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**SC Court of Appeals**

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

---

Appeal from Anderson County

Honorable R. Lawton McIntosh, Circuit Court Judge

---

THE STATE,

RESPONDENT,

V.

TERRY DARNELL WASHINGTON,

APPELLANT

APPELLATE CASE NO. 2024-000292

---

RECORD ON APPEAL

---

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STATE OF SOUTH CAROLINA	)	IN THE CIRCUIT COURT OF THE
	)	TENTH JUDICIAL CIRCUIT
COUNTY OF ANDERSON	)	CASE NO: 2021-GS-39-01223
	)	2019-GS-32-02331
	)	
The State of South Carolina,	)	
	)	
PLAINTIFF,	)	
	)	
-vs-	)	TRANSCRIPT OF RECORD
	)	
Terry D. Washington,	)	
	)	
DEFENDANT.	)	
	)	
_____	)	

FEBRUARY 9, 2024  
ANDERSON, SOUTH CAROLINA

B E F O R E:

THE HONORABLE R. LAWTON MCINTOSH

A P P E A R A N C E S:

Matthew Bradley, Esquire  
Attorney for Defendant

LESA D. TAYLOR  
Court Reporter

I N D E X

		<b>Direct</b>	<b>Cross</b>	<b>Redirect</b>	<b>Recross</b>
Colloquy	3				

Certificate of Reporter 21

1 PROCEEDINGS

2 THE COURT: All right, you're Terry Darnell Washington --  
3 are you done, Mr. Bradley?

4 MR. BRADLEY: Yes, sir.

5 MR. WASHINGTON: Yes, sir.

6 THE COURT: You are Terry Darnell Washington?

7 MR. WASHINGTON: Yes, sir.

8 THE COURT: Mr. Washington, have you read or had read to  
9 you the report of your alleged probation violation?

10 MR. WASHINGTON: Yes, sir.

11 THE COURT: Do you understand why you are here?

12 MR. WASHINGTON: Yes, sir.

13 THE COURT: Do you agree or disagree that you willfully  
14 violated the terms of your probation?

15 MR. WASHINGTON: I totally disagree. I have not  
16 willfully ---

17 THE COURT: Okay.

18 MR. WASHINGTON: I did not willfully violate.

19 THE COURT: Okay. Let me let the officer go through the  
20 facts of his alleged violations.

21 OFFICER HELLING: Your Honor, Mr. Washington initially  
22 began his supervision back in 2021 in Pickens County. He was  
23 transferred over to me. He's being supervised for domestic  
24 violence first degree and burglary second degree. The  
25 supervision was initially going well at first. But then, the

1 address he was living at with his victim, something happened  
2 there and he left that address. And I've had some trouble  
3 pinning him down ever since. He would send me various  
4 addresses to go to to conduct home visits. When I'd go to the  
5 house, they would tell me he's not living there. And then I  
6 would receive a text from Mr. Washington saying, why I went to  
7 that address, well, because you told me to go there. That was  
8 the house I was told to go to.

9 In terms of the batterer's intervention, he has been --  
10 he has not been -- it all boils down to a lack of  
11 transparency. He's been on probation since 2021, and he's  
12 constantly said he's completed batterer's intervention, but he  
13 has not. And he said he could provide proof, and my idea was,  
14 okay, while you find that proof I'm going to go ahead and  
15 refer you to the free in-house program, just so you can be  
16 proactive in the meantime. Those are free classes that he got  
17 kicked out of, and he is employed.

18 And the proof he did provide for completing batterer's,  
19 it was a one-on-one with a pastor or something. He provided a  
20 hand-written note. It wasn't anything official. It wasn't an  
21 approved six-month, once a week batterer's intervention  
22 program. So, my experience with Mr. Washington, supervising  
23 him, it all boils down to a lack of transparency and honesty.

24 THE COURT: So, this person that he allegedly went  
25 through this domestic violence intervention program was not

1 somebody that you recognize?

2 OFFICER HELLING: No, sir. I staffed it with my  
3 supervisor, and it's not an approved six-month batterer's  
4 intervention program. It was one-on-one's he was having with  
5 a pastor at a church or something like that. He provided a  
6 hand-written note, and I told him that's not ---

7 MR. WASHINGTON: And video.

8 OFFICER HELLING: --- acceptable.

9 THE COURT: No, sir, don't interrupt.

10 MR. WASHINGTON: Oh, sir, I'm sorry.

11 OFFICER HELLING: And I told him that proof was not  
12 acceptable, because anybody could have written that hand-  
13 written note. And also, Your Honor, his case is due to close  
14 this year, and I don't believe -- just from how long he's been  
15 on supervision and how many times I've referred him to  
16 batterer's, I don't believe he's a good candidate for  
17 supervision at this time.

