

STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

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Appeal from Orangeburg County

Benjamin H. Culbertson, Circuit Court Judge

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AMY RENEE LANE,

PETITIONER

V.

STATE OF SOUTH CAROLINA,

RESPONDENT

APPELLATE CASE NO 2016-002403

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SUPPLEMENTAL APPENDIX

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WANDA H. CARTER  
Deputy Chief Appellate Defender

ALAN WILSON  
Attorney General

South Carolina Commission on Indigent  
Defense  
Division of Appellate Defense  
PO Box 11589  
Columbia, SC 29211-1589  
(803) 734-1330

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Assistant Attorney General  
Attorney General Office  
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Columbia, SC 29211

ATTORNEY FOR PETITIONER

ATTORNEYS FOR RESPONDENT

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THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

APPEAL FROM ORANGEBURG COUNTY  
Court of General Sessions

Edgar W. Dickson, Circuit Court Judge

Case No. 2014-GS-38-00714

 The State,

Respondent,

v.

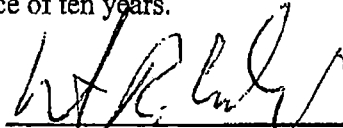
Amy Lane,

Appellant.

NOTICE OF APPEAL

Curtis Miller appeals his conviction and sentence in this case. On November 21, 2014, Amy Lane pled guilty to Armed Robbery before the Honorable Edgar W. Dickson. The plea court accepted Lane's guilty plea, and imposed the sentence of ten years.

December 3, 2014

  
Michael R. Culler, Jr

1540 Russell Street  
Orangeburg, South Carolina 29115  
(803) 536-5055  
Attorney for Appellant

Other Counsel of Record:  
Ashley Cornwall  
Assistant Solicitor

Orangeburg, South Carolina 29115  
(803) 533-6252  
Attorney for Respondent

**RECEIVED**

DEC 05 2014

**SC Court of Appeals**

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

APPEAL FROM ORANGEBURG COUNTY  
Court of General Sessions

Edgar W. Dickson, Circuit Court Judge

Case No. 2014-GS-38-00714

The State,

Respondent,

v.

Amy Lane,

Appellant.

STATEMENT PURSUANT TO RULE 203(d)(1)(B)(iv)

Appellant pled guilty on November 21, 2014, to Armed Robbery for a recommended sentence of 15 years. The plea court accepted Appellant's guilty plea, and imposed a sentence of 10 year. Undersigned counsel is filing this appeal at the request of Appellant, and pursuant to State v. Thrift, 378 S.C. 70, 661 S.E.2d 373 (2008), Weathers v. White, 319 S.C. 59, 459 S.E.2d 838 (1995), and In re Anonymous Member of the Bar, 303 S.C. 306, 400 S.E.2d 483 (1991). Counsel knows of no issue that can be reviewed on direct appeal.

December 3, 2014



Michael R. Culler, Jr

1540 Russell Street  
Orangeburg, South Carolina 29115  
(803) 536-5055  
Attorney for Appellant

Other Counsel of Record:  
Ashley Cornwall  
Assistant Solicitor

Orangeburg, South Carolina 29115  
(803) 533-6252  
Attorney for Respondent


**RECEIVED**  
DEC 05 2014  
SC Court of Appeals

STATE OF SOUTH CAROLINA,	)	THE STATE OF SOUTH CAROLINA
	)	In The Court of Appeals
COUNTY OF ORANGEBURG.	)	
	)	2014-GS-38-00714
The State	)	
	)	
Respondent,	)	Certificate of Mailing
	)	
vs.	)	
	)	
Amy Lane	)	
	)	
	)	
Appellant.	)	
_____	)	

I, Michael R. Culler, Jr, do hereby certify that today, this 4th day of December 2014, I placed in the US Mail the following documents regarding the above captioned matter: Notice of Appeal and Statement pursuant to Rule 203(d)(1)(B)(iv) The above being addressed to:

South Carolina Court of Appeals  
 1015 Sumter Street, PO Box 11629  
 Columbia, South Carolina 29211

and that sufficient postage was affixed thereto.

