

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

**RECEIVED**

MAR 10 2016

SC Court of Appeals

\_\_\_\_\_  
APPEAL FROM OCONEE COUNTY  
Court of General Sessions

Honorable Judge W. Jeffrey Young., Sixth Circuit Court Judge

\_\_\_\_\_  
2013-GS-37-00139  
\_\_\_\_\_

The State,

Respondent

v.

Anousack Thanonglit,

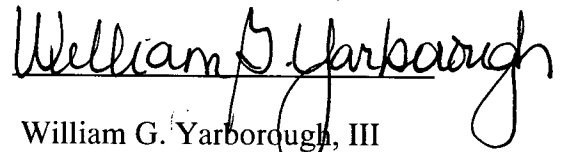
Appellant

\_\_\_\_\_  
APPELLANTS' NOTICE OF APPEAL  
\_\_\_\_\_

Defendant Anousack Thanonglit appeals his conviction and sentence in this case. The defendant was found guilty of Distribution and Possession with Intent to Distribute Marijuana 1st and was sentenced to five (5) years in prison on February 25, 2016. This appeal is taken from the Sentencing Sheet signed by the Honorable Judge R. Lawton McIntosh dated February 25, 2016. (See attached).

The issues for appeal include an improper search of the vehicle in which Mr. Thanonglit was traveling, violations of both the Fourth and Fifth Amendments, and a Miranda violation that led to the arrest and ultimate conviction with a sentence of five (5) years.

Respectfully submitted,

A handwritten signature in black ink that reads "William G. Yarborough, III". The signature is written in a cursive style with a horizontal line under the name.

William G. Yarborough, III  
522 N. Church Street  
Greenville, SC 29601

Counsel for Respondent:

Honorable Alan Wilson  
PO Box 11549  
Columbia, SC 29211

Bethany Blundy, Assistant Solicitor  
205 W Main Street  
Walhalla, SC 29691

Counsel for Appellant:

William G. Yarborough, III  
522 N. Church Street  
Greenville, SC 29601  
SC Bar# 10271

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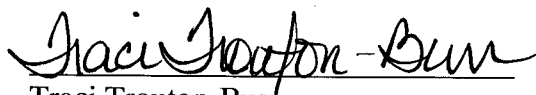
Anousack Thanonglit,

Appellant

AFFIDAVIT OF SERVICE

I, Traci Trouton-Burr, certify on this date, March 7, 2016, I served a Notice of Appeal in this action, dated March 7, 2016 on The Honorable Alan Wilson, and Bethany Blundy by mailing it to him/her at his/her work address, by depositing it in the U.S. Mail, in an envelope with sufficient postage affixed, addressed as follows:

Respectfully submitted,

  
Traci Trouton-Burr

Paralegal to William G. Yarborough, Esquire

SWORN TO before this 7th  
Day of March, 2016

Jeanine Haynes  
Notary Public for South Carolina  
My Commission expires: 12/30/2023

Honorable Alan Wilson  
PO Box 11549  
Columbia, SC 29211

Bethany Blundy, Assistant Solicitor  
205 W Main Street  
Walhalla, SC 29691

COUNTY OF OCONEE

STATE VS.

ANOUSACK THANONGLIT

AKA: \_\_\_\_\_
Race: Asian Sex: M Age: 37
DOB: 04/14/1978 SS#: \_\_\_\_\_
Address: 6355 Forest Haven Drive
City, State, Zip: Riverdale, GA 30274
DL# 054170348 SID# \_\_\_\_\_

INDICTMENT/CASE#: 2014GS3700139
A/W: 2013A3710400362
Date of Offense: 05/04/2013
S.C. Code §: 44-53-0370(b)(2)
CDR Code #: 0186

SENTENCE SHEET

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\*CDL Yes [ ] No [ ] CMV Yes [ ] No [ ] Hazmat Yes [ ] No [ ]
In disposition of the said indictment comes now the Defendant who was
TO: Dist/PWID/Manuf MJ/Sched I-III 1st

[X] CONVICTED OF or [ ] PLEADS

In violation of § 44-53-0370(b)(2) of the S.C. Code of Laws, bearing CDR Code # 0186

[X] NON-VIOLENT [ ] VIOLENT [ ] SERIOUS [ ] MOST SERIOUS [ ] Mandatory GPS [ ] §17-25-45
(CSC w/minor 1st or Lewd Act)

The charge is: [X] As indicted, [ ] Lesser Included Offense, [ ] Defendant Waives Presentment to Grand Jury. (def.'s initials)
The plea is: [ ] Without Negotiations or Recommendation, [ ] Negotiated Sentence, [ ] Recommendation by the State.

ATTEST:
Bethany Blundy, Assistant Solicitor SC Bar # 79907 Defendant
Attorney for Defendant SC Bar # 10421

WHEREFORE, the Defendant is committed to the [X] State Department of Corrections [ ] County Detention Center,
for a determinate term of 5 days/months/years or [ ] under the Youthful Offender Act not to exceed \_\_\_\_\_ years
and/or to pay a fine of \$5,000; 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 Service standard conditions of probation, which
are incorporated by reference.

[ ] CONCURRENT or [ ] CONSECUTIVE to sentence on: \_\_\_\_\_
[X] 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. (from Sept 10, 2015)
[ ] The Defendant is to be placed on 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 PTUP \_\_\_\_\_
Total: \$ \_\_\_\_\_ plus 20% fee: \$ \_\_\_\_\_ days/hours Public Service Employment
Payment Terms: \_\_\_\_\_ Obtain GED [ ]

[ ] Set by SCDPPPS \_\_\_\_\_ Attend Voc. Rehab. Or Job Corp. \_\_\_\_\_

Recipient: \_\_\_\_\_ May serve W/E beginning \_\_\_\_\_

\*Fine: \$ 5,000.00
§14-1-206 (Assessments 107.5%) \$ 5,375.00
§14-1-211 (A)(1)(Conv. Surcharge) \$100 \$ 100.00
§14-1-211 (A)(2)(DUI Surcharge) \$100 \$
§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 \$ 150.00
§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) \$ \$ 319.65
TOTAL \$ 10,974.65

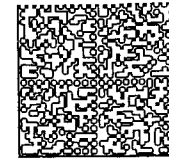
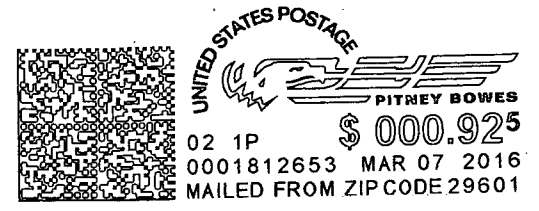
Random Drug/Alcohol Testing [ ]
Fine may be pd. in equal consecutive weekly/monthly
pmts. of \$ \_\_\_\_\_ Beginning \_\_\_\_\_
\$ \_\_\_\_\_ Paid to Public Defender Fund

Other: \_\_\_\_\_

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

Clerk of Court/Deputy Clerk: Beverly H. Whitfield
Court Reporter: Diane Marcengia
SCCA/217 (03/2011)

Presiding Judge: [Signature]
Judge Bar ID: \_\_\_\_\_ Judge Code: 2155
Sentence Date: 2-25-16



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MAILED FROM ZIP CODE 29601

**Law Office of William G. Yarborough III**  
**522 North Church Street**  
**Greenville, SC 29601**

**Jenny Abbott Kitchings**  
**Clerk of Court**  
**SC Court of Appeals**  
**PO Box 11629**  
**Columbia, SC 29211**

