

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM CHEROKEE COUNTY
Court of General Sessions

Daniel Hall, Circuit Court Judge

RECEIVED

AUG 08 2022

SC Court of Appeals

Case No(s):
2022GS1101062, 2022GS1101063, 2022GS1101064

The State

Jessica Sisler Long

v.

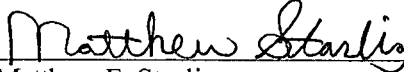
Respondent,

Appellant.

EXPLANATION OF APPEAL PURSUANT TO RULE 203(d)(1)(B), SCACR

Pursuant to Rule 203(d)(1)(B), SCACR, Jessica Sisler Long files this explanation of his appeal of his/her guilty plea, conviction and sentence in this case. The sentence was imposed by the Honorable Daniel Hall on July 29th, 2022 . No issues were raised during the guilty plea; however, the client insisted upon an appeal; therefore, this appeal was filed pursuant to Weathers v. State, 319 S.C. 59, 459 S.E.2d 838 (1995), and State v. Thrift, 378 S.C. 70, 661 S.E.2d 373 (2008).

August 04, 2022


Matthew E. Starling

Seventh Judicial Circuit Public Defender Office
202 North Petty Street
Gaffney, South Carolina 29340
(864) 514-3123
Attorney for Appellant

Other Counsel of Record:

Adrienne E. Barry, Esq.
Seventh Judicial Circuit Solicitor's Office
125 East Floyd Baker Blvd
Gaffney, South Carolina 29340
Attorney for Respondent

THE STATE OF SOUTH CAROLINA
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APPEAL FROM THE CHEROKEE COUNTY
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The State

Respondent,

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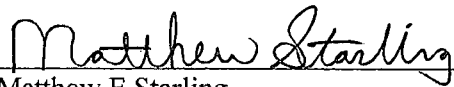
Jessica Sisler Long

Appellant.

PROOF OF SERVICE

I certify that I served the Explanation of Appeal Pursuant to Rule 203(d)(1)(B), SCACR, on the State of South Carolina by depositing a copy of it in the United States Mail, postage prepaid, on August 04, 2022 addressed to its attorney of record, Matthew Starling, Assistant Solicitor, Adrienne Barry- 125 East Floyd Baker Blvd.

August 04, 2022


Matthew E. Starling

Seventh Judicial Circuit Public Defender Office
202 North Petty Street
Gaffney, South Carolina 29340
(864) 514-3123
Attorney for Appellant

STATE OF SOUTH CAROLINA
COUNTY OF Cherokee

IN THE COURT OF GENERAL SESSIONS

STATE
VS.

INDICTMENT/CASE# 22GS11 01062

Jessica Sisler Long
AKA:
Race: WHITE Sex: F Age: 30
DOB: [REDACTED] SS#: [REDACTED]
Address: [REDACTED]
City, State, Zip: [REDACTED]
DL# [REDACTED] STD# [REDACTED]

AW#: 2022A1110100597
Date of Offense: 5/2/2022
S.C. Code § 63-05-0070
CDR Code #: 2481

RECEIVED
SENTENCE SHEET
AUG 08 2022

SC Court of Appeals

*CDL Yes No CMV Yes No Hazmat Yes No

In disposition of the above indictment comes now the Defendant who was CONVICTED OF or PLEADS TO: Legal custodian, unlawful neglect of child or helpless person (0-10 years)

in violation of § 63-05-0070 of the S.C. Code of Laws, bearing CDR Code # 2481
 NON-VIOLENT VIOLENT SERIOUS MOST SERIOUS Mandatory GPS \$17-25-45-
(CSC w/minor 1st or CSC w/minor 3rd)

The charge is: As Indicted, Lesser Included Offense, Defendant Waives Presentment to Grand Jury. JL (def.'s initials)

The plea is: Without Negotiations or Recommendation, Negotiated Sentence, Recommendation by the State.

