

IN THE STATE OF SOUTH CAROLINA

In the Court of Appeals

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Appeal from York County Court of General Sessions

The Honorable Daniel Dewitt Hall

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Indictment No. 2023GS4604939

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The State of South Carolina.....Respondent,

v.

Jonathan Ostrowski.....Appellant

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**NOTICE OF APPEAL**

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The Appellant, Jonathan Ostrowski, hereby appeals his conviction sentence in the above-captioned case. On April 4, 2024, the Appellant pleaded guilty before the Honorable Daniel Dewitt Hall to the charge of Drugs / Trafficking in ice, crank or crack – 28 grams or more, but less than 100 grams – 2nd offense. Judge Hall sentenced Appellant to twelve (12) years imprisonment with credit for time served. Counsel will file the sentencing sheet with this Court upon receipt.

**STATEMENT OF ISSUES PURSUANT TO RULE 203(d)(1)(B)(iv)**

- I. The Appellant’s guilty plea was not knowingly or voluntarily entered due to insufficient advisement and understanding of: (1) the nature of the charges and the potential

sentencing range, including the charge classification and sentencing computation as a violent, second (2nd) offense; (2) the significant constitutional rights he was waiving, including his right to a jury trial; (3) the State's evidence against him and the factual basis underlying the acceptance of the guilty plea; and (4) any implication of the reversal of his prior conviction and subsequent time-served plea on the above-captioned charge or sentence. *See generally, e.g., Boykin v. Alabama*, 395 U.S. 238 (1969); *United States v. Ruiz*, 536 U.S. 622, 628-29 (2002); *State v. Hazel*, 275 S.C. 392, 271 S.E.2d 602 (1980) *State v. Rikard*, 371 S.C. 295, 300, 638 S.E.2d 72, 75 (Ct. App. 2006); *State v. Armstrong*, 263 S.C. 594, 598, 211 S.E.2d 889, 891 (1975).

Respectfully submitted,

By: s/ William G. Yarborough, III  
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**Apr 08 2024**

**SC Court of Appeals**

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**CERTIFICATE OF SERVICE**

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The undersigned hereby certifies that the Notice of Appeal was served upon Assistant Solicitor Austin Newman Smith via email to his AIS email address: [austin.smith@yorkcountygov.com](mailto:austin.smith@yorkcountygov.com).

This 4th day of April, 2024.

By: s/ William G. Yarborough, III  
South Carolina Bar No. 10271