

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM BERKELEY COUNTY
Court of General Sessions

J. C. Nicholson, Jr., Circuit Court Judge

Case No. 2011-GS-08-0402; 2011-GS-08-01674; 2011-GS-08-01675

 The State,

Respondent,

v.

Ron Santa McCray,

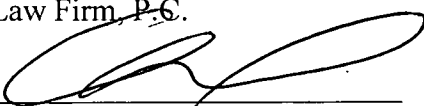
Appellant.

NOTICE OF APPEAL

Jessica Lynn Clark appeals her conviction and sentence in this case. The sentence was imposed by the Honorable J. C. Nicholson, Jr. on May 23, 2013. Appellant received written notice of entry of this order on May 23, 2013.

May 29, 2013

Biering Law Firm, P.C.


Christopher P. Biering SCBAR No. 13353
103 Broughton Road
Moncks Corner, South Carolina 29461
843-761-4888
Facsimile: 843-899-9015
chris@bieringlawfirm.com

RECEIVED

JUN 03 2013

SC Court of Appeals

Other Counsel of Record:

Bryan Alfaro

Assistant Solicitor, Office of the Solicitor, Ninth Judicial Circuit

300 B California Avenue

Moncks Corner, South Carolina 29461

(843) 719-4529

Attorney for Respondent

Robert M. Dudek

Chief Appellate Defender

S.C. Commission on Indigent Defense

Division of Appellate Defense

Post Office Box 11433

Columbia, South Carolina 29211-1433

803-734-1343

Anticipated, Counsel for Appellant

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM BERKELEY COUNTY
Court of General Sessions

J. C. Nicholson, Jr., Circuit Court Judge

Case No. 2011-GS-08-0402; 2011-GS-08-01674; 2011-GS-08-01675

The State,

Respondent,

v.

Jessica Lynn Clark,

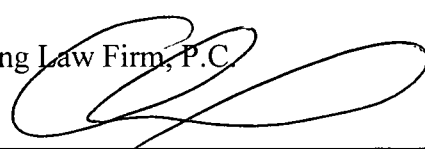
Appellant.

PROOF OF SERVICE

I certify that I have served the Notice of Appeal on Bryan Alfaro by depositing a copy of it in the United States Mail, postage prepaid, on May 29, 2013, addressed to him, Bryan Alfaro, 300 California Avenue, Moncks Corner, South Carolina 29461.

May 29, 2013

Biering Law Firm, P.C.



Christopher P. Biering SCBAR No. 13353
103 Broughton Road
Moncks Corner, South Carolina 29461
843-761-4888
Facsimile: 843-899-9015
chris@bieringlawfirm.com

cc.

Robert M. Dudek
Chief Appellate Defender
S.C. Commission on Indigent Defense
Division of Appellate Defense
Post Office Box 11433
Columbia, South Carolina 29211-1433
803-734-1343
Anticipated, Counsel for Appellant

RECEIVED
JUN 03 2013
SC Court of Appeals

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF Berkeley
STATE VS. Jessica Lynn Clark
AKA:
Race: WHITE Sex: F Age: 24
DOB: 09-27-1987 SS#: 249-73-9196
Address: 207 Ashley Ann Lane
City, State, Zip: Ladson, SC 29456
DL#: 100297274 SID#:

INDICTMENT/CASE#: 2011GS080402
A/W#: M332968
Date of Offense: 1/5/2011
S.C. Code §: 16-11-0330(A)
CDR Code #: 0139

SENTENCE SHEET

*CDL Yes No CMV Yes No Hazmat Yes No
In disposition of the said indictment comes now the Defendant who was TO: Strong Arm Robbery

CONVICTED OF or PLEADS

in violation of § 16-11-0325 of the S.C. Code of Laws, bearing CDR Code # 0137
NON-VIOLENT VIOLENT SERIOUS MOST SERIOUS
Mandatory GPS(CSC §17-25-45 w/minor 1st or Lewd Act)

The charge is: As Indicted, Lesser Included Offense, Defendant Waives Presentment to Grand Jury.
The plea is: Without Negotiations or Recommendation, Negotiated Sentence, Recommendation by the State.

