

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM ORANGEBURG COUNTY
The Honorable Diane S. Goodstein, Circuit Court Judge

Case No: 2012GS38-0911, 2012GS38-0912

The State Respondent

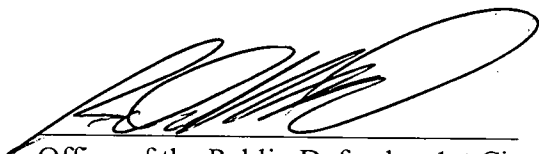
vs.

Lamont Antonio Samuel Appellant

NOTICE OF APPEAL

Lamont Samuel appeals his guilty verdict and sentence in this case. The sentence was imposed by The Honorable Diane S. Goodstein, on June 14, 2013.

June 17, 2013



Office of the Public Defender, 1st Circuit
R. Douglas Mellard
Assistant Public Defender
P.O. Box 1112
Orangeburg, SC 29116-1112
803-536-5682
Attorney for Appellant

RECEIVED

JUN 21 2013

S.C. SUPREME COURT

Office of the Solicitor, 1st Circuit
Don Sorenson
Assistant Solicitor
P.O. Box 1525
Orangeburg, SC 29115
(803) 533-6252
Attorney for Respondent

STATE OF SOUTH CAROLINA,)
)

IN THE SOUTH CAROLINA COURT OF
APPEALS

COUNTY OF ORANGEBURG.)

2012GS38-0911, 2012GS38-0912

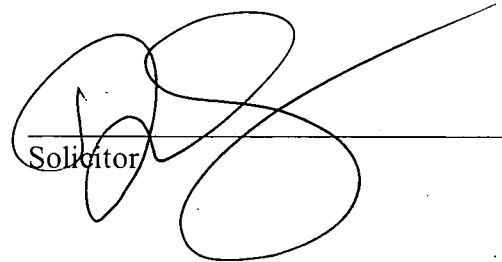
State of South Carolina,)

vs.)

ACCEPTANCE OF SERVICE

Lamont Antonio Samuel)
Appellant.)

Due and legal service of the within *Notice of Appeal* by the attorney for the above defendant, in the above entitled action is hereby accepted and a copy retained by Solicitor, David M. Pascoe, Jr., in Orangeburg, South Carolina, this 17th day of June 2013.


Solicitor

RECEIVED

JUN 21 2013

S.C. Supreme Court

DEFENSE OF INDIGENT

Jail

APPOINTMENT SHEET

IN THE COURT OF GENERAL SESSIONS

STATE OF S.C. VS. Lamont A. Samuel

THE ABOVE DEFENDANT, AFTER APPLYING UNDER INDIGENT STATUS HAS BEEN FOUND TO QUALIFY FOR A PUBLIC DEFENDER.

IT IS THEREFORE ORDERED THAT

(CIRCLE ONE OF THE FOLLOWING)

- ~~PEGGY HINDS~~
- R. DOUGLAS MELLARD
- JILLIAN ULLMAN
- MARK WISE
- JOHN D. STROUD

IS HEREBY APPOINTED TO REPRESENT SAID DEFENDANT THIS

9 DAY OF May, 20 12.

Sf Winnie B Clark
CLERK OF COURT

CHARGES(S): M200367, M806832

APPOINTMENT MADE IN PERSON IN JAIL (CIRCLE ONE)

\$40.00 FEE PAID/DUE (CIRCLE ONE)

ATTEST: TRUE COPY

FIRST APPEARANCE DATE: _____

Winnie B Clark
CLERK OF COURT
ORANGEBURG COUNTY, SC

STATE OF SOUTH CAROLINA

COUNTY OF

ORANGEBURG

STATE

LAMONT VS. ANTONIO SAMUEL

AKA:
Race: B Sex: M Age: 21
DOB:
SS#:
Address:
City, State, Zip:
DL#
*SID#
*CDL Yes No CMV Yes No Hazmat Yes No

IN THE COURT OF GENERAL SESSIONS

INDICTMENT/CASE#: 2012-GS-38-0912

AW#: M200367
Date of Offense: 3/20/12
S.C. Code §: 16-3-10
CDR Code #: 0116

SENTENCE SHEET

CONVICTED OF or PLEADS

In disposition of the said indictment comes now the Defendant who was TO: MURDER

In violation of § 16-3-10 of the S.C. Code of Laws, bearing CDR Code # 0116
NON-VIOLENT VIOLENT SERIOUS MOST SERIOUS
Mandatory GPS §17-25-45

The charge is: As indicted, Lesser Included Offense, Defendant Waives Presentment to Grand Jury.
The pleas: Without Negotiations or Recommendation, Negotiated Sentence, Recommendation by the State.

