

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Horry County
The Honorable D. Craig Brown, Circuit Court Judge

Appellate Case No: 2014-001848

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MAR 07 2016

SC Court of Appeals

THE STATE,

Respondent,

vs.

BENNY L. WEBB,

Appellant.

MOTION TO DISMISS

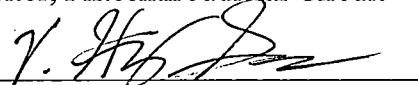
In an Order dated February 11, 2016, this Court ordered Appellant to file a Record on Appeal that fully comports with Rule 210, SCACR and includes all matters designated by both Appellant and Respondent within twenty days of the date of the Order. Appellant has refused to comply with the Court's Order. "[T]he South Carolina Appellate Court Rules are not mere technicalities but provide the parties and this Court with an orderly mechanism through which to guide appeals in this State." Henning v. Kaye, 307 S.C. 436, 437, 415 S.E.2d 794, 794 (1992). The State hereby moves that this Court dismiss Appellant's case with prejudice.

Respectfully submitted,

ALAN WILSON
Attorney General

V. HENRY GUNTER, JR.
Assistant Attorney General

JIMMY A. RICHARDSON, II.
Solicitor, Fifteenth Judicial Circuit

BY: 
V. Henry Gunter, Jr.
S.C. Bar No. 102259

Office of the Attorney General
Post Office Box 11549
Columbia, SC 29211
(803) 734-3727

March 7, 2016

ATTORNEYS FOR RESPONDENT

STATE OF SOUTH CAROLINA

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RESPONDENT,

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BENNY L. WEBB,


APPELLANT.

PROOF OF SERVICE

I, Norma Bigbee, certify that I have served the Respondent's Motion To Dismiss on Petitioner by depositing a copy of the same in the United States mail, postage prepaid, addressed to: Benny L. Webb, 710 Windrow Drive, Sumter, SC 29150.

I further certify that all parties required by Rule to be served have been served.

This 7th day of March, 2016.


Norma Bigbee
Administrative Assistant
Office of Attorney General
Post Office Box 11549
Columbia, SC 29211
(803) 734-3727



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SC Court of Appeals

ALAN WILSON
ATTORNEY GENERAL

March 7, 2016

VIA HAND DELIVERY

The Honorable Jenny A. Kitchings
Clerk, South Carolina Court of Appeals
Post Office Box 11629
Columbia, SC 29211

RE: **State of South Carolina v. Benny L. Webb**
Appellate Case No: 2014-001848

Dear Ms. Kitchings:

Enclosed please find the Original Motion To Dismiss in the above case.

Sincerely,

V. Henry Gunter, Jr.
Assistant Attorney General
Bar No: 102259

VHG/nb

Enclosures

cc: Benny L. Webb, Esquire
Trisha Allen