

STATE OF SOUTH CAROLINA  
In The Court of Appeals

**RECEIVED**

NOV 29 2016

APPEAL FROM RICHLAND COUNTY  
Court of General Sessions

SC Court of Appeals

The Honorable Frank R. Addy, Jr., Circuit Court Judge

Appellate Case No. 2016-002028

THE STATE,

RESPONDENT,

v.

CEDRIC BOUVOIR CHICK,

APPELLANT.

**MOTION TO DISMISS APPEAL FOR LACK OF JURISDICTION**

The State hereby moves this Court to dismiss Appellant's direct appeal based upon a lack of appellate jurisdiction. The basis for this motion is set forth below.

**Background Facts**

Appellant was indicted at the April, 2015 term of the Richland County Grand Jury for habitual traffic offender (2015-GS-40-1636). On September 22, 2016, he appeared before the Honorable Frank R. Addy, Jr., and pled guilty as indicted. Appellant was represented at the plea by George R. McElveen, III, Esquire. Judge Addy sentenced Appellant to five (5) years' imprisonment. (Exhibit#1, Indictment & Sentencing Sheet). Four days after the plea, on September 26, 2016, Appellant submitted a *pro se* notice of appeal with this Court along with a

Certificate of Service by Mail indicating his *pro se* filing was served on this Court, the Richland County Clerk of Court, the Fifth Circuit Solicitor's Office, the Richland County Public Defender's Office, Christian Grant, Esquire, and his plea attorney, George McElveen, Esquire. (See Exhibit #2, Notice of Appeal). Attached to Appellant's Notice of Appeal were copies of several *pro se* pretrial motions he previously submitted to the Court of General Sessions including a Motion to Dismiss Charges, a Motion for Counsel, and Motion for Writ of Mandamus. (See Exhibit #3, June 2, 2016, Motions). On October 4, 2016, this Court wrote to Mr. McElveen, with a copy to Appellant, noting deficiencies in the Notice of Appeal which it warned "must be corrected within ten (10) days of the date of this letter or your appeal may be dismissed. (See Exhibit #4, Letter). The State is not aware of any response to this Court's letter.

### Discussion

The South Carolina Appellate Court Rules state, in pertinent part:

After a plea or trial resulting in conviction or a proceeding resulting in revocation of probation, a notice of appeal shall be served on all respondents **within ten (10) days after the sentence is imposed**. In all other cases, a notice of appeal shall be served on all respondents within ten (10) days after receipt of written notice of entry of the order or judgment. When a **timely** post-trial motion is made under Rule 29(a), SCRCrimP, the time to appeal shall be stayed and shall begin to run from receipt of written notice of entry of an order granting or denying such motion (emphasis added):

Rule 203, SCACR. The South Carolina Rules of Criminal Procedure provide, in pertinent part, that post-trial motions shall be made **within ten days** after the imposition of the sentence and that the time for appeal shall be stayed by a **timely** post-trial motion and shall run from the receipt of written notice of entry of the order granting or denying such motion. Rule 29, SCRCrimP.

In Miller v. State, the South Carolina Supreme Court stated as follows:

Since there is no right to “hybrid representation” that is partially *pro se* and partially by counsel, substantive documents, with the exception of motions to relieve counsel, filed *pro se* by a person represented by counsel are not to be accepted unless submitted by counsel. State v. Stuckey, 333 S.C. 56, 508 S.E.2d 564 (1998); Foster v. State, 298 S.C. 306, 379 S.E.2d 907 (1989). Because petitioner was represented by counsel, the *pro se* motion was not proper, should not have been accepted, and should not have been ruled upon. **The motion was essentially a nullity.** We therefore vacate the order ruling on the motion and dismiss petitioner's notice of appeal as moot. We also take this opportunity to remind judges and clerks of court of our directive in Foster not to accept substantive documents, with the exception of motions to relieve counsel, filed *pro se* by a party who is represented by counsel (emphasis added).

