

THE STATE OF SOUTH CAROLINA)
COUNTY OF GREENVILLE)
THE STATE)
v.)
JACK DANIEL SHARP,)
DEFENDANT.)

IN THE COURT OF GENERAL SESSIONS
THIRTEENTH JUDICIAL CIRCUIT
Indictment Nos.: 2019GS2302683, -84, -86

Rule 203(d)(1)(b)(iv) Certification

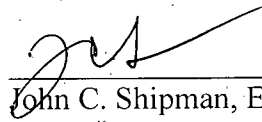
Pursuant to SC Rule 203(D)(1)(b)(iv), Defendant would show that his guilty plea was defective or that his sentence was unreasonable. Defendant raised no objections at the time of the guilty plea. Undersigned counsel is aware of no reasons for overturning the plea or the sentence, however Defendant has communicated to counsel that he desires an appeal.

Counsel is filing this appeal pursuant to his ethical duty to his client, and Defendant's constitutional right to appeal. See Frazer v. South Carolina, 430 F.3d 696, 706 (4th Cir. 2005) ("A defendant has a right to pursue a direct appeal, even if frivolous, which counsel must assist as 'an active advocate in behalf of his client.'") (quoting Anders v. California, 386 U.S. 738, 744 (1967)).

As Defendant is incarcerated in the state Department of Corrections, he would ask the court to give him leave to file out of time due to difficulty in communicating with counsel.

Respectfully submitted,

GREENVILLE COUNTY PUBLIC DEFENDER



John C. Shipman, Esq. (SC Bar No. 100747)
Attorney for Appellant
305 E. North Street, Suite 123
Greenville, SC 29601
(864) 467-8522

Greenville, SC
Date: January 22, 2019

RECEIVED

JAN 27 2020

SC Court of Appeals

WITNESSES

Christopher A Miller *TGA*

Greenville County Sheriffs Office

10/8/2018

ARREST WARRANT NUMBER

2018A2330209377

ACTION OF GRAND JURY

TRUE BILL

[Signature]
FOREMAN GRAND JURY

Foreperson of Grand Jury

VERDICT

Foreperson of Petit Jury

Date:

DOCKET NO. 2019-GS-23-
JLK

002683

The State of South Carolina

County of Greenville

COURT OF GENERAL SESSIONS

September

TERM 2019

THE STATE

vs.

JACK DANIEL SHARP

Indictment for

2364

POSSESSION OF A STOLEN FIREARM

VIOLATION § 16-23-0030

RECEIVED

JAN 27 2019

SC Court of Appeals

FILED

APR 15 2019

Clerk of Court
Greenville County

STATE OF SOUTH CAROLINA)
)
COUNTY OF GREENVILLE)

INDICTMENT FOR
POSSESSION OF A STOLEN FIREARM

At a Court of General Sessions, convened on

County present upon their oath:

SEP 24 2010 the Grand Jurors of Greenville

That JACK DANIEL SHARP did in Greenville County, on or about the 8th day of October, 2018, knowingly possess a Sig Sauer handgun, said weapon being a stolen pistol or one from which the original serial number has been removed or obliterated. This is in violation of § 16-23-0030 of the South Carolina Code of Laws (1976) as amended.

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



SOLICITOR

BAR # 65331

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

0-544

COUNTY OF Greenville
 STATE VS.
Jack Daniel Sharp
 AKA: _____
 Race: WHITE Sex: M Age: 37
 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
 TO: Weapons / Possession of a Stolen Pistol

INDICTMENT/CASE#: 2019GS2302683
 A/W#: 2018A2330209377
 Date of Offense: 10/8/2018
 S.C. Code § 16-23-0030
 CDR Code #: 2364

SENTENCE SHEET

CONVICTED OF or PLEADS

in violation of § 16-23-0030 of the S.C. Code of Laws, bearing CDR Code # 2364
 NON-VIOLENT VIOLENT SERIOUS MOST SERIOUS Mandatory GPS(CSC §17-25-45
 w/minor 1st or Lewd Act)

The charge is: As Indicted, Lesser Included Offense, Defendant Waives Presentment to Grand Jury, _____ (defendant's initials)

The plea is: Without Negotiations or Recommendation, Negotiated Sentence, Recommendation by the State.

ATTEST: Wallace, Mat 13066 SC Bar# _____ Defendant SHUMAN, JOHN CHRISTOPHER 100747 SC Bar# _____ Attorney for Defendant

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/years and/or payment
 of \$ _____; plus costs and assessments as applicable*; the balance is suspended with probation for 3
 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. 54 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 PTUP

Total: \$ _____ plus 20% fec: \$ _____ days/hours Public Service Employment

Payment Terms: _____

Set by SCDPPPS _____

Recipient: _____

*Fine:		\$
§14-1-206 (Assessments 107.5 %)		\$
§14-1-211(A)(1) (Conv. Surcharge)	\$100	\$ <u>100.00</u>
§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	\$ <u>25.00</u>
§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)		\$ <u>3.75</u>

TOTAL \$ 128.75

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: PROBATION MAY BEGIN UPON FULL RELEASE FROM SCDC.

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: 2158
 Sentence Date: JAN 06 2020

Clerk of Court/ Deputy Clerk - Paul Burkensimer
Court Reporter: Hessen

SCCA/217 (04/2018)

prob begins upon rel from 8 yr sent rec today on

RECEIVED
JAN 27 2020
SC Court of Appeals

WITNESSES

Matthew F Wise *TJA*

Greenville County Sheriffs Office

10/8/2018

ARREST WARRANT NUMBER

2018A2330209366

ACTION OF GRAND JURY

TRUE BILL

[Signature]

FOREMAN GRAND JURY

Foreperson of Grand Jury

VERDICT

Foreperson of Petit Jury

Date:

DOCKET NO. 2019-GS-23-

JLK

002684

The State of South Carolina

County of Greenville

COURT OF GENERAL SESSIONS

September TERM 2019

THE STATE

vs.

