

THE STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

RECEIVED
JUN 28 2024
SC Court of Appeals

THE STATE OF SOUTH CAROLINA,

Respondent,

V.

TERRIONNA MARIE HARTWELL,

Appellant.

Appeal from Barnwell County

Courtney Clyburn Pope, Circuit Court Judge

Appellate Case No. 2024-000802

PETITION FOR REHEARING

On June 20, 2024, this Court dismissed without prejudice this matter pursuant to Hudson v. Hudson, 290 S.C. 215, 349 S.E.2d 341 (1986).

BACKGROUND

Defendant, Terrionna M. Hartwell, pled guilty to charges of Attempted Armed Robbery and Voluntary Manslaughter on April 25, 2024 before the Honorable Judge Courtney Clyburn Pope in Barnwell County. Defense counsel then filed a Motion to Reconsider Sentencing on May 3, 2024 with the Barnwell County Clerk of Court (see attached Exhibit 1). On May 6, 2024, defense counsel received an email correspondence from the Honorable Judge Courtney Clyburn Pope’s law clerk’s email denying the defendant’s Motion to Reconsider Sentencing (see attached Exhibit 2). On May 14, 2024, defense counsel then filed a Notice of Appeal. On May 28, 2024, defense counsel

received correspondence from the South Carolina Court of Appeals stating that the Notice of Appeal was not accompanied by an order or judgement challenged on appeal. As such, on June 4, 2024, defense counsel filed the Amended Notice of Appeal and supporting documentation to include the email denying defense's Motion to Reconsider Sentencing, and a copy of these filings were hand delivered to the South Carolina Court of Appeals on the same date (see Exhibit 3). On June 24, 2024, defense counsel received in the mail the written order denying defense's Motion to Reconsider Sentencing by the Honorable Judge Courtney Clyburn Pope, which was filed with the clerk of court on June 10, 2024. (see attached Exhibit 4).

DISCUSSION


The Court in Hudson, cites SCRCP 59(e) which states that "A motion to alter or amend the judgment shall be served not later than 10 days after receipt of written notice of the entry of the order." Defense counsel submits to this Honorable Court that this case is now ripe for appellate review and that the Amended Notice of Appeal was submitted within the 10 day requirement. Pursuant to Rule 59(e) for timeliness, the Circuit Court judge made her ruling denying defense's Motion for Reconsideration by means of the email dated May 6, 2024. The original Notice of Appeal that defense counsel filed on May 14, 2024, did not contain the email from the Honorable Judge Pope, which is why the Notice of Appeal was rejected. However, upon receiving correspondence from the Court of Appeals on May 28, 2024, that the original Notice of Appeal was rejected and needed to include the ruling or judgment denying the Motion to Reconsider, defense counsel then submitted the corrected and Amended Notice of Appeal including the email from the Honorable Judge Clyburn Pope and was filed and clocked with the Barnwell County Clerk of Court on June 4, 2024 and hand delivered to the Court of Appeals on the

same date which is within the 10 day requirement of the rule. However, for reasons unknown, the email correspondence from the Honorable Judge Clyburn Pope was not received by the Court of Appeals despite it being hand delivered in the Amended Notice of Appeal Packet.

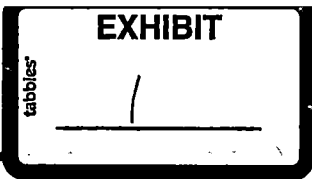
Additionally, defense counsel now submits the written order denying its Motion for Reconsideration that it received on June 24, 2024 which was filed by the Honorable Judge Clyburn Pope on June 10, 2024. Defense counsel maintains that it included the email stating the Circuit Court judge's ruling on the Motion to Reconsider in its Amended Notice of Appeal on June 4, 2024 and that it was submitted timely pursuant to SCRCPC 59(e). We respectfully ask this Honorable Court to grant our petition and reinstate the appeal.

CONCLUSION

For the foregoing reasons, Appellant respectfully requests that this Court grant the petition for rehearing, reinstate the appeal, and hear the merits of the issue on appeal.


Lester McGill "Gill" Bell, Jr.
Erin R. Conroy
Moore Bradley Myers Law Firm
1700 Sunset Blvd.
West Columbia, SC 29169
ATTORNEYS FOR APPELLANT

Date: June 28, 2024



Erin R. Conroy

From: Pope, Courtney Clyburn Law Clerk (Paige Christopher) <cpopelc@sccourts.org>
Sent: Monday, May 6, 2024 10:35 AM
To: Erin R. Conroy; Pope, Courtney Clyburn
Cc: 'DMiller@aikencountysc.gov'; Lester M. "Gill" Bell, Jr
Subject: [EXTERNAL] RE: State vs. Terrionna Hartwell - Motion to Reconsider Sentence

Good morning,

After reading the supplemental documents provided by the Defendant, Defendant's Motion to Reconsider is DENIED.