18 THE COURT: Has he ever been on probation before, or is  
19 this his first?

20 OFFICER HELLING: He's been on supervision before.

21 THE COURT: Did he successfully complete that?

22 MR. WASHINGTON: Yes, sir.

23 OFFICER HELLING: That I'm not sure of, Your Honor.

24 THE COURT: Do you know?

25 MR. BRADLEY: He's saying yes, Your Honor.

1 MR. WASHINGTON: Yes, sir. I've never had any trouble  
2 with probation, period. This is the first time I have trouble  
3 with this probation. I completed my probation, paid up all my  
4 money. Agent Helling violated me my last week of probation  
5 when I was due to get off a week -- in a week, because I  
6 didn't -- I wasn't able to get a certificate that he wanted me  
7 to have, that the pastor forwarded him a recorded video of him  
8 writing the letter and with me in the video. I took it to  
9 him, and the supervisor.

10 THE COURT: Mr. Washington, according to ---

11 MR. WASHINGTON: I was ---

12 THE COURT: --- this officer -- this pastor, you know, as  
13 good as he may be ---

14 MR. WASHINGTON: Yes, sir.

15 THE COURT: --- was not ---

16 MR. WASHINGTON: --- I'm doing -- I'm in the middle of  
17 working, 2:00 in the afternoon. I can't be in somebody's  
18 house on the phone for a whole hour doing some kind of class.  
19 I have to finish this work up, and be out these people house  
20 at a certain time. Like, I -- on probation, I've gained my  
21 own business. I even hired a couple of people out of the  
22 probation program.

23 THE COURT: Well, let me ask you this, Mr. Washington.

24 MR. WASHINGTON: Yes, sir.

25 THE COURT: You had an administrative hearing back in

1 November '23, where the same allegations against you were  
2 found to have occurred by the administrative hearing officer.

3 MR. WASHINGTON: She said ---

4 THE COURT: So, he's wrong, too?

5 MR. WASHINGTON: She extended me two years, and she told  
6 me I've got up to two years to complete the classes. She  
7 never said -- she said I didn't have to finish -- I mean, have  
8 to start the classes right then and there. She gave me two  
9 years to complete it and waived all my fines, because I paid  
10 -- I paid all my fines up, so that way I wouldn't have to pay  
11 no more fines. She waived everything. She said I had two  
12 years to complete those classes. She didn't say I have to  
13 jump right into those classes.

14 THE COURT: Mr. Bradley?

15 MR. BRADLEY: May it please the Court, Your Honor? First  
16 of all, I want to address this -- some confusion that I had  
17 with what I thought was going to be in front of the Court this  
18 morning.

19 THE COURT: Okay.

20 MR. BRADLEY: The only 1106 I received was the 1106 for  
21 the burglary second degree. And in talking to Mr. Washington,  
22 I -- we went over this, and on the hearing officer's report,  
23 it states that he -- the hearing officer does not find Mr.  
24 Washington violated domestic violence conditions one and two.  
25 And it says the domestic violence conditions do not apply for

1 the probation case.

2 I looked up the probation case, and it appeared to be  
3 time passed -- being expired. I'd asked Agent Helling about  
4 this, and apparently that case has not expired, because this  
5 has held it open. But, in talking with Mr. Washington  
6 earlier, we were planning to prepare for today is that we  
7 believe that he has not violated by failing to complete  
8 domestic violence -- because even the officer said he didn't.

9 But apparently, there is some other report out there for  
10 the domestic violence case that I didn't have to go over with  
11 Mr. Washington. But, I believe that Mr. Washington, you know,  
12 has explained a lot to you what he's told me, and what I was  
13 planning to address the Court with about him -- he did leave  
14 his home and was transient for a little while. He did go to  
15 one of the addresses that Agent Helling had on file to pick up  
16 some belongings, and I think a neighbor saw him there picking  
17 up those belongings, but then he was between hotel rooms.

18 MR. WASHINGTON: Yes.

19 THE COURT: Can I stop you right quick?

20 MR. BRADLEY: Yes, sir.

21 THE COURT: If -- you're talking about the domestic  
22 violence intervention. And again, I looked back over here,  
23 he's looking violent -- you know, non-violent second degree,  
24 so is there a domestic violence plea that he did? Was it  
25 merged together with this at all?

1           OFFICER HELLING: Bradley is correct. We discussed -- I  
2 did make a mistake of sending him the same -- the admin  
3 hearing -- two copies of the admin hearing findings for the  
4 burglary case. I admitted that was a mistake on my part.

5           THE COURT: Sure.

6           OFFICER HELLING: But, of course, the DV conditions don't  
7 apply to the burglary case, because ---

8           THE COURT: Right.

9           OFFICER HELLING: --- it's not a DV. I looked up the DV  
10 report on my tablet earlier and he was found to be in  
11 violation of DV conditions one, two, seven, nine, and ten,  
12 which is the changing address, failing BIP, failing to follow  
13 vice instructions, and money. And it was full revocation for  
14 both reports, so I don't -- I mean, it was full revocation  
15 either way. Same violations.

16          THE COURT: But you've got this 1106, and you didn't get  
17 the other?

18          MR. BRADLEY: Correct. Just the one. And ---

19          THE COURT: Let's do this. It seems to me the best way  
20 to do is just continue this hearing until next month, and let  
21 -- unless you want to go forward. I'll be glad to go ahead  
22 and make a decision now.

