

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM LEXINGTON COUNTY
Court of Common Pleas

The Honorable William P. Keesley, Circuit Court Judge

RECEIVED

AUG 31 2015

SC Court of Appeals

Case No. 2014-CP-32-01449

The State,

Respondent,

v.

Quentin Price

Appellant.

AMENDED NOTICE OF APPEAL

Quentin Price appeals Issue 1 in the Order on Appeal of The Honorable William P. Keesley. (See enclosed Order on Appeal) Specifically, Price appeals the finding that the Magistrate had subject matter jurisdiction to punish a defendant for contempt of court for violating a condition of the defendant's bond.

The original Order on Appeal was filed on October 6, 2014. Appellant filed a written Notice of Appeal on October 14, 2014. Respondent filed a Petition for Rehearing on October 17, 2014, and Appellant filed a Reply on October 22, 2014. Upon inquiry from Judge Keesley on March 25, 2015, as to whether the Petition needed to be heard, Respondent filed a motion on April 3, 2015, asking that the Court of Appeals dismiss the appeal, or, alternatively, to remand to circuit court for the Petition for Rehearing to be addressed. Appellant filed a return on April 24, 2015.

By an order dated June 5, 2015, the Court of Appeals dismissed the appeal without prejudice pursuant to Rule 59, SCACR, granting leave to refile within ten days of the order disposing of the post-trial motions. Respondent withdrew the Petition for Rehearing on July 8, 2015, and a final order in the form of a Form 4 Judgment in a Civil Case was filed by Judge Keesley on August 13, 2015. (See enclosed Judgment in a Civil Case) This order was provided to Appellant upon his request to the Lexington County Clerk of Court's office on August 13, 2015.

Appellant filed a new Notice of Appeal on August 21, 2015, but failed to include a copy of the final orders from circuit court and the date when written notice of entry of the order or judgment from which the appeal is taken. This Amended Notice of Appeal with enclosed orders is being filed in order to cure the deficiencies of the prior Notice of Appeal, in accordance with the letter from the Clerk of the Court of Appeals, dated August 25, 2015.



Jael D. Gilreath,
Assistant Public Defender
407 W. Main Street
Lexington, SC 29072
(803) 785-8873
ATTORNEY FOR APPELLANT

enclosures

Other Counsel of Record:

Nicole Howland, Criminal Domestic Violence Prosecutor
Lexington County Sheriff's Department
521 Gibson Road
Lexington, SC 29072

Sally W. Elliott, Office of the Attorney General
Rembert Dennis Building
1000 Assembly Street, Room 519
Columbia, SC 29201

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PROOF OF SERVICE

The undersigned attorney hereby certifies that a true copy of the Notice of Appeal in the above referenced case has been served upon Nicole Howland, Esquire, via U.S. Mail, at the Lexington County Sheriff's Department, 521 Gibson Road, Lexington, SC 29072, this 28th day of August, 2015.



Jael D. Gilreath
Assistant Public Defender
407 W. Main Street
Lexington, SC 29072
(803) 785-8873
ATTORNEY FOR APPELLANT

OFFICE OF THE PUBLIC DEFENDER

ELIZABETH FULLWOOD
Lexington Public Defender
407 W. Main St.
Lexington, SC 29072
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Eleventh Judicial Circuit
Lexington, Saluda, Edgefield,
and McCormick Counties

ROBERT M. MADSEN
Circuit Public Defender

BENNETT CASTO
Tri-County Public Defender
Post Office Box 1852
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Telephone (864) 852-9555
Fax (864) 852-9554

August 28, 2015

The Honorable Jenny Kitchings
Clerk of Court for Court of Appeals
P.O. Box 11629
Columbia, SC 29201

RECEIVED
AUG 31 2015
SC Court of Appeals

Re: The State vs. Quentin Price (Notice of Appeal)

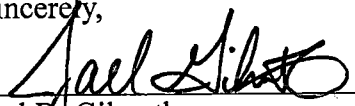
Dear Ms. Kitchings:

I have enclosed an original and one copy of the Amended Notice to Appeal in the above matter for filing in your office. Please file the original and return the date/time stamped copy to me in the envelope provided.

I am, by copy of this letter, serving a copy of this Notice to Appeal on Criminal Domestic Violence Prosecutor Nicole Howland, Senior Assistant Deputy Attorney General Salley W. Elliott, and Chief Appellate Defender Robert Dudek, together with my Certificates of Service.

Thank you for your assistance in this matter.

Sincerely,



Jael D. Gilreath
Assistant Public Defender
407 West Main Street
Lexington, SC 29072
(803) 785-8873

enclosures

cc: Nicole Howland, Criminal Domestic Violence Prosecutor
Lexington County Sheriff's Department
521 Gibson Road
Lexington, SC 29072

Salley W. Elliott, Senior Assistant Deputy Attorney General
Office of the Attorney General
Rembert Dennis Building
1000 Assembly Street, Room 519
Columbia, SC 29201

Robert M. Dudek, Chief Appellate Defender
P.O. Box 11589
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August 28, 2015


The Honorable Beth Carrigg
Clerk of Court for Lexington County
Lexington County Courthouse
Lexington, South Carolina, 29072

RE: The State v. Quentin Price (Notice of Appeal)
Case No. 2014-CP-32-01449

Dear Mrs. Carrigg:

Enclosed for filing is the Amended Notice of Appeal in the above case.

Sincerely,



Jael D. Gilreath
Assistant Public Defender
407 W. Main Street
Lexington, SC 29072
(803) 785-8873

cc: Nicole Howland, Criminal Domestic Violence Prosecutor
Lexington County Sheriff's Department
521 Gibson Road
Lexington, SC 29072

Salley W. Elliott, Senior Deputy Assistant Attorney General
Office of the Attorney General
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