ATTEST:
Adrienne Barry 101671 S/Jessica Long Matthew Starling
BARRY, ADRIENNE E. SC Bar # Defendant Starling, Matthew E. SC Bar# SCB104753

WHEREFORE, the Defendant is committed to the State Department of Correction, County Detention Center, for a determinate term of 3 days/months/years/Time Served Youthful Offender Act not to exceed ___ years and/or to pay a fine of \$ ___; provided that upon the service of ___ days/months/years/Time Served and or payment of \$ ___; plus costs and assessments as applicable*; the balance is suspended with probation for ___ months/years and subject to South Carolina Department of Probation, Parole and Pardon Services standard conditions of probation, which are incorporated by reference.

The sentence shall run CONCURRENT or CONSECUTIVE to sentence on: _____
 The Defendant is to be given credit for time served pursuant to S.C. Code §24-13-40 to be calculated and applied by SCDOC. 72 days/months
 To include time spent on monitored house arrest prior to trial and sentencing.
 The Defendant Shall be Released from County Detention Center.

Pursuant to 18 U.S.C. § 922 and § 16-25-30 it is unlawful for a person convicted of a violation of § 16-25-20 or § 16-25-65 (Domestic Violence) to ship, transport, possess, or receive a firearm or ammunition.

A TRUE COPY
Brandy W. [Signature]
CLERK OF COURT

STATE VS. Jessica Sisler Long INDICTMENT/CASE#: 2022-GS-1101062

SPECIAL CONDITIONS:

- PTUP** after _____ months/years
- And Other Terms Listed Below:**
- Substance Abuse Counseling Completion of GED Random Drug/Alcohol Testing
- Attend Voc. Rehab. or Job Corp No Contact with Victim Domestic Violence Intervention Program
- Mental Health Counseling May serve W/E beginning: _____
- Sex Offender Registry pursuant to S.C. Code § 23-3-430 Public Service Employment _____ days/hours
- Central Registry of Child Abuse and Neglect pursuant to S.C. Code § 17-25-135.
- Other: _____

RESTITUTION: **Deferred** **Def. Waives Hearing** **Ordered**

Total: \$ _____ plus 20% fee: \$ _____

Payment Terms: _____ Set by SCDPPPS

Recipient: _____

***Fine:**

Fine may be pd. in equal, consecutive weekly/monthly pmts. of \$ _____ Beginning _____	\$ _____
§14-1-206 (Assessments 107.5 %)	\$ _____
§14-1-211(A)(1) (Conv. Surcharge)	<u>\$100</u> \$ _____
§14-1-211(A)(2) (DUI Surcharge)	\$100 \$ _____
§56-5-2995 (DUI Assessment)	\$12 \$ _____
§56-1-286 (DUI Breath Test)	<u>\$25</u> \$ _____
§14-1-212 (Law Enforce. Funding)	<u>\$25</u> \$ _____
§14-1-213 (Drug Court Surcharge)	\$150 \$ _____
§34-11-70(b)and(c), and 34-11-90(c)and(d) (Admin Fraud Check Court Costs)	\$41 \$ _____
§50-21-114(BUI Breath Test Fee)	\$50 \$ _____
§56-5-2942(J) (Vehicle Assessment)	\$40/ea \$ _____
3% to County (if paid in installments)	TBD \$ _____

- Appointed PD or appointed other counsel, Proviso requires \$500 be paid to Clerk during probation and shall be collected before any other fees. \$500 \$ _____
- § 17-3-30(B) Unpaid Application Fee to be paid to the Public Defender Fund TBD \$ 8.25

TOTAL \$ 723.25

[Signature]

Judge Code: 2753

Sentence Date: July 29, 2022

Clerk of Court/ Deputy Clerk: Brandy W. McBee

Court Reporter: Dami Green

Presiding Judge: _____

WITNESSES

CHEROKEE COUNTY SHERIFF'S OFFICE

ARREST WARRANT NUMBER

2022A1110100597

ACTION OF GRAND JURY

Foreperson of Grand Jury
Date:

VERDICT

Foreperson of Petit Jury
Date:

DOCKET NO. 22-GS-11-01062

The State of South Carolina

County of Cherokee

Barry Barnette, Solicitor

COURT OF GENERAL SESSIONS

July 27, 2022 TERM

THE STATE

vs.

