

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

---

APPEAL FROM LEXINGTON COUNTY  
Court of General Sessions

The Honorable DeAndrea G. Benjamin, CIRCUIT COURT JUDGE

---

Case Nos.: 2014GS3200535

---

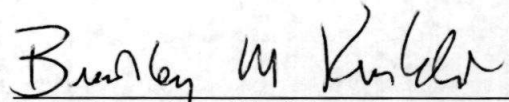
The State,.....Respondent.  
V.  
Phillip Helms,.....Appellant.

---

NOTICE OF APPEAL

---

Phillip Helms appeals his sentence and conviction in this case. The conviction and sentence was imposed by The Honorable DeAndrea G. Benjamin on April 2, 2014.

  
\_\_\_\_\_  
Bradley M. Kirkland  
Attorney at Law  
2007 Lincoln Street  
Columbia, South Carolina 29201  
(803) 386-1116

OTHER COUNSEL OF RECORD:  
Gil Bell  
Lexington County Solicitor's Office  
205 East Main Street, Suite 309  
Lexington, SC 29072

**RECEIVED**

APR 21 2014

**SC Court of Appeals**

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

APPEAL FROM LEXINGTON COUNTY  
Court of General Sessions

The Honorable DeAndrea G. Benjamin, Circuit Court Judge

Case Nos.: 2014GS3200535

The State,.....Respondent.

V.

Phillip Helms,.....Appellant.

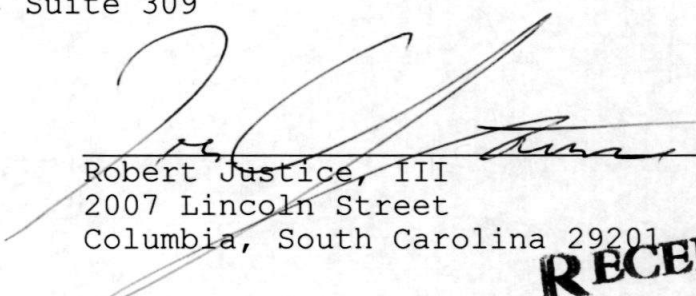
PROOF OF SERVICE

I certify that I have served the Notice of Appeal on

Gil Bell  
Lexington County Solicitor's Office  
205 East Main Street, Suite 309  
Lexington, SC 29072,

by Hand Delivering it to Lexington County Solicitor's office  
located at 205 East Main Street, Suite 309, Lexington, SC 29072,  
on April 10, 2013, addressed to:

Gil Bell  
Lexington County Solicitor's Office  
205 East Main Street, Suite 309  
Lexington, SC 29072,

  
Robert Justice, III  
2007 Lincoln Street  
Columbia, South Carolina 29201

**RECEIVED**  
APR 21 2014  
SC Court of Appeals

(10-30/15) a/o (\$50,000)  
IN THE COURT OF GENERAL SESSIONS

STATE OF SOUTH CAROLINA )  
COUNTY OF Lexington )  
STATE VS. )  
Phillip Earl Helms )  
AKA: )  
Race: White Sex: M Age: 47 )  
DOB: 05-07-1966 SS#: )  
Address: 1220 Blackville Ct )  
City, State, Zip: Gaston, SC 29053 )  
DL#: 008609631 SID#: )

INDICTMENT/CASE#: 2014GS3200535  
A/W#: 2013A3210201179  
Date of Offense: 6/11/2013  
S.C. Code § : 44-53-0375(B)(3)  
CDR Code #: 3039

SENTENCE SHEET

\*CDL Yes  No  CMV Yes  No  Hazmat Yes  No   
In disposition of the said indictment comes now the Defendant who was TO: Manufacturing Methamphetamine - Third Offense

CONVICTED OF or  PLEADS

in violation of § 44-53-0375(B)(3) of the S.C. Code of Laws, bearing CDR Code # 3200  
 NON-VIOLENT  VIOLENT  SERIOUS  MOST SERIOUS  Mandatory GPS(CSC  §17-25-45 w/minor 1st or Lewd Act)

The charge is:  As Indicted,  Lesser Included Offense,  Defendant Waives Presentment to Grand Jury. (defendant's initials)  
The plea is:  Without Negotiations or Recommendation,  Negotiated Sentence,  Recommendation by the State.

