

The South Carolina Court of Appeals

The State, Respondent,

v.

Derrick Eugene Velasquez, Appellant.

Appellate Case No. 2015-001781

The Honorable Eugene C. Griffith, Jr.

Newberry County

Trial Court Case No. 2015GS3600269, 2015GS3600270

ORDER

This is an appeal from a guilty plea and sentence entered on August 4, 2015. The notice of appeal was served on August 17, 2015, after appellant's counsel was notified on that day that appellant wished to appeal. Appellant has filed a motion for leave to file appeal out of time. The critical issue in this matter is whether the notice of appeal was timely served. The notice of appeal was not timely served pursuant to Rule 203(b)(2) of the South Carolina Appellate Court Rules (SCACR). The Court of Appeals cannot extend the time for service of the notice of appeal. Rule 263(b), SCACR. The motion to extend time to file appeal is denied. The appeal is dismissed. The remittitur will be issued pursuant to Rule 221(b), SCACR.

FOR THE COURT

BY V. Claire Allen, Deputy
CLERK

FILED

9/2/15 BSH

Columbia, South Carolina

cc:

Charles Vermeule Verner, Esquire

Robert Michael Dudek, Esquire

David Matthew Stumbo, Esquire

Alan McCrory Wilson, Esquire

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