

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

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FEB 18 2014

APPEAL FROM LEXINGTON COUNTY
Court of General Sessions

SC Court of Appeals

HONORABLE DONALD B. HOCKER, CIRCUIT COURT JUDGE

Citation No.: 32-13-0263

Probation C/W No.: W-32-13-0318

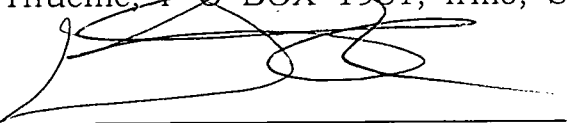
The State,.....Respondent.

V.

Brad Alan Day,.....Appellant.

NOTICE OF APPEAL

Brad Alan Day, had a community supervision violation hearing in front of the Honorable Donald B. Hocker on January 31, 2014. The Honorable Donald B. Hocker ruled on this case February 5, 2014. The Order was filed on February 7, 2014. He appeals the Court's finding that he had not satisfied his sentence and was still required to participate in the community supervision program. The court reporter was Carol Thueme, P.O. BOX 1981, Irmo, SC 29063.



David M. Mauldin
Assistant Public Defender
407 1/2 W. Main Street
Lexington, SC 29072
(803) 785-8873

OTHER COUNSEL OF RECORD:

Matthew C. Buchanan, General Counsel for Probation
S.C. Dept of Probation, Parole and Pardon Services
P.O. Box 50666
Columbia, SC 29250

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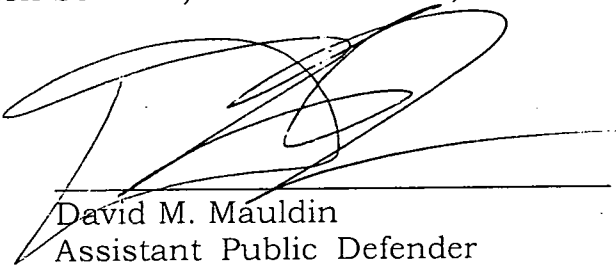
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The State,.....Respondent.
V.
Brad Alan Day,.....Appellant.

PROOF OF SERVICE

I certify that I have served the Notice of Appeal on Matthew C. Buchanan, by depositing a copy of it in the United States Mail, postage prepaid, on February 10, 2014, addressed to Matthew C. Buchanan, General Counsel for Probation, S.C. Dept of Probation, Parole and Pardon Services, P.O. Box 50666, Columbia, SC 29250.



David M. Mauldin
Assistant Public Defender
407 ½ W. Main Street
Lexington, SC 29072
(803) 785-8873

OFFICE OF THE PUBLIC DEFENDER

ELIZABETH FULLWOOD
Lexington Public Defender
407 ½ W. Main St.
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Eleventh Judicial Circuit
Lexington, Saluda, Edgefield,
and McCormick Counties

ROBERT M. MADSEN
Circuit Public Defender

W. GREG SEIGLER
Tri-County Public Defender
Post Office Box 1852
McCormick, SC 29835
Telephone (864) 852-
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Fax (864) 852-9554

February 10, 2014

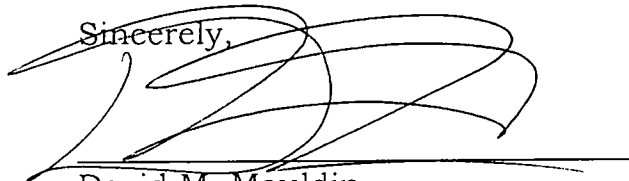
The Honorable Beth Carrigg
Clerk of Court for Lexington County
Lexington County Courthouse
Lexington, South Carolina, 29072

RE: The State v. Brad Alan Day- Appeal

Dear Mrs. Carrigg:

Enclosed for filing is a notice of appeal in the above case.

Sincerely,



David M. Mauldin
Assistant Public Defender
407 ½ W. Main Street
Lexington, SC 29072
(803) 785-8873

CC: Matthew C. Buchanan, General Counsel for Probation
S.C. Dept of Probation, Parole and Pardon Services
P.O. Box 50666
Columbia, SC 29250

STATE OF SOUTH CAROLINA)
)
)
vs.)
)
)
Brad Alan Day,)
)
)
Defendant.)
_____)

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Citation #: 32-13-0263
Warrant #: W-32-13-0318

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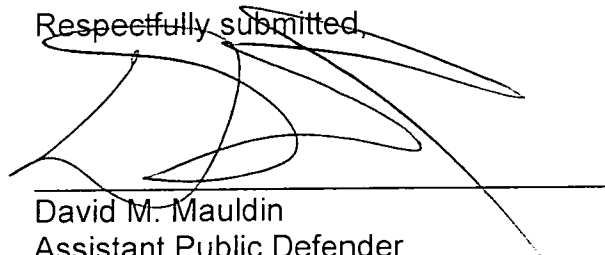
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SC Court of Appeals

RULE 203(B) EXPLANATION

Pursuant to Rule 203(B)(iv), the undersigned asserts that he does have a good faith basis to appeal the Court's ruling that Mr. Day had not satisfied his sentence and was still required to participate in the community supervision program. He was originally sentenced to ten years suspended on the service of five years. There was no probationary term ordered to follow the five years. Mr. Day had served more than five years on the sentence.

Respectfully submitted,



David M. Mauldin
Assistant Public Defender
407 ½ West Main Street
Lexington, South Carolina
(803) 785-8873

Lexington, South Carolina
February 6, 2014

OFFICE OF THE PUBLIC DEFENDER

ELIZABETH FULLWOOD
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Eleventh Judicial Circuit
Lexington, Saluda, Edgefield,
and McCormick Counties

ROBERT M. MADSEN
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February 10, 2014

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

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SC COURT OF APPEALS

Re: The State vs. Brad Alan Day, - appeal

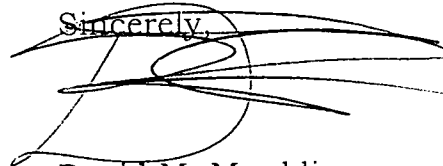
Dear Ms. Kitchings:

Please find enclosed an original and one (1) copy of a Notice to Appeal in the above matter for filing in your office. Please file the original and return the date/time stamped copy to me in the envelope provided.

I am, by copy of this letter, serving a copy of this Notice to Appeal on Matthew C. Buchanan, and Robert M. Dudek, together with my Certificate of Service.

Thank you for your assistance in this matter. With kind regards, I am

Sincerely,



David M. Mauldin

ENC

CC: Lisa Baker, Agent
S.C. Dept of Probation, Parole and Pardon Services
605 West Main Street, Suite 104
Lexington, SC 29072

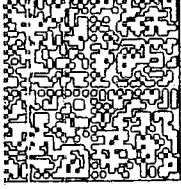
Robert M. Dudek,
Chief Appellate Defender
P.O. BOX 11433
Columbia, SC 29211

Matthew C. Buchanan, General Counsel for Probation
S.C. Dept of Probation, Parole and Pardon Services
P.O. Box 50666
Columbia, SC 29250

Brad Alan Day
Lexington County Detention Center
OLD JAIL (2C-03)

016H26523303
\$01.190
02/11/2014
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US POSTAGE

Master



ELEVENTH CIRCUIT
PUBLIC DEFENDER'S OFFICE
407 ½ W. MAIN STREET
LEXINGTON, SC 29072

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

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SC Court of Appeals