

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

RECEIVED

APPEAL FROM SPARTANBURG COUNTY
Court of General Sessions

JUN 13 2024

SC Court of Appeals

Honorable Eugene C. Griffith, Jr., Circuit Court Judge

Case No(s): 2022GS4204971, 2022GS4204972, 2023GS4203874, 2024GS4202120

The State

Respondent,

v.

Garen Lamar Thomas

Appellant.

EXPLANATION OF APPEAL PURSUANT TO RULE 203(d)(1)(B), SCACR

Pursuant to Rule 203(d)(1)(B), SCACR, Garen Lamar Thomas files this explanation of his appeal of his guilty plea, conviction and sentence in this case. The sentence was imposed by the Honorable Eugene C. Griffith, Jr. on June 5, 2024. No issues were raised during the guilty plea; however, the client insisted upon an appeal; therefore, this appeal was filed pursuant to Weathers v. State, 319 S.C. 59, 459 S.E.2d 838 (1995), and State v. Thrift, 378 S.C. 70, 661 S.E.2d 373 (2008).

June 11, 2024



James A. Cheek

Bar Number: 1207

Seventh Judicial Circuit Public Defender Office

180 Magnolia Street, Suite 2137

Spartanburg, South Carolina 29306

(864) 596-2561

Attorney for Appellant

Other Counsel of Record:

Tyler Brown, Esq.

Seventh Judicial Circuit Solicitor's Office

180 Magnolia Street

Spartanburg, South Carolina 29306

Attorney for Respondent

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

RECEIVED

APPEAL FROM THE SPARTANBURG COUNTY
Court of General Sessions

JUN 13 2024

SC Court of Appeals

Honorable Eugene C. Griffith, Jr., Circuit Court Judge

Case No(s): 2022GS4204971, 2022GS4204972, 2023GS4203874, 2024GS4202120

The State

Respondent,

v.

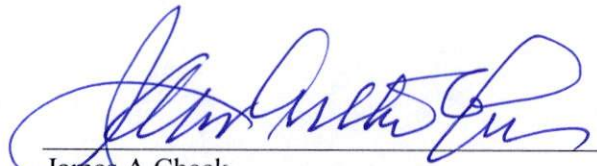
Garen Lamar Thomas

Appellant.

PROOF OF SERVICE

I certify that I served the Explanation of Appeal Pursuant to Rule 203(d)(1)(B), SCACR, on the State of South Carolina by depositing a copy of it in the United States Mail, postage prepaid, on June 11, 2024 addressed to its attorney of record, Tyler Brown, Esq., Assistant Circuit Solicitor, 180 Magnolia Street, Spartanburg, S.C. 29306.

June 11, 2024



James A. Cheek
Bar Number: 1207
Seventh Judicial Circuit Public Defender Office
180 Magnolia Street, Suite 2137
Spartanburg, South Carolina 29306
(864) 596-2561
Attorney for Appellant

WITNESSES

SCSO

Jimmy G. Owens

ARREST WARRANT NUMBER

2022A4210203921

ACTION OF GRAND JURY

Danielle Woodward

Foreperson of Grand Jury
Date:

OCT 21 2022

VERDICT

Foreperson of Petit Jury
Date:

DOCKET NO **22-GS-42-4971**

The State of South Carolina

County of Spartanburg

Barry J. Barnette, Solicitor

COURT OF GENERAL SESSIONS

OCT 24 2022

TERM

THE STATE
vs.

Garen Lamar Thomas

Indictment for
POSSESSION WITH INTENT TO
DISTRIBUTE CONTROLLED SUBSTANCE

SC Code: 44-53-370
CDR: 0186

SCW

FILED

2022 OCT 28 AM 10:32

CLERK OF COURT
SPARTANBURG COUNTY
AMY W. COX

2117123
Failure to Appear
BW to remain active
Andrew Skippel (AS)

RECEIVED
JUN 13 2024
SC Court of Appeals

STATE OF SOUTH CAROLINA

COUNTY OF Spartanburg

STATE

VS.

