

18261

VOLUME 4 OF 4

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

Appeal from Richland County

Alison Renee Lee, Circuit Court Judge

ROBERT ANTHONY JAMES,

PETITIONER,

V.

STATE OF SOUTH CAROLINA,

RESPONDENT

AMENDED APPENDIX

SUSAN B. HACKETT
Appellate Defender

South Carolina Commission on Indigent
Defense
Division of Appellate Defense
PO Box 11589
Columbia, S. C. 29211-1589

ATTORNEY FOR PETITIONER

ALAN WILSON
Attorney General

JOHN W. MCINTOSH
Chief Deputy Attorney General

SALLEY W. ELLIOTT
Senior Assistant Deputy Attorney General

DAVID SPENCER
Assistant Deputy Attorney General

ROBERT D. CORNEY
Assistant Attorney General

P.O. Box 11549
Columbia, S.C. 29211

ATTORNEYS FOR RESPONDENT

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COUNTY OF Richland

STATE Robert James VS.

99 -GS- 40 - 19300

AKA: _____

A/W#: F251497

Race: Black Sex: Male

Date of Offense: 5-29-96

DOB: 1/24/75 Age: _____

S.C. Code § : 16-11-330(A)

SSN: _____

CDR Code #: 011319

DL#: _____

SID#: _____

SENTENCE

PLEA TRIAL

In disposition of the said indictment comes now the Defendant who was CONVICTED OF or PLEADS TO:

Armed Robbery
in violation of § 16-11-330(A) of the S.C. Code of Laws, bearing CDR Code # 011319

NON-VIOLENT VIOLENT SERIOUS MOST SERIOUS 17-25-45

The charge is: As Indicted, Lesser Included Offense, Defendant Waives Presentment to Grand Jury.

The plea is: Negotiations or Recommendation, Negotiated Sentence, Recommended by the State.

ATTEST: [Signature]
Solicitor

[Signature]
Defendant

[Signature]
Attorney for Defendant

WHEREFORE, the Defendant is committed to the State Department of Corrections, County Detention Center, for a determinate term of 10 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.

The Defendant is to be given credit for _____ days/months jail time. 19299

CONCURRENT or CONSECUTIVE to sentence on: 99-GS-19105

SPECIAL CONDITIONS:

RESTITUTION Heard, Waived, Ordered

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

Payment Terms: _____

set by SCDPPPS _____

Recipient: _____

*Fine: \$ _____

§ 14-1-206 - Assessments 100%..... \$ _____

§ 14-1-211 - Surcharge..... \$ _____

(Exceptions: See § 14-1-211)

§ 56-5-2995 (DUI)..... \$ _____

County (3%)..... \$ _____

TOTAL..... \$ _____

PTUP _____
_____ days/hours Public Service Employment
Obtain GED _____
Attend Voc Rehab. or Job Corps _____
May serve W/E beginning _____
Substance Abuse Counseling _____
Random Drug/Alcohol Testing _____
Fine may be pd. in equal, consecutive weekly/monthly pmts. of \$ _____ beginning _____
\$ _____ paid to Public Defender Fund.
Other: _____

Clerk of Court/Deputy Clerk [Signature]

PRESIDING JUDGE [Signature]

Court Reporter: Williams

Judge Code: _____

Sentence Date: 9/24/99

ARREST WARRANT

1503

251497 F- 251497 9630124

STATE OF SOUTH CAROLINA

County/ Municipality of COLUMBIA

THE STATE against

ROBERT JAMES

Address

SSN:

Sex: M Race: B Height: 5 11 Weight: 150

DL State: DL #:

DOB: 01/24/75 Agency ORI #: SC0400100

Prosecuting Agency: CITY OF COLUMBIA

Prosecuting Officer: T N THOMAS/CATHCART

Offense: ARMED ROBBERY

Offense Code: ARI

Code/Ordinance Sec. 16-11-330

This warrant is CERTIFIED FOR SERVICE in the

County/ Municipality of COLUMBIA

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

Signature of Judge (L.S.)

