

STATE OF SOUTH CAROLINA )  
)  
)  
vs. )  
)  
)  
PHILLIP LEONARD LEGETE, )  
)  
)  
Defendant. )  
\_\_\_\_\_ )

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

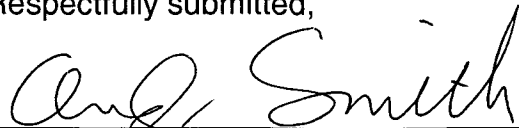
Indictments #: 2014-GS-02-00444  
2012-GS-02-01516

**RECEIVED**  
JUN 30 2014  
SC Court of Appeals

**RULE 203(B) EXPLANATION**

Pursuant to Rule 203(B)(2) of the South Carolina Rules of Appellate Practice, the undersigned asserts that he does not have a good faith basis to believe that any issues are properly before the Court of Appeals, and the undersigned did not object to the sentence or file a motion to reconsider the sentence. Nevertheless, the undersigned consulted with the Appellant about his 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 (4<sup>th</sup> 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,



Andrew Smith  
2<sup>nd</sup> Circuit Assistant Public Defender  
Post Office Drawer 2247  
Aiken, SC 29802  
(803) 642-1732

Aiken, South Carolina  
June 24, 2014

**OFFICE OF THE SECOND JUDICIAL CIRCUIT PUBLIC DEFENDER**  
**410 Barnwell Avenue N.W.**  
**Post Office Box 2247**  
**Aiken, South Carolina 29802**

June 24, 2014

South Carolina Commission  
On Indigent Defense  
Attention: Lorie French  
P. O. Box 11589  
Columbia, SC 29211

RE: NOTICE OF INTENT TO APPEAL  
PHILLIP LEONARD LEGETTE  
2014-GS-02-00444 / 2012-GS-02-01516

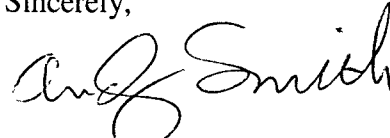
Dear Mrs. French:

Please find enclosed copies of Notice of Intent to Appeal, Indictments 2014-GS-02-00444, Form 9's to accompany 2012-GS-02-01516, Arrest Warrants, Sentence Sheets, defendant's affidavit of indigency and the Rule 203 (B) Explanation.

Phillip Legette pled guilty and was convicted of Shoplifting and Probation Violation and was sentenced on June 18, 2014 before the Honorable W. Jeffrey Young. Ms. Cheri Young served as the Court Reporter. Her address is P. O. Box 5232, Aiken, SC 29804.

I am available to discuss this case if you so desire.

Sincerely,



Andrew Smith  
Assistant Public Defender

AS:tpc  
Enclosure

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF Aiken VS. STATE

INDICTMENT/CASE#: 2014GS0200444
A/W#: 2013A0210900277
Date of Offense: 12/27/2013
S.C. Code § 16-13-0110(A) (16-1-57)
CDR Code # 2877

Phillip Leonard Legette
AKA: Jessie Abraham Legette
Race: Black Sex: M Age: 38
DOB: 5#
Address:
City, State, Zip: Aiken, SC 29801-3953
DL#: SID# SC00548370

SENTENCE SHEET 0-10 years

\*CDL Yes [ ] No [x] CMV Yes [ ] No [x] Hazmat Yes [ ] No [x]
In disposition of the said indictment comes now the Defendant who was TO Shoplifting / Value \$2000 or less (Enhancement per 16-01-0057)

[ ] CONVICTED OF or [x] PLEADS

in violation of § 16-13-0110(A) (16-1-57) of the S.C. Code of Laws, bearing CDR Code # 2877
[x] NON-VIOLENT [ ] VIOLENT [ ] SERIOUS [ ] MOST SERIOUS [ ] Mandatory GPS(CSC w/minor 1st or Lewd Act) [ ] §17-25-45

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

ATTORNEY: Sheftali, Virginia Lauren SC Bar# 100435 Defendant
Attorney for Defendant: [Signature] SC Bar# 80294

WHEREFORE, the Defendant is committed to the [x] State Department of Corrections, [ ] County Detention Center,
for a determinate term of 3 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.
[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.