ATTEST: Solicitor SC Bar # Defendant Attorney for Defendant SC Bar #

WHEREFORE, the Defendant is committed to the State Department of Corrections or County Detention Center, for a determinate term of 30 days/months/years or under the Youthful Offender Act not to exceed years and/or to pay a fine of \$; provided that upon the service of days/months/years 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.

CONCURRENT or CONSECUTIVE to sentence on:
The Defendant is to be given credit for time served pursuant to S.C. Code §24-13-40 to be calculated and applied by the State Department of Corrections.
The Defendant is to be placed on Central Registry of Child Abuse and Neglect pursuant to S.C. Code §17-25-135.
Pursuant to 18 U.S.C. Section 922, it is unlawful for a person convicted of a violation of Section 16-25-20 or 16-25-65 (Criminal Domestic Violence) to ship, transport, possess, or receive a firearm or ammunition.

SPECIAL CONDITIONS:

RESTITUTION: Deferred Def. Waives Hearing Ordered PTUP

Total: \$ plus 20% fee: \$ days/hours Public Service Employment

Payment Terms: Obtain GED

Set by SCDPPPS Attend Voc. Rehab. Or Job Corp.

Recipient: May serve W/E beginning Substance Abuse Counseling

Table with 4 columns: Description, Amount, Total, and Notes. Includes items like §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, Proviso 47.9 (Public Def/Prob) \$500, §14-1-212 (Law Enforce. Funding) \$25, §14-1-213 (Drug Court Surcharge) \$150, §50-21-114 (BUI Breath Test Fee) \$50, §56-5-2942(J) (Vehicle Assessment) \$40/ea, Proviso 90.5 (SCCJA Surcharge) \$5, 3% to County (if paid in installments), TOTAL \$100.00 + \$25.00 + \$5.00 = \$130.00

Clerk of Court/Deputy Clerk V. Glenn
Court Reporter: Karen Anderson Winnie B. Clark
Presiding Judge:
Judge Code:
Sentence Date: 6-14-2013

CLERK OF COURT
ORANGEBURG COUNTY, SC

[REDACTED]

WITNESSES

Lakeshia Gillard

Orangeburg County Sheriff

ARREST WARRANT NUMBER

M200367

Arrested: March 27, 2012

ACTION OF GRAND JURY



NOV 07 2012

Date

Foreperson of Grand Jury

Date: November 7, 2012

VERDICT

Foreperson of Petit Jury

Date:

DOCKET NO. 2012GS38-0912

The State of South Carolina

County of ORANGEBURG

COURT OF GENERAL SESSIONS

November 5, 2012 TERM

THE STATE

vs.

Lamont Antonio Samuel

Indictment for

MURDER

SC Code: 16-3-10

After being fully advised as to my legal rights, I hereby waive presentment to the Grand Jury.

Defendant

I _____
hereby appear in my own proper person and plead guilty to the within indictment or to

Defendant

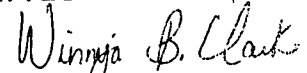
Witness:

C.C.C. PLS. AND G.S.

FILED FOR RECORD
CLERK OF COURT
ORANGEBURG COUNTY, SC

2012 NOV - 7 AM 11:54

ATTEST: TRUE COPY



CLERK OF COURT
ORANGEBURG COUNTY, SC

STATE OF SOUTH CAROLINA)
)
COUNTY OF ORANGEBURG)

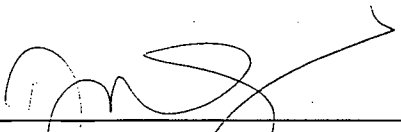
INDICTMENT
2012GS38-0912

At a Court of General Sessions, convened on November 5, 2012 the Grand Jurors of Orangeburg County present upon their oath:

MURDER

That in Orangeburg County on or about March 20, 2012, with malice aforethought, the defendant, Lamont Antonio Samuel did kill one Taneris Hamilton by means of shooting the victim with a handgun. The victim did die as a proximate result thereof. This offense being in violation of the Common Law and Section 16-3-10, of the South Carolina Code of Laws, as amended.