Garen Lamar Thomas

AKA:

Race: B Sex: M Age: 42

DOB: _____ SS#: _____

Address: _____

City, State, Zip: _____

DL#* _____

IN THE COURT OF GENERAL SESSIONS

INDICTMENT/CASE#: 2022-GS-42-4971

AW#: 2022A4210203921

Date of Offense: 7/1/2022

S.C. Code §: 44-53-370(b)(2)

CDR Code #: 0187

SENTENCE SHEET

RECEIVED
JUN 13 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: PWID controlled substance (Amphetamine), 2nd offense (0-10 yrs. and/or
at-100)

In violation of § 44-53-370(b)(2) of the S.C. Code of Laws, bearing CDR Code # 0187

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] 78316 Garen Thomas [Signature] 74518
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 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 10 year sentence.
Home Detention Program if violated

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 SCDP.
130 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 prmts. 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	\$ _____

- Appointed PD or appointed other counsel, Proviso requires \$500 be paid to Clerk during probation and shall be collected before any other fees
- § 17-3-30(B) Unpaid Application Fee to be paid to the Public Defender Fund

\$500
 TBD
TOTAL \$ 293.²⁵

Clerk of Court/Deputy Clerk: J. Wheeler
 Court Reporter: L. McDaniel

Presiding Judge: _____
 Judge Code: 0182
 Sentence Date: 2-1-24

STATE OF SOUTH CAROLINA)
)
COUNTY OF SPARTANBURG)

INDICTMENT

OCT 21 2022

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

POSSESSION WITH INTENT TO DISTRIBUTE CONTROLLED SUBSTANCE

That Garen Lamar Thomas, did in Spartanburg County on or about July 1, 2022, knowingly and intentionally manufacture, distribute, dispense, deliver, purchase, or otherwise aid, abet, attempt or conspire to manufacture, distribute, dispense, deliver or purchase, or possess with intent to manufacture, distribute, dispense, deliver, or purchase a quantity of Amphetamine, a schedule II controlled substance, in violation of § 44-53-370, *THE 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

WITNESSES

Spartanburg Police Department

[Handwritten signature]

ARREST WARRANT NUMBER

2022A4210101067

DIRECT INDICTMENT

ACTION OF GRAND JURY

Dannelle Woodward

Foreperson of Grand Jury

Date: OCT 21 2022

VERDICT

Foreperson of Petit Jury

Date:

DOCKET NO.

22-GS-42-4972

The State of South Carolina

County of Spartanburg

Barry Barnette, Solicitor

COURT OF GENERAL SESSIONS

OCT 24 2022

TERM

THE STATE

vs.

Garen Lamar Thomas

Indictment for

POSSESSION OF STOLEN VEHICLE

MORE THAN \$10,000

SC Code: 16-21-0080

CDR Code: 3468

Class FEL/E *SO*

FILED

2022 OCT 28 AM 10:32

CLERK OF COURT
SPARTANBURG COUNTY
AMY W. COX

2117123

Failure to appear.

BW to remain active

Andrew Lippel **AS**

RECEIVED

JUN 13 2024

SC Court of Appeals

RECEIVED

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF Spartanburg

JUN 13 2024

STATE

SC Court of Appeals

INDICTMENT/CASE#: 2022-GS- 42- 4972

VS.

Garen Lamar Thomas

AKA:

AW#: 2022A4210101067

Race: B Sex: M Age: 42

Date of Offense: 7/20/2023

DOB: _____ SS#: _____

S.C. Code §: 16-21-0080

Address: _____

CDR Code #: 3468

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: Possession Stolen Vehicle over \$10,000 (0-10 yrs.)

In violation of § 16-21-0080 of the S.C. Code of Laws, bearing CDR Code # 3468

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] 78316 Garen Thomas [Signature] 74518
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 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 Active 10 year sentence

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. 30 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 prmts. 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.??</u>

Clerk of Court/Deputy Clerk: J. Wheeler
Court Reporter: L. McDaniel

Presiding Judge: _____
Judge Code: 2132
Sentence Date: 2-1-24

WITNESSES

SCSO

Jimmy G. Powers

ARREST WARRANT NUMBER

2023A4210203879

ACTION OF GRAND JURY

True Bill
AUG 25 2023

Tim Wine
Foreperson of Grand Jury
Date:

VERDICT

Foreperson of Petit Jury
Date:

DOCKET NO. **23-GS-42-3874**

The State of South Carolina

County of Spartanburg

Barry J. Barnette, Solicitor

COURT OF GENERAL SESSIONS

AUG 28 2023

TERM

THE STATE
vs.

