

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

RECEIVED

NOV 04 2021

SC Court of Appeals

APPEAL FROM SPARTANBURG COUNTY
Court of General Sessions

The Honorable J. Mark Hayes II, Circuit Court Judge

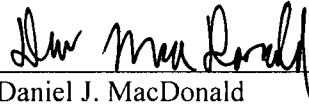
Case No(s): 2021GS4201341, 2021GS4201342

The State Respondent,
v.
Starshemah Aisha Tasha Jones..... Appellant.

EXPLANATION OF APPEAL PURSUANT TO RULE 203(d)(1)(B), SCACR

Pursuant to Rule 203(d)(1)(B), SCACR, Starshemah Aisha Tasha Jones Aisha Tasha Jones files this explanation of his appeal of her guilty plea, conviction and sentence in this case. The sentence was imposed by the Honorable J. Mark Hayes II on October 27, 2021. No issues were raised during the guilty plea; however, the client insisted upon an appeal; therefore, this appeal was filed pursuant to Weathers v. State, 319 S.C. 59, 459 S.E.2d 838 (1995), and State v. Thrift, 378 S.C. 70, 661 S.E.2d 373 (2008).

November 2, 2021


Daniel J. MacDonald
102614
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:

J. Edward Hunter, Esq.
Seventh Judicial Circuit Solicitor's Office
180 Magnolia Street
Spartanburg, South Carolina 29306
Attorney for Respondent

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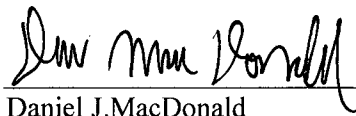
Case No(s): 2021GS4201341, 2021GS4201342

The State Respondent,
v.
Starshemah Aisha Tasha Jones.. Appellant.

PROOF OF SERVICE

I certify that I served the Explanation of Appeal Pursuant to Rule 203(d)(1)(B), SCACR, on the State of South Carolina by depositing a copy of it in the United States Mail, postage prepaid, on November 1, 2021 addressed to its attorney of record, J. Edward Hunter, Esq., Assistant Circuit Solicitor, 180 Magnolia Street, Spartanburg, S.C. 29306.

November 2, 2021



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366 N. Church Street, Suite 3000
Spartanburg, South Carolina 29303
(864) 596-2561
Attorney for Appellant

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SC Court of Appeals

DOCKET NO. **21-GS-42-1341**

The State of South Carolina

County of Spartanburg

Barry Barnette, Solicitor

COURT OF GENERAL SESSIONS

APR 12 2021

TERM

THE STATE
vs.

Starshemah Aisha Tasha Jones

Indictment for

ASSAULT AND BATTERY 1st Degree

SC Code: 16-3-600
CDR Code: 3412
Class FEL/E

WITNESSES

City of Spartanburg

M.C. Morgan

WARRANT NUMBER

2020A4210101120

ACTION OF GRAND JURY

APR 02 2021

Matthew Fowler

Foreperson of Grand Jury

Date:

VERDICT

Foreperson of Petit Jury

Date:

FILED

2021 APR -9 AM 10:50

CLERK OF COURT
SPARTANBURG COUNTY
AMY W. COX

SO

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NOV 04 2021

SC Court of Appeals

WITNESSES

City of Spartanburg

M.C. Morgan

ARREST WARRANT NUMBER

2020A4210101119

ACTION OF GRAND JURY

APR 02 2021

Matthew Fork
Foreperson of Grand Jury
Date:

VERDICT

Foreperson of Petit Jury
Date:

DOCKET NO.

21-GS-42-1342

The State of South Carolina

County of Spartanburg

Barry Barnette, Solicitor

COURT OF GENERAL SESSIONS

APR 12 2021

TERM

THE STATE
vs.

