

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.

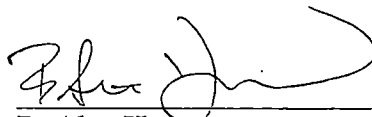
James R. Rosenbaum,

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 3rd Ave
Conway, South Carolina 29526
(843) 248-2024
Attorney for Appellant

Other Counsel of Record:
Christopher Helms
Assistant Solicitor
1301 2nd 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

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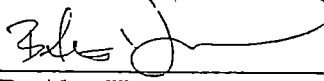
James R. Rosenbaum,

Appellant.

PROOF OF SERVICE

I certify that I have served the Notice of Appeal on the 15th 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 2nd Ave Conway, South Carolina 29526 [by personally delivering a copy of it to the attorney of record, Christopher Helms, at his office at 1301 2nd Ave Conway, South Carolina 29526, on December 18, 2018].

December 18, 2018



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

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF Horry VS. STATE

INDICTMENT/CASE#: 2017GS2605269

AKA: James Richard Rosenbaum

A/W#: 2016A2610201791

Race: Sex: M Age: 55

Date of Offense: 7/11/2016

DOB: SS#:

S.C. Code § : 16-03-0010, 0020

Address:

CDR Code #: 0116

City, State, Zip:

DL#: SID#:

SENTENCE SHEET

*CDL Yes No CMV Yes No Hazmat Yes No

CONVICTED OF or PLEADS

In disposition of the said indictment comes now the Defendant who was TO: Voluntary Manslaughter (0-30Y)

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 w/minor 1st or Lewd Act) §17-25-45

The charge is: As Indicted, Lesser Included Offense, Defendant Waives Presentation to Grand Jury. (defendant's initials)

The plea is: Without Negotiations or Recommendation, Negotiated Sentence, Recommendation by the State.

ATTEST: [Signature] SCB75159 Defendant Hyman, B. Alex SCB75416 Attorney for Defendant SC Bar#

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 § 26-25-13.

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 days/hours Public Service Employment

Total: \$ plus 20% fee: \$ Obtain GED Attend Voc. Rehab. or Job Corp.

Payment Terms: May serve W/E beginning

Recipient: Substance Abuse Counseling Random Drug/Alcohol testing

*Fine: \$ Fine may be pd. in equal, consecutive weekly/monthly pmts. of \$ 25.00 beginning 1/10/2018

§ 14-1-206 (Assessments 107.5 %) \$ § 14-1-211(A)(1) (Conv. Surcharge) \$100 \$ 100.00

§ 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 \$ 25.00 § 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 Other:

TOTAL \$ 128.75 + \$40.00 = \$168.75 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.

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

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

FILED Horry County 2017 DEC 10 PM 6:18 RECEIVED AT CLERK OF COURT

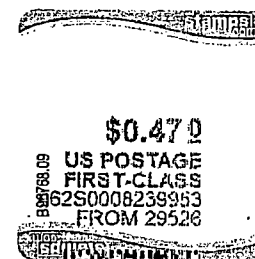


THE HYMAN LAW GROUP, P.A.

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 2nd Ave.
Conway, SC 29526



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

December 18, 2018

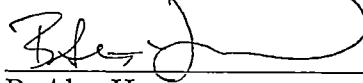
The Honorable Renee Elvis
Clerk of Court for Horry County
1301 2nd Ave
Conway, South Carolina 29526

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 3rd Ave
Conway, South Carolina 29526
(843) 248-2024
Attorney for Appellant

cc: Christopher Helms
Assistant Solicitor
1301 2nd 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 3rd Ave
Conway, South Carolina 29526
(843) 248-2024
Attorney for Appellant

cc: Christopher Helms
Assistant Solicitor
1301 2nd 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.

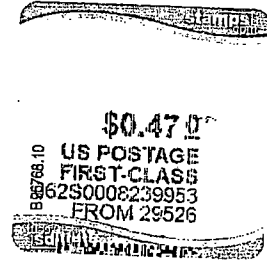


THE HYMAN LAW GROUP, P.A.
CIVIL, CRIMINAL DEFENSE, REAL ESTATE AND FAMILY LAW
Conway Office: 1208 3rd Avenue • Conway, SC 29526

RECEIVED

JAN 16 2019

SC Court of Appeals



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