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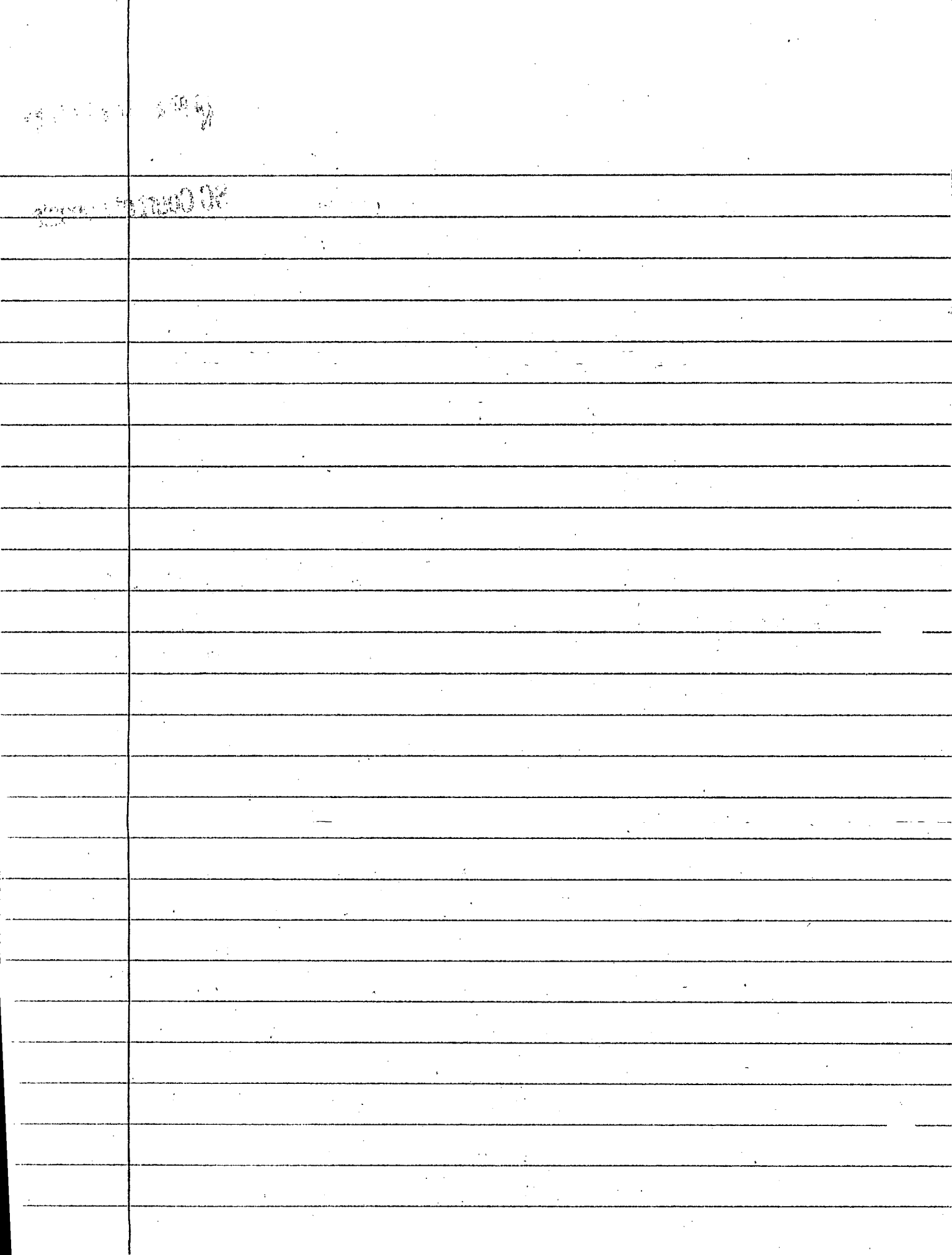
State of South Carolina Appeals: JUN 06 2013

Case #s) 2011-GS-42-00949

SC Court of Appeals

2012-GS-42-03268

I, Rachel Lynn Rivers, am requesting an appeal on my conviction and sentence in these case no.s, sentenced by the Honorable Roger L. Couch, on September 19th 2012; at the time I issued my plea I had been led to believe by my counsel that I was to receive a maximum of 3 year cap. I feel I have the right to an appeal on the basis of inadequate counseling. I was under the impression when I signed my guilty plea I would get no more than the 3 years, otherwise I would never had been willing to sign and go before Judge Couch on these charges. I am currently housed at Goodman Correctional Institution and I am also 4½ months into a 1 month Addictions Treatment Program, along with Parenting Classes and Anger management I am working very hard to improve myself while I am incarcerated. I am asking that my sentence be reversed and possibly



revised to the original 3 years
I had previously signed.

I would like to thank you in
advance for your time and consideration
in this matter. I eagerly await
any further notice from the
S.C. Court of Appeals.

Sincerely,
Rachel Lewis

June 4th 2013
Columbia S.C.

