

FORM 4
NOTICE OF APPEAL FROM A SENTENCE IMPOSED BY THE COURT
OF GENERAL SESSIONS

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM SPARTANBURG COUNTY
Court of General Sessions

R. Keith Kelly, Circuit Court Judge

Case No. 2023-GS-42-02230
Case No. 2023-GS-42-02224
Case No. 2023-GS-42-02226
Case No. 2023-GS-42-02227
Case No. 2023-GS-42-05965
Case No. 2023-GS-42-02229
Case No. 2023-GS-42-02228
Case No. 2024-GS-42-02843
Case No. 2023-GS-42-02223

The State,

Respondent,

v.

Jacob Ryan Mims,

Appellant.

EXPLANATION FOR APPEAL

Jacob Ryan Mims entered a plea of guilty on July 12, 2024. The issue of credit for time served was raised. The State's prosecuting attorney informed the Court Mr. Mims was not receiving credit for time spent in the Spartanburg County Detention Center under S.C. Statute 24-13-40.

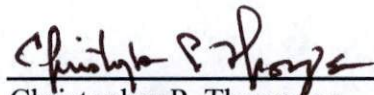
Defense respectfully requests the Appellate Court rule on the constitutionality of the above statute as it denies the Defendant due process and imposes an excessive penalty.

RECEIVED

AUG 09 2024

SC Court of Appeals

July 17, 2024



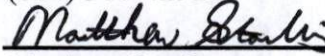
Christopher P. Thompson

SC Bar # 71255

Post Office Box 70

Mayo, South Carolina 29368

(864) 310-4292



Matthew Starling

SC Bar # 104753

Attorneys for Appellant

Other Counsel of Record:

Spenser H. Smith

Assistant Solicitor

180 Magnolia Street

Spartanburg, South Carolina 29306

(864) 596-2575

Attorney for Respondent

STATE OF SOUTH CAROLINA

COUNTY OF SPARTANBURG

STATE

VS.

RECEIVED

AUG 09 2024

SC Court of Appeals

IN THE COURT OF GENERAL SESSIONS

INDICTMENT/CASE#: 2023 -GS- 42 - 5966

Jacob Ryan Mims

AKA:

Race: W Sex: M Age: 32

DOB: SS#

Address:

City, State, Zip:

DL# SID#

A/W#: 2023A4210205514

Date of Offense: 10/9/2023

S.C. Code §: 44-53-375

CDR Code #: 450

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 (5-30yr and/or 0-50k)

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

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: Solicitor 101370 SC Bar # Defendant 104753 SC Bar # Attorney for Defendant

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 \$50,000 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.

☐ 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 \$50,000.00

§14-1-206 (Assessments 107.5%)		<u>\$53,750.00</u>
§14-1-211 (A)(1)(Conv. Surcharge)	\$100	<u>\$100</u>
§14-1-211 (A)(2)(DUI Surcharge)	\$100	<u>\$</u>
§56-5-2995 (DUI Assessment)	\$12	<u>\$</u>
§56-1-286 (DUI Breath Test)	\$25	<u>\$</u>
§14-1-212 (Law Enforce. Funding)	\$25	<u>\$25</u>
§14-1-213 (Drug Court Surcharge)	\$150	<u>\$150</u>
§34-11-70(b)and(c), and 34-11-90(c)and(d) (Admin Fraud Check Court Costs)	\$41	<u>\$</u>
§50-21-114 (BUI Breath Test Fee)	\$50	<u>\$</u>
§56-5-2942(J) (Vehicle Assessment)	\$40/ea	<u>\$</u>
3% to County (if paid in installments)	TBD	<u>\$3130.75</u>
☐ Appointed PD or appointed other counsel, Proviso requires \$500 be paid to Clerk during probation and shall be collected before any other fees	\$500	<u>\$</u>
☐ § 17-3-30(B) Unpaid Application Fee to be paid to the Public Defender Fund	TBD	<u>\$</u>
TOTAL		<u>\$107,145.75</u>

Clerk of Court/Deputy Clerk: [Signature]

Court Reporter: [Signature]

Presiding Judge: [Signature]

Judge Code: 2163

Sentence Date: 11 July 2024

WITNESSES

Spartanburg Sheriff's Office

Jimmy W. Davis

ARREST WARRANT NUMBER

2023A4210205514

ACTION OF GRAND JURY

Tim Mims NOV 17 2023
Foreperson of Grand Jury
Date:

VERDICT

DOCKET NO. **23-GS-42-5966**

The State of South Carolina

County of Spartanburg

Barry J. Barnette, Solicitor

COURT OF GENERAL SESSIONS

NOV 27 2023

TERM

THE STATE
vs.