[ ] 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

\_\_\_ 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

Table with 3 columns: Description, Amount, Total. 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, § 50-21-114 (BUI Breath Test Fee) \$50, § 56-5-2942(J) (Vehicle Assessment) \$40/ca, Proviso 90 5 (SCJA Surcharge) \$5, 3% to County (if paid in installments) \$3.90, TOTAL \$133.90

[ ] Appointed PD or appointed other counsel, § 47 12 requires \$500 be paid to Clerk during probation

Clerk of Court/ Deputy Clerk: Ann Sanders
Court Reporter: Cheri Young
SCCA/217 (03/2011)

Presiding Judge: [Signature]
Judge Code: A156
Sentence Date: June 18, 2014

STATE OF SOUTH CAROLINA
COUNTY OF AIKEN
I, Lili Goddard, Clerk of Court, do hereby certify that the foregoing constitutes a true and correct copy of the original document which has been filed in my office this 24 day of June 2014.
Lili Goddard
C.C.P. & G.A. Aiken County, SC
Deputy Clerk: Angel Niles am

WITNESSES

North Augusta Dept. of Public Safety

L. A Turner

Law Enforcement Case # 13-003440

DOCKET NO. 2014GS0200444

The State of South Carolina

County of Aiken

VLS

ARREST WARRANT NUMBER

2013A0210900277

FILED April 10, 2014

Liz Godard  
CLERK  
Robert Wade  
Deputy Clerk

COURT OF GENERAL SESSIONS

APRIL TERM 2014

THE STATE

vs.

PHILLIP LEONARD LEGETTE

ACTION OF GRAND JURY

true bill

[Signature]

Robert Wade

Foreperson of Grand Jury

Date April 10, 2014

VERDICT

CDR #: 2877

Indictment for

SHOPLIFTING

§ 16-13-0110(A) (16-1-57)

J. STROM THURMOND, SOLICITOR

STATE OF SOUTH CAROLINA  
COUNTY OF AIKEN  
I, Liz Godard, Clerk of Court of Common Pleas and General  
Sessions for Aiken County, South Carolina do hereby certify  
that the foregoing constitutes a true and correct copy of the  
original documents which have been filed in my office this

24 day of June 2014

Liz Godard  
CLERK

Angel Miles am  
Deputy Clerk

Foreperson of Petit Jury  
Date:

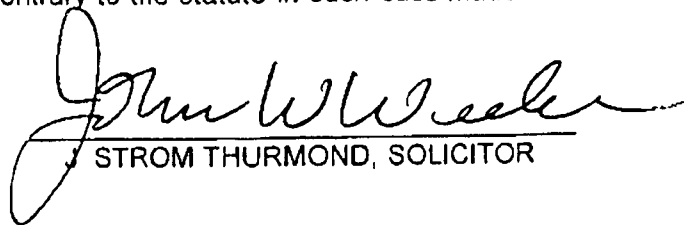
STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF AIKEN )  
 )

INDICTMENT FOR  
SHOPLIFTING  
§ 16-13-0110(A) (16-1-57)

At a Court of General Sessions, convened on April 14, 2014, the Grand Jurors of Aiken County present upon their oath

That PHILLIP LEONARD LEGETTE did in Aiken County on or about December 27, 2013, take possession, carry away, transfer to another area of the store, alter, transfer or remove the price label or tag, transfer from its container to another container; and/or wilfully conceal certain merchandise valued at less than Two Thousand Dollars, ~~to-wit: a Razor brand battery powered scooter and two Peg-Pergo brand Polaris Outlaw~~ battery powered vehicles, displayed, held, stored or offered for sale by Walmart, a store or retail mercantile establishment with the intention of depriving the merchant of the possession, use or benefit of the merchandise without paying the full retail value. The Defendant having previously been twice convicted of offenses for which the term of imprisonment was contingent upon the value of the property involved All in violation of §16-13-110 of the Code of Laws of South Carolina (1976), as amended.