  
 \_\_\_\_\_  
 Michael R. Culler, Jr

Date:12/4/14  
 Orangeburg, South Carolina

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 DEC 05 2014  
**SC Court of Appeals**



## The South Carolina Court of Appeals

JENNY ABBOTT KITCHINGS  
CLERK

V. CLAIRE ALLEN  
DEPUTY CLERK

POST OFFICE BOX 11629  
COLUMBIA, SOUTH CAROLINA 29211  
1015 SUMTER STREET  
COLUMBIA, SOUTH CAROLINA 29201  
TELEPHONE: (803) 734-1890  
FAX: (803) 734-1839  
[www.sccourts.org](http://www.sccourts.org)

December 11, 2014

Mr. Michael R. Culler, Jr., Esquire  
1540 Russell St., SE  
Orangeburg SC 29115

Re: The State v. Amy Lane  
Appellate Case No. 2014-002605

Dear Counsel:

Upon reviewing your 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:

- The caption/title does not comply with Rule 267(a), SCACR. Specifically, the body of the notice states a different name than the appellant listed in the title.
- The notice of appeal is not accompanied by a redacted copy of the order(s) and/or sentencing sheet(s) challenged on appeal.
- A proof of service has not been provided showing service upon opposing counsel. You must serve and file a proof of service substantially in the format shown by Form 7 in Appendix C to part II of the SCACR.
- The document has not been timely filed. A motion to allow the late filing will have to be made.

Very truly yours,

Tommy Abbott Kitchings

CLERK

cc: Robert Michael Dudek, Esquire  
Ashley B. Cornwell, Esquire  
Salley W. Elliott, Esquire  
Alan McCrory Wilson, Esquire



## The South Carolina Court of Appeals

JENNY ABBOTT KITCHINGS  
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December **11**, 2014

Mr. Michael R. Culler, Jr., Esquire  
1540 Russell St., SE  
Orangeburg SC 29115

Re: The State v. Amy Lane  
Appellate Case No. 2014-002605

Dear Counsel:

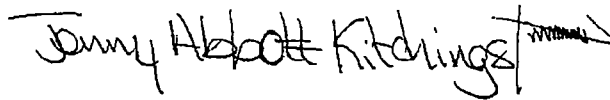
This Court has received your explanation for appealing.

Please forward your explanation to your client, along with a statement that your client has twenty (20) days from the date of your transmittal letter to inform this Court in writing of any arguable basis that there are issues preserved for appeal. Please provide your client with the Court's address:

South Carolina Court of Appeals  
P.O. Box 11629  
Columbia, SC 29211

Please send your letter to your client within ten (10) days, with a copy to this Court.

Very truly yours,

A handwritten signature in black ink that reads "Jimmy Abbott Kitchings". The signature is written in a cursive style with a horizontal line above the first name and a flourish at the end.

CLERK

cc: Robert Michael Dudek, Esquire  
Ashley B. Cornwell, Esquire  
Salley W. Elliott, Esquire  
Alan McCrory Wilson, Esquire



## The South Carolina Court of Appeals

JENNY ABBOTT KITCHINGS  
CLERK

V. CLAIRE ALLEN  
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FAX: (803) 734-1839  
[www.sccourts.org](http://www.sccourts.org)

December 11, 2014

Mr. Michael R. Culler, Jr., Esquire  
1540 Russell St., SE  
Orangeburg SC 29115

Re: The State v. Amy Lane  
Appellate Case No. 2014-002605

Dear Counsel:

This Court has received your notice of appeal, and the case has been assigned the appellate case number that appears above. Please use this number on all future correspondence relating to this matter.

All parties to this matter are advised that all filings must comply with the requirements of Rule 267 of the South Carolina Appellate Court Rules (SCACR). The SCACR are available online at [www.sccourts.org/courtreg](http://www.sccourts.org/courtreg). Additionally, any filings submitted by counsel admitted in South Carolina must include counsel's bar number.

The attention of the parties is directed to the order relating to the inclusion of personal data identifiers and other sensitive information in documents filed with the Supreme Court of South Carolina and the South Carolina Court of Appeals. The order can be found at [www.sccourts.org/courtOrders/HTMLFiles/2014-04-15-02.htm](http://www.sccourts.org/courtOrders/HTMLFiles/2014-04-15-02.htm). Please note that the responsibility for insuring that information is redacted or sealed as required by this order rests with counsel and the parties. This office will *not* review filings for redaction or to determine if materials should be sealed.

This is to advise that the title in the above matter has been changed to read as follows:


The State, Respondent,

v.

Amy Lane, Appellant.

All future records in this matter should be changed to reflect this title. If you have any questions, please do not hesitate to contact this office.

