

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

Appeal from Lexington County
Eugene C. Griffith, Jr., Circuit Court Judge

RECEIVED

JUN 17 2013

S.C. Supreme Court

ASHLEY RAY HARDIN,

PETITIONER,

V.

STATE OF SOUTH CAROLINA,

RESPONDENT

Appellate Case No. 2012-212395

SUPPLEMENTAL APPENDIX

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ATTORNEY FOR PETITIONER

ATTORNEYS FOR RESPONDENT

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PETITIONER’S EXHIBIT #2 (REVOCATION SENTENCING FORM).....2

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

County of Chester
STATE VS.

INDICTMENT# 05 GS 32 4209
Probation C/W#s 12-08-1070

Ashley Ray Harden
AKA:
Race: White Sex: Male
DOB:
SSN:
SID#: 01773746

Name of Original Offense: CSC w/minor - victim under 16 yrs age
Original A/W#: _____
Date of Original Offense: 6/11/2003
Conviction S.C. Code #: 16-03-0655(B)(2)
Conviction GDR Code #: 0, 3, 9, 7
Original Sentence: 10 yrs ssp on time served
ORDER 3 years Prob.

The above named defendant has been charged with violating the conditions of probation ordered on 11/16/05 in the Court of General Sessions of Lexington County; and/or the additional conditions ordered by the Court in probation continuation order(s) issued on _____ as set forth in the attached warrant(s) or citation(s) dated _____. After hearing the evidence and being duly advised, in the (presence/absence) of the defendant, I find that the above named defendant has violated the following condition(s) of probation: (List by number or indicate special conditions as provided in the affidavit)

Therefore, IT IS ORDERED that:

- the suspended sentence be revoked and the above named defendant be required to serve 10 months/years, the remainder of the original sentence, and/or pay \$ _____
- the suspended sentence be revoked and the above named defendant be required to serve _____ months/years of the original sentence and/or pay \$ _____; thereupon to be reinstated on probation, subject to the conditions set forth in the attached order and not inconsistent with this order.
- the above named defendant is continued on probation as provided for in the original sentence, subject to the conditions set forth therein and not inconsistent with this order.
- probation is reduced to time served under supervision and the defendant is discharged from supervision on this date.
- the above named defendant is placed on active electronic monitoring pursuant to §23-3-540 (mandatory if convicted of first degree criminal sexual conduct with a minor or lewd act; discretionary if convicted of any other applicable sex offense against a minor).
- Additional Conditions ordered by the Court:

EXHIBIT 1312
Petitioner's
Hain 1 10

- The defendant is given credit for pre-revocation hearing detention time on current probation violation to be calculated and applied by the SC Department of Corrections.
- The defendant has previously served 5 days months/years on this sentence: (split sentence time and/or prior partial revocation time)
- The defendant was previously placed on active electronic monitoring pursuant to §23-3-540.

This 28th day of August, 2008
Chester, SC

Presiding Judge [Signature]
Judicial Circuit 6

You are hereby advised that under the law the Court may at any time revoke or modify any condition of this probation; impose any lawful conditions it deems proper; or extend your period of probation not to exceed five (5) years. At any time within the period of your probation, the Court may require you to serve any part of the original sentence imposed.

This is to certify that I have read, or have had read to me, the order and the conditions set out therein. I agree to comply with such conditions and the conditions of my attached probation order during the period of my probation. I have received a copy of this Court's order and all attachments.

Offender's Signature _____ Witnessed by _____

Signed this 28th day of August, 2008 at Chester SC

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

County of Chester
STATE VS.

INDICTMENT#: 2005 -GS- 32 - 4210
Probation CM#: W-12-08-1070

Ashley Ray Hardin
AKA:
Race: White Sex: Male
DOB:
SSN:
SID#: 01473746

Name of Original Offense: R3G 1000 5000
Original AM#: 14-430-558
Date of Original Offense: 11/21/2004
Conviction S.C. Code §: 16-13-180
Conviction CDR Code #: 0181113
Original Sentence: 5yrs bal ss Probation

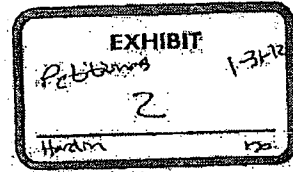
ORDER

The above named defendant has been charged with violating the conditions of probation ordered on 11/16/05 in the Court of General Sessions of Luxington County, and/or the additional conditions ordered by the Court in probation continuation order(s) issued on _____, as set forth in the attached warrant(s) or citation(s) dated 10/1

After hearing the evidence and being duly advised, in the (presence/absence) of the defendant, I find that the above named defendant has violated the following condition(s) of probation: (List by number or indicate special conditions as provided in the affidavit)

Therefore, IT IS ORDERED that:

- the suspended sentence be revoked and the above named defendant be required to serve 5 months/years, the remainder of the original sentence, and/or pay \$ _____
- the suspended sentence be revoked and the above named defendant be required to serve _____ months/years of the original sentence and/or pay \$ _____; thereupon to be reinstated on probation, subject to the conditions set forth in the attached order and not inconsistent with this order.
- the above named defendant is continued on probation as provided for in the original sentence, subject to the conditions set forth therein and not inconsistent with this order.
- probation is reduced to time served under supervision and the defendant is discharged from supervision on this date.
- the above named defendant is placed on active electronic monitoring pursuant to §23-3-540 (mandatory if convicted of first degree criminal sexual conduct with a minor or lewd act, discretionary if convicted of any other applicable sex offense against a minor).
- Additional Conditions ordered by the Court:



The defendant is given credit for pre-revocation hearing detention time on current probation violation to be calculated and applied by the SC Department of Corrections.

The defendant has previously served 5 days months/years on this sentence.
(split sentence time and/or prior partial revocation time)

The defendant was previously placed on active electronic monitoring pursuant to §23-3-540

This 28th day of August, 2008
Chester, SC

Presiding Judge [Signature] Judicial Circuit 6th

You are hereby advised that under the law the Court may at any time revoke or modify any condition of this probation; impose any lawful conditions it deems proper; or extend your period of probation not to exceed five (5) years. At any time within the period of your probation, the Court may require you to serve any part of the original sentence imposed.

This is to certify that I have read, or have had read to me, the order and the conditions set out therein. I agree to comply with such conditions and the conditions of my attached probation order during the period of my probation. I have received a copy of this Court's order and all attachments.

Offender's Signature

Witnessed by

Signed this 28th day of August, 2008 at Chester SC
Day Month Year City