Against the peace and dignity of the State, and contrary to the statute in such case made and provided

  
STROM THURMOND, SOLICITOR

2013A0210900277

STATE OF SOUTH CAROLINA

County/  Municipality of

Aiken

THE STATE 13-003440  
against

Phillip Leonard Legette

Address

Aiken, SC 29801-3953

Phone \_\_\_\_\_  
Sex M Race \_\_\_\_\_ Height 5 8 Weight 220

DL State SC DL # \_\_\_\_\_  
DOB \_\_\_\_\_ Agency ORI # SC0020300

Prosecuting Agency North Augusta Police Department

Prosecuting Officer L A Turner - 276

Offense Shoplifting / Value \$2000 or less (Enhancement per 16-01-0057)

Offense Code 2877

Code/Ordinance Sec 16-13-0110(A)

This warrant is **CERTIFIED FOR SERVICE** in the  
 County/  Municipality of

The accused is to be arrested and brought before me to be dealt with according to the law

(L S)

Signature of Judge

Date \_\_\_\_\_

RETURN

A copy of this arrest warrant was delivered to defendant Phillip Legette on 12-28-13

Sgt. [Signature] 1045  
Signature of Constable/Law Enforcement Officer

RETURN WARRANT TO  
General Sessions  
P O Box 583  
109 Park Avenue  
Aiken, SC 29802

ORIGINAL

ORIGINAL

ORIGINAL

ORIGINAL

STATE OF SOUTH CAROLINA

County/  Municipality of

Aiken

Personally appeared before me the affiant L A Turner

being duly sworn deposes and says that defendant Phillip Leonard Legette

did within this county and state on or about 12/27/2013

State of South Carolina (or ordinance of  County/  Municipality of Aiken)

violate the criminal laws of the State of South Carolina in the following particulars  
DESCRIPTION OF OFFENSE Shoplifting / Value \$2000 or less (Enhancement per 16-01-0057)

I further state that there is probable cause to believe that the defendant named above did commit the crime set forth and that probable cause is based on the following facts

That on December 27 2013 at Walmart in the city of North Augusta county of Aiken one Phillip Leonard Legette did take possession of and/or carry away merchandise valued at \$2 000 or less merchandise of Walmart with the intention of depriving the merchant of the possession of such merchandise without paying the full retail value The defendant has at least two prior convictions for this offense

Signature of Affiant

STATE OF SOUTH CAROLINA

County/  Municipality of

Aiken

Affiant's Address 454 E Buena Vista Avenue

North Augusta, SC 29841-

Affiant's Telephone \_\_\_\_\_

ARREST WARRANT

TO ANY LAW ENFORCEMENT OFFICER OF THIS STATE OR MUNICIPALITY OR ANY CONSTABLE OF THIS COUNTY

It appearing from the above affidavit that there are reasonable grounds to believe that

on or about 12/27/2013 defendant Phillip Leonard Legette

did violate the criminal laws of the State of South Carolina (or ordinance of

County/  Municipality of Aiken) as set forth below

DESCRIPTION OF OFFENSE Shoplifting / Value \$2000 or less (Enhancement per 16-01-0057)

Having found probable cause and the above affiant having sworn before me, you are empowered and directed to arrest the said defendant and bring him or her before me forthwith to be dealt with according to law A copy of this Arrest Warrant shall be delivered to the defendant at the time of its execution, or as soon thereafter as is practicable