Jacob Ryan Mims

Indictment for
TRAFFICKING IN METHAMPHETAMINE

SC Code: 44-53-375

FILED

NOV 21 AM 9:50

CLERK OF COURT
SPARTANBURG COUNTY
AMY W. COX

RECEIVED
AUG 09 2024
SC Court of Appeals

Foreperson of Petit Jury
Date:

STATE OF SOUTH CAROLINA)
COUNTY OF SPARTANBURG)

INDICTMENT

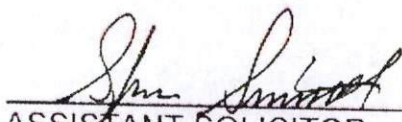
NOV 17 2023

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

TRAFFICKING IN METHAMPHETAMINE

That Jacob Ryan Mims did in Spartanburg County on or about October 9, 2023, knowingly sell, manufacture, deliver, purchase or bring into this State, or did provide financial assistance or did otherwise aid, abet, attempt, or conspire to sell, manufacture, deliver, purchase, or bring into this State, or did knowingly actually or constructively possess, or did knowingly attempt to actually or constructively possess more than (10) ten grams of Methamphetamine, a schedule II controlled substance, in violation 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.



ASSISTANT SOLICITOR

STATE OF SOUTH CAROLINA

COUNTY OF SPARTANBURG

STATE

VS.

IN THE COURT OF GENERAL SESSIONS

INDICTMENT/CASE#: 2023 -GS- 42 - 2224

Jacob Ryan Mims

AKA:

Race: W Sex: M Age: 32

DOB: [REDACTED] SS# [REDACTED]

Address: [REDACTED]

City, State, Zip: [REDACTED]

DL# [REDACTED] SID# [REDACTED]

A/W#: 2022A4210207483

Date of Offense: 12/21/2022

S.C. Code §: 56-5-750

CDR Code #: 2396

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: Failure to Stop for Blue Light 2nd Offense (0-5yr)

In violation of § 56-5-750 of the S.C. Code of Laws, bearing CDR Code # 2396

☒ 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]
Solicitor

101370

SC Bar #

[Signature]
Defendant

[Signature]
Attorney for Defendant

104753

SC Bar #

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

for a determinate term of 5 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. 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
§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	\$500
☐ § 17-3-30(B) Unpaid Application Fee to be paid to the Public Defender Fund	TBD
TOTAL	\$103.00

Clerk of Court/Deputy Clerk: ImaxCourt Reporter: C. SmithPresiding Judge: R. Keith KelleyJudge Code: 7/165Sentence Date: 11 July 2024

STATE OF SOUTH CAROLINA)
)
COUNTY OF SPARTANBURG)

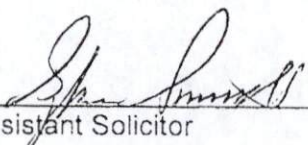
INDICTMENT

At a Court of General Sessions, convened on APR 21 2023 the
Grand Jurors of Spartanburg County present upon their oath:

FAILURE TO STOP MOTOR VEHICLE WHEN
SIGNALED BY A LAW ENFORCEMENT VEHICLE

That Jacob Ryan Mims, did in Spartanburg County on or about December 21, 2022, willfully fail to stop the motor vehicle which he was driving on a road, street, or highway of the State of South Carolina when he was signaled by a law enforcement vehicle by means of a siren or flashing light, all in violation of §56-5-750, *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

RECEIVED

AUG 09 2024

SC Court of Appeals

FILED

2023 APR 27 AM 8:46

CLERK OF COURT
SPARTANBURG COUNTY
AMY W. COX

DOCKET NO.

23-GS-42-2224

The State of South Carolina

County of Spartanburg

Barry J. Barnette, Solicitor

COURT OF GENERAL SESSIONS

APR 24 2023

TERM

THE STATE
vs.

Jacob Ryan Mims

Indictment for

FAILURE TO STOP MOTOR VEHICLE
WHEN SIGNALLED BY OFFICER

SC Code: 56-5-750

CDR Code: 2396

Class FEL/F

WITNESSES

Spartanburg Sheriff's Office

Jimmy W. Powers

ARREST WARRANT NUMBER

2022A4210207483

ACTION OF GRAND JURY

APR 21 2023

Tim W. Wynn

Foreperson of Grand Jury

Date:

VERDICT

Foreperson of Petit Jury
Date:

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF SPARTANBURG

STATE

VS.

