



LEGAL MAIL

August 20, 2013

The South Carolina Court of Appeals
1015 Sumter Street
Columbia, SC 29201

RECEIVED

AUG 21 2013

SC Court of Appeals

Re: The State v. Antonio E. Tate
Appellate Case No.: 2013-001562

Dear Clerk:

Enclosed for filing, please find a redacted version of the order being appealed in the above referenced case. Should you need further information, please contact our office at your convenience.

Sincerely,

BROWNSTONE, P.A.

A handwritten signature in black ink, appearing to read "Ashley Baez".

Ashley Baez
Paralegal

Enc.

PRIDE, PASSION, AND THE PURSUIT OF WINNING THE ARGUMENT ON APPEAL

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400 North New York Ave., Suite 215 • Winter Park, Florida 32789
www.brownstonelaw.com

STATE OF SOUTH CAROLINA)
)
COUNTY OF GREENVILLE)
)
The State of South Carolina,)
)
v.)
)
Antonio Tate,)
)
Defendant)
_____)

IN THE COURT OF GENERAL SESSIONS
THIRTEENTH JUDICIAL CIRCUIT

2011-GS-47-07

ORDER DENYING DEFENDANT'S
MOTION FOR A NEW TRIAL

RECEIVED

AUG 21 2013

SC Court of Appeals

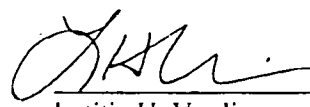
FILED

JUL - 8 2013

JAMES R. PARKS
CLERK, STATE GRAND JURY

THIS MATTER is before the Court on Defendant's motion for a new trial. Defendant's motion is made pursuant to Rule 29 of the South Carolina Rules of Criminal Procedure. Defendant argues that this Court erred in failing to grant Defendant's Motion for a Directed Verdict and that the jury verdict is not supported by the evidence presented at trial. This Court denies Defendant's motion, finding that the State presented sufficient evidence at trial upon which the jury could find the Defendant guilty of Conspiracy.

June 27, 2013



Letitia H. Verdin
Circuit Judge

FILED

STATE OF SOUTH CAROLINA

MAY 31 2013

IN THE COURT OF GENERAL SESSIONS

COUNTY OF

GREENVILLE

JAMES F. PARKS

STATE

CLERK, STATE GRAND JURY

INDICTMENT/CASE# 2011 GS 47 07 COUNT 1

VS.

ANTONIO EMERSON TATE

AW#: DIRECT PRESENTMENT

AKA:

Date of Offense: 11/01/2009 - 11/08/2011

Race: B

Sex: M

Age: 34

S.C. Code §: 44-53-375(C)(5)

DOB: 10-22-1978

SS#: [REDACTED]

CDR Code #: 0370

Address:

City, State, Zip:

DL#

SID#

*CDL Yes No CMV Yes No Hazmat Yes No

SENTENCE SHEET

In disposition of the said indictment comes now the Defendant who was CONVICTED OF or PLEADS

TO: TRAFFICKING METHAMPHETAMINE, 400 GRAMS OR MORE (CONSPIRACY) (1ST OFFENSE)

In violation of § 44-53-375(C)(5) of the S.C. Code of Laws, bearing CDR Code # 0370

NON-VIOLENT VIOLENT SERIOUS MOST SERIOUS Mandatory GPS \$17-25-45

(CSC w/minor 1st or Lewd Act)

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] 76207
Assistant Attorney General SC Bar #

Defendant

Attorney for Defendant

SC Bar #

WHEREFORE, the Defendant is committed to the State Department of Corrections County Detention Center, for a determinate term of 25 days/months/years or under the Youthful Offender Act not to exceed _____ years and/or to pay a fine of \$ _____; provided that upon the service of _____ days/months/years 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.

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 the State Department of Corrections.

The Defendant is to be placed on Central Registry of Child Abuse and Neglect pursuant to S.C. Code §17-25-135.

Pursuant to 18 U.S.C. Section 922, it is unlawful for a person convicted of a violation of Section 16-25-20 or 16-25-65 (Criminal Domestic Violence) to ship, transport, possess, or receive a firearm or ammunition.

SPECIAL CONDITIONS:

RESTITUTION: Deferred Def. Waives Hearing Ordered

PTUP _____

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

_____ days/hours Public Service Employment

Payment Terms: _____

Obtain GED

Set by SCDPPPS

Attend Voc. Rehab. Or Job Corp. _____

Recipient: _____

May serve W/E beginning _____
Substance Abuse Counseling

*Fine:	\$	_____
§14-1-208 (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	\$ _____
Proviso 47.9 (Public Def/Prob)	\$500	\$ _____
§14-1-212 (Law Enforce. Funding)	\$25	\$ 25.00
§14-1-213 (Drug Court Surcharge)	\$150	\$ 150.00
§50-21-114 (BUI Breath Test Fee)	\$50	\$ _____
§56-5-2942(J) (Vehicle Assessment)	\$40/ea	\$ _____
Proviso 90.5 (SCCJA Surcharge)	\$5	\$ 5.00
3% to County (if paid in installments)	\$	\$ 8.40
TOTAL	\$	\$ 288.40

Random Drug/Alcohol Testing
Fine may be pd. in equal consecutive weekly/monthly
pmts. of \$ _____ Beginning _____
\$ _____ Paid to Public Defender Fund

Other: _____

Appointed PD or appointed other counsel, §47.12 requires \$500 be paid to Clerk during probation.

Clerk of Court/Deputy Clerk: *Margaret J. Sell*
Court Reporter: *Margaret Woods*

Presiding Judge: *[Signature]*
Judge Code: *2162*
Sentence Date: *5/31/13*