBS, JR.
Senior Assistant Attorney General

DOUGLAS A. BARFIELD, JR.
Solicitor, Sixth Judicial Circuit

By: Harold M. Coombs, Jr.
Harold M. Coombs, Jr.

Office of Attorney General
Post Office Box 11549
Columbia, SC 29211
(803) 734-3727

ATTORNEYS FOR RESPONDENT

May 23, 2011



ALAN WILSON
ATTORNEY GENERAL

May 23, 2011

LaNelle C. DuRant, Esquire
South Carolina Commission on Indigent Defense
Division of Appellate Defense
P.O. Box 11589
Columbia, South Carolina 29211

RECEIVED
MAY 23 2011
SC Court of Appeals

Re: The State v. James J. Curry

Dear Ms. DuRant:

Enclosed please find two (2) copies of the Initial Brief of Respondent and Designation of Matter along with proof of service in the above-referenced case.

Yours very truly,

Harold M. Coombs, Jr.

Harold M. Coombs, Jr.
Senior Assistant Attorney General

HMCjr/ab
Enclosures

cc: The Honorable Tanya A. Gee
(original enclosed)
Ms. Trisha Allen - with enclosure



The South Carolina Court of Appeals

TANYA A. GEE
CLERK

V. CLAIRE ALLEN
DEPUTY CLERK

POST OFFICE BOX 11629
COLUMBIA, SOUTH CAROLINA 29211
1015 SUMTER STREET
COLUMBIA, SOUTH CAROLINA 29201
TELEPHONE: (803) 734-1890
FAX: (803) 734-1839
www.sccourts.org

May 17, 2011

Assistant Attorney General Harold M. Coombs, Jr.
Office of the Attorney General
P.O. Box 11549
Columbia, SC 29211

Re: The State v. Curry, James J. Jr.
2010153826

Dear Counsel:

The following Order has been endorsed on your Petition For Extension Of Time In Which To File The Initial Brief Of Respondent And Designation Of Matter in the above entitled case on appeal.

"Granted.

John Cannon Few, C.J.
For the Court

By s/ V. Claire Allen
Deputy Clerk

May 17, 2011."

For good cause shown, the request for an extension to file the Respondent's Initial Brief and Designation of Matter is granted until June 13, 2011. Pursuant to the Supreme Court's order dated March 18, 2009, any further extension request must show the existence of extraordinary circumstances, state what actions are being taken to insure that no further extension will be required, and be signed by the appropriate attorneys.

Very truly yours,

V. Claire Allen

DEPUTY CLERK

VCA/dw

cc: Appellate Defender LaNelle C. Durant

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal From Lancaster County
Honorable Brooks P. Goldsmith, Circuit Court Judge

RIB
3/27
5.13.11
6.13.11
RECEIVED

MAY 13 2011

SC Court of Appeals

THE STATE.

Respondent,

vs.

JAMES CURRY,

Appellant.

**PETITION FOR EXTENSION OF TIME TO SERVE AND FILE THE INITIAL
BRIEF OF RESPONDENT AND DESIGNATION OF MATTER**

Respondent, through its undersigned counsel, would respectfully show unto this Court as follows:

I.

The Initial Brief of Respondent and Designation of Matter are due to the Court today, pursuant to a previous extension granted by the Court.

II.

Due to work required in other cases pending before this Court and the South Carolina Supreme Court, I am unable to complete this Brief on time. I would therefore request an extension of time within which to serve and file the Initial Brief of Respondent and Designation of Matter.

III.

This extension request is not intended for purposes of delay, but rather to ensure that the Brief is properly researched and prepared.

WHEREFORE, Respondent prays that the Court extend the deadline for the service and filing of the Initial Brief of Respondent and Designation of Matter in this case for thirty (30) days; and for such other and further relief as the Court may deem just and proper.

Respectfully submitted,

ALAN WILSON
Attorney General

JOHN W. McINTOSH
Chief Deputy Attorney General

SALLEY W. ELLIOTT
Assistant Deputy Attorney General

BY: _____

HAROLD M. COOMBS, JR.
Senior Assistant Attorney General

GRANTED
JOHN CANNON FEW, C.J.
FOR THE COURT

By: V. Claire Allen
(Clerk) (Deputy Clerk)

BY: Harold M. Coombs, Jr.
Harold M. Coombs, Jr.

Office of the Attorney General
Post Office Box 11549
Columbia, SC 29211
(803) 734-3727

ATTORNEYS FOR RESPONDENT

May 13, 2011

FILED
S/17/11

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

Appeal From Lancaster County
Honorable Brooks P. Goldsmith, Circuit Court Judge

RECEIVED

MAY 13 2011

SC Court of Appeals

THE STATE.

Respondent,

vs.

JAMES CURRY,

Appellant.

PROOF OF SERVICE

I, Harold M. Coombs, Jr., certify that I have served the Petition for Extension of Time to Serve and File the Initial Brief of Respondent and Designation of Matter on appellant by depositing two copies of the same in the United States mail, postage prepaid, addressed to his attorneys of record, LaNelle C. DuRant, Esquire, South Carolina Commission on Indigent Defense, Division of Appellate Defense, P.O. Box 11589, Columbia, SC 29211.

I further certify that all parties required by Rule to be served have been served.

This 13th day of May, 2011.

Harold M. Coombs, Jr.