388 S.C. 347, 697 S.E.2d 527 (2010). This Court recently reached a similar conclusion in dismissing a criminal appeal for a lack of appellate jurisdiction. State v. Devore, 416 S.C. 115, 123-24, 784 S.E.2d 690, 694-95 (Ct. App. 2016) (“Since Devore was represented by counsel, his *pro se* motion was not proper and could not be accepted. . . . Because Devore’s *pro se* filings were a nullity, there was no proper notice of appeal served or post-trial motion made within ten days of imposition of his sentence, and this court does not have appellate jurisdiction.”).

In Appellant’s case, there was no proper, timely motion for reconsideration or notice of appeal served or filed within ten days after the sentence was imposed. Appellant was admittedly represented by counsel at the time he pled guilty and at the time he submitted the *pro se* notice of appeal to this Court. (See Exhibit #3 ). Under Miller and Devore, this document was an improper *pro se* filing that should not have been - and could not properly have been – accepted by this Court; it was a nullity. Devore, 416 S.C. at 123-24, 784 S.E.2d at 694-95; Miller at 347, 697 S.E.2d at 527; see also Jones v. State, 348 S.C. 13, 14, 558 S.E.2d 517, 517 (2002) (“There is no constitutional right to hybrid representation either at trial or on appeal.”); Foster v. State, 298 S.C. 306, 307, 379 S.E.2d 907, 907 (1989) (ordering the Clerk of Court to return a substantive *pro se*

document filed while the petitioner was represented by counsel). Therefore, the letter could not operate as a notice of appeal or a motion for reconsideration that would stay the time period for the filing of the appeal.

Since no proper motion for reconsideration or notice of appeal was filed within ten days of Appellant's conviction, this Court has no jurisdiction over Appellant's case and must dismiss his appeal. See Hill v. South Carolina Dept. of Health and Environmental Control, 389 S.C. 1, 21, 698 S.E.2d 612, 623 (2010) ("The service of a notice of appeal is a **jurisdictional requirement**, and the time for service may not be extended by this Court."); Canal Ins. Co. v. Caldwell, 338 S.C. 1, 5, 24 S.E.2d 416, 418 (Ct. App. 1999) (in a civil case, pointing out that Rule 203(b), SCACR, requires a party to serve his notice of appeal within thirty days after receiving written notice of the entry of a final order or judgment, and failure to do so divests this court of jurisdiction "and results in dismissal of the appeal"); see also Henning v. Kaye, 307 S.C. 436, 437, 415 S.E.2d 794, 794 (1992) ("[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."). Although this required dismissal will prevent Appellant from challenging his conviction in a direct appeal, Appellant's issues can be raised in a post-conviction relief application.

### Conclusion

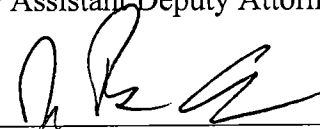
Based upon the foregoing, the State respectfully requests that this Court dismiss Appellant's appeal for lack of appellate jurisdiction.

Respectfully submitted,

ALAN WILSON  
Attorney General

J. BENJAMIN APLIN  
Senior Assistant Deputy Attorney General

BY:

  
\_\_\_\_\_  
J. Benjamin Aplin

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

**ATTORNEYS FOR RESPONDENT**

November 30, 2016

# EXHIBIT #1

COUNTY OF Richland  
STATE VS.

IN THE COURT OF GENERAL SESSIONS

AKA: Cedric Bouvoir Chick

INDICTMENT/CASE#: 2015GS4001636  
A/W#: 90571GX  
Date of Offense: 12/5/2014  
S.C. Code § : 56-01-1100  
CDR Code #: 0057

Race: BLACK Sex: M Age: 51  
DOB: 12-06-1964 SS#: 250-41-2496  
Address: 505 Sparkleberry Ln  
City, State, Zip: Columbia, SC 29229-8609  
DL#: 008112252 SID#:

