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THE STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

APPEAL FROM CHARLESTON COUNTY
Court of General Sessions

Deadra L. Jefferson, Circuit Court Judge

INDICTMENT NO.: 2010GS1002020
WARRANT NO.: 37621EZ

THE STATE, RESPONDENT,



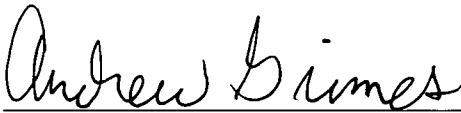
v.

COREY GETHERS, APPELLANT.

NOTICE OF APPEAL

Corey Gethers appeals his conviction and sentence in this case. The sentence was imposed by the Honorable Deadra L. Jefferson on December 2, 2011.

December 12, 2011



Andrew D. Grimes
O. T. Wallace County Office Building
101 Meeting Street
5th Floor
Charleston, SC 29401
(843) 958-1850

Other counsel of record are:
James P. Stack
Assistant Solicitor
O.T. Wallace County Office Building
101 Meeting Street, 4th Floor
Charleston, SC 29401
(843) 958-1900
Attorney for Respondent

RECEIVED
DEC 14 2011
SC Court of Appeals

THE STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

APPEAL FROM CHARLESTON COUNTY
Court of General Sessions

Deadra L. Jefferson, Circuit Court Judge

INDICTMENT NO.: 2010GS1002020
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THE STATE, RESPONDENT,

v.

COREY GETHERS, APPELLANT.

PROOF OF SERVICE

I certify that I have served the Notice of Appeal on James P. Stack, Assistant Solicitor for Charleston County, by hand delivering a copy of it to the Charleston County Solicitor's Office at 101 Meeting Street, Charleston, South Carolina 29401, on December 12, 2011.

December 12, 2011



Andrew D. Grimes
O. T. Wallace County Office Building
101 Meeting Street
Fifth Floor
Charleston, SC 29401
(843) 958-1850

RECEIVED
DEC 14 2011
SC Court of Appeals

STATE OF SOUTH CAROLINA)

IN THE COURT OF GENERAL SESSIONS

COUNTY OF Charleston)
STATE VS.)

INDICTMENT/CASE#: 2010GS1002020

COREY GETHERS)

A/W#: 37621EZ

AKA: _____)

Date of Offense: 12/21/2009

Race: BLACK Sex: M Age: 34)

S.C. Code § : 56-05-0750(B)(1)

DOB: 03-03-1977 SS#: 200-58-8013)

CDR Code #: 0065

Address: 3227 PROCTOR ST)

City, State, Zip: CHARLESTON, SC 294050000)

DL#: 007548283 SID#: SC00977492)

SENTENCE SHEET

*CDL Yes No CMV Yes No Hazmat Yes No

In disposition of the said indictment comes now the Defendant who was TO: Failure to stop for a blue light, no injury or death. 1st offense

CONVICTED OF or PLEADS

in violation of § 56-05-0750(B)(1) of the S.C. Code of Laws, bearing CDR Code # 0065

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. _____ (defendant's initials)

The plea is: Without Negotiations or Recommendation, Negotiated Sentence, Recommendation by the State.

ATTEST:

J. Stack 72574
Stack, James P. 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 \$ _____; 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.

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

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 _____

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: _____

*Fine:		\$
§ 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)		\$
TOTAL:		\$ <u>10</u>

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

Presiding Judge A. K. Jefferson
Judge Code: 2128
Sentence Date: 12-2-11

Clerk of Court/ Deputy Clerk Whitney Harrison
Court Reporter: Jo Prince
SCCA/217 (03/2011)

RECEIVED
CLERK OF APPEALS
DEC 14 2011

STK0091207326

DOCKET NO. 2010GS1002020

WITNESSES

JASON CAIN

Charleston County Sheriff

The State of South Carolina

County of Charleston

AGENCY CASE NUMBER

2009024135

COURT OF GENERAL SESSIONS

MARCH TERM 2010

ARREST WARRANT NUMBER

37621EZ

THE STATE

vs.

