

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.

AMENDED 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. (The original Notice of Appeal attached hereto as "Exhibit A" had appropriate case numbers, but as scrivener's error listed the Appellant's name incorrectly.

June 10, 2013

Biering Law Firm, P.C.



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

RECEIVED

JUN 12 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

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Jessica Lynn Clark,

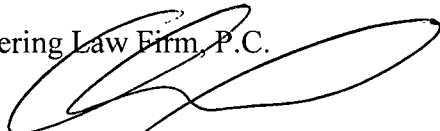
Appellant.

PROOF OF SERVICE

I certify that I have served the Amended Notice of Appeal on Bryan Alfaro by depositing a copy of it in the United States Mail, postage prepaid, on June 10, 2013, addressed to him, Bryan Alfaro, 300 California Avenue, Moncks Corner, South Carolina 29461.

June 10, 2013

Biering Law Firm, P.C.


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Anticipated, Counsel for Appellant

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SC Court of Appeals

SOUTH CAROLINA

COUNTY OF Berkeley 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#:

*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

IN THE COURT OF GENERAL SESSIONS

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

SENTENCE SHEET

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

WHEREFORE, the Defendant is committed to 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

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) \$, TOTAL \$133.90

COPIES OF RECORD IN Mary P. Brennan CLERK OF COURT, C.I.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)

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

SENTENCED/POSTPONED DUE TO OVERCROWDING... 5/22/13

COUNTY OF Berkeley
STATE VS. Jessica Lynn Clark

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

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#:

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: Ashley B Cornwell Defendant, Ashley B Cornwell Attorney for Defendant

WHEREFORE, the Defendant is committed to the State Department of Corrections, County Detention Center,
for a determinate term of 8 months 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
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

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

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: Lenda J. Hill
Court Reporter: Crystal Holmes
SCCA/217 (03/2011)

Presiding Judge: [Signature]
Judge Code: 217
Sentence Date: 9/14/12

SENTENCE POSTPONED DUE TO PRESENCE. 5/22/13

CERTIFIED TRUE COPY RECORD
CLERK OF COURT, C.P. GSKM
BERKELEY COUNTY, SC
DATE: 5-29-2013

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

SENTENCE SHEET

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# 76577 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

Recipient:

Table with 3 columns: Description, Amount, Total. Includes items like Assessments 107.5%, Conv. Surcharge \$100, DUI Surcharge \$100, DUI Assessment \$12, DUI Breath Test \$25, Public Def/Prob \$500, Law Enforce. Funding \$25, Drug Court Surcharge \$150, BUI Breath Test Fee \$50, Vehicle Assessment \$40/ea, SCCJA Surcharge \$5, 3% to County, 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:

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 Judge Code: Sentence Date: 9/14/12

SENTENCED POSTPONED TO PROGNOSIS 5/23/13

Vertical stamp: CERTIFIED TRUE COPIES OF RECORD, Clerk of Court, Berkeley County, SC, DATE 5-29-2013

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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,

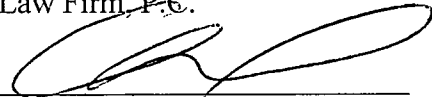
Appellant.

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.



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SC Court of Appeals

Other Counsel of Record:

Bryan Alfaro

Assistant Solicitor, Office of the Solicitor, Ninth Judicial Circuit

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Moncks Corner, South Carolina 29461

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Attorney for Respondent

Robert M. Dudek

Chief Appellate Defender

S.C. Commission on Indigent Defense

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Anticipated, Counsel for Appellant

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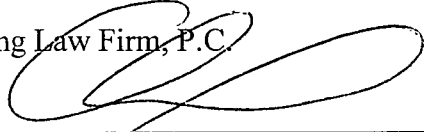
Appellant.

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.


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