Sworn to and subscribed before me

on 12/28/2013

[Signature] (L S)  
Signature of Issuing Judge

Patrick Dorn Sullivan

Judge Code 5035

Judge's Address

New Ellenton, SC 29809

Judge's Telephone

(803)652-3609

Issuing Court  Magistrate  Municipal  Circuit  
ORIGINAL

ORIGINAL

ORIGINAL

AFFIDAVIT

ORIGINAL

Form Approved by  
S.C. Attorney General  
April 21, 2003  
SCCA 518

**STATE OF SOUTH CAROLINA**  
COUNTY OF AIKEN

Probation  
**ARREST WARRANT**

Indictment Number 12-GS-02-01516

Warrant Number W-02-13-0201

State Identification No (SID) 00548370


TO ANY LAW ENFORCEMENT OFFICER OF THIS STATE OR COUNTY OR OF THE MUNICIPALITY OF AIKEN, AND ANY CONSTABLE OF THIS MAGISTERIAL DISTRICT

It appearing from the attached affidavit that there are reasonable grounds to believe that PHILLIP LEONARD LEGETTE, did on the 31 day of December, 2013 violate the criminal laws of the State of South Carolina as set forth below

DESCRIPTION OF OFFENSE

Phillip Legette has violated conditions 1, 7, 9, 10 and special conditions of his probationary sentence ordered on November 27, 2013 in Aiken County General Sessions Court

Now, therefore, you are empowered and directed to arrest the said defendant and bring PHILLIP LEONARD LEGETTE before me forthwith to be dealt with according to law. A copy of this Arrest Warrant shall be delivered to the defendant at the time of its execution, or as soon thereafter as is practicable. Done at AIKEN, S C this 31 day of December, 2013

  
Signature of Probation and Parole Agent (L S)

County of AIKEN

**STATE OF SOUTH CAROLINA**

**AFFIDAVIT**

Personally appeared before me, one Donald E. Murphy, who, first being duly sworn, deposes and says that PHILLIP LEONARD LEGETTE did within this County and State on the 31 day of December, 2013, violate the criminal laws of the State of South Carolina in the following particulars

DESCRIPTION OF OFFENSE

Phillip Legette has violated conditions 1, 7, 9, 10 and special conditions of his probationary sentence ordered on November 27, 2013 in Aiken County General Sessions Court

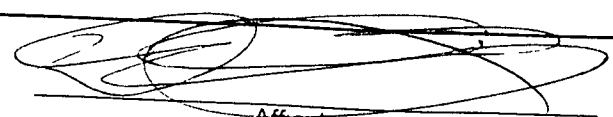
The affiant states that there is probable cause to believe that the defendant named above did commit the crime(s) set forth, and that such probable cause is based on the following facts

Phillip Legette has failed to follow the advice and instructions of his agent by Failing to report as instructed on 12/11/2013, Failing to pay the drug test fee as instructed, balance being \$20 00, Failing to pay the Court ordered Fine as instructed, balance being \$862 63 which constitutes a violation of conditions 1, 7, 9, 10 and special conditions of his probationary sentence

Sworn to and subscribed before me  
this 31 day of December, 2013

  
Signature of Notary Public (L S)

6-21-15  
My Commission Expires

  
Affrant

Address: PO BOX 2194  
AIKEN, SC 29802-2194  
AIKEN  
USA  
  
(803) 641-7690

RETURN

STATE OF SOUTH CAROLINA

COUNTY OF

AIKEN

THE STATE

against

PHILLIP LEONARD LEGETTE

INFORMATION ON DEFENDANT

Name PHILLIP LEONARD LEGETTE
Address AIKEN, SC 29801
Phone (803) 226-0586
Sex Male Race Black Height 507
Weight 220 Birth date
Social Security Number

INFORMATION ON WITNESSES

Name
Address
Phone
Name
Address
Phone
Name
Address
Phone
Name
Address
Phone

PRELIMINARY HEARING held by

Magistrate
on
with
Attorney for the Defendant

Decision
Date Set
Magistrate
Amount
Surety

BAIL
1-31-14
Cash \$1000

Constable or Law Enforcement Officer

A copy of this Arrest Warrant was delivered by me to the following defendant

Phillip L. Legette

ARREST WARRANT

Offense Violation of Conditions of Probation Supervision

Offense Section 24-21-450

Date 12/31/2013

Officer and Agency SC Department of Probation, Parole and Pardon Services

Donald E. Murphy

on the 30th day of Jan. 2014

Anthony White

Constable or Law Enforcement Officer

This Warrant is certified for service in [County of warrant Certification] County The accused is to be arrested and brought before me to dealt with according to law

Disposition

Sentence

Co-Defendants

Signature of Judge

(L S)

County of Aiken  
STATE VS.

