

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

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Feb 13 2026

SC Court of Appeals

APPEAL FROM YORK COUNTY
Court of General Sessions

William McKinnon, Circuit Court Judge

Indictment Nos. 2023-GS-46-06872
2023-GS-46-06873; 2023-GS-46-06874;
2023-GS-46-06875; 2023-GS-46-06877;
2023-GS-46-03915; 2024-GS-46-05782

The State,

Respondent,

v.


David Hart,

Appellant.

PROOF OF SERVICE

I certify that I have served the Notice of Appeal on Marina Hamilton, assistant solicitor by depositing a copy of it in the United States Mail, postage prepaid, on February 3, 2026, addressed to 1675 York Hwy #1A, York, South Carolina 29745.

Respectfully submitted,


J. Todd Rutherford, Esquire
1315 Blanding Street
P.O. Box 1452
Columbia, South Carolina 29202
(803) 256-3003 Telephone
(803) 256-9698 Facsimile

February 3, 2026
Columbia, SC

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

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Feb 13 2026

SC Court of Appeals

APPEAL FROM YORK COUNTY
Court of General Sessions

William McKinnon, Circuit Court Judge

Warrant Nos. 20232280448526;
20232280448527; 2023A4610202859;
2023A4610202860; 2023A4610202862;
2023A4620300024; 2024A4610202315

The State,

Respondent,

v.

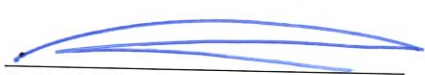
David Hart,

Appellant.

PROOF OF SERVICE

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February 3, 2026
Columbia, SC

STATE OF SOUTH CAROLINA
COUNTY OF YORK

The State of South Carolina,

v.

David Hart,

Defendant.

) IN THE COURT OF GENERAL SESSIONS
) FOR THE SIXTEENTH JUDICIAL CIRCUIT
)

) Warrant Numbers: 20232280448526;
) 20232280448527; 2023A4610202859;
) 2023A4610202860; 2023A4610202862;
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SC Court of Appeals

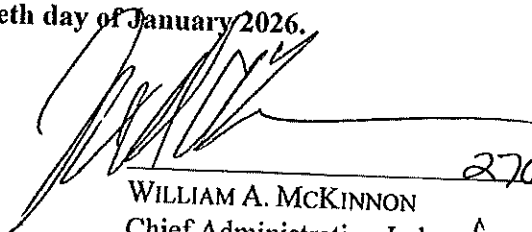
ORDER DENYING DEFENDANT'S
MOTION TO RECONSIDER SENTENCE

This matter comes before the court by way of Defendant David Hart's Motion to Reconsider Sentence. On January 22, 2026, Mr. Hart was sentenced to a negotiated fifteen-year sentence for two counts of failure to stop a motor vehicle when signaled by a law-enforcement vehicle, one count of trafficking fentanyl four grams or more but less than fourteen grams, one count of possession with intent to distribute marijuana third or subsequent offense, and one count of assault and battery by mob in the second degree. Mr. Hart was given two days of time served credit. Mr. Hart moves this court to reconsider his sentence to receive credit for more days of time served.

This Court finds the time served credit calculation Mr. Hart received at his sentencing is in accordance with South Carolina Code Ann. § 24-13-40 and other applicable statutes.

Therefore, Mr. Hart's Motion to Reconsider Sentence is hereby, **DENIED**.

IT IS SO ORDERED this thirtieth day of January 2026.


2761
WILLIAM A. MCKINNON
Chief Administrative Judge for civil
Sixteenth Judicial Circuit

York, South Carolina

STATE OF SOUTH CAROLINA)

IN THE GENERAL SESSIONS COURT
FOR THE SIXTEENTH JUDICIAL CIRCUIT

COUNTY OF YORK)

Warrant Numbers: 20232280448526;
20232280448527; 2023A4610202859;
2023A4610202860; 2023A4610202862;
2023A4620300024; 2024A4610202315;

The State of South Carolina,)

vs.)

