

THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

APPEAL FROM CHESTER COUNTY
Court of General Sessions

Brian Gibbons, Circuit Court Judge

Case No(s): 2014-GS-12-445

The State of South Carolina,

Bobby Randolph Sims

v.

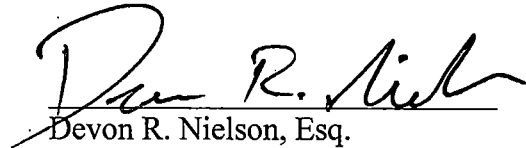
Respondent.

Appellant.

NOTICE OF APPEAL

Bobby Sims appeals his conviction and sentence in this case. The sentence was imposed by the Brian Gibbons on March 19, 2015. Now that a final order is in place in the case he also appeals any issue preserved from his immunity hearing held on January 15, 2015.

Date: March 26, 2015



Devon R. Nielson, Esq.
Sixth Circuit Assistant Public Defender
Post Office Box 132
Chester, SC 29706
Attorney for Appellant
(803) 385-3232

Other Counsel of Record:
Karen Fryer, Esq.
Deputy Solicitor
Post Office Box 728
Chester, South Carolina 29706
Attorney for Respondent
(803) 377-1141

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MAR 31 2015
SC Court of Appeals

COURT OF APPEALS

2015 MAR 26 A 9:03

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THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

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APPEAL FROM CHESTER COUNTY
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Respondent.

v.

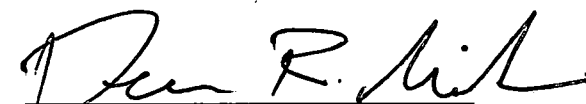
Bobby Randolph Sims

Appellant.

STATEMENT PURSUANT TO RULE 203(d)(1)(B)(iv)

Appellant pled guilty on March 19, 2015. Undersigned counsel files this appeal at the request of Appellant and pursuant to In re Anonymous Member of the Bar, 303 S.C. 306, 400 S.E.2d 483 (1991). Counsel knows of no issue that can be reviewed on appeal from the plea or sentence itself. The client may have an issue coming out of his immunity hearing pursuant to South Carolina's stand your ground law. This hearing was held January 15, 2015 in front of the Honorable Judge Brian Gibbons. The ruling in this hearing given by Judge Gibbons was not appealable without a final order. Now that there is a final order after a plea counsel sees that Judge Gibbon's ruling may now be appealable.

Date: August 13, 2014



Devon R. Nielson, Esq.
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Attorney for Appellant

RECEIVED (803) 385-3232

MAR 31 2015

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

2015 MAR 26 A 9:42

APPEAL FROM CHESTER COUNTY
Court of General Sessions

FILED

Brian Gibbons, Circuit Court Judge

Case No(s): 2014-GS-12-445

The State of South Carolina,

Respondent.

v.

Bobby Randolph Sims

Appellant.

AMMENDED STATEMENT PURSUANT TO RULE 203(d)(1)(B)(iv)

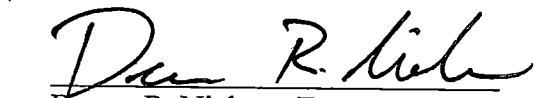
Appellant pled guilty on March 19, 2015. Undersigned counsel files this appeal at the request of Appellant and pursuant to In re Anonymous Member of the Bar, 303 S.C. 306, 400 S.E.2d 483 (1991). Counsel knows of no issue that can be reviewed on appeal from the plea or sentence itself. The client may have an issue coming out of his immunity hearing pursuant to South Carolina's stand your ground law. This hearing was held January 15, 2015 in front of the Honorable Judge Brian Gibbons. The ruling in this hearing given by Judge Gibbons was not appealable without a final order. Now that there is a final order after a plea counsel sees that Judge Gibbon's ruling may now be appealable.

Date: March 26, 2015

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SC Court of Appeals



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THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

APPEAL FROM CHESTER COUNTY
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Brian Gibbons, Circuit Court Judge

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The State of South Carolina,

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v.

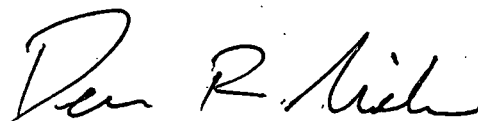
Respondent.

Appellant.

PROOF OF SERVICE

I certify that I have served the Notice of Appeal on the Respondents by hand delivery to the solicitor's office located at 140 Main Street, Chester SC 29706.

Date: March 26, 2015



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Sixth Circuit Assistant Public Defender
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CLERK OF COURT
CHESTER COUNTY

2015 MAR 26 A 9:04

FILED

State of South Carolina
Public Defender, Sixth Judicial Circuit

Devon R. Nielson, Assistant Public Defender

140 Main Street

Post Office Box 132

Chester, South Carolina 29706

Telephone: (803) 385-3232

Email: nielson.devon@gmail.com

Fax: None

Devon R. Nielson Assistant Public Defender

March 26, 2015

Mr. Bobby Sims
4344 Broad River Road
Columbia, SC 29210

Re: Your Appeal

Dear Mr. Sims,

Pursuant to your request before you left the Chester County Detention Center, I filed an appeal from your guilty plea. In addition to filing the Notice of appeal, the SC Rules of Appellate Procedure require me to file a "written explanation showing that there is an issue which can be reviewed on appeal." I know of no such issue from the appeal itself but there may be an issue surrounding the stand your ground immunity hearing and I filed a statement to that effect. Enclosed is a copy of the Notice of Appeal, my statement pursuant to SC Rule 206(d)(1)(B)(iv), and the proof of service served on the solicitor in your case.

You have twenty (20) days from the date of this letter to inform the court of appeals in writing of any arguable basis that exists that are issues preserved for appeal in your case. You are to write the court at the following address:

South Carolina Court of Appeals
PO Box 11629
Columbia, SC 29211

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MAR 31 2015

SC Court of Appeals

If you require anything further from me, please let me know.

Thanks,

A handwritten signature in black ink, appearing to read "Devon R. Nielson". The signature is fluid and cursive, with the first name being the most prominent.

Devon R. Nielson
Attorney SC 6th Circuit Assistant Public Defender
(803) 385-3232

Cc: Jenny Abbot Kitchings

**SIXTH JUDICIAL CIRCUIT
PUBLIC DEFENDER'S OFFICE**

104 N. Main Street * Post Office Box 1809
Lancaster, South Carolina 29721
Telephone No.: (803) 285-5585
Fax No.: (803) 285-6085

March 26, 2015

The Honorable Jenny Abbot Kitchings
Clerk, South Carolina Court of Appeals
P.O. Box 11629
Columbia, SC 29211

RE: State of South Carolina vs. Bobby Sims
2014-GS-12-445

Dear Ms. Kitchings:

Enclosed for filing is the Notice of Appeal in above case. Also enclosed are the following:
Please be advised that with this letter I am filing:

1. Proof of Service of the Appeal on the State
2. Statement Pursuant to Rule 203(d)(1)(B)(4)
3. Letter to client regarding his responsibility to inform the court of any known issues on appeal
4. Amended Statement Pursuant to Rule 203(d)(1)(B)(4)

This is an appeal from an appointed criminal case and, therefore, I anticipate that Appellate Defense will handle the appeal. I am copying them with this letter and the enclosed documents. The amended statement was because I realized a date was wrong after the original was filed.

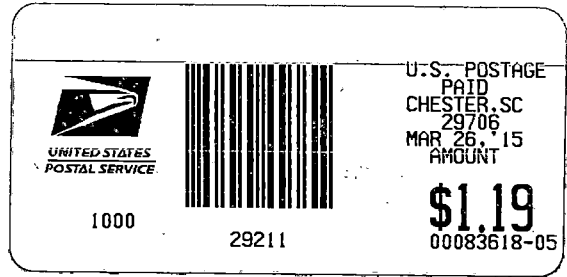
Sincerely,

Devon R. Nielson, Esq.
Attorney for the Appellant

Enclosures

cc: Karen Fryer, Solicitor

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MAR 31 2015
SC Court of Appeals



HONORABLE JENNY ABBOT KITCHINGS
CLERK, SC COURT OF APPEALS
P.O. Box 11629
COLUMBIA SC 29211

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