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MAY 17 2017

SC Court of Appeals

**THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS**

**APPEAL FROM CHARLESTON COUNTY
Court of General Sessions**

The Honorable Kristi L. Harrington, Presiding Judge

**INDICTMENT NO(S): 2014GS1005999, 2014GS1006000, 2014GS1006001
WARRANT NO(S): 2014A1010203046, 2014A1010203047, 2014A1010203048**

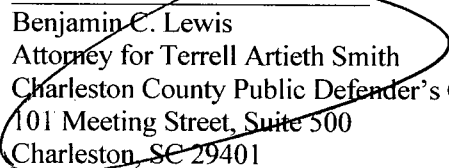
STATE OF SOUTH CAROLINA, RESPONDENT

vs.

TERRELL ARTIETH SMITH, APPELLANT

NOTICE OF APPEAL

Terrell Artieth Smith appeals the verdict following the jury trial held before the Honorable Kristi L. Harrington on September 22, 2016 and the sentencing held before the Honorable Kristi L. Harrington on May 9, 2017. Mr. Smith also appeals the court's finding that Life Without Parole is not unconstitutional in regards to juvenile defendants and the Court's ruling that the mandatory minimum of 30 years is constitutional for Juvenile defendants.


Benjamin C. Lewis
Attorney for Terrell Artieth Smith
Charleston County Public Defender's Office
101 Meeting Street, Suite 500
Charleston, SC 29401

Other counsels of record are:

Megan Ehrlich
Assistant Public Defender, Ninth Judicial Circuit
Charleston County Public Defender's Office
101 Meeting Street, Suite 500
Charleston, SC 29401

Charles W. Patrick III, Assistant Solicitor
Office of the Solicitor, Ninth Judicial Circuit
O.T. Wallace County Office Building
101 Meeting Street
Charleston, SC 29401

Chad Simpson, Assistant Solicitor
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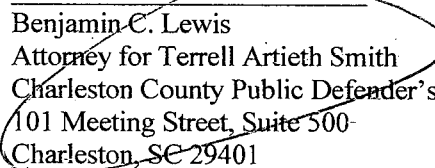
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O.T. Wallace County Office Building
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Charleston, SC 29401

FILED
2017 MAY 15 AM 10:15
JULIE D. ARMSTRONG
CLERK OF COURT

STATE OF SOUTH CAROLINA

) IN THE SOUTH CAROLINA
) COURT OF APPEALS

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COUNTY OF CHARLESTON

) Case No(s): 2014GS1005999,
) 2014GS1006000,2014GS1006001
) Warrant No(s): 2014A1010203046,
) 2014A1010203047, 2014A1010203048

MAY 17 2017

SC Court of Appeals

STATE OF SOUTH CAROLINA

) Charge(s): Murder, Attempted Murder, Possession
) of A Weapon During A Violent Crime

-versus-

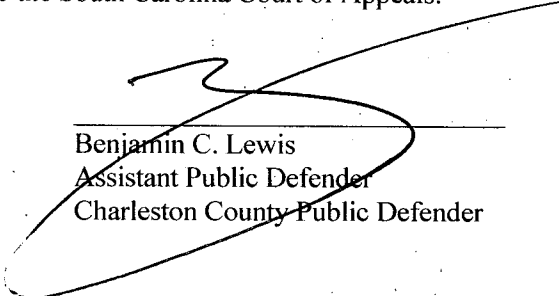
**REQUEST FOR REPRESENTATION
ON APPEAL**

Terrell Artieth Smith,
Defendant.

On behalf of the request of the above-named Defendant, to be represented by the South Carolina Commission of Appellate Defense, the undersigned attorney would show unto this Honorable Court that:

1. He is the attorney for the defendant-appellant in the above captioned case. The defendant-appellant was placed in custody immediately following conviction and sentence and was not available to personally sign this Request.
2. The defendant-appellant was represented by the Charleston County Public Defender's Office as an indigent, pursuant to the Defense of Indigent Act.
3. The defendant-appellant has been informed that he may request assistance from the South Carolina Commission of Appellate Defense in perfecting his appeal.
4. A timely Notice of Appeal has been filed on the defendant's-appellant behalf.
5. The defendant-appellant has been informed that nothing requires that office to pursue this appeal unless that office's Chief Attorney is satisfied that there is arguable merit to this appeal and that he cannot afford to hire an attorney.

