

ORIGINAL

STATE OF SOUTH CAROLINA

In The Court of Appeals

APPEAL FROM PICKENS COUNTY

D. Garrison Hill, Circuit Court Judge

RECEIVED

JAN 21 2014

SC Court of Appeals

THE STATE,

RESPONDENT,

V.

DONNA LYNN PHILLIPS,

APPELLANT

APPELLATE CASE NO. 2012-212663

SUPPLEMENTAL RECORD ON APPEAL

LANELLE CANTEY DURANT
Appellate Defender

ALAN WILSON
Attorney General

South Carolina Commission on Indigent Defense
Division of Appellate Defense
PO Box 11589
Columbia, SC 29211-1589
(803) 734-1330

J. BENJAMIN APLIN
Assistant Attorney General
Office of the Attorney General
PO Box 11549
Columbia, SC 29211

Attorney for Appellant

Attorneys for Respondent

INDEX

INDEX.....i

INDICTMENT AND SENTENCE SHEET FOR JAMIE E. MORRIS.....1

INDICTMENT FOR LATASHA D. HONEYCUTT4

CERTIFICATE OF COUNSEL.....6

WITNESSES

Rita Burgess

Pickens County Sheriff's Office

ARREST WARRANT NUMBER
DIRECT PRESENTMENT
DOB:

ACTION OF GRAND JURY

FILED **DEC 16 2008**

Wayne B. Harris
Foreperson of Grand Jury

VERDICT

Foreperson of Petit Jury

Date:

DOCKET NO. 2008-GS-39-²⁰⁵³
WDR
The State of South Carolina

County of Pickens

COURT OF GENERAL SESSIONS

TERM 2008

THE STATE

vs.

JAMIE EDWARD MORRIS

Indictment for

2357

HOMICIDE BY CHILD ABUSE, AIDING AND
ABETTING

VIOLATION § 16-03-0085(A)(2)

STATE OF SOUTH CAROLINA)
)
COUNTY OF PICKENS)

INDICTMENT FOR
HOMICIDE BY CHILD ABUSE

At a Court of General Sessions, convened on

the Grand Jurors of Pickens

County present upon their oath:

That JAMIE EDWARD MORRIS did in Pickens County, on or about, and/or between the dates of March 14, 2008 and March 17, 2008, knowingly aid and abet DONNA LYNN PHILLIPS to commit child abuse or neglect to Child ; a child under the age of eleven years causing the death of said child, by allowing and/or having knowledge of the said child's ingestion of excessive amounts of opiates and/or the failure to get the said child medical treatment. This is in violation of §16-3-0085(A)(2) of the South Carolina Code of Laws (1976) as amended.

Against the peace and dignity of the State, and contrary to the statute in such case made and provided.


SOLICITOR

COUNTY OF Pickens
 STATE VS.
Jamie Edward Morris
 AKA: _____
 Race: WHITE Sex: _____ Age: 28
 DOB: _____ SS#: _____
 Address: _____
 City, State, Zip: Easley, SC 29671
 DL#: _____ SID#: _____

INDICTMENT/CASE#: 2008GS3902053
 A/W#: 2008GS3902053
 Date of Offense: 3/14/2008
 S.C. Code §: 16-03-0085
 CDR Code #: 2357

SENTENCE SHEET

*CDE Yes No CMV Yes No Hazmat Yes No
 In disposition of the said indictment comes now the Defendant who was
 TO: Murder / Homicide by child abuse, aiding and abetting (10Y to 20Y)

Pr. 204/5
 CONVICTED OF or PLEADS

in violation of § 16-03-0085 of the S.C. Code of Laws, bearing CDR Code # 2357
 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. (defendant's initials)
 The plea is: Without Negotiations or Recommendation, Negotiated Sentence, Recommendation by the State.

ATTEST: Richardson, Doug 066112 Defendant John W. DeJoy 001630 Attorney for Defendant SC Bar#

WHEREFORE, the Defendant is committed to the State Department of Corrections, County Detention Center,
 for a determinate term of 12 days/months/year or under the Youthful Offender Act not to exceed _____ years
 and/or to pay a fine of \$ _____; provided that upon the service of 8 days/months/years and/or payment
 of \$ _____; plus costs and assessments as applicable*; the balance is suspended with probation for 2

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 §17-25-135.

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 (Criminal
 Domestic Violence) to ship, transport, possess, or receive a firearm or ammunition.

SPECIAL CONDITIONS:

RESTITUTION: Deferred Def. Waives Hearing Ordered
 Total: \$ _____ plus 20% fee: \$ _____
 Payment Terms: _____
 Set by SCDPPPS _____
 Recipient: _____

PTUP _____
 _____ days/hours Public Service Employment
 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 \$ _____ beginning _____
 \$ _____ paid to Public Defender Fund
 Other: _____

*Fine:		\$
§ 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 47.9 (Public Def/Prob)	\$500	\$ 500.00
§ 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	\$
Proviso 90.5 (SCCJA Surcharge)	\$5	\$ 5.00
3% to County (if paid in installments)		\$ 18.90
TOTAL		\$ 648.90

Appointed PD or appointed other counsel,
 § 47.12 requires \$500 be paid to Clerk
 during probation.

