



THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

APPEAL FROM LEXINGTON COUNTY  
Court of General Sessions

HONORABLE EUGENE C. GRIFFITH, CIRCUIT COURT JUDGE

**RECEIVED**

AUG 17 2015

Indictment No(s): 2015-GS-32-1598  
2015-GS-32-1599

SC Court of Appeals

The State, ..... Respondent.

V.

Vincent Eric Bookhart, ..... Appellant.

NOTICE OF APPEAL

Vincent Eric Bookhart, appeals his guilty plea and sentence in this case. The sentence was imposed by the Honorable Eugene C. Griffith on July 15, 2015. The court reporter was Stacy Johnson, 125 Firebridge Drive, Chapin, SC 29036.

Thomas E. Shealy  
Assistant Public Defender  
407 W. Main Street  
Lexington, SC 29072  
(803) 785-8873

**OTHER COUNSEL OF RECORD:**

Kate Usry, Assistant Solicitor  
Lexington County Courthouse  
Lexington, SC 29072

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

APPEAL FROM LEXINGTON COUNTY  
Court of General Sessions

HONORABLE EUGENE C. GRIFFITH, CIRCUIT COURT JUDGE

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Indictment No(s): 2015-GS-32-1598  
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SC Court of Appeals

The State,.....Respondent.  
V.  
Vincent Eric Bookhart,.....Appellant.

PROOF OF SERVICE

I certify that I have served the Notice of Appeal on Kate Usry by depositing a copy of it in the United States Mail, postage prepaid, on July 17, 2015, addressed to Kate Usry, Assistant Solicitor, Lexington County Courthouse, Lexington, SC 29072.



Thomas E. Shealy  
Assistant Public Defender  
407 W. Main Street  
Lexington, SC 29072  
(803) 785-8873

STATE OF SOUTH CAROLINA )

IN THE COURT OF APPEALS

STATE OF SOUTH CAROLINA, )

RECEIVED

vs. )

AUG 17 2015

VINCENT ERIC BOOKHART, )

Indictment #: 2015-GS-32-1598  
2015-GS-32-1599

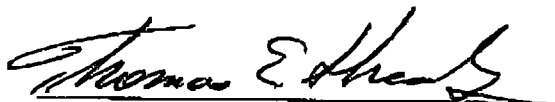
SC Court of Appeals

Defendant. )

RULE 203(B) EXPLANATION

Pursuant to Rule 203(B)(iv), the undersigned asserts that he does not have a good faith basis to believe that any issues are 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, 706 (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,



Thomas E. Shealy  
Assistant Public Defender  
Eleventh Circuit Public Defender Office  
407 West Main Street  
Lexington, South Carolina 29072  
(803) 785-8873

Lexington, South Carolina  
July 20, 2015

STATE OF SOUTH CAROLINA

RECEIVED

up to 20 yrs

IN THE COURT OF GENERAL SESSIONS

COUNTY OF Lexington  
STATE VS.

AUG 17 2015

Vincent Eric Bookhart

INDICTMENT/CASE#: 2015GS3201598

AKA:

SC Court of Appeals 2015A3221101739

Race: Black Sex: M Age: 27

Date of Offense: 1/17/2015

DOB: SS#:

S.C. Code § : 16-11-0330(A)

Address:

CDR Code #: 0139

City, State, Zip: Columbia, SC 29209-4911

DL#: SID#:

SENTENCE SHEET

\*CDL Yes  No  CMV Yes  No  Hazmat Yes  No

In disposition of the said indictment comes now the Defendant who was TO: Robbery / Attempted armed, or allegedly armed, robbery

CONVICTED OF or  PLEADS *Alford v. C*

in violation of § 16-11-0330(B) of the S.C. Code of Laws, bearing CDR Code # 0026  
 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, *VR* (defendant's initials)  
The plea is:  Without Negotiations or Recommendation,  Negotiated Sentence,  Recommendation by the State.