Best,

Paige Christopher
Law Clerk
The Honorable Courtney Clyburn Pope
South Carolina 2nd Judicial Circuit
109 Park Avenue SE
Aiken, SC 29802
cpopelc@sccourts.org

CONFIDENTIALITY NOTICE

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-----Original Message-----

From: Erin R. Conroy <erin@mbmlawsc.com>

Sent: ~~Friday, May 3, 2024 4:25 PM~~

To: Pope, Courtney Clyburn Law Clerk (Paige Christopher) <cpopelc@sccourts.org>; Pope, Courtney Clyburn <cpopej@sccourts.org>

Cc: 'DMiller@aikencountysc.gov' <DMiller@aikencountysc.gov>; Lester M. "Gill" Bell, Jr <gill@mbmlawsc.com>

Subject: State vs. Terrionna Hartwell - Motion to Reconsider Sentence

*** EXTERNAL EMAIL: This email originated from outside the organization. Please exercise caution before clicking any links or opening attachments. ***

Good afternoon,

Please see attached for defense's Motion to Reconsider Sentence for defendant, Terrionna Hartwell in Bamberg County.

The original has been mailed to the clerk of court for filing.

Thank you,

STATE OF SOUTH CAROLINA)
)
COUNTY OF BARNWELL)
)
v.)
)
TERRIONNA HARTWELL,)
)
)
Defendant.)
_____)

IN THE COURT OF GENERAL SESSIONS
SECOND JUDICIAL CIRCUIT

MOTION TO RECONSIDER SENTENCE

INDICTMENT NO(s):

2024GS0600098; 2021GS0600177; 2021GS06001

FILED FOR RECORD
2024 MAY 10 PM 5:01
RHONDA D. McELVEEN
CLERK OF COURT
BARNWELL COUNTY, S.C.

TO: THE HONORABLE COURTNEY CLYBURN POPE; and
DAVID MILLER, Deputy Solicitor for the Second Judicial Circuit

PROCEDURAL HISTORY

On April 25, 2024, Terrionna Hartwell appeared before this Court and entered a plea of guilty to Attempted Armed Robbery and Voluntary Manslaughter. Based on prior discussions, it was understood that Ms. Hartwell's sentence would run concurrent with no other recommendations on sentencing. Following her plea, Ms. Hartwell was sentenced to an active term of imprisonment of twenty (20) years. Ms. Hartwell now asks the Court to reconsider that sentence.

BIOGRAPHICAL BACKGROUND & MITIGATION

Ms. Hartwell is twenty-one years old, and received her high school diploma at a military school in South Carolina. Ms. Hartwell was eighteen years old when she was charged with these crimes. Ms. Hartwell has three children, ages one, two, and five years old. She is currently pregnant and due in July of this year with her fourth daughter. Up until the date of her sentencing, she was the primary caregiver for her children. She suffers from a thyroid disorder, which deems her pregnancy to be high risk. As such, she must take daily medication. Up until her sentencing, Ms. Hartwell was a business owner where she ran a clothing line to make clothing for the underprivileged. She has no prior criminal record.

At the time of her arrest, Ms. Hartwell was involved in a romantic relationship with one of her co-defendants, Joseph Freeman. Ms. Hartwell had been dating Mr. Freeman for approximately one year prior to being arrested. Ms. Hartwell maintains that she suffered a great deal of both physical and mental abuse by Mr. Freeman throughout their relationship. When she initially began dating him, she was living with her family in Lexington County, but she eventually moved to Barnwell County with him where they were homeless and living out of a barn. Prior to beginning her relationship with Mr. Freeman, Ms. Hartwell was very close with her family. However, once she moved to Barnwell, she began distancing herself from them as mandated by Mr. Freeman. Ms. Hartwell also maintains that she was instructed by Mr. Freeman not to work a job and that he told her to instead sell nude photographs of herself through an app for them to make money. As was testified to during the plea, many members of Ms. Hartwell's family and friends witnessed the abuse she suffered from Mr. Freeman. Defense counsel would like to make this Court aware that since her sentencing, defense counsel has received a series of text messages that include conversations between Mr. Freeman and Ms. Hartwell directly (Exhibit 1-Text Messages Between Mr. Freeman and Ms. Hartwell), Mr. Freeman and Tonya Freeman, Ms. Hartwell's mother (Exhibit 2- Text Messages Between Mr. Freeman and Tonya Freeman), and conversations between Ms. Hartwell's friends and family members detailing the abuse she sustained at the hands of Mr. Freeman (Exhibit 3 – Text Messages Between Ms. Hartwell's Friends and Family).

