

STATE OF SOUTH CAROLINA ) IN THE COURT OF GENERAL SESSIONS  
COUNTY OF SPARTANBURG ) Case Nos. 08-GS-42-5382 and 5384

State of South Carolina, )  
v. ) **NOTICE OF APPEARANCE AND**  
Jose Resendis, ) **ASSERTION OF VICTIMS' RIGHTS**  
Defendant. )  
\_\_\_\_\_ )

NOW COMES THE VICTIM, [REDACTED], by and through her undersigned counsel, and hereby provides Notice of Appearance of Counsel for the Victim pursuant to Article I, Section 24 of the Constitution of the State of South Carolina and Section 16-3-1510 *et seq.* of the South Carolina Code of Laws, and further asserts her rights as a crime victim as follows:

1. The right to be treated with fairness, respect and dignity and to be free from intimidation, harassment or abuse throughout the criminal process pursuant to S.C. Const. art. I, § 24(A)(1).
2. The right to information regarding the criminal proceedings and other pertinent victims' constitutional rights, pursuant to S.C. Const. art. I, § 24(A)(1) and S.C. Code Ann. § 16-3-1520.
3. The right to notice in advance of specific events as set forth in S.C. Const. art. I, § 24(A)(2), (3), (4) and (10) and S.C. Code Ann. §§ 16-3-1525, 16-3-1530 and 16-3-1535.
4. The right to be present at any criminal proceeding which is dispositive of the charges where the defendant has a right to be present, pursuant to S.C. Const.

art. I, § 24(A)(3) and S.C. Code Ann. §§ 16-3-1515, 16-3-1525 and 16-3-1550(B);  
and any post-conviction hearing involving a post-conviction release decision,  
pursuant to S.C. Const. art. I, § 24(A)(10).

5. The right to confer with the prosecutor prior to trial or before any other disposition, pursuant to S.C. Const. art. I, § 24(A)(7).
6. The right to be heard at any and all proceedings involving the defendant's post-arrest release, plea or sentencing, pursuant to S.C. Const. art. I, § 24(A)(5).

Victim also reserves his right to make an oral or written statement at said proceedings pursuant to S.C. Const. art. I, § 24(A)(4) and S.C. Code Ann. §§ 16-3-1525 and 16-3-1535.

7. The right to a reasonable and prompt disposition of the above-captioned case pursuant to S.C. Const. art. I, § 24(A)(11).
8. The right to be reasonably protected from the accused or persons acting on his behalf throughout the criminal justice process pursuant S.C. Const. art. I, § 24(A) and S.C. Code Ann. § 16-3-1525.
9. The right to prompt and full restitution pursuant to S.C. Const. art. I, § 24(A)(9).
10. The right to assistance with receiving victim's compensation pursuant to S.C. Code Ann. § 16-3-1520.
11. Any and all additional rights provided to victims of crime pursuant to the Constitution of the State of South Carolina and/or the South Carolina Code of Laws.
12. For any such other and further relief as the Court deems just and proper.

Respectfully submitted,

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Jason B. Buffkin  
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**ATTORNEY FOR VICTIM**

April 19, 2010

**CERTIFICATE OF SERVICE**

I, \_\_\_\_\_, of the Crime Victim  
Legal Network, hereby certify that the foregoing:

\_\_\_\_\_ was served on all parties and/or counsel of record by  
depositing a copy in the United States Mail with first  
class postage prepaid and affixed thereto.

\_\_\_\_\_ Date: \_\_\_\_\_