

Law Office of Leah B. Moody, LLC

Leah B. Moody
Lbmatty@comporium.net

235 East Main Street, Suite 115
Post Office Box 1015 (29731)
Rock Hill, South Carolina 29730
Telephone (803) 327-4192
Facsimile (803) 329-1344

RECEIVED

FEB 06 2017

SC Court of Appeals

February 1, 2017

Jonathan Dixon, #294667
KCI/Dorm A-1/Cell #26
4344 Broad Rive Road
Columbia, South Carolina 29210

RE: The State of South Carolina, Respondent v. Jonathan David Dixon
Appellate C. No.: 2017-000124
C.A. No.: 2016-GS-46-022718

Dear Mr. Dixon:

Please find enclosed the South Carolina Court of Appeals' letter dated January 25th. The Court of Appeals received your Notice of Appeal filed by my office.

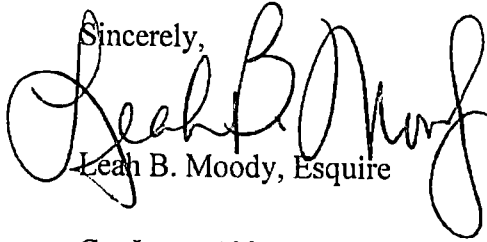
You received a copy of the Notice of Appeal and all letters sent out on your behalf on January 19, 2017. Enclosed please find another copy of those documents and the sentencing sheet. As the attorney on this matter, I am required to inform you that I **did not** find any issues with the sentencing in your case. Further, I am required to inform that **you have twenty (20) days from the date of this letter to inform the South Carolina Court of Appeals in writing** of any arguable basis that there are issues preserved for appeal in the above-referenced criminal case.

Please send your explanation to: **South Carolina Court of Appeals**
POB 11629
Columbia, SC 29211

Also, please be advised that I am copying the South Carolina Court of Appeals with this letter to you and the Court of Appeals will calculate the twenty (20) days from the date of this transmittal letter.

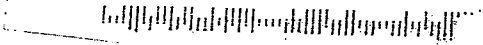
Thank you for your immediate attention in this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Leah B. Moody". The signature is fluid and cursive, with the first name "Leah" being the most prominent.

Leah B. Moody, Esquire

Cc: Jenny Abbott Kitchings, Clerk, South Carolina Court of Appeals



\$1.190
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Law Office of Leah B. Moody, LLC
Post Office Box 1015
Rock Hill, South Carolina 29730

RECEIVED
FEB 06 2017
SC Court of Appeals

TO: _____
The Honorable Jenny Abbott Kitchings
South Carolina Court of Appeals
Clerk of Court Office
PO Box 11629
Columbia SC 29211-1629



The South Carolina Court of Appeals

JENNY ABBOTT KITCHINGS
CLERK

V. CLAIRE ALLEN
DEPUTY CLERK

POST OFFICE BOX 11629
COLUMBIA, SOUTH CAROLINA 29211
1220 SENATE STREET
COLUMBIA, SOUTH CAROLINA 29201
TELEPHONE: (803) 734-1890
FAX: (803) 734-1839
www.sccourts.org

January 25, 2017

Ms. Leah B. Moody, Esquire
235 E. Main St., Ste 115
PO Box 1015
Rock Hill SC 29730

Re: The State v. Jonathan Dixon
Appellate Case No. 2017-000124

Dear Counsel:

This Court has received your notice of appeal, and the case has been assigned the appellate case number that appears above. Please use this number on all future correspondence relating to this matter.

All parties to this matter are advised that all filings must comply with the requirements of Rule 267 of the South Carolina Appellate Court Rules (SCACR). The SCACR are available online at www.sccourts.org/courtreg. Additionally, any filings submitted by counsel admitted in South Carolina must include counsel's bar number.

The attention of the parties is directed to the order relating to the inclusion of personal data identifiers and other sensitive information in documents filed with the Supreme Court of South Carolina and the South Carolina Court of Appeals. The order can be found at www.sccourts.org/courtOrders/displayOrder.cfm?orderNo=2014-04-15-02. Please note that the responsibility for insuring that information is redacted or sealed as required by this order rests with counsel and the parties. This office will *not* review

filings for redaction or to determine if materials should be sealed.

This is to advise that the title in the above matter has been changed to read as follows:

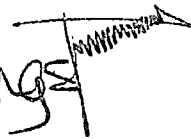
The State, Respondent,

v.

Jonathan David Dixon, Appellant.

All future records in this matter should be changed to reflect this title. If you have any questions, please do not hesitate to contact this office.

Very truly yours,

Tommy Abbott Kitchings 

CLERK

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



The South Carolina Court of Appeals

JENNY ABBOTT KITCHINGS
CLERK

V. CLAIRE ALLEN
DEPUTY CLERK

POST OFFICE BOX 11629
COLUMBIA, SOUTH CAROLINA 29211

1220 SENATE STREET
COLUMBIA, SOUTH CAROLINA 29201

TELEPHONE: (803) 734-1890

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www.sccourts.org

January 25, 2017

Ms. Leah B. Moody, Esquire
235 E. Main St., Ste 115
PO Box 1015
Rock Hill SC 29730

Re: The State v. Jonathan Dixon
Appellate Case No. 2017-000124

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,

Jonny ~~Abbott~~ Kitchings 

CLERK

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

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM YORK COUNTY
Court of General Sessions

Honorable Daniel Hall, Circuit Court Judge

C.A. No.: 2016-GS-46-022718

The State,

Respondent,

v.

Jonathan David Dixon,

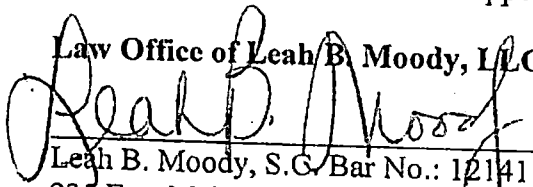
Appellant.

EXPLANATION STATEMENT

Jonathan David Dixon appeals his sentence in this case. The sentence was imposed by the Honorable Daniel Hall on January 9, 2017. On January 9, 2017, Jonathan David Dixon entered an Alford plea or a plea of nolo contendere before Judge Daniel Hall in York County. Pursuant to Rule 203, I cannot provide the required "written explanation" showing that there is an issue which can be reviewed on appeal.

January 19, 2017

Law Office of Leah B. Moody, LLC



Leah B. Moody, S.G. Bar No.: 12141

235 East Main Street, Suite 115

Post Office Box 1015(29731)

Rock Hill, South Carolina 29730

Telephone: (803) 327-4192

Facsimile: (803)329-1344

lbmatty@comporium.net

Attorney for Appellant

Other Counsel of Record:
Jessica Holland, Esquire
Assistant Solicitor
1675-1A York Highway
York, South Carolina 29745-7422
(803) 628-3020
Attorney for Respondent

Law Office of Leah B. Moody, LLC

Leah B. Moody
Lbmatty@comporium.net

235 East Main Street, Suite 115
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Rock Hill, South Carolina 29730
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January 20, 2017

The Honorable Kenneth A. Richstad
South Carolina Court of Appeals
Clerk of Court Office
Post Office Box 11629
Columbia, South Carolina 29211

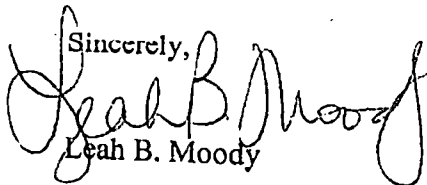
RE: State of South Carolina, Respondent v. Jonathan David Dixon
C.A. No.: 2016-GS-46-022718

Dear Clerk Richstad:

Please find enclosed the sentencing sheet that was not in the documents as stated in the letter. Please let me know if there are any other documents or information you may need regarding this matter.

Thank you for your attention in this matter.

Sincerely,


Leah B. Moody

Cc: Jonathan David Dixon
Jessica Holland, Assistant Solicitor
David Hamilton, Clerk of Court, York County
Sharon Graham, SCCID

Law Office of Leah B. Moody, LLC

Leah B. Moody
Lbmatty@comporium.net

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January 19, 2017

The Honorable Kenneth A. Richstad
Clerk, South Carolina Court of Appeals
Post Office Box 11629
Columbia, South Carolina 29211

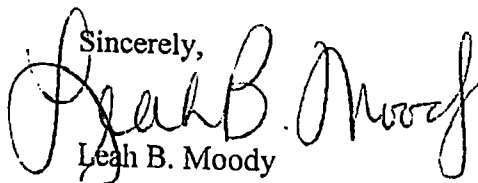
RE: The State of South Carolina, Respondent v. Jonathan David Dixon
C.A. No.: 2016-GS-46-022718

Dear Mr. Richstad:

Enclosed for filing is a notice of appeal in the above case. Also enclosed are the following:

- (1) Proof of service of the notice of appeal on the respondent[s].
- (2) A copy of the orders, which are to be challenged on appeal.
- (3) Under Rule 203(d)(2), SCACR, a filing fee is not required if the appeal is from a criminal case.

Sincerely,



Leah B. Moody

Cc: Jessica Holland
Assistant Solicitor
1675-1A York Highway
York, South Carolina 29745-7422
(803) 628-3020
Attorney for Respondent

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM YORK COUNTY
Court of General Sessions

Honorable Daniel Hall, Circuit Court Judge

C.A. No.: 2016-GS-46-022718

The State,

Respondent,

v.

Jonathan David Dixon,

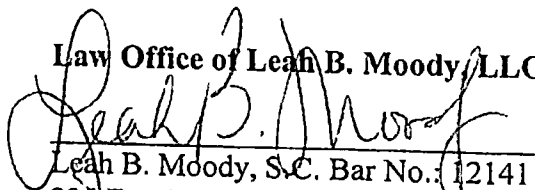
Appellant.

NOTICE OF APPEAL

Jonathan David Dixon appeals his sentence in this case. The sentence was imposed by the Honorable Daniel Hall on January 9, 2017.

January 19, 2017

Law Office of Leah B. Moody LLC



Leah B. Moody, S.C. Bar No.: 12141

235 East Main Street, Suite 115

Post Office Box 1015(29731)

Rock Hill, South Carolina 29730

Telephone: (803) 327-4192

Facsimile: (803)329-1344

lbmatty@comporium.net

Attorney for Appellant

Other Counsel of Record:
Jessica Holland, Esquire
Assistant Solicitor
1675-1A York Highway
York, South Carolina 29745-7422
(803) 628-3020
Attorney for Respondent

IN THE STATE OF SOUTH CAROLINA
In The Supreme Court

APPEAL FROM YORK COUNTY
Court of General Sessions

Honorable Daniel Hall, Presiding for York County

C.A. No.: 2016-GS-46-022718

The State,

Respondent,

v.

Jonathan David Dixon,

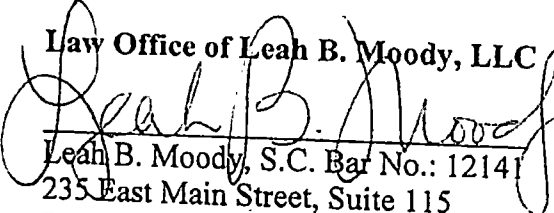
Appellant.

PROOF OF SERVICE

I certify that I have served the **Notice of Appeal** on Assistant Solicitor Jessica Holland by depositing a copy of it in the United States Mail, postage prepaid, on January 19, 2017, addressed to its attorney of record, Assistant Solicitor Jessica Holland, 1675-1A York Highway, York, South Carolina 29745.

January 19, 2017.

Law Office of Leah B. Moody, LLC


Leah B. Moody, S.C. Bar No.: 12141

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Rock Hill, South Carolina 29730

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lbmatty@comporium.net

Attorney for Appellant

Cc: Jonathan D. Dixon
David Hamilton, Clerk of Court, York County
Sharon Graham, SC Commission on Indigent Defense

Law Office of Leah B. Moody, LLC

Leah B. Moody
Lbmatty@comporium.net

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January 19, 2017

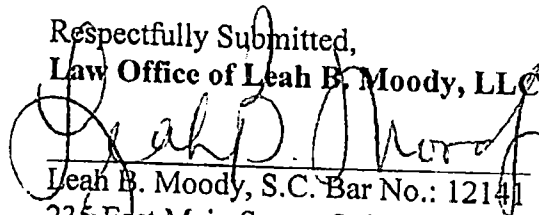
The Honorable David Hamilton
Clerk of Court for York County
1675-1G York Highway
York, South Carolina 29745

RE: The State of South Carolina, Respondent v. Jonathan David Dixon
C.A. No.: 2016-GS-46-022718

Dear Mr. Hamilton:

Enclosed for filing is a notice of appeal in the above case.

Respectfully Submitted,
Law Office of Leah B. Moody, LLC



Leah B. Moody, S.C. Bar No.: 12141
235 East Main Street, Suite 115
Post Office Box 1015(29731)
Rock Hill, South Carolina 29730
Telephone: (803) 327-4192
Facsimile: (803)329-1344
lbmatty@comporium.net
Attorney for Appellant

Cc: Jessica C. Holland, Assistant Solicitor
1675-1A York Highway
York, South Carolina 29745-7422
(803) 628-3020
Attorney for Respondent

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January 19, 2017

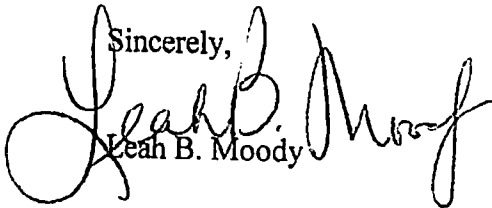
Jessica Holland, Esquire
Assistant Solicitor
1675-1A York Highway
York, South Carolina 29745-7422

RE: The State of South Carolina, Respondent v. Jonathan David Dixon
C.A. No.: 2016-GS-46-022718

Dear Mrs. Holland:

Please enclosed for filing is a Notice of Appeal in the above case. Thank you for your attention in this matter.

Sincerely,


Leah B. Moody

Cc: Jonathan David Dixon
Kenneth Richstad, Clerk of Court, SC Court of Appeals
David Hamilton, Clerk of Court, York County
Sharon Graham, SCCID

COUNTY OF YORK

STATE VS.

JONATHAN DAVID DIXON

AKA: Jonathan Dixon

Race: Black Sex: M Age: 31

DOB: SS#: 2

Address: f

City, State, Zip: Rock Hill, SC 29730

DL# SID# SC01482814

*CDL Yes No CMV Yes No Hazmat Yes No

In disposition of the said indictment comes now the Defendant who was

TO: Throwing Bodily Fluids

In violation of § 24-13-0470 of the S.C. Code of Laws, bearing CDR Code # 2526

NON-VIOLENT VIOLENT SERIOUS MOST SERIOUS Mandatory GPS §17-25-45 (CSC w/minor 1st or Lewd Act)

The charge is: As indicted, Lesser Included Offense, Defendant Waives Presentment to Grand Jury, (def.'s initials)

The plea is: Without Negotiations or Recommendation, Negotiated Sentence, Recommendation by the State.

ATTEST:

Jessica E. Holland, Assistant Solicitor 75182 SC Bar # Jonathan J. Dixon Defendant Deal B. Wolf Attorney for Defendant 12141 SC Bar #

ORIGINAL

SENTENCE SHEET NC v. AISO

CONVICTED OF or PLEADS

WHEREFORE, the Defendant is committed to the State Department of Corrections County Detention Center, for a determinate term of 6 days/months/years or under the Youthful Offender Act not to exceed _____ years and/or to pay a fine of \$ _____; provided that upon the service of _____ days/months/years and or payment of \$ _____; plus costs and assessments as applicable*; the balance is suspended with probation for _____ months/years and subject to South Carolina Department of Probation, Parole and Pardon Service standard conditions of probation, which are incorporated by reference.

CONCURRENT or CONSECUTIVE to sentence on: _____
 The Defendant is to be given credit for time served pursuant to S.C. Code §24-13-40 to be calculated and applied by the State Department of Corrections. Begin 5-31-16
 The Defendant is to be placed on Central Registry of Child Abuse and Neglect pursuant to S.C. Code §17-25-135.

Pursuant to 18 U.S.C. Section 922, it is unlawful for a person convicted of a violation of Section 16-25-20 or 16-25-65 (Domestic Violence) to ship, transport, possess, or receive a firearm or ammunition.

SPECIAL CONDITIONS:
 RESTITUTION: Deferred Def. Waives Hearing Ordered PTUP _____ days/hours Public Service Employment
Total: \$ _____ plus 20% fee: \$ _____ Obtain GED

Set by SCDPPPS _____
Attend Voc. Rehab. Or Job Corp. _____
May serve W/E beginning _____

*Fine:		\$ _____
§14-1-206 (Assessments 107.5%)		\$ _____
§14-1-211 (A)(1)(Conv. Surcharge)	\$100	\$ 100.00
§14-1-211 (A)(2)(DUI Surcharge)	\$100	\$ _____
§56-5-2995 (DUI Assessment)	\$12	\$ _____
§56-1-286 (DUI Breath Test)	\$25	\$ _____
Proviso 61.6 (Public Def/Prob)	\$500	\$ _____
§14-1-212 (Law Enforce. Funding)	\$25	\$ 25.00
§14-1-213 (Drug Court Surcharge)	\$150	\$ _____
§50-21-114 (BUI Breath Test Fee)	\$50	\$ _____
§56-5-2942(J) (Vehicle Assessment)	\$40/ea	\$ _____
3% to County (if paid in installments)	\$	\$ _____
TOTAL		\$ 125.00

Substance Abuse Counseling
Random Drug/Alcohol Testing
Fine may be pd. in equal consecutive weekly/monthly pmts. of \$ _____ Beginning _____
\$ _____ Paid to Public Defender Fund
Other: _____

Appointed PD or appointed other counsel, Proviso §61.6 requires \$500 be paid to Clerk during probation and shall be collected before any other fees.

Clerk of Court/Deputy Clerk: David Hammett
Court Reporter: Shirley Brown
SCCA/217 (07/2016)
Presiding Judge: Daniel O. Hill
Judge Bar ID: Judge Code: 2753
Sentence Date: 1/10/2017