

RECEIVED
MAR 29 2023
SC Court of Appeals

STATE OF SOUTH CAROLINA

County of ANDERSON

STATE VS.

DEWEY RAY MCNAIR

AKA: None

Race: White Sex: Male

DOB: _____

SSN: _____

SID#: _____

IN THE COURT OF GENERAL SESSIONS

Indictment Number:

2016 - GS - 04 - 02386

Probation C/W#s & issuance dates: W-04-22-0249 issued 6/02/2022 and W-04-22-0454 issued 12/19/23

Original Offense: Domestic Violence 2nd Degree

Original A/W#: 2016A0410200932

Date of Original Offense: 7/2/2016

Conviction S.C. Code §: 16-25-0020(A) and 16-25-0020(B)

Conviction CDR Code #: 3 / B / 1 / 1

Original Sentence: 3 years upon service of 48 days ss 3 yrs

ORDER

The above named defendant has been charged with violating the conditions of probation ordered on 7 / 10 / 2018 in the Court of General Sessions of ANDERSON County, and/or the additional conditions ordered by the Court in probation continuation orders(s) issued on 6/15/21, 12/19/21, as set forth in the attached warrant(s) or citation(s). After hearing the evidence and being duly advised, in the (presence/absence) of the defendant, I find that the above name defendant has violated the following condition(s) of probation: *(List by number or indicate special conditions as provided in the affidavit)*

1,7,9, and 10

Therefore, IT IS ORDERED that:

- the suspended sentence be revoked and the above named defendant be required to serve the remainder of the original sentence.
- the suspended sentence be partially revoked and the above named defendant be required to serve _____ days/months/years of the original sentence; and
 - Terminate the balance of probation.
 - Continue/reinstate probation, subject to the conditions set forth in the original sentence 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 electronic monitoring pursuant to §23-3-540.
- Financial Obligations: Order satisfies:

<input checked="" type="checkbox"/> Department fees (arrearage)	Civil judgment:	<input type="checkbox"/> Department fees
<input checked="" type="checkbox"/> Fines and other fees (arrearage / balance)		<input type="checkbox"/> Fines and other fees
<input type="checkbox"/> Restitution (and 20%) (arrearage / balance)		<input type="checkbox"/> Restitution (and 20%)
- Additional Conditions ordered by the Court (Jail time credits should not be reported in this section):

No Am.

- The defendant is given credit for 59 days/months/years pre-revocation hearing detention time on current probation violation to be calculated and applied by the SC Department of Corrections.
- The defendant is to be given credit for 48 days/months/years of Hayes credit (N/A if defendant has served prior SODC time).
- No pre-revocation hearing detention time to be awarded because a citation was issued.
- The defendant was previously placed on active electronic monitoring pursuant to §23-3-540.

This 17th day of March, 2023,
Anderson, SC

Presiding Judge _____
10 Judicial Circuit

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

[Signature]

Signed this 17th day of March, 2023 at Anderson SC
Day Month Year City

RECEIVED

COUNTY OF ANDERSON
STATE VS.

MAR 29 2023

INDICTMENT/CASE#: 2016GSN402386
A/W: 2016A0410200932
Date of Offense: 07/02/2016
Code #: 16-25-0020(A) and 16-25-0020(B)
CDR Code #: 3811



DEWEY RAY MCNAIR

SC Court of Appeals

AKA: _____
Race: White Sex: M
DOB: _____ SS#: _____
Address: _____
City, State, Zip: _____
DL# _____ SID# SC00868477

SENTENCE SHEET

victim notified

*CDL Yes No CMV Yes No Hazmat Yes No

In disposition of the said indictment comes now the Defendant who was

CONVICTED OF or PLEADS

TO: Domestic Violence, 1st Degree - 2nd degree
In violation of § 16-25-0020(A) and 16-25-0020(B) of the S.C. Code of Laws, bearing CDR Code # 3811

NON-VIOLENT VIOLENT SERIOUS MOST SERIOUS

Mandatory GPS
(CSC w/minor 1* or Lower Adm) 817-25-45

The charge is As indicted, Lesser Included Offense,

Defendant Waives Presentment to Grand Jury, (def.'s initials)

The plea is: Without Negotiation or Recommendation,

Negotiated Sentence

Recommendation by the State.

ATTEST

Kristin W. Reeves, Assistant Solicitor 69673 SC Bar #

Defendant

Attorney for Defendant 07815 SC Bar #

WHEREFORE, the Defendant is committed to the State Department of Corrections County Detention Center,
for a determinate term of 3 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 48 (days/months/years and or payment
of \$ _____; plus costs and assessments as applicable*; the balance is suspended with probation for 3
months/years and subject to South Carolina Department of Probation, Parole and Pardon Service 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 (Domestic
Violence) to ship, transport, possess, or receive a firearm or ammunition.

SPECIAL CONDITIONS:

RESTITUTION: Deferred Def. Waives Hearing

Ordered PTUP 48 days/hours Public Service Employment
obtain 1 year of DAC successfully completed + strict compliance.

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

Payment Terms: _____

Obtain GED

Set by SCDPPTS _____

Attend Voc. Rehab. Or Job Corp. _____

Recipient: _____

May serve W/E beginning _____

*Fine: \$ _____

Substance Abuse Counseling

§14-1-206 (Assessments 107.5%) \$ _____

Random Drug/Alcohol Testing

§14-1-211 (A)(1)(Conv. Surcharge) \$100 \$ 100.00

Fine may be pd. in equal consecutive weekly/monthly

§14-1-211 (A)(2)(DUI Surcharge) \$100 \$ _____

pmts. of \$ _____ Beginning _____

§56-5-2995 (DUI Assessment) \$12 \$ _____

\$ _____ Paid to Public Defender Fund

§56-1-286 (DUI Breath Test) \$25 \$ _____

Other: DAC

Proviso 61.6 (Public Def/Prob) \$500 \$ 500.00

contact permitted if victim notifies

§14-1-212 (Law Enforce. Funding) \$25 \$ 25.00

SCDPPTS in writing of desire for contact.

§14-1-213 (Drug Court Surcharge) \$150 \$ _____

§50-21-114 (BUI Breath Test Fee) \$50 \$ _____

§56-5-2942(J) (Vehicle Assessment) \$40/ea \$ _____

3% to County (if paid in installments) \$ 18.75

Appointed PD or appointed other counsel,
Proviso 61.6 requires \$500 be paid to Clerk
during probation and shall be collected before any
other fees.

TOTAL \$ 1043.75

Presiding Judge: _____

Clerk of Court/Deputy Clerk: Richard A. Miller

Judge Bar ID: _____ Judge Code: 2752

Court Reporter: B. Marcengill

Sentence Date: 7/10/18

SCCA/217 (07/2016)