JESSICA SISLER LONG

Indictment for

UNLAWFUL NEGLECT BY LEGAL CUSTODIAN

SC Code: 63-5-70

CDR Code: 2481

Class FEL/E

FILED IN OFFICE OF
CLERK OF COURT
CHEROKEE COUNTY, S.C.

2022 AUG -1 AM 11:39

BRANDY W. HCBEE

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AUG 08 2022

SC Court of Appeals

A TRUE COPY
Brandy W. HCBEE
CLERK OF COURT
CHEROKEE COUNTY, S.C.

~~7~~

STATE OF SOUTH CAROLINA
COUNTY OF Cherokee

IN THE COURT OF GENERAL SESSIONS

STATE _____
VS. _____

INDICTMENT/CASE# 22-GS-11 01063

AKA: Jessica Sisler Long
Race: WHITE Sex: F Age: 30
DOB: [REDACTED] SS#: [REDACTED]
Address: [REDACTED]
City, State, Zip: [REDACTED]
DL#: [REDACTED] SID#: _____

A/W#: 2022A1110100598
Date of Offense: 5/2/2022
S.C. Code § 63-05-0070
CDR Code #: 2481

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AUG 08 2022

SC Court of Appeals

*CDL Yes No CMV Yes No Hazmat Yes No

In disposition of the above indictment comes now the Defendant who was CONVICTED OF or PLEADS TO: Legal custodian, unlawful neglect of child or helpless person (0-10 years)

in violation of § 63-05-0070 of the S.C. Code of Laws, bearing CDR Code # 2481

NON-VIOLENT VIOLENT SERIOUS MOST SERIOUS Mandatory GPS §17-25-45
(CSC w/minor 1st or CSC w/minor 3rd)

The charge is: As Indicted, Lesser Included Offense, Defendant Waives Presentment to Grand Jury. JL (def.'s initials)

The plea is: Without Negotiations or Recommendation, Negotiated Sentence, Recommendation by the State.

ATTEST:

Adrienne Barry 101671 s/ Jessica Long Matthew Starling SCB104753
BARRY, ADRIENNE E SC Bar # Defendant Starling, Matthew E. SC Bar #

WHEREFORE, the Defendant is committed to the State Department of Correction, County Detention Center, for a determinate term of 3 days/months/years/Time Served Youthful Offender Act not to exceed ___ years and/or to pay a fine of \$ _____; provided that upon the service of ___ days/months/years/Time Served and or payment of \$ _____; plus costs and assessments as applicable*; the balance is suspended with **probation** for _____

months/years and subject to South Carolina Department of Probation, Parole and Pardon Services standard conditions of probation, which are incorporated by reference.

The sentence shall run CONCURRENT or CONSECUTIVE to sentence on: _____

The Defendant is to be given credit for time served pursuant to S.C. Code §24-13-40 to be calculated and applied by SCDOC. 72 days/months

To include time spent on monitored house arrest prior to trial and sentencing.

The Defendant Shall be Released from County Detention Center.

Pursuant to 18 U.S.C. § 922 and § 16-25-30 it is unlawful for a person convicted of a violation of § 16-25-20 or § 16-25-65 (Domestic Violence) to ship, transport, possess, or receive a firearm or ammunition.

Brandy [Signature]
CLERK OF COURT
CHEROKEE COUNTY, SC

STATE VS. Jessica Sisler Long INDICTMENT/CASE#: 2022-GS-11-01063

SPECIAL CONDITIONS:

- PTUP** after _____ months/years
- And Other Terms Listed Below:**
- Substance Abuse Counseling Completion of GED Random Drug/Alcohol Testing
- Attend Voc. Rehab. or Job Corp No Contact with Victim Domestic Violence Intervention Program
- Mental Health Counseling May serve W/E beginning: _____
- Sex Offender Registry pursuant to S.C. Code § 23-3-430 Public Service Employment _____ days/hours
- Central Registry of Child Abuse and Neglect pursuant to S.C. Code § 17-25-135.
- Other: _____

