

The Supreme Court of South Carolina

Bennie James Riser, Petitioner,

v.

State of South Carolina, Respondent.

Appellate Case No. 2015-000093

Lower Court Case No. 2011CP4201034

ORDER

Petitioner has filed two notices of appeal in this matter. As to the notice of appeal dated January 2, 2015, petitioner has failed to provide a proof of service showing that this notice of appeal has been served on opposing counsel.

As to the notice of appeal dated February 9, 2015, the proof of service for that notice of appeal states that it was served on opposing counsel on February 9, 2015. Based on the information contained in this notice of appeal, service of this notice of appeal on opposing counsel occurred more than thirty (30) days after petitioner received written notice of entry of the order under appeal.

Based on petitioner's failure to show that either notice of appeal has been timely served on opposing counsel, this matter is dismissed. Rules 243(b); 203(b) (time to serve notice of appeal); and 263 (time for serving the notice of appeal may not be extended). The remittitur will be sent as provided by Rule 221(b), SCACR.

FOR THE COURT

BY



CLERK

Columbia, South Carolina
February 26, 2015

cc: Suzanne H. White, Esquire
Mr. Bennie James Riser, Jr., #218912