

**NOTICE OF APPEAL FROM WRITTEN ORDER OF DISMISSAL FROM
THE COURT OF GENERAL SESSIONS**

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM RICHLAND COUNTY
Court of General Sessions

R. Knox McMahon, Circuit Court Judge

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AUG 01 2018
SC Court of Appeals

Case No. 2000-GS-40-47714, 47716, 47717, 47718

The State,

Respondent,

v.

Demarco Johnson,

Appellant.

NOTICE OF APPEAL

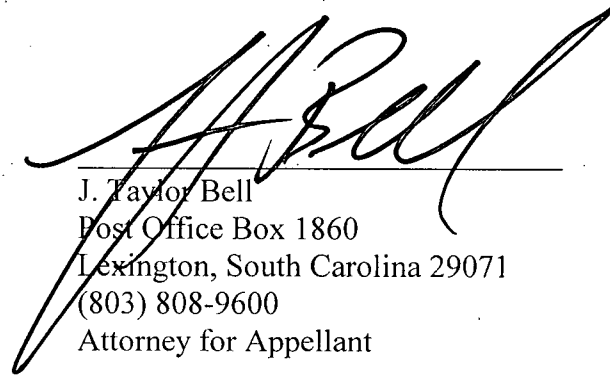
Demarco Johnson appeals the Court of General Session's Order of Dismissal filed June 26, 2018 for his Motion for Re-Sentencing pursuant to *Aiken v. Byars*, 410 S.C. 534, 765 S.E.2d 572 (2014) and life without the possibility of parole sentence on indictments 2000-GS-40-47714, 2000-GS-40-47716, 2000-GS-40-47717, 2000-GS-40-47718.

Appellant filed a motion on July 1, 2016 for resentencing pursuant to *Aiken v. Byars*. Chief Justice Pleicones ordered that the Honorable R. Knox be vested with exclusive jurisdiction over Appellant's Motion for Re-sentencing. Appellant's case was appointed to the Richland County Public Defender's Office and assigned to J. Taylor Bell, Assistant Public Defender. Counsel for Appellant filed a Memorandum in Support of Motion for Re-Sentencing on May 25, 2017. Respondent filed a Motion to Dismiss on May 25, 2017. Appellant's case came before the

Court of General Sessions on June 1, 2017 for a hearing on Appellant's Motion for Re-Sentencing at which time the court took the matter under advisement. On July 30, 2018, Counsel for Appellant received written notice of entry of the Court of General Session's Order of Dismissal via e-mail from Daniel R. Goldberg, Fifth Judicial Circuit Deputy Solicitor.

It is requested and anticipated that the Office of Appellate Defense of the South Carolina Commission on Indigent Defense will be appointed to represent Appellant for the appellate proceedings.

August 1, 2018



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Attorney for Appellant

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Attorney for Respondent

PROOF OF SERVICE OF A NOTICE OF APPEAL

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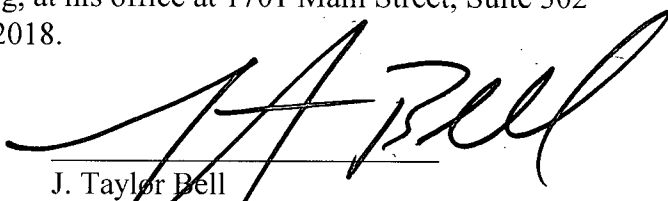
AUG 01 2018

SC Court of Appeals

PROOF OF SERVICE

I certify that I have served the Notice of Appeal on The State of South Carolina by personally delivering a copy of it to the attorneys of record, Fifth Circuit Solicitor Daniel E. Johnson and Deputy Solicitor Daniel R. Goldberg, at his office at 1701 Main Street, Suite 302 Columbia, South Carolina 29201, on August 1, 2018.

August 1, 2018



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