

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM SPARTANBURG COUNTY
Court of General Sessions

Honorable R. Keith Kelly , Circuit Court Judge

Case No(s): 2024GS4202886, 2024GS4204122

RECEIVED
SEP 16 2024
SC Court of Appeals

The State

Monica Sue Williams

v.

Respondent,

Appellant.

EXPLANATION OF APPEAL PURSUANT TO RULE 203(d)(1)(B), SCACR

Pursuant to Rule 203(d)(1)(B), SCACR, Monica Sue Williams files this explanation of her appeal of her guilty plea, conviction and sentence in this case. The sentence was imposed by the Honorable R. Keith Kelly on September 9, 2024. No issues were raised during the guilty plea; however, the client insisted upon an appeal; therefore, this appeal was filed pursuant to Weathers v. State, 319 S.C. 59, 459 S.E.2d 838 (1995), and State v. Thrift, 378 S.C. 70, 661 S.E.2d 373 (2008).

September 11, 2024



Anthony P. Norris
180 Magnolia Street, Suite 2137
Seventh Judicial Circuit Public Defender Office
180 Magnolia Street, Suite 2137
Spartanburg, South Carolina 29306
(864) 596-2561
Attorney for Appellant

Other Counsel of Record:

Matthew M. Henderson, Esq.
Seventh Judicial Circuit Solicitor's Office
180 Magnolia Street
Spartanburg, South Carolina 29306
Attorney for Respondent

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APPEAL FROM THE SPARTANBURG COUNTY
Court of General Sessions

Honorable R. Keith Kelly, Circuit Court Judge

Case No(s): 2024GS4202886, 2024GS4204122

The State Respondent,
v. Appellant.
Monica Sue Williams

PROOF OF SERVICE

I certify that I served the Explanation of Appeal Pursuant to Rule 203(d)(1)(B), SCACR, on the State of South Carolina by depositing a copy of it in the United States Mail, postage prepaid, on September 11, 2024 addressed to its attorney of record, Matthew M.Henderson, Esq., Assistant Circuit Solicitor, 180 Magnolia Street, Spartanburg, S.C. 29306.

September 11, 2024



Anthony P. Norris
180 Magnolia Street, Suite 2137
Seventh Judicial Circuit Public Defender Office
180 Magnolia Street, Suite 2137
Spartanburg, South Carolina 29306
(864) 596-2561
Attorney for Appellant

WITNESSES

Spartanburg County Detention Center

ARREST WARRANT NUMBER

2024A4210203495

ACTION OF GRAND JURY

Foreperson of Grand Jury
Date:

VERDICT

Foreperson of Petit Jury
Date:

DOCKET NO. -

24-GS-42- 2886

The State of South Carolina

County of Spartanburg

Barry J. Barnette, Solicitor

COURT OF GENERAL SESSIONS

SEP 09 2024 TERM

THE STATE
vs.

Monica Sue Williams

Indictment for

REMOVING, TAMPERING WITH, ALTERING OR
DESTROYING ELECTRONIC MONITORING
DEVICE

SC Code: 23-03-0540 (L)
CDR Code: 3691
Class FEL-F

RECEIVED

SEP 16 2024
SC Court of Appeals

STATE OF SOUTH CAROLINA)
)
COUNTY OF SPARTANBURG)

INDICTMENT

SEP 06 2024

At a Court of General Sessions, convened on _____, the
Grand Jurors of Spartanburg County present upon their oath:

**REMOVING, TAMPERING WITH, ALTERING OR DESTROYING AN
ELECTRONIC MONITORING DEVICE**

That Monica Sue Williams, did in Spartanburg County on or about the date of
July 5, 2024, 2024, violate the terms and/or conditions of GPS monitoring by
destroying her GPS monitoring device, in violation of §23-03-0540 (L), *THE CODE OF
LAWS OF SOUTH CAROLINA*, (1976), as amended).

Against the peace and dignity of the State, and contrary to the statute in such case
made and provided.



ASSISTANT SOLICITOR

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF Spartanburg

STATE

VS.

RECEIVED
SEP 16 2024
SC Court of Appeals

INDICTMENT/CASE#: 2024-GS-42-02886

Monica Sue Williams
AKA: _____
Race: White Sex: Female Age: 41
DOB: 11/29/1982 SS#: 429-53-8583
Address: _____
City, State, Zip: _____
DL#* 104788663 SID# _____

AW#: 2024A4210203495
Date of Offense: 07/05/2024
S.C. Code §: 3691
CDR Code #: 2570

SENTENCE SHEET

*CDL Yes No CMV Yes No Hazmat Yes No

In disposition of the above indictment comes now the Defendant who was CONVICTED OF or PLEADS

TO: Violation / Removing, tampering with, altering or destroying electronic monitoring device (NMT 5 yrs.)

