

SCOTT D. ROBINSON LAW FIRM, LLC

ATTORNEY AT LAW

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SC Court of Appeals

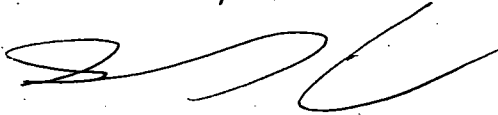
The Honorable Jenny Abbott Kitchings
Clerk of Court
South Carolina Court of Appeals
1015 Sumter Street
Columbia, SC 29201

RE: State v. Mickey Daniel Mayberry
Appellate Case No. 2013-001815

Dear Ms. Kitchings:

Enclosed please find my NOTICE OF APPEAL FROM THE COURT OF GENERAL SESSIONS AND WRITTEN EXPLANATION OF APPEAL FROM GUILTY PLEA pursuant to Rule 203 (d)(1)(B)(iv) along with copies of my Proof of Service on all parties.

Thank you.



Scott D. Robinson

Enclosures

CC:

Allen O. Fretwell, Esquire
Robert M. Dudek, Esquire
Alan M. Wilson, Esquire
Salley W. Elliott, Esquire

9 EAST AVENUE, GREENVILLE, SC 29601

P.O. BOX 10042, FEDERAL STATION, GREENVILLE, SC 29603

PHONE: (864) 271-6940 • FAX: (864) 271-6941 • EMAIL: SCOTTDROBINSON@BELLSOUTH.NET

SCOTT D. ROBINSON LAW FIRM, LLC

ATTORNEY AT LAW

VIA FACSIMILE 1(803) 734-1839
The Honorable Jenny Abbott Kitchings
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THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM GREENVILLE COUNTY
Court of General Sessions
Brian Gibbons, Circuit Court Judge

Appellant Case No. 2013-001815

State of South Carolina.....Respondent

v.

Mickey Daniel Mayberry.....Appellant

NOTICE OF APPEAL FROM THE COURT OF GENERAL SESSIONS
AND WRITTEN EXPLANATION OF APPEAL FROM GUILTY PLEA

Appellant pled guilty and was sentenced on August 15, 2013. He appeals his conviction and sentence. The sentence was imposed by The Honorable Brian Gibbons. All sentences were to run concurrently.

Indictment	Statutory Violation	Charge	Sentence
2012-GS-23-9351	16-11-330(A)	Armed Robbery	25 years
2012-GS-23-9351	16-3-0029	Attempted Murder	20 years
2012-GS-23-9351	16-3-1075(B)(1)	Carjacking	10 years
2012-GS-23-9351A	16-11-330(B)	Attempted Armed Robbery	10 years
2012-GS-23-9351B	16-3-1075(B)(1)	Carjacking	10 years
2012-GS-23-9351C	16-11-330(B)	Attempted Armed Robbery	10 years
2012-GS-23-9351D	16-3-1075(B)(1)	Carjacking	10 years

WRITTEN EXPLANATION OF APPEAL FROM GUILTY PLEA

1. EXCESSIVE SENTENCE

Appellant pled guilty to the above-mentioned charges with all to be run concurrently.

A. THE MAXIMUM SENTENCES THE APPELLANT FACED:

The maximum sentence under the law for Armed Robbery is 30 years.

The maximum sentence under the law for Attempted Armed Robbery is 20 years.

The maximum sentence under the law for Carjacking is 30 years.

The maximum sentence under the law for Attempted Murder is 30 years.

B. THE SENTENCES IMPOSED BY THE HONORABLE BRIAN GIBBONS:

The sentence pronounced by the Honorable Court for the Armed Robbery charge was 25 years to run concurrently.

The sentence pronounced by the Honorable Court for the (2) Attempted Armed Robbery was 10 years each to run concurrently.

The sentence pronounced by the Honorable Court for the (3) Carjackings was 10 years each to run concurrently.

The sentence pronounced by the Honorable Court for Attempted Murder was 20 years to run concurrently.

The Appellant submits on appeal that based on the facts adduced in Court, the sentences were excessive.

Dated: 3/7/14

Respectfully submitted,



Scott D. Robinson

9 East Avenue

Greenville, SC 29601

ATTORNEY FOR THE DEFENDANT

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

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APPEAL FROM GREENVILLE COUNTY
Court of General Sessions

SC Court of Appeals

Honorable Brian Gibbons

Appellate Case No. 2013-001815

State.....Respondent,

vs.

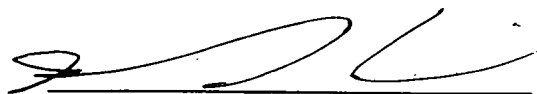
Mickey Daniel Mayberry..... Appellant.

PROOF OF SERVICE

I certify that I have served the NOTICE OF APPEAL FROM THE COURT OF GENERAL SESSIONS AND WRITTEN EXPLANATION OF APPEAL FROM GUILTY PLEA on the State of South Carolina by mail on March 7, 2014, to the attorney of record, Allen O. Fretwell, Assistant Solicitor for Greenville County, Greenville County Solicitor's Office, 305 East North St. Greenville, SC 29601.

Date: March 7, 2014

RESPECTFULLY SUBMITTED,



Scott D. Robinson (SC Bar #65351)
Scott D. Robinson Law Firm
PO Box 10042
Greenville, SC 29603
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THE STATE OF SOUTH CAROLINA
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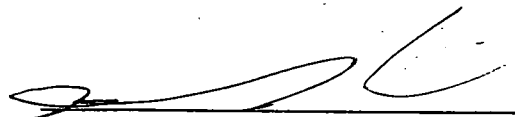
Mickey Daniel Mayberry..... Appellant.

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Date: March 7, 2014

RESPECTFULLY SUBMITTED,



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Date: March 7, 2014

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APPEAL FROM GREENVILLE COUNTY
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Honorable Brian Gibbons

Appellate Case No. 2013-001815

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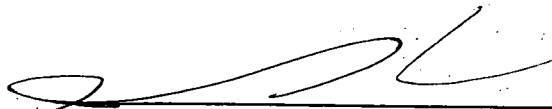
Mickey Daniel Mayberry..... Appellant.

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Date: March 7, 2014

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