

STATE OF SOUTH CAROLINA)
)
COUNTY OF SPARTANBURG)

IN THE COURT OF GENERAL SESSIONS

RECEIVED

NOV 23 2015

ORDER SC Court of Appeals

State of South Carolina,)
)
Plaintiff,)
)
-vs-)
)
John Garvin,)
)
Defendant.)

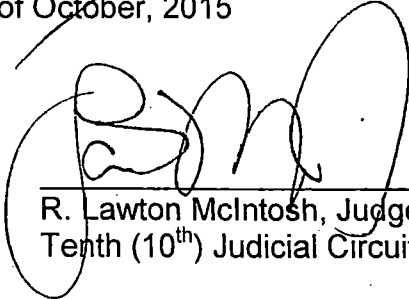
Indictment No. 2012-GS-42-5979

Defendant was convicted on May 23, 2013 and sentenced to twenty five (25) years and Two Hundred Thousand (\$200,000) Dollars. On August 25, 2015, Defendant filed a motion for a new trial pursuant to rule 29(b) S.C.R.Crim.P. based upon newly discovered evidence.

Defendant's Affidavit fails to recite facts sufficient to constitute newly discovered evidence. Further, the grounds recited in the Motion are manifestly without merit. Accordingly, Defendant's Motion is denied without formal hearing.

Defendant's Motion is denied without the necessity of a hearing as untimely and without merit.

IT IS SO ORDERED This 9th ^{Nov ROK} Day of October, 2015


R. Lawton McIntosh, Judge
Tenth (10th) Judicial Circuit

Anderson, South Carolina.

FILED
CLERK OF COURT
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M. HOPE BLACKLEY