INDICTMENT/CASE#: 2023 -GS- 42 - 2226

Jacob Ryan Mims

AKA:

Race: W

Sex: M

Age: 32

DOB: [REDACTED]

SS# [REDACTED]

Address: [REDACTED]

City, State, Zip: [REDACTED]

DL# [REDACTED]

SID# [REDACTED]

AWW#:

2022A4210207486

Date of Offense:

12/21/2022

S.C. Code §:

56-5-2920

CDR Code #:

0657

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: Reckless Driving (0-30days)

In violation of § 56-5-2920 of the S.C. Code of Laws, bearing CDR Code # 0657

☒ 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:

Solicitor General 101370 SC Bar # [REDACTED]

Defendant

Attorney for Defendant 104753 SC Bar #

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

for a determinate term of 30 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.

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
§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	\$500
☐ § 17-3-30(B) Unpaid Application Fee to be paid to the Public Defender Fund	TBD
TOTAL	\$ 25.75

Clerk of Court/Deputy Clerk: Linsley
Court Reporter: SmithPresiding Judge: R. Keith Kelly
Judge Code: 2165
Sentence Date: 11 July 2024

STATE OF SOUTH CAROLINA)
COUNTY OF SPARTANBURG)

INDICTMENT

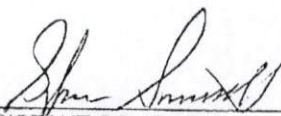
At a Court of General Sessions, convened on APR 21 2023

the Grand Jurors of Spartanburg County present upon their oath:

RECKLESS DRIVING

That Jacob Ryan Mims did in Spartanburg County on or about December 21, 2022 willfully and unlawfully violate the provisions of §56-5-2920 of the Code of Laws of South Carolina, 1976, as amended, in that he drove a vehicle in such a manner as to indicate either a willful or wanton disregard for the safety of persons or property.

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



ASSISTANT SOLICITOR

RECEIVED

AUG 09 2024

SC Court of Appeals

FILED

2023 APR 27 AM 8:10

CLERK OF COURT
SPARTANBURG COUNTY
AMY W. COX

DOCKET NO.

23-GS-42-2226

The State of South Carolina

County of Spartanburg

Barry J. Barnette, Solicitor

COURT OF GENERAL SESSIONS

APR 24 2023

TERM

THE STATE
vs.

Jacob Ryan Mims

Indictment for
RECKLESS DRIVING
SC Code: 56-5-2920
CDR Code: 657
CLASS MIS/C

WITNESSES

Spartanburg Sheriff's Office

[Signature]

ARREST WARRANT NUMBER

2022A4210207486

ACTION OF GRAND JURY

APR 21 2023

[Signature]
Foreperson of Grand Jury
Date

VERDICT

Foreperson of Petit Jury
Date

STATE OF SOUTH CAROLINA

COUNTY OF SPARTANBURG

STATE

VS.

RECEIVED

AUG 09 2024

SC Court of Appeals

IN THE COURT OF GENERAL SESSIONS

INDICTMENT/CASE#: 2023 -GS- 42 - 2227

Jacob Ryan Mims

AKA:

Race: W Sex: M Age: 32

DOB: [REDACTED] SS# [REDACTED]

Address: [REDACTED]

City, State, Zip: [REDACTED]

DL# [REDACTED] SID# [REDACTED]

AW#: 2022A4210207490

Date of Offense: 12/21/2022

S.C. Code §: 56-1-460

CDR Code #: 956

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: Driving Under Suspension Not for DUI 3rd (0-90 days and \$1,000)

In violation of § 56-1-460(A)(1)(c) of the S.C. Code of Laws, bearing CDR Code # 3798

☒ 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:

Solicitor

101370

SC Bar #

Defendant

Matthew Starling

104753

SC Bar #

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

for a determinate term of 90 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. _____ 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	\$ 100.00
§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	\$ 25.00
§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	\$ 3.75
☐ Appointed PD or appointed other counsel, Proviso requires \$500 be paid to Clerk during probation and shall be collected before any other fees		\$500	\$ _____
☐ § 17-3-30(B) Unpaid Application Fee to be paid to the Public Defender Fund		TBD	\$ _____
TOTAL			\$ 128.75

