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THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM CHARLESTON COUNTY
Court of General Sessions

J.C. Nicholson, Jr., Circuit Court Judge

Case No. 2002-GS-10-5115

The State,

Appellant,

v.

James A. Summersett,

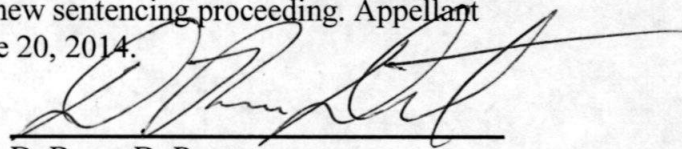
Respondent.

RECEIVED
JUN 30 2014
SC Court of Appeals

NOTICE OF APPEAL

The State of South Carolina appeals the vacation of the sentence imposed in this case. The sentence of life without the possibility of parole was originally imposed by the Honorable J.C. Nicholson, Jr., on January 26, 2010 after finding the Respondent guilty of Voluntary Manslaughter at the conclusion of a bench trial. This appeal is taken from the order of the Honorable J.C. Nicholson, Jr., dated June 19, 2014, which vacated Respondent's sentence of life without the possibility of parole and granted him a new sentencing proceeding. Appellant received written notice of entry of this order on June 20, 2014.

June 25, 2014



D. Bruce DuRant
Chief Deputy Solicitor
Ninth Judicial Circuit
101 Meeting Street, Suite 400
Charleston, South Carolina 29401
(843) 958-1912
Attorney for Appellant

Other Counsel of Record:
Tara Dawn Shurling
Attorney for Respondent
3614 Landmark Drive, Suite A
Columbia, South Carolina 29204
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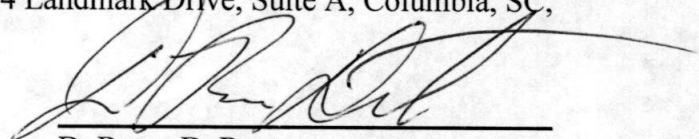
James A. Summersett,

Respondent.

PROOF OF SERVICE

I certify that I have served the Notice of Appeal on Respondent, James A. Summersett, by depositing a copy of it in the United States Mail, postage prepaid, on June 25, 2014, addressed to his attorney of record: Tara Dawn Shurling, 3614 Landmark Drive, Suite A, Columbia, SC, 29204

June 25, 2014



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(843) 958-1912
Attorney for Appellant

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SC Court of Appeals

State of South Carolina

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SCARLETT A. WILSON
Solicitor, Ninth Judicial Circuit

June 25, 2014

Jenny Abbott Kitchings
Clerk of Court
South Carolina Court of Appeals
P.O. Box 11629
Columbia, SC 29211

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SC Court of Appeals

Re: Appeal from Court of General Sessions, Charleston County
State of South Carolina v. James A. Summersett
Indictment Number 2012-GS-10-5115

Dear Ms. Kitchings:

Enclosed herewith, please find the original and one copy of a Notice of Appeal and Proof of Service in the above referenced matter together with a copy of an Order Vacating Sentence and Granting New Sentencing Proceeding which the State is appealing. Pursuant to Rule 203(d)(B)(iii), SCACR, it is my understanding that no filing fee is required.

I would appreciate you filing the original Notice of Appeal, Proof of Service and Order Vacating Sentence and Granting New Sentencing Proceeding. Please return a clocked copy of the Notice of Appeal and Proof of Service to me in the enclosed, self-addressed, and stamped envelope. Should you have any questions, you can reach me via email at bruce@scsolicitor9.org or by phone at 843-958-1912. Thank you for your attention to this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "D. Bruce DuRant", written over a horizontal line.

D. Bruce DuRant
Chief Deputy Solicitor
Ninth Judicial Circuit

cc: Tara D. Shurling, Attorney for Respondent
Enc: as stated