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



Donald N. Sorenson, Solicitor

WITNESSES

Lakeshia Gillard

Orangeburg County Sheriff

ARREST WARRANT NUMBER

M200367

Arrested: March 27, 2012

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Date NOV 07 2012

Foreperson of Grand Jury

Date: November 7, 2012

VERDICT

Foreperson of Petit Jury

Date:

DOCKET NO. 2012GS38-0912

The State of South Carolina

County of ORANGEBURG

COURT OF GENERAL SESSIONS

November 5, 2012 TERM

THE STATE

vs.

Lamont Antonio Samuel

Indictment for

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SC Code: 16-3-10

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I hereby appear in my own proper person and plead guilty to the within indictment or to

Defendant

Witness:

C.C.C. PLS. AND G.S.

CLERK OF COURT
ORANGEBURG COUNTY
ORANGEBURG, SC

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ATTEST: TRUE COPY
Wingya B. Clark
CLERK OF COURT
ORANGEBURG COUNTY, SC

STATE OF SOUTH CAROLINA)
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COUNTY OF ORANGEBURG)

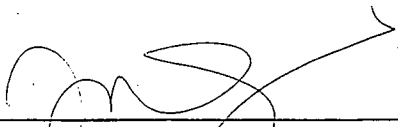
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Donald N. Sorenson, Solicitor

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Orangeburg County Sheriff

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Arrested: March 27, 2012

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NOV 07 2012

Date

Foreperson of Grand Jury

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VERDICT

Foreperson of Petit Jury

Date:

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The State of South Carolina

County of ORANGEBURG

COURT OF GENERAL SESSIONS

November 5, 2012 TERM

THE STATE

vs.

Lamont Antonio Samuel

Indictment for

MURDER

SC Code: 16-3-10

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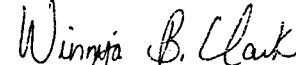
Defendant

Witness:

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ATTEST: TRUE COPY



CLERK OF COURT

ORANGEBURG COUNTY, S

STATE OF SOUTH CAROLINA)
)
COUNTY OF ORANGEBURG)

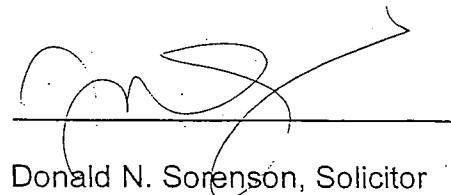
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Against the peace and dignity of the State, and contrary to the statute in such case made and provided.


Donald N. Sorenson, Solicitor

ARREST WARRANT

2012-001892

M-200367

STATE OF SOUTH CAROLINA

County/ Municipality of

Orangeburg

THE STATE

20012-3083

against

Lamont Antoinio Samuel

Address: [Redacted]

Phone: [Redacted] SSN: [Redacted]

Sex: M Race: B Height: 5 7 Weight: 135

DL State: SC DL #: [Redacted]

DOB: [Redacted] Agency ORI #: SC0380000

Prosecuting Agency: Orangeburg County Sheriff

Prosecuting Officer: Lakesha Gillard - 0785

Offense: Murder / Murder

Offense Code: 0116

Code/Ordinance Sec: 16-03-0010, 0020

This warrant is CERTIFIED FOR SERVICE in the County/ Municipality of

The accused is to be arrested and brought before me to be dealt with according to the law.

(L.S.)

Signature of Judge

Date: _____

RETURN

A copy of this arrest warrant was delivered to defendant Lamont A. Samuel on 3-27-12

Sgt. E. Boncoute Signature of Constable/Law Enforcement Officer

RETURN WARRANT TO:

General Sessions 151 Docket Street P. O. Box 9000 Orangeburg, SC 29116

TEST: TRUE COPY Winnie B. Clark CLERK OF COURT ORANGEBURG COUNTY, SC

ORIGINAL

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ORIGINAL

STATE OF SOUTH CAROLINA

County/ Municipality of

Orangeburg

Personally appeared before me the affiant Lakesha Gillard who

being duly sworn deposes and says that defendant Lamont Antoinio Samuel did within this county and state on or about 03/20/2012 violate the criminal laws of the

State of South Carolina (or ordinance of County/ Municipality of Orangeburg)

in the following particulars:

DESCRIPTION OF OFFENSE Murder / Murder

I further state that there is probable cause to believe that the defendant named above did commit the crime set forth and that probable cause is based on the following facts:

On March 20, 2012, one Lamont Antoinio Samuel did violate section 16-3-10 of the South Carolina Code of Laws 1976 as amended, Murder. In that the defendant was a willing participant in the Murder of Taneris Hamilton (Deceased Victim). This incident occurred in the County Of Orangeburg, State of South Carolina.

