

STATE OF SOUTH CAROLINA)
COUNTY OF SPARTANBURG)

STATE,)

v.)

Eddie Dean Dogan, Jr.,)
Defendant.)

IN THE COURT OF GENERAL SESSIONS
FOR THE SEVENTH JUDICIAL CIRCUIT

RECEIVED

MAY 15 2017

Order Denying Defendant's Application
for Forensic DNA Testing

SC Court of Appeals

1998-GS-42-3569-70; 5180

This matter came before the court on an application by the Defendant for forensic DNA testing pursuant to 17-28-40, Code of Laws of South Carolina, 1976, as amended. The State responded pursuant to 17-28-50(B) and asked that the Court to deny the application.

It appears that the Defendant was convicted of Kidnapping, Criminal Sexual Conduct in the First Degree, and Contributing to the Delinquency of a Minor on March 2, 1999. He received an aggregate sentence of forty-five (45) years. It further appears that on March 8, 2017, the Defendant filed his application for testing under the Access to Justice Post-Conviction DNA Testing Act. Pursuant to 17-28-30(B), the application must be filed no later than seven years from the date of sentencing. The Defendant's application is therefore inappropriate due to not being timely filed.

Pursuant to 17-28-50(C), Code of Laws of South Carolina, 1976, as amended, the Court considered the application and related documents. The Court is satisfied on the basis of the application and the response of the State that the applicant is not entitled to DNA testing.

IT IS ORDERED THAT the Defendant's Application is summarily dismissed as being untimely.

IT IS SO ORDERED.



J. Mark Hayes, II
Circuit Judge

April 24, 2017

FILED
CLERK OF COURT
SPARTANBURG COUNTY
2017 APR 24 PM 5:07
M. HOPE BLACKLEY