



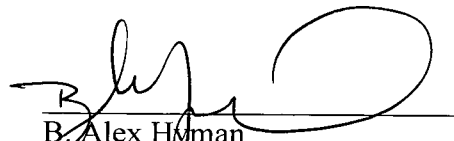
January 15, 2019

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

RE: The State of South Carolina v. James R. Rosenbaum, Appellant, Case No. 2017-GS-26-05269

Dear Ms. Kitchings,

Please allow this letter to serve as my request for an extension of time to order the transcript of record for the above referenced case. I was originally retained to represent Mr. Rosenbaum for his murder trial, and he is now requesting the Office of Indigent Defense represent him on his appeal. I have forwarded the affidavit of indigency to Mr. Rosenbaum, but it is my understanding that it has not yet reached the Appellate Defense Division of the Commission on Indigent Defense. I have also enclosed all correspondence with the lower court as well as the respondent. Thank you in advance, and please do not hesitate to contact me if I can be of assistance.

  
B. Alex Hyman  
1208 3<sup>rd</sup> Ave  
Conway, South Carolina 29526  
(843) 248-2024  
Attorney for Appellant

cc: Christopher Helms  
Assistant Solicitor  
1301 2<sup>nd</sup> Ave  
Conway, South Carolina 29526  
(843) 915-5460  
Attorney for Respondent

**RECEIVED**

JAN 16 2019

**SC Court of Appeals**

J

**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

APPEAL FROM HORRY COUNTY  
Court of General Sessions

Benjamin H. Culbertson, Circuit Court Judge

Case No. 2016A2610201791  
Indictment No. 2017GS2605269

The State,

Respondent,

v.

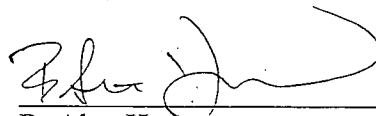
James R. Rosenbaum,

Appellant.

**NOTICE OF APPEAL**

James R. Rosenbaum appeals his conviction and sentence in this case. The sentence was imposed by the Honorable Benjamin J. Culbertson on December 10, 2018.

December 18, 2018



\_\_\_\_\_  
B. Alex Hyman  
1208 3<sup>rd</sup> Ave  
Conway, South Carolina 29526  
(843) 248-2024  
Attorney for Appellant

Other Counsel of Record:  
Christopher Helms  
Assistant Solicitor  
1301 2<sup>nd</sup> Ave  
Conway, South Carolina 29526  
(843) 915-5460  
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 HORRY COUNTY  
Court of General Sessions

Benjamin H. Culbertson, Circuit Court Judge

Case No. 2016A2610201791  
Indictment No. 2017GS2605269

The State,

Respondent,

v.


James R. Rosenbaum,

Appellant.

PROOF OF SERVICE

I certify that I have served the Notice of Appeal on the 15<sup>th</sup> Circuit Solicitors Office by depositing a copy of it in the United States Mail, postage prepaid, on December 18, 2018, addressed to the attorney of record, Christopher Helms 1301 2<sup>nd</sup> Ave Conway, South Carolina 29526 [by personally delivering a copy of it to the attorney of record, Christopher Helms, at his office at 1301 2<sup>nd</sup> Ave Conway, South Carolina 29526, on December 18, 2018].

December 18, 2018

  
B. Alex Hyman  
1208 3<sup>rd</sup> Ave  
Conway, South Carolina 29526  
(843) 248-2024  
Attorney for Appellant

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF Horry
STATE VS.
James Richard Rosenbaum
AKA:
Race: Sex: M Age: 55
DOB: SS#:
Address:
City, State, Zip:
DL#: SID#:

INDICTMENT/CASE#: 2017GS2605269
A/W#: 2016A2610201791
Date of Offense: 7/11/2016
S.C. Code §: 16-03-0010, 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: Voluntary Manslaughter (0-30Y)

CONVICTED OF or PLEADS

in violation of § 16-03-0050 of the S.C. Code of Laws, bearing CDR Code # 0217
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: Livesay, Nancy SCB75159 SC Bar# Defendant
Hyman, B. Alex SCB75416 SC Bar# Attorney for Defendant