\*CDL Yes  No  CMV Yes  No  Hazmat Yes  No

In disposition of the said indictment comes now the Defendant who was

TO: Traffic / Habitual Traffic Offenders, DUS as per Habitual Traffic Offender status  CONVICTED OF or  PLEADS

in violation of § 56-01-1100 of the S.C. Code of Laws, bearing CDR Code # 0057  
 NON-VIOLENT  VIOLENT  SERIOUS  MOST SERIOUS  Mandatory GPS(CSC §17-25-45 w/minor 1st or Lewd Act)

The charge is:  As Indicted,  Lesser Included Offense,  Defendant Waives Presentment to Grand Jury.  
The plea is:  Without Negotiations or Recommendation,  Negotiated Sentence,  Recommendation by the State. (defendant's initials)

ATTEST: Berry Joe 101676 SC Bar# Defendant Attorney for Defendant 3802 SC Bar#

WHEREFORE, the Defendant is committed to the  State Department of Corrections,  County Detention Center,  
for a determinate term of 5 days/months/years or  under the Youthful Offender Act not to exceed \_\_\_\_\_ years  
and/or to pay a fine of \$ \_\_\_\_\_; provided that upon the service of \_\_\_\_\_ days/months/years and/or payment  
of \$ \_\_\_\_\_; plus costs and assessments as applicable\*; the balance is suspended with probation for \_\_\_\_\_

months/years and subject to South Carolina Department of Probation, Parole and Pardon Services standard conditions of probation, which are incorporated by reference.

CONCURRENT or  CONSECUTIVE to sentence on: 15-65-40-3701  
 The Defendant is to be given credit for time served pursuant to S.C. Code § 24-13-40 to be calculated and applied by the State Department of Corrections. Audit 382 days in jail

The Defendant is to be placed on the Central Registry of Child Abuse and Neglect pursuant to S.C. Code §17-25-135.  
Pursuant to 18 U.S.C Section 922, it is unlawful for a person convicted of a violation of Section 16-25-20 or 16-25-65 (Domestic Violence ) to ship, transport, possess, or receive a firearm or ammunition.

SPECIAL CONDITIONS:

RESTITUTION:  Deferred  Def. Waives Hearing  Ordered PTUP  
Total: \$ \_\_\_\_\_ plus 20% fec: \$ \_\_\_\_\_  
Payment Terms: \_\_\_\_\_  
 Set by SCDPPPS \_\_\_\_\_

Recipient: \_\_\_\_\_  
Obtain GED   
Attend Voc. Rehab. or Job Corp. \_\_\_\_\_  
May serve W/E beginning \_\_\_\_\_  
Substance Abuse Counseling

\*Fine: \_\_\_\_\_ \$  
§ 14-1-206 (Assessments 107.5 %) \_\_\_\_\_ \$  
§ 14-1-211(A)(1) (Conv. Surcharge) \$100 \$  
§ 14-1-211(A)(2) (DUI Surcharge) \$100 \$  
§ 56-5-2995 (DUI Assessment) \$12 \$  
§ 56-1-286 (DUI Breath Test) \$25 \$

Proviso 61.6 (Public Def/Probation) \$500 \$  
§ 14-1-212 (Law Enforc. Funding) \$25 \$  
§ 14-1-213 (Drug Court Surcharge) \$150 \$  
§ 50-21-114(BUI Breath Test Fee) \$50 \$  
§ 56-5-2942(J) (Vehicle Assessment) \$40/ea \$  
3% to County (if paid in installments) \$

TOTAL \$ \_\_\_\_\_  
Other: ATTN **SCANNED**

Clerk of Court/ Deputy Clerk Jeanette McBride B  
Court Reporter: Belly  
Presiding Judge Fulbright  
Judge Code: 2157  
Sentence Date: 9-22-16

WITNESSES

(S) Kyle Gilbert

- Columbia Police Department

DOCKET NO. 2015GS4001636

The State of South Carolina

County of

Richland

After being fully advised as to my legal rights, I hereby waive presentment to the Grand Jury.

