

FALK LAW FIRM, LLC.

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March 14, 2016

RECEIVED

Clerk of Court
Supreme Court of South Carolina
PO Box 11330
Columbia, SC 29211

MAR 16 2016

S.C. SUPREME COURT

Re: Rohsod Baker v. State, 2015-CP-26-00475

Dear Clerk Shearouse:

Please the enclosed Notice of Appeal, Proof of Service and Form 4 Order granting Applicant the right to file an appeal pursuant to Austin v State, in the above Horry county PCR action.

In signing the enclosed Form 4, Judge Brown indicated that the order ended the case. Therefore I am filing this Notice of Appeal out of an abundance of caution in order to protect my client's rights.

Please stamp file a set of duplicates and return to me in the enclosed SASE.

Regards


James Falk

THE STATE OF SOUTH CAROLINA
In The Supreme Court

APPEAL FROM HORRY COUNTY

Court of Common Pleas

Honorable D. Craig Brown, Circuit Judge

Case No.: 2015-CP-26-00475

Roshod M Baker 318851.....PETITIONER

V.

State of South Carolina.....RESPONDENT

NOTICE OF APPEAL

The Petitioner Roshod Baker appeals the Honorable D. Craig Brown's February 11, 2016, Granting PCR Appeal pursuant to Austin v State. Undersigned counsel received notice of entry of the order on March 3, 2016. A copy of the order on appeal is attached hereto.



James K Falk
Falk Law Firm
PO Box 1058
Charleston, SC 29402

March 11, 2016

Jessica E. Kinard
Office of S.C. Attorney General
PO Box 11549
Columbia, SC 29211-1549

THE STATE OF SOUTH CAROLINA

In The Supreme Court

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MAR 16 2016

APPEAL FROM HORRY COUNTY

Court of Common Pleas

S.C. SUPREME COURT

Honorable D. Craig Brown Circuit Court Judge

Case No.: 2015-CP-26-0475

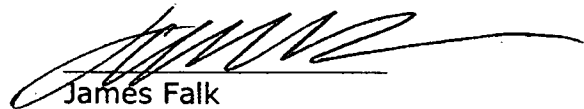
Roshod M Baker 318851.....Petitioner

v.

State of South Carolina.....Respondent

PROOF OF SERVICE

I, James K Falk, certify that I have today served the within notice of appeal upon the Respondent by depositing a copy of it in the United States Mail, postage prepaid, addressed to the attorney of record Jessica Kinard S.C. Attorney General's Office PO Box 11549 Columbia, SC 29211. I further certify that all parties required by Rule to be served have been served this March 14, 2016.



James Falk
Falk Law Firm
PO Box 1058
Charleston, SC 29402
Attorney for Petitioner

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

JUDGMENT IN A CIVIL CASE
CASE NUMBER 2015CP2600475

Roshod M Baker

South Carolina State of

PLAINTIFF(S)

DEFENDANT(S)

Submitted by:

Attorney for: Plaintiff Defendant
 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. See Page 2 for additional information.
- 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

ORDER INFORMATION

PCR Appeal is GRANTED

FILED
16 FEB 11 PM 3:22
CLERK OF COURT
HORRY COUNTY

This order ends does not end the case.
Additional Information for the Clerk: _____


INFORMATION FOR THE JUDGMENT 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	n/a	n/a

If applicable, describe the property, including tax map information and address, referenced in the order:

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 D. Craig Brown

2160
Judge Code

2/11/2016
Date

For Clerk of Court Office Use Only

This judgment was entered on , and a copy mailed first class or placed in the appropriate attorney's box on , to attorneys of record or to parties (when appearing pro se) as follows:

Roshod M Baker
James Kristian Falk PO Box 1058 Charleston, SC 29402

ATTORNEY(S) FOR THE PLAINTIFF(S)

Alan McCrory Wilson PO Box 11549 Columbia, SC 29211-1549

ATTORNEY(S) FOR THE DEFENDANT(S)

Court Reporter Natalie Dahl

Melanie Huggins-Ward - Clerk of Court

ADDITIONAL INFORMATION REGARDING DECISION BY THE COURT AS REFERENCED ON PAGE 1.

This action came to trial or hearing before the court. The issues have been tried or heard and a decision rendered.

FAIK LAW FIRM

PO Box 1058

Charleston, SC 29402



Clerk of Court
Supreme Court of South Carolina
PO Box 11330
Columbia, SC 29211

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