

To: COURT OF APPEAL
From: Johnny Hemphill
SUBJECT: ISSUES
DATE: 7-19-2016

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JUL 22 2016

SC Court of Appeals

IN Re. APPELLATE CASE No: 2016-000733

DEAR CLERK,

I've been Requested to NOTIFY the COURT OF ANY ISSUES OF CONCERN.

ISSUES

- (1.) I CAN'T FIND NO STATUTE FOR ASSAULT ATTEMPT ASSAULT BATTERY FIRST DEGREE
- (2.) I CAN'T FIND NO WHERE IN THE SENTENCE SHEET SHOWING (10) TEN YEARS CONSECUTIVE RAN CONSECUTIVE
- (3.) I CAN'T FIND NO INCIDENT REPORT (COMPLAINT) FROM THE COUNTY OF SPARTANBURG S.C FOR ALLEGED ASSAULT ATTEMPT ASSAULT BATTERY FIRST DEGREE AND DISCHARGING A FIREARM INTO A DWELLING.
- (4.) SENTENCE SHEET FAIL TO ESTABLISH THE PLEAD WAS A ALFORD PLEA NOT A GUILTY PLEA.
- (5.) THE CRIMINAL HISTORY PRESENTED AT TRIAL INCLUDED EVENTS IN GREENVILLE S.C THAT WAS IMMATERIAL TO THE MATTER BEFORE THE TRIAL COURT THAT MANIFESTED A CONDUCT PREJUDICIAL TO THE DEFENDANT.

- (6) on the charge of stalking I do not see where the state issued an indictment.
- (7) on the charge of weapons discharging firearms into a dwelling and assault attempt assault battery first degree my pleas was a Alford Plea NOT A Guilty Plea.
- (8) on all three of my sentence sheet for the charge of weapons discharging firearms into a dwelling Alford Plea, on the charge of assault attempt assault battery first degree Alford Plea, on the charge of stalking Alford Plea NOT A Guilty Plea on none of the charges.
- (9) Here is a letter from the lawyer stating on the stalking charge I do not see where the state issued an indictment whatsoever but at any rate you did not enter a plea to that charge per public index. The plea was a Alford Plea NOT A Guilty Plea.

Sincerely,
Johnny Hemphill
July 19 - 2016

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SEVENTH JUDICIAL CIRCUIT PUBLIC DEFENDER

SC Court of Appeals

CLAY T. ALLEN
CIRCUIT PUBLIC DEFENDER

366 NORTH CHURCH STREET
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SPARTANBURG, SC 29303



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June 29, 2016

Re: The State v. Johnny Hemphill

Dear Mr. Hemphill,

I have reviewed the sentencing sheets in your cases. Although indictment # 2015GS4205214 is checked concurrent the intent of Judge Hayes was to impose a sentence of ten years. The other indictment is clearly marked consecutive and therefore his intent was to make that sentence consecutive to the first sentence.

On the stalking charge I do not see where the State issued an indictment whatsoever but at any rate you did not enter a plea to that charge per Public Index.

I did file an Appeal in your case and I recently sent you a letter regarding same.

I hope you are doing well despite your circumstances.

Sincerely,

J. Roger Poole
J. Roger Poole
Assistant Public Defender

Johnny Hemphill # 141723
Lieber Correctional Institution
EDisto B-18
P.O. Box 205
Ridgeville S.C 29472

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South Carolina Courts of Appeals
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