

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM FAIRFIELD COUNTY
Court of General Sessions
G. D. Morgan, Jr., Circuit Court Judge

Case Nos.: 2021-GS-20-00256, -00257, -00570

The State,

Respondent,

v.

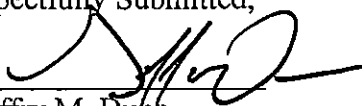
Michael Scott,

Appellant.

STATEMENT PURSUANT TO RULE 203(d)(1)(B)(IV)

A plea hearing was held on February 9, 2023 in Fairfield County. The Appellant pled guilty but mentally ill to a negotiated sentence of 30 years. The undersigned is filing this at the request of the Appellant pursuant to a request he received the evening of February 22, 2023. The undersigned is not aware of any appealable issues from the guilty plea.

Respectfully Submitted,


Geoffrey M. Dunn
223 East Main Street, Suite 405
Post Office Box 1029
Rock Hill, South Carolina 29731
(803) 327-3966 (t)

Attorney for Appellant

February 23, 2023
Rock Hill, South Carolina

RECEIVED
FEB 28 2023
SC Court of Appeals

G B M R

STATE OF SOUTH CAROLINA

COUNTY OF Fairfield

STATE

VS.

Michael Scott

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FEB 28 2023

SC Court of Appeals

IN THE COURT OF GENERAL SESSIONS

INDICTMENT/CASE#: 2022GS2000570

AW#: 2022A2010100430

Date of Offense: 4/25/2022

S.C. Code §: 16-03-1040(A)

CDR Code #: 0541

AKA: _____)
Race: BLACK Sex: M Age: 19)
DOB: _____ SS#: _____)
Address: _____)
City, State, Zip: _____)
DL#: _____ SID#: _____)

SENTENCE SHEET

*CDL Yes No CMV Yes No Hazmat Yes No

54

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

TO: Threat / Threatening life, person or family of public official, teacher, principal

in violation of § 16-03-1040(A) of the S.C. Code of Laws, bearing CDR Code # 0541

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:

R. Maxwell 74878 Michael Scott M/S 72541
Maxwell, Riley J 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 on 2/9/23

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.

728 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.

STATE VS. Michael Scott INDICTMENT/CASE#: 2022GS2000570

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 0 _____ 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	\$ _____

Clerk of Court/ Deputy Clerk: Judith M. Boudle
Court Reporter: Marla Di Scioscia

Presiding Judge: _____
Judge Code: 2773
Sentence Date: 2/9/23

WITNESSES.

Tyrell Prailleau-SLED

DOCKET NO. 2022-GS-20- 570

The State of South Carolina
County of Fairfield

COURT OF GENERAL SESSIONS

DECEMBER TERM 2022

ARREST WARRANT NUMBER/DOA

2022A2010100430 (DOA-11/23/22)

ACTION OF GRAND JURY

TRUE BILL

THE STATE
vs.

MICHAEL SCOTT

Foreperson of Grand Jury
Date: 12/6/22 *[Signature]*

VERDICT

Foreperson of Petit Jury
Date:

Indictment for

Threatening Life of Public Official,
Teacher, or Principal

SC Code: § 16-3-1040(A),(C)
CDR Code: 0541
Class: Felony, F

2022 DEC -6 P 1:06
FAIRFIELD COUNTY
CLERK OF COURT
JUDY M BONDS

RECEIVED
FEB 28 2023
SC Court of Appeals

STATE OF SOUTH CAROLINA)
)
COUNTY OF FAIRFIELD)

INDICTMENT

At a Court of General Sessions, convened on December 06, 2022, the Grand Jurors of Fairfield County present upon their oath:

THREATENING LIFE OF PUBLIC OFFICIAL, TEACHER, OR PRINCIPAL

That Michael Scott did in Fairfield County on or about April 25, 2022, knowingly and wilfully deliver or convey to Officer Mike Autry of the Fairfield County Sheriff's Department, a public official or a teacher or principal of an elementary or secondary school a letter or paper, writing, print, missive, document, or electronic communication or verbal or electronic communication containing a threat to take the life of or to inflict bodily harm upon the victim, which threat was directly related to the victim's professional responsibilities in violation of Section 16-3-1040(A), *Code of Laws of South Carolina, (1976), as amended.*

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



Randy E. Newman, Jr., SOLICITOR

GBMI

STATE OF SOUTH CAROLINA

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IN THE COURT OF GENERAL SESSIONS

COUNTY OF Fairfield

FEB 28 2023

STATE

INDICTMENT/CASE#: 2021GS2000256

VS.

SC Court of Appeals

Michael Scott

A/W#: 2021A2010200087

AKA: _____

Date of Offense: 1/31/2021

Race: BLACK Sex: M Age: 19

S.C. Code §: 16-03-0010; 16-03-0020

DOB: _____ SS#: _____

CDR Code #: 0116

Address: _____

City, State, Zip: _____

DL#: _____ SID#: _____

SENTENCE SHEET

*CDL Yes No CMV Yes No Hazmat Yes No

30y-life

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

TO: Murder / Murder

in violation of § 16-03-0010; 16-03-00 of the S.C. Code of Laws, bearing CDR Code # 0116

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:

Riley J Maxwell 74878 Michael Scott Geoffrey Dunn SCB72541
Maxwell, Riley J SC Bar # Defendant Dunn, Geoffrey SC Bar#
Attorney for Defendant

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

for a determinate term of 30 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 on 2/9/23

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.

