

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM AIKEN COUNTY
Court of General Sessions

Honorable James R. Barber, III, Circuit Court Judge

Case No. 2013 ^{July} GS-02-00521

The State

Respondent,

v.

Tammy Smathers

Appellant.

STATE OF SOUTH CAROLINA
COUNTY OF AIKEN
I, Liz Godard, Clerk of Court of Common Pleas and General Sessions for Aiken County, South Carolina do hereby certify that the foregoing constitutes a true and correct copy of the original documents which have been filed in my office this

JAN 28 2014

CCCP & G.S., Aiken County, SC
Deputy Clerk

NOTICE OF APPEAL

Tammy Smathers appeals her sentence and the denial of her motion for reconsideration in this case. The sentence was imposed by the Honorable James R. Barber, III on February 8, 2013 following a plea of guilty. Your Appellant filed a timely motion for reconsideration pursuant to Rule 29(a), SCRCrimP, seeking a reduction of sentence and/or parole eligibility pursuant to Section 16-25-90 of the Code of Laws of South Carolina. The motion was heard on December 12, 2013. The court issued an order denying the motion on January 14, 2014. The order was filed on January 21, 2014 and served on January 22, 2014.

January 28, 2014

James E. Whittle, Jr.
Attorney for Appellant
117 Pendleton Street, N.W.
Aiken, South Carolina 29801
(803) 649-5538 Telephone Number
(803) 641-4517 Facsimile Number

RECEIVED

FEB 11 2014

Other Counsel of Record:

David W. Miller
Deputy Solicitor
Post Office Box 3368
Aiken, South Carolina 29802
(803) 642-1557
Attorney for Respondent

SC Court of Appeals

FILED January 28 2014

Liz Godard
C.C.C.P. & G.S.
SS Sharon Higgins
Deputy Clerk

3 cut to Atty

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APPEAL FROM AIKEN COUNTY
Court of General Sessions

Honorable James R. Barber, III, Circuit Court Judge

Case No. 2013-GS-02-00521

STATE OF SOUTH CAROLINA
COUNTY OF AIKEN

I, Liz Godard, Clerk of Court of Common Pleas and General Sessions for Aiken County, South Carolina do hereby certify that the foregoing constitutes a true and correct copy of the original documents which have been filed in my office this

JAN 28 2014

Liz Godard
C.C.C.P. & G.S., Aiken County S.C.
Sharon Shipper
Deputy Clerk

The State

Respondent

v.

Tammy Smathers

Appellant

PROOF OF SERVICE

I certify that I have served the Notice of Appeal on Deputy Solicitor David W. Miller by hand delivering a copy on January 28, 2014, at the Aiken County Solicitor's Office, 109 Park Ave., S.E., Aiken, South Carolina.

January 28, 2014

[Signature]
James E. Whittle, Jr.
Attorney for Appellant
117 Pendleton Street, N.W.
Aiken, South Carolina 29801
(803) 649-5538 Telephone Number
(803) 641-4517 Facsimile Number

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SC Court of Appeals

REC'D January 28 2014
Liz Godard
C.C.C.P. & G.S.
35 *Sharon Shipper*
Deputy Clerk

3 Cert to Atty

Law Offices

JOHNSON, JOHNSON, WHITTLE & LANCER

Attorneys, P. A.
Post Office Box 2619
117 Pendleton Street, N.W.
Aiken, South Carolina 29802-2619

Telephone 803/649-5338

Fax 803/641-4517

February 7, 2014

B. Henderson Johnson Jr. (Retired)
James E. Whittle Jr.
Todd J. Johnson

Barry H. Johnson (1954-1995)
Paige Weeks Johnson
Brett H. Lancer

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

Re: State vs. Tammy Lee Smathers
CHARGE(s): Voluntary Manslaughter
INDICTMENT #(s): 2012-GS-02-0521
MOTION for Reconsideration of Sentence - 12/12/2013
Aiken General Sessions Court
Judge James R. Barber

Dear Ms. Kitchings:

Enclosed for filing is a notice of appeal in the above case.
Also, enclosed are the following:

1. Proof of service of the notice of appeal on the respondent.
2. A copy of the order which is to be challenged on appeal.

I have ordered a transcript of the motion hearing. I will forward you a copy as soon as I receive it.

Yours truly,

James E. Whittle / csw

James E. Whittle, Jr.
Attorney for the Appellant

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FEB 11 2014

SC Court of Appeals

Other Counsel of Record:
David Miller, Deputy Solicitor
Post Office Box 3368
Aiken, South Carolina 29802
(803) 642-1557 ext. 104
Attorney for Respondent

Law Offices

JOHNSON, JOHNSON, WHITTLE & LANCER

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January 28, 2014

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James E. Whittle Jr.
Todd J. Johnson

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Paige Weeks Johnson
Brett H. Lancer

The Honorable Liz Godard
Clerk of Court for Aiken County
Post Office Box 583
Aiken, South Carolina 29802

RE: State vs. Tammy Smathers
Case No.: 2013-GS-02-000521
Notice of Appeal

Dear Liz:

Enclosed for filing is a notice of appeal in the above referenced case. Thank you very much for your assistance.

Yours truly,

James E. Whittle, Jr.

JEWjr/cbw

enclosure

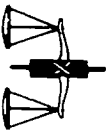
cc: Mr. David W. Miller, Deputy Solicitor
Aiken County Solicitor's Office
Post Office Box 3368
Aiken, South Carolina 29802
Attorney for the Respondent

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SC Court of Appeals

FILED January 28 2014
Liz Godard
C.C.P. & G.S.
55 Sharon Stipes
Deputy Clerk



Law Offices

Johnson, Johnson, Whittle and Lancer

Attorneys T. M.

P. O. Box 2619

117 Pendleton Street, N. W.

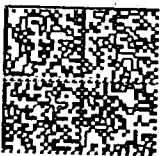
Tilken, South Carolina 29802-2619

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SC Court of Appeals

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



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