Defense counsel would also like to make this Court aware that during Ms. Hartwell's plea, the State rebutted the facts presented in our mitigation and claimed that it had never been reported to law enforcement that Ms. Hartwell was being abused or under duress by Mr. Freeman. However, after the State's rebuttal, defense counsel did not have an opportunity to respond. Upon Ms. Hartwell's arrest and interview with law enforcement, she was still dating Mr. Freeman and

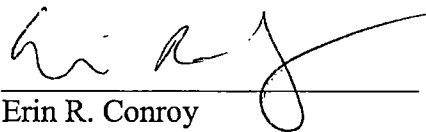
under his influence. She maintains that he made her claim full responsibility and that she was afraid to tell law enforcement otherwise for fear that Mr. Freeman would harm her.

Through her plea of guilt, she admits her wrongdoings and acknowledges the part she played in these crimes. She has taken responsibility and is truly remorseful for her actions. She understands that a life was lost because of her involvement in these crimes and will have to live with this fact forever. However, we respectfully ask this Court to reconsider the fact that Ms. Hartwell has made every effort to turn her life around. (Exhibit 4 – Character Letter). She had no bond violations. She has instead been focused on being a good mother to her children and hopes that she can be present in their lives. When she was arrested, she was very young and impressionable. Had Ms. Hartwell had any idea or belief that any sort of violence would have taken place on that day, she never would have met with the victim. She had no knowledge that any violence or weapons would be present. She was acting on the directions of her abuser. As such, we are asking this Court to take these facts into consideration and show leniency to Ms. Hartwell in light of these points.

CONCLUSION

Based on the foregoing reasons, Ms. Hartwell respectfully requests that this Court reconsider and reduce the sentence imposed.

Respectfully submitted,



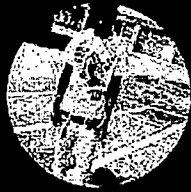
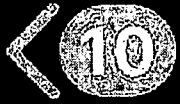
Erin R. Conroy
Lester McGill "Gill" Bell, Jr.
Moore Bradley Myers Law Firm, P.A.
1700 Sunset Blvd.
West Columbia, SC 29169
(803) 796-9160
Attorneys for Defendant

West Columbia, South Carolina
May 3, 2024

EXHIBIT I

**TEXT MESSAGES BETWEEN MR.
FREEMAN AND MS. HARTWELL**

12:12



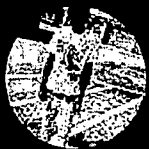
Gohard Jae



JUL 06, 2021, 0:21:11

← Gohard replied to your story

U posting on fb while ur
boyfriend going thru hell I
walked out u didn't even
follow me and see what's
wrong



I'm not tryna get hit

EXHIBIT II
TEXT MESSAGES BETWEEN MR.
FREEMAN AND TONYA
HARTWELL

4:57 PM

→ Tonya forwarded a message

Im trying my best to get her
wimme for da weekends n uk
dis n uk terrionna dc bout
nobody bur who she fw n i
promise my child wont be
going too dss not mines n my
charge gor dropped so im
good ima be here for my child



→ Tonya forwarded a message

N if uk that why not lemme get
here before i have to face dem
folks u have no reason not to
drop my lil girl off but i
understand way u coming from



EXHIBIT III
TEXT MESSAGES BETWEEN MS.
HARTWELL'S FRIENDS AND
FAMILY

5:37



No Caller ID

Active 16m ago



she kept getting abused as she wasn't gonna stop talking to her family

like i asked her why she blocked me & she said " it wasn't me " at first i was confused but then i caught on & i was like wtf. but yeah that shit petty asf, & they need to get him for hitting on women.

& for murder.

i hope he rot in that cell!

&& wtf he was abusing her ? see i knew it. i knew jus by how she was acting when he was around. he wouldn't even let her have a job. shit was wack.



i tried to get her to get her shit together & she wouldn't because of HIM ! 🤔



i just hate seeing my bestfriend go down like this 😞 😞



JUL 2 ↓ 8 PM



Aa



5:36



NoCaller ID

Active 16m ago



she needa leave him for good ,&&'
i heard he snitching on her or
some shit. when the police found
them he told them that he ain't
had nothing to do wit it that it was
all her. 🤔 that shit fucked up. &
that he was abusing her and told
her she better not say nothing or
he was gonna kill her 😞 🤔. word
you supposed to ride for them 🤔.
it's so fucked up i hope he have to
stay his ass in there & she get out !



Right see what I'm saying ! he ain't
no damn good ! everybody said he
was gonna snitch !

but she gone get out regardless !!

HE AINT NO GOOD !! HE KNEW
WHAT HE WAS DOING.

i wish she would've listened to me
when i was talking wit her tho.

he even made her block ME !! like
wtf. she hadda text me on fb and
change my number to a different
name.



like that shit cra. ↓



Aa





Numb
Active Now



I thought Tonya said she gone
have loyalty n zamayah a party
together



Idk! First time hearing about an
party

O wow



APR 12 AT 6:16 PM

Tell terrionna if she ever needs
me lmk facts my inbox always
open



N tell ole boy if I find out he put
his hands on baby it ain't gone
be nice ¹¹¹⁰



APR 12 AT 6:50 PM

I watch the kids now

Ok good



APR 12 AT 7:23 PM

Yup! I did her hair 2day



Message



EXHIBIT IV
CHARACTER LETTER

Erin R. Conroy

From: Lester M. "Gill" Bell, Jr
Sent: Thursday, April 25, 2024 8:53 AM
To: Erin R. Conroy
Subject: Fwd: [EXTERNAL] Fwd: Character Reference

Sent from a mobile device.
Please excuse typographical errors.

