

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

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SEP 29 2025

SC Court of Appeals

APPEAL FROM YORK COUNTY
Court of General Sessions

Eugene C. Griffith, Circuit Court Judge

Case No. 2024-GS-46-05379, 2024-GS-46-05382, 2025-GS-46-03880

THE STATE OF SOUTH
CAROLINA,

Appellant,

v.

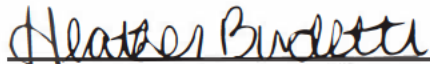
Kevin Breon Pickett,

Respondent.

NOTICE OF APPEAL

The State of South Carolina hereby appeals to the Court of Appeals the ruling of the Honorable Eugene Griffith, dated September 18, 2026, granting Defendant's credit for time served while out on bond with ankle monitoring but not house arrest. This order was not reduced to writing.

September 23, 2026


Heather Burdette, Senior Solicitor
16th Judicial Circuit Solicitor's Office
1675-1A York Highway
York, South Carolina 29745
Attorney for Appellant

Other Counsel of Record:
J. Todd Rutherford, *Attorney for Respondent*
P.O. Box 1452
Columbia, SC 29202
todd@rutherford.law

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THE STATE OF SOUTH
CAROLINA,

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v.

Kevin Breon Pickett,

Respondent.

PROOF OF SERVICE

I hereby certify that I have served a copy of the foregoing Notice of Appeal in the above-referenced matter upon J. Todd Rutherford by US Mail and e-mail in accordance with the provisions of Rule 262(b) of the South Carolina Appellate Court Rules.

Served this day,
September 23, 2026

Heather Burdette

Heather Burdette, Senior Solicitor
16th Judicial Circuit Solicitor's Office
1675-1A York Highway
York, South Carolina 29745
Attorney for Appellant



KEVIN S. BRACKETT
SOLICITOR

September 18, 2026

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SC Court of Appeals

VIA US MAIL

Alan Wilson, Attorney General
P.O. Box 11549
Columbia, South Carolina 29211

RE: State of South Carolina. Appellant v. Kevin Breon Pickett. Respondent. Case No. 2024-GS-46-05379, 2024-GS-46-05382, 2025-GS-46-03880

Dear Attorney General Wilson:

Please find enclosed a copy of the State's Notice of Appeal in the above-referenced matter. The Notice was served on September 23, 2026. I am requesting that the Attorney General's Office continue the prosecution of this appeal. My office is in the process of ordering the transcript from the circuit court proceedings.

Kevin Breon Pickett pled guilty to Trafficking Methamphetamine 28g or more 2nd Offense, Trafficking Cocaine 10g or More 2nd Offense, and Possession with Intent to Distribute Marijuana 1st Offense. Defense counsel made a Motion for time served credit while the Defendant was out on bond with an ankle monitor and a curfew at 6:00pm. The defendant had no other restrictions on his bond to establish house arrest. Judge Griffith granted the motion to allow credit for 714 days.

Please do not hesitate to contact me directly if you have any questions or concerns. Senior Solicitor Heather Burdette has been handling the case on behalf of my office and has already been in communication with Mark Farthing about the case and will transmit the file materials to you, should your office decide to take this case.

Sincerely,

Betty Miller,
Deputy Solicitor, 16th Judicial Circuit
1675-1A York Hwy
York, South Carolina 29745
(803) 628-3020



KEVIN S. BRACKETT
SOLICITOR

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SEP 29 2026

SC Court of Appeals

VIA FIRST CLASS MAIL

Hon. Jenny Abbott Kitchings, Clerk of Court
South Carolina Court of Appeals
P.O. Box 11629
Columbia, South Carolina 29211

VIA INTER-DEPARTMENTAL DELIVERY

Hon. Angie M. Bryant, Clerk of Court
York County Court of General Sessions
PO Box 649 - 1675 I-G York Highway
York, South Carolina 29745

Re: State v. Kevin Breon Pickett, 2024-GS-46-05379, 2024-GS-46-05382, 2025-GS-46-03880

Dear Ms. Kitchings and Ms. Bryant:

Please find enclosed an original and one copy of the Notice of Appeal and Proof of Service in the above-referenced matter. Please file the original and return a clocked copy to me in the enclosed self-addressed stamped envelope (or via inter-departmental delivery, for York County Clerk of Court), in accordance with your normal procedures.

Since this Appeal is being pursued by the State of South Carolina, I am informed that no filing fee is necessary. As always, please do not hesitate to contact me at (803) 628-3020 should you have any questions or concerns.

Sincerely,
Heather Burdette

Enclosures as stated

Cc: J. Todd Rutherford, (*via mail delivery*)

M. Farthing, Senior Assistant Deputy Attorney General (*via email*)

mm

KEVIN S. BRACKETT
SOLICITOR
SIXTEENTH JUDICIAL CIRCUIT
MOSS JUSTICE CENTER
1675-1A YORK HIGHWAY
YORK, SOUTH CAROLINA 29745-7422

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Hon. Jenny Abbott Kitchings
Clerk of Court
SC Court of Appeals
P.O. Box 11629
Columbia, SC 29211

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