HAROLD M. COOMBS, JR.
Office of Attorney General
Post Office Box 11549
Columbia, SC 29211
(803) 734-3727

ATTORNEY FOR RESPONDENT



ALAN WILSON
ATTORNEY GENERAL

RECEIVED

MAY 13 2011

SC Court of Appeals

May 13, 2011

LaNelle C. DuRant, Esquire
South Carolina Commission on Indigent Defense
Division of Appellate Defense
P.O. Box 11589
Columbia, SC 29211

RE: State v. James Curry

Dear Counsel:

Enclosed please find two (2) copies of the Petition for Extension of Time to Serve and File the Initial Brief of Respondent and Designation of Matter in the above case.

Sincerely,

Harold M. Coombs, Jr.

Harold M. Coombs, Jr.
Senior Assistant Attorney General

HMCjr./ab
Enclosures

cc: The Honorable Tanya A. Gee
(Original and 6 enclosed)
Ms. Trisha Allen

The South Carolina Court of Appeals

The State,

Respondent,

v.

James J. Curry, Jr.,

Appellant.

The Honorable Brooks P. Goldsmith
Lancaster County
Trial Court Case No. 2009-GS-29-00577
2009-GS-29-00578

ORDER

The request for an extension to serve and file Respondent's Initial Brief and Designation of Matter is granted until May 13, 2011. Pursuant to the Supreme Court's order dated March 18, 2009, any further extension request must be based on a showing of good cause.


JOHN CANNON FEW, CHIEF JUDGE

BY V. Claire Allen, Deputy
CLERK

Columbia, South Carolina

cc: Appellate Defender LaNelle C. Durant
Assistant Attorney General Harold M. Coombs, Jr.

FILED



White, Della

From: COA Extensions
Sent: Thursday, April 14, 2011 7:05 AM
To: White, Della
Subject: FW: State v. James Curry

2nd DIB
4-13-11
5-13-11

From: Angela Bennett [mailto:ABennett@scag.gov]
Sent: Wednesday, April 13, 2011 3:36 PM
To: dsimons@sccid.sc.gov; ldurant@sccid.sc.gov; COA Extensions
Cc: Harold Coombs
Subject: State v. James Curry

Clerk's Office

South Carolina Court of Appeals

RE: State v. James Curry

Dear Ms. Gee:

The Initial Brief of Respondent and Designation of Matter in the above appeal are due to be served and filed today. However, due to an unusually heavy workload, I am requesting a 30-day extension.

By copy of this e-mail, I am advising counsel for Appellant, LaNelle DuRant, of this extension request.

Harold M. Coombs, Jr.

Senior Assistant Attorney General

The South Carolina Court of Appeals

The State,

Respondent,

v.

James J. Curry, Jr.,

Appellant.

The Honorable Brooks P. Goldsmith
Lancaster County
Trial Court Case No. 2009-GS-29-00577
2009-GS-29-00578

ORDER

The request for an extension to serve and file Respondent's Initial Brief and Designation of Matter is granted until April 13, 2011. Pursuant to the Supreme Court's order dated March 18, 2009, any further extension request must be based on a showing of good cause.

V. Claire Allen, Deputy CLERK
For the Court

Columbia, South Carolina

cc: Appellate Defender LaNelle C. Durant
William P. Frick, Esquire
Assistant Attorney General Harold M. Coombs, Jr.
Douglas A. Barfield, Jr, Esquire

3/24/11
FILED

White, Della

From: COA Extensions
Sent: Monday, March 14, 2011 3:36 PM
To: White, Della
Subject: FW: State v. James Curry

From: Angela Bennett [mailto:ABennett@scag.gov]
Sent: Monday, March 14, 2011 3:11 PM
To: dsimons@sccid.sc.gov; ldurant@sccid.sc.gov; COA Extensions
Cc: Harold Coombs
Subject: State v. James Curry

1st
3-14-11
4-13-11

Clerk's Office
South Carolina Court of Appeals

RE: State v. James Curry

Dear Ms. Gee:

The Initial Brief of Respondent and Designation of Matter in the above appeal are due to be served and filed today. However, due to an unusually heavy workload, I am requesting a 30-day extension.

By copy of this e-mail, I am advising counsel for Appellant, LaNelle C. DuRant, of this extension request.

Harold M. Coombs, Jr.
Senior Assistant Attorney General



ALAN WILSON
ATTORNEY GENERAL

February 2, 2011

RECEIVED
FEB 03 2011
SC Court of Appeals

LaNelle C. DuRant, Esquire
South Carolina Commission on Indigent Defense
Division of Appellate Defense
P.O. Box 11589
Columbia, SC 29211

Re: The State v. James J. Curry, Jr.

Dear Counsel:

This letter is to confirm that our office received Appellant's Initial Brief and Designation of Matter in the above-referenced case and to advise you that I will be representing the State in this appeal. Please forward all future correspondence regarding this matter directly to me.

I look forward to working with you on this case.

Sincerely,

Harold M. Coombs, Jr
Senior Assistant Attorney General

HMCjr./ab

cc: The Honorable Tanya A. Gee
Victim Services

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Lancaster County
Brooks P. Goldsmith, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

JAMES J. CURRY,

APPELLANT

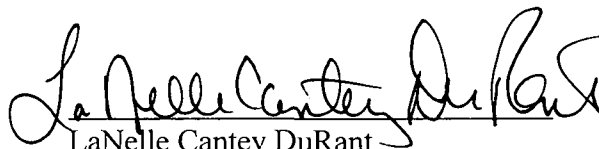
**DESIGNATION OF MATTER TO BE
INCLUDED IN RECORD ON APPEAL**

Appellant proposes the following be included in the Record on Appeal:

- (1) True-billed indictment(s);
- (2) Sentencing Sheets
- (3) Trial Transcript Pages 1 – 5, 93, 107, 207 – 214, 216, 217, 233, 239, 240 – 246, 272 – 276, 329, 333 – 344, 383, 389, 390, 391, 413, 429 – 435, 443 – 451, 488 – 495, 505 - 589, 591 – 612, 613 – 649, 650 - 666, 667 – 669, 672 - 682.

