

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM CHESTERFIELD COUNTY
Court of General Sessions

Paul M. Burch, Circuit Court Judge

Case No. 2010-GS-13-0192

RECEIVED

JUL 03 2017

SC Court of Appeals

The State,

Respondent,

v.

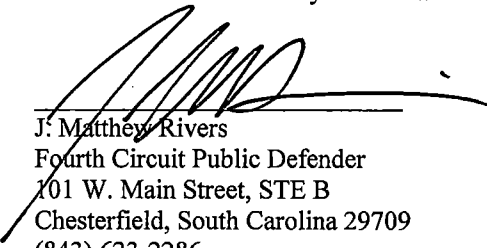
Thomas Jeffery Stewart,

Appellant.

NOTICE OF APPEAL

This appeal stems from Appellant's plea per North Carolina v. Alford U.S. 25, S. Ct.160, 27 L.Ed. 2d 162 (1970), and as directed by my client. The issues, per explanation, are as follows: whether the plea herein was made by Appellant while under duress, emotional stress, or panic thereby rendering his alleged waiver of his jury trial rights as not freely and voluntarily given (the Appellant, and the court, paused at length during the plea at issue and Appellant stated to the court that he was quite emotional and stressed at the timing and nature of the plea) and whether the videotaped statement of Appellant, allowed into evidence per hearing on prior motions of suppression and Jackson v. Denno 378 U.S. 368 (1964) was tampered with or otherwise altered so as to constitute false evidence which should not have been so ruled admissible by the court.

June 29, 2017


J. Matthew Rivers
Fourth Circuit Public Defender
101 W. Main Street, STE B
Chesterfield, South Carolina 29709
(843) 623-2286
Attorney for Appellant

Other Counsel of Record:

Kernard R. Redmond
Fourth Circuit Assistant Solicitor
Post Office Box 594
Chesterfield, South Carolina 29709
(843) 623-3265
Attorney for Respondent

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM CHESTERFIELD COUNTY
Court of General Sessions

Paul M. Burch, Circuit Court Judge

Case No. 2010-GS-13-0192

RECEIVED

JUL 03 2017

SC Court of Appeals

The State,

Respondent,

v.

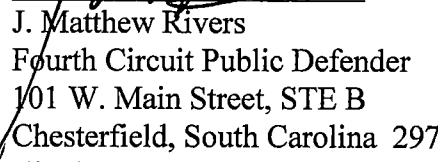
Thomas Jeffery Stewart,

Appellant.

PROOF OF SERVICE

I certify that I have served the Notice of Appeal on the Respondent by depositing a copy of it in the United States Mail, postage prepaid, on June 29, 2017, addressed to the Fourth Circuit Assistant Solicitor, Kernard E. Redmond, Post Office Box 594, Chesterfield, South Carolina 29709 on June 29, 2017.

June 29, 2017



J. Matthew Rivers
Fourth Circuit Public Defender
101 W. Main Street, STE B
Chesterfield, South Carolina 29709
(843) 623-2286
Attorney for Appellant

J. Matthew Rivers
Fourth Circuit Public Defender
101 West Main Street, STE B
Chesterfield, South Carolina 29709
Telephone: (843) 623-2286

RECEIVED

JUL 03 2017

SC Court of Appeals

June 29, 2017

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

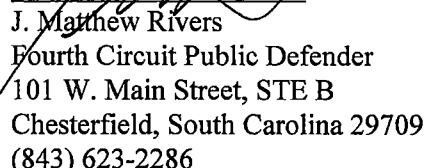
RE: The State, Respondent, v. Thomas Jeffery Stewart, Appellant, Case No. 2010-GS-13-0192

Dear Ms. Kitchings:

Enclosed for filing is a notice of appeal in the above case. Also enclosed are the following:

- (1) Proof of service of the notice of appeal on the respondent[s].
- (2) A copy of the order (sentencing sheet) which is to be challenged on appeal.

Sincerely,



J. Matthew Rivers
Fourth Circuit Public Defender
101 W. Main Street, STE B
Chesterfield, South Carolina 29709
(843) 623-2286
Attorney for Appellant

cc: Kernard E. Redmond
Fourth Circuit Assistant Solicitor
Post Office Box 594
Chesterfield, South Carolina 29709
(843) 623-3265
Attorney for Respondent

**FOURTH CIRCUIT
PUBLIC DEFENDER**
101 WEST MAIN STREET, SUITE B
CHESTERFIELD, SOUTH CAROLINA 29709

CHARLOTTE NC 282
29 JUN 2017 PM 4 L



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

RECEIVED
JUL 03 2017
SC Court of Appeals

29211-162929

