

STATE of South Carolina **RECEIVED**

MAY 06 2022

vs.

SC Court of Appeals

STATE of South Carolina
IN THE COURT of APPEALS
Appellate Case No. 2022-000480

David Lawrence Hanson
Defendant

Additional Support for Appeal
(Facts and Argument of Case)

Facts of the Case:

On April 4, 2022, The defendant appeared before the Honorable Lawton McIntosh in General Sessions Court in Lexington County, S.C. for ① Petty Larceny (Enhanced) ② 1st Offense Possession of Meth and Received A sentence of 4 years on Petty Larceny and 3 years on 1st Offense Poss of Meth with Credit for 254 days jail time. This case was presented as a Plea Bargain with a recommendation from the State and Defense Counsel; However Neither the Prosecutor Angela Martin, nor Defense Counsel stated to the Judge that Defendant was Pleading out to 0-4 years on the Petty Larceny (Enhancement) and 0-3 years on 1st Poss of Meth. What was Presented to Judge McIntosh was that the Defendant was Pleading out to a Flat 6 years and 3 years, and as a Result, is what Judge McIntosh sentenced the Defendant, At no time did the Solicitor or Defense Counsel make mention of the Zero Part of the Plea during the Court Appearance. Immediately after the Court Appearance and being Returned to the...

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... Lexington County Detention Center, Defendant sent Counsel Heath Owens an E-mail via Kiosk stating that this was not the Plea Bargain that was brought to the Table to him and respectfully asked Counsel to immediately file a Motion for Sentence Reconsideration or Appeal, whichever was proper. If the transcript is reviewed, it will show that the zero part of the Plea was never mentioned by the Solicitor, the Judge or Defense Counsel. Also Defense Counsel filed a Rule 203(B) Explanation saying that he consulted with defendant about a right to Appeal which is NOT TRUE.

Argument

The Plea Bargain that was brought to the defendant by his Public Defender, Heath Owen was as follows.

Plea to Petty Larceny (enhanced) : 0-4 years (4 year Cap)
Plea to 1st offense Poss Merv : 0-3 years

With Recommendation that defendant be given credit for 254 day jail time and a Probationary Period be implemented for any other time the judge sentenced defendant to; and if a Probationary Period was not granted, that any time that defendant was sentenced to, that he be allowed to serve at Solutions Recovery Center where defendant presently had a bed awaiting and credit for the 254 days already completed; Also as part of the Plea was a charge of

LEGAL MAIL ONLY Poss of Stolen Vehicle being dismissed and the Original Charge of PWID being dropped to 1st Poss and a cap of 4 years on Petty Larceny (enhanced)

This is the Plea Bargain that was brought to the
TABLE by Defense Counsel and as such should have been
the Plea that was Clerely Presented before Judge
McIntosh in which it was not and the TRANSCRIPT
will surely show. And as such, Defendant respectfully
asks that Appeal be Granted or Motion for Sentence
Reconsideration be Implemented.

Respectfully Submitted,
David L. Hanson

Date: April 26, 2022

David L. Hanson #270784
KIRKland RFE Center CA-A15
4344 Broad River Rd
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April 26, 2022

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SC Court of Appeals

RE: The State v David L. Lamson
Appellate Case No: 2022-000480

To: Jenny A. Kitchings: Clerk of SC Court of Appeals

Please find enclosed Defendant David Lamson's
Additional Support For Appeal, in which I
respectfully ask you to file in the above
mentioned case. Thank you

Respectfully Submitted,

David L. Lamson

DATE: April 26 2022

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Jenny Abbot Kitchens: Clerk
The South Carolina Court of Appeals
P.O. Box 11629
Columbia, S. Carolina
SC Court of Appeals

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