

Jared Sullivan Newman, P.A.

Trial Attorney

Certified Civil Court Mediator

1508 Paris Ave.

Post Office Box 515

Port Royal, South Carolina 29935

jnewman@jnewmanlaw.com

RECEIVED

JAN 28 2016

SC Court of Appeals

~~January 14, 2016~~ 313

Fax: (843) 522-0421

Hon. V. Claire Allen
Deputy Clerk, S.C. Court of Appeals
Post Office Box 11629
Columbia, South Carolina 29211

Re: The State v. Lewis Chisolm
Appellate Case No.: 2015-002403

Dear Madam Clerk,

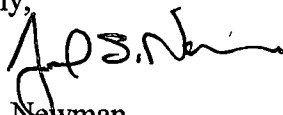
I am in receipt of the Notice of Deficiency dated January 11th 2016 and am forwarding a copy to Mr. Chisolm (SCDC) and Robert Dudek, Esquire.

I am not sure how to proceed. Mr. Chisolm filed his appeal *pro se*, the documents are enclosed. I witnessed a document for Mr. Chisolm and mailed the documents for him because he was immediately incarcerated after his plea and sentencing. I am not, however, his attorney for his appeal, nor have I signed any pleadings in this matter, other than as a witness for his certificate of mailing. I have enclosed a copy of the sentencing sheet and indictment.

I do not know the grounds that he wishes to challenge. I was his plea counsel, and to a limited extent assisted him with the documents he needed to sign and file and mailing the *pro se* appeal for him. Mr. Chisolm was advised by me that I was not representing him on this appeal, he acknowledged this fact and wished to proceed *pro se* and proceed through Office of Appellate Defense.

I do not know how to proceed at this juncture and am looking for any guidance from the Court.

Sincerely,



Jared S. Newman

cc: Mr. Louis Chisolm, SCDC #00196380
Kershaw Correctional Inst.
4848 Gold Mine Highway
Kershaw, South Carolina, 29067

Mr. Robert Dudek, Esquire



RECEIVED

JAN 28 2016

SC Court of Appeals

The South Carolina Court of Appeals

JENNY ABBOTT KITCHINGS
CLERK

V. CLAIRE ALLEN
DEPUTY CLERK

POST OFFICE BOX 11629
COLUMBIA, SOUTH CAROLINA 29211
1220 SENATE STREET
COLUMBIA, SOUTH CAROLINA 29201
TELEPHONE: (803) 734-1890
FAX: (803) 734-1839
www.sccourts.org

January 11, 2016

Mr. Jared Sullivan Newman, Esquire
PO Box 515
Port Royal SC 29935-0515

Re: The State v. Lewis Chisolm
Appellate Case No. 2015-002403

Dear Counsel:

Please be advised this is the second letter to be sent asking for action from you.

Upon reviewing your client's notice of appeal, the following deficiency or deficiencies have been noted under the South Carolina Appellate Court Rules (SCACR), and any deficiency must be corrected within ten (10) days of the date of this letter or your appeal will be dismissed:

- The notice of appeal is not accompanied by a redacted copy of the order(s) and/or sentence sheet(s) challenged on appeal.
- Since this is an appeal from a guilty plea, nolo contendere plea, or plea pursuant to Alford, Rule 203(d)(1)(B)(iv) of the South Carolina Appellate Court Rules requires "a written explanation showing that there is an issue which can be reviewed on appeal. This explanation should identify the issue(s) to be raised on appeal and the factual basis for the issue(s) including how the issue(s) was raised below and the ruling of the lower court on that issue(s). If an issue was not raised to and ruled on by the lower court, the explanation shall include argument and citation to legal authority showing how this issue can be reviewed on appeal."

Very truly yours,

V. Claire Allen, Deputy

CLERK

cc: Robert Michael Dudek, Esquire
Julie Kate Keeney, Esquire
Alan McCrory Wilson, Esquire
John Benjamin Aplin, Esquire

0-20 years

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF Beaufort
STATE VS.
Lewis Chisolm

INDICTMENT/CASE#: 2015GS0701529
A/W#: 2015GS0701529
Date of Offense: 9/17/2013
S.C. Code §: 16-03-0655(B)(1)
CDR Code #: 0396

AKA:
Race: AFRICAN AME Sex: M Age: 50
DOB: [REDACTED] SS: [REDACTED]
Address: [REDACTED]
City, State, Zip: [REDACTED]
DL#: [REDACTED] SID#: [REDACTED]

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SENTENCE SHEET

*CDL Yes No CMV Yes No Hazmat Yes No
In disposition of the said indictment comes now the Defendant who was CONVICTED OF or PLEADS TO: Criminal sexual conduct with minor - victim 11 to 14 yrs of age inclusive - Second degree

Court of Appeals

in violation of § 16-03-0655(B)(1) of the S.C. Code of Laws, bearing CDR Code # 0396
 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: Jessie Kay Kelly 100145 [Signature] 12930
Clerk of Court 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 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:
 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. 60 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
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: _____