23          MR. WASHINGTON: Your Honor?

24          THE COURT: You need to talk to Mr. Bradley before you  
25 talk to me.

1 MR. WASHINGTON: All right.

2 OFFICER HELLING: And Your Honor, may I something real  
3 quick, to answer ---

4 THE COURT: Let them finish, and then yes, sir, you may.

5 OFFICER HELLING: Yes, sir.

6 THE COURT: All right, either we're going to go forward  
7 with everything today, or we're not going forward with  
8 everything.

9 MR. BRADLEY: Yes, sir. I was asking if he wanted more  
10 time for us to review everything together, and he has decided  
11 he wants to move forward today.

12 MR. WASHINGTON: Yes, sir.

13 THE COURT: You want to move forward. And in doing so,  
14 Mr. Washington, I'm going to tell you ---

15 MR. WASHINGTON: Yes, sir.

16 THE COURT: --- that I'm going to look at this as if this  
17 is a domestic violence case, that you haven't completed what  
18 you're supposed to do -- not just a burglary case. So, if  
19 that changes your decision about going forward today, then  
20 I'll let you make a decision to continue it to the next month.  
21 But I am going to consider it as part of this hearing today,  
22 if we go forward today.

23 MR. WASHINGTON: All right. Yes, sir, I don't want to  
24 postpone the court.

25 THE COURT: Okay. All right. I mean, it's your call,

1 and I want to make sure you do so after you consulted with  
2 your attorney. But I just wanted to let you know that I'm  
3 going to look at everything.

4 MR. WASHINGTON: Yes, sir. But would I be able to finish  
5 stating my case, everything?

6 THE COURT: I'm going to let you say what you want to  
7 say.

8 MR. WASHINGTON: Thank you.

9 THE COURT: I would suggest you do so after talking to  
10 your attorney.

11 MR. BRADLEY: He has, Your Honor. I know what he's  
12 planning to tell you.

13 MR. WASHINGTON: Yes, sir.

14 THE COURT: And you're not going to read all that to me?

15 MR. WASHINGTON: No, I'm not going to read all this to  
16 you, sir. I'm not.

17 THE COURT: Well, I can look at it. You can pass it up.

18 MR. BRADLEY: There's some -- Your Honor, I can see.

19 They're notes ---

20 MR. WASHINGTON: They're just notes.

21 MR. BRADLEY: These are the things that he's discussed  
22 with me.

23 MR. WASHINGTON: Yes, sir.

24 THE COURT: Sure. Okay. Hang on, you wanted to say  
25 something first?

1           OFFICER HELLING: Yes, sir. To answer an earlier  
2 question, if he's been on probation before and successful,  
3 he's been on probation, it looks like about four previous  
4 times, and he's been revoked on all of them, so he was not  
5 compliant.

6           THE COURT: Has he? All right.

7           OFFICER HELLING: Yeah.

8           THE COURT: Very good. Go ahead. Tell me what you want  
9 to say.

10          MR. WASHINGTON: I showed up to probation at least three  
11 times a week. Every probation officer over here knows my  
12 name. I showed faithfully. I'd just pop up in there and ask  
13 them, are we good? Hey, how are you doing today? I'm going  
14 to see Agent Helling. Everyone knows that, from the  
15 supervisor, Seabreeze, I talk to all of them, communicate with  
16 them. So, what we have in the discrepancy here is because I  
17 was transferring my probation to Georgia, and I paid all my  
18 money, paid for the interstate compact, and Agent Helling sent  
19 Georgia probation to my family's house down there. And the  
20 Georgia probation was like why is he sending us here?

21          And I showed them my travel permit that he signed for me,  
22 and they told me that he was in violation of my rights and to  
23 talk to his supervisor. So, I talked to his supervisor, and I  
24 guess he got some kind of -- he got reprimanded for that some  
25 kind of way, and this is why he's at my throat right now with

1 this. I was transferring to Georgia and all.

2 THE COURT: Anything you want to say in response to that,  
3 Officer?

4 OFFICER HELLING: We did do the Georgia interstate  
5 compact, but then apparently, Mr. Washington had a business  
6 down there and it failed for some reason, and he came back up  
7 to South Carolina, so that's why we did not move forward with  
8 the interstate compact. And I did call the Georgia agents  
9 just to conduct an address verification to say -- just to make  
10 sure he was going where he told me he was going. And no, I did  
11 not get reprimanded for that.

12 THE COURT: Yeah, that's neither here nor there. How  
13 much time does he have over his head for the domestic  
14 violence?

15 OFFICER HELLING: The DV first case, he has four years.  
16 Burglary second, he has five years, credit for 33 days. So,  
17 whatever that adds up to.

18 MR. WASHINGTON: I have two years on probation.

19 THE COURT: Mr. Bradley, I'll be glad to hear from you.  
20 Are you done, Mr. Washington, with everything you're going to  
21 say?