From: Thartwell 3 <thartwell680@gmail.com>
Sent: Thursday, April 25, 2024 8:50:50 AM
To: Gill@mbmlawsc.com <Gill@mbmlawsc.com>
Subject: [EXTERNAL] Fwd: Character Reference

----- Forwarded message -----
From: Chameeka Fletcher <fletcherchameeka@gmail.com>
Date: Thursday, April 25, 2024
Subject: Character Reference
To: Thartwell680@gmail.com

Krystle Fletcher

04/24/2024

Character Reference for Terrionna Hartwell

Dear Judge,

I hope this letter finds you in good health. I am writing to vouch for the character of my God Child's Mother, Terrionna Hartwell, who is currently facing some serious charges. I've known Terrionna for the past 10 years. We went to High School together and since we have always been good friends. In my experience Terrionna Hartwell has always been responsible and hardworking person. I believe it is important for me to share my perspective on her character and if I may respectfully request leniency in this sentencing and propose an alternative to imprisonment, such as probation. That way she would be able to continue her journey in self-improvement specifically for the four daughters she has. I have taken in account of all history as friends with Terrionna Hartwell whether good or bad but recently she has turned her life around. Working, trying to attend school and start her own business to make a better life not only for herself but her four daughters. I do genuinely believe she is remorseful for her actions and believe she will stay on the correct path in efforts to ensure she does not go down this path again. Which is why I was more the honored to write a letter today on behalf of Terrionna Hartwell and I truly hope you take this letter into consideration when making your decision.

Sincerely,
Krystle Fletcher

STATE OF SOUTH CAROLINA

COUNTY OF BARNWELL

IN THE COURT OF GENERAL SESSIONS

THE STATE OF SOUTH CAROLINA

Plaintiff,

vs.

Terrionna M. Hartwell

Defendant.

Indictment Nos. 2024GS0600098;
2021GS0600177; 2021GS06001


CERTIFICATE OF SERVICE

I, Karen B. Kaminer, legal assistant to Lester McGill "Gill" Bell, Jr. & Erin R. Conroy, Esquire with the law firm of Moore Taylor, Law Firm, P.A., Attorneys for the Defendant, hereby certify that I have served a copy of the **Motion to Reconsider Sentence**, to the following by placing a copy in the United States Mail, first class delivery, with proper postage affixed thereto, addressed as follows:

The Honorable Courtney Clyburn Pope
Post Office Box Q
109 Park Avenue SE
Aiken, South Carolina 29802-0680

David Miller, Esquire
Barnwell County Solicitor's Office
Post Office Box 845
Barnwell, South Carolina 29802

MOORE BRADLEY MYERS LAW FIRM, P.A.

By: 
Karen B. Kaminer
Legal Assistant to Gill Bell & Erin R. Conroy

West Columbia, South Carolina
May 3, 2024.

FILED FOR RECORD
2024 MAY 10 PM 5:02
RHONDA D. MELBYEN
CLERK OF COURT
BARNWELL COUNTY, S.C.

Erin R. Conroy

From: Pope, Courtney Clyburn Law Clerk (Paige Christopher) <cpopelc@sccourts.org>
Sent: Monday, May 6, 2024 10:35 AM
To: Erin R. Conroy; Pope, Courtney Clyburn
Cc: 'DMiller@aikencountysc.gov'; Lester M. "Gill" Bell, Jr
Subject: [EXTERNAL] RE: State vs. Terrionna Hartwell - Motion to Reconsider Sentence

Good morning,

After reading the supplemental documents provided by the Defendant, Defendant's Motion to Reconsider is DENIED.

Best,

Paige Christopher
Law Clerk
The Honorable Courtney Clyburn Pope
South Carolina 2nd Judicial Circuit
109 Park Avenue SE
Aiken, SC 29802
cpopelc@sccourts.org

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-----Original Message-----

From: Erin R. Conroy <erin@mbmlawsc.com>

Sent: Friday, May 3, 2024 4:25 PM

To: Pope, Courtney Clyburn Law Clerk (Paige Christopher) <cpopelc@sccourts.org>; Pope, Courtney Clyburn <cpopej@sccourts.org>

Cc: 'DMiller@aikencountysc.gov' <DMiller@aikencountysc.gov>; Lester M. "Gill" Bell, Jr <gill@mbmlawsc.com>

Subject: State vs. Terrionna Hartwell - Motion to Reconsider Sentence

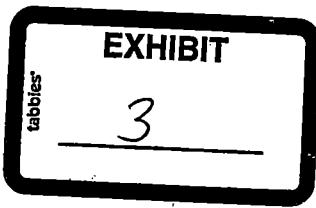
*** EXTERNAL EMAIL: This email originated from outside the organization. Please exercise caution before clicking any links or opening attachments. ***

Good afternoon,

Please see attached for defense's Motion to Reconsider Sentence for defendant, Terrionna Hartwell in Bamberg County.

