

ORIGINAL

STATE OF SOUTH CAROLINA)
)
)
vs.)
)
)
Margaret Marie Driggers,)
)
)
Defendant.)
_____)


STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS
Indictment Nos.: 2014-GS-32-00897
2014-GS-32-00898
2014-GS-32-00899

RULE 203(B) EXPLANATION

Pursuant to Rule 203(B)(iv), the undersigned asserts that she does not have a good faith basis to believe that any issues are properly before the Court of Appeals, and the undersigned did file a motion to reconsider the sentence which was heard and denied on May 6, 2014. Nevertheless, the undersigned consulted with the Appellant about her right to appeal, and after consultation, the undersigned has filed the instant appeal at the request of the Appellant because the Sixth Amendment requires counsel to follow the Appellant's request. *See Frazer v. South Carolina*, 430 F.3d 696, 706 (4th Cir. 2005) ("A defendant has a right to pursue a direct appeal, even if frivolous, which counsel must assist as 'an active advocate on behalf of his client.'") (quoting *Anders v. California*, 386 U.S. 738, 744 (1967)).

Respectfully submitted,

THE LAW OFFICE OF EMILY B. HOWARD, LLC



Emily B. Howard, Attorney for Defendant
S.C. Bar Number 74981
203 West Main Street, Suite F-2
Lexington, South Carolina 29072
Telephone: 803.957.5200

May 14, 2014
Lexington, South Carolina

STATE OF SOUTH CAROLINA

COUNTY OF Lexington
STATE VS.

Margaret Marie Driggers

AKA:

Race: White Sex: F Age: 29

DOB: SS#: [REDACTED]

Address: 4533 Corbett Street

City, State, Zip: Columbia, SC 29209

DL#: 011402335 SID#: SC01693501

*CDL Yes No CMV Yes No Hazmat Yes No

In disposition of the said indictment comes now the Defendant who was TO: Burglary / Burglary - First degree

IN THE COURT OF GENERAL SESSIONS

INDICTMENT/CASE#: 2014GS3200899

A/W#: 2014GS3200899

Date of Offense: 6/26/2011

S.C. Code § : 16-11-0311

CDR Code #: 0079

SENTENCE SHEET

CONVICTED OF or PLEADS

in violation of § 16-11-0311 of the S.C. Code of Laws, bearing CDR Code # 0079.
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: David S. G... Solicitor 11450 SC Bar# [Signature] Defendant [Signature] Attorney for Defendant 74981 SC Bar#

WHEREFORE, the Defendant is committed to the State Department of Corrections, County Detention Center,
for a determinate term of 30 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: 2014-GS-32-897 + 898
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. Credit for 472 days time served.
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 MAY 16 2014
days/hours Public Service Employment

Total: \$ plus 20% fee: \$
Payment Terms:
Set by SCDPPPS

Recipient:

Table with 2 columns: Description and Amount. Includes items like § 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, § 56-21-114(B) (DUI Breath Test Fee) \$50, § 56-5-2942(J) (Vehicle Assessment) \$40/ea, Proviso 90.5 (SCCA Surcharge) \$5, 3% to County (if paid in installments) \$, TOTAL \$135.00

Clerk of Court/ Deputy Clerk Beth Carrigan
Court Reporter: C. Thorne
SCCA/217 (03/2011)

RECEIVED
SC Court of Appeals
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:
Lex. Co. C.C.P., G.S. & E.C.

Appointed PD or appointed other counsel, § 47.12 requires \$500 be paid to Clerk during probation.
Presiding Judge [Signature]
Judge Code: 2141
Sentence Date: 4-11-2014

IN THE COURT OF GENERAL SESSIONS

STATE OF SOUTH CAROLINA

COUNTY OF Lexington
STATE VS.

Margaret Maric Driggers

AKA:

Race: White Sex: F Age: 29
DOB: SS#:

Address: 4533 Corbett Street
City, State, Zip: Columbia, SC 29209

DL#: 011402335 SID#: SC01693501

*CDI. Yes [] No [] CMV Yes [] No [] Hazmat Yes [] No []

In disposition of the said indictment comes now the Defendant who was

TO: Robbery / Armed Robbery, robbery while armed or allegedly armed with a deadly weapon

in violation of § 16-11-0330(A) of the S.C. Code of Laws, bearing CDR Code # 0139
[] NON-VIOLENT [X] VIOLENT [] SERIOUS [X] MOST SERIOUS [] Mandatory GPS(CSC w/minor 1st or Lewd Act) [] §17-25-45

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

ATTEST: David S. Graham Solicitor 11650 SC Bar#
Defendant Attorney for Defendant 74981 SC Bar#

WHEREFORE, the Defendant is committed to the [X] State Department of Corrections, [] County Detention Center,
for a determinate term of 30 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.

[X] CONCURRENT or [] CONSECUTIVE to sentence on: 2014 GS-32-897+899
[X] 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. Credit for 472 days time served.
[] 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 SCDPPS
Obtain GED []
Attend Voc. Rehab. or Job Corp.

