

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

APPEAL FROM SPARTANBURG COUNTY  
Circuit Court

The Honorable Brian M. Gibbons

Case No. 2012-GS-42-2818

State of South Carolina,

Respondent

vs.

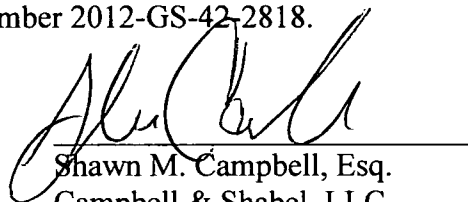
Norman L. Garner,

Appellant

NOTICE OF APPEAL

Norman L. Garner hereby appeals the order of the Honorable Brian M. Gibbons, dated August 8, 2013 in Case Number 2012-GS-42-2818.

August 16, 2013



Shawn M. Campbell, Esq.  
Campbell & Shabel, LLC  
104 N. Daniel Morgan Ave, Suite 201  
Spartanburg, S.C. 29306  
Telephone: 864-583-0001  
FAX: 864-583-1199  
Attorney for Appellant

Other Counsel of Record:

Barry Barnette, Esq.  
7<sup>th</sup> Circuit Solicitor's Office  
180 Magnolia Street  
3<sup>rd</sup> Floor  
Spartanburg, SC 29306

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AUG 22 2013  
SC Court of Appeals

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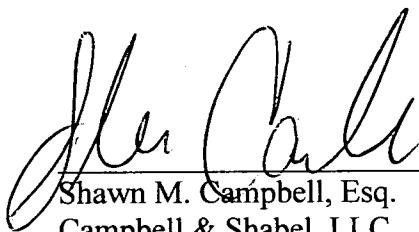
Norman L. Garner,

Appellant

**PROOF OF SERVICE**

I certified that I have served the Notice of Appeal by depositing a copy of it in the United States Mail, postage prepaid, on the State of South Carolina, addressed to its attorney of Record, Barry Barnette, Esq, 7<sup>th</sup> Circuit Solicitor's Office, 180 Magnolia Street 3<sup>rd</sup> Floor, Spartanburg, SC 29306.

August 16, 2013



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Attorney for Appellant

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STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF SPARTANBURG VS. Normen Lance Garner

INDICTMENT/CASE#: 2012GS4202818
A/W#: M758089
Date of Offense: 2/25/2012
S.C. Code § 16-15-0140
CDR Code #: 2468

AKA:
Race: BLACK Sex: M Age: 44
DOB: SS#:
Address: 100 Twin Lakes Drive
City, State, Zip: Moore, SC 29369
DL#: SID#:

SENTENCE SHEET

\*CDL Yes No CMV Yes No Hazmat Yes No
In disposition of the said indictment comes now the Defendant who was CONVICTED OF or PLEADS TO: Sex / Lewd Act, committing or attempting lewd act upon child under 16 (June 4, 1996), 0-15

in violation of § 16-15-0140 of the S.C. Code of Laws, bearing CDR Code # 2468
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 Presentment to Grand Jury
The plea is: Without Negotiations or Recommendation, Negotiated Sentence, Recommendation by the State.
ATTEST: [Signatures] 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 12 days/months/years 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
PTUP
Total: \$ plus 20% fee: \$
Payment Terms:
Set by SCDPPPS

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

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:

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

Clerk of Court/ Deputy Clerk: [Signature]
Court Reporter: [Signature]
SCCA/217 (03/2011)

Presiding Judge: [Signature]
Judge Code: 2168
Sentence Date: 8/6/13

Shawn M. Campbell  
Kenneth P. Shabel

# Campbell & Shabel

ATTORNEYS AT LAW

OF COUNSEL:  
Sean Giovannetti  
(Also Admitted in NC)

Sender's Email: [jmoss@gc-lawfirm.com](mailto:jmoss@gc-lawfirm.com)

Sunday, August 18, 2013

**VIA CERTIFIED MAIL**

Ms. Jenny A. Kitchings, Clerk  
SC Court of Appeals  
PO Box 11629  
Columbia, South Carolina 29211

**RE: State of South Carolina vs. Norman L. Garner  
2012-GS-42-2818**

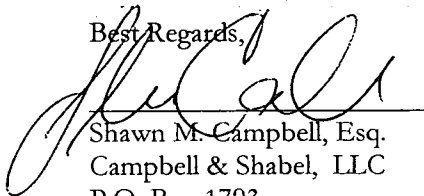
Dear Ms. Kitchings:

Enclosed for filing are an original and a copy of a notice of appeal in the above-referenced case. I am serving as attorney for the appellant, Norman Garner, in this action. Also enclosed are the following:

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

If you have any questions please feel free to contact my office.

Best Regards,



Shawn M. Campbell, Esq.  
Campbell & Shabel, LLC  
P.O. Box 1793  
Spartanburg, S.C. 29304  
Telephone: 864-583-0001  
FAX: 864-583-1199  
Attorney for Respondent

cc: client  
Barry Barnette, Seventh Circuit Solicitor's Office

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Spartanburg, SC 29306

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Jenny A. Kitchens, Clerk  
SC Court of Appeals  
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