

STATE OF SOUTH CAROLINA)
)
COUNTY OF LANCASTER)
)
THE STATE,)
)
VS.)
)
Curtis William Townsend IV,)
)
Defendant.)
_____)

IN THE SOUTH CAROLINA
COURT OF APPEALS

FILED
OFFICE OF CLERK
OF COURTS
STATEMENT OF APPELLANT'S COUNSEL
REGARDING REQUEST FOR APPEAL
OF GUILTY PLEA
2023 JUL 13 AM 9:06
CLERK OF COURT
LANCASTER, SC

RECEIVED

JUL 17 2023

SC Court of Appeals

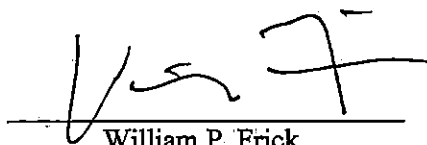
Appellant's Statement of Facts

The defendant was charged in Lancaster County General Sessions Court with Murder and Possession of a Weapon during a Crime of Violence from an incident occurring in Lancaster County on or about October 9, 2021. The defendant was charged with killing Takeisha Massey with a pistol. Mr. Townsend dropped the gun and left the scene on foot. He was detained a short time later. Mr. Townsend's girlfriend was a witness to the event and provided a statement to law enforcement about it.

The defendant, after consultation with his attorney, agreed to enter a plea of guilty pursuant to North Carolina v. Alford to the charge of Murder. In exchange, the State agreed to dismiss the Possession of a Weapon during a Crime of Violence charge and agreed to not seek a life sentence for the murder. On July 11, 2023, The Honorable William A. McKinnon accepted the plea of the defendant pursuant to Alford to the charge of Murder, and, sentenced the defendant to 40 years in the South Carolina Department of Corrections.

Issues on Appeal

Subsequent to his guilty plea, the defendant requested his counsel to file an appeal regarding this plea. Pursuant to Rule 203(b)(2) and(d) SCACR, defendant's counsel is filing this appeal.



William P. Frick
SC Bar Number 69739
Assistant Public Defender
6th Judicial Circuit
PO Box 1809
Lancaster SC 29721
Phone (803) 285-5585
ATTORNEY FOR APPELLANT

STATE OF SOUTH CAROLINA

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IN THE COURT OF GENERAL SESSIONS

COUNTY OF Lancaster

JUL 17 2023

STATE

VS.

SC Court of Appeals

INDICTMENT/CASE#: 2022GS2900190

Curtis William Townsend IV

A/W#: 2021A2920300535

AKA: _____

Date of Offense: 10/9/2021

Race: BLACK Sex: M Age: 24

S.C. Code §: 16-03-0010; 16-03-0020

DOB: _____ SS#: _____

CDR Code #: 0116

Address: _____

City, State, Zip: _____

DL#: _____ SID#: _____

SENTENCE SHEET

NC v. Alford

*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: Murder / Murder

in violation of § 16-03-0010; 16-03-00 of the S.C. Code of Laws, bearing CDR Code # 0116.

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:

Melissa McGinnis 102266 SC Bar # *Curtis Townsend* Defendant *William P. Frick* Attorney for Defendant *68739* SC Bar#

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

for a determinate term of 40 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.

091 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.

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 0 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	\$ _____

Appointed PD or appointed other counsel, Proviso requires \$500 be paid to Clerk during probation and shall be collected before any other fees. \$500 \$ _____

§ 17-3-30(B) Unpaid Application Fee to be paid to the Public Defender Fund TBD \$ 228.75

TOTAL \$ 643.75

Clerk of Court/ Deputy Clerk: [Signature]
 Court Reporter: [Signature]

Presiding Judge: [Signature]
 Judge Code: McInnis 2761
 Sentence Date: 7-11-23