Defendant

I hereby appear in my own proper person and plead guilty to the within indictment or to

COURT OF GENERAL SESSIONS

APRIL TERM 2015

72

ARREST WARRANT NUMBER

90571GX

*Cedric Bouvoir Chick*  
Defendant

THE STATE

vs.

Witness:

C.C.C. PLS. AND G.S.

ACTION OF GRAND JURY

TRUE BILL

Cedric Bouvoir Chick

*Constance J. Sample*  
Foreperson of Grand Jury  
Date: APR 09 2015

VERDICT

Indictment for  
TRAFFIC / HABITUAL TRAFFIC  
OFFENDERS, DUS AS PER HABITUAL  
TRAFFIC OFFENDER STATUS

SC Code: 56-01-1100  
CDR Code: 0057

Foreperson of Petit Jury  
Date:

STATE OF SOUTH CAROLINA )  
COUNTY OF RICHLAND )

INDICTMENT

At a Court of General Sessions, convened on April 8, 2015, the  
Grand Jurors of Richland County present upon their oath:

HABITUAL TRAFFIC OFFENDER

CDR: 0057 56-01-1100

That Cedric Bouvon Chick did in Richland County on or about December 5, 2014,  
drive a motor vehicle on a public highway of this state after having been declared  
an Habitual Offender by the South Carolina Department of Public Safety, in  
violation of Section 56-01-1100, S. C. Code of Laws, 1976, as amended.

Against the peace and dignity of the State, and contrary to the  
statute in such case made and provided.

  
DAN JOHNSON, SOLICITOR

# EXHIBIT #2

THE STATE OF SOUTH CAROLINA  
THE COURT OF APPEALS

Cedric Chick, Appellant

IN THE APPELLATE COURT

V.S.

Case No. 90520 GX; 90571 GX;  
90572 GX; 90573 GX; 90574 GX;  
and GX 2015A40216 00683

STATE OF SOUTH CAROLINA

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NOTICE OF APPEAL

SEP 28 2016

Respondent.

SC Court of Appeals

Now Comes the above stated Appellant to Appeal his guilty Plea entered on Sept. 22, 2016, Judge Adly Presiding, In accordance with S.C. Court Rules, Rule 203 (b) (2) Within the (10) day time period, and would also state that the plea has not yet been reduced to writing, and therefore request that this matter be accepted as timely and properly filed, whereby there are issues for Review.

- 1) The Appellant contends that his Attorney George McIlveen erroneously advised the Appellant to plead guilty to the above captioned charges to a sentence of (5) Five years, whereby he was told by counsel that he would receive a "Sentence of Time Served," and that he paid counsel (\$2000,500) Two Thousand Five Hundred Dollars in return for such plea. Counsel did also inform the Appellant's Mother and Sister of the Same, but he then purposefully misadvised the Appellant of the plea.

2) Counsel failed to have Appellant's Petition for Writ of Mandamus, and Motion to Dismiss Charges heard and Ruled upon prior to any such plea of guilty, whereby Appellant argues that the State lacked Subject Matter Jurisdiction to even accept such plea of guilty, and Counsel convinced Appellant that he would be released with time served.

Appellant would state that he has been Detained for 12 months, and that his charges have been pending for more than two (2) years without indictments or trial, as well as he has been charged with offenses in "two locations at the same date and time," and that Counsel was to present these matters before any plea, but led Appellant to believe that he would get time served for a couple of his traffic tickets and the rest would be dropped.

Wherefore the Appellant contends that he was wrongfully advised to plead guilty because he did not fully know and understand what he was doing, Counsel told him not to say anything about the time served agreement on his Mandamus and Motion to Dismiss because the judge would not accept the plea. The Appellant now respectfully request of this Court to withdraw his plea of guilty and instead seek a trial by jury. (See Attached Writ of Mandamus and Motion To Dismiss Charges)

THE STATE OF SOUTH CAROLINA  
THE COURT OF APPEALS

Cedric Chick, Appellant

IN THE APPELLATE COURT

v.s.