22 MR. WASHINGTON: Yes, sir, I'm done, sir.

23 THE COURT: Okay.

24 MR. WASHINGTON: I'm sorry. I'm just trying to fight for  
25 my life.

1 THE COURT: I understand.

2 MR. BRADLEY: May it please the Court, Your Honor?

3 THE COURT: Yes, sir.

4 MR. BRADLEY: Mr. Washington, as I was stating a while  
5 ago, he became homeless and was transient for a while, you  
6 know, going from hotel room to hotel room, and that lead to  
7 some issues from getting behind on some things. He's adamant  
8 about the batterer's intervention classes. I know you've  
9 already addressed that with him, about this Agency doesn't  
10 recognize this pastor. But, his position is, I did six months  
11 ---

12 MR. WASHINGTON: I'll take any class.

13 MR. BRADLEY: --- and so, he would be willing -- be able  
14 to go back through it, the whole six months again, if need be.

15 MR. WASHINGTON: Yes, sir.

16 MR. BRADLEY: But he's already -- he already has  
17 completed that, Your Honor ---

18 MR. WASHINGTON: Yes, sir.

19 MR. BRADLEY: --- through a Christian counselor. He does  
20 own his own handyman business called The Honest Handyman, and  
21 has hired convicted felons to help them get jobs.

22 MR. WASHINGTON: Yes, sir.

23 MR. BRADLEY: He had car trouble one time, missed a  
24 domestic violence group report, and he has paid on his  
25 accounts. If you look at his monetary accounts, on the

1 burglary case, anyway -- again, I don't have the domestic  
2 violence 1106 in front of me, but on his burglary case, he's  
3 paid a large majority of his obligations and has been  
4 consistent in doing so.

5 THE COURT: This says he hasn't paid anything on his  
6 fine.

7 MR. BRADLEY: He's not -- let's see -- account balance --  
8 yeah, that's the only one that has still a total -- a full  
9 balance due, but as you can see, the majority of them have  
10 either been paid off or paid down, Your Honor.

11 MR. WASHINGTON: Yes, sir.

12 MR. BRADLEY: He's been on for quite a bit of time  
13 already, Your Honor. He has a GED. He's done some college at  
14 Benedict College. He was also working with T & T Carpentry.  
15 Now he's just doing The Honest Handyman. He's 37 years old.  
16 I spoke to his ex-wife, who was the victim on the domestic  
17 violence case. She wants all this done. She's addressed the  
18 Court, writing affidavits, saying that she wants everything  
19 dismissed, that she gave false information to -- for him to  
20 get in trouble. And she was supposed to be here today. I did  
21 -- I've spoken with her this week. She did not -- she said  
22 she might have trouble getting here, but she was -- but that  
23 was the case, as what I just related to you.

24 Agent Helling and I have spoke previously on this case  
25 before Mr. Washington missed his court date in December. And

1 we -- and I know Agent Helling, he's going to tell you he's  
2 not in agreement with it anymore. He's sticking with the  
3 recommendation of full, but we had discussed house arrest for  
4 Mr. Washington back before he failed to come into court.

5 THE COURT: He doesn't have a house to go to now.

6 MR. BRADLEY: Well, he does -- he does have an address  
7 that ---

8 MR. WASHINGTON: I have an address now.

9 MR. BRADLEY: And so ---

10 THE COURT: Would you quit talking?

11 MR. WASHINGTON: I'm sorry.

12 THE COURT: I mean, I hear you, but it's distracting,  
13 okay?

14 MR. WASHINGTON: I apologize.

15 MR. BRADLEY: And so, if Your Honor is not inclined to  
16 just give him time served and continue him ---

17 THE COURT: I'm not.

18 MR. BRADLEY: --- and do -- and you're planning to revoke  
19 him, we'd ask for it to be served on house arrest. He  
20 understands he's going to have to -- monetary obligations with  
21 that in order to stay on house arrest and successfully  
22 complete it, but -- and as far as missing his court date, I  
23 can verify that he made an honest mistake. The paperwork does  
24 say 1428 Pearman Dairy Road. He went to the old courthouse  
25 back in December, and then he walked to the Public Defender's

1 office and they called me while I was in the courtroom to say  
2 Mr. Washington is down here, he doesn't have transportation.  
3 He walked to court, and he thought it was at the courthouse,  
4 but he needs to know what to do. But by then, the bench  
5 warrant had already been issued.

6 I tried to get, you know, the bench warrant not to be  
7 issued, but since the notice did have this address on it, they  
8 went ahead and issued it, and that's what he's in on now is  
9 the bench warrant, but.

10 THE COURT: I understand. There's been a lot of  
11 confusion on ---

12 MR. BRADLEY: Yes, sir.

13 THE COURT: --- that, so I'm not going to consider that.

14 MR. BRADLEY: Okay. But that's all I have.

15 THE COURT: I tell you what, though. I don't agree with  
16 you or whatever about your batterer's intervention program.

17 MR. WASHINGTON: Yes, sir.

18 THE COURT: You should have done what you were supposed  
19 to. You did -- you've been through this program four times.  
20 You haven't made it. It's not real credible, you come up here  
21 now and blame this officer. I've been knowing this officer a  
22 long time. He's a good officer, and he's an honest officer.  
23 What I'm going to do is revoke you and I'm going to put you on  
24 house arrest.

