

May 22, 2014

Jenny Abbott Kitchings
Clerk of Court
Post Office Box 11629
Columbia, SC 29211

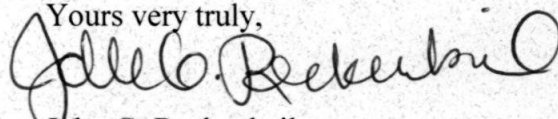
RE: The State vs. Samuel Owens
Appellate Case No.: 2014-000039

Dear Clerk of Court:

I am in receipt of the Order dated May 16, 2014. On May 20, 2014, I sent a letter to the Mr. Owens explaining in detail the consequences of withdrawing his appeal from the South Carolina Court of Appeals. I also provided a signature page for Mr. Owens to sign to show he fully understands the consequences and still wishes to withdraw the appeal. I have enclosed a copy of the letter my office sent to Appellant, and I am currently awaiting a response from him; therefore, I am respectfully requesting a fifteen (15) day extension so that once I receive Mr. Owens' response I can then formally respond to the Order. This extension would make my response then be due on June 10, 2014.

Should you have any questions or concerns, please feel free to contact my office.

Yours very truly,



John G. Reckenbeil

JGR/kae

Enclosure

CC: Samuel Owens, Appellant
Salley W. Elliot, Esquire [via email only]
Amy Goulding, Esquire [via email only]
Robert Dudek, Esquire [via email only]

RECEIVED

MAY 27 2014

SC Court of Appeals

May 20, 2014

Samuel Owens, SCDC #00358263
Kirkland Reception and Evaluation Center F3-B151
4344 Broad River Road
Columbia, SC 29210

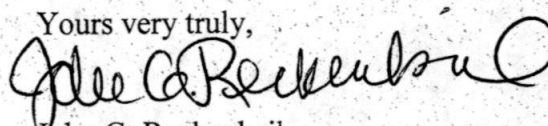
RE: Withdraw of Appeal
Appellate Case No.: 2014-000039

Dear Sam:

Please find enclosed the letter we received from the SC Court of Appeals indicating your desire to withdraw your appeal. As I explained in previous correspondence it is my opinion that an appeal would be unsuccessful because there is not an appealable issue based upon your guilty plea in front of Judge Kelly. Realize that withdrawing this appeal would forever bar you from filing another appeal on the lower court's rulings as well as the plea that took place in front of Judge Kelly. Your withdrawal will result in a dismissal with prejudice which means that the appeal can never be brought back to the Court of Appeals.

Understanding all of this I respectfully request that you sign the attached document which states that you have been advised that the dismissal of the appeal will result in you not being able to file any other appeals on this matter. You will, however, still have the ability to file a Post Conviction Relief with the Spartanburg County Court of Common Pleas. Once you have signed the enclosed document, please return it to my office in the enclosed self-addressed stamped envelope.

Yours very truly,



John G. Reckenbeil

JGR/kae

Enclosure

RECEIVED

MAY 27 2014

SC Court of Appeals

The South Carolina Court of Appeals

The State, Respondent,

v.

Samuel Owens, Appellant.

Appellate Case No. 2014-000039

ORDER

Appellant has filed an April 8, 2014 letter requesting to withdraw his appeal. This Court typically will not dismiss an appeal unless there is evidence Appellant has a full understanding of all the possible consequences of this action and agreement of counsel. Accordingly, within ten days, Mr. John G. Reckenbeil, attorney for Appellant, shall provide a response to Appellant's April 8, 2014 letter, specifically addressing whether Appellant has a full understanding of all possible consequences of withdrawing his appeal and whether there is agreement of counsel.


FOR THE COURT

Columbia, South Carolina

cc:

Samuel Owens, 358263
John G. Reckenbeil, Esquire
Robert Michael Dudek, Esquire
Amy Goulding, Esquire
Alan McCrory Wilson, Esquire
Salley W. Elliott, Esquire

FILED

5/16/14

RECEIVED

MAY 27 2014

SC Court of Appeals

SOUTH CAROLINA COURT OF APPEALS

The State of South Carolina,)
)
 Respondent,)
)
 v.)
)
 Samuel Owens,)
)
 Appellant.)
 _____)

Appellate Case No.: 2014-000039

I, Samuel Owens, have been advised by my attorney that a withdrawal of the appeal will forever bar me from bringing another appeal. I understand I still have the right to file a PCR, and it is my so desire to knowingly and voluntarily withdraw my appeal from the South Carolina Court of Appeals.

Samuel Owens

Date: _____, 2014

Law Office of
John G. Reckenbeil

215 Magnolia St.
PO Box 1633
Spartanburg, SC 29304

GREENVILLE
SC 296

23 MAY 2014
PM 3 L

RECEIVED

MAY 27 2014

SC Court of Appeals

Jenny Abbott Kitchings
Clerk of Court
Post Office Box 11629
Columbia, SC 29211



PITNEY BOWES

\$ 000.480

02 1P

0001796873 MAY 22 2014

MAILED FROM ZIP CODE 29306



29211162929