GAREN LAMAR THOMAS

Indictment for

POSSESSION WITH INTENT TO DISTRIBUTE
METHAMPHETAMINE

SC Code: 44-53-375

FILED

2023 AUG 25 PM 04:15

CLERK OF COURT
SPARTANBURG COUNTY
AMY W. COX

RECEIVED

JUN 13 2024

SC Court of Appeals

STATE OF SOUTH CAROLINA)
)
COUNTY OF SPARTANBURG)

INDICTMENT

At a Court of General Sessions, convened on AUG 7 5 2023 , the
Grand Jurors of Spartanburg County present upon their oath:

POSSESSION WITH INTENT TO DISTRIBUTE METHAMPHETAMINE

That the Defendant Garen Lamar Thomas did in Spartanburg County on
or about July 20, 2023, manufacture, distribute, dispense, deliver,
purchase, or otherwise aid, abet, attempt, or conspire to manufacture,
distribute, dispense, deliver, or purchase, or possess with intent to
distribute, dispense, or deliver Methamphetamine, a schedule II controlled
substance under provisions of § 44-53-375, *THE 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.

Lindsey H. Owen
ASSISTANT SOLICITOR

RECEIVED IN THE COURT OF GENERAL SESSIONS

STATE OF SOUTH CAROLINA

COUNTY OF Spartanburg

JUN 13 2024

STATE vs.

SC Court of Appeals

INDICTMENT/CASE#: 2023-GS- 42- 3874

AKA: Garen Lamar Thomas
Race: B Sex: M Age: 42
DOB: _____ SS#: _____
Address: _____
City, State, Zip: _____
DL#* _____ SID# _____

A/W#: 2023A4210203879
Date of Offense: 7/20/2023
S.C. Code §: 44-53-375(B)
CDR Code #: 3199

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: PWID Methamphetamine, 2nd offense (5-30 years and/or 0-50k fine)

In violation of § 44-53-375(B) of the S.C. Code of Laws, bearing CDR Code # 3199

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] 78316 [Signature] 74510
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 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 10yr [Signature]

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. 120 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 prmts. 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	\$ _____

- Appointed PD or appointed other counsel, Proviso requires \$500 be paid to Clerk during probation and shall be collected before any other fees
- § 17-3-30(B) Unpaid Application Fee to be paid to the Public Defender Fund

TOTAL \$ 283.25

Clerk of Court/Deputy Clerk: J. Wheeler
 Court Reporter: L. McDaniel

Presiding Judge: _____
 Judge Code: 2132
 Sentence Date: 2-1-24

RECEIVED

JUN 18 2024

SC Court of Appeals

STATE OF SOUTH CAROLINA)
COUNTY OF SPARTANBURG)

IN THE COURT OF GENERAL SESSIONS
FOR THE SEVENTH JUDICIAL CIRCUIT

STATE OF SOUTH CAROLINA,)

Consent Order to Convert a Home Detention Sentence to an
Active Department of Corrections Sentence

v.)

Garen Lamar Thomas,)
Defendant.)

Ind. No.: 2022-GS-42-4971 through 4972;
2023-GS-42-3874
Warrant Nos.: 2022A4210203921, 2022A4210101067,
2023A4210203879

This matter was brought to the court by a consent order seeking to convert a home detention sentence on the above-referenced indictments to an active prison sentence. Tyler Bryant Brown, Assistant Solicitor, on behalf of the State, the Defendant, and his attorney James Cheek.

On February 1, 2024, the Defendant pled guilty to PWID Amphetamine, 2nd offense (Indictment 2022-GS-42-4971), Possession of a Stolen Vehicle valued over \$10,000 (Indictment 2022-GS-42-4972), and PWID Methamphetamine 2nd offense (Indictment 2023-GS-42-3874) before the Honorable J. Mark Hayes, II. The Defendant was sentenced to 10 years suspended to 5 years in the department of corrections. By negotiation through the State and the Defense, the Defendant was allowed to serve these 5 years on home detention through the Spartanburg County Detention Center, but the sentencing sheet noted that a violation would activate the full 10 year sentence. The Defendant was given credit for 130 days at the time of the plea, and all 3 sentences were concurrent. On March 5, 2024, the Defendant was violated on his Home Detention for a new arrest. The Defendant is currently detained at the Spartanburg County Detention Center.

