

COUNTY OF ANDERSON
STATE VS.

PHILIP WESLEY WALKER

AKA: Phillip Wesley Walker
Race: Black Sex: M Age: 38
DOB: 07/02/1978 SS#: [REDACTED]
Address: [REDACTED]
City, State, Zip: [REDACTED]
DL# [REDACTED] SID# SC01999850

INDICTMENT/CASE#: 2016GS0400594
A/W: 2015A0420701015
Date of Offense: 12/16/2015
S.C. Code §: 16-23-0490
CDR Code #: 0549

RECEIVED

NOV 08 2017

SC Court of Appeals

SENTENCE SHEET
Sentenced in Abc

*CDL Yes No CMV Yes No Hazmat Yes No
In disposition of the said indictment comes now the Defendant who was
TO: **Possession Of A Weapon During The Commission Of A Violent Crime**
In violation of § 16-23-0490 of the S.C. Code of Laws, bearing CDR Code # 0549

CONVICTED OF or PLEADS
(5)

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

ATTEST:
Catherine T. Huey 68416
Catherine T. Huey, Sr. Career Prosecutor SC Bar # _____ Defendant _____ Attorney for Defendant _____ SC Bar # 10271

WHEREFORE, the Defendant is committed to the State Department of Corrections County Detention Center,
for a determinate term of 5 (Five) 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 Service standard conditions of probation, which
are incorporated by reference.

CONCURRENT or CONSECUTIVE to sentence on: TO 2016GS-04-594
 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. (235 Days)
 The Defendant is to be placed on 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: \$ _____ days/hours Public Service Employment
Payment Terms: _____ Obtain GED

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/Prob) \$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

TOTAL \$ 128.75

Clerk of Court/Deputy Clerk: *Richard A. Hunter*
Court Reporter: *Scott (trial)*
SCCA/217 (07/2016) *V. CROSS (Sentencing)*

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: _____

Sealed Sentence opened and Read 10/12/17 by Judge McIntosh

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: *[Signature]*

Judge Bar ID: _____ Judge Code: 2155

Sentence Date: 12-9-18

COUNTY OF ANDERSON
STATE VS.

PHILIP WESLEY WALKER

AKA: Phillip Wesley Walker
Race: Black Sex: M Age: 38
DOB: 07/02/1978 SS#: [REDACTED]
Address: [REDACTED]
City, State, Zip: [REDACTED]
DL# [REDACTED] SID# SC01999850

INDICTMENT/CASE#: 2016GS0400594
A/W: 2015A0420701014
Date of Offense: 12/16/2015
S.C. Code §: 16-11-0330(A)
CDR Code #: 0139

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NOV 08 2017

SC Court of Appeals

SENTENCE SHEET
Sentenced in Absence 12-7-16

*CDL Yes No CMV Yes No Hazmat Yes No
In disposition of the said indictment comes now the Defendant who was
TO: Armed Robbery (10 to 30)
In violation of § 16-11-0330(A) of the S.C. Code of Laws, bearing CDR Code # 0139

CONVICTED OF or PLEADS

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

ATTEST
Catherine T. Huey, Sr. Career Prosecutor SC Bar # 68416
Catherine T. Huey, Sr. Career Prosecutor SC Bar # 68416
Defendant
Attorney for Defendant SC Bar # 10271

WHEREFORE, the Defendant is committed to the State Department of Corrections County Detention Center,
for a determinate term of 20 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 Service 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. (236 Days)
 The Defendant is to be placed on 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: \$ _____ days/hours Public Service Employment
Payment Terms: _____ Obtain GED:

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/Prob)	\$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

TOTAL 138.75

Clerk of Court/Deputy Clerk: Richard A. Spuler
Court Reporter: L. Scott and V. Cross (Sentencing)
SCCA/217 (07/2016)

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: _____

* Sealed Sentence opened & Read 10/12/17 by Judge McIntosh

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: [Signature]
Judge Bar ID: _____ Judge Code: 2/55
Sentence Date: 12-7-16

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM ANDERSON COUNTY
Court of General Sessions

RECEIVED

Honorable R Lawton McIntosh, Tenth Circuit Court Judge

NOV 08 2017

SC Court of Appeals

Appellate Case No(s): 2017-002204

The State,

Respondent

v.

