

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

RECEIVED
Jul 20 2026
SC Court of Appeals

Appeal from Clarendon County

Honorable R. Ferrell Cothran, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

RONALD RAY BROADNAX,

APPELLANT

APPELLATE CASE NO. 2026-000114

ANDERS BRIEF OF APPELLANT

KATHRINE H. HUDGINS
Senior Appellate Defender

South Carolina Commission on Indigent Defense
Division of Appellate Defense
PO Box 11589
Columbia, SC 29211-1589
(803) 734-1330

ATTORNEY FOR APPELLANT

TABLE OF CONTENTS

TABLE OF CONTENTS.....	i
TABLE OF AUTHORITIES	ii
STATEMENT OF ISSUE ON APPEAL.....	1
STATEMENT OF THE CASE	2
STANDARD OF REVIEW	3
ARGUMENT	
The plea judge abused his discretion in failing to reconsider the fifty-year sentence imposed for burglary first degree because the sentence is the equivalent of a life sentence and the plea judge stated he was not going to sentence Appellant to a life sentence as requested by the State.	4
CONCLUSION.....	6
PETITION TO BE RELIEVED AS COUNSEL	7

TABLE OF AUTHORITIES

Cases

<u>Brooks v. State</u> , 325 S.C. 269, 481 S.E.2d 712 (1997).....	3, 5
<u>Clark v. Cantrell</u> , 339 S.C. 369, 529 S.E.2d 528 (2000)	5
<u>In re M.B.H.</u> , 387 S.C. 323, 692 S.E.2d 541 (2010).....	3
<u>State v. Hicks</u> , 377 S.C. 322, 659 S.E.2d 499 (Ct.App.2008)	3

STATEMENT OF ISSUE ON APPEAL

Did the plea judge abuse his discretion in failing to reconsider the fifty-year sentence imposed for burglary first degree because the sentence is the equivalent of a life sentence and the plea judge stated he was not going to sentence Appellant to a life sentence as requested by the State?

STATEMENT OF THE CASE

In July of 2023, the Clarendon County Grand Jury indicted Appellant, Ronald Ray Broadnax, for burglary first degree, kidnapping, arson second degree, assault and battery first degree, discharging a firearm into a dwelling, possession of a weapon during the commission of a violent crime, attempted murder, and criminal sexual conduct first degree, indictment #2023-GS-14-0152. (R. pp. 56-57). On November 17, 2025, Appellant appeared before the Honorable R. Ferrell Cothran, Jr. and pled guilty to burglary first degree, kidnapping, arson second degree, assault and battery first degree, and possession of a weapon during the commission of a violent crime. Brett Allen Perry represented Appellant. Darla Floyd Pierce represented the State. Sentencing took place the next morning on November 18, 2023. After hearing from both sides and reviewing the competency report by the South Carolina Department of Mental Health, Judge Cothran sentenced Appellant to fifty (50) years for burglary first degree, thirty (30) years concurrent for kidnapping, twenty (20) years concurrent for arson second degree, ten (10) years concurrent for assault and battery first degree, and five (5) years concurrent for the weapon charge. (R. pp. 58-62). A timely motion to reconsider sentence was filed on November 19, 2025. (R. pp. 52). Judge Cothran denied the motion to reconsider sentence in a written order date January 13, 2026. (Tr. p. 54). The timely notice of intent to appeal was filed on January 16, 2026. This appeal follows.

STANDARD OF REVIEW

A trial judge has broad discretion in sentencing within statutory limits. Brooks v. State, 325 S.C. 269, 271, 481 S.E.2d 712, 713 (1997). A judge must be permitted to consider any and all information that reasonably might bear on the proper sentence for a particular defendant. State v. Hicks, 377 S.C. 322, 325, 659 S.E.2d 499, 500 (Ct.App.2008). “A sentence will not be overturned absent an abuse of discretion when the ruling is based on an error of law or a factual conclusion without evidentiary support.” In re M.B.H., 387 S.C. 323, 326, 692 S.E.2d 541, 542 (2010).

