

THE STATE OF SOUTH CAROLINA
In the Appellate Court

APPEAL FROM OCONEE COUNTY
Court of General Sessions

Letitia H. Verdin, Circuit Court Judge

Case No(s): 2019-GS-37-01004

FILED OCONEE, SC
BEVERLY H. WHITFIELD
CLERK OF COURT
2020 OCT 21 AM 9:51

The State,

Darrian Skylar Smith,

v.-

Respondent.

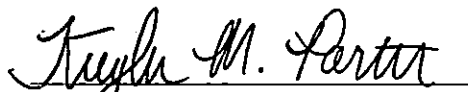
Appellant.

NOTICE OF APPEAL

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OCT 26 2020
SC Court of Appeals

Darrian Skylar Smith appeals his conviction and sentence in this case. The sentence was imposed by the Honorable Letitia H. Verdin on October 14, 2020. Appellant was convicted of Second Degree Arson. South Carolina Code Ann. § 16-11-110(B). However, the structure Appellant admitted to burning was not a "dwelling house, church or place of worship, public or private school facility, or any structure designed for human occupancy including local and municipal buildings." *Id.* Appellant's counsel described the structure as an abandoned building, and a victim present in the courtroom described the structure as unlivable.

Date: October 21, 2020


Kayla M. Porter, Esq.
Assistant Public Defender
415 S. Pine Street
Walhalla, SC 29691
Attorney for Appellant

Other Counsel of Record:
Jason Alderman, Esq.
Assistant Solicitor
Oconee County Solicitor's Office
415 S. Pine Street
Walhalla, SC 29691
Attorney for Respondent

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The State,

Respondent.

v.

Darrian Skylar Smith,

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 October 21, 2020, addressed to:

Jason Alderman, Esq.
Assistant Solicitor
Oconee County Solicitor's Office
415 S. Pine Street
Walhalla, SC 29691

Alan Wilson, Esq.
Attorney General
P.O. Box 11549
Columbia, SC 29211

Date: October 21, 2020



Kayla M. Porter, Esq.
Assistant Public Defender
415 S. Pine Street
Walhalla, SC 29691
Attorney for Appellant



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SC Court of Appeals

TENTH CIRCUIT PUBLIC DEFENDER OFFICE

Anderson and Oconee Counties

Anderson County Office
500 S. McDuffie Street
Anderson, SC 29624
Tel. 864.260.4048
Fax 864.260.4134

JENNIFER L. JOHNSON
Circuit Public Defender

Oconee County Office
415 S. Pine Street
Walhalla, SC 29691
Tel. 864.638.3133
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October 21, 2020

Via Regular Mail

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

Re: State v. Darrian Skylar Smith
Case No(s): 2019-GS-37-01004

Dear Ms. Kitchings:

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 Oconee County Clerk of Court. Also enclosed is a copy of the indictment. These matters are being referred to the Office of Appellate Defense in that we were participating as Court appointed counsel at sentencing.

Thank you for your attention to this matter.

Yours very truly,

Kayla M. Porter, Esq.
Assistant Public Defender
415 S. Pine Street
Walhalla, SC 29691
Attorney for Appellant

Enclosures

cc: Jason C. Alderman, Esq., Office of the Tenth Circuit Solicitor
Alan Wilson, Esq., Office of the Attorney General
Robert M. Dudek, Esq., Office of Appellate Defense



10th Circuit Public Defender
 Anderson & Oconee Counties
 415 S. Pine Street
 Walhalla, South Carolina 29691

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SC Court of Appeals

The Honorable Jenny Abbott Kitchings
 Clerk, The S.C. Court of Appeals
 P.O. Box 11629
 Columbia, SC 29211

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