

THE STATE OF SOUTH CAROLINA **RECEIVED**
In the Court of Appeals

JUN 20 2016

SC Court of Appeals

APPEAL FROM GREENVILLE COUNTY
Court of General Sessions

Honorable James R. Barber, III, Thirteenth Circuit Court Judge

Indictment Number 2014-GS-23-003815

The State,

Respondent

v.

James Damon Lanar White,

Appellant

NOTICE OF APPEAL

Counsel for Respondent:

Honorable Alan Wilson
J. Benjamin Aplin
PO Box 11549
Columbia, SC 29211

Allen Fretwell, Assistant Solicitor
Thirteenth Judicial Circuit
305 E. North Street
Greenville, SC 29601

Paul Wickensimer, Clerk of Court
305 E. North Street
Greenville, SC 29601

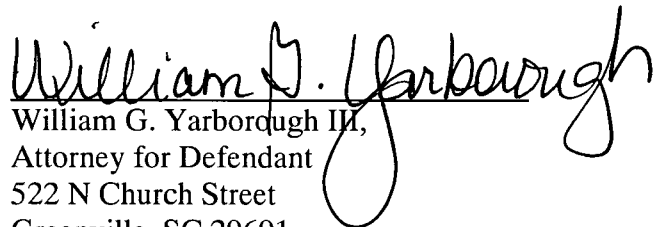
Counsel for Appellant:

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

Defendant James Damon Lanar White appeals his conviction and sentence in this case. The defendant was found guilty following a jury trial on June 9, 2016 on two (2) counts of kidnapping, one (1) count of armed robbery, and one (1) count of conspiracy. He was sentenced to three terms of twelve (12) years and one term of 5 years to be served concurrently. This appeal is taken from the following issues at-hand during the trial:

1. Did the court err in its discretion by denying appellant's Motion to Suppress Evidence, when the evidence was obtained through a wrongful search and seizure of cellphones, when the consent to search the cellphones was only given by the Defendant after the Defendant had been threatened with arrest for unrelated acts?
2. Did the court err failing to exclude from evidence photographs which were not relevant to the case, and whose prejudicial effect vastly outweighed any probative value they may have offered?
3. Did the trial court err in its discretion when it denied Defendant's Motion for Directed Verdict when the State failed to provide direct evidence or substantial circumstantial evidence which tended to prove the guilt of the Defendant?

Respectfully submitted,


William G. Yarborough III,
Attorney for Defendant
522 N Church Street
Greenville, SC 29601
Telephone (864) 331-1612
Fax (864) 370-0022

June 17, 2016
Greenville, SC

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AFFIDAVIT OF SERVICE

I, Traci Trouton-Burr, certify on this date, June 17, 2016, I served the Appellant's Notice of Appeal in this action, dated June 17, 2016 on Alan Wilson, Allen Fretwell, and Pau Wickensimer 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:

Counsel for Respondent:

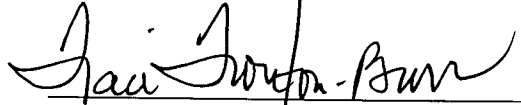
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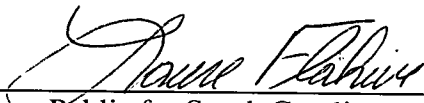
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Greenville, SC 29601

Respectfully submitted,



Traci Trouton-Burr
Paralegal to William G. Yarborough, Esquire

SWORN TO before this 17
Day of June, 2016

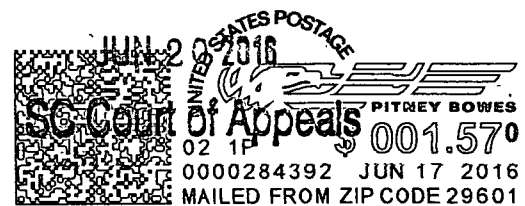


Notary Public for South Carolina
My Commission expires: 4/9/24

June 17, 2016

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

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

