

STATE OF SOUTH CAROLINA
In The South Carolina Court of Appeals

The Honorable Roger E. Henderson, Circuit Court Judge

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SC Court of Appeals

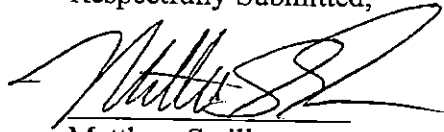
Indictment: 2013-GS-16-00452

The State of South Carolina
v.
Eugene Austin Gardner, III

NOTICE OF APPEAL

Appellant Eugene Austin Gardner, III appeals the guilty verdict and sentence imposed upon him by the Honorable Roger E. Henderson on December 4, 2020 on indictment 2013-GS-16-00452 for Murder. Appellate was sentenced to life imprisonment.

Respectfully Submitted,



Matthew Swilley
Attorney for Appellant
129 S. Coit Street
Florence, SC 29501
Phone: 843-250-3632
Fax: 843-353-2500

TRUE CERTIFIED COPY,
Scott B. Suggs
CLERK OF COURT/RMC
DARLINGTON COUNTY, SC

December 7, 2020

Florence, South Carolina

Other Counsel of Record:

Mr. Kernard Edward Redmond
Fourth Circuit Solicitor's Office
PO Box 594
Chesterfield, SC 29709

SCOTT B. SUGGS
CLERK OF COURT/R.O.D.
DARLINGTON COUNTY, S.C.

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CERTIFICATE OF SERVICE

This is to certify that a copy of the Notice of Appeal in the above-captioned case was served upon counsel for the State by the undersigned by sending a copy via U.S. Mail to the following address:

Mr. Kernard Edward Redmond
Fourth Circuit Solicitor's Office
PO Box 594
Chesterfield, SC 29709



Matthew S. Swilley
Attorney for Appellant

TRUE CERTIFIED COPY,

Scott B. Suggs

CLERK OF COURT/RMC
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THE SWILLEY LAW FIRM, LLC

Matthew S. Swilley
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12/17/2020

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SC Court of Appeals

Ms. V. Claire Allen
Deputy Clerk
South Carolina Court of Appeals
P.O. Box 11629
Columbia, SC 29211

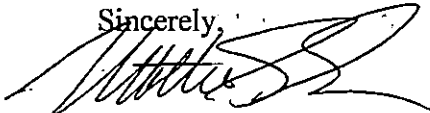
RE: The State v. Eugene A. Gardner, III
Appellate Case No.: 2020-001623

Ms. Allen:

Per your office's correspondence dated December 16, 2020, please find enclosed with this letter a copy of the sentencing sheet which is the the judgment challenged on appeal. I have also included a true certified copy of the Notice of Appeal and Certificate of Service on opposing counsel which was filed with the Darlington County Clerk of Court's Office.

This appeal is from a jury verdict of guilty, not a guilty plea or any other plea and thus Rule 203(d)(1)(B)(iv) of the South Carolina Appellate Court Rules is not applicable. Please let me know if you need anything else from me regarding the matter. Thank you.

Sincerely,



Matt Swilley

MSS/enc.

CC: Robert Dudek, Esq.
Kernard Redmond, Esq.
Melody Brown, Esq.

Swilley Law Firm, LLC
129 S. Coit Street
Florence, SC 29501

COLUMBIA SC 290

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Ms. V. Claire Allen
Deputy Clerk
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