

ARREST WARRANT

2022A3510100214

STATE OF SOUTH CAROLINA

County/ Municipality of

Mccormick

THE STATE against

James Heyward

Address:

Phone: SSN:

Sex: M Race: B Height: 5 10 Weight:

DL State: DL #:

DOB: Agency ORI #: SCLED0000

Prosecuting Agency: State Law Enforcement Division

Prosecuting Officer: William R Padgett, Jr - S00109

Offense: Prisoners / Taking of hostages by any inmate, sentence cannot be concurrent

Offense Code: 2524

Code/Ordinance Sec: 24-13-0450

This warrant is CERTIFIED FOR SERVICE in the County/ Municipality of

The accused is to be arrested and brought before me to be dealt with according to the law.

Signature of Judge (L.S.)

Date: 11/14/2023

RETURN

A copy of this arrest warrant was delivered to defendant on

Signature of Constable/Law Enforcement Officer

RETURN WARRANT TO:

Mccormick Magistrate 211 West Augusta Street, Extension Post Office Box 1116 Mccormick, SC 29835

STATE OF SOUTH CAROLINA County/ Municipality of Mccormick

Personally appeared before me the affiant William R Padgett, Jr who being duly sworn deposes and says that defendant James Heyward did within this county and state on or about 12/27/2020 violate the criminal laws of the State of South Carolina (or ordinance of County/ Municipality of Mccormick) in the following particulars:

DESCRIPTION OF OFFENSE: Prisoners / Taking of hostages by any inmate, sentence cannot be concurrent

I further state that there is probable cause to believe that the defendant named above did commit the crime set forth and that probable cause is based on the following facts:

That on December 27, 2020, in the county of McCormick, one James Heyward did commit the crime of Prisoners / Taking of hostages by any inmate, sentence cannot be concurrent in that he/she did (see attached affidavit).

Signature of Affiant

STATE OF SOUTH CAROLINA County/ Municipality of Mccormick

Affiant's Address P. O. Box 21398 Columbia, SC 29221- Affiant's Telephone

ARREST WARRANT

TO ANY LAW ENFORCEMENT OFFICER OF THIS STATE OR MUNICIPALITY OR ANY CONSTABLE OF THIS COUNTY It appearing from the above affidavit that there are reasonable grounds to believe that

on or about 12/27/2020 defendant James Heyward did violate the criminal laws of the State of South Carolina (or ordinance of County/ Municipality of Mccormick) as set forth below:

DESCRIPTION OF OFFENSE: Prisoners / Taking of hostages by any inmate, sentence cannot be concurrent

Having found probable cause and the above affiant having sworn before me, you are empowered and directed to arrest the said defendant and bring him or her before me forthwith to be dealt with according to law. A copy of this Arrest Warrant shall be delivered to the defendant at the time of its execution, or as soon thereafter as is practicable

Sworn to and subscribed before me on 5/31/2022 Judge's Address P. O. Box 1116 McCormick, SC 29835- Judge's Telephone (864)-85-2-23 x 16 Issuing Court: X Magistrate Municipal Circuit

Signature of Issuing Judge (L.S.) John Cliff Long Judge Code: 7261

COPY FILED 2024 JAN 19 11:16 AM SO-COURT of Appeals AUG 30 2024 RECEIVED

WITNESSES

SLED

William R. Padgett, Jr. - SLED

Law Enforcement Case #: 32200155

DWF

ARREST WARRANT NUMBER

2024GS3500192

ACTION OF GRAND JURY

Carroll L. Curran

Foreperson of Grand Jury
Date: **AUG 2 2024**

VERDICT

True Bill

Yolanda L. Hatten

Foreperson of Petit Jury

Date: **AUG 2 2024**
INDICT

DOCKET NO. 2024GS3500192

The State of South Carolina

County of McCormick

MCCORMICK COUNTY
COURTHOUSE

August Term 2024

THE STATE

vs.

James Heyward

Indictment For

Escape or Attempted Escape

SC Code: §24-13-410(A)

CDR Code: 2527

Class D Felony

S.R. Hubbard III, Solicitor

RECEIVED
AUG 30 2024
SC Court of Appeals

STATE OF SOUTH CAROLINA)
)
COUNTY OF MCCORMICK)
)
)
)

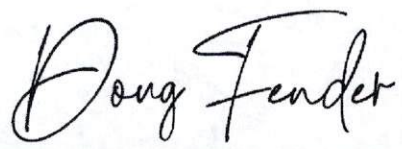
INDICTMENT FOR
2024GS3500192
Escape or Attempted Escape
§24-13-410(A)

At a McCormick County Courthouse, convened on August 22, 2024, the Grand Jurors of McCormick County present upon their oath:

Escape or Attempted Escape

That in McCormick County, South Carolina, on or about December 27, 2020, the Defendant, James Heyward, did willfully and unlawfully, as a person who was lawfully confined in a prison (McCormick Correctional Institute) or while in the custody of an officer or another employee, did escape, attempt to escape or have in possession tools, weapons, or other items that may be used to facilitate an an escape, all in violation of Section 24-13-410(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

0-15

RECEIVED

IN THE COURT OF GENERAL SESSIONS

STATE OF SOUTH CAROLINA

COUNTY OF MCCORMICK

STATE

VS.

