

NOTICE OF APPEAL FROM A RULING IMPOSED BY THE COURT OF  
GENERAL SESSIONS

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

APPEAL FROM CHARLESTON COUNTY  
Court of General Sessions

Stephanie P. McDonald, Circuit Court Judge

Case No. 2012-GS-10-06844, 06845, & 06846

The State,

Appellant,

v.

Marvin Brown,

Respondent.

RECEIVED  
AUG 28 2014  
SC Court of Appeals

NOTICE OF APPEAL

The State appeals a ruling by the Honorable Stephanie P. McDonald in this case pursuant to S.C. Code §14-3-330 (1977 & Supp. 2009) and State v. McKnight, 287 S.C. 167, 337 S.E.2d 208 (1985) (concluding a pretrial order granting the suppression of evidence that significantly impaired the prosecution of the State's case could be directly appealed by the State). The ruling was imposed on the record by the Honorable Stephanie P. McDonald on December 10, 2013, written order filed August 18<sup>th</sup>, 2014.

August 26<sup>th</sup>, 2014

[Notice sent via U.S. Mail on this date]



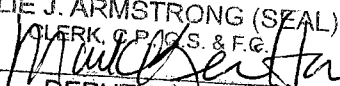
Assistant Solicitor Chad Simpson  
Ninth Judicial Circuit  
O.T. Wallace Building  
101 Meeting Street  
Charleston, South Carolina 29401  
(843) 958-1915  
Attorney for Appellant

Other Counsel of Record:

Mr. Cody J. Groeber

Ninth Circuit Public Defender

219 N. Highway 52, Suite E

ATTEST: A TRUE COPY  
JULIE J. ARMSTRONG (SEAL)  
CLERK, C.P.S. & F.C.  
By   
DEPUTY CLERK

PROOF OF SERVICE OF A NOTICE OF APPEAL

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

APPEAL FROM CHARLESTON COUNTY  
Court of General Sessions

Stephanie P. McDonald, Circuit Court Judge

Case No: 2012-GS-10-06844, 06845, 06846

FILED  
2014 AUG 26 PM 4:20  
JULIE J. ARMSTRONG  
CLERK OF COURT  
The State,

BY \_\_\_\_\_

Appellant,

v.

Marvin Brown,


Respondent.

RECEIVED

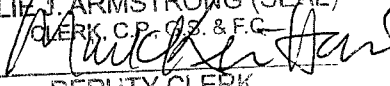
PROOF OF SERVICE

I certify that I have served the Notice of Appeal on Marvin Brown by depositing a copy of it in the United States Mail, postage prepaid, on August 26<sup>th</sup>, 2014, addressed to his attorney of record, Cody J. Groeber, Ninth Circuit Public Defender, 219 N. Highway 52, Suite E, Moncks Corner, South Carolina, 29461.

August 26<sup>th</sup>, 2014



Assistant Solicitor Chad Simpson  
Ninth Judicial Circuit  
O.T. Wallace Building  
101 Meeting Street  
Charleston, South Carolina 29401  
(843) 958-1922  
Attorney for Appellant

ATTEST: A TRUE COPY  
JULIE J. ARMSTRONG (SEAL)  
CLERK, C.P., C.S. & F.C.  
By   
DEPUTY CLERK

**LETTER TO THE APPELLATE COURT CLERK  
FILING THE NOTICE OF APPEAL**

August 26, 2014

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

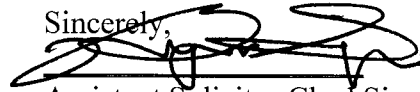
RE: The State v. Marvin Brown, Case No. 2012-GS-10-06844, 06845, &  
06846

Dear Ms. Kitchings:

Enclosed for filing is a notice of appeal in the above case. Also enclosed are the following:

- (1) Proof of service of the notice of appeal on the respondent.
- (2) A copy of the order which is to be challenged on appeal. (Judge McDonald ruled on the record on December 10<sup>th</sup>, 2013, and a timely appeal was sought by the State at that time. However, since the trial court indicated a written order would follow, the Court of Appeals rejected the filing as premature. A written court order was filed on August 18<sup>th</sup>, 2014. Accordingly, the State now renews notice of appeal.)
- (3) Filing fee waived pursuant to Rule 203, SCACR, as appeal is taken by the State of South Carolina.
- (4) Previous Court of Appeals filings, in case the timeliness of appellate filings becomes an issue.

Sincerely,



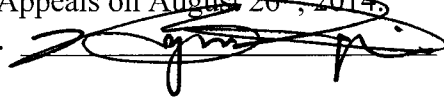
Assistant Solicitor Chad Simpson  
Ninth Judicial Circuit  
O.T. Wallace Building  
101 Meeting Street  
Charleston, South Carolina 29401  
(843) 958-1922  
Attorney for Appellant

**RECEIVED**

AUG 28 2014

**SC Court of Appeals**

Filing sent via fax and U.S. mail to Court of Appeals on August 26<sup>th</sup>, 2014.  
Copies filed with Circuit Court on same date.

A handwritten signature in black ink, appearing to be "Cody J. Groeber", written over the date "August 26th, 2014" in the text above.

cc: Mr. Cody J. Groeber  
Ninth Circuit Public Defender  
219 N. Highway 52, Suite E  
Moncks Corner, South Carolina 29461  
(843) 899-2777, Attorney for Respondent.



**SCARLETT A. WILSON**  
**SOLICITOR, NINTH JUDICIAL CIRCUIT**

CHARLESTON AND BERKELEY COUNTIES  
101 MEETING STREET  
CHARLESTON, SC 29401

**RETURN SERVICE REQUESTED**

**RECEIVED**

AUG 28 2014

**SC Court of Appeals**

South Carolina Court of Appeals, Clerk of Court

P.O. Box 11629

Columbia, South Carolina 29211

2921181629 5012

