

THE STATE OF SOUTH CAROLINA  
In the South Carolina Court of Appeals

APPEAL FROM YORK COUNTY  
Court of General Sessions

Daniel D. Hall, Circuit Court Judge

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JUN 13 2016

SC Court of Appeals

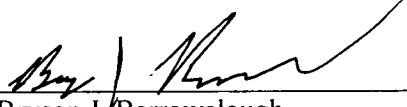
Case No.: 2015-GS-46-03383, 2015-GS-46-03383A,  
2015-GS-46-03384

The State of South Carolina, Respondent  
v.

Antonio Ross, Appellant

NOTICE OF APPEAL

*lsc*  
Antonio Ross appeals his convictions and the sentences imposed by the Honorable Daniel D. Hall. On June 6, 2016, the Appellant pleaded guilty to Armed Robbery (Indictment No. 2015-GS-46-3383), Possession of a Weapon During the Commission of a Violent Crime (Indictment no. 2015-GS-46-3383A), and Possession of a Firearm by a Person Prohibited (Indictment No. 2015-GS-46-3384). The Appellant received concurrent sentences of Fourteen (14) years, Five (5) years and Five (5) years, respectively. On June 6, 2016, the Appellant filed a Motion to Reconsider Sentencing. On June 7, 2016, The Honorable Daniel D. Hall, denied the Motion.

  
Bryson J. Barrowclough  
Deputy Public Defender  
Sixteenth Judicial Circuit  
P.O. Box 691  
York, SC 29745  
(803) 628-3031  
Attorney for Appellant

This 8<sup>th</sup> day of June, 2016.  
York, South Carolina

Other Counsel of record:  
Jessica E. Holland, Assistant Solicitor  
Sixteenth Judicial Circuit  
1675-1A York Highway  
York, SC 29745  
(803) 628-3020

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2016 JUN -8 AM 11:04  
DAVID HAMILTON  
C.C.P. & G.S.  
YORK COUNTY, SC

THE STATE OF SOUTH CAROLINA  
In the South Carolina Court of Appeals

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APPEAL FROM YORK COUNTY  
Court of General Sessions

JUN 13 2016

SC Court of Appeals

Daniel D. Hall, Circuit Court Judge

Case No.: 2015-GS-46-03383, 2015-GS-46-03383A  
2015-GS-46-03384

The State of South Carolina, Respondent  
v.

Antonio Ross, Appellant

Certificate of Service

This is to certify that a copy of the Notice of Appeal in the case of The State vs. Antonio Ross was served upon Assistant Solicitor Jessica E. Holland on June 8, 2016, by hand-delivering a copy to the Solicitor's Office, second floor of the Moss Justice Center, 1675 York Highway, York, South Carolina, by the undersigned.



Jackie Davis  
Legal Secretary for Bryson J. Barrowclough  
Attorney for the Defendant

DAVID HAMILTON  
C.C.P. & G.S.  
YORK COUNTY, SC

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STATE OF SOUTH CAROLINA )  
 )  
 IN THE COURT OF APPEALS )  
 )  
 State of South Carolina )  
 )  
 -vs- )  
 )  
 Antonio Dontae Ross, )  
 )  
 Defendant. )  
 )  
 \_\_\_\_\_ )

Indictment No.: 2015-GS-46-3383,  
 2015-GS-46-3383A  
 2015-GS-46-3384

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JUN 13 2016

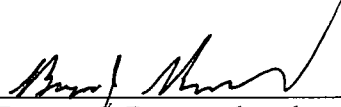
**SC Court of Appeals**

**RULE 203(B) EXPLANATION**

Pursuant to Rule 203(B)(iv), the issue to be raised on appeal is whether the trial court abused its discretion when it imposed the Fourteen Year sentence upon the Appellant after he pled guilty to Armed Robbery, Possession of a Firearm by a Person Prohibited, and Possession of a Weapon During the Commission of a Violent Crime.

