

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

RECEIVED

FEB 19 2014

APPEAL FROM CHARLESTON COUNTY
Court of General Sessions

COURT OF Appeals

W. Jeffrey Young, Circuit Court Judge

Indictment No. 2012-GS-10-02814; 2012-GS-10-02816 & 2012-GS-10-05174

 The State,

Respondent,

v.

John Champaigne,

Appellant.

NOTICE OF APPEAL

John Champaigne appeals his conviction and sentence in this case. The sentence was imposed by the Honorable W. Jeffrey Young on February 3, 2014.

February 18, 2014


Rodney D. Davis
400 Faber Place Drive, Suite 300
Charleston, SC 29405
(843) 323-4353
Davis@LowcountryLawOffice.com
Attorney for Appellant

Other Counsel of Record:
Elizabeth Riddle
Assistant Solicitor, Ninth Judicial Circuit
101 Meeting Street, 4th Floor
Charleston, SC 29401
(843) 958-1900
Attorney for Respondent

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM CHARLESTON COUNTY
Court of General Session

W. Jeffrey Young, Circuit Court Judge

Indictment No. 2012-GS-10-02814; 2012-GS-10-02816 & 2012-GS-10-05174

State,

Respondent,

v.


John Champaigne,

Appellant.

PROOF OF SERVICE

I certify that I have served the Notice of Appeal on the State by personally delivering a copy of it to the attorney of record, Elizabeth Riddle, at her office at 101 Meeting Street, 4th Floor, Charleston, South Carolina 29401, on February 18, 2014.

February 18, 2014



Rodney D. Davis
4000 Faber Place Drive, Suite 300
Charleston, SC 29405
(843) 323-4353
Davis@LowcountryLawOffice.com
Attorney for Appellant

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

RECEIVED

FEB 19 2014

APPEAL FROM CHARLESTON COUNTY
Court of General Sessions

SC Court of Appeals

W. Jeffrey Young, Circuit Court Judge

Indictment No. 2012-GS-10-02814; 2012-GS-10-02816 & 2012-GS-10-05174

The State,

Respondent,

v.

John Champaigne,

Appellant.

FILED
CLERK OF CIRCUIT
COURT OF APPEALS
SOUTH CAROLINA

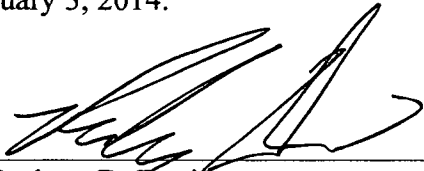
2014 FEB 18 PM 4:01

FILED

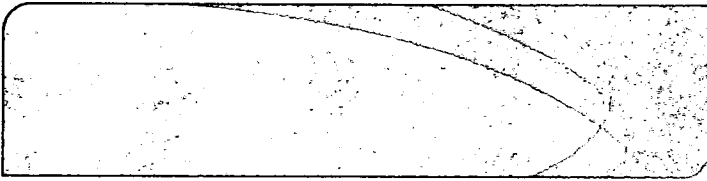
NOTICE OF APPEAL

John Champaigne appeals his conviction and sentence in this case. The sentence was imposed by the Honorable W. Jeffrey Young on February 3, 2014.

February 18, 2014


Rodney D. Davis
400 Faber Place Drive, Suite 300
Charleston, SC 29405
(843) 323-4353
Davis@LowcountryLawOffice.com
Attorney for Appellant

Other Counsel of Record:
Elizabeth Riddle
Assistant Solicitor, Ninth Judicial Circuit
101 Meeting Street, 4th Floor
Charleston, SC 29401
(843) 958-1900
Attorney for Respondent



Lowcountry Law Office

4000 Faber Place Drive, Suite 300

Charleston, SC 29405

Phone: 843-323-4353 Fax: 843-323-4101

E-Mail: Davis@LowcountryLawOffice.com

RECEIVED

February 18, 2014

FEB 19 2014

SC Court of Appeals

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

RE: State v. John Champaigne, Indictment No.: 2012-GS-10-02814; 2012-GS-10-02816
& 2012-GS-10-05174

Dear Ms. Kitchings:

I was appointed to represent Mr. Champaigne on the above-listed criminal charges (pursuant to a contract with the South Carolina Commission on Indigent Defense [SCCID] for conflict cases in Charleston County). On February 3, 2014, Mr. Champaigne entered a guilty plea (under Alford) and was sentenced by the Honorable W. Jeffrey Young. In a meeting following the plea, Mr. Champaigne agreed that no appeal should be filed. However, in a letter postmarked February 10, 2014, Mr. Champaigne requested that I file an appeal from his guilty plea (under Alford).

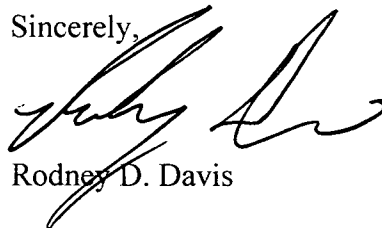
I realize that the Notice of Appeal falls outside of the ten (10) day requirement under the Rules. However, I will point out that the Charleston County Judicial Center and my office were closed on February 12 – 13, 2014 because of the winter storm that affected the entire state. Mr. Champaigne's letter may have arrived at my office on or before February 13, 2014. But with Court and my office closed, there was no way for me to receive and file the notice in a timely manner. Monday, February 17, 2014 was Presidents' Day and Court was again closed. I filed the Notice of Appeal on my first opportunity, Tuesday, February 18, 2014. Under these unique circumstances, I am asking the Court to accept this delayed Notice of Appeal in the interests of justice.

Enclosed for filing is the Notice of Appeal (original and clocked copy) 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 sentence sheets, indictments, warrants and affidavits that are to be challenged on appeal &
- (3) Pursuant to Rule 203, I am notifying the Court that I am unaware of grounds for this appeal yet I am filing it at the request of my client to protect his interests.

I will forward this letter and these documents to the Appellate Division of SCCID to pursue the appeal if it is granted. If you need anything further from me, please do not hesitate to contact me. Thank you for your time and attention to this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Rodney D. Davis", written in a cursive style.

Rodney D. Davis

CC: Elizabeth Riddle
Assistant Solicitor, Ninth Judicial Circuit

Kimberly McCall
Appellate Division, SCCID