

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

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RECEIVED

Appeal from Dillon County  
The Honorable Paul M Burch, Circuit Court Judge

JAN 22 2018

SC Court of Appeals

Appellate Case No.: 2017-002408

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THE MATTER OF THE CARE AND TREATMENT OF JOSHUA FLOWERS

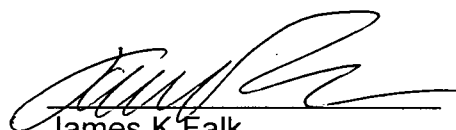
JOSHUA FLOWERS APPELLANT

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MOTION TO REINSTATE APPEAL

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Undersigned moves that the appeal in the above action be reinstated. As grounds for this motion undersigned states: That on November 7, 2017 he filed a Notice of Appeal along with a Certificate of Service in the above case. Undersigned subsequently was notified of a deficiency in both the Notice of Appeal and Certificate of Service. On January 17, 2018 this Court entered an Order dismissing the appeal because of the unresolved deficiencies. Attached hereto is a Corrected Notice of Appeal along with a Corrected Certificate of Service. Undersigned is informed and believes that attached Corrected Notice of Appeal and Certificate of Service correct the deficiencies in the original filings.



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Charleston, SC 29402  
(843) 606-6007  
Jfalklaw@gmail.com

James G. Bogle, Jr. Esq.  
John Benjamin Aplin, Esq.  
Alan McCrory Wilson, Esq.  
Robert Michael Dudek, Esq.

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

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Appeal from Dillon County  
The Honorable Paul M Burch, Circuit Judge

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Appellate Case No.: 2017-002408

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JAN 22 2018  
SC Court of Appeals

In the Matter of the Care and Treatment of Joshua Flowers

Joshua Flowers      Appellant

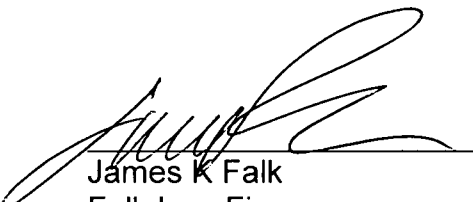
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CERTIFICATE OF SERVICE

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The undersigned certifies that on January 18, 2018 he deposited a true and accurate copy of the: Motion to Reinstate Appeal, Corrected Notice of Appeal, Corrected Certificate of Service with the United States Post Office, sufficient first class postage affixed, and addressed to James G. Bogle, Jr. Esq., John Benjamin Aplin, Esq., and Alan McCrory Wilson, Esq. each at the Office of the South Carolina Attorney General PO Box 11549 Columbia SC 29211-1549; and to Robert Michael Dudek, Esq. at the Appellate Defense Division of the Commission on Indigent Defense at PO Box 11433 Columbia, SC 29211-1433. I further certify that all parties required by Rule to be served have been served this January 18, 2018.

January 18, 2018



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# FALK LAW FIRM, LLC.

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January 18, 2018

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

RECEIVED  
JAN 22 2018  
SC Court of Appeals

Re: The Matter of the Care and Treatment of Joshua Flowers  
Case No.: 2017-002408

Dear Ms. Kitchings:

Please find the enclosed and original and copy of a Motion to Reinstate Appeal, Certificate of Service, Order of Commitment, Corrected Notice of Appeal and Corrected Certificate of Service in the above Dillon County SVP action. Please return a clocked copy of the enclosed documents in the enclosed SASE.

Should you have any additional questions please do not hesitate to contact my office.

With best regards, I am,

  
James K Falk

Thank you for your assistance.

CC: James G Bogle, Jr. Esq, John Benjamin Aplin, Esq., Alan McCrory Wilson, Esq., Robert Michael Dudek, Esq., and Joshua Flowers

CORRECTED NOTICE OF APPEAL FROM A SENTENCE IMPOSED BY THE COURT  
OF COMMON PLEAS

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

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APPEAL FROM DILLON COUNTY  
Court of Common Pleas

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Paul M Burch, Circuit Court Judge

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Case No. 2016-CP-17-00192

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RECEIVED  
JAN 22 2018  
SC Court of Appeals

THE MATTER OF THE CARE AND TREATMENT OF JOSHUA FLOWERS

JOSHUA FLOWERS, APPELLANT

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CORRECTED NOTICE OF APPEAL

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Joshua Flowers, Respondent appeals the Order of Commitment in this case, which was entered by the Honorable Paul M Burch on November 7, 2017. Undersigned counsel received notice of the Order of Commitment on November 7, 2017. A copy of the order on appeal is attached hereto.

