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THE STATE OF SOUTH CAROLINA
In the Court of Appeals

RECEIVED

MAR 10 2017

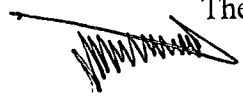
SC Court of Appeals

APPEAL FROM LEXINGTON COUNTY
Court of General Sessions

The Honorable R. Knox McMahon, Circuit Court Judge

Case No. 2015-GS-32-02341

The State,.....Respondent,

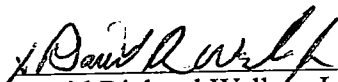


v.

David Richard Walker, Jr.Appellant.

NOTICE OF APPEAL

David Richard Walker, Jr. appeals his conviction and sentence in this case. The sentence was imposed by the Honorable R. Knox McMahon on March 1, 2017. David Richard Walker, Jr. was convicted at jury trial on February 28, 2017.



David Richard Walker, Jr., Pro Se
Inmate Number: 00294267
South Carolina Department of Corrections

Other Counsel of Record:

Shawn Graham, Assistant Solicitor
205 East Main Street
Lexington, SC 29072

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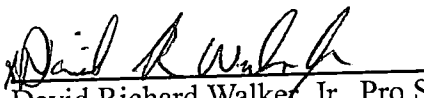
The State,.....Respondent,

v.

David Richard Walker, Jr.Appellant.

PROOF OF SERVICE

I certify that I have served the Notice of Appeal on Shawn Graham, by depositing a copy of it in the United States mail, postage prepaid, on March 1, 2017, addressed to Shawn Graham, Assistant Solicitor, 205 East Main Street, Lexington, SC 29072.


David Richard Walker, Jr., Pro Se
Inmate Number: 00294267
South Carolina Department of Corrections

David Richard Walker, Jr., Pro Se
Inmate Number: 00294267
South Carolina Department of Corrections

March 1, 2017

The Honorable Jenny Kitchings
Clerk of Court for Court of Appeals
1015 Sumter Street
Columbia, SC 29201

RECEIVED

MAR 10 2017

SC Court of Appeals

Re: The State vs. David Richard Walker, Jr. (Notice of Appeal)

Dear Ms. Kitchings:

I have enclosed an original and one copy of the Notice to Appeal in the above matter for filing in your office. Please file the original and return the date and time stamped copy to me in the envelope provided.

I am, by copy of this letter, serving a copy of this Notice to Appeal on Assistant Solicitor Shawn Graham and Chief Appellate Defender Robert Dudek, together with my Certificate of Service.

Thank you for your assistance in this matter.

Sincerely,


David Richard Walker, Jr. Pro Se

Enclosures

cc: Shawn Graham, Assistant Solicitor
205 East Main Street
Lexington, SC 29072

Robert M. Dudek, Chief Appellate Defender
P.O. Box 11589
Columbia, SC 29211

✓ Sarah H. Mauldin, Assistant Public Defender, Standby Counsel
407 W. Main St.
Lexington, SC 29072

David Richard Walker, Jr., Pro Se
Inmate Number: 00294267
South Carolina Department of Corrections

RECEIVED

March 1, 2017

MAR 10 2017

SC Court of Appeals

The Honorable Lisa Comer
Clerk of Court for Lexington County
Lexington County Courthouse
Lexington, South Carolina, 29072

RE: The State v. David Richard Walker, Jr. (Notice of Appeal)
Case No. 2015-GS-32-02341

Dear Ms. Comer:

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

Sincerely,



David Richard Walker, Jr., Pro Se
Inmate Number: 00294267
South Carolina Department of Corrections

cc: Shawn Graham, Assistant Solicitor
205 East Main Street
Lexington, SC 29072

OFFICE OF THE PUBLIC DEFENDER

ELIZABETH FULLWOOD
Lexington Public Defender
407 W. Main St.
Lexington, SC 29072
Telephone (803) 785-8873
Fax (803) 785-1443

Eleventh Judicial Circuit
Lexington, Saluda, Edgefield,
and McCormick Counties

ROBERT M. MADSEN
Circuit Public Defender

BENNETT CASTO
Tri-County Public Defender
Post Office Box 1852
McCormick, SC 29835
Telephone (864) 852-9555
Fax (864) 852-9554

March 7, 2017

RECEIVED

MAR 10 2017

SC Court of Appeals

The Honorable Jenny Kitchings
Clerk of Court for Court of Appeals
1015 Sumter Street
Columbia, SC 29201

RE: The State v. David Richard Walker, Jr (Notice of Appeal)

Ms. Kitchings:

Please find the additional copy of the Notice of Appeal Conviction and Sentence. The original was sent on 03/01/2017 by US Mail. Per an email received it is my understanding that this paperwork may have not been received in your office for this particular appeal. I have emailed a copy to Brandon M. Hall, Appeals Specialist as well, and my apologies for any confusion. If you should need any additional information, please let me know.

