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SC Court of Appeals

ALAN WILSON  
ATTORNEY GENERAL

August 11, 2017

The Honorable Jenny A. Kitchings  
Clerk, South Carolina Court of Appeals  
Post Office Box 11629  
Columbia, South Carolina 29211

RE: Eddie Dean Dogan, Jr., v. The State of South Carolina  
Appellate Case No: 2017-001164

Dear Ms. Kitchings:

Please accept this letter in lieu of a formal return to Appellant's petition to rehear the dismissal of his appeal. If a formal return is required, please let me know.

Appellant's application for DNA testing was denied by way of an April 24, 2017, Order of the Honorable J. Mark Hayes, II. Appellant's attempt to appeal that denial was dismissed by this Court in an Order issued June 7, 2017, due to Appellant's failure to timely serve the notice of appeal on the State. Appellant has now filed a petition to rehear the dismissal of his appeal claiming he "filed his notice of appeal on the State" on May 11, 2017. In a letter dated August 1, 2017, this Court has asked the State to submit a return to the petition indicating whether the State was served with the notice of appeal.

The Attorney General's Office was not served with a copy of Appellant's May 11, 2017, notice of appeal. Assistant Solicitor Balsa is fairly confident the Seventh Circuit Solicitor's Office also was not served but has requested his file from archives in an effort to confirm.

Sincerely,

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

cc: Robert M. Dudek, Esquire  
Derrick B. Balsa, Esquire  
The Honorable M. Hope Blackley  
Eddie Dean Dogan, Jr., #256596  
Victim Advocacy Division