MOTION TO RECONSIDER SENTENCE

David Hart,)

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Defendant.)

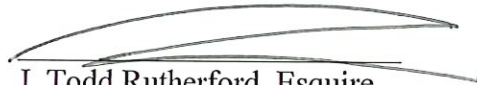
Feb 13 2026

TO: The Honorable William McKinnon:

SC Court of Appeals

YOU WILL PLEASE TAKE NOTICE that as soon as counsel may be heard, the defense will move before the Court for an order setting aside the sentence passed by the Honorable William McKinnon upon the above named Defendant on January 22, 2026.

Respectfully Submitted,



J. Todd Rutherford, Esquire
1315 Blanding Street
Post Office Box 1452
Columbia, South Carolina 29202
(803) 256-3003

Attorney for Defendant

Columbia, South Carolina

This 26th day of January, 2026

ANGIE H. BRYANT
CLERK OF COURT
YORK COUNTY, SC

2026 FEB -3 PM 4:13

CERTIFIED TRUE COPY

STATE OF SOUTH CAROLINA)
COUNTY OF YORK)

IN THE COURT OF GENERAL SESSIONS
FOR THE SIXTEENTH JUDICIAL CIRCUIT

The State of South Carolina,)

Warrant Number: 20232280448526;
20232280448527; 2023A4610202859;
2023A4610202860; 2023A4610202862;
2023A4620300024; 2024A4610202315

vs.)

CERTIFICATE OF SERVICE

RECEIVED

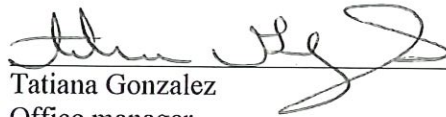
David Hart,)

Feb 13 2026

Defendant.)

SC Court of Appeals

I certify that on this date I served the Notice of Motion and Motion for Hearing Pursuant to S.C. Code § 16-11-440(c) in the above-captioned case on The State of South Carolina by delivering copies of these documents to the York county Assistant solicitor of record, Assistant Solicitor Marina Hamilton, by mailing and emailing said copie to her office located at The Office of the Solicitor, Sixteenth Judicial Circuit, York County Judicial Center, 1675 York Highway, York, South Carolina 29745.


Tatiana Gonzalez
Office manager

The Rutherford Law Firm
1315 Blanding Street
Post Office Box 1452
Columbia, South Carolina 29202
(803) 256-3003

Columbia, South Carolina

This 26th day of January, 2026

CERTIFIED TRUE COPY
2026 FEB -3 PM 4:13
ANGIE H. BRYANT
CLERK OF COURT
YORK COUNTY, SC

STATE OF SOUTH CAROLINA,
COUNTY OF YORK

IN THE COURT OF GENERAL SESSIONS
OF THE SIXTEENTH JUDICIAL CIRCUIT

State of South Carolina,

CASE NO.: 2023-GS-46-06872;
2023-GS-46-06873; 2023-GS-46-06874;
2023-GS-46-06875; 2023-GS-46-06877;
2023-GS-46-03915; 2024-GS-46-05782

vs.

NOTICE OF APPEAL

RECEIVED

David Hart,

Feb 13 2026

Defendants.

SC Court of Appeals

NOW COMES, David Hart ("Appellant"), appealing his conviction and sentence for the above indictment. Appellant pled guilty on January 22, 2026, and the Honorable William McKinnon imposed a 15 year sentence. A Motion for Reconsideration was filed pursuant to Rule 29(a) of the South Carolina Rules of Criminal Procedure. Reserving the right to supplement this notice and provide additional issue(s) to be raised on appeal. On January 30, 2026, Judge McKinnon denied Appellant's Motion for Reconsideration of Sentenced. Appellant hereby appeals.

This the 3rd day of February 2026.

