

Albarr - Ali Abdullah #191449
Kershaw Correctional Institution
4848 Goldmine Highway
Kershaw, South Carolina 29067
12-17-2014

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

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Re: Albarr - Ali Abdullah, #191449 v. SCDC
Appellate Case No. 2014-001696

S.C. Supreme Court

Dear Ms. Kitchings:

Please find enclosed a copy of the notice of appeal and the order appealed from. Please file the enclosed and return a clocked in copy to me for my records. Thank you in advance for your cooperation.

Sincerely,

Alian Ali Abdullah

Albarr - Ali Abdullah, #191449
Appellant, pro-se
Kershaw Correctional Institution
4848 Goldmine Highway
Kershaw, South Carolina 29067
Date 12-17-14

LEGAL

THE STATE OF SOUTH CAROLINA
In The Supreme Court

APPEAL FROM THE SOUTH CAROLINA COURT OF APPEALS
Jasper W. Cureton, Associate Justice

Appellate Case No.: 2014-CD1696

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S.C. Supreme Court

South Carolina Department of
Corrections,

Respondent,

v.

Albarr - Ali Abdullah, #191449 Appellant.

NOTICE OF APPEAL

Albarr - Ali Abdullah, #191449 appeals the order of the Honorable Jasper W. Cureton, Associate Justice, South Carolina Court of Appeals dated November 9, 2014 and received by Appellant December 10, 2014. Appellant received written notice of entry of this order on December 10, 2014.

December 17, 2014.

51 Albarr Ali Abdullah

Other Counsel of Record:
Daniel J. Crocker, III, Esquire
Staff Attorney
South Carolina Department of Corrections
Post Office Box 21787
Columbia, South Carolina 29221

Albarr - Ali Abdullah, #191449
Appellant, pro-se
Kershaw Correctional Institution
4848 Goldmine Highway
Kershaw, South Carolina 29067
Date 12-17-14

The South Carolina Court of Appeals

Albarr-Ali Abdullah, Appellant,

v.

South Carolina Department of Corrections, Respondent.

Appellate Case No. 2014-001696

ORDER

Respondent has filed a motion to dismiss, arguing Appellant failed to timely serve the notice of appeal. Appellant's notice of appeal, filed with this court, indicates he received written notice of the Administrative Law Court's decision on June 12, 2014. However, Appellant failed to serve the notice of appeal on Respondent until July 30, 2014. Accordingly, this appeal is dismissed. *See* Rule 203(b)(6), SCACR (stating an appellant must serve the notice of appeal from a decision of the Administrative Law Court on all parties within thirty days of receipt of the decision); Rule 263(b), SCACR ("The time prescribed by these Rules for performing any act *except the time for serving the notice of appeal* under Rules 203 and 227 may be extended" (emphasis added)); *Mears v. Mears*, 287 S.C. 168, 169, 337 S.E.2d 206, 207 (1985) (explaining service of the notice of appeal is a jurisdictional requirement, and the appellate courts have no authority to extend the time in which the notice must be served).


FOR THE COURT

Columbia, South Carolina

cc: Albarr-Ali Abdullah, 191449
Christopher D. Florian, Esquire
Daniel John Crooks, III, Esquire

FILED
11/19/14 

THE STATE OF SOUTH CAROLINA
In The Supreme Court
Jusser W. Cureton Associate Justice

Appellate Case No. 2014-001696

South Carolina Department of
Connections, Respondent,

v.

Albarr-Alì Abdullahi #191449, Appellant.

PROOF OF SERVICE

I, Albarr-Alì Abdullahi #191449 certify that I have served the Notice of Appeal on Daniel J. Crooks, III Esquire and Jenny A. Kitchings, by depositing a copy of it in the United States mail, postage pre paid, on 12-17-14, addressed to: Daniel J. Crooks, III, Esquire, S CDC, P.O. Box 21787, Columbia, S.C. 29221, and to Jenny A. Kitchings, Clerk, S.C. Ct. of Appeals, P.O. Box 11629, Columbia, S.C. 29221.

Respectfully submitted,
Albarr-Alì Abdullahi
Albarr-Alì Abdullahi #191449
Appellant, pro-se
Kenshaw Correctional Institution
4348 Goldmine Highway
Kenshaw, South Carolina 29067
Date 12-17-14

Sworn to and subscribed before
me this 17 day of Dec, 2014.

Carthine A. Omessa
NOTARY PUBLIC OF SOUTH CAROLINA

My commission expires: _____
December 27, 2018

Albarr Ali Abdullah #191449
Kershaw Correctional Institution
4848 Goldmine Highway
Kershaw, South Carolina 29067

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Abdullah 191449

LEGAL

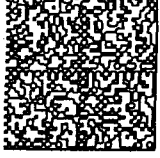
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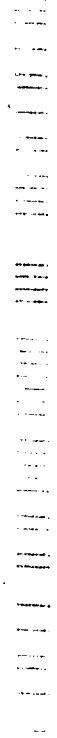
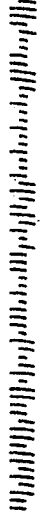
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