

STATE OF SOUTH CAROLINA )  
)  
)  
vs. )  
)  
)  
MICHAEL BARGERON )  
)  
Defendant. )  
\_\_\_\_\_ )

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

Indictment #: 2022GS3500171  
2023GS3500054

**RECEIVED**

MAY 08 2023

SC Court of Appeals

**RULE 203(B) EXPLANATION**

Pursuant to Rule 203(B)(iv), the undersigned asserts that he does not have a good faith basis to believe that any issues are properly before the Court of Appeals, and the undersigned did not object to the sentence or file a motion to reconsider the sentence. Nevertheless, the undersigned consulted with the Appellant about his right to appeal, and after consultation, the undersigned has filed the instant appeal at the request of the Appellant because the Sixth Amendment requires counsel to follow the Appellant's request. See *Frazer v. South Carolina*, 430 F.3d 696, 706 (4<sup>th</sup> Cir. 2005) ("A defendant has a right to pursue a direct appeal, even if frivolous, which counsel must assist as 'an active advocate on behalf of his client.'" (quoting *Anders v. California*, 386 U.S. 738, 744 (1967))).

Respectfully submitted,



Erin Conroy  
Tri County Public Defender  
P. O. Box 1852  
McCormick, South Carolina

McCormick, South Carolina  
April 21, 2023

0-3 and/or 0-\$5,000

STATE OF SOUTH CAROLINA )  
COUNTY OF McCormick )  
STATE )

IN THE COURT OF GENERAL SESSIONS

INDICTMENT/CASE#: 2022 - GS - 35 - 00171

VS.

Michael Stephen Bargeron

AW#: 2022A3510100310  
Date of Offense: 9/11/2022  
S.C. Code §: 44-53-0375(A)  
CDR Code #: 3009

AKA: \_\_\_\_\_ )  
Race: White Sex: M Age: 36 )  
DOB: \_\_\_\_\_ SS#: \_\_\_\_\_ )  
Address: \_\_\_\_\_ )  
City, State, Zip: \_\_\_\_\_ )  
DL#\* \_\_\_\_\_ SID# \_\_\_\_\_ )

RECEIVED  
MAY 08 2023  
SC Court of Appeals

SENTENCE SHEET

\*CDL Yes  No  CMV Yes  No  Hazmat Yes  No

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

TO: Possession of Methamphetamine

In violation of § 44-53-375(A) of the S.C. Code of Laws, bearing CDR Code # 3009

NON-VIOLENT  VIOLENT  SERIOUS  MOST SERIOUS  Mandatory GPS  § 17-25-45

(CSC w/minor 1<sup>st</sup> or CSC w/minor 3<sup>rd</sup>)

The charge is:  As indicted,  Lesser Included Offense,  Defendant Waives Presentment to Grand Jury. MS (def.'s initials)

The plea is:  Without Negotiations or Recommendation,  Negotiated Sentence,  Recommendation by the State.

ATTEST:

[Signature] 101195 Michael Bargeron R. J. 102074  
Solicitor 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 3 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: 2023 - GS - 35 - 00054

The Defendant is to be given credit for time served pursuant to S.C. Code § 24-13-40 to be calculated and applied by SCDOD.

175 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.

A TRUE COPY

Clerk of Court, McCormick County

By: Melissa Lindley

**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 \_\_\_\_\_ 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 pmnts. of	\$ _____	Beginning	_____	\$ _____
§14-1-206 (Assessments 107.5%)				\$ _____
§14-1-211 (A)(1)(Conv. Surcharge)			\$100	\$ <u>100.00</u>
§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	\$ <u>25.00</u>
§14-1-213 (Drug Court Surcharge)			\$150	\$ <u>150.00</u>
§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	\$ <u>8.25</u>
<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	\$ _____
			<b>TOTAL</b>	\$ <u>298.25</u>

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

Presiding Judge: Debra McCarty  
 Judge Code: 2769  
 Sentence Date: 4/19/23

WITNESSES

McCormick County Sheriff's Department

Melvin H Brock

Law Enforcement Case #: 2022-9895

DWF

ARREST WARRANT NUMBER

2022A3510100310

ACTION OF GRAND JURY

True Bill

*Lindsay J. Tate*  
Foreperson of Grand Jury  
Date: OCT 2 6 2022

VERDICT

Foreperson of Petit Jury  
Date:

DOCKET NO. 2022GS3500171

**The State of South Carolina**  
County of McCormick

COURT OF GENERAL SESSIONS

OCTOBER TERM 2022

THE STATE

vs.

