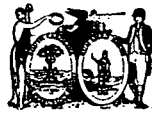


The State of South Carolina
Military Department



OFFICE OF THE ADJUTANT GENERAL
1 NATIONAL GUARD ROAD
COLUMBIA, S. C. 29201-4766

R. VAN MCCARTY
MAJOR GENERAL
THE ADJUTANT GENERAL

RECEIVED

MAR 22 2019

S.C. SUPREME COURT

March 22, 2019

The Honorable Daniel E. Shearouse
Clerk, Supreme Court of South Carolina
Post Office Box 11330
Columbia, South Carolina 29211

RE: The State, Appellant v. SSG Jared A. Waring, Respondent
Case No. 1-SCCMJ-01

Dear Mr. Shearouse:

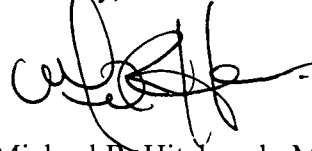
Enclosed for filing is a Notice of Appeal in the above-referenced case.

Also enclosed are the following:

- (1) Proof of Service of the Notice of Appeal on the Respondent.
- (2) This interlocutory appeal is taken from a decision of LTC Lawrence Wedekind, Military Judge in the above referenced Special Court Martial, in which he ruled Section 25-1-2770 of the South Carolina Code of Military Justice unconstitutional. Judge Wedekind orally denied Appellant's timely Motion for Reconsideration on March 18, 2019 and as of the date of this appeal his ruling has not been reduced to writing. A written record of his ruling will be provided as soon as it is available. The appeal is being filed with the Supreme Court because the decision is immediately appealable pursuant to Section 14-3-330(2) of the South Carolina Code and is directly

appealable to the Supreme Court pursuant to Section 14-8-200(a)(3) of the South Carolina Code.

Sincerely,

A handwritten signature in black ink, appearing to read "M. Hitchcock", written over a horizontal line.

Michael R. Hitchcock, MAJ, JA
1 National Guard Road
Columbia, South Carolina 29000
(803) 299-2671
Attorney for Appellant

cc: MAJ Matthew Pinckney, Attorney for Respondent
Mr. Charles Grose, Attorney for Respondent

**NOTICE OF APPEAL BY THE STATE OF A MILITARY JUDGE'S
RULING IN A SPECIAL COURT MARTIAL**

THE STATE OF SOUTH CAROLINA
In The Supreme Court

RECEIVED

MAR 22 2019

S.C. SUPREME COURT

APPEAL FROM A SPECIAL COURT MARTIAL
SOUTH CAROLINA MILITARY DEPARTMENT

LTC Lawrence K. Wedekind, Military Judge

Case No. 1-SCCMJ-01

The State,

Appellant,

v.

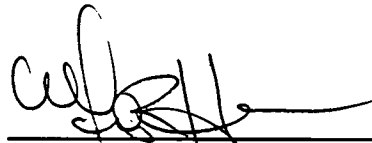
SSG Jared A. Waring,

Respondent.

NOTICE OF APPEAL

The State, by and through its undersigned counsel, appeals the decision of LTC Lawrence K. Wedekind, Military Judge, in the above referenced case in which he ruled Section 25-1-2770 of the South Carolina Code of Military Justice unconstitutional. Judge Wedekind denied the State's timely Motion for Reconsideration on March 18, 2019. The decision is immediately appealable pursuant to Section 14-3-330(2) of the South Carolina Code and is directly appealable to the Supreme Court pursuant to Section 14-8-200(a)(3) of the South Carolina Code.

March 22, 2019



Michael R. Hitchcock, MAJ, JA
John W. Cummings, III, MAJ, JA
1 National Guard Road
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(803) 299-2671
Attorneys for Appellant

Other Counsel of Record:

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414-B Monument Street
Greenwood, SC 29648
(864) 538-6528
Attorney for Respondent

Mr. Charles Grose
404 Main Street
Greenwood, SC 29646
(864) 538-4466
Attorney for Respondent

NOTICE OF APPEAL BY THE STATE OF A MILITARY JUDGE'S
DECISION IN A SPECIAL COURT MARTIAL

RECEIVED

THE STATE OF SOUTH CAROLINA
In The Supreme Court

MAR 22 2019

S.C. SUPREME COURT

APPEAL FROM A SPECIAL COURT MARTIAL
SOUTH CAROLINA MILITARY DEPARTMENT

LTC Lawrence K. Wedekind, Military Judge

Case No. 1-SCCMJ-01

The State,

Appellant,

v.

SSG Jared A. Waring,

Respondent.

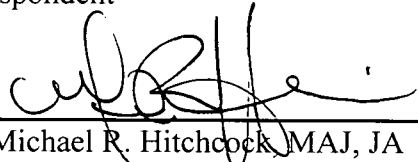
PROOF OF SERVICE

I certify that I have served the Notice of Appeal in the above-referenced case by depositing a copy of it in the United States Mail, postage prepaid, on March 22, 2019, addressed to the other counsel of record below:

MAJ Matthew Pinckney
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Attorney for Respondent

Mr. Charles Grose
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March 22, 2019


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The Honorable Daniel E. Shearouse
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