

STATE OF SOUTH CAROLINA )  
)  
IN THE COURT OF APPEALS )  
)  
State of South Carolina )  
)  
-vs- )  
)  
Melodie Arlene Osborne Morris )  
)  
Defendant. )  
\_\_\_\_\_ )

Indictment No.: 2014-GS-46-0048

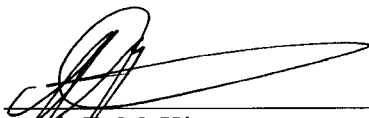
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US  
DAVID HAMILTON  
C.C. D.P. 3.00  
YORK COUNTY, SC

**RULE 203(B) EXPLANATION**

Pursuant to Rule 203(B) (iv), the issue to be raised on appeal is whether the trial court abused its discretion when it imposed the Seven year sentence upon the Appellant after she pled guilty to Leaving The Scene of an Accident.

The undersigned does not have a good faith basis to believe that this issue is 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, 705 (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,

  
\_\_\_\_\_  
Mark T. McKinnon  
P.O. Box 691  
York, South Carolina 29745  
(803) 628-3031  
Attorney for Melodie Morris

York, South Carolina

February 18, 2015

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**SC Court of Appeals**

COUNTY OF YORK  
STATE VS.

*ful*

INDICTMENT/CASE#: 2015GS4600048  
A/W: 2014A4620305563  
Date of Offense: 09/29/2014  
S.C. Code §: 56-5-1210  
CDR Code #: 2462

MELODIE ARLENE OSBORNE MORRIS  
AKA: Melodie Arlene Morris  
Race: White Sex: F Age: 40  
DOB: [redacted] 974 SS#: [redacted]  
Address: 4541 Edgeland Rd  
City, State, Zip: Edgemoor, SC 29712  
DL# 004197609 SID# SC01100320

**ORIGINAL**

SENTENCE SHEET

\*CDL Yes  No  CMV Yes  No  Hazmat Yes  No   
In disposition of the said indictment comes now the Defendant who was  
TO: **Leaving The Scene Of An Accident**  
In violation of § **56-05-1210(A)(2)** of the S.C. Code of Laws, bearing CDR Code # **2462**

CONVICTED OF or  PLEADS

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

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

ATTEST:  
*Megan Y. Fuller* 101203 *Melodie Morris* 74065  
Megan Y. Fuller Assistant 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 7 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 Service standard conditions of probation, which  
are incorporated by reference.

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 and applied by the State  
Department of Corrections. *(124 days)*  
 The Defendant is to be placed on 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: \_\_\_\_\_ Obtain GED

Set by SCDPPPS \_\_\_\_\_

Attend Voc. Rehab. Or Job Corp. \_\_\_\_\_  
May serve W/E beginning \_\_\_\_\_ *b*  
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: **RECEIVED**  
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Recipient: \_\_\_\_\_  
\*Fine: \_\_\_\_\_ \$ \_\_\_\_\_  
§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 \$ \_\_\_\_\_  
§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** \$ 100

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

Clerk of Court/Deputy Clerk: *David Hamilton*  
Court Reporter: *Carlae Butler*  
SCCA/217 (03/2011)

Presiding Judge: *[Signature]*  
Judge Bar ID: \_\_\_\_\_ Judge Code: 2168  
Sentence Date: 2-9-15

STATE OF SOUTH CAROLINA  
COUNTY OF YORK

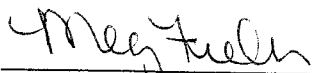
INDICTMENT

At a Court of General Sessions, convened on January 22, 2015, the Grand Jurors of York County present upon their oath:

**LEAVING THE SCENE OF AN ACCIDENT**

The defendant, Melodie Morris, did on or about September 29, 2014 in York County, drive a vehicle involved in an accident resulting in great bodily injury, and willfully and unlawfully failed to stop and remain at the scene of the accident and fulfill the requirement of Section 56-5-1230 of the Code of Laws of South Carolina (1976 as amended), relative to giving information and rendering aid. All in violation of 56-05-1210(A)(2), 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.

  
\_\_\_\_\_  
MEGAN Y. FULLER  
ASSISTANT SOLICITOR

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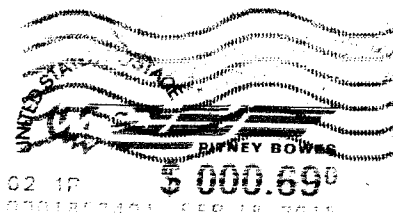
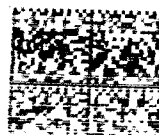
**SC Court of Appeals**



**16th JUDICIAL CIRCUIT  
PUBLIC DEFENDER OFFICE  
Moss Justice Center  
PO Box 691  
1675-1E York Hwy  
York, SC 29745-0691**

CHARLOTTE NC 282

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The Honorable Jenny Abbott Kitchings      FEB 20 2015  
Clerk of the South Carolina Court of Appeals  
P.O. Box 11629  
Columbia, South Carolina 29211

**SC Court of Appeals**

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