I certify that this designation contains no matter which is irrelevant to this appeal.

January 27th, 2011.


LaNelle Cantey DuRant
Appellate Defender

South Carolina Commission on Indigent Defense
Division of Appellate Defense
PO Box 11589
Columbia, S. C. 29211-1589
(803) 734-1343

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

Appeal from Lancaster County

Brooks P. Goldsmith, Circuit Court Judge

THE STATE,

RESPONDENT,

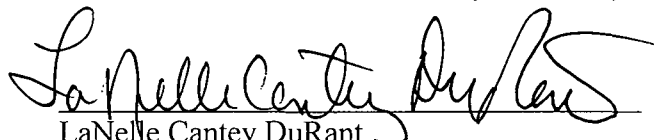
V.

JAMES J. CURRY,

APPELLANT

CERTIFICATE OF SERVICE

The undersigned attorney hereby certifies that a true copy of the Initial Brief of Appellant and Designation of Matter in the above referenced case has been served upon Salley W. Elliott, Esquire, at Rembert Dennis Building, Room 519, 1000 Assembly Street, Columbia, SC 29201; and upon James J. Curry, Jr., #339446 at McCormick Correctional Institution, 386 Redemption Way, McCormick, SC 29899, this 27th day of January, 2011.

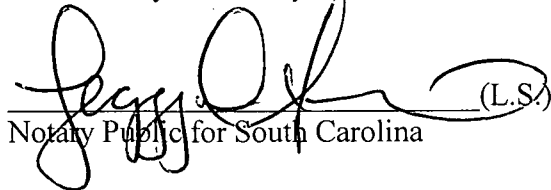


LaNelle Cantey DuRant

Appellate Defender

ATTORNEY FOR APPELLANT

SUBSCRIBED AND SWORN TO before me
this 27th day of January, 2011.



(L.S.)
Notary Public for South Carolina

My Commission Expires: December 4, 2017 .



The South Carolina Court of Appeals

TANYA A. GEE
CLERK

V. CLAIRE ALLEN
DEPUTY CLERK

POST OFFICE BOX 11629
COLUMBIA, SOUTH CAROLINA 29211
1015 SUMTER STREET
COLUMBIA, SOUTH CAROLINA 29201
TELEPHONE: (803) 734-1890
FAX: (803) 734-1839
www.sccourts.org

January 5, 2011

Appellate Defender LaNelle C. Durant
South Carolina Commission
on Indigent Defense
P O Box 11589
Columbia, SC 29211

Re: The State v. Curry, James J. Jr.
2010153826

Dear Counsel:

The following Order has been endorsed on your Petition For Extension Of Time In Which To File The Initial Brief Of Appellant And Designation Of Matter in the above entitled case on appeal.

"Granted.

John C. Few, C.J.
For the Court

By s/ V. Claire Allen
Deputy Clerk

January 5, 2011."

The Appellant's Initial Brief and Designation of Matter are now due on January 28, 2011. Pursuant to the Supreme Court's order dated March 18, 2009, any further extension request must show the existence of extraordinary circumstances, state what actions are being taken to insure that no further extension will be required, and be signed by the appropriate attorneys.

Very truly yours,

V. Claire Allen, Deputy

CLERK

TAG/dw

cc: Assistant Deputy Attorney General Salley W. Elliott

4th
12.29.10
1.28.11

ORIGINAL

RECEIVED

DEC 29 2010

SC Court of Appeals

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

Appeal from Lancaster County

Brooks P. Goldsmith, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

JAMES J. CURRY, JR.,

APPELLANT

MOTION FOR AN EXTENSION OF TIME
IN WHICH TO FILE THE INITIAL BRIEF OF APPELLANT
AND DESIGNATION OF MATTER

Counsel for James J. Curry, Jr. respectfully requests an extension of thirty (30) days in which to file the Initial Brief of Appellant and Designation of Matter in this case. This motion is made pursuant to the Order of the South Carolina Supreme Court dated March 18, 2009. This is a fourth request for an extension. In support of this request, counsel shows:

1. The initial brief of appellant and designation of matter are due to be filed with the Court today, December 29, 2010. The Court has granted counsel three previous extensions.

2. Counsel for Mr. Curry respectfully submits that extraordinary circumstances exist which warrant the granting of an additional extension of time. Given the number of extensions previously granted and the order in which counsel attempts to manage her caseload, counsel hopes that no further extension requests will be required.

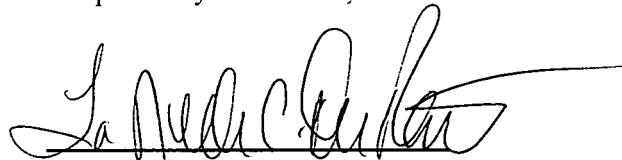
3. On December 21, 2010, counsel filed the petition for writ of certiorari and appendix in the case of Kenneth Edwards v. State. On December 20, 2010, counsel filed the initial brief of appellant and designation of matter in the cases of State v. Donovan Roman and State v. Andre Massey. On December 17, 2010, counsel filed the petition for writ of certiorari to the Court of Appeals and appendix in the case of State v. Jeffery Evans and the brief of petitioner in the case of Christopher Commander v. State. On December 16, 2010, counsel filed the brief of appellant in the case of Demarcus Simuel v. State. On December 14, 2010, counsel filed the petition for writ of certiorari and appendix in the cases of Jeffrey Green v. State and Octavious Hollis v. State. On December 9, 2010, counsel filed the initial brief of appellant and designation of matter in the cases of State v. Raymond Murray and State v. Michael Rose. On November 29, 2010, counsel filed the petition for writ of certiorari and appendix in the case of James Brisbane v. State and the initial brief of appellant and designation of matter in the case of State v. Leshan Bell.

