

STATE OF SOUTH CAROLINA)
)
COUNTY OF LANCASTER)
)
THE STATE,)
)
VS.)
)
Amber Kay Hunter,)
)
Defendant.)
_____)

IN THE SOUTH CAROLINA
COURT OF APPEALS

STATEMENT OF APPELLANT'S COUNSEL
REGARDING REQUEST FOR APPEAL
OF GUILTY PLEA

INDICTMENTS
2021-GS-29-2199 & 2021-GS-29-2200

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SC Court of Appeals

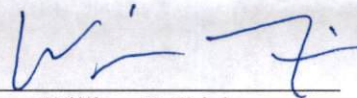
Appellant's Statement of Facts

The defendant was charged in Lancaster County General Sessions Court with Felony Driving Under the Influence Resulting in Death and Child Endangerment on the above referenced indictments from an incident occurring in Lancaster County on or about December 28, 2020. The defendant was out of a single car accident in which the EDR of the defendant's indicated a speed of around 100 miles per hour before the vehicle left the roadway and rolled several times. In the incident, a child of the defendant died. A toxicology report by SLED from a blood draw of the defendant subsequent to her being transported to a hospital in Richland County indicated a blood alcohol concentration of 0.09, the presence of THC, Ketamine, and several prescription medications.

The defendant, after consultation with her attorney, agreed to enter a guilty plea to the charges in the above referenced indictments for the charges of Felony DUI Resulting in Death and Child Endangerment with no recommendation from the State. On April 3, 2026, The Honorable Robert E. Hood accepted the guilty plea of the defendant to these charges and, sentenced the defendant to 12 years in the South Carolina Department of Correction for Child Endangerment and 15 years in SCDC for the Felony DUI Resulting in Death with both sentences to run concurrently.

Issues on Appeal

Subsequent to her guilty plea, the defendant requested his counsel to file an appeal regarding this plea. Pursuant to Rule 203(b)(2) and(d) SCACR, defendant's counsel is filing this appeal.



William P. Frick
SC Bar Number 69739
Assistant Public Defender
6th Judicial Circuit
PO Box 1809
Lancaster SC 29721
Phone (803) 285-5585
ATTORNEY FOR APPELLANT

STATE vs.
Amber Kay Hunter

AKA: SSN: :
RACE: **W** SEX: **F** DOB: ;

) INDICTMENT/CASE#: **2021GS2902199**
) AW#: **2021A2910100772**
) Date of Offense: **12/28/2020**
) S.C Code§: **56-05-2947**
) CDR Code #: **2395**
) Range of Offense: **Child Endangerment (NMT 1/2 the maximum of the substantive offense)**

In disposition of the above indictment comes now the Defendant who was CONVICTED OF or PLEADS
TO: **Child Endangerment** Range of Offense Pled: **(NMT 1/2 the maximum of the substantive offense)**

In violation of § 56-05-2947 of the S.C. Code of Laws, bearing CDR Code # 2395
 NON-VIOLENT VIOLENT SERIOUS MOST SERIOUS MANDATORY GPS § 17-25-45
(CSC w/minor 1st or CSC w/minor 3rd)

The charge is: As indicted Lesser Included Offense Defendant Waives Presentment to Grand Jury

The plea is: w/o Rec/Negotiations Negotiated _____ Recommendation _____

/s **Michael G. Matthews** 64295
Solicitor SC Bar #

/s **William P. Frick** 69729
Attorney for Defendant SC Bar #

The Defendant is committed to the SCDC County Detention Center Home Incarceration Program
for a determinate term of **12** days/months/years/Time Served YOANTE _____ years and/or shall 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*; balance is suspended with probation for _____ months/years
and subject to SCDPPPS 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 SCDC
60 days/months To include time spent on monitored house arrest prior to trial and sentencing

SPECIAL CONDITIONS:

- PTUP _____
- No Contact with Victim Domestic Violence Intervention Program Hold for Inpatient Treatment
- Sex Offender Registry pursuant to S.C. Code § 23-3-430 SAC/MHC if necessary
- Central Registry of Child Abuse and Neglect pursuant to S.C. Code § 17-25-135
- Other: _____

RESTITUTION See Separate Order (20% per S.C. Code §24-21-490(B))