Michael Stephen Bargeron

CDR #: 3009

Indictment for

Possession of Methamphetamine

§ 44-53-0375(A)

**S.R. Hubbard III, SOLICITOR**

RECEIVED

MAY 08 2023

SC Court of Appeals

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF MCCORMICK )  
 )

INDICTMENT FOR  
Possession of Methamphetamine  
§ 44-53-0375(A)

At a Court of General Sessions, convened on October 2022, the Grand Jurors of McCormick County present upon their oath:

That **Michael Stephen Barger** did in McCormick County, South Carolina on or about September 11, 2022, knowingly and intentionally have in his actual or constructive possession methamphetamine, a controlled under provisions of § 44-53-110, et. Seq. and in violation of § 44-53-375(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.



ASSISTANT SOLICITOR

2707

2022A3510100310

STATE OF SOUTH CAROLINA

County/  Municipality of

Mccormick

THE STATE  
against

Michael Stephen Bargeron

Address:

Phone: \_\_\_\_\_ SSN: \_\_\_\_\_

Sex: M Race: W Height: 6 1 Weight: 175

DL State: \_\_\_\_\_ DL #: \_\_\_\_\_

DOB: \_\_\_\_\_ Agency ORI #: SC0330000

Prosecuting Agency: Mccormick County Sheriff

Prosecuting Officer: Melvin H Brock - S00042

Offense: Drugs / Possession of less than one gram of meth. or cocaine base, 1st offense

Offense Code: 3009

Code/Ordinance Sec: 44-53-0375(A)

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 Michael Stephen Bargeron on 9/12/22

*[Signature]*  
Signature of Constable/Law Enforcement Officer

RETURN WARRANT TO:

Mccormick Magistrate  
211 West Augusta Street, Extension  
Post Office Box 1116  
Mccormick, SC 29835

ORIGINAL

ORIGINAL

ORIGINAL

ORIGINAL

STATE OF SOUTH CAROLINA

County/  Municipality of

Mccormick

Personally appeared before me the affiant Melvin H Brock

being duly sworn deposes and says that defendant Michael Stephen Bargeron

did within this county and state on or about 9/11/2022

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

in the following particulars:

DESCRIPTION OF OFFENSE: Drugs / Possession of less than one gram of meth. or cocaine base, 1st offense

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:

That on September 11, 2022 in the city/county of Mccormick, the Defendant did knowingly possess and/or attempt to possess less than one gram of ice/crank/crack cocaine, as defined in SCCA Section 44-53-110, without authority to do so. See attached affidavit. Incident investigated by Dep. Ireland, Dep. Queen and Dep. Watkins of the MCSO.

Signature of Affiant

*[Signature]*

STATE OF SOUTH CAROLINA

County/  Municipality of

Mccormick

Affiant's Address P O Box 1236  
Mccormick, SC 29835-

Affiant's Telephone (864)465-3200

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 9/11/2022 defendant Michael Stephen Bargeron

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

County/  Municipality of Mccormick) as set forth below:

DESCRIPTION OF OFFENSE: Drugs / Possession of less than one gram of meth. or cocaine base, 1st offense

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 9/12/2022

*[Signature]*  
Signature of Issuing Judge

John Cliff Long

Judge Code: 7261

Judge's Address P. O. Box 1116  
McCormick, SC 29835-

Judge's Telephone (864)-85-2-23 x 16

Issuing Court:  Magistrate  Municipal  Circuit

ORIGINAL

ORIGINAL

ORIGINAL

AFFIDAVIT

ORIGINAL

Form Approved by  
S.C. Attorney General  
April 21, 2003  
SCCA 518

RECEIVED  
MAY 08 2023  
SC Court of Appeals

FILED  
GWENBOLEYN D. CHILDS  
1 2022 SEP 15 P 3:09  
CLERK OF COURT  
MCCORMICK COUNTY, SC

BAIL set by

WITNESSES

Judge John C. Long / Au C-2  
on 9-12-22  
Type and Amount: CS/SB \$5,000.00  
Name of Surety: \_\_\_\_\_