The undersigned does not have a good faith basis to believe that this issue is properly before the Court of Appeals, and the undersigned did not object to the sentence or file a motion to reconsider the sentence. Nevertheless, the undersigned consulted with the Appellant about his right to appeal, and after consultation, the undersigned has filed the instant appeal at the request of the Appellant because the Sixth Amendment requires counsel to follow the Appellant's request. *See Frazer v. South Carolina*, 430 F.3d 696, 705 (4<sup>th</sup> Cir. 2005) ("A defendant has a right to pursue a direct appeal, even if frivolous, which counsel must assist as 'an active advocate on behalf of his client.'" (quoting *Anders v. California*, 386 U.S. 738, 744 (1967))).

Respectfully submitted,

  
 \_\_\_\_\_  
 Bryson T. Barrowclough  
 P.O. Box 691  
 York, South Carolina 29745  
 (803) 628-3031  
 Attorney for Antonio Dontae Ross

York, South Carolina

June 8, 2016

YORK COUNTY, SC  
 CLERK OF COURT  
 DAVID HAMILTON  
 JUN 8 2016 11:09 AM  
 CERTIFIED TRUE COPY

COUNTY OF YORK 2016 JUN -7 AM 10:47 SIXTEENTH JUDICIAL CIRCUIT

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THE STATE OF SOUTH CAROLINA  
YORK COUNTY, SC

JUN 13 2016

ORDER FOR MOTION TO RECONSIDER  
INDICTMENTS NOS. 2015A4620307372,  
2015A4620307373, 2015A4620307374

SC Court of Appeals

v.  
ANTONIO DONTAE ROSS,  
DEFENDANT

CERTIFIED TRUE COPY  
2016 JUN -7 AM 10:52  
DAVID HAMILTON  
CLERK OF COURT  
YORK COUNTY, SC

The Defendant, Antonio Ross, moved this Court to reconsider his sentence in the above-captioned charges.

On June 6, 2016, the Defendant entered pleas of guilt to the following charges:

1. 2015A4620307372-Attempted Armed Robbery – Fourteen (14) years;
2. 2015A4620307373- Possession of a Firearm By a Person Prohibited – Five (5) years;
3. 2015A4620307374- Possession of a Firearm During the Commission of a Violent Crime- Five (5) years.

The Defendant asserts that the mitigation presented in court was incomplete and the fourteen (14) year sentence was excessive. Defendant requests a reduction in sentence or in the alternative an opportunity to be heard on these matters.

IT IS THEREFORE ORDERED that the Defendant's Motion to Reconsider Sentence is denied.

IT IS SO ORDERED.

DANIEL D. HALL  
Resident Judge  
Sixteenth Judicial Circuit of South Carolina

June 7<sup>th</sup>, 2016.  
York, South Carolina

STATE OF SOUTH CAROLINA ) IN THE COURT OF GENERAL SESSIONS

COUNTY OF YORK )

SIXTEENTH JUDICIAL CIRCUIT

STATE OF SOUTH CAROLINA )

vs. )

ANTONIO DONTAE ROSS )

DEFENDANT. )

Motion to Reconsider Sentence Appeals  
Indictment Nos. 2015A4620307372  
2015A4620307373, 2015A4620307374

RECEIVED  
JUN 23 2016  
FILED  
CLERK OF COURT  
DAVID HAMILTON  
SC COURT APPEALS

The Defendant, Antonio Ross, by and through his attorney B.J. Barrowclough moves this Honorable Court to reconsider his sentence in the above-captioned charges. In support of this Motion the Defendant avers the following:

1. On June 6, 2016, the Defendant entered pleas of guilt to the following charges: 2015A4620307372 Attempted Armed Robbery, 2015A4620307373 Possession of a Firearm By A Person Prohibited, 2015A4620307374 Possession of a Firearm During the Commission of a Violent Crime. The Defendant received sentences of fourteen (14) years, five (5) years, and five (5) years respectively all to run concurrent. The Defendant received credit for time served in the amount of two hundred seventy (270) days.
2. It is the Defendant's position that the mitigation presented in court was incomplete and the fourteen (14) year sentence was excessive.

