

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF
SOUTH DAKOTA

USCA8 No.

NOTICE OF APPEAL

UNITED STATES OF AMERICA,)	
)	<u>CR 15-10030</u>
Plaintiff,)	District Court Docket Number
)	
vs.)	
)	<u>Charles B. Kornmann</u>
VELNITA HAIRY CHIN,)	District Court Judge
)	
Defendant.)	

Notice is hereby given that Velnita Hairy Chin appeals to the United States Court of Appeals for the Eighth Circuit from the Judgment in a Criminal Case entered in this action on January 7, 2016.

Dated this 8th day of January, 2016.

Respectfully submitted,

NEIL FULTON
Federal Public Defender
By:

/s/ Randall B. Turner

Randall B. Turner, Assistant Federal Public Defender
Attorney for Defendant
Office of the Federal Public Defender
Districts of South Dakota and North Dakota
101 South Pierre Street, Third Floor
P.O. Box 1258
Pierre, SD 57501
Telephone: 605-224-0009 Facsimile: 605-224-0010
Filinguser_SDND@fd.org

TRANSCRIPT ORDER FORM

TO BE COMPLETED BY ATTORNEY FOR APPELLANT

X Please Prepare a transcript of:

X Plea Hearing 11/2/15

X Sentencing 1/4/16

☐ **I am not ordering a transcript because:**

☐ Previously Filed

☐ Other (specify)

CERTIFICATE OF COMPLIANCE

Appellant hereby certifies that copies of this notice of appeal/transcript order form have been filed/ served upon U.S. District Court, court reporter, and all counsel of record, and that satisfactory arrangements for payment of cost of transcripts ordered have been made with the court reporter. (FRAP 10(b)). Method of payment: X Funds, ☐ CJA Forms 24 completed and attached.

Attorney's Signature: /s/ Randall B. Turner Date: January 8, 2016

INFORMATION SHEET**TO BE COMPLETED BY ATTORNEY FOR APPELLANT**

1. Defendant's Address: In the custody of the Bureau of Prisons

2. Date of Verdict: N/A Jury ☐ Non-Jury ☐

Offenses: Counts 1-7: Child Abuse, in violation of 18 U.S.C. § 1153 and S.D.C.L. § 26-10-1;
Plead Guilty to Count 7

Trial Testimony - Number of Days: N/A

Bail Status: Detained

3. Sentence and Date Imposed: 37 months imprisonment to be served concurrently to the sentence imposed at Standing Rock Tribal Court; 3 years supervised release, and \$100 special assessment.

4. Appealing: Sentence ☒ Conviction ☐ Both ☐
Challenging: ☒ Application of Sentencing Guidelines
☐ Constitutionality of Guidelines
☐ Both Application and Constitutionality

5. Date Trial Transcript ordered by Counsel or District Court:

Stenographer in Charge: Cheryl Hoook
(Name, Address, Phone) 225 S. Pierre Street, #420, Pierre, SD 57501
605-945-4626

6. Trial Counsel was: ☒ Appointed ☐ Retained
Does Defendant's financial status warrant appointment of counsel on appeal?
☐ Yes ☐ No

Affidavit of Financial Status filed: July 27, 2015

Is there any reason why trial counsel should not be appointed as counsel on appeal?

☐ Yes ☒ No

7. Assistant U.S. Attorney: Troy Morley
Address PO Box 7240, Pierre, SD 57501
Phone Number 605-224-5402

Court Reporter Acknowledgment

Date Order Received Estimated Completion Date Est. Number of Pages

Court Reporter's Signature

Date