Date:

RETURN

A copy of this arrest warrant was delivered to defendant on

Signature of Constable/Law Enforcement Officer

RETURN WARRANT TO:

CITY OF COLUMBIA MUNICIPAL COURT P. O. BOX 644 COLUMBIA, SC 29202

STATE OF SOUTH CAROLINA County/ Municipality of COLUMBIA

Affiant T N THOMAS ROBERT JAMES personally appeared before me the affiant being duly sworn deposes and says that defendant did within this county and state on 05/29/96 violate the criminal laws of the State of South Carolina (or ordinance of County/ Municipality of COLUMBIA) in the following particulars:

DESCRIPTION OF OFFENSE: ARMED ROBBERY 16-11-330

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:

DEFENDANT DID WITH FOUR CO-DEFENDANT'S @ 1800 GERMANY ST, COLUMBIA, SC (T S MARTIN PARK) IN THE CITY LIMITS OF COLUMBIA, SC TAKE THE VICTIM @ GUN POINT, FORCE HER TO ENGAGE IN SEXUAL INTERCOURSE, HOLD HER AGAINST HER WILL & THEN ROB THE VICTIM OF \$140 IN U S CURRENCY. THE VICTIM POSITIVELY IDENTIFIED DEFENDANT AS ONE OF THE PERSONS WHO COMMITTED THE ABOVE INCIDENT.

Sworn to and subscribed before me on 08/02/96

Signature of Affiant (L.S.)

Signature of Affiant

Ministerial Recorder STATE OF SOUTH CAROLINA County/ Municipality of COLUMBIA

Signature of Ministerial Recorder (L.S.)

Signature of Ministerial Recorder

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 defendant ROBERT JAMES did violate the criminal laws of the State of South Carolina (or ordinance of County/ Municipality of COLUMBIA) as set forth below:

DESCRIPTION OF OFFENSE: ARMED ROBBERY 16-11-330

Now, therefore, 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.

Signature of Judge (L.S.)

Signature of Judge

Signature of Ministerial Recorder (L.S.)

Signature of Ministerial Recorder

AFFIDAVIT

Form Approved by S.C. Attorney General July 26, 1990 SCCA 518

T N THOMAS

ROBERT JAMES

05/29/96

violate the criminal laws of the COLUMBIA

ARMED ROBBERY

16-11-330

J. N. Thomas

Signature of Affiant

Affiant's Address 1409 LINCOLN ST

CPD

Affiant's Telephone 7338415

RECEIVED

JAN 16 1997

ARREST WARRANT

CLERK OF COURT

CRIMINAL RECORDS

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 defendant ROBERT JAMES

did violate the criminal laws of the State of South Carolina (or ordinance of County/ Municipality of COLUMBIA) as set forth below:

DESCRIPTION OF OFFENSE: ARMED ROBBERY 16-11-330

Now, therefore, 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.

Signature of Judge (L.S.)

Signature of Judge

Signature of Ministerial Recorder (L.S.)

Signature of Ministerial Recorder

Issuing Court: Magistrate Municipal Circuit

ORIGINAL

1504

WITNESSES

T. N. Thomas, CPD

T. N. Thomas

DOCKET NO. 99-65-40-22843

The State of South Carolina,

County of RICHLAND

COURT OF GENERAL SESSIONS

#04 AUGUST TERM 1999

ARREST WARRANT NO. F467959

THE STATE

vs.

ROBERT JAMES

ACTION OF GRAND JURY

TRUE BILL

Joe E. Bowen
Foreman of Grand Jury

VERDICT

**Indictment for Assault and
Battery With Intent To Kill
and Possession of Firearm
or Knife During
Commission of or Attempt
to Commit Violent Crime**

S. C. Code Section 16-23-490 Class F-Felony

Foreman of Petit Jury

Date:

STATE OF SOUTH CAROLINA

COUNTY OF Richland

STATE Robert James VS.

