

Form 4. NOTICE OF APPEAL FROM A SENTENCE  
IMPOSED BY THE COURT OF GENERAL SESSIONS  
THE STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

APPEAL FROM SPARTANBURG COUNTY  
COURT OF GENERAL SESSIONS  
DERHAM COLE, CIRCUIT COURT JUDGE

CASE NO. 2009 - GS - 42 - 03579

ROBERT S. HORTON

APPELLANT

v.

THE STATE

RESPONDENT

NOTICE OF APPEAL

ROBERT S. HORTON APPEALS HIS CONVICTION AND SENTENCE IN  
THIS CASE. THE SENTENCE WAS IMPOSED BY THE HONORABLE  
DERHAM COLE ON JULY 12, 2012. APPELLANT RECEIVED WRITTEN  
NOTICE OF THIS ORDER ON JULY 12, 2012.

APRIL 15, 2013

S/ ROBERT S. HORTON scdc#351540  
PCI, Q4A-112  
430 OAKLAWN ROAD  
DELEREE, SC 29569  
APPELLANT

OTHER COUNSEL OF RECORD:

ALAN M. WILSON  
STATE ATTORNEY GENERAL  
P.O. BOX 11549  
COLUMBIA SC 29211  
ATTORNEY FOR RESPONDENT

RECEIVED

APR 29 2013

SC Court of Appeals

Form 7. PROOF OF SERVICE OF A NOTICE OF APPEAL

THE STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

APPEAL FROM SPARTANBURG COUNTY

COURT OF GENERAL SESSIONS  
DERHAM COLE, CIRCUIT COURT JUDGE

CASE NO. 2009 - GS - 42 - 03879

ROBERT S. HORTON

APPELLANT

v.

THE STATE

RESPONDENT

RECEIVED

PROOF OF SERVICE

APR 29 2013

SC Court of Appeals

I CERTIFY THAT I HAVE SERVED THE NOTICE OF APPEAL  
ON COURT OF APPEALS BY DEPOSITING A COPY OF IT IN THE  
UNITED STATES MAIL, POSTAGE PREPAID, ON APRIL 15, 2013,  
ADDRESSED TO:

SC COURT OF APPEALS  
P.O. BOX 11629  
COLUMBIA, SC 29211

SPARTANBURG COUNTY  
CLERK OF COURT  
P.O. BOX 3483  
SPARTANBURG, SC 29304

I, ROBERT S. HORTON, SCDC # 351540, CERTIFY UNDER THE  
PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND  
CORRECT.

ROBERT S. HORTON, APRIL 15, 2013

*[Signature]* SCDC # 351540

Dr. Brian Russell Horton

129 Beech St.  
Pikeville, Kentucky 41501  
606-899-1226 (cell)  
606-437-7262 (office)

To Whom It May Concern:

My name is Dr. Brian R. Horton. I am submitting the enclosed paperwork on behalf of my brother, Robert Stephen Horton, SCDC #351540. Should you need to correspond with me concerning this submission, I may be reached the above address and phone numbers.

Sincerely,

A handwritten signature in black ink, appearing to read "Dr. B. Horton". The signature is fluid and cursive, with the first letter of each word being capitalized and prominent.

Dr. Brian R. Horton

RECEIVED  
APR 29 2013  
SC Court of Appeals

April 19, 2013

THE HONORABLE JEANETTE BARBER  
CLERK, SOUTH CAROLINA COURT OF APPEALS  
POST OFFICE BOX 11629  
COLUMBIA, SC 29211

RECEIVED

APR 29 2013

SC Court of Appeals

Dear Miss Barber,

I have enclosed the following paperwork required to appeal the sentence rendered to me on July 12, 2012, for Case Number 2009-GS-42-03879, by the Honorable Derham Cole in Spartanburg County General Sessions Court.

My attorney in this matter, Michael Brown of Spartanburg, was instructed and agreed to file my notice of appeal within the required ten (10) business day window. He did not, and in fact, demanded more money to do so, after the ten business day window had closed.

I was unable to seek help and file my own appeal while in R + E status at Kirkland Correctional Institution. I have only recently had access to a Law Library, having been transferred to Perry Correctional Institution on February 26, 2013.

In light of these circumstances, I plead for consideration in granting me a Direct Appeal, which is provided to me by law, and was not filed thru no fault of my own. I maintain my innocence, and believe a proper examination of my case,

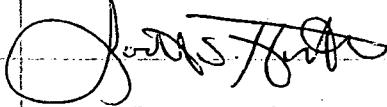
by counsel far wiser and competent than I had available through the course of my trial, will bear this out.

I understand and respect the conditions that are placed upon these rights that are granted to me; However, I ask that you consider the circumstances in which this appeal comes before you, and grant me a Direct Appeal of my case.

I thank you very much for your time and consideration.

Best Regards,

Robert S. Horton



SCDC # 351540

PCI, Q4A-112

430 Oaklawn Road

Peizer, SC 29669

Case No. 2009-GS-42-03879

FORM 8. LETTER TO THE APPELLATE COURT  
CLERK FILING THE NOTICE OF APPEAL

APRIL 15, 2013

THE HONORABLE JEANETTE BARBER  
CLERK, SOUTH CAROLINA COURT OF APPEALS  
POST OFFICE BOX 11629  
COLUMBIA, SC 29211

RE: ROBERT S. HORTON, APPELLANT, V. THE STATE, RESPONDENT  
CASE NO. 2009 - GS - 42 - 03879

DEAR MISS BARBER,

ENCLOSED FOR FILING IS A NOTICE OF APPEAL IN THE  
ABOVE CASE. ALSO ENCLOSED ARE THE FOLLOWING:

(1) PROOF OF SERVICE OF THE NOTICE OF APPEAL ON  
THE RESPONDENT(S).

APRIL 15, 2013

S/ ROBERT S. HORTON, SEDCH 351540  
PCI, Q4A-112  
430 OAKLAWN ROAD  
PELZER, SC 29669  
APPELLANT

OTHER COUNSEL OF RECORD:

ALAN M. WILSON

STATE ATTORNEY GENERAL

P.O. BOX 11549

COLUMBIA, SC 29211

ATTORNEY FOR RESPONDENT

RECEIVED

APR 29 2013

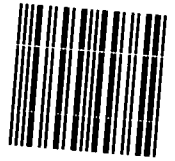
SC Court of Appeals

Dr. Brian R. Horton  
129 BEECH ST.  
PIKEVILLE, KY 41501

CERTIFIED MAIL™



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THE HONORABLE JEANETTE BARBER  
CLERK, SOUTH CAROLINA COURT OF APPEALS  
1015 SUMTER ST.  
Columbia, SC 29211

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