

THE STATE OF SOUTH CAROLINA  
NOTICE OF APPEAL TO THE SUPREME COURT

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NOV - 5 2015

APPEAL FROM CHARLESTON COUNTY  
Court of Common Pleas

S.C. Supreme Court

J. C. Nicholson, Jr., Circuit Court Judge

Case No. 2012-CP-10-83-54

Clark D. Thomas #187845,

Appellant,

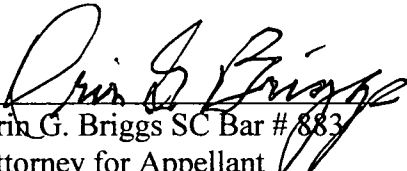
vs.

State of South Carolina,

Respondent.

The Appellant files his intent to appeal an adverse PCR decision of the Circuit Court on a review of his convictions; the Form 4 Disposition Order was received by Appellant's attorney of record, Orin G. Briggs on October 10, 2015. A copy of the lower court's ruling is attached, and this Appeal Notice was mailed to the lower court judge, the Charleston County Clerk of Court, the State Attorney General and the Supreme Court.

On behalf of Appellant, counsel requests that the appeal be handled by the S. C. Commission on Indigent Defense. Since the Appellant is presently incarcerated, he is obviously indigent, and his mother was unable to fully pay the fee agreed to be paid to present counsel on the Petition for PCR Amendment and denial of the PCR relief.

  
Orin G. Briggs SC Bar # 883  
Attorney for Appellant  
101 Bennock Mill Ct.  
Lexington, SC 29072  
803/957-4383  
EM: ogb-atty@sc.rr.com

November 5, 2015

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF CHARLESTON )  
 )  
 )  
Clark D. Thomas #187845, )  
 )  
Applicant, )  
 )  
vs. )  
 )  
 )  
State of South Carolina, )  
 )  
Respondent. )  
\_\_\_\_\_ )

IN THE COURT OF COMMON PLEAS  
FOR THE NINTH JUDICIAL CIRCUIT

Case No. 2012-CP-10-8354

CERTIFICATE OF SERVICE

**RECEIVED**

NOV - 5 2015

**S.C. Supreme Court**

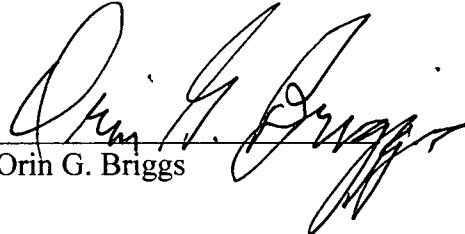
The undersigned certifies that the Attorney for the State, the Charleston County Clerk of Court, the presiding Judge, J. C. Nicholson, Jr., and the State Supreme Court were served a copy of the Notice of Intent to Appeal the denial of Applicant's Rule 59(e) Motion for Reconsideration in this captioned case this day by first class mail at the below listed :

S. C. Supreme Court  
1231 Gervais Street  
Columbia, SC 29201

Clerk of Court Charleston County  
County Courthouse  
100 Broad Street  
Charleston, SC 29401

Honorable J. C. Nicholson, Jr.  
Circuit Court Judge  
100 Broad Street  
Charleston, SC 29401

J. Rutledge Johnson  
Assistant Deputy Attorney General  
P. O. Box 11549  
Columbia, SC 29211

  
Orin G. Briggs

November 5, 2015

cc  
AG  
AT

STATE OF SOUTH CAROLINA  
COUNTY OF CHARLESTON  
IN THE COURT OF COMMON PLEAS

JUDGMENT IN A CIVIL CASE

CASE NO. 2012-CP-10-8354

~~2015 OCT 9~~ AM 11:40

Clark D. Thomas #187845  
PLAINTIFF(S)

JULIE J. ARMSTRONG  
CLERK OF COURT

State of South Carolina  
DEFENDANT(S)

Submitted by:	Attorney for : <input type="checkbox"/> Plaintiff <input type="checkbox"/> Defendant
	or <input type="checkbox"/> Self-Represented Litigant

DISPOSITION TYPE (CHECK ONE)

- JURY VERDICT.** This action came before the court for a trial by jury. The issues have been tried and a verdict rendered.
- DECISION BY THE COURT.** This action came to trial or hearing before the court. The issues have been tried or heard and a decision rendered.
- ACTION DISMISSED (CHECK REASON):**  Rule 12(b), SCRCP;  Rule 41(a), SCRCP (Vol. Nonsuit);  Rule 43(k), SCRCP (Settled);  Other
- ACTION STRICKEN (CHECK REASON):**  Rule 40(j), SCRCP;  Bankruptcy;  Binding arbitration, subject to right to restore to confirm, vacate or modify arbitration award;  Other
- DISPOSITION OF APPEAL TO THE CIRCUIT COURT (CHECK APPLICABLE BOX):**  
 Affirmed;  Reversed;  Remanded;  Other

NOTE: ATTORNEYS ARE RESPONSIBLE FOR NOTIFYING LOWER COURT, TRIBUNAL, OR ADMINISTRATIVE AGENCY OF THE CIRCUIT COURT RULING IN THIS APPEAL.

**IT IS ORDERED AND ADJUDGED:**  See attached order (formal order to follow)  Statement of Judgment by the Court: This matter came before this Court on Applicant's Motion to Alter or Amend the Order of Dismissal. After review, this Court respectfully denies the Motion to Alter or Amend without rehearing.

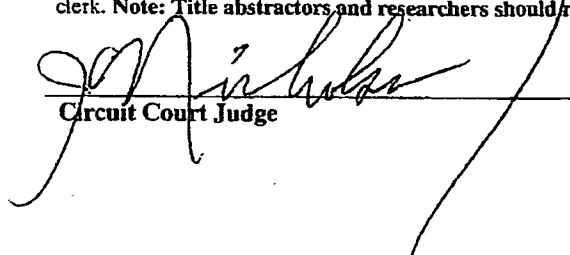
ORDER INFORMATION

This order  ends  does not end the case.

Additional Information for the Clerk :

INFORMATION FOR THE PUBLIC INDEX		
Complete this section below when the judgment affects title to real or personal property or if any amount should be enrolled. If there is no judgment information, indicate "N/A" in one of the boxes below.		
Judgment in Favor of (List name(s) below)	Judgment Against (List name(s) below)	Judgment Amount To be Enrolled (List amount(s) below)
N/A		\$
If applicable, describe the property, including tax map information and address, referenced in the order: N/A		

The judgment information above has been provided by the submitting party. Disputes concerning the amounts contained in this form may be addressed by way of motion pursuant to the SC Rules of Civil Procedure. Amounts to be computed such as interest or additional taxable costs not available at the time the form and final order are submitted to the judge may be provided to the clerk. Note: Title abstractors and researchers should refer to the official court order for judgment details.

  
Circuit Court Judge

2117  
Judge Code

10/7/15  
Date