DATE OF ARREST

December 21, 2009

COREY GETHERS

DOB: 1977-03-03

B/M

ACTION OF GRAND JURY

TRUE BILL

Indictment for

FAILURE TO STOP FOR A BLUE LIGHT

Foreperson of Grand Jury
Date: 12/21/09

VERDICT

Guilty

Victoria Green 12/21/11
Foreperson of Petit Jury Date

INDICT

STATE OF SOUTH CAROLINA)
)
COUNTY OF CHARLESTON)

INDICTMENT

At a Court of General Sessions, convened on March 1, 2010 the Grand Jurors of Charleston County present upon their oath:

FAILURE TO STOP FOR A BLUE LIGHT

That in Charleston County, South Carolina, on or about December 21, 2009, the Defendant, COREY GETHERS, while driving a motor vehicle on a road, street, or highway of the State, did knowingly, willfully, intentionally, and in the absence of mitigating circumstances, fail to stop for a law enforcement vehicle after being signaled by a flashing light and/or a siren to do so; all in violation of Section 56-5-750 of the South Carolina Code of Laws (1976) as amended.

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



JAMES P. STACK
ASSISTANT SOLICITOR

STATE OF SOUTH CAROLINA)
COUNTY OF CHARLESTON)

IN THE COURT OF GENERAL SESSIONS
OF THE NINTH JUDICIAL CIRCUIT

STATE OF SOUTH CAROLINA)
Plaintiff,)

VS.)

VERDICT FORM

COREY GETHERS,)
Defendant.)
_____)

AS TO INDICTMENT NO.: 2010-GS-10-2020

We, the jury, by unanimous consent find the Defendant:

Guilty of Failure to Stop for Blue Light.

OR

Not Guilty.

Please sign and date.

Victoria Hreen
Foreperson

December 2, 2011

Please let the bailiffs know when you have finished your deliberations.

STK20091207326

WITNESSES

JASON CAIN

Charleston County Sheriff

AGENCY CASE NUMBER

2009024135

ARREST WARRANT NUMBER

37621EZ

DATE OF ARREST

December 21, 2009

ACTION OF GRAND JURY

TRUE BILL

[Signature]
Foreperson of Grand Jury

Date: MAR 01 2010

VERDICT

Foreperson of Petit Jury

Date:

INDICT

DOCKET NO. 2010GS1002020

The State of South Carolina

County of Charleston

COURT OF GENERAL SESSIONS

MARCH TERM 2010

THE STATE

vs.

COREY GETHERS

DOB: 1977-03-03

B/M

Indictment for

FAILURE TO STOP FOR A BLUE LIGHT

FILED

3/12/2010 11:53:40 AM

JULIE J. ARMSTRONG

CLERK OF COURT

09 7629 (02)

STATE OF SOUTH CAROLINA)

INDICTMENT

COUNTY OF CHARLESTON)

At a Court of General Sessions, convened on March 1, 2010 the Grand Jurors of Charleston County present upon their oath:

FAILURE TO STOP FOR A BLUE LIGHT

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



JAMES P. STACK
ASSISTANT SOLICITOR

STATE OF SOUTH CAROLINA
UNIFORM TRAFFIC TICKET

TBS

CITY OF COUNTY OF CHARLESTON VERSUS

FIRST NAME COREY MIDDLE NAME LAST NAME GETHERS

STREET AND NO. 3227 PROCTOR ST CITY AL. CHAS STATE SC ZIP CODE 29405

STATE LICENSED SC DRIVER'S LICENSE NO. 007548283 CDL YES NO DRI. LIC. CLASS P

VEH. LIC. NO. HES802 STATE SC MAKE OF VEH. SUZUKI YEAR 1988 COMM. VEH. AUTO 15 PSGR. VEH. COMB. HAZ. MT. MOPED MTRCYCL. OTHER

YOU ARE SUMMONED TO APPEAR BEFORE THE TRIAL OFFICER

NAME OF TRIAL OFFICER STREET AND NO.