- RESTITUTION:** **Deferred** **Def. Waives Hearing** **Ordered**

Total: \$ _____ plus 20% fee: \$ _____

Payment Terms: _____ Set by SCDPPPS

Recipient: _____

***Fine:**

Fine may be pd. in equal, consecutive weekly/monthly pmts. of \$ _____ Beginning _____	\$ _____
§14-1-206 (Assessments 107.5 %)	\$ _____
§14-1-211(A)(1) (Conv. Surcharge)	\$100
§14-1-211(A)(2) (DUI Surcharge)	\$100
§56-5-2995 (DUI Assessment)	\$12
§56-1-286 (DUI Breath Test)	\$25
§14-1-212 (Law Enforce. Funding)	\$25
§14-1-213 (Drug Court Surcharge)	\$150
§34-11-70(b)and(c), and 34-11-90(c)and(d) (Admin Fraud Check Court Costs)	\$41
§50-21-114(BUI Breath Test Fee)	\$50
§56-5-2942(J) (Vehicle Assessment)	\$40/ea
3% to County (if paid in installments)	TBD

- Appointed PD or appointed other counsel, Proviso requires \$500 be paid to Clerk during probation and shall be collected before any other fees. \$500 \$
- § 17-3-30(B) Unpaid Application Fee to be paid to the Public Defender Fund TBD \$ 3.75
- TOTAL** \$ 128.75

Clerk of Court/ Deputy Clerk: Brandy W. McBee
 Court Reporter: Pam Green

Presiding Judge: David D. Hill
 Judge Code: 2753
 Sentence Date: July 29, 2022

WITNESSES

CHEROKEE COUNTY SHERIFF'S OFFICE

ARREST WARRANT NUMBER

2022A1110100598

ACTION OF GRAND JURY

Foreperson of Grand Jury
Date:

VERDICT

Foreperson of Petit Jury
Date:

DOCKET NO. 22-GS-11-01063

The State of South Carolina

County of Cherokee

Barry Barnette, Solicitor

COURT OF GENERAL SESSIONS

July 27, 2022 TERM

THE STATE

vs.

JESSICA SISLER LONG

Indictment for

UNLAWFUL NEGLECT BY LEGAL CUSTODIAN

SC Code: 63-5-70

CDR Code: 2481

Class FEL/E

FILLED IN OFFICE OF
CLERK OF COURT
CHEROKEE COUNTY, S.C.

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BRANDY W. MCBEE

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AUG 08 2022

SC Court of Appeals

AS THE COPY
Brandy W. McBee
CLERK OF COURT
CHEROKEE COUNTY, S.C.

X

STATE OF SOUTH CAROLINA
COUNTY OF Cherokee

IN THE COURT OF GENERAL SESSIONS

STATE _____ VS. _____

INDICTMENT/CASE# 22GS 11 0 1004

Jessica Sisler Long
AKA: _____
Race: WHITE Sex: F Age: 30
DOB: _____ SS#: _____
Address: _____
City, State, Zip: _____
DL#: _____ SID#: _____

A/W#: 2022A1110100599
Date of Offense: 5/2/2022
S.C. Code § 63-05-0070
CDR Code #: 2481

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AUG 08 2022

SC Court of Appeals

*CDL Yes No CMV Yes No Hazmat Yes No

In disposition of the above indictment comes now the Defendant who was CONVICTED OF or PLEADS TO: Legal custodian, unlawful neglect of child or helpless person (0-10 years)

in violation of § 63-05-0070 of the S.C. Code of Laws, bearing CDR Code # 2481

NON-VIOLENT VIOLENT SERIOUS MOST SERIOUS Mandatory GPS \$17-25-45
(CSC w/minor 1st or CSC w/minor 3rd)

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Adrienne Barry 101671 s/Jessica Long Matthew Starling SCB104753
BARRY, ADRIENNE E. SC Bar # Defendant Starling, Matthew E. SC Bar#

WHEREFORE, the Defendant is committed to the State Department of Correction, County Detention Center,

for a determinate term of 3 days/months/years/Time Served. Youthful Offender Act not to exceed ___ years

and/or to pay a fine of \$ _____; provided that upon the service of ___ days/months/years/Time Served and or payment

of \$ _____; plus costs and assessments as applicable*; the balance is suspended with probation for _____

months/years and subject to South Carolina Department of Probation, Parole and Pardon Services standard conditions of probation, which are incorporated by reference.

