

STATE OF SOUTH CAROLINA  
COUNTY OF RICHLAND  
In The Court of General Sessions

---

APPEAL FROM LEXINGTON COUNTY GENERAL SESSIONS COURT

The Honorable William P. Keesley  
Presiding Circuit Judge

---

Indictment Number 2016-GS-40-02657

**RECEIVED**

The State of South Carolina,.....Respondent,

JUN 19 2017

SC Court of Appeals

v.

Jimmy Odel Kanipe,.....Appellant.

---

**NOTICE OF APPEAL**

---

Defendant (“Appellant”) Jimmy Odel Kanipe, through counsel Jessica E. Sturgill, seeks an appeal of the denial of his motion to withdraw his guilty plea. A plea hearing was held on April 25, 2017 in Lexington County before the Honorable William P. Keesley. Mr. Kanipe entered a guilty plea to two charges: indictment number 2016-GS-40-02657, use of motor vehicle without permission, from Richland County (the “Richland charge”) and indictment number 2017-GS-32-01599, grand larceny of property valued between \$2,000 and \$10,000, from Lexington County (the “Lexington charge”). Mr. Kanipe received a sentence of three years on the Richland charge and five years on the Lexington charge, to run concurrently. Mr. Kanipe filed a Motion to Withdraw Plea, or, In the Alternative, Reconsider Sentence for both charges on May 5, 2017. This Motion was filed based on the State providing information to the Court during the plea colloquy that exceeded the scope of plea negotiations and defense’s knowledge. A hearing on

this Motion was held on June 8, 2017 before the Honorable Judge Keesley. Judge Keesley took the motion under advisement, and later that day issued a written Order Denying Motion to Withdraw Plea or Reconsider (see attached).

Therefore, Mr. Kanipe respectfully appeals the Order denying his motion to withdraw his plea or reconsider the sentence for his Richland County charge.

Respectfully submitted,



Jessica E. Sturgill  
Richland County Public Defender's Office  
1701 Main Street  
P.O. Box 192  
Columbia, South Carolina 29201  
(803) 765-2592

June 19, 2017

Other Counsel of Record:  
Assistant Solicitor Lamar Fyall  
Fifth Circuit Solicitor's Office  
1701 Main Street  
Columbia, South Carolina 29201  
(803)576-1800

Assistant Solicitor Melanie Graham  
Eleventh Circuit Solicitor's Office  
205 E. Main Street  
Lexington, SC 29072  
(803)941-0227

Assistant Public Defender Hallie Willm  
Lexington County Public Defender's Office  
407 ½ W. Main Street  
Lexington, SC 29072  
(803)785-8873

STATE OF SOUTH CAROLINA  
COUNTY OF RICHLAND  
In The Court of General Sessions

APPEAL FROM LEXINGTON COUNTY GENERAL SESSIONS COURT

The Honorable William P. Keesley  
Presiding Circuit Judge

**RECEIVED**

Indictment Number 2016-GS-40-02657

JUN 19 2017

**SC Court of Appeals**

The State of South Carolina,.....Respondent,

v.

Jimmy Odel Kanipe,.....Appellant.

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a true copy of the Notice of Intent to Appeal in the above-referenced case has been served upon Assistant City Attorney Jess Mangum at 1401 Main Street, Columbia, SC 29201 as well as The Honorable Steven D. Dennis by delivering the same on this date to the City of Columbia Municipal Court Clerk of Court's Office at 811 Washington Street, Columbia, SC 29201.



Steven M. Harper  
Richland County Public Defender's Office

June 19, 2017

Other Counsel of Record:  
Assistant Solicitor Lamar Fyall  
Fifth Circuit Solicitor's Office  
1701 Main Street  
Columbia, South Carolina 29201  
(803)576-1800

Assistant Solicitor Melanie Graham  
Eleventh Circuit Solicitor's Office  
205 E. Main Street  
Lexington, SC 29072  
(803)941-0227

Assistant Public Defender Hallie Willm  
Lexington County Public Defender's Office  
407 ½ W. Main Street  
Lexington, SC 29072  
(803)785-8873