By consent of all parties, IT IS THEREFORE ORDERED that the sentence imposed on February 1, 2024 in the above-referenced indictments be converted to an active prison sentence and that the Defendant be sentenced to serve ten (10) years in the S.C. Department of Corrections. Pursuant to S.C. Code Ann. § 24-13-40, the defendant is given credit for the time he spent in custody prior to the plea (130 days), as well as the time served on home detention and in the detention center since his violation. This gives him a total of days credit of 255 days as of June 5, 2024.

IT IS SO ORDERED.



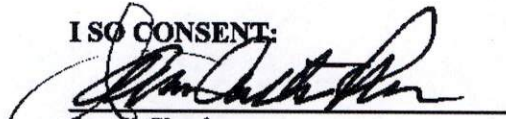
Presiding Judge

June 5, 2024
Spartanburg, South Carolina

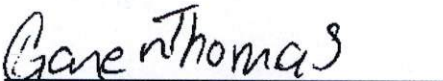
I SO MOVE:


Tyler Bryant Brown
Assistant Solicitor

I SO CONSENT:


James Cheek
Attorney for the Defendant

I SO CONSENT:


Garen Thomas
Defendant

CLERK OF COURT
Spartanburg County

2024 JUN 18 10:13 AM

113

WITNESSES

Spartanburg County Sheriff's Office

Jimmy G. Davis

ARREST WARRANT NUMBER

2024A4210201994

ACTION OF GRAND JURY

True Bill

MAY 10 2024

[Signature]
Foreperson of Grand Jury
Date:

VERDICT

Foreperson of Petit Jury
Date:

DOCKET NO. **24-GS-42-2120**

The State of South Carolina

County of Spartanburg

Barry J. Barnette, Solicitor

COURT OF GENERAL SESSIONS

MAY 13 2024

TERM

**THE STATE
vs.**

Garen Lamar Thomas

Indictment for

**POSSESSION WITH INTENT TO
DISTRIBUTE METHAMPHETAMINE**

SC Code: 44-53-375

FILED

2024 MAY 15 PM 4:04

CLERK OF COURT
SPARTANBURG COUNTY
SOUTH CAROLINA

RECEIVED

JUN 13 2024

SC Court of Appeals

STATE OF SOUTH CAROLINA)
)
COUNTY OF SPARTANBURG)

INDICTMENT

MAY 10 2024

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

POSSESSION WITH INTENT TO DISTRIBUTE METHAMPHETAMINE

That Garen Lamar Thomas did in Spartanburg County on or about March 5, 2024, manufacture, distribute, dispense, deliver, purchase, aid, abet, attempt or conspire to manufacture, distribute, dispense, deliver or purchase, or possess with intent to manufacture, distribute, dispense, deliver, or purchase a quantity of Methamphetamine, a schedule II controlled substance, in violation of § 44-53-375, *THE CODE OF LAWS OF SOUTH CAROLINA, (1976), as amended, such distribution not having been authorized by law.*

Against the peace and dignity of the State, and contrary to the statute in such case made and provided.


ASSISTANT SOLICITOR

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF Spartanburg

RECEIVED

STATE

VS.

JUN 13 2024

INDICTMENT/CASE#: 2024-GS-42-2120

SC Court of Appeals

Garen Lamar Thomas

AKA: _____
Race: Black Sex: Male Age: 47
DOB: _____ SS#: _____
Address: _____
City, State, Zip: _____
DL#* _____ SID# _____

2024A4210201994
Date of Offense: March 5, 2024
S.C. Code §: 44-53-375
CDR Code #: 3200

SENTENCE SHEET

Neg.: 7 years consecutive to indictments 2022-GS-42-497
2022-GS-42-4972, and 2022-GS-42-3874

*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: PWID Methamphetamine, 2nd offense (5 - 30 and or up to \$50,000)

In violation of § 44-53-375 of the S.C. Code of Laws, bearing CDR Code # 3199

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:

Tyler Bryant Brown 78316 Garen Thomas 7913
Solicitor SC Bar # Defendant Attorney for Defendant SC Bar #
Tyler Bryant Brown Garen Lamar Thomas Beverly Dorine Jones

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

for a determinate term of 7 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 42 - 3879
2022 GS 42 - 4971, 4972

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.

91 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 prmts. 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 \$ 128¹⁵

Clerk of Court/Deputy Clerk: _____
Court Reporter: _____

J. J. [Signature]
L. McDaniel

Presiding Judge: _____
Judge Code: _____
Sentence Date: _____

J. J. [Signature]
2154
6.5.24