Starshemah Aisha Tasha Jones

Indictment for
STRONG ARM ROBBERY

SC Code: 16-11-325
CDR Code: 0137
Class FEL-D

FILED
2021 APR -9 AM 10:50
CLERK OF COURT
SPARTANBURG COUNTY
AMY W. COX

2021

STATE OF SOUTH CAROLINA)
)
COUNTY OF SPARTANBURG)

INDICTMENT

MAR 31 2021

At a Court of General Sessions, convened on _____ the
Grand Jurors of Spartanburg County present upon their oath:

STRONG ARM ROBBERY

That Starshemah Aisha Tasha Jones did in Spartanburg County on or about June 4, 2020, feloniously take from the person or presence of Walmart, by means of violence or intimidation by taking household items, with the intent to deprive the owner permanently of such property, in violation of §16-11-325, *THE CODE OF LAWS OF SOUTH CAROLINA*, (1976), as amended.

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



ASSISTANT SOLICITOR

STATE OF SOUTH CAROLINA
COUNTY OF SPARTANBURG

IN THE COURT OF GENERAL SESSIONS

STATE
VS.

INDICTMENT/CASE#: 2021GS4201342

Starshemah Alisha Tasha Jones

A/W#: 2020A4210101119
Date of Offense: 8/4/2020
S.C. Code § : 16-11-0325
CDR Code #: 0137

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NOV 04 2021

SENTENCE SHEET Court of Appeals

AKA:
Race: BLACK Sex: F Age: 44
DOB: SS#
Address:
City, State, Zip:
DL#: SID#:

*CDL Yes No CMV Yes No Hazmat Yes No

In disposition of the above indictment comes now the Defendant who was CONVICTED OF or PLEADS

TO: Shoplifting / Shoplifting 3rd or Sub (0-10) Rec: Concurrent

In violation of § 16-13-0110(A) of the S.C. Code of Laws, bearing CDR Code # 2877

NON-VIOLENT VIOLENT SERIOUS MOST SERIOUS Mandatory GPS §17-25-45

(CSC w/minor 1st or CSC w/minor 3rd)

The charge is: As Indicted, Lesser included Offense, Defendant Waives Presentment to Grand Jury. s/ SAJ (def.'s Initials)

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

ATTEST:

s/ James E Hunter SCB77517 s/ Starshemah Jones s/ Daniel J. MacDonald SCB102614
HUNTER, JAMES EDWARD SC Bar# Defendant MacDonald IV, Daniel J. SC Bar#
Attorney for Defendant

WHEREFORE, the Defendant is committed to the State Department of Corrections County Detention Center,
for a determinate term of 10 days/months/years/Time Served Youthful Offender Act not to exceed _____ years
and/or to pay a fine of \$ _____ provided that upon the service of _____ days/months/years/Time Served 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.

The sentence shall run
 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.
10 days/months

To include time spent on monitored house arrest prior to trial and sentencing.

The Defendant Shall be Released from County Detention Center.

Pursuant to 18 U.S.C. § 922 and § 16-25-30 it is unlawful for a person convicted of a violation of § 16-25-20 or § 16-25-85 (Domestic Violence) to ship, transport, possess, or receive a firearm or ammunition.

STATE VS Starahamah Aisha Tasha Jones INDICTMENT/CASE#: 2021GS4201342

SPECIAL CONDITIONS:

PTUP after _____ months/years

And Other Terms Listed Below:

- Substance Abuse Counseling
- Completion of GED
- Random Drug/Alcohol testing
- Attend Voc. Rehab. or Job Corp
- No Contact with _____
- Domestic Violence Intervention Program
- Mental Health Counseling
- May serve W/E beginning: _____
- Sex Offender Registry pursuant to S.C. Code § 23-3-430
- Public Service Employment 0 _____ days/hours
- Central Registry of Child Abuse and Neglect pursuant to S.C. Code §17-25-135.

