

**THE STATE OF SOUTH CAROLINA**  
**In the Appellate Court**

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**APPEAL FROM PICKENS COUNTY**  
**Court of General Sessions**

**Patrick C. Fant III, Circuit Court Judge**

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**RECEIVED**

MAY 13 2025

**SC Court of Appeals**

**Case No(s):** 2024A3920700520

The State,

Respondent.

v.

Heather Denise Bushek,

Appellant.

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**NOTICE OF APPEAL**

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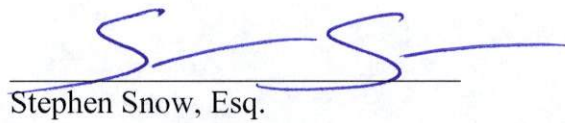
Heather Denise Bushek appeals her conviction and sentence in this case. The sentence was imposed by the Honorable Patrick C. Fant III on April 25, 2025.

Defendant has indirectly notified her attorney of her intent to appeal her guilty plea and argues that her guilty plea was defective or that her sentence was unreasonable. Defendant raised no objections at the time of the guilty plea to the waiver of controlled substance lab results or waiver of the argument of potential suppression motions. Undersigned counsel is aware of no meritorious grounds for overturning the plea or the sentence; however, Defendant has communicated to The Clerk of Court of Pickens County her desire to appeal the plea or sentence.

Counsel is filing this appeal pursuant to their ethical duty to the client, and Defendant's constitutional right to appeal. *See Frazer v. South Carolina*, 430 F.3d 696, 705 (4th Cir. 2005) ("A defendant has a right to pursue a direct appeal, even if frivolous, which counsel must assist as 'an active in behalf of his client.'" (quoting *Anders v. California*, 386 U.S. 738, 744 (1967))).

Counsel respectfully requests the Court to give the Defendant leave to file out of time due to difficulty in communication with counsel given her incarceration, as well as a delay in receiving Defendant's communications. A "Letter" (attached) sent to the Pickens County Clerk of Court and dated April 29, 2025 and which appears to be an attempt at a pro se request to appeal this conviction and sentence appears to have been clocked with the Pickens County Clerk of Court on Monday, May 05, 2025 at 1:51 PM. Copies of this letter were forwarded from the Clerk's office to Defense Counsel at approximately 4:40 PM on May 05, 2025. On Tuesday, May 06, 2025, Defense Counsel promptly filed this Notice of Appeal.

Date: May 06, 2025



Stephen Snow, Esq.

Bar No: 105332

Pickens County Public Defender

214 East Main Street, Suite 310

Pickens, SC 29671

Attorney for Appellant

Other Counsel of Record:

Jacob Q. Hofferth

Thirteenth Circuit Solicitor Office

214 E. Main Street,

Pickens, SC 29671

Attorney for Respondent

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MAY 13 2025

April 29, 2025

2025 MAY -5 A 1:51

SC Court of Appeals

CLERK OF COURT  
PICKENS COUNTY  
SOUTH CAROLINA

In the case of the People vs. Heather Denise Bushak I do wish to Appeal my sentence Based on the fact that I was told by pickens county public defender (steven snow) that it was a bad stop This was mentioned and acknowledged by the court They Brought up the fact that they were issues with the stop I also wanted to know where the initial charge was that got me brought to jail Also it should've Been a hands of 1, hands of All charge because I wasn't the only one in the car also on the expired sticker that's not a Jailable charge The pickens county Detention Center is the ones that found the crystallly Substance they call methamphetamine All I know is it was a <sup>small</sup> glass container with blood in it my husband asked me to hide upon being pulled over however it was not found until I was booked in the Jail so what happened to the initial charge, There had to be one because an expired sticker is not Jailble I was never presented with any vehicle charge as stated in court I was wondering what the vehicle charge was that they dismissed Also my greenville Attorney (Zach Farr) was not notified Also the arresting agency the City of pickens was not notified I spoke with cheif Beach in the day of court I was not given anytime to wake up so I would've Been presentable like everyone else I was woke up told to hurry the fxxk up that they (officer morgan henry) was tired and wanted to go home I had my shirt inside out and backwards, I didn't have time to brush my hair or urinate I had period blood on my clothes because I had Been waiting on pads for 3 days I had period blood on my clothes I was told on wednesday April 23rd 2025 that they knew nothing at the time only 2 days prior and I was told to call back on may 12th Then all of a sudden I was hauled into court, not told of any offer until in the court room I felt pressured like I had no choice My greenville lawyer couldn't advise me nothing Then I was given a fine of \$25,000 for 15gram

as stated in court although my warrant says 17grams so how much was it, It was stated I was just an addict I didn't sale drugs why the harsh sentence for a 1st offense trafficking charge 5 years and \$25,000 The officer in the jail thought I needed to go back and get probation what is going on here? also If the greenville charge was in fact held against me I should get the 175 days credit for that charge It sounds to me like it was held against me I haven't had any violent charges before only low level drugs charges I was recently informed 2 solicitors were fired please accept my appeal