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Telephone: \_\_\_\_\_

**PRELIMINARY HEARING held by**

Judge \_\_\_\_\_  
on \_\_\_\_\_  
Defendant Attorney: \_\_\_\_\_

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Telephone: \_\_\_\_\_

Decision: \_\_\_\_\_

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Telephone: \_\_\_\_\_

**DISPOSITION before**

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

Telephone: \_\_\_\_\_

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Telephone: \_\_\_\_\_

Disposition: \_\_\_\_\_

Name: \_\_\_\_\_  
Address: \_\_\_\_\_

Sentence: \_\_\_\_\_

Telephone: \_\_\_\_\_

**JURORS**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Telephone: \_\_\_\_\_

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Telephone: \_\_\_\_\_

**CODEFENDANTS**

\_\_\_\_\_  
\_\_\_\_\_



STATE OF SOUTH CAROLINA ) ATTACHMENT A  
COUNTY OF MCCORMICK ) AFFIDAVIT FOR ARREST WARRANT

**Section: 44-53-0375(A) Drugs / Possession of less than one gram of meth. or cocaine base, 1st offense**  
**CDR Code: 3009**  
**Case # 2022-9895**

That on or about September 11, 2022, one Michael Stephen Bargeron did knowingly, intentionally, and unlawfully, commit the offense of Drug/ Possession of less than one gram of meth. or cocaine base, 1<sup>st</sup> Offense. The Defendant did have in his possession, located within a vehicle, a meth pipe containing small amount Methamphetamine.

This violation took place at or near HWY 28 South and Hopewell Church Road, Clarks Hill South Carolina, the same being located within McCormick County, South Carolina.

The affiant knows this to be true because the affiant during the course of this investigation has received information and viewed evidence from the investigating officer(s) and/or witnesses implicating the Defendant, Michael Stephen Bargeron, as being involved in this crime. This affiant and/or other parties are prepared to testify to the same.

This being in violation of the South Carolina Code of Laws, 1976, as amended.

This incident was investigated by Deputy Ireland, Watkins, and Queen and reviewed by Deputy Bentley with the McCormick County Sheriff's Office.

Sworn to and subscribed before me this 12<sup>th</sup> day of September, 2022.

[Signature]  
Signature of Judge

[Signature]  
Affiant

Defendant: Bargeron, Michael Stephen  
Address:  
DOB:  
Race: W  
Sex: M  
SSN:  
Height: 6'1  
Weight: 175  
SCDL# 011617135

FILED  
GWENDOLYN D. CHILES  
1402 SEP 15 P 3:09  
CLERK OF COURT  
MCCORMICK COUNTY, SC



# McCormick County Sheriff's Office

Officer Incident Report for Incident # 2022-9895

FILED  
GWENDOLYN ARRESTED 18 AND OVER

2022 SEP 15 P 3:09

<b>Incident Date:</b>	09-11-2022 10:54 pm	<b>Report Created:</b>	09-12-2022 01:27 am GMT -5.00
<b>Incident Type:</b>	Drug Narcotic Offenses - Drug/Narcotic Violations (35A)	<b>Reported By:</b>	McCORMICK COURTNEY Noah (US012U6S000000BI)
<b>Origination:</b>	911 Call	<b>Reporting Agency:</b>	McCormick County Sheriff's Office
<b>Current Status:</b>	Open Report, Access Level 1	<b>Reported From:</b>	IP ADDR 207.144.23.122
<b>Incident Location:</b>	HWY 28 South and Hopewell Church Road Clarkshill, SC	<b>Jurisdiction:</b>	This Jurisdiction
<b>Incident Lex #:</b>	IN016AIE00000LMQ	<b>Assigned To:</b>	107 Ireland, Noah (US012U6S000000BI)
		<b>Agency:</b>	McCormick County Sheriff's Office

**Jacket Notes:** Drugs Involved, Arrest, Transport, Backup, Evidence Collected

## LOCATION:

<b>Address:</b>	HWY 28 South and Hopewell Church Road Clarkshill, SC	<b>Location Lex #:</b>	LO0112HP00000KZZ
<b>Latitude / Longitude:</b>	33.6123071 / -82.1298925	<b>Units Entered:</b>	
<b>Location Type:</b>	Highway/Road/Alley/Street/Sidewalk (13)	<b>Forced Entry:</b>	No
<b>Zone / Beat:</b>	/	<b>Location Notes:</b>	

## REPORTED CRIMINAL ACTIVITY:

- Possessing/Concealing (includes Simple Possession) (P)

**INCIDENT OFFENSES:**

off code	offense description	victim	offender	completed	use of force	auto weapon
35A	Drug Narcotic Offenses - Drug/Narcotic Violations (35A)	State of South Carolina	Bargeron, Michael Stephen	Y	-	-

**ARRESTS / ARREST OFFENSES:**

name	party type	offense code	statute	description	off status
Bargeron, Michael Stephen	Suspect	35A	n/a	Drug Narcotic Offenses - Drug/Narcotic Violations	Completed
Bargeron, Michael Stephen	Suspect	3009	44-53-375(A)	POSS LESS THAN ONE GRAM ICE/CRACK COCAINE 1ST	Completed

**PARTIES:**

name	party type	arrested	injured	description	DL #	SSN #	lex #
Bargeron, Michael Stephen	Suspect	Yes	No	White, M, lbs, 0' 0", 36 (at time of incident), DOB:			EP012QCA000001PV
State of South Carolina	Victim	No	No	Government Entity			

**VEHICLES:**

No vehicles specified.

