

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM RICHLAND COUNTY
Court of General Sessions

Honorable L. Casey Manning, Circuit Court Judge

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NOV 16 2018
SC Court of Appeals

Case No. C-40-18-0250
Indictment Nos: 2013-GS-40-02374, 2013-GS-40-02378

The State,.....Respondent,

v.

Cedriect Hopkins,.....Appellant.

NOTICE OF APPEAL

Cedriect Hopkins appeals his probation revocation in this case. The sentence was imposed by the Honorable L. Casey Manning to the following on October 19, 2018. A motion to reconsider was filed on October 26, 2018. On November 8, 2018, the Honorable L. Casey Manning issued an order denying Mr. Hopkins's motion to reconsider without a hearing.

C-40-18-0250 Probation Violation – Revoked – YOA Sentence, Not to Exceed 6 years

November 16, 2018

Alice M. Phillips

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**STATEMENT OF BASIS FOR APPEAL FROM
PROBATION REVOCATION PURSUANT TO RULE 203(d)(1)(B)**

Pursuant to South Carolina Appellate Court Rule 203(d)(1)(B), the Defendant and his Counsel assert that the Circuit Court lacked subject matter jurisdiction to hear the Defendant's probation violation because the South Carolina Department of Probation, Parole and Pardon Services issued its violation warrant on August 3, 2018, several weeks after Defendant's statutory five year probation period expired on June 6, 2018. *See* S.C. Code Ann. § 24-21-440. Defense Counsel raised this issue in a Motion to Reconsider. The Court denied Defense Counsel's motion without a hearing.

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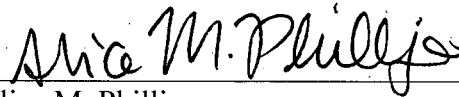
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PROOF OF SERVICE

I hereby certify that a true copy of the Notice of Intent to Appeal & the Statement of Basis for Appeal from Probation Revocation pursuant to Rule 203(d)(1)(B) in the above-referenced case has been served upon opposing counsel by delivering this same date to her office at the South Carolina Department of Probation, Pardon and Parole, 1221 Gregg Street, Columbia, South Carolina 29201.

November 16, 2018



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