

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM YORK COUNTY
Court of General Sessions

Eugene C. Griffith Jr., Circuit Court Judge

Indictment No. 2014-GS-46-00781

THE STATE OF SOUTH
CAROLINA,

Appellant,

v.

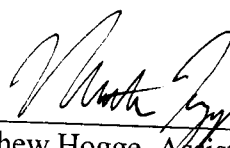
JOHN KENNETH MASSEY
JR.,

Respondent.

NOTICE OF APPEAL

The State of South Carolina appeals to the Court of Appeals the oral order of the Honorable Eugene C. Griffith Jr., made in open court on January 27, 2015, quashing the above-listed indictment. Appellant received notice of entry of the order on January 27, 2015. This order was not reduced to writing.

February 5, 2015



T. Matthew Hogge, Assistant Solicitor
Sixteenth Judicial Circuit Solicitor's Office
1675 1-A York Highway, York, SC 29745
Attorney for Appellant

Other Counsel of Record:

Philip Lee Smith
Sixteenth Circuit Public Defender's Office
1675-1E York Highway
York, SC 29745
Attorney for Respondent

RECEIVED
FEB 09 2015
SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM YORK COUNTY
Court of General Sessions

Eugene C. Griffith Jr., Circuit Court Judge

Indictment No. 2014-GS-46-00781

THE STATE OF SOUTH
CAROLINA,

Appellant,

v.

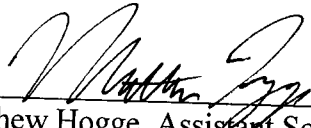
JOHN KENNETH MASSEY
JR.,

Respondent.

PROOF OF SERVICE

I hereby certify that I have served a copy of the foregoing Notice of Appeal in the above-referenced matter upon Philip Lee Smith as counsel of record for Respondent, by hand delivering a copy to him, in accordance with the provisions of Rule 262(b) of the *South Carolina Appellate Court Rules*.

Served this day,
February 5, 2015


T. Matthew Hogge, Assistant Solicitor
Sixteenth Judicial Circuit Solicitor's Office
1675-1-A York Highway
York, South Carolina 29745
Attorney for Appellant

RECEIVED

FEB 09 2015

SC Court of Appeals



KEVIN S. BRACKETT
SOLICITOR

February 5, 2015

VIA FIRST CLASS MAIL

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

VIA INTER-DEPARTMENTAL DELIVERY

Hon. David Hamilton, Clerk of Court
York County Court of General Sessions
PO Box 649 – 1675 1-G York Highway
York, South Carolina 29745


Re: *State v. John Kenneth Massey Jr.*, Indictment No. 2014-GS-46-00781

Dear Ms. Kitchings and Mr. Hamilton:

Please find enclosed an original and one copy of the Notice of Appeal and Proof of Service in the above-referenced matter. Please file the original and return a clocked copy to me in the enclosed self-addressed stamped envelope (or via inter-departmental delivery, for York County Clerk of Court), in accordance with your normal procedures.

Since this Appeal is being pursued by the State of South Carolina, I am informed that no filing fee is necessary. As always, please do not hesitate to contact me at (803) 818-6621, should you have any questions or concerns.

Sincerely,


T. Matthew Hogge
Assistant Solicitor

RECEIVED

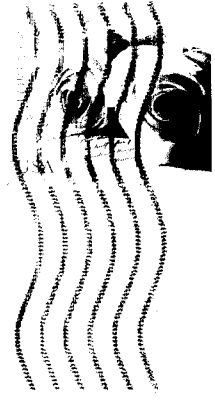
FEB 09 2015

SC Court of Appeals

enclosures as stated

cc: Philip Lee Smith, attorney for responder (*via hand delivery*)
Salley W. Elliot, Senior Assistant Deputy Attorney General (*via email*)

KEVIN S. BRACKETT
SOLICITOR
SIXTEENTH JUDICIAL CIRCUIT
MOSS JUSTICE CENTER
1675-1A YORK HIGHWAY
YORK, SOUTH CAROLINA 29745-7422
rgt



CHARLOTTE NC 282
05 FEB 2015 PM 3 L

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

29211162929 