

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM BEAUFORT COUNTY

Court of General Sessions

2020 JUL -9 PM 1:56

JERRI ANN ROSENEAU
BEAUFORT COUNTY, SC
CLERK OF COURT

RECEIVED

JUL 15 2020

SC Court of Appeals

The Honorable Carmen T. Mullen, Circuit Court Judge

Indictment Numbers: 2019GS0701013, 2019GS0701014,
2019GS0701277, 2019GS0701452,
2019GS0701453, 2019GS0701454,
2019GS0701455 and 2019GS0701525

STATE OF SOUTH CAROLINA,

Respondent.

v.

Francisco Saul Ortiz Aguirre,

Appellant.

NOTICE OF APPEAL

Francisco Saul Ortiz Aguirre appeals his guilty plea, conviction and sentence on the charge(s) of Forgery, Value Less Than \$10,000 (4 Counts), Petit or Simple Larceny, value \$2,000 or less, and Burglary (non-Violent) - Second Degree (3 Counts) before the Honorable Carmen T. Mullen, Presiding Judge, Fourteenth Judicial Circuit on May 18, 2020.

Francisco Saul Ortiz Aguirre also appeals the denial of Motion to Reconsider Sentence which was filed on May 28, 2020 and denied on July 9, 2020.

Other Counsel of Record:
Sam Bailey, Esq.
Assistant Solicitor, 14th Judicial Circuit
Post Office Box 1880
Bluffton, SC 29910
Attorney for Respondent

s/ Melissa Duque
Assistant Public Defender
14th Circuit Public Defender's Office
Post Office Box 525
Beaufort, South Carolina 29901
Attorney for Appellant

Certified - A True Copy

Jerrri Ann Roseneau - Clerk of Court
Beaufort County, SC - Carol Stoppel

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2020 JUL -9 11:56 AM SC Court of Appeals

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STATE OF SOUTH CAROLINA,

Respondent.

v.

Francisco Saul Ortiz Aguirre,

Appellant.

PROOF OF SERVICE

I certify that I have served the Notice of Appeal on the below listed respondents by depositing a copy of it in the United States Mail, postage prepaid, on July 9, 2020. I also certify I emailed a copy of the Notice of Appeal in this matter to the below listed respondents as outlined in the SC Supreme Court Order dated July 9, 2020 regarding the Operation of the Appellate Courts during Coronavirus Emergency.

I further certify that pursuant to an Order issued by the SC Supreme Court on July 9, 2020 regarding Operation of the Appellate Courts during Coronavirus Emergency, I filed the Notice of Intent to Appeal with the Clerk of Court, SC Court of Appeals via fax to 803-734-1839 and placed the original in U.S. Mail, postage prepaid.

Samuel Marion Bailey, Esq.
Assistant Solicitor
14th Circuit Solicitor's Office
Post Office Box 1880
Bluffton, South Carolina 29910
Email: sbailey@scsolicitor14.org

Mary Jordan Lempesis, Esq.
First Solicitor
14th Circuit Solicitor's Office
Post Office Box 1880
Bluffton, South Carolina 29910
Email: mjlempesis@scsolicitor14.org

Alan Wilson, Esq.
Attorney General
P.O. Box 11549
Columbia, SC 29211
Email: awilson@scag.gov

I further certify that on 07/09/2020 an Original Notice of Intent to Appeal in the above captioned case was filed with the Beaufort County Clerk of Court.

s/ Melissa Duque
Melissa Duque, Esq.
Assistant Public Defender
14th Circuit Public Defender's Office

July 9, 2020

Certified - A True Copy

Jeri Ann Roseneau - Clerk of Court
Beaufort County, SC - Garret Stoppel

From: Duque, Melissa
Sent: Thursday, July 9, 2020 12:57 PM
To: Estrada, Christy
Subject: FW: Francisco Ortiz-Aguirre
Attachments: image001.png

-----Original Message-----

From: Mullen, Carmen T. Law Clerk (Laura Wilkes-DAmato)
Sent: Thursday, July 9, 2020 10:29 AM
To: Duque, Melissa <melissa.duque@bcgov.net>
Cc: Samuel Bailey <sbailey@scsolicitor14.org>
Subject: Re: Francisco Ortiz-Aguirre

[EXTERNAL EMAIL] Please report any suspicious attachments, links, or requests for sensitive information to the Beaufort County IT Division at helpdesk@bcgov.net or to 843-255-7000.