Case No. 90570 Gx; 90571 Gx;  
90572 Gx; 90573 Gx; 90574 Gx;  
and Gx 2015 A402 1600 G 83

RECEIVED

SEP 28 2016

SC Court of Appeals

STATE OF SOUTH CAROLINA

Respondent.

CERTIFICATE OF  
SERVICE BY MAIL

The above named Appellant swears under the laws of perjury that he mailed the original enclosed Notice of Appeal to the S.C. Court of Appeals Office of the Clerk to 1015 Sumter St, Columbia S.C. 29201, and complete copies to Jeannette W. McBride, Chief Clerk, P.O. Box 2966, Columbia, S.C. 29202, Fifth Circuit Solicitor's office 1701 Main St, Columbia, S.C., Richland County, Public Defenders office Christian Grant, and George McKeen, 2229 Bull St, Columbia, SC. 29201, by depositing the same in the U.S. Mail at the Alvin S. Gleen Detention Center 201 John Mark Dial Drive, Columbia, SC, 29209

Sworn to and subscribed before

S/Cedric Chick

on the 26th day of September, 2016

Appellant Pro, Se

Anthony Signature

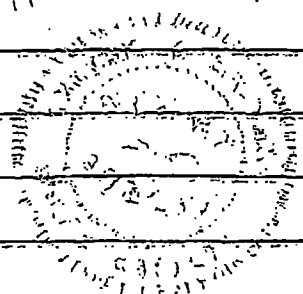
My Commission Expires on

4-28-2025

My Commission Expires on

CC: File

3



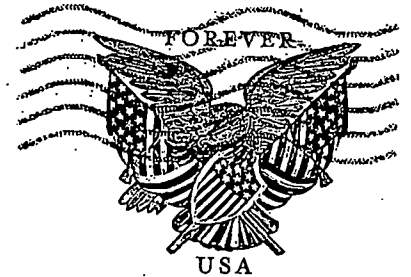
Cedric Bouvois Chick 97929  
201 John Mark Deal Drive  
Columbia, S.C. 29209

**RECEIVED**

SEP 28 2016  
SC Court of Appeals

COLUMBIA SC 290

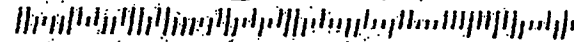
23 SEP 2016 PM 2 L



(Legal Mail)

S.C. Court of Appeals  
Office of the clerk  
1015 Sumter St  
Columbia, S.C. 29201

29201-374905



# EXHIBIT #3

# THE STATE OF SOUTH CAROLINA

In The County of Richland

Fifth Judicial Circuit

Cedric Chick, Movant

v.

State of South Carolina,

Respondent.

IN THE COURT OF GENERAL SESSIONS

Case No. 90570 GX, 90571 GX,  
90572 GX, 90573 GX, 90574  
GX, GX 2015 A 4021600683

MOTION TO DISMISS  
CHARGES

**RECEIVED**

SEP 28 2016

SC Court of Appeals

The above named Movant now comes before this Honorable Court to request a Dismissal of the above stated charges based upon the following facts:

- 1) I contend that the court lacks "Subject Matter Jurisdiction" to try me, whereby the State has failed to "Timely Indict." I have never been indicted by a grand jury within the time limits set by law, the Richland County Solicitor's office is in violation of S.C. Court Rule 3, whereby no indictment was prepared in 90 Days as stated by law, nor have I been indicted in Three (3) whole Court Terms, all in violation of the S.C. Rules of Civil Procedure, Rule 65, and Title 17-23-90 of the S.C. Code of Laws.
- 2) The Movant was stated in the Incident Report to have had a collision with another vehicle, but has never been served a warrant, nor can any officer attest to the Movant driving a car at the time of the alleged accident, and there are no documents of an accident in the Rule-5 Discovery, and no "Indictment."

(3) The Movant would also contend that he has never been charged with any "Traffic Accident" in connection with the "captioned warrants" in this case, whereby he was never "TicKeted at scene of s/lleged Accident."