4. Counsel makes this request in good faith and not for purpose of delay.

5. Counsel for the Attorney General's office consents to this request shown by signature below.

WHEREFORE, the undersigned counsel would respectfully request an additional thirty day extension until January 28, 2010, in which to file the initial brief of appellant and designation of matter in this case based upon the above exigent circumstances. Counsel requests that time limits for filing the brief be held in abeyance pending a ruling on this motion.

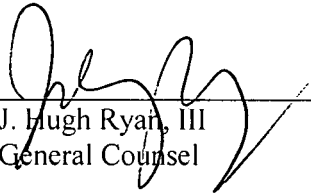
Respectfully submitted,

A handwritten signature in black ink, appearing to read 'LaNelle C. Durant', with a long horizontal flourish extending to the right.

LaNelle C. Durant
Appellate Defender

Attorney for Appellant

Robert M. Dudek
Chief Appellate Defender

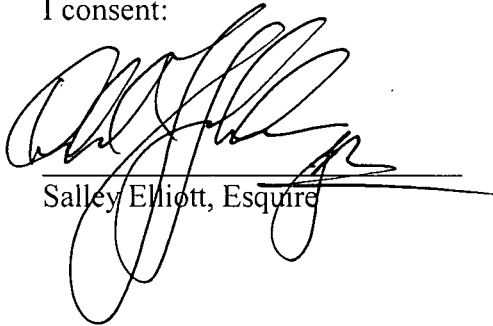


J. Hugh Ryan, III
General Counsel

GRANTED
JOHN CANNON FEW, C.J.
FOR THE COURT
By: V. Elaine Allen
(Clerk) (Deputy Clerk)

This 29th day of December, 2010.

I consent:



Salley Elliott, Esquire

FILED
12/11/10





The South Carolina Court of Appeals

TANYA A. GEE
CLERK

V. CLAIRE ALLEN
DEPUTY CLERK

POST OFFICE BOX 11629
COLUMBIA, SOUTH CAROLINA 29211
1015 SUMTER STREET
COLUMBIA, SOUTH CAROLINA 29201
TELEPHONE: (803) 734-1890
FAX: (803) 734-1839
www.sccourts.org

December 1, 2010

Appellate Defender LaNelle C. Durant
South Carolina Commission on Indigent Defense
P O Box 11589
Columbia, SC 29211

Re: The State v. Curry, James J. Jr.

Dear Counsel:

The following Order has been endorsed on your Petition For Extension Of Time In Which To File The Initial Brief Of Appellant And Designation Of Matter in the above entitled case on appeal.

"Granted.

John Cannon Few, C.J.
For the Court

By s/ Tanya A. Gee
Clerk

December 1, 2010."

For good cause shown, the request for an extension to file the Appellant's Initial Brief and Designation of Matter is granted until December 29, 2010. Pursuant to the Supreme Court's order dated March 18, 2009, any further extension request must show the existence of extraordinary circumstances, state what actions are being taken to insure that no further extension will be required, and be signed by the appropriate attorneys.

Very truly yours,

V. Claire Allen, Deputy
CLERK

TAG/dw

cc: Assistant Deputy Attorney General Salley W. Elliott

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Lancaster County

Brooks P. Goldsmith, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

JAMES J. CURRY, JR.,

APPELLANT

MOTION FOR AN EXTENSION OF TIME
IN WHICH TO FILE THE INITIAL BRIEF OF APPELLANT
AND DESIGNATION OF MATTER

Counsel for James J. Curry, Jr. respectfully requests an extension of thirty (30) days in which to file the Initial Brief of Appellant and Designation of Matter in this case. This motion is made pursuant to the Order of the South Carolina Supreme Court dated March 18, 2009. This is a third request for an extension. In support of this request, counsel shows:

1. The initial brief of appellant and designation of matter are due to be filed with the Court today, November 29, 2010. The Court has granted counsel two previous extensions.

2. Counsel for Mr. Curry respectfully submits that extraordinary circumstances exist which warrant the granting of an additional extension of time. Given the number of extensions previously granted and the order in which counsel attempts to manage her caseload, counsel hopes that no further extension requests will be required.

3rd
11.29.10
29.10
ORIGINAL

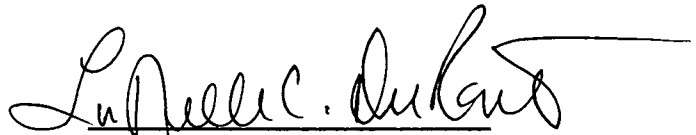
RECEIVED
NOV 29 2010
SC Court of Appeals