Indictment Number: 12-GS-02-01516  
Probation C/W#s: W-02-13-0201  
Name of Original Offense: Shop lifting  
Original A/W# 2012A0211000019  
Date of Original Offense: 8/2/2012  
Conviction S.C. Code §: 16-13-0110(A) 116-1-5  
Conviction CDR Code # 2181717  
Original Sentence: 10 yrs SS upon service of 1yr and 3m  
Probation

AKA: Phillip L. Hegette  
Race: B Sex: M  
DOB: \_\_\_\_\_  
SSN: \_\_\_\_\_  
SID#: 00548370

The above named defendant has been charged with violating the conditions of probation ordered on 6/10/13 in the Court of General Sessions of Aiken County, and/or the additional conditions ordered by the Court in probation continuation orders(s) issued on 3/17/14, as set forth in the attached warrant(s) or citation(s) dated 12/31/13. After hearing the evidence and being duly advised, in the (presence/absence) of the defendant, I find that the above named defendant has violated the following condition(s) of probation: (List by number or indicate special conditions as provided in the affidavit) 1, 7, 9, 10 and special conditions

Therefore, IT IS ORDERED that:

- the suspended sentence be revoked and the above named defendant be required to serve 6 months/years, the remainder of the original sentence, and/or pay \$ \_\_\_\_\_.
- the suspended sentence be revoked and the above named defendant be required to serve \_\_\_\_\_ months/years of the original sentence and/or pay \$ \_\_\_\_\_, thereupon to be reinstated on probation, subject to the conditions set forth in the attached order and not inconsistent with this order.
- the above named defendant is continued on probation as provided for in the original sentence, subject to the conditions set forth therein and not inconsistent with this order.
- probation is reduced to time served under supervision and the defendant is discharged from supervision on this date.
- the above named defendant is placed on active electronic monitoring pursuant to §23-3-540 (mandatory if convicted of first degree criminal sexual conduct with a minor or lewd act, discretionary if convicted of any other applicable sex offense against a minor).
- Financial Obligations Order satisfies.
  - Department fees (arrearage)
  - Fines and other fees (arrearage/balance)
  - Restitution (and 20%) (arrearage/balance)
 Civil judgment:
  - Department fees
  - Fines and other fees
  - Restitution (and 20%)
- Additional Conditions ordered by the Court.  
Probation not to be reinstated; exempt supervision and drug test fee order  
Civil Judgment for fines.
- The defendant is given credit for pre-revocation hearing detention time on current probation violation to be calculated and applied by the SC Department of Corrections
- The defendant has previously served 174 days months/years on this sentence.  
(split sentence time and/or prior partial revocation time)
- The defendant was previously placed on active electronic monitoring pursuant to §23-3-540.

This 18 day of June, 2014  
Aiken, SC

[Signature]  
Presiding Judge  
Judicial Circuit

You are hereby advised that under the law the Court may at any time revoke or modify any condition of this probation, impose any lawful conditions it deems proper, or extend your period of probation not to exceed five (5) years. At any time within the period of your probation, the Court may require you to serve any part of the original sentence imposed. This is to certify that I have read, or have had read to me, the order and the conditions set out therein. I agree to comply with such conditions and the conditions of my attached probation order during the period of my probation. I have received a copy of this Court's order and all attachments.

