

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

APPEAL FROM GREENVILLE COUNTY  
Court of General Sessions

Thomas L Hughston, Circuit Court Judge

Case No. 2016 GS 23 09256

**RECEIVED**

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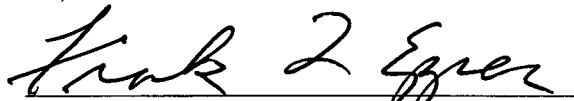
SC Court of Appeals

The State of South Carolina.....Respondent,  
v  
Carl Richard Smith, Jr.....Appellant.

**NOTICE OF APPEAL**

Carl Richard Smith, Jr. Hereby appeals his guilty plea and sentence in this case. The guilty plea was held on November 7, 2016, and Sentence was imposed on November 7, 2016 by the Honorable Thomas L. Hughston.

In accordance with the requirements of SCACR (d)(1)(B)(iv), counsel raised no issues with the Court below, but in retrospect, counsel believes that there may have been errors in the colloquy of the Court below, particularly in regards to the discussion of North Carolina v Alford, 400 U.S. 25 (1970).



Frank L. Eppes, S.C. Bar No. 7839  
EPPES & PLUMBLEE, P.A.  
Post Office Box 10066  
Greenville, South Carolina 29603  
(864) 235-2600  
Attorney for Appellant

November 14, 2016

OTHER COUNSEL OF RECORD:

Brittany Scott  
Greenville Solicitor's Office  
Greenville County Courthouse, Suite 325  
305 East North Street  
Greenville, South Carolina 29601

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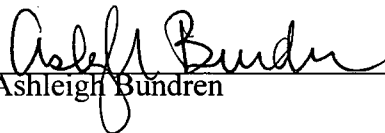
The State of South Carolina.....Respondent,  
v  
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**AFFIDAVIT OF SERVICE BY MAIL**

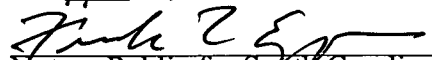
PERSONALLY APPEARED before me the undersigned, who, after being duly sworn, states that she served the Apellant's Motion for Extension of Time to Request Transcript upon counsel in the above-referenced matter by depositing a copy thereof in the United States Mail, postage prepaid, and addressed as follows:

Brittany Scott  
Greenville Solicitor's Office  
Greenville County Courthouse, Suite 325  
305 East North Street  
Greenville, South Carolina 29601

Kimberly McCall  
South Carolina Commission on Indigent Defense  
Appellate Division  
1330 Lady Street, Suite 401  
PO Box 11589  
Columbia, SC 29201-1589

  
Ashleigh Bundren

SWORN to and SUBSCRIBED before me  
this 14<sup>th</sup> day of November, 2016.

  
Notary Public for South Carolina  
My Commission Expires: 7/25/17

**EPPE & PLUMBLEE, P.A.**

ATTORNEYS AND COUNSELORS AT LAW

1225 SOUTH CHURCH STREET, 29605

P.O. BOX 10066

GREENVILLE, SOUTH CAROLINA 29603

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FRANK EPPES  
(1922-2002)

FRANK L. EPPES\*†  
L. LEE PLUMBLEE

\* ALSO ADMITTED IN NEW YORK

† ALSO ADMITTED IN NORTH CAROLINA

November 14, 2016

**VIA CERTIFIED MAIL, RETURN RECEIPT REQUESTED**

The Honorable Jeanette Barber  
Clerk of Court  
South Carolina Court of Appeals  
Post Office Box 11629  
Columbia, South Carolina 29211

**RECEIVED**  
NOV 18 2016  
SC Court of Appeals

**Re: State of South Carolina v. Carl Richard Smith**  
**Case Nos. 2016 GS 23 09256**

Dear Ms. Barber:

Attached please find an original and two copies of each of a Notice of Appeal and Affidavit of Service in the above-referenced matter.

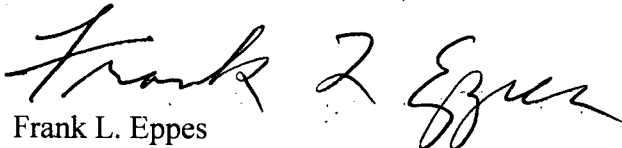
Please file the originals and return a clocked copy of the Affidavit of Service in the enclosed self-addressed stamped envelope.

A copy of this notice has also been filed with the Clerk of the Court in Greenville.

Please note that I was not retained to handle this appeal.

If you need anything further from me, please let me know.

Sincerely,  
EPPE & PLUMBLEE, P.A.

  
Frank L. Eppes

Enclosures

cc: Brittany Scott (Greenville County Circuit Solicitors Office)  
Kimberly McCall (South Carolina Commission on Indigent Defense)

**CERTIFIED MAIL**

**EPPE & PLUMBLEE, P.A.**  
ATTORNEYS AND COUNSELORS AT LAW  
1225 SOUTH CHURCH STREET, 29605  
P.O. BOX 10066  
GREENVILLE, SOUTH CAROLINA 29603



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**SC Court of Appeals**

The Honorable Jeanette Barber  
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**SC Court of Appeals**

11/17