**DRUGS:**

#	description	Is evidence	qty
1	Methamphetamines	Yes	0.0 Grams

**NARRATIVE:**

09-12-2022 02:04:05 (GMT -5.00)

107 IRELAND, NOAH

US012U6S000000BI

THE FOLLOWING IS A SUMMARY, NOT VERBATIM OR AN ENTIRETY OF MY ACTIONS AND OBSERVATIONS.

On September 11, 2022, at approx. 22:54, in the county of McCormick, Deputy Watkins, Deputy Queen, and I (Deputy Ireland) met with Highway Patrol and assisted with a license check point on HWY 28 South at the intersection Hopewell Church Road. During the course of the check point, a dark blue in color Hyundai car pulled up to the check point driven by a Crystal Clary. I spoke to Ms. Clary for a few moments and asked her to pull to the side of the highway. When Ms. Clary pulled to the side of the highway, I walked over to Ms. Clary's vehicle and asked for driver's license along with her two passenger's identification. The two passengers were identified as Michael Stephen Bargeron and Pinson George Barton Jr. I asked Ms. Clary to step out of the vehicle and speak with me. Ms. Clary exited her vehicle. I asked Ms. Clary if she was still on probation and she stated yes. I asked Ms. Clary if there was anything in the vehicle that was illegal and she stated no. I asked her for her consent to search the vehicle, and she gave consent. Deputy Watkins walked to the passenger side front door, where Mr. Bargeron sat and asked him to step out. Mr. Bargeron began to start reaching for something between the passenger door and seat. Deputy Watkins yelled at Mr. Bargeron multiple times to stop reaching, but Mr. Bargeron continued to reach. Deputy Watkins was able to grab Mr. Bargeron by his arm and hold him from moving until I moved to the passenger side rear door. Mr. Bargeron was then brought out of the vehicle and gun point. Mr. Bargeron was immediately detained, along with Ms. Clary and the other passenger. Deputy Watkins stated that whatever Mr. Bargeron was reaching for was laying in the floor board between the passenger side front door and the seat. On further investigation, Deputies located a used syringe and a Meth pipe with a clear crystal like substance located inside it. Mr. Bargeron stated to Deputies that the reason he was reaching, was that he was trying to place the syringe and pipe into his pocket and did not want to leave it in the passenger side door. After a thorough search of the vehicle, nothing more was located. Ms. Clary and the other passenger were released from their handcuffs and Mr. Bargeron was informed that he was under arrest for the possession of Meth. I placed Mr. Bargeron into the back of Deputy Watkins patrol vehicle. Ms. Clary and her passenger left the scene. Deputy Watkins transported Mr. Bargeron to the McCormick County Detention. All Deputies cleared from the license check. Mr. Bargeron was charged with the possession of Methamphetamine. Body cameras were worn.

**SUPPLEMENTAL:**

no entries.

FILED  
GWENDOLYN D. CHILES

STATE OF SOUTH CAROLINA  
COUNTY OF MCCORMICK

2022 OCT 28 11:25:33  
CLERK OF COURT  
MCCORMICK COUNTY, SC  
COURT OF GENERAL SESSIONS  
ELEVENTH JUDICIAL CIRCUIT

THE STATE,

vs.

MICHAEL BARGERON

Defendant.

NOTICE OF MOTION AND  
MOTION TO REVOKE BOND

WARRNT NUMBERS:

2022A3510100310  
2022A3510100374  
2022A3510100373

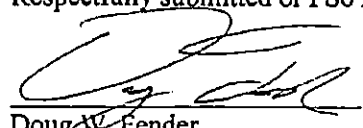
Pursuant to South Carolina Code of Law 17-15-40 through 17-15-55 and relevant case law, the State respectfully requests that the Court inquire into this matter and modify or revoke Defendant Michael Bargeron's bond(s). The State provides notice that we seek a hearing during the upcoming Term of General Sessions Court in McCormick County on Wednesday November 2<sup>nd</sup> at 10:00am or as soon thereafter as the court shall allow.

