

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

RECEIVED
Jan 09 2023
SC Court of Appeals

Appeal from Oconee County

Honorable R. Lawton McIntosh, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

JOSHUA A. LOGAN,

APPELLANT

APPELLATE CASE NO. 2022-001007

RECORD ON APPEAL

BREEN STEVENS
Appellate Defender

ALAN WILSON
Attorney General

South Carolina Commission on Indigent Defense
Division of Appellate Defense
PO Box 11589
Columbia, SC 29211-1589
(803) 734-1330

WILLIAM M. BLITCH, JR.
Senior Assistant Deputy Attorney General
Rembert Dennis Building
1000 Assembly Street, Room 519
Columbia, SC 29201
(803)734-3372

ATTORNEY FOR APPELLANT

ATTORNEYS FOR RESPONDENT

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1 In the Court of General Sessions for the
2 State of South Carolina, County of Oconee

3

4 Case No.: 2020GS3700793

5 State of South Carolina,

6 Plaintiff(s),

7 vs.

Transcript of Record

8 Joshua Alan Logan,

9 Defendant(s).

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15 June 20, 2022

16 Walhalla, South Carolina

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21 BEFORE:

22 The Honorable Lawton McIntosh

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APPEARANCES

REPRESENTING THE STATE:

Megan Elizabeth Raymer, Esquire
Office of The Attorney General
PO Box 11549
Columbia, South Carolina 29211

REPRESENTING THE DEFENDANT:

Richard Warder, Esquire
PO Box 26133
Greenville, South Carolina 29616

1 PROCEEDINGS

2 MS. RAYMER: The State calls the case
3 against Joshua Logan. This is case number 65 on the
4 roster, Your Honor.

5 Thereupon,

6 JOSHUA LOGAN

7 was called as a witness, having been first duly sworn by
8 the Clerk, was examined and testified as follows:

9 MS. RAYMER: Good morning, Your Honor.
10 Before you is Joshua Logan. Megan Raymer for the State
11 stepping in for assistant attorney general Kinli Bare
12 Abee. He is represented by Richard Warder. This
13 defendant is charged on true bill indictment 2020GS370794,
14 the disseminating of obscene materials to a minor under
15 the age of 12. He is pleaing guilty as charged. This is
16 without recommendation from the State, other than the
17 State is requesting a permanent restraining order for the
18 minor victim.

19 And the State is also dismissing a
20 criminal sexual conduct with a minor first degree
21 charge as a result of this guilty plea.

22 THE COURT: Okay. You are Joshua Logan?

23 THE DEFENDANT: Yes, Your Honor.

24 THE COURT: Mr. Logan, it says you are 35
25 years of age; is that correct?

1 THE DEFENDANT: Yes, Your Honor.

2 THE COURT: Do you work anywhere, Mr.

3 Logan?

4 THE DEFENDANT: I am medically retired from
5 the military, Your Honor.

6 THE COURT: Did you receive an honorable
7 discharge?

8 THE DEFENDANT: I did, Your Honor.

9 THE COURT: When were you discharged from
10 the military?

11 THE DEFENDANT: October 2016, Your Honor.

12 THE COURT: 2016?

13 THE DEFENDANT: 2016, Your Honor.

14 THE COURT: Are you married?

15 THE DEFENDANT: Legally sep -- I am
16 married. I'm currently separated.

17 THE COURT: Do you have any children?

18 THE DEFENDANT: I do not.

19 THE COURT: You are pleading guilty to
20 disseminating obscene material to a minor 12 years of age
21 or younger; is that correct?