ATTEST: Cornwell, Ashley B. Defendant
76577 SC Bar#
Attorney for Defendant
SC Bar#

WHEREFORE, the Defendant is committed to the State Department of Corrections, County Detention Center,
for a determinate term of 15 days/months/years or under the Youthful Offender Act not to exceed years
and/or to pay a fine of \$; provided that upon the service of 4 days/months/years 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.

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 the State Department of Corrections.
The Defendant is to be placed on the Central Registry of Child Abuse and Neglect pursuant to S.C. Code §17-25-135

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

SPECIAL CONDITIONS:

RESTITUTION: Deferred Def. Waives Hearing Ordered
Total: \$ plus 20% fee: \$
Payment Terms:
Set by SCDPPPS
Recipient:

PTUP
days/hours Public Service Employment
Obtain GED
Attend Voc. Rehab. or Job Corp.
May serve W/E beginning
Substance Abuse Counseling
Random Drug/Alcohol testing
Fine may be pd. in equal, consecutive weekly/monthly pmts. of \$ beginning
\$ paid to Public Defender Fund
Other:

Table with 3 columns: Description, Amount, Total. Includes items like § 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, Proviso 47.9 (Public Def/Prob) \$500, § 14-1-212 (Law Enforce. Funding) \$25, § 14-1-213 (Drug Court Surcharge) \$150, § 50-21-114 (BUI Breath Test Fee) \$50, § 56-5-2942(J) (Vehicle Assessment) \$40/ea, Proviso 90.5 (SCCJA Surcharge) \$5, 3% to County (if paid in installments) \$, TOTAL \$133.90

Appointed PD or appointed other counsel, § 47.12 requires \$500 be paid to Clerk during probation.

Clerk of Court/ Deputy Clerk: Linda J. Hill
Court Reporter: Crystal Holmes
SCCA/217 (03/2011)

Presiding Judge: [Signature]
Judge Code:
Sentence Date: 9/14/12

SENTENCED AS ORDERED DUE TO OVERSIGHT. 5/22/13

COPIES OF RECORD
Mary A. Brannen
CLERK OF COURT, C.I.P. & GS
BERKELEY COUNTY, SC
DATE 5-29-2013

COUNTY OF Berkeley
STATE VS. Jessica Lynn Clark
AKA:
Race: WHITE Sex: F Age: 24
DOB: 09-27-1987 SS#: 249-73-9196
Address: 207 Ashley Ann Lane
City, State, Zip: Ladson, SC 29456
DL#: 100297274 SID#:

INDICTMENT/CASE#: 2011GS0801674
A/W#: 2011GS0801674
Date of Offense: 1/6/2011
S.C. Code § : 16-03-0910
CDR Code #: 0095

SENTENCE SHEET

*CDL Yes No CMV Yes No Hazmat Yes No
In disposition of the said indictment comes now the Defendant who was TO: Kidnapping

CONVICTED OF or PLEADS

in violation of § 16-03-0910 of the S.C. Code of Laws, bearing CDR Code # 0095
NON-VIOLENT VIOLENT SERIOUS MOST SERIOUS
Mandatory GPS(CSC w/minor 1st or Lewd Act) §17-25-45

The charge is: As Indicted, Lesser Included Offense, Defendant Waives Presentment to Grand Jury.
The plea is: Without Negotiations or Recommendation, Negotiated Sentence, Recommendation by the State.