ATTESTED COPY
JULY 25 2022
CLERK OF COURT
CHEROKEE COUNTY, SC.

The sentence shall run

CONCURRENT or CONSECUTIVE to sentence on: _____

The Defendant is to be given credit for time served pursuant to S.C. Code §24-13-40 to be calculated and applied by SCDoc. 72 days/months

To include time spent on monitored house arrest prior to trial and sentencing.

The Defendant Shall be Released from County Detention Center.

Pursuant to 18 U.S.C. § 922 and § 16-25-30 it is unlawful for a person convicted of a violation of § 16-25-20 or § 16-25-65 (Domestic Violence) to ship, transport, possess, or receive a firearm or ammunition.

STATE VS. Jessica Sisler Long INDICTMENT/CASE#: 2022 - GS 11-1064

SPECIAL CONDITIONS:

- PTUP** after _____ months/years
- And Other Terms Listed Below:**
- Substance Abuse Counseling Completion of GED Random Drug/Alcohol Testing
- Attend Voc. Rehab. or Job Corp No Contact with Victim Domestic Violence Intervention Program
- Mental Health Counseling May serve W/E beginning: _____
- Sex Offender Registry pursuant to S.C. Code § 23-3-430 Public Service Employment _____ days/hours
- Central Registry of Child Abuse and Neglect pursuant to S.C. Code § 17-25-135.
- Other: _____

- RESTITUTION:** **Deferred** **Def. Waives Hearing** **Ordered**

Total: \$ _____ plus 20% fee: \$ _____

Payment Terms: _____ Set by SCDPPPS

Recipient: _____

***Fine:**

Fine may be pd. in equal, consecutive weekly/monthly pmts. of	\$ _____	Beginning	_____	\$ _____
§14-1-206 (Assessments 107.5 %)				\$ _____
§14-1-211(A)(1) (Conv. Surcharge)			\$100	\$ _____
§14-1-211(A)(2) (DUI Surcharge)			\$100	\$ _____
§56-5-2995 (DUI Assessment)			\$12	\$ _____
§56-1-286 (DUI Breath Test)			\$25	\$ _____
§14-1-212 (Law Enforce. Funding)			\$25	\$ _____
§14-1-213 (Drug Court Surcharge)			\$150	\$ _____
§34-11-70(b)and(c), and 34-11-90(c)and(d) (Admin Fraud Check Court Costs)			\$41	\$ _____
§50-21-114(BUI Breath Test Fee)			\$50	\$ _____
§56-5-2942(J) (Vehicle Assessment)			\$40/ea	\$ _____
3% to County (if paid in installments)			TBD	\$ _____
<input type="checkbox"/> Appointed PD or appointed other counsel, Proviso requires \$500 be paid to Clerk during probation and shall be collected before any other fees.			\$500	\$ _____
<input type="checkbox"/> § 17-3-30(B) Unpaid Application Fee to be paid to the Public Defender Fund			TBD	\$ <u>3.25</u>

TOTAL \$ 128.75

David D. All

Presiding Judge: _____

Judge Code: 2753

Sentence Date: July 29, 2022

Clerk of Court/ Deputy Clerk: Brandy W. McBea

Court Reporter: Pam Carter

WITNESSES

CHEROKEE COUNTY SHERIFF'S OFFICE

ARREST WARRANT NUMBER

2022A1110100599

ACTION OF GRAND JURY

Foreperson of Grand Jury
Date:

VERDICT

Foreperson of Petit Jury
Date:

DOCKET NO.

22-GS-11-010604

The State of South Carolina

County of Cherokee

Barry Barnette, Solicitor

COURT OF GENERAL SESSIONS

July 27, 2022 TERM

THE STATE

vs.

JESSICA SISLER LONG

Indictment for

UNLAWFUL NEGLIGENCE BY LEGAL CUSTODIAN

SC Code: 63-5-70

CDR Code: 2481

Class FEL/E

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CLERK OF COURT
CHEROKEE COUNTY, S.C.

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BRANDY W. MCBEE

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SC Court of Appeals

STATE COPY
Brandy W. McBee
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CHEROKEE COUNTY, S.C.