22 THE DEFENDANT: That's correct, Your Honor.

23 THE COURT: This is being presented to me
24 without any recommendations or negotiations; do you
25 understand that?

1 THE DEFENDANT: Yes, Your Honor.

2 THE COURT: The maximum is up to 15 years.

3 THE DEFENDANT: Yes, Your Honor.

4 THE COURT: Knowing that, you still want to
5 go forward with your plea today?

6 THE DEFENDANT: Yes, Your Honor.

7 THE COURT: Are you under the influence of
8 any medication, drugs, or alcohol?

9 THE DEFENDANT: No, Your Honor.

10 THE COURT: Mr. Warder, are you satisfied
11 Mr. Logan is competent to plea?

12 MR. WARDER: I am, Your Honor.

13 THE COURT: Has anybody forced, threatened,
14 promised you anything to get you to plead guilty?

15 THE DEFENDANT: No, Your Honor.

16 THE COURT: You are doing so of your own
17 freewill?

18 THE DEFENDANT: Yes, Your Honor.

19 THE COURT: You understand that you have a
20 Constitutional right to have a jury determine whether you
21 are guilty or innocence?

22 THE DEFENDANT: Yes, Your Honor.

23 THE COURT: If you plead guilty today you
24 will give up that right; do you understand that?

25 THE DEFENDANT: I understand that, Your

1 Honor.

2 THE COURT: Is that what you want to do?

3 THE DEFENDANT: Yes, Your Honor.

4 THE COURT: You freely and voluntarily give
5 up your Constitutional right to have a jury determine your
6 guilt or innocence?

7 THE DEFENDANT: Yes, Your Honor.

8 THE COURT: If you were to go to trial, Mr.
9 Logan, and have a jury trial, during that trial you would
10 be presumed innocent and the State would have the burden
11 of proving your guilt beyond a reasonable doubt; do you
12 understand that?

13 THE DEFENDANT: Yes, Your Honor.

14 THE COURT: If you go forward, the State
15 would no longer have that burden; do you understand that?

16 THE DEFENDANT: I understand, Your Honor.

17 THE COURT: The State will no longer have
18 that burden.

19 THE DEFENDANT: Yes, Your Honor.

20 THE COURT: And you have additional
21 Constitutional rights. First, you have the right to
22 confront and cross-examine any State's witnesses against
23 you. And you have the right to present evidence on your
24 defense and subpoena people to court to testify on your
25 behalf. And, finally, under the fifth amendment of the

1 U.S. Constitution you have the right to remain silent or
2 not testify. Have these rights been explained to you?

3 THE DEFENDANT: Yes, Your Honor.

4 THE COURT: Do you understand them?

5 THE DEFENDANT: Yes, Your Honor.

6 THE COURT: Do you understand by going
7 forward today, just like with a jury trial, you will be
8 giving them up for this plea?

9 THE DEFENDANT: Yes, Your Honor.

10 THE COURT: If you were to go to trial and
11 didn't testify the Court would instruct the jury that they
12 couldn't consider that in any form or fashion because that
13 is your right under the fifth amendment and because the
14 State has the burden of proving you guilty.

15 THE DEFENDANT: Yes, Your Honor.

16 THE COURT: Knowing all of this, do you
17 still want to proceed with your plea today?

18 THE DEFENDANT: Yes, Your Honor.

19 THE COURT: Go you freely and voluntarily
20 give up your Constitutional rights in order to plead
21 guilty today?

22 THE DEFENDANT: Yes, Your Honor.

23 THE COURT: Under Indictment 2020GS3700794,
24 are you guilty of disseminating obscene material to a
25 minor 12 years or younger?

1 THE DEFENDANT: Yes, Your Honor.

2 THE COURT: Are you satisfied with the
3 services of your attorney?

4 THE DEFENDANT: Yes, Your Honor.

5 THE COURT: Has he reasonably done what you
6 have asked him to do?

7 THE DEFENDANT: Yes, Your Honor.

8 THE COURT: As we stand here today, do you
9 have any complaint whatsoever about your legal
10 representation?

11 THE DEFENDANT: No, Your Honor.

12 THE COURT: All right. Mr. Warder, have
13 you gone over the elements of this charge with Mr. Logan?
14 Have you explained to him the time that he could get,
15 explore whether or not he has any defenses to this charge,
16 as well as his Constitutional rights?

