

THE STATE OF SOUTH CAROLINA

In The Court of Appeals

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DEC 21 2017

SC Court of Appeals

APPEAL FROM HORRY COUNTY

Court of General Sessions

Steven H. John, Circuit Court Judge

RENEE N. ELVIS
CLERK OF COURT
HORRY COUNTY, SC

FILED
HORRY COUNTY

Appeals Court Case Number: Not Assigned

Docket Number: Not Assigned

General Sessions Case Numbers:

Warrant Numbers: 2016A2610500186, 2016A2610500188, 2016A2610500190 and
2016A2610500191

Indictment Number: 2016GS2602574, 2016GS2602575, 2016GS2602576 and 2016GS2602577

James Lamont Arthur,

Appellant,

v.

State of South Carolina,

Respondents

RENEE N. ELVIS
CLERK OF COURT
HORRY COUNTY, SC

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NOTICE OF APPEAL

James Lamont Arthur was sentenced to twenty-five (25) years incarceration by the Honorable Judge John on December 18, 2017, under his conviction and sentence for case 2016A2610500186 – Trafficking in Cocaine Base/Meth, – 10 to 28 grams, 3rd offense. Mr. Arthur was also sentenced to six (6) months under case 2016A2610500188 – Possession of ecstasy or other controlled sub. in Sch. I-V/> 1 oz marijuana, 2nd offense; one (1) year under case 2016A2610500191 – Unlawful Carrying of a Pistol; and five (5) years under case 2016A2610500190 – Unlawful Possession of a Pistol (by minor/stolen/ect). All sentences were ordered to run concurrently with the twenty-five (25) year sentence under case 2016A2610500186.

Appellant contends under this Appeal that the trial and subsequent sentencing were Constitutionally defective based on the following grounds:

I. The Court respectfully did not address the jury's failure to deliberately consider the evidence. The Jury only deliberated for approximately 30 minutes which indicates, on its face, the lack of thorough consideration for all evidence presented at trial and therefore a rush to judgment.

II. The Court respectfully did not consider that the Jury's quick decision was likely due to Defendant's lack of participation in the trial. In that the Jury only deliberated for approximately 30 minutes, the Jury disregarded the Defendant's Constitutional Rights against self-incrimination and heavily weighed that he was not present at trial in making its decision.

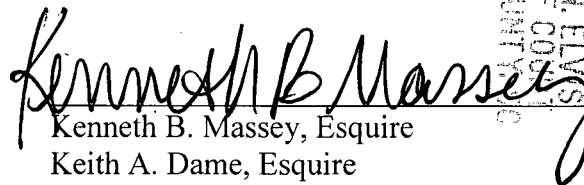
Accordingly, Appellant appeals his convictions from the sentence imposed above. Appellant has not received a written notice of entry of this Judgment as of December 19, 2017.

Dated this 19th day of December, 2017, in Conway, South Carolina.

Other Counsel of Record:

Horry County Solicitor's Office
Mary-Ellen Walter, Assistant Solicitor
Post Office Box 1276
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LAW GROUP SOUTH, LLC



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James Lamont Arthur,

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CERTIFICATE OF SERVICE

I, Vanessa L. Fletcher, Paralegal for counsel for Appellant in the above captioned action, certify that I have served the below mentioned on December 19, 2017 a copy of the **NOTICE OF APPEAL**, to him/ her at the following address:

**South Carolina Court of Appeals
Attn: Clerk of Court
1220 Senate St.
Columbia, South Carolina 29201**

**South Carolina Attorney General
Post Office Box 11549
Columbia, South Carolina 29211**

**Horry County Solicitor's Office
Fifteenth Judicial Circuit
Attn: Mary-Ellen Walter, Esq.
Post Office Box 1276
Conway, South Carolina 29528**

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S.C. Commission of Indigent Defense
Post Office Box 11589
Columbia, South Carolina 29211

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Vanessa L. Fletcher

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December 19, 2017

South Carolina Court of Appeals
Attn: Clerk of Court
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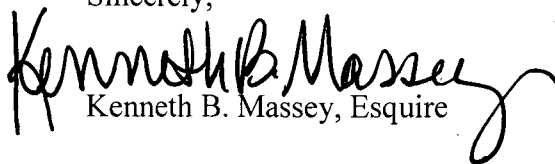
Re: James Lamont Arthur v. State of South Carolina
Warrant Numbers: 2016A2610500186, 2016A2610500188, 2016A2610500190 and
2016S2610500191
Indictment Numbers: 2016GS2602574, 2016GS2602575, 2016GS2602576 and
2016GS2602577

Dear Sir/Madam:

Enclosed you will find a certified clocked original and three copies of my client's Notice of Appeal, along with my Certificate of Mailing same. Please file the original and return the clocked copies to my attention in the return envelope provided.

Thank you for your attention to the matter. Should you have any questions, please do not hesitate to contact my office.

Sincerely,

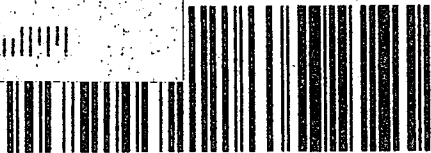
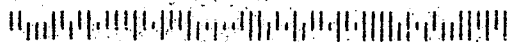

Kenneth B. Massey, Esquire

KBM/vlf

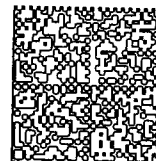
Enclosures

cc: James Lamont Arthur

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