

THE STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

APPEAL FROM CHARLESTON COUNTY
Court of General Sessions

Deadra L. Jefferson, Circuit Court Judge

INDICTMENT NOS.: 2012GS1001910 AND 2013GS1000411
WARRANT NOS.: M613172 and M728037

THE STATE,RESPONDENT,

v.

MARVIN XAVIER PORCHER,APPELLANT.

NOTICE OF APPEAL

Marvin Xavier Porcher appeals his conviction and sentence in this case. The sentence was imposed by the Honorable Deadra L. Jefferson on July 19, 2013.



W. Ted Smith
Attorney for Appellant
O. T. Wallace County Office Building
101 Meeting Street
5th Floor
Charleston, SC 29401
(843) 958-1850

Other counsel of record are:
Tyler S. Whitaker
Assistant Solicitor
O.T. Wallace County Office Building
101 Meeting Street, 4th Floor
Charleston, SC 29401
(843) 958-1900
Attorney for Respondent

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JUL 30 2013

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

APPEAL FROM CHARLESTON COUNTY
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Deadra L. Jefferson, Circuit Court Judge

INDICTMENT NOS.: 2012GS1001910 AND 2013GS1000411
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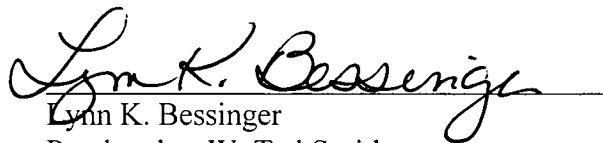
THE STATE,RESPONDENT,

v.

MARVIN XAVIER PORCHER,APPELLANT.

PROOF OF SERVICE

I certify that I have served the Notice of Appeal on Tyler S. Whitaker, Assistant Solicitor for Charleston County, by hand delivering a copy of it to the Charleston County Solicitor's Office at 101 Meeting Street, Charleston, South Carolina 29401, on July 25, 2013.



Lynn K. Bessinger
Paralegal to W. Ted Smith
Attorney for Appellant
O. T. Wallace County Office Building
101 Meeting Street
Fifth Floor
Charleston, SC 29401
(843) 958-1850

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SC Court of Appeals

STATE OF SOUTH CAROLINA) IN THE SOUTH CAROLINA COURT OF APPEALS
COUNTY OF CHARLESTON)

Warrant No(s): M613172 & M728037
Charge(s): Breaking & Entering Motor Vehicle x2

STATE OF SOUTH CAROLINA)
vs.)
MARVIN XAVIER PORCHER)
Defendant)

**REQUEST FOR REPRESENTATION
ON APPEAL**

On behalf of the request of the above-named Defendant, to be represented by the South Carolina Commission of Appellate Defense, the undersigned attorney would show unto this Honorable Court that:

1. He is the attorney for the defendant-appellant in the above captioned case. The defendant-appellant was placed in custody immediately following conviction and sentence and was not available to personally sign this Request.
2. The defendant-appellant was represented by the Charleston County Public Defender's Office as an indigent, pursuant to the Defense of Indigent Act.
3. The defendant-appellant has been informed that he may request assistance from the South Carolina Commission of Appellate Defense in perfecting his appeal.
4. A timely Notice of Intention to Appeal has been filed on the defendant's-appellant behalf.
5. The defendant-appellant has been informed that nothing requires that office to pursue this appeal unless that office's Chief Attorney is satisfied that there is arguable merit to this appeal and that he cannot afford to hire an attorney.

At this time, the defendant-appellant requests the aid of the South Carolina Commission of Appellate Defense in perfecting his appeal to the South Carolina Court of Appeals.



Attorney for Marvin Porcher

Charleston, South Carolina

Dated: 7/26/13

STATE OF SOUTH CAROLINA)
)
COUNTY OF CHARLESTON)

VERIFICATION

Personally appeared before me the above-signed attorney, who being first duly sworn, deposes and says that she has read the foregoing Request for Representation on Appeal and knows the allegations contained therein are true, except as to those which may be alleged to be upon information and belief, and as to those she believes them to be true.