WHEREFORE, the Defendant is committed to the State Department of Corrections, County Detention Center,
for a determinate term of 15 days/months/years or under the Youthful Offender Act not to exceed X years
and/or to pay a fine of \$ X; provided that upon the service of X days/months/years and/or payment
of \$ X; plus costs and assessments as applicable\*; the balance is suspended with probation for X

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 the State Department of Corrections.
The Defendant is to be placed on the Central Registry of Child Abuse and Neglect pursuant to S.C. Code § 17-25-13.
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 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 61.6 (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 + \$140.00 = \$268.75

Clerk of Court/ Deputy Clerk Renee N. Elvis
Court Reporter: Grace Purley
SCCA/217 (07/2016)

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 \$ 25.00 beginning 1/10/2018
\$ paid to Public Defender Fund
Other:
Appointed PD or appointed other counsel, Proviso 61.6 requires \$500 be paid to Clerk during probation and shall be collected before any other fees.

FILED
Horry County
2017 DEC 10 PM 6:18

Presiding Judge: [Signature]
Judge Code: 2148
Sentence Date: Dec. 10, 2018

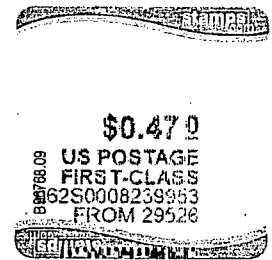


**THE HYMAN LAW GROUP, P.A.**

CIVIL, CRIMINAL DEFENSE, REAL ESTATE AND FAMILY LAW

Conway Office: 1208 3rd Avenue • Conway, SC 29526

The Honorable Renee Elvis  
Clerk of Court for Horry County  
1301 2<sup>nd</sup> Ave.  
Conway, SC 29526



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

December 18, 2018

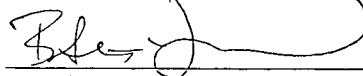
The Honorable Renee Elvis  
Clerk of Court for Horry County  
1301 2<sup>nd</sup> Ave  
Conway, South Carolina 29526

RE: The State of South Carolina v. James R. Rosenbaum, Appellant, Case No.  
2017-GS-26-05269

Dear Madam Clerk:

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

Sincerely,



---

B. Alex Hyman  
1208 3<sup>rd</sup> Ave  
Conway, South Carolina 29526  
(843) 248-2024  
Attorney for Appellant

cc: Christopher Helms  
Assistant Solicitor  
1301 2<sup>nd</sup> Ave  
Conway, South Carolina 29526  
(843) 915-5460  
Attorney for Respondent

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

December 18, 2018

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

RE: The State of South Carolina v. James R. Rosenbaum, Appellant, Case No.  
2017-GS-26-05269

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 order which is to be challenged on appeal.
- (3) A filing fee of \$100.\*



B. Alex Hyman  
1208 3<sup>rd</sup> Ave  
Conway, South Carolina 29526  
(843) 248-2024  
Attorney for Appellant

cc: Christopher Helms  
Assistant Solicitor  
1301 2<sup>nd</sup> Ave  
Conway, South Carolina 29526  
(843) 915-5460  
Attorney for Respondent

\* Under Rule 203(d)(1)(B)(iii) and (d)(2)(B)(iii), SCACR, a filing fee is not required if the appeal is from a criminal case including juvenile delinquency matters, or if the appeal is taken by the State of South Carolina, its departments or agencies. Further, no filing fees are required in post-conviction relief cases. Rule 240(d), SCACR.

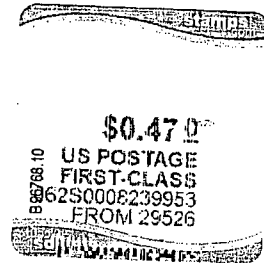


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Conway Office: 1208 3rd Avenue • Conway, SC 29526

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JAN 16 2019

**SC Court of Appeals**



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



**THE HYMAN LAW GROUP, P.A.**

CIVIL, CRIMINAL DEFENSE, REAL ESTATE AND FAMILY LAW

Conway Office: 1208 3rd Avenue • Conway, SC 29526

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SC Court of Appeals

The Honorable Jenny Abbott Kitchings  
Clerk, South Carolina Court of Appeals  
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