Clerk of Court/Deputy Clerk: Timothy C. Smith
Court Reporter: _____Presiding Judge: A. Keith Kelly
Judge Code: 2165
Sentence Date: 11 July 2024

STATE OF SOUTH CAROLINA)
COUNTY OF SPARTANBURG)

INDICTMENT

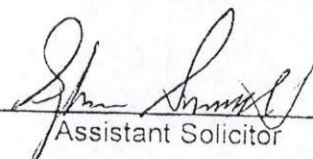
APR 21 2023

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

DRIVING UNDER SUSPENSION DUI RELATED

That the Defendant, Jacob Ryan Mims, did in Spartanburg County on or about December 21, 2022 drive a motor vehicle on a public highway of this state when his license to drive was canceled, suspended, or revoked pursuant to §56-5-2990 or §56-5-2945, and the Defendant has previously been convicted of Driving Under Suspension (DUS) two times within the previous five years, all in violation of 56-1-460(A)(2), *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

RECEIVED
AUG 09 2024
SC Court of Appeals

FILED

2024 APR 27 AM 8:46

CLERK OF COURT
SPARTANBURG COUNTY
AMY W. COX

WITNESSES

Spartanburg Sheriff's Office

Jimmy G. Davis

ARREST WARRANT NUMBER

2022A4210207490 (Direct Indictment)

ACTION OF GRAND JURY

APR 21 2023

Tim Bunn
Foreperson of Grand Jury
Date

VERDICT

DOCKET NO. -

23-GS-42-2227

The State of South Carolina

County of Spartanburg

Barry J. Barnette, Solicitor

COURT OF GENERAL SESSIONS

APR 24 2023

TERM

THE STATE

vs.

Jacob Ryan Mims

Indictment for

DUS/DRIVING UNDER SUSPENSION
DUI RELATED

SC Code: 56-1-460(A)(2)(c)

CDR Code: 956

Class: MIS/A

STATE OF SOUTH CAROLINA

COUNTY OF SPARTANBURG

STATE

VS.

Jacob Ryan Mims

AKA:

Race: W Sex: M Age: 32

DOB: SS#

Address:

City, State, Zip:

DI # SID#

RECEIVED

AUG 09 2024

SC Court of Appeals

IN THE COURT OF GENERAL SESSIONS

INDICTMENT/CASE#: 2023 -GS- 42 - 2229

AW#: 2022A4210207440

Date of Offense: 12/19/2022

S.C. Code §: 56-1-1100

CDR Code #: 0057

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: Habitual Traffic Offender (0-5yr)

In violation of § 56-1-1100 of the S.C. Code of Laws, bearing CDR Code # 0057

☒ 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:

Solicitor 101370 SC Bar # Defendant Matthew Starling 104753 SC Bar # Attorney for Defendant

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

for a determinate term of 5 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.

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)		\$
§14-1-211 (A)(2)(DUI Surcharge)	\$100	\$ 100.00
§56-5-2995 (DUI Assessment)	\$100	\$
§56-1-286 (DUI Breath Test)	\$12	\$
§14-1-212 (Law Enforce. Funding)	\$25	\$
§14-1-213 (Drug Court Surcharge)	\$25	\$ 25.00
§34-11-70(b)and(c), and 34-11-90(c)and(d) (Admin Fraud Check Court Costs)	\$150	\$
§50-21-114 (BUI Breath Test Fee)	\$41	\$
§56-5-2942(J) (Vehicle Assessment)	\$50	\$
3% to County (if paid in installments)	\$40/ea	\$
	TBD	\$ 3.00
☐ Appointed PD or appointed other counsel, Proviso requires \$500 be paid to Clerk during probation and shall be collected before any other fees	\$500	\$
☐ § 17-3-30(B) Unpaid Application Fee to be paid to the Public Defender Fund	TBD	\$
	TOTAL	\$ 103.00

Clerk of Court/Deputy Clerk: TinsleyCourt Reporter: SmithPresiding Judge: R. Keith KellyJudge Code: 2165Sentence Date: 11 July 2024

STATE OF SOUTH CAROLINA)
COUNTY OF SPARTANBURG)

