

## NOTICE TO APPELLATE DEFENSE

To: Division of Appellate Defense/Office of Attorney General

From: L. Bellamy

Date: November 15, 2012

Re: Notice of Filing of Notice of Appeal

Case Name: State v. Kelly Sullivan

Case Number: 2012-GS-40-5387

County: Richland

Date of Filing: November 9, 2012

Filed by: J. Clarke Newton, Esquire

Judge: The Honorable DeAndrea Benjamin

Hearing Date: November 1, 2012

Guilty plea: Yes

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

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APPEAL FROM RICHLAND COUNTY  
Court of General Sessions

DeAndrea G. Benjamin, Chief Administrative Judge

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Case No. 2012-GS-40-05387

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The State,.....Respondent,

v.

Kelly Russell Sullivan,.....Appellant.

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**NOTICE OF APPEAL**

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Kelly Russell Sullivan appeals his conviction and sentence in this case. The sentence was imposed by the Honorable DeAndrea G. Benjamin on November 1, 2012.

2012-GS-40-05387 – Falsely Asserting Authority of Law - 2 years, suspended to time served.

November 9, 2012



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J. Clarke Newton  
Richland County Public Defender's Office  
P.O. Box 192  
Columbia, South Carolina 29202  
(803) 765-2592  
Attorney for Appellant

Other Counsel of Record:  
Assistant Attorney General Joshua Underwood  
Office of the Attorney General  
1000 Assembly Street, Suite 519  
Columbia, South Carolina 29201  
Attorney for Respondent

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SC Court of Appeals

THE STATE OF SOUTH CAROLINA  
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**STATEMENT OF BASIS FOR APPEAL FROM  
GUILTY PLEA PURSUANT TO RULE 203(d)(1)(B)**

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Pursuant to South Carolina Appellate Court Rule 203(d)(1)(B), the Defendant was dissatisfied with his sentence and insisted on appealing. I am of the opinion that if the client insists on appealing, I am constrained to file an appeal. Weathers v. State, 319 S.C. 59, 459 SE 2d 838 (1995).

November 9, 2012

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Attorney for Respondent

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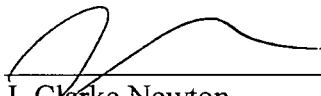
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**PROOF OF SERVICE**

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I hereby certify that a true copy of the Notice of Intent to Appeal & the Statement of Basis for Appeal from Guilty Plea Pursuant to Rule 203(d)(1)(B) in the above-referenced case has been served upon opposing counsel by delivering same this date to his office at the Office of the Solicitor, Fifth Judicial Circuit, Richland County Judicial Center, 1701 Main Street, Columbia, South Carolina 29201.

November 9, 2012



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(803) 765-2592  
Attorney for Appellant

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