The original has been mailed to the clerk of court for filing.

Thank you,



STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM BARNWELL COUNTY
Court of General Sessions

The Honorable Courtney C. Pope

Indictment No. 2021-GS-06-00177, 2024-GS-06-00098

Terrionna Marie Hartwell, Appellant,

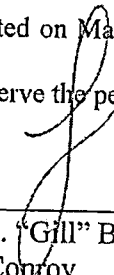
vs.

The State of South Carolina, Respondent.

FILED FOR RECORD
2024 JUN 10 AM 10:41
RHONDA D. McELVEEN
CLERK OF COURT
BARNWELL COUNTY, S.C.

AMENDED NOTICE OF APPEAL

Terrionna Hartwell appeals her conviction of voluntary manslaughter, and attempted armed robbery on the above referenced indictments. Ms. Hartwell pled guilty on April 25, 2024, and was sentenced on April 25, 2024 to twenty (20) years incarceration for the charge of attempted armed robbery and sentenced to twenty-five (25) years suspended sentence and five (5) years probation for the charge of voluntary manslaughter to be ran concurrently and given credit for 30 days, time-served. Additionally, there was no mention of these charges being most serious and no parole offenses. Subsequently, a Motion to Reconsider was denied by way of electronic mail submitted on May 6, 2024. The undersigned does not intend to represent the appeal but have filed Notice to preserve the petitioner's rights.


Lester M. "Gill" Bell, Jr.
Erin R. Conroy
Moore Bradley Myers, P.A.
1700 Sunset Boulevard
West Columbia, South Carolina 29169
(803) 796-9160
ATTORNEYS FOR APPELLANT

Other Counsel of Record:
David Miller, Deputy Solicitor
Second Judicial Circuit Solicitor's Office
Post Office Box 845
Barnwell, South Carolina 29812

Cameron R. Nienberg

From: Erin R. Conroy
Sent: Thursday, May 30, 2024 4:34 PM
To: Cameron R. Nienberg
Cc: Lester M. "Gill" Bell, Jr
Subject: Fwd: [EXTERNAL] RE: State vs. Terrionna Hartwell - Motion to Reconsider Sentence
Attachments: Proposed Order Denying Motion to Reconsider.doc

I don't believe the proposed order was signed, but the court of appeals confirmed the email from the judge's clerk denying the motion was sufficient. Thank you.

Sent from my iPhone

Begin forwarded message:

From: David Miller <DMiller@aikencountysc.gov>
Date: May 13, 2024 at 12:44:39 PM EDT
To: "Pope, Courtney Clyburn Law Clerk (Paige Christopher)" <cpopelc@sccourts.org>, "Erin R. Conroy" <erin@mbmlawsc.com>, "Pope, Courtney Clyburn" <cpopej@sccourts.org>
Cc: "Lester M. Gill Bell, Jr" <gill@mbmlawsc.com>
Subject: [EXTERNAL] RE: State vs. Terrionna Hartwell - Motion to Reconsider Sentence

Please find the attached proposed order denying the Defendant's motion to reconsider sentence in these matters. If the Court requires changes to the proposed order, please advise and I will be happy to make them.

DWM

"We are Lawyers on the Side of People. Never let us forget that the Law is never settled until it is settled right, it is never right until it is just, and it is never just until it serves society to the fullest."

- Harry

Philo

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David W. Miller
Deputy Solicitor,
2nd Judicial Circuit
Post Office Box 845
Barnwell, South Carolina 29812

-----Original Message-----

From: Pope, Courtney Clyburn Law Clerk (Paige Christopher) <cpopelc@sccourts.org>
Sent: Monday, May 6, 2024 10:35 AM
To: Erin R. Conroy <erin@mbmlawsc.com>; Pope, Courtney Clyburn <cpopej@sccourts.org>
Cc: David Miller <DMiller@aikencountysc.gov>; Lester M. "Gill" Bell, Jr
<gill@mbmlawsc.com>
Subject: RE: State vs. Terrionna Hartwell - Motion to Reconsider Sentence

*** Important Notice: This is an EXTERNAL email. Please do not click on a link or open any attachments unless you are confident it is from a trusted source. ***

Good morning,

After reading the supplemental documents provided by the Defendant, Defendant's Motion to Reconsider is DENIED.

