

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

APPEAL FROM SPARTANBURG COUNTY  
Court of General Sessions

Honorable Grace G. Knie , Circuit Court Judge

Case No(s): 2019GS4203937, 2019GS4204792

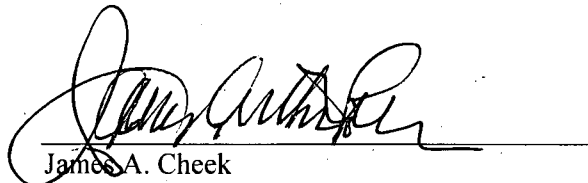
**RECEIVED**  
SEP 23 2019  
SC Court of Appeals

The State ..... Respondent,  
v.  
Richard Lamar Littleton..... Appellant.

EXPLANATION OF APPEAL PURSUANT TO RULE 203(d)(1)(B), SCACR

Pursuant to Rule 203(d)(1)(B), SCACR, Richard Lamar Littleton files this explanation of his appeal of his guilty plea, conviction and sentence in this case. The sentence was imposed by the Honorable Grace G. Knie on September 10, 2019. No issues were raised during the guilty plea; however, the client insisted upon an appeal; therefore, this appeal was filed pursuant to Weathers v. State, 319 S.C. 59, 459 S.E.2d 838 (1995), and State v. Thrift, 378 S.C. 70, 661 S.E.2d 373 (2008).

September 19, 2019



James A. Check  
1207  
Seventh Judicial Circuit Public Defender Office  
366 N. Church Street, Suite 3000  
Spartanburg, South Carolina 29303  
(864) 596-2561  
Attorney for Appellant

Other Counsel of Record:

Lindsey H. Overby, Esq.  
Seventh Judicial Circuit Solicitor's Office  
180 Magnolia Street  
Spartanburg, South Carolina 29306  
Attorney for Respondent

THE STATE OF SOUTH CAROLINA  
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The State .....  
v.  
Richard Lamar Littleton.....

Respondent,  
Appellant.

PROOF OF SERVICE

I certify that I served the Explanation of Appeal Pursuant to Rule 203(d)(1)(B), SCACR, on the State of South Carolina by depositing a copy of it in the United States Mail, postage prepaid, on September 19, 2019 addressed to its attorney of record, Lindsey H.Overby, Esq., Assistant Circuit Solicitor, 180 Magnolia Street, Spartanburg, S.C. 29306.

September 19, 2019



James A. Cheek  
1207  
Seventh Judicial Circuit Public Defender Office  
366 N. Church Street, Suite 3000  
Spartanburg, South Carolina 29303  
(864) 596-2561  
Attorney for Appellant

WITNESSES

Greer Police Department

✓ [Signature]

DA 8/3/19

ARREST WARRANT NUMBER

2019A2320500825

ACTION OF GRAND JURY

**True Bill**

Foreperson of Grand Jury  
Date:

AUG 23 2019

VERDICT

Foreperson of Petit Jury  
Date:

DOCKET NO. 19-GS-42-4792

The State of South Carolina

County of Spartanburg

Barry J. Barnette, Solicitor

COURT OF GENERAL SESSIONS

AUG 26 2019

TERM

THE STATE  
vs.

RICHARD LAMAR LITTLETON

Indictment for

POSSESSION OF CLONAZEPAM

SC Code: 44-53-370

RECEIVED

SEP 23 2019

SC Court of Appeals

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF SPARTANBURG  
STATE VS.

INDICTMENT/CASE#: 2019-GS-42-472

A/W#: 2019A2320500825

Date of Offense: 6/5/2019

S.C. Code § 44-53-0370(d)(2)

CDR Code #: 0180

Richard Lamar Littleton

AKA.

Race: WHITE Sex: M Age: 58

DOB: SS#:

Address:

City, State, Zip:

DL#: SID#:

\*CDL Yes  No  CMV Yes  No  Hazmat Yes  No

In disposition of the said indictment comes now the Defendant who was

CONVICTED OF or  PLEADS

TO: Drugs / Poss. of other controlled sub. in Sched. I to V (Clonazepam) - 2nd or sub. offense (0-1 year and/or 0-2k)

SENTENCE SHEET

in violation of § 44-53-0370(d)(2) of the S.C. Code of Laws, bearing CDR Code # 0180  
 NON-VIOLENT  VIOLENT  SERIOUS  MOST SERIOUS  Mandatory GPS(CSC w/minor 1st or Lowd Act)  §17-25-45

The charge is:  As Indicted,  Lesser Included Offense,  Defendant Waives Presentation to Grand Jury,  Recommended by the State (defendant's initials)  
The plea is:  Without Negotiations or Recommendation,  Negotiated Sentence,  Recommendation by the State.

ATTEST: SCB79869 Defendant SC Bar# 1207  
OVERBY, LINDSEY H. SC Bar#

WHEREFORE, the Defendant is committed to the  State Department of Corrections,  County Detention Center,  
for a determinate term of 1 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 75 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 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 SDOC. 50 days  
 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 (Domestic  
Violence) to ship, transport, possess, or receive a firearm or ammunition.