17 MR. WARDER: Yes, Your Honor, we have
18 discussed all of that.

19 THE COURT: And you agree with his decision
20 to plea?

21 MR. WARDER: I do, sir.

22 THE COURT: All right. Tell me about this
23 charge. I want to hear about the other one as well.

24 MS. RAYMER: Thank you, Your Honor. May it
25 please the Court. It was reported to law enforcement on

1 March 23rd, 2019 that the defendant, Joshua Logan, had
2 been sexually abusing the minor daughter of his girlfriend
3 while at their home in Oconee County. That minor was ten
4 years old. She disclosed multiple incidents, which
5 included the defendant touching her private areas with his
6 penis while lying in bed, as well as showing him her (SIC)
7 penis and teaching her about sex. In a forensic interview
8 she disclosed that he would make her watch anime
9 pornography. She described this pornography --

10 THE COURT: Hang on. Anime, is that
11 cartoon?

12 MS. RAYMER: Yes, Your Honor.

13 THE COURT: Okay. I am 62, so I don't know
14 about that. Okay.

15 MS. RAYMER: Yes, Your Honor. She
16 described this pornography as cartoon adults having sex.
17 She disclosed that this started after Christmas her fourth
18 grade year, which would have made her under the age of 12.
19 And also present today is Grace Langston, the mother of
20 the victim, and she would like to put in her input at the
21 appropriate time, Your Honor.

22 THE COURT: Over what period of time did
23 this abuse occur?

24 MS. RAYMER: I believe it occurred for at
25 least for a three-month period is my understanding.

1 THE COURT: Okay. What is your name?

2 MS. DIANE LOGAN: I am Diane Logan.

3 THE COURT: All right. I'll be glad to
4 hear anything that you would like to say.

5 MS. RAYMER: Your Honor, if I may, I
6 believe this is people for the defense. This is not our
7 victim --

8 THE COURT: Okay. Well show me -- and I
9 will hear from you as well.

10 Okay. And will you state your name
11 for the record?

12 MS. MARY LANGSTON: Mary Langston.

13 THE COURT: I can't hear you.

14 MS. MARY LANGSTON: Mary Langston.

15 THE COURT: Okay, Ms. Langston. I will be
16 glad to hear from you.

17 MS. MARY LANGSTON: Minor was affected
18 by Josh abusing her in so many bad ways. The first time I
19 really noticed anything off was when Minor all of a
20 sudden hated everyone and did not want to do anything.
21 She had been happy, sweet and caring. Don't get me wrong,
22 she still is very sweet and caring. Socially she is more
23 withdrawn. She does not trust men anymore.

24 Minor has more tendencies to be
25 more anxious than before. Minor now knows stuff

1 she should not have even known yet, things only
2 adults should know. We have spent lots of time and
3 energy counseling, but the effects of what he did
4 will never completely go away. The hurt caused all
5 of us will never go away. The trauma he caused will
6 never, ever go away.

7 THE COURT: All right. Thank you, ma'am.
8 Oh, may I ask you this, something, Ms. Logan? Ms.
9 Langston, excuse me. Have you seen a change in her
10 grades?

11 MS. MARY LANGSTON: After counseling they
12 got a little better.

13 THE COURT: Did they drop for a while, were
14 they -- did you see them dip for a period of time?

15 MS. MARY LANGSTON: Yes, and especially her
16 behavior. You know, she was always so sweet and just
17 wanted to be loved by everybody, and then she became very
18 distanced from everyone, including me.

19 THE COURT: And is she still in counseling?

20 MS. MARY LANGSTON: Yes, they may be
21 releasing her soon. So, this all being over is a blessing
22 to help her move on, you know.

23 THE COURT: All right. Thank you, ma'am.

24 MS. MARY LANGSTON: Thank you.

25 THE COURT: All right. Anything else from

1 the State?

