

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

RECEIVED

FEB 14 2022

APPEAL FROM SPARTANBURG COUNTY  
Court of General Sessions,

SC Court of Appeals

J. Mark Hayes II, Circuit Court Judge

Case Nos. 2021-GS-42-06672  
2021-GS-42-05754  
2022-GS-42-00029

The State,

Respondent,

v.

Roger Daniel Frye Jr.,

Appellant.

NOTICE OF APPEAL

Roger Daniel Frye Jr. appeals his guilty plea and sentence in this case. The sentence was imposed by the Honorable J. Mark Hayes II on January 25, 2022.

February 3, 2022

s/ Katie Sieber \_\_\_\_\_

Katie Sieber  
Assistant Public Defender  
Spartanburg County Public Defender  
366 North Church Street  
Spartanburg, S.C. 29303  
(864) 596-2561  
Attorney for Appellant

Other Counsel of Record:  
Lindsey Overby  
Assistant Solicitor  
180 Magnolia Street  
Spartanburg, South Carolina 29303  
(864)596-2500  
Attorney for Respondent

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

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APPEAL FROM SPARTANBURG COUNTY  
Court of General Sessions,

J. Mark Hayes II, Circuit Court Judge

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Case Nos. 2021-GS-42-06672  
2021-GS-42-05754  
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The State,

Respondent,

v.

Roger Daniel Frye Jr.,

Appellant.

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PROOF OF SERVICE

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I certify that I served the Notice of Intent to Appeal on the State of South Carolina by emailing a copy of it to the attorney of record, Lindsey Overby, Esq., Assistant Circuit Solicitor, at her AIS email address on February 3, 2022.

February 9, 2022

s/ Katie Sieber  
Katie Sieber  
Assistant Public Defender  
Spartanburg County Public Defender  
366 North Church Street  
Spartanburg, S.C. 29303  
(864) 596-2561  
Attorney for Appellant

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**SEVENTH JUDICIAL CIRCUIT PUBLIC DEFENDER**  
**MICHAEL D. MORIN**  
**CIRCUIT PUBLIC DEFENDER**

366 NORTH CHURCH STREET  
SUITE 3000  
SPARTANBURG, SC 29303



TELEPHONE (864) 596-2561  
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February 10, 2022

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

**RECEIVED**  
**FEB 14 2022**  
**SC Court of Appeals**

RE: State v. Roger Daniel Frye Jr.  
Case No(s): 2021-GS-42-06672; 2021-GS-42-05754; 2022-GS-42-00029

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, the Explanation of Appeal and Proof of Service, and a copy of the indictment, verdict, and sentence to be challenged on appeal.

Sincerely yours,

A handwritten signature in cursive script that reads "Katherine M. Sieber".

Katherine M. Sieber

Enclosures

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

## Sieber, Katherine

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**From:** Sieber, Katherine  
**Sent:** Thursday, February 3, 2022 5:48 PM  
**To:** Overby, Lindsey  
**Subject:** Roger Frye- Notice of Appeal  
**Attachments:** Roger Frye-Notice of Appeal.pdf

Lindsey,

Attached is a Notice of Appeal for Roger Daniel Frye from his guilty plea on January 25, 2022. Please consider this service on you by email per Justice Beatty's Order governing the operation of appellate courts dated May 29, 2020.

Katie Sieber  
Assistant Public Defender  
7<sup>th</sup> Circuit Public Defender's Office  
864-596-2561

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Seventh Judicial Circuit Public Defender  
366 N Church Street, Suite 3000  
Spartanburg, South Carolina 29303

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FEB 14 2022

SC Court of Appeals

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