

THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

APPEAL FROM PICKENS COUNTY
GENERAL SESSIONS COURT

ALEX KINLAW, JR. CIRCUIT COURT

WARRANT NO. 2015A3910500209

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OCT 30 2018
SC Court of Appeals

STATE OF SOUTH CAROLINA.....RESPONDENT,

v.

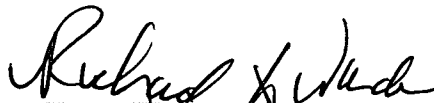
WINFORD GERALD LEE DANIEL, JR.....APPELLANT,

NOTICE OF INTENT TO APPEAL

Winford Gerald Lee Daniel, Jr., appeals his guilty plea in the above case. The sentence was imposed by the Honorable Ales Kinlaw, Jr. on October 18, 2018.

The trial Judge entered his sentence. However, despite the fact that he had given other Defendant's credit off their sentence for Pre-Trial Detention on home incarceration, the Judge refused to give Appellant credit for his Pre-Trial Detention on home incarceration. The Judge made no finds of facts to support his denial, nor was any testimony to form a basis why he was treated differently. This is unfair abuse of his discretion without facts to support it. This conducts also amounts to a denial of equal protection and unfairly discriminates unreasonably against the Defendant. There was no facts or reason given for unequal treatment.

Respectfully Submitted



Richard H. Warder
Attorney At Law
15 Primrose Street
P.O. Box 26133
Greenville, South Carolina

October 26, 2018

Other counsel of record:

Brandi Hinton, Assistant Solicitor
Pickens County Solicitor's Office
Pickens County Courthouse
Pickens, South Carolina 29671

THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

APPEAL FROM GREENVILLE COUNTY
COURT OF GENERAL SESSIONS

HONORABLE ALEX KINLAW, JR


WARRANT NO, 2015A3910500209

State of South CarolinaRespondent

V

Winford Gerald Lee Daniel, Jr.....Appellant

I certify that I have served the Notice of Intent to Appeal on Brandi Hinton, Assistant Solicitor, by depositing a copy of it in the United States Mail, postage prepaid on October 26, 2018, addressed to him at Pickens County Solicitors Office, Pickens County Courthouse, Pickens, South Carolina 29671 and to the Clerk of Court, Pickens County Courthouse, South Carolina 29671.



RICHARD H. WARDER
POST OFFICE BOX 26133
GREENVILLE, S.C. 29616
ATTORNEY FOR APPELLANT

SWORN to before me this
26th day of October, 2018



NOTARY PUBLIC FOR SOUTH CAROLINA
MY COMMISSION EXPIRES: 9-25-23

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SC Court of Appeals

Richard Warder

Attorney At Law

October 26, 2018

South Carolina Court of Appeals
P.O. Box 11629
Columbia, South Carolina 29211

Re: State vs. Winford Gerald Lee Daniel, Jr.

Dear Court:

Enclosed please find for filing a Notice of Intent to Appeal and Certificate of Mailing in the above captioned case.

Thank you for your cooperation in this matter.

Sincerely,



Richard H. Warder

RHW/ts

Enclosures

cc: Brandi Hinton, Pickens County Solicitors Office
Pickens County Clerk of Court (courtesy copy)

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SC Court of Appeals

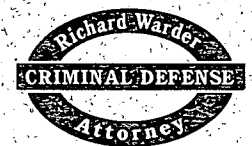
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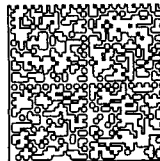


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