At this time, the defendant-appellant requests the aid of the South Carolina Commission of Appellate Defense in perfecting his appeal to the South Carolina Court of Appeals.


 Benjamin C. Lewis
 Assistant Public Defender
 Charleston County Public Defender

Charleston, South Carolina

Dated: 5-15, 2017.

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APPEAL FROM CHARLESTON COUNTY
Court of General Sessions

The Honorable Kristi L. Harrington, Presiding Judge

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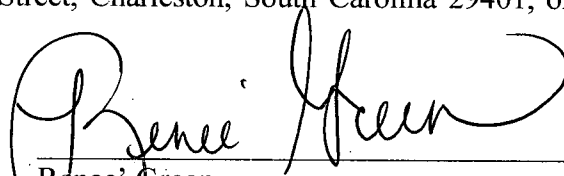
STATE OF SOUTH CAROLINA, RESPONDENT

vs.

TERRELL ARTIETH SMITH, APPELLANT

PROOF OF SERVICE

I certify that I have served the Notice of Appeal on Charles W. Patrick III, Assistant Solicitor for Charleston County, by hand delivering a copy of it to the Charleston County Solicitor's Office at 101 Meeting Street, Charleston, South Carolina 29401, on May 15, 2017.



Renee Green

Paralegal to Attorney Benjamin C. Lewis
Charleston County Assistant Public Defender
O. T. Wallace County Office Building
101 Meeting Street
Charleston, SC 29401
(843) 958-1850

Dated: May 15, 2017.

**CHARLESTON COUNTY PUBLIC DEFENDER
O. T. WALLACE COUNTY OFFICE BUILDING
101 MEETING STREET
CHARLESTON, SOUTH CAROLINA 29401**

(843) 958-1850

FAX (843) 958-1860

May 10, 2017

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SC Court of Appeals

South Carolina Appellate Defense Commission
PO Box 11589
Columbia, South Carolina 29211

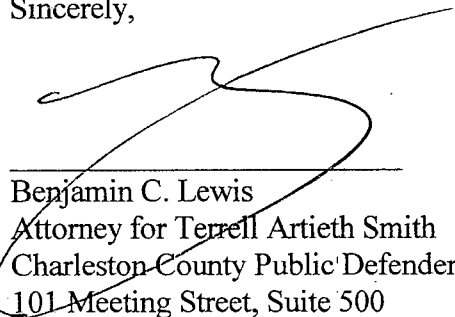
Re: State of South Carolina vs. Terrell Artieth Smith
Case No(s):: 2014GS1005999, 2014GS1006000, 2014GS1006001
Warrant No(s): 2014A1010203046, 2014A1010203047, 2014A1010203048
Charge(s): Murder, Attempted Murder, Possession of A Weapon During A
Violent Crime

Dear Sir/Madam:

Enclosed herein is a duplicate set of the Appeal papers, which I have forwarded to the Clerk of the South Carolina Court of Appeals concerning the above-subject defendant. This defendant was represented by our office as an indigent, pursuant to the Defense of Indigents Act. It is requested that your office assume the Appeal of this case.

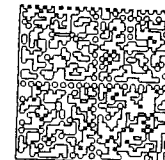
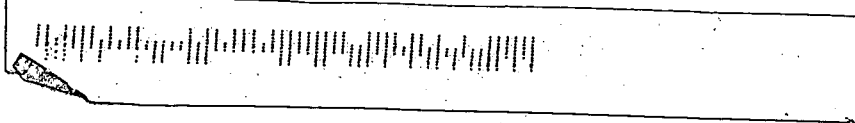
The name of the Court Reporter is Denise Lauder, and her address is 100 Broad Street, Suite 248, Charleston, SC 29401. I have enclosed documents usually requested by your office. If I can be of assistance by discussing this case with you, please do not hesitate to call.

Sincerely,



Benjamin C. Lewis
Attorney for Terrell Artieth Smith
Charleston County Public Defender's Office
101 Meeting Street, Suite 500
Charleston, SC 29401

Enclosure(s): As stated above



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CHARLESTON COUNTY PUBLIC DEFENDER
O.T. WALLACE COUNTY OFFICE BLDG.
101 MEETING STREET, 5TH FLOOR
CHARLESTON, SC 29401-2214

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SC Court of Appeals

The Honorable Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
Post Office Box 11629
Columbia, South Carolina 29211