ATTEST: Cornwell, Ashley B Defendant
76577 SC Bar#
Attorney for Defendant SC Bar#

WHEREFORE, the Defendant is committed to the State Department of Corrections, County Detention Center,
for a determinate term of 8 months/days/months/years or under the Youthful Offender Act not to exceed years
and/or to pay a fine of \$; provided that upon the service of days/months/years and/or payment
of \$; plus costs and assessments as applicable*; the balance is suspended with probation for 5

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

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 the State Department of Corrections.
The Defendant is to be placed on the Central Registry of Child Abuse and Neglect pursuant to S.C. Code §17-25-135

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

SPECIAL CONDITIONS:

RESTITUTION: Deferred Def. Waives Hearing Ordered
Total: \$ plus 20% fee: \$
Payment Terms:
Set by SCDPPPS

PTUP 50 days/hours Public Service Employment

Recipient:

Table with 3 columns: Description, Amount, Total. Includes items like § 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, Proviso 47.9 (Public Def/Prob) \$500, § 14-1-212 (Law Enforce. Funding) \$25, § 14-1-213 (Drug Court Surcharge) \$150, § 50-21-114 (BUI Breath Test Fee) \$50, § 56-5-2942(J) (Vehicle Assessment) \$40/ea, Proviso 90.5 (SCCJA Surcharge) \$5, 3% to County (if paid in installments) \$, TOTAL \$133.90

Obtain GED
Attend Voc. Rehab. or Job Corp.
May serve W/E beginning
Substance Abuse Counseling
Random Drug/Alcohol testing
Fine may be pd. in equal, consecutive weekly/monthly pmts. of \$ beginning
\$ paid to Public Defender Fund

Other: NO SEXUAL Activity with the kidnapping

Appointed PD or appointed other counsel, § 47.12 requires \$500 be paid to Clerk during probation.

Clerk of Court/ Deputy Clerk: Lunda J. Hill
Court Reporter: Crystal Holmes
SCCA/217 (03/2011)

Presiding Judge: [Signature]
Judge Code:
Sentence Date: 9/14/12

SENTENCE POSTPONED DUE TO PRESENCE 5/22/13

CERTIFIED TRUE COPY RECORD
CLERK OF COURT - C.P.
BERKELEY COUNTY, SC
DATE 5-21-2013

COUNTY OF Berkeley
STATE VS. Jessica Lynn Clark
AKA:
Race: WHITE Sex: F Age: 24
DOB: 09-27-1987 SS#: 249-73-9196
Address: 207 Ashley Ann Lane
City, State, Zip: Ladson, SC 29456
DL#: 100297274 SID#:

INDICTMENT/CASE#: 2011GS0801675
A/W#: 2011GS0801675
Date of Offense: 1/6/2011
S.C. Code §: 16-03-0600(C)(1)
CDR Code #: 3412

SENTENCE SHEET

*CDL Yes No CMV Yes No Hazmat Yes No
In disposition of the said indictment comes now the Defendant who was TO: Assault / Assault & Battery 1st degree

CONVICTED OF or PLEADS

in violation of § 16-03-0600(C)(1) of the S.C. Code of Laws, bearing CDR Code # 3412
NON-VIOLENT VIOLENT SERIOUS MOST SERIOUS Mandatory GPS(CSC) §17-25-45 w/minor 1st or Lewd Act

The charge is: As Indicted, Lesser Included Offense, Defendant Waives Presentment to Grand Jury.
The plea is: Without Negotiations or Recommendation, Negotiated Sentence, Recommendation by the State.

ATTEST: Cornwell, Ashley B SC Bar# Defendant Attorney for Defendant SC Bar#

WHEREFORE, the Defendant is committed to the State Department of Corrections, County Detention Center,
for a determinate term of 10 days/months/years or under the Youthful Offender Act not to exceed years
and/or to pay a fine of \$; provided that upon the service of 4 days/months/years 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.

