



CHILLICO
& Associates LLC

RECEIVED

May 13 2026

SC Court of Appeals

May 13, 2026

Darcellus Fishburne (00400942)
F3B-0260-B
4344 Broad River Road
Columbia, SC 29210

Re: The State v. Darcellus Fishburne
Appellate Case No. 2026-001072

Dear Mr. Fishburne:

Enclosed please find copies of the documents I filed on your behalf in connection with your appeal.

The South Carolina Court of Appeals has received my filing. At this stage, the Court needs to hear directly from you. Specifically, you have twenty (20) days from the date of this letter to inform the Court of Appeals, in writing, of any arguable basis you believe exists for appeal. In other words, you need to tell the Court why you want to appeal and what you believe the legal reasons are for the appeal, including any issues you believe were preserved for appellate review.

Your written correspondence should be sent to:

South Carolina Court of Appeals
P.O. Box 11629
Columbia, SC 29211

You must include the following information on anything you send to the Court:

The State v. Darcellus Fishburne
Appellate Case No. 2026-001072

For your convenience, I have included a pre-addressed envelope to the South Carolina Court of Appeals.

Please understand that the twenty-day deadline is important. If you wish to submit anything to the Court, you should do so as soon as possible so that your correspondence is received and considered by the Court.

Sincerely,


J. Sterling Chillico, Esq.

Encl: Filed appellate documents; pre-addressed envelope

3850 Bessemer Rd., Suite 120 - Mt. Pleasant, SC 29466 - 843.779.2111 - 843.203.5734 [fax]

Page 1 of 1

FORM 4
NOTICE OF APPEAL FROM A SENTENCE IMPOSED BY THE COURT
OF GENERAL SESSIONS

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM CHARLESTON COUNTY
Court of General Sessions

Jennifer B. McCoy, Circuit Court Judge

Case Nos.
2023-GS-100-4218
2023-GS-100-4220
2023-GS-100-4221

The State,

Respondent,

v.

Darcellus Fishburne,

Appellant.

NOTICE OF APPEAL

Darcellus Fishburne appeals his conviction and sentence in this case. The sentence was imposed by the Honorable Jennifer B. McCoy on April 24, 2026.

May 1, 2026

s/ J. Sterling Chillico
Chillico & Associate, LLC
3850 Bessemer Road,
Suite 120
Mount Pleasant, SC 29466
(843) 779-2111
Attorney for Appellant

Other Counsel of Record:
Jennifer Shealy
Assistant Solicitor
101 Meeting St. #400
Charleston, SC 29401
(843) 958-1959
Attorney for Respondent

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May 01 2026

SC Court of Appeals

STATE OF SOUTH CAROLINA
COUNTY OF CHARLESTON

SENTENCE ORDER

IN THE COURT OF GENERAL SESSIONS

STATE vs.

Darcellus Fishburne

AKA:

SSN:

RACE: B

SEX: M

DOB: 07/02/2004

) INDICTMENT/CASE#: 2023-GS-10-04218

) AW#: 2023-GS-10-04218

) Date of Offense: 07/17/2020

) S.C. Code§: 16-03-0010

) CDR Code #: 0116

) Range of Offense: Murder (Death, Life, or NLT 30 years to Life)

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

TO: Murder

Range of Offense Pled: Death, Life, or NLT 30 years to Life

In violation of § 16-03-0010 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: Range of 30-45 Years Recommendation _____

/s/ Jennifer Kneese Shealy 7919

/s/ J. Sterling Chillico 101937

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 45 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
2108 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: ANY programs that would help this young man including medical and mental help.

RESTITUTION See Separate Order (20% per S.C. Code §24-21-450(B))

§14-1-206 (Assessments 107.5%)

§14-1-211 (A)(1) Conv. Surcharge)

§14-1-211 (A)(2)(DUI Surcharge)

§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)

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

§17-3-45(B) Unpaid Application Fee to be paid to the Public Defender Fund

Restitution	\$	_____
FINE:	\$	_____
	\$	_____
\$100	\$	<u>100.00</u>
\$100	\$	_____
\$12	\$	_____
\$25	\$	_____
\$25	\$	<u>25.00</u>
\$150	\$	_____
\$41	\$	_____
\$50	\$	_____
\$40/ea	\$	_____
TBD	\$	<u>3.75</u>
\$500	\$	_____
\$40	\$	_____
TOTAL	\$	<u>128.75</u>

RECEIVED
May 01 2026
SC Court of Appeals

/s/ Cherise Gray/Sheby Lott
Clerk of Court/Deputy Clerk

Judge's Webex/ 2764
Court Reporter/ Robin Fisher Judge Code

4/24/26
Sentence Date

[Signature]
Presiding Judge

SCCA217B
01/27/2025

DEFERRED SENTENCE: (Plea Accepted)

Judge: [Signature] 2764
Date: 4.17.26

**FORM 7
PROOF OF SERVICE OF A NOTICE OF APPEAL**

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

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APPEAL FROM CHARLESTON COUNTY
Court of General Sessions

SC Court of Appeals

Jennifer B. McCoy, Circuit Court Judge

Case Nos.

