

The State of South Carolina
In The Supreme Court

Appeal From Horry County
Court of Common Pleas
J. Cordell Maddox, JR., Circuit Judge

Case NO. 2012-CP-26-3860

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NOV 25 2013

S.C. SUPREME COURT

Kendrix Corbitt # 348641,

Appellant

v.

The State of South Carolina

Respondent

Petition For Bail Pending Appellate Review

Appellant Kendrix Corbitt, respectfully requests that this Honorable Court grant him bail pursuant to 243(X) of the South Carolina Rules of Appellate Court, and State v. Whitener 225 S.C. 244, 81 S.E. 2d 784 (1954) (Recognizing that the South Carolina Supreme Court "has the inherent power to set bond in any case.")

1.

LEGAL MAIL ONLY

Appellant is presently confined in the South Carolina Department of Corrections pursuant to orders of commitment from the Horry County Clerk of Court. In October 2011, the Horry County Grand Jury indicted Appellant for murder (2011-GS-26-03888). On November 10, 2011, Appellant entered a negotiated plea to voluntary manslaughter. The Honorable Thomas W. Cooper, JR., sentenced Appellant to confinement for a period of fifteen (15) years.

Appellant posted bond on these charges and faithfully appeared at each court appearance. Evenmore the Appellant is a life long resident of Horry County.

The South Carolina Appellate Court Rules 243(K) lists five factors a court need to consider when it decides to exercise its discretionary authority to admit an appellate bond. ~~██████~~ Additionally, Nichols v. Patterson, 202 S.C. 352, 25 S.E. 2d 155 (1943) indicates factors similar to those listed in Rule 243(K), SCACR.

(1) The probability of a reversal of the appellant's case and the nature relief Corbitt will receive;

He alleges self-defense if a reversal would come about he would be set free or his sentence reduced to involuntary manslaughter.

(2) The seriousness of the offenses committed;

The offense was committed in self-defense, and he made bond once on this charge.

(3) The potential danger Corbitt poses to the community if released by committing a crime of like character;

He was given a bond once and he posed no threat to the community while he was out on bond, pending trial.

(4) The likelihood of Corbitt's flight and escape if he is released; and
He has always made all court appearances, and he was born and raised
in Horry County.

(5) The character, reputation, and surrounding circumstances of Corbitt.
He is loved by his family who has supported him from day one
and even assisted in his bail and lawyer fees. He fits the description
of a person who deserves bail.

For the above Reasons Appellant should be granted bail pending
Appellant Review.

Dated: Nov. 20th 2013

* Kendrick Corbitt
Kendrick Corbitt #348641
990 Wisacky Hwy.
Lee Corr. Inst.
Bishopville S.C. 29010

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PROOF OF SERVICE

This is to certify that I have this 21st day of [REDACTED] November, 2013,
deposited one copy of the Appellant's Petition For Bail Pending Appellate Review in the
U.S. Postal Service with proper postage prepaid addressed to opposing counsel at the following
address:

Joshua L. Thomas Esquire
Assistant Attorney General
P.O. Box 11549
Columbia, S.C. 29211-1549

* Kendrix Corbitt
Kendrix Corbitt #348641

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