In violation of § 23-03-0540(L) of the S.C. Code of Laws, bearing CDR Code # 3691

NON-VIOLENT VIOLENT SERIOUS MOST SERIOUS Mandatory GPS § 17-25-45

(CSC w/minor 1st or CSC w/minor 3rd)

The charge is: As indicted, Lesser Included Offense, Defendant Waives Presentment to Grand Jury. MW (def.'s initials)

The plea is: Without Negotiations or Recommendation, Negotiated Sentence, Recommendation by the State.

ATTEST:

s/Matthew M. Henderson 105288 M Henderson Defendant Attorney for Defendant Ms. Katrice Lyles SC Bar # 104347

WHEREFORE, the Defendant is committed to the State Department of Correction County Detention Center,

for a determinate term of 5 days/months/years/Time Served Youthful Offender Act not to exceed ___ years

and/or to pay a fine of \$ ___; provided that upon the service of ___ days/months/years/Time Served 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.

The sentence shall run 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 SCDOC.

67 days/months To include time spent on monitored house arrest prior to trial and sentencing.
 The Defendant Shall be Released from County Detention Center.

Pursuant to 18 U.S.C. § 922 and § 16-25-30 it is unlawful for a person convicted of a violation of § 16-25-20 or § 16-25-65 (Domestic Violence) to ship, transport, possess, or receive a firearm or ammunition.

SPECIAL CONDITIONS:

PTUP after _____ months/years

And Other Terms Listed Below:

- Substance Abuse Counseling Completion of GED Random Drug/Alcohol Testing
- Attend Voc. Rehab. Or Job Corp No Contact with Victim Domestic Violence Intervention Program
- Mental Health Counseling May serve W/E beginning: _____
- Sex Offender Registry pursuant to S.C. Code § 23-3-430 Public Service Employment _____ days/hours
- Central Registry of Child Abuse and Neglect pursuant to S.C. Code § 17-25-135.
- Other: _____

RESTITUTION: **Deferred** **Def. Waives Hearing** **Ordered**

Total \$ _____ plus 20% fee: _____ \$ _____

Payment Terms: _____ Set by SCDPPPS

Recipient: _____

***Fine:**

Fine may be pd. in equal consecutive weekly/monthly pmts. of	\$ _____	Beginning	_____	\$ _____
§14-1-206 (Assessments 107.5%)				\$ _____
§14-1-211 (A)(1)(Conv. Surcharge)			\$100	\$ _____
§14-1-211 (A)(2)(DUI Surcharge)			\$100	\$ _____
§56-5-2995 (DUI Assessment)			\$12	\$ _____
§56-1-286 (DUI Breath Test)			\$25	\$ _____
§14-1-212 (Law Enforce. Funding)			\$25	\$ _____
§14-1-213 (Drug Court Surcharge)			\$150	\$ _____
§34-11-70(b)and(c), and 34-11-90(c)and(d) (Admin Fraud Check Court Costs)			\$41	\$ _____
§50-21-114 (BUI Breath Test Fee)			\$50	\$ _____
§56-5-2942(J) (Vehicle Assessment)			\$40/ea	\$ _____
3% to County (if paid in installments)			TBD	\$ _____
<input type="checkbox"/> Appointed PD or appointed other counsel, Proviso requires \$500 be paid to Clerk during probation and shall be collected before any other fees			\$500	\$ _____
<input type="checkbox"/> § 17-3-30(B) Unpaid Application Fee to be paid to the Public Defender Fund			TBD	\$ _____
		TOTAL		\$ <u>128.75</u>

Clerk of Court/Deputy Clerk: J. Wheeler
Court Reporter: L. McDaniel

Presiding Judge: R. Keith Kelly
Judge Code: 2165
Sentence Date: 9/9/24

WITNESSES

Greenville-Spartanburg Airport PD

ARREST WARRANT NUMBER

2024A4210203102

ACTION OF GRAND JURY

SEP 06 2024

True Bill

Foreperson of Grand Jury
Date:

VERDICT

Foreperson of Petit Jury
Date:

DOCKET NO. -

24-GS-42-4122

The State of South Carolina

County of Spartanburg

Barry J. Barnette, *Solicitor*

COURT OF GENERAL SESSIONS

SEP 09 2024

TERM

THE STATE

vs.

Monica Sue Williams

Indictment for

GRAND LARCENY

SC Code: 16-13-30 (B)

CDR Code: 3421

Class FEL-E

RECEIVED
SEP 16 2024
SC Court of Appeals

STATE OF SOUTH CAROLINA)
)
COUNTY OF SPARTANBURG)

INDICTMENT

At a Court of General Sessions, convened on SEP 05 2024, the
Grand Jurors of Spartanburg County present upon their oath:

GRAND LARCENY

That Monica Sue Williams, did in Spartanburg County on or about May 30, 2024, feloniously take and carry away the property of Hertz Rental Company, valued at more than Ten Thousand Dollars, described as follows: a 2022 Dodge Ram (VIN#1C6RR7LT4NS220563), with the intent to deprive the owner permanently of such property, all in violation of Section 16-13-30 (B), *THE CODE OF LAWS OF SOUTH CAROLINA*, (1976, as amended).

