

ORIGINAL

STATE OF SOUTH CAROLINA

COURT OF APPEALS

APPEAL FROM LEXINGTON COUNTY

COURT OF GENERAL SESSIONS

The Honorable Clifton Newman, Circuit Court Judge

Indictments Nos. 2008-GS-32-0186A, 2013-GS-32-1199

The State of South Carolina Respondent,

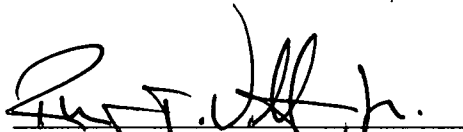
v.

Michael Roscoe Appellant.

NOTICE OF INTENT TO APPEAL

Michael Roscoe appeals his conviction and sentence in this case. The sentence was imposed by the Honorable Clifton Newman on April 23, 2013.

April 25, 2013



Robert T. Williams, Sr., Bar No.: 6149
Williams, Hendrix, Steigner & Brink, P.A.
206 East Main Street
Post Office Box 849
Lexington, South Carolina 29072
(803) 359-1550

Other Counsel of Record:
Suzanne Mayes, Assistant Solicitor
Eleventh Judicial Circuit
205 East Main Street
Lexington, South Carolina 29072
(803) 785-8352

RECEIVED

APR 29 2013

SC Court of Appeals

STATE OF SOUTH CAROLINA
COURT OF APPEALS
APPEAL FROM LEXINGTON COUNTY
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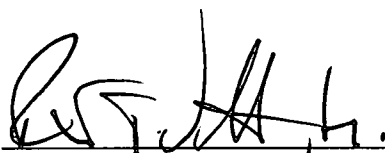
PROOF OF SERVICE

I certify that on April 25, 2013, I have served the within **Notice of Intent to Appeal** upon the individual(s) named below by placing a copy of same in the United States Mail, postage prepaid and return address clearly indicated to the address(es) below:

Suzanne Mayes, Assistant Solicitor
Eleventh Judicial Circuit
205 East Main Street
Lexington, South Carolina 29072

I further certify that all parties required to be served have been served.

Dated: April 25, 2013



Robert T. Williams, Sr., Bar No.: 6149
Williams, Hendrix, Steigner & Brink, P.A.
206 East Main Street
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Lexington, SC 29072
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SC Court of Appeals

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

3+020 (consecutive)

COUNTY OF Lexington
STATE VS. Mr. Michael Roscoe
AKA:
Race: Sex: M Age: 37
DOB: 01-05-1976 SS#: 247-51-4966
Address: 565 Sharpe Circle
City, State, Zip: Lexington, SC 29073
DL#: 007341765 SID#: 00961970

INDICTMENT/CASE#: 2013GS3201199
A/W#: 13-STR-00026
Date of Offense: 1/1/2007
S.C. Code §: 16-15-0415(A)
CDR Code #: 0382

SENTENCE SHEET

*CDL Yes No CMV Yes No Hazmat Yes No
In disposition of the said indictment comes now the Defendant who was TO: Sex / Promoting the prostitution of a minor

CONVICTED OF or PLEADS

in violation of § 16-15-0415(A) of the S.C. Code of Laws, bearing CDR Code # 0382
NON-VIOLENT VIOLENT SERIOUS MOST SERIOUS Mandatory GPS(CSC) §17-25-45 w/minor 1st or Lewd Act

The charge is: As Indicted, Lesser Included Offense, Defendant Waives Presentment to Grand Jury.
The plea is: Without Negotiations or Recommendation, Negotiated Sentence, Recommendation by the State.

ATTEST: R Smayor 64191
Solicitor SC Bar# Defendant Attorney for Defendant SC Bar#

WHEREFORE, the Defendant is committed to the State Department of Corrections, County Detention Center,
for a determinate term of 8 days/months/years or under the Youthful Offender Act not to exceed years
and/or to pay a fine of \$; provided that upon the service of days/months/years 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.

CONCURRENT or CONSECUTIVE to sentence on: 9/09/2010
The Defendant is to be given credit for time served pursuant to S.C. Code § 24-13-40 to be calculated and applied by the State Department of Corrections.

