

**RICHEY AND RICHEY**  
ATTORNEYS AT LAW

*A PROFESSIONAL ASSOCIATION*

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**RECEIVED**

**MAR 27 2017**

March 23, 2017

S.C. SUPREME COURT

The Honorable Daniel E. Shearouse  
Clerk of Court  
The Supreme Court of South Carolina  
Post Office Box 11330  
Columbia, SC 29211

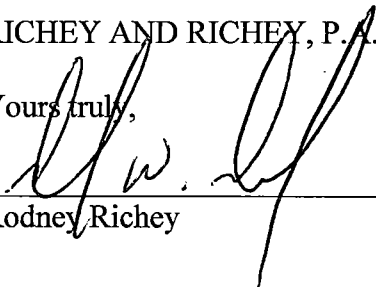
Re: Travis Centell Abercrombie. v. State of South Carolina  
Case No: 2016-CP-23-02641

Dear Mr. Shearouse:

Please find enclosed a Notice of Appeal and an affidavit of service for the same. Also, I have enclosed a copy of the Order from which the appeal is taken. I have enclosed copies for you to file and return to me. Thank you for your help and if you should have any questions please feel free to call me.

RICHEY AND RICHEY, P.A.

Yours truly,

  
\_\_\_\_\_  
Rodney Richey

RWR/  
enclosures

cc: Jessica E. Kinard, Esquire

THE STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

APPEAL FROM GREENVILLE COUNTY  
Court of Common Pleas

HONORABLE BROOKS P. GOLDSMITH

2016-CP-23-02641

TRAVIS CENTELL ABERCROMBIE, SCDC# 351630

APPELLANT,

against

STATE OF SOUTH CAROLINA,

RESPONDENT.

**RECEIVED**

MAR 27 2017

S.C. SUPREME COURT

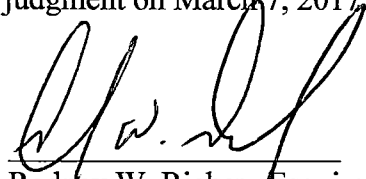
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**NOTICE OF APPEAL**

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Travis Centell Abercrombie appeals the denial of his Post Conviction Relief. The Post Conviction Relief Action was heard and denied by the Honorable, Brooks P. Goldsmith, Circuit Judge on February 22, 2017 an Order issued on February 22, 2017 and filed on March 3, 2017.

The Appellant received notice of the judgment on March 7, 2017.



Rodney W. Richey, Esquire  
Attorney for the Appellant  
33 Market Point Drive  
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Attorney for Travis Centell Abercrombie

Other Counsel of Record:  
Jessica E. Kinard, Esquire  
Office of Attorney General State of SC  
Post Office Box 11549  
Columbia, SC 29211-1549

THE STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

APPEAL FROM GREENVILLE COUNTY  
Court of Common Pleas

HONORABLE BROOKS P. GOLDSMITH

2016-CP-23-02641

TRAVIS CENTELL ABERCROMBIE, SCDC# 351630

APPELLANT,

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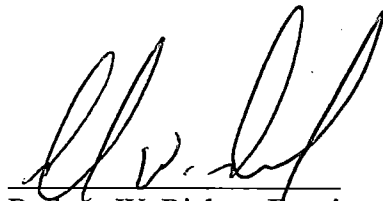
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**AFFIDAVIT OF SERVICE**

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I certify that I have served the Notice of Appeal on the State of South Carolina by depositing copy of it in the United States Mail, postage prepaid, on March 23, 2017, addressed to their attorney of record, Jessica E. Kinard, Esquire, Office of Attorney General State of South Carolina, Post Office Box 11549, Columbia, SC 29211-1549.

Dated: March 23, 2017



Rodney W. Richey, Esquire  
Attorney for the Appellant  
33 Market Point Drive  
Post Office Box 10916  
Greenville, South Carolina 29603  
(864) 467-0503  
Attorney for Travis Centell Abercrombie

Other Counsel of Record:  
Jessica E. Kinard, Esquire  
Office of Attorney General State of SC  
Post Office Box 11549  
Columbia, SC 29211-1549

STATE OF SOUTH CAROLINA  
COUNTY OF GREENVILLE  
IN THE COURT OF COMMON PLEAS

JUDGMENT IN A CIVIL CASE  
CASE NO: 2016CP2302641

FILED-CLERK OF COURT  
GREENVILLE CO. S.C.  
PAUL B. WICKENSIMER  
2016 APR 3 PM 11 50

**Travis Centell Abercrombie vs. South Carolina State Of**

**CHECK ONE:**

- JURY VERDICT.** This action came before the court for a trial by jury. The issues have been tried and a verdict rendered.
  
