

PUBLIC DEFENDER

Circuit Defender for the Eighth Judicial Circuit
Abbeville, Greenwood, Laurens, and Newberry Counties
600 Monument Street, Suite 208
Box P-133
Greenwood, South Carolina 29646
Phone: (864)229-9505 Fax:

Jennifer M. Clinkscales
Assistant Public Defender
Greenwood County

August 03, 2017

Mr. Bruce Bernard Smith, SCDC #00285745
Kirkland Reception and Evaluation Center
4344 Broad River Road
Columbia, SC 29210

RECEIVED

AUG 07 2017

SC Court of Appeals

Re: State v. Bruce Bernard Smith
Appellant Case Number: 2017-001579

Dear Mr. Smith,

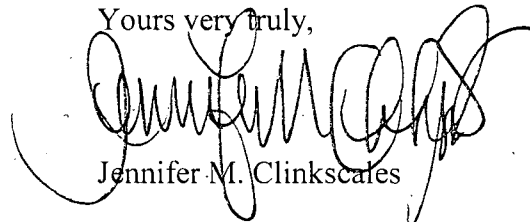
At your request, I filed your appeal with the South Carolina Court of Appeals. I have already provided a copy of my filing to you, however I enclose another copy with this letter. You have twenty (20) days from today's date to write the Court of Appeals and inform them of issues that are preserved for appeal. The Court's address is:

South Carolina Court of Appeals
Post Office Box 11629
Columbia, SC 29211

Your case has been assigned Appellate case Number 2017-001579. Please use this number in your communications with the Court.

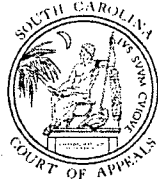
With kindest regards, I am

Yours very truly,



Jennifer M. Clinkscales

cc: Jenny Abbott Kitchings
South Carolina Court of Appeals



The South Carolina Court of Appeals

JENNY ABBOTT KITCHINGS
CLERK

V. CLAIRE ALLEN
DEPUTY CLERK

POST OFFICE BOX 11629
COLUMBIA, SOUTH CAROLINA 29211
1220 SENATE STREET
COLUMBIA, SOUTH CAROLINA 29201
TELEPHONE: (803) 734-1890
FAX: (803) 734-1839
www.sccourts.org

July 25, 2017

Ms. Jennifer Marie Clinkscales, Esquire
600 Monument St.
Box P-133
Greenwood SC 29646

Re: The State v. Bruce Bernard Smith
Appellate Case No. 2017-001579

RECEIVED

AUG 07 2017

SC Court of Appeals

Dear Counsel:

This Court has received your explanation for appealing.

Please forward your explanation to your client, along with a statement that your client has twenty (20) days from the date of your transmittal letter to inform this Court in writing of any arguable basis that there are issues preserved for appeal. Please provide your client with the Court's address:

South Carolina Court of Appeals
P.O. Box 11629
Columbia, SC 29211

Please send your letter to your client within ten (10) days, with a copy to this Court.

Very truly yours,

V. Claire Allen, Deputy

CLERK

cc: Robert Michael Dudek, Esquire
Cecil Yates Brown, Jr., Esquire
John Benjamin Aplin, Esquire
Alan McCrory Wilson, Esquire



The South Carolina Court of Appeals

JENNY ABBOTT KITCHINGS
CLERK

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July 25, 2017

Ms. Jennifer Marie Clinkscales, Esquire
600 Monument St.
Box P-133
Greenwood SC 29646

Re: The State v. Bruce Bernard Smith
Appellate Case No. 2017-001579

Dear Counsel:

This Court has received your notice of appeal, and the case has been assigned the appellate case number that appears above. Please use this number on all future correspondence relating to this matter.

All parties to this matter are advised that all filings must comply with the requirements of Rule 267 of the South Carolina Appellate Court Rules (SCACR). The SCACR are available online at www.sccourts.org/courtreg. Additionally, any filings submitted by counsel admitted in South Carolina must include counsel's bar number.

The attention of the parties is directed to the order relating to the inclusion of personal data identifiers and other sensitive information in documents filed with the Supreme Court of South Carolina and the South Carolina Court of Appeals. The order can be found at www.sccourts.org/courtOrders/displayOrder.cfm?orderNo=2014-04-15-02. Please note that the responsibility for insuring that information is redacted or sealed as required by this order rests with counsel and the parties. This office will *not* review

filings for redaction or to determine if materials should be sealed.

This is to advise that the title in the above matter has been changed to read as follows:

The State, Respondent,

v.

Bruce Bernard Smith, Appellant.

All future records in this matter should be changed to reflect this title. If you have any questions, please do not hesitate to contact this office.

Very truly yours,

V. Clane Allen, Deputy

CLERK

cc: Robert Michael Dudek, Esquire
Cecil Yates Brown, Jr., Esquire
John Benjamin Aplin, Esquire
Alan McCrory Wilson, Esquire

PUBLIC DEFENDER

Circuit Defender for the Eighth Judicial Circuit
Abbeville, Greenwood, Laurens, and Newberry Counties
600 Monument Street, Suite 208
Box P-133
Greenwood, South Carolina 29646
Phone: (864)229-9505 Fax:

Jennifer M. Clinkscales
Assistant Public Defender
Greenwood County

July 18, 2017

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

Re: State v. Bruce Bernard Smith
Warrant Number: 2016A2420100864
Indictment Number: 2017GS2401185

Dear Ms. Kitchings:

Enclosed please find the following:

- 1) The original and two copies of the notice of appeal and proof of service;
- 2) Indictment; and
- 3) Sentencing sheet.

