

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM GREENWOOD COUNTY
Court of General Sessions

The Honorable Donald B. Hocker, Circuit Court Judge

RECEIVED

APR 02 2019

SC Court of Appeals

Indictment Nos.: 2018GS24-1795, 2018GS24-1796, 2018GS24-1797,
2018GS24-1798, 2018GS24-1799, and 2018GS24-1800

The State,

Respondent,

v.

Ronald Lee DeRossett,

Defendant.

NOTICE OF APPEAL

Defendant Ronald Lee DeRossett appeals his conviction and sentence in this case. The defendant pled guilty to two (2) counts of Felony Driving Under the Influence Involving Death, two (2) counts of Felony DUI Great Bodily Injury, one (1) count of Possession of Marijuana 1st, and one (1) count of Driving Under Suspension.

Pursuant to the plea, Defendant was sentenced on March 22, 2019, to a total of seventeen (17) years. Seventeen (17) years each for DUI with Death to be served concurrently, ten (10) years each for DUI with Great Bodily Injury, and 30 days each for Possession of Marijuana and Driving Under Suspension.

This appeal is taken from the original Sentencing Sheets. (*See* enclosed).

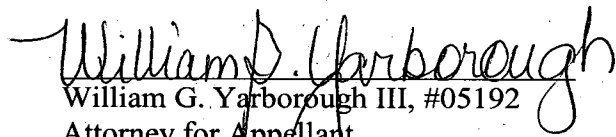
I. The Defendant's guilty plea was not knowingly or voluntarily entered because he did not adequately understand or was not adequately informed of:

- a. the nature of the charges;
- b. that he was waiving significant constitutional rights by pleading guilty;
- c. the collateral consequences of the plea;
- d. or the potential sentence he could receive.

Had the Defendant fully understood or been fully informed of the aforementioned, he would not have pled guilty and instead would have proceeded to trial. *See generally Boykin v. Alabama*, 395 U.S. 238 (1969); *United States v. Ruiz*, 536 U.S. 622, 628 (2002); *Mabry v. Johnson*, 467 U.S. 504, 507 (1984).

II. The Defendant's guilty plea was not knowingly or voluntarily entered because of material defects in the plea colloquy. *See generally Boykin*, 395 U.S. at 241; *State v. Armstrong*, 263 S.C. 594, 598, 211 S.E.2d 889, 891 (1975).

Respectfully submitted,


William G. Yarbrough III, #05192
Attorney for Appellant
522 N Church Street Greenville, SC 29601
Telephone (864) 331-1612 Fax (864) 370-0022

March 28, 2019
Greenville, SC

Other Counsel of Record:

David Stumbo, Solicitor
Eighth Judicial Circuit
County of Greenwood
600 Monument Street #203
Greenwood, SC 29646

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Ronald Lee DeRossett,

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CERTIFICATE OF SERVICE

I, Traci Trouton-Burr, certify on this date, March 28, 2019, I served a Notice of Appeal in this action, dated March 28, 2019 on Jenny Abbott Kitchings, Clerk of Court, S.C. Court of Appeals, Solicitor David Stumbo, and Greenwood County Clerk of Court, Chastity Copeland by mailing it to him/her at his/her work address, by depositing it in the U.S. Mail, in an envelope with sufficient postage affixed, addressed as follows:

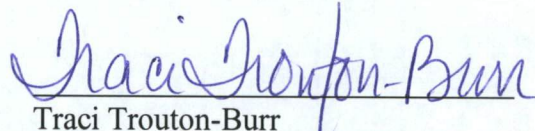
The Honorable Jenny Abbott Kitchings
Clerk of Court
SC Court of Appeals
PO Box 11629
Columbia, SC 29211

David Stumbo, Solicitor
Eighth Judicial Circuit
County of Greenwood
600 Monument Street #203
Greenwood, SC 29646

Hon. Chastity Copeland
Clerk of Court, Eighth Judicial Circuit
528 Monument Street #114
Greenwood, SC 29646

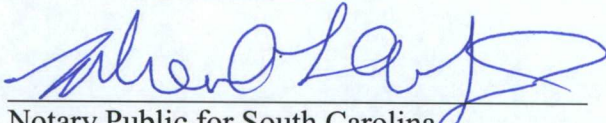
Honorable Alan Wilson
S.C. Attorney General's Office
PO Box 11549
Columbia, SC 29211-1549

Respectfully submitted,



Traci Trouton-Burr
Paralegal to William G. Yarborough, III

SWORN TO before this 28th
Day of March, 2019



Notary Public for South Carolina

My Commission expires: 06-08-2022



**Law Office of William G. Yarborough III
522 North Church Street
Greenville, SC 29601**

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