Against the peace and dignity of the State, and contrary to the statute in such case made and provided.


ASSISTANT SOLICITOR M. M. Henderson

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF Spartanburg

RECEIVED

STATE

VS.

SEP 16 2024

INDICTMENT/CASE#: 2024-GS-42-04122

SC Court of Appeals

Monica Sue Williams

AW#: 2024A4216203102

AKA: _____

Date of Offense: 05/31/2024

Race: White Sex: Female Age: 41

S.C. Code §: 16-13-30(B)(2)

DOB: 11/29/1982 SS#: 29-53-5583

CDR Code #: 3421

Address: _____

City, State, Zip: _____

DL#* 104788663 SID# _____

SENTENCE SHEET

*CDL Yes No CMV Yes No Hazmat Yes No

In disposition of the above indictment comes now the Defendant who was CONVICTED OF or PLEADS

TO: Grand Larceny - \$10,000 or More (NMT 10 yrs.)

In violation of § 16-13-30(B)(2) of the S.C. Code of Laws, bearing CDR Code # 3421

NON-VIOLENT VIOLENT SERIOUS MOST SERIOUS Mandatory GPS § 17-25-45

(CSC w/minor 1st or CSC w/minor 3rd)

The charge is: As indicted, Lesser Included Offense, Defendant Waives Presentment to Grand Jury. _____ (def.'s initials)

The plea is: Without Negotiations or Recommendation, Negotiated Sentence, Recommendation by the State.

ATTEST:

s/Matthew M. Henderson	105288	<i>Matthew Henderson</i>	<i>Monica Sue Williams</i>	10009,
Solicitor	SC Bar #	Defendant	Attorney for Defendant	104347
Matt Henderson		Monica Sue Williams	Ms. Katrice Lyles Anthony Norris	

WHEREFORE, the Defendant is committed to the State Department of Correction County Detention Center,

for a determinate term of 5 days/months/years/Time Served Youthful Offender Act not to exceed years

and/or to pay a fine of \$; provided that upon the service of days/months/years/Time Served 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.

The sentence shall run

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 SCDOC.

67 days/months

To include time spent on monitored house arrest prior to trial and sentencing.

The Defendant Shall be Released from County Detention Center.

Pursuant to 18 U.S.C. § 922 and § 16-25-30 it is unlawful for a person convicted of a violation of § 16-25-20 or § 16-25-65 (Domestic Violence) to ship, transport, possess, or receive a firearm or ammunition.

SPECIAL CONDITIONS:

PTUP after _____ months/years

And Other Terms Listed Below:

- Substance Abuse Counseling Completion of GED Random Drug/Alcohol Testing
- Attend Voc. Rehab. Or Job Corp No Contact with Victim Domestic Violence Intervention Program
- Mental Health Counseling May serve W/E beginning: _____
- Sex Offender Registry pursuant to S.C. Code § 23-3-430 Public Service Employment _____ days/hours
- Central Registry of Child Abuse and Neglect pursuant to S.C. Code § 17-25-135.
- Other: _____

RESTITUTION: **Deferred** **Def. Waives Hearing** **Ordered**

Total \$ _____ plus 20% fee: _____ \$ _____

Payment Terms: _____ Set by SCDPPPS

Recipient: _____

***Fine:**

	\$	\$
Fine may be pd. in equal consecutive weekly/monthly pmts. of \$ _____ Beginning _____		
§14-1-206 (Assessments 107.5%)		\$ _____
§14-1-211 (A)(1)(Conv. Surcharge)	\$100	\$ _____
§14-1-211 (A)(2)(DUI Surcharge)	\$100	\$ _____
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§14-1-212 (Law Enforce. Funding)	\$25	\$ _____
§14-1-213 (Drug Court Surcharge)	\$150	\$ _____
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§56-5-2942(J) (Vehicle Assessment)	\$40/ea	\$ _____
3% to County (if paid in installments)	TBD	\$ _____
<input type="checkbox"/> Appointed PD or appointed other counsel, Proviso requires \$500 be paid to Clerk during probation and shall be collected before any other fees	\$500	\$ _____
<input type="checkbox"/> § 17-3-30(B) Unpaid Application Fee to be paid to the Public Defender Fund	TBD	\$ _____
TOTAL		\$ 128.75

Clerk of Court/Deputy Clerk: J. Wheeler
Court Reporter: L. McDaniel

Presiding Judge: R. Keith Kelly
Judge Code: 2165
Sentence Date: 9/9/21