AKA:

Race: Black Sex: Male

DOB: 1/24/75 Age: _____

SSN: _____

DL#: _____

SID#: _____

IN THE COURT OF GENERAL SESSIONS 1506

INDICTMENT/CASE#:

99 -GS- 40 - 22846

A/W#: F467956

Date of Offense: 5-29-96

S.C. Code § : 16-11-330(A)

CDR Code #: 011319

SENTENCE

PLEA TRIAL

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

TO: Armed Robbery

in violation of § 16-11-330(A) of the S.C. Code of Laws, bearing CDR Code # 011319

NON-VIOLENT VIOLENT SERIOUS MOST SERIOUS 17-25-45

The charge is: As Indicted, Lesser Included Offense, Defendant Waives Presentment to Grand Jury.

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

ATTEST:

[Signature]
Solicitor

[Signature]
Defendant

[Signature]
Attorney for Defendant

WHEREFORE, the Defendant is committed to the State Department of Corrections, 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.

The Defendant is to be given credit for _____ days/months jail time.

CONCURRENT or CONSECUTIVE to sentence on: all sentences

SPECIAL CONDITIONS:

RESTITUTION Heard, Waived, Ordered

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

Payment Terms: _____

set by SCDPPS _____

Recipient: _____

*Fine:\$
§ 14-1-206 - Assessments 100%.....\$
§ 14-1-211 - Surcharge.....\$
(Exceptions: See § 14-1-211)
§ 56-5-2995 (DUI).....\$
County (3%).....\$
TOTAL.....\$

PTUP _____
_____ days/hours Public Service Employment

Obtain GED _____

Attend Voc Rehab. or Job Corps _____

May serve W/E beginning _____

Substance Abuse Counseling _____

Random Drug/Alcohol Testing _____

Fine may be pd. in equal, consecutive weekly/monthly pmts. of \$ _____ beginning _____

\$ _____ paid to Public Defender Fund.

Other: _____

Clerk of Court/Deputy Clerk [Signature]

Court Reporter: Williams

PRESIDING JUDGE [Signature]

Judge Code: _____

Sentence Date: 9/24/99

1507

ARREST WARRANT

467959 F- 467959 9530124

STATE OF SOUTH CAROLINA
County/ Municipality of COLUMBIA

THE STATE against

ROBERT JAMES

Address: COLUMBIA SC 00000

Sex: Race: B Height: 5 11 Weight: 150

DL State: DL #: DOB: 01/24/75 Agency ORI#: SC0400100

Prosecuting Agency: CITY OF COLUMBIA

Prosecuting Officer: T N THOMAS/FRAIR

Offense: POSS OF FIREARM USED

COMMISSION OF A FELONY Offense Code: FIR

Code/Ordinance Sec. 16-23-490

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

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

Signature of Judge (L.S.)

Date:

RETURN

A copy of this arrest warrant was delivered to defendant ROBERT JAMES on 05/14/97 - 1733

Signature of Constable/Law Enforcement Officer George W. Palmer (T.N. THOMAS)

RETURN WARRANT TO:

STATE OF SOUTH CAROLINA County/ Municipality of COLUMBIA

AFFIDAVIT

Form Approved by S.C. Attorney General July 26, 1990 SCCA 518

Personally appeared before me the affiant T N THOMAS who being duly sworn deposes and says that defendant ROBERT JAMES did within this county and state on 05/29/96 violate the criminal laws of the State of South Carolina (or ordinance of County/ Municipality of COLUMBIA) in the following particulars:

DESCRIPTION OF OFFENSE: POSS OF FIREARM USED 16-23-490 COMMISSION OF A FELONY

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:

DEFENDANT DID ALONG WITH FOUR CO-DEFENDANTS ON 5/29/96, AT 1800 GERMANY ST (TS MARTIN PARK) IN THE CITY LIMITS OF COLUMBIA SC USE A PISTOL, DURING A ROBBERY AND KIDNAPPING OF THE VICTIM (WINFRED BULL). THE DEFENDANT WAS IDENTIFIED BY A WITNESS AS THE PERSON WHO COMMITTED THE ABOVE OFFENSE.