Offender's Signature [Signature]  
Signed this 18 day of June, 2014  
Day Month Year

Witnessed by [Signature]  
Aiken SC  
City

Andy

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF AIKEN ) AFFIDAVIT OF INDIGENCY AND  
 APPLICATION FOR APPOINTED COUNSEL

STATE VS Phillip Leonard Lyall  
ARREST WARRANT / TICKET & CHARGE VIOL 1509 0019 - 3010 to 01-01-11, 1st Probation

1 ARE YOU PRESENTLY EMPLOYED? YES \_\_\_ NO ✓ If yes, Please state the name and address of your employer and the amount of your salary or wages per month and/or week

NAME \_\_\_\_\_ ADDRESS \_\_\_\_\_

NET WAGES \$ \_\_\_\_\_ WEEKLY / BI-WEEKLY / MONTHLY

If No, please state the name and address of your former employer, date of termination and the amount of your salary or wages

EMPLOYER \_\_\_\_\_

NET WAGES \$ \_\_\_\_\_ WEEKLY / BI WEEKLY / MONTHLY DATE OF TERMINATION \_\_\_\_\_

2 HOUSEHOLD MEMBER(S) EMPLOYER (if applicable) \_\_\_\_\_

NET WAGES \$ \_\_\_\_\_ WEEKLY / BI-WEEKLY / MONTHLY

3 Have you or household member(s) received within the past twelve months any money from any of the following sources?

- a. Business, Profession or Self-Employment? Yes \_\_\_ No \_\_\_
- b. Rent Payments, Interest or Dividends? Yes \_\_\_ No \_\_\_
- c. Pensions, Annuities or Life Insurance Payments? Yes \_\_\_ No \_\_\_
- d. Gifts or Inheritance? Yes \_\_\_ No \_\_\_
- e. Any Other Source (including Unemployment, Retirement, Disability and/or Food Stamps)? Yes ✓ No \_\_\_

If the answer to any question above is 'Yes' please list the source of the money and the amount received within the last 12 months

SOURCE Disability AMOUNT 7

4 LIST BY NAME, AGE AND RELATIONSHIP TO YOU, ANY PERSONS WHO ARE DEPENDENT UPON YOU FOR SUPPORT INDICATE BESIDE EACH HOW MUCH YOU CONTRIBUTE TOWARD THEIR SUPPORT

NAME _____	AGE _____	RELATIONSHIP _____	AMOUNT \$ _____
NAME _____	AGE _____	RELATIONSHIP _____	AMOUNT \$ _____
NAME _____	AGE _____	RELATIONSHIP _____	AMOUNT \$ _____

5 DO YOU HAVE CASH, OR DO YOU HAVE ANY MONEY IN A CHECKING OR SAVINGS ACCOUNT  
CASH \$ 0 CHECKING \$ 0 SAVINGS \$ 0

6 DO YOU OWN ANY REAL ESTATE, STOCKS, BONDS, NOTES OR OTHER VALUABLE PROPERTY, EXCLUDING ORDINARY HOUSEHOLD FURNISHINGS AND CLOTHING? YES \_\_\_ NO ✓

PLEASE SPECIFY \_\_\_\_\_

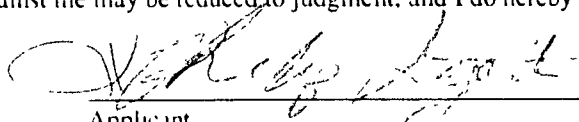
7 LIST THE TYPE OF VEHICLE(S) YOU OWN (YEAR, MAKE, MODEL) \_\_\_\_\_  
 PAID FOR? YES \_\_\_\_\_ NO \_\_\_\_\_ AMOUNT OF PAYMENT(S) \$ \_\_\_\_\_  
 8 DO YOU OR HOUSEHOLD MEMBER PAY RENT OR MORTGAGE? \_\_\_\_\_  
 9 AMOUNT OF DEBTS, LIENS, MORTGAGES, ETC ? \_\_\_\_\_  
 \_\_\_\_\_ AMOUNT \$ \_\_\_\_\_

I do solemnly swear that the information reported by me for this application for counsel does contain a true and full account of all my real and personal estate, debts, credits and effects whatsoever without exception, which I or any person in trust for me have or at the time of my possession had, or am, or was in any way respect, entitled to, in possession, remainder or reversion, and that I have not at any time since charges were made against me or before, directly or indirectly sold, leased, assigned, or otherwise disposed of any property, or made over in trust for myself or otherwise, other than mentioned herein