Best,

Paige Christopher
Law Clerk
The Honorable Courtney Clyburn Pope
South Carolina 2nd Judicial Circuit
109 Park Avenue SE
Aiken, SC 29802
cpopelc@sccourts.org

CONFIDENTIALITY NOTICE

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Sent: Friday, May 3, 2024 4:25 PM
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Cc: 'DMiller@aikencountysc.gov' <DMiller@aikencountysc.gov>; Lester M. "Gill" Bell, Jr
<gill@mbmlawsc.com>
Subject: State vs. Terrionna Hartwell - Motion to Reconsider Sentence

*** EXTERNAL EMAIL: This email originated from outside the organization. Please exercise caution before clicking any links or opening attachments. ***

Good afternoon,

Please see attached for defense's Motion to Reconsider Sentence for defendant, Terrionna Hartwell in Bamberg County.

The original has been mailed to the clerk of court for filing.

Thank you,

Erin R. Conroy
Associate Attorney

1700 Sunset Blvd.,
West Columbia, South Carolina 29169
Office: (803) 796-9160
Fax: (803) 791-8410
erin@mbmlawsc.com

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-----Original Message-----

From: scanner
Sent: Friday, May 3, 2024 4:10 PM
To: Erin R. Conroy <erin@mbmlawsc.com>
Subject: Scan from Moore Bradley Myers Law Firm

Please open the attached document. It was scanned and sent to you from Moore Bradley Myers Law Firm; PA.