Signature of Affiant

STATE OF SOUTH CAROLINA

County/ Municipality of

Orangeburg

Affiant's Address P. O. Box 9000 Orangeburg, SC 29116 Affiant's Telephone (803)531-4647

FILED FOR RECORD WINNEE B. CLARK CLERK OF COURT ORANGEBURG, SC 2012 APR 13 PM 3:31

ARREST WARRANT

Please Notify Investigator Upon Arrest

TO ANY LAW ENFORCEMENT OFFICER OF THIS STATE OR MUNICIPALITY OR ANY CONSTABLE OF THIS COUNTY:

It appearing from the above affidavit that there are reasonable grounds to believe that

on or about 3/20/2012 defendant Lamont Antoinio Samuel

did violate the criminal laws of the State of South Carolina (or ordinance of

County/ Municipality of Orangeburg) as set forth below:

DESCRIPTION OF OFFENSE: Murder / Murder

Having found probable cause and the above affiant having sworn before me, you are empowered and directed to arrest the said defendant and bring him or her before me forthwith to be dealt with according to law. A copy of this Arrest Warrant shall be delivered to the defendant at the time of its execution, or as soon thereafter as is practicable

Sworn to and subscribed before me)

on 03/26/2012)

Signature of Issuing Judge Derrick F. Dash (L.S.)

Judge Code: 5909

Judge's Address 1540 Ellis Avenue Orangeburg, SC 29116-

Judge's Telephone (803)533-3844

Issuing Court: Magistrate Municipal Circuit

ORIGINAL

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BAIL set by

Judge _____
on _____
Type and Amount: _____
Name of Surety: _____

PRELIMINARY HEARING held by

Judge _____
on _____
Defendant Attorney: _____
Decision: _____

505

DISPOSITION before

Judge _____
on _____
by _____
(indicate jury trial, bench trial, plea, nol. pros., etc.)

Disposition: _____
Sentence: _____

JURORS

WITNESSES

Name: _____
Address: _____
Telephone: _____

Name: _____
Address: _____
Telephone: _____

Name: _____
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Name: _____
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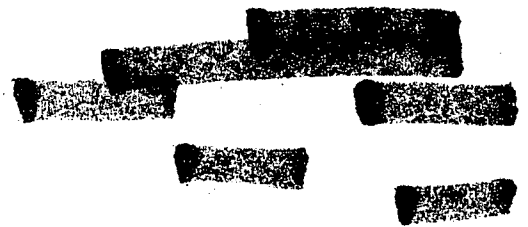
Name: _____
Address: _____
Telephone: _____

Name: _____
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Name: _____
Address: _____
Telephone: _____

Name: _____
Address: _____
Telephone: _____

CODEFENDANTS



ARREST WARRANT

M-806832

STATE OF SOUTH CAROLINA

County/ Municipality of

Orangeburg

THE STATE 20123083

against

Lamont Antoinio Samuel

Address:

Phone: SSN:

Sex: M Race: B Height: 5 7 Weight: 135

DL State: SC DL #:

DOB: Agency ORI #: SC0380000

Prosecuting Agency: Orangeburg County Sheriff

Prosecuting Officer: Lakesha Gillard - 0785

Offense: Obstructing / Obstructing justice

Offense Code: 0118

Code/Ordinance Sec: C/L, 17-25-0030

This warrant is CERTIFIED FOR SERVICE in the

County/ Municipality of

The accused

is to be arrested and brought before me to be

dealt with according to the law.

(L.S.)

