

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF Horry

RECEIVED

STATE

JAN 05 2024

INDICTMENT/CASE#: 2023GS2606549

VS.

SC Court of Appeals

Paul Franklin Jones Greenwood

ADN#: 2023A2610500084

AKA: _____
Race: WHITE Sex: M Age: 31
DOB: _____ SS#: _____
Address: _____
City, State, Zip: _____
DL#: _____ SID#: SC02210573

Date of Offense: 3/10/2023

S.C. Code §: 16-03-1730(C)

CDR Code #: 2406

SENTENCE SHEET

2 Yr. Suspended To Probation
Alford

*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: Harassment First Degree

Up to 3 Yr. +/OR \$2,000

In violation of § 16-03-1720(A) of the S.C. Code of Laws, bearing CDR Code # 2403

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

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: _____ 105364 SC Bar # _____ Defendant
_____ Graustein, Scott Attorney for Defendant SC Bar# _____

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

for a determinate term of 2 days/months/years/Time Served Youthful Offender Act not to exceed X years

and/or to pay a fine of \$ X; provided that upon the service of X days/months/years/Time Served and or payment

of \$ X; plus costs and assessments as applicable*; the balance is suspended with probation for 2

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.

FILED
Horry County
REC 20
2023 DEC 20
REESE N. ELYS
CLERK OF COURT
HORRY COUNTY, SC

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: Defendant may petition Family Court for visitation with his child.

CERTIFIED COPY
RENEE N. ELVIS
CLERK OF COURT
HORRY COUNTY, SC
2023 DEC 20 P 4: 21
FILED
HORRY COUNTY

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/ <u>monthly</u> pmts. of	\$ <u>31.00</u>	Beginning	<u>1/20/24</u>	\$ _____
§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		\$ _____
§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>18.75</u>
<input checked="" 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		\$ <u>500.00</u>
<input checked="" type="checkbox"/> § 17-3-30(B) Unpaid Application Fee to be paid to the Public Defender Fund		TBD		\$ <u>40.00</u>
		TOTAL		\$ <u>683.75</u>

Clerk of Court/ Deputy Clerk: Renee Elvis
Court Reporter: Natalie Dahl

Presiding Judge: Margaret Walker
Judge Code: 2148
Sentence Date: Dec. 20, 2023

5-10-110

ARREST WARRANT

2023A2610500084

STATE OF SOUTH CAROLINA

[X] County/ [] Municipality of

Horry

THE STATE against

2023800465
2023800448

Paul Franklin Jones Greenwood

Address:

Phone: [redacted] SSN: [redacted]
Sex M Race W Height 5 11 Weight 275

DL State: SC DL #: [redacted]

DOB: [redacted] Agency ORI #: SC0260400

Prosecuting Agency: Horry County Police Department

Prosecuting Officer: Jennifer S Sims - S00079

Offense: Stalking / Stalking

Offense Code: 2406

Code/Ordinance Sec: 16-03-1700(C)

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 Paul Franklin Jones Greenwood on 7/10/2023

Signature of Constable/Law Enforcement Officer

RETURN WARRANT TO:

General Sessions
PO Box 677
1301 2nd Avenue
Conway, SC 29528

ORIGINAL

ORIGINAL

ORIGINAL

ORIGINAL

STATE OF SOUTH CAROLINA

[X] County/ [] Municipality of

Horry

Personally appeared before me the affiant Jennifer S Sims who

being duly sworn deposes and says that defendant Paul Franklin Jones Greenwood did within this county and state on or about 3/10/2023 violate the criminal laws of the

State of South Carolina (or ordinance of [X] County/ [] Municipality of Horry) in the following particulars:

DESCRIPTION OF OFFENSE: Stalking / Stalking

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:

Between March 10- June 6, 2023, the victim, who lives at 1587 Jonestown Road, located in the Galivants Ferry section of Horry County, has received multiple messages, calls, emails, and voicemails from the defendant after he was told to cease contact. He was arrested on March 15, 2023, for trespassing on case 2023026672 and did contact the victim by phone from the jail after receiving bond, immediately violating bond conditions. Subsequent warrants were then issued for Unlawful Communication and for Harassment 2nd on case 2023800465 and an arrest was made on April 18, 2023. Since bond was made, the defendant did email the victim on May 22 and May 27, 2023, and left a voicemail on May 23, 2023. He also came into the victim's driveway on May 25, 2023. On April 4, 2023, a protection order (2023-DR-26-0616) was signed for the victim. Based on the harassment, as well as, the disregard of the conditions of the protection order, the victim fears for her life and safety. R/O J. Sims

