

The State of South Carolina
in the Court of Appeals

Appeal from Chester County
Court of General Sessions

Jocelyn Newman, Circuit Court Judge

Warrant No: 2015H1210400059

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The State Respondent

Lamont Lavonquel Jefferson, ... Appellant

SEP 21 2016

SC Court of Appeals

NOTICE OF APPEAL

This Appeal is being filed by Appellant Lamont, Jefferson from his guilty Plea and Sentencing date August 22, 2016. The reasoning for this appeal is that the sentence received by the defendant was more than expected due to "vagueness" during questioning at proceeding, and his plea was voluntary.

A) The Defendant Plead Guilty to Intend to Distribute Cocaine.

B) The Solicitor asked for a 5 year sentence

C) The Defendant was given a 6 year sentence after questioning during plea proceeding.

The defendant was asked he was a "user" and he replied "No"

A) At the time of August 22, 2016 the defendant was not a user, therefore told the truth under oath

B) Although at the time the crime was committed the defendant was a "user" 18 months earlier. And had since stopped "using" drugs altogether

C) The defendant feels that the question was "vague" and ~~is~~ The question had 2 answers that apply to his case

D) The defendant feels the Judge Newman based →

her sentence on the answer "no" as a "user" ~~that~~ because she automatically assumed the defendant to ~~be~~ be a "dealer". If not a user.

The vagueness of this question of whether I am a "user" or not, is the basis of this appeal. I feel as though that because I answered "no" to this question, she automatically assumed me to be a "dealer", if I'm not a "user".

Also, I asked for a continuance in my case and was denied. Because I'm from North Carolina, and did not fully understand how S.C. sentencing is totalled. The plea Mr. Delgado had explained to me was 3-5. Then at the last minute before my case was called I was shown an open plea of 0-15. So because of that I was upset during the proceeding. I felt as though Mr. Delgado should have gotten a 5 year cap on the plea.

I am currently at Kirkland RE, and lack the resource, phone, envelopes etc. to file my appeal. I was wondering can I get an extension

of some sort? Do you think that I have basis for an appeal? Can I just write down my explanations on a piece of paper and that be my appeal? Can you come see me here at Kirkland, I only need 10 minutes of your time. I would like for you to call my wife and answer these questions or come see me to answer them. I really don't know what to do. I filled out a request to go to the law library 2 weeks ago, but have yet to do so. My wife's number is (704) 208-9385, her name is Rhonda. We are not able to use the phone this week My dorm is locked down. I need this appeal filed or an extension until I get to my prison as I can not do any library work as though no one cares I have legal work to do.

Respectfully
Annita Jefferson
369523

I will be seeking other remedies as my
write to due process is being violated.

Dear Mr. Yarborough,

I writing you in desperation with regard
to my appeal that I would like to file.
I went to court on August 22, 2015 in
Chocter County, and pled guilty to Intent
to Distribute Cocaine. I was given a 6 year
sentence, when the solicitor was asking for a
5 year sentence. I feel as though Judge
Jocelyn Newman went over with sentencing
was because when she asked me, "Are you a
user", (present tense), I answered "no". That was true
in the sense that at the time of August 22,
I was no longer using any drugs of any kind.
I had been clean for well over a year
and also attend AA meetings in Charlotte,
where I live.

But at the time of the crime, 18
months earlier, I was using drugs "using" on
a daily basis. The questioning to me seemed
to be vague, as there are two answers to the
question that applied to my case. Along
with the fact that this was the last
question, Judge Jocelyn Newman asked me.



CRIMINAL DEFENSE

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The South Carolina Court of Appeals

JENNY ABBOTT KITCHINGS
CLERK

V. CLAIRE ALLEN
DEPUTY CLERK

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September 09, 2016

Mr. John Dennis Delgado, Esquire
1614 Taylor St.
Columbia SC 29201

Re: The State v. Lamont L. Jefferson
Appellate Case No. 2016-001757

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SEP 21 2016

SC Court of Appeals

Dear Counsel:


This Court has received your explanation for appealing.

Please forward your explanation to your client, along with a statement that your client has twenty (20) days from the date of your transmittal letter to inform this Court in writing of any arguable basis that there are issues preserved for appeal. Please provide your client with the Court's address:

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

Please send your letter to your client within ten (10) days, with a copy to this Court.

Very truly yours,

Tommy Abbott Kitchings 

CLERK

cc: Robert Michael Dudek, Esquire
John Benjamin Aplin, Esquire
Alan McCrory Wilson, Esquire



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ATTORNEYS AT LAW

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SC Court of Appeals

September 20, 2016

Ms. Jenny Abbott Kitchings
Clerk of Court
South Carolina Court of Appeals
P.O. Box 11629
Columbia, SC 29211

Re: *The State v. Lamont L. Jefferson*
Appellate Case No. 2016-001757

Dear Ms. Kitchings:

Please find enclosed the *Notice of Appeal* including the explanation for issues preserved for appeal written by Mr. Lamont Jefferson. Also included is a copy of the notification letter received by our office on September 12, 2016.

Should you have any questions or need additional information, please don't hesitate to ask.

Best Regards,

Nicole Wittstein
Law Clerk for John Delgado

cc: Robert Michael Dudek, Esquire
John Benjamin Aplin, Esquire
Alan McCrory Wilson, Esquire
Lamont Jefferson

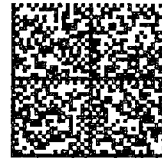
Enclosure(s)


BNTD

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