Clerk of Court/ Deputy Clerk Hendrick P. Withers, Jr.
 Court Reporter: Hollie Jenkins
 SCCA/217 (03/2011) Vivian Cross

Presiding Judge Franklin
 Judge Code: 2138
 Sentence Date: 7/27/12


WITNESSES

Rita Burgess
Pickens County Sheriff's Office

ARREST WARRANT NUMBER
DIRECT PRESENTMENT
DOB:
SS#

ACTION OF GRAND JURY

TRUE BILL
Date OCT 13 2009


Foreperson of Grand Jury

VERDICT

Foreperson of Petit Jury

Date:

DOCKET NO. 2009-GS-39-¹⁵⁶⁸
WDR

The State of South Carolina

County of Pickens

COURT OF GENERAL SESSIONS

TERM 2009

THE STATE

vs.

LATASHA DIANE HONEYCUTT

Indictment for

2356

HOMICIDE BY CHILD ABUSE

VIOLATION § 16-03-0085

STATE OF SOUTH CAROLINA)
)
COUNTY OF PICKENS)

INDICTMENT FOR
HOMICIDE BY CHILD ABUSE

At a Court of General Sessions, convened on

the Grand Jurors of Pickens

County present upon their oath:

That LATASHA DIANE HONEYCUTT did in Pickens County, on or about, and/or between the dates of March 14, 2008 and March 17, 2008, caused the death of Child , a child under the age of eleven years while committing child abuse or neglect with circumstances manifesting and extreme indifference to human life by facilitating or allowing the excessive ingestion of opiate drugs and/or the failure to get medical treatment for said child. This is in violation of §16-3-0085(A)(1) of the South Carolina Code of Laws (1976) as amended.

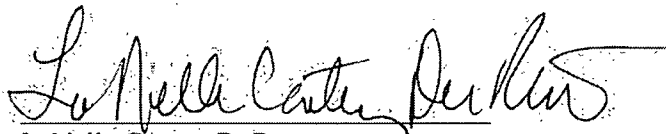
Against the peace and dignity of the State, and contrary to the statute in such case made and provided.


SOLICITOR

CERTIFICATE OF COUNSEL FOR APPELLANT

Counsel for appellant certifies that this Record on Appeal contains all material proposed to be included by any of the parties and not any other material and that this Record on Appeal complies to the best of my ability, with the August 13, 2007, order from the South Carolina Supreme Court entitled "Interim Guidance Regarding Personal Data Identifiers and Other Sensitive Information in Appellate Court Filings."

January 21st 2014.



LaNelle Cantey DuRant
Appellate Defender

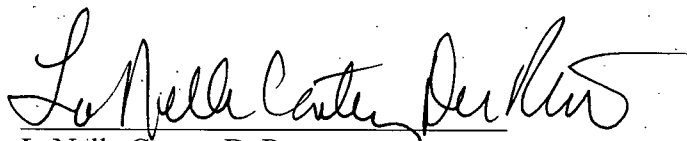
South Carolina Commission on Indigent Defense
Division of Appellate Defense
PO Box 11589
Columbia, S. C. 29211-1589
(803) 734-1330

ATTORNEY FOR APPELLANT

CERTIFICATE OF COUNSEL FOR APPELLANT

Counsel for appellant certifies that this Record on Appeal contains all material proposed to be included by any of the parties and not any other material and that this Record on Appeal complies to the best of my ability, with the August 13, 2007, order from the South Carolina Supreme Court entitled "Interim Guidance Regarding Personal Data Identifiers and Other Sensitive Information in Appellate Court Filings."

January 21st 2014



LaNelle Cantey DuRant
Appellate Defender

South Carolina Commission on Indigent Defense
Division of Appellate Defense
PO Box 11589
Columbia, S. C. 29211-1589
(803) 734-1330

ATTORNEY FOR APPELLANT

STATE OF SOUTH CAROLINA

ORIGINAL

IN THE COURT OF APPEALS

Appeal from Pickens County

D. Garrison Hill, Circuit Court Judge

RECEIVED

JAN 21 2014

SC Court of Appeals

THE STATE,

RESPONDENT,

V.

DONNA LYNN PHILLIPS,

APPELLANT

APPELLATE CASE NO. 2012-212663

CERTIFICATE OF SERVICE

I certify that a true copy of the Supplemental Record on Appeal in the above referenced case has been served upon J. Benjamin Aplin, Esquire, at Rembert Dennis Building, 1000 Assembly Street, Room 519, Columbia, SC 29201, this 21st day of January, 2014.

Brandon Hall

Brandon Hall
Administrative Specialist

SUBSCRIBED AND SWORN TO before me
this 21st day of January, 2014.

Maen Wood

(L.S.)

Notary Public for South Carolina
My Commission Expires: July 3, 2023.