

STATE OF SOUTH CAROLINA)
COUNTY OF DORCHESTER)
)
STATE OF SOUTH CAROLINA)
Plaintiff,)
)
v.)
)
CHANITY DESIREE LANIER,)
Defendant.)

IN THE COURT OF GENERAL SESSIONS
THE FIRST JUDICIAL CIRCUIT

Warrant/Indictment Nos.: 2024a1810200238

Children / Legal Custodian, Unlawful Neglect Of Child
Or Helpless Person

RULE 203(B) EXPLANATION

Pursuant to Rule 203(B)(iv), the issues to be raised on Appeal may include whether the Trial Court abused its discretion when it imposed a sentence of ten (10) years (provided upon the service of one (1) year active, the balance suspended with three (3) years probation) upon the Appellant after she plead guilty.

The undersigned does not have a good faith basis to believe that such an abuse occurred and the undersigned did not object to the sentence or file a Motion to Reconsider the sentence. Nevertheless, the undersigned consulted with the Appellant about her right to appeal, and after consultation, the undersigned has filed the instant appeal at the request of the Appellant because the Sixth Amendment requires counsel to follow the Appellant's request. *See Frazer v. South Carolina*, 430 F.3d 696, 706 (4th Cir. 2005) ("A Defendant has a right to pursue a direct appeal, even if frivolous, which counsel must assist as 'an active advocate in behalf of his client'" (quoting *Anders v. California*, 386 U.S. 738, 744 (1967))).

Respectfully submitted,

RECEIVED

SEP 30 2024

SC Court of Appeals

By: Christel L. Purvis /lr

Christel L. Purvis
Assistant Public Defender
107 West 6th North Street
Summerville, SC 29483
Attorney for Defendant
(843) 821-9800

Summerville, South Carolina
This September 18, 2024 day of September, 2024

10 SS 1 yr active probation w/ treatment

0-10 yr

STATE OF SOUTH CAROLINA
Dorchester

IN THE COURT OF GENERAL SESSIONS

STATE VS.
Chanity Desiree Lanier
AKA:
Race: White Sex: Female Age: 28
DOB: SS#:
Address:
City, State, Zip:
DL#* SID#

INDICTMENT/CASE#: 2024GS18-00568
AW#: 2024A1810200238
Date of Offense: 12/25/2023
S.C. Code §: 63-5-70(A)(2)
CDR Code #: 2481

SENTENCE SHEET

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*CDL Yes No CMV Yes No Hazmat Yes No

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

TO: Child Neglect

In violation of § 63-5-70(A)(2) of the S.C. Code of Laws, bearing CDR Code # 2481

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, CDL (def.'s initials)

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

ATTEST:

Kelly LaPlante 100900 SC Bar # Assistant Solicitor
Charity D. Lanier Defendant
Christel Purvis 106502 SC Bar # Attorney for Defendant

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

for a determinate term of 10 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 1 days/months/years Time Served and/or payment

of \$ _____; plus costs and assessments as applicable*; the balance is suspended with probation for 3 years.

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. 56 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: Defendant must complete inpatient drug treatment as a condition of probation.

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	\$ <u>100</u>
§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	\$ <u>25</u>
§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	\$ <u>18.95</u>
<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	\$ <u>500</u>
<input type="checkbox"/> § 17-3-30(B) Unpaid Application Fee to be paid to the Public Defender Fund	TBD	\$ _____
TOTAL		\$ <u>643.95</u>

Clerk of Court/Deputy Clerk: _____
 Court Reporter: _____
 Presiding Judge: Cheryl Graham
 Judge Code: 2775
 Sentence Date: 9/18/24