

APPELLANT's AMENDED NOTICE OF APPEAL

THE STATE OF SOUTH CAROLINA

In the Court of Appeals

Appeal from Anderson County

Court of General Sessions

R. Lawton McIntosh, Circuit Court Judge

RECEIVED

MAY 11 2018

SC Court of Appeals

Case No. 2012-GS-23-07504

Appellate Case No. 2018-000564

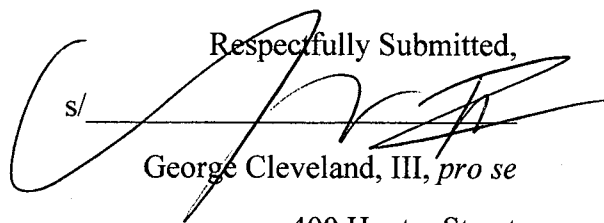
George Cleveland, III ,APPELLANT

v.

The State,RESPONDENT

I, George Cleveland, III, respectfully files this *Amended Notice of Appeal* of the February 23, 2018's (90) day jail sentence (for not paying restitution / fines from the Greenville/ Oconee County General Sessions Courts) imposed by Circuit Court Judge Lawton McIntosh from the Anderson County General Sessions Court which I received a copy on March 11, 2018 from the Correctional Staff at the Anderson County Detention Center.

Respectfully Submitted,

s/ 

George Cleveland, III, *pro se*

400 Hunter Street

Seneca, S.C. 29678

Cell no. 864-784-7223

Email: gcleland7475@gmail.com

Dated: May 08, 2018

County of OCONEE

STATE VS.

2012 GS - 03 - 07504

Probation C/W#: C-37-17-0059

GEORGE CLEVELAND III

AKA: _____

Race: Black Sex: Male

DOB: 11/03/1978

SSN: 251397475

SID#: 01068002

Name of Original Offense: POSS OF STOLEN VEH.

Original A/W#: 2012A2330200168

Date of Original Offense: 05/07/2012

Conviction S.C. Code §: 16-21-0080

Conviction CDR Code #: 3 4 5 6

Original Sentence: 10 YRS. SUSP. 6YRS+5YRS PROB

ORDER

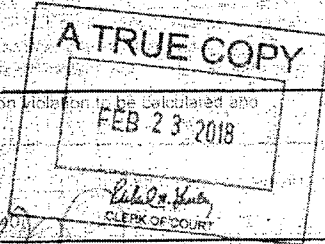
The above named defendant has been charged with violating the conditions of probation ordered on 11/05/2013 in the Court of General Sessions of GREENVILLE County, and/or the additional conditions ordered by the Court in probation continuation orders(s) issued on _____ as set forth in the attached warrant(s) or citation(s) dated 10/05/2017. After hearing the evidence and being duly advised, in the (presence/absence) of the defendant, I find that the above named defendant has violated the following condition(s) of probation (List by number or indicate special conditions as stipulated in the affidavit): 7, 9, 10 AND 11

Therefore, IT IS ORDERED that:

- the suspended sentence be revoked and the above named defendant be required to serve _____ months/years, the remainder of the original sentence, and/or pay \$ _____.
- the suspended sentence be revoked and the above named defendant be required to serve 90 days months/years of the original sentence and/or pay \$ _____ thereupon to be reinstated on probation, subject to the conditions set forth in the attached order and not inconsistent with this order.
- the above named defendant is continued on probation as provided for in the original sentence, subject to the conditions set forth therein and not inconsistent with this order.
- probation is reduced to time served under supervision and the defendant is discharged from supervision on this date.
- the above named defendant is placed on active electronic monitoring pursuant to §23-3-540 mandatory if convicted of first degree criminal sexual conduct with a minor or lewd act, discretionary if convicted of any other applicable sex offense against a minor.
- Financial Obligations: Order satisfies:
 - Department fees (waived)
 - Fines and other fees (waived)
 - Restitution (and 20%) (waived)

Additional Conditions ordered by the Court:
- Toll while incarcerated
- Restrictive Monitoring

- The defendant is given credit for pre-arrest detention time of current probation violation to be calculated and applied by the SC Department of Corrections.
- The defendant has previously served 6 months/years on this sentence (omit sentence term, and/or prior partial revocation time).
- The defendant was previously placed on active electronic monitoring pursuant to §23-3-540.



This 23 day of Feb 2018
WALHALLA SC

[Signature]
Presiding Judge
10TH Judicial Circuit

You are hereby advised that under the law the Court may at any time revoke or modify any condition of the probation, in case any judicial conditions it deems proper to extend your period of probation not to exceed five (5) years. At any time within the period of your probation, the Court may require you to serve any part of the original sentence imposed. This is to certify that I have read, or have had read to me, the order and the conditions set out herein, agree to comply with such conditions and the conditions of the attached probation order during the period of my probation. I have received a copy of the Court's order and all attachments.

Offender's Signature
[Signature]

Witnessed by
[Signature]

Signed this 23 day of Feb 18
WALHALLA SC

County of OCONEE

STATE VS.

