



SCCID

SOUTH CAROLINA COMMISSION ON INDIGENT DEFENSE

Division of Appellate Defense
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Robert M. Dudek, Chief Appellate Defender
Wanda H. Carter, Deputy Chief Appellate Defender

May 15, 2014

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

Re: The State v. Arthur Moseley, a/k/a Shahid Majid,
Appellate Case No. 2014-000199

RECEIVED
MAY 15 2014
SC Court of Appeals

Dear Ms. Kitchings:

Enclosed is a copy of the amended notice of appeal and proof of service in the above-mentioned case. I have also enclosed a copy of the redacted sentencing sheets being challenged on appeal.

Please let me know if you have any questions.

Sincerely,

Robert M. Dudek
Chief Appellate Defender

RMD/kam

Enclosures

cc: Ernest A. Finney, III, Esquire
Salley W. Elliott, Esquire

THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

APPEAL FROM WILLIAMSBURG COUNTY
Court of General Sessions

George C. James, Jr., Circuit Court Judge

Case No. 2007-GS-45-0052
Appellate Case No. 2014-000199

The State,

Respondent,

v.

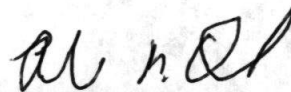
Arthur Moseley,
a/k/a Shahid Majid,

Appellant.

AMENDED NOTICE OF APPEAL

Arthur Moseley, a/k/a Shahid Majid appeals his conviction and sentence in this case. The sentence was imposed by the Honorable George C. James, Jr on January 31, 2014. Appellant filed his initial notice of appeal on February 3, 2014. In a letter dated May 6, 2014, the South Carolina Court of Appeals directed undersigned counsel to correct the deficiencies of appellant's notice of appeal within ten days.

May 15, 2014



Robert M. Dudek
Chief Appellate Defender
1330 Lady Street, Suite 401
Columbia, South Carolina 29201
(803) 734-1330
Attorney for Appellant

Other Counsel of Record:

Ernest A. Finney, III, Esquire
Third Circuit Solicitor's Office
215 North Harvin St.
Sumter, SC 29150

Salley W. Elliott, Esquire
Senior Assistant Deputy Attorney General
Office of the Attorney General
PO Box 11549
Columbia, SC 29211

THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

APPEAL FROM WILLIAMSBURG COUNTY
Court of General Sessions

George C. James, Jr., Circuit Court Judge

Case No. 2007-GS-45-0052
Appellate Case No. 2014-000199

The State,

Respondent,

v.

Arthur Moseley,
a/k/a Shahid Majid,

Appellant.

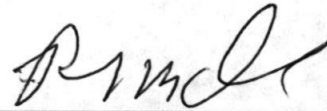
PROOF OF SERVICE

I certify that I have served the Amended Notice of Appeal by depositing a copy of it in the United States Mail, postage prepaid, on May 15, 2014, addressed to counsel of record as follows:

Ernest A. Finney, III, Esquire
Third Circuit Solicitor's Office
215 North Harvin St.
Sumter, SC 29150

Salley W. Elliott, Esquire
Senior Assistant Deputy Attorney General
Office of the Attorney General
PO Box 11549
Columbia, SC 29211

May 15, 2014



Robert M. Dudek
Chief Appellate Defender
1330 Lady Street, Suite 401
Columbia, South Carolina 29201
(803) 734-1330
Attorney for Appellant

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF Williamsburg
STATE VS. Arthur Moseley
AKA:
Race: 2 Sex: M Age: 37
DOB: SS#:
Address:
City, State, Zip: Florence, SC 29506
DL#: SID#:

INDICTMENT/CASE#: 2007-GS-45-0052
A/W#: H076895
Date of Offense: 3/23/2001
S.C. Code §: 16-03-0010
CDR Code #: 0116

SENTENCE SHEET

*CDL Yes No CMV Yes No Hazmat Yes No
In disposition of the said indictment comes now the Defendant who was TO: Murder / Murder

CONVICTED OF or PLEADS

in violation of § 16-03-0010 of the S.C. Code of Laws, bearing CDR Code # 0116
NON-VIOLENT VIOLENT SERIOUS MOST SERIOUS
Mandatory GPS(CSC w/minor 1st or Lewd Act) §17-25-45

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

ATTORNEY: Kimberly V. Barr, Kimberly V. Barr, Defendant, Attorney for Defendant, SC Bar# 8443

