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FEB 08 2021

SC Court of Appeals

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

Appeal from Aiken County  
Clifton Newman, Circuit Court Judge

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THE STATE,

RESPONDENT,

V.

RONALD HUNTER,

APPELLANT

APPELLATE CASE NO. 2020-001690

PETITION TO REINSTATE APPEAL

The undersigned counsel petitions the Court to reinstate the direct appeal of Ronald Hunter. The appeal was dismissed by this court on January 28, 2021 for failure of defense counsel to strictly comply with the Rules of Appellant Procedure. Appellant petitions for reinstatement of his appeal on the basis of equity and judicial efficiency. In support of this petition, Counsel would respectfully show the Court that:

1. On December 8, 2020 Ronald Hunter entered an Alford Plea to the charge of Assault and Battery 1<sup>st</sup> degree. Ronald Hunter was sentenced to 8 years commitment to South Carolina Department of Corrections. Ronald Hunter requested an Appeal.
2. On December 17, 2020, a Notice of Intent to Appeal was filed and sent to all parties.
3. On January 4, 2021, a letter instructing the Appellant to provide the Court of Appeals an explanation of the basis for his appeal. This letter was mailed to Ronald Hunter at Kirkland Correctional Facility. However, counsel failed to provide the Court of Appeals with proof that the guilty plea explanation had been forwarded to the Appellant.

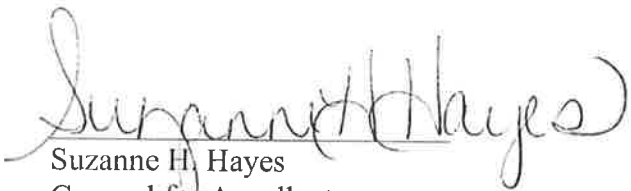
4. On January 28, 2021 the Court of Appeals dismissed the Appeal on the grounds that Counsel failed to provide proof that the guilty plea explanation had not been forwarded to the Appellant.

5. Proof of explanation was not filed in a timely manner with the Court of Appeals. The letter was forwarded to the Appellant on January 4, 2021. A copy of the letter is attached as attachment A.

6. Defense Counsel believes that the Appellant may have already responded to the Court of Appeals with his grounds for his appeal.

WHEREFORE, undersigned counsel respectfully requests that the direct appeal of Ronald Hunter be reinstated.

Respectfully submitted,

  
Suzanne H. Hayes  
Counsel for Appellant

Date: February 1, 2021

# Public Defender for the Second Judicial Circuit

410 Barnwell Avenue N.W.  
Post Office Drawer 2247  
Aiken, South Carolina 29802

De Grant Gibbons, Circuit Public Defender

January 4, 2021

Ronald Hunter 00379001  
Kirkland Correctional Institution  
4344 Broad River Road  
Columbia, SC 29210

re: State v. Ronald Hunter  
Appellate Case No. 2020-001690

Dear Mr. Hunter:

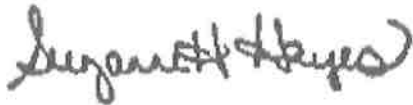
Under Rule 203(B) (iv) of the South Carolina Rules of Appellate Procedure, an appeal from a guilty plea may be dismissed unless you can identify issues that were preserved for appeal or make a sufficient showing to the Court that there are issues which can be argued on appeal. I do not believe that there were any issues preserved for appeal, however, I did file an appeal since you specifically asked me to do so. The paperwork that I filed is enclosed for your review.

You must now contact the appellate court yourself in writing to advise the Court of any issues you feel you may have on appeal.

You must send a written statement to the South Carolina Court of Appeals within twenty (20) days from the date of this letter to inform the Court of any argument you have that there are issues preserved for appeal. Your statement should include your case number as shown above. The address of the Court is:

South Carolina Court of Appeals  
1220 Senate Street  
Columbia, SC 29201

Very truly yours,



Suzanne Hayes  
Public Defender

Enclosure

cc: V. Claire Allen, Deputy Clerk of the SC Court of Appeals

Telephone: (803) 642-1732

Fax: (803) 642-1739

Attachment A

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STATE OF SOUTH CAROLINA

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Clifton Newman, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

RONALD C HUNTER,

APPELLANT

APPELLATE CASE NO. 2020-001690

CERTIFICATE OF SERVICE

NOW COMES the below signed Paralegal for the Aiken County Public Defender's Office who states, after first being duly sworn, that she has served the below listed documents upon all parties by placing same in the United States Mail properly addressed and with correct postage affixed thereto:

Documents Served: Motion to Reinstate Appeal

Parties Served: Ronald C Hunter, SCDC ID: 00379001

Kirkland Correctional Institution  
4344 Broad River Road  
Columbia, SC 29210

Robert Michael Dudek, Esquire  
South Caroline Commission of Indigent Defense  
PO Box 11589  
Columbia, SC 29211

Ashley Agnew Hammack, Esquire  
Aiken County Solicitor's Office  
109 Park Avenue  
Aiken, SC 29801

Alan McCrory Wilson, Esquire/ William M Blich, Jr., Esquire  
South Carolina Attorney General's Office  
PO Box 11549  
Columbia, SC 29211-1549

Emily Cook

Emily Cook  
Paralegal at Second Judicial Circuit Public Defenders Office  
PO Box 2247  
Aiken, SC 29802

SUBSCRIBED AND SWORN TO before me  
this 2 day of February 2021.

AW

Notary Public for South Carolina  
My Commission Expires: 6/21/2028.

**Public Defender for the Second Judicial Circuit**

211 York Street, N.E.  
Post Office Drawer 2247  
Aiken, South Carolina 29801

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**SC Court of Appeals**

February 02, 2021

South Carolina Court of Appeals  
PO Box 11629  
Columbia, SC 29211

RE: State of SC v. Ronald C Hunter  
Appellate Case No. 2020-001690

Dear Whom it May Concern:

Enclosed please find the original Petition to Reinstate Appeal along with the Rule 203 letter attachment and Certificate of Service on behalf of Attorney Suzanne Hayes.

Please contact me if you have any questions.

Sincerely,



Emily Cook  
Paralegal

CC: Ronald C Hunter  
Robert Michael Dudek  
Ashley Agnew Hammack  
Alan McCrory Wilson  
William M Blich Jr.

Second Judicial Circuit  
Public Defender  
P.O. Box 2247  
Aiken, South Carolina 29802

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**CERTIFIED MAIL**



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SC Court of Appeals

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