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JUL 22 2013

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

S.C. Supreme Court

APPEAL FROM ORANGEBURG COUNTY
The Honorable Perry M. Buckner, III, Circuit Court Judge

Case No: 2012-GS-38-1421

The State Respondent

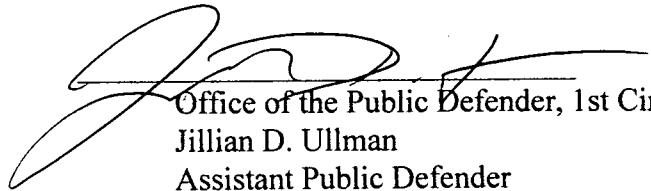
vs.

Donte Jarod Stokes Appellant

NOTICE OF APPEAL

Donte Stokes appeals his guilty plea and sentence in this case. The sentence was imposed by The Honorable Perry M. Buckner, III, on July 15, 2013.

July 16, 2013



Office of the Public Defender, 1st Circuit
Jillian D. Ullman
Assistant Public Defender
P.O. Box 1112
Orangeburg, SC 29116-1112
803-531-7090
Attorney for Appellant

Office of the Solicitor, 1st Circuit
Don Sorenson
Assistant Solicitor
P.O. Box 1525
Orangeburg, SC 29115
(803) 533-6252
Attorney for Respondent

STATE OF SOUTH CAROLINA,)
)
COUNTY OF ORANGEBURG.)
)
State of South Carolina,)
)
vs.)
)
)
)
Donte Jarod Stokes)
Appellant.)

IN THE SOUTH CAROLINA COURT OF
APPEALS

2012-GS-38-1421

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JUL 22 2013

S.C. SUPREME COURT

ACCEPTANCE OF SERVICE

Due and legal service of the within *Notice of Appeal and Explanation of Appeal* by the attorney for the above defendant, in the above entitled action is hereby accepted and a copy retained by Solicitor, David M. Pascoe, Jr., in Orangeburg, South Carolina, this 19 day of July 2013.



Solicitor

BE

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM ORANGEBURG COUNTY
The Honorable Perry M. Buckner, III, Circuit Court Judge

Case No: 2012-GS-38-1421

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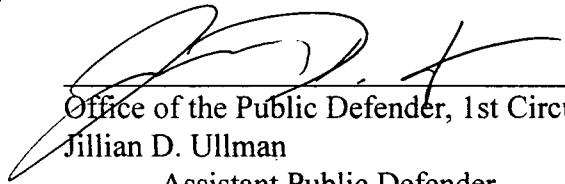
vs.

Donte Jarod Stokes Appellant

EXPLANATION OF APPEAL

Donte Stokes appeals His guilty plea and sentence in the aforementioned cases. *After his guilty plea, Mr. Stokes expressed his desire to appeal his sentence. As his attorney, it is my duty to carry out his request..*

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STATE OF SOUTH CAROLINA)
 COUNTY OF Orangeburg)
 STATE VS.)
 Donte' Jarod Stokes)
 AKA:)
 Race: BLACK Sex: M Age: 22)
 DOB: [REDACTED] SS#: [REDACTED])
 Address: [REDACTED])
 City, State, Zip: [REDACTED])
 DL#: [REDACTED] SID#: [REDACTED])
 *CDL Yes No CMV Yes No Hazmat Yes No

IN THE COURT OF GENERAL SESSIONS

INDICTMENT/CASE#: 2012GS38-1421
 A/W#: M807225
 Date of Offense: 6/21/2012
 S.C. Code § : 16-3-10
 CDR Code #: 0116

SENTENCE SHEET

CONVICTED OF or PLEADS

in violation of § 16-3-10 of the S.C. Code of Laws, bearing CDR Code # 0116
 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 Presentation to Grand Jury. (defendant's initials)
 The plea is: Without Negotiations or Recommendation, Negotiated Sentence, Recommendation by the State.

ATTEST: [Signature] 9512 [Signature] 35-40 years [Signature] B286
 Sprenson, Donald N. SC Bar# 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 38 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 _____ 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: _____

*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

ATTEST. TRUE COPY

[Signature]
 CLERK OF COURT
 ORANGEBURG COUNTY

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

Presiding Judge [Signature]
 Judge Code: 0122
 Sentence Date: 7/15/13

Clerk of Court/ Deputy Clerk V. Glenn
 Court Reporter: Hilda Jordan
 SCCA/217 (03/2011)

ARREST WARRANT

M-807225 2012-003905

STATE OF SOUTH CAROLINA

County/ Municipality of Orangeburg

THE STATE 2012-6699

against

Donte Jarod Stokes

Address: [Redacted]
Phone: [Redacted]
Sex: M Race: B Height: 5 11 Weight: 160
DL State: SC DL #: [Redacted] Agency ORI #: SC0380000
DOB: [Redacted]
Prosecuting Agency: Orangeburg County Sheriff
Prosecuting Officer: Riley Godwin - 0788
Offense: Murder / Murder

Offense Code: 0116
Code/Ordinance Sec: 16-03-0010, 0020

This warrant is CERTIFIED FOR SERVICE in the
County/ Municipality of

is to be arrested and brought before me to be
dealt with according to the law.
The accused

(L.S.)