3. On October 14, 2010, counsel filed the petition for writ of certiorari and appendix in the case of Willie Lopez v. State. On October 21, 2010, counsel filed the petition for writ of certiorari and appendix in the case of Jimmy Causey #1 v. State. On October 25, 2010, counsel filed the petition for writ of certiorari and appendix to the Court of Appeals in the cases of Reginald Latimore v. State and Harold Orr v. State. On October 26, 2010, counsel filed the petition for writ of certiorari and appendix in the case of Brandon Singleton v. State. On October 27, 2010, counsel filed the petition for writ of certiorari and appendix in the case of John Mundy v. State. On November 1, 2010, counsel filed the initial brief of respondent in the case State v. Orlando Williams. On November 3, 2010, counsel filed the petition for writ of certiorari and appendix in the case of Jimmy Owens v. State. On November 5, 2010, counsel filed the initial brief of appellant and designation of matter in the case of State v. Kevin Hardy. On November 8, 2010, counsel filed the brief of petitioner in the case of In the Matter of the Care and Treatment of James C. Miller. On November 8, 2010, counsel filed the petition for writ of certiorari and appendix in the cases of Jack Sloan v. State and Maurice Smith v. State. On November 9, 2010, counsel filed the petition for rehearing in the case of State v. Jeffery Evans. On November 12, 2010, counsel filed the brief of respondent in the case of Framon Fraiser v. State. On November 19, 2010, counsel filed the petition for writ of certiorari and appendix in the case Jimmy Causey #2 v. State. On November 29, 2010, counsel filed the petition for writ of certiorari and appendix in the case of James Brisbane v. State and the initial brief of appellant and designation of matter in the case of State v. Leshan Bell. On October 19, 2010, counsel had an oral argument in the case of Jimmy Skelton v. State in the Supreme Court. Counsel is currently working on the petition for writ of certiorari to the United States Supreme Court in the capital case of State v. Steven Bixby.

4. Counsel makes this request in good faith and not for purpose of delay.
5. Counsel for the Attorney General's office consents to this request shown by signature below.

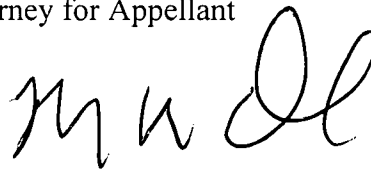
WHEREFORE, the undersigned counsel would respectfully request an additional thirty day extension until December 29, 2010, in which to file the initial brief of appellant and designation of matter in this case based upon the above exigent circumstances. Counsel requests that time limits for filing the brief be held in abeyance pending a ruling on this motion.

Respectfully submitted,



LaNelle C. Durant
Appellate Defender

Attorney for Appellant



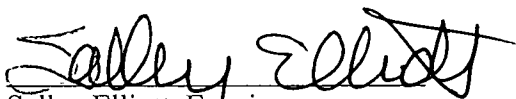
Robert M. Dudek
Chief Appellate Defender

GRANTED
JOHN CANNON FEW, C.J.
FOR THE COURT

By: Tanya A. Lee, Jr.
(Clerk) (Deputy Clerk)

This 29th day of November, 2010.

I consent:



Salley Elliott, Esquire

The South Carolina Court of Appeals

The State,

Respondent,

v.

James J. Curry, Jr.,

Appellant.

The Honorable Brooks P. Goldsmith
The Honorable Dale Moore Gable
Lancaster County
Trial Court Case No. 2009-GS-29-00577
2009-GS-29-00578

ORDER

For good cause shown, the request for an extension to file Appellant's Initial Brief and Designation of Matter is granted until November 29, 2010. Pursuant to the Supreme Court's order dated March 18, 2009, any further extension request must be based on a showing of good cause and must be signed by the appropriate attorneys.

V. Claire Allon, Deputy CLERK
For the Court

Columbia, South Carolina

cc: Appellate Defender LaNelle C. Durant
Assistant Deputy Attorney General Salley W. Elliott

FILED

11/1/10 *WMA*

White, Della

From: COA Extensions
Sent: Monday, November 01, 2010 6:29 AM
To: White, Della
Subject: FW: James J. Curry, Jr.
Attachments: ATT00001.jpg; ATT00002.gif

2nd
10-27-10
11-29-10

From: Salley Elliott [mailto:Selliott@scag.gov]
Sent: Friday, October 29, 2010 5:35 PM
To: COA Extensions; Simons, Peggy D.
Cc: Bennett, Angela; DuRant, LaNelle C.; Graham, Sharon A.
Subject: Re: James J. Curry, Jr.

I consent.

>>> "Peggy D. Simons" <dsimons@sccid.sc.gov> 10/27/2010 4:28 PM >>>
Clerk's Office
South Carolina Court of Appeals

Re: The State v. James J. Curry, Jr.

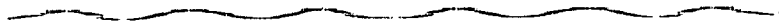
Dear Ms. Gee:

The Initial Brief of Appellant and Designation of Matter in the above case are due to be served and filed with the Court October 27, 2010. The Court has granted one previous extension. Counsel for Mr. Curry respectfully submits that extraordinary circumstances exist which warrant the granting of an additional extension of time. In the past 30 days, counsel has filed three initial briefs of appellant and designation of matter, six petitions for writ of certiorari and appendix, one petition for rehearing, four petitions for writ to the Court of Appeals, had one oral argument in the Supreme Court and also attended the S.C. Public Defenders Conference in Myrtle Beach. Counsel has not had time to complete this brief. Therefore, I am requesting a thirty day extension until November 26, 2010 in which to serve and file this brief.

By copy of this email, I am informing Salley Elliott, Esquire, of my request.

Sincerely,

LaNelle C. Durant
Appellate Defender



--- Scanned by M+ Guardian Messaging Firewall ---

The South Carolina Court of Appeals

The State,

Respondent,

v.

James J. Curry, Jr.,

Appellant.

The Honorable Brooks P. Goldsmith
The Honorable Dale Moore Gable
Lancaster County
Trial Court Case No. 2009-GS-29-00577
2009-GS-29-00578

ORDER

The request for an extension to serve and file Appellant's Initial Brief and Designation of Matter is granted until October 27, 2010. Pursuant to the Supreme Court's order dated March 18, 2009, any further extension request must be based on a showing of good cause.

