

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): 2023GS4200855

---

The State

Respondent,

v.

Ricky Rector

Appellant.

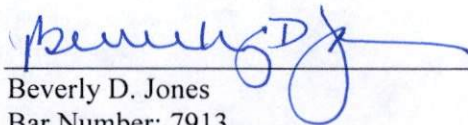
---

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

---

Pursuant to Rule 203(d)(1)(B), SCACR, Ricky Rector files this explanation of his appeal of his guilty plea, conviction and sentence in this case. The sentence was imposed by the Honorable R. Keith Kelly on November 4, 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).

November 13, 2024



Beverly D. Jones

Bar Number: 7913

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:

Spenser H Smith, Esq.

Seventh Judicial Circuit Solicitor's Office

180 Magnolia Street

Spartanburg, South Carolina 29306

Attorney for Respondent

**RECEIVED**

NOV 18 2024

SC Court of Appeals

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

APPEAL FROM THE SPARTANBURG COUNTY  
Court of General Sessions

Honorable R. Keith Kelly, Circuit Court Judge

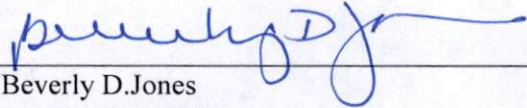
Case No(s): 2023GS4200855

The State ..... Respondent,  
Ricky Rector 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 November 13, 2024 addressed to its attorney of record, Spenser H. Smith, Esq., Assistant Circuit Solicitor, 180 Magnolia Street, Spartanburg, S.C. 29306.

November 13, 2024

  
Beverly D. Jones  
Bar Number: 7913  
Seventh Judicial Circuit Public Defender Office  
180 Magnolia Street, Suite 2137  
Spartanburg, South Carolina 29306  
(864) 596-2561  
Attorney for Appellant

RECEIVED  
NOV 18 2024  
SC Court of Appeals

WITNESSES

Spartanburg Police Department

*L. O. Howell*

ARREST WARRANT NUMBER

2022A4210204223

ACTION OF GRAND JURY

FEB 24 2023

True Bill  
True Bill

Foreperson of Grand Jury  
Date:

VERDICT

*Tom Nadin*  
Foreperson of Petit Jury  
Date:

DOCKET NO.

23-GS-42-0855

The State of South Carolina

County of Spartanburg

Barry Barnette, Solicitor

COURT OF GENERAL SESSIONS

FEB 27 2023

TERM

THE STATE  
vs.

Ricky Rector

Indictment for  
ATTEMPTED MURDER

SC Code: 16-3-0029  
CDR Code: 3410  
Class FEL-A

FILED  
2023 MAR -2 PM 3:10  
CLERK OF COURT  
SPARTANBURG COUNTY  
AMY W. COX

RECEIVED

NOV 18 2024

SC Court of Appeals

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF SPARTANBURG )

INDICTMENT


FEB 24 2023

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

**ATTEMPTED MURDER**

That the Defendant, Ricky Rector, did in Spartanburg County on or about July 13,  
2022, with intent to kill, attempted to kill [REDACTED] with malice aforethought,  
expressed or implied, by shooting the victim in the left leg, in violation of Section 16-3-  
0029, 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.

INDICTMENT/CASE#: 2023-GS-42-855

Ricky Rector

A/W#: 2022A4210204223

AKA:

Date of Offense: 07/13/2022

Race: Black Sex: Male Age: 59

S.C. Code §: 16-3-29

DOB: [REDACTED] SS#: [REDACTED]

CDR Code #: 3410

Address: [REDACTED]

City, State, Zip: [REDACTED]

DL#\* [REDACTED] SID# [REDACTED]

SENTENCE SHEET

\*CDL Yes  No  CMV Yes  No  Hazmat Yes  No

Alford

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

TO: Assault and Battery of a High and Aggravated Nature (0-20yr) Rec: Cap of 12 yrs

In violation of § 16-3-600(B)(1)(b) of the S.C. Code of Laws, bearing CDR Code # 3411

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

(CSC w/minor 1<sup>st</sup> or CSC w/minor 3<sup>rd</sup>)

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

Spencer Smith 101370 Ricky Rector 07913  
Solicitor SC Bar # Defendant Attorney for Defendant SC Bar #  
Spencer Smith Ricky Rector

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

for a determinate term of 12 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.

   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.

RECEIVED

NOV 18 2024

SC Court of Appeals

**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	\$ <u>100.00</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>25.00</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>3.75</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	\$ _____
<input type="checkbox"/> § 17-3-30(B) Unpaid Application Fee to be paid to the Public Defender Fund	TBD	\$ _____
<b>TOTAL</b>		\$ <u>128.75</u>

Clerk of Court/Deputy Clerk: Tinsley  
Court Reporter: Abdell

Presiding Judge: R. Keith Kelly  
Judge Code: 2165  
Sentence Date: 9 November 2024