

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

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APR 24 2023

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

SC Court of Appeals

Case No: 19-GS-20-773

The State Respondent

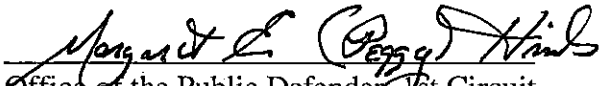
vs.

Isiah Frazier, Jr. Appellant

EXPLANATION OF APPEAL

Isiah Frazier, Jr. appeals his sentence in the aforementioned cases. It is my opinion that there is no legal basis for this appeal. After his sentence, Mr. Frazier expressed his desire to appeal his sentence. As his attorney, it is my duty to carry out his request.

April 17, 2023


Office of the Public Defender 1st Circuit
Peggy Hinds
Deputy Public Defender
P.O. Box 1112
Orangeburg, SC 29116-1112
(803)531-7090
Attorney for Appellant

The Department of Probation, Parole, and
Pardon Services
1146 Church Street
Orangeburg, SC 29115

South Carolina Department of Probation, Parole and Pardon Services

Violation Report - (Report 1106)

Personal Information					
Name:	SID:	DOB:	SCDC#:	Supervision Level:	Agent Name:
ISIAH JR. FRAZIER	00921881		00246243	Jail	DV-38-01-William Young

Sentencing Information			
Order: 10	Potential End Date: 8/10/2021	Adjusted End Date: 9/8/2021	
Warrant/Citation Numbers:			
Sentence Date: 12/18/2019	County Name: ORANGEBURG	GPS Indicator:	
Authority: Judge - Price, Bentley			

Indictment Number: 19-GS-38-00773	Offense Code: 3812 - Domestic Violence, 2nd degree
Supervision: Probation	Sup. Begin Date: 12/18/2019
	Sup. End Date: 12/17/2021
Sentence: 3 YRS SS 2 YRS PROBATION; PTUP AFTER 1 YR IF SUCCESSFULLY COMPLETE ANGER MANAGEMENT CLASS; CTS 56 DAYS	
Special Conditions:	

Residence Summary & Address History			
Address:	Begin Date:	End Date:	Time at Residence:
	06/28/2021		0 YR, 0 MO, 23 DY
	11/17/2014	06/28/2021	6 YR, 7 MO, 11 DY

Employment History				
Employer:	Location:	Begin Date:	End Date:	Time at Employer:
Unemployed		06/28/2021		0 YR, 0 MO, 23 DY
SELFEMPLOYED (TRI-BET AUTO SALVAGE)	641 CANAAN ROAD, ORANGEBURG, SC, 29115	07/01/2014	06/01/2021	6 YR, 11 MO, 0 DY

Account Information										
Account Name:	Case:	Indictment #:	Monthly Obligation:	Total Obligation:	Total Paid:	Co-Payer Paid:	Account Balance:	Pmts in Arrears:	Arrearage:	Last Payment Made:
Surcharge	118	19-GS-38-00773	\$6.00	\$128.75	\$0.00	\$0.00	\$128.75	19	\$114.00	
Drug Test Fee			\$20.00	\$20.00	\$0.00	\$0.00	\$20.00	1	\$20.00	
Regular Supervision			\$50.00	\$1,200.00	\$200.00	\$0.00	\$1,000.00	15	\$750.00	02/13/2020

Violation History			
Violation:	Start Date:	Complete Date:	Disposition:

Current Violation(s) Summary	
Violations:	16.x
Condition:	Description:
3	I shall not use controlled substances, except when properly prescribed by a licensed physician, nor consume alcoholic beverages to excess, nor enter establishments whose primary business is the sale and drinking of alcoholic beverages.
6	I shall not violate any Federal, State, or Local Law, and I shall immediately contact my Agent if I am ever arrested or questioned by a law enforcement official for any reason whatsoever.

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

South Carolina Department of Probation, Parole and Pardon Services
Violation Report - (Report 1106)

Condition:	Description:
10	I shall follow the advice and instructions of my Agent and I agree to comply with any further conditions imposed by the Department or its Agents.

