

THE STATE OF SOUTH CAROLINA FILED-RECEIVED
In the South Carolina Court of Appeals


2013 NOV 15 AM 11:12

APPEAL FROM YORK COUNTY
Court of General Sessions

DAVID HAMILTON
C.C.C.P. & G.S.
YORK COUNTY, SC

Donald B. Hocker, Circuit Court Judge

Case No.: 2013-GS-46-02602



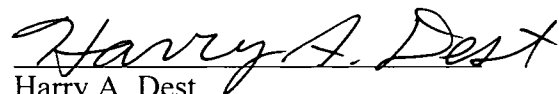
The State of South Carolina, Respondent
v.
Michael Ramey, Appellant

NOTICE OF APPEAL

Michael Ramey appeals his conviction and the sentence imposed by the Honorable Donald B. Hocker. On November 7, 2013, the Appellant pled guilty to Criminal Sexual Conduct with a Minor 2nd degree and received a sentence of twelve (12) years. The Appellant also files contemporaneously with this Notice of Appeal an explanation pursuant to Rule 203 SCACR.

Pursuant to Rule 203 SCACR, Appellant hereby shows that there is an issue which can be reviewed on appeal: During the plea hearing on November 7, 2013, Appellant's counsel objected on the record to the State presenting confidential information that the Appellant revealed to a Court ordered therapist during treatment while under the authority of the North Carolina Department of Juvenile Justice. The Court overruled the objection and allowed the State to use this information as an aggravating factor to argue for a severe sentence at sentencing phase of the plea.

As a result, the Appellant received a sentence of twelve (12) years. The Appellant contends that allowing this type of evidence for consideration in determining an appropriate sentence was an error in law and an abuse of discretion.



Harry A. Dest
Circuit Public Defender
Sixteenth Judicial Circuit
P.O. Box 691
York, SC 29745
(803) 628-3031
Attorney for Appellant

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SC Court of Appeals

This 15th day of November 2013.
York, South Carolina

Other Counsel of record:
Erin M. Joyner, Deputy Solicitor
Sixteenth Judicial Circuit
1675-1A York Highway
York, SC 29745
(803) 628-3020

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Case Nos.: 2013-GS-46-02602

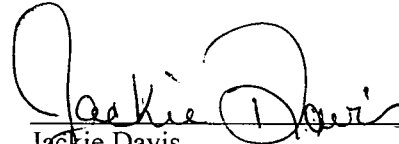
The State of South Carolina, Respondent

v.

Michael Ramey, Appellant

Certificate of Service

This is to certify that a copy of the Notice of Appeal in the case of The State vs. Michael Ramey was served upon Assistant Solicitor Erin M. Joyner on November 15th, 2013, by hand-delivering a copy to the Solicitor's Office, second floor of the Moss Justice Center, 1675 York Highway, York, South Carolina, by the undersigned.



Jackie Davis

Legal Secretary for Harry A. Dest
Attorney for the Defendant

**Sixteenth Circuit
Public Defender
Office**

Moss Justice Center
1675-1E York Highway
P.O. Box 691
York, S.C. 29745



Harry A. Dest
Sixteenth Circuit Defender

November 15, 2013

The Honorable Jenny Abbott Kitchings
Clerk of the South Carolina Court of Appeals
P.O. Box 11629
Columbia, South Carolina 29211

Re: Michael Ramey (Indictment No.: 2013-GS-46-02602)

Dear Ms. Kitchings:

Enclosed please find the Notice of Appeal, Certified Certificate of Service, Indictment and Sentencing Sheet in the above captioned matter. On November 7, 2013 the Appellant pled guilty to Criminal Sexual Conduct with a Minor 2nd degree and received a sentence of twelve (12) years. Copies of these documents were sent under separate cover letter to the defendant.

Sincerely,

Harry A. Dest
Circuit Public Defender
Sixteenth Judicial Circuit

HAD/jmd

Enclosures

Bryson J. Barrowclough
Deputy Public Defender

Stacey D. Coleman
Juvenile Court Division

Philip L. Smith
Daniel D. Hall
Sr. Assistant Public Defenders

Assistant Public Defenders
Melissa A. Inzerillo
Mark T. McKinnon
E. Ashley Anderson
Mindy Hervey Lipinski
J. Creighton Hayes
Judah N. VanSyckel

Magistrate Court Division
Toni L. Johnson
Jessica M. Russo

Union County Public Defender
Erik D. Delaney
Jennifer N. Williams

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Public Defender
Office**

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1675-1E York Highway
P.O. Box 691
York, S.C. 29745



Harry A. Dest
Sixteenth Circuit Defender

November 15, 2013


Michael Ramey, SCDC# 0357741
Kirkland R&E
4344 Broad River Road
Columbia, South Carolina 29210

Dear Mr. Ramey:

Enclosed please find certified copies of the Notice of Appeal, Certificate of Service, Indictments and Sentencing Sheets regarding your recent guilty plea. Please note that I have put an explanation for your appeal in the body of the Notice of Intent to Appeal.

If you have any questions or concerns, please feel free to contact me. Good luck to you.

Sincerely,


Harry A. Dest
Circuit Public Defender
Sixteenth Judicial Circuit

HAD/jmd

Enclosure

cc: South Carolina Court of Appeals

Bryson J. Barrowclough
Deputy Public Defender

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