

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF SPARTANBURG

RECEIVED

STATE

VS.

FEB 09 2024

INDICTMENT/CASE#: 2023-GS-42-4138

SC Court of Appeals

Benjamin Louis Nation

AKA:

Race: White

Sex: Male

Age: 30

DOB:

SS#:

Address:

City, State, Zip:

DL#*

SID#

AW#:

2023A4210200479

Date of Offense:

1/23/2023

S.C. Code §:

16-11-311

CDR Code #:

0079

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: Burglary 1st Degree (15-Life)

In violation of § 16-11-311 of the S.C. Code of Laws, bearing CDR Code # 0079

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:

Solicitor: [Signature] 101370 SC Bar # Defendant: [Signature] Attorney for Defendant: [Signature] SC Bar # 77961

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

for a determinate term of 25 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. 3740 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.

SPECIAL CONDITIONS:

PTUP after ___ months/years

And Other Terms Listed Below:

STATE

Benjamin Louis Nation

INDICTMENT/CASE#: 2023 -GS- 42 - 4138

- Substance Abuse Counseling
- Attend Voc. Rehab. Or Job Corp
- Mental Health Counseling
- Sex Offender Registry pursuant to S.C. Code § 23-3-430
- Central Registry of Child Abuse and Neglect pursuant to S.C. Code § 17-25-135.
- Other: _____
- Completion of GED
- No Contact with Victim
- May serve W/E beginning: _____
- Public Service Employment _____ days/hours
- Random Drug/Alcohol Testing
- Domestic Violence Intervention Program

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 | \$ _____ |
| §56-5-2995 (DUI Assessment) | | | \$12 | \$ _____ |
| §56-1-286 (DUI Breath Test) | | | \$25 | \$ _____ |
| §14-1-212 (Law Enforce. Funding) | | | \$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 | \$ _____ |
| <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:

T. Camp
Julie Cendraske

Presiding Judge:
Judge Code:
Sentence Date:

R. Keith Kelly
7/65
1 February 2024

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SC Court of Appeals

DOCKET NO. **23-05-42-4138**

The State of South Carolina
County of Spartanburg
Barry Barnette, Solicitor

COURT OF GENERAL SESSIONS

AUG 28 2023
TERM

THE STATE
vs.

Benjamin Louis Nation

Indictment for

BURGLARY FIRST DEGREE

SC Code: 16-11-0311
CDR Code: 0079
Class: FEL/EXM (V)

WITNESSES

Spartanburg Sheriff's Office

Jimmy W. Powers

ARREST WARRANT NUMBER

2023A4210200479

ACTION OF GRAND JURY

True Bill

Tim Prime AUG 25 2023
Foreperson of Grand Jury
Date:

VERDICT

Guilty

[Signature]
Foreperson of Petit Jury
Date: 2-1-2024

STATE OF SOUTH CAROLINA)
)
COUNTY OF SPARTANBURG)

INDICTMENT

At a Court of General Sessions, convened on AUG 25 2023 , the Grand Jurors of Spartanburg County present upon their oath:

BURGLARY, FIRST DEGREE

(DWELLING)

That the Defendant, Benjamin Louis Nation, did in Spartanburg County, on or about January 23, 2023 enter the dwelling located at 326 Lanham Circle Spartanburg, SC, without consent and entered with the intent to commit a crime therein, and that the defendant did while entering the dwelling, and/or while inside, and/or while in immediate flight from the dwelling either:

- (1) Entered in the nighttime
- (2) Have two or more convictions for burglary

in violation of Section 16-11-311, 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.



ASSISTANT SOLICITOR