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STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

FEB 05 2016

SC Court of Appeals

Appeal from Beaufort County  
Eugene C. Griffith, Jr., Circuit Court Judge  
Appellate Court No. 2015-002403

The State of South Carolina,

Respondent,

-vs-

Lewis Chisolm,

Appellant.

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Appellant's Explanation of Issues  
for Review on Appeal of Guilty Plea

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This appeal was requested by the Defendant. As counsel for the Defendant, I assisted the now Appellant in filing an appeal as he requested because of his immediate incarceration and the difficulty factor to file an appeal within the jurisdictional time limit. As indicated on the sentencing sheet, the Appellant pled guilty to Criminal Sexual Conduct With a Minor in the 2<sup>nd</sup> Degree. After a thorough plea colloquy, the Court accepted the Appellant's plea. The Court then heard from the State, considered statements from the victim's mother, heard the Appellant's plea in mitigation, and thereafter sentenced him to ten (10) years incarceration.

As best as undersigned counsel can understand the Appellant's issue on appeal; it is that he received a sentence a year longer than his understanding of what he believed it should of been. Undersigned counsel cannot discern the factual basis for his appeal, and would defer to Mr. Chisolm.<sup>1</sup>The

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<sup>1</sup> I have forwarded this and other correspondence to Mr. Chisolm.

issue of his sentence<sup>2</sup> was not raised below, as it was within the sentencing range that was discussed with the Solicitor, Trial Judge, counsel, and through his undersigned counsel, with the Appellant. The sentence imposed was well below the statutory maximum of twenty (20) years. Based upon counsel's discussion with the sentencing Judge and the solicitor, it is believed that a motion to reconsider sentence would have been utterly futile. Further, as explained to the Appellant, undersigned counsel believes that the issues that he has could more properly be addressed in a Post Conviction Relief (P.C.R.) Action.

Respectfully Submitted,



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ATTORNEY FOR THE DEFENDANT

Port Royal, South Carolina  
January 29<sup>th</sup> 2016.

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<sup>2</sup> The sentence was substantially below the statutory maximum and the solicitor's in chambers recommendation of 15 years. The in chambers discussion from the Trial Judge was 8 to 10 years, depending on the facts adduced from the State in open court and the victim's input. This information was fully related and discussed with the Appellant.

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The State of South Carolina,

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Appellant's Certificate of Service

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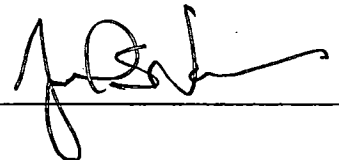
I hereby Certify that I have served this Appellate Pleading by depositing the same with the United States Postal Service, with sufficient postage affixed thereto, to the following:

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Mr. Lewis Chisolm #00196380  
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Kershaw, South Carolina 29067



Jared S. Newman

**Jared Sullivan Newman, P.A.**

**Trial Attorney**

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**SC Court of Appeals**

*Phone: (843) 522-1313*

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January 29<sup>th</sup> 2016

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

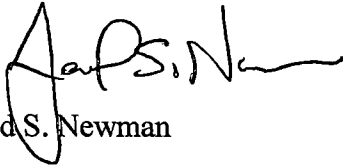
Re: The State v. Lewis Chisolm  
Appellate Case No. 2015-0515

Dear Madam Clerk;

Enclosed please find the Appellant's response pursuant to Rule 203(d)(1)(B)(iv) of the South Carolina Rules of Appellate Court Rules and Certificate of Service.

If you need additional information, please let me know. Thank you for your consideration in this matter. With kind regards, I remain,

Sincerely,



Jared S. Newman

JSN/dte

cc: Robert Michael Dudek, Esquire  
Isaac McDuffie Stone, Esquire  
Julie Kate Keeney, Esquire  
Alan McCrory Wilson, Esquire  
John Benjamin Aplin, Esquire  
Mr. Lewis Chisolm