

FORM 4
NOTICE OF APPEAL FROM A SENTENCE IMPOSED BY THE COURT
OF GENERAL SESSIONS

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM YORK COUNTY
Court of General Sessions

William A. McKinnon, Circuit Court Judge

Case No. 2021-GS-46-00635

The State,

Respondent,

v.

Jonathan K. Bass,

Appellant.

NOTICE OF APPEAL

Jonathan K. Bass appeals his conviction and sentence in this case. The sentence was imposed by the Honorable William A. McKinnon on February 27, 2024. This appeal is taken from the order of the Honorable William A. McKinnon, dated April 16, 2024, which denied appellant's motion to reconsider the sentence.

Defense counsel became aware that of written notice of denial of the motion to reconsider on April 29th 2024. On April 25th, defense counsel requested a copy of the order denying the motion by calling the General Sessions Clerk of Court Office. Defense counsel was told by an employee of the Clerk of Court's office that the denial of the motion to reconsider had been filed on April 22nd, 2024. Defense counsel requested a copy of the clocked order denying the motion. On April 29th, 2024, defense counsel realized he had not received a copy of the signed order and requested it a second time. Defense counsel then received a copy of the notice dated for April 16th, 2024. A letter from the Clerk's office is attached that memorializes this series of events. (Attachment 1).

Pursuant to Rule 203, defense counsel offers the following written explanation of the grounds for an appeal. The Defendant requests appellate review of the Court's conviction and 5-year sentence on the grounds that the Court failed quash the indictment against Appellant under Article 1, Section 14 of the South Carolina Constitution.

The Defendant objects to the Court allowing into evidence the statements of the deceased victim under the Sixth Amendment of the United States Constitution, Article 1, Section 14 of the South Carolina Constitution, and Rule 802 of the South Carolina Rules of Evidence.

The Defendant objects to the Court allowing into evidence testimony under S.C. Code Ann., Sect. 19-11-20 “Dead man’s Statute.”

The Defendant objects to the Court’s denial of the Defendant’s motion to exclude testimony by the deceased victim’s estate attorney under S.C. Code Section 19-1-20, the Confrontation Clause, Rules 702 and Rule 802 of the South Carolina Rules of Evidence.

The Defendant objects to the Court’s denial of Defendant’s Motion for Directed Verdict.

The Defendant objects to the Court’s denial of Defendant’s Motion for Mistrial due to pre-deliberation of the evidence by the Jury prior to the closing of the case and jury instructions.

The Defendant objects to the Court’s denial of the Defendant’s motion to deny the State’s attempt to admit an entire hard drive of photos without authenticating each one individually.

The Defenant hereby requests an appeal bond from the York County General Sessions court as the sentence is less than 10 years long. The Defenant requests a hearing on this matter as soon as is practicable.

April 29, 2024

s/ Zachary M. Merritt
MLB Law, LLC
403 E. White Street
Rock Hill, South Carolina 29730
(803) 328-8822
Attorney for Appellant

Other Counsel of Record:
Matthew Thomas Hogge
Assistant Solicitor
1675-1A York Highway
York, South Carolina 29745-7422
(803) 628-3020
Attorney for Respondant

RECEIVED

Apr 29 2024

SC Court of Appeals

THE STATE OF SOUTH CAROLINA

In The Court of Appeals

APPEAL FROM YORK COUNTY

Court of General Sessions

William A. McKinnon, Circuit Court Judge

Case No. 2021-GS-46-00635

The State,

Respondent,

v.

Jonathan Keith Bass

Appellant.

PROOF OF SERVICE

I certify that I have served the Notice of Appeal on Matthew Hogge and Peri Imler by emailing a copy pursuant to Supreme Court Order dated August 25th, 2021 on April 29th, 2024.

April 29th, 2024

\Zach Merrit

Zachary M. Merrit

403 East White Street

Rock Hill, SC 29730

(803) 730-1580

Attorney for Appellant

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Apr 29 2024

SC Court of Appeals

**FORM 8
LETTER TO THE APPELLATE COURT CLERK
FILING THE NOTICE OF APPEAL**

April 29, 2024

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

RE: The State, Respondent, v. Jonathan K. Bass, Appellant, Case No. 2021-
GS-46-00635

Dear Ms. Kitchings

Enclosed for filing is a notice of appeal in the above case. Also enclosed are the following:

- (1) Proof of service of the notice of appeal on the respondent[s].
- (2) A copy of the order which is to be challenged on appeal.

Sincerely,
s/ Zachary M. Merritt
MLB Law, LLC
403 E. White Street
Rock Hill, South Carolina 29730
(803) 328-8822
Attorney for Appellant

cc:
Matthew Thomas Hogge
Assistant Solicitor
1675-1A York Highway
York, South Carolina 29745-7422
(803) 628-3020
Attorney for Respondent