Number of Images: 13
Attachment File Type: PDF

Device Name: Xerox C9070
Device Location: Columbia Upstairs

~~~~ CONFIDENTIALITY NOTICE ~~~~ This message is intended only for the addressee and may contain information that is confidential. If you are not the intended recipient, do not read, copy, retain, or disseminate this message or any attachment. If you have received this message in

error, please contact the sender immediately and delete all copies of the message and any attachments.

**CAUTION:** This email originated from outside of Moore Bradley Myers. Do not click links or open attachments unless you recognize the sender and know the content is safe.



S. Jahue Moore\*  
James Edward Bradley\*  
Sheila McNair Robinson  
Christian G. Spradley  
William H. Edwards  
S. Jahue Moore, Jr.  
William B. Fortino  
Ralph Nichols Riley, Jr.  
John C. Bradley, Jr.  
Lester McGill Bell, Jr.

Melissa K. Moore  
Sierra D. Carini  
Lawrence D. Turner  
Emily E. Collins  
Erin R. Conroy

*Retired*  
J. Mark Taylor\*\*  
Robert D. Hazel\*  
C. David Sawyer, Jr.\*  
Billy C. Coleman (1916-2019)  
Stanley L. Myers\*\* (1976-2023)

June 4, 2024

VIA HAND DELIVERY

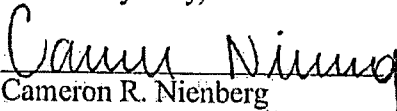
The Honorable Jenny Abbott Kitchings  
Clerk of Court  
1220 Senate Street  
Columbia, South Carolina 29201

Re: State of South Carolina vs. Terrionna Marie Hartwell (Notice of Appeal)  
Indictment No.: 2021-GS-06-00177, 2024-GS-06-00098

Dear Madame Clerk:

Enclosed for filing please find an Amended Notice of Appeal in regards to the above mentioned matters.

Yours very truly,

  
Cameron R. Nienberg  
Paralegal to Lester M. "Gill" Bell, Jr.  
1700 Sunset Boulevard  
West Columbia, SC 29169  
(803) 796-9160

cc: Deputy Solicitor David Miller  
Post Office Box 845  
Barnwell, South Carolina 29812

South Carolina Attorney General  
1000 Assembly Street  
Columbia, South Carolina 29201

The Honorable Courtney C. Pope  
Post Office Box Q  
Aiken, South Carolina 29802

The Honorable Rhonda D. McElveen  
Barnwell County Clerk of Court  
Post Office Box 723  
Barnwell, South Carolina 29812

Ms. Terrionna Hartwell 00394003  
Graham Correctional Institution  
4450 Broad River Road  
Columbia, South Carolina 29210

1700 Sunset Boulevard, West Columbia SC 29169 | PO Box 5709, West Columbia SC 29171

TEL 803.796.9160 FAX 803.791.8410 [www.mbmlawsc.com](http://www.mbmlawsc.com)



S. Jahue Moore\*  
 James Edward Bradley\*  
 Sheila McNair Robinson  
 Christian G. Spradley  
 William H. Edwards  
 S. Jahue Moore, Jr.  
 William B. Fortino  
 Ralph Nichols Riley, Jr.  
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 Emily E. Collins  
 Erin R. Conroy

*Retired*  
 J. Mark Taylor\*\*  
 Robert D. Hazel†  
 C. David Sawyer, Jr.†  
 Billy C. Coleman (1916-2019)  
 Stanley L. Myers\*\* (1976-2023)

June 4, 2024

VIA U.S. MAIL

The Honorable Rhonda D. McElveen  
 Barnwell County Clerk of Court  
 Post Office Box 723  
 Barnwell, South Carolina 29812

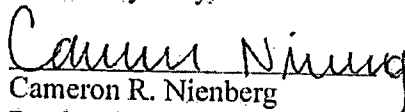
Re: State of South Carolina vs. Terrionna Marie Hartwell  
 Indictment No.: 2021-GS-06-00177, 2024-GS-06-00098

Dear Madame Clerk:

I have attached an original and one copy of the Amended Notice to Appeal in the above matter for filing in your office. Please file the original and return the date/time stamped copy to me.

I am, by copy of this letter, serving a copy of this Amended Notice to Appeal on Deputy Solicitor David Miller together with my Proof of Service. Thank you for your assistance in this matter.

Yours very truly,

  
 Cameron R. Nienberg  
 Paralegal to Lester M. "Gill" Bell, Jr.

/crn

Enclosures

cc: Deputy Solicitor David Miller  
 Post Office Box 845  
 Barnwell, South Carolina 29812

South Carolina Attorney General  
 1000 Assembly Street  
 Columbia, South Carolina 29201

The Honorable Courtney C. Pope  
 Post Office Box Q  
 Aiken, South Carolina 29802

Ms. Terrionna Hartwell 00394003  
 Graham Correctional Institution  
 4450 Broad River Road  
 Columbia, South Carolina 29210

STATE OF SOUTH CAROLINA  
In The Court of Appeals

APPEAL FROM BARNWELL COUNTY  
Court of General Sessions

The Honorable Courtney C. Pope

---

Indictment No. 2021-GS-06-00177, 2024-GS-06-00098

---

Terrionna Marie Hartwell, Appellant,

vs.

The State of South Carolina, Respondent.

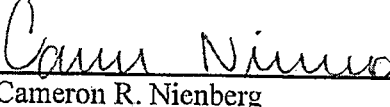
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**PROOF OF SERVICE**

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FILED FOR RECORD  
2024 JUN 10 AM 10:41  
RHONDA D. McELVEEN  
CLERK OF COURT  
BARNWELL COUNTY, S.C.

I certify that I have served the Amended Notice of Appeal on Barnwell County Clerk of Court, Rhonda D. McElveen, by depositing a copy of it in the United States Mail, postage prepaid, on June 4, 2024, addressed to The Honorable Rhonda D. McElveen, Barnwell County Clerk of Court, Post Office Box 723, Barnwell, South Carolina 29812

  
Cameron R. Nienberg  
Paralegal to Lester M. "Gill" Bell, Jr.  
Moore Bradley Myers, P.A.  
1700 Sunset Boulevard  
West Columbia, South Carolina 29169

STATE OF SOUTH CAROLINA  
In The Court of Appeals

APPEAL FROM BARNWELL COUNTY  
Court of General Sessions

The Honorable Courtney C. Pope

---

Indictment No. 2021-GS-06-00177, 2024-GS-06-00098

---

Terrionna Marie Hartwell, Appellant,

vs.