2 MS. RAYMER: Nothing further from the
3 State.

4 THE COURT: Give me -- oh, I have got it.
5 Mr. Warder, I will be glad to hear from you.

6 MR. WARDER: Your Honor, if it pleases the
7 Court, my client has served seven years on active duty
8 both in Germany and Afghanistan. He became discharged
9 medically in 2016, I believe, Your Honor. He is on
10 disability. He has regularly attended mental health in
11 Greenville. Has been going to that since 2016. He is a
12 member of Fairview Community Church. His family is here
13 to speak for him. But Josh is like a lot of people, Your
14 Honor.

15 THE COURT: I am sorry?

16 MR. WARDER: Josh is like a lot of people.
17 He lives a life and does what he can for his country and
18 sacrifices, and he does something wrong and the bad act or
19 rotten behavior is all -- the only thing that people
20 remember, Judge. My client's conduct by this plea is
21 wiping out the memories of a young man which served his
22 country, a young man that went to Afghanistan, a young man
23 that came back under post traumatic stress, and they will
24 remember this act of Josh Logan. The punishment that he's
25 paid has changed him. It is profound.

1 Your Honor, he's a young man that
2 will now carry this shame and try and put it behind
3 him. Start over is all that he can do. Your Honor,
4 he served 933 days in jail as a result of this.

5 Last, I believe it was October 29th
6 he made bond finally after being in jail since 2016.
7 Your Honor put him on home detention. He hasn't
8 violated a thing, completely compliant.

9 THE COURT: What was his diagnosis on his
10 military discharge, if there was one?

11 MR. WARDER: Post traumatic.

12 THE COURT: PTSD?

13 MR. WARDER: Yes, sir. He saw active duty.
14 He saw active duty. There is not much to say. There's
15 just a lot of good about Josh, a fine upright citizen most
16 of the time and cares for his family. His family, mother
17 and brother and his minister is here. He just hopes that
18 you will have some mercy and can get a sentence such that
19 he can show his community who he really is. And that is
20 all that I have to say, Judge.

21 Your Honor, I know that his mother
22 wants to speak. And his mother is going to speak
23 for his brother.

24 THE COURT: State your name for the record.

25 MS. DIANE LOGAN: Diane Logan.

1 THE COURT: Okay, Ms. Logan, I will be glad
2 to hear from you.

3 MS. DIANE LOGAN: Yes, sir, the family and
4 I stand behind Josh. We feel very sorry for Minor ,
5 but they have painted Minor as a loving child. I can
6 tell you there were times when we would go bowling and the
7 child would punch my husband in the back.

8 THE COURT: Let me tell you something, Ms.
9 Logan, I know that your son is looking at a lot of time in
10 jail, but one thing that I'm not going to let you do is
11 victimize the victim in this case.

12 MS. DIANE LOGAN: I am not trying to
13 victimize her.

14 THE COURT: Well, you just did, so I am not
15 going to hear that.

16 MS. DIANE LOGAN: I am sorry, Your Honor.

17 THE COURT: Well, that is okay, just please
18 don't do that.

19 MS. DIANE LOGAN: I won't. Joshua helps
20 out my husband and I. My husband is in failing health and
21 he does a lot of work around the house. In the last few
22 months he's been a godsend. I have gotten so much yard
23 work done that I am not able to do and my husband is not
24 able to do. We support Joshua. He lives with us. I'm
25 pretty sure that he is going to continue to live with us

1 if he's allowed to, or even he will live with us even when
2 it's all over. We love our son. We taught our son right
3 from wrong. And I don't know, you know, what went on.

4 But I love my son. My husband loves
5 my son. His brother loves his brother. And I know
6 Josh feels very badly and he made some very poor
7 decisions. And I know he won't make any poor
8 decisions like that ever again.