25 MR. BRADLEY: Thank you, Your Honor.

1 MR. WASHINGTON: Yes, sir.

2 THE COURT: Until such time as he -- a minimum of 30  
3 months, during which time you will continue your -- you will  
4 finish your batterer's treatment. If he hasn't completely  
5 finished it by 30 months, he will stay on house arrest until  
6 he's finished.

7 MR. BRADLEY: Okay.

8 THE COURT: Okay. And where -- what is the address that  
9 he'll be living?

10 MR. WASHINGTON: ██████ Glenn Street.

11 THE COURT: Who is there?

12 MR. WASHINGTON: My girlfriend.

13 THE COURT: Your girlfriend?

14 MR. WASHINGTON: Yes, sir.

15 THE COURT: Does she have a criminal record?

16 MR. WASHINGTON: No, sir.

17 THE COURT: Anybody in that home have a criminal record?

18 MR. WASHINGTON: No, sir. No, sir.

19 MR. BRADLEY: That is Anderson, correct?

20 MR. WASHINGTON: Anderson, yes.

21 THE COURT: And normally, on home -- house arrest, you  
22 stay -- do you toll them while they're doing that or not?

23 OFFICER HELLING: I'm sorry?

24 THE COURT: Do you toll them on house arrest normally or  
25 not?

1           OFFICER HELLING: Do we toll them while they're on house  
2 arrest? Yes, Your Honor.

3           THE COURT: You do?

4           OFFICER HELLING: Yes. It wouldn't make sense for him to  
5 be on house arrest and report to us and do batterer's at the  
6 same time. I've never seen that happen.

7           THE COURT: Well, what are you asking me -- are you  
8 asking me not to make him do batterer's treatment while he's  
9 on house arrest?

10          OFFICER HELLING: I'm just saying I've never seen that  
11 happen. I'm not telling you what ---

12          THE COURT: You're getting ready to see it happen now.

13          OFFICER HELLING: Yes, sir.

14          THE COURT: Okay. So, what we're going to do is house  
15 arrest. You're going to do batterer's treatment. Toll him  
16 while he's in. I don't know how to do it otherwise, but y'all  
17 can tell me some way to do it when you figure it out, okay?

18          OFFICER HELLING: Yes, Your Honor.

19          THE COURT: I'm sorry, man.

20          MR. BRADLEY: As far -- for clarification, he's got to be  
21 on it at least 30 months, but if he's completed his batterer's  
22 intervention within that 30 months ---

23          THE COURT: He wouldn't get off of it, but he stays on it  
24 until he finishes. He's going to do 30 months.

25          MR. BRADLEY: At least.

1 THE COURT: If he hasn't done it in the 30 months, he  
2 stays on until he's done.

3 MR. BRADLEY: Until he's completed.

4 THE COURT: And that's what they tell you to do, not what  
5 you go decide what yourself is going to do, you understand?

6 MR. WASHINGTON: Yes, sir.

7 MR. BRADLEY: You understand?

8 THE COURT: Good luck to you.

9 MR. BRADLEY: Thank you, Judge.

10 End of Transcript.

STATE OF SOUTH CAROLINA )  
 )  
 COUNTY OF ANDERSON )

CERTIFICATE OF REPORTER

I, THE UNDERSIGNED LESA D. TAYLOR, OFFICIAL COURT REPORTER FOR THE TENTH JUDICIAL CIRCUIT OF THE STATE OF SOUTH CAROLINA, DO HEREBY CERTIFY THAT THE FOREGOING IS A TRUE, ACCURATE AND COMPLETE TRANSCRIPT OF ALL REQUESTED PROCEEDINGS RECORDED AND EVIDENCE INTRODUCED IN THE TRIAL OF THE CAPTIONED CASE, RELATIVE TO APPEAL, IN THE CIRCUIT COURT OF ANDERSON COUNTY, SOUTH CAROLINA, ON THE 9<sup>TH</sup> DAY OF FEBRUARY, 2024.

I DO FURTHER CERTIFY THAT I AM NEITHER OF KIN, COUNSEL NOR INTEREST TO ANY PARTY HERETO.

MARCH 11, 2024

Lesia D. Taylor  
 LESA D. TAYLOR  
 COURT REPORTER

1223

DOCKET NO. 2021-GS-39-SRJ

The State of South Carolina

County of Pickens

COURT OF GENERAL SESSIONS

TERM 2021

THE STATE

vs.

TERRY DARNELL WASHINGTON

Indictment for

3814

DOMESTIC VIOLENCE OF A HIGH AND AGGRAVATED NATURE

VIOLATION § 16-25-0065

WITNESSES

D. Moss

Clemson Police Department

4/7/2021

ARREST WARRANT NUMBER

2021A3920200087

ACTION OF GRAND JURY

Foreperson of Grand Jury

VERDICT

Foreperson of Petit Jury

Date:

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF PICKENS )

INDICTMENT FOR  
DOMESTIC VIOLENCE OF A HIGH AND AGGRAVATED  
NATURE

At a Court of General Sessions, convened on

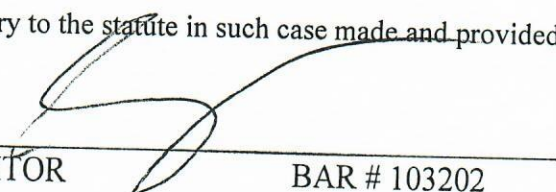
the Grand Jurors of Pickens

County present upon their oath:

