

The Supreme Court of South Carolina

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CLERK OF COURT

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CHIEF DEPUTY CLERK

POST OFFICE BOX 11330
COLUMBIA, SOUTH CAROLINA
29211
1231 GERVAIS STREET
COLUMBIA, SOUTH CAROLINA 29201
TELEPHONE: (803) 734-1080
FAX: (803) 734-1499
www.sccourts.org

October 04, 2019

The Honorable Brandy W. McBee
PO Drawer 2289
Gaffney SC 29342-2289

REMITTITUR

Re: State v. Kenneth Lee Hilton
Lower Court Case No. 2012GS1100226, 2013GS1100017
Appellate Case No. 2019-001547

Dear Clerk of Court:

The above referenced matter is hereby remitted to the lower court or tribunal. A copy of the judgment of this Court is enclosed.

Very truly yours,

CLERK

cc:
Kenneth Lee Hilton, #354034
Johnny Ellis James, Jr., Esquire

The Supreme Court of South Carolina

The State, Respondent,

v.

Kenneth Lee Hilton, Appellant.

Appellate Case No. 2019-001547
Lower Court Case Nos. 2012GS1100226 and
2013GS1100017

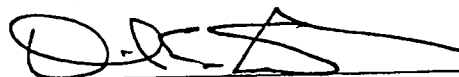
ORDER

The Office of the Attorney General has provided this Court with a copy of a notice of appeal which has been filed in the circuit court. Since the sentences were imposed in January 23, 2013, and the notice of appeal is not dated until June 27, 2019, the notice of appeal is not timely under Rule 203 of the South Carolina Appellate Court Rules (SCACR).¹ Further, the proof of service attached to the notice of appeal does not indicate that a copy of the notice of appeal has been served on the counsel for the State as required by Rule 203(d)(1)(B)(i), SCACR. Finally, petitioner has failed to provide this Court with the explanation required by Rule 203(d)(1)(B)(iv), SCACR, for an appeal from a guilty plea.

Accordingly, the notice of appeal is dismissed. The remittitur will be sent as provided by Rule 221, SCACR.

FOR THE COURT

BY



CLERK

Columbia, South Carolina
September 18, 2019

¹ The records of this Court indicate that petitioner has previously filed a post-conviction relief case regarding the guilty pleas involved in this case, and this Court affirmed the circuit court's denial of relief. *Kenneth Lee Hilton v. State*, 422 S.C. 204, 810 S.E.2d 852 (2018) (Lower Court Case No. 2013CP1100302; Appellate Case 2015-002140).

cc Johnny Ellis James, Jr., Esquire
Mr. Kenneth Lee Hilton, #354034