

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM CHEROKEE COUNTY
Court of General Sessions
J. Mark Hayes, II, Circuit Court Judge

Case Nos. 2014-GS-11-911
2014-GS-11-911(A)

The State,.....Respondent.

v.

William Dean Pennington,.....Appellant.

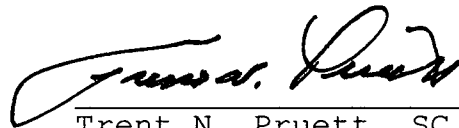
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SC Court of Appeals

NOTICE OF APPEAL

That William Dean Pennington appeals his convictions and sentences in this case. The sentences were imposed by the Honorable J. Mark Hayes, II on August 30, 2018.



Trent N. Pruett, SC Bar# 4585
Pruett Law Firm
202 North Petty Street
Gaffney, South Carolina 29340
(864) 488-0120
pruettlawfirm@bellsouth.net
Attorney for the Appellant

August 31, 2018

Other Counsel of Record:

George Matthew Kendall
Assistant Solicitor, Seventh Judicial Circuit
Cherokee County Courthouse
125 East Floyd Baker Blvd
Gaffney, South Carolina 29340
(864) 487-2576
Attorney for Respondent

THE STATE OF SOUTH CAROLINA
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APPEAL FROM CHEROKEE COUNTY
Court of General Sessions
J. Mark Hayes, II, Circuit Court Judge

Case Nos. 2014-GS-11-911
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The State,.....Respondent

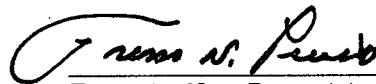
v.

William Dean Pennington,.....Appellant.

PROOF OF SERVICE

I certify that I have served the "Notice of Appeal" in the above captioned action by depositing it in the United States Mail, postage prepaid, on August 31, 2018, addressed to the following:

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



Trent N. Pruett, SC Bar# 4585
Pruett Law Firm
202 North Petty Street
Gaffney, South Carolina 29340
(864) 488-0120
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Attorney for the Appellant

August 31, 2018

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM CHEROKEE COUNTY
Court of General Sessions
J. Mark Hayes, II, Circuit Court Judge

Case Nos. 2014-GS-11-911
2014-GS-11-911(A)

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The State,.....Respondent.

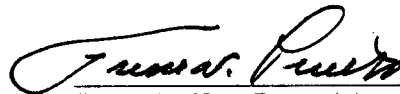
v.

William Dean Pennington,.....Appellant.

PROOF OF SERVICE

I certify that I have served the "Notice of Appeal" on the Respondent, by depositing a copy of it in the United States Mail, postage prepaid, on August 31, 2018, addressed to the attorney of record as follows:

George Matthew Kendall, Assistant Solicitor
Solicitor's Office Seventh Judicial Circuit
Cherokee County Courthouse
125 Floyd Baker Blvd.
Gaffney, South Carolina 29340



Trent N. Pruett, SC Bar# 4585
Pruett Law Firm
202 North Petty Street
Gaffney, South Carolina 29340
(864) 488-0120
pruettlawfirm@bellsouth.net
Attorney for the Appellant

August 31, 2018

14-GS-11-00911

WITNESSES

Cherokee County Sheriff's Office

[Signature]

ARREST WARRANT NUMBER

2014A1110100386 (Count One)

Direct Indictment (Count Two)

ACTION OF GRAND JURY

TRUE BILL

Wayne Adkins

Foreperson of Grand Jury

Date: 9-4-14

VERDICT

Guilty

[Signature]

Foreperson of Petit Jury

Date: 8-30-18

The State of South Carolina

County of Cherokee

Barry Barnette, Solicitor

COURT OF GENERAL SESSIONS

SEP 04 2014

TERM

THE STATE

vs.

WILLIAM DEAN PENNINGTON

Indictment for

MURDER AND
POSSESSION

OF FIREARM DURING COMMISSION OF A
VIOLENT CRIME

SC Code: 16-03-0010, 0020; 16-23-490

CDR CODE: 116; 0549

CLASS: FEL-EXM; FEL/F

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SC Court of Appeals

FILED IN OFFICE OF
CLERK OF COURT
CHEROKEE COUNTY, S.C.
2014 SEP 4 AM 10 13
BRANDY W. MCBEE

TRUE COPY
Brandy W. McBee
CLERK OF COURT
CHEROKEE COUNTY, S.C.

Grand Jurors of Cherokee County present upon their oath:

COUNT ONE-MURDER

That William Dean Pennington, did in Cherokee County on or about June 21, 2014, feloniously, willfully, and with malice aforethought, kill one Rita Pennington, by shooting the victim, and that the victim died as a proximate result thereof, all in violation of §16-3-0010, 0020, CODE OF LAWS OF SOUTH CAROLINA, (1976, as amended).

**COUNT TWO-POSSESSION OF FIREARM DURING
COMMISSION OF A VIOLENT CRIME**

That William Dean Pennington, did in Cherokee County on or about June 21, 2014, possess a firearm, during the commission of a violent crime as defined in Code §16-1-60, in violation of Code §16-23-490, 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.