728 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.

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 0 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(BUJ 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	\$ _____

[Signature]
 2773
 2/9/23

Clerk of Court/ Deputy Clerk: *[Signature]*
 Court Reporter: *[Signature]*

Presiding Judge:
 Judge Code:
 Sentence Date:

WITNESSES

AUTRY-FCSO

Dove

ARREST WARRANT NUMBER/DOA

2021A2010200087 (DOA-02/12/2021)

ACTION OF GRAND JURY

TRUE BILL

Foreperson of Grand Jury
Date: 7/20/21

VERDICT

Foreperson of Petit Jury
Date:

DOCKET NO. 2021-GS-20-256

The State of South Carolina
County of Fairfield

COURT OF GENERAL SESSIONS

JULY TERM 2021

THE STATE
vs.

MICHAEL SCOTT

Indictment for
Murder

SC Code: §16-3-10,
CDR Code: 0116
Class: Felony, EXM

2021 JUL 20 PM 12:40
FAIRFIELD COUNTY
CLERK OF COURT
JUDY M BOHOS

RECEIVED

FEB 28 2023

SC Court of Appeals

STATE OF SOUTH CAROLINA)
)
COUNTY OF FAIRFIELD)

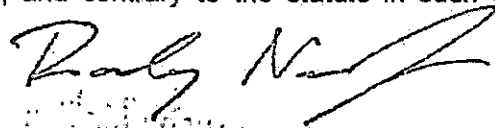
INDICTMENT

At a Court of General Sessions, convened on July 20, 2021, the Grand Jurors of Fairfield County present upon their oath:

MURDER

That Michael Scott did in Fairfield County on or about January 31, 2021, feloniously, willfully and of his malice aforethought kill and murder Gabriel Brisbon by shooting the victim with a firearm and the victim did die as a proximate cause then and there (January 31, 2021), in violation of the common law of South Carolina and §16-3-10, *Code of Laws of South Carolina*.

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



Randy E. Newman, Jr., SOLICITOR
SOUTH CAROLINA

GBME

STATE OF SOUTH CAROLINA

RECEIVED

IN THE COURT OF GENERAL SESSIONS

COUNTY OF Fairfield

FEB 28 2023

STATE

VS.

SC Court of Appeals

INDICTMENT/CASE#: 2021GS2000257

Michael Scott

A/W#: 2021A2010200088

Date of Offense: 1/31/2021

S.C. Code §: 16-13-0030(B)

CDR Code #: 3420

AKA:

Race: BLACK Sex: M Age: 19

DOB: SS#:

Address:

City, State, Zip:

DL#: SID#:

SENTENCE SHEET

*CDL Yes No CMV Yes No Hazmat Yes No

0-54

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

TO: Larceny / Grand Larceny, value more than \$2,000 but less than \$10,000

in violation of § 16-13-0030(B) of the S.C. Code of Laws, bearing CDR Code # 3420

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:

Riley J Maxwell 74878 Michael Scott Geoffrey Dunn SCB72541
Maxwell, Riley J SC Bar # Defendant Dunn, Geoffrey 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 on 2/9/23

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. 728 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.

STATE VS. Michael Scott INDICTMENT/CASE#: 2021GS2000257

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 0 _____ 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	\$ _____

Clerk of Court/Deputy Clerk: Jessy D. Bondo
Court Reporter: Maarib DiSciascia

Presiding Judge: _____
Judge Code: 2773
Sentence Date: 3/9/23

WITNESSES

AUTRY-FCSO

Done

ARREST WARRANT NUMBER/DOA

2021A2010200088 (DOA-02/11/2021)

ACTION OF GRAND JURY

TRUE BILL

Foreperson of Grand Jury
Date: 7/20/21

VERDICT

Foreperson of Petit Jury
Date:

DOCKET NO. 2021-GS-20-257

The State of South Carolina
County of Fairfield

COURT OF GENERAL SESSIONS

JULY TERM 2021

THE STATE
vs.

MICHAEL SCOTT

Indictment for
Grand Larceny
More than \$2,000 but less than \$10,000

SC Code: §16-13-0030(A), (B), (1)
CDR Code: 3420
Class: Felony, F

2021 JUL 20 PM 12:40
FAIRFIELD COUNTY
CLERK OF COURT
JUDY M BOWDS

RECEIVED

FEB 28 2023

SC Court of Appeals

STATE OF SOUTH CAROLINA)
)
COUNTY OF FAIRFIELD)

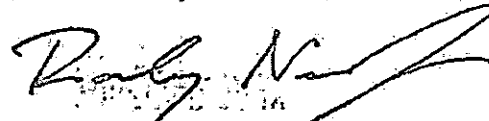
INDICTMENT

At a Court of General Sessions, convened on July 20, 2021, the Grand Jurors of Fairfield County present upon their oath:

Grand Larceny-More than \$2,000 but less than \$10,000

That Michael Scott did in Fairfield County on or about January 31, 2021, take and carry away the personal property, to wit: a 2010 Honda Accord, of Gabriel Brisbon with the intent to deprive the owner of possession of the property and to convert the property to the use of the defendant, the value of the property being more than \$2,000.00 but less than \$10,000.00, in violation of §16-13-30(A), (B)(1), *Code of Laws of South Carolina, (1976), as amended.*

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



Randy E. Newman, Jr., SOLICITOR