

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

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APPEAL FROM RICHLAND COUNTY  
Court of General Sessions

Honorable Robert E. Hood, Circuit Judge

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Case No. 2013-GS-40-01996, 01997, 01999, 2000, 02105

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The State,.....Respondent,

v.

Dustin Ray Simmons,.....Appellant.

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**NOTICE OF APPEAL**

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Dustin Ray Simmons appeals his conviction and sentence in this case. The sentence was imposed by the Honorable Robert E. Hood on August 14, 2013.

2013-GS-40-01996– Kidnapping – 13 years, Sex Offender Registry

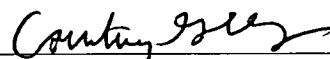
2013-GS-40-01997 – Assault & Battery 1<sup>st</sup> Degree- 10 years

2013-GS-40-01999 – Burglary 1<sup>st</sup> Degree, Reduced to Burglary 2<sup>nd</sup> Degree- 10 years

2013-GS-40-02000- Resisting Arrest- 10 years

2013-GS-40-02105- Resisting Arrest- 10 years

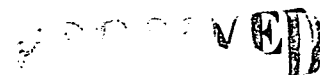
August 14, 2013



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Courtney Gibbes  
Richland County Public Defender's Office  
P.O. Box 192  
Columbia, South Carolina 29202  
(803) 765-2592  
Attorney for Appellant

Other Counsel of Record:  
Assistant Solicitor Hans Pauling  
Office of the Solicitor, Fifth Judicial Circuit  
Richland County Judicial Center  
1701 Main Street  
Columbia, South Carolina 29201  
Attorney for Respondent



AUG 27 2013

COURT OF APPEALS

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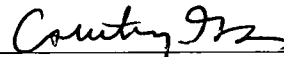
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**STATEMENT OF BASIS FOR APPEAL FROM  
GUILTY PLEA PURSUANT TO RULE 203(d)(1)(B)**

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Pursuant to South Carolina Appellate Court Rule 203(d)(1)(B), the Defendant was dissatisfied with his sentence and insisted on appealing. I am of the opinion that if the client insists on appealing, I am constrained to file an appeal. Weathers v. State, 319 S.C. 59, 459 SE 2d 838 (1995).

August 14, 2013



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Attorney for Appellant

Other Counsel of Record:  
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Attorney for Respondent

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**SC Court of Appeals**

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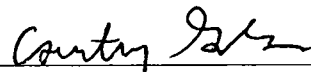
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**PROOF OF SERVICE**

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I hereby certify that a true copy of the Notice of Intent to Appeal & the Statement of Basis for Appeal from Guilty Plea Pursuant to Rule 203(d)(1)(B) in the above-referenced case has been served upon opposing counsel by delivering same this date to her office at the Office of the Solicitor, Fifth Judicial Circuit, Richland County Judicial Center, 1701 Main Street, Columbia, South Carolina 29201.

August 14, 2013



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Courtney Gibbes  
Richland County Public Defender's Office  
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(803) 765-2592  
Attorney for Appellant

Other Counsel of Record:  
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Attorney for Respondent

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**SC Court of Appeals**

**RICHLAND COUNTY PUBLIC DEFENDER  
RICHLAND COUNTY JUDICIAL CENTER**

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August 27, 2013

S.C. Commission on Indigent Defense  
Division of Appellate Defense  
P.O. Box 11589  
Columbia, SC 29211

**Re:** State v. Dustin Ray Simmons  
**Case No:** 2013-GS-40-01996, 01997, 01999, 2000, 02105

Dear Sir or Madam;

On August 27, 2013, I filed an appeal in the above-referenced case. I have enclosed the following written documents for your office's use in perfecting the appeal:


Notice of Appeal, Statement of Basis for Appeal from Guilty Plea, Proof of Service, Indictment, sentencing sheet, arrest warrant, Motion for Discovery.

Please note the following hearings were held in this case:

**Guilty Plea:** August 14, 2013  
**Judge:** Robert E. Hood  
**Court Reporter:** Karen E. Ambroziak  
1083 Langford Road  
Blythewood, SC 29016

If you have any questions or need any additional information, please feel free to contact me or my paralegal, Victoria Gathers, at (803) 765-2592. Thank you in advance for your assistance in this matter.

Sincerely,



Courtney Gibbes  
Assistant Public Defender

Enclosures  
/vg

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