Signature of Affiant

STATE OF SOUTH CAROLINA

[X] County/ [] Municipality of

Horry

Affiant's Address 2560 North Main Street
Conway, SC 29526-

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

on or about 3/10/2023 defendant Paul Franklin Jones Greenwood

did violate the criminal laws of the State of South Carolina (or ordinance of [X] County/ [] Municipality of Horry) as set forth below

DESCRIPTION OF OFFENSE: Stalking / Stalking

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 6/9/2023

Signature of Issuing Judge (L.S.)

Monte Lewis Harrelson

Judge Code: 5790

Judge's Address

Green Sea, SC 29545

Judge's Telephone

(843)915-5294

Issuing Court

[X] Magistrate [] Municipal [] Circuit

ORIGINAL

ORIGINAL

ORIGINAL

ORIGINAL

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

AFFIDAVIT

RECEIVED Horry County Sheriff's Office JAN 05 2024

CERTIFIED COPY Horry County SC

STATE OF SOUTH CAROLINA)
COUNTY OF Horry)

IN THE COURT OF GENERAL SESSIONS
OF THE FIFTEENTH JUDICIAL CIRCUIT

STATE OF SOUTH CAROLINA)

CERTIFICATE OF REPRESENTATION
(APPOINTING AS COUNSEL)

-VS-

PAUL GREENWOOD

SCOTT GRAUSTEIN

DEFENDANT)

FILE NO: 26A23-00003095

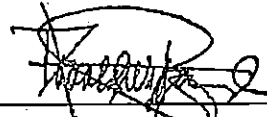
TO: Clerk of Court of General Sessions of the Fifteenth Judicial
Office of the Solicitor
Appointed Counsel
Defendant

CERTIFIED COPY
RENEE N. ELVIS
2023 AUG 22 4 49 58
CLERK OF COURT, RENEE N. ELVIS
HORRY COUNTY, SC
HORRY COUNTY, SC

This certifies that the above captioned Defendant is eligible for the services of the Public Defender, such determination having been made on 21st day of August, 2023, regarding the charge(s) of:

2023A2610500084 Stalking / Stalking

The Defendant's Counsel is **Scott Graustein**. The office of the Public Defender requests on the Defendant's behalf any and all evidence in the possession of you and or your agents pursuant to S.C. Criminal Practice Rule 5, and Brady v. Maryland 373 U.S. 383 (1963). The formal Motion for Discovery is attached.



RONALD W. HAZZARD
FIFTEENTH CIRCUIT
PUBLIC DEFENDER

CONWAY, SC
DATED: August 21, 2023

STATE OF SOUTH CAROLINA)
COUNTY OF HORRY)
)

IN THE COURT OF GENERAL SESSION
OF THE FIFTEENTH JUDICIAL CIRCUIT

STATE OF SOUTH CAROLINA)
-VS-)
)

NOTICE AND MOTION FOR PRODUCTION
OF SPECIFIC EVIDENCE AND
DISCLOSURE OF WITNESSES

PAUL GREENWOOD

DEFENDANT)
_____)

FILE NO: 26A23-00003096

TO: SOLICITOR FOR THE FIFTEENTH JUDICIAL CIRCUIT

YOU WILL PLEASE TAKE NOTICE that unless the prosecution responds to the Defendant's request for disclosure within 30 days, or within such time as may be ordered by the Court, Counsel for the Defendant will move this Court for an Order compelling that the State:

