

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM SPARTANBURG COUNTY
Court of General Sessions

RECEIVED

Honorable Grace G. Knie, Circuit Court Judge

SEP 20 2024

SC Court of Appeals

Case No(s): 2024GS4200569

The State

Respondent,

v.

Jason Richard Humphrey

Appellant.

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

Pursuant to Rule 203(d)(1)(B), SCACR, Jason Richard Humphrey files this explanation of appeal of his guilty plea, conviction and sentence in this case. The sentence was imposed by the Honorable Grace G. Knie 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 17, 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:

Blake Sandifer Campbell Jr., Esq.
Seventh Judicial Circuit Solicitor's Office
180 Magnolia Street
Spartanburg, South Carolina 29306
Attorney for Respondent

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The State Respondent,
Jason Richard Humphrey v. Appellant.

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 17, 2024 addressed to its attorney of record, Blake Sandifer Campbell Jr., Esq., Assistant Circuit Solicitor, 180 Magnolia Street, Spartanburg, S.C. 29306.

September 17, 2024


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

WITNESSES

Greer Police Department

2/9/24 Westermeyer

ARREST WARRANT NUMBER

2023A2320500875

ACTION OF GRAND JURY

FEB 09 2024

TRUE BILL

Yusa One
Foreperson of Grand Jury
Date:

VERDICT

Foreperson of Petit Jury
Date:

DOCKET NO. 24-GS-42-0509

The State of South Carolina

County of Spartanburg

Barry J. Barnette, Solicitor

COURT OF GENERAL SESSIONS

FEB 12 2024

TERM

THE STATE
vs.

JASON RICHARD HUMPHREY

Indictment for

POSSESSION OF METHAMPHETAMINE

SC Code: 44-53-375
CDR: 3017

FILED

2024 FEB 19 AM 9:37

CLERK OF COURT
SPARTANBURG COUNTY
AMY W. COX

RECEIVED

SEP 20 2024

SC Court of Appeals

STATE OF SOUTH CAROLINA)
)
COUNTY OF SPARTANBURG)

INDICTMENT

At a Court of General Sessions, convened on FEB 09 2024, the Grand Jurors of Spartanburg County present upon their oath:

POSSESSION OF METHAMPHETAMINE

That the Defendant Jason Richard Humphrey did in Spartanburg County on or about December 7, 2023, knowingly or intentionally possess Methamphetamine, a schedule II controlled substance, in violation of § 44-53-375, *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.

Lindsey H. Aulby

ASSISTANT SOLICITOR

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF Spartanburg

RECEIVED

STATE

SEP 20 2024

INDICTMENT/CASE#: 2024GS4200569

VS.

SC Court of Appeals

Jason Richard Humphrey
 AKA: _____
 Race: White Sex: Male Age: 42
 DOB: _____ SS#: _____
 Address: _____
 City, State, Zip: _____
 DL#* _____ SID# _____

AW#: 2023A2320500875
 Date of Offense: 12/07/2023
 S.C. Code §: 44-53-375(A)
 CDR Code #: 3017

SENTENCE SHEET

Rec.: Sentence to run concurrent with VOP

*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: Possession of Less Than 1 Gram of Methamphetamine, 2nd offense (0-5 years and/or 0-7500 fine)
 In violation of § 44-53-375(A) of the S.C. Code of Laws, bearing CDR Code # 3017

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:

Blake S. Campbell Solicitor Blake Sanders Campbell SC Bar # 106644 Defendant Jason Richard Humphrey Attorney for Defendant Anthony Norris SC Bar # 106691
 WHEREFORE, the Defendant is committed to the State Department of Correction County Detention Center,

for a determinate term of 5 days/months/90 years/Time Served Youthful Offender Act not to exceed _____ years

and/or to pay a fine of \$____; provided that upon the service of 90 days/months/years/Time Served and or payment

of \$____; plus costs and assessments as applicable*; the balance is suspended with probation for 2

months/90 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: PK 22-GS-42-1759

The Defendant is to be given credit for time served pursuant to S.C. Code § 24-13-40 to be calculated and applied by

4 ^{spec.} 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:

- Intensive 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		\$ 100.00
§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		\$ 25.00
§14-1-213 (Drug Court Surcharge)		\$150		\$ 150.00
§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		\$ 23.25

- Appointed PD or appointed other counsel, Proviso requires \$500 be paid to Clerk during probation and shall be collected before any other fees
- § 17-3-30(B) Unpaid Application Fee to be paid to the Public Defender Fund

TOTAL \$ 198.25

Clerk of Court/Deputy Clerk: _____
Court Reporter: _____

Presiding Judge: _____
Judge Code: 2760
Sentence Date: 097 09 12 2024