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THE STATE OF SOUTH CAROLINA

In The Court of Common Pleas

APPEAL FROM MARLBOROCOUNTY

Thomas A. Russo, Circuit Court Judge

Case No. 2012-CP-34-0217

State of South Carolina, Respondent,

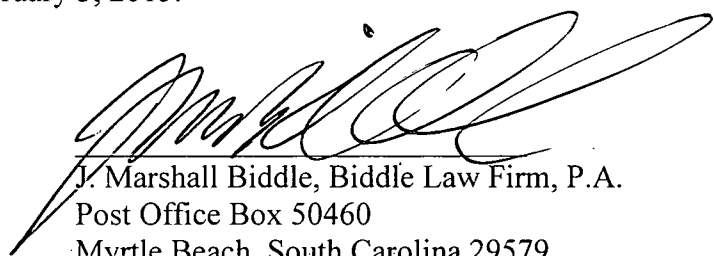
v.

Allen J. Gathings, #279208, Appellant.

NOTICE OF APPEAL

Allen J. Gathings, #279208, appeals the Order of Dismissal of the Honorable Thomas A. Russo dated September 8, 2014 and filed September 30, 2014. Counsel for Appellant was served with a copy of the Order of Dismissal by mail on February 3, 2015 and received written notice of entry of this Order of Dismissal on February 3, 2015.

February 11, 2015



J. Marshall Biddle, Biddle Law Firm, P.A.
Post Office Box 50460
Myrtle Beach, South Carolina 29579
(843) 903-1600
Attorney for Appellant

Other Counsel of Record:
Joshua L. Thomas, Esquire
Office of the Attorney General
Post Office Box 11549
Columbia, South Carolina 29211
Attorney for Respondent
(803) 734-3970

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FEB 17 2015

SC Court of Appeals

THE STATE OF SOUTH CAROLINA

In The Court of Common Pleas

APPEAL FROM MARLBORO COUNTY

Thomas A. Russo, Circuit Court Judge

Case No. 2012-CP-34-0217

State of South Carolina,

Respondent,

v.

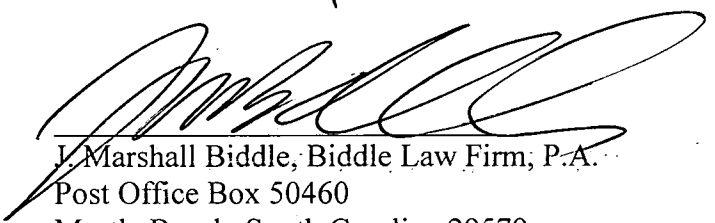
Allen J. Gathings, #279208,

Appellant.

PROOF OF SERVICE

I certify that I have served the Notice of Appeal on the State of South Carolina by depositing a copy of it in the United States Mail, postage prepaid, on February 11, 2015, addressed to its attorney of record, Joshua L. Thomas, Esquire, Office of the Attorney General, Post Office Box 11549, Columbia, South Carolina 29211.

February 11, 2015



J. Marshall Biddle, Biddle Law Firm, P.A.
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SC Court of Appeals

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BIDDLE LAW FIRM, P.A.
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FACSIMILE (843) 903-6209

February 11, 2015

The Honorable Jenny Abbott Kitchings
Clerk of Court
South Carolina Court of Appeals
P.O. Box 11629
Columbia, SC 29211

RE: State of South Carolina, Respondent v. Allen Gathings #279208, Appellant,
Case No. 2012-CP-34-217

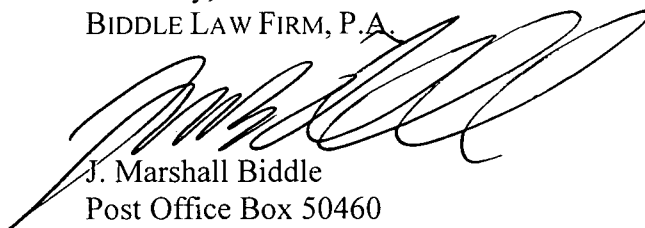
Dear Ms. Kitchings:

Enclosed for filing is a Notice of Appeal in the above case. Also enclosed are the following:

- (1) Proof of Service of the Notice of Appeal on the respondent.
- (2) A copy of the Order of Dismissal which is to be challenged on appeal.
- (3) No filing fee is included because the Appellant, upon information and belief, is indigent and currently incarcerated with the South Carolina Department of Corrections.

I would appreciate your filing the Notice, Order, and Proof of Service. Should you have any questions or need any additional information regarding this matter, please do not hesitate to contact me.

Sincerely,
BIDDLE LAW FIRM, P.A.



J. Marshall Biddle
Post Office Box 50460
Myrtle Beach, South Carolina 29579
(843) 903-1600
Attorney for Appellant

Other Counsel of Record:
Joshua L. Thomas, Esquire
Office of the Attorney General
Post Office Box 11549
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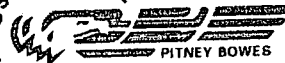
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SC Court of Appeals



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The Honorable **Jenny Abbott Kitchings**
Clerk of Court
South Carolina Court of Appeals
P.O. Box 11629
Columbia, SC 29211

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