ARGUMENT

The plea judge abused his discretion in failing to reconsider the fifty-year sentence imposed for burglary first degree because the sentence is the equivalent of a life sentence and the plea judge stated he was not going to sentence Appellant to a life sentence as requested by the State.

During sentencing the prosecutor asked for a sentence of at least fifty years and argued that a life sentence was appropriate. (R. p. 5, line 4 – p. 7, lines 1-25). Defense counsel argued, “Your Honor, I think a sentence of somewhere in the 20-to 30- year range, while that may sound extremely low to the State and certainly to the victim, he’s still going to be in his 70’s when he would be released from the South Carolina Department of Corrections. There aren’t a whole lot of people in their 70’s that get released from the Department of Corrections, Your Honor. So I would ask Your Honor to – to not sentence him to a de facto life sentence if you choose not to sentence him to a life sentence itself.” (R. p. 17, lines 10-19).

In imposing sentence, the judge stated that he took into consideration the fact that Appellant admitted guilt, pled guilty, saved the family from a trial, as well as Appellant’s comments to the judge. (R. p. 22, line 25 – p. 23, lines 1-9). The judge, however, then said, “On the burglary first, I’m not going to sentence you to life as the State has requested because of the reasons I’ve given you. I’m going to sentence you be committed to the State Department of Corrections for a term of 50 years.” In April of 2024, when the competency evaluation was completed, Appellant was 42 years old. (R. p. 41). The fifty-year sentence imposed is the equivalent of a life sentence, the sentence the judge stated specifically that he was not going to impose. Although the judge said he considered the mitigating circumstances, the de-facto life sentence does not reflect that consideration. The plea judge abused his discretion in failing to

reconsider the fifty-year sentence and impose a sentence that was not the equivalent of a life sentence.

A trial judge has broad discretion in sentencing within statutory limits. Brooks v. State, 325 S.C. 269, 271, 481 S.E.2d 712, 713 (1997). The de-facto life sentence imposed is within statutory limits. The plea judge, however, abused his discretion in imposing the fifty-year sentence, the equivalent of a life sentence. The judge said he would not impose a life sentence because of mitigating factors. The judge's statement reflects that a life sentence was without evidentiary support. The de-facto life sentence imposed was also without evidentiary support and constitutes an abuse of discretion. "An abuse of discretion occurs when the trial court's ruling is based on an error of law or, when grounded in factual conclusions, is without evidentiary support." Clark v. Cantrell, 339 S.C. 369, 389, 529 S.E.2d 528, 539 (2000).

CONCLUSION

Based on the above argument this Court should remand for re-sentencing.


Kathrine H. Hudgins
Senior Appellate Defender

ATTORNEY FOR APPELLANT

This 20th day of July, 2026.

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

RECEIVED

Jul 20 2026

SC Court of Appeals

Appeal from Clarendon County

Honorable R. Ferrell Cothran, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

RONALD RAY BROADNAX,

APPELLANT

APPELLATE CASE NO. 2026-000114

PETITION TO BE RELIEVED AS COUNSEL

Counsel for Ronald Broadnax states:

1. She is Senior Appellate Defender for the South Carolina Office of Appellate Defense, and was appointed to represent appellant.
2. She has reviewed the record of appellant's trial before Judge R. Ferrell Cothran, which was held on Nov. 17-18, 2025, and, in her opinion, the appeal is without legal merit sufficient to warrant a new trial.
3. She has, pursuant to Anders v. California, 386 U.S. 738, 87 S. Ct. 1396 (1967), briefed an arguable legal issue which arose during the course of the trial.

Wherefore, she asks the Court to relieve her as counsel for Ronald Broadnax.

Respectfully Submitted,


Kathrine H. Hudgins
Senior Appellate Defender

ATTORNEY FOR APPELLANT

This 20th day of July, 2026.

