

STATE OF SOUTH CAROLINA )  
)  
)  
vs. )  
)  
)  
JEREMY CLAY ORR. )  
)  
)  
Defendant. )  
\_\_\_\_\_ )

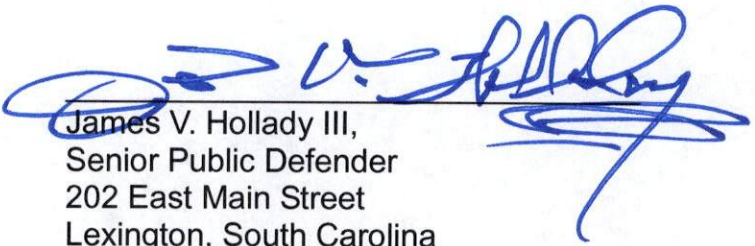
STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS  
Indictment No(s): 2024-GS-32-03182  
2023-GS-32-01377

RECEIVED  
JUL 15 2024  
SC Court of Appeals

**RULE 203(B) EXPLANATION**

Pursuant to Rule 203(B)(iv), the undersigned asserts that he does not have a good faith basis to believe that any issues are properly before the Court of Appeals, and the undersigned did not object to the sentence or file a motion to reconsider the sentence. Nevertheless, the undersigned consulted with the Appellant about his right to appeal, and after consultation, the undersigned has filed the instant appeal at the request of the Appellant because the Sixth Amendment requires counsel to follow the Appellant's request. See *Frazer v. South Carolina*, 430 F.3d 696, 706 (4<sup>th</sup> Cir. 2005) ("A defendant has a right to pursue a direct appeal, even if frivolous, which counsel must assist as 'an active advocate on behalf of his client.'") (quoting *Anders v. California*, 386 U.S. 738, 744 (1967)).

Respectfully submitted,

  
James V. Holladay III,  
Senior Public Defender  
202 East Main Street  
Lexington, South Carolina  
(803) 785-8873

Lexington, South Carolina  
July 10, 2024

0-3 yrs TIME SERVED

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF LEXINGTON

STATE

VS.

INDICTMENT/CASE#: 2024GS3203182

Jeremy Clay Orr

A/W#: 2021A3210700149

AKA: Race: White Sex: Male Age: 44

Date of Offense: 02/12/2021

DOB: SS#: Address:

S.C. Code §: 16-3-600(D)(1)(a)

City, State, Zip:

CDR Code #: 3413

DL#\* SID# SC01789268

RECEIVED

SENTENCE SHEET

JUL 15 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 and Battery <sup>THIRD</sup> ~~Second~~ Degree

In violation of § 16-3-600(D)(1)(a) of the S.C. Code of Laws, bearing CDR Code # 3413

NON-VIOLENT  VIOLENT  SERIOUS  MOST SERIOUS  Mandatory GPS  § 17-25-45

The charge is:  As indicted,  Lesser Included Offense,  Defendant Waives Presentment to Grand Jury. (CSC w/minor 1<sup>st</sup> or CSC w/minor 3<sup>rd</sup>) (def.'s initials)

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

ATTEST: Solicitor 105746 SC Bar # Defendant Attorney for Defendant 66591 SC Bar #

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

for a determinate term of \_\_\_\_\_ 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. 136 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.

A TRUE COPY  
*[Signature]*  
Lex. Co. C.C.C.P., G.S. & F.C.

**SPECIAL CONDITIONS:**

**PTUP** after \_\_\_\_\_ months/years

**And Other Terms Listed Below:**

- 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		\$ <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		\$ _____
<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		\$ _____
		<b>TOTAL</b>		\$ <u>125.00</u>

Clerk of Court/Deputy Clerk: Lisa Comer  
Court Reporter: Stacy Johnson

Presiding Judge: [Signature]  
Judge Code: 2265  
Sentence Date: 7-8-2024

**A TRUE COPY**

[Signature]  
Lex. Co. C.C.C.P., G.S. & F.C.

0-3 yrs. TIME SERVED

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF LEXINGTON

STATE

VS.

INDICTMENT/CASE#: 2023GS3201377

Jeremy Clay Orr

AW#: 2021A3210700151

AKA: Race: White Sex: Male Age: 44

Date of Offense: 02/12/2021

DOB: SS#:

S.C. Code §: 56-5-750(B)(1)

Address: City, State, Zip:

CDR Code #: 0065

DL#\* SID# SC01789268

RECEIVED

SENTENCE SHEET

JUL 15 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: Traffic / Failure to stop for a blue light, no injury or death - 1st offense

In violation of § 56-5-750(B)(1) of the S.C. Code of Laws, bearing CDR Code # 0065

NON-VIOLENT  VIOLENT  SERIOUS  MOST SERIOUS  Mandatory GPS  § 17-25-45

The charge is:  As indicted,  Lesser Included Offense,  Defendant Waives Presentment to Grand Jury. (CSC w/minor 1st or CSC w/minor 3rd)

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

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months/years and subject to South Carolina Department of Probation, Parole and Pardon Services standard conditions of probation, which are incorporated by reference.

