

**FORM 4**  
**NOTICE OF APPEAL FROM A SENTENCE IMPOSED BY THE COURT**  
**OF GENERAL SESSIONS**

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

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APPEAL FROM OCONEE COUNTY  
Court of General Sessions

R. Lawton McIntosh, Circuit Court Judge

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Case No. 2017-GS-37-00726

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The State,

Respondent,

v.

Steven Deontae Hoover,

Appellant.

NOTICE OF APPEAL

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FILED OCONEE, SC  
BEVERLY H. WHITFIELD  
CLERK OF COURT  
2018 NOV 13 P 3:08

**RECEIVED**

NOV 16 2018

SC Court of Appeals

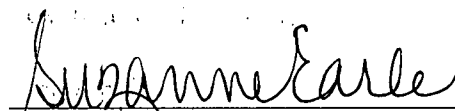
Steven Deontae Hoover appeals his conviction and sentence in this case. Appellant was found guilty of shoplifting, enhanced, following a jury trial. The sentence was imposed by the Honorable R. Lawton McIntosh on November 7, 2018.

Issues to be raised on appeal are:

1. Defendant's attorney made a motion to be relieved as counsel for Defendant's failure to cooperate with his attorney, which motion was denied by the Honorable R. Lawton McIntosh on November 5, 2018, and Defendant was told his case would be the second trial during that term of General Sessions Court. Defendant's counsel was not prepared fully to defend his case at trial.

2. The composition of the jury pool from which a jury was selected for the trial of the case was improper and denied appellant his right to a trial by a jury of his peers. Appellant is Black. There were 50 people on the jury panel, including one Black and one Hispanic. An objection to the composition of the jury pool having too few minorities based on census data for Oconee County was overruled by the judge. The judge also overruled an objection to the systematic exclusion of minorities based on the jury-selection process set forth in S. C. Code Section 14-7-130, wherein registered voters without a valid South Carolina driver's license or identification card are not allowed to be included on the jury list even though neither form of identification is necessary in order to vote.
3. The judge declined to give a charge on spoliation or destruction of evidence even though there had been testimony that the incident was captured by recorded closed-circuit television surveillance and that the officers and victim (Walmart) failed to preserve the video evidence.

November 13, 2018

  
Suzanne E. Earle SC Bar Number 0001819  
Assistant Public Defender  
415 South Pine Street  
Walhalla, SC 29691  
864-638-3133  
Attorney for Appellant

Other Counsel of Record:  
Brian G. Livingston, Assistant Solicitor  
205 West Main Street  
Walhalla, SC 29691  
864-638-4294  
Attorney for Respondent

**FORM 7**  
**PROOF OF SERVICE OF A NOTICE OF APPEAL**

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

APPEAL FROM OCONEE COUNTY  
Court of General Sessions

R Lawton McIntosh, Circuit Court Judge

Case No. 2017-GS-37-00726

The State,

Respondent,

v.

Steven Deontae Hoover,

Appellant.

**RECEIVED**

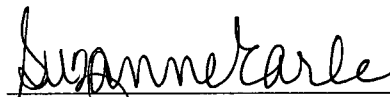
NOV 16 2018

SC Court of Appeals

**PROOF OF SERVICE**

I certify that I have served the Notice of Appeal on The State by personally delivering a copy of it to Assistant Solicitor Brian G. Livingston at the Solicitor's Office, 205 West Main Street, Walhalla, South Carolina 29691, on November 13, 2018.

November 13, 2018



Suzanne E. Earle SC Bar Number 0001819  
Assistant Public Defender  
415 South Pine Street  
Walhalla, SC 29691  
864-638-3133  
Attorney for Appellant

**COPY**

**FORM 9  
LETTER TO CLERK OF LOWER COURT  
FILING NOTICE OF APPEAL**

November 13, 2018

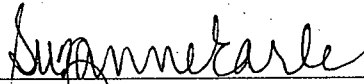
The Honorable Beverly H. Whitfield  
Clerk of Court for Oconee County  
205 West Main Street  
Walhalla, South Carolina 29691

RE: The State, Respondent, v. Steven Deontae Hoover, Appellant,  
Case No. 2017-GS-37-00726

Dear Ms. Whitfield:

Enclosed for filing is a notice of appeal in the above case.

Sincerely,



Suzanne E. Earle SC Bar Number 0001819  
Assistant Public Defender  
415 South Pine Street  
Walhalla, SC 29691  
864-638-3133  
Attorney for Appellant

cc: Brian G. Livingston  
205 West Main Street  
Walhalla, South Carolina 29691  
864-638-4294  
Attorney for Respondent

FILED OCOONEE, SC  
BEVERLY H. WHITFIELD  
CLERK OF COURT  
2018 NOV 13 P 3:09

**RECEIVED**

NOV 16 2018

SC Court of Appeals

**FORM 8**  
**LETTER TO THE APPELLATE COURT CLERK**  
**FILING THE AMENDED NOTICE OF APPEAL**

November 13, 2018

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

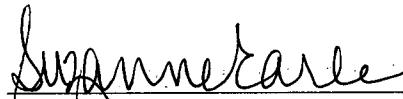
RE: The State, Respondent, v. Steven Deontae Hoover, Appellant,  
Case No. 2017-GS-37-00726

Dear Ms. Kitchings:

Enclosed for filing is a notice of appeal in the above case. Also enclosed are the following:

- (1) Proof of service of the notice of appeal on the respondent.
- (2) A copy of the sentencing sheet which is the basis of the conviction to be challenged on appeal.

Sincerely,



Suzanne E. Earle SC Bar Number 0001819  
Assistant Public Defender  
415 South Pine Street  
Walhalla, SC 29691  
864-638-3133  
Attorney for Appellant

**RECEIVED**  
NOV 16 2018  
SC Court of Appeals

cc: Brian G. Livingston  
205 West Main Street  
Walhalla, South Carolina 29691  
864-638-4294  
Attorney for Respondent

Oconee County F  
Suzanne E. Earle  
415 S. Pine Street  
Walhalla, SC 29691



NEOPOST

11/16/2018

US POSTAGE

LEGAL MAIL

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

**RECEIVED**  
NOV 16 2018  
SC Court of Appeals