

NOTICE OF INTENT TO APPEAL
THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS
FROM BARNWELL COUNTY

The Honorable L. Casey Manning

June 1, 2016

Indictments # 2016-GS-06-00169 and 170

THE STATE OF SOUTH CAROLINA -- Respondent

VS.

Barney Keith Williams - Appellant

NOTICE OF INTENT TO APPEAL

Barney Keith Williams pled guilty to Burglary 2nd and Larceny on May 23, 2016 before the Honorable L. Casey Manning, in Barnwell, South Carolina. He appeals his conviction and sentence.



Wallis Alves
Post Office Box 267
Barnwell, SC 29812
Attorney for Defendant

Other Counsel of record is:

David W. Miller
Second Judicial Circuit
P.O. Drawer 3368
Aiken, SC 29802

RECEIVED

OCT 20 2016

SC Court of Appeals

FILED FOR RECORD
2016 JUN - 1 PM 3:21
RHONDA D. McELVEEN
CLERK OF COURT
BARNWELL COUNTY, S.C.

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM BARNWELL COUNTY
Court of General Sessions

L. Casey Manning, Circuit Court Judge

Indictments 2016-GS-06-00169 and 170

RECEIVED

OCT 20 2016

SC Court of Appeals

THE STATE OF SOUTH CAROLINA -- Respondent

vs.

Barney Keith Williams - Appellant

PETITION TO FILE APPEAL OUT OF TIME

Barney Keith Williams pled guilty to Burglary 2nd and Larceny on May 23, 2016 before the Honorable L. Casey Manning, in Barnwell, South Carolina. On June 1, 2016, he requested that an appeal be filed for his conviction and sentence.

On June 1, 2016, Attorney Wallis Alves completed the paperwork for the Notice of Intent to Appeal and served it on Deputy Solicitor David W. Miller and the Barnwell County Clerk of Court by hand delivery to their respective offices. (copy of paperwork attached)

On June 1, 2016, the original Notice of Intent to Appeal was mailed to the South Carolina Court of Appeals by certified mail, return receipt requested and a copy was mailed to the South Carolina Office of Appellate Defense by certified mail, return receipt requested. (copy of post office receipts attached)

The Domestic Return Receipt was received for the letter sent to the Office of Appellate Defense (copy attached) but the receipt for the Domestic Return Receipt for the letter sent to the Court of Appeals has never been returned.

The attorney for the Defendant only realized that the Court has not received their letter on October 18, 2016 when she contacted the Clerk of Court for the Court of Appeals.

The attorney did contact the Solicitor's office on October 18, 2016 and confirmed that the Deputy Solicitor did receive their copy of the Notice of Intent to Appeal on June 1, 2016. Therefore, the appeal was served on the opposing party timely but for some unknown reason, the original copy of the appeal was never received by the Court.

Therefore, the undersigned attorney for the Defendant respectfully requests that she be allowed to file the appeal of this conviction and sentence at this time.



Wallis Alves
Post Office Box 267
Barnwell, SC 29812
Attorney for Appellant

October 19, 2016

Other Counsel of record is:

David W. Miller
Second Judicial Circuit
P.O. Drawer 3368
Aiken, SC 29802

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM BARNWELL COUNTY
Court of General Sessions

L. Casey Manning, Circuit Court Judge

Indictments 2016-GS-06-00169 and 170

RECEIVED

OCT 20 2016

SC Court of Appeals

THE STATE OF SOUTH CAROLINA -- Respondent

vs.

Barney Keith Williams - Appellant

CERTIFICATE OF SERVICE

I, Wallis Alves, do hereby certify that I have this day served the Appellant's Petition to File Appeal Out of Time upon Deputy Solicitor David Miller and the Barnwell County Clerk of Court by hand delivery to their respective offices located within the Barnwell County Courthouse at 141 Main Street, Barnwell, SC.

Dated this 19th day of October, 2016



Wallis Alves
Post Office Box 267
Barnwell, SC 29812
803-541-1129

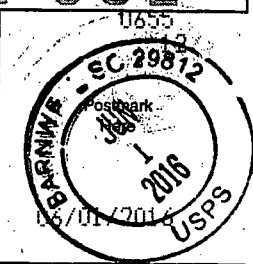
7008 1300 0001 4367 7492

U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

COLUMBIA, SC 29211
OFFICIAL USE

Postage	\$3.00
Certified Fee	\$2.70
Return Receipt Fee (Endorsement Required)	\$0.00
Restricted Delivery Fee (Endorsement Required)	\$0.00
Total Postage & Fees	\$5.70



Sent To
Street, Apt. No., or PO Box No.
City, State, ZIP+4

PS Form 3800, August 2006 See Reverse for Instructions

RECEIVED
OCT 20 2016
SC Court of Appeals

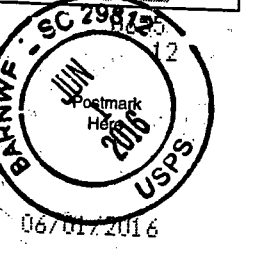
7008 1300 0001 4367 7485

U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

COLUMBIA, SC 29211
OFFICIAL USE

Postage	\$3.00
Certified Fee	\$2.70
Return Receipt Fee (Endorsement Required)	\$0.00
Restricted Delivery Fee (Endorsement Required)	\$0.00
Total Postage & Fees	\$5.70