Other: NO Contact with Unwanted Strangers

RESTITUTION: Deferred Def. Waives Hearing Ordered

Total: \$ _____ plus 20% fee: _____ \$ _____

Payment Term _____ Set by SCDPPPS

Recipient: _____

***Fine:**

Fine may be pd. in equal, consecutive weekly/monthly pmts. of \$ _____ Beginning _____ \$ _____

§14-1-208 (Assessments 107.5 %)		\$
§14-1-211(A)(1) (Conv. Surcharge)	\$100	\$ 100 -
§14-1-211(A)(2) (DUI Surcharge)	\$100	\$
§56-5-2996 (DUI Assessment)	\$12	\$
§56-1-288 (DUI Breath Test)	\$25	\$
§14-1-212 (Law Enforce. Funding)	\$25	\$ 25 -
§14-1-213 (Drug Court Surcharge)	\$150	\$
§34-11-70(b)and(c), and 34-11-80(c)and(d) (Admin Fraud Check Court Costs)	\$41	\$
§50-21-114(BUI Breath Test Fee)	\$50	\$
§56-5-2942(J) (Vehicle Assessment)	\$40/ea	\$
3% to County (if paid in installments)	TBD	\$ 375
	\$500	\$
	TBD	\$
	TOTAL	\$ 1225

- Appointed PD or appointed other counsel, Proviso requires \$500 be paid to Clerk during probation and shall be collected before any other fees.
- § 17-3-30(B) Unpaid Application Fee to be paid to the Public Defender Fund

Clerk of Court/ Deputy Clerk: Tasha
 Court Reporter: Carroll

Presiding Judge: [Signature]
 Judge Code: 2112
 Sentence Date: 10/27/21

STATE OF SOUTH CAROLINA
COUNTY OF SPARTANBURG

IN THE COURT OF GENERAL SESSIONS

STATE
VS.

INDICTMENT/CASE#: 2021GS4201341

Starahemah Alaha Teasha Jones

AW#: 2020A4210101120

Date of Offense: 8/1/2020

S.C. Code § : 16-03-0800(CX1)

CDR Code #: 3412

RECEIVED

NOV 04 2021

AKA: _____
Race: BLACK Sex: F Age: 44
DOB: SS#
Address: _____
City, State, Zip: _____
DL#: _____ SID#: _____

SENTENCE SHEET
SC Court of Appeals

*CDL Yes No CMV Yes No Hazmat Yes No

In disposition of the above indictment comes now the Defendant who was CONVICTED OF or PLEADS

TO: Assault / Assault & Battery 1st degree (0-10) Rec: Concurrent

In violation of § 16-03-0800(CX1) of the S.C. Code of Laws, bearing CDR Code # 3412

NON-VIOLENT VIOLENT SERIOUS MOST SERIOUS Mandatory GPS §17-25-45

(CSC w/minor 1st or CSC w/minor 3rd)

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

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

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James Edward Hunter SCB77617 s/ Starshemah Jones s/ Daniel J. MacDonald SCB102614
HUNTER, JAMES EDWARD SC Bar# Defendant MacDonald IV, Daniel J. SC Bar#
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To include time spent on monitored house arrest prior to trial and sentencing.
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STATE VS Starshemah Aisha Tasha Jones INDICTMENT/CASE#: 2021GS4201341

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- Mental Health Counseling
- Sex Offender Registry pursuant to S.C. Code § 23-3-430
- Central Registry of Child Abuse and Neglect pursuant to S.C. Code §17-25-135.
- Other: _____
- Completion of GED
- No Contact with _____
- May serve W/E beginning: _____
- Random Drug/Alcohol testing
- Domestic Violence Intervention Program
- Public Service Employment 0 _____ days/hours

No Contact with Victim

RESTITUTION: Deferred Def. Waives Hearing Ordered

Total: \$ _____ plus 20% fee: _____ \$ _____

Payment Term _____ Set by SCDPPPS

Recipient: _____

***Fine:**

Fine may be pd. in equal, consecutive weekly/monthly pmts. of \$ _____ Beginning _____ \$ _____

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§66-6-2942(J) (Vehicle Assessment)	\$40/ea	\$
3% to County (if paid in installments)	TBD	\$ 50

- Appointed PD or appointed other counsel, Proviso requires \$500 be paid to Clark during probation and shall be collected before any other fees.
- § 17-3-30(B) Unpaid Application Fee to be paid to the Public Defender Fund

[Handwritten Signature]
 \$800
 TBD
 TOTAL \$ 1000
 10/27/2021

Clerk of Court/ Deputy Clerk: *[Signature]*
 Court Reporter: *[Signature]*

Presiding Judge: _____
 Judge Code: _____
 Sentence Date: 10/27/2021