Recipient: _____
*Fine:
§ 14-1-206 (Assessments 107.5%) \$ _____
§ 14-1-211(A)(1) (Conv. Surcharge) \$100 \$ _____
§ 14-1-211(A)(2) (DUI Surcharge) \$100 \$ 100.00
§ 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 \$ 25.00
§ 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 \$ 5.00
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 KO Boone
Court Reporter: Wanda Rowe
SCCA/217 (03/2011)

Presiding Judge [Signature]
Judge Code: 2154
Sentence Date: 11-9-15

Certified - A True Copy
KO BOONE
Jerrri Ann Roseneau - Clerk of Court
Beaufort County, SC - Karen Boone

WITNESSES

Kelleher / BCSO

DOCKET NO. 2015GS0701529

The State of South Carolina
County of Beaufort

After being fully advised as to my legal rights, I hereby waive presentment to the Grand Jury.

Defendant

COURT OF GENERAL SESSIONS

September Term 2015

I _____
hereby appear in my own proper person and plead guilty to the within indictment or to

ARREST WARRANT NUMBER

2015GS0701529

Direct Indictment

THE STATE

vs.

Lewis Chisolm

Indictment For

**Criminal Sexual Conduct With Minor,
2nd Degree – victim 11 to 14 years of
age**

SC Code: 16-3-655(B)(1)

CDR Code: 0396

True Bill

[Signature]
Foreperson of Grand Jury

Date: **SEP 17 2015**

Defendant

VERDICT

Witness:

Foreperson of Petit Jury

Date:

INDICT

C.C.C. PLS. and G.S.

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SC Court of Appeals

THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS
APPEAL FROM BEAUFORT COUNTY
COURT OF GENERAL SESSIONS

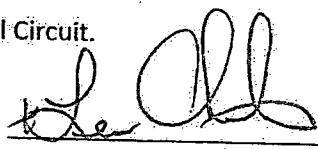
EUGENE C. GRIFFITH, JR., CIRCUIT COURT JUDGE

INDICTMENT NO. 2015GS0701529

2015 NOV 13 AM 10:25
CLERK OF COURT
BEAUFORT COUNTY

STATE OF SOUTH CAROLINA - RESPONDENT,
verus
LEWIS CHISOLM. - APPELLANT.

LEWIS CHISOLM, appeals from his plea, conviction and sentence on the charge of Criminal Sexual Conduct with Minor, or Attempt – Victim 11 to 14 years of age, Second Degree on November 9, 2015 before the Honorable Eugene C. Griffith, Jr., Presiding Judge, Eighth Judicial Circuit; and LEWIS CHISOLM appeals the Denial of his Motion to Reconsider Sentence on November 13, 2015 before the Honorable Eugene C. Griffith, Jr., Presiding Judge, Eighth Judicial Circuit.



Lewis Chisolm
Pro-Se
SC Department of Corrections

Other counsel of record:
Julie Kate Keeney
Post Office Box 1880
Bluffton, South Carolina 29910
(843) 255-5880

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SC Court of Appeals

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

INDICTMENT NO. 2015GS0701529

STATE OF SOUTH CAROLINA

RESPONDENT,

verus

LEWIS CHISOLM

APPELLANT.

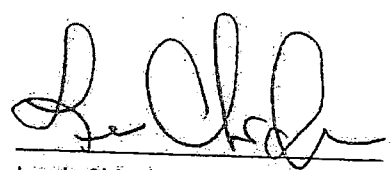
BEAUFORT COUNTY S.C.
2015 NOV 13 AM 10:25


AFFIDAVIT OF SERVICE BY MAIL

PERSONALLY appeared before me, Lewis Chisolm, who being duly sworn, states:

1. That regular communication exists throughout the State of South Carolina, and this is the proper circumstances for hand delivered mail.
2. That on November 13, 2015 an Original Notice of Intent to Appeal in the above captioned case was filed with the Beaufort County Clerk of Court.
3. That an original Notice of Intent to Appeal in the above captioned case was served on the Clerk of Court, SC Court of Appeals, P.O. Box 11629, Columbia, SC by depositing same in the United States Post Office at Beaufort, South Carolina on November 13, 2015 with the proper postage prepaid thereon.
4. That a true copy of the Notice of Intent to Appeal in the above captioned case was served on the Solicitor, Fourteenth Judicial Circuit, Post Office Box 1880, Bluffton, South Carolina by depositing same in the United States Post Office at Beaufort, South Carolina on November , 2015 with proper postage paid thereon.

~~Sworn to and subscribed before me~~
this 13 day of Nov., 2014


Lewis Chisolm

 WITNESS

~~Notary Public for South Carolina~~
~~My Commission Expires: 06/26/2016~~

Lewis Chisolm
SC Department of Corrections
4344 Broad River Road
Columbia, SC 29210

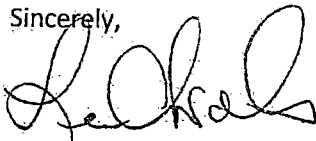
Solicitor
14th Judicial Circuit
Beaufort County
Post Office Box 1880
Bluffton, SC 29910

Re: Notice of Intent to Appeal
State vs. Lewis Chisolm
Indictment No. 2015GS0701529

Dear Sir/Madam:

Enclosed is a clocked copy of the Notice of Intent to Appeal in the above referenced matter and my certificate of mailing.