Please file the original notice of appeal and proof of service and return a copy to me in the enclosed; stamped envelope.

By copy of this letter to the Office of Appellate Defense, I am advising that office that this appeal has been filed, and I am providing that office with copies of all documents enclosed in this letter. Along with a copy of the letter to the Office of Appellate Defense, I am enclosing a printout from the Judicial Department website identifying the court reporter.

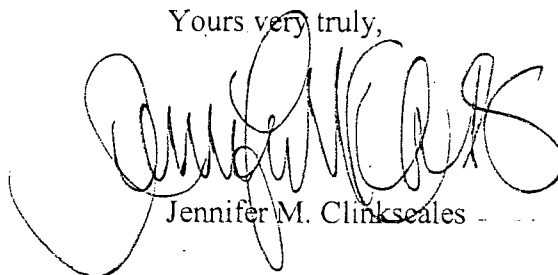
This case was plead before the Honorable Donald B. Hocker on July 11, 2017. Mr. Smith was sentenced the same day.

By copy of this letter to C. Yates Brown, Jr., Esquire, I am advising the State that this appeal is being filed.

Thank you for your attention to this matter. Please let me know if I can provide additional information.

With kindest regards, I am

Yours very truly,

A handwritten signature in black ink, appearing to read "Jennifer M. Clinkseales". The signature is fluid and cursive, with a large initial "J" and "M".

Jennifer M. Clinkseales

Enclosures

cc: Mr. Bruce Bernard Smith

C. Yates Brown, Jr., Esquire
Eighth Circuit Solicitor's Office

Office of Appellate Defense

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM GREENWOOD COUNTY

Court of General Sessions

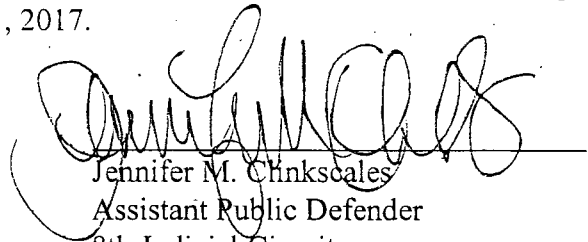
Donald B. Hocker, Circuit Judge

Case No. 2017-GS-24-01185

The State,.....Respondent
v.
BRUCE BERNARD SMITH.....Appellant

NOTICE OF APPEAL

At his request, counsel for Bruce Bernard Smith appeals his conviction and sentence in this case pursuant to *Weathers v. State*, 319 S.C. 59, 459 S.E.2d 838 (1995), and *State v. Thrift*, 378 S.C. 70, 661 S.E.2d 373 (2008), even though counsel can identify no issue which can be reviewed on appeal as required by *Rule 203(d)(1)(B)(iv)*. The sentence was imposed by The Honorable Donald B. Hocker on July 11, 2017.



Jennifer M. Chinkscales
Assistant Public Defender
8th Judicial Circuit
Suite 208, Park Plaza
600 Monument Street, Box P-133
Greenwood, SC 29646
(864) 229-9505
Attorney for Appellant

Other Counsel of Record:
C. Yates Brown, Jr.
Deputy Solicitor
Eighth Circuit Solicitor's Office
Suite 203, Park Plaza
600 Monument Street, P.O. Box 516
Greenwood, SC 29649
(864) 942-8800
Attorney for Respondent

July 18, 2017

RECEIVED

JUL 21 2017

SC Court of Appeals

FILED GENERAL COUNCIL
8TH JUDICIAL CIRCUIT
GREENWOOD, SC
JUL 18 11:56
P12-56

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

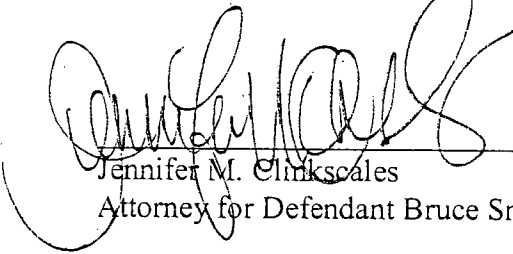
APPEAL FROM GREENWOOD COUNTY
Court of General Sessions
Donald B. Hocker, Circuit Judge

Case No. 2017-GS-24-01185

The State,.....Respondent
v.
BRUCE BERNARD SMITH.....Appellant

CERTIFICATE OF SERVICE

The undersigned certifies that she has served the Notice of Appeal by hand on opposing counsel on July 18, 2017.


