

Handwritten initials

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM PICKENS COUNTY
Court of General Sessions

Edward W. Miller, Circuit Court Judge

Case No. 2014-GS-39-431

RECEIVED

DEC 29 2015

SC Court of Appeals

The State,

Respondent,

v.

Cary Ferree Blackwell,

Appellant.

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NOTICE OF APPEAL

Cary Ferree Blackwell appeals her conviction and sentence in this case. The sentence was imposed by the Honorable Edward W. Miller, on December 16, 2015. Appellant made and the Trial Court denied Appellant's Motion for Judgment Notwithstanding the Verdict or alternatively a New Trial at the conclusion of the trial on December 16, 2015.

December 23, 2015

Handwritten signature of Raymond E. MacKay

Raymond E. MacKay
S.C. Bar # 0003511
MacKay Law Firm, PA
1301 Ella Street
Anderson, South Carolina 29621
(864) 225-4495
Attorney for Appellant

Other Counsel of Record:
Caroline Hopkins
Assistant Solicitor
13th Circuit Solicitor's Office
214 E. Main Street, B-120
Pickens, South Carolina 29671
(864) 898-5998
Attorney for Respondent

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PROOF OF SERVICE

I certify that I have served the Notice of Appeal on State of South Carolina by depositing a copy of it in the United States Mail, postage prepaid, on December 23, 2015, addressed to its attorney of record, Caroline Hopkins, 13th Circuit Solicitor's Office, 214 E. Main Street, B-120, Pickens, South Carolina 29671.

December 23, 2015


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MacKay Law Firm, P.A.
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Raymond E. MacKay
rmackay@mackaylaw.net

December 23, 2015

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

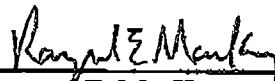
RE: State of South Carolina v. Cary Ferree Blackwell, Case No. 2014-GS-39-431

Dear Ms. Kitchings:

Enclosed for filing is a notice of appeal in the above case. Also enclosed are the following:

- (1) Proof of service of the notice of appeal on the respondent.
- (2) A copy of the judgment which is to be challenged on appeal.

Sincerely,



Raymond E. MacKay
S.C. Bar # 0003511
MacKay Law Firm, P.A.
1301 Ella Street
Anderson, South Carolina 29621
(864) 225-4495
Attorney for Appellant

cc: Caroline Hopkins
Assistant Solicitor
13th Circuit Solicitor's Office
214 E. Main Street, B-120
Pickens, South Carolina 29671
(864) 898-5998
Attorney for Respondent

STATE OF SOUTH CAROLINA)
 COUNTY OF Pickens)
 STATE VS.)
 Cary Ferree Blackwell)
 AKA:)
 Race: Sex: F Age: 48)
 DOB: 1 SS#)
 Address:)
 City, State, Zip: Clemson, SC 29631-2067)
 DL#: SID#:)

IN THE COURT OF GENERAL SESSIONS

INDICTMENT/CASE#: 2015GS3900431
 A/W#: H084491
 Date of Offense: 10/9/2014
 S.C. Code § : 56-05-2930-2940(4)
 CDR Code #: 3356

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SENTENCE SHEET

CONVICTED OF or PLEADS

*CDL Yes No CMV Yes No Hazmat Yes No
 In disposition of the said indictment comes now the Defendant who was
 TO: DUI/Refusal and BAC is below, 10%-2nd

in violation of § 56-05-2930-2940(4) of the S.C. Code of Laws, bearing CDR Code # 3356
 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: Candice Hopkins 101249 Cary Ferree Blackwell Ronald E. Murley 000551
 Hopkins, Caroline 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 1 days/months/years or under the Youthful Offender Act not to exceed _____ years
 and/or to pay a fine of \$ 5100; provided that upon the service of 20 days/months/years and/or payment
 of \$ 2100; plus costs and assessments as applicable*; the balance is suspended with probation for 30

months/years and subject to South Carolina Department of Probation, Parole and Pardon Services standard conditions of
 probation, which are incorporated by reference. * HLR
 CONCURRENT or CONSECUTIVE to sentences 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. (1 DAY)
 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 16-23-20 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: 10 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
 Fines may be pd. in equal, consecutive weekly/monthly
 pmts. of \$ _____ beginning _____
 \$ _____ paid to Public Defender Fund
 Other: REVENUE MARR

Recipient: _____

*Fine:		\$2,100.00
§ 14-1-206 (Assessments 107.5 %)		\$2,257.50
§ 14-1-211(A)(1) (Conv. Surcharge)	\$100	\$ 100.00
§ 14-1-211(A)(2) (DUI Surcharge)	\$100	\$ 100.00
§ 56-5-2995 (DUI Assessment)	\$12	\$
§ 56-1-286 (DUI Breath Test)	\$25	\$ 25.00
Proviso 47.9 (Public Def/Prob)	\$500	\$
§ 14-1-212 (Law Enforce. Funding)	\$25	\$ 25.00
§ 14-1-213 (Drug Court Surcharge)	\$150	\$
§ 50-21-114(B)(1) Breath Test Fee)	\$50	\$
§ 56-5-2942(J) (Vehicle Assessment)	\$40/ea	\$
Proviso 90.5 (SCCA Surcharge)	\$5	\$ 5.00
3% to County (if paid in installments)		\$ 138.38
TOTAL		\$ 4,750.88

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

Clerk of Court/ Deputy Clerk: Harold P. Welbon Sr.
 Court Reporter: Cheryl Smith
 SCCA217 (03/2011)

Presiding Judge: [Signature]
 Judge Code: 2130
 Sentence Date: 12-16-15

MackKay Law Firm, P.A.
Attorney and Counselor at Law
1301 Ella Street
Anderson, South Carolina 29621
Telephone: (864) 225-4495; Fax: (864) 225-0830

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FAX COVER SHEETDATE: 12-28-15TO: Jenny Abbott Kitchings, Clerk of CourtFAX NUMBER: 803-734-1839FROM: MACKAY LAW FIRM, P.A.

TOTAL NUMBER OF PAGES (INCLUDING COVER SHEET): _____

DOCUMENT REF: State of SC v. Cary Ferree Blackwell Case No.: 2014-GS-39-431

NOTES: Attached is a Notice of Appeal, Proof of Service and a copy of the Judgment which is to be challenged on appeal, that was mailed with proper postage applied on December 23, 2015.

The information contained in this facsimile message is attorney privileged and confidential information intended only for the use of the individual or entity named above. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by telephone (864) 225-4495, and return the original message to the above address via the U.S. Postal Service.

THANK YOU