

# The South Carolina Court of Appeals

The State, Respondent

v.

Johnny M. Thacker, Appellant.

Appellate Case No. 2012-212694

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## ORDER

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Because Appellant failed to timely serve and file the Notice of Appeal within ten days after the sentence was imposed, this appeal is dismissed and Appellant's motion to accept the filing of the Notice of Appeal is denied. *See* Rule 263(b), SCACR ("The time prescribed by these Rules for performing any act *except the time for serving the notice of appeal* . . . may be extended or shortened by the appellate court . . . ." (emphasis added)). The remittitur will be sent as required by Rule 221(b), SCACR.

  
FOR THE COURT

Columbia, South Carolina

cc:

Johnny Thacker

Salley W. Elliott

William David Bilton

**FILED**

*JW* 10/22/12