

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

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DEC 02 2015

APPEAL FROM SPARTANBURG COUNTY
Court of General Sessions

SC Court of Appeals

J. Mark Hayes, Circuit Court Judge

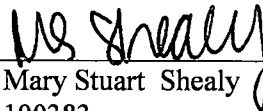
Appellate Case No(s): 2015-002298

The State Respondent,
v.
Timothy Dale Crockett Appellant.

NOTICE OF APPEAL

Timothy Dale Crockett appeals his/her conviction and sentence in this case. The sentence was imposed by by the Honorable J. Mark Hayes on 9/17/15. This appeal is taken from this conviction and sentence.

November 25, 2015



Mary Stuart Shealy
100383
Seventh Judicial Circuit Public Defender Office
366 N. Church Street, Suite 3000
Spartanburg, South Carolina 29303
(864) 596-2561
Attorney for Appellant

Other Counsel of Record:

Megan L. Moricle, Esq.
Seventh Judicial Circuit Solicitor's Office
180 Magnolia Street
Spartanburg, South Carolina 29306
Attorney for Respondent

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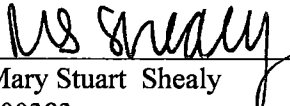
Appellate Case No(s): 2015-002298

The State Respondent,
v.
Timothy Dale Crockett. Appellant.
.....

PROOF OF SERVICE

I certify that I have served the Notice of Appeal on the State of South Carolina by depositing a copy of it in the United States Mail, postage prepaid, on November 25, 2015, addressed to its attorney of record, Megan L. Moricle, Esq., Assistant Solicitor, 180 Magnolia Street, Spartanburg, South Carolina 29306.

November 25, 2015



Mary Stuart Shealy
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Seventh Judicial Circuit Public Defender Office
366 N. Church Street, Suite 3000
Spartanburg, South Carolina 29303
(864) 596-2561
Attorney for Appellant

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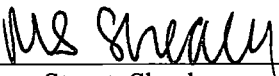
Appellate Case No(s): 2015-002298

The State Respondent,
v.
Timothy Dale Crockett Appellant.
.....

EXPLANATION OF APPEAL PURSUANT TO RULE 203(d)(1)(B), SCACR

Pursuant to Rule 203(d)(1)(B), SCACR, Timothy Dale Crockett Dale Crockett files this explanation of his appeal of his/her guilty plea, conviction and sentence in this case. The sentence was imposed by the Honorable J. Mark Hayes on September 17, 2015. No issues were raised during the guilty plea; however, the client insisted upon an appeal; therefore, this appeal was filed pursuant to Weathers v. State, 319 S.C. 59, 459 S.E.2d 838 (1995), and State v. Thrift, 378 S.C. 70, 661 S.E.2d 373 (2008).

November 25, 2015



Mary Stuart Shealy
100383
Seventh Judicial Circuit Public Defender Office
366 N. Church Street, Suite 3000
Spartanburg, South Carolina 29303
(864) 596-2561
Attorney for Appellant

Other Counsel of Record:

Megan L. Moricle, Esq.
Seventh Judicial Circuit Solicitor's Office
180 Magnolia Street
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Attorney for Respondent

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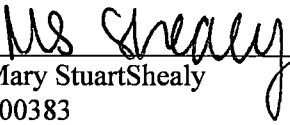
Case No(s): 2015-002298

The State Respondent,
v.
TimothyDaleCrockett. Appellant.
.....

PROOF OF SERVICE

I certify that I served the Explanation of Appeal Pursuant to Rule 203(d)(1)(B), SCACR, on the State of South Carolina by depositing a copy of it in the United States Mail, postage prepaid, on November 25, 2015 addressed to its attorney of record, Megan L.Moricle, Esq., Assistant Circuit Solicitor, 180 Magnolia Street, Spartanburg, S.C. 29306.

November 25, 2015


Mary StuartShealy
100383
Seventh Judicial Circuit Public Defender Office
366 N. Church Street, Suite 3000
Spartanburg, South Carolina 29303
(864) 596-2561
Attorney for Appellant

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM SPARTANBURG COUNTY
Court of General Sessions

J. Mark Hayes, Circuit Court Judge

Case No. 2015-002298

The StateRespondent,

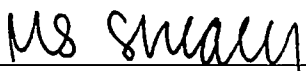
v.

Timothy Crockett,Appellant.

MOTION TO FILE NOTICE OF APPEAL OUT OF TIME

The Appellant hereby moves to file his Notice of Appeal and Proof of Service out of time. Mary Stuart Shealy was appointed to represent Timothy Crockett, the Appellant. The Appellant pled guilty with a lawyer from the Public Defender's office who handles jail pleas, James Cheek. The appellant did not tell the jail plea attorney or his appointed attorney that he wanted an appeal filed in his case. A pro se appeal improperly filed was forwarded to the undersigned's office past the ten day period for an appeal. The appellant was questioned about it and said that he did not want our services. The undersigned received a letter from the Court of Appeals and is therefore fixing the problems with the appeal in this case. For these reasons, the Appellant moves to file his Notice of Appeal and Proof of Service out of time.

November 25, 2015



Mary Stuart Shealy
Assistant Public Defender
Spartanburg County Public Defender
366 North Church Street
Spartanburg, S.C. 29306
(864) 596-2561
Attorney for Appellant

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APPEAL FROM SPARTANBURG COUNTY
Court of General Sessions

J. Mark Hayes, Circuit Court Judge

Case No. 2015-002298

The StateRespondent,


v.

Timothy Crockett,Appellant.

PROOF OF SERVICE

I certify that I served the Motion to File Notice of Appeal Out of Time on the State of South Carolina by depositing a copy of it in the United States Mail, postage prepaid, on November 25, 2015, addressed to its attorney of record, Megan Moricle, Esq., Assistant Solicitor, Seventh Judicial Circuit, 180 Magnolia Street, Spartanburg, S.C. 29306.

November 25, 2015



Mary Stuart Shealy
Assistant Public Defender
Spartanburg County Public Defender
366 North Church Street
Spartanburg, S.C. 29306
(864) 596-2561
Attorney for Appellant

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SEVENTH JUDICIAL CIRCUIT PUBLIC DEFENDER

CLAY T. ALLEN
CIRCUIT PUBLIC DEFENDER

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SC Court of Appeals
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366 NORTH CHURCH STREET
SUITE 3000
SPARTANBURG, SC 29303



TELEPHONE (864) 596-2561
FAX (864) 596-2284
FAX (864) 562-4412

November 25, 2015

The Honorable Jenny A. Kitchings
Clerk of the South Carolina Court of Appeals
Post Office Box 11629
Columbia, South Carolina 29211

RE: State v. Timothy Dale Crockett
Case No(s): 2015-002298

Dear Ms Kitchings:

Enclosed for filing is the original Notice of Appeal in the above case. Also enclosed are the Proof of Service of the Notice of Appeal on the Respondent, the Explanation of Appeal and Proof of Service, and a copy of the indictment, verdict, and sentence to be challenged on appeal.

Sincerely yours,

MS Shealy
Mary Stuart Shealy

Enclosures

cc: Office of Seventh Judicial Circuit Solicitor
Office of Attorney General
Office of Appellate Defense

Seventh Judicial Circuit Public Defender

366 N Church Street, Suite 3000
Spartanburg, South Carolina 29303

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The Honorable Jenny A. Kitchings
Clerk of the South Carolina Court of Appeals
Post Office Box 11629
Columbia, South Carolina 29211

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