

THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

APPEAL FROM YORK COUNTY CIRCUIT COURT
IN THE COURT OF GENERAL SESSIONS

Roger L Couch, Circuit Court Judge

Case No. 2016-GS-46-0127

RECEIVED
OCT 31 2016
SC Court of Appeals

The State of South Carolina.....Respondent,

v.

James Phillip Rhinehart.....Appellant.


NOTICE OF APPEAL

James Phillip Rhinehart appeals his conviction and sentence in this case. The sentence was imposed by the Honorable Roger L Couch on October 18, 2016. The Appellant pled guilty to Habitual Traffic Offender. Appellant received a sentence of five (5) years, suspended on the service of forty-two (42) months, with credit for time already served.

Pursuant to South Carolina Appellate Court Rule 203, Counsel is initiating this appeal at the request of the Defendant and pursuant to SC Appellate Court Rule 203 (d) (1) (B) (iv) counsel is not aware of any issue of merit that might be raised in this appeal.

October 28, 2016

Respectfully Submitted,



P John Freeman
Halford, Niemiec & Freeman, LLP
238 Rockmont Drive
Fort Mill, SC 29708
Attorneys for Appellant

Other Counsel of Record:

Ms. Erin M Joyner, Assistant Solicitor
Sixteenth Judicial Circuit Solicitor's Office
1675-1A York Highway
York, SC 29745

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CERTIFICATE OF SERVICE

I, Becky Roof, certify that I have today served the within Notice of Appeal upon the Respondent by depositing a copy of it in the United States Mail, postage prepaid, addressed to:

Ms. Jenny Abbot Kitchings, Clerk of Court, South Carolina Court of Appeals, Post Office Box 11629, Columbia, SC 29211; the York County Clerk of Court's Office, Moss Justice Center, 1675 York Highway, York, SC 29745, the state's attorney of record, Ms. Erin Joyner, Assistant Solicitor, Sixteenth Circuit Solicitor's Office, 1675-1A York Highway, York, SC, 29745.

I further certify that all parties required by Rule 203 to be served, including The Office of Appellate Defense, 1330 Lady Street, Suite 401, Columbia, SC 29201; Post Office Box 11433, Columbia, SC 29211-1433; and The Honorable Roger L Couch, Post Office Box 2614, Spartanburg, SC, 28304-2614

Have been served this 28th day of October, 2016



Becky Roof
Paralegal to P John Freeman
Halford, Niemiec & Freeman, LLP
238 Rockmont Drive
Fort Mill, SC 29708
Attorney for Appellant

October 28, 2016

LAW OFFICES

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October 28, 2016

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

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SC Court of Appeals

Re: State v. James Phillip Rhinehart
Indictment #: 2016-GS 46-00127

Dear Ms. Kitchings:

Enclosed with this letter, please find the original of a Notice of Intent to Appeal, which I am filing at my client's direction in the above-referenced York County General Sessions matter. I have enclosed a redacted copy of the Sentence Sheet with this appeal, and am serving it upon all parties indicated in the Certificate of Service. Because the appeal results from a Guilty Plea, I have also included a statement in the appeal pursuant to SC Appellate Rule 203 (B) (1) (D) (iv) regarding my position on the reason(s) for the appeal and the merit of those reasons.

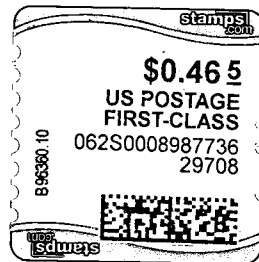
Sincerely,


P. John Freeman

Enc.
Cc: SC Office of Appellate Defense, w/enc.

Law Offices of
Halford, Niemiec, & Freeman, LLP
238 Rockmont Drive
Fort Mill, South Carolina 29708

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Ms. Jenny Abbott Kitchings
Clerk of Court
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SC Court of Appeals

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