Respectfully submitted,

/s/ J. Todd Rutherford

J. Todd Rutherford, Esq.
RUTHERFORD LAW FIRM
1315 Blanding Street (29201)
P.O. Box 1452
Columbia, South Carolina 29202
Phone No.: (803) 256-3003
Fax No.: (803) 256-9698
todd@rutherford.law
Attorneys for Appellant

Columbia, South Carolina

This 3rd day of February, 2026

CERTIFIED TRUE COPY
2026 FEB - 9 PM 3:04
ANGIE H. BRYANT
CLERK OF COURT
YORK COUNTY, SC

STATE OF SOUTH CAROLINA,
COUNTY OF YORK

IN THE COURT OF GENERAL SESSIONS
OF THE SIXTEENTH JUDICIAL CIRCUIT

The State of South Carolina,)
)
)
)
 vs.)
)
 David Hart,)
)
)
)
 _____)
 Defendants.)

CASE NO.: 2023-GS-46-06872
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2023-GS-46-03915; 2024-GS-46-05782

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NOTICE OF APPEAL Feb 13 2026

SC Court of Appeals

I certify that I have served the Notice of Appeal on Marina Hamilton, Assistant Solicitor.
by depositing a copy of it in the United States Mail, postage prepaid, on February 3, 2026, addressed
1675 York Hwy #1A, York, South Carolina

This the 3rd day of February 2026.

Respectfully submitted,

/s/ J. Todd Rutherford
J. Todd Rutherford, Esq.
RUTHERFORD LAW FIRM
1315 Blanding Street (29201)
P.O. Box 1452
Columbia, South Carolina 29202
Phone No.: (803) 256-3003
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todd@rutherford.law
Attorneys for Appellant

2026 FEB -9 PM 3:04
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ANGIE H. ORYANT
CLERK OF COURT
YORK COUNTY, SC

RECEIVED

Feb 03 2026

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM YORK COUNTY
Court of General Sessions

William McKinnon, Circuit Court Judge

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Feb 13 2026

SC Court of Appeals

Indictment Nos. 2023-GS-46-06872
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The State,

Respondent,

v.

David Hart,

Appellant.

NOTICE OF APPEAL

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ANGIE M. BRYANT
CLERK OF COURT
YORK COUNTY, SC

NOW COMES, David Hart ("Appellant"), appealing his conviction and sentence for the above indictment. Appellant pled guilty on January 22, 2026, and the Honorable William McKinnon imposed a 15 year sentence. A Motion for Reconsideration was filed pursuant to Rule 29(a) of the South Carolina Rules of Criminal Procedure. Reserving the right to supplement this notice and provide additional issue(s) to be raised on appeal. On January 30, 2026, Judge McKinnon denied Appellant's Motion for Reconsideration of Sentence. Appellant hereby appeals.

Respectfully submitted,



J. Todd Rutherford, Esquire
1315 Blanding Street
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Columbia, South Carolina 29202
(803) 256-3003 Telephone
(803) 256-9698 Facsimile

February 2, 2026
Columbia, SC

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM RICHLAND COUNTY
Court of Common Pleas

J. Kristi F. Curtis, Circuit Court Judge

Appellate Case No. 2025-001424

Leslie E Jennings Maldonado, Respondent,

v.

Demetrius Fleming, Appellant.

PROOF OF SERVICE

I certify that I have served the Notice of Appeal on Leonard R. Jordan, Jr, Esq. by depositing a copy of it in the United States Mail, postage prepaid, on July 16, 2025, addressed to 211 Veterans Road, Suite D Columbia SC 29209.

This the 4th day of August 2025.

Respectfully submitted,

/s/ J. Todd Rutherford

J. Todd Rutherford, Esq.
Austin D. Nichols, Esq.
RUTHERFORD LAW FIRM
1315 Blanding Street (29201)
P.O. Box 1452
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Phone No.: (803) 256-3003
Fax No.: (803) 256-9698
todd@rutherford.law
austin@rutherford.law
Attorneys for Appellant

RECEIVED

Feb 03 2026

SC Court of Appeals

RECEIVED

Feb 13 2026

SC Court of Appeals

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