§14-1-206 (Assessments 107.5%)		Restitution	\$ _____
§14-1-211 (A)(1) Conv. Surcharge)	Fine/Costs and Assessments are to be paid to the Clerk	FINE:	\$ _____
§14-1-211 (A)(2)(DUI Surcharge)	of Court within _____ days/months		\$ _____
§56-5-1995 (DUI Assessment)			\$ _____
§56-1-286 (DUI Breath Test)			\$ _____
§14-1-212 (Law Enforcement Funding)			\$ _____
§14-1-213 (Drug Court Surcharge)			\$ _____
§34-11-70(b)and(c), and 34-11-90(c)and(d) (Admin Fraud Check Court Costs)			\$ _____
§50-21-114 (BUI Breath Test Fee)			\$ _____
§56-5-2942(J) (Vehicle Assessment)			\$ _____
3% to County (if paid in installments)			\$ _____
<input type="checkbox"/> Appointed PD or appointed other counsel. Provisio requires \$500 to be paid to Clerk during probation and shall be collected before any other fees			\$ _____
<input type="checkbox"/> §17-3-45(B) Unpaid Application Fee to be paid to the Public Defender Fund			\$ _____
		TOTAL	\$ _____

/s **Michael Watkins**
Clerk of Court/Deputy Clerk

Maria DiScioscia 2164
Court Reporter Judge Code

April 3, 2026
Sentence Date **Reford** Presiding Judge

SCCA217B
01/27/2025

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SC Court of Appeals

STATE vs.

Amber Kay Hunter

AKA:

SSN:

RACE: W

SEX: F

DOB:

) INDICTMENT/CASE#: 2021GS2902200

) AWW#: 2021A2910100771

) Date of Offense: 12/28/2020

) S.C Code§: 56-05-2945(A)(2)

) CDR Code #: 0395

) Range of Offense: Felony DUI, Death (NLT 1 year to 25 years & \$10,100 to \$25,100)

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

TO: Felony DUI, Death

Range of Offense Pled: (NLT 1 year to 25 years & \$10,100 to \$25,100)

In violation of § 56-05-2945(A)(2) of the S.C. Code of Laws, bearing CDR Code # 0395

NON-VIOLENT VIOLENT SERIOUS MOST SERIOUS MANDATORY GPS § 17-25-45
(CSC w/minor 1st or CSC w/minor 3rd)

The charge is: As indicted Lesser Included Offense Defendant Waives Presentment to Grand Jury

The plea is: w/o Rec/Negotiations Negotiated Recommendation

/s Michael G. Matthews 64295

/s William P. Frick

69739

Solicitor

SC Bar #

Attorney for Defendant

SC Bar #

The Defendant is committed to the SCDC County Detention Center Home Incarceration Program
for a determinate term of 15 days/months/years/Time Served YOANTE _____ years and/or shall pay a fine
of \$ 10,100; provided that upon the service of _____ days/months/years/Time Served and/or payment
of \$ _____ plus costs and assessments as applicable*; balance is suspended with probation for _____ months/years
and subject to SCDPPPS 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 SCDC
60 days/months To include time spent on monitored house arrest prior to trial and sentencing

SPECIAL CONDITIONS:

- PTUP _____
- No Contact with Victim Domestic Violence Intervention Program Hold for Inpatient Treatment
- Sex Offender Registry pursuant to S.C. Code § 23-3-430 SAC/MHC if necessary
- Central Registry of Child Abuse and Neglect pursuant to S.C. Code § 17-25-135
- Other: _____

RESTITUTION See Separate Order (20% per S.C. Code §24-21-490(B))

§14-1-206 (Assessments 107.5%)		Restitution	\$ _____
§14-1-211 (A)(1) Conv. Surcharge)	Fine/Costs and Assessments are to be paid to the Clerk of Court within _____ days/months	FINE:	\$ _____
§14-1-211 (A)(2)(DUI Surcharge)		\$100	\$ _____
§56-5-1995 (DUI Assessment)		\$100	\$ _____
§56-1-286 (DUI Breath Test)		\$12	\$ _____
§14-1-212 (Law Enforcement Funding)		\$25	\$ _____
§14-1-213 (Drug Court Surcharge)		\$25	\$ _____
§34-11-70(b)and(c), and 34-11-90(c)and(d) (Admin Fraud Check Court Costs)		\$150	\$ _____
§50-21-114 (BUI Breath Test Fee)		\$41	\$ _____
§56-5-2942(J) (Vehicle Assessment)		\$50	\$ _____
3% to County (if paid in installments)		\$40/ea	\$ _____
<input type="checkbox"/> Appointed PD or appointed other counsel. Provisio requires \$500 to be paid to Clerk during probation and shall be collected before any other fees		TBD	\$ _____
<input type="checkbox"/> §17-3-45(B) Unpaid Application Fee to be paid to the Public Defender Fund		\$500	\$ _____
		\$40	\$ _____
		TOTAL	\$ _____

/s Michael Watkins

Clerk of Court/Deputy Clerk

Maria DiScioscia

2164

Court Reporter

Judge Code

April 3, 2026

Sentence Date

P. Hood

Presiding Judge

SCCA217B

01/27/2025

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