Bargeron has an extensive criminal history in the McCormick area and was recently released from prison after serving a three year sentencing from a domestic violence incident that occurred in 2019. Bargeron was arrested for possession of methamphetamine on September 12<sup>th</sup>, 2022 and did not appear at his first appearance date on October 27, 2022. Bargeron now also has pending new warrants for Domestic Violence of a High and Aggravated Nature and Kidnapping from an incident that occurred on October 26<sup>th</sup>, 2022.

**Bargeron was recently released from prison. Since his release, he has reoffended (possession of methamphetamine), missed his first appearance (10/27) and again reoffended (kidnapping and domestic violence of a high and aggravated nature) while out on bond.**

Bargeron has not been of good behavior and his continued release on bond creates danger and inconvenience to the citizens of McCormick County. Upon information and belief, law enforcement submits to the court that his a violent individual who uses methamphetamine. The State submits that The State would respectfully ask the Court to inquire into the matter and make a determination pursuant to South Carolina Code of Law 17-15-40 through 17-15-55. Other grounds to be argued and elaborated ore tenus.

Respectfully submitted or I So Move



Doug W. Fender  
Assistant Solicitor

October 28, 2022

STATE OF SOUTH CAROLINA )  
 )  
 COUNTY OF MCCORMICK )  
 )  
 )  
 THE STATE, )  
 )  
 vs. )  
 )  
 )  
 MICHAEL BARGERON )  
 )  
 )  
 Defendant. )  
 )  
 )

IN THE COURT OF GENERAL SESSIONS  
 ELEVENTH JUDICIAL CIRCUIT

2022 - 11 AM 10:03  
 McCormick County Courthouse  
 Columbia, South Carolina

**RECEIVED**  
 MAY 08 2023  
 SC Court of Appeals

BOND ORDER

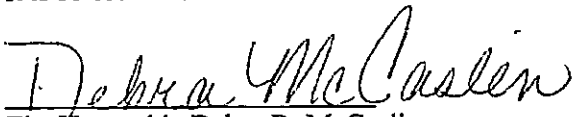
WARRNT NUMBERS:  
 2022A3510100310  
 2022A3510100374  
 2022A3510100373

This matter comes before the Court on November 2<sup>nd</sup> 2022. It has been represented to the Court that Michael Bargeron has an extensive criminal history in the McCormick area and was recently released from prison after serving a three year sentencing from a domestic violence incident that occurred in 2019. Bargeron was again arrested for possession of methamphetamine on September 12<sup>th</sup>, 2022 and did not appear at his first appearance date on October 27, 2022. Bargeron now also has pending new warrants for Domestic Violence of a High and Aggravated Nature and Kidnapping from an incident that occurred on October 26<sup>th</sup>, 2022.

Since his release from prison, Bargeron has been arrested twice. He missed his first appearance on 10/27 and again was arrested for kidnapping and domestic violence of a high and aggravated nature while out on bond; a similar offense to what he recently served a prison sentence for.

According, Bargeron's bond is hereby revoked and he shall remain in custody until disposition of his criminal charges.

It is so ordered.

  
 The Honorable Debra R. McCaslin  
 November 2<sup>nd</sup>, 2022



0-3 and/or not more \$2,500

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF McCormick

STATE

INDICTMENT/CASE# 2023-GS-35-00054

VS.

Michael Stephen Bargeron

AW#: 2022A3510100374

AKA:

Date of Offense: 10/26/2022

Race: White Sex: M Age: 37

S.C. Code §: 16-03-0600(D)(1)

DOB: \_\_\_\_\_ SS#: \_\_\_\_\_

CDR Code #: 3413

Address: \_\_\_\_\_

City, State, Zip: \_\_\_\_\_

DL#\* \_\_\_\_\_ SID# \_\_\_\_\_

RECEIVED

MAY 08 2023

SC Court of Appeals

\*CDL Yes  No  CMV Yes  No  Hazmat Yes  No

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

TO: Assault / Assault & Battery 2nd degree

In violation of § 16-03-0600(D)(1) of the S.C. Code of Laws, bearing CDR Code # 3413

NON-VIOLENT  VIOLENT  SERIOUS  MOST SERIOUS  Mandatory GPS  § 17-25-45

(CSC w/minor 1<sup>st</sup> or CSC w/minor 3<sup>rd</sup>)

The charge is:  As indicted,  Lesser included offense,  Defendant Waives Presentment to Grand Jury. X MB (def.'s initials)

The plea is:  Without Negotiations or Recommendation,  Negotiated Sentence,  Recommendation by the State.

ATTEST:

101195

SC Bar #

Defendant

Attorney for Defendant

102674  
SC Bar #

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

for a determinate term of 3 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: 2022-GS-35-00171

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.