Sent To
Street, Apt. No., or PO Box No.
City, State, ZIP+4

PS Form 3800, August 2006 See Reverse for Instructions

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 	<p>Signature: <i>[Signature]</i></p> <p><input checked="" type="checkbox"/> Agent <input checked="" type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name): <i>[Name]</i> C. Date of Delivery: <i>[Date]</i></p>
<p>1. Article Addressed to: <i>Lorraine Whitt French SC Appellate Defense 133 Lady Street Suite 401 Columbia, SC 29211</i></p>	<p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p> <p>3. Service Type <input type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p>
<p>2. Article Number (Transfer from service label) <i>BK Williams</i></p>	<p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>

=====

BARNWELL
 221 MAIN ST
 BARNWELL
 SC
 29812-9998
 4504600655
 06/01/2016 (800)275-8777 3:52 PM

=====

Product Description	Sale Qty	Final Price
---------------------	----------	-------------

First-Class Mail Letter	1	\$0.47
-------------------------	---	--------

(Domestic)
 (COLUMBIA, SC 29211)
 (Weight:0 Lb 1.00 Oz)
 (Expected Delivery Day)
 (Friday 06/03/2016)

Certified	1	\$3.30
-----------	---	--------

(USPS Certified Mail #)
 (70081300000143677492)

Return Receipt	1	\$2.70
----------------	---	--------

(USPS Return Receipt #)
 (9590952106150110691714)

First-Class Mail Letter	1	\$0.68
-------------------------	---	--------

(Domestic)
 (COLUMBIA, SC 29211)
 (Weight:0 Lb 1.60 Oz)
 (Expected Delivery Day)
 (Friday 06/03/2016)

Certified	1	\$3.30
-----------	---	--------

(USPS Certified Mail #)
 (70081300000143677485)

Return Receipt	1	\$2.70
----------------	---	--------

(USPS Return Receipt #)
 (9590952106150110691714)

First-Class Mail Letter	1	\$0.68
-------------------------	---	--------

(Domestic)
 (COLUMBIA, SC 29201)
 (Weight:0 Lb 1.50 Oz)
 (Expected Delivery Day)
 (Friday 06/03/2016)

Certified	1	\$3.30
-----------	---	--------

(USPS Certified Mail #)
 (70081300000143677478)

Return Receipt	1	\$2.70
----------------	---	--------

(USPS Return Receipt #)
 (9590952106150110691714)

First-Class Mail Large Envelope	1	\$1.15
---------------------------------	---	--------

(Domestic)
 (BAMBERG, SC 29003)
 (Weight:0 Lb 1.40 Oz)
 (Expected Delivery Day)
 (Friday 06/03/2016)

PM 2-Day	1	\$6.80
----------	---	--------

(Domestic)
 (COLUMBIA, SC 29203)
 (Weight:1 Lb 15.70 Oz)
 (Expected Delivery Day)
 (Friday 06/03/2016)

(USPS Tracking #)
 (9505 5117 6396 6153 0812 58)

Insurance	1	\$0.00
-----------	---	--------

(Up to \$50.00 included)

PM 3-Day	1	\$6.70
----------	---	--------

(Domestic)
 (BEAR CREEK, NC 27207)
 (Weight:0 Lb 6.10 Oz)

RECEIVED

OCT 20 2016

SC Court of Appeals

NOTICE OF INTENT TO APPEAL
State of South Carolina
vs.
Barney Keith Williams - Appellant
2016-GS-06-00169 and 170

RECEIVED

OCT 20 2016

SC Court of Appeals

CERTIFICATE OF SERVICE

I, Wallis Alves, do hereby certify that I have this day served the original of Appellate's Notice to Appeal upon the South Carolina Court of Appeals, and copies of Appellate's Notice of Intent to Appeal to the Clerk of Court of Barnwell County, by placing same in the United States Mail properly addressed as shown below and with correct postage affixed thereto. I further certify that I served a copy of the Notice of Intent to Appeal upon the Barnwell County Clerk of Court and Deputy Solicitor David Miller by hand delivery to their respective offices located within the Barnwell County Courthouse at 141 Main Street, Barnwell, SC.

South Carolina Court of Appeals
Post Office Box 11629
Columbia, SC 29211

South Carolina Commission
Of Appellate Defense
P. O. Box 11589
Columbia, SC 29211

FILED FOR RECORD
2016 JUN - 1 PM 3: 21
RHONDA D. McELVEEN
CLERK OF COURT
BARNWELL COUNTY, S.C.

Dated this 1st day of June, 2016



Wallis Alves
Post Office Box 267
Barnwell, SC 29812
803-541-1129