WHEREFORE, the Defendant is committed to the State Department of Corrections, County Detention Center,
for a determinate term of 50 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

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

CONCURRENT or CONSECUTIVE to sentence on: All sentenced today
The Defendant is to be given credit for time served pursuant to S.C. Code § 24-13-40 to be calculated and applied
by the State Department of Corrections.
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: \$
Payment Terms:
Set by SCDPPPS

Recipient:
*Fine:
§ 14-1-206 (Assessments 107.5 %)
§ 14-1-211(A)(1) (Conv. Surcharge) \$100
§ 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
§ 14-1-213 (Drug Court Surcharge) \$150
§ 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 \$

Other: A CERTIFIED TRUE COPY
SELARON W. STAGGERS
CLERK OF COURT
WILLIAMSBURG COUNTY
Appointed PD or appointed other counsel, § 47.12 requires \$500 be paid to Clerk during probation.

Clerk of Court/ Deputy Clerk: Selaron W. Staggers
Court Reporter: Crystal Norment
Presiding Judge:
Judge Code: 2143
Sentence Date: 1/31/14

COUNTY OF Williamsburg
STATE VS.

INDICTMENT/CASE#: 2007-GS-45-0052

Arthur Moseley

A/W#: H076896

AKA: _____

Date of Offense: 3/23/2001

Race: 2 Sex: M Age: 37

S.C. Code § : 16-11-0330(B)

DOB: _____ SS#: _____

CDR Code #: 0026

Address: _____

City, State, Zip: Florence, SC 29506

SENTENCE SHEET

DL#: _____ SID#: _____

*CDL Yes No CMV Yes No Hazmat Yes No

CONVICTED OF or PLEADS

In disposition of the said indictment comes now the Defendant who was TO: Robbery / Attempted armed, or allegedly armed, robbery

in violation of § 16-11-0330(B) of the S.C. Code of Laws, bearing CDR Code # 0026

NON-VIOLENT VIOLENT SERIOUS MOST SERIOUS Mandatory GPS(CSC w/minor 1st or Lewd Act) §17-25-45

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.

ATTORNEY: Kimberly V. Barr 8443 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 20 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 _____

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

CONCURRENT or CONSECUTIVE to sentence on: All sentences today § 24-13-40 to be calculated and applied

The Defendant is to be given credit for time served pursuant to S.C. Code by the State Department of Corrections.

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

Total: \$ _____ plus 20% fee: \$ _____

Payment Terms: _____

Set by SCDPPPS _____

Recipient: _____

*Fine: _____ \$ _____

§ 14-1-206 (Assessments 107.5 %) \$ _____

§ 14-1-211(A)(1) (Conv. Surcharge) \$100 \$ _____

§ 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 \$ _____

§ 14-1-213 (Drug Court Surcharge) \$150 \$ _____

§ 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 \$ _____

PTUP _____

_____ days/hours Public Service Employment

Obtain GED

Attend Voc. Rehab. or Job Corp. _____

May serve W/E beginning _____

Substance Abuse Counseling

Random Drug/Alcohol testing

Fine may be pd. in equal, consecutive weekly/monthly

pmts. of \$ _____ beginning _____

\$ _____ paid to Public Defender Fund

Other: _____

A CERTIFIED TRUE COPY

Sharon W. Staggers
SHARON W. STAGGERS

Appointed PD or appointed other counsel. § 47.12 requires \$500 to be paid to Clerk of Court during probation.

Presiding Judge _____

Judge Code: 2143

Sentence Date: 1/3/14

Clerk of Court/ Deputy Clerk

Court Reporter: Crystal Holmes

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF Williamsburg
STATE VS. Arthur Moseley
AKA:
Race: 2 Sex: M Age: 37
DOB: SS#:
Address:
City, State, Zip: Florence, SC 29506
DL#: SID#:

INDICTMENT/CASE#: 2007-GS-45-0052
A/W#: H076897
Date of Offense: 3/23/2001
S.C. Code §: 16-23-0490
CDR Code #: 0549

SENTENCE SHEET

*CDL Yes No CMV Yes No Hazmat Yes No

In disposition of the said indictment comes now the Defendant who was TO: Weapons / Poss. weapon during violent crime, if not also sentenced to life without parole or death

in violation of § 16-23-0490 of the S.C. Code of Laws, bearing CDR Code # 0549
NON-VIOLENT VIOLENT SERIOUS MOST SERIOUS Mandatory GPS(CSC w/minor 1st or Lewd Act) §17-25-45