INDICTMENT

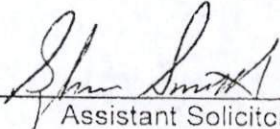
APR 21 2023

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

HABITUAL TRAFFIC OFFENDER

That the Defendant, Jacob Ryan Mims, did in Spartanburg County on or about December 19, 2022 operate a motor vehicle after having been declared an Habitual Offender by the Department of Motor Vehicles, in violation of §56-1-1100, *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

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AUG 09 2024
SC Court of Appeals

FILED

2023 APR 27 AM 8:18

CLERK OF COURT
SPARTANBURG COUNTY
AMY W. COX

WITNESSES

Spartanburg Sheriff's Office

Jimmy G. Sasser

ARREST WARRANT NUMBER

2022A4210207440

ACTION OF GRAND JURY

APR 21 2023

Jimmy G. Sasser
Foreperson of Grand Jury
Date

VERDICT

DOCKET NO. -

23-GS-42-2229

The State of South Carolina

County of Spartanburg

Barry J. Barnette, Solicitor

COURT OF GENERAL SESSIONS

APR 24 2023

TERM

THE STATE
vs.

Jacob Ryan Mims

Indictment for
HABITUAL TRAFFIC OFFENDER

SC Code: 56-1-1100
CDR Code: 0057
Class FEL/F

Foreperson of Petit Jury
Date

STATE OF SOUTH CAROLINA

COUNTY OF SPARTANBURG

STATE

VS.

Jacob Ryan Mims

AKA:

Race: W

Sex: M

Age: 32

DOB: [REDACTED]

SS# [REDACTED]

Address: [REDACTED]

City, State, Zip: [REDACTED]

DL# [REDACTED]

SID# [REDACTED]

IN THE COURT OF GENERAL SESSIONS

INDICTMENT/CASE#: 2023 -GS- 42 - 2230

A/W#:

2022A4210207441

Date of Offense:

12/19/2022

S.C. Code §:

56-5-750

CDR Code #:

2396

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: Failure to Stop for Blue Light 2nd Offense (0-5yr)

In violation of § 56-5-750 of the S.C. Code of Laws, bearing CDR Code # 2396

☒ 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]
Solicitor
101370
SC Bar #

[Signature]
Defendant

[Signature]
Attorney for Defendant
104753
SC Bar #

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

for a determinate term of 5 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. ___ 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.

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AUG 09 2024

SC Court of Appeals

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	\$ 100.00
§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	\$ 3.00
☐ Appointed PD or appointed other counsel, Proviso requires \$500 be paid to Clerk during probation and shall be collected before any other fees	\$500	\$
☐ § 17-3-30(B) Unpaid Application Fee to be paid to the Public Defender Fund	TBD	\$
TOTAL		\$ 102.00

Clerk of Court/Deputy Clerk: I. Mims
Court Reporter: C. Smith

Presiding Judge: A. Keith Kelly
Judge Code: 2165
Sentence Date: 11 July 2024

STATE OF SOUTH CAROLINA }
COUNTY OF SPARTANBURG }

INDICTMENT

APR 21 2023

At a Court of General Sessions, convened on _____ the

Grand Jurors of Spartanburg County present upon their oath:

FAILURE TO STOP MOTOR VEHICLE WHEN
SIGNALED BY A LAW ENFORCEMENT VEHICLE

That Jacob Ryan Mims, did in Spartanburg County on or about December 19, 2022, willfully fail to stop the motor vehicle which he was driving on a road, street, or highway of the State of South Carolina when he was signaled by a law enforcement vehicle by means of a siren or flashing light, all in violation of §56-5-750, *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

RECEIVED
AUG 09 2024
SC Court of Appeals

FILED

2023 APR 27 AM 8:48

CLERK OF COURT
SPARTANBURG COUNTY
AMY W. COX

DOCKET NO.

23-GS-42-2230

The State of South Carolina

County of Spartanburg

Barry J. Barnette, Solicitor

COURT OF GENERAL SESSIONS

APR 24 2023 TERM

THE STATE
vs.

Jacob Ryan Mims

Indictment for

FAILURE TO STOP MOTOR VEHICLE
WHEN SIGNALLED BY OFFICER

SC Code: 56-5-750
CDR Code: 2396
Class: FEL/F

WITNESSES

Spartanburg Sheriff's Office

Jimmy W. Davis

ARREST WARRANT NUMBER

2022A4210207441 (Direct Indictment)

ACTION OF GRAND JURY

APR 21 2023

True Bill

Tim Mims
Foreperson of Grand Jury
Date:

VERDICT

Foreperson of Petit Jury
Date: