

THE STATE OF SOUTH CAROLINA
In the Appellate Court

APPEAL FROM JASPER COUNTY
Court of General Sessions

Perry M. Buckner III, Circuit Court Judge

Case No(s): 2008-GS-27-0195

The State,

Respondent.

v.

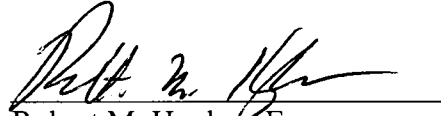
Fredrick Devron Wallace,

Appellant.

NOTICE OF APPEAL

Fredrick Devron Wallace appeals his conviction and sentence in this case. The sentence was imposed by the Honorable Perry M. Buckner, III. on May 17,2012.

Date: May 18, 2012


Robert M. Hughes, Esq.
Public Defender's Office
Allendale and Hampton Counties
P.O. Box 506
Hampton, S.C. 29924
Attorney for Appellant

Other Counsel of Record:
Ms. Erin Gentry, Esq.
Solicitor for 14th Judicial Circuit
PO Box 187
Ridgeland, S.C. 29936
Attorney for Respondent

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Fredrick Devron Wallace,

Appellant.

PROOF OF SERVICE

I certify that I have served the Notice of Appeal on the below listed respondents by depositing a copy of it in the United States Mail, postage prepaid, on May 18, 2012, addressed to:

Ms. Erin Gentry, Esq.
Solicitor for 14th Judicial Circuit
PO Box 187
Ridgeland; S.C. 29936

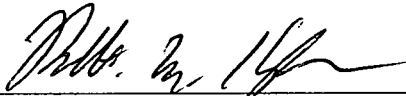
Alan Wilson, Esq.
Attorney General
P.O. Box 11549
Columbia, S.C. 29211

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MAY 21 2012

SC Court of Appeals

May 18, 2012



Robert M. Hughes, Esq.
Public Defender's Office
Allendale and Hampton Counties
P.O. Box 506
Hampton, S.C. 29924

OFFICE OF THE PUBLIC DEFENDER
FOURTEENTH JUDICIAL CIRCUIT
ALLENDALE, HAMPTON & JASPER COUNTIES
1 COURTHOUSE SQUARE, ELM STREET, SECOND FLOOR
POST OFFICE BOX 506
HAMPTON, SOUTH CAROLINA 29924
Tel. (803) 914-2240 – Fax (803) 914-2244

May 18, 2012

Via Regular Mail

Mr. Kenneth A. Richstad
Clerk, The S.C. Court of Appeals
Post Office Box 11629
Columbia, South Carolina 29211

RECEIVED
MAY 21 2012
SC Court of Appeals

RE: State v. Fredrick Devron Wallace
Warrant/Ticket No(s): 55542 DU

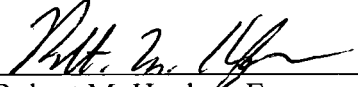
Dear Mr. Richstad:

Enclosed you will find the original Notice of Appeal in the above matter along with Proof of Service upon Respondents. The Notice has been filed with the Jasper County Clerk of Court. Also enclosed is a copy of the indictment.

These matters are being referred to the Office of Appellate Defense in that we were participating as Court appointed counsel at trial.

Thank you for your attention to this matter.

Yours very truly,


Robert M. Hughes, Esq.
Public Defender's Office
Allendale and Hampton Counties
P.O. Box 506
Hampton, S.C. 29924

Enclosure

Cc: Office of the Fourteenth Circuit Solicitor
Office of the Attorney General
Office of the Appellate Defense

OFFICE OF THE PUBLIC DEFENDER
ALLENDALE, HAMPTON AND JASPER COU
COURTHOUSE ANNEX BUILDING, 2ND
PO BOX 506
HAMPTON, SC 29924

STATE OF SOUTH CAROLINA

COUNTY OF Jasper
STATE VS.