INDICTMENT/CASE#: 2024GS3500192

AUG 30 2024
SC Court of Appeals

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

AW#: _____
Date of Offense: 12/27/2020
S.C. Code §: 24-13-410(A)
CDR Code #: 2527

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: Escape or Attempted Escape

In violation of § 24-13-410(A) of the S.C. Code of Laws, bearing CDR Code # 2527

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 101135 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 15 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: 2024GS3500133

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 \$ <u>100.00</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>25.00</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 \$ <u>3.75</u>
<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>128.75</u>

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

Amanda S. Selby
Anna Foster

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

Debra McCaslin
2769
8/27/24

WITNESSES

SLED

William R. Padgett, Jr. - SLED

Law Enforcement Case #: 32200155

DWF

ARREST WARRANT NUMBER

2022A3510100214

ACTION OF GRAND JURY

Cecilia L. Curran

Foreperson of Grand Jury
Date: AUG 22 2024

VERDICT

James Risp

Yolanda R. Martin
Foreperson of Petit Jury

Date: AUG 22 2024

INDICT

DOCKET NO. 2024GS3500133

The State of South Carolina
County of McCormick

MCCORMICK COUNTY
COURTHOUSE

August Term 2024

THE STATE

vs.

James Heyward

Indictment For

Taking of Hostages by Inmate

SC Code: §24-13-450

CDR Code: 2524

Class A Felony

S.R. Hubbard III, Solicitor

RECEIVED
AUG 30 2024
SC Court of Appeals

STATE OF SOUTH CAROLINA)
)
COUNTY OF MCCORMICK)
)
)
)

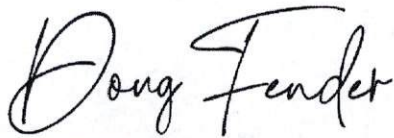
INDICTMENT FOR
2024GS3500133
Taking of Hostages by Inmate
§24-13-450

At a McCormick County Courthouse, convened on August 22, 2024, the Grand Jurors of McCormick County present upon their oath:

Taking of Hostages by Inmate

That in McCormick County, South Carolina, on or about December 27, 2020, the Defendant, James Heyward, did willfully and unlawfully, as an inmate of a state correctional facility (McCormick Correctional Institute), whether acting alone or in concert with others, did by threat, coercion, intimidation, or physical force take, hold, decoy or carry away a person as a hostage, or for any other reason, to wit: SCDC Lt. Verdeia Hall, all in violation of Section 24-13-450, 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

0-15

STATE OF SOUTH CAROLINA
COUNTY OF MCCORMICK
STATE

RECEIVED

AUG 30 2024

SC Court of Appeals

IN THE COURT OF GENERAL SESSIONS

VS.

James Heyward

INDICTMENT/CASE#:

2024 GS3500133
2024 GS3500192

AKA: _____
Race: Black Sex: Male Age: 47
DOB: _____ SS#: _____
Address: _____
City, State, Zip: _____
DL#* _____ SID# _____
*CDL Yes No CMV Yes No Hazmat Yes No

AW#: _____
Date of Offense: 12/27/2020
S.C. Code §: 24-13-410(A) 450
CDR Code #: 2527 2524

SENTENCE SHEET

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

TO: Escape or Attempted Escape Taking Hostage By Inmate

In violation of § 24-13-410(A) 450 of the S.C. Code of Laws, bearing CDR Code # 2527 2524

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 101135 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 LIFE 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: 2024 GS3500192 - Escape
2015 GS4006020 - Murder
06017 - Burg 1st

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
 - 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:	\$	Beginning	\$
Fine may be pd. in equal consecutive weekly/monthly pmts. of			
§14-1-206 (Assessments 107.5%)	\$100		\$ 100.00
§14-1-211 (A)(1)(Conv. Surcharge)	\$100		\$
§14-1-211 (A)(2)(DUI Surcharge)	\$12		\$
§56-5-2995 (DUI Assessment)	\$25		\$
§56-1-286 (DUI Breath Test)	\$25		\$ 25.00
§14-1-212 (Law Enforce. Funding)	\$150		\$
§14-1-213 (Drug Court Surcharge)	\$41		\$
§34-11-70(b)and(c), and 34-11-90(c)and(d) (Admin Fraud Check Court Costs)	\$50		\$
§50-21-114 (BUI Breath Test Fee)	\$40/ea		\$
§56-5-2942(J) (Vehicle Assessment)	TBD		\$ 3.75
3% to County (if paid in installments)			
<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: Anna Foster Presiding Judge: Jenna McCasle
 Court Reporter: _____ Judge Code: 2169
 Sentence Date: 8/27/24