

ARREST WARRANT

2017A2720200149

STATE OF SOUTH CAROLINA

County/ Municipality of

Ridgeland

THE STATE 31-2017-108

against

Benjamin Walter Dubois, III

Address:

Phone: SSN Sex: M Race: Height: 5'8 Weight: 170

DL State: SC DL# DOB: Agency ORI #: SC040095C

Prosecuting Agency: S C Department Of Corrections Division

Prosecuting Officer: William A. Garvin - S00027

Offense: Murder / Murder

Offense Code: 0116

Code/Ordinance Sec: 16-03-0020

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.

Signature of Judge (L.S.)

Date: 8-15-17

RETURN

A copy of this arrest warrant was delivered to defendant Benjamin Dubois III on 8-15-17

Signature of Constable/Law Enforcement Officer

RETURN WARRANT TO: General Sessions 265 Russell Street Po Box 248 Ridgeland, SC 299360248

TRUE-COPY MARGARET BOSTICK CLERK OF COURT JASPER COUNTY, SC

BY: DATE: 8/10/23

ORIGINAL

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ORIGINAL

STATE OF SOUTH CAROLINA County/ Municipality of Ridgeland

AFFIDAVIT

ORIGINAL

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

Personally appeared before me the affiant William A Garvin being duly sworn deposes and says that defendant Benjamin Walter Dubois, III did within this county and state on or about 6/22/2017 violate the criminal laws of the State of South Carolina (or ordinance of County/ Municipality of Ridgeland) in the following particulars:

DESCRIPTION OF OFFENSE: Murder / Murder

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 June 22, 2017 in the County of Jasper, Town of Ridgeland, one Benjamin Walter Dubois III did commit the offense Murder, in that defendant did, with malice and aforethought, cause the death of the victim listed as Defendant is an inmate SCDC # 295690 being housed at Ridgeland Correctional Institution located at 5 Correctional Rd. in Ridgeland, SC 29936. On the date in question defendant Dubois III did enter the cell block area of victim Holmes and once therein did without just cause or provocation physically assault victim by using some type a homemade edged weapon and stabbed victim multiple times throughout the body causing victim death.

Signature of Affiant

STATE OF SOUTH CAROLINA County/ Municipality of Ridgeland

Affiant's Address P.O. Box 21787 Columbia, SC 29221-1787 Affiant's Telephone

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 6/22/2017 defendant Benjamin Walter Dubois, III did violate the criminal laws of the State of South Carolina (or ordinance of County/ Municipality of Ridgeland) as set forth below:

DESCRIPTION OF OFFENSE: Murder / Murder

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 7/17/2017 Judge's Address Post Office Box 1119 Ridgeland, SC 29936- Judge's Telephone (843)726-7500 Issuing Court: Magistrate Municipal Circuit

Issuing Court: Magistrate Municipal Circuit

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RECEIVED AUG 16 2023 5C Court of Appeals FILED 2017 AUG 22 PM 1:06 CLERK OF COURT JASPER COUNTY

RECEIVED

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF JASPER

AUG 16 2023

STATE

SC Court of Appeals

INDICTMENT/CASE#: 2017GS2700582

VS.

Benjamin Walter Dubois, III

A/W#: 2017A2720200149

AKA:

Date of Offense: 06/22/2017

Race: White Sex: Male Age: 39

S.C. Code §: 16-3-10

DOB: SS#:

CDR Code #: 0116

Address:

City, State, Zip:

DL#* SID#

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: Murder

In violation of § 16-3-10 of the S.C. Code of Laws, bearing CDR Code # 0116

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:

Reed A Evans 79925 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 life without parole 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. ___ 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.

TRUE COPY MARGARET BOSTICK CLERK OF COURT JASPER COUNTY, SC

BY: [Signature] DATE: 8/10/23

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: Medications currently taking: Geodon and Zoloft

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	\$ <u>100</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</u>
§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	\$ <u>3.75</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	\$ _____
	TOTAL	\$ <u>128.75</u>

Clerk of Court/Deputy Clerk:
Court Reporter:

Margaret Bostick
Kira Williams

Presiding Judge:
Judge Code:
Sentence Date:

[Signature]
2142
8/7/23

TRUE COPY
MARGARET BOSTICK
CLERK OF COURT
JASPER COUNTY, SC
BY: [Signature]
DATE: 8/10/23

WITNESSES

R. Jenkins--SCDC

DOCKET NO. 2017GS2700582

The State of South Carolina

County of Jasper

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

Defendant

COURT OF GENERAL SESSIONS

May Term 2018

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

THE STATE

vs.

Benjamin Walter Dubois, III

ARREST WARRANT NUMBER

2017A2720200149

ACTION OF GRAND JURY

TRUE BILL ✓

NO BILL

FOREMAN *Jeannine Buder*

DATE *8/10/23*

Indictment For

Murder

SC Code: 16-3-10

CDR Code: 0116

Defendant

Foreperson of Grand Jury

Date:

Witness:

VERDICT

Guilty

RECEIVED

AUG 16 2023

SC Court of Appeals

C.C.C. PLS. and G.S.

Foreperson of Petit Jury

Date: *08/14/2023*

INDICT

TRUE COPY
MARGARET BOSTICK
CLERK OF COURT
JASPER COUNTY, SC
BY: *[Signature]*
DATE: *8/10/23*

STATE OF SOUTH CAROLINA)
)
COUNTY OF JASPER)

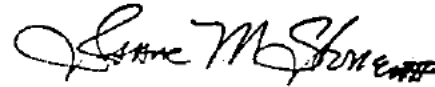
INDICTMENT
2017GS2700582

At a Court of General Sessions, convened on May 31, 2018, the Grand Jurors of Jasper County present upon their oath:

Murder

That in Jasper County, South Carolina, on or about June 22, 2017, the Defendant, Benjamin Walter Dubois, III, did, with malice aforethought, kill [REDACTED] did die as a proximate result of Benjamin Walter Dubois, III's actions, all in violation of Section 16-3-10, et al. of the Codes of Law of South Carolina.

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



Solicitor

RECEIVED
JUN 22 2018
CLERK OF COURT
JASPER COUNTY
SOUTH CAROLINA