Description:
Mr. Frazier has been charged with assault and battery 3rd degree by the Orangeburg County Sheriff's Department as stated in incident report number and arrest warrant number There is probable case to believe that Mr. Frazier has committed the offense of Domestic Violence based on incident report number with the Orangeburg County Sheriff's Office and warrant number Mr. Frazier admitted to drinking alcohol while he was being served his warrant for absconding.
Such actions constitute violation of conditions 3, 6, 10.

The Agent's Recommended Response(s) Summary

Responses:

Full Revocation with credit for time served.

Justification:

Mr. Frazier has shown he is not a good candidate for probation by absconding in June of 2020 and committing another domestic violence offense while on probation for Domestic Violence 2nd degree. Mr. Frazier has shown a wonton and willful disregard for life by committing domestic violence June 2020 and the assault and battery 3rd degree on his daughter that he admitted to while in booking stating that "she hit me so I hit her back." Mr. Frazier's propensity for violence against family members is validation that no one is safe from harm, if he will assault those closest to him imagine what he would do to a stranger he felt has wronged him.

Approved By: Sarah Arms, 7/21/2021

End Of Violation Report

STATE OF SOUTH CAROLINA

County of ORANGEBURG

STATE _____ VS _____

ISIAH FRAZIER JR

AKA: _____

Race: B Sex: M

DOB: _____

SSN: _____

SID#: 00921221

IN THE COURT OF GENERAL SESSIONS

2019 Indictment Number: GS - 38 - 773

Probation CW#s & issuance dates:
W# 38-20-0007 ISS 6/5/2020 SER 6/23/21
CF 38-21-033 ISS 6/24/2021 SER 6/25/21

Name of Original Offense: DUI 2ND DEGREE

Original AW#: 201902B18

Date of Original Offense: 10/26/17

Conviction S.C. Code §: 16-25-20 (C)

Conviction CDR Code #: 3 1 8 1 1 2

Original Sentence: 3yrs SS 2yrs PROBATION

ORDER

The above named defendant has been charged with violating the conditions of probation ordered on 12 1 18 2019 in the Court of General Sessions of ORANGEBURG 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). 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)*
1, 2, 7, 9, 10, 3, 6 & SPECIAL CONDITIONS

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:
 - Department fees (arrearage).
 - Fines and other fees (arrearage / balance)
 - Restitution (and 20%) (arrearage / balance)
 Civil judgment:
 - Department fees
 - Fines and other fees
 - Restitution (and 20%)
- Additional Conditions ordered by the Court (Jail time credits should not be reported in this section):

CREDIT FOR TIME SERVED. TERMINATE PROBATION

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- The defendant is given credit for _____ days/months/years of pre-revocation hearing detention time to current probation violation to be calculated and applied by the SC Department of Corrections.
- The defendant is to be given credit for _____ days/months/years of Hayes credit (N/A if defendant has served prior SCDC 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.

SC Court of Appeals

This 12 day of APRIL, 2023
ORANGEBURG, SC

[Signature]
Presiding Judge 1st 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
[Signature]
Signed this 12 day of APRIL 2023 at _____
Day Month Year

Witnessed by
[Signature]
ORANGEBURG City
ATTEST: TRUE COPY
Winaja B. Clark
CLERK OF COURT
ORANGEBURG COUNTY, SC

THE STATE OF SOUTH CAROLINA)
COUNTY OF ORANGEBURG)

IN THE COURT OF GENERAL SESSIONS
FIRST JUDICIAL CIRCUIT

THE STATE)

Charge(s): UOP

Warrant/Indictment Nos.: W-38-20-65

19-65-38-773

v.)

ORDER APPOINTING PUBLIC DEFENDER

Isiah Frazier, Jr.)

OFFICE

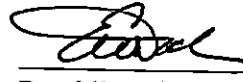
8-2-21
CWB

DEFENDANT.)

It appears that the above-entitled defendant appeared before the court to address his Probation Violation charges without representation. Therefore, the *Office of the Public Defender, First Judicial Circuit*, shall be appointed to represent the above named defendant. In consideration of this appointment Defendant is hereby ordered to pay the sum of \$40.00 to the Clerk of Court.

IT IS SO ORDERED.

Orangeburg, SC
Dated: 7/21/21



Presiding Judge

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SC Court of Appeals

2021 JUL 21 PM 4:55

CLERK OF COURT RECORDED

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Winnaja B. Clark
CLERK OF COURT
ORANGEBURG COUNTY, SC