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 the State Department of Corrections.
The Defendant is to be placed on the Central Registry of Child Abuse and Neglect pursuant to S.C. Code §17-25-135

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

SPECIAL CONDITIONS:

RESTITUTION: Deferred Def. Waives Hearing Ordered
Total: \$ plus 20% fee: \$
Payment Terms:
Set by SCDPPPS

PTUP days/hours Public Service Employment
Obtain GED
Attend Voc. Rehab. or Job Corp.
May serve W/E beginning
Substance Abuse Counseling
Random Drug/Alcohol testing
Fine may be pd. in equal, consecutive weekly/monthly pmts. of \$ beginning
\$ paid to Public Defender Fund
Other:

Recipient:

Table with 3 columns: Description, Amount, Total. Includes items like § 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, Proviso 47.9 (Public Def/Prob) \$500, § 14-1-212 (Law Enforce. Funding) \$25, § 14-1-213 (Drug Court Surcharge) \$150, § 50-21-114 (BUI Breath Test Fee) \$50, § 56-5-2942(J) (Vehicle Assessment) \$40/ea, Proviso 90.5 (SCCJA Surcharge) \$5, 3% to County (if paid in installments) \$3.90, TOTAL \$133.90

VERTICAL stamp: CERTIFIED TRUE COPY OF RECORD, Mary P. Brown, CLERK OF COURT, C.P. & GS, BERKELEY COUNTY, SC, DATE 5-29-2013

Clerk of Court Deputy Clerk: Linda J. Hill
Court Reporter: Crystal Holmes
SCCA/217 (03/2011)

Appointed PD or appointed other counsel, § 47.12 requires \$500 be paid to Clerk during probation.
Presiding Judge: [Signature]
Judge Code: 241P
Sentence Date: 9/24/12

SENTENCED POSTPONED DUE TO PREGNANCY 5/23/13

BIERING LAW FIRM

A PROFESSIONAL CORPORATION

103 BROUGHTON ROAD
MONCK'S CORNER, SOUTH CAROLINA 29461
WWW.BIERINGLAWFIRM.COM

CHRISTOPHER P. BIERING, ESQUIRE
CHRIS@BIERINGLAWFIRM.COM

PHONE: 843-761-4888
FACSIMILE: 843-899-9015

May 29, 2013

Jenny Abbott Kitchings
S.C. Court of Appeals
P.O. Box 11629
Columbia, South Carolina 29211

Re: *State v. Jessica Lynn Clark*
2011-GS-08-0402; 2011-GS-08-01674; 2011-GS-08-01675

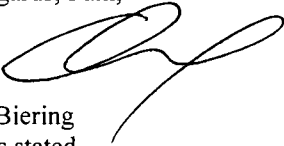
Dear Madam Clerk,

Enclosed herewith please find an original and one copy of the Notice of Appeal, Proof of Service, the Sentencing Sheet, and Verdict Form in the above matter. Please file the original and return the clocked copy to me. I have enclosed a self-addressed stamped envelope for return of clocked copies.

By copy of this letter I am serving the same those listed below via U.S. First Class Mail.

With kind regards, I am,

Sincerely,



Christopher Biering
Enclosures as stated

cc.
Bryan Alfaro
Assistant Solicitor, Office of the Solicitor, Ninth Judicial Circuit
300 B California Avenue
Moncks Corner, South Carolina 29461

Robert M. Dudek
Chief Appellate Defender
S.C. Commission on Indigent Defense
Division of Appellate Defense
Post Office Box 11433
Columbia, South Carolina 29211-1433

Jessica Lynn Clark (INMATE SCD# UNKNOWN)
South Carolina Department of Corrections
c/o Hill-Finklea Detention Center

Mary Brown, Clerk of Court
Berkeley County
300B California Avenue
Moncks Corner, South Carolina 29461

RECEIVED

JUN 03 2013

SC Court of Appeals

Biering Law Firm
A Professional Corporation
103 Broughton Road
Moncks Corner, South Carolina 29461



Jenny Abbott Kitchings
S.C. Court of Appeals
P.O. Box 11629
Columbia, South Carolina 29211

RECEIVED
JUN 03 2013
SC Court of Appeals

2921161629 6012