Very truly yours,

Jonny Abbott Kitchings 

CLERK

cc: Robert Michael Dudek, Esquire  
Ashley B. Cornwell, Esquire  
Salley W. Elliott, Esquire  
Alan McCrory Wilson, Esquire



**RECEIVED**  
DEC 31 2014  
SC Court of Appeals

ALAN WILSON  
ATTORNEY GENERAL

December 30, 2014

Michael R. Culler, Jr., Esquire  
1540 Russell Street  
Orangeburg, South Carolina 29115

RE: The State v. Amy Lane  
(Orangeburg County)

Dear Counsel:

Our Office has received a Notice of Appeal in the above case. This case will be assigned to a lead attorney once the Initial Brief of Appellant and Designation of Matter are filed and served. I would appreciate you sending any correspondence pertaining to the above matter directly to me. You will be notified of lead counsel once assignment has been made.

Sincerely,

Salley W. Elliott  
Senior Assistant Deputy Attorney General

SWE:ab

cc: The Honorable David M. Pascoe  
The Honorable Jenny A. Kitchings  
Ms. Trisha Allen



## The South Carolina Court of Appeals

JENNY ABBOTT KITCHINGS  
CLERK

V. CLAIRE ALLEN  
DEPUTY CLERK

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FAX: (803) 734-1839  
[www.sccourts.org](http://www.sccourts.org)

January 29, 2015

Mr. Michael R. Culler, Jr., Esquire  
1540 Russell St., SE  
Orangeburg SC 29115

Re: The State v. Amy Lane  
Appellate Case No. 2014-002605

Dear Counsel:

Please be advised, this is the second letter to be sent requesting the following corrections. Failure to comply will result in the dismissal of this appeal.

Upon reviewing your 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:

- The caption/title does not comply with Rule 267(a), SCACR. Specifically, the body of the notice states a different name than the appellant listed in the title.
- The notice of appeal is not accompanied by a redacted copy of the order(s) and/or sentencing sheet(s) challenged on appeal.
- A proof of service has not been provided showing service upon opposing counsel. You must serve and file a proof of service substantially in the format shown by Form 7 in Appendix C to part II of the SCACR.
- The document has not been timely filed. A motion to allow the late filing will have to be made.

Very truly yours,

*V. Claire Allen, Deputy*

CLERK

cc: Robert Michael Dudek, Esquire  
Ashley B. Cornwell, Esquire  
Salley W. Elliott, Esquire  
Alan McCrory Wilson, Esquire

# The South Carolina Court of Appeals

The State, Respondent,

v.

Amy Lane, Appellant.

Appellate Case No. 2014-002605

The Honorable Edgar W. Dickson  
Orangeburg County  
Trial Court Case No. 2014GS3800714

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## ORDER

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Appellant has failed to comply with the two deficiency letters sent by this Court on December 11, 2014 and January 29, 2015, that listed the following to be corrected: a redacted copy of the order(s) and/or sentencing sheet(s) on appeal was not filed with the notice of appeal, as required by Rule 203(d)(1)(B)(ii) of the South Carolina Appellate Court Rules; a proof of service was not provided showing service of the notice of appeal upon opposing counsel, as required by Rule 203(d)(1)(B)(i), SCACR; and the notice of appeal was not served in a timely manner, as required by Rule 203(b)(2), SCACR. Accordingly, this matter is dismissed. The remittitur will be sent as provided by Rule 221(b), SCACR.

FOR THE COURT

BY V. Claire Allen, Deputy  
CLERK

**FILED**  
February 25, 2015

Columbia, South Carolina

cc:

Michael R. Culler, Jr., Esquire

Robert Michael Dudek, Esquire

Salley W. Elliott, Esquire

Alan McCrory Wilson, Esquire



## The South Carolina Court of Appeals

JENNY ABBOTT KITCHINGS  
CLERK

V. CLAIRE ALLEN  
DEPUTY CLERK

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[www.sccourts.org](http://www.sccourts.org)

March 13, 2015

The Honorable Winnifa Brown-Clark  
PO Box 9000  
Orangeburg SC 29115-9000

### REMITTITUR

Re: The State v. Amy Lane  
Lower Court Case No. 2014GS3800714  
Appellate Case No. 2014-002605

Dear Clerk of Court:

The above referenced matter is hereby remitted to the lower court or tribunal. A copy of the judgment of this Court is enclosed.

Very truly yours,

*V. Claire Allen, Deputy*

CLERK

Enclosure

cc: Michael R. Culler, Jr., Esquire  
Robert Michael Dudek, Esquire  
Salley W. Elliott, Esquire  
Alan McCrory Wilson, Esquire