ATTEST: *[Signature]* Solicitor *76118* SC Bar# *[Signature]* Defendant *[Signature]* Attorney for Defendant *5248* SC Bar#

WHEREFORE, the Defendant is committed to the  State Department of Corrections,  County Detention Center, for a determinate term of *162* days/months/years, or  under the Youthful Offender Act not to exceed *162* years and/or to pay a fine of \$ *100*; provided that upon the service of *162* days/months/years and/or payment of \$ *100*; plus costs and assessments as applicable\*; the balance is suspended with probation for *162* 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: *15-GS-32-1599*  
 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. *162 days*

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 *\_\_\_\_\_* days/hours Public Service Employment

Total: \$ *\_\_\_\_\_* plus 20% fec: \$ *\_\_\_\_\_*  
Payment Terms: *\_\_\_\_\_*  
 Set by SCDPPPS *\_\_\_\_\_*

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 \$ *25*  
§ 14-1-213 (Drug Court Surcharge) \$150 \$ *\_\_\_\_\_*  
§ 50-21-114(BUI Breath Test Fec) \$50 \$ *\_\_\_\_\_*  
§ 56-5-2942(J) (Vehicle Assessment) \$40/ea \$ *\_\_\_\_\_*  
Proviso 90.5 (SCCJA Surcharge) \$5 \$ *5*  
3% to County (if paid in installments) \$ *\_\_\_\_\_*  
TOTAL \$ *130.00*

Obtain GED   
Attend Voc. Rehab. or Job Corp.   
May serve W/E beginning *\_\_\_\_\_*  
Substance Abuse Counseling   
Random Drug/Air Alcohol Testing C.C.R.T.G.S. & E.C.   
Fine may be pd. in equal, consecutive weekly/monthly pmts. of \$ *\_\_\_\_\_* beginning *\_\_\_\_\_*  
\$ *\_\_\_\_\_* paid to Public Defender Fund *SM*  
Other: *Indication of committal upon release from incarceration*

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

Presiding Judge *[Signature]*  
Judge Code: *2.154*  
Sentence Date: *7-15-15*

Clerk of Court/ Deputy Clerk *Booth A. Carver*  
Court Reporter: *Stacy Johnson*  
SCCA/217 (03/2011)

RECEIVED

0-10 yrs

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF Lexington AUG 17 2015

STATE VS. Vincent Eric Bookhart

INDICTMENT/CASE#: 2015GS3201599

AKA: SC Court of Appeals

Case#: 2015A3221101738

Race: Black Sex: M Age: 27

Date of Offense: 1/17/2015

DOB: SS#:

S.C. Code §: 16-11-0311

Address:

CDR Code #: 0079

City, State, Zip: Columbia, SC 29209-4911

DL#: SID#:

SENTENCE SHEET

\*CDL Yes No CMV Yes No Hazmat Yes No

In disposition of the said indictment comes now the Defendant who was TO: Burglary / Burglary (Non-Violent) - Second degree

CONVICTED OF or PLEADS Alford v NC

in violation of § 16-11-0312 of the S.C. Code of Laws, bearing CDR Code # 0080
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.

ATTEST: Solicitor, Defendant, Attorney for Defendant

WHEREFORE, the Defendant is committed to the State Department of Corrections, County Detention Center,

for a determinate term of 10 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: 15 GS 32-1598
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. 162 days

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: days/hours Public Service Employment

Set by SCDPPPS Obtain GED Attend Voc. Rehab. or Job Corp.

Recipient: May serve W/E beginning Substance Abuse Counseling

\*Finc: § 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 \$ § 14-1-212 (Law Enforce. Funding) \$25 \$ § 14-1-213 (Drug Court Surcharge) \$150 \$25.00

§ 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) \$

TOTAL \$ 307

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

TRUE COPY Fine may be pd. in equal, consecutive, weekly/monthly pmts. of \$ Lex. Co. C.C.P., G.S. & P.C. paid to Public Defender Fund

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

Presiding Judge Judge Code: Sentence Date: 7-15-15

WITNESSES

West Columbia Police Department

M Deas

Law Enforcement Case #: 1501064

KWU

ARREST WARRANT NUMBER

2015A3221101739

ACTION OF GRAND JURY

Foreperson of Grand Jury

Date:

VERDICT

Foreperson of Petit Jury

Date:

DOCKET NO. 2015GS3201598

The State of South Carolina

County of Lexington

COURT OF GENERAL SESSIONS

JUNE TERM 2015

THE STATE

vs.

