

2012208506

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

APPEAL FROM THE SPARTANBURG COUNTY  
Court of General Sessions

J. Derham Cole, Circuit Court Judge

Case No. 2010-GS-42-02903

POS 2.8.12  
PM 2.8.12

The State,

Respondent,

v.

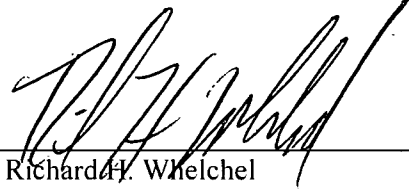
Alfred Clay Jackson

Appellant

NOTICE OF APPEAL

Alfred Clay Jackson appeals his/her conviction and sentence in this case. The sentence was imposed by the Honorable J. Derham Cole on February 2, 2012. This appeal is taken from the conviction and sentence.

February 8, 2012

s/   
Richard H. Welchel  
Bar No.: 6057  
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 Records:  
Eddie Hunter, Esq.  
Seventh Judicial Circuit Solicitor's Office  
180 Magnolia Street  
Spartanburg, South Carolina 29306  
(864) 596-2575  
Attorney for Respondent

RECEIVED  
FEB 13 2012  
SC Court of Appeals

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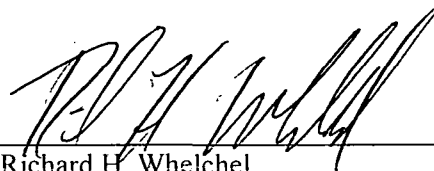
PROOF OF SERVICE

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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 February \_\_\_\_\_, 2012, addressed to its attorney of record, Eddie Hunter, Esq., Assistant Solicitor, 180 Magnolia Street, Spartanburg, South Carolina 29306.

February 8, 2012

s/



Richard H. Whelchel

Bar No.: 6057

Seventh Judicial Circuit Public Defender Office

366 N Church Street, Suite 3000

Spartanburg, South Carolina 29303

(864) 596-2561

Attorney for Appellant

RECEIVED  
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STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF SPARTANBURG
STATE VS. Alfred Clay Jackson

INDICTMENT/CASE#: 2010GS4202903
A/W#: M117399
Date of Offense: 11/6/2009
S.C. Code § : 44-53-0370 (
CDR Code #: 3012

AKA:
Race: BLACK Sex: M Age: 44
DOB: 02-27-1967 SS#: 248-33-0299
Address: 80 Williams St
City, State, Zip: Spartanburg, SC, 29301
DL#: SID#:

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: Drugs / Possession of cocaine 2nd offense (D-5 +/or \$0-7,500)

in violation of § 44-53-0370 ( of the S.C. Code of Laws, bearing CDR Code # 3012
NON-VIOLENT VIOLENT SERIOUS MOST SERIOUS Mandatory GPS(CSC §17-25-45 w/minor 1st or Lewd Act)

The charge is: As Indicted, Lesser Included Offense, Defendant Waives Presentment to Grand Jury.
The plea is: Without Negotiations or Recommendation, Negotiated Sentence, Recommendation by the State.

ATTEST: J.E. Edwards Hunter James Edward SC Bar# 77517
Defendant: Alfred C. Jackson SC Bar# 6057
Attorney for Defendant: K.H. White

WHEREFORE, the Defendant is committed to the 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 \$ 7,500 ; provided that upon the service of 18 days/months/years and/or payment of \$ ; plus costs and assessments as applicable\*; the balance is suspended with probation for 3 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.
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 100 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:

Table with 3 columns: Description, Amount, Total. Includes items like § 14-1-206 (Assessments 107.5%), § 14-1-211(A)(1) (Conv. Surcharge) \$100, § 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, § 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, 3% to County (if paid in installments) \$21.90, TOTAL \$751.90

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

Clerk of Court/ Deputy Clerk: A. Brady
Court Reporter: M. Offitt
SCCA/217 (03/2011)

Presiding Judge: [Signature]
Judge Code: 2053
Sentence Date: February 2, 2012

WITNESSES

SPTG DEPT PUBLIC SAFETY

*[Handwritten signature]*

ARREST WARRANT NUMBER

M117399

07/21/2010 Page 4 of 29

ACTION OF GRAND JURY

*[Handwritten signature]*

Foreperson of Grand Jury

Date:

*[Handwritten signature]*

VERDICT

Foreperson of Petit Jury

Date:

DOCKET NO. **10-GS-42-2903**

The State of South Carolina

County of Spartanburg

*Trey Gowdy, Solicitor*

COURT OF GENERAL SESSIONS

MAY 17 2010

TERM

THE STATE

vs.

ALFRED CLAY JACKSON

Indictment for

POSSESSION OF COCAINE

SC Code: 44-53-370

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF SPARTANBURG )

INDICTMENT

MAY 06 2010

At a Court of General Sessions, convened on \_\_\_\_\_, the  
Grand Jurors of Spartanburg County present upon their oath:

**POSSESSION OF COCAINE**

That Alfred Clay Jackson did in Spartanburg County on or about  
November 6, 2009, knowingly or intentionally possess a quantity of  
Cocaine, a Schedule II controlled substance, in violation of § 44-53-370,  
*THE CODE OF LAWS OF SOUTH CAROLINA, (1976), as amended.*

Against the peace and dignity of the State, and contrary to the statute in such case  
made and provided.

  
ASSISTANT SOLICITOR

**SEVENTH JUDICIAL CIRCUIT PUBLIC DEFENDER**

**CLAY T. ALLEN**  
CIRCUIT PUBLIC DEFENDER

366 NORTH CHURCH STREET  
SUITE 3000  
SPARTANBURG, SC 29303



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

February 8, 2012

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

RE: State v. Alfred Clay Jackson  
Case No.: 2010-GS-42-02903

Dear Ms. Gee:

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 and copy of the indictment, verdict, and sentence to be challenged on appeal.

Sincerely yours,

A handwritten signature in black ink, appearing to read "R. H. Wheelchel".

Richard H. Wheelchel

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

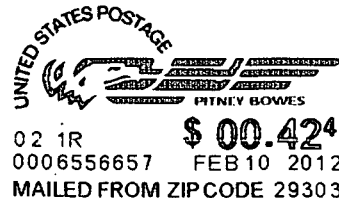
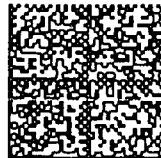
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SC Court of Appeals

**Seventh Judicial Circuit Public Defender**

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

**RETURN SERVICE  
REQUESTED**

**PRESORTED  
FIRST CLASS**



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

RGBBR:MP 29211