V. Claire Allen

CLERK

For the Court

Columbia, South Carolina

cc: Appellate Defender LaNelle C. Durant
Assistant Deputy Attorney General Salley W. Elliott

FILED

9/30/10

White, Della

From: COA Extensions
Sent: Tuesday, September 28, 2010 9:30 AM
To: White, Della
Subject: FW: James J. Curry, Jr.
Attachments: image001.jpg; image002.gif

154
9-27-10
10-27-10

From: Peggy D. Simons [mailto:dsimons@sccid.sc.gov]
Sent: Monday, September 27, 2010 2:02 PM
To: COA Extensions
Cc: Salley Elliott; Angela Bennett; LaNelle C. DuRant; Sharon A. Graham
Subject: James J. Curry, Jr.

Clerk's Office
South Carolina Court of Appeals

Re: The State v. James J. Curry, Jr.

Dear Ms. Gee:

The Initial Brief of Appellant and Designation of Matter in the above case are due to be served and filed with the Court September 27, 2010. However, due to my heavy work-load, I am requesting a thirty day extension until October 27, 2010 in which to serve and file this brief.

By copy of this email, I am informing Salley Elliott, Esquire, of my request.

Sincerely,

LaNelle C. Durant
Appellate Defender



SCCID

SOUTH CAROLINA COMMISSION ON INDIGENT DEFENSE

Division of Appellate Defense
1330 Lady Street, Suite 401
Columbia, South Carolina 29201-3332

Post Office Box 11589
Columbia, South Carolina 29211-1589
Telephone: (803) 734-1343
Facsimile: (803) 734-1397

Robert M. Dudek, Chief Appellate Defender
Wanda H. Carter, Deputy Chief Appellate Defender
Joseph L. Savitz, III, Senior Appellate Defender

July 27, 2010

RECEIVED

JUL 27 2010

SC Court of Appeals

The Honorable Tanya A. Gee
Clerk, S.C. Court of Appeals
PO Box 11629
Columbia, SC 29211

Dear Ms. Gee:

The following case falls under the 60 day rule for appeals, and the date we received the transcript is listed to the side.

The State v. James J. Curry, Jr.

7/27/2010

I would appreciate you beginning our time limits from the above date, and if you need additional information, or have any questions please contact me.

Thank you for your assistance in this matter.

Sincerely,

Lorie French
Legal Services Coordinator



SCCID

SOUTH CAROLINA COMMISSION ON INDIGENT DEFENSE

Division of Appellate Defense
1330 Lady Street, Suite 401
Columbia, South Carolina 29201-3332

Robert M. Dudek, Chief Appellate Defender
Wanda H. Carter, Deputy Chief Appellate Defender
Joseph L. Savitz, III, Senior Appellate Defender

Post Office Box 11589
Columbia, South Carolina 29211-1589
Telephone: (803) 734-1343
Facsimile: (803) 734-1397

RECEIVED
MAY 05 2010
SC Court of Appeals

May 5, 2010

Ms. Desiree Allen
S.C. Court Administration
1015 Sumter Street, 2nd Floor
Columbia, South Carolina 29201-3739

Dear Ms. Allen:

The transcript listed below was requested by this office. Pursuant to Rule 207(a)(2), SCACR, the allotted time of sixty (60) days has lapsed to either receive the transcript or an extension to deliver same.

<u>Court Reporter</u>	<u>Due Date</u>	<u>Case Name</u>
Ms. Phyllis S. Barrett	1/15/10	James B. Curry

Trial Date: Week of October 12, 2009 (Motion H)

I would appreciate your confirming in writing as to the status of the above-referenced transcript. If you should have any questions, please do not hesitate to contact me.

Sincerely,

Loriene French
Loriene French
Legal Services Coordinator

cc: S.C.Court of Appeals
Attorney General's Office



SCCID

SOUTH CAROLINA COMMISSION ON INDIGENT DEFENSE

Division of Appellate Defense
1330 Lady Street, Suite 401
Columbia, South Carolina 29201-3332

Robert M. Dudek, Chief Appellate Defender
Wanda H. Carter, Deputy Chief Appellate Defender
Joseph L. Savitz, III, Senior Appellate Defender

Post Office Box 11589
Columbia, South Carolina 29211-1589
Telephone: (803) 734-1343
Facsimile: (803) 734-1397

April 6, 2010

RECEIVED
APR 06 2010
SC Court of Appeals

Ms. Desiree Allen
S.C. Court Administration
1015 Sumter Street, 2nd Floor
Columbia, South Carolina 29201-3739

Dear Ms. Allen:

The transcript listed below was requested by this office. Pursuant to Rule 207(a)(2), SCACR, the allotted time of sixty (60) days has lapsed to either receive the transcript or an extension to deliver same.

<u>Court Reporter</u>	<u>Due Date</u>	<u>Case Name</u>
Ms. Phyllis S. Barrett	1/15/10	James B. Curry

Trial Date: Week of October 12, 2009 (Motion H)

I would appreciate your confirming in writing as to the status of the above-referenced transcript. If you should have any questions, please do not hesitate to contact me.

Sincerely,


Loriene French
Legal Services Coordinator

cc: S.C.Court of Appeals
Attorney General's Office



SCCID

SOUTH CAROLINA COMMISSION ON INDIGENT DEFENSE

Division of Appellate Defense
1330 Lady Street, Suite 401
Columbia, South Carolina 29201-3332
Post Office Box 11589
Columbia, South Carolina 29211-1589
Telephone: (803) 734-1330
Facsimile: (803) 734-1397

Robert M. Dudek, Chief Appellate Defender
Wanda H. Carter, Deputy Chief Appellate Defender
Joseph L. Savitz, III, Senior Appellate Defender

RECEIVED

MAR 15 2010

SC Court of Appeals

March 15, 2010

Mr. Michael Watkins, Sr.
Circuit Court Reporter
142 Rocky Trail Court
Fort Mill, SC 29715

Dear Mr. Watkins:

Our office has been requested to perfect the appeal arising out of:

The State v. James J. Curry, Jr.

