

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

APPEAL FROM GREENVILLE  
Court of Common Pleas

Edward W. Miller, Circuit Court Judge

Case No. 2017-CP-23-04936

RECEIVED  
MAY 28 2019  
SC Court of Appeals

The State.....Appellant

v.

Danny Jame Plumley.....Respondent

NOTICE OF APPEAL

The State of South Carolina hereby appeals the orders of the Honorable Edward W. Miller dated July 10, 2018 and April 29, 2019 which affirmed on appeal from the Magistrate's court orders suppressing material evidence in this case by Honorable Kenneth G. Southerlin, Jr., Magistrate, by written order dated May 25, 2017 and July 12, 2017. Appellant received written notice of the final order of April 29, 2019 on April 29, 2019.

May 24, 2019

W. Walter Wilkins  
Solicitor, Thirteenth Circuit

s/ Mitchell Byrd  
SC Bar # 1067  
s/Haley Kernell  
SC Bar # 102289  
Asst. Solicitors  
305 E. North St. Ste.325  
Greenville S.C. 29601  
864-467-8701

Other Counsel of Record:  
Steve W. Sumner, Esquire  
112 Manly Street  
Greenville S.C. 29601

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PROOF OF SERVICE

I certify that I have served the Notice of Appeal on the Respondent Danny Jame Plumley, by depositing a copy of it in the United States Mail postage prepaid, on May 24, 2019, addressed to his attorney of record, Steve W. Sumner. Esq. 112 Manly Street, Greenville S.C. 29601.

May 24, 2019

W. Walter Wilkins  
Solicitor, Thirteenth Circuit

s/ Mitchell Byrd  
s/ Haley Kernell  
Asst. Solicitors  
305 E. North St. Ste.325  
Greenville S.C. 29601  
864-467-8701

Other Counsel of Record:

Box 11549  
Columbia S.C. 29211

**State of South Carolina**  
**SOLICITOR, THIRTEENTH JUDICIAL CIRCUIT**



Telephone: 864-467-8647  
Telefax: 864-467-8610

Greenville County Courthouse  
305 E. North Street, Suite 325  
Greenville, SC 29601-2185

**SOLICITOR**  
**W. WALTER WILKINS**

May 24, 2019

Honorable Jenny Abbott Kitchings  
Clerk, S.C. Court of Appeals  
Box 11629  
Columbia S.C. 29211

Re: State v Danny Jame Plumley  
Civil Action No. 2017-CP-23-04936  
Appellate Case No. 2019-\_\_\_\_\_

Dear Ms. Kitchings,

Enclosed please find the original and one copy of the State's Notice of Appeal with Proof of Service and a return envelope. We would appreciate it if you would file the original and return the clocked in copy to us.

Should you need any additional information please do not hesitate to contact me.

**RECEIVED**  
MAY 28 2019  
SC Court of Appeals

Best Wishes,  
  
Mitchell Byrd  
Asst. Solicitor  
Thirteenth Circuit  
305 E. North St. Ste. 325  
Greenville S.C. 29601  
864-467-8701  
[mbyrd@greenvillecounty.org](mailto:mbyrd@greenvillecounty.org)

cc: Steve W. Sumner, Esq.  
William M. Blich, Jr., Esq.

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Mitchell Byrd  
Asst. Solicitor  
13th Circuit  
305 E. North St. Ste.325  
Greenville, SC 29601

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