The Defendant is to be placed on the Central Registry of Child Abuse and Neglect pursuant to S.C. Code §17-25-135.

Pursuant to 18 U.S.C Section 922, it is unlawful for a person convicted of a violation of Section 16-25-20 or 16-25-65 (Criminal Domestic Violence) to ship, transport, possess, or receive a firearm or ammunition.

SPECIAL CONDITIONS:

RESTITUTION: Deferred Def. Waives Hearing Ordered PTUP
Total: \$ plus 20% fee: \$ days/hours Public Service Employment

Payment Terms:
Set by SCDPPPS
Recipient:
Obtain GED
Attend Voc. Rehab. or Job Corp.
May serve W/E beginning
Substance Abuse Counseling
Random Drug/Alcohol testing
Fine may be pd. in equal, consecutive weekly/monthly pmts. of \$ beginning \$ paid to Public Defender Fund
Other:

Table with 3 columns: Description, Amount, Total. Includes items like § 14-1-206 (Assessments 107.5%), § 14-1-211(A)(1) (Conv. Surcharge) \$100, § 14-1-211(A)(2) (DUI Surcharge) \$100, § 56-5-2995 (DUI Assessment) \$12, § 56-1-286 (DUI Breath Test) \$25, Proviso 47.9 (Public Def/Prob) \$500, § 14-1-212 (Law Enforce. Funding) \$25, § 14-1-213 (Drug Court Surcharge) \$150, § 50-21-114 (BUI Breath Test Fee) \$50, § 56-5-2942(J) (Vehicle Assessment) \$40/ea, Proviso 90.5 (SCCA Surcharge) \$5, 3% to County (if paid in installments) \$, TOTAL \$130.

Appointed PD or appointed other counsel, § 47.12 requires \$500 be paid to Clerk during probation.

A TRUE COPY

Clerk of Court/ Deputy Clerk: Beth Carrigan
Court Reporter: C. Theune
Presiding Judge: C. Newman
Judge's Code: 2129
Sentence Date: April 23, 2013

STATE OF SOUTH CAROLINA

0-20
IN THE COURT OF GENERAL SESSIONS

COUNTY OF Lexington
STATE VS.
Mr. Michael Roscoe
AKA: _____
Race: _____ Sex: M Age: 37
DOB: 01-05-1976 SS#: 247-51-4966
Address: 565 Sharpe Circle
City, State, Zip: Lexington, SC 29073
DL#: _____ SID#: 00961970

INDICTMENT/CASE#: 2008GS320186 A
A/W#: J053888
Date of Offense: 1/28/2007
S.C. Code § : 16-03-0655(B)(2)
CDR Code #: 0397

SENTENCE SHEET

*CDL Yes No CMV Yes No Hazmat Yes No

In disposition of the said indictment comes now the Defendant who was CONVICTED OF or PLEADS TO: Sex / Criminal sexual conduct with minor, or Attempt - victim under 16 years of age - Second degree

in violation of § 16-03-0655(B)(2) of the S.C. Code of Laws, bearing CDR Code # 0397
 NON-VIOLENT VIOLENT SERIOUS MOST SERIOUS Mandatory GPS(CSC §17-25-45 w/minor 1st or Lewd Act)

The charge is: As Indicted, Lesser Included Offense, Defendant Waives Presentment to Grand Jury. _____ (defendant's initials)
The plea is: Without Negotiations or Recommendation, Negotiated Sentence, Recommendation by the State.
ATTEST:

Y. S. Mays 64191
Solicitor SC Bar# Defendant Attorney for Defendant SC Bar#

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

CONCURRENT or CONSECUTIVE to sentence on: 9/09/2010 2nd Indict # 2013 GS 3201197
 The Defendant is to be given credit for time served pursuant to S.C. Code § 24-13-40 to be calculated and applied by the State Department of Corrections.

The Defendant is to be placed on the Central Registry of Child Abuse and Neglect pursuant to S.C. Code §17-25-135.

Pursuant to 18 U.S.C Section 922, it is unlawful for a person convicted of a violation of Section 16-25-20 or 16-25-65 (Criminal Domestic Violence) to ship, transport, possess, or receive a firearm or ammunition.