Case #:

09-GS-29-577-578.

County: Lancaster

Date of Trial: February 25, 2010

Presiding Judge: Brooks P. Goldsmith

It is my understanding that you were the court reporter at this time. That being the case, I request that you send this office the original trial transcript along with your bill. If you send a copy to this office, please bill us accordingly. To ensure prompt payment of this bill, please prepare it on the enclosed CID FORM 3500 (Substitution for SCCA DI-4) and include the original criminal case number (Indictment number) where the space is provided.

We request that the lines on the paper be numbered from 1-25, and that you include in the transcript any and all recorded motions, pre and post-trial. Additionally, please transcribe the jury selection, and the State and defense counsel's opening and closing arguments. We have found that even if there are no objections, we need to review both opening and closing arguments for appeal.

If you are aware of the existence of co-defendants not listed in the prior captioned case, please contact us prior to transcribing the transcript. In this manner, we can consult our records to ensure that in ordering a transcript, a duplication has not occurred. In addition, if the Attorney General's Office has already requested an original transcript, please notify us.

Mr. Michael Watkins, Sr.
March 15, 2010
Page Two

I am sorry for any inconvenience this may cause, but I appreciate your assistance in this matter. If you have any questions, or problems, please contact me.

Thank you for your kind cooperation in this matter.

Sincerely,


Lorie French
Legal Services Coordinator

cc: S.C.Court of Appeals
Attorney General's Office



The South Carolina Court of Appeals

TANYA A. GEE
CLERK

V. CLAIRE ALLEN
DEPUTY CLERK

POST OFFICE BOX 11629
COLUMBIA, SOUTH CAROLINA 29211
1015 SUMTER STREET
COLUMBIA, SOUTH CAROLINA 29201
TELEPHONE: (803) 734-1890
FAX: (803) 734-1839
www.sccourts.org

March 8, 2010

William P. Frick, Esquire
Office of the Public Defender
6th Judicial Circuit
PO Box 637
Winnsboro, SC 29180-0637

Re: The State v. Curry, James J. Jr.
2010153826

Dear Mr. Frick:

We have received your Notice of Appeal in the case noted above. This case will be docketed in the Court of Appeals and all communications concerning this case, including motions and petitions, initial and final briefs, and the Record on Appeal, should be directed to and filed in this Court. For all filings, please note the requirements of Rule 267(a) of the South Carolina Appellate Court Rules, and be further advised that Court of Appeals policy requires the firm name of any counsel shown must be included in his or her address.

Please be advised that pursuant to Rule 602, SCACR and the order of the Chief Justice dated December 23, 1997, if you expect the Office of Indigent Defense to pursue this appeal, you must provide that office with all information required to proceed with this appeal, failing which, this office will consider you counsel of record.

We suggest that large parcels such as copies of final briefs and the Record On Appeal be sent directly to the Court via the street address: 1015 Sumter Street, Columbia, S.C. 29201. Thank you for your attention to this. Failure to file in the proper court may result in the dismissal of your appeal.

PLEASE BE ADVISED that, pursuant to Rule 207 of the South Carolina Appellate Court Rules, the transcript must be ordered within thirty (30) days of the proof of service of the Notice of Appeal and you must provide this Court, opposing counsel, and the Office of Court Administration with all correspondence regarding the transcript. It is also Appellant's responsibility to make satisfactory arrangements (including agreement regarding payment for the transcript) with the Court Reporter for furnishing the transcript. You are reminded of the

notification requirements of Rule 207(a)(5), SCACR, also, please advise the Court in writing upon receipt of the transcript.

NOTE: If you believe this case has been improperly filed in the Court of Appeals, by reason of the limitations set forth in S.C. Code Ann. Section 14-8-200(b)(1998), as amended June 1, 1999, notify the Clerk's office of the Court of Appeals immediately. The cited Code Section prohibits the Court of Appeals from hearing appeals in seven classes of cases:

- 1) any final judgment from the circuit court which includes a sentence of death;
- 2) any final judgment from the circuit court setting public utility rates pursuant to Title 58;
- 3) any final judgment involving a challenge on state or federal grounds to the constitutionality of a state law or county or municipal ordinance where the principal issue is the constitutionality of the law or ordinance;
- 4) any final judgment from the circuit court involving the authorization, issuance, or proposed issuance of general obligation debt, revenue, institutional, industrial, or hospital bonds of the state, its agencies, political subdivisions, public service districts, counties, and municipalities or any other indebtedness now or hereafter authorized by Article X of the Constitution of this state;
- 5) any final judgment from the circuit court pertaining to elections and election procedure;
- 6) any order limiting an investigation by a State Grand Jury under S.C. Code Ann. Section 14-7-1630;
- 7) any order of the family court relating to an abortion by a minor under S.C. Code Ann. Section 44-41-33.

Very truly yours,

V. Claire Allen, Deputy Clerk

Tanya A. Gee
CLERK

TAG/dw

cc: Chief Appellate Defender Robert Dudek
Assistant Deputy Attorney General Salley W. Elliott
Douglas A. Barfield, Jr, Esquire



The South Carolina Court of Appeals

TANYA A. GEE
CLERK

V. CLAIRE ALLEN
DEPUTY CLERK

POST OFFICE BOX 11629
COLUMBIA, SOUTH CAROLINA 29211
1015 SUMTEK STREET
COLUMBIA, SOUTH CAROLINA 29201
TELEPHONE: (803) 734-1890
FAX: (803) 734-1839
www.sccourts.org

March 8, 2010

William P. Frick, Esquire
Office of the Public Defender
6th Judicial Circuit
PO Box 637
Winnsboro, SC 29180-0637

Re: The State v. Curry, James J. Jr.
2010153826

Dear Mr. Frick:

This office has received your Notice of Appeal in the above matter. It has been assigned the Case Tracking Number that appears above. Please use this number on all future correspondence relating to this matter.