That TERRY DARNELL WASHINGTON did in Pickens County on or about the 6th day of April, 2021, did unlawfully cause physical harm or injury to TASHA JOHNSON, a household member or did unlawfully offer or attempt to cause physical harm or injury to TASHA JOHNSON, a household member, with apparent present ability under circumstances reasonably creating fear of imminent peril and TERRY DARNELL WASHINGTON committed the offense with or without an accompanying battery and under circumstances manifesting extreme indifference to the value of human life, and would reasonably cause a person to fear imminent great bodily injury or death. This is in violation of § 16-25-0065 of the South Carolina Code of Laws (1976) as amended.

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

SOLICITOR



BAR # 103202

DOCKET NO. 2019GS3202331

**The State of South Carolina**

County of Lexington

**COURT OF GENERAL SESSIONS**

**JULY TERM 2019**

**THE STATE**

**vs.**

**Terry Darnell Washington**

**CDR #: 0079**

**Indictment for**

Burglary 1st degree

§ 16-11-0311

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

WITNESSES

Lexington County Sheriffs Department

Kaaren E Miller

Law Enforcement Case #: 18006839

AGM

**ARREST WARRANT NUMBER**

**2018A3210700107**

**ACTION OF GRAND JURY**

**TRIPLE**

Foreperson of Grand Jury

Date: 7/18/19

**VERDICT**

Foreperson of Petit Jury

Date:

STATE OF SOUTH CAROLINA    )  
   )  
 COUNTY OF LEXINGTON        )  
   )

INDICTMENT FOR  
 Burglary 1st degree  
 § 16-11-0311

At a Court of General Sessions, convened on July 2019, the Grand Jurors of Lexington County present upon their oath:

That **Terry Darnell Washington** did in Lexington County, South Carolina on or about April 5, 2018, knowingly and willfully enter a dwelling, to wit: ■■■ Touring Rd. , Columbia being the dwelling of Charlie Butler, without consent and with the intent to commit a crime therein and the defendant has at least two prior burglary convictions; in violation of § 16-11-311 of 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.

  
 \_\_\_\_\_  
 SR. ASSISTANT SOLICITOR

COUNTY OF Pickens  
STATE VS.

INDICTMENT/CASE#: 2021-GS-39-1223  
A/W#: 2021A3920200087  
Date of Offense: 4/6/2021  
S.C. Code §: 16-25-0065  
CDR Code #: 3814

AKA: Terry Darnell Washington  
Race: WHITE Sex: M Age: 34  
DOB:                      SS#:                       
Address:                       
City, State, Zip:                       
DL#:                      SID#:                       
\*CDL Yes  No  CMV Yes  No  Hazmat Yes  No

SENTENCE SHEET  
**0-10 YEARS**

In disposition of the said indictment comes now the Defendant who was  
TO: Domestic / Domestic Violence 1st Degree

CONVICTED OF or  PLEADS

in violation of § 16-25-0020(B) of the S.C. Code of Laws, bearing CDR Code # 3811  
 NON-VIOLENT  VIOLENT  SERIOUS  MOST SERIOUS  Mandatory GPS(CSC  §17-25-45  
w/minor 1st or 1.5yr Act)

The charge is:  As Indicted,  Lesser Included Offense,  Defendant Waives Presentment to Grand Jury: TW (Defendant's initials)  
The plea is:  Without Negotiations or Recommendation,  Negotiated Sentence,  Recommendation by the State.

ATTEST: Seth R. Johnson 103202 SC Bar#                      Defendant                      160399 SC Bar#  
                     Johnson, Seth                      Defendant                      PROFST, CHARLES, Attorney for Defendant

WHEREFORE, the Defendant is committed to the  State Department of Corrections,  County Detention Center,  
for a determinate term of                      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 SCDOC.  
 The Defendant is to be placed on the 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 (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:                       
 Set by SCDPPPS                     

Recipient:                     

*Fine:		\$
§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	\$
Proviso (Public Def/Probation)	\$500	\$ <u>500.00</u>
§14-1-212 (Law Enforce. Funding)	\$25	\$ <u>25.00</u>
§14-1-213 (Drug Court Surcharge)	\$150	\$
§50-21-114(BUI Breath Test Fee)	\$50	\$
§56-5-2942(J) (Vehicle Assessment)	\$40/ea	\$
3% to County (if paid in installments)		\$ <u>18.75</u>
<b>TOTAL</b>		\$ <u>643.75</u>

Clerk of Court/ Deputy Clerk                       
Court Reporter:                     

Obtain GED   
Attend Voc. Rehab. or Job Corp.                       
May serve W/E beginning                       
Substance Abuse Counseling                       
Random Drug/Alcohol testing                       
Fine may be pd. in equal, consecutive weekly/monthly  
pmts. of \$                      beginning                       
\$                      paid to Public Defender Fund

Other: Complete 26 Week  
Batterers Treatment

Appointed PD or appointed other counsel.  
Proviso requires \$500 be paid to Clerk  
during probation and shall be collected before  
any other fees.