Sworn to and subscribed before me on 05/14/97 Signature of Issuing Judge Ministerial Recorder

Signature of Affiant J. D. Thom Affiant's Address 1409 LINCOLN ST CPD Affiant's Telephone 7338415

RECEIVED JUN - 5 1997 CLERK OF COURT CRIMINAL RECORDS

STATE OF SOUTH CAROLINA County/ Municipality of COLUMBIA

ARREST WARRANT

TO ANY LAW ENFORCEMENT OFFICER OF THIS STATE OR MUNICIPALITY OR ANY CONSTABLE appearing from the above affidavit that there are reasonable grounds to believe that on 05/29/96 defendant ROBERT JAMES did violate the criminal laws of the State of South Carolina (or ordinance of County/ Municipality of COLUMBIA) as set forth below:

DESCRIPTION OF OFFENSE: POSS OF FIREARM USED 16-23-490 COMMISSION OF A FELONY

Now, therefore, 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.

Signature of Issuing Judge Ministerial Recorder Judge Code:

Judge's Address MUNICIPAL COURT, P.O. BOX 644 29202 Judge's Telephone Issuing Court: Magistrate Municipal Circuit

James, Robert
Name of Defendant

9467959
Warrant/Ticket Nos

County/Municipality of Columbia, SC

Charges: Poss of
Firearm used Com. of a Felony
Trial Court: [X] General Sessions
[] Magistrate
[] Municipal Court

CHECKLIST FOR MAGISTRATES AND MUNICIPAL JUDGES

DIRECTIONS: Magistrates and municipal court judges must use this checklist for ALL GENERAL SESSIONS CASES and for ALL MAGISTRATE AND MUNICIPAL COURT CASES IN WHICH BOND HAS BEEN SET BY A JUDGE. The judge should attach this checklist to the charging document (arrest warrant or uniform traffic ticket) when the defendant first appears before a judge for a bond hearing or first appearance, and complete the appropriate sections.

- BAIL PROCEEDING
- FIRST APPEARANCE (Non-Bailable Offenses)

1. Form used at bail proceedings
 - a. Bond Form I (personal recognizance)
 - b. Bond Form II (surety, cash, percentage)
 - c. None (Non-Bailable Offense)

2. For cases in which bond is set, defendant was informed:
 - a. Warrant for arrest will be issued for violation of any condition of bail bond order.
 - b. His right and obligation to be present at trial and that trial will proceed in his absence if he fails to attend.
 - c. Failure to appear in court as required will result in institution of additional criminal charges. For failure to appear in connection with a felony, additional charge has penalty of fine of not more than \$5,000 or imprisonment for not more than five (5) years, or both. For failure to appear in connection with a misdemeanor, additional charge has penalty of fine of not more than \$1,000 or imprisonment for not more than one (1) year, or both.

3. For cases to be tried in Court of General Sessions, defendant was informed of right to preliminary hearing if requested within ten (10) days:
 - a. Orally
 - b. In writing
[NOTE: Defendant must be informed of right both orally and in writing]

4. Defendant was informed of the right to trial by jury.

5. In all general sessions cases and in all magistrate or municipal cases in which a prison sentence is likely to be imposed, defendant was informed of the following:
 - a. Charges against defendant and nature of the charges.
 - b. Right to counsel and right to court-appointed counsel if financially unable to employ counsel
 - c. [(Optional: Local procedures may require judge to refer defendants to indigency screener. If so, note referral here) Required to appear before _____ on _____, 19__ for appointment of counsel.]

Appearance or Hearing Date: 5-15-97

Steve Jones
Judge's Signature

1509

WITNESSES

T. N. Thomas, CPD

T. N. Thomas

ARREST WARRANT NO. F467957

ACTION OF GRAND JURY

TRUE BILL

Ann E. Bowler
Foreman of Grand Jury

VERDICT

Foreman of Petit Jury

Date:

DOCKET NO. 99-65-40-22845

The State of South Carolina,

County of RICHLAND

COURT OF GENERAL SESSIONS

#04 AUGUST TERM 1999

THE STATE

vs.