175 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.

A TRUE COPY

Clerk of Court, McCormick County

By: Melissa Lindsey

**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 \_\_\_\_\_ 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%)	\$100	\$ 100.00
§14-1-211 (A)(1)(Conv. Surcharge)	\$100	\$
§14-1-211 (A)(2)(DUI Surcharge)	\$12	\$
§56-5-2995 (DUI Assessment)	\$25	\$
§56-1-286 (DUI Breath Test)	\$25	\$ 25.00
§14-1-212 (Law Enforce. Funding)	\$150	\$
§14-1-213 (Drug Court Surcharge)	\$41	\$
§34-11-70(b)and(c), and 34-11-90(c)and(d) (Admin Fraud Check Court Costs)	\$50	\$
§50-21-114 (BUI Breath Test Fee)	\$40/ea	\$
§56-5-2942(J) (Vehicle Assessment)	TBD	\$ 2.75
3% to County (if paid in installments)		
<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	\$
<b>TOTAL</b>		<b>\$ 122.75</b>

Clerk of Court/Deputy Clerk: Amanda K. Seis  
 Court Reporter: Steve LaRune

Presiding Judge: Debra McCaslen  
 Judge Code: 2769  
 Sentence Date: 4/19/23

WITNESSES

McCormick County Sheriff's Department

Marvin W Williams

Law Enforcement Case #: 2022-11371

DWF

ARREST WARRANT NUMBER

2022A3510100374

ACTION OF GRAND JURY

Foreperson of Grand Jury  
Date:

VERDICT

Foreperson of Petit Jury  
Date:

DOCKET NO. 2023GS3500054

**The State of South Carolina**

County of McCormick

**COURT OF GENERAL SESSIONS**

**APRIL TERM 2023**

THE STATE

vs.

Michael Stephen Bargeron

CDR #: 3413

Indictment for

Assault and Battery Second Degree

§ 16-03-0600(D)(1)

**S.R. Hubbard III, SOLICITOR**

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

X Uchea Rasmus  
Defendant

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

X Michael Bargeron  
Defendant

A. R. S.  
Witness  
C.C.C. PLS. and G.S.

RECEIVED

MAY 08 2023

SC Court of Appeals

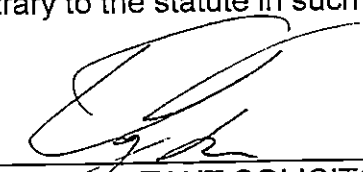
STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF MCCORMICK )  
 )

INDICTMENT FOR  
Assault and Battery Second Degree  
§ 16-03-0600(D)(1)

At a Court of General Sessions, convened on April 2023, the Grand Jurors of McCormick County present upon their oath:

That **Michael Stephen Barger** did in McCormick County, South Carolina, on or about October 26, 2022, unlawfully offered or attempted to injure another person with the present ability to do so, and moderate bodily injury to another person resulted or moderate bodily injury to another person could have resulted; to wit: threatening Crystal Clary while armed with a knife, in violation of §16-03-600(D) of the South Carolina Code of Laws of 1976, as amended.

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

  
\_\_\_\_\_  
ASSISTANT SOLICITOR

ARREST WARRANT

2022A3510100374

STATE OF SOUTH CAROLINA

[X] County/ [ ] Municipality of

Mccormick

THE STATE

against

Michael Stephen Bargeron

Address:

Sex: M Race: W Height: 6 1 Weight: 175

DL State: DL #:

DOB: Agency ORI #: SC0330000

Prosecuting Agency: Mccormick County Sheriff

Prosecuting Officer: Marvin W Williams - S00053

Offense: Domestic / Domestic Violence of a high and aggravated nature

Offense Code: 3814

Code/Ordinance Sec: 16-25-0065(A)

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 Michael Stephen Bargeron on 10-28-22

Signature of Constable/Law Enforcement Officer

RETURN WARRANT TO:

Mccormick Magistrate 211 West Augusta Street, Extension Post Office Box 1116 Mccormick, SC 29835

ORIGINAL

ORIGINAL

ORIGINAL

ORIGINAL

STATE OF SOUTH CAROLINA

[X] County/ [ ] Municipality of

Mccormick

Personally appeared before me the affiant Marvin W Williams

being duly sworn deposes and says that defendant Michael Stephen Bargeron

did within this county and state on or about 10/26/2022

State of South Carolina (or ordinance of [X] County/ [ ] Municipality of Mccormick

in the following particulars:

DESCRIPTION OF OFFENSE: Domestic / Domestic Violence of a high and aggravated nature

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:

That on October 26, 2022, in the city/county of McCormick, one Michael Stephen Bargeron did commit the crime of Domestic / Domestic violence of a high and aggravated nature (see attached affidavit). Incident investigated by Det. Williams, Det. Florida and Maj. Brock of the MCSO.

