

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM SPARTANBURG COUNTY
Court of General Sessions

Honorable Grace G. Knie , Circuit Court Judge

Case No(s): 2021GS4204024

RECEIVED

MAR 02 2023

SC Court of Appeals

The State

Jolyne Shamor Nijer Rector-Mills

v.

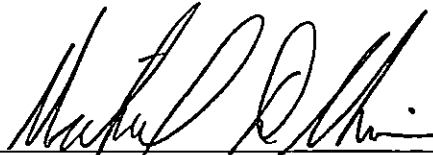
Respondent,

Appellant.

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

Pursuant to Rule 203(d)(1)(B), SCACR, Jolyne Shamor Nijer Rector-Mills files this explanation of his appeal of his guilty plea, conviction and sentence in this case. The sentence was imposed by the Honorable Grace G. Knie on February 24, 2023 . 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).

February 28, 2023



Michael D. Morin
Bar No. : 65094
Seventh Judicial Circuit Public Defender Office
366 N. Church Street, Suite 3000
Spartanburg, South Carolina 29303
(864) 596-2561
Attorney for Appellant

Other Counsel of Record:

J. Edward Hunter, Esq.
Seventh Judicial Circuit Solicitor's Office
180 Magnolia Street
Spartanburg, South Carolina 29306
Attorney for Respondent

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APPEAL FROM THE SPARTANBURG COUNTY
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v.


Jolyne Shamor NijerRector-Mills

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 February 28, 2023 addressed to its attorney of record, J. Edward Hunter, Esq., Assistant Circuit Solicitor, 180 Magnolia Street, Spartanburg, S.C. 29306.

February 28, 2023



Michael D. Morin
Bar No. : 65094
Seventh Judicial Circuit Public Defender Office
366 N. Church Street, Suite 3000
Spartanburg, South Carolina 29303
(864) 596-2561
Attorney for Appellant

WITNESSES

City of Spartanburg

[Handwritten Signature]

ARREST WARRANT NUMBER

2020A4210206478 (Count One)

Direct Indictment (Count Two)

ACTION OF GRAND JURY
JUN 21 2021

True Bill

[Handwritten Signature]

Foreperson of Grand Jury

Date

VERDICT

Foreperson of Petit Jury
Date

DOCKET NO.

21-03-02-4024

The State of South Carolina

County of Spartanburg

Barry Barnette, Solicitor

COURT OF GENERAL SESSIONS

J.1 TERM

THE STATE

vs.

Jolyne Shamor Nijer Rector-Mills

Indictment for

COUNT ONE-MURDER, COUNT TWO-
POSSESSION OF WEAPON DURING
VIOLENT CRIME

SC Code 16-03-0010, 0020 16-23-490

CDR Code 116, 549

Class FEL-EXM

RECEIVED

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SC Court of Appeals

STATE OF SOUTH CAROLINA)
)
COUNTY OF SPARTANBURG :

INDICTMENT

At a Court of General Sessions, convened on _____ the
Grand Jurors of Spartanburg County present upon their oath:


COUNT ONE-MURDER

The Defendant, Jolyne Shamor Nijer Rector-Mills did in Spartanburg County on or about December 17, 2020 feloniously willfully and with malice aforethought kill one Terrell Cohen, by shooting the victim and the victim died as a proximate result thereof, all in violation of Section 16-3-0010, 0020, Code of Laws of South Carolina (1976, as amended).

COUNT TWO- POSSESSION OF WEAPON DURING VIOLENT CRIME

That the defendant, Jolyne Shamor Nijer Rector-Mills did in Spartanburg County on or about December 17, 2020, visibly display a firearm or knife during the commission or attempted commission of a violent crime, to-wit Murder, in violation of Code §16-23-490, *CODF OF LAWS OF SOUTH CAROLINA, (1976)*, as amended

Against the peace and dignity of the State, and contrary to the statute in such
case made and provided


Assistant Solicitor

RECEIVED

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF SPARTANBURG

MAR 02 2023

STATE

VS.

SC Court of Appeals

INDICTMENT/CASE#: 2021 - GS - 42 - 04024

Jolyne Shamor Nijer Rector-Mills

AKA:

AW#: 2020A4210206478

Race: BLACK Sex: M Age: 19

Date of Offense: 12/17/2020

DOB: SS#:

S.C. Code § 16-03-0010; 16-03-0020

Address:

CDR Code #: 0116

City, State, Zip:

SENTENCE SHEET

DL#: SID#:

*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: Manslaughter / Voluntary manslaughter (2-30)

Neg: 25m concurrent

in violation of § 16-03-0050 of the S.C. Code of Laws, bearing CDR Code # 0217

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. (def.'s initials)

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

ATTEST:

HUNTER, JAMES EDWARD

SCB77517 SC Bar #

Jolyne Rector-Mills Defendant

SC Bar #

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

for a determinate term of 25 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. 795 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. Jolyne Shamor Nijer Rector-Mills INDICTMENT/CASE#: 2021 - GS - 42 - 04024

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	\$ _____
		TOTAL		\$ <u>128.75</u>

Clerk of Court/ Deputy Clerk: Camp Payne
Court Reporter: _____

Presiding Judge: _____
Judge Code: 2760
Sentence Date: 2.24.24

RECEIVED

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF SPARTANBURG

MAR 02 2023

STATE

SC Court of Appeals

VS.

INDICTMENT/CASE#: 2021 - GS - 42 - 4024A

Jolyne Shamor Nijer Rector-Mills

A/W#: 2021GS4204024A

AKA:

Date of Offense: 12/17/2020

Race: BLACK Sex: M Age: 19

S.C. Code § 16-23-0490

DOB: SS#:

CDR Code #: 0549

Address:

City, State, Zip:

DL#: SID#:

SENTENCE SHEET

*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: Weapons / Poss. weapon during violent crime, (Flat 5 years) Neg: 5 in concurrent

in violation of § 16-23-0490 of the S.C. Code of Laws, bearing CDR Code # 0549

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. (def.'s initials)

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

ATTEST:

HUNTER, JAMES EDWARD SCB77517 SC Bar # Defendant Jolyne Rector Mills SE Bar # 65094

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

for a determinate term of 5 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. 795 days/months

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SPECIAL CONDITIONS:

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§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	\$ _____
TOTAL			\$ 12875

Clerk of Court/ Deputy Clerk: Camp Payne
 Court Reporter: _____

Presiding Judge: [Signature]
 Judge Code: 2760
 Sentence Date: 2.24.23