

Jake A. Evans  
P. O. Box 2443  
North Myrtle Beach, SC 29582

January 7, 2013

RECEIVED

Supreme Court of South Carolina

JAN 09 2013

P. O. Box 11330

S.C. SUPREME COURT

Columbia, SC 29211

Daniel Shearhouse - Clerk of Court

**Re: Case No. 2012-213489 (Windy Price vs. SC Election Commission, Horry County Election Commission, Governor Nikki Haley, Jake Evans, Charlene Taylor and Josephine Isom)**

Dear Mr. Shearhouse,

I am writing concerning the above mentioned case where I am named as a respondent. This letter is to inform you that as of today, January 7, 2013, I have not been served by the appellant, Windy Price concerning this case. As I understand it, I am required to be notified by Ms. Price that I have been named as a respondent within 30 days of the order from the circuit court of such.

**RULE 203  
NOTICE OF APPEAL**

**(a) Notice. A party intending to appeal must serve and file a notice of appeal and otherwise comply with these Rules. Service and filing are defined by Rule 262.**

**(b) Time for Service.**

**(1) Appeals From the Court of Common Pleas. A notice of appeal shall be served on all respondents within thirty (30) days after receipt of written notice of entry of the order or judgment.**

I understand that the appellant has documented that several attorneys, Tracey Green, J. C. Nicholas, Sanford Graves and possibly others have been notified by mail. They are attorneys of record for the Horry County Election commission, Election Commission of South Carolina, Horry County, Governor Nikki Haley and Windy Price. Neither attorney has been obtained to represent me in this case. The documentation did not name me as having been served nor have I been notified by the appellant of the appeal.

#### **RULE 262 FILING AND SERVICE**

**(a) Filing. Except for petitions for rehearing (Rule 221) and motions for reinstatement (Rule 260), filing may be accomplished by:**

**(1) Delivering the document to the clerk of the appellate court. Whenever a document is filed with the appellate court, at least one copy of the document must contain an original signature as set forth in Rule 267(b); or**

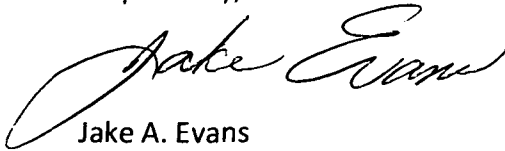
**(2) By depositing the document in the U.S. mail, properly addressed to the clerk, with sufficient first class postage attached. The date of filing shall be the date of delivery or the date of mailing. Any document filed with the appellate court shall be accompanied by proof of service of such document on all parties. An electronically transmitted facsimile copy of a document may be accepted for filing; however, an original of the document must be immediately sent by U.S. mail to the clerk.**

**(b) Service. Whenever under these Rules service is required or permitted to be made upon a party represented by an attorney the service shall be made upon the attorney unless service upon the party himself is ordered by the appellate court. Service upon the attorney or upon a party shall be made by delivering a copy to him or by mailing it to him at his last known address or, if no address is known, by leaving it with the clerk of court. Delivery of a copy within this Rule means: handing it to the attorney or to the party; or leaving it at his office with his clerk or other person in charge thereof; or, if there be no one in charge, leaving it in a conspicuous place therein; or, if the office is closed or the person to be served has no office, leaving a copy at his dwelling place or usual place of abode with some**

**person of suitable age and discretion then residing therein. Service by mail is complete upon mailing.**

Therefore, I am requesting that I be released and removed as a respondent in the above mentioned case due to the appellants failure to adhere to rules of service.

Respectfully,

A handwritten signature in cursive script that reads "Jake Evans". The signature is written in black ink and is positioned above the printed name.

Jake A. Evans

Cc: Brenda F. Shealy – Deputy Clerk of Court

**FORM 7**  
**PROOF OF SERVICE OF A NOTICE OF APPEAL**

THE STATE OF SOUTH CAROLINA  
In The Supreme Court

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APPEAL FROM Horry COUNTY  
Court of Common Pleas

J. Derham Cole, Circuit Court Judge

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Case No. 2012-CP-26-4403

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Windy Price

Appellant

v.

Horry County Election  
Commission, South Carolina  
Election Commission,  
Charlene Taylor, Josephine  
Isom, Jake Evans

Respondents

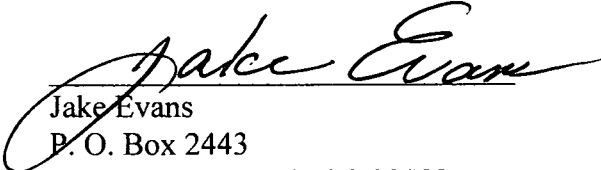
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**PROOF OF SERVICE**

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I certify that I have served the Motion to Dismiss on the below listed parties by depositing a copy of it in the United States Mail, postage prepaid, on January 7, 2013, addressed either to the party's attorney of record, if the party is represented by counsel, or to the party, if the party is unrepresented, at the respective last known address indicated below for each attorney or party.

January 7, 2013

  
Jake Evans  
P. O. Box 2443  
North Myrtle Beach, SC 29582  
(843) 457-6885  
Respondent

Retha Pierce  
412 32<sup>nd</sup> Ave. S.  
Atlantic Beach, SC 29582

Tracey C. Green  
Willoughby & Hofer, PA  
P. O. Box 8416  
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Christine Varnado  
Seibels Law Firm, PA  
127 King Street, Suite 100  
Charleston, SC 29401-2208

Josephine Isom  
P. O. Box 1071  
North Myrtle Beach, SC 29582

Sanford Graves  
Horry County Attorney's Office  
P. O. Box 1236  
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Charlene Taylor  
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