Good morning,

I apologize for the delay in my response. Judge Mullen has decided she will not reduce defendant's sentence.

Laura Wilkes-D'Amato
Law Clerk
To the Honorable Carmen T. Mullen
14th Judicial Circuit
(843) 255-5070

On Jul 9, 2020, at 10:22 AM, Duque, Melissa <melissa.duque@bcgov.net> wrote:

*** EXTERNAL EMAIL: This email originated from outside the organization. Please exercise caution before clicking any links or opening attachments. ***

Starting June 1, Beaufort County is reopening some of its locations to the public with several temporary changes in the interest of preventing the spread of COVID-19. The public is still strongly encouraged to do business with us online, through email or by phone when possible. All visitors to County buildings must wear a face covering. Visit us online at https://linkprotect.cudasvc.com/url?a=https%3a%2f%2fwww.beaufortcountysc.gov&c=E,1,tb8kgrRSyML68zhWQWnV8Mkg7m3HeceDrr7aXJ7jO3KxeWamGaAYq1I74OTRAnX-OtaGJtPPMejCBArlo5-miEYSySMq7Zc1eoZkLmqIzQtjIDlcXdWSnxOxMd3_&typo=1 <https://linkprotect.cudasvc.com/url?a=https%3a%2f%2furldefense.com%2fv3%2f__https%3a%2f%2fwww.beaufortcountysc.gov%2f__%3b%21%21JHVHxrUang%21FybXezGrTtHTY8HW3-NX7ANUWCg6JG_XeDfE3hxcRVgA6S2qqFqzNgo2VSESHpJAdw%24&c=E,1,jatBsWEMhjjrOmYa2C85Q2aIL6un1zJFapr3d33CgiOI1v5fVVKstbfd__AgyBeiSn6bsdm-GQ8EJiE3vt_k9xxaEt8rTTOL7bUPCplxv9Th2j9W_Ysiqg,,&typo=1> and review department updates at the Government dropdown menu for additional information.

Good morning Laura,

Office of the Public Defender
Fourteenth Judicial Circuit
Stephanie Smart-Giffings, Circuit Defender

BEAUFORT COUNTY
Human Services Building
1905 Duke Street, Room 210
Post Office Box 525
Beaufort, SC 29902
(843) 255-5805 (Phone)

ALLENDALE, HAMPTON & JASPER COUNTIES
1 Courthouse Square
80 Elm Street, Room 133
Post Office Box 506
Hampton, SC 29924
(803) 914-2240 (Phone)
(843) 255-9494 (Fax)

COLLETON COUNTY
319 N. Lucas Street
Walterboro, SC 29488
(803) 743-6300 (Phone)

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JUL 15 2020

SC Court of Appeals

July 9, 2020

Via Certified Mail/ Return Receipt Requested

Via Fax at 803-734-1839

Clerk, The S.C. Court of Appeals
Post Office Box 11629
Columbia, South Carolina 29211

Re: NOTICE OF APPEAL
State v. Francisco Saul Ortiz Aguirre

Indictment Numbers: 2019GS0701013, 2019GS0701014,
2019GS0701277, 2019GS0701452,
2019GS0701453, 2019GS0701454,
2019GS0701455 and 2019GS0701525

Dear Sir/ Madam:

Enclosed you will find the original Notice of Appeal in the above matter along with Proof of Service upon the Respondents. The Notice has been filed with the Beaufort County Clerk of Court. Also enclosed is a copy of the sentencing sheet from which this appeal is taken and a copy of the warrant(s) and indictment(s).

Thank you for your attention to this matter.

Yours very truly,

s/ Melissa Duque
Melissa Duque, Esq.
Assistant Public Defender
1905 Duke Street, Room 210
Po Box 525
Beaufort, SC 29901
Attorney for Appellant

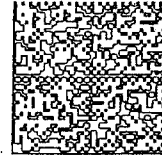
Enclosure

cc: Office of the Fourteenth Circuit Solicitor's Office
Office of the Attorney General
Office of Appellate Defense

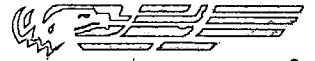
CERTIFIED MAIL



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OFFICE OF THE PUBLIC DEFENDER
Human Services Building
1905 Duke Street, Room 210
P.O. Box 525
Beaufort, SC 29901-0525

Clerk, SC Court of Appeals
Post Office Box 11629
Columbia, SC 29211-1629

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JUL 15 2026

SC Court of Appeals