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**Apr 10 2023**

**SC Court of Appeals**

**THE STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS**

**APPEAL FROM CHARLESTON COUNTY  
Court of General Sessions**

**The Honorable Edward W. Miller, Presiding Judge**

**INDICTMENT NO(S): 2021-GS-10-00152; 2021-GS-10-00153  
WARRANT NO(S): 2019A1021000294; 2019A1021000296**

**STATE OF SOUTH CAROLINA, RESPONDENT**

**vs.**

**THOMAS SCOTT MCFADDEN JR., APPELLANT**

**NOTICE OF APPEAL**

Thomas Scott McFadden Jr. appeals his sentence following his trial held before the Honorable Edward W. Miller., wherein he was sentenced on March 30, 2023.

  
\_\_\_\_\_  
Jason T. King

Attorney for Thomas Scott McFadden Jr.  
Charleston County Public Defender's Office  
101 Meeting Street, Suite 500  
Charleston, SC 29401

Other counsel of record is:  
Stephanie Linder, Assistant Solicitor  
Office of the Solicitor, Ninth Judicial Circuit  
O.T. Wallace County Office Building  
101 Meeting Street  
Charleston, SC 29401  
(843) 958-1900

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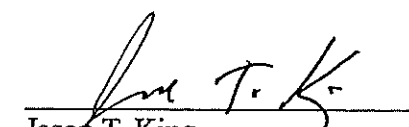
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RY

JULIE J. ARMSTRONG  
CLERK OF COURT

2023 APR 10 AM 9:52

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**STATE OF SOUTH CAROLINA, RESPONDENT**

**vs.**

**THOMAS SCOTT MCFADDEN JR., APPELLANT**

**PROOF OF SERVICE**

I certify that I have served the Notice of Appeal on Stephanie Linder, Assistant Solicitor for Charleston County, by hand delivering a copy of it to the Charleston County Solicitor's Office at 101 Meeting Street, Charleston, South Carolina 29401, on April 10th, 2023.



Zoulieka N. Ball  
Paralegal to Attorney Jason T. King  
Assistant Public Defender  
Charleston County Public Defender's Office  
101 Meeting Street, Suite 500  
Charleston, SC 29401  
(843) 958-1850

Dated: April 10, 2023.

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*Zoulieka N. Ball*

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Paralegal to Attorney Jason T. King  
Assistant Public Defender  
Charleston County Public Defender's Office  
101 Meeting Street, Suite 500  
Charleston, SC 29401  
(843) 958-1850

Dated: April 10, 2023.

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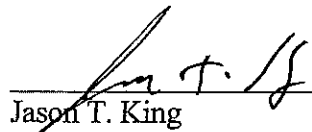
SC Court of Appeals

STATE OF SOUTH CAROLINA ) IN THE SOUTH CAROLINA  
 ) COURT OF APPEALS  
 )  
 COUNTY OF CHARLESTON ) Indictment No(s): 2021-GS-10-00152;  
 ) 2021-GS-10-00153  
 ) Warrant No(s): 2019A1021000294;  
 ) 2019A1021000296  
 STATE OF SOUTH CAROLINA )  
 )  
 -versus- )  
 )  
 ) **REQUEST FOR REPRESENTATION**  
 ) **ON APPEAL**  
 )  
 THOMAS SCOTT MCFADDEN JR, )  
 Defendant. )  
 \_\_\_\_\_ )

On behalf of the request of the above-named Defendant, to be represented by the South Carolina Commission of Appellate Defense, the undersigned attorney would show unto this Honorable Court that:

1. He is the attorney for the defendant-appellant in the above captioned case. The defendant-appellant was placed in custody immediately following conviction and sentence and was not available to personally sign this Request.
2. The defendant-appellant was represented by the Charleston County Public Defender's Office as an indigent, pursuant to the Defense of Indigent Act.
3. The defendant-appellant has been informed that he may request assistance from the South Carolina Commission of Appellate Defense in perfecting his appeal.
4. A timely Notice of Appeal has been filed on the defendant's appellant behalf.
5. The defendant-appellant has been informed that nothing requires that office to pursue this appeal unless that office's Chief Attorney is satisfied that there is arguable merit to this appeal and that he cannot afford to hire an attorney.

At this time, the defendant-appellant requests the aid of the South Carolina Commission of Appellate Defense in perfecting his appeal to the South Carolina Court of Appeals.

  
 \_\_\_\_\_  
 Jason T. King  
 Assistant Public Defender  
 Charleston County Public Defender

Charleston, South Carolina

Dated: 4-10, 2023.

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF CHARLESTON )      VERIFICATION

Personally appeared before me the above-signed attorney, who being first duly sworn, deposes and says that he has read the foregoing Request for Representation on Appeal and knows the allegations contained therein are true, except as to those which may be alleged to be upon information and belief and as to those she believes them to be true.

SWORN to and subscribed before me

this 10<sup>th</sup> day of April, 2023.

Julieka Ball  
NOTARY PUBLIC FOR SOUTH CAROLINA  
My Commission Expires: 07/26/2026

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SC Court of Appeals

CHARLESTON COUNTY PUBLIC DEFENDER  
O. T. WALLACE COUNTY OFFICE BUILDING  
101 MEETING STREET  
CHARLESTON, SOUTH CAROLINA 29401

Phone: 843-958-1850

Fax: 843-958-1860

April 6, 2023

The Honorable Jenny Abbott Kitchings  
Clerk, South Carolina Court of Appeals  
Post Office Box 11629  
Columbia, South Carolina 29211

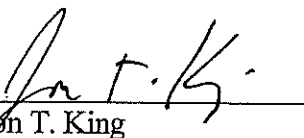
Re: State of South Carolina vs. Thomas Scott McFadden Jr.  
Case No(s): 2021-GS-10-00152; 2021-GS-10-00153  
Warrant No(s): 2019A1021000294; 2019A1021000296  
Charge(s): Murder; Possession of a weapon during the commission of a  
violent crime

Dear Ms. Kitchings:

Enclosed is the Notice of Intent to Appeal in the above-referenced case, together with appropriate Proof of Service upon the Circuit Solicitor and Proof of Filing with the local Clerk of Court. The Defendant-Appellant was represented by our office as an indigent, pursuant to the Defense of Indigents Act. By copy of this letter, I am forwarding a duplicate set of these documents to the South Carolina Commission of Appellate Defense.

As proof of filing for my records, I would appreciate it if one of your Clerks would clock the enclosed copy of this letter. Thank you.

Sincerely,



Jason T. King  
Attorney for Thomas Scott McFadden Jr.  
Charleston County Public Defender's Office  
101 Meeting Street, Suite 500  
Charleston, SC 29401

Enclosure(s): As stated above

cc: South Carolina Commission of Appellate Defense