January 18, 2018



James K Falk  
PO Box 1058  
Charleston, SC 29402  
(843) 606 6007  
Attorney for Respondent

Other Counsel of Record  
James Bogle, Esq.  
Office of the S.C. Attorney General  
PO Box 11549  
Columbia, SC 29211-1549

CORRECTED NOTICE OF APPEAL FROM A SENTENCE IMPOSED BY THE COURT  
OF COMMON PLEAS

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

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APPEAL FROM DILLON COUNTY  
Court of Common Pleas

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Paul M Burch, Circuit Court Judge

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Case No. 2016-CP-17-00192

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RECEIVED  
JAN 22 2018  
SC Court of Appeals

THE MATTER OF THE CARE AND TREATMENT OF JOSHUA FLOWERS

JOSHUA FLOWERS      APPELLANT

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CORRECTED CERTIFICATE OF SERVICE

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The undersigned certifies that on November 7, 2017 he deposited a true and accurate copy of the Notice of Appeal with the United States Post Office, sufficient first class postage affixed, and addressed to James Bogle, Jr., Esq. Office of the South Carolina Attorney General PO Box 11549 Columbia SC 29211-1549. I further certify that all parties required by Rule to be served had been served on November 7, 2017. A copy of this Corrected Notice of Appeal and Corrected Certificate of Service was served on all parties required to be served this January 18, 2018.



James K Falk  
Falk Law Firm  
PO Box 1058  
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(843) 606-6007  
Jfalklaw@gmail.com

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF DILLON )  
 )  
IN THE MATTER OF THE CARE )  
AND TREATMENT OF )  
JOSHUA FLOWERS, )  
RESPONDENT. )  
\_\_\_\_\_ )

IN THE COURT OF COMMON PLEAS  
FOURTH JUDICIAL CIRCUIT

CASE NO. 2016-CP-17-00192

ORDER OF COMMITMENT

**RECEIVED**  
JAN 22 2018  
SC Court of Appeals

The trial of this case was held in the Dillon County Court of Common Pleas the week of November 6, 2017. A jury of citizens from Dillon County heard this case pursuant to a request for a jury trial filed by the State. Senior Assistant Attorney General James G. Bogle, Jr. represented the State and James K. Falk, Esquire, represented the Respondent. The jury having heard the presentation of the evidence made the following findings of fact pursuant to S. C. Code Ann. Sections 44-48-90 and 44-48-100:

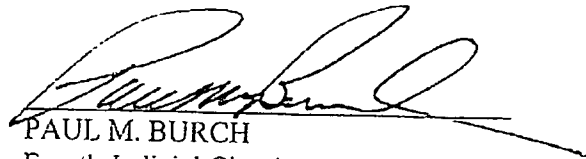
The State has proven beyond a reasonable doubt that Respondent, Joshua Flowers, is a sexually violent predator as that term is defined in S. C. Code Ann. Section 44-48-30.

NOW, THEREFORE, IT IS ORDERED THAT:

(a) Respondent Joshua Flowers is committed to the Department of Mental Health for his long-term control, care and treatment;

(b) Respondent Joshua Flowers is to continue to be detained at the Dillon County Detention Center, and then transported to the secure facility of the South Carolina Department of Mental Health. The Detention Center is to transport Respondent on such scheduled date as it coordinates with the Department of Mental Health.

AND IT IS SO ORDERED.

  
PAUL M. BURCH  
Fourth Judicial Circuit  
Court of Common Pleas

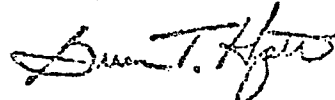
*November 7, 2017*  
Dillon, South Carolina

CLERK OF COURT  
DILLON COUNTY

2017 NOV - 7 PM 2:06

FILED  
GWEN T. HYATT

A CERTIFIED  
TRUE COPY



CLERK OF COURT  
DILLON COUNTY

FALK LAW FIRM

PO Box 1058

Charleston, SC 29402

RECEIVED

JAN 22 2018

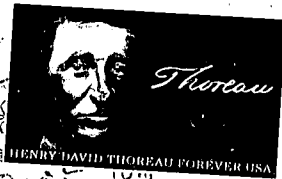
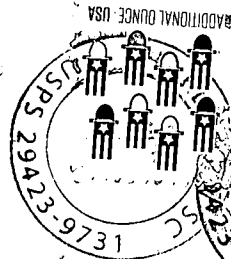
SC Court of Appeals

Clerk of Court.

South Carolina Court of Appeals

PO Box 11629

Columbia, SC 29211-



29211\$1629 B012