JACK DANIEL SHARP

Indictment for

0392

TRAFFICKING METHAMPHETAMINE

VIOLATION § 44-53-0375

RECEIVED

JAN 27 2020

SC Court of Appeals

FILED

APR 15 2019

Clerk of Court
Greenville County

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

3-10 yrs.

COUNTY OF Greenville
STATE VS. Jack Daniel Sharp

INDICTMENT/CASE#: 2019GS2302684
A/W#: 2018A2330209366
Date of Offense: 10/8/2018
S.C. Code § 44-53-0375(C)(2)(
CDR Code #: 0392

AKA:
Race: WHITE Sex: M Age: 37
DOB: SS#:
Address:
City, State, Zip: Belton, SC 29011
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
TO: Drugs / Trafficking in meth. - 10 g or more, but less than 28 g - 1st offense

CONVICTED OF or PLEADS

in violation of § 44-53-0375(C)(1) of the S.C. Code of Laws, bearing CDR Code # 0450
NON-VIOLENT VIOLENT SERIOUS MOST SERIOUS Mandatory GPS(CSC §17-25-45
w/minor 1st or Lewd Act)

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

ATTEST: Wallace, Mat SC Bar# 13066 Defendant
SHIPMAN, JOHN CHRISTOPHER SC Bar# 100747 Attorney for Defendant

WHEREFORE, the Defendant is committed to the State Department of Corrections, County Detention Center,
for a determinate term of 8 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 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. 54 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 PTUP

Total: \$ plus 20% fee: \$ days/hours Public Service/Employment

Payment Terms:
Set by SCDPPPS

Recipient:

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/Probation) \$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) \$ 8.25. TOTAL \$ 233.25

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: REC ADV.

RECEIVED

JAN 27 2020

SC Court of Appeals

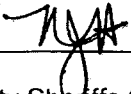
Appointed PD or appointed other counsel, Proviso requires \$500 be paid to Clerk during probation and shall be collected before any other fees.

Clerk of Court/ Deputy Clerk Paul Blum
Court Reporter: Jensen

Presiding Judge
Judge Code: 2158
Sentence Date: JAN 06 2020

WITNESSES

Matthew F Wise



Greenville County Sheriffs Office

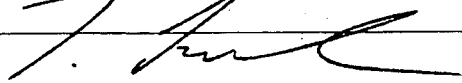
10/8/2018

ARREST WARRANT NUMBER

2018A2330209368

ACTION OF GRAND JURY

TRUE BILL



FOREMAN GRAND JURY
Foreperson of Grand Jury

VERDICT

Foreperson of Petit Jury

Date:

DOCKET NO. 2019-GS-23-

JLK

002686

The State of South Carolina

County of Greenville

COURT OF GENERAL SESSIONS

September TERM 2019

THE STATE

vs.

JACK DANIEL SHARP

RECEIVED

JAN 27 2019

SC Court of Appeals

FILED

APR 15 2019

Clerk of Court
Greenville County

Indictment for

0044

UNLAWFUL CARRYING OF A HANDGUN

VIOLATION § 16-23-0020

STATE OF SOUTH CAROLINA)
)
COUNTY OF GREENVILLE)

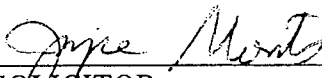
INDICTMENT FOR
UNLAWFUL CARRYING OF A HANDGUN

At a Court of General Sessions, convened on **SEP 24 2019** the Grand Jurors of Greenville

County present upon their oath:

That JACK DANIEL SHARP did in Greenville County, on or about the 8th day of October 2018, willfully and unlawfully have in his actual or constructive possession a handgun. This is in violation of §16-23-0020 of the South Carolina Code of Laws (1976) as amended.

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



SOLICITOR

BAR # 65331

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

0-1 yr. f

COUNTY OF Greenville
STATE VS. Jack Daniel Sharp

INDICTMENT/CASE#: 2019GS2302686
A/W#: 2018A2330209368
Date of Offense: 10/8/2018
S.C. Code § 16-23-0020
CDR Code #: 0044

AKA:
Race: WHITE Sex: M Age: 37
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
TO: Weapons / Unlawful carrying of pistol

CONVICTED OF or PLEADS

in violation of § 16-23-0020 of the S.C. Code of Laws, bearing CDR Code # 0044
NON-VIOLENT VIOLENT SERIOUS MOST SERIOUS Mandatory GPS(CSC w/minor 1st or Lewd Act) §17-25-45

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

ATTEST: Wallace, Mat SC Bar# 13066 Defendant
SHIMMAN, JOHN CHRISTOPHER SC Bar# 100747 Attorney for Defendant

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 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 SCDOC 54 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 PTUP
Total: \$ plus 20% fee: \$ days/hours Public Service Employment

Payment Terms:
Set by SCDPPS

Recipient:

Table with 3 columns: Description, Amount, Total. Rows include §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/Probation) \$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

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

RECEIVED

JAN 27 2020

SC Court of Appeals

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

Clerk of Court/ Deputy Clerk Paul B Wickensimer
Court Reporter: [Signature]

Presiding Judge [Signature]
Judge Code: 2158
Sentence Date: JAN 06 2020