

THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

RECEIVED

APR 21 2026

SC Court of Appeals

APPEAL FROM DORCHESTER COUNTY
Court of General Sessions

The Honorable Charles J. McCutchen

Appellate Case No. 2026-000687

State, Respondent,

vs.

Brian Frederick Crawford, Appellant.

MOTION FOR REINSTATEMENT

John T. Kornegay, Esq. (SC Bar 102294)
Dorchester County Public Defender's Office
1452-B Boone Hill Road
Summerville, SC 29483
(843) 821-9800 (ph)
(843) 871-0523 (f)
Counsel for Appellant

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ARGUMENT FOR REINSTATEMENT

Appellant Brian Frederick Crawford (hereinafter "Appellant") hereby moves the Court of Appeals, pursuant to Appellate Court Rule 260, for reconsideration of the Court's April 07, 2026, order dismissing Appellant's appeal and moves for the appeal to be reinstated. Due to an oversight by our office Appellant was not timely forwarded the guilty plea explanation with a statement that he had twenty days to inform the Court of any arguable basis for his appeal. This failure to timely notify is not due to any lack of good faith on the part of the Appellant, and he respectfully requests reinstatement of the appeal so that he may have an opportunity to inform the Court of any arguable basis for the appeal to move forward.

CONCLUSION

Based upon the above reasons, the Court of Appeals should reinstate this appeal and allow the Appellant the opportunity to present to the Court any arguable basis for the appeal of his guilty plea pursuant to Rule 203, SCACR.

RESPECTFULLY SUBMITTED;

s/ John T. Kornegay
John T. Kornegay (SC Bar 102294)
Dorchester County Public Defender's Office
1452-B Boone Hill Road
Summerville, SC 29483
(843) 821-9800 (ph)
(843) 871-0523 (f)
Counsel for Appellant

April 15, 2026

The South Carolina Court of Appeals

The State, Respondent,

v.

Brian Frederick Crawford, Appellant.

Appellate Case No. 2026-000687

The Honorable Charles J. McCutchen
Dorchester County
Trial Court Case No. 2023GS1802319

ORDER

Appellant has failed to provide a sufficient guilty plea explanation as required by Rule 203 (d)(1)(B)(iv) of the South Carolina Appellate Court Rules (SCACR). Appellant's counsel has failed to forward his guilty plea explanation to his client, along with a statement that his client has twenty days to inform this Court in writing of any arguable basis that there are issues preserved for appeal as required by Rule 203, SCACR, and this Court's letter dated March 16, 2026. Accordingly, this matter is dismissed. The remittitur will be sent as provided by Rule 221(b), SCACR

FOR THE COURT

BY


CLERK

Columbia, South Carolina

cc:

Alan McCrory Wilson, Esquire
Melody Jane Brown, Esquire
Kelly Amell LaPlante, Esquire
John Thomas Kornegay, Esquire
Wanda H. Carter, Esquire

FILED
Apr 07 2026

County of Dorchester

State

VS.

Brian Frederick Crawford

AKA:

SSN:

RACE: White SEX: Male

DOB:

12:00:00

AM: 12:00:00 AM

INDICTMENT/CASE#: 2023GS18-02319

AW#: 2023A1810201309

Date of Offense: 10/28/2023

S.C. Code §: 16-3-10

CDR Code #: 0116

Range of Offense: 30 to LIFE

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

TO: Murder

Range of Offense Pled: 30 to LIFE

In violation of § 16-3-10 of the S.C. Code of Laws, bearing CDR Code #0116

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 CAP OF 40 YEARS

Recommendation

Kelly LaPlante Solicitor, Kelly LaPlante

SC Bar # 100900

Attorney for Defendant, John T. Komegay

SC Bar # SC10229 4

The Defendant is committed to the SCDC County Detention Center Home Incarceration Program for a determinate term of 90 days/months/years Time Served, YOA NTE 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; the 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.

881 days/month

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%) §14-1-211 (A)(1)(Conv. Surcharge) §14-1-211 (A)(2)(DUI Surcharge) §56-5-2995 (DUI Assessment) §56-1-286 (DUI Breath Test) §14-1-212 (Law Enforce. 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)

Fine/Costs and Assessments are to be paid to the Clerk of Court within days/months

Table with columns for Restitution, FINE, and various assessment codes with monetary values.

