

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF FAIRFIELD

RECEIVED

STATE vs.

INDICTMENT/CASE#: 2023-GS-20-00470

FEB 05 2024  
SC Court of Appeals

CORTEZ JAVAR WHITENER

AKA:  
Race: B Sex: M Age: 24  
DOB: SS#  
Address:  
City, State, Zip:  
DL#\* SID#

A/W#: Direct Indictment  
Date of Offense: 08/02/2020  
S.C. Code §: 17-25-0030  
CDR Code #: 0955

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: Breach Of Peace, Aggravated in Nature (NMT 10 years &/or discretionary fine)

In violation of § 17-25-0030 of the S.C. Code of Laws, bearing CDR Code # 0955

NON-VIOLENT  VIOLENT  SERIOUS  MOST SERIOUS  Mandatory GPS  § 17-25-45  
(CSC w/minor 1<sup>st</sup> or CSC w/minor 3<sup>rd</sup>)  
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:  
Ashley A. McMahan 71676 Defendant \_\_\_\_\_ 69739  
Ashley A. McMahan, Solicitor SC Bar # William P. Frick, Attorney for Defense SC Bar #

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

for a determinate term of 10 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 5 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.  
24/1  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	\$ 100.00
§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	\$ 25.00
§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>		\$ 128.75

Clerk of Court/Deputy Clerk:  
Court Reporter:

Judy Bonds *Judy Bonds*  
Natalie Dahl *Natalie Dahl*

Presiding Judge:  
Judge Code:  
Sentence Date:

*[Signature]*  
Price 2766  
1/30/24

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COUNTY OF FAIRFIELD

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STATE

VS.

INDICTMENT/CASE#: 2024-GS-20-00003

FEB 05 2024

SC Court of Appeals

CORTEZ JAVAR WHITENER

AKA:

Race: B Sex: M Age: 24

DOB: \_\_\_\_\_ SS# \_\_\_\_\_

Address: \_\_\_\_\_

City, State, Zip: \_\_\_\_\_

DL#\*

SID#

A/W#:

Date of Offense: 08/02/2020

S.C. Code §: 16-23-0020

CDR Code #: 0044

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: Unlawful Carrying of a Pistol (NMT 1 YEAR &/OR \$1,000)

In violation of § 16-23-0020 of the S.C. Code of Laws, bearing CDR Code # 0044

NON-VIOLENT  VIOLENT  SERIOUS  MOST SERIOUS  Mandatory GPS  § 17-25-45  
(CSC w/minor 1<sup>st</sup> or CSC w/minor 3<sup>rd</sup>)

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Ashley A. McMahan, Solicitor SC Bar #

Defendant

William P. Frick 69739

William P. Frick, Attorney for Defense SC Bar #

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

for a determinate term of 1 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: 2023-GS-20-0470

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244 days/months  To include time spent on monitored house arrest prior to trial and sentencing.

The Defendant Shall be Released from County Detention Center.

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- Other: \_\_\_\_\_

RESTITUTION  Deferred  Def. Waives Hearing  Ordered

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

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<b>TOTAL</b>			\$ 128.15

Clerk of Court/Deputy Clerk: Judy Bonds *Judy Bonds*  
Court Reporter: *Natalie Dabe*

Presiding Judge: *[Signature]*  
Judge Code: Price 2766  
Sentence Date: 1/30/24