

THE STATE OF SOUTH CAROLINA
COURT OF APPEALS

APPEAL FROM HORRY COUNTY
Court of General Sessions

Alexander Macaulay, Circuit Court Judge

RECEIVED
FEB 28 2020
SC Court of Appeals

Case No. 2020-000081

The State,Appellant.
v.
John Webb,.....Respondent.

MOTION TO DISMISS

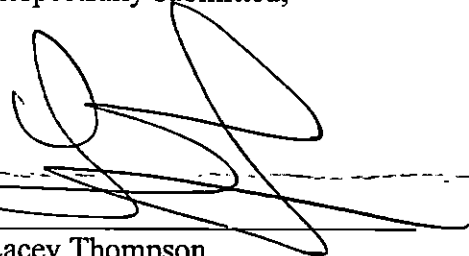
Based on Rule 208 of the South Carolina Appellate Court Rules, undersigned counsel moves this court to dismiss the above referenced action based on the following:

1. On January 15, 2020, the State filed a Notice of Appeal with the Court of Appeals;
2. On January 21, 2020, the Court of Appeals received that notice from the State;
3. On January 23, 2020, the Court of Appeals sent a letter notifying all parties of the notice on the above referenced case;
4. Per Rule 207(a)(1) of the South Carolina Appellate Court Rules, appellant has 30 days to file for a copy of the transcript when the appeal comes from the court of General Sessions;
5. Per Rule 208 of the South Carolina Appellate Court Rules, appellant has 30 days

- to file the initial brief if no transcript was ordered;
6. A transcript was already requested by the Respondent (then Appellant) on May 22, 2019;
 7. The transcript was sent to the Appellant as well as Respondent's trial attorney in July 2019 for the purposes of post-trial motions;
 8. As of today on the above referenced action, additional transcripts have not been requested; and
 - ~~9. As of today on the above referenced action, the initial brief has not been filed.~~

Per Rule 208 of the South Carolina Appellate Court Rules, "the failure of the appellant to file and serve his brief within the time prescribed, the clerk of the appellate court shall sign an order dismissing the appeal...." The appellant's deadline to file for additional transcripts or the initial brief expired on February 14, 2020. Therefore, undersigned counsel moves this court to issue an order dismissing the appeal.

Respectfully submitted,



February 26, 2020

Lacey Thompson
604 16th Ave. North
Myrtle Beach, SC 29577
Phone: 843-444-6122
Attorney for Respondent

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v.

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CERTIFICATE OF SERVICE

I certify that on the 26th day of February, 2020, a copy of the Motion to Dismiss in the above referenced case was served by U.S. Mail to the following addresses:

SC Court of Appeals
Clerk of Court
PO Box 11629
Columbia, SC 29211

Robert M. Dudek, Esquire
1330 Lady Street, Suite 401
Columbia, SC 29201

Alan McCrory Wilson, Esquire
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February 26, 2020

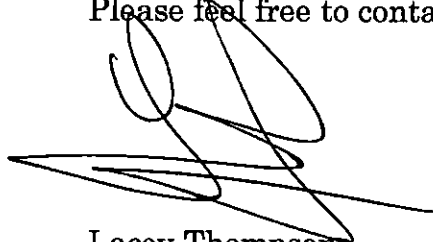
S.C. Court of Appeals
Clerk of Court
P.O. Box 11629
Columbia, SC 29211

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RE: State of South Carolina v. John Webb
Appellate Case No.: 2020-000081

Enclosed is a Motion to Dismiss regarding the above referenced case.

Please feel free to contact me if you have any other questions.



Lacey Thompson
Attorney at Law

Cc: Alan McCrory Wilson, Esquire
William M. Blich, Jr., Esquire
Robert Michael Dudek, Esquire
Mary Ellen Walter, Esquire

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