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SC Court of Appeals



ALAN WILSON
ATTORNEY GENERAL

September 24, 2021

The Honorable Edgar L. Clements
Solicitor, Twelfth Judicial Circuit
180 N. Irby Street, MSC-Q, Room 1101
Florence, South Carolina 29501

RE: State v. Zachir Devaugnte Shyhiim McCall
2021-GS-33-073; 079; 083

Dear Solicitor Clements:

In its Order, filed on August 31, 2021, the South Carolina Court of Appeals dismissed the above appeal for failure of appellant to timely serve the notice of appeal. The Remittitur was subsequently sent to the Marion County Clerk of Court on September 23, 2021. Therefore, with this letter, we are closing our direct appeal file in this matter.

This office has verified through the South Carolina Department of Corrections' website that Zachir McCall is presently incarcerated. By copy of this letter to the Department of Corrections, we are asking that they ensure his sentence is carried out.

Sincerely,

Angela Brown
Administrative Coordinator to Melody J. Brown
Senior Assistant Deputy Attorney General

/abb

Enclosure: Order of Dismissal
Remittitur

cc: The Honorable Christy M. Gray
Barton J. Vincent, Esquire
Alexandra Perez-Caballero, SLED CJIS
Victim Advocacy Division

2021 SEP 27 AM 10:30
MARION COUNTY S
CHRISTY M. GRAY
CLERK OF COURT
FILED

The South Carolina Court of Appeals

The State, Respondent,

v.

Zachir Devaugnte Shyhiim McCall, Appellant.

Appellate Case No. 2021-000836

ORDER

This appeal arises out of a sentence imposed on July 22, 2021. The proof of service provided with the notice of appeal shows service on August 13, 2021. Because the notice of appeal was not timely served, the appeal is dismissed. *See State v. Devore*, 416 S.C. 115, 119, 784 S.E.2d 690, 692 (Ct. App. 2016) (noting timely service of the notice of appeal is a jurisdictional requirement); Rule 203(b)(2), SCACR ("After a plea or trial resulting in conviction or a proceeding resulting in revocation of probation, a notice of appeal shall be served on all respondents within ten (10) days after the sentence is imposed."). The remittitur will be sent as provided by Rule 221(b) of the South Carolina Appellate Court Rules.


C. J.
FOR THE COURT

Columbia, South Carolina

cc:
Zachir D. S. McCall, 00364936
James Ryan White, Esquire
Alan McCrory Wilson, Esquire
Melody Jane Brown, Esquire

FILED
Aug 31 2021

2021 SEP 27 11:32
MARICIA C. QUINN/SC
CHRISTY M. DEAN
CLERK OF COURT

FILED



The South Carolina Court of Appeals

JENNY ABBOTT KITCHINGS
CLERK

V. CLAIRE ALLEN
CHIEF DEPUTY CLERK

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COLUMBIA, SOUTH CAROLINA 29201
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September 23, 2021

The Honorable Christy M. Gray
PO Box 295
Marion SC 29571

REMITTITUR

Re: The State v. Zachir D. S. McCall
Lower Court Case No. 2021GS3300073, 2021GS3300079, 2021GS3300083
Appellate Case No. 2021-000836

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

Enclosure

cc: Zachir D. S. McCall, 00364936
James Ryan White, Esquire
Alan McCrory Wilson, Esquire
Melody Jane Brown, Esquire

2021 SEP 27 AM 10:32
MARION COUNTY SC
CHRISTY M. GRAY
CLERK OF COURT

FILED