Fredrick Devron Wallace

AKA:

Race: B Sex: M Age: 43

DOB: 10-06-1968 SS#: 251-75-2777

Address: 46 Washboard Ln

City, State, Zip: Ridgeland, SC 29936

DL#: SID#:

*CDL Yes No CMV Yes No Hazmat Yes No

In disposition of the said indictment comes now the Defendant who was TO: Traffic / Failure to stop for a blue light, no injury or death - 1st offense

INDIC
A/V
D

CDR Code #:

SENTENCE Sh.

CONVICTED OF or

in violation of § 56-05-0750(B)(1) of the S.C. Code of Laws, bearing CDR Code # 0065
NON-VIOLENT VIOLENT SERIOUS MOST SERIOUS Mandatory GPS(CSC w/minor 1st or Lewd Act)

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

ATTEST: Erin Gentry 77489 SC Bar# Defendant
72678 SC Bar# Attorney for Defendant

WHEREFORE, the Defendant is committed to the State Department of Corrections, County Detention Center,
for a determinate term of 3 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 3

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.
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 (Criminal 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:

Table with 3 columns: Description, Amount, Total. Includes items like § 14-1-206 (Assessments 107.5%), § 14-1-211(A)(1) (Conv. Surcharge) \$100, § 14-1-211(A)(2) (DUI Surcharge) \$100, § 56-5-2995 (DUI Assessment) \$12, § 56-1-286 (DUI Breath Test) \$25, Proviso 47.9 (Public Def/Prob) \$500, § 14-1-212 (Law Enforce. Funding) \$25, § 14-1-213 (Drug Court Surcharge) \$150, § 50-21-114 (BUI Breath Test Fee) \$50, § 56-5-2942(J) (Vehicle Assessment) \$40/ea, Proviso 90.5 (SCCJA Surcharge) \$5, 3% to County (if paid in installments) \$18.90, TOTAL \$648.90

days/hours Public Service Employment
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, § 47.12 requires \$500 be paid to Clerk during probation.

Presiding Judge
Judge Code: 0122
Sentence Date: 5/17/12

Clerk of Court/ Deputy Clerk: Wanda Boshick
Court Reporter: Wanda Rowe

1942

1. The first part of the report deals with the general situation of the country and the progress of the war.

2. The second part of the report deals with the economic situation and the measures taken to improve it.

WITNESSES

itchfield / JCSO

DOCKET NO. 2008GS2700195

The State of South Carolina
County of Jasper

After being fully advised as to my legal rights, I hereby waive presentment to the Grand Jury.

Defendant

COURT OF GENERAL SESSIONS

March Term 2008

Hereby appear in my own proper person and plead guilty to the within indictment or to

ARREST WARRANT NUMBER

55542DU

THE STATE

vs.

COPY

Fredrick D Wallace

Defendant

ACTION OF GRAND JURY

TRUE BILL ✓

NO BILL

FOREMAN *Carlisle*

DATE *3/18/08*

Foreperson of Grand Jury

Date:

Witness:

VERDICT

Indictment for

Failure to stop for a blue light, no injury or death - 1st offense

SC Code: 56-05-0750(B)(1)

CDR Code:0065

C.C.C. PLS. and G.S.

Foreperson of Petit Jury

Date:

STATE OF SOUTH CAROLINA)

INDICTMENT

COUNTY OF JASPER)


2008GS2700195

At a Court of General Sessions, convened on March 18, 2008, the Grand Jurors of Jasper County present upon their oath:

Failure to stop for a blue light, no injury or death - 1st offense

That in Jasper County, South Carolina, on or about February 17, 2008, the Defendant, Fredrick D Wallace, while driving a motor vehicle on a road, street, or highway of the State, did fail to stop for a law enforcement vehicle after being signaled by a flashing light or a siren to do so, all in violation of Section 56-5-750, Code of Laws of South Carolina (1976), as amended.

Against the peace and dignity of the State, and contrary to the statute in such case made and provided.



Solicitor