Wherefore, based upon all of the stated facts in this action, the Movant request of this honorable court to Oder a Dismissal of All Charges, or in the alternative Grant Immediate Release on Bail of his own Recognizance, as well as any other relief deemed necessary by this honorable Court.

Sworn to and Subscribed by me  
on this 2 day of June 2016

2016

Jude Ag...  
Notary Signature

7 Aug 2024  
My Commission Expires on

Date: June 7-2016

S/ Cedric Chick #

Alvin S. Glenn Detention Center  
20 Dial Mark Drive  
Columbia, SC 29209

# THE STATE OF SOUTH CAROLINA

In The County of Richland  
Fifth Judicial Circuit

IN THE COURT OF GENERAL  
SESSIONS

Cedric Chick, Movant

CASE NO. 90570 GX, 90571 GX,  
90572 GX, 90573 GX, 90574  
GX, GX2015A4021600683

v.

State of South Carolina,  
Respondent.

MOTION FOR  
COUNSEL

RECEIVED

SEP 28 2016

SC Court of Appeals

The above named Movant now comes before this honorable Court to request that he be appointed Co-Counsel in the above captioned matters, and to have his Pro, Se enclosed Motion For Writ of Mandamus, and Motion To Dismiss Charges be accepted and Heard by the Court as Properly and Timely Filed.

Movant would also state that he is not sure as to whom his attorney or attorneys of Record are because he has had very little to no contact with them in many months and require their assistance on the pleadings.

Wherefore the Movant prays this Court will grant this and all matters filed in this Court to be heard in as soon a time as possible.

s/ Cedric Chick  
Alvin S. Green Detention Center  
201 John Mark Dial Drive  
Columbia, S.C. 29209

# THE STATE OF SOUTH CAROLINA

In The County of Richland  
Fifth Judicial Circuit

Cedric Chick, Movant

v.

State of South Carolina,  
Respondent.

IN THE COURT OF GENERAL SESSIONS

Case No. ~~90570 Gx, 90571 Gx,~~  
~~90572 Gx, 90573 Gx, 90574 Gx,~~  
~~Gx 2015A4021600683.~~

MOTION FOR WRIT OF  
MANDAMUS RECEIVED

SEP 28 2016  
SC Court of Appeals

Now comes the above stated Movant in the above captioned matter requesting of this honorable court a Motion for Petition for Writ of Mandamus based upon the following facts.

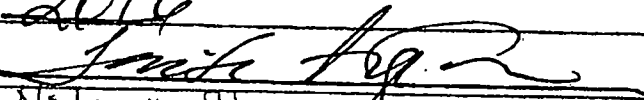
The Movant would request of this court to "Dismiss All charges" stated above, whereby the court is without "subject matter jurisdiction" to prosecute because (1) the court has failed to timely indict the movant within 90 days, nor has he been indicted within "Three (3) Full Court Terms in accordance the S.C. Rules of Civil Procedure, rule 65, and S.C. Code of Laws Title 17-23-90, as well as S.C. Court Rule 3.

2) The above stated warrants are not supported by sufficient evidence to prosecute, whereby there are "Inconsistencies" in the warrants, warrant numbers 90571 and 90572 places Movant at Bull & Elmwood streets at the exact same time that he has alleged to have been at Bull & Handen street, and the movant contends that he could not be in both places at the same time.

(3) The Movant would also contend that he has never been charged with any "Traffic Accident" in connection with the "captioned warrants" in this case, whereby he was never "TicKeted at Scene of sllledged Accident."

Wherefore, based upon all of the stated facts in this action, the Movant request of this honorable court to Oder a Dismissal of All Charges, or in the alternative Grant Immediate Release on Bail of his own Recognizance, as well as any other relief deemed necessary by this honorable Court.

