

THE STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

APPEAL FROM CHARLESTON COUNTY  
Court of General Sessions

The Honorable Roger M. Young, Sr., Presiding Judge

INDICTMENT NOS.: 2016GS1006621; 2016GS1006622  
WARRANT NOS.: 2016A1010203458; 2016A1010203459

RECEIVED

STATE OF SOUTH CAROLINA, RESPONDENT

OCT 24 2018

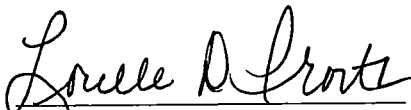
vs.

SC Court of Appeals

MARK EMIL DAY, APPELLANT

NOTICE OF APPEAL

Mark Emil Day, appeals his conviction and sentence following the jury trial held before the Honorable Roger M. Young, Sr., wherein he was found guilty and sentenced on October 18, 2018.



Lorelle D. Proctor  
Chief Public Defender  
Attorney for Mark Emil Day  
Charleston County Public Defender's Office  
101 Meeting Street, Suite 500  
Charleston, SC 29401  
(843) 958-1850

Other counsel of record are:

David F. DuTremble, Assistant Solicitor  
Office of the Solicitor, Ninth Judicial Circuit  
O.T. Wallace County Office Building  
101 Meeting Street, 4<sup>th</sup> Floor  
Charleston, SC 29401  
(843) 958-1900

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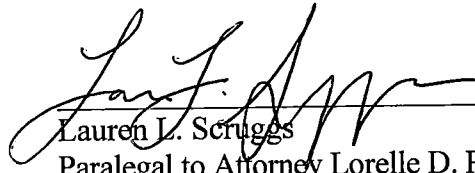
STATE OF SOUTH CAROLINA, RESPONDENT

vs.

MARK EMIL DAY, APPELLANT

**PROOF OF SERVICE**

I certify that I have served the Notice of Appeal on David F. DuTremble, Assistant Solicitor for Charleston County, by hand delivering a copy of it to the Charleston County Solicitor's Office at 101 Meeting Street, Charleston, South Carolina 29401, on October 22, 2018.



Lauren L. Scruggs  
Paralegal to Attorney Lorelle D. Proctor  
Charleston County Chief Public Defender  
O. T. Wallace County Office Building  
101 Meeting Street, 5<sup>th</sup> Floor  
Charleston, SC 29401  
(843) 958-1850

Dated: October 22<sup>nd</sup>, 2018.

**CHARLESTON COUNTY PUBLIC DEFENDER  
O. T. WALLACE COUNTY OFFICE BUILDING  
101 MEETING STREET  
CHARLESTON, SOUTH CAROLINA 29401**

**(843) 958-1850**

**FAX (843) 958-1860**

October 18, 2018

The Honorable Jenny Abbott Kitchings  
Clerk, South Carolina Court of Appeals  
Post Office Box 11629  
Columbia, South Carolina 29211

Re: State of South Carolina vs. Mark Emil Day

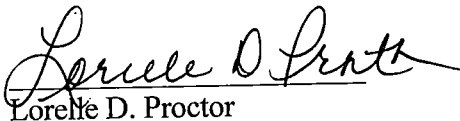
Case Nos.: 2016GS1006621; 2016GS1006622  
Warrant Nos.: 2016A1010203458; 2016A1010203459  
Charges: Assault, Beat, or Wound Police Officer Serving Process or While  
Resisting Arrest (2 Counts)

Dear Ms. Kitchings:

Enclosed is the Notice of Intent to Appeal in the above-referenced case, together with appropriate Proof of Service upon the Circuit Solicitor and Proof of Filing with the local Clerk of Court. The Defendant-Appellant was represented by our office as an indigent, pursuant to the Defense of Indigents Act. By copy of this letter, I am forwarding a duplicate set of these documents to the South Carolina Commission of Appellate Defense.

As proof of filing for my records, I would appreciate it if one of your Clerks would clock the enclosed copy of this letter and return it to me in the envelope I have provided. Thank you.

Sincerely,



Lorelle D. Proctor  
Attorney for Mark Emil Day  
Charleston County Public Defender's Office  
101 Meeting Street, Suite 500  
Charleston, SC 29401

Enclosure(s): As stated above

cc: South Carolina Commission of Appellate Defense

**CHARLESTON COUNTY PUBLIC DEFENDER  
O. T. WALLACE COUNTY OFFICE BUILDING  
101 MEETING STREET  
CHARLESTON, SOUTH CAROLINA 29401**

**(843) 958-1850**

**FAX (843) 958-1860**

October 18, 2018

South Carolina Appellate Defense Commission  
PO Box 11589  
Columbia, South Carolina 29211

**RECEIVED**

**OCT 24 2018**

**SC Court of Appeals**

Re: State of South Carolina vs. Mark Emil Day

Case Nos.: 2016GS1006621; 2016GS1006622  
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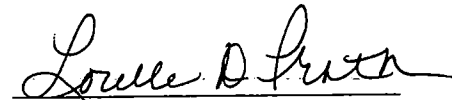
Dear Sir/Madam:

Enclosed herein is a duplicate set of the Appeal papers, which I have forwarded to the Clerk of the South Carolina Court of Appeals concerning the above-subject defendant. This defendant was represented by our office as an indigent, pursuant to the Defense of Indigents Act. It is requested that your office assume the Appeal of this case.

The name of the Court Reporter is Amanda K. Haffenden, P.O. Box 424, Summerville, SC 29484.

I have enclosed documents usually requested by your office. If I can be of assistance by discussing this case with you, please do not hesitate to call.

Sincerely,



Lorelle D. Proctor  
Attorney for Mark Emil Day  
Charleston County Public Defender's Office  
101 Meeting Street, Suite 500  
Charleston, SC 29401

Enclosure(s): As stated above