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SC Court of Appeals

To Whom it may concern,

My name is Shannon Henderson and I am writing to appeal my conviction of a six (6) year sentence that was imposed upon me by the Honorable Judge Daniel Dewitt Hall on May 27<sup>th</sup> 2016 for a partial probation revocation.

On February 3<sup>rd</sup> 2015 I was driving to the store in which I had a seizure and crossed the yellow line and clipped the front drivers side of Brenda Berigun's vehicle and then proceeded to hit a tree head on. The passenger of her vehicle was her elderly mother whom allegedly suffered substantial injuries. As a result on January 7<sup>th</sup> 2016 I was charged with a felony DUI & given a suspended

sentence of ten (10) years and thirty six (36) months of probation.

Because I was residing in another state at the time I was convicted my probation officer Agent Amber Boyle transferred my probation to North Carolina & I was told to report to Jackson Stewart in Brevard NC. I never received any paperwork from Ms. Boyle stating the conditions of my probation because the paperwork was to be transferred. I reported to Mr. Stewart two times in the month of February as instructed only to be told he had not received any paperwork so again I reported twice in the month of March only to be told

that he had still not received anything from Ms. Boyle.

On April 7<sup>th</sup> 2016 against my better judgement I was driving my landlords vehicle and had another seizure and flipped the vehicle. There were no other vehicles involved in the crash thank God. I was cited and arrested for DWI & as a result my probation officer Mr. Stewart revoked my probation and sent it back to South Carolina. At that time I contacted Agent Boyle to make her aware of the situation and on April 7<sup>th</sup> 2016 a warrant was issued for my arrest. I turned myself in of my own free

will and a bond of \$150,000 was set for me and I was placed on house arrest until my court date on May 27<sup>th</sup> 2016.

After the accident in February of 2015 I was under the care of a neurologist for the seizures and underwent numerous tests including brain MRI'S & several spinal taps in which I was finally diagnosed with Multiple Sclerosis, a debilitating disease that attacks your neurological system. At that time my doctor prescribed me a highly powerful medication called AVONEX to try and help slow the progression of the disease. After only two months

of being on the medication & began to have serious adverse side effects.

I became a manic depressive, cried uncontrollably, had bouts of extreme rage along with permanent scarring all over my body so I decided to stop the medication.

Since being diagnosed with this disease I have had numerous problems including rapidly progressive loss of vision; gone from 20/20 to 20/70, loss of memory, loss of mental thinking capability as well as physical disabilities such as being able to shower or dress myself, grand mal seizures and uncontrollable tremors.

Prior to my court date on

May 27<sup>th</sup> 2016 I contacted Agent Boyle about getting a court appointed attorney & she advised me that I had to contact the public defenders office two days before my court date to find out who my attorney would be. I was informed that Walter Dusky would be representing me. I then contacted Mr Dusky to make him aware of my case along with my medical condition & he reassured me that he had all of the pertinent information pertaining to my case. I never received a preliminary hearing prior to being sentenced. The morning of court on May 27<sup>th</sup> 2016 was the first time I had met Mr Dusky.

and I received no consultation prior to going before the judge. I do not feel as though my attorney was properly prepared for my court date considering he did not have any of my medical records nor any information from my previous conviction. Thus I do not feel as though I received a fair trial.

Once I was placed on house arrest until my court date I truly believe that I no longer became a threat to myself or anyone else unlike the victims had testified in court. The judge graciously allowed me to attend drug and alcohol classes at Meridian in Brevard NC. I

attended each and every class three times a week up until my court date on May 27<sup>th</sup> 2016. I have benefited greatly from the classes & have been able to share my experiences with others in hopes to help them as well.

I realize the path of destruction that I have caused the family of the victims involved as well as my own family. Words cannot begin to express how sorry I am, I have been blessed with a wonderful husband and three beautiful children therefore I have made a solid commitment to stay clean and sober & to continue working the 12 steps.

I hope to continue sharing my story with others in hopes that they do not have to go down the same tumultuous path that I did.

If given the opportunity I know that I will not fail and I can become a positive & productive member of society once again.

Thank you for the opportunity to plead my case and I look forward to hearing from you.

Sincerely  
Shannon Henderson