Presiding Judge                       
Judge Code:                       
Sentence Date: 5/24/2021

RECEIVED  
MAR 04 2024  
SC Court of Appeals

O-10 yrs

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF Lexington

STATE

INDICTMENT/CASE#: 2019 - GS - 32 - 02331

VS.

Terry Darnell Washington

A/W#: 2018A3210700107

AKA: \_\_\_\_\_  
Race: Black Sex: M Age: 35

Date of Offense: 4/5/2018

DOB: 1986 SS#: \_\_\_\_\_

S.C. Code §: 16-11-0311

Address: Colleton Street

CDR Code #: 0079

City, State, Zip: Columbia, SC 29203

DL#\* \_\_\_\_\_ SID# \_\_\_\_\_

SENTENCE SHEET

*probation*

*VACATE BENCH WARRANT W/RE*

\*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: Burglary second degree

In violation of § 16-11-312(A) of the S.C. Code of Laws, bearing CDR Code # 0080

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

(CSC w/minor 1<sup>st</sup> or CSC w/minor 3<sup>rd</sup>)

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] 64062 Terry Washington [Signature] 77193  
Solicitor 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 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 33 days/months/years/Time Served and or payment.

of \$ \_\_\_\_\_; plus costs and assessments as applicable\*; the balance is suspended with probation for 3

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.

33 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. Terry Darnell Washington INDICTMENT/CASE#: 2019 - GS - 32 - 02331

**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: INTENSIVE SUPERVISION FOR 6 MONTHS

RESTITUTION:  Deferred  Def. Waives Hearing  Ordered

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

Payment Terms: \_\_\_\_\_  Set by SCDPPPS

Recipient: \_\_\_\_\_

\*Fine: COSES

Fine may be pd. in equal consecutive weekly/monthly pmts. of \$ 50 Beginning 12/1/22

§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	\$
<input checked="" 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	\$ 500
<input checked="" type="checkbox"/> § 17-3-30(B) Unpaid Application Fee to be paid to the Public Defender Fund	TBD	\$ 40
<b>TOTAL</b>		<u>\$665</u>

Clerk of Court/Deputy Clerk: \_\_\_\_\_  
Court Reporter: Melinda Jones

John Comerio  
Melinda Jones

Presiding Judge: William P. Hendry  
Judge Code: 2050  
Sentence Date: August 23, 2022

# South Carolina Department of Probation, Parole and Pardon Services

## Violation Report - (Report 1106)

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### Personal Information

Name:	SID:	DOB:	SCDC#:	Supervision Level:	Agent Name:
TERRY DARNELL WASHINGTON	01506056	██████/1986	Y297241	Domestic Violence Level 3	04-DV-01-Mark Helling

### Sentencing Information

Order: 6	Potential End Date: 6/14/2023	Adjusted End Date: 6/14/2023
Warrant/Citation Numbers: C-04-23-0086		

Sentence Date: 05/24/2021    County Name: PICKENS    GPS Indicator:

Authority: Judge - Verdin, LetitiaH

Indictment Number: 20-GS-39-01223    Offense Code: 3811 - Domestic Violence, 1st degree

Supervision: Probation    Sup. Begin Date: 11/02/2021    Sup. End Date: 11/01/2023

Sentence: DOMESTIC/DOMESTIC VIOLENCE 1ST DEGREE; 5 YRS SS OF 1 YEAR AND 2 YEARS PROBATION

Special Conditions: Fine - Fine/Costs and Assessments payable as directed by the Court.; Other1 - COMPLETE 26 WEEK BATTERERS TREATMENT; RADT - Random Alcohol/Drug Testing; SAC - Substance Abuse Counseling- HAVEN OF REST

### Residence Summary & Address History

Address:	Begin Date:	End Date:	Time at Residence:
██████ CLEMSON BLVD, ANDERSON, SC, 29621	05/03/2023		0 YR, 1 MO, 12 DY
██████ WOODHAVEN DR, PENDLETON, SC, 29670	09/23/2022	05/03/2023	0 YR, 7 MO, 20 DY
██████ CLEMSON BLVD, ANDERSON, SC, 29621	09/07/2022	09/23/2022	0 YR, 0 MO, 16 DY
██████ FORESTWOOD DR, COLUMBIA, SC, 29223	08/29/2022	09/07/2022	0 YR, 0 MO, 7 DY
██████ BRANDYWINE DR, WESTMINSTER, SC, 29693	12/20/2021	08/29/2022	0 YR, 8 MO, 9 DY
██████ LINDSAY RD APT 6, CLEMSON, SC, 29631	11/12/2021	12/20/2021	0 YR, 1 MO, 8 DY
██████ FORESTWOOD DR, COLUMBIA, SC, 29223	11/02/2021	11/11/2021	0 YR, 0 MO, 9 DY
██████ COLLETON ST, APT ██████ COLUMBIA, SC, 29203	10/21/2020	11/02/2021	1 YR, 0 MO, 10 DY

