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Jun 14 2024

SC Court of Appeals

0-10

STATE OF SOUTH CAROLINA

COUNTY OF Richland

STATE

VS.

Dale Smith

AKA: _____
Race: BLACK Sex: M Age: 30
DOB: 03-21-1992 SS#: _____
Address: 7226 Sunview Dr Apt A
City, State, Zip: Columbia, SC 29209
DL#: _____ SID#: _____

IN THE COURT OF GENERAL SESSIONS

INDICTMENT/CASE#: 2023 - GS - 40 - 03297

A/W#: 2022A4010204317
Date of Offense: 9/21/2022
S.C. Code § 16-25-0065(A)
CDR Code #: 3814

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: Domestic/Domestic violence ~~1st Degree~~ FIRST DEGREE

in violation of § 16-25-0065(A) of the S.C. Code of Laws, bearing CDR Code # 3814

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:

Theresa Johns 15296 SC Bar # Johns, Theresa Defendant Katherine Myers 101621 SC Bar # Katherine Myers

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 ___ 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. 206 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.

STATE VS. Dale Smith INDICTMENT/CASE#: 2023 - GS - 40 - 03297

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
§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
§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
<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 \$ 128.75

Clerk of Court/ Deputy Clerk: Jeanette W. McBride, ME
Court Reporter: Brown

Presiding Judge: _____
Judge Code: 2373
Sentence Date: 6/6/24

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DOCKET NO. 2023GS4003297

The State of South Carolina

County of

Richland

COURT OF GENERAL SESSIONS

JUN TERM 2023

159

THE STATE vs.

Dale Smith

Indictment for DOMESTIC/DOMESTIC VIOLENCE OF HIGH AND AGGRAVATED NATURE

SC Code: 16-25-0065(A)
CDR Code: 3814

WITNESSES

(S) Andrew Cooper
Richland County Sheriff Dept

ARREST WARRANT NUMBER

2022A4010204317

ACTION OF GRAND JURY

TRUE BILL

[Signature]
Foreperson of Grand Jury
Date: JUN 15 2023

VERDICT

Foreperson of Petit Jury
Date:

After being fully advised as to my legal rights, I hereby waive presentment to the Grand Jury.

Defendant

[Signature]
Dale Smith, Jr.

hereby appear in my own proper person and plead guilty to the within indictment or to

DN 159 DEGREE 3011

[Signature]
Defendant

Witness:

C.C.C. PLS. AND G.S.

STATE OF SOUTH CAROLINA)
)
COUNTY OF RICHLAND)

INDICTMENT

At a Court of General Sessions, convened on 6/13 2023, the
Grand Jurors of Richland County present upon their oath:

DOMESTIC VIOLENCE HIGH AND AGGRAVATED NATURE

16-25-65

CDR Code 3814

That Dale Smith did in Richland County on or about September 21, 2022
cause physical harm or injury to a household member, AMBER MURRAY,
or did offer or attempt to cause physical harm or injury to a household
member, AMBER MURRAY, with apparent present ability under
circumstances reasonably creating fear of imminent peril and committed the
offense, with or without an accompanying battery, under circumstances
manifesting extreme indifference to the value of the human life and would
reasonably cause a person to fear either great bodily injury or death in

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


BYRON E. GIPSON, SOLICITOR

