

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

APPEAL FROM RICHLAND COUNTY  
Court of General Sessions

Honorable Robert E. Hood, Chief Administrative Judge

Case No. 2013-GS-40-02761

The State,.....Respondent,

v.

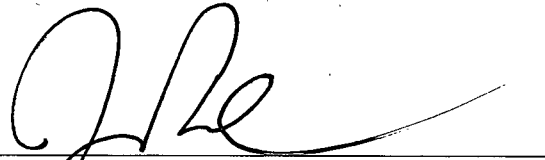
Faasiu Toese,.....Appellant.

**NOTICE OF APPEAL**

Faasiu Toese appeals his conviction and sentence in this case. The sentence was imposed by the Honorable Robert E. Hood on March 18, 2015.

2013-GS-40-02761 – Murder – 36 years, negotiated sentence, credit for time served.

March 19, 2015



Jennifer Davis  
Richland County Public Defender's Office  
P.O. Box 192  
Columbia, South Carolina 29202  
(803) 765-2592  
Attorney for Appellant

Other Counsel of Record:  
Assistant Solicitor Nicole Simpson  
Office of the Solicitor, Fifth Judicial Circuit  
Richland County Judicial Center  
1701 Main Street  
Columbia, South Carolina 29201  
Attorney for Respondent

**RECEIVED**  
MAR 20 2015  
**SC Court of Appeals**

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v.

Faasiu Toese,.....Appellant.

**STATEMENT OF BASIS FOR APPEAL FROM  
GUILTY PLEA PURSUANT TO RULE 203(d)(1)(B)**

Pursuant to South Carolina Appellate Court Rule 203(d)(1)(B), the Defendant was dissatisfied with his sentence and insisted on appealing. I am of the opinion that if the client insists on appealing, I am constrained to file an appeal. Weathers v. State, 319 S.C. 59, 459 SE 2d 838 (1995).

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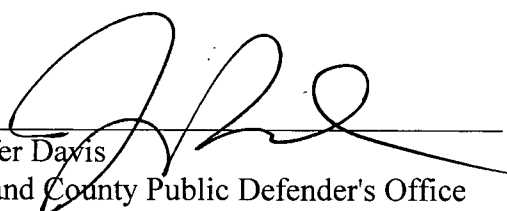
v.

Faasiu Toese,.....Appellant.

**PROOF OF SERVICE**

I hereby certify that a true copy of the Notice of Intent to Appeal & the Statement of Basis for Appeal from Guilty Plea Pursuant to Rule 203(d)(1)(B) in the above-referenced case has been served upon opposing counsel by delivering same this date to her office at the Office of the Solicitor, Fifth Judicial Circuit, Richland County Judicial Center, 1701 Main Street, Columbia, South Carolina 29201.

March 19, 2015

  
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Richland County Public Defender's Office  
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Other Counsel of Record:  
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1701 Main Street  
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Attorney for Respondent

COUNTY OF Richland
STATE VS. Faasiu Toese

INDICTMENT/CASE#: 2013GS4002761
A/W#: 2013A4010200019
Date of Offense: 1/1/2013
S.C. Code §: 16-03-0010
CDR Code #: 0116

RECEIVED

RECOMMENDED SENTENCE SHEET NEGOTIATED

MAR 20 2015

AKA:
Race: Sex: M Age: 28
DOB: SS#:
Address:
City, State, Zip:
DL#: SID#:

\*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: Murder

in violation of § 16-03-0010 of the S.C. Code of Laws, bearing CDR Code # 0116
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.
The plea is: Without Negotiations or Recommendation, Negotiated Sentence, Recommendation by the State.

ATTEST SIMPSON, NICOLE SC Bar# 77500
Faasiu Toese Defendant
Attorney for Defendant SC Bar# 75392

WHEREFORE, the Defendant is committed to the State Department of Corrections, County Detention Center,
for a determinate term of 36 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:
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

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), TOTAL

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:

NO CONTACT DIRECTLY OR INDIRECTLY w/ the VICTIM'S FAMILY

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

Clerk of Court/ Deputy Clerk: Jeanette McBride
Court Reporter: Ambrogio
SCCA/217 (03/2011)

Presiding Judge: R. Hood
Judge Code: 32164
Sentence Date: 3.18.15

COUNTY OF Richland
STATE VS. Faasiu Toese

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A/W#: 2013A4010200019
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CDR Code #: 0116

AKA:
Race: Sex: M Age: 28
DOB: SS#:
Address:
City, State, Zip:
DL#: SID#:

RECOMMENDED SENTENCE SHEET NEGOTIATED

\*CDL Yes No CMV Yes No Hazmat Yes No

CONVICTED OF or PLEADS

In disposition of the said indictment comes now the Defendant who was TO: Murder

in violation of § 16-03-0010 of the S.C. Code of Laws, bearing CDR Code # 0116
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: SIMPSON, NICOLE SC Bar# 77500
Defendant: Faasiu Toese
Attorney for Defendant: [Signature] SC Bar# 75392

WHEREFORE, the Defendant is committed to the State Department of Corrections, County Detention Center,
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Other:
NO CONTACT DIRECTLY OR INDIRECTLY w/ the VICTIM'S FAMILY

Table with columns for assessment type, amount, and 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/ea, Proviso 90.5 (SCCJA Surcharge) \$5, 3% to County (if paid in installments), TOTAL.

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