Jennifer M. Clinkscales
Attorney for Defendant Bruce Smith

RECEIVED

JUL 21 2017

SC Court of Appeals

COUNTY OF Greenwood
STATE VS.
Bruce Bernard Smith
AKA:
Race: AFRICAN AME Sex: M Age: 49
DOB: 11-03-1967 SS#: 251-35-7548
Address: 409 Powers Street
City, State, Zip: Greenwood, SC 29646
DL#: 8556609 SID#:

INDICTMENT/CASE#: 17GS24-1185
A/W#: 2016A2420100864
Date of Offense: 10/6/2016
S.C. Code §: 16-13-0110(B)
CDR Code #: 2877

SENTENCE SHEET

*CDL Yes No CMV Yes No Hazmat Yes No
In disposition of the said indictment comes now the Defendant who was CONVICTED OF or PLEADS
TO: Shoplifting / Enhancement for 3rd or sub. offense. Value \$2000 or less; 0-10 years

in violation of § 16-13-0110(B) of the S.C. Code of Laws, bearing CDR Code # 2877
NON-VIOLENT VIOLENT SERIOUS MOST SERIOUS Mandatory GPS(CSC §17-25-45 w/minor 1st or Lewd Act)

The charge is: As Indicted, Lesser Included Offense, Defendant Waives Presentation to Grand Jury.
The plea is: Without Negotiations or Recommendation, Negotiated Sentence, Recommendation by the State.

ATTEST: Brown, C. Yates SC Bar# 78607
Defendant: Bruce Smith
Attorney for Defendant: [Signature] SC Bar# 100046

WHEREFORE, the Defendant is committed to the State Department of Corrections, County Detention Center,
for a determinate term of 5 1/2 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. Credit 30 Days

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 \$ 100.00
§ 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 \$ 25.00
§ 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) \$ 3.75

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.

TOTAL \$ 128.75

Clerk of Court/ Deputy Clerk Chastity C. Poland
Court Reporter: Ivy Halston

Presiding Judge [Signature]
Judge Code: 2167
Sentence Date: 7-11-17
SCCA:217 (07/2016)

WITNESSES

Tony Gary
Greenwood Police Department

WARRANT NUMBER

2016A2420100864

THE STATE OF SOUTH CAROLINA

COUNTY OF GREENWOOD

COURT OF GENERAL SESSIONS

June Term, 2017
Indictment # 17GS24- 1185

THE STATE

vs.

Bruce Bernard Smith

True Bill
Crystal D. N.

Foreman of the Grand Jury

Date: 6.9.17

INDICTMENT FOR

SHOPLIFTING
§ 16-13-0110

CDR: 2877

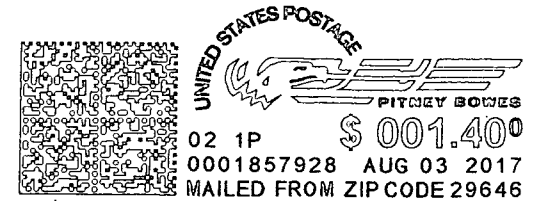
VERDICT

Foreman

Terms of Circuit and Family Court July 2017

Holiday:
Tue Jul 04, Independence Day

Circuit Number	7/3/2017	7/10/2017	7/17/2017	7/24/2017	7/31/2017
8		General Sessions Greenwood Griffith, Eugene SCOTT General Sessions 11, 12 Greenwood Hocker, Donald HOLSTON 11, 12	General Sessions Abbeville Addy, Frank SCOTT General Sessions Newberry Griffith, Eugene HOLSTON	General Sessions Laurens Addy, Frank SCOTT Common Pleas/Common Pleas Nonjury Greenwood Griffith, Eugene JOHNSON General Sessions Laurens Macaulay, Alexander ASHBROOK	Common Pleas Non-Jury/General Sessions Non-Jury Addy, Frank SCOTT General Sessions Greenwood Griffith, Eugene HOLSTON Common Pleas/Common Pleas Nonjury Laurens Hocker, Donald NEVERS
	Family Court 3 Greenwood Smithdeal, Joseph C. DAVIS 3 Family Court 5 Laurens McGowan, Joseph W. AMICK 5 Family Court 7 Newberry Zimmerman, Mindy W.	Family Court Laurens Smithdeal, Joseph C. AMICK Family Court Newberry Zimmerman, Mindy W. BERRY	Family Court Newberry McGowan, Joseph W. AMICK 17 NO CR NEEDED 18 SHEALY 19 NO CR NEEDED 20, 21 Family Court Greenwood Smithdeal, Joseph C. BERRY	Family Court Abbeville McGowan, Joseph W. KATZ 24 AMICK 25, 26, 27, 28 Family Court Laurens Smithdeal, Joseph C. DAVIS Family Court Greenwood Zimmerman, Mindy W. VARNADOE	Family Court Newberry McGowan, Joseph W. AMICK Family Court Laurens Hodges, Thomas T. BERRY Family Court 3, 4 Greenwood Smithdeal, Joseph C. JENKINS 3, 4



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AUG 07 2017
SC Court of Appeals

OFFICE OF THE PUBLIC DEFENDER

Greenwood and Abbeville Counties
Suite 208, Park Plaza
600 Monument Street, Box P-133
Greenwood, South Carolina 29646

TO:

South Carolina Court of Appeals
PO Box 11629
Columbia, South Carolina 29211