Vincent Eric Bookhart

CDR #: 0139

Indictment for

Armed Robbery

§ 16-11-0330(A)

DONALD V. MYERS, SOLICITOR

RECEIVED

AUG 17 2015

SC Court of Appeals

Pleading to Attempted  
Armed Robbery

I DO HEREBY WAIVE MY RIGHT  
TO GRAND JURY PRESENTMENT

*Vincent Bookhart*  
DEFENDANT

*7/13/2015*  
DATE

*Thomas E. Henry*  
WITNESS

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF LEXINGTON )  
 )

INDICTMENT FOR  
Armed Robbery  
§ 16-11-0330(A)

At a Court of General Sessions, convened on June 2015, the Grand Jurors of Lexington County present upon their oath:

That **Vincent Eric Bookhart** did in Lexington County, South Carolina on or about January 17, 2015 knowingly and willfully while armed with a deadly weapon or having possession of an object which the victim reasonably believed to be a deadly weapon and alleging by actions or words that he was armed, to wit: handgun did feloniously take from the person or presence of, **Jason Ridgeway, Brittany Lilosoya, Alisha Jones, Fernando Villalobos, Brandon Williams, and/or Kyle Churchville** by means of force, threats or intimidation goods or monies being described as follows: money, cell phones, and/or drugs with intent to deprive the owner of the use of such property, in violation of Section 16-11-330 (A) of the South Carolina Code of Laws, 1976, as amended

**RECEIVED**

AUG 17 2015

SC Court of Appeals

**A TRUE COPY**

*[Signature]*  
Lex. Co. C.C.P., G.S. & F.C.

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

*[Signature]*  
ASSISTANT SOLICITOR

WITNESSES

West Columbia Police Department

M Deas

Law Enforcement Case #: 1501064

KWU

ARREST WARRANT NUMBER

2015A3221101738

ACTION OF GRAND JURY

Foreperson of Grand Jury  
Date:

VERDICT

Foreperson of Petit Jury  
Date:

DOCKET NO. 2015GS3201599

The State of South Carolina

County of Lexington

COURT OF GENERAL SESSIONS

JUNE TERM 2015

THE STATE

vs.

Vincent Eric Bookhart

CDR #: 0079

Indictment for

Burglary 1st Degree

§ 16-11-0311

DONALD V. MYERS, SOLICITOR

RECEIVED

AUG 17 2015

SC Court of Appeals

Pleading to Burg. 2nd  
Degree (non-violent)

I DO HEREBY WAIVE MY RIGHT  
TO GRAND JURY PRESENTMENT

Vincent Bookhart  
DEFENDANT

7/13/2015  
DATE

Thomas E. Myers  
WITNESS

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF LEXINGTON )  
 )

INDICTMENT FOR  
Burglary 1st Degree

§ 16-11-0311

At a Court of General Sessions, convened on June 2015, the Grand Jurors of Lexington County present upon their oath:

That Vincent Eric Bookhart did in Lexington County, South Carolina on or about January 17, 2015 did knowingly and willfully enter a dwelling, to wit: 614 Wessinger Street, Apartment #7 being the dwelling of Jason Ridgeway, without consent and with the intent to commit a crime therein and when, in effecting entry or while in the dwelling or in immediate flight, he/she or another participant in the crime, was armed with a deadly weapon, or displayed what was or appeared to be a knife, pistol, revolver, shotgun, machine gun, or other firearm, in violation of § 16-11-311 of the Code of Laws of South Carolina, 1976, as amended.

**RECEIVED**

AUG 17 2015

SC Court of Appeals

**A TRUE COPY**

Lex. Co. C.C.P., G.S. & F.C.

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

ASSISTANT SOLICITOR

# OFFICE OF THE PUBLIC DEFENDER

**ELIZABETH FULLWOOD**  
Lexington Public Defender  
407 W. Main St.  
Lexington, SC 29072  
Telephone (803) 785-8873  
Fax (803) 785-1443

**Eleventh Judicial Circuit**  
Lexington, Saluda, Edgefield,  
and McCormick Counties

**ROBERT M. MADSEN**  
Circuit Public Defender

**BENNETT CASTO**  
Tri-County Public Defender  
Post Office Box 1852  
McCormick, SC 29835  
Telephone (864) 852-9555  
Fax (864) 852-9554

July 17, 2015

**RECEIVED**

AUG 17 2015

SC Court of Appeals

The Honorable Jenny Abbott Kitchings  
Clerk of Court for Court of Appeals  
P.O. Box 11629  
Columbia, SC 29211

Re: The State vs. Vincent Eric Bookhart, - appeal

Dear Ms. Kitchings:

Please find enclosed an original and one (1) copy of a Notice to Appeal in the above matter for filing in your office. Please file the original and return the date/time stamped copy to me in the envelope provided.

I am, by copy of this letter, serving a copy of this Notice to Appeal on Kate Usry and Robert M. Dudek, together with my Certificate of Service.

Thank you for your assistance in this matter. With kind regards, I am

Sincerely,



Thomas E. Shealy

ENC

CC: Kate Usry, Assistant Solicitor  
Lexington County Courthouse  
Lexington, SC 29072

Robert M. Dudek, Chief Appellate Defender  
P O BOX 11433  
Columbia, SC 29211

Vincent Eric Bookhart  
South Carolina Department of Corrections

# OFFICE OF THE PUBLIC DEFENDER

**ELIZABETH FULLWOOD**  
Lexington Public Defender  
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Lexington, SC 29072  
Telephone (803) 785-8873  
Fax (803) 785-1443

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Lexington, Saluda, Edgefield,  
and McCormick Counties

**ROBERT M. MADSEN**  
Circuit Public Defender

**BENNETT CASTO**  
Tri-County Public Defender  
Post Office Box 1852  
McCormick, SC 29835  
Telephone (864) 852-9555  
Fax (864) 852-9554

July 17, 2015

The Honorable Beth Carrigg  
Clerk of Court for Lexington County  
Lexington County Courthouse  
Lexington, South Carolina, 29072

**RECEIVED**

AUG 17 2015

SC Court of Appeals

RE: The State v. Vincent Eric Bookhart- Appeal

Dear Mrs. Carrigg:

Enclosed for filing is a notice of appeal in the above case.

Sincerely,



Thomas E. Shealy  
Assistant Public Defender  
407 W. Main Street  
Lexington, SC 29072  
(803) 785-8873

CC: Kate Usry, Assistant Solicitor  
Lexington County Courthouse  
Lexington, SC 29072

# OFFICE OF THE PUBLIC DEFENDER

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**Eleventh Judicial Circuit**  
Lexington, Saluda, Edgefield,  
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**ROBERT M. MADSEN**  
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**BENNETT CASTO**  
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Post Office Box 1852  
McCormick, SC 29835  
Telephone (864) 852-9555  
Fax (864) 852-9554

DATE: AUGUST 17, 2015

**RECEIVED**

AUG 17 2015

TO: THE SOUTH CAROLINA COURT OF APPEALS  
(ATTN: THE HONORABLE JENNY ABBOTT KITCHINGS)

SC Court of Appeals

FAX #: 803.734.1839

FROM: SHANIKA L. WILSON, PARALEGAL/INVESTIGATOR  
THOMAS E. SHEALY, ATTORNEY

FAX #: 803.785.1443

**RE: APPELLATE CASE NO. 2015-001703**

NO. OF PAGES: 13

**NOTES: ATTACHED YOU WILL THE ENTIRE APPEAL PACKET THAT  
WAS MAILED ON JULY 17, 2015.**

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