Signature of Affiant

STATE OF SOUTH CAROLINA

[X] County/ [ ] Municipality of

Mccormick

Affiant's Address P O Box 1236 Mccormick, SC 29835- Affiant's Telephone (864)465-3200

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 10/26/2022 defendant Michael Stephen Bargeron

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

[X] County/ [ ] Municipality of Mccormick ) as set forth below:

DESCRIPTION OF OFFENSE: Domestic / Domestic Violence of a high and aggravated nature

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 10/28/2022

Signature of Issuing Judge John Cliff Long Judge Code: 7261

(L.S.)

Judge's Address P. O. Box 1116 McCormick, SC 29835- Judge's Telephone (864)-85-2-23 x 16

Issuing Court: [X] Magistrate [ ] Municipal [ ] Circuit

ORIGINAL

ORIGINAL

ORIGINAL

AFFIDAVIT

ORIGINAL

Form Approved by S.C. Attorney General April 21, 2003 SCCA 518

RECEIVED 10/27/2022 4 P 3:25 G.WENDEL D. CHILES CLERK OF COURT MCCORMICK COUNTY, SC

SC Court of Appeals

BAIL set by

WITNESSES

Judge John C. Long / M.C.J.  
on 10-25-12

Type and Amount: NO Bond

Name of Surety: \_\_\_\_\_

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

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone: \_\_\_\_\_

Name: \_\_\_\_\_

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Address: \_\_\_\_\_

Telephone: \_\_\_\_\_

CODEFENDANTS

\_\_\_\_\_  
\_\_\_\_\_



STATE OF SOUTH CAROLINA ) ATTACHMENT A  
COUNTY OF MCCORMICK ) AFFIDAVIT FOR ARREST WARRANT

**Section 16-25-0065 Domestic Violence High and Aggravated**  
**CDR Code:3814**  
**Case # 2022-11371**

That on or about October 26th, 2022, one Michael Stephen Bargeron did, knowingly, intentionally and unlawfully, commit the offense of Domestic Violence High & Aggravated by using a knife and preventing the victim to call for emergency services, Michael Steven Bargeron did chase the victim then pinned her down with a knife stating he would cause death to her if she called Law Enforcement.

This violation took place at the residence of 121 Bass Road located in Clarks Hill South Carolina, the same being located within McCormick County, South Carolina.

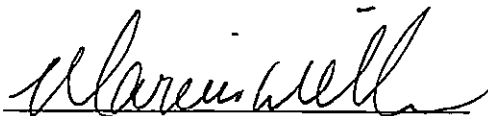
The affiant knows this to be true because the affiant during the course of this investigation has received information and viewed evidence from the investigating officer(s) and/or witnesses implicating the Defendant, Michael Stephen Bargeron, as being involved in this crime. The affiant and/or other parties are prepared to testify to the same.

Incident investigated by Dep. Watkins and reviewed by Dep. Williams with McCormick County Sheriff Office.

This being in violation of South Carolina Code of Laws, 1976, as amended

Sworn to and subscribed before me this 26<sup>th</sup> day of October,  
2022.

  
\_\_\_\_\_  
Signature of Judge

  
\_\_\_\_\_  
Affiant

Defendant: Bargeron, Michael Stephen  
Address:  
DOB:  
Race: W  
Sex: M  
SSN:  
Height: 6'01  
Weight: 170  
SCDL# 011617135

FILED  
GWENDOLYN D. CHILES  
1 2022 NOV -4 P 3:25  
CLERK OF COURT  
MCCORMICK COUNTY, SC



# McCormick County Sheriff's Office

Officer Incident Report for Incident # 2022-11371

Disposition: **ACTIVE**

<b>Incident Date:</b>	From 10-26-2022 05:03 pm To 10-26-2022 06:15 pm	<b>Report Created:</b>	10-26-2022 08:01 pm GMT -5.00
<b>Incident Type:</b>	Assault Offenses - Aggravated Assault (13A)	<b>Reported By:</b>	113 Watkins, Timothy (US013XES000000FK)
<b>Origination:</b>	911 Call	<b>Reporting Agency:</b>	McCormick County Sheriff's Office
<b>Current Status:</b>	Open Report, Access Level 1	<b>Reported From:</b>	IP ADDR 207.144.23.122
<b>Incident Location:</b>	121 Bass Rd Clarks Hill, SC 29821 US	<b>Jurisdiction:</b>	This Jurisdiction
<b>Incident Lex #:</b>	IN01BVSO00000LN0	<b>Assigned To:</b>	113 Watkins, Timothy (US013XES000000FK)
		<b>Agency:</b>	McCormick County Sheriff's Office