1. Make available for Defendant any and all written and oral statements by the Defendant which are, or may come to be, in the possession of the State.
2. Make available for purposes of inspection, and copying, any and all police reports relating to the investigation and circumstances surrounding the crime which the Defendant is charged with, including any and all statements taken from witnesses and the Defendant.
3. Make available to the Defendant all tangible objects obtained during the investigation of this case, including, but not limited to:
 - (a) All tangible objects obtained from the scene of the crime; and
 - (b) All tangible objects obtained from the State's witnesses in this case
 - (c) All tangible objects the State intends to introduce into evidence at Trial which are relevant to the offense charged.
4. Make available any witnesses known to the State who have knowledge of facts which might be favorable to the Defendant.
5. Make available any promises made or actions taken by the State which caused or might have caused any witnesses for the State to testify on behalf of the State.
6. Make available any inconsistent statements made by witnesses for the State or any statements made by witnesses for the State which tend to exculpate the Defendants or to negate participation by the Defendants in the alleged crime.
7. Make available to the Defendant all results of laboratory tests, scientific tests, or physical examinations conducted in connection with this case, including but not limited to:
 - (a) Analysis of handwriting
 - (b) Photographs secured of the scene of the crime
 - (c) Comparison of fingerprints
 - (d) DNA analysis
8. Make available any facts which tend to exculpate the Defendant.

CERTIFIED
RENEE M. HARRIS
CLERK OF COURT
Horry County
SOUTH CAROLINA
JUL 11 2023 10:58 AM

9. Make available any and all scientific or medical, psychiatric, legal or other information, reports or records which might tend to reflect on the credibility or competence of any of prospective witnesses for the State.

10. Make available to the Defendant the names and addresses of all persons who have knowledge of this case or who have been interviewed by the investigating officers in connection with this case.

11. Make available to the Defendant, the SLED, FBI, and local arrest and conviction records of all persons, including the Defendant, named in connection with this proceeding.

12. Make any chemist, analyst, and all persons within the chain of custody appear in Court for the purpose of personally testifying. Attorney for the Defense thus objects to the introduction of any chemist's or analyst's report pursuant to Rule 6, S.C. Rules of Criminal Procedure.

13. Make available to the Defendant all video and audio recordings and/or notarized affidavits made pursuant to South Carolina Code § 56-5-2953 and any other applicable South Carolina Statute or regulation, including but not limited to:

- (a) Police and booking reports;
- (b) Police logs;
- (c) Alcohol influence reports;
- (d) Accident reports
- (e) Reports dealing with defendant's refusal to submit to testing;
- (f) Notes taken from any recording by Law Enforcement regarding conversations with potential prosecution witnesses;
- (g) Any notes taken by Law Enforcement with regards to this case which the officer intends to rely on, or make us of, at trial;
- (h) The names of the officers or other witnesses who were with the Defendant within one hour of the arrest who had the opportunity to observe the appearance and behavior of the Defendant, to include the identity of any officer present at the scene of arrest.
- (i) The time and place where the Defendant was given the Miranda warning and the name of the officer who advised him/her of the same.
- (j) Any reports made by any laboratory or hospital concerning any examination made of any physical (urine, blood, etc.), photographic, or written evidence related to the Defendant's case.
- (k) The records of analysis and the results of any chemical, urine, or breathalyzer tests administered to the Defendant.

14. Make available to the Defendant following information regarding the person(s) who administered the Defendant's chemical/breathalyzer tests:

- (a) The person's name and the name of his/her employer;
- (b) The date of his/her original certification to give chemical/breathalyzer tests and the grade he/she received on the exam;
- (c) The date of his/her most recent certification to give said tests; And his/her compliance with statutes and regulations providing for standards of training for person(s) administering such tests.

15. If the Defendant's blood alcohol concentration was determined on the basis of a test involving the use of any machine, provide the following information:

- (a) The type of machine used and the make, model, and serial number of particular machine;

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CLERK OF COURT
SPRINGFIELD
SOUTH CAROLINA
JAN 26 2016

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CLERK OF COURT
SPRINGFIELD
SOUTH CAROLINA
JAN 26 2016

- (b) The manufacturer and the date of manufacture of the machine;
- (c) The owner's manual and the instruction manual;
- (d) The software program used in said machine;
- (e) The date of purchase by the agency owning the machine;
- (f) The location of machine;
- (g) The number of prior tests conducted on the machine;
- (h) All maintenance information for the last two years, including all repairs done and all calibrations made on the machine;
- (i) The results of all tests performed in the thirty (30) days prior to the date of the Defendant's arrests, including any tests in which the machine malfunctioned;
- (j) Any checklist to be used by the operator of the machine either before, during, or after the admission of a test.

