

WITNESSES

Jimmy Cantey Florence Police Department

David A Richardson

ARREST WARRANT NUMBER

2019A2120200445 2019A2120200446

ACTION OF GRAND JURY

TRUE BILL

[Signature]

Foreperson of Grand Jury

Date: 8/22/2019

VERDICT

Foreperson of Petit Jury

Date:

DOCKET NO. 2019-GS-21-01001

The State of South Carolina

County of

FLORENCE

COURT OF GENERAL SESSIONS

AUGUST TERM 2019

THE STATE

vs.

ZACHARY DEON MCCLAIN

Indictment for

ARMED ROBBERY &
POSSESSION OF A WEAPON DURING THE
COMMISSION OF A VIOLENT CRIME

RECEIVED

AUG 01 2022

SC Court of Appeals

2019A2120200446

2019A2120200446

STATE OF SOUTH CAROLINA)
)
COUNTY OF FLORENCE)

INDICTMENT FOR
ARMED ROBBERY &
POSSESSION OF A WEAPON DURING THE
COMMISSION OF A VIOLENT CRIME

At a Court of General Sessions, convened on AUGUST 22, 2019 the Grand Jurors of FLORENCE County present upon their oath:

COUNT ONE- ARMED ROBBERY

CDR: 0139 16-11-0330(A)

That Zachary Deon McClain did in Florence County on or about March 11, 2019, while armed with a deadly weapon, to wit: a gun, or while alleging, either by action or words, that he was armed while using a representative of a deadly weapon or any object which a person present during the commission of the robbery reasonably believed to be a deadly weapon, take and carry away personal property of Breakers Gas Station from or in the immediate presence of store clerk Rakeshehandra Patel with intent to deprive him of possession by use of force, threats or intimidation, in violation of Section 16-11-0330(A), S. C. Code of Laws, 1976, as amended.

**COUNT TWO- POSSESSION OF A WEAPON DURING THE COMMISSION OF A VIOLENT
CRIME**

CDR: 0549 16-23-0490

That Zachary Deon McClain did in Florence County, on or about March 11, 2019, possess a firearm, or visibly display what appeared to be a firearm, or visibly displayed a knife, during the commission or attempted commission of a violent crime, in violation of Section 16-23-0490, S. C. Code of Laws, 1976, as amended.

Against the peace and dignity of the State, and contrary to the statute in such case made and provided.



E.L. Clements, III
TWELFTH CIRCUIT SOLICITOR

40

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF Florence

STATE

VS.

INDICTMENT/CASE#: 2019-GS-21-01001

Zachary Deon McClain

AW#: 2019A2120200445

AKA: [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
SID# [REDACTED]

Date of Offense: 3/11/2019

S.C. Code §: 16-11-0330(A)

CDR Code #: 0139

SENTENCE SHEET

*CDL Yes No CMV Yes No Hazmat Yes No

In disposition of the above indictment comes now the Defendant who was CONVICTED OF or PLEADS

TO: Robbery / Armed Robbery, robbery while armed or allegedly armed with a deadly weapon 10/0-30yrs

In violation of § 16-11-0330(A) of the S.C. Code of Laws, bearing CDR Code # 0139

NON-VIOLENT VIOLENT SERIOUS MOST SERIOUS Mandatory GPS § 17-25-45
(CSC w/minor 1st or CSC w/minor 3rd)

The charge is: As indicted, Lesser Included Offense, Defendant Waives Presentment to Grand Jury. _____ (def.'s initials)

The plea is: Without Negotiations or Recommendation, Negotiated Sentence, Recommendation by the State.

ATTEST:

[Signature] 74742 Zachary McClain
Solicitor SC Bar # Defendant

[Signature] 1206d
Attorney for Defendant SC Bar #

WHEREFORE, the Defendant is committed to the State Department of Correction County Detention Center,

for a determinate term of 17 days/months/years/Time Served Youthful Offender Act not to exceed _____ years

and/or to pay a fine of \$____; provided that upon the service of _____ days/months/years/Time Served 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.

The sentence shall run

CONCURRENT or CONSECUTIVE to sentence on: All pleas of 7-18-22

The Defendant is to be given credit for time served pursuant to S.C. Code § 24-13-40 to be calculated and applied by SCDOC.

2 days/months

To include time spent on monitored house arrest prior to trial and sentencing.

The Defendant Shall be Released from County Detention Center.

Pursuant to 18 U.S.C. § 922 and § 16-25-30 It is unlawful for a person convicted of a violation of § 16-25-20 or § 16-25-65 (Domestic Violence) to ship, transport, possess, or receive a firearm or ammunition.

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SC Court of Appeals

SPECIAL CONDITIONS:

- PTUP** after _____ months/years
And Other Terms Listed Below:
- Substance Abuse Counseling Completion of GED Random Drug/Alcohol Testing
 - Attend Voc. Rehab. Or Job Corp No Contact with Victim Domestic Violence Intervention Program
 - Mental Health Counseling May serve W/E beginning: _____
 - Sex Offender Registry pursuant to S.C. Code § 23-3-430 Public Service Employment _____ days/hours
 - Central Registry of Child Abuse and Neglect pursuant to S.C. Code § 17-25-135.
 - Other: _____

