

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM RICHLAND COUNTY
L. Casey Manning, Circuit Court Judge

Appeal No. 2015-000133
Case No. 2014-CP-40-2829

RECEIVED
MAY 15 2015
SC Court of Appeals

John Baccus, Appellant,

v.

Nikki R. Haley
Brian P. Sterling, Respondents.

MOTION TO DISMISS APPEAL

The Respondents hereby move this Court pursuant to Rule 260(a), SCACR, to dismiss the Appellant's appeal based upon the Appellant's failure to comply with the Appellate Court Rules and the explicit instructions of this Court.

Specifically, the Respondents assert that the Appellant has failed file and serve his Initial Brief and Designation of Matter, and therefore the Appellant has failed to comply with Rules 208(a) and 209, SCACR. This Court informed the Appellant of the deadlines for filing and serving his Initial Brief and Designation of Matters, in this Court's letter dated March 5, 2015. Specifically, the Appellant was instructed, in this Court's March 5, 2015 letter, that, "[i]t is the Court's understanding that there is no transcript available in this matter. Therefore, the appellant's initial brief and

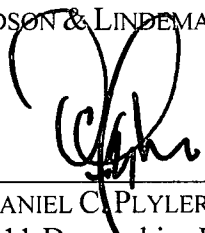
designation of matter must be served and filed no more than thirty days from the date of this letter.”
That deadline has now passed, and the Appellant has neither filed nor served his Initial Brief or Designation of Matter.

Therefore, based on the forgoing, the Respondents request that this appeal be dismissed.

Respectfully submitted,

DAVIDSON & LINDEMANN, P.A.

By: _____



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Counsel for Respondents

Columbia, South Carolina
May 11, 2015

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PROOF OF SERVICE

The undersigned employee of Davidson & Lindemann, P.A., attorneys for the Respondents, does hereby certify that service of the Motion to Dismiss Appeal in the above-captioned action was made upon all parties and counsel of record by placing same in the United States Mail, first class postage prepaid, at the below listed address clearly indicated on said envelope this the 11th day of May, 2015, addressed as follows:

John Baccus, #187393
Broad River Correctional Institution
4460 Broad River Road
Columbia, South Carolina 29210

Shelley E Stafford

DAVIDSON & LINDEMANN, P.A.

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May 11, 2015

The Honorable Jenny Abbott Kitchings
Clerk of Court
South Carolina Court of Appeals
1220 Senate Street
Columbia, South Carolina 29201

RE: John Baccus v. Nikki R. Haley
Appellate Case No. 2015-000133
Our File Number 103.9562

Dear Ms. Kitchings:

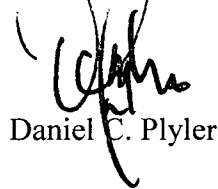
Please find enclosed the original and seven (7) copies each of the Motion to Dismiss Appeal and Proof of Service relative to the above matter. Also enclosed is my firm's check in the amount of \$25.00 for the filing fee. Please file the originals, returning the clocked copies to me in the enclosed return envelope.

By copy of this letter, I hereby serve a copy of the above documents upon Mr. Baccus.

Thank you for your assistance in this matter.

Very truly yours,

DAVIDSON & LINDEMANN, P.A.



Daniel C. Plyler

DCP:ses
Enclosures

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SC Court of Appeals

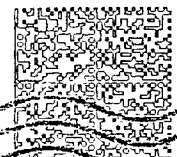
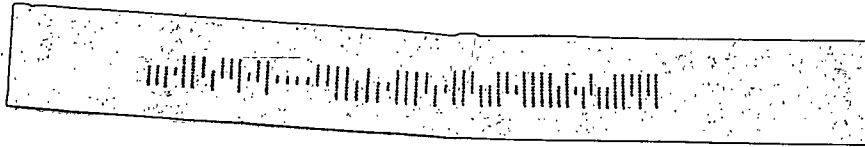
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Kenneth P. Woodington

The Honorable Jenny Abbott Kitchings
May 11, 2015
Page Two

cc: (w/Enclosures)

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