

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

**RECEIVED**

JUL 29 2016

APPEAL FROM PICKENS COUNTY  
Court of General Sessions

SC Court of Appeals

Edward W. Miller, Circuit Court Judge

Case No(s): 2015-GS-39-2384; 2015-GS-39-2385;  
2015-GS-39-2386; 2015-GS-39-2387

JUL 26 5 59 PM  
PICKENS COUNTY  
SOUTH CAROLINA

The State,

Respondent.

v.

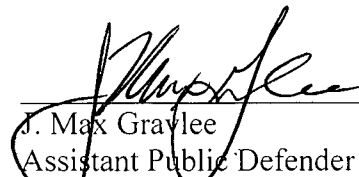
Janice L. Kilgore,

Appellant.

**NOTICE OF INTENT TO APPEAL**

Janice L. Kilgore appeals her guilty plea and sentence in this case. The sentence was imposed by the Honorable Edward W. Miller on January 28, 2016. Subsequently, a motion to reconsider her sentence was submitted to the court, which was later denied on July 22, 2016.

Date: July 26, 2016

  
\_\_\_\_\_  
J. Max Graylee  
Assistant Public Defender  
Thirteenth Judicial Circuit  
214 E. Main Street, Suite B240  
Pickens, South Carolina 29671  
Plea Attorney for Appellant

Other Counsel of Record:  
Baker Cleveland, Esquire  
Assistant Solicitor  
Thirteenth Judicial Circuit  
214 E. Main Street, Suite B-120  
Pickens, South Carolina 29671  
Attorney for Respondent

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PICKENS COUNTY  
SOUTH CAROLINA  
JUL 26 2016 P 3:59

The State,

Respondent,

v.

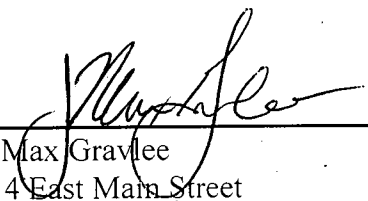
Janice L. Kilgore,

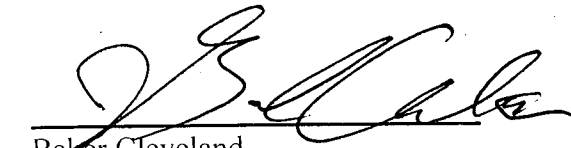
Appellant.

PROOF OF SERVICE

I certify that I have served the Notice of Appeal on Baker Cleveland, assistant solicitor for the 13<sup>th</sup> Judicial Circuit by personally delivering a copy of it to him in the 13<sup>th</sup> Circuit Solicitor's Office at 214 East Main Street, B-120, Pickens, South Carolina 29671, on July 26, 2016.

July 26, 2016

  
\_\_\_\_\_  
J. Max Gravlee  
214 East Main Street  
Pickens, South Carolina 29671  
(864) 864-898-5577  
Assistant Public Defender  
Pickens County

  
\_\_\_\_\_  
Baker Cleveland  
214 East Main Street, B-120  
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Assistant Solicitor  
Pickens County

PICKENS COUNTY PUBLIC DEFENDER  
214 EAST MAIN STREET, B240  
PICKENS, SC 29671

July 26, 2016

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JUL 29 2016

**SC Court of Appeals**

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

RE: The State of South Carolina, Respondent v. Janice L. Kilgore, Appellant  
Case No.'s: 2015-GS-39-2384; 2015-GS-39-2385; 2015-GS-39-2386; 2015-GS-39-2387

Dear Mrs. Kitchings:

Enclosed for filing is a Notice of Appeal in the above Case, along with my proof of service of the notice of appeal on the respondent. Also enclosed is a prepaid envelope to kindly return a clocked copy of the Notice of Intent to Appeal. Further, please accept this letter and the following as my compliance with Rule 203(d)(1)(B)(iv) requirement for a written explanation showing issues to be reviewed on appeal of a guilty plea:

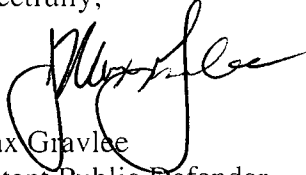
Ms. Kilgore first requested that I file a motion to reconsider her sentence imposed by Order of the Court on January 28, 2016 after a guilty plea. I filed that motion to reconsider on February 2, 2016. The Honorable Edward W. Miller issued an order denying the motion to reconsider her sentence and it was filed on July 22, 2016.

Ms. Kilgore now requests that I file an appeal of her guilty plea and the sentence imposed by the court on January 28, 2016. The presiding judge rejected the State's recommended plea offer of 42 months (3.5 years), to be back-dated from Ms. Kilgore's initial date of incarceration of February 25, 2015 on an unrelated offense. Instead, the presiding judge sentenced Ms. Kilgore to five (5) years active time in SCDC on one shoplifting enhancement charge, and a one-year concurrent sentence on one count of resisting arrest.

Although the judge departed upward from the recommended sentence, as an officer of the Court, I do not believe there are any meritorious issues to be reviewed on appeal. Nevertheless, Ms. Kilgore has a legal right to appeal her conviction and I am doing so at her instruction.

If anything further is required, please do not hesitate to contact me.

Respectfully,



J. Max Gravlee  
Assistant Public Defender  
Pickens County

Enclosures

Cc:

J. Baker Cleveland  
Assistant Solicitor  
214 E. Main Street, B-120  
Pickens, SC 29671

Ms. Janice L. Kilgore, #212472  
Camille Graham Griffin Corr. Inst. SRE-36  
4450 Broad River Road  
Columbia, SC 29210

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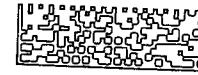
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07/27/2016

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041L11257036

JMG



**13th Circuit Public Defender**

Pickens County Courthouse  
214 E. Main Street, Suite B-240  
Pickens, SC 29671

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The Honorable Jenny A. Kitchings  
Clerk of Court  
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