ASSISTANT SOLICITOR

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF Cherokee
STATE VS: William D Pennington
AKA:
Race: W Sex: M Age: 72
DOB: SS#
Address:
City, State, Zip:
DL#: SID#

INDICTMENT/CASE#: 2014GS1100911
A/W#: 2014A1110100386
Date of Offense: 6/21/2014
S.C. Code § 16-03-0010; 16-03-0020
CDR Code #: 0116

SENTENCE SHEET

*CDL Yes No CMV Yes No Hazmat Yes No
In disposition of the said indictment comes now the Defendant who was TO: Murder / Murder

CONVICTED OF or PLEADS

in violation of § 16-03-0010; 16-03-0020 of the S.C. Code of Laws, bearing CDR Code # 0116
NON-VIOLENT VIOLENT SERIOUS MOST SERIOUS Mandatory GPS(CSC w/minor 1st or Lewd Act) \$17-25-45

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 the State.

ATTEST: KENDALL, MATT SC Bar# 77113
Trent Neuell Pruett SC Bar# SCB04585
Attorney for Defendant

WHEREFORE, the Defendant is committed to the State Department of Corrections, County Detention Center,
for a determinate term of 30 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 SCDOC.

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:

Table with 2 columns: Description and Amount. Includes items like §14-1-206 (Assessments 107.5%), §14-1-211(A)(1) (Conv. Surcharge) \$190, §14-1-211(A)(2) (DUI Surcharge) \$100, §56-5-2995 (DUI Assessment) \$12, §56-1-286 (DUI Breath Test) \$25, Proviso (Public Def/Probation) \$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, 3% to County (if paid in installments) \$ 3.75

TOTAL \$ 128.75

Clerk of Court/ Deputy Clerk Brandy W Mcbee
Court Reporter: rule watts

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

Other:
CLERK OF COURT
CHEROKEE COUNTY, SC

Appointed PD or appointed other counsel, Proviso requires \$500 be paid to Clerk during probation and shall be collected before any other fees.

Presiding Judge
Judge Code: 2132
Sentence Date: August 30, 2018

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BRANDY W. McBEE
CLERK OF COURT
CHEROKEE COUNTY, SC

COUNTY OF Cherokee
STATE VS. William Pennington
AKA:
Race: W Sex: M Age: 72
DOB: SS#:
Address:
City, State, Zip:
DL#: SID#:

INDICTMENT/CASE#: 2014GS1100911A
A/W#: 2014GS1100911A
Date of Offense: 6/21/2014
S.C. Code § 16-23-0490
CDR Code #: 0549

SENTENCE SHEET

*CDL Yes No CMV Yes No Hazmat Yes No
In disposition of the said indictment comes now the Defendant who was TO: Weapons / Poss. weapon during violent crime, if not also sentenced to life without parole or death

in violation of § 16-23-0490 of the S.C. Code of Laws, bearing CDR Code # 0549
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 Presentment to Grand Jury
The plea is: Without Negotiations or Recommendation, Negotiated Sentence, Recommendation by the State.

ATTEST: KENDALL, MATT SCB77213 SC Bar# Defendant Trent Neuen Priett SCB04585 SC Bar# Attorney for Defendant

WHEREFORE, the Defendant is committed to the State Department of Corrections, County Detention Center, for a determinate term of 5 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 SCDOC
The Defendant is to be placed on the Central Registry of Child Abuse and Neglect pursuant to S.C. Code §17-25-135. 619 days
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:
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 (Public Def/Probation) \$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, 3% to County (if paid in installments) \$ 3.75

TOTAL \$ 128.75

Clerk of Court/ Deputy Clerk Brandy McBeal
Court Reporter: Mike Watts

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 requires \$500 be paid to Clerk during probation and shall be collected before any other fees.

Presiding Judge
Judge Code: 2132
Sentence Date: August 30, 2018

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BRANDY M. McBEAL
CLERK OF COURT
CHEROKEE COUNTY, SC

PRUETT LAW FIRM

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PHONE (864) 488-0120 FAX (864) 488-0803

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pruettlawfirm@bellsouth.net

H. Dean Cook
dean@deancookpa.com
Para Español (864) 991-5369

August 31, 2018

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

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SC Court of Appeals

Re: State v. William Dean Pennington
Case No.: 2014-GS-11-911
(Count One: Murder)
(Count Two: Poss. Firearm Crime of Violence)

Dear Ms. Kitchings:

Please find enclosed for filing a "Notice of Appeal" in the above cited matter. Are so included with this letter are Proofs of Service, a certified copy of the indictment and certified copies of the sentencing sheets.

Please contact my office if you have any questions about this case.

Sincerely,



Trent N. Pruett
Pruett Law Firm
202 North Petty Street
Gaffney, South Carolina 29340
(864) 488-0120
Attorney for the Appellant

c: George Matthew Kendall
Assistant Solicitor, Seventh Judicial Circuit
Cherokee County Courthouse
125 East Floyd Baker Blvd
Gaffney, South Carolina 29340
(864) 487-2576
Attorney for Respondent

PRUETT LAW FIRM

Trent N. Pruett, Attorney At Law
202-B North Petty Street
Gaffney, South Carolina 29340

To:

The Honorable Jenny Abott Kitching
Clerk of The S.C. Court of Appeals
Post Office Box 11629
Columbia, South Carolina 29211

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