

THE STATE OF SOUTH CAROLINA
In the South Carolina Court of Appeals

APPEAL FROM FLORENCE COUNTY
Court of General Sessions

William H. Seals, Jr., Circuit Court Judge

Case No. 2017-GS-21-00013

RECEIVED

JUN 30 2017

SC Court of Appeals

Earnest Fleming, Appellant.

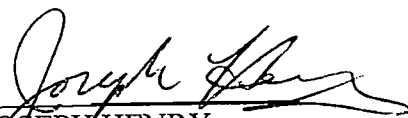
V.

State of South Carolina, Respondents.

NOTICE OF INTENT TO APPEAL

Earnest Fleming, by and through his undersigned counsel, appeals from the Order of Conviction of the Honorable William H. Seals, Jr. entered on June 20, 2017 sentencing him to zero to five years for Breach/Breach of trust with fraudulent intent, value more than \$2,000.00 but less than \$10,000.00 for allegedly failing to purchase building materials for repairs to a barn on the property of John and Nancy Pietrantone when witnesses for the prosecution testified under oath that they withheld material exculpatory, that the Sheriff's Deputy who investigated the matter found no evidence of alleged wrongdoing and one of the jurors, in response to the Court's verbal polling, stated that the verdict was not her verdict in the jury room but it is now her verdict, and the Court denied Defendant's Motion for Judgment Notwithstanding the Verdict.

June 29, 2017


JOSEPH HENRY
1709-B Richland Street
Columbia, S.C. 29201
Telephone: 803-929-3484

FILED
2017 JUN 30 AM 10:19
DORIS POULOS O'HARA
CCCP & GS
FLORENCE COUNTY, SC

ATTORNEY FOR APPELLANT

Other Counsel of Record:

Lloyd V. Flores, Esquire
12th Judicial Circuit –Solicitor’s Office.
180 N. Irby St. ,MSC-Q
Florence, S.C. 29501
(843) 665-3091

RECEIVED

JUN 30 2017

SC Court of Appeals

STATE OF SOUTH CAROLINA)
COUNTY OF FLORENCE)
)
Earnest Fleming,)
Appellant,)
)
v.)
)
State of South Carolina)
Respondent.)
_____)

IN THE COURT OF GENERAL SESSIONS
FOR THE 21ST JUDICIAL CIRCUIT

2017-GS-21-0013

CERTIFICATE OF SERVICE

The undersigned hereby certifies that he is the attorney for the Appellant and that a copy of the **APPELLANT’S NOTICE OF INTENT TO APPEAL** was served in the foregoing action by depositing a copy in the U.S. Mail on June 29, 2017, proper postage attached addressed as follows:

Lloyd V. Flores, Esquire
12th Judicial Circuit –Solicitor’s Office.
180 N. Irby St. ,MSC-Q
Florence, S.C. 29501
(843) 665-3091

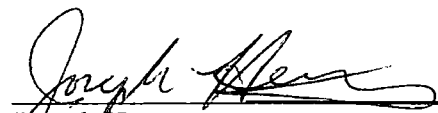
The Honorable William H. Seals, Jr.
SC Circuit Court Judge
103 N. Main Street
Marion, S.C. 29571

FLORENCE COUNTY, SC
CCCP & GS
DORIS POULOS O'HARA

2017 JUN 30 AM 10:19

FILED

The Honorable Alan Wilson
S.C. Attorney General's Office
P. O. Box 11549
Columbia, S.C. 2911-1549



Joseph Henry
ATTORNEY FOR THE APPELLANT

Columbia, South Carolina
June 29, 2017

2017 JUN 30 AM 10:19
DORIS POULOS O'HARA
CCCP & GS
FLORENCE COUNTY, SC

FILED