Appointed PC or appointed other counsel, Proviso requires \$500 be paid to Clerk during probation and shall be collected before any other fees

§ 17-3-30(B) unpaid Application Fee to be paid to the Public Defender Fund

Deputy Clerk

Court Reporter

2782 Judge Code

3-4-25 Sentence Date

Presiding Judge

SCCA217B 01/27/2025

General Sessions Tracking Sheet
Indictment # 2023GS1802320

Name: Crawford, Brian Frederick

Warrant/Ticket #: 2023A1810201310

AKA:

Date of Arrest: 10/26/2023

Addr:

Date of Offense: 10/26/2023

Date Rev by Clerk: 11/07/2023

Magistrate: Clerk Of Court C P, G S, And Family Court

SSN#

Counts: Code: 0549/Weapons/Poss. weapon during violent crime, if not also sentenced to life without parole or death

Sex: M Race: W

DOB:

DL#

Indictment # 2023GS1802320

Disposition Information

1. Transmitted to SOL & SCCA:
2. Disp Received by Clerk:
3. Date of Disposition: 2/4/26

- | | | | |
|-------------|-------------------------------------|-----------------------------|--|
| Disposition | <input type="checkbox"/> | 1. Guilty plea | |
| | <input type="checkbox"/> | 2. Trial -- guilty | |
| | <input type="checkbox"/> | 3. Trial -- not guilty | |
| | <input checked="" type="checkbox"/> | 4. Dism/Not Pros/Pros Ended | Explain: <u>pursuant to plea to murder</u> |
| | <input type="checkbox"/> | 5. Judicial Commitment | Explain: _____ |
| | <input type="checkbox"/> | 6. Judicial Dismissal | |
| | <input type="checkbox"/> | 7. Remanded | Explain: _____ |
| | <input type="checkbox"/> | 8. Dismissed at Prelim | |
| | <input type="checkbox"/> | 8. No Bill | |
| | <input type="checkbox"/> | 9. Failure to Appear | Explain: _____ |
| | <input type="checkbox"/> | 10. Other | Explain: _____ |

Judge: McMullen

Court Reporter: Riker

Defense Atty: Romeo

Solicitor: Kelly J. Plam

Counts: _____ Code: _____

Sentence: _____

1452B Boone Hill Road
Summerville, SC 29483
(843) 821-9800
FAX (843) 871-0523



Courthouse, 151 Docket Street, Room 110
PO Box 1112
Orangeburg, SC 29116-1112
(803) 536-4858
FAX (803) 536-9986

Please respond to Summerville Office

April 16, 2026

Wanda Carter
Chief Appellate Defender
South Carolina Commission on Indigent Defense
Post Office Box 11433
Columbia, South Carolina 29211

RE: State of South Carolina v. Brian Frederick Crawford
Indictment No.: 2023GS18-2319

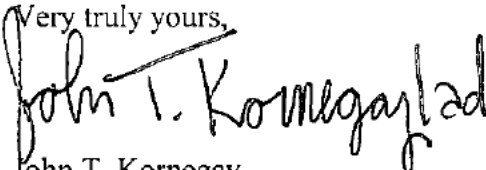
COPY

Dear Ms. Carter:

Enclosed please find a copy of Brian Crawford's Motion for Reinstatement and Proof of Service from his sentence in Dorchester County.

Please be advised that a copy of Mr. Crawford's file will be sent under separate cover.

If you have any questions or concerns, please do not hesitate to contact me.

Very truly yours,

John T. Kornegay
Assistant Public Defender

JTK/ad

Enclosures
cc: Client

1452B Boone Hill Road
Summerville, SC 29483
(843) 821-9800
FAX (843) 871-0523



Courthouse, 151 Docket Street, Room 110
PO Box 1112
Orangeburg, SC 29116-1112
(803) 536-4858
FAX (803) 536-9986

Please respond to Summerville Office

April 16, 2026

Cheryl Graham
Dorchester County Clerk of Court
5200 East Jim Bilton Blvd.
St George, South Carolina 29477

COPY

RE: State of South Carolina v. Brian Frederick Crawford
Indictment No.: 2023GS18-2319

Dear Clerk:

Enclosed please find a copy of the Motion for Reinstatement and Proof of Service in the above referenced matter.

If you have any questions or concerns, please do not hesitate to contact me.

Very truly yours,

A handwritten signature in black ink that reads "John T. Kornegay Jd".