SPECIAL CONDITIONS:

RESTITUTION:  Deferred  Def. Waives Hearing  Ordered FTUP

Total: \$ plus 20% fee: \$

Payment Terms:

Set by SCDPPPS

Recipient:

*Fine:	\$
§14-1-206 (Assessments 107.5 %)	\$
§14-1-211(A)(1) (Conv. Surcharge)	\$100 \$ 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/Probation)	\$500 \$
§14-1-212 (Law Enforce. Funding)	\$25 \$ 25-
§14-1-213 (Drug Court Surcharge)	\$150 \$ 150-
§50-21-114(BUI Breath Test Fee)	\$50 \$
§56-5-2942(J) (Vehicle Assessment)	\$40/ea \$
3% to County (if paid in installments)	\$ 9.25

TOTAL \$283.25

Clerk of Court/ Deputy Clerk  
Court Reporter

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:

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: R.D. Ke  
Judge Code: 2760  
Sentence Date: 2/10/19

RECEIVED  
SEP 23 2019  
SC Court of Appeals



WITNESSES  
Wellford Police Department

*[Handwritten signature]*

ARREST WARRANT NUMBER

2019A4210201148

ACTION OF GRAND JURY

**True Bill**

*[Handwritten signature]*

Foreperson of Grand Jury  
Date: JUL 19 2019

VERDICT

Foreperson of Petit Jury  
Date:

DOCKET NO. **19-GS-42-3937**

The State of South Carolina  
County of Spartanburg

*Barry J. Barnette, Solicitor*

COURT OF GENERAL SESSIONS

JUL 22 2019

TERM

THE STATE  
vs.

RICHARD LAMAR LITTLETON

Indictment for  
POSSESSION OF METHAMPHETAMINE

SC Code: 44-53-375

FILED  
CLERK OF COURT  
SPARTANBURG COUNTY  
2019 JUL 24 PM 3:46

RECEIVED  
SEP 23 2019  
SC Court of Appeals

*[Handwritten mark]*

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF SPARTANBURG
STATE VS.

INDICTMENT/CASE#: 2019GS4203937

A/W#: 2019A4210201148

Date of Offense: 3/22/2019

S.C. Code §: 44-53-0375(A)

CDR Code #: 3016

AKA: Richard Lamar Littleton
Race: Sex: M Age: 58
DOB: SS#:
Address:
City, State, Zip:
DL#: SID#:

SENTENCE SHEET

\*CDL Yes No CMV Yes No Hazmat Yes No

In disposition of the said indictment comes now the Defendant who was

CONVICTED OF or PLEADS

TO: Drugs / Possession of less than one gram of Methamphetamine, 2nd offense (0-5 years and/or 0-7500)

In violation of § 44-53-0375(A) of the S.C. Code of Laws, bearing CDR Code # 3017

NON-VIOLENT VIOLENT SERIOUS MOST SERIOUS Mandatory GPS(CSC) §17-25-45

The charge is: As Indicted, Lesser Included Offense, Defendant Waives Presentment to Grand Jury, Negotiated Sentence, Recommendation by the State

ATTEST:

OVERBY, LINDSEY H.

SCB79869

SC Bar#

Defendant

Prisc. Andrea Leah
Attorney for Defendant

SCB75786

SC Bar#

WHEREFORE, the Defendant is committed to the State Department of Corrections, County Detention Center,
for a determinate term of 5 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/year 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 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 SCDOC.

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 (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:

Set by SCDPPPS

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:

Recipient:

\*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 (Public Def/Probation) \$500 \$ 500.00

§14-1-212 (Law Enforce Funding) \$25 \$ 25.00

§14-1-213 (Drug Court Surcharge) \$150 \$ 150.00

§50-21-114(BUI Breath Test Fee) \$50 \$

§56-5-2942(J) (Vehicle Assessment) \$40/vea \$

3% to County (if paid in installments) \$ 23.25

TOTAL \$ 798.25

RECEIVED

SEP 23 2019

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

Presiding Judge

Judge Code:

Sentence Date:

R.H. Kline
2760
9/10/19

Clerk of Court/ Deputy Clerk

Court Reporter

STATE OF SOUTH CAROLINA )  
COUNTY OF SPARTANBURG )

INDICTMENT

At a Court of General Sessions, convened on JUL 19 2019 the  
Grand Jurors of Spartanburg County present upon their oath:

**POSSESSION OF METHAMPHETAMINE**

That Richard Lamar Littleton, did in Spartanburg County on or about  
~~March 22, 2019,~~ knowingly - or - intentionally - possess a quantity of  
Methamphetamine, a schedule II controlled substance, in violation of § 44-  
53-375, THE CODE OF LAWS OF SOUTH CAROLINA, (1976), as  
amended.

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

Lindsey H. Orelby  
ASSISTANT SOLICITOR