

GARY L. WILLIAMS
ATTORNEY AT LAW

269 WEST LAURENS STREET
LAURENS, SOUTH CAROLINA 29360

(864) 984-0061

December 9, 2014

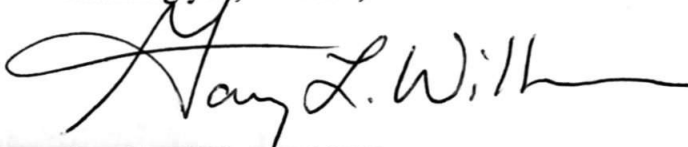
Ms. Jenny Abbott Kitchings
Clerk
The South Carolina Court of Appeals
Post Office Box 11629
Columbia, SC 29211

RE: The State v. Donald E. Shealy
Appellate Case No. 2014-002438

Dear Ms. Kitchings:

This letter is in response to your November 19, 2014 letter; and the subsequent Order of Continuance from the Deputy Clerk, V. Claire Allen. Enclosed are the redacted sentencing sheets. At this point, I don't believe there is an appealable issue; however, I filed Mr. Shealy's Notice of Intent to Appeal because Mr. Shealy had conveyed a message requesting that I do; and to preserve his right to appeal. I request that you allow him twenty (20) days in which to respond to the Court's Order. His address is Mr. Donald E. Shealy SCDC# 00100936, SID # 00227544, 4344 Broad River Road, Kirkland Correctional, Columbia, South Carolina 29210.

Thanking you, I remain,



Gary L. Williams 14293

cc: Donald E. Shealy SCDC # 00100936

Oliver Warren Mowry, Jr., Esquire (fax only)

Salley W. Elliot, Esquire (fax only)

Alan McCrory Wilson, Esquire (fax only)

Robert Michael Dudek, Esquire (fax only)

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DEC 12 2014

SC Court of Appeals

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF Laurens
STATE VS. Donald Everett Shealy
AKA:
Race: Sex: M Age: 52
DOB: SS#:
Address:
City, State, Zip:
DL#: SID#:

INDICTMENT/CASE#: 14GS30-1199
A/W#: 2013A3010101618
Date of Offense: 11/14/2013
S.C. Code §: 44-53-0376
CDR Code #: 3282

SENTENCE SHEET

*CDL Yes No CMV Yes No Hazmat Yes No

In disposition of the said indictment comes now the Defendant who was CONVICTED OF or PLEADS TO: Drugs / disposal or assisting disposal of methamphetamine waste, 1st offense

in violation of § 44-53-0376 of the S.C. Code of Laws, bearing CDR Code # 3282
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 Presentation to Grand Jury.
The plea is: Without Negotiations or Recommendation, Negotiated Sentence, Recommendation by the State.

ATTEST: Mowry, Warren SC Bar# 4124 Defendant Attorney for Defendant SC Bar# 14293

WHEREFORE, the Defendant is committed to the State Department of Corrections, County Detention Center, for a determinate term of 5 days/months/years 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: 14 GS-30 1199
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. 359 days
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 SCDPPS

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:

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, § 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) \$8.40, TOTAL \$288.40

Clerk of Court/ Deputy Clerk Lynn W. Lancaster
Court Reporter: Joy Holston
SCCA/217 (03/2011)

Presiding Judge Judge Code: 2154
Sentence Date: 11-3-14

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

TRUE COPY OF ORIGINAL
Lynn W. Lancaster
Lynn W. Lancaster
Laurens County CCCP & OS

STATE OF SOUTH CAROLINA

COUNTY OF Laurens
STATE VS.
Donald Everett Shealy
AKA:
Race: Sex: M Age: 52
DOB: SS#:
Address:
City, State, Zip:
DL#: SID#:

IN THE COURT OF GENERAL SESSIONS

INDICTMENT/CASE#: 14GS30-1198
A/W#: 2013A3010101617
Date of Offense: 11/14/2013
S.C. Code §: 44-53-0375
CDR Code #: 3199

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 Distribution PWID Methamphetamine

CONVICTED OF or PLEADS

in violation of § 44-53-0375 of the S.C. Code of Laws, bearing CDR Code # 3199
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.
The plea is: Without Negotiations or Recommendation, Negotiated Sentence, Recommendation by the State.

ATTEST: Mowry, Warren SC Bar# 4124 Defendant Donald Shealy Attorney for Defendant 14293 SC Bar#

WHEREFORE, the Defendant is committed to the State Department of Corrections, County Detention Center,
for a determinate term of 10 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 60 days/months/years and/or payment
of \$; plus costs and assessments as applicable*; the balance is suspended with probation for 30

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: 14GS-30-1199
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. Since 11-14-13 (354 days)
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: \$ 1200 plus 20% fee: 240 \$ 1440
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
prmts. of \$ beginning
\$ paid to Public Defender Fund

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, § 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) \$8.40, TOTAL \$1728.40

Other:

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

Clerk of Court/ Deputy Clerk Lynn W. Lancaster
Court Reporter: Joy Halston
SCCA/217 (03/2011)

Presiding Judge Judge Code:
Sentence Date: 11-3-14

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Laurens County CCCP & GS