SPECIAL CONDITIONS:

RESTITUTION: Deferred Def. Waives Hearing Ordered PTUP _____ days/hours Public Service Employment

Total: \$ _____ plus 20% fee: \$ _____
Payment Terms: _____
 Set by SCDPPPS _____

Recipient: _____
Obtain GED
Attend Voc. Rehab. or Job Corp. _____
May serve W/E beginning _____
Substance Abuse Counseling
Random Drug/Alcohol testing

*Fine: _____ \$ _____
§ 14-1-206 (Assessments 107.5 %) _____ \$ _____
§ 14-1-211(A)(1) (Conv. Surcharge) \$100 _____ \$ 100.00
§ 14-1-211(A)(2) (DUI Surcharge) \$100 _____ \$ _____
§ 56-5-2995 (DUI Assessment) \$12 _____ \$ _____
§ 56-1-286 (DUI Breath Test) \$25 _____ \$ _____
Proviso 47.9 (Public Def/Prob) \$500 _____ \$ _____
§ 14-1-212 (Law Enforce. Funding) \$25 _____ \$ 25.00
§ 14-1-213 (Drug Court Surcharge) \$150 _____ \$ _____
§ 50-21-114(BUI Breath Test Fee) \$50 _____ \$ _____
§ 56-5-2942(J) (Vehicle Assessment) \$40/ea _____ \$ _____
Proviso 90.5 (SCCJA Surcharge) \$5 _____ \$ 5.00

3% to County (if paid in installments) _____ \$ _____
TOTAL \$ 130
Fine may be pd. in equal, consecutive weekly/monthly pmts. of \$ _____ beginning _____
\$ _____ paid to Public Defender Fund
Other: _____

Appointed PD or appointed other counsel, § 47.12 requires \$500 be paid to Clerk during probation.

A TRUE COPY
Clerk of Court/ Deputy Clerk Bill Carrig Presiding Judge [Signature]
Court Reporter: [Signature] Judge Code: 2127
SCCA/217 (03/2011) Sentence Date: April 23, 2013

WILLIAMS, HENDRIX, STEIGNER & BRINK, P.A.

ATTORNEYS AT LAW

POST OFFICE BOX 849

LEXINGTON, SOUTH CAROLINA 29071-0849

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Robert T. Williams, Sr.
Jonathan R. Hendrix, Sr.
Carolyn B. Steigner
W. Lisa Brink

Daun C. Steigner
Benjamin A. Stitely
David K. Allen

April 25, 2013

Jenny Abbott Kitchings, Clerk
South Carolina Court of Appeals
P.O. Box 11629
Columbia, SC 29211

Re: The State of South Carolina v. Michael Roscoe
Indictments Nos. 2008-GS-32-0186A, 2013-GS-32-1199

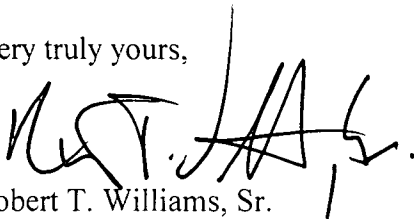
Dear Ms. Kitchings:

Please find enclosed for filing an original and one copy of the Notice of Intent to Appeal in the case noted above. Please return the clocked-in copy to me in the self addressed, stamped envelope provided for your convenience.

If you have any questions, please do not hesitate to contact me.

With kindest regards, I am

Very truly yours,



Robert T. Williams, Sr.

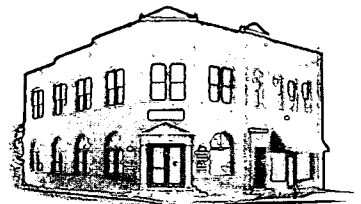
RTW/gma

Enclosure

cc: Suzanne Mayes, Assistant Solicitor
Michael Roscoe

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APR 29 2013
SC Court of Appeals

Located in historic downtown Lexington at 206 East Main Street



WILLIAMS, HENDRIX, STEIGNER & BRINK, P.A.

ATTORNEYS AT LAW
P.O. BOX 849
LEXINGTON, S.C. 29071



Jenny Abbott Kitchings, Clerk
South Carolina Court of Appeals
P.O. Box 11629
Columbia, SC 29211

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SC Court of Appeals

2921181629 8012