9 I mean, when he went to the detention
10 center he found his way back to God. And my son has
11 been following his Christian beliefs ever since. I
12 mean, if anything good has come of this so far is
13 the fact that he's found his way back to Christ, and
14 I'm very thankful for that. And I hope that
15 Minor gets well. I really and truly do because
16 nobody -- and you know, I worry for Grace. And I
17 hope that they can forgive Josh. And I hope they
18 all get well. Just, we will always stand behind our
19 son.

20 THE COURT: Thank you so much.

21 MS. DIANE LOGAN: You are welcome.

22 THE COURT: Yes, sir, do you -- would you
23 go over to the microphone for me and state your full name
24 for the record.

25 MR. OWENS: Yes, sir, Barry Lane Owens.

1 THE COURT: Okay, sir.

2 MR. OWENS: All right. Prior to this I
3 never knew that Josh existed, so I can only speak of
4 October I think about of last year. I know that he was
5 getting out of jail and his parents invited him to church.
6 You know, I don't put a lot of stock, a lot of confidence
7 in any, what people call jailhouse religion, at all
8 because most of the time as soon as they leave the
9 jailhouse it's off. And it seems like they get what they
10 want out of God and they are done with him, and they wash
11 their hands and that is the last you see of them.

12 However, the only thing that I can
13 say is he's been there every time the doors is open.
14 He's been active in the church. Anything you ask
15 Josh to do, he's more than happy to do it.

16 We don't condone the behavior, and I
17 don't want you to think that that is what we are
18 here to do at all. There's consequences behind
19 every action, and every action equal reaction. But
20 I appreciate you, Your Honor. I would hate to be in
21 your seat day to day. But my hat is off to you.
22 And I thank you for the time and opportunity to
23 speak. Thank you, sir.

24 THE COURT: Yes, sir. Thank you for being
25 here.

1 All right. Does Mr. Logan want to
2 say anything?

3 MR. WARDER: No, sir.

4 THE COURT: No. All right. It looks to me
5 that by dropping the initial charge to csc he got a big
6 break in the first place.

7 MS. RAYMER: He did, yes, Your Honor.

8 MR. WARDER: Your Honor, I understand that
9 the way that Your Honor looks at that. Those charges, I
10 did not consider --

11 THE COURT: Sir?

12 MR. WARDER: I think those charges were not
13 perfect, lacked some legal foundation.

14 THE COURT: Okay.

15 MR. WARDER: But we are pleaing guilty
16 to --

17 THE COURT: Sir?

18 MR. WARDER: We are pleaing guilty to what
19 we are guilty of.

20 THE COURT: All right. I understand that.
21 I'll tell you what, Mr. Logan, I want you to have a seat
22 on the front row over there. I just need to think about
23 your case for a minute. And, Mr. Warder, I would like to
24 get you out of here, but if you don't mind, if you would
25 just bear with me.

1 MR. WARDER: That is all right. Your
2 Honor, it is important enough to stay.

3 (Pause in proceedings while other cases handled until
4 this case reconvened as follows:)

5 THE COURT: Let's let Mr. Bearden (SIC)
6 come back around, please. No, Mr. Logan, Logan.

7 All right. I have been giving you
8 some consideration. And while I appreciate your
9 service to the country, I think that you got a break
10 in the first place. I'll sentence you to 15 years.
11 You have ten days to appeal. Good luck to you.

12 MS. RAYMER: Thank you, Your Honor.

13 (Whereupon, the proceeding
14 concluded.)

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CERTIFICATE

STATE OF SOUTH CAROLINA:

COUNTY OF OCONEE:

I, MONA L. MANLEY, Court Reporter, certify that I was authorized to and did stenographically report the foregoing proceedings and that the transcript is a true and complete record of my stenographic notes.

DATED this 24th day of June, 2022.

