

Ricky Harris

ATTORNEY

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May 9th, 2023

RECEIVED

May 09 2023

SC Court of Appeals

VIA EMAIL TO:

The Honorable Jenny Abbott Kitchings
Clerk of Court of the S.C. Court of Appeals
P.O. Box 11629
Columbia, SC 29211
ctappfilings@sccourts.org

Re: The State v. Samuel T. Riser
Appellate Case No. 2023-000743

Dear Ms. Kitchings:

Pursuant to your letter of May 9th, 2023, I am transmitting the sentencing sheets and accompanying indictments to supplement our Notice of Appeal in this case. Please let me know if the court needs any other information in this regard.

Sincerely,

s/ Ricky Harris

RICKY HARRIS

Attorney

RKH/smh

CC: Alan McCrory Wilson, Esquire
William M. Blich, Jr., Esquire
Spenser Holloran Smith, Esquire
Robert Michael Dudek, Esquire

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF Spartanburg

STATE

VS.

INDICTMENT/CASE#: 22 -GS-42-3213

Samuel T. Riser

AW#: 2021A4210206613

AKA: _____

Date of Offense: Dec. 21, 2021

Race: B Sex: M Age: _____

S.C. Code §: 16-11-510(A)

DOB: 1985 SS#: _____

CDR Code #: 3415

Address: _____

City, State, Zip: _____

DL# _____ SID# _____

RECEIVED
SENTENCE SHEET
May 09 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: Malicious Injury to Personal Property (0-30 d)

In violation of § 16-11-510(A) of the S.C. Code of Laws, bearing CDR Code # 3415

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:

Candace Clave 102502 x
Solicitor SC Bar # Defendant

X [Signature]
Attorney for Defendant SC Bar #

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: _____

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.

492 (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 _____ 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:

	\$	Beginning	\$
Fine may be pd. in equal consecutive weekly/monthly prmts. of			
§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			\$ 128.75

Clerk of Court/Deputy Clerk: Ramp Payne
 Court Reporter: _____

Presiding Judge: _____
 Judge Code: # 2712
 Sentence Date: 4-27-23

STATE OF SOUTH CAROLINA)
)
COUNTY OF SPARTANBURG)

INDICTMENT

JUN 22 2022

At a Court of General Sessions, convened on _____ the
Grand Jurors of Spartanburg County present upon their oath:

MALICIOUS INJURY TO PERSONAL PROPERTY

That the defendant, Samuel T. Riser, did in Spartanburg County on or about December 21, 2021, willfully, unlawfully, and maliciously injure, damage, or destroy the personal property of the victim, Shaleayer Wilson, valued at less than Two Thousand Dollars, to wit: damaging two television sets, in violation of §16-11-510 (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

RECEIVED

May 09 2023

SC Court of Appeals

DOCKET NO. -

22-05-42-3213

The State of South Carolina

County of Spartanburg

Barry Barnette, Solicitor

COURT OF GENERAL SESSIONS

JUN 27 2022

**THE STATE
vs.**

Samuel T. Riser

**Indictment for
MALICIOUS INJURY TO
PERSONAL PROPERTY**

SC Code: 16-11-510 (A)
CDR Code: 3415
Class MIS/UNC

WITNESSES

Spartanburg County Sheriff's Office

James G. D. ...

ARREST WARRANT NUMBER

2021A4210206613

ACTION OF GRAND JURY

True Bill

Danielle Woodward

Foreperson of Grand Jury

JUN 22 2022

Date:

VERDICT

Guilty

Valeria Hill

Foreperson of Petit Jury

Date: 4/27/23

FILED

2022 JUN 29 AM 11:54

CLERK OF COURT
SPARTANBURG COUNTY
AMY W. COX

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF Spartanburg

STATE VS.

INDICTMENT/CASE#: 22-GS-42-3212

Samuel T. Riser

AW#: 2021A421020611

AKA: _____
Race: B Sex: M Age: _____

Date of Offense: 12-21-2021

DOB: [REDACTED] 985 SS#: [REDACTED]

S.C. Code §: 16-03-0029

Address: _____

CDR Code #: 3410

City, State, Zip: _____

DL#* _____ SID# _____

RECEIVED
SENTENCE SHEET

May 09 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: Attempted Murder ; 0-30 years

In violation of § 16-03-0029 of the S.C. Code of Laws, bearing CDR Code # 3410

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:
Candace Clark 102507 x [Signature]
Solicitor SC Bar # Defendant Attorney for Defendant SC Bar #
[Signature] 101370

WHEREFORE, the Defendant is committed to the State Department of Correction County Detention Center,
LIFE WITHOUT PAROLE PURSUANT TO SC CODE 17.25-45
for a determinate term of _____ 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: _____

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.
492 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 _____ 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	\$ <u>128⁷⁵</u>

Clerk of Court/Deputy Clerk: Camp Payne

Court Reporter: _____

Presiding Judge: _____
 Judge Code: #2752
 Sentence Date: 4-27-23

STATE OF SOUTH CAROLINA)
)
COUNTY OF SPARTANBURG)

INDICTMENT

At a Court of General Sessions, convened on JUN 22 2022, the
Grand Jurors of Spartanburg County present upon their oath:

ATTEMPTED MURDER – COUNT 1

That the defendant, Samuel T. Riser, did in Spartanburg County on or about December 21, 2021, with malice aforethought attempt to kill Shaleayer Wilson, by shooting the victim, with the intent to kill the said victim, in violation of §16-03-0029, of *THE CODE OF LAWS OF SOUTH CAROLINA*, (1976, as amended).

**POSSESSION OF FIREARM OR KNIFE DURING COMMISSION
OF OR ATTEMPT TO COMMIT A VIOLENT CRIME – COUNT 2**

That the defendant, Samuel T. Riser, in Spartanburg County on or about December 21, 2021, visibly display a firearm during the commission or attempted commission of a violent crime, to wit: Attempted Murder, in violation of Code §16-23-490, *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

RECEIVED

May 09 2023

SC Court of Appeals

FILED

2022 JUN 29 AM 11:54

CLERK OF COURT
SPARTANBURG COUNTY
AMY W. COX

DOCKET NO. -

22-65-42-3212

The State of South Carolina

County of Spartanburg

Barry Barnette, Solicitor

COURT OF GENERAL SESSIONS

JUN 27 2022

TERM

THE STATE
vs.

Samuel T. Riser

Indictment for

ATTEMPTED MURDER - COUNT 1;
POSSESSION OF FIREARM
DURING COMMISSION OF A VIOLENT
CRIME - COUNT 2

SC Code: 16-3-0029; 16-23-490

CDR Code: 3410; 549

Class FEL-A; FEL/F

WITNESSES

Spartanburg County Sheriffs Office

[Signature]

ARREST WARRANT NUMBER

2021A4210206611 - Count 1 *Guilty*
2021A4210206612 - Count 2 *Guilty*

ACTION OF GRAND JURY

True Bill

Danielle Woodward
Foreperson of Grand Jury JUN 22 2022
Date:

VERDICT

Guilty

Valerie Hills
Foreperson of Petit Jury
Date: 4/27/23