

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM GEORGETOWN COUNTY
Court of General Sessions

J. Michael Baxley, Circuit Court Judge

Case No. 2004-GS-22-01016
Case No. 2004-GS-22-01017
Case No. 2004-GS-22-01018
Case No. 2004-GS-22-01019

FILED
GEORGETOWN COUNTY, S.C.
2014 FEB 28 PM 12:14
ALMA Y. WHITE
CLERK OF COURT

The State Respondent.

v.

Ernest Smalls, Jr. Appellant.

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MAR 17 2014

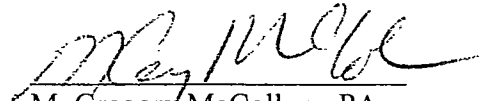
SC Court of Appeals

NOTICE OF APPEAL

Ernest Smalls, Jr. appeals his conviction and sentence in this case, which was the result of a jury trial resulting in a jury verdict of guilty on the captioned indictments. The Sentence was imposed by The Honorable J. Michael Baxley on November 18, 2004, in the County of Georgetown, Court of General Sessions at the conclusion of a trial in absentia. The Defendant/Appellant later appeared before the Court in Georgetown for the General Sessions term of Court of the week beginning February 24, 2014.

At that time, the sentence was unsealed and the Court imposed sentence.

February 24, 2014
Myrtle Beach, SC


M. Gregory McCollum, PA
516 29th Avenue North
Myrtle Beach, SC 29577
(843) 626-5480

Other Counsel of Record:

Jimmy Richardson, Solicitor
15th Judicial Circuit
401 Cleland Street
Georgetown, South Carolina 29442
(843) 545-3751

THE STATE OF SOUTH CAROLINA
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SC Court of Appeals

The State Respondent.

v.

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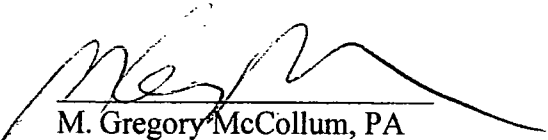
CERTIFICATE OF SERVICE

I, M. Gregory McCollum, Esquire, do hereby certify that I have, on this 28 day of February, 2014, served a copy of the within and foregoing to:

Jimmy Richardson, Solicitor
15th Judicial Circuit
401 Cleland Street
Georgetown, South Carolina 29442

there to with a clocked copy of the Defendant's Notice of Appeal which has been filed with the Georgetown County Clerk of Court to Jimmy Richardson, Solicitor, at his office in Georgetown County.

February 24, 2014
Myrtle Beach, SC


M. Gregory McCollum, PA
516 29th Avenue North
Myrtle Beach, SC 29577
(843) 626-5480

STATE OF SOUTH CAROLINA)
)
COUNTY OF GEORGETOWN)
)
)
State of South Carolina)
)
Respondent,)
)
v.)
)
Ernest Smalls, Jr.)
)
Defendant.)
_____)

IN THE COURT OF APPEALS
Case No: Case No. 2004-GS-22-01016
Case No. 2004-GS-22-01017
Case No. 2004-GS-22-01018
Case No. 2004-GS-22-01019

CERTIFICATE OF SERVICE

RECEIVED


MAR 17 2014

SC Court of Appeals

I, Michelle Schmalfeldt, an employee of M. Gregory McCollum, counsel for the Appellant in the above-entitled action, certify that on March 13, 2014 I mailed by U.S. Mail properly addressed:

The Honorable Alan Wilson
Attorney General State of South Carolina
P.O. Box 11549
Columbia, S.C. 29211

there to with an unlocked copy of the Defendant's Notice of Appeal which has been filed with the Georgetown County Clerk of Court to The Honorable Alan Wilson, Attorney General State of South Carolina, at his office in Richland County.


Michelle Schmalfeldt
Paralegal
Greg McCollum
Complete Legal Defense Team
1012 38th Avenue North, Suite 202
Myrtle Beach, SC 29577
(843) 626-5480

March 13, 2014
Myrtle Beach, SC

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM GEORGETOWN COUNTY
Court of General Sessions

J. Michael Baxley, Circuit Court Judge

Case No. 2004-GS-22-01016
Case No. 2004-GS-22-01017
Case No. 2004-GS-22-01018
Case No. 2004-GS-22-01019

The State Respondent.

v.

Ernest Smalls, Jr. Appellant.

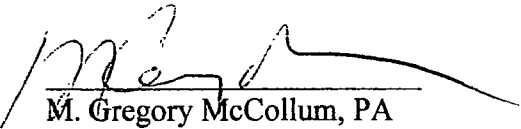
CERTIFICATE OF SERVICE

I, M. Gregory McCollum, Esquire, do hereby certify that I have, on this 28 day of February, 2014, served a copy of the within and foregoing to:

Alicia Richardson, Solicitor
15th Judicial Circuit
401 Cleland Street
Georgetown, South Carolina 29442

there to with a clocked copy of the Defendant's Notice of Appeal which has been filed with the Georgetown County Clerk of Court to Jimmy Richardson, Solicitor, at his office in Georgetown County.

