

MAR - 9 2015

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

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MAR 13 2015

SC Court of Appeals

APPEAL FROM CHARLESTON COUNTY  
Court of General Sessions

The Honorable R. Markley Dennis, Jr., Circuit Court Judge

Case No. 2014-GS-10-01779, 01780

~~The State,~~  
Markley

Appellant,

v.

Gerald D. Edwards,

Respondent.

NOTICE OF APPEAL

Gerald D. Edwards appeals his conviction and sentence in this case. The sentence was imposed by the Honorable R. Markley Dennis, Jr., on February 10<sup>th</sup>, 2015.

March 9, 2015  
[Notice sent via U.S. Mail on this date]

Mr. Gerald Edwards  
Gerald D. Edwards  
Pro Se Litigant  
Kirkland Correctional Institution  
4344 Broad River Rd.  
Columbia, SC 29210

Other Counsel of Record:  
Salley W. Elliot  
Rembert Dennis Building  
1000 Assembly Street, Room 519  
Columbia, SC, 29201

Assistant Solicitor Benjamin C. Simpson  
101 Meeting Street  
Charleston, SC 29401

Robert M. Dudek, Esquire  
1330 Lady Street, Suite 401  
Columbia, SC 29201

KIRKLAND LAW LIBRARY

MAR - 9 2015

PROOF OF SERVICE OF A NOTICE OF APPEAL

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

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MAR 18 2015

SC Court of Appeals

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The Honorable R. Markley Dennis, Jr., Circuit Court Judge

Case No. 2014-GS-10-01779, 01780

The State,

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v.

Gerald D. Edwards,

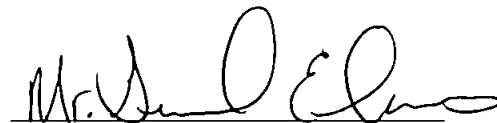
Respondent.

PROOF OF SERVICE

I certify that I have served the Notice of Appeal on the State of South Carolina by depositing copies of the notice in the United States Mail, postage prepaid, on Mar. 9, 2015, addressed to the following:

Assistant Solicitor Benjamin C. Simpson, Esquire  
Salley W. Elliott, Esquire  
Alan M. Wilson, Esquire

March 9, 2015  
Date



Gerald D. Edwards  
Pro Se Litigant  
Kirkland Correctional Institution  
4344 Broad River Rd.  
Columbia, SC 29210

COURT OF STATE OF 9 2015, Charleston VS.

INDICTMENT/CASE#: 2014GS1001779

Gerald Demetrice Edwards

A/W#: 2014A1010200061

AKA:

Date of Offense: 1/3/2014

Race: BLACK Sex: M Age: 46

S.C. Code § : 16-11-0330(A)

DOB: SS#: \_\_\_\_\_

CDR Code #: 0139

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 TO: Armed Robbery

CONVICTED OF or  PLEADS

SENTENCE SHEET SC Court of Appeals

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in violation of § 16-11-0330(A) of the S.C. Code of Laws, bearing CDR Code # 0139  
 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: [Signature] 71257 Defendant Attorney for Defendant SC Bar#  
Simpson, Benjamin Chad

WHEREFORE, the Defendant is committed to the  State Department of Corrections,  County Detention Center, for a determinate term of 20 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 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. 13 work  
 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 PTUP  
Total: \$ \_\_\_\_\_ plus 20% fee: \$ \_\_\_\_\_  
Payment Terms: \_\_\_\_\_  
 Set by SCDPPPS \_\_\_\_\_

Recipient: \_\_\_\_\_

*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 Del/Prob)	\$500	\$
§ 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/ca	\$
Proviso 90.5 (SCCJA Surcharge)	\$5	\$5.00
3% to County (if paid in installments)		\$3.90
TOTAL		\$133.90

\_\_\_\_\_ 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: \_\_\_\_\_

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

Clerk of Court/ Deputy Clerk: [Signature]  
Court Reporter: Deb Garrison  
SCCA/217 (03/2011)

Presiding Judge: [Signature]  
Judge Code: 2060  
Sentence Date: 2/10/15

COUNTY OF CHARLESTON VS. Gerald Demetrice Edwards

AKA: Race: BLACK Sex: M Age: 46 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 TO: Possession of a Firearm or Knife During Commission of a Violent Crime

IN THE COURT OF GENERAL SESSIONS

INDICTMENT/CASE#: 2014GS1001780 A/W#: 2014A1010200062 Date of Offense: 1/3/2014 S.C. Code § : 16-23-0490 CDR Code #: 0549

SENTENCE SHEET

CONVICTED OF or PLEADS

in violation of § 16-23-0490 of the S.C. Code of Laws, bearing CDR Code # 0549 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. Without Negotiations or Recommendation, Negotiated Sentence, Recommendation by the State.

