

# The South Carolina Court of Appeals

The State, Respondent,

v.

Irving Eugene Twitty, Appellant.

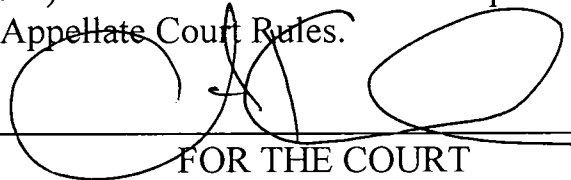
Appellate Case No. 2017-002326

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## ORDER

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The notice of appeal indicates this case arises out of the appellant's sentence of September 7, 2017, and conversion of his sentence from home detention to active service on September 20, 2017. The proof of service indicates the notice of appeal was served on November 21, 2017. Accordingly, this appeal is dismissed as not timely served. *See State v. Devore*, 416 S.C. 115, 123-24, 784 S.E.2d 690, 694-95 (Ct. App. 2016) (dismissing appeal filed pro se by represented appellant where the notice of appeal was not timely served); *id.* At 119, 784 S.E.2d at 692 (noting the service of the notice of appeal is a jurisdictional requirement that cannot be extended by the appellate court); Rule 203(b)(2), SCACR (stating a notice of appeal from the court of general sessions shall be served on all respondents within ten days after the sentence is imposed). The remittitur will be sent pursuant to Rule 221(b) of the South Carolina Appellate Court Rules.

  
\_\_\_\_\_, J.  
FOR THE COURT

Columbia, South Carolina

cc:

Alan McCrory Wilson, Esquire  
John Benjamin Aplin, Esquire  
Jennifer A.J. Jordan, Esquire  
Robert Michael Dudek, Esquire  
James A. Cheek, Esquire

**FILED**  
Dec 11, 2017