

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

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AUG 24 2020

SC Court of Appeals

APPEAL FROM THE SPARTANBURG COUNTY
Court of General Sessions

R. Keith Kelly, Circuit Court Judge

Case No. 07-GS-42-6003, 07-GS-42-6005

The State,

Respondent,

v.

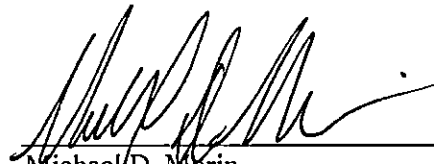
David Viron Lewis Garrett

Appellant

NOTICE OF APPEAL

David Viron Lewis Garrett appeals his re-sentencing pursuant to *Aiken v. Byers*, 410 S.C. 534 (2014) in this case. The sentence was imposed by the Honorable R.Keith Kelly on July 30, 2020, following a hearing on January 8, 2020. A motion to reconsider was denied on August 20, 2020.

August 21, 2020



Michael D. Morin

Bar No.: 65094

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:

Barry J. Barnette, Esq.

Seventh Judicial Circuit Solicitor's Office

180 Magnolia Street

Spartanburg, South Carolina 29306

(864)596-2575

Attorney fo Respondent

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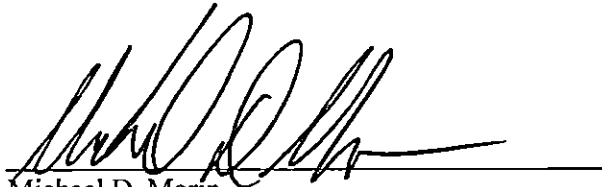
David Viron Lewis Garrett

Appellant.

PROOF OF SERVICE

I certify that I have served the Notice of Appeal on the State of South Carolina by depositing a copy of it in the United States Mail, postage prepaid, on August 21, 2020, addressed to its attorney of record, Barry J. Barnette, Esq., Assistant Solicitor, 180 Magnolia Street, Spartanburg, South Carolina 29306.

August 21, 2020



Michael D. Morin

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Attorney for Appellant

SEVENTH JUDICIAL CIRCUIT PUBLIC DEFENDER

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August 21, 2020

The Honorable Jenny Abbott Kitchings
Clerk of the South Carolina Court of Appeals
Post Office Box 11629
Columbia, South Carolina 29211

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SC Court of Appeals

RE: State v. David Viron Lewis Garrett
Case No.: 07-GS-42-6003, 07-GS-42-6005

Dear Ms. Kitchings:

Enclosed for filing is the original Notice of Appeal in the above case. Also enclosed are the Proof of Service of the Notice of Appeal on the Respondent and copy of the indictment, verdict, and sentence to be challenged on appeal.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Michael D. Morin".

Michael D. Morin

Enclosures: cc: Office of Seventh Judicial Circuit Solicitor
Office of Attorney General
Office of Appellate Defense
Office of the Trial Court Clerk

Seventh Judicial Circuit Public Defender

366 N Church Street, Suite 3000
Spartanburg, South Carolina 29303

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SC Court of Appeals

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