Signature of Judge

Date: _____

RETURN

A copy of this arrest warrant was delivered to
defendant Donte Jarod Stokes
on 6/21/2012

Signature of Constable/Law Enforcement Officer

RECEIVED JUN 22 2012
General Sessions
151 Docket Street
P. O. Box 9000
Orangeburg, SC 29116 WARRANT DIVISION

ORIGINAL

ORIGINAL

ORIGINAL

STATE OF SOUTH CAROLINA

County/ Municipality of Orangeburg

Personally appeared before me the affiant Riley Godwin

being duly sworn deposes and says that defendant Donte Jarod Stokes

did within this county and state on or about 6/21/2012

State of South Carolina (or ordinance of County/ Municipality of Orangeburg

in the following particulars:

DESCRIPTION OF OFFENSE: Murder / Murder

I further state that there is probable cause to believe that the defendant named above did commit the crime set forth and that probable cause is based on the following facts:

On June 21, 2012 the defendant did with malice aforethought cause the death of victim Cathy Davis By shooting a handgun into a van that the victim was a passenger in. Above is evidenced by a report of the listed crime, physical evidence, corroborated statements of co-defendants, as well as statements of eye witnesses that are available to testify. This incident occurred on Highway #6 near the town of Vance in the County of Orangeburg, State of South Carolina.

2012 JUL -2 PM 3:00

FILED FOR RECORD
WINNIE BRIDGES
CLERK OF COURT
ORANGEBURG, SC

Signature of Affiant
Riley Godwin

Signature of Affiant

STATE OF SOUTH CAROLINA

County/ Municipality of Orangeburg

Affiant's Address P. O. Box 9000

Orangeburg, SC 29116-

Affiant's Telephone

ARREST WARRANT

TO ANY LAW ENFORCEMENT OFFICER OF THIS STATE OR MUNICIPALITY OR ANY CONSTABLE OF THIS COUNTY:

It appearing from the above affidavit that there are reasonable grounds to believe that

on or about 6/21/2012 defendant Donte Jarod Stokes

did violate the criminal laws of the State of South Carolina (or ordinance of

County/ Municipality of Orangeburg

) as set forth below:

DESCRIPTION OF OFFENSE: Murder / Murder

Having found probable cause and the above affiant having sworn before me, you are empowered and directed to arrest the defendant named above and bring him/her before me forthwith to be dealt with according to law. A copy of this Arrest Warrant shall be delivered to the defendant at the time of his execution, or as soon thereafter as is practicable
Sworn to and subscribed before me
on 6/22/2012
Signature of Issuing Judge Samuel Adolph Daily
Judge Code: 5794

Judge's Address Post Office Box 154
Holly Hill, SC 29059 ORANGEBURG COUNTY, SC
Judge's Telephone (803)496-9533
Issuing Court: Magistrate Municipal Circuit

ORIGINAL

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Jail

DEFENSE OF INDIGENT

APPOINTMENT SHEET

IN THE COURT OF GENERAL SESSIONS

STATE OF S.C. VS. Donte Jarod Stokes

THE ABOVE DEFENDANT, AFTER APPLYING UNDER INDIGENT STATUS HAS BEEN FOUND TO QUALIFY FOR A PUBLIC DEFENDER.

IT IS THEREFORE ORDERED THAT

(CIRCLE ONE OF THE FOLLOWING)

- PEGGY HINDS
- R. DOUGLAS MELLARD
- JILLIAN ULLMAN
- MARK WISE
- JOHN D. STROUD

FILED FOR RECORD
WINNIEFA B. CLARK
CLERK OF COURT
ORANGEBURG, SC

2012 JUN 26 PM 4:06

IS HEREBY APPOINTED TO REPRESENT SAID DEFENDANT THIS

26 DAY OF June, 20 12

Winnifa B. Clark
CLERK OF COURT

CHARGES(S): m807230, m807227, m807225

APPOINTMENT MADE IN PERSON/IN JAIL (CIRCLE ONE)

\$40.00 FEE PAID/DUE (CIRCLE ONE)

ATTEST: TRUE COPY

FIRST APPEARANCE DATE: _____

Winnifa B. Clark
CLERK OF COURT
ORANGEBURG COUNTY, SC

DOCKET NO. 2012GS38-1421

The State of South Carolina
County of ORANGEBURG

After being fully advised as to my legal rights, I hereby waive presentment to the Grand Jury.

Defendant

I hereby appear in my own proper person and plead guilty to the within indictment or to

Defendant

Witness:

C.C.C. PLS. AND G.S.

2012 NOV -7 AM 11: 54

FILED 11:54 AM NOV 7 2012
CLERK OF COURT
ORANGEBURG, SC

ATTEST: TRUE COPY

Wynnia B. Clark
CLERK OF COURT

ORANGEBURG COUNTY, SC

SC Code: 16-3-10

COURT OF GENERAL SESSIONS

November 5, 2012 TERM

THE STATE
vs.

Donte' Jarod Stokes

Indictment for
MURDER

WITNESSES

Riley Godwin

Orangeburg County Sheriff

ARREST WARRANT NUMBER
M807225

Arrested: June 25, 2012

ACTION OF GRAND JURY

[Signature]

NOV 07 2012

Date

Foreperson of Grand Jury

Date: November 7, 2012

VERDICT

Foreperson of Petit Jury

Date:

STATE OF SOUTH CAROLINA)
)
COUNTY OF ORANGEBURG)

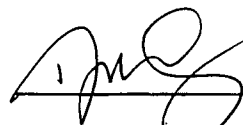
INDICTMENT
2012GS38-1421

At a Court of General Sessions, convened on November 5, 2012 the Grand Jurors of Orangeburg County present upon their oath:

MURDER

That in Orangeburg County on or about June 21, 2012, with malice aforethought, the defendant, Donte' Jarod Stokes did kill one Kathy Mack by means of shooting the victim with a gun. The victim did die as a proximate result thereof. This offense being in violation of the Common Law and Section 16-3-10, of the South Carolina Code of Laws, as amended.

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



Donald N. Sorenson, Solicitor