Recipient:
May serve W/E beginning
Substance Abuse Counseling []

*Finc:
§ 14-1-206 (Assessments 107.5%) \$
§ 14-1-211(A)(1) (Conv. Surcharge) \$100 \$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 \$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 \$5
3% to County (if paid in installments) \$
TOTAL \$130

Other: \$ paid to Public Defender Fund
A TRUE COPY

Lex. Co. C.C.P., G.S. & E.C.

[] Appointed PD or appointed other counsel, § 47.12 requires \$500 be paid to Clerk during probation.

Presiding Judge
Judge Code: 2141
Sentence Date: 4-11-2014

Clerk of Court/ Deputy Clerk Beth Carrigg
Court Reporter: C. Thorne

SCCA/217 (03/2011)

STATE OF SOUTH CAROLINA

COUNTY OF Lexington
STATE VS.

Margaret Marie Driggers

AKA:

Race: White Sex: F Age: 29

DOB: [REDACTED] SS#: [REDACTED]

Address: 4533 Corbett Street

City, State, Zip: Columbia, SC 29209

DL#: 011402335 SID#: SC01693501

*CDI. Yes No CMV Yes No Hazmat Yes No

In disposition of the said indictment comes now the Defendant who was
TO: Manslaughter / Voluntary manslaughter

IN THE COURT OF GENERAL SESSIONS

INDICTMENT/CASE#: 2014GS3200897

A/W#: 2014GS3200897

Date of Offense: 6/26/2011

S.C. Code § : 16-03-0010

CDR Code #: 0116

SENTENCE SHEET

CONVICTED OF or PLEADS

in violation of § 16-03-0050 of the S.C. Code of Laws, bearing CDR Code # 0217
 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.
ATTENT: Concurrent range 5-30

Daniel S. Gish 11450 [Signature] [Signature] 74991
Solicitor 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 30 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: 2014-65-32-898 + 899
 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. Credit for 472 days time served
 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	\$ 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	\$
§ 50-21-114(B)(1) (Breath Test Fee)	\$50	\$
§ 56-5-2942(I) (Vehicle Assessment)	\$40/ea	\$
Proviso 90.5 (SCCA Surcharge)	\$5	\$ 5.00
3% to County (if paid in installments)		\$
TOTAL		\$ 130.00

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

PTUP _____
_____ days/hours Public Service Employment
Obtain GED
Attend Voc. Rehab. or Job Corp. _____
May serve W/F 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: Tex. Co. C.C.P., G.S. & F.O.

A TRUE COPY

Appointed PD or appointed other counsel
§ 47.12 requires \$500 be paid to Clerk
during probation.
Presiding Judge [Signature]
Judge Code: 2191
Sentence Date: 4-11-2014

WITNESSES

Lexington County Sheriffs Department

J Chappell

Law Enforcement Case #: 11024110

DSG

ARREST WARRANT NUMBER

11-STR-00065

ACTION OF GRAND JURY

TRUE BILL

Foreperson of Grand Jury

Date: 3/10/14

VERDICT

Foreperson of Petit Jury

Date:

DOCKET NO. 2014GS3200899

The State of South Carolina

County of Lexington

COURT OF GENERAL SESSIONS

MARCH TERM 2014

THE STATE

vs.

Margaret Marie Driggers

CDR #: 0079

Indictment for

Burglary 1st

§ 16-11-0311(A)(1)(a)(b)(c)(d)(3)

DONALD V. MYERS, SOLICITOR

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

WITNESSES

Lexington County Sheriffs Department

J Chappell

Law Enforcement Case #: 11024110

DSG

ARREST WARRANT NUMBER

13-STR-00110

ACTION OF GRAND JURY

TRUE BILL

Foreperson of Grand Jury

Date: 3/10/14

VERDICT

Foreperson of Petit Jury

Date:

DOCKET NO. 2014GS3200898

The State of South Carolina

County of Lexington

COURT OF GENERAL SESSIONS

MARCH TERM 2014

THE STATE

vs.

Margaret Marie Driggers

CDR #: 0139

Indictment for

Armed Robbery

§ 16-11-0330(A)

DONALD V. MYERS, SOLICITOR

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

WITNESSES

Lexington County Sheriffs Department

J. Chappell

Law Enforcement Case #: 11024110

DSC

ARREST WARRANT NUMBER

M302882

ACTION OF GRAND JURY

Foreperson of Grand Jury
Date: 3/10/14

VERDICT

Foreperson of Petit Jury
Date:

DOCKET NO. 2014GS3200897

The State of South Carolina

County of Lexington

COURT OF GENERAL SESSIONS

MARCH TERM 2014

THE STATE

vs.

Margaret Marie Driggers

CDR #: 0116

Indictment for

Murder

§ 16-03-0010; 16-03-0020

DONALD V. MYERS, SOLICITOR

A TRUE COPY

Lex. Co. C.C.P., C.S. & F.C.