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

ATTEST: Kimberly V. Barr 8443
Bar, Kimberly 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 5 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

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

CONCURRENT or CONSECUTIVE to sentence on: All sentences
The Defendant is to be given credit for time served pursuant to S.C. Code § 24-13-40 to be calculated and applied
by the State Department of Corrections.
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
Total: \$ plus 20% fee: \$
Payment Terms:
Set by SCDPPPS

Table with columns for Recipient, *Fine, and various assessment codes (e.g., § 14-1-206, § 14-1-211(A)(1), § 14-1-211(A)(2), § 56-5-2995, § 56-1-286, Proviso 47.9, § 14-1-212, § 14-1-213, § 50-21-114, § 56-5-2942(J), Proviso 90.5, 3% to County) and their corresponding amounts.

Clerk of Court/ Deputy Clerk: Shannon W. Staggers
Court Reporter: Crystal Wormis
SCCA/217 (03/2011)

PTUP
days/hours Public Service Employment
Obtain GED
Attend Voc. Rehab. or Job Corp.
May serve W/E beginning
Substance Abuse Counseling
Random Drug/Alcohol testing
Fine may be pd. in equal, consecutive weekly/monthly pmts. of \$ beginning
\$ paid to Public Defender Fund
Other:
Appointed PD or appointed other counsel, § 47.12 requires \$500 be paid to Clerk during probation.

Presiding Judge: [Signature]
Judge Code: 2143
Sentence Date: 1/31/14

SHANNON W. STAGGERS
CLERK OF COURT
WILLIAMSBURG COUNTY

COUNTY OF Williamsburg
STATE VS.

INDICTMENT/CASE#: 2007-GS-45-0052
A/W#: H076896 DIRECT PRESENTMENT (pb)
Date of Offense: 3/23/2001
S.C. Code § : 16-17-0410
CDR Code #: 0049

AKA: _____
Race: 2 Sex: M Age: 37
DOB: _____ SS#: _____
Address: _____
City, State, Zip: Florence, SC 29506
DL#: _____ SID#: _____

SENTENCE SHEET

*CDL Yes No CMV Yes No Hazmat Yes No
In disposition of the said indictment comes now the Defendant who was
TO: Conspiracy / Criminal Conspiracy, Common Law conspiracy defined

CONVICTED OF or PLEADS

in violation of § 16-17-0410 of the S.C. Code of Laws, bearing CDR Code # 0049
 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.

ATTES: Kimberly V. Barr 8443 Defendant _____ Attorney for Defendant _____ SC Bar#
Barr, Kimberly V 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 5 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 _____

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

CONCURRENT or CONSECUTIVE to sentence on: All sentences today § 24-13-40 to be calculated and applied
 The Defendant is to be given credit for time served pursuant to S.C. Code by the State Department of Corrections.
 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
Total: \$ _____ plus 20% fee: \$ _____
Payment Terms: _____
 Set by SCDPPPS _____

PTUP _____ days/hours Public Service Employment
Obtain GED
Attend Voc. Rehab. or Job Corp. _____
May serve W/E beginning _____
Substance Abuse Counseling
Random Drug/Alcohol testing
Fine may be pd. in equal, consecutive weekly/monthly
pmts. of \$ _____ beginning _____

Recipient: _____
*Fine: _____ \$ _____

§ 14-1-206 (Assessments 107.5 %)		\$
§ 14-1-211(A)(1) (Conv. Surcharge)	\$100	\$
§ 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	\$
§ 14-1-213 (Drug Court Surcharge)	\$150	\$
§ 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		\$

\$ _____ paid to Public Defender Fund
Other: A GUARANTEED TRUE COPY
Sharon W. Staggers
SHARON W. STAGGERS
CLERK OF COURT
WILLIAMSBURG COUNTY
 Appointed PD or appointed other counsel
§ 47.12 requires \$500 be paid to Clerk during probation.

Clerk of Court/ Deputy Clerk: Sharon W. Staggers
Court Reporter: Cynthia Holmes
SCCA/217 (03/2011)

Presiding Judge: _____
Judge Code: _____
Sentence Date: 1/31/14 2143