**Jacket Notes:** Weapons Involved, Felony

## LOCATION:

<b>Name:</b>	HOUSE	<b>Location Lex #:</b>	LO01ANJY00000R4N
<b>Address:</b>	121 Bass Rd Clarks Hill, SC 29821 US	<b>Units Entered:</b>	
<b>Latitude / Longitude:</b>	33.6465 / -82.1297	<b>Forced Entry:</b>	No
<b>Location Type:</b>	Residence/Home (include nursing homes) (20)	<b>Location Notes:</b>	
<b>Zone / Beat:</b>	south /		

## REPORTED CRIMINAL ACTIVITY:

- No Gang Involvement **\*\*CANNOT** be used with J or G\*\* (N)

**INCIDENT OFFENSES:**

off code	offense description	victim	offender	completed	use of force	auto weapon
13A	Assault Offenses - Aggravated Assault (13A)	Clary, Crystal Jan	Bargeron, Michael Stephen	Y	Y	-
100	Kidnapping/Abduction (100)	Clary, Crystal Jan	Bargeron, Michael Stephen	Y	Y	-

**ARRESTS / ARREST OFFENSES:**

name	party type	offense code	statute	description	off status
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No arrests associated with this incident.

**PARTIES:**

name	party type	arrested	injured	description	DL #	SSN #	lex #
Bargeron, Michael Stephen	Suspect	No	No	White, M, lbs, 0' 0", 36 (at time of incident), DOB:			EP012QCA000001PV

000-000-0000 (home)

Clary, Crystal Jan	Victim	No	Yes	White, F, 114 lbs, 5' 3", 37 (at time of incident), DOB:			EP013OYJ000007Q6
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Talbert, Charles Allen	Complainant	No	No	White, M, lbs, 0' 0", 75 (at time of incident), DOB:			EP014VPN000003UR
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**VEHICLES:**

No vehicles specified.

**WEAPONS:**

#	type	description	serial num	is evidence
1	Knife / Cutting Instrument	KNIFE		No

**NARRATIVE:**

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10-26-2022 20:50:34 (GMT -5.00)

113 WATKINS, TIMOTHY

US013XES000000FK

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THE FOLLOWING IS A SUMMARY, NOT VERBATIM OR AN ENTIRETY OF MY ACTIONS AND OBSERVATIONS.

On the above date and time, I (Deputy Watkins) along with Major. Brock and Deputy Florida responded to 121 Bass Road located in Clarks Hill, SC same being McCormick County in reference to a fight in progress. When I arrived, I met with Charles Talbert who lived in a shed type building on the property. Mr. Talbert stated that Crystal Clary (later identified) Michael Bargeron and Crystals sister all pulled up in a white in color newer Nissan SUV. Mr. Talbert stated he was sitting there watching them and all of a sudden "All Hell Broke Loose". Crystal began to run into Mr. Talbert's shed to attempt to take cover and Mr. Bargeron gave chase with a knife in hand. Mr. Bargeron pinned Ms. Clary to the bed as she attempted to call for Law Enforcement with the knife and said "If you call, I'll kill you". Mr. Talbert stated he was calling for law enforcement and Mr. Bargeron fled from the shed. Ms. Clary got up and went and hid at a camper located at 117 Bass Road.

I informed other county units of who to be on the lookout for, I went over to 117 Bass Road and met with Ms. Clary who gave me a clothing description of Mr. Bargeron which was shirtless with blue jeans and possible locations of where he might had fled too at which time, I relayed that information to responding units. Ms. Clary stated that Mr. Bargeron had also punched her in her right thigh along with matching the story to Mr. Talbert's about the incident.

I had Ms. Clary fill out paperwork and she indicated she did want to press charges against Mr. Bargeron, I began to search the area looking for Mr. Bargeron but myself and other deputies were unable to locate him. All units cleared and Warrants for Domestic High and Aggerated and Kidnapping were requested for Mr. Bargerons arrest. Body Cameras were worn during this event.

**SUPPLEMENTAL:**

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no entries.

**ADMINISTRATION:**

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disposition	reviewed by	review date	cleared by	cleared date
Active				

Cover Page Printed: 10-26-2022 08:52 pm GMT -5.00