

# The South Carolina Court of Appeals

The State,

Respondent,

v.

Perry Bernard Buchanan,

Appellant.

The Honorable R. Knox McMahon  
Lexington County  
Trial Court Case No. 2010-GS-32-01522

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## ORDER of DISMISSAL

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The appellant in this case was sentenced on appeal on September 2, 2011. The proof of service shows the Notice of Appeal was mailed to counsel for the Respondent twenty one (21) days after sentenced was imposed. Rule 203 (b) (2), SCACR.

Rule 203(b)(2) allows ten (10) days for this service. Further, Rule 263(b) prohibits this Court from extending the time for service of the Notice of Appeal.

The service of the Notice of Appeal was not timely. Under Rule 260(a), this appeal must be and is dismissed.

JOHN CANNON FEW, CHIEF JUDGE

BY V. Claire Allen, Deputy  
CLERK

Columbia, South Carolina

cc: David M. Mauldin, Senior Assistant Public Defender  
Chief Appellant Defender Robert M. Dudek  
Assistant Deputy Attorney General Salley W. Elliott

10/12/11  
**FILED**