Phillip Wesley Walker,

Appellant

AFFIDAVIT OF SERVICE

I, Natasha Perez-Pendergrass, certify on this date, November 2, 2017, I served a Letter curing any/all deficiencies in this action, dated November 2, 2017, on Ms. Jenny Abbott Kitchings, Clerk of Court of Appeals, The Honorable Alan Wilson, John Benjamin Aplin, Assistant Attorney General, and Catherine Townsend Huey, Assistant Solicitor, and Robert Michael Dudek, Chief Appellate Defender by mailing it to him/her at his/her work address, by depositing it in the U.S. Mail, in an envelope with sufficient postage affixed, addressed as follows:

Ms. Jenny Abbott Kitchings
Clerk of Court
SC Court of Appeals
P.O Box 11629
Columbia, SC 29211

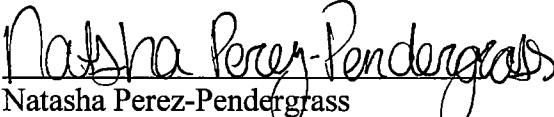
Honorable Alan McCrory Wilson
PO Box 11549
Columbia, SC 29211

Catherine Townsend Huey, Assistant Solicitor
Tenth Judicial Circuit
PO Box 8002
Anderson, SC 29622

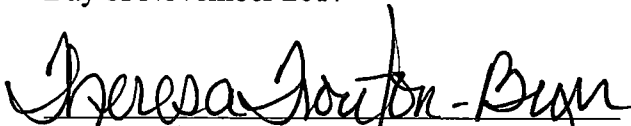
J. Benjamin Aplin
Senior Assistant Deputy Attorney General
PO Box 11549
Columbia, SC 29211

Robert Michael Dudek
Chief Appellate Defender
South Carolina Commission on Indigent Defense
PO Box 11433
Columbia, SC 29211-1433

Respectfully submitted,


Natasha Perez-Pendergrass
Paralegal to William G. Yarborough, Esquire

SWORN TO before this 2nd
Day of November 2017


Notary Public for South Carolina
My Commission expires: 3/20/24

LAW OFFICE OF WILLIAM G. YARBOROUGH, III

P: 864.331.1612
F: 864.271.0711
E: WGYarborough@gmail.com

522 North Church Street
Greenville, SC 29601

November 2, 2017

Ms. Jenny Abbott Kitchings
Clerk of Court
SC Court of Appeals
PO Box 11629
Columbia, SC 29211

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NOV 08 2017

SC Court of Appeals

Re: The State v. Phillip Wesley Walker
Case No: 2017-002204

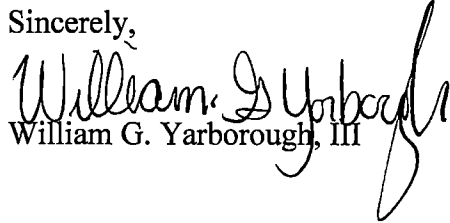
Dear Ms. Kitchings,

I hope this letter finds you well. I am contacting you in regards to the Notice of Deficiencies I received to attach Mr. Phillip Walker order and/or sentencing sheets to the Notice of Appeal and to provide a written explanation showing that there is an issue which can be reviewed on appeal. Enclosed are the redacted copies of the sentencing sheets for the above-referenced matter. Also, we would respectfully like to inform the Court of Appeals that this case was a trial and there was a sentencing date scheduled after the trial was completed. We apologize in the delay in curing the deficiencies.

If you wish to discuss anything or need additional information, please do not hesitate to contact me.

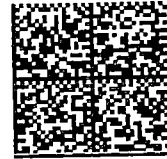
Thank you.

Sincerely,

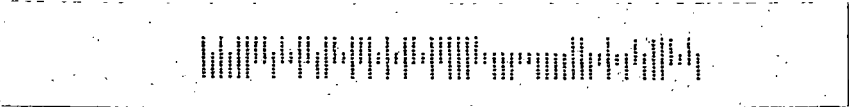

William G. Yarborough, III

Enclosures

cc: Catherine Townsend Huey, Esquire
John Benjamin Aplin, Esquire
Robert Michael Dudek, Esquire
The Honorable Alan McCrory Wilson



UNITED STATES MAIL
PITNEY BOWES
02 1P
\$ 000.88⁰
0000284392 NOV 02 2017
MAILED FROM ZIP CODE 29601



Law Office of William G. Yarborough III
522 North Church Street
Greenville, SC 29601

Jenny Abbott Kitchings
Clerk of Court
SC Court of Appeals
PO Box 11629
Columbia, SC 29211

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