- RESTITUTION:** Deferred Def. Waives Hearing Ordered

Total \$ _____ plus 20% fee: _____ \$ _____

Payment Terms: _____ Set by SCDPPPS

Recipient: _____

*Fine:		\$ _____
Fine may be pd. in equal consecutive weekly/monthly pmts. of	\$ _____	Beginning _____
§14-1-206 (Assessments 107.5%)		\$ _____
§14-1-211 (A)(1)(Conv. Surcharge)	\$100	\$ <u>100.00</u>
§14-1-211 (A)(2)(DUI Surcharge)	\$100	\$ _____
§56-5-2995 (DUI Assessment)	\$12	\$ _____
§56-1-286 (DUI Breath Test)	\$25	\$ _____
§14-1-212 (Law Enforce. Funding)	\$25	\$ <u>25.00</u>
§14-1-213 (Drug Court Surcharge)	\$150	\$ _____
§34-11-70(b)and(c), and 34-11-90(c)and(d) (Admin Fraud Check Court Costs)	\$41	\$ _____
§50-21-114 (BUI Breath Test Fee)	\$50	\$ _____
§56-5-2942(J) (Vehicle Assessment)	\$40/ea	\$ _____
3% to County (if paid in installments)	TBD	\$ <u>3.75</u>
<input type="checkbox"/> Appointed PD or appointed other counsel, Proviso requires \$500 be paid to Clerk during probation and shall be collected before any other fees	\$500	\$ _____
<input type="checkbox"/> § 17-3-30(B) Unpaid Application Fee to be paid to the Public Defender Fund	TBD	\$ <u>40.00</u>
TOTAL		\$ <u>168.75</u>

Clerk of Court/Deputy Clerk: *E. Ragan*
 Court Reporter: *K. Smith*

Presiding Judge: *D. [Signature]*
 Judge Code: *2160*
 Sentence Date: *7-18-22*

DCB
8-2-22

STATE OF SOUTH CAROLINA

COUNTY OF Florence

STATE VS.

Zachary Deon McClain

AKA: [REDACTED]
[REDACTED]
[REDACTED]
SID# [REDACTED]

IN THE COURT OF GENERAL SESSIONS

INDICTMENT/CASE#: 2019-GS-21-01001

AW#: 2019A2120200446
Date of Offense: 3/11/2019
S.C. Code §: 16-23-0490
CDR Code #: 0549

SENTENCE SHEET

*CDL Yes No CMV Yes No Hazmat Yes No

In disposition of the above indictment comes now the Defendant who was CONVICTED OF or PLEADS

TO: Weapons / Poss. weapon during violent crime, if not also sentenced to life without parole or death *0-5 years*

In violation of § 16-23-0490 of the S.C. Code of Laws, bearing CDR Code # 0549

NON-VIOLENT VIOLENT SERIOUS MOST SERIOUS Mandatory GPS § 17-25-45
(CSC w/minor 1st or CSC w/minor 3rd)

The charge is: As indicted, Lesser Included Offense, Defendant Waives Presentment to Grand Jury. _____ (def.'s initials)

The plea is: Without Negotiations or Recommendation, Negotiated Sentence, Recommendation by the State.
ATTEST:

[Signature] 74742 Zachary McClain Scott Floyd 12061
Solicitor SC Bar # Defendant Attorney for Defendant SC Bar #

WHEREFORE, the Defendant is committed to the State Department of Correction County Detention Center,

for a determinate term of 5 days/months/years/Time Served Youthful Offender Act not to exceed ___ years

and/or to pay a fine of \$____; provided that upon the service of ___ days/months/years/Time Served 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.

The sentence shall run CONCURRENT or CONSECUTIVE to sentence on: All pleas of 7-18-22

The Defendant is to be given credit for time served pursuant to S.C. Code § 24-13-40 to be calculated and applied by SCDOC. 2 days/months
 To include time spent on monitored house arrest prior to trial and sentencing.
 The Defendant Shall be Released from County Detention Center.

Pursuant to 18 U.S.C. § 922 and § 16-25-30 it is unlawful for a person convicted of a violation of § 16-25-20 or § 16-25-65 (Domestic Violence) to ship, transport, possess, or receive a firearm or ammunition.

*DCB
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SPECIAL CONDITIONS:

PTUP after _____ months/years

And Other Terms Listed Below:

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- Attend Voc. Rehab. Or Job Corp No Contact with Victim Domestic Violence Intervention Program
- Mental Health Counseling May serve W/E beginning: _____
- Sex Offender Registry pursuant to S.C. Code § 23-3-430 Public Service Employment _____ days/hours
- Central Registry of Child Abuse and Neglect pursuant to S.C. Code § 17-25-135.
- Other: _____

RESTITUTION: **Deferred** **Def. Waives Hearing** **Ordered**

Total \$ _____ plus 20% fee: _____ \$ _____

Payment Terms: _____ Set by SCDPPPS

Recipient: _____

***Fine:**

Fine may be pd. in equal consecutive weekly/monthly pmts. of	\$ _____	Beginning	_____	\$ _____
§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
§14-1-212 (Law Enforce. Funding)				\$ 25
§14-1-213 (Drug Court Surcharge)				\$ 150
§34-11-70(b)and(c), and 34-11-90(c)and(d).(Admin Fraud Check Court Costs)				\$ 41
§50-21-114 (BUI Breath Test Fee)				\$ 50
§56-5-2942(J) (Vehicle Assessment)				\$ 40/ea
3% to County (if paid in installments)				TBD
<input type="checkbox"/> Appointed PD or appointed other counsel, Proviso requires \$500 be paid to Clerk during probation and shall be collected before any other fees				\$ 500
<input type="checkbox"/> § 17-3-30(B) Unpaid Application Fee to be paid to the Public Defender Fund				TBD
TOTAL				\$ 128.75

Clerk of Court/Deputy Clerk: *K. Smith*
 Court Reporter: _____

Presiding Judge: *D. [Signature]*
 Judge Code: 2160
 Sentence Date: 7-18-22

*DCB
 6-27-22*