For the forgoing reasons the Defendant respectfully requests a reduction in sentence or in the alternative an opportunity to be heard on these matters.

Respectfully submitted,



B.J. Barrowclough

Deputy Public Defender

York, South Carolina  
June 6, 2016

YORK COUNTY, SOUTH CAROLINA  
CLERK OF COURT  
DAVID HAMILTON  
2016 JUN -6 PM 5:03  
CERTIFIED TRUE COPY

**Sixteenth Circuit  
Public Defender  
Office**

Moss Justice Center  
1675-1E York Highway  
P.O. Box 691  
York, S.C. 29745



Harry A. Dest  
Sixteenth Circuit Defender

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JUN 13 2016

SC Court of Appeals

Bryson J. Barrowclough  
Deputy Public Defender

Stacey D. Coleman  
Juvenile Division

Philip L. Smith  
Melissa A. Inzerillo  
Sr. Assistant Public Defenders

Assistant Public Defenders  
Mark T. McKinnon  
Mindy H. Lipinski  
Jessica M. Russo  
Walter G. Dusky  
Thomas L. Bowen

Magistrate Court Division  
Toni L. Johnson  
Zachary M. Merritt  
Charles H. Rudnick

Union County Public Defenders  
Erik D. Delaney  
Jennifer N. Williams

June 8, 2016

INMATE: Antonio Dontae Ross  
York County Detention Center

Dear Mr. Ross:

Enclosed please find certified copies of the Notice of Appeal, Rule 203(B) Explanation and Certificate of Service regarding your recent guilty plea. Please note that you must inform the South Carolina Court of Appeals in writing, within **twenty (20) days** of the date of this letter, of any arguable basis that there are issues preserved for appeal.

You must send your arguments for your appeal to the following address:

**South Carolina Court of Appeals  
P.O. Box 11629  
Columbia, South Carolina 29211**

Sincerely,

Bryson J. Barrowclough  
Circuit Public Defender  
Sixteenth Judicial Circuit

BJB/jmd

Enclosure

cc: South Carolina Court of Appeals  
file

**Sixteenth Circuit  
Public Defender  
Office**

Moss Justice Center  
1675-1E York Highway  
P.O. Box 691  
York, S.C. 29745



Harry A. Dest  
Sixteenth Circuit Defender

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**JUN 13 2016**  
**SC Court of Appeals**

June 8, 2016

Bryson J. Barrowclough  
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Toni L. Johnson  
Zachary M. Merritt  
Charles H. Rudnick

Union County Public Defenders  
Erik D. Delaney  
Jennifer N. Williams

The Honorable Jenny Abbott Kitchings  
Clerk of the South Carolina Court of Appeals  
P.O. Box 11629  
Columbia, South Carolina 29211

Re: Antonio Ross (Indictment Nos.: 2015-GS-46-3383, 2015-GS-46-3383A, 2015-GS-46-3384)

Dear Ms. Kitchings:

Enclosed please find the Notice of Appeal, Rule 203 (B), Sentencing Sheets and Certified Certificate of Service in the above captioned matter. On June 6, 2016, the Appellant pleaded guilty to Armed Robbery (Indictment No. 2015-GS-46-3383), Possession of a Weapon During the Commission of a Violent Crime (Indictment no. 2015-GS-46-3383A), and Possession of a Firearm by a Person Prohibited (Indictment No. 2015-GS-46-3384). The Appellant received concurrent sentences of Fourteen (14) years, Five (5) years and Five (5) years, respectively. On June 6, 2016, the Appellant filed a Motion to Reconsider Sentencing. On June 7, 2016, The Honorable Daniel D. Hall denied the Motion.

Sincerely,

Bryson J. Barrowclough  
Deputy Public Defender  
Sixteenth Judicial Circuit

BJB/jmd

Enclosures