**I understand that the appointment of counsel creates a claim against the assets and estate of the person who is provided counsel or the parents or legal guardians of a juvenile in the amount equal to the costs of representation less the amount paid to appointed counsel, the public defender office and/or the Commission on Indigent Defense. I understand such claim shall be filed in the Office of the Clerk of Court where I, my child, or ward are assigned counsel, but that the filing of a claim shall not constitute a lien against my real or personal property unless, in the discretion of the Court, part or all of such a claim is reduced to judgment by appropriate Order of the Court, after serving me with at least thirty (30) ~~days-notice-that judgment-will-be-entered.~~**

*I understand that pursuant to §17-3-30(b), I am required to pay a non-refundable \$40.00 application fee to the Public Defender's Office for public defender services or other appointed counsel.*

I am financially unable to employ counsel and request that counsel be assigned to represent me I understand that I am entitled to at least 30 days notice before a claim against me may be reduced to judgment, and I do hereby waive the right to such notice

  
 \_\_\_\_\_  
 Applicant

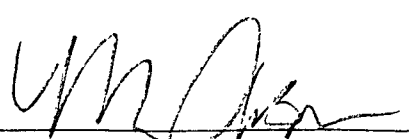
Sworn to before me this 15 day of February, 2014

W. C. [unclear] Notary Public for South Carolina My commission expires 8.21.20

RACE W SEX M AGE 32  IN JAIL  OUT ON BOND  
 SSN. \_\_\_\_\_ DATE OF ARREST \_\_\_\_\_  
 DATE OF BIRTH \_\_\_\_\_ BOND AMOUNT \_\_\_\_\_  
 ADDRESS \_\_\_\_\_ BONDSMAN \_\_\_\_\_  
 CITY & STATE AKA \_\_\_\_\_ CO-DEFENDANTS \_\_\_\_\_  
 TELEPHONE \_\_\_\_\_

The applicant's request for counsel is hereby

GRANTED  
 DENIED

  
 \_\_\_\_\_  
 Judge/ Clerk or Deputy Clerk  
 DATE 2.26.14

C11104

~~STATE OF SOUTH CAROLINA~~  
AS

STATE OF SOUTH CAROLINA )  
COUNTY OF AIKEN )

AFFIDAVIT OF INDIGENCY AND  
APPLICATION FOR APPOINTED COUNSEL

STATE VS Phillip L Legett (Jessie)  
ARREST WARRANT / TICKET & CHARGE  
2013A0210900277 SL

1 ARE YOU PRESENTLY EMPLOYED? YES \_\_\_ NO  If yes, Please state the name and address of your employer and the amount of your salary or wages per month and/or week

NAME \_\_\_\_\_ ADDRESS Disabled  
NET WAGES \$ \_\_\_\_\_ WEEKLY / BI-WEEKLY / MONTHLY

If No, please state the name and address of your former employer, date of termination and the amount of your salary or wages

EMPLOYER \_\_\_\_\_  
NET WAGES \$ \_\_\_\_\_ WEEKLY / BI WEEKLY / MONTHLY DATE OF TERMINATION 1/2013

2 HOUSEHOLD MEMBER(S) EMPLOYER (if applicable): Single

NET WAGES \$ \_\_\_\_\_ WEEKLY / BI-WEEKLY / MONTHLY

3 Have you or household member(s) received within the past twelve months any money from any of the following sources?

- a. Business, Profession or Self-Employment? Yes \_\_\_ No \_\_\_
- b. Rent Payments, Interest or Dividends? Yes \_\_\_ No \_\_\_
- c. Pensions, Annuities or Life Insurance Payments? Yes \_\_\_ No \_\_\_
- d. Gifts or Inheritance? Yes \_\_\_ No \_\_\_
- e. Any Other Source (including Unemployment, Retirement, Disability and/or Food Stamps)? Yes  No \_\_\_

If the answer to any question above is 'Yes', please list the source of the money and the amount received within the last 12 months