Mona L. Manley /s/
MONA L. MANLEY
Official South Carolina Court Reporter
Circuit Reporter for the 10th Circuit
(850) 893-6662
mmanley@sccourts.org

WITNESSES
Charlynn M. Ezell- SLED

C. Ezell

ARREST WARRANT NUMBER

2019A3710100022

ACTION OF GRAND JURY

TRUE BILL

[Signature]
Foreperson of Grand Jury
AUG 17 2020

Date:

VERDICT *[Handwritten mark]*

Foreperson of Petit Jury

Date:

Docket Number 2020-GS-37-00194

The State of South Carolina

County of Oconee

COURT OF GENERAL SESSIONS

AUG 17 2020 Term

THE STATE

vs.

Joshua Alan Logan

DEFENDANT

Indictment for

Disseminating Obscene Material to a
Minor, 12 years or younger

16-15-0355
Felony/Class D
CDR Code 3131

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

Defendant

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

Defendant

Witness:

C.C.C. Pls. And G.S.

FILED OCONEE COUNTY, SC
BEVERLY H. WINTFIELD
CLERK OF COURT
2020 AUG 17 P 3:01

ENTERED
[Signature]
COMPUTER

STATE OF SOUTH CAROLINA)
)
COUNTY OF OCONEE) IN THE COURT OF GENERAL SESSIONS

INDICTMENT

At a Court of General Sessions, convened on AUG 17 2020 the Grand Jurors of Oconee County present upon their oath:

Disseminating Obscene Material to a Minor, 12 years or younger

On or about December 26th, 2018 through March 20th, 2019, the Defendant, Joshua Alan Logan, did in Oconee County, commit the crime of Disseminating Obscene Material to a Minor, 12 years or younger, in that Defendant, who was eighteen years of age or older, did knowingly disseminate to a minor twelve years or younger, A.F DOB: [REDACTED], material which he knew or reasonably should have known to be obscene within the meaning of §16-05-0305, all in violation of §16-15-0355, 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.



ALAN WILSON/ (KBA)
SOUTH CAROLINA ATTORNEY GENERAL

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF Oconee

STATE

INDICTMENT/CASE#: 2020-GS-37 - 0794

VS.

Joshua Logan

AW#: 2019A3710100022

AKA: _____

Date of Offense: 3/1/2019

Race: White Sex: Male Age: 35

S.C. Code §: 16-15-0355

DOB: _____ SS#: _____

CDR Code #: 3131

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: Disseminating Obscene Material to a minor 12 YOA or Younger (0-15 yrs)

In violation of § 16-15-0355 of the S.C. Code of Laws, bearing CDR Code # 3131

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:

[Signature] 103773 [Signature] Richard Ward 0582?
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 15 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.

932 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.

✓

STATE VS. Joshua Logan

INDICTMENT/CASE#: 2020-GS-37-6794

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	\$	<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>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:

Melissa C. Burton
Mona Mastrey

Presiding Judge
Judge Code:
Sentence Date:

(Signature)
2185
6-20-22

STATE OF SOUTH CAROLINA)
 COUNTY OF OCONEE)
 STATE OF SOUTH CAROLINA)
 vs.)
 JOSHUA ALAN LOGAN)
 Defendant.)

) IN THE COURT OF GENERAL SESSIONS
) WARRANT NO.
) 2019A3710100022
)
) MOTION TO RECONSIDER
) *Sentence*
)
) 2020653700794

2022 JUN 22 PM 11:59
 FILED
 MELISSA C. DUNN
 CLERK OF COURT

The Defendant was sentenced on June 20, 2022 for Disseminating Obscene Material to Minor 12 years or younger by the Honorable R. Lawton McIntosh in the Oconee County 10th Circuit General Sessions Court. The Defendant was pleading guilty pursuant to a plea agreement that provided for the charge of CSC 1st Degree with a minor to be dismissed in consideration for the plea. The Honorable Judge asked the State what the facts were on the charge being dismissed. After the Court heard unproven allegations from the State on the dismissed charge, The Court indicated that the Defendant had already had a good deal and sentenced him to the maximum of 15 years on the charge of Disseminating Obscene Material to a Minor 12 years or younger. The alleged facts of a charge the State was dismissing and not going forward with should not have been a relevant consideration on the sentence to a charge of Disseminating of Obscene Material. The sentence on Disseminating of Obscene Material should only be a reflection of the conduct of Defendant related to that charge.

