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The State Of South Carolina
 In The Court of Appeals
 APPEAL FROM RICHLAND COUNTY
 Court of Common Pleas
 Shirley C Robinson, Administrative Law Court Judge
 Appellate Case No. 2017-001811

RECEIVED
 OCT 13 2017
 SC Court of Appeals

Brandy Anne Duncan,

Frank L. Valenta, jr.,

Philip S. Porter, as Counsels of SCDMV

Respondent,

v.

Desmond A. Mckelvey,

Appellant.

My initial brief of the court was to petition the habitual offender charge; Due to the fact that the statute requires three charges to meet the habitual offender status and the Appellant only has one charge within the time period three years preceding the date of the Hearing, the Appellant should not have been deemed a habitual offender.

Pro Se/ Desmond A Mckelvey

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THE STATE OF SOUTH CAROLINA
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V. Claire Allen, Deputy Clerk
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PROOF OF SERVICE

I certify that I have served the motion of brief to the SCDMV by depositing a copy of it in the United States Mail, postage prepaid, on October 13, 2017, addressed to their counsels of record, Brandy Anne Duncan, Post Office Box 1498, Blythewood, S.C. 29016-1498, Frank L. Valenta Jr., Post Office Box 1498, Blythewood, S.C. 29016-0020, and Philip S. Porter, Post Office Box 1498, Blythewood, S.C. 29016-1498 [by personally delivering a copy of it to SCDMV Counsels office at 10311 Wilson Boulevard, Building C Blythewood, S.C. 29016].

October 13, 2017

Pro Se/ Desmond A Mckelvey

Desmond A Mckelvey

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