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A TRUE COPY [Signature] Lex. Co. C.C.C.P., G.S. & F.C.

**SPECIAL CONDITIONS:**

**PTUP** after \_\_\_\_\_ months/years

**And Other Terms Listed Below:**

- Substance Abuse Counseling
- Attend Voc. Rehab. Or Job Corp
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§14-1-213 (Drug Court Surcharge)		\$150		\$ _____
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§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		\$ _____
		<b>TOTAL</b>		\$ <u>12500</u>

Clerk of Court/Deputy Clerk: *Lisa Comer*  
Court Reporter: *Stacy Johnson*

Presiding Judge: *Walt*  
Judge Code: 2765  
Sentence Date: 7-8-2024

**A TRUE COPY**

*Lisa Comer*  
Lex. Co. C.C.C.P., G.S. & E.C.

WITNESSES

Lexington County Sheriff's Department

Alania P Spohn

Law Enforcement Case #: 21002728

DJE

ARREST WARRANT NUMBER

2021A3210700149

ACTION OF GRAND JURY

Foreperson of Grand Jury

Date:

VERDICT

Foreperson of Petit Jury

Date:

INDICT

DOCKET NO. 2024GS3203182

The State of South Carolina

County of Lexington

LEXINGTON COUNTY GENERAL SESSIONS

July Term 2024

THE STATE

vs.

Jeremy Clay Orr

Indictment For

Assault and Battery Second Degree

SC Code: §16-3-600(D)(1)(a)

CDR Code: 3413

Class A Misdemeanor

S.R. Hubbard III, Solicitor

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

RECEIVED  
JUL 15 2024  
SC Court of Appeals

TRUE COPY  
C.C.C., G.S. & F.C.

STATE OF SOUTH CAROLINA )  
)  
COUNTY OF LEXINGTON )  
)  
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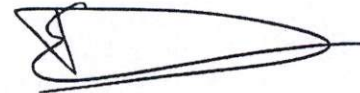
INDICTMENT FOR  
2024GS3203182  
Assault and Battery Second Degree  
§16-3-600(D)(1)(a)

At a Lexington County General Sessions, convened on July 8, 2024, the Grand Jurors of Lexington County present upon their oath:

THIRD  
Assault and Battery Second Degree 

That in Lexington County, South Carolina, on or about February 12, 2021, the Defendant, Jeremy Clay Orr, did offer to or attempt to injure Deputy Alexander Nguyen with the present ability to do so, and moderate bodily injury to Deputy Alexander Nguyen resulted or could have resulted, to wit: the defendant did accelerate his vehicle while the victim was leaning into the passenger's window during a traffic stop while located at 400 Saint Andrews Road in the Columbia area of Lexington County, all in violation of Section 16-3-600(D)(1)(a), et al. of the Codes of Law of South Carolina.

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



\_\_\_\_\_  
Assistant Solicitor

A TRUE COPY  
  
Lex. Co. C.C.C.P., G.S. & F.C.

WITNESSES

Lexington County Sheriff's Department

Alania P Spohn

Law Enforcement Case #: 21002728

BPP

ARREST WARRANT NUMBER

2021A3210700151

ACTION OF GRAND JURY

Foreperson of Grand Jury

Date:

VERDICT

Foreperson of Petit Jury

Date:

DOCKET NO. 2023GS3201377

**The State of South Carolina**

County of Lexington

COURT OF GENERAL SESSIONS

JULY TERM 2024

THE STATE

vs.

Jeremy Clay Orr

CDR #: 0065

Indictment for

Failure to Stop for a Blue Light, 1st  
Offense

§ 56-05-0750(B)(1)

**S.R. Hubbard III, SOLICITOR**

After being fully advised as to my legal rights, I hereby waive my rights to 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.

RECEIVED

JUL 15 2024

SC Court of Appeals

A TRUE COPY

Lex. Co. C.C.C.P., G.S. & F.C.

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF LEXINGTON )  
 )

INDICTMENT FOR  
Failure to Stop for a Blue Light, 1st Offense  
§ 56-05-0750(B)(1)

At a Court of General Sessions, convened on March 2023, the Grand Jurors of Lexington County present upon their oath:

That **Jeremy Clay Orr** did in Lexington County, South Carolina on or about February 12, 2021, willfully, knowingly and unlawfully fail to stop a motor vehicle, while driving said motor vehicle on a road, street or highway of this State when Deputy Alania Spohn, a law enforcement officer with the Lexington County Sheriff's Department, signaled and sounded his siren and/or turned on his flashing blue light, and no great bodily injury or death resulted from said failure to stop, in violation of § 56-5-750(B)(1), 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