

THE STATE OF SOUTH CAROLINA
In the Appellate Court

CLERK OF COURT
PICKENS COUNTY
SOUTH CAROLINA

APPEAL FROM PICKENS COUNTY
Court of General Sessions

2019 AUG -2 P 1:30

Letitia Verdin, Circuit Court Judge

Case No(s): 2018-GS-39-2965

The State,

Respondent.

v.


Timmy Nathaniel Thomas,

Appellant.

NOTICE OF APPEAL

Timmy Nathaniel Thomas appeals his guilty plea and sentence in this case. The sentence was imposed by the Honorable Letitia Verdin, on July 25, 2019.

Date: August 1, 2019


Sara Gorski, Esq., Bar #102609
Assistant Public Defender
Thirteenth Judicial Circuit
214 E. Main St, Suite B-240
Pickens, SC 29671
Plea Attorney for Appellant

Other Counsel of Record:

Megan Owens, Esq.
Assistant Solicitor, Thirteenth Judicial Circuit
214 E. Main St, B-120
Pickens, SC 29671
Attorney for Respondent

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AUG 05 2019

SC Court of Appeals

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Appellant.

PROOF OF SERVICE

I certify that I have served the Notice of Appeal on the below listed parties by depositing a copy of it in the United States Mail, postage prepaid, on August 1, 2019, addressed to:

Timmy Nathaniel Thomas
69 Quin Lan Drive
Greenville, SC 29617

The Honorable Jenny A. Kitchings
Clerk of Court
South Carolina Court of Appeals
P.O. Box 11629
Columbia, SC 29211

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AUG 05 2019

SC Court of Appeals

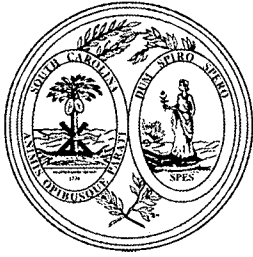
I further certify that I have served the Notice of Appeal on the below listed respondent by hand delivering a copy of it on August 1, 2019, addressed to:

Megan Owen, Esq.
Assistant Solicitor, Thirteenth Judicial Circuit
214 E. Main St, B-120
Pickens, SC 29671

Date: August 1, 2018



Sara Gorski, Esq., Bar #102609
Assistant Public Defender
Thirteenth Judicial Circuit
214 E. Main St, Suite B-240
Pickens, SC 29671
Plea Attorney for Appellant



13TH JUDICIAL CIRCUIT PUBLIC DEFENDER

CHRISTOPHER D. SCALZO, CIRCUIT PUBLIC DEFENDER

**Greenville County
Public Defender Office**
Greenville County Courthouse
305 East North Street, Suite 123
Greenville, SC 29601
Tel. (864) 467-8522
Fax. (864) 467-8521

**Pickens County
Public Defender Office**
Pickens County Courthouse
214 East Main Street, B-240
Pickens, South Carolina 29671
Tel. (864) 898-5577
Fax (864) 898-5579

April 25, 2019

Via Regular Mail

S.C. Office of Appellate Defense
P.O. Box 11433
Columbia, SC 29211

Re: State v. Timmy Nathaniel Thomas
Case No(s): 2018-GS-39-2965

To Whom It May Concern:

Enclosed please find a copy of the Notice of Appeal in the above matter. The Court Reporter's name and address is as follows:

Hollie M. Jenkins
hjenkins@sccourts.org
Post Office Box 16506
Greenville, SC 29606
County: Greenville (Circuit: 13)

RECEIVED

AUG 05 2019

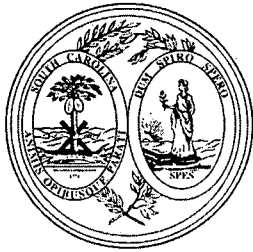
SC Court of Appeals

Also enclosed are copies of our letters to the Court of Appeals and Mr. Thomas as well as Proof of Service on all parties involved. Copies of the indictments are also enclosed.

Please let us know what further service we can be in this matter.