SOURCE Dis AMOUNT 712/mo

4 LIST BY NAME, AGE AND RELATIONSHIP TO YOU, ANY PERSONS WHO ARE DEPENDENT UPON YOU FOR SUPPORT INDICATE BESIDE EACH HOW MUCH YOU CONTRIBUTE TOWARD THEIR SUPPORT

NAME _____	AGE _____	RELATIONSHIP _____	AMOUNT \$ _____
NAME _____	AGE _____	RELATIONSHIP _____	AMOUNT \$ _____
NAME _____	AGE _____	RELATIONSHIP _____	AMOUNT \$ _____

5 DO YOU HAVE CASH, OR DO YOU HAVE ANY MONEY IN A CHECKING OR SAVINGS ACCOUNT  
CASH \$ 0 CHECKING \$ 0 SAVINGS \$ 0

6 DO YOU OWN ANY REAL ESTATE, STOCKS, BONDS, NOTES OR OTHER VALUABLE PROPERTY, EXCLUDING ORDINARY HOUSEHOLD FURNISHINGS AND CLOTHING? YES \_\_\_ NO

PLEASE SPECIFY \_\_\_\_\_

7 LIST THE TYPE OF VEHICLE(S) YOU OWN (YEAR, MAKE, MODEL) \_\_\_\_\_

PAID FOR? YES \_\_\_\_\_ NO \_\_\_\_\_ AMOUNT OF PAYMENT(S) \$ \_\_\_\_\_

8. DO YOU OR HOUSEHOLD MEMBER PAY RENT OR MORTGAGE? \_\_\_\_\_

9 AMOUNT OF DEBTS, LIENS, MORTGAGES, ETC ?  
Phone Cable AMOUNT \$ 226 M

I do solemnly swear that the information reported by me for this application for counsel does contain a true and full account of all my real and personal estate, debts, credits and effects whatsoever without exception, which I or any person in tru for me have or at the time of my possession had, or am, or was in any way respect, entitled to, in possession, remainder or reversion, and that I have not at any time since charges were made against me or before, directly or indirectly sold, leased, assigned, or otherwise disposed of any property, or made over in trust for myself or otherwise, other than mentioned herein.

I understand that the appointment of counsel creates a claim against the assets and estate of the person who is provided counsel or the parents or legal guardians of a juvenile in the amount equal to the costs of representation less t amount paid to appointed counsel, the public defender office and/or the Commission on Indigent Defense. I understand such claim shall be filed in the Office of the Clerk of Court where I, my child, or ward are assigned counsel, but that th filing of a claim shall not constitute a lien against my real or personal property unless, in the discretion of the Court, p or all of such a claim is reduced to judgment by appropriate Order of the Court, after serving me with at least thirty (3 days notice that judgment will be entered.

*I understand that pursuant to §17-3-30(b), I am required to pay a non-refundable \$40.00 application fee to the Public Defender's Office for public defender services or other appointed counsel.*

I am financially unable to employ counsel and request that counsel be assigned to represent me. I understand that I a entitled to at least 30 days notice before a claim against me may be reduced to judgment, and I do hereby waive the right to s notice.

Philip Leitch  
Applicant

Sworn to before me this 10 day of Jan, 20 14  
[Signature] Notary Public for South Carolina. My commission expires 11-4-2020

RACE: B SEX M AGE 51  
SSN \_\_\_\_\_  
DATE OF BIRTH \_\_\_\_\_  
ADDRESS \_\_\_\_\_ W  
CITY & STATE Aiken SC 29801  
TELEPHONE 843 1639 2499

IN JAIL OUT ON BOND  
DATE OF ARREST: 12 28 13  
BOND AMOUNT: \_\_\_\_\_  
BONDSMAN: \_\_\_\_\_  
CO-DEFENDANTS \_\_\_\_\_

The applicant's request for counsel is hereby

GRANTED  
 DENIED

[Signature]  
Judge/ Clerk or Deputy Clerk  
DATE: 1-15-14