2023-GS-100-4218

2023-GS-100-4220

2023-GS-100-4221

The State,

Respondent.

v.

Darcellus Fishburne,

Appellant.

PROOF OF SERVICE

I certify that I have served the Notice of Appeal on Chief Deputy Solicitor, Jennifer Shealy, by depositing a copy of it in the United States Mail, postage prepaid, on May 1, 2026, addressed to 101 Meeting Street, Suite 400, Charleston, South Carolina, 29401 and via email to ShealyJ@SCSolicitor9.Org

May 1, 2026

s/ J. Sterling Chillico
Chillico & Associate, LLC
3850 Bessemer Road
Suite 120
Mount Pleasant, SC 29466
(843) 779-2111
Attorney for Appellant

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May 07 2026

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM CHARLESTON COUNTY
Court of General Sessions

Jennifer B. McCoy, Circuit Court Judge

Appellate Case No.
2026-001072

The State, Respondent,
v.
Darcellus Fishburne, Appellant.

**STATEMENT OF BASIS FOR APPEAL FROM GUILTY
PLEA PURSUANT TO RULE 203(d)(1)(B)**

Pursuant to South Carolina Appellate Court Rule 203(d)(1)(B), the Defendant was dissatisfied with his sentence and insisted on appealing. I am of the opinion that if the client insists on appealing, I am constrained to file an appeal. Weathers v State, 319 S.C. 59, 459 SE 2d 838 (1995).

May 6, 2026

s/ J. Sterling Chillico
Chillico & Associate, LLC
3850 Bessemer Road,
Suite 120
Mount Pleasant, SC 29466
(843) 779-2111
Attorney for Appellant

Other Counsel of Record:
Assistant Solicitor Jennifer Shealy
Office of the Solicitor, Ninth Judicial Circuit
101 Meeting St. #400
Charleston, SC 29401
(843) 958-1959
Attorney for Respondent

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SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM CHARLESTON COUNTY
Court of General Sessions

Jennifer B. McCoy, Circuit Court Judge

Appellate Case No.
2026-001072

The State,

Respondent,

v.

Darcellus Fishburne,

Appellant.

PROOF OF SERVICE

I certify that I have served the *Statement of Basis for Appeal from Guilty Plea Pursuant to Rule 203(d)(1)(B)* on Chief Deputy Solicitor, Jennifer Shealy, by depositing a copy of it in the United States Mail, postage prepaid, on May 1, 2026, addressed to 101 Meeting Street, Suite 400, Charleston, South Carolina, 29401 and via email to ShealyJ@SCSolicitor9.Org

May 6, 2026

s/ J. Sterling Chillico
Chillico & Associate, LLC
3850 Bessemer Road
Suite 120
Mount Pleasant, SC 29466
(843) 779-2111
Attorney for Appellant



The South Carolina Court of Appeals

JENNY ABBOTT KITCHINGS
CLERK

CATHERINE S. HARRISON
CHIEF DEPUTY CLERK

POST OFFICE BOX 11629
COLUMBIA, SOUTH CAROLINA 29211
1220 SENATE STREET
COLUMBIA, SOUTH CAROLINA 29201
TELEPHONE: (803) 734-1890
FAX: (803) 734-1839
www.sccourts.org

May 8, 2026

Mrs. J. Sterling Chillico, Esquire
3850 Bessemer Road
Suite 120
Mount Pleasant SC 29466

Re: The State v. Darcellus Fishburne
Appellate Case No. 2026-001072

Dear Counsel:

This Court has received your explanation for appealing.

Please forward your explanation to your client, along with a statement that your client has twenty (20) days from the date of your transmittal letter to inform this Court in writing of any arguable basis that there are issues preserved for appeal. Please provide your client with the Court's address:

South Carolina Court of Appeals
P.O. Box 11629
Columbia, SC 29211

Please send your letter to your client within ten (10) days, with a copy to this Court, or this appeal will be dismissed.

Very truly yours,


CLERK

cc: Alan McCrory Wilson, Esquire
Melody Jane Brown, Esquire
Jennifer Kneece Shealy, Esquire
Wanda H. Carter, Esquire