342513, B5-31B ATU
Goodman Correctional Inst,
4556 Broad River Rd.
Columbia S.C. 29210

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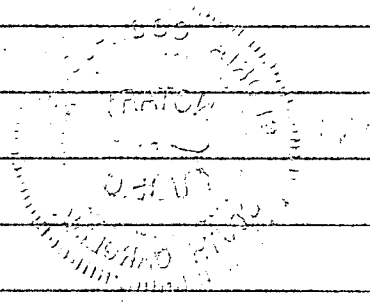
JUN 06 2013

SC Court of Appeals

Floria Cook-Jones

1950

1951



STATE OF SOUTH CAROLINA

COUNTY OF SPARTANBURG
STATE VS.

Rachel Lynn Rivers

IN THE COURT OF GENERAL SESSIONS

INDICTMENT/CASE#: 2012GS4203268

A/W#: M758469

Date of Offense: 3/23/2012

S.C. Code § : 16-13-0030(A)

CDR Code #: 3596

AKA:

Race: W Sex: F Age: 28

DOB: 07-25-1984 SS#: 221-68-5855

Address: 120 Maryland Drive
City, State, Zip: Woodruff SC 29388

DL#: 011569136 SID#:

*CDL Yes No CMV Yes No Hazmat Yes No

In disposition of the said indictment comes now the Defendant who was

TO: Larceny / Petit or Simple Larceny - \$2,000 or less (Enhancement per 16-1-57) (0-10 years) (recomend cap 3 years)

in violation of § 16-13-0030(A) of the S.C. Code of Laws, bearing CDR Code # 3596

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, (defendant's initials)

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

ATTEST: 79868 SC Bar# [Signature] Defendant [Signature] Attorney for Defendant 1207 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 5 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: 9/19/12
 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 PTUP

Total: \$ plus 20% fee: \$

Payment Terms:

Set by SCDPPPS

| | | |
|----------------------------------------|---------|----------|
| *Fine: | | \$ |
| § 14-1-206 (Assessments 107.5 %) | | \$ |
| § 14-1-211(A)(1) (Conv. Surcharge) | \$100 | \$100.00 |
| § 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 | \$ 25.00 |
| § 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 | \$ 5.00 |
| 3% to County (if paid in installments) | | \$ 3.90 |
| TOTAL | | \$133.90 |

 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:

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

Clerk of Court/ Deputy Clerk [Signature]
Court Reporter: Green
SCCA/217 (03/2011)

Presiding Judge [Signature]
Judge Code: 2135
Sentence Date: 9.19.12

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF SPARTANBURG VS. STATE

INDICTMENT/CASE#: 2011GS4200949

A/W#: M751087

Date of Offense: 11/13/2010

S.C. Code § : 44-53-0375

CDR Code #: 3198

AKA: Rachell Lynn Rivers

Race: W Sex: F Age: 28

DOB: 07-25-1984 SS#: 24-68-5855

Address: 181 MANLYN DRIVE

City, State, Zip: WOODRUFF SC 29388

DL#: SID#:

*CDL Yes No CMV Yes No Hazmat Yes No

In disposition of the said indictment comes now the Defendant who was

TO: Drugs / Manufacture of methamphetamine, 1st (0-15 years and/or \$0-25,000)(recommend cap 3 years)

in violation of § 44-53-0375 of the S.C. Code of Laws, bearing CDR Code #

NON-VIOLENT VIOLENT SERIOUS MOST SERIOUS

Mandatory GPS(CSC 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: SPIVEY, SCOTT DANIEL

79868 SC Bar# Defendant

Attorney for Defendant

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 5 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 PTUP

Total: \$ plus 20% fee: \$

Payment Terms: days/hours Public Service Employment

Set by SCDPPPS Obtain GED

Attend Voc. Rehab. or Job Corp.

Recipient: May serve W/E beginning

*Fine: Substance Abuse Counseling

§ 14-1-206 (Assessments 107.5 %) \$

§ 14-1-211(A)(1) (Conv. Surcharge) \$100 \$100.00

§ 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 \$500.00

§ 14-1-212 (Law Enforce. Funding) \$25 \$25.00

§ 14-1-213 (Drug Court Surcharge) \$150 \$150.00

§ 50-21-114(BUI Breath Test Fee) \$50 \$

§ 56-5-2942(J) (Vehicle Assessment) \$40/ea \$

Proviso 90.5 (SCCJA Surcharge) \$5 \$5.00

3% to County (if paid in installments) \$23.40

TOTAL \$803.40

Clerk of Court/ Deputy Clerk

Court Reporter:

SCCA/217 (03/2011)

SENTENCE SHEET

ALFORD VS NC - NO CONTESTED

CONVICTED OF or PLEADS

§ 17-25-45

(defendant's initials)

Recommendation by the State.

Attorney for Defendant

State Department of Corrections, County Detention Center,

under the Youthful Offender Act not to exceed years

and/or payment

probation for 5

South Carolina Department of Probation, Parole and Pardon Services standard conditions of

probation, which are incorporated by reference.

§ 24-13-40 to be calculated and applied

S.C. Code § 17-25-135.

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 PTUP

plus 20% fee: \$

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

Other: ATU

paid to Public Defender Fund

Appointed PD or appointed other counsel,

§ 47.12 requires \$500 be paid to Clerk

during probation.

Presiding Judge

Judge Code: 2135

Sentence Date: 9.19.12