This information is requested pursuant to Rule 5 of the South Carolina Rules of Criminal Procedure. This information is further requested pursuant to Brady vs Maryland, 373 U.S. 383, 10 L. Ed. 2d 215, 83 S. Ct. 1194 (1963), U.S. vs Agurs, 427 U.S. 97, 49 L Ed 2nd 342, 96 S. Ct. 2392 1976, State vs Mixon 274 S.E. 2nd 406 (1981), City of Rock Hill vs Suchenski, 374 S.C. 12, 646 S.E.2d 879 (2007). Further this information is requested on the grounds that it is essential to insure the Defendant's right to a fair trial, right to confrontation of witnesses, the right to effective Counsel and due process of law guaranteed by the South Carolina Constitution, and the United States Constitution.

ADDITIONALLY, DEFENDANT REQUESTS A SPEEDY TRIAL:

The Defendant requests and asserts his / her right to a speedy trial in General Sessions Court in this County pursuant to the 6th Amendment to the United States Constitution, as well as Article I, Section 14 of the South Carolina Constitution, and under relevant case law.

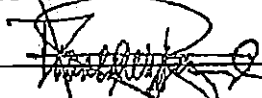
WHEREFORE, Defendant prays:

(a) That the Solicitor be Ordered to produce all information described herein and allow the Defendant the right to examine, inspect, copy and photograph, such materials and information at a specific time and place to be fixed by the Court.

(b) That the information be provided no later than 30 days from the date of this request, as reflected by the Clerk of Court's time-stamp appearing on the face of this Document.

(c) That the Court enter an Order requiring the Solicitor's Office to make continuing disclosure of all matters requested herein up to and during the Trial of the charges against the Defendant.

RESPECTFULLY SUBMITTED,



RONALD W. HAZZARD
FIFTEENTH CIRCUIT
PUBLIC DEFENDER

CONWAY, SOUTH CAROLINA
DATED: August 21, 2023

FILED
 CLERK OF COURT
 AUG 22 2023
 FIFTEENTH CIRCUIT
 CONWAY, SOUTH CAROLINA

STATE OF SOUTH CAROLINA)
 COUNTY OF HORRY)
)
 STATE OF SOUTH CAROLINA)
)
 -VS-)
 PAUL GREENWOOD)
)
 DEFENDANT)
 _____)

RECEIVED

JAN 05 2024

SC Court of Appeals

RULE 203 (B) (iv)
WRITTEN EXPLANATION OF
BASIS FOR APPEAL

CERTIFIED COPY
 RENEE N. ELIAS
 CLERK OF COURT
 HORRY COUNTY, SC

PERSONALLY appeared before me Scott Graustein, who being duly sworn,
 deposes and says :

1. I represented the above named defendant before Benjamin H. Culbertson on December 20, 2023 at which time the defendant enter a guilty plea pursuant to North Carolina v. Alford on his pending charges.

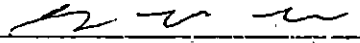
2. At the time of the Alford plea, defense counsel informed the Court that the Defendant was incarcerated pursuant to an Ex Parte bench warrant that counsel had objected to prior to the bench warrant being issued; no hearing regarding the bench warrant was conducted prior to issuance. Counsel informed the Court that a Motion to Lift Bench Warrant had been filed, but it would be several months before that motion would be scheduled and heard.

Counsel informed the Court that he agreed with Defendant entering his plea only because Defendant wished to be released from custody prior to the upcoming holidays.

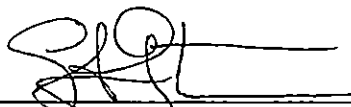
Counsel informed the Court that he did not believe the State could prove its case at trial

2. Defendant requested the Appeal be filed on the grounds that his plea was not truly voluntary under the circumstances.

Sworn to and Subscribed before me
 28th day of DECEMBER, 2023



 Notary Public for South Carolina
 My Commission expires: 03/03/2031



 Signature of Attorney for Defendant
 SCOTT A. GRAUSTEIN
 Print name of Attorney for Defendant

FILED
 COURT
 28 / 11 / 23
 CLERK OF COURT
 HORRY COUNTY, SC