- DECISION BY THE COURT.** This action came to trial or hearing before the court. The issues have been tried or heard and a decision rendered.
  
- ACTION DISMISSED (CHECK REASON):**                       Rule 12(b), SCRPC;                       Rule 41(a),  
SCRPC (Vol. Nonsuit);                       Rule 43(k), SCRPC (Settled);                       Other: \_\_\_\_\_
  
- ACTION STRICKEN (CHECK REASON):**                       Rule 40(j) SCRPC;                       Bankruptcy:  
 Binding arbitration, subject to right to restore to confirm, vacate or modify arbitration award;  
 Other: \_\_\_\_\_
  
- DISPOSITION OF APPEAL TO THE CIRCUIT COURT (CHECK APPLICABLE BOX):**  
 Affirmed;                       Reversed;                       Remanded;  
 Other: \_\_\_\_\_

NOTE: ATTORNEYS ARE RESPONSIBLE FOR NOTIFYING LOWER COURT, TRIBUNAL, OR ADMINISTRATIVE AGENCY OF THE CIRCUIT COURT RULING IN THIS APPEAL.

IT IS ORDERED AND ADJUDGED:                       See attached order;                       Statement of Judgment by the Court:  
Dated at Greenville, South Carolina, this . . .

Court Reporter:

**PRESIDING JUDGE - Brooks P Goldsmith**

This judgment was entered on the , and a copy mailed first class this , to attorneys of record or to parties (when appearing pro se) as follows:

**Rodney Wade Richey** PO Box 10916 Greenville,  
SC 29603-0916

**Jessica Elizabeth Kinard** PO Box 11549 Columbia,  
SC 29211

**ATTORNEY(S) FOR THE PLAINTIFF(S)**

**ATTORNEY(S) FOR THE DEFENDANT(S)**

**Paul B. Wickensimer** Greenville County Clerk Of Court  
- Clerk of Court

STATE OF SOUTH CAROLINA )  
COUNTY OF GREENVILLE )

IN THE COURT OF COMMON PLEAS  
THIRTEENTH JUDICIAL CIRCUIT

Travis Centell Abercrombie, #351630, )

2016-CP-23-02641

Applicant, )

**ORDER OF DISMISSAL**

v. )

State of South Carolina, )

Respondent. )

FILED-CLERK OF COURT  
GREENVILLE CO. S.C.  
PAUL B. WICKENSIMMER  
2017 MAR 3 AM 11:50

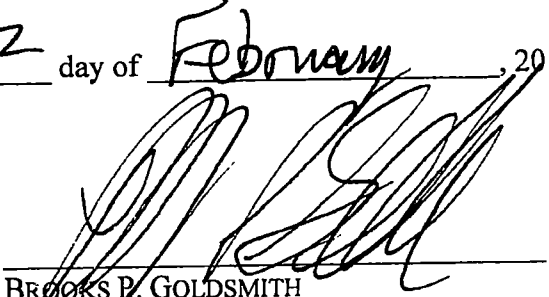
This matter comes before the Court by way of an application for post-conviction relief (PCR) filed April 26, 2016. Respondent made its Return and Motion to Dismiss on October 19, 2016, requesting the application be summarily dismissed based upon the expiration of the statute of limitations.

A hearing over the State's Motion to Dismiss was held on February 22, 2017. Applicant was present and represented by Rodney W. Richey, Esquire. Respondent was represented by Assistant Attorney General Jessica E. Kinard.

This Court finds that Applicant has failed to meet his burden in proving that he is entitled to a full hearing on the merits of his application for post-conviction relief. This Court finds this application is untimely filed, and thus is barred by the statute of limitations. Therefore, Respondent's Motion to Dismiss is granted, and this this application is summarily dismissed with prejudice.

IT IS THEREFORE ORDERED that the PCR application is hereby denied and dismissed with prejudice.

AND IT IS SO ORDERED this 22 day of February, 2017.

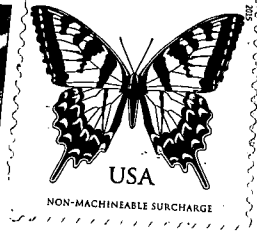


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BROOKS P. GOLDSMITH  
Presiding Judge  
Thirteenth Judicial Circuit

Greenville, South Carolina.

RICHEY AND RICHEY, P.A.  
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GREENVILLE, SC 29603



The Honorable Daniel E. Shearouse  
Clerk of Court  
The Supreme Court of South Carolina  
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