

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM SPARTANBURG COUNTY
In the Court of General Sessions

The Honorable Brian M. Gibbons, Circuit Court Judge

Case No. 2012-GS-42-02818

The State,

Respondent,

v.

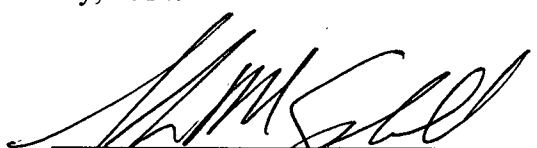
Norman L. Garner

Appellant.

MOTION TO DISMISS APPEAL

Norman L. Garner, the Appellant herein, moves the Court for an order dismissing his appeal with prejudice. This motion, made by and through the undersigned attorneys, is based upon the attached affidavit from the Appellant stating he no longer wishes to pursue the appeal.

Appellant so moves this 30th Day of July, 2014.


Shawn M. Campbell (SC Bar #69696)
Kenneth P. Shabel (SC Bar #16136)
175 Magnolia Street, Suite 201
Spartanburg, SC 29306
Tel. (864) 583-0001
Fax: (864) 583-1199
Attorneys for Appellant

RECEIVED

AUG 01 2014

SC Court of Appeals

Other Counsel of Record:

Barry Barnette, Esq.
Solicitor, 7th Judicial Circuit
180 Magnolia Street
Spartanburg, SC 29306

Alan McCrory Wilson, Esquire
Office of the Attorney General
1000 Assembly Street
Columbia, SC 29201

Salley W. Elliott, Esquire
Office of the Attorney General
1000 Assembly Street
Columbia, SC 29201

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM SPARTANBURG COUNTY
In the Court of General Sessions

The Honorable Brian M. Gibbons, Circuit Court Judge

Case No. 2012-GS-42-02818

RECEIVED

AUG 01 2014

The State,

Respondent,

SC Court of Appeals

v.

Norman L. Garner

Appellant.

AFFIDAVIT OF APPELLANT OF HIS INTENT TO WITHDRAW APPEAL

PERSONALLY APPEARING BEFORE, the undersigned, who being
duly sworn did state:

1. I am Norman L. Garner. I retained attorneys Shawn M. Campbell and Kenneth P. Shabel to file this appeal on my behalf.
2. At this time, I no longer wish to pursue this appeal.
3. I have been given ample opportunity to consider this decision. I am making it freely and voluntarily. No one is forcing me, pressuring me, or threatening me into making this decision against my will. This is my free and voluntary decision.

4. I am making this decision with the advice of competent counsel,
with whom I am satisfied.
5. I understand the legal ramifications of this decision.
6. I ask the Court to grant my request to dismiss my appeal.

Norman L. Lauer
Norman L. Lauer

SWORN AND SUBSCRIBED BEFORE ME)
This 24 Day of July, 2014)
Virginia Grubb)
Notary Public for South Carolina)
My Commission Expires: 12/12/22)

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM SPARTANBURG COUNTY
In the Court of General Sessions

The Honorable Brian M. Gibbons, Circuit Court Judge

Case No. 2012-GS-42-02818

The State,

Respondent,

v.

Norman L. Garner

Appellant.

PROOF OF SERVICE

I hereby certify that a copy of the foregoing Motion to Dismiss Appeal was served upon all counsel of record and/or unrepresented parties by hand delivery to the offices listed as follows:

Barry Barnette, Esq.
Solicitor, 7th Judicial Circuit
180 Magnolia Street
Spartanburg, SC 29306

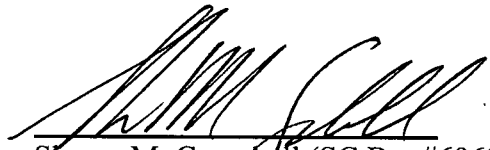
Alan McCrory Wilson, Esquire
Office of the Attorney General
1000 Assembly Street
Columbia, SC 29201

Salley W. Elliott, Esquire
Office of the Attorney General
1000 Assembly Street
Columbia, SC 29201

RECEIVED

AUG 01 2014

SC Court of Appeals



Shawn M. Campbell (SC Bar #69696)
175 Magnolia Street, Suite 201
Spartanburg, SC 29306
Tel. (864) 583-0001
Fax: (864) 583-1199
Attorneys for Appellant

July 30, 2014

Shawn M. Campbell
Kenneth P. Shabel

Campbell & Shabel

ATTORNEYS AT LAW

OF COUNSEL:
Sean Giovannetti

Sender's Email: kshabel@gc-lawfirm.com

Wednesday, July 30, 2014

VIA Regular Mail

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

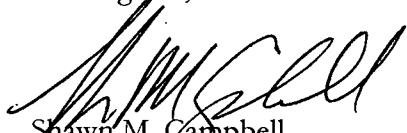
Re: **State v. Norman L. Garner**
Appellate Case No. 2013-001782

Dear Ms. Kitchings:

Please find enclosed an original and six copies of Appellant's Motion to Dismiss Appeal that we are filing in this case along with Proof of Service. Insofar as this is a Criminal Appeal, there is no filing fee enclosed.

Do not hesitate to contact me if you have further questions or need additional information.

Best regards,



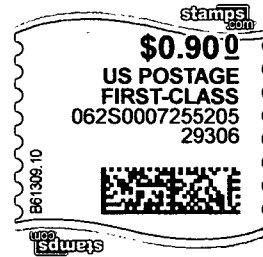
Shawn M. Campbell
Attorney for Norman Garner

RECEIVED

AUG 01 2014

SC Court of Appeals

CAMPBELL & SHABEL
175 MAGNOLIA STREET, SUITE 201
SPARTANBURG SC 29306



\$1.110
US POSTAGE
FIRST-CLASS
FROM 29306
JUL 30 2014
stamps.com



062S0007255205



THE HONORABLE JENNY ABBOT KITCHINS
SC COURT OF APPEALS
PO BOX 11629
COLUMBIA SC 29211-1629

RECEIVED

AUG 01 2014

SC Court of Appeals