ROBERT JAMES

**Indictment for Assault and
Battery With Intent To Kill
and Possession of Firearm
or Knife During
Commission of or Attempt
to Commit Violent Crime**

Common Law - No Classification

STATE OF SOUTH CAROLINA)
COUNTY OF RICHLAND)

~~INDICTMENT FOR ASSAULT AND BATTERY WITH INTENT TO KILL AND POSSESSION OF FIREARM OR KNIFE DURING COMMISSION OF OR ATTEMPT TO COMMIT A VIOLENT CRIME~~

At a Court of General Sessions, convened on August 11, 1999,
the Grand Jurors of RICHLAND County present upon their oath:

COUNT ONE — ASSAULT AND BATTERY WITH INTENT TO KILL

That ROBERT JAMES
did in Richland County on or about May 29, 1996, with
malice aforethought commit an assault ~~and battery~~ upon one Winfred Bull
with intent to kill the said victim.

COUNT TWO — POSSESSION OF FIREARM OR KNIFE DURING COMMISSION OF OR ATTEMPT TO COMMIT A VIOLENT CRIME

That _____
did in _____ County on or about _____, possess or
visibly display a firearm or visibly display a knife during the commission or attempted commission
of a violent crime, to wit: _____,
in violation of Code Section 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.

Walter B. Guse
SOLICITOR

COUNTY OF Richland
STATE Robert James VS.

99 -GS- 40 - 22845
A/W#: F467957
Date of Offense: 5-29-96
S.C. Code § : Common Law
CDR Code #: 0171618

AKA: _____
Race: Black Sex: Male
DOB: 1/24/75 Age: _____
SSN: _____
DL#: _____
SID#: _____

SENTENCE

PLEA TRIAL

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

TO: Assault with Intent to Kill
in violation of § Common Law of the S.C. Code of Laws, bearing CDR Code # 0171618

NON-VIOLENT VIOLENT SERIOUS MOST SERIOUS 17-25-45

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

ATTEST: [Signature] Solicitor [Signature] Defendant [Signature] Attorney for Defendant

WHEREFORE, the Defendant is committed to the State Department of Corrections, County Detention Center,
for a determinate term of 10 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.

The Defendant is to be given credit for _____ days/months jail time.
 CONCURRENT or CONSECUTIVE to sentence on: all sentences

SPECIAL CONDITIONS:

RESTITUTION Heard, Waived, Ordered
Total: \$ _____ plus 20% fee \$ _____
Payment Terms: _____
 set by SCDPPPS _____

PTUP _____
_____ days/hours Public Service Employment
Obtain GED _____
Attend Voc Rehab. or Job Corps _____
May serve W/E beginning _____
Substance Abuse Counseling _____
Random Drug/Alcohol Testing _____
Fine may be pd. in equal, consecutive weekly/monthly
pmts. of \$ _____ beginning _____
\$ _____ paid to Public Defender Fund.
Other: _____

Recipient: _____
*Fine: \$ _____
§ 14-1-206 - Assessments 100%..... \$ _____
§ 14-1-211 - Surcharge..... \$ _____
(Exceptions: See § 14-1-211)
§ 56-5-2995 (DUI)..... \$ _____
County (3%)..... \$ _____
TOTAL..... \$ _____

Clerk of Court/Deputy Clerk [Signature] PRESIDING JUDGE [Signature]
Court Reporter: Williams Judge Code: _____
Sentence Date: 9/24/96

ARREST WARRANT

1512
F- 467956
STATE OF SOUTH CAROLINA
COLUMBIA

THE STATE
against

ROBERT JAMES

Address: COLUMBIA SC 00000
Sex: Race: B Height: 5 11 Weight: 150
DL State: DL #: DOB: 01/24/75 Agency ORI# SC0400100
Prosecuting Agency: CITY OF COLUMBIA
Prosecuting Officer: THOMAS TN/FRAIR
Offense: ARMED ROBBERY
Offense Code: ARC
Code/Ordinance Sec. 16-11-330

This warrant is CERTIFIED FOR SERVICE in the
County/Municipality of COLUMBIA
The accused is to be arrested and brought before me to be dealt with according to law.