John T. Kornegay
Assistant Public Defender

JTK/ad

Enclosures
cc: Client

1452 B Boone Hill Road
Summerville, SC 29483
(843) 821-9800
FAX (843) 871-0523



Courthouse, 151 Docket Street, Room 110
PO Box 1112
Orangeburg, SC 29116-1112
(803) 536-4858
FAX (803) 536-9986

Please respond to Summerville Office

April 16, 2026

Kelly L. Laplante
First Judicial Circuit Solicitor's Office
101 Ridge Street, Second Floor
St. George, South Carolina 29477

COPY

RE: State of South Carolina v. Brian Frederick Crawford
Indictment No.: 2023GS18-2319

Dear Ms. Laplante:

Enclosed please find a copy of Motion for Reinstatement and Proof of Service in the above referenced matter.

If you have any questions or concerns, please do not hesitate to contact me.

Very truly yours,

John T. Kornegay/ad

John T. Kornegay
Assistant Public Defender

JTK/ad

Enclosures
cc: Client

1452B Boone Hill Road
Summerville, SC 29483
(843) 821-9800
FAX (843) 871-0523



Courthouse, 151 Docket Street, Room 110
PO Box 1112
Orangeburg, SC 29116-1112
(803) 536-4858
FAX (803) 536-9986

Please respond to the Summerville Office

April 16, 2026

Mr. Brian Frederick Crawford (scdc #: 400320)
Kirkland Reception and Evaluation Center
4344 Broad River Road
Columbia, SC 29210

COPY

RE: State of South Carolina v. Brian Frederick Crawford (scdc #: 400320)
Warrant No.: 2023A1810201309 Murder / Murder

Dear Mr. Crawford (scdc #: 400320):

Enclosed please find a copy of the Motion for Reinstatement, Proof of Service, and correspondence sent in the above referenced matter.

If you have any questions or concerns, please do not hesitate to contact me.

Very truly yours,

John T. Kornegay/ad

John T. Kornegay
Assistant Public Defender

JTK/ad

THE STATE OF SOUTH CAROLINA
In the Supreme Court

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APPEAL FROM DORCHESTER COUNTY
Court of General Sessions

SC Court of Appeals

Charles J. McCutchen, Circuit Court Judge

Case No. 2023GS18-2319

The State,Respondent.

v.

Brian Crawford,Appellant.

PROOF OF SERVICE

PERSONALLY APPEARED before me, John T. Kornegay, who first being duly sworn, deposed and says:

That on the 16 day of April, 2026, he personally served a copy of the Motion of Reinstatement on Kelly Laplante, Assistant Solicitor, via first class, postage paid wrapper, properly addressed, in a post office or official depository under the exclusive care and custody of the United States Postal Service to 101 Ridge Street, Second Floor, St. George, South Carolina 29477.

John T. Kornegay
John T. Kornegay
1452 Boone Hill Rd.
Suite B
Summerville, SC 29483
(843) 821-9800
Attorney for Defendant

SWORN to before me this
16 day of April, 2026.

Lauren D. Kizer
My commission expires: 4-5-2028
Notary Public for South Carolina



1452B Boone Hill Road
Summerville, SC 29483
(843) 821-9800
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Courthouse, 151 Docket Street, Room 110
PO Box 1112
Orangeburg, SC 29116-1112
(803) 536-4858
FAX (803) 536-9986

Please respond to Summerville Office

April 16, 2026

Jenny Abbott Kitchings, Clerk
South Carolina Court of Appeals
Post Office Box 11629
Columbia, South Carolina 29211

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APR 21 2026

SC Court of Appeals

RE: State of South Carolina v. Brian Frederick Crawford
Indictment No.: 2023GS18-2319

Dear Clerk:

Enclosed please find the original Motion for Reinstatement, Proof of Service and Sentencing Sheet(s) in the above referenced matter.

If you have any questions or concerns, please do not hesitate to contact me.

Very truly yours,

John T. Kornegay
Assistant Public Defender

JTK/ad

Enclosures

cc: First Circuit Solicitor's Office
Client

Office of the Public Defender

FIRST JUDICIAL CIRCUIT

1452 BOONE HILL ROAD, SUITE B
SUMMERVILLE, SOUTH CAROLINA 29483

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APR 21 2026

SC Court of Appeals

Jenny Abbott Kitchings, Clerk
South Carolina Court of Appeals
Post Office Box 11629
Columbia, South Carolina 29211

FIRST-CLASS



US POSTAGE IMPITNEY BOWES



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APR 16 2026