2012 - GS 22 - 07507

Probation C/W#s: C-37-17-0059

GEORGE CLEVELAND III

AKA: _____

Race: Black Sex: Male

DOB: 11/03/1978

SSN: 251397475

SID#: 01068002

Name of Original Offense: FALSIFYING VIN NUMBER

Original A/W#: N201731

Date of Original Offense: 06/21/2012

Conviction S.C. Code §: 16-21-0040(A)(2)

Conviction CDR Code #: 0 / 5 / 3 / 5

Original Sentence: 5 YRS. SDP

ORDER

The above named defendant has been charged with violating the conditions of probation ordered on 11/05/2013 in the Court of General Sessions of GREENVILLE County, and/or the additional conditions ordered by the Court in probation continuation order(s) issued on _____ as set forth in the attached warrant(s) or citation(s) dated 10/05/2017. After hearing the evidence and being duly advised, in the (presence/absence) of the defendant, I find that the above named defendant has violated the following condition(s) of probation: (List by number or indicate special conditions as provided in the affidavit. 7, 9, 10, AND 11)

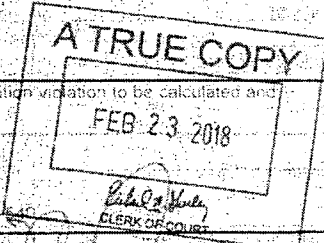
Therefore, IT IS ORDERED that:

- the suspended sentence be revoked and the above named defendant be required to serve _____ months/years, the remainder of the original sentence, and/or pay \$ _____.
- the suspended sentence be revoked and the above named defendant be required to serve 90 days _____ months/years of the original sentence and/or pay \$ 0; thereupon to be reinstated on probation, subject to the conditions set forth in the attached order and not inconsistent with this order.
- the above named defendant is continued on probation as provided for in the original sentence, subject to the conditions set forth therein and not inconsistent with this order.
- probation is reduced to time served under supervision and the defendant is discharged from supervision on this date.
- the above named defendant is placed on active electronic monitoring pursuant to §23-3-543 (mandatory if convicted of first degree criminal sexual conduct with a minor or lewd act, discretionary if convicted of any other applicable sex offense against a minor).

Financial Obligations: Order satisfies: Department fees Civil Judgment Department fees
 Fines and other fees Fines and other fees
 Restitution (and 20% Restitution (and 20%)

Additional Conditions ordered by the Court:
- Full Work License
- Restitution Monies

- The defendant is given credit for pre-revocation hearing detention time on current probation violation to be calculated and applied by the SC Department of Corrections.
- The defendant has previously served 13 DAYS months/years on this sentence.
(split sentence time and/or prior partial revocation time)
- The defendant was previously placed on active electronic monitoring pursuant to §23-3-543.



This 23 day of Feb 2018
WALHALLA SC

Presiding Judge _____
10TH Judicial Circuit

You are hereby advised that under the law the Court may at any time revoke or modify any condition of this probation, impose any lawful conditions it deems proper, or extend your period of probation not to exceed five (5) years. At any time within the period of your probation, the Court may require you to serve any part of the original sentence imposed. This is to certify that I have read, or have had read to me, the order and the conditions set out herein. I agree to comply with these conditions and the conditions of my attached probation order during the period of my probation. I have received a copy of this Court's order and all attachments.

Offender's Signature: George Cleveland III
 Signed this 23 day of Feb 18
Day Month Year

Witnessed by: [Signature]
 at WALHALLA

PROOF OF SERVICE

THE STATE OF SOUTH CAROLINA

In the Court of Appeals

Appeal from Anderson County

Court of General Sessions

R. Lawton McIntosh, Circuit Court Judge

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MAY 11 2018

Case No. 2012-GS-23-07504

SC Court of Appeals

Appellate Case No. 2018-000564

George Cleveland, III ,APPELLANT

v.

The State,RESPONDENT

I, George Cleveland, III, proceeding *pro se* certifies that on the date below, with proper prepaid postage, and properly addressed, my Motion for the Court to accept my Amended Notice of Appeal, supporting appendix, and Amended Notice of Appeal to the following:

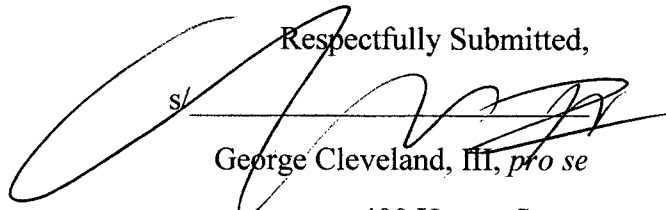
South Carolina Department of Probation, Parole, and Pardon Services

c/o Matthew C. Buchanan, General Counsel

Post Office Box 50666

Columbia, S.C. 29250

Respectfully Submitted,

s/ 

George Cleveland, III, *pro se*

400 Hunter Street

Seneca, S.C. 29678

Cell no. 864-784-7223

Email: gcleveland78475@gmail.com

Dated: May 08, 2018

May 08, 2018

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

Re: George Cleveland, III v. State; **Appellate Case No. 2018-000564**

Dear Ms. Kitchings,

Can you please file the attached Motion to this Court to accept my Amended Notice of Appeal, the \$25.00 Motion fee, the supporting Appendix, and the Amended Notice of Appeal, and decide my Motion? *IBID*.

RECEIVED

MAY 11 2018

SC Court of Appeals

Respectfully Requested,

s/

George Cleveland, III, *pro se*

400 Hunter Street

Seneca, S.C. 29678

Cell no. 864-784-7223

Email: gcleland7475@gmail.com

cc: file

Matthew C. Buchanan, *Esquire*

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Seneca SC 29678

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Jenny Abbott Kitchings Clerk of Cou
PO Box 11629
Columbia SC 29211-1629



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MAY 11 2018

SC Court of Appeals