February 24, 2014
Myrtle Beach, SC


M. Gregory McCollum, PA
516 29th Avenue North
Myrtle Beach, SC 29577
(843) 626-5480

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM GEORGETOWN COUNTY
Court of General Sessions

J. Michael Baxley, Circuit Court Judge

Case No. 2013-GS-26-01335
Case No. 2013-GS-26-01336
Case No. 2013-GS-26-01337
Case No. 2013-GS-26-01339
Case No. 2013-GS-26-01340

The State Respondent.

v.

Ernest Smalls, Jr..... Appellant.

CERTIFICATE OF SERVICE

I, Michelle Schmalfeldt, do hereby certify that I have, on this 13th day of March, 2014, served a copy of the within and foregoing to:

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

there to with a clocked copy of the Defendant's Notice of Appeal which has been filed with the Georgetown County Clerk of Court to Jimmy Richardson, Solicitor, at his office in Georgetown County.



Michelle Schmalfeldt
Paralegal
Greg McCollum
Complete Legal Defense Team
1012 38th Avenue North, Suite 202
Myrtle Beach, SC 29577
(843) 626-5480

GREG MCCOLLUM

COMPLETE LEGAL DEFENSE TEAM
1012 38TH AVENUE NORTH, SUITE 202
MYRTLE BEACH, SC 29577
www.CriminalLawyerMyrtleBeach.com

(843) 626-5480

March 13, 2014

Robert M. Dudek
Chief Appellate Defender
SC Commission on Indigent Defense
Post Office Box 11433
Columbia, South Carolina 29211-1433

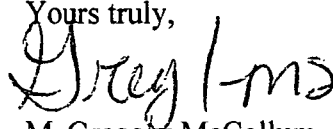
Re: **State of South Carolina vs. Ernest Smalls, Jr.**
PWID/Distribution of Cocaine Base Close Proximity, Warrant No.: H695465
Indictment No.: 04-GS-22-01016
PWID/Distribution of Cocaine Base, Warrant No.: H695466
Indictment No.: 04-GS-22-01017
PWID/Distribution of Cocaine Base; Warrant No.: H695467
Indictment No.: 04-GS-22-01018
PWID/Distribution of Cocaine Base Close Proximity, Warrant No.: H695468
Indictment No.: 04-GS-22-01019
Trial in Absentia, The Honorable J. Michael Baxley
Court Date: November 17, 2004

Dear Mr. Dudek:

Please find enclosed the original Affidavit of Indigency signed by Mr. Smalls. If you need anything further, please do not hesitate to contact my office.

Additionally, please find enclosed a copy of the Defendant's Notice of Appeal along with the Certificates of Service in the above referenced matter, which I am providing to you, which are being filed with the Clerk of South Carolina Court of Appeals and the Georgetown County Clerk of Court and are being served upon the Fifteenth Circuit Solicitor, Attorney General, Deputy Solicitor and you in your capacity as the Chief Appellate Defender for the South Carolina Commission on Indigent Defense.

With warm regards, I remain,

Yours truly,

M. Gregory McCollum

MGM/mrs

Enclosures

cc: Honorable Jenny Abbott Kitchings, Clerk for Court of Appeals
Ernest Smalls, Jr.

GREG MCCOLLUM

COMPLETE LEGAL DEFENSE TEAM

1012 38TH AVENUE NORTH, SUITE 202
MYRTLE BEACH, SC 29577
www.CriminalLawyerMyrtleBeach.com

(843) 626-5480

March 13, 2014

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

Re: **State of South Carolina vs. Ernest Smalls, Jr.**
PWID/Distribution of Cocaine Base Close Proximity, Warrant No.: H695465
Indictment No.: 04-GS-22-01016
PWID/Distribution of Cocaine Base, Warrant No.: H695466
Indictment No.: 04-GS-22-01017
PWID/Distribution of Cocaine Base; Warrant No.: H695467
Indictment No.: 04-GS-22-01018
PWID/Distribution of Cocaine Base Close Proximity, Warrant No.: H695468
Indictment No.: 04-GS-22-01019
Trial in Absentia, The Honorable J. Michael Baxley
Court Date: November 17, 2004

Dear Ms. Kitchings:

Please find enclosed a clocked Notice of Appeal in the above captioned case, which was filed with the Georgetown County Clerk of Court. Additionally, please find enclosed a copy of the Proof of Service serving the Notice upon Fifteenth Circuit Solicitor, Jimmy Richardson, as well as Attorney General, Alan Wilson and Deputy Solicitor, Alicia Richardson.

If you need anything further, please do not hesitate to contact my office.

With warm regards, I remain,

Yours truly,


M. Gregory McCollum

MGM/mrs

Enclosures

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MAR 17 2014

SC Court of Appeals

Page 2
March 13, 2014
Ernest Smalls, Jr.

cc: Honorable Alan Wilson, SC Attorney General
Honorable Jimmy Richardson, 15th Circuit Solicitor
Alicia Richardson, Deputy Solicitor
Robert M. Dudek
Ernest Smalls, Jr.

M. GREGORY McCOLLUM

ATTORNEY AT LAW

516 29TH AVENUE NORTH
MYRTLE BEACH, SOUTH CAROLINA 29577

COLUMBIA SC 290

14 MAR 2014 FN 2 L



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

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MAR 17 2014

SC Court of Appeals

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