

**NOTICE OF APPEAL FROM A PRETRIAL RULING BY THE COURT
OF GENERAL SESSIONS**

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM SPARTANBURG COUNTY
Court of General Sessions

J. Mark Hayes, II, Circuit Court Judge

Case Nos. 2016-GS-42-5238-39 & 2017-GS-42-3432

The State,

Appellant,

v.

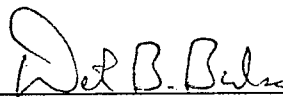
Adam Keith Lunsford,

Respondent.

NOTICE OF APPEAL

The State appeals the pretrial rulings made by the Honorable J. Mark Hayes, II in this case. An immunity hearing was held on July 19, 2017 whereby testimony taken, but no argument from the attorneys. The Court then adjourned and issued an order on September 28, 2018 granting the defendant immunity from prosecution pursuant to §16-11-450, Code of Laws of South Carolina, 1976, as amended. The State moved for reconsideration of the order and asked to be allowed to argue the matter. A hearing was held on November 9, 2017. The Court refused to change its ruling and filed a second order granting immunity and an order denying the State's motion for reconsideration on January 16, 2018. The State received written notice of entry of the orders on January 23, 2018.

January 24, 2018



Derrick B. Balsa (SC Bar No. 15264)
Deputy Solicitor
180 Magnolia St.
Spartanburg, South Carolina 29306
(864) 596-2575

Other Counsel of Record:
Doug Brannon
Chris Kennedy
Post Office Box 3254
Spartanburg, South Carolina 29304
(864) 707-2020
Attorneys for Respondent

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JAN 29 2018

SC Court of Appeals

CLERK OF COURT
SPARTANBURG COUNTY
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M. HOPE BLACKLEY

PROOF OF SERVICE OF A NOTICE OF APPEAL

THE STATE OF SOUTH CAROLINA
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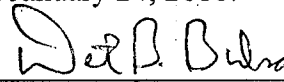
Adam Keith Lunsford,

Respondent.

PROOF OF SERVICE

I certify that I have served the Notice of Appeal on Adam Keith Lunsford by personally delivering a copy of it to his attorneys of record, Doug Brannon and Chris Kennedy, at their office at 229 Magnolia St, Spartanburg, SC 29306 on January 24, 2018.

January 24, 2018



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(864) 596-2575

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State of South Carolina



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Cherokee County Court House
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Phone (864) 487-2576
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BARRY J. BARNETTE

Solicitor, Seventh Judicial Circuit

January 24, 2018

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

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JAN 29 2018
SC Court of Appeals

RE: State of South Carolina v. Adam Keith Lunsford
2016-GS-42-5238-39
2017-GS-42-3432

Dear Madame Clerk:

Please find enclosed a Notice of Appeal and Proof of Service in the above case. I have attached copies of the court orders that the State is appealing. I have filed the notice and proof of service in Spartanburg. Please file the appeal with the Court of Appeals.

Thank you for your assistance.

Sincerely,

A handwritten signature in black ink that reads "Derrick B. Balsa".

Derrick B. Balsa
Deputy Solicitor

Enclosures

CC: J. Benjamin Aplin
Senior Assistant Deputy Attorney General
Criminal Appeals



OCR Reject

RE-69

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BARRY J. BARNETTE
SOLICITOR, 7TH JUDICIAL CIRCUIT
SPARTANBURG COUNTY COURTHOUSE
SPARTANBURG, SOUTH CAROLINA 29306

South Carolina Court of Appeals
Jenny Abbott Kitchings, Clerk of Court
PO Box 116229
Columbia, SC 29211

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