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SC Court of Appeals

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

State of South Carolina

v.

Chad Walton, Appellant

Case No.: 2026A1010201599

NOTICE OF APPEAL AND STATEMENT OF GROUNDS

COMES NOW the Appellant, Chad Walton, appearing pro se, and respectfully appeals the judgment entered by the Charleston County Court of General Sessions on July 6, 2026.

This appeal is based upon substantial constitutional and procedural errors that affected the voluntariness of my guilty plea and denied me due process under the United States Constitution and the South Carolina Constitution.

GROUND FOR APPEAL

I. The Guilty Plea Was Not Knowingly, Intelligently, and Voluntarily Entered.

A guilty plea constitutes a waiver of fundamental constitutional rights and must therefore be entered knowingly, intelligently, and voluntarily. In my case, that standard was not met.

I entered into what I understood to be an agreed plea with the State of South Carolina. At the time I entered my plea, it was my understanding that the agreement did **not** include a sentence of supervised probation. I agreed to the negotiated disposition based upon that understanding.

Attached hereto as **Exhibit 1** is a true and correct copy of the written communications between my attorney and me regarding the negotiated plea agreement. These communications reflect my understanding of the material terms of the plea before it was entered and support my position that supervised probation was not part of the negotiated agreement as it was communicated to me. I respectfully request that this Court consider **Exhibit 1**, together with the plea transcript and the remainder of the record, in determining whether my plea was entered knowingly, intelligently, and voluntarily.

The sentence ultimately imposed included one year of supervised probation. Prior to the Court accepting my plea, neither the Court nor my counsel adequately explained that supervised probation was part of the agreed disposition or fully advised me of the specific terms, conditions, restrictions, reporting requirements, and legal consequences associated with supervised probation.

Because these material terms of the sentence were not made clear to me before my plea was accepted, I did not fully understand the true nature of the sentence being imposed or the consequences of waiving my constitutional rights.

Had I understood that supervised probation was a part of the negotiated plea agreement and had its conditions been fully explained, I would not have entered the plea and instead would have exercised my constitutional right to proceed to trial.

II. Due Process Was Violated.

The Due Process Clauses of the United States Constitution and the South Carolina Constitution require that a defendant fully understand the direct consequences of a guilty plea before it is accepted.

Because I entered my plea without a full understanding of the actual sentence being imposed, including the imposition of supervised probation and its conditions, my plea was not knowingly and voluntarily made. As a result, my constitutional right to due process was violated.

III. The Totality of the Circumstances Affected the Voluntariness of My Plea.

For several months before entering my plea, I remained subject to restrictive bond conditions that prevented me from returning to my residence despite continuing financial obligations associated with that property. These circumstances created significant personal and financial pressure while my criminal case remained pending.

Although I entered my plea in open court, these circumstances materially affected my decision-making and should be considered when evaluating whether my plea was truly voluntary.

IV. Interests of Justice Require Review.

Justice requires that guilty pleas be entered only after a defendant fully understands the agreement being accepted and the sentence to be imposed. Where there is a substantial question regarding whether a defendant knowingly agreed to all material terms of the negotiated disposition, appellate review is appropriate to ensure that constitutional protections have been preserved.

RELIEF REQUESTED

WHEREFORE, I respectfully request that this Court:

1. Accept this appeal for review;
2. Review the complete record, including the plea transcript, **Exhibit 1**, and all proceedings below;
3. Determine whether my guilty plea was knowingly, intelligently, and voluntarily entered;
4. Vacate the judgment entered on July 6, 2026;
5. Permit withdrawal of my guilty plea and remand this matter to the Court of General Sessions for further proceedings; and
6. Grant such other and further relief as the Court deems just and proper.

Respectfully submitted,

Chad Walton
Appellant, Pro Se

Date: _____