

Rec: 10-15 years. Victim requests P.R.O. ✓

↑ 20 years - Strike

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF Orangeburg

FILED FOR RECORD  
WINNIE B. CLARK

STATE

INDICTMENT/CASE#: 2022 - GS - 38 - -0810

VS.

2024 MAY 28 P 2:19

Derian Jamar Clark

AW#: 2022A3810700291

AKA: \_\_\_\_\_

CLERK OF COURT  
GRAND JURY

Date of Offense: 4/7/2022

Race: BLACK Sex: M Age: 28

S.C. Code § 16-3-29

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

CDR Code #: 3410

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

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

DL#: \_\_\_\_\_ SID#: \_\_\_\_\_

2022A3810700291  
4/7/2022  
16-3-29  
3410

RECEIVED

SENTENCE SHEET  
Jun 05 2024

SC Court of Appeals

\*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 / Assault and Battery of a High and Aggravated Nature

in violation of § 16-3-600(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. DJC (def.'s initials)

The plea is:  Without Negotiations or Recommendation,  Negotiated Sentence,  Recommendation by the State.

ATTEST:

Riley, Bradley K.  
Riley, Bradley K.

104735

SC Bar #

Derian Clark  
Defendant

Hutto, C. Bradley  
Hutto, C. Bradley

SCB06436

SC Bar#

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

for a determinate term of 13 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. 2 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:**
- 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</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</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** \$ 628.75

Clerk of Court/ Deputy Clerk: *[Signature]*  
 Court Reporter: *LOTTIE PROVOST*

Presiding Judge: *[Signature]*  
 Judge Code: 2775  
 Sentence Date: 5/28/24