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FILED

2017 JUN -5 PM 2: 10

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM LEXINGTON COUNTY
Court of General Sessions

The Honorable Eugene C. Griffith, Jr., Circuit Court Judge

Case No. 2014GS3201421

The State,

Respondent,

v.

RECEIVED

John C. Hart,

Appellant.

JUN 15 2017

SC Court of Appeals

NOTICE OF APPEAL

John Christopher Hart appeals his conviction for murder and sentence of fifty (50) years. On May 22, 2017, Mr. Hart proceeded to trial before the Honorable Eugene C. Griffith, Jr. and a jury. The jury returned a verdict of guilty on May 26, 2017, and Judge Griffith imposed a sentence of fifty (50) years. Judge Griffith denied the undersigned counsel's motion for a new trial.

Dayne Phillips

Dayne C. Phillips, Esquire
The Michael Jeffcoat Firm
PO Box 1860
Lexington, SC 29071
Phone: (803) 808-9600
Fax: (803) 808-2240
ATTORNEY FOR APPELLANT

June 1, 2017

Other Counsel of Record:

cc:
John Hart

Deputy Solicitor Shawn Graham
Eleventh Circuit Solicitor's Office
205 East Main Street
Lexington, South Carolina 29072
Phone: (803) 785-8352

Chief Appellate Defender Robert M. Dudek
South Carolina Commission on Indigent Defense
1330 Lady Street, Suite 401
Columbia, SC 29201

P. Corner
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The State,

Respondent, JUN 15 2017

v.

SC Court of Appeals

John C. Hart,

Appellant.

PROOF OF SERVICE

I certify that I have served the Notice of Appeal on Shawn Graham, Robert Dudek, and John Hart, by depositing a copy in the United States Mail, postage prepaid, on June 2, 2017, addressed to:

Deputy Solicitor Shawn Graham, Eleventh Circuit Solicitor's Office,
205 East Main Street, Lexington, SC 29072.

Chief Appellate Defender Robert Dudek, S.C. Commission on Indigent Defense,
1330 Lady Street, Suite 401, Columbia, SC 29201

John C. Hart, Kirkland Correctional Institution,
4344 Broad River Rd, Columbia, SC 29210.

Dayne Phillips

Dayne C. Phillips, Esquire
The Michael Jeffcoat Firm
PO Box 1860
Lexington, SC 29071
Phone: (803) 808-9600
Fax: (803) 808-2240
Attorney for Appellant

June 2, 2017

WITNESSES

Lexington County Sheriffs Department

Shawn Spivey

Law Enforcement Case #: 13006204

DSG

ARREST WARRANT NUMBER

2013A3210200740

ACTION OF GRAND JURY

[Faint stamp]

[Signature]
Foreperson of Grand Jury
Date: *06/17/14*

VERDICT

Guilty

Allison Williams
Foreperson of Petit Jury
Date: *05/26/2017*

DOCKET NO. 2014GS3201421

The State of South Carolina

County of Lexington

COURT OF GENERAL SESSIONS

JUNE TERM 2014

THE STATE
vs.

John Christopher Hart

CDR #: 0116

Indictment for

Murder

§ 16-03-0010

DONALD V. MYERS, SOLICITOR

RECEIVED

JUN 15 2017

SC Court of Appeals

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STATE OF SOUTH CAROLINA)
 COUNTY OF Lexington)
 STATE VS.)
John Christopher Hart)
 AKA: _____)
 Race: Black Sex: M Age: 28)
 DOB: _____ SS#: _____)
 Address: _____)
 City, State, Zip: Columbia, SC 29210)
 DL#: _____ SID#: _____)
 *CDL Yes No CMV Yes No Hazmat Yes No

IN THE COURT OF GENERAL SESSIONS

INDICTMENT/CASE#: 2014GS3201421
 A/W#: 2013A3210200740
 Date of Offense: 4/10/2013
 S.C. Code § : 16-03-0010
 CDR Code #: 0116

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JUN 15 2017

SENTENCE SHEET **SC Court of Appeals**

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. _____ (defendant's initials)
 The plea is: Without Negotiations or Recommendation, Negotiated Sentence, Recommendation by the State.

ATTEST: _____ 72860
 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. Since April 18, 2013
 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 _____

Recipient: _____
 *Fine: _____ \$ _____
 § 14-1-206 (Assessments 107.5 %) _____ \$ _____
 § 14-1-211(A)(1) (Conv. Surcharge) \$100 \$ _____
 § 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/Probation) \$500 \$ _____
 § 14-1-212 (Law Enforce. Funding) \$25 \$ _____
 § 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 \$ _____

Clerk of Court/ Deputy Clerk Lisa Conelme
 Court Reporter: Stacy Johnson
 SCCA/217 (07/2016)

_____ 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.
 Presiding Judge _____
 Judge Code: W 2154
 Sentence Date: 5-26-17

June 13, 2017



The Honorable Jenny Kitchings
Clerk of Court, S.C. Court of Appeals
P.O. Box 11629
Columbia, SC 29211

Re: State of South Carolina vs. John Christopher Hart
Appellate Case No. 2017-001291


Dear Ms. Kitchings:

I hope that you are doing well. As requested, I have enclosed a copy of the Notice of Appeal that has been filed with the Lexington County Clerk of Court on June 5, 2017.

If you have any questions or need additional information, please do not hesitate to contact me.

With best regards, I am,

Yours Sincerely,



Dayne C. Phillips

DCP/kpk

Enclosure (noted)

cc: Shawn Graham, Esquire
Robert Dudek, Esquire
John Hart

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