Sworn to and Subscribed by me  
on this 2 day of June 2016  
2016

  
Notary Signature

7 Aug 2024  
My Commission Expires ON

Date: June 7-2016

S/ Cedric Chick<sup>\*\*</sup>

Allin S. Glens Detention Center  
20 Dial Mark Drive  
Columbia, SC 29209

# EXHIBIT #4



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OCT 10 2016

ATTORNEY GENERALS  
**The South Carolina Court of Appeals**

JENNY ABBOTT KITCHINGS  
CLERK

V. CLAIRE ALLEN  
DEPUTY CLERK

POST OFFICE BOX 11629  
COLUMBIA, SOUTH CAROLINA 29211  
1220 SENATE STREET  
COLUMBIA, SOUTH CAROLINA 29201  
TELEPHONE: (803) 734-1890  
FAX: (803) 734-1839  
[www.sccourts.org](http://www.sccourts.org)

October 04, 2016

Mr. George R. McElveen, III, Esquire  
Mcelveen & Mcelveen  
2229 Bull Street  
Columbia SC 29201


Re: The State v. Cedric Chick  
Appellate Case No. 2016-002028

Dear Counsel:

Upon reviewing your client's notice of appeal, the following deficiency or deficiencies have been noted under the South Carolina Appellate Court Rules (SCACR), and any deficiency must be corrected within ten (10) days of the date of this letter or your appeal may be dismissed:

- Since this is an appeal from a guilty plea, nolo contendere plea, or plea pursuant to Alford, Rule 203(d)(1)(B)(iv) of the South Carolina Appellate Court Rules requires "a written explanation showing that there is an issue which can be reviewed on appeal. The Court received an explanation from the appellant, but since he has named you as counsel the Court now needs an explanation from you. This explanation should identify the issue(s) to be raised on appeal and the factual basis for the issue(s) including how the issue(s) was raised below and the ruling of the lower court on that issue(s). If an issue was not raised to and ruled on by the lower court, the explanation shall include argument and citation to legal authority showing how this issue can be reviewed on appeal."

Very truly yours,

Tommy ~~Abbot~~ ~~Richings~~ 

CLERK

cc: Cedric Bouvoir Chick, 353483  
Robert Michael Dudek, Esquire  
John Benjamin Aplin, Esquire  
Alan McCrory Wilson, Esquire

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NOV 29 2016

SC Court of Appeals

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

\_\_\_\_\_  
Appeal from Richland County  
The Honorable Frank R. Addy, Jr., Presiding Judge

\_\_\_\_\_  
Appellate Case No: 2016-002028  
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THE STATE,

Respondent,

vs.

CEDRIC BOUVOIR CHICK,

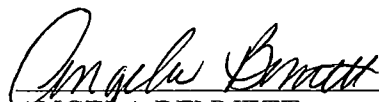
Appellant.

\_\_\_\_\_  
**PROOF OF SERVICE**  
\_\_\_\_\_

I, Angela Bennett, certify that I have served the Motion to Dismiss Appeal for Lack of Jurisdiction on appellant by depositing two copies of the same in the United States mail, postage prepaid, addressed to Mr. Cedrick B. Chick, #353483, Kirkland Correctional Inst, 4344 Broad River Road, Columbia, SC 29210 and to his attorney George R. McElveen, III, Esquire, 2229 Bull Street, Columbia, SC 29201.

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

This 29<sup>th</sup> day of December, 2016.

  
\_\_\_\_\_  
ANGELA BENNETT  
Administrative Coordinator

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



ALAN WILSON  
ATTORNEY GENERAL

November 29, 2016

RECEIVED  
NOV 29 2016  
SC Court of Appeals

The Honorable Jenny A. Kitchings  
Clerk, South Carolina Court of Appeals  
P.O. Box 116629  
Columbia, South Carolina 29211

Re: The State v. Cedric Bouvoir Chick  
Appellate Case No: 2016-002028

Dear Ms. Kitchings:

Enclosed please find the original and six copies of the Motion to Dismiss Appeal for Lack of Jurisdiction along with proof of service in the above-referenced case.

Sincerely,

J. Benjamin Aplin  
Senior Assistant Deputy Attorney General  
S.C. Bar No: 8729

JBA/ab  
Enclosures

cc: Cedric B. Chick, #353483  
George R. McElveen, III, Esquire  
Ms. Trisha Allen