Respectfully submitted,

Richard H. Warder

RICHARD H. WARDER 5827
 POST OFFICE BOX 26133
 GREENVILLE, SC 29616
 (864) 271-9955
 ATTORNEY FOR DEFENDANT

June 22, 2022

Copies to:
 Atty (P) (D)
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STATE OF SOUTH CAROLINA)
)
)
 COUNTY OF OCONEE)
)
)
 State of South Carolina,)
)
)
 Plaintiff,)
)
 vs.)
)
)
 Joshua Alan Logan)
)
)
 Defendant.)

IN THE COURT OF GENERAL SESSIONS
 TENTH JUDICIAL CIRCUIT
 Case No. 2019A3710100022

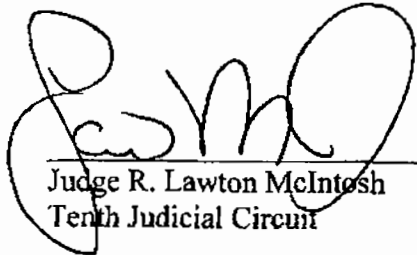
ORDER DENYING MOTION TO
 RECONSIDER SENTENCE

FILED
 MELISSA C. BURTON
 CLERK OF COURT
 2022 JUL -5 PM 12:01

The motion to reconsider the sentence of Joshua Alan Logan is denied.

AND IT IS SO ORDERED.

June 20, 2022


 Judge R. Lawton McIntosh
 Tenth Judicial Circuit

RECEIVED
 JUL 19 2022
 SC Court of Appeals

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 Sol. - box
 Atty Warder - mailed

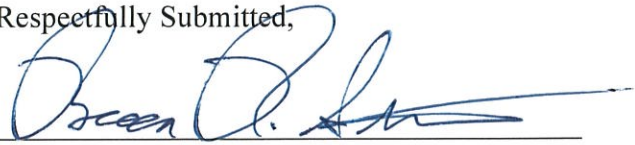
ENTERED

 COMPUTER

CERTIFICATE OF COUNSEL FOR APPELLANT

Counsel for appellant certifies that this Record on Appeal contains all material proposed to be included by any of the parties and not any other material and that this Record on Appeal complies to the best of my ability with the April 15, 2014 order from the South Carolina Supreme Court entitled “Revised Order Concerning Personal Identifying Information and Other Sensitive Information in Appellate Court Filings.”

Respectfully Submitted,

A handwritten signature in blue ink, appearing to read "Breen Stevens", written over a horizontal line.

Breen Stevens
Appellate Defender

South Carolina Commission on Indigent Defense
Division of Appellate Defense
PO Box 11589
Columbia, SC 29211-1589

ATTORNEY FOR APPELLANT

This 9th day of January, 2023.

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

Appeal from Oconee County

Honorable R. Lawton McIntosh, Circuit Court Judge

RECEIVED

Jan 09 2023

SC Court of Appeals

THE STATE,

RESPONDENT,

V.

JOSHUA A. LOGAN,

APPELLANT

APPELLATE CASE NO. 2022-001007

CERTIFICATE OF SERVICE

Pursuant to Rule 262(a)(3) and Rule 262(c)(3), SCACR, the undersigned hereby certifies a true copy of the Record on Appeal in the above-referenced case has been served upon William M. Blich, Jr., Esquire, at the primary e-mail address listed in the Attorney Information System (AIS); and on Joshua A. Logan, #388216, at MacDougall Correctional Institution, 1516 Old Gilliard Road, Ridgeville, SC 29472, this 9th day of January, 2023.



Breen Stevens
Appellate Defender

South Carolina Commission on Indigent Defense
Division of Appellate Defense
PO Box 11589
Columbia, SC 29211-1589

ATTORNEY FOR APPELLANT