

Raymond Chestnut, # 13465-171

United States Penitentiary

P.O. Box 1000

Lewisburg, PA 17837

**RECEIVED**

MAY 20 2015

**SC SUPREME COURT**

May 20, 2015

Supreme Court of South Carolina

P.O. Box 11330

Columbia, SC 29211

Re: Hembree vs. Chestnut

Case No. 2004-CP-26-5638

Dear Clerk of Court:

Enclosed please find a Notice of Appeal, along with the order I am appealing in the above-referenced matter. If you would, please file the Notice of Appeal and return a clocked copy.

Thank you for your assistance in this matter and I look forward to hearing back from you soon.

Sincerely,



Raymond E. Chestnut

cc: Jimmy A. Richardson, II, Esquire

Alan Wilson, Esquire

SUPREME COURT OF SOUTH CAROLINA

**RECEIVED**

APPEAL FROM Horry County  
IN The Court of Common Pleas

MAY 20 2015

SC SUPREME COURT

HONORABLE STEVEN H. JOHN,  
Common Pleas Judge of the 15th Judicial Circuit

case No. 2004-CP-26-5638

J. Gregory Hembree, solicitor  
15th Judicial Circuit, ON Behalf  
of the Myrtle Beach Police Dept.,

Plaintiff,

v.

Six Hundred Thirty Dollars  
(\$630.00),

Defendant Property,

Raymond Edward Chestnut,

Interested Party

**NOTICE OF APPEAL**

Defendant / Interested Party, hereby  
appeals the Order of Forfeiture of the Honor-  
able Steven H. John, dated November 23, 2004 and  
Received by Defendant / Interested Party on May

19, 2015.

RR

Raymond E. Chestnut

#13465-171

U.S. Penitentiary

P.O. Box 1000

Lewisburg, PA 17837

Plaintiff's Attorney:

Jimmy A. Richardson, II, Esquire

15th Judicial Circuit Solicitor

P.O. Box 1276

Conway, SC 29528

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF HORRY )

IN THE COURT OF COMMON PLEAS  
2004-CP-26-5638

J. GREGORY HEMBREE, SOLICITOR )  
FIFTEENTH JUDICIAL CIRCUIT, )  
ON BEHALF OF THE MYRTLE BEACH )  
POLICE DEPARTMENT, )

Plaintiff, )

vs. )

SIX HUNDRED THIRTY DOLLARS )  
(\$630.00) )

Defendant Property, )

RAYMOND EDWARD CHESTNUT, )

Interested Party, )

**ORDER OF FORFEITURE**

FILED  
HORRY COUNTY  
OCT 23 PM 3:23  
CLERK OF COURT

This is a suit IN REM brought by the Solicitor for the Fifteenth Judicial Circuit as a civil proceeding under Section 44-53-530, Code of Laws of South Carolina, 1976, as amended. The complaint asked for forfeiture of Six Hundred Thirty Dollars to the Myrtle Beach Police Department. The currency was seized on August 16, 2004, from Raymond Edward Chestnut under circumstances relating to illegal drugs.

By Affidavit of Service filed with the Clerk of Court for Horry County, it appears that Raymond Edward Chestnut was served with the Summons and Complaint on October 19, 2004.

It appears further that since the date of service no appearance, answer or other pleading, response or contact has been made by Raymond Edward Chestnut or anyone on his behalf.

It appears that more than thirty (30) days have elapsed since service was made; there is a default; and Plaintiff is entitled to forfeiture of the above described defendant property.

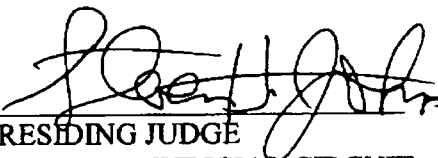
Under Sections 44-53-520 and 44-53-530, Code of Laws of South Carolina, 1976, as amended, the property is subject to forfeiture to the Myrtle Beach Police Department.

IT IS, THEREFORE, ORDERED:

*1082*  
*[Signature]*

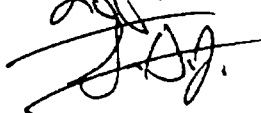
*F200*

1. Plaintiff is entitled to judgment by default;
2. A forfeiture is hereby declared of the defendant property described above;
3. The Myrtle Beach Police Department is declared the seizing agency;
4. The Defendant property is to be disposed of in the following manner:
  - a. The first One Thousand (\$1000.00) Dollars to the seizing agency;
  - b. Any monies in excess of this amount to be distributed as follows:
    1. Seventy-five percent to the seizing agency;
    2. Twenty percent to the prosecuting agency;  
and
    3. Five percent must be remitted to the State Treasurer and deposited to the credit of the general fund of the State.

  
PRESIDING JUDGE  
FIFTEENTH JUDICIAL CIRCUIT

Conway, South Carolina

11/23/ 2004.

282  


SUPREME COURT OF SOUTH CAROLINA

**RECEIVED**

APPEAL FROM Horry County

MAY 26 2015

IN The Court of Common Pleas

SC SUPREME COURT

HONORABLE Steven H. John

Common Plea Judge of the 15th Judicial Circuit

Case No. 2004-CP-26-5638

J. Gregory Hembree, Solicitor

15th Judicial Circuit, on Behalf

of the Myrtle Beach Police Dept.,

Plaintiff,

v.

Six Hundred Thirty Dollars

(\$630.00),

Defendant Property,

Raymond Edward Chestnut,

Interested Party.

**CERTIFICATE OF SERVICE**

I, Raymond E. Chestnut, do hereby  
certify that on this 20th day of May, 2015,  
a true and correct copy of the Notice of  
Appeal was served via United States Mail

with proper postage on Plaintiff's attorney(s)  
at the name and address listed below:

Jimmy A. Richardson, II, Esquire

15th Judicial Circuit Solicitor

P.O. Box 1276

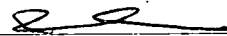
Conway, SC 29528

Alan Wilson, Esquire

Attorney General of South Carolina

P.O. Box 11549

Columbia, SC 29211



Raymond E. Chestnut

Inmate Name: Raymond Chestnut

Register Number: 13465-171

United States Penitentiary

P.O. Box 1000

Lewisburg, PA 17837

HARRISBURG PA 171

20 MAY 2015 PM 1 L



David Shearouse, clerk  
Supreme Court of South Carolina  
P.O. Box 11330  
Columbia, SC 29211

29211123030



Legal Mail *et*

U.S. PENITENTIARY  
P.O. BOX 1000  
LEWISBURG, PA 17837

DATE

MAY 20 2015

THE ENCLOSED LETTER WAS PROCESSED THROUGH  
SPECIAL MAILING PROCEDURES FOR FORWARDING TO  
YOU. THE LETTER HAS BEEN NEITHER OPENED NOR  
INSPECTED. IF THE WRITER RAISES A QUESTION OR  
PROBLEM OVER WHICH THIS FACILITY HAS JURIS-  
DICTION, YOU MAY WISH TO RETURN THE MATERIAL  
FOR FURTHER INFORMATION OR CLARIFICATION. IF  
THE WRITER ENCLOSES CORRESPONDENCE FOR  
FORWARDING TO ANOTHER ADDRESSEE, PLEASE RETURN  
THE ENCLOSURE TO THE ABOVE ADDRESS.