Signature of Judge

RETURN

A copy of this arrest warrant was delivered to defendant ROBERT JAMES

on 05/14/97-1233

George W. Colburn (Law Thomas)
Signature of Constable/Law Enforcement Officer

RETURN WARRANT TO:

STATE OF SOUTH CAROLINA)
County/Municipality of COLUMBIA)

AFFIDAVIT

Form Approved by
S.C. Attorney General
July 26, 1990
SCCA 518

Personally appeared before me the affiant TN THOMAS who
being duly sworn deposes and says that defendant ROBERT JAMES
did within this county and state on 05/29/96 violate the criminal laws of the
State of South Carolina (or ordinance of County/Municipality of COLUMBIA)
in the following particulars:

DESCRIPTION OF OFFENSE: ARMED ROBBERY 16-11-330

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:

DEFENDANT DID ALONE WITH FOUR CO-DEFENDANTS ON MAY 29, 1996, AT 1800 GERMANY ST (TS MARTIN PARK) IN THE CITY LIMITS OF COLUMBIA, SC TAKE A PISTOL AND ROB THE VICTIM (WINFRED BULL) OF \$117 IN US CURRENCY. THE DEFENDANT WAS POSITIVELY IDENTIFIED BY A WITNESS AS THE PERSON WHO COMMITTED THE ABOVE OFFENSES.

Sworn to and subscribed before me)
on 05/14/97)

J. D. Shan
Signature of Affiant
Affiant's Address 1409 LINCOLN ST
CPD
Affiant's Telephone 7338415

Ministerial Recorder
STATE OF SOUTH CAROLINA)
County/Municipality of COLUMBIA)

ARREST WARRANT

RECEIVED
JUN - 5 1997
CLERK OF COURT
CRIMINAL RECORDS

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 05/29/96 defendant ROBERT JAMES
did violate the criminal laws of the State of South Carolina (or ordinance of
County/Municipality of COLUMBIA) as set forth below:
DESCRIPTION OF OFFENSE: ARMED ROBBERY 16-11-330

Now, therefore, 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.

W. C. ... (L.S.)
Judge's Address CITY OF COLUMBIA, SC
MUNICIPAL COURT, P.O. BOX 644 29202
Judge's Telephone
Issuing Court: Magistrate Municipal Circuit

ORIGINAL

WITNESSES

T. N. Thomas, CPD

T. N. Thomas

ARREST WARRANT NO. F251498

ACTION OF GRAND JURY

TRUE BILL

R. E. Bowen
Foreman of Grand Jury

VERDICT

Petit Jury

Date:

DOCKET NO. 19-65-40-19301

The State of South Carolina,

County of RICHLAND

COURT OF GENERAL SESSIONS

#04 AUGUST TERM 1999

THE STATE

vs.

ROBERT JAMES

Indictment for

KIDNAPPING

S. C. Code Section 16-3-910 Class A-Felony
95

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS 1515
INDICTMENT/CASE#:

COUNTY OF Richland

STATE Robert James VS.

99 -GS- 40 - 19301

A/W#: F251498

Date of Offense: 5-29-96

S.C. Code § : 16-3-910

AKA: _____

Race: Black Sex: Male

DOB: 1/24/75 Age: _____

SSN: _____

DL#: _____

SID#: _____

CDR Code #: 0 / 0 / 9 / 5

SENTENCE

PLEA TRIAL

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

TO: Kidnapping
in violation of § 16-3-910 of the S.C. Code of Laws, bearing CDR Code # 0 / 0 / 9 / 5

NON-VIOLENT VIOLENT SERIOUS MOST SERIOUS 17-25-45

The charge is: As Indicted, Lesser Included Offense, Defendant Waives Presentment to Grand Jury.

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

ATTEST: [Signature]
Solicitor

[Signature]
Defendant

[Signature]
Attorney for Defendant

WHEREFORE, the Defendant is committed to the State Department of Corrections, 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.

