

**WITNESSES**

*[Signature]*  
Abbeville Police Department

**WARRANT NUMBER**

2020A0120100198

*[Faint stamp]*

*[Signature]*  
Foreman of the Grand Jury

Date: 4-12-21

**VERDICT**

*Guilt of ABHAN*  
*GA Winter*

Foreman 9-28-2023

**THE STATE OF SOUTH CAROLINA**

COUNTY OF ABBEVILLE

**COURT OF GENERAL SESSIONS**

April Term, 2021

Indictment # 2021GS01-0214

**THE STATE**

vs.

KENDRICK MONTREZ LEE

**INDICTMENT FOR**

**ASSAULT & BATTERY OF A HIGH AND**

**AGGRAVATED NATURE**

SC Code: § 16-03-0600(B)(1)

CDR: 3411

I hereby waive presentment to the Grand Jury.

Defendant

Witness:

**RECEIVED**

Nov 28 2023

SC Court of Appeals

**THE STATE OF SOUTH CAROLINA**

**COUNTY OF ABBEVILLE**

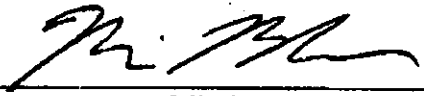
**INDICTMENT FOR**

**ASSAULT & BATTERY OF A HIGH AND  
AGGRAVATED NATURE  
§16-03-0600(B)(1)**

At a Court of General Sessions, convened on the 19th day of April, 2021, the Grand Jurors of Abbeville County present upon their oath:

The defendant, Kendrick Montrez Lee, did on or about October 6, 2020, in Abbeville County, South Carolina, unlawfully injure Tobias Hikeem Hughey and did accomplish that injury by means likely to produce death or great bodily injury or cause great bodily injury. All in violation of 16-03-0600(B)(1), Code of Laws of South Carolina, (1976, as amended).

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

  
\_\_\_\_\_  
Micah E. Black  
Assistant Solicitor

RECEIVED

Nov 28 2023

SC Court of Appeals

STATE OF SOUTH CAROLINA

COUNTY OF ABBEVILLE

STATE

VS.

KENDRICK MONTREZ LEE

AKA: KENDRICK MONTREZ LEE
Race: Black Sex: M Age: 41
DOB: SS#:
Address:
City, State, Zip: Abbeville, SC 29620
DL#\* SID#

IN THE COURT OF GENERAL SESSIONS

INDICTMENT/CASE#: 2021GS01-0214

A/W#: 2020A0120100198
Date of Offense: 10/06/2020
S.C. Code §: 16-03-0029
CDR Code #: 3410

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: Assault & Battery Of A High And Aggravated Nature NMT 20 years

In violation of § 16-03-0600(B)(1) of the S.C. Code of Laws, bearing CDR Code # 3411

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: Micah E. Black, Deputy Solicitor 101119 SC Bar # Defendant Attorney for Defendant 66063 SC Bar #

WHEREFORE, the Defendant is committed to the State Department of Correction County Detention Center,
for a determinate term of life imprisonment per 17-25-45
and/or to pay a fine of \$; provided that upon the service of days/months/years/Time Served
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.
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	\$100
§56-5-2995 (DUI Assessment)	\$12	\$ _____
§56-1-286 (DUI Breath Test)	\$25	\$ _____
§14-1-212 (Law Enforce. Funding)	\$25	\$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	\$3.75
<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>\$128.75</b>

Clerk of Court/Deputy Clerk: Shardal Boops Presiding Judge: [Signature]  
 Court Reporter: Shanna Puckett, DRP Judge Code: 2159  
 Sentence Date: 10-19-2023

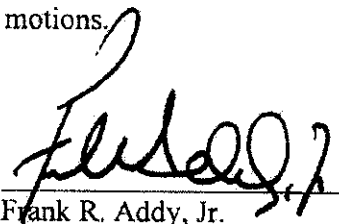


of the jury adds little to the noun and does not rise to the level of instructing a jury to “seek the truth” per State v. Beaty, 423 S.C. 26, 813 S.E.2d 502 (2018). Put another way, even absent the use of the adjective, a jury would still understand that their role is to determine what the “true” facts are, because it would be quite nonsensical for a jury to believe that their duty is to determine what the “false” facts are.

3. Concerning the verdict form and request for a *King* instruction, the Court is satisfied that such an instruction was not warranted and that Mr. Lee was not prejudiced by the structure of the verdict form.
4. Regarding sentencing, the Court delayed sentencing for roughly two (2) weeks and did review the recorded statements of the victim, Mr. Hughey, prior to imposing sentence. However, by operation of law, the Court had no discretion in the sentence imposed regardless of Mr. Hughey’s or his mother’s request for leniency.

**WHEREFORE**, the Court denies Mr. Lee’s motions.

**IT IS SO ORDERED.**



Frank R. Addy, Jr.  
Circuit Court Judge  
Eighth Judicial Circuit

November 21, 2023  
Greenwood, South Carolina

STATE OF SOUTH CAROLINA  
COUNTY OF ABBEVILLE  
Filed 11/21 A.D. 2023  
at 2:25 o'clock P M  
Shanda Boggs  
Clerk of Court