Sincerely,



Lewis Chisolm

Enclosures

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JAN 28 2016

SC Court of Appeals

Lewis Chisolm
SC Department of Corrections
4344 Broad River Road
Columbia, SC 29210

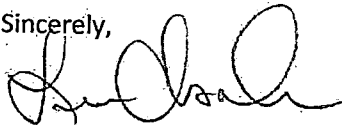
Clerk, SC Court of Appeals
Post Office Box 11629
Columbia, SC 29211-1629

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State vs. Lewis Chisolm
Indictment No. 2015GS0701529

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Lewis Chisolm

Enclosures

Lewis Chisolm
SC Department of Corrections
4344 Broad River Road
Columbia, SC 29210

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SC Court of Appeals

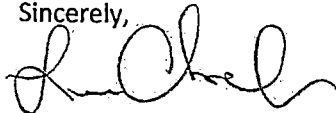
Division of Appellate Defense
Post Office 11589
Columbia, SC 29211

Re: Notice of Intent to Appeal
State vs. Lewis Chisolm
Indictment No. 2015GS0701529

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Sincerely,



Lewis Chisolm

Enclosures

Lewis Chisolm
SC Department of Corrections
4344 Broad River Road
Columbia, SC 29210

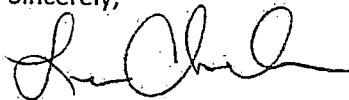
Office of the Attorney General
Attn: Criminal Appeals
1000 Assembly Street, Room 519

Re: Notice of Intent to Appeal
State vs. Lewis Chisolm
Indictment No. 2015GS0701529

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Sincerely,



Lewis Chisolm

Enclosures

Lewis Chisolm
SC Department of Corrections
4344 Broad River Road
Columbia, SC 29210

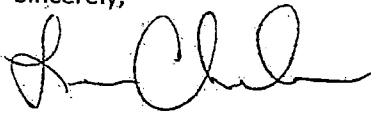
Office of the Attorney General
Attn: Criminal Appeals
1000 Assembly Street, Room 519
Columbia, SC 29201

Re: Notice of Intent to Appeal
State vs. Lewis Chisolm
Indictment No. 2015GS0701529

Dear Sir/Madam:

Enclosed is a clocked copy of the Notice of Intent to Appeal in the above referenced matter and my certificate of mailing.

Sincerely,

A handwritten signature in cursive script, appearing to read "L. Chisolm", written in black ink.

Lewis Chisolm

Enclosures

Lewis Chisolm
SC Department of Corrections
4344 Broad River Road
Columbia, SC 29210

Clerk, SC Court of Appeals
Post Office Box 11629
Columbia, SC 29211-1629

Re: Notice of Intent to Appeal
State vs. Lewis Chisolm
Indictment No. 2015GS0701529

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Sincerely,

A handwritten signature in black ink, appearing to read "Lewis Chisolm", written in a cursive style.

Lewis Chisolm

Enclosures

JARED S. NEWMAN, PA
LAW OFFICES
Post Office Box 515 / 1508 Paris Ave.
Port Royal, South Carolina 29935-0515
843-525-1313 / Fax 843-522-0421

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JAN 28 2016

SC Court of Appeals

FAX TRANSMISSION COVER SHEET

DATE: January 15, 2016

TO: V. Claire Allen
Clerk, SC Court of Appeals

FAX: 803-734-1839

RE: State v. Lewis Chisolm
Appellate Case No.: 2015-002403

SENDER: Dawn T. Erwin derwin@jnewmanlaw.com

15

YOU SHOULD RECEIVE ~~15~~ PAGE(S) INCLUDING THIS COVER SHEET.

IF YOU DO NOT RECEIVE THE FULL TRANSMISSION, PLEASE CALL
843-522-1313

TIME SENSITIVE

Thank you,

Dawn T. Erwin

Dawn T. Erwin
Paralegal to Jared S. Newman

HP Officejet Pro 8630 Series

Fax Log for
Jared S. Newman, PA
843-522-0421
Jan 15 2016 4:27PM

Last Transaction

Date	Time	Type	Station ID	Duration	Pages	Result
				Digital Fax		
Jan 15	4:23PM	Fax Sent	18037341839	3:48 N/A	15	OK ✓

Jared Sullivan Newman, P.A.
Trial Attorney
Post Office Box 515
Port Royal, South Carolina 29935

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JAN 28 2016

SC Court of Appeals

Hon. V. Claire Allen
Deputy Clerk, S.C. Court of Appeals
Post Office Box 11629
Columbia, South Carolina 29211