### Employment History

Employer:	Location:	Begin Date:	End Date:	Time at Employer:
SOUTHERN PROTECTION AGENCY		10/03/2022		0 YR, 8 MO, 12 DY
ROYLCO	3251 ABBEVILLE HWY, ANDERSON, SC, 29624	09/16/2022		0 YR, 8 MO, 1 DY
UNEMPLOYED		09/07/2022	09/16/2022	0 YR, 0 MO, 9 DY
KELLY REBAR		11/10/2021	09/07/2022	0 YR, 9 MO, 3 DY
ELMWOOD STAFFING	10121 CLEMSON BLVD STE F, SENECA, SC, 29678	11/12/2021	03/04/2022	0 YR, 3 MO, 8 DY

### Account Information

Account Name:	Case:	Indictment #:	Monthly Obligation:	Total Obligation:	Total Paid:	Co-Payer Paid:	Account Balance:	Pmts in Arrears:	Arrearage:	Last Payment Made:
ISC Application Fee			\$100.00	\$100.00	\$100.00	\$0.00	\$0.00	0	\$0.00	05/11/2023
Intensive Supervision			\$87.00	\$540.00	\$540.00	\$0.00	\$0.00	0	\$0.00	03/23/2023
Regular Supervision			\$50.00	\$500.00	\$500.00	\$0.00	\$0.00	0	\$0.00	11/07/2022

30 South Carolina Department of Probation, Parole and Pardon Services  
Violation Report - (Report 1106)

Account Name:	Case:	Indictment #:	Monthly Obligation:	Total Obligation:	Total Paid:	Co-Payer Paid:	Account Balance:	Pmts in Arrears:	Arrearage:	Last Payment Made:
Regular Supervision			\$50.00	\$1,500.00	\$0.00	\$0.00	\$1,500.00	3	\$150.00	
Public Defender Fund	111	20-GS-39-01223	\$50.00	\$643.75	\$0.00	\$0.00	\$643.75	8	\$400.00	
Drug Test Fee			\$20.00	\$20.00	\$20.00	\$0.00	\$0.00	0	\$0.00	03/23/2023

Violation History

Violation:	Start Date:	Complete Date:	Disposition:
<p>2022-04-14: By failing to pay the one time drug test fee of \$20; By failing to pay supervision fee as evidenced by being \$100/2 payments in arrears at the issuance of warrant. By failing to pay Public Defender Fund as evidenced by being \$150/5 payments in arrears at issuance of warrant.</p> <p>2022-04-14: By failing to follow the advice and instructions of Agent. Offender was instructed not to contact the victim. Offender continues to contact the victim and make threats. Evident by voicemails the offender has left for the victim.</p> <p>2022-04-14: By failing to report as instructed. Offender failed to report on 4/11/2022.</p> <p>2022-04-14: By failing to report or contact probation as instructed as evidenced by, offender missing a report on 04/11/2022. Agent conducted a home visit on 4/14/2022 at the address of [REDACTED] Brandywine Dr, Westminster, SC 29693. Spoke to the home owner who stated offender does not reside in the home. Offender has not made an attempt to contact probation. The offender's whereabouts are unknown thereby, absconding supervision</p>	04/14/2022	11/04/2022	Partial revocation of six months, reinstate probation. Allow time in jail to satisfy supervision fee arrears. Restructure all other monies upon release. No contact with victim directly or indirectly while under supervision. Impose Domestic Violence conditions. To enroll in a court approved batterer's intervention program within thirty days of release and must complete.
<p>2022-08-25: By Offender utilizing his teeth as a dangerous weapon on 05.31.22, in that Offender bit victim on her upper right arm leaving visible teeth impressions as evidenced by Anderson County Sheriff's Office Incident Report Case Number 2022-07393 whereas Offender was charged with Domestic Violence.</p> <p>2022-08-25: By failing to follow the advice and instructions of Agent in that Offender was instructed not to contact the victim of current Probation case. Offender continues to contact the victim as evidenced by Anderson County Sheriff's Office Incident Report Case Number 2022-07393. The Victim is also the same victim in Offender's new Domestic Violence charge.</p>	08/25/2022	11/04/2022	PARTIAL REVOCATION OF 75 DAYS; RESTRUCTURE FEES/FINES AND CONTINUE; TRANSFER CASE TO ANDERSON COUNTY;

Current Violation(s) Summary

<b>Violations:</b>	16.x
<b>Condition:</b>	<b>Description:</b>
7	I shall pay a supervision fee as determined by the Department.
9	I shall obey all conditions of supervision set forth in this order including the payment of fines, restitution or other payments, and the service of any period of incarceration.
10	I shall follow the advice and instructions of my Agent and I agree to comply with any further conditions imposed by the Department or its' Agents.
DACOR	Department Administered Court Ordered Restitution in the amount of \$DEFERRED
Fine	Fine/Costs and Assessments payable as directed by the Court.
Fine	\$665, @\$50/MTH BEGINNING 12/1/2022

Description:

Failure to abide by Domestic Violence #1 in that the Subject issued a false report. Per treatment provider contact on 04/21/2023 to Pickens