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Nov 21 2023

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM BEAUFORT COUNTY
General Sessions Court
Carmen T. Mullen, Circuit Court Judge

Indictment Numbers: 2022GS0701823-1827, 1830, 1832, 1834-1839, 1841-1843 & 1845

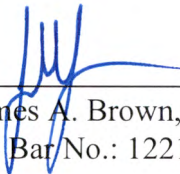
State of South Carolina, Respondent

v.

Timothy Herndon, Appellant

NOTICE OF APPEAL

Appellant Timothy Herndon appeals his convictions and sentences in the above referenced case. On November 13 - 16, 2023, Mr. Herndon's case was tried in the Beaufort County Court of General Sessions with the Honorable Carmen T. Mullen presiding. The sentences were imposed on November 16, 2023.



James A. Brown, Jr.
SC Bar No.: 12213

November 21, 2023
Beaufort, SC

Law Offices of Jim Brown, PA
1600 Burnside St, Suite 100
P.O. Box 592
Beaufort, South Carolina 29901
(843) 470-0003
lawoffice@lojbpa.com

Other Counsel of Record:
Isaac McDuffie Stone, III
Hunter Phelan Swanson
14th Circuit Solicitor's Office
Post Office Box 1880
Bluffton, South Carolina 29910

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State of South Carolina, Respondent

v.

Timothy Herndon, Appellant

PROOF OF SERVICE

I certify that I have served the Notice of Appeal on the Respondent on November 21, 2023 by providing a copy, postage prepaid, to Solicitor Isaac McDuffie Stone, III at the Fourteenth Circuit Solicitor’s Office, PO Box 1880, Bluffton, SC 29910. A copy was also served by emailing the same to him at his email address, dstone@scsolicitor14.org, as listed in the Lawyers Desk Book .



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November 21, 2023

VIA USPS and Email

ctappfiling@sccourts.org

The Honorable Jenny Abbott Kitchings

Clerk of Court,

South Carolina Court of Appeals

Post Office Box 11629

Columbia, South Carolina 29211

Re: Filing of Notice of Appeal and Proof of Service - State v Timothy Herndon
Case Nos.: 2022GS071823-1827, 1830, 1832, 1834-1839, 1841-1843 & 1845

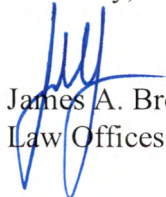
Dear Ms. Kitchings:

Please find enclosed under cover of this letter the original and one copy of the Notice of Appeal and Proof of Service in the above-referenced matter. Also find enclosed a copy of the indictments and sentencing sheets. Also, a copy of these same items are attached to an email copy of this letter. These same items have been provided in the same manner to the copied recipients listed below.

Additionally, while I was privately retained by Mr. Herndon's family in 2019, Mr. Herndon has become indigent since his arrest on March 28, 2019. In fact, he has an outstanding judgment in the amount of \$3.5 million dollars resulting from a civil suit arising from the same transactions or occurrences serving as the basis of his 17 felony sex crimes convictions and his ensuing 330 year sentences. Based upon this indigency, I intend to ask that Appellate Defense assume representation of Mr. Herndon. I have written that office in that regard in a separate communication but also have copied that office on this letter.

Thank you for your assistance in this matter. If you have any questions or concerns, please do not hesitate to contact me.

Sincerely,



James A. Brown, Jr.

Law Offices of Jim Brown, P.A.

**Filing of Notice of Appeal and Proof of Service - State v Timothy Herndon
Case Nos.: 2022GS071823-1827, 1830, 1832, 1834-1839, 1841-1843 & 1845**

Enclosures (noted)

cc: The Honorable Jerri Ann Roseneau, Beaufort Co. Clerk of Court, via USPS and Email,
w/ enclosures

Isaac McDuffie Stone, III, 14th Circuit Solicitor's Office, via USPS and Email, w/
enclosures

Appellate Defense, SC Commission on Indigent Defense, via USPS only, w/ enclosures

Timothy Herndon, via USPS only, w/ enclosures