The State of South Carolina, Respondent.

---

**PROOF OF SERVICE**

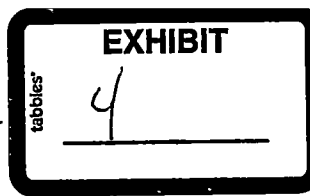
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FILED FOR RECORD  
2024 JUN 10 AM 10:41  
RHONDA D. McELVEEN  
CLERK OF COURT  
BARNWELL COUNTY, S.C.

I certify that I have served the Amended Notice of Appeal on Deputy Solicitor David Miller, by depositing a copy of it in the United States Mail, postage prepaid, on June 4, 2024, addressed to Deputy Solicitor David Miller, Second Judicial Circuit Solicitor's Office, Post Office Box 845, Barnwell, South Carolina 29812

Cameron R. Nienberg  
Cameron R. Nienberg  
Paralegal to Lester M. "Gill" Bell, Jr.  
Moore Bradley Myers, P.A.  
1700 Sunset Boulevard  
West Columbia, South Carolina 29169

12-501  
~~10-P.D.~~  
1C-Bell



STATE OF SOUTH CAROLINA  
COUNTY OF BARNWELL

**FILED FOR RECORD**  
2024 JUN 10 PM 4:21

IN THE GENERAL SESSIONS COURT  
SECOND JUDICIAL CIRCUIT

RHONDA D. McELVEEN  
CLERK OF COURT  
BARNWELL COUNTY, S.C.

STATE OF SOUTH CAROLINA,  
  
v.  
  
TERRIONNA MARIE HARTWELL,  
Defendant.


**ORDER DENYING MOTION TO  
RECONSIDER SENTENCE**

2021-GS-06-00177, 2024-GS-06-00098

This matter came before the Court on the motion of the Defendant to reconsider the sentences imposed on the above referenced indictments.

On April 25, 2024, Terrionna Hartwell appeared before this Court and entered guilty pleas to the charges of Attempted Armed Robbery (2024-GS-06-00098) and Voluntary Manslaughter (2021-GS-06-00177) with a *recommendation* from the State that the sentences be run concurrently. Following her plea, Ms. Hartwell was sentenced to twenty-five (25) years suspended upon the service of twenty (20) years and five (5) years of probation for Voluntary Manslaughter. On the attempted Armed Robbery indictment, Hartwell was sentenced to a concurrent term of twenty (20) years. Ms. Hartwell now asks the Court to reconsider that sentence.

The Court has carefully reviewed the information submitted in support of the motion to reconsider. After reviewing the information, this Court DENIES the Defendant's motion.  
IT IS SO ORDERED.

  
\_\_\_\_\_  
Courtney Clyburn Pope,  
Resident Judge, Second Judicial Circuit

June 10, 2024  
Barnwell, South Carolina

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

---

Appeal from Barnwell County  
Courtney Clyburn Pope, Circuit Court Judge

---

**RECEIVED**

JUN 28 2024

SC Court of Appeals

THE STATE,

RESPONDENT,

V.

TERRIONNA MARIE HARTWELL,

APPELLANT

Indictment No. 2021-GS-06-00177, 2024-GS-06-00098

---

CERTIFICATE OF SERVICE

---


I, Karen B. Kaminer, Legal Assistant to Lester M. "Gill" Bell, Jr. and Erin R. Conroy, attorneys for the Appellant above named, hereby certifies that a true copy of Appellant's Petition for Rehearing in the above referenced case has been served upon the below, at the addresses, via. Hand delivery and U.S. Mail, on the 28 day of June, 2024, as follows:

SC Court of Appeals  
1220 Senate Street  
Columbia, South Carolina 29201

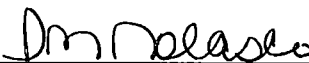
The Honorable Courtney Clyburn Pope  
Post Office Box Q  
109 Park Avenue SE  
Aiken, South Carolina 29802-0680

David Miller, Esquire  
Barnwell County Solicitor's Office  
Post Office Box 845  
Barnwell, South Carolina 29802

Barnwell County Clerk of Court  
Attn: Ms. Rhonda McElveen  
Post Office Box 723  
Barnwell, South Carolina 29812

  
\_\_\_\_\_  
Karen B. Kaminer  
Legal Assistant to Lester M. "Gill" Bell, Jr.  
and Erin R. Conroy

SUBSCRIBED AND SWORN TO before me  
28<sup>th</sup> day of June, 2024.

  
\_\_\_\_\_  
Notary Public for South Carolina  
My Commission Expires: 8-4-33



S. Jahue Moore†  
 James Edward Bradley†  
 Sheila McNair Robinson  
 Christian G. Spradley  
 William H. Edwards  
 S. Jahue Moore, Jr.  
 William B. Fortino  
 Ralph Nichols Riley, Jr.  
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*Retired*  
 J. Mark Taylor\*\*  
 Robert D. Hazel†  
 C. David Sawyer, Jr.†  
 Billy C. Coleman (1916-2019)  
 Stanley L. Myers\* (1976-2023)

June 28, 2024

**HAND DELIVERY**

The Honorable Jenny Abbott Kitchings  
 Clerk of Court  
 South Carolina Court of Appeals  
 1220 Senate Street  
 Columbia, South Carolina 29211

**RECEIVED**

JUN 28 2024

SC Court of Appeals

Re: State of South Carolina vs. Terrionna Marie Hartwell (Notice of Appeal)  
 Indictment No.: 2021-GS-06-00177, 2024-GS-06-00098

Dear Madame Clerk:

Enclosed for filing please find a Petition for Rehearing regarding the above mentioned matters. I am also enclosing a stamped self-addressed envelope copy for the Court's use in returning a clocked copy to our office.

By copy of this letter I am serving all counsel and parties of record with this Petition.

Yours very truly,

Karen B. Kaminer  
 Legal Assistant to Lester M. "Gill" Bell, Jr.  
 And Erin R. Conroy

cc: Deputy Solicitor David Miller  
 SC Attorney General  
 The Honorable Courtney C. Pope  
 The Honorable Rhonda D. McElveen  
 Ms. Terrionna Hartwell  
 (With Enclosures)

**First Class Mail**

**MBM** MOORE  
BRADLEY  
MYERS

PO Box 5709, West Columbia SC 29171  
1700 Sunset Boulevard, West Columbia SC 29166

**RECEIVED**

JUN 28 2024

SC Court of Appeals

HAND DELIVERY

The Honorable Jenny Abbott Kitchings  
Clerk of Court  
South Carolina Court of Appeals  
1220 Senate Street  
Columbia, South Carolina 29201