

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM OCONEE COUNTY
Court of General Sessions

R.Scott Sprouse, Circuit Court Judge

Case No. 2019 - GS-37-00277

The State, County of Oconee,

Respondent,

v.

Matthew Chappell,

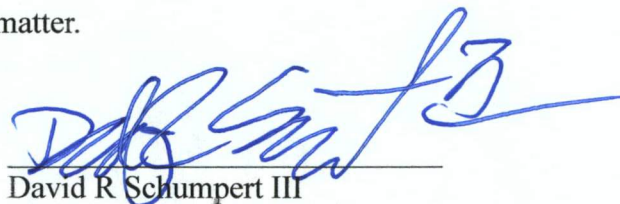
Appellant.

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ISSUE ON APPEAL

The Eighth Amendment of the U.S. Constitution, applied to the States via the Fourteenth Amendment, prohibits not only barbaric punishments, but also sentences that are disproportionate to the crime. *Solem v. United States*, 463 U.S. 277, 284 (1983)

In the matter subject to this appeal, the Court, citing neither any statutory aggravating circumstances nor evidence of such aggravating circumstance, entered the maximum penalty of thirty (30) years imprisonment. This imposition of the maximum punishment for manslaughter, under a nolo contendere plea, lacked sufficient consideration of mitigating factors presented by the defense including but not limited to defendant's complete lack of criminal history and his acceptance of responsibility for the crime. With the presentation of mitigating factors renders the imposition of the maximum sentence disproportionate in this matter.



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Attorney for Appellant

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF OCONEE
STATE VS.

MATTHEW JASON CHAPPELL

AKA:
Race: White Sex: M Age: 25
DOI:
Address:
City State Zip:
DL: SID# SC02310612

INDICTMENT/CASE#: 2019-GS-37-00277
AW: DIRECT
Date of Offense: 06/09/2017
S.C. Code §: 16-03-0050
CDR Code #: 0217

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SENTENCE SHEET

*CDL Yes No CMV Yes No Hazmat Yes No

In violation of the said indictment comes now the Defendant who was CONVICTED OF or PLEADS

TO: VOLUNTARY MANSLAUGHTER

In violation of § 16-3-50 of the S.C. Code of Laws, bearing CDR Code # 0217

NON-VIOLENT VIOLENT SERIOUS MOST SERIOUS Mandatory GPS §17-25-45
(CSC w/minor 1st or CSC w/minor, 3rd)

The charge is: As indicted, Lesser Included Offense, Defendant Waives Presentment to Grand Jury, Negotiated Sentence, Recommendation by the State.
The plea is: Without Negotiations or Recommendation, Negotiated Sentence, Recommendation by the State.

ATTORNEYS

Lindsey Satterfield Simmons, Deputy Solicitor SC Bar # 70224 Defendant
Attorney for Defendant SC Bar # 11474

WHEREFORE, the Defendant is committed to the State Department of Corrections or County Detention Center,
for a determinate term of 30 days/months/years or under the Youthful Offender Act not to exceed years
and/or to pay a fine of \$; provided that upon the service of days/months/years and or payment
of \$; plus costs and assessments as applicable; the balance is suspended with probation for
months/years and subject to South Carolina Department of Probation, Parole and Pardon Service 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 SCDOC.

The Defendant is to be placed on Central Registry of Child Abuse and Neglect pursuant to S.C. Code §17-25-135. 464 Days T/S

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: \$ days/hours Public Service Employment
Payment Terms: Obtain GED

Set by SCDPPPS

Recipient:

*Fine: \$

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 (Public Def/Prob) \$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

Clerk of Court/Deputy Clerk: Beverly H. Whitfield
Court Reporter: Diane Mercer
SCCA/217 (04/2018)

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:

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MAR - 8 2019
CLERK OF COURT
OCONEE COUNTY, SC

Appointed PD or appointed other counsel,
Proviso requires \$500 be paid to Clerk
during probation and shall be collected before any
other fees.

Presiding Judge:
Judge Code: 2752
Sentence Date: 03/01/19