I do wish to call the attention of the parties to the attached order relating to the inclusion of personal data identifiers and other sensitive information in documents filed with the Supreme Court of South Carolina and the South Carolina Court of Appeals. Please note that the responsibility for insuring that information is redacted or sealed as required by this order rests with counsel and the parties. This office will not review filings for redaction or to determine if materials should be sealed.

Very truly yours,

V. Claire Allen, Deputy Clerk
CLERK

TAG/dw

cc: Chief Appellate Defender Robert Dudek
Assistant Deputy Attorney General Salley W. Elliott
Douglas A. Barfield, Jr, Esquire

pos 3-2-10
pm 3-2-10

THE STATE OF SOUTH CAROLINA FILED
IN THE COURT OF APPEALS OFFICE OF CLERK
OF COURT

APPEAL FROM LANCASTER COUNTY 2009-558 26 P 1:23
Court of General Sessions

CLERK OF COURT
LANCASTER COUNTY, SC

RECEIVED

Brooks P. Goldsmith, Circuit Court Judge

MAR 02 2010

SC Court of Appeals

Case No(s): 2009-GS-29-577, 2009-GS-29-578

The State of South Carolina,

Respondent.

v.

James J. Curry, Jr.

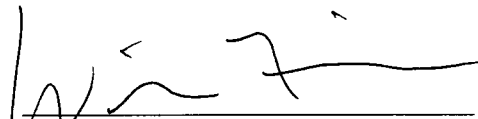
Appellant.

NOTICE OF APPEAL

James J. Curry, Jr. appeals his conviction and sentence in this case. The sentence was imposed by the Honorable Brooks P. Goldsmith on February 25, 2010.

PLEASE TAKE FURTHER NOTICE THAT this appeal shall be upon a case and exceptions to be served upon you and filed hereafter in accordance with the rules of the court and laws in such cases made and provided.

Date: February 26, 2010



William Frick, Esq.
Public Defender
Post Office Box 1809
Lancaster, SC 29721

Other Counsel of Record:
Doug Barfield, Esq.
Solicitor
Post Office Box 607
Lancaster, SC 29721

THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

FILED
OFFICE OF CLERK
OF COURT

SC Court of Appeals

MAR 02 2010

RECEIVED

APPEAL FROM LANCASTER COUNTY
Court of General Sessions

2010 FEB 26 P 1:23

CLERK OF COURT
LANCASTER COUNTY, SC

Brooks P. Goldsmith, Circuit Court Judge

Case No(s): 2009-GS-29-577, 2009-GS-29-578

The State of South Carolina,

Respondent.

v.

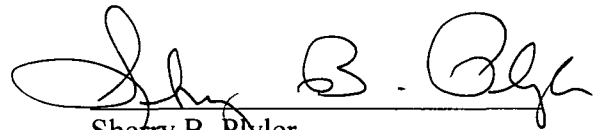
James J. Curry, Jr.

Appellant.

PROOF OF SERVICE

I certify that I have served the Notice of Appeal on the Respondents by depositing a copy of it in the United States Mail, postage prepaid, on February 26, 2010, addressed to Doug Barfield, Solicitor, Post Office Box 607, Lancaster, SC 29721.

Date: February 26, 2010



Sherry B. Ryler
Secretary for William Frick, Esq.
Post Office Box 1809
Lancaster, SC 29721

**SIXTH JUDICIAL CIRCUIT
PUBLIC DEFENDER'S OFFICE**

3888 Chester Highway * Post Office Box 1809
Lancaster, South Carolina 29721
Telephone No.: (803) 285-5585
Fax No.: (803) 285-6085

February 26, 2010

RECEIVED

MAR 02 2010

The Honorable Jeanette F. Barber
Clerk, South Carolina Court of Appeals
P.O. Box 11629
Columbia, SC 29211

SC Court of Appeals

RE: State of South Carolina, Respondent vs. James J. Curry, Jr., Appellant
2009-GS-29-577, 2009-GS-29-578

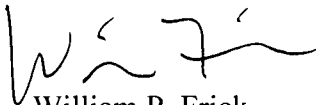
Dear Ms. Barber:

Please be advised that with this letter I am filing:

1. Notice of Appeal and two (2) copies; and
2. Proof of Service of Notice of Appeal and two (2) copies

Please return clocked copies of the Notice of Appeal and Proof of Service in the envelope provided.

Yours very truly,

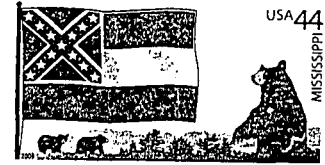
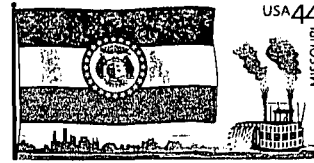


William P. Frick
Attorney for the Appellant

Enclosures

cc: Doug Barfield, Solicitor (w/ enclosures)

PUBLIC DEFENDER'S OFFICE
POST OFFICE BOX 1809
LANCASTER, SC 29721



The Honorable Jeanette F. Barber
Clerk, South Carolina Court of Appeals
P.O. Box 11629
Columbia, SC 29211

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