

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

RECEIVED  
MAY 29 2013  
SC COURT OF APPEALS

APPEAL FROM LEXINGTON COUNTY  
Court of General Sessions

The Honorable R. Markley Dennis, Jr., Circuit Court Judge

Case No. 11-GS-40-02114, 115  
Warrant No. W-32-13-0090

 The State,

Respondent,

v.

Joseph Charles Tice

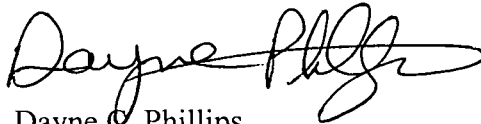
Appellant.

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NOTICE OF APPEAL

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Joseph Tice appeals the probation revocation and sentence in this case. The probation revocation sentence was imposed by the Honorable R. Markley Dennis Jr, on May 24, 2013, without making the necessary findings on the record under *Bearden v. Georgia*, 461 U.S. 660 (1983) and *Barlet v. State*, 288 S.C. 481, 343 S.E.2d 620 (1986). See *State v. Spare*, 374 S.C. 264, 647 S.E.2d 706 (Ct. App. 2007).



Dayne C. Phillips  
407 ½ West Main St  
Lexington, SC 29072  
(803) 785-8873

OTHER RECORD OF COUNSEL:

Matthew C. Buchanan  
General Counsel for Probation  
P.O. Box 50666  
Columbia, SC 29250

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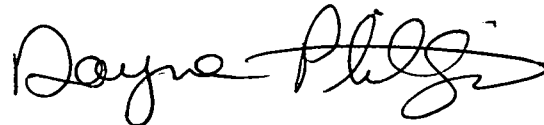
Appellant.

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PROOF OF SERVICE

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I certify that I have served the Notice of Appeal on the Department of Probation, Pardon, and Parole (DPPP), by depositing a copy of it in the United States Mail, postage prepaid, on May 24, 2013, addressed to Matthew C. Buchanan, General Counsel for DPPP, at P.O. Box 50666, Columbia, SC 29250.



Dayne C. Phillips  
Assistant Public Defender  
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# OFFICE OF THE PUBLIC DEFENDER

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**Eleventh Judicial Circuit**  
Lexington, Saluda, Edgefield,  
and McCormick Counties

**ROBERT M. MADSEN**  
Circuit Public Defender

W. GREG SEIGLER  
Tri-County Public Defender  
Post Office Box 1852  
McCormick, SC 29835  
Telephone (864) 852-9555  
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May 24, 2013

The Honorable Jenny Kitchings,  
Clerk, S.C. Court of Appeals  
1015 Sumter Street  
Columbia, SC 29201

RECEIVED  
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SC Court of Appeals

Re: **The State vs. Joseph Tice**

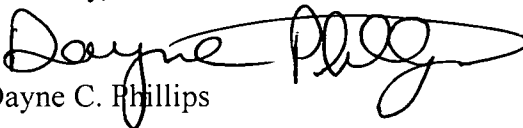
Dear Ms. Kitchings:

I have enclosed an original and one copy of the Notice to Appeal in the above matter for filing in your office. Please file the original and return the date/time stamped copy to me in the envelope provided.

I am, by copy of this letter, serving a copy of this Notice to Appeal on Matthew C. Buchanan and Chief Appellate Defender Robert Dudek, together with my Certificate of Service.

Thank you for your assistance in this matter. With kind regards, I am

Sincerely,

  
Dayne C. Phillips

Enclosures

cc: Matthew C. Buchanan  
General Counsel for Probation  
P.O. Box 50666  
Columbia, SC 29250

Office of Appellate Defense  
P.O. Box 11589  
Columbia, SC 29211

cc: Lisa Baker  
SC Probation, Parole & Pardon Services  
605 West Main St., Ste. 104  
Lexington, SC 29072

Joseph Tice, Inmate  
Lexington County Detention Center