Respectfully,

Sara Gorski, Esq. Bar #102609
Assistant Public Defender
Thirteenth Judicial Circuit
214 E. Main St, Suite B-240
Pickens, SC 29671
Plea Attorney for Appellant



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August 1, 2019

Via Regular Mail

Timmy Nathaniel Thomas
69 Quin Lan Drive
Greenville, SC 29617

Re: State v. Timmy Nathaniel Thomas
Case No(s): 2018-GS-39-2965

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SC Court of Appeals

2019 AUG -2 P 1:30
CLERK OF COURT
PICKENS COUNTY
SOUTH CAROLINA

Dear Mr. Thomas:

Enclosed please find a copy of the Notice of Appeal in the above matter along with Proof of Service and the cover letter I must send to the Court of Appeals. This matter is being referred to the Office of the Appellate Defense to assist you further with your appeal.

You now have 20 days from the date of this letter, August 1, 2019 to inform the Court in writing of any arguable basis that there are issues preserved for appeal. You must send your written basis for appeal to:

South Carolina Court of Appeals
P.O. Box 11629
Columbia, SC 29211

Respectfully,

Sara Gorski, Esq. Bar #102609
Assistant Public Defender
Thirteenth Judicial Circuit
214 E. Main St, Suite B-240
Pickens, SC 29671
Plea Attorney for Appellant

Enclosure



13TH JUDICIAL CIRCUIT PUBLIC DEFENDER

CHRISTOPHER D. SCALZO, CIRCUIT PUBLIC DEFENDER

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Pickens, South Carolina 29671
Tel. (864) 898-5577
Fax (864) 898-5579

August 1, 2019

Via Regular Mail

The Honorable Jenny A. Kitchings
Clerk of Court
South Carolina Court of Appeals
P.O. Box 11629
Columbia, SC 29211

Re: State v. Timmy Nathaniel Thomas
Case No(s): 2018-GS-39-2965

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SC Court of Appeals

2019 AUG -2 P 1:30

CLERK OF COURT
PICKENS COUNTY
SOUTH CAROLINA

Dear Ms Kitchings:

Enclosed for filing are the following:

1. Two originals of Notice of Appeal in the above Case, along with original Proof of Service attached to each Notice;
2. A copy of the indictments for the plea;
3. A copy of the redacted sentencing sheets; and,
4. A copy of a notarized statement by Timmy Thomas regarding basis for the appeal

Please return to me a clocked copy of the Notice of Appeal in the self-addressed stamped envelope enclosed for that purpose.

The Notice has been filed with the Pickens County Clerk of Court. Further, please accept this letter and the following as my compliance with Rule 203(d)(1)(B)(iv)'s requirement for a written explanation showing issues to be reviewed on appeal of a guilty plea:

On August 1, 2019, Mr. Thomas requested that I file an appeal to a guilty plea he entered into on July 25, 2019 during an in office appointment in person. Specifically he requests that I file an appeal of his guilty plea and the sentence imposed by the court on July 25, 2019.

The State's recommendation as to the plea was read into the record and the presiding judge accepted the plea of guilty on his pending charges. He was then sentenced to three years, suspended to one year home incarceration followed by probation. As part of the sentence, there is a requirement of Sex Offender registry and a stay-away order from the victim. Judge Verdin read the sentence aloud into the record.

As an officer of the Court, I do not believe there are any meritorious issues to be reviewed on appeal. Nevertheless, Mr. Thomas has a legal right to appeal his conviction and I am doing so at his instruction. I have also included a copy of a notarized statement from Timmy Thomas documenting our meeting regarding his decision to file this appeal.

If anything further is required, please do not hesitate to contact me.

These matters are being referred to the Office of Appellate Defense in that I was participating as Court appointed counsel at the time of the plea.

Thank you for your attention to this matter.

Respectfully,



Sara Gorski, Esq. Bar #102609
Assistant Public Defender
Thirteenth Judicial Circuit
214 E. Main St, Suite B-240
Pickens, SC 29671
Plea Attorney for Appellant

Enclosure

cc: Office of Appellate Defense
Timmy Nathaniel Thomas

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SC Court of Appeals



13th Circuit Public Defender

Pickens County Courthouse
214 E. Main Street, Suite B-240
Pickens, SC 29671

SARA E. GORSKI

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AUG 05 2019

SC Court of Appeals

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The Honorable Jenny A. Kitchings
Clerk of Court
South Carolina Court of Appeals
P.O. Box 11629
Columbia, SC 29211