SWORN to and subscribed before me

this 26th day of July

Rebecca L. Bessinger
NOTARY PUBLIC FOR SOUTH CAROLINA

My Commission Expires: May 20, 2018

Berkeley County
219 N. Hwy. 52, Suite E
P.O. Box 1687
Moncks Corner, SC 29461
(843) 899-2777
(843) 899-2701 Fax
Cody J. Groeber
Berkeley County Public Defender

Ninth Circuit Public Defender

Berkeley & Charleston Counties

D. Ashley Pennington, Circuit Defender
publicdefender@charlestoncounty.org
(843) 958-1850

Charleston County
O.T. Wallace Building
101 Meeting Street, 5th Floor
Charleston, SC 29401-2214
(843) 958-1850
(843) 958-1860 Fax
Lorelle D. Proctor
Charleston County Public Defender

July 26, 2013

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

Re: State of South Carolina v. Marvin Xavier Porcher
Indictment Nos.: 2012GS1001910 and 2013GS1000411
Warrant Nos.: M613172 and M728037
Charges.: Breaking and Entering Motor Vehicle x2

Dear Ms. Kitchings:

I am enclosing for filing the Notice of Intent to Appeal in the above-referenced case, together with appropriate Proof of Service upon the Circuit Solicitor and Proof of Filing with the local Clerk of Court. I represented Mr. Witherspoon pursuant to the Defense of Indigents Act. By copy of this letter, I am forwarding a duplicate set of these documents to the South Carolina Commission of Appellate Defense.

Upon the filing of these documents, I would appreciate your returning the file-stamped copies of the respective documents to me in the enclosed, self-addressed envelope.

I thank you in advance for your cooperation in this matter. If you have any questions or comments concerning this matter, please do not hesitate to contact me.

Sincerely,



W. Ted Smith
Attorney for Appellant

Enclosure(s): As stated above

cc: South Carolina Commission of Appellate Defense (with enclosures)
Mr. Marvin Porcher (with enclosures)

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JUL 30 2013

SC Court of Appeals

Berkeley County
219 N. Hwy. 52, Suite E
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Cody J. Groeber
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Ninth Circuit Public Defender

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Lorelle D. Proctor
Charleston County Public Defender

July 26, 2013

South Carolina Appellate Defense Commission
Attention -- Ms. Sharon Graham
PO Box 11589
Columbia, South Carolina 29211

Re: State of South Carolina v. Marvin Xavier Porcher
Indictment Nos.: 2012GS1001910 and 2013GS1000411
Warrant Nos.: M613172 and M728037
Charges.: Breaking and Entering a Motor Vehicle x2

Dear Ms. Graham:

I am enclosing a duplicate set of the Appeal papers, which I have forwarded to the Clerk of the South Carolina Court of Appeals concerning the above-subject defendant. This defendant was represented by our office as an indigent, pursuant to the Defense of Indigents Act, and it is requested that your office assume the appeal of this case.

The name of the Court Reporter is Phyllis Norton and her address is 100 Broad Street, Suite 236, Charleston, South Carolina 29401. I have enclosed documents usually requested by your office. Documents listed but not applicable to this particular case have been marked "N/A."

I thank you in advance for your cooperation in this matter. If you have any questions or comments concerning this matter, please do not hesitate to contact me.

Sincerely,



W. Ted Smith
Attorney for Appellant

Enclosure(s): As stated above

cc: Mr. Marvin Porcher (without enclosures)

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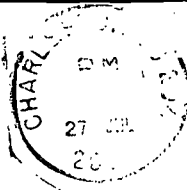
SC Court of Appeals

CHARLESTON COUNTY PUBLIC DEFENDER

O.T. WALLACE COUNTY OFFICE BLDG.

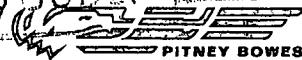
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SC Court of Appeals

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