Best regards Heather Denise Bushelk

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**PROOF OF SERVICE**

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I certify that I have served the Notice of Appeal on the below listed respondents by depositing a copy of it in the United States Mail, postage prepaid, on May 06, 2025, addressed to:

Jacob Q. Hofferth, Esq.  
13th Circuit Solicitor's Office  
214 East Main Street  
Pickens, SC 29671

**RECEIVED**  
MAY 13 2025  
SC Court of Appeals

Alan Wilson, Esq.  
Attorney General  
P.O. Box 11549  
Columbia, SC 29211

Date: May 06, 2025

  
Stephen Snow, Esq.

Bar No: 105332

Pickens County Public Defender  
214 East Main Street, Suite 310  
Pickens, SC 29671  
Attorney for Appellant



# 13<sup>TH</sup> CIRCUIT PUBLIC DEFENDER

Mindy Hervey Lipinski, CIRCUIT PUBLIC DEFENDER

**Greenville Public Defender Office**  
Greenville County Courthouse  
305 East North Street, Suite 123  
Greenville, SC 29601 | (864) 467-8522

**Greenville Juvenile and Magistrate Office**  
Greenville County Family Court Complex  
350 Halton Road, Suite 300  
Greenville, SC 29607 | (864) 467-8330

**Pickens Public Defender Office**  
Pickens County Courthouse  
214 East Main Street, Suite 310  
Pickens, SC 29671 | (864) 467-8025

**Re:** *State v. Heather Denise Bushek*  
Case No(s): 2024A3920700520

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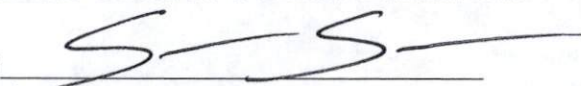
Jacob Q. Hofferth, Esq.  
13th Circuit Solicitor's Office  
214 East Main Street  
Pickens, SC 29671

Dear Mr. Hofferth:

Enclosed please find a copy of the Notice of Appeal in the above matter along with Proof of Service.

Yours very truly,

PICKENS COUNTY PUBLIC DEFENDER

By:   
Stephen Snow, Esq.  
Bar No: 105332

Pickens County Public Defender  
214 East Main Street, Suite 310  
Pickens, SC 29671  
Attorney for Appellant

Enclosure



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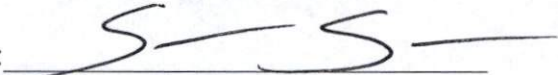
Alan Wilson, Esq.  
Attorney General  
P.O. Box 11549  
Columbia, SC 29211

Dear Mr. Wilson:

Enclosed please find a copy of the Notice of Appeal in the above matter along with Proof of Service. This matter is being referred to the Office of Appellate Defense.

Yours very truly,

PICKENS COUNTY PUBLIC DEFENDER

By:   
Stephen Snow, Esq.

Bar No: 105332

Pickens County Public Defender  
214 East Main Street, Suite 310  
Pickens, SC 29671  
Attorney for Appellant

Enclosure



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**Re:** *State v. Heather Denise Bushek*  
Case No(s): 2024A3920700520

Ms. Jenny Abbott Kitchings  
Clerk, The S.C. Court of Appeals  
Post Office Box 11629  
Columbia, South Carolina 29211

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**MAY 13 2025**

**SC Court of Appeals**

Dear Ms. Kitchings:

Enclosed you will find the original Notice of Appeal in the above matter along with Proof of Service upon the Respondents. The Notice has been filed with the Pickens County Clerk of Court. Also enclosed is a copy of the indictment. These matters are being referred to the Office of Appellate Defense in that we were participating as Court appointed counsel at trial.

Thank you for your attention to this matter.

Yours very truly,

PICKENS COUNTY PUBLIC DEFENDER

By:   
Stephen Snow, Esq.

Bar No: 105332  
Pickens County Public Defender  
214 East Main Street, Suite 310  
Pickens, SC 29671  
Attorney for Appellant

Enclosure

cc: Office of the Thirteenth Circuit Solicitor  
Office of the Attorney General  
Office of Appellate Defense

CERTIFIED MAIL



9589 0710 5270 1214 6305 92

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**13th Circuit Public Defender**

Pickens County Courthouse  
214 E. Main Street, Suite 310  
Pickens, SC 29671

SS

Ms. Jenny Abbott Kitchings  
Clerk, The S.C. Court of Appeals  
Post Office Box 11629  
Columbia, SC 29211

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