The Defendant is to be given credit for _____ days/months jail time.
 CONCURRENT or CONSECUTIVE to sentence on: All sentences

SPECIAL CONDITIONS:

RESTITUTION Heard, Waived, Ordered
Total: \$ _____ plus 20% fee \$ _____
Payment Terms: _____
 set by SCDPPPS _____

PTUP _____
_____ days/hours Public Service Employment
Obtain GED _____
Attend Voc Rehab. or Job Corps _____
May serve W/E beginning _____
Substance Abuse Counseling _____
Random Drug/Alcohol Testing _____
Fine may be pd. in equal, consecutive weekly/monthly pmts. of \$ _____ beginning _____
\$ _____ paid to Public Defender Fund.
Other: _____

Recipient: _____
*Fine:\$
§ 14-1-206 - Assessments 100%.....\$
§ 14-1-211 - Surcharge.....\$
(Exceptions: See § 14-1-211)
§ 56-5-2995 (DUI).....\$
County (3%).....\$
TOTAL.....\$

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

PRESIDING JUDGE: [Signature]
Judge Code: _____
Sentence Date: 9/24/99

ARREST WARRANT

1516

251498 F- 251498 9630124

STATE OF SOUTH CAROLINA

County/ Municipality of COLUMBIA

THE STATE against

ROBERT JAMES

Address: COLUMBIA SC 29200

Sex: M Race: B Height: 5 11 Weight: 150 DL State: SC DOB: 01/24/75 Agency ORI #: SC0400100 Prosecuting Agency: CITY OF COLUMBIA Prosecuting Officer: T N THOMAS/CATHCART Offense: KIDNAPPING

Offense Code: ABD Code/Ordinance Sec. 16-3-910

This warrant is CERTIFIED FOR SERVICE in the County/ Municipality of COLUMBIA. The accused is to be arrested and brought before me to be dealt with according to law.

Signature of Judge (L.S.)

Date:

RETURN A copy of this arrest warrant was delivered to defendant on 12/30/96

Signature of Constable/Law Enforcement Officer

RETURN WARRANT TO: CITY OF COLUMBIA MUNICIPAL COURT P. O. BOX 644 COLUMBIA, SC 29202

STATE OF SOUTH CAROLINA County/ Municipality of COLUMBIA

AFFIDAVIT

Personally appeared before me the affiant T N THOMAS who being duly sworn deposes and says that defendant ROBERT JAMES did within this county and state on 05/29/96 violate the criminal laws of the State of South Carolina (or ordinance of County/ Municipality of COLUMBIA) in the following particulars:

DESCRIPTION OF OFFENSE: KIDNAPPING 16-3-910

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:

DEFENDANT DID WITH FOUR CO-DEFENDANT'S @ 1800 GERMANY ST, COLUMBIA, SC (T S MARTIN PARK) IN THE CITY LIMITS OF COLUMBIA, SC TAKE THE VICTIM @ GUN POINT, FORCE HER TO ENGAGE IN SEXUAL INTERCOURSE, HOLD HER AGAINST HER WILL & THEN ROB THE VICTIM OF \$140 IN U S CURRENCY. THE VICTIM POSITIVELY IDENTIFIED DEFENDANT AS ONE OF THE PERSONS WHO COMMITTED THE ABOVE INCIDENT.

Sworn to and subscribed before me on 08/02/96 (L.S.)

Signature of Affiant J. N. Thomas Affiant's Address 1409 LINCOLN ST CPD Affiant's Telephone 7338415

Ministerial Recorder

STATE OF SOUTH CAROLINA County/ Municipality of COLUMBIA

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 ROBERT JAMES did violate the criminal laws of the State of South Carolina (or ordinance of County/ Municipality of COLUMBIA) as set forth below: DESCRIPTION OF OFFENSE: KIDNAPPING 16-3-910

Now, therefore, 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.

Signature of Issuing Judge (L.S.) Ministerial Recorder

Judge's Address CITY OF COLUMBIA, SC MUNICIPAL COURT, P.O. BOX 644 29202 Judge's Telephone Issuing Court: Magistrate Municipal Circuit

Form Approved by S.C. Attorney General July 26, 1990 SCCA 518

RECEIVED JAN 16 1997 CLERK OF COURT (CRIMINAL DIVISION)

ORIGINAL