

NOTICE OF INTENT TO APPEAL  
THE STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS  
FROM AIKEN COUNTY  
THE HONORABLE CLIFTON NEWMAN

October 4, 2019

Indictment # 2019-GS-02-01650

RECEIVED

JAN 23 2020

SC Court of Appeals

THE STATE OF SOUTH CAROLINA -- Respondent

VS.

CHRISTOPHER MICHAEL HERNDON -- Appellant

NOTICE OF INTENT TO APPEAL

Christopher Herndon pled guilty and was convicted of Grand Larceny on September 30, 2019 before the Honorable Clifton Newman in Aiken, South Carolina. He appeals his conviction and sentence.

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Nicholas R. McCarley  
Attorney for Defendant

Other Counsel of record is:

Jacqueline Charbonneau  
Assistant Solicitor  
Post Office Box 3368  
Aiken, South Carolina 29802

*Ms Brenda Seward  
Served as Court Reporter  
Her Address P.O. Box 206  
Jackson, SC 29831*

NOTICE OF INTENT TO APPEAL

State of South Carolina

Vs:

Christopher Michael Herndon

2019-GS-02-01650

CERTIFICATE OF SERVICE

I, Aaron Velez, do hereby certify that I have this day served the original of Appellate's Notice to Appeal upon the South Carolina Court of Appeals, and copies of Appellate's Notice of Intent to Appeal to the Clerk of Court of Aiken County, and to Jacqueline Charbonneau, Assistant Solicitor, Second Judicial Circuit by placing same in the United States Mail properly addressed and with correct postage affixed thereto:

South Carolina Court of Appeals  
Post Office Box 11629  
Columbia, SC 29211

South Carolina Commission  
Of Appellate Defense  
P. O. Box 11589  
Columbia, SC 29211

Clerk of Court  
Aiken County Judicial Circuit  
Post Office Box 583  
Aiken, SC 29802

Jacqueline Charbonneau  
Assistant Solicitor  
Post Office Drawer 3368  
Aiken, South Carolina 29802

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**JAN 23 2020**

**SC Court of Appeals**

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2019

\_\_\_\_\_  
Aaron Velez  
Secretary to Appellant's Attorney  
Post Office Drawer 2247  
Aiken, SC 29802  
803-642-1732

The State of South Carolina -- Respondent  
vs.  
Christopher Michael Herndon -- Appellant

1.21.20

LEGAL  
MAIL  
ONLY

Dear Mrs. Kitchings:

I am writing to you in regards to the Direct Appeal that I requested be filed by my Public Defender on October 1, 2019. I need to know who my Appellate Lawyer is, since Mr. McCarley has stated in a letter which I'm sending to you, he is no longer my lawyer.

I am also sending you copies of two handwritten motions from myself requesting a copy of my Discovery, which I never received from the Public Defender who represented me in my case (Mr. Nicolas McCarley)

Also, I am sending you a copy of a letter Mr. Nicolas McCarley sent to me that Deputy Clerk, Tonya Johnson, with the General Sessions Second Judicial Circuit about my request for a Discovery, and anything saying or showing were an actual Appeal was filed.

All I have received from the Clerk of Court in Aiken, SC was a Notice of Intent To Appeal, Rule 203(B) Explanation, Certificate of Service.

Now I am asking for a copy of the Appeal filed, a copy of my Discovery which I have never received or seen to date, and a copy of my Court Transcript. I have a right to it as I am quoting Anders v California, being I am an indigent inmate in the South Carolina Department of Corrections.

In Conclusion, I need any available extensions because I am an inmate at Kirkland Reception and Evaluation Center Process. Therefore I'm not allowed access to a Law Library.

"Please send copies back to me of the Motions I filed and the letter from Mr. Nicolas McCarley for my records."

With Respect and Cordially  
Christopher Michael Herndon Sr.  
*Christopher Michael Herndon Sr.*

Warrant Number: 2019A0220101589  
Indictment/Case#: 2019GS02016

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JAN 23 2020  
SC Court of Appeals

**Public Defender for the Second Judicial Circuit**

211 York Street N.E.  
Post Office Drawer 2247  
Aiken, South Carolina 29802  
De Grant Gibbons, Circuit Public Defender

January 8, 2020

Mr. Christopher M. Herdon,

I am in receipt of your letter via the Clerk's Office. In response, I have enclosed a copy of the Notice to Appeal, which my office filed timely upon your request.

In regards to the Discovery in your case: I believe it most appropriate for you to seek that from your Appellate counsel and/or your PCR counsel, due to the fact those people are now your lawyers and you are alleging ineffective assistance of counsel as to my representation of you.

Best,



Nicholas R. McCarley  
Deputy Public Defender  
Second Judicial Circuit

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JAN 23 2020

SC Court of Appeals

**OFFICE OF THE SECOND JUDICIAL CIRCUIT PUBLIC DEFENDER**  
410 Barnwell Avenue N.W.  
Post Office Box 2247  
Aiken, South Carolina 29802

October 4, 2019

South Carolina Commission  
On Indigent Defense  
Attention: Rhonda Fox  
P. O. Box 11589  
Columbia, SC 29211

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**SC Court of Appeals**

RE: NOTICE OF INTENT TO APPEAL  
CHRISTOPHER MICHAEL HERNDON  
2019-GS-02-01650

Dear Ms. Fox:

Please find enclosed copies of Notice of Intent to Appeal, Indictments 2019-GS-02-01650, Arrest Warrants, Sentence Sheets, defendant's affidavit of indigency and the Rule 203 (B) Explanation.

Christopher Herndon pled guilty and was convicted of Grand Larceny and was sentenced on September 30, 2019 before the Honorable Clifton Newman. Ms. Brenda Sigwald served as the Court Reporter. Her address is P. O. Box 206, Jackson, SC 29831.

I am available to discuss this case if you so desire.

Sincerely,

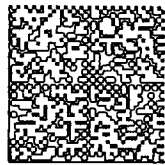
Nicholas R. McCarley  
Deputy Public Defender

NRM:av  
Enclosure

F 1-1173  
Mailroom

Kirkland Correctional Institution  
4344 Broad River Road  
Columbia, S.C. 29210

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SC 29210  
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COLUMBIA, SC



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SC Court of Appeals

c/o Jenny Abbott Kitchings (Clerk)  
South Carolina Court of Appeals  
Post office Box 11629  
Columbia, SC 29211

29211-162929

