

The Supreme Court of South Carolina

Geraldine Brockington, Petitioner,

v.

State of South Carolina, Respondent.

Appellate Case No. 2016-001877

Lower Court Case No. 2013CP2101340

ORDER

The order of dismissal in this post-conviction relief case is dated July 18, 2016, and this order was filed with the clerk of the circuit court on July 22, 2016. Petitioner has filed a *pro se* notice of appeal from this order. While this notice of appeal is undated, the cover letter for the notice of appeal is dated September 9, 2016. No proof of service was provided for this *pro se* notice of appeal.

Petitioner's counsel has now filed a notice of appeal with this Court. In this notice of appeal, counsel states that she received written notice of the order on appeal on July 29, 2016. The proof of service for this notice of appeal indicates that it was served on the opposing counsel on October 24, 2016.

Based on petitioner's failure to timely serve the notice of appeal as required by Rules 243(b) and 203(b)(1) of the South Carolina Appellate Court Rules, the notice of appeal is dismissed. The remittitur will be sent as provided by Rule 221(b), SCACR.

FOR THE COURT

BY



CLERK

Columbia, South Carolina

November 2, 2016

cc: Holly Huggins Wall, Esquire
James Rutledge Johnson, Esquire
Mr. Geraldine Brockington, 352726