

NOTICE OF APPEAL FROM A DENIED MOTION IMPOSED BY THE COURT OF GENERAL SESSIONS

THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

RECEIVED

MAR 19 2019

APPEAL FROM KERSHAW COUNTY
COURT OF GENERAL SESSIONS

SC Court of Appeals

ROBERT E. HOOD, CIRCUIT COURT JUDGE
CASE NO: 2013-GS-28-0455 — 0458

MA

THE STATE

SHERWIN A. GREEN

v.

RESPONDENT

APPELLANT

NOTICE OF APPEAL

SHERWIN A. GREEN APPEALS HIS DENIED MOTION TO DISMISS ALL CHARGES FROM JULY 24, 2015 BY HON. ROBERT E. HOOD FOR VIOLATION OF FAST AND SPEEDY TRIAL.

MR GREEN WAS GRANTED A FAST AND SPEEDY TRIAL BY HON. BENJAMIN ON JULY 31, 2013

WHICH THE DENIED MOTION COULD NOT BE APPEALED UNTIL THE FINAL DISPOSITION OF ALL CHARGES ON FROM KERSHAW

MR. GREEN WANTED TO HAVE THE MOTION HEARD IN RICHMOND COUNTY.

RESPECTFULLY SUBMITTED
SHERWIN A. GREEN #365577

C. C.

OTHER COUNSEL OF RECORD

K. LUCK CAMPBELL

JOANNA MCDUFFIE

MEGAN WALKER

P.O. BOX 192

COLUMBIA S.C. 29201

803-576-1800

PROOF OF SERVICE OF NOTICE OF APPEAL

THE STATE OF SOUTH CAROLINA
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CASE NO: 2013-GS-28-0455 — 0458

STATE OF SOUTH CAROLINA

SHERWIN A. GREEN

✓

RESPONDENT

APPELLANT

PROOF OF SERVICE

I CERTIFY THAT I HAVE SERVED NOTICE OF APPEAL ON THE STATE OF SOUTH CAROLINA, JENNY ABBOTT KITCHINGS, CLERK, COURT OF APPEALS, P.O. BOX 11629, COLUMBIA S.C. 29211. BY DEPOSITING A COPY IN THE MCCCI MAIL ROOM, POSTAGE PREPAID ON MARCH 14, 2019 ALSO ATTORNEY ON RECORD. K. LUCK CAMPBELL, P.O. BOX 192, COLUMBIA. S.C. 29201

SWORN TO BEFORE ME

THIS 14 DAY OF March
2019

NOTARY PUBLIC Paul Wideman
MY COMMISSION EXPIRES 9-30-26

MR. SHERWIN A. GREEN
Sherwin A. Green

HONORABLE JENNY ABBOTT KITCHINGS

JUST LETTING YOU KNOW, THAT IF MY LAWYER
FILED MY APPEAL ITS VALID.

BUT MY MOTION TO RECONSIDER ORDER IS
NOT IN HERE, CAUSE THE LAWYER IIR PATRICK
DERIEG DID NOT MAIL ME A COPY.

MY SPEEDY TRIAL WAS HEARD IN FRONT
OF HON. ROBERT E. HOOD AND MY
SENTENCING IN FRONT OF CASEY L. MANNING

THANKS

KERSHAW COUNTY CLERKS OFFICE
HAS THE DECISION ON FILE
FROM THE MOTION TO RECONSIDER

RECEIVED
MAR 19 2019
SC Court of Appeals

LETTER TO APPELLATE COURT CLERK

THE HONORABLE JENNY ABBOTT KITCHENS

RECEIVED

MAR 19 2019

SC Court of Appeals

DATE: MARCH 14, 2019

PLEASE FIND ENCLOSED THE ORDER FROM THE PCR COURTS STATING, THE PCR 2015-CP-28-01189 CONSENT ORDER OF DISMISSAL WITHOUT PREJUDICE.

ALSO, MY TEN (10) DAY NOTICE OF APPEAL ON CASE NO. 2013-GS-28-0455 ——— 0458 FOR FILING.

I HAD INITIALLY FILED AN APPEAL IN 2015 WHICH WAS DENIED FOR NOT FILING IN A TIMELY MANNER, WHICH THAT APPEAL SHOULD OF NEVER BEEN PROCESS, CAUSE MY LAWYER, MR. LIR PATRICK DERIEG HAD PUT IN A MOTION TO RECONSIDER ON OCT 09, 2015. THEREFORE I AM ABLE TO NOW FILE MY APPEAL.

THE MOTION TO RECONSIDER WAS HEARD ON ON AUG 15, 2017 BY HON. CASEY L. MANNING, THE SAME SENTENCING JUDGE.

DECISION MADE/ORDER ON MARCH 07, 2019 THEREFORE MAKING THE ENCLOSED TEN (10) DAY NOTICE OF APPEAL VALID AND FILE WITHIN THE TIMELINE.

I RESPECTFULLY REQUEST THAT HON. KITCHINGS FORWARD BACK TO ME THE ENCLOSED ORIGINALS THEY ARE MY ONLY COPIES THAT I NEED FOR MY RECORDS

RESPECTFULLY

MR. SHERWIN A. GREEN #365577

LETTER TO APPELLATE COURT CLERK
FILING THE NOTICE OF APPEAL
DATE:

THE HONORABLE JENNY ABBOTT KITCHINGS
CLERK, SOUTH CAROLINA COURT OF APPEALS
POST OFFICE BOX 11629
COLUMBIA SOUTH CAROLINA, 29211

RECEIVED
MAR 19 2019
SC Court of Appeals

RE: STATE OF SOUTH CAROLINA, RESPONDENT, V. SHERWIN A.
GREEN. APPELLANT

CASE NO: 2013-GS-28-0455 ——— 0458

DEAR HONORABLE KITCHINGS

ENCLOSED FOR FILING IS A NOTICE OF APPEAL
IN THE ABOVE CASE. ALSO ENCLOSED ARE THE FOLLOWINGS

① PROOF OF SERVICE ON THE NOTICE OF APPEAL ON
THE RESPONDENT. (5)

② COPIES OF TRANSCRIPT WHICH IS (ARE) TO BE
CHALLENGED ON APPEAL AND DENIED ORDER.

RESPECTFULLY
MR. SHERWIN A. GREEN #365577

OTHER COUNSEL OF RECORD

K. KICK CAMPBELL

P.O. BOX 192

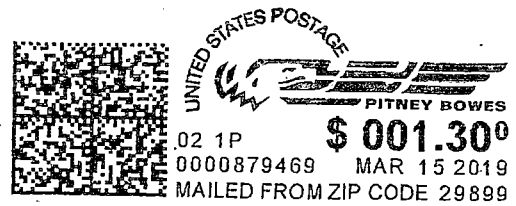
COLUMBIA S.C. 29201

803-576-1800

* UNDER RULE 203 (D) (B) (iii) AND (D) (2) (B) (iii), SCAR, A FILING FEE IS NOT REQUIRED IF APPEAL IS FROM A CRIMINAL CASE INCLUDING JUVENILE DELINQUENCY MATTERS, OR IF THE APPEAL IS TAKEN BY THE STATE OF SOUTH CAROLINA. ITS DEPARTMENT AGENCIES, FURTHER, NO FILING FEE IS REQUIRED IN POST CONVICTION RELIEF CASES.

RULE 240 (D) SCAR

MR. SHERWIN A. GREEN #365577
McCORMICK CORP INST F3-264
386 REDEMPTION WAY
McCORMICK S.C. 29899



RECEIVED

MAR 14 2019

MAIL ROOM

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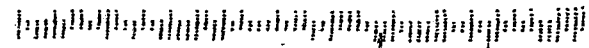
THE HONORABLE JENNY ABOFF KITCHINGS
CLERK, SOUTH CAROLINA COURT OF APPEALS
P.O. BOX 11629
COLUMBIA SOUTH CAROLINA 29211

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LEGAL MAIL