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

RECEIVED

Jul 20 2026

SC Court of Appeals

Appeal from Clarendon County

Honorable R. Ferrell Cothran, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

RONALD RAY BROADNAX,

APPELLANT

APPELLATE CASE NO. 2026-000114

**DESIGNATION OF MATTER TO BE
INCLUDED IN RECORD ON APPEAL**

Appellant proposes the following be included in the Record on Appeal:

- (1) True-billed indictment and sentencing sheets;
- (2) November 17, 2025, Guilty plea hearing transcript;
- (3) November 18, 2025, Sentencing transcript;
- (4) Competency evaluation;
- (5) Motion to Reconsider Sentence;
- (6) Order Denying Motion to Reconsider Sentence.

I certify that this designation contains no matter which is irrelevant to this appeal.


Kathrine H. Hudgins
Senior Appellate Defender

South Carolina Commission on Indigent Defense
Division of Appellate Defense
PO Box 11589
Columbia, SC 29211-1589
(803) 734-1330

This 20th day of July, 2026.

ATTORNEY FOR APPELLANT

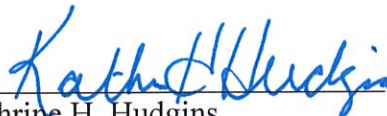
CERTIFICATE OF COUNSEL

The undersigned certifies that to the best of my ability this Anders Brief of Appellant complies with Rule 211(b), SCACR, and the April 15, 2014, order from the South Carolina Supreme Court entitled "Revised Order Concerning Personal Identifying Information and Other Sensitive Information in Appellate Court Filings."

RECEIVED

Jul 20 2026

SC Court of Appeals



Kathrine H. Hudgins

Senior Appellate Defender

South Carolina Commission on Indigent Defense
Division of Appellate Defense

PO Box 11589

Columbia, SC 29211-1589

(803) 734-1330

ATTORNEY FOR APPELLANT

This 20th day of July, 2026.

RECEIVED

Jul 20 2026

SC Court of Appeals

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Clarendon County

Honorable R. Ferrell Cothran, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

RONALD RAY BROADNAX,

APPELLANT

APPELLATE CASE NO. 2026-000114

CERTIFICATE OF SERVICE

Pursuant to Rule 262(a)(3) and Rule 262(c)(3), SCACR, the undersigned hereby certifies a true copy of the Anders Brief of Appellant and Designation of Matter in the above-referenced case has been served upon Mark Farthing, Esquire, at the primary e-mail address listed in the Attorney Information System (AIS); and on Ronald Broadnax, #399295, at Lee Correctional Institution, 990 Wisacky Hwy., Bishopville, SC 29010, this 20th day of July, 2026.


Kathrine H. Hudgins
Senior Appellate Defender

South Carolina Commission on Indigent Defense
Division of Appellate Defense
PO Box 11589
Columbia, SC 29211-1589
(803) 734-1330

ATTORNEY FOR APPELLANT

Stock, Chris

From: Stock, Chris
Sent: Monday, July 20, 2026 11:51 AM
To: Mark Farthing; SC - COLLINS CAROLINE
Cc: Hudgins, Kathrine
Subject: 2026-000114 - Ronald Ray Broadnax - Anders Brief of Appellant & Record on Appeal
Attachments: 2026-000114 - Ronald Ray Broadnax - Anders Brief of Appellant.pdf; 2026-000114 - Ronald Ray Broadnax - Anders Brief of Appellant - AG Cover Letter.pdf; 2026-000114 - Ronald Ray Broadnax - Record on Appeal.pdf

Mr. Farthing,

Please find attached for service the *Anders* Brief of Appellant, Designation of Matter, and Record on Appeal for Ronald Ray Broadnax's appeal which will be filed with the Court of Appeals today.

If you have any questions, please let me know.

Thank you,

Chris Stock
Administrative Coordinator
Commission on Indigent Defense
Appellate Division
(803) 734-1330

RECEIVED
Jul 20 2026
SC Court of Appeals