ARREST: Simpson, Benjamin Chad 71257 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 5 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 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. 13 months 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:

Table with 3 columns: Description, Amount, 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) \$3.90, TOTAL \$133.90

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

Clerk of Court/ Deputy Clerk: Deb Garrison Court Reporter: SCCA/217 (03/2011)

Presiding Judge: Judge Code: 2060 Sentence Date: 2/10/15

STANBEE WALKER  
SIDE B - 1944

~~XXXXXXXXXX~~

~~XXXXXXXXXX~~

MAR - 0 2015

STATE OF SOUTH CAROLINA )

COUNTY OF CHARLESTON )

STATE OF SOUTH CAROLINA )

vs. )

GERALD D. EDWARDS )

Defendant. )

IN THE COURT OF GENERAL SESSIONS

CASE NUMBER: 2014-GS-10-01779

VERDICT FORM

We, the Jury, by unanimous consent, find the Defendant,

GERALD D. EDWARDS, on the charge of ARMED ROBBERY:

GUILTY

NOT GUILTY

*Lam R. Sides*  
Presiding Juror

February 10, 2015

MAR - 9 2015

STATE OF SOUTH CAROLINA	)	IN THE COURT OF GENERAL SESSIONS
COUNTY OF CHARLESTON	)	CASE NUMBER: 2014-GS-10-01780
	)	
STATE OF SOUTH CAROLINA	)	
	)	
vs.	)	VERDICT FORM
	)	
GERALD D. EDWARDS	)	
	)	
Defendant.	)	

We, the Jury, by unanimous consent, find the Defendant,

GERALD D. EDWARDS, on the charge of POSSESSING A KNIFE DURING THE COMMISSION OF A VIOLENT CRIME:

GUILTY

NOT GUILTY

  
 \_\_\_\_\_  
 PRESIDING JUROR

FEBRUARY 10, 2015

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Court of General Sessions

**SC Court of Appeals**

The Honorable R. Markley Dennis, Jr., Circuit Court Judge

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The State,

Appellant,

v.

Gerald D. Edwards,

Respondent.

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Gerald D. Edwards appeals his conviction and sentence in this case. The sentence was imposed by the Honorable R. Markley Dennis, Jr., on February 10<sup>th</sup>, 2015.

[Notice sent via U.S. Mail on this date]

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4344 Broad River Rd.  
Columbia, SC 29210

Other Counsel of Record:  
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Case No. 2014-GS-10-01779, 01780

The State,

Appellant,

v.

Gerald D. Edwards,

Respondent.

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Salley W. Elliott, Esquire  
Alan M. Wilson, Esquire

\_\_\_\_\_  
Date

\_\_\_\_\_  
Gerald D. Edwards  
Pro Se Litigant  
Kirkland Correctional Institution  
4344 Broad River Rd.  
Columbia, SC 29210

# The South Carolina Court of Appeals

The State, Respondent,

v.

Gerald Demetrice Edwards, Appellant.

Appellate Case No. 2015-000389

The Honorable R. Markley Dennis, Jr.

Charleston County

Trial Court Case No. 2014GS1001779, 2014GS1001780

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## ORDER

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Appellant has failed to timely serve the notice of appeal upon the respondent, as required by Rule 203(b)(2) of the South Carolina Appellate Court Rules. Accordingly, this matter is dismissed. The remittitur will be sent as provided by Rule 221(b), SCACR.

FOR THE COURT

BY V. Claire Allen, Deputy  
CLERK

Columbia, South Carolina

cc:

Gerald Demetrice Edwards, 173780

Shirene Carole Hansotia, Esquire

Robert Michael Dudek, Esquire

Benjamin C. Simpson, Esquire

Margaret Haley Sprinkle, Esquire

Salley W. Elliott, Esquire

Alan McCrory Wilson, Esquire

**FILED**  
March 11, 2015