Signature of Judge

Date:

RETURN

A copy of this arrest warrant was delivered to

defendant Lamont Antoinio Samuel

on 3-23-12

Signature of Constable/Law Enforcement Officer

RETURN WARRANT TO:

General Sessions
151 Docket Street
P. O. Box 9000
Orangeburg, SC 29116

ATTEST: TRUE COPY

Winnaja B. Clark
CLERK OF COURT

ORIGINAL RANGER ORIGINAL NTY, SC

STATE OF SOUTH CAROLINA

County/ Municipality of

Orangeburg

Personally appeared before me the affiant Lakesha Gillard who

being duly sworn deposes and says that defendant Lamont Antoinio Samuel,

did within this county and state on or about 03/20/2012 violate the criminal laws of the

State of South Carolina (or ordinance of County/ Municipality of Orangeburg)

in the following particulars:

DESCRIPTION OF OFFENSE Obstructing / Obstructing justice

I further state that there is probable cause to believe that the defendant named above did commit the crime set forth and that probable cause is based on the following facts:

Based on an investigation by the Orangeburg County Sheriff's Office that on March 20, 2012 the defendant, Lamont A. Samuel did knowingly make a false statement, after notice of a criminal investigation to investigators of Orangeburg County Sheriff's Office concerning the alleged commission of murder by Steven Johnson and carried away a handgun from a homicide crime scene. This incident occurred in the County of Orangeburg, State of South Carolina.

Signature of Affiant

Signature of Affiant (Handwritten)

STATE OF SOUTH CAROLINA

County/ Municipality of

Orangeburg

Affiant's Address P. O. Box 9000

Orangeburg, SC 29116-

Affiant's Telephone (803)531-4647

FILED FOR RECORD
WINNIE D. CLARK
CLERK OF COURT
ORANGEBURG, SC
2012 MAR 28 PM 4:18

ARREST WARRANT

TO ANY LAW ENFORCEMENT OFFICER OF THIS STATE OR MUNICIPALITY OR ANY CONSTABLE OF THIS COUNTY:

It appearing from the above affidavit that there are reasonable grounds to believe that

on or about 3/20/2012 defendant Lamont Antoinio Samuel

did violate the criminal laws of the State of South Carolina (or ordinance of

County/ Municipality of Orangeburg) as set forth below:

DESCRIPTION OF OFFENSE: Obstructing / Obstructing justice

Having found probable cause and the above affiant having sworn before me, you are empowered and directed to arrest the said defendant and bring him or her before me forthwith to be dealt with according to law. A copy of this Arrest Warrant shall be delivered to the defendant at the time of its execution, or as soon thereafter as is practicable Sworn to and subscribed before me

on 03/23/2012

Signature of Issuing Judge (Handwritten)

Peggy D Doremus

Judge Code: 5721

Judge's Address Post Office Box 9000

Orangeburg, SC 29116-9000

Judge's Telephone (803)533-5879

Issuing Court: Magistrate Municipal Circuit

ORIGINAL ORIGINAL

ORIGINAL ORIGINAL

ORIGINAL

BAIL set by

WITNESSES

Judge Peggy D. Doremus
 on 3-23-12
 Type and Amount: 10,000 C/P
 Name of Surety: _____

Name: _____
 Address: _____
 Telephone: _____

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Name: _____
 Address: _____
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PRELIMINARY HEARING held by

Judge _____
 on _____
 Defendant Attorney: _____

Decision: _____

DISPOSITION before

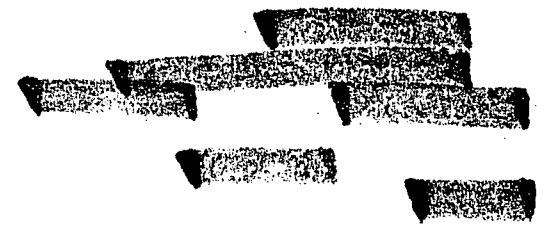
Judge _____
 on _____
 by _____
 (indicate jury trial, bench trial, plea, nol. pros., etc.)

Disposition: _____
 Sentence: _____

JURORS

CODEFENDANTS

M806832



ORANGEburg, SC
JUN 29 15 13
AMOUNT



\$1.52

000-461-45-12

1000

29211

Office of the Public Defender
First Judicial Circuit
190 Gibson Street Room 110
PO Box 1112
Orangeburg, SC 29116-1112

The Honorable Alan Shearouse
Clerk of Court
South Carolina Supreme Court
P.O. Box 11330
Columbia, SC 29211