ATTEST: Greg M. Sullivan Solicitor 100001 SC Bar#                      Defendant                      Attorney for Defendant                      SC Bar#

WHEREFORE, the Defendant is committed to the  State Department of Corrections,  County Detention Center,  
for a determinate term of 16 days/months/years or  under the Youthful Offender Act not to exceed        years  
and/or to pay a fine of \$       ; provided that upon the service of        days/months/years and/or payment  
of \$       ; plus costs and assessments as applicable\*; the balance is suspended with probation for       

RECEIVED

months/years and subject to South Carolina Department of Probation, Parole and Pardon Services standard conditions of probation, which are incorporated by reference.

APR 21 2014

CONCURRENT or  CONSECUTIVE to sentence on:  
 The Defendant is to be given credit for time served pursuant to S.C. Code § 24-13-40 to be calculated by the State Department of Corrections.

90 Court of Appeals

The Defendant is to be placed on the Central Registry of Child Abuse and Neglect pursuant to S.C. Code §17-25-135.

Pursuant to 18 U.S.C Section 922, it is unlawful for a person convicted of a violation of Section 16-25-20 or 16-25-65 (Criminal Domestic Violence) to ship, transport, possess, or receive a firearm or ammunition.

SPECIAL CONDITIONS:

RESTITUTION:  Deferred  Def. Waives Hearing  Ordered PTUP                       
Total: \$        plus 20% fee: \$                             days/hours Public Service Employment

Payment Terms:                       
 Set by SCDPPPS                     

Obtain GED   
Attend Voc. Rehab. or Job Corp.                     

Recipient:                     

May serve W/E beginning                       
Substance Abuse Counseling

\*Fine: \$         
§ 14-1-206 (Assessments 107.5 %) \$         
§ 14-1-211(A)(1) (Conv. Surcharge) \$100 \$ 100.00  
§ 14-1-211(A)(2) (DUI Surcharge) \$100 \$         
§ 56-5-2995 (DUI Assessment) \$12 \$         
§ 56-1-286 (DUI Breath Test) \$25 \$         
Proviso 47.9 (Public Def/Prob) \$500 \$         
§ 14-1-212 (Law Enforce. Funding) \$25 \$ 25.00  
§ 14-1-213 (Drug Court Surcharge) \$150 \$ 150.00  
§ 50-21-114(BUI Breath Test Fee) \$50 \$         
§ 56-5-2942(J) (Vehicle Assessment) \$40/ea \$         
Proviso 90.5 (SCCJA Surcharge) \$5 \$         
3% to County (if paid in installments) \$         
TOTAL \$       

Random Drug/Alcohol testing   
Fine may be pd. in equal, consecutive weekly/monthly pmts. of \$        beginning       

\$        paid to Public Defender Fund  
Other:                     

Clerk of Court/ Deputy Clerk                       
Court Reporter:                       
SCCA/217 (03/2011)

Appointed PD or appointed other counsel § 47.12 requires \$500 be paid to Clerk during probation.  
Presiding Judge                       
Judge Code: 2161  
Sentence Date: 4-2-14

TRUE COPY  
Lex. Co. C.C.P., G.S. & F.C.

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF LEXINGTON )  
 )  
STATE OF SOUTH CAROLINA, )

IN THE COURT OF GENERAL SESSIONS  
OF THE ELEVENTH JUDICIAL CIRCUIT  
INDICTMENT NO. 2014-GS-32-00535

vs. )  
 )  
PHILLIP EARL HELMS )  
DEFENDANT. )  
\_\_\_\_\_ )

VERDICT FORM

PLEASE CIRCLE THE APPROPRIATE VERDICT BELOW AND FOLLOW THE ACCOMPANYING INSTRUCTIONS CAREFULLY.

1. AS TO THE INDICTMENT ALLEGING MANUFACTURE OF METHAMPHETAMINE, WE THE JURY UNANIMOUSLY FIND THE DEFENDANT

**GUILTY**

NOT GUILTY

**STOP AND END YOUR DELIBERATIONS**

Please sign and date.

*Jill A. LeClair-Linn*  
Presiding Juror

Date 4/2/2014

**RECEIVED**

APR 21 2014

**SC Court of Appeals**

A TRUE COPY  
*[Signature]*  
Lex. Co. C.C.C.P., G.S. & F.C.