

# The Supreme Court of South Carolina

Calvin L. Gaddy, #323551, Petitioner,

v.

The State of South Carolina, Respondent.

Appellate Case No. 2021-000415

Lower Court Case No. 2015CP2900637

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## ORDER

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In this post-conviction relief case, the final order was filed on October 26, 2020.<sup>1</sup> Petitioner has now filed a notice of appeal which was received by this Court on April 20, 2021.

The document entitled "affidavit of service" accompanying the notice of appeal does not indicate who has been served or the method of service. Nor does it state the date on which service was accomplished.

Accordingly, based on petitioner's failure to provide a proof of service showing that the notice of appeal has been served on the opposing counsel as required by Rules 243(b) and 203(d)(1)(B)(i) of the South Carolina Appellate Court Rules (SCACR), the notice of appeal is dismissed. The remittitur will be sent as

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<sup>1</sup> While petitioner did not provide a complete copy of the final order of dismissal or the conditional order of dismissal, this Court has obtained a copy of these orders from the public case index for Lancaster County. In the notice of appeal documents, petitioner alleges he did not receive notice of the final order until March 30, 2021.

provided by Rule 221, SCACR.

FOR THE COURT

BY   
CLERK

Columbia, South Carolina  
April 23, 2021

cc: Office of the Attorney General  
Mr. Calvin Lyndale Gaddy, 323551