DATE OF TRIAL TIME OF TRIAL CITY STATE ZIP CODE

VIOLATION - COURT APPEARANCE REQUIRED YES NO FAIL TO STOP BLUE LIGHTS VIOLATION SECTION NO. 56-5-750

OWNER OF VEHICLE ANDREW DUNHAM DATE OF ARREST 12 21 09

ADDRESS OF OWNER 6600 #211 RIVERS AVE 29406 DATE OF VIOLATION 12 21 09

BAIL DEPOSITED JAIL NAME OF ARRESTING OFFICER CAIJI J. RANK A/DET

DESCRIPTION OF ACCUSED RACE B M SEX M BIRTH DATE 3 3 77 HT. 603 HAIR BLU WT. 240 EYES BLU COUNTY CHAS NUMBER 10
DATE BAIL REC'D. BY BADGE 9106 DISTRICT 6

CASE BEFORE MAGISTRATE MUN. COURT CIRCUIT COURT FAMILY COURT FEDERAL COURT TIME OF VIOLATION 2200 WEATHER CLR

NAME OF TRIAL OFFICER IF DIFFERENT FROM ABOVE. HUNTER DISTANCE IN FEET FROM INTERSECTION OF AND

DEFENDANT: DID NOT APPEAR APPEARED DISPOSITION NOLLE PROSSED GUILTY FORFEITED BOND PLED: NOLO CONTENDERE MILES 78 AND POULLE PARK

TRIAL BY: TRIAL OFFICER DOURY HWY NO. 78 CITY

VERDICT OF TRIAL IF ANY GUILTY DATE OF TRIAL IF ANY. 20 NOT GUILTY Lat

JAIL SUSPEND FINE AMT. COLLECTED AMT. SUSPENDED Long

COMMITTED TO: Vehicle Searched Y Arrest as Result of Collision N OFFENSE CODE 94 B.A. LEVEL

CERTIFIED CORRECT DATE 20

37621 EZ

TRIAL OFFICER'S COPY

2009-024135

DOCKET NO.

BOND HEARING

DATE: 12-23-09

JUDGE: Linda Jordan

AMOUNT \$ 15,000

P. R.

JURISDICTION Central

FILED

2009 DEC 30 AM 8:58
JULIE J. ARMSTRONG
CLERK OF COURT

CHECKLIST

SUM. CRT. CASE # 11771 or 2

OW CASE # 1629

REPORT GROUP 6065

DISP. CODE 79ND

Berkeley County
219 N. Hwy. 52, Suite E
P.O. Box 1687
Moncks Corner, SC 29461
(843) 899-2777
(843) 899-2701 Fax
Patricia A. Kennedy
Chief County Public Defender

Ninth Circuit Public Defender
Berkeley & Charleston Counties

D. Ashley Pennington, Circuit Defender
publicdefender@charlestoncounty.org
(843) 958-1850

Charleston County
O.T. Wallace Building
101 Meeting Street, 5th Floor
Charleston, SC 29401-2214
(843) 958-1850
(843) 958-1860 Fax
Lorelle D. Proctor
Chief County Public Defender

December 12, 2011

South Carolina Appellate Defense Commission
Attention -- Ms. Sharon Graham
PO Box 11589
Columbia, South Carolina 29211

Re: *State of South Carolina v. Corey Gethers*
Indictment No.: 2010GS1002020
Warrant No.: 37621EZ

Dear Ms. Graham:

I am enclosing a duplicate set of the Appeal papers, which I have forwarded to the Clerk of the South Carolina Court of Appeals concerning the above-subject defendant. This defendant was represented by our office as an indigent, pursuant to the Defense of Indigents Act, and it is requested that your office assume the appeal of this case.

The name of the Court Reporter is Jo Rice and her address is 401 Wardlaw Street, Abbeville, South Carolina 29620. I have enclosed documents usually requested by your office. Documents listed but not applicable to this particular case have been marked "N/A."

I thank you in advance for your cooperation in this matter. If you have any questions or comments concerning this matter, please do not hesitate to contact me.

Sincerely,



Andrew D. Grimes

enclosure(s): As stated above

cc: Mr. Corey Gethers (without enclosures)

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DEC 14 2011
SC Court of Appeals