

THE STATE OF SOUTH CAROLINA  
In the Appellate Court

APPEAL FROM GREENVILLE COUNTY  
Court of General Sessions

Letitia H. Verdin, Circuit Court Judge

Case No(s):: 2012GS2307494

The State,  
James Tyrone Graham,

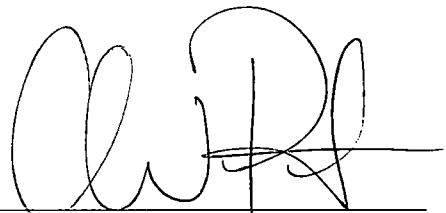
v.

FILED-CLERK OF COURT  
GREENVILLE CO.S.C.  
PAUL B. WICKENS  
MEMBER  
2015 SEP 18  
RECEIVED  
SEP 21 2015  
SC Court of Appeals  
Respondent  
Appellant

NOTICE OF APPEAL

James Tyrone Graham appeals his conviction and sentence in this case. The sentence was imposed by the Honorable Letitia H. Verdin on September 15, 2015.

Date: September 18, 2015



Charles S. Propst, Esq.  
Greenville County Courthouse  
Greenville, SC 29601  
Attorney for Appellant

Other Counsel of Record:  
Christy Kednocker Sustakovitch, Esq.  
Assistant Solicitor  
13th Circuit Solicitor's Office  
305 E. North Street, Suite 325  
Greenville, 29601  
Attorney for Respondent

THE STATE OF SOUTH CAROLINA )  
COUNTY OF GREENVILLE )  
THE STATE )  
v. )  
JAMES TYRONE GRAHAM, )  
DEFENDANT. )

IN THE COURT OF GENERAL SESSIONS  
THIRTEENTH JUDICIAL CIRCUIT  
Warrant Nos.: 2012GS2307494

Rule 203(d)(1)(b)(iv) Certification

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SEP 21 2015

SC Court of Appeals

Pursuant to SC Rule 203(d)(1)(b)(iv), Defendant would show that the sentence imposed is unreasonable. Defendant was sentenced to one year of Home Incarceration followed by five years of Probation with the special conditions that he undergo random drug an alcohol testing, sexual offender counseling, have no unsupervised visits with people under the age of 18, and enroll in the sexual offender registry. Defendant communicated to his Attorney that he demands an Appeal.

Defendant's Attorney is filing this appeal pursuant to his ethical duty to his client, and Defendant's constitutional right to appeal. See Frazer v. South Carolina, 430 F.3d 696, 706 (4th Cir. 2005) ("A defendant has a right to pursue a direct appeal, even if frivolous, which counsel must assist as 'an active advocate in behalf of his client.'") (quoting Anders v. California, 386 U.S. 738, 744 (1967)).

Defendant did not inform his attorney of any specific issues to appeal. Defendant only requested an appeal, and when Defense counsel requested clarification, Defendant simply stated that he wanted to appeal. Defense counsel can provide no material issues to appeal.

Respectfully submitted,

GREENVILLE COUNTY PUBLIC DEFENDER

By: 

Charles S. Propst, Esq.  
Attorney for Appellant  
305 E. North Street, Suite 123  
Greenville, SC 29601  
(864) 467-8522

Greenville, SC

Date: September 18<sup>th</sup>, 2015

Other Counsel of Record:  
Christy Sustakovich, Esq.  
Assistant Solicitor  
13th Circuit Solicitor's Office  
305 E. North Street, Suite 325  
Greenville, SC  
Attorney for Respondent

THE STATE OF SOUTH CAROLINA  
In the Appellate Court

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APPEAL FROM GREENVILLE COUNTY  
Court of General Sessions

SC Court of Appeals

Letitia H. Verdin, Circuit Court Judge

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Case No(s).: 2012GS2307494

The State,

Respondent.

v.

James Tyrone Graham,

Appellant.


**PROOF OF SERVICE**

I certify that I have served the Notice of Appeal on the below listed respondents by depositing a copy of it in the United States Mail, postage prepaid, on September 19, 2015, addressed to:

Christy Kednocker Sustakovitch, Esq.  
Assistant Solicitor  
13th Circuit Solicitor's Office  
305 E. North Street, Suite 325  
Greenville, SC 29601

Alan Wilson, Esq.  
Attorney General  
P.O. Box 11549  
Columbia, SC 29211

Date: September 18, 2015

  
\_\_\_\_\_  
Charles S. Propst, Esq.  
Greenville County Courthouse  
Greenville, SC 29601  
Attorney for Appellant

**OFFICE OF THE PUBLIC DEFENDER**  
**13<sup>th</sup> JUDICIAL CIRCUIT**  
**Greenville County Courthouse**  
**305 East North Street (Rm 123)**  
**GREENVILLE, SOUTH CAROLINA 29601**

John I. Mauldin  
Public Defender

TEL (864) 467-8522  
FAX (864) 467-8521

September 18, 2015

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SEP 21 2015

SC Court of Appeals

**Via Regular Mail**

The Honorable Jenny Abbott Kitchings  
Clerk, The S.C. Court of Appeals  
Post Office Box 11629  
Columbia, South Carolina 29211

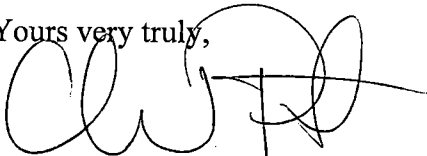
**Re: State v. James Tyrone Graham**  
Case No(s): 2012GS2307494

Dear Ms. Kitchings:

Enclosed you will find the original Notice of Appeal in the above matter along with a Rule 203(d)(1)(b)(iv) Certification and a Proof of Service upon the Respondents. The Notice has been filed with the Greenville County Clerk of Court. Also enclosed is a copy of the indictment. These matters are being referred to the Office of Appellate Defense in that we were participating as Court appointed counsel in Circuit Court.

Thank you for your attention to this matter.

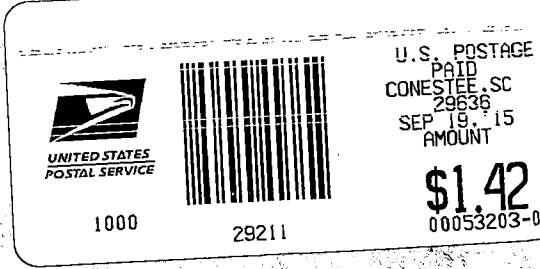
Yours very truly,



Charles S. Propst, Esq.  
Greenville County Courthouse  
Greenville, SC 29601  
Attorney for Appellant

Enclosure

cc: Office of the Thirteenth Circuit Solicitor  
Office of the Attorney General  
Office of Appellate Defense



**13th Circuit Public Defender**  
Greenville County Courthouse  
305 E. North Street, Suite 123  
Greenville, SC 29601

PROPST

The Honorable Jenny Abbott Kitchings  
Clerk, The S.C. Court of Appeals  
Post Office Box 11629  
Columbia, SC 29211

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SEP 21 2015  
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