Yours Truly,

Shannon M. O'Cain

Paralegal/Investigator for Sarah H. Mauldin

ENC:

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STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF Lexington
STATE VS. David Richard Walker Jr
AKA:
Race: White Sex: M Age: 34
DOB: SS:
Address:
City, State, Zip: West Columbia, SC 29169
DL#: SID#: SC295516

INDICTMENT/CASE#: 2015GS3202341
A/W#: 2013A3221100569
Date of Offense: 12/10/2012
S.C. Code §: 16-03-0010
CDR Code #: 0116

RECEIVED

MAR 10 2017

SENTENCE SHEET SC Court of Appeals

*CDL Yes No CMV Yes No Hazmat Yes No
In disposition of the said indictment comes now the Defendant who was TO: Murder / Murder

CONVICTED OF or PLEADS

in violation of § 16-03-0010 of the S.C. Code of Laws, bearing CDR Code # 0116
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.
The plea is: Without Negotiations or Recommendation, Negotiated Sentence, Recommendation by the State.

ATTEST: [Signature] 78342
Solicitor SC Bar# Defendant Attorney for Defendant SC Bar#

WHEREFORE, the Defendant is committed to the State Department of Corrections, County Detention Center,
for a determinate term of 50 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 Services 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.
The Defendant is to be placed on the 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
Total: \$ plus 20% fee: \$
Payment Terms:
Set by SCDPPPS

Table with columns for Recipient, *Fine, and amounts. Includes items like § 14-1-206, § 14-1-211(A)(1), § 14-1-211(A)(2), § 56-5-2995, § 56-1-286, Proviso 61.6, § 14-1-212, § 14-1-213, § 50-21-114, § 56-5-2942(J), and 3% to County.

days/hours Public Service Employment
Obtain GED
Attend Voc. Rehab. or Job Corp.
May serve W/E beginning
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.

TOTAL \$125.00
Clerk of Court/ Deputy Clerk Sija Comer
Court Reporter M Woods
SCCA/217 (07/2016)

Presiding Judge [Signature]
Judge Code: 2145
Sentence Date: 1 March 17

WITNESSES

West Columbia Police Department

Scott Neal

Law Enforcement Case #: 1229782

DSG

ARREST WARRANT NUMBER

2013A3221100569

ACTION OF GRAND JURY

TRUE BILL

Pamela Baker

Foreperson of Grand Jury

Date: 11/20/15

VERDICT

Guilty

Scott Neal

Foreperson of Petit Jury

Date: 2/28/17

DOCKET NO. 2015GS3202341

The State of South Carolina

County of Lexington

COURT OF GENERAL SESSIONS

OCTOBER TERM 2015

THE STATE

vs.

David Richard Walker Jr

CDR #: 0116

Indictment for

Murder

§ 16-03-0010

DONALD V. MYERS, SOLICITOR

A TRUE COPY

Donald V. Myers
Lex. Co. C.C.C.P., G.S. & F.C.

STATE OF SOUTH CAROLINA)
)
COUNTY OF LEXINGTON)
)

INDICTMENT FOR
Murder
§ 16-03-0010

At a Court of General Sessions, convened on October 2015, the Grand Jurors of Lexington County present upon their oath:

That **David Richard Walker Jr** did in Lexington County on or about December 10, 2012, unlawfully willfully, intentionally and feloniously kill one Catherine Carrie Banty with malice aforethought, by strangling the victim and the victim did die as a proximate result thereof, in violation of § 16-3-10, Code of Laws of South Carolina, 1976, as amended.

Against the peace and dignity of the State, and contrary to the statute in such case made and provided.


David S. Bul
DEPUTY SOLICITOR