

STATE OF SOUTH CAROLINA

In The Court of Appeals

APPEAL FROM PICKENS COUNTY

D. Garrison Hill, Circuit Court Judge

RECEIVED
JAN 21 2014
SC Court of Appeals

THE STATE,

RESPONDENT,

v.

DONNA LYNN PHILLIPS,

APPELLANT

APPELLATE CASE NO. 2012-212663

SUPPLEMENTAL RECORD ON APPEAL

LANELLE CANTEY DURANT
Appellate Defender

ALAN WILSON
Attorney General

South Carolina Commission on Indigent Defense
Division of Appellate Defense
PO Box 11589
Columbia, SC 29211-1589
(803) 734-1330

J. BENJAMIN APLIN
Assistant Attorney General
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PO Box 11549
Columbia, SC 29211

Attorney for Appellant

Attorneys for Respondent

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WITNESSES

Rita Burgess

Pickens County Sheriff's Office

ARREST WARRANT NUMBER
DIRECT PRESENTMENT
DOB:

ACTION OF GRAND JURY

DEC 16 2008

[Signature]
Foreperson of Grand Jury

VERDICT

Foreperson of Petit Jury

Date:

DOCKET NO. 2008-GS-39-2053
WDR

The State of South Carolina

County of Pickens

COURT OF GENERAL SESSIONS

TERM 2008

THE STATE

vs.

JAMIE EDWARD MORRIS

Indictment for

2357

HOMICIDE BY CHILD ABUSE, AIDING AND
ABETTING

VIOLATION § 16-03-0085(A)(2)

STATE OF SOUTH CAROLINA)
)
COUNTY OF PICKENS)

INDICTMENT FOR
HOMICIDE BY CHILD ABUSE

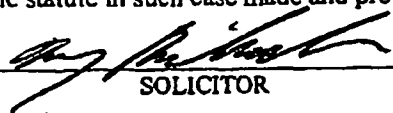
At a Court of General Sessions, convened on

the Grand Jurors of Pickens

County present upon their oath:

That JAMIE EDWARD MORRIS did in Pickens County, on or about, and/or between the dates of March 14, 2008 and March 17, 2008, knowingly aid and abet DONNA LYNN PHILLIPS to commit child abuse or neglect to Child ; a child under the age of eleven years causing the death of said child, by allowing and/or having knowledge of the said child's ingestion of excessive amounts of opiates and/or the failure to get the said child medical treatment. This is in violation of §16-3-0085(A)(2) of the South Carolina Code of Laws (1976) as amended.

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


SOLICITOR

COUNTY OF Pickens
 STATE VS.
Jamie Edward Morris
 AKA:
 Race: WHITE Sex: Age: 28
 DOB: SS#: _____
 Address:
 City, State, Zip: Easley, SC 29671
 DL#: SID#:

INDICTMENT/CASE#: 2008GS3902053
 A/W#: 2008GS3902053
 Date of Offense: 3/14/2008
 S.C. Code §: 16-03-0085
 CDR Code #: 2357

SENTENCE SHEET

Pr. 20y/s

CONVICTED OF or PLEADS

*CDE Yes No CMV Yes No Hazmat Yes No
 In disposition of the said indictment comes now the Defendant who was
 TO: Murder / Homicide by child abuse, aiding and abetting (10Y to 20Y)

in violation of § 16-03-0085 of the S.C. Code of Laws, bearing CDR Code # 2357
 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.

ATTEST: Richardson, Doug 066112 Defendant John W. DeJoy 001670 Attorney for Defendant SC Bar#

WHEREFORE, the Defendant is committed to the State Department of Corrections, County Detention Center,
 for a determinate term of 12 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 8 days/months/years and/or payment
 of \$ _____; plus costs and assessments as applicable*; the balance is suspended with probation for 2

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:
 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 _____

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: _____

*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	\$ 500.00
§ 14-1-212 (Law Enforce. Funding)	\$25	\$ 25.00
§ 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 (SCJA Surcharge)	\$5	\$ 5.00
3% to County (if paid in installments)		\$ 18.90
TOTAL		\$ 648.90

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

Jan [unclear]

Clerk of Court/ Deputy Clerk Huddle P. Withers Jr.
 Court Reporter: Hollie Jenkins
Vivian Cross
 SCCA/217 (03/2011)

Presiding Judge _____
 Judge Code: 2138
 Sentence Date: 7/27/12


WITNESSES

Rita Burgess
Pickens County Sheriff's Office

ARREST WARRANT NUMBER
DIRECT PRESENTMENT
DOB:
SS#

ACTION OF GRAND JURY

TRUE BILL
Date OCT 19 2009


Foreperson of Grand Jury

VERDICT

Foreperson of Petit Jury

Date:

DOCKET NO. 2009-GS-39-1568
WDR

The State of South Carolina

County of Pickens

COURT OF GENERAL SESSIONS

TERM 2009

THE STATE

vs.

LATASHA DIANE HONEYCUTT

Indictment for

2356

HOMICIDE BY CHILD ABUSE

VIOLATION § 16-03-0085

STATE OF SOUTH CAROLINA)
)
COUNTY OF PICKENS)

INDICTMENT FOR
HOMICIDE BY CHILD ABUSE

At a Court of General Sessions, convened on

the Grand Jurors of Pickens

County present upon their oath:

That LATASHA DIANE HONEYCUTT did in Pickens County, on or about, and/or between the dates of March 14, 2008 and March 17, 2008, caused the death of Child , a child under the age of eleven years while committing child abuse or neglect with circumstances manifesting and extreme indifference to human life by facilitating or allowing the excessive ingestion of opiate drugs and/or the failure to get medical treatment for said child. This is in violation of §16-3-0085(A)(1) of the South Carolina Code of Laws (1976) as amended.

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


SOLICITOR

CERTIFICATE OF COUNSEL FOR APPELLANT

Counsel for appellant certifies that this Record on Appeal contains all material proposed to be included by any of the parties and not any other material and that this Record on Appeal complies to the best of my ability, with the August 13, 2007, order from the South Carolina Supreme Court entitled "Interim Guidance Regarding Personal Data Identifiers and Other Sensitive Information in Appellate Court Filings."

January 21st 2014.



LaNelle Cantey DuRant
Appellate Defender

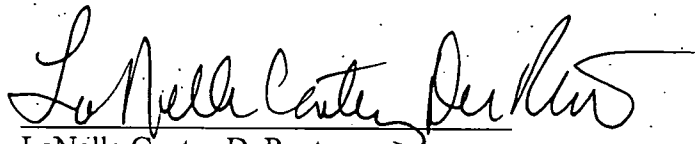
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ATTORNEY FOR APPELLANT

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January 21st 2014



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ATTORNEY FOR APPELLANT

STATE OF SOUTH CAROLINA

ORIGINAL

IN THE COURT OF APPEALS

Appeal from Pickens County

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THE STATE,

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v.

DONNA LYNN PHILLIPS,

APPELLANT

APPELLATE CASE NO. 2012-212663

CERTIFICATE OF SERVICE

I certify that a true copy of the Supplemental Record on Appeal in the above referenced case has been served upon J. Benjamin Aplin, Esquire, at Rembert Dennis Building, 1000 Assembly Street, Room 519, Columbia, SC 29201, this 21st day of January, 2014.

Brandon Hall

Brandon Hall
Administrative Specialist

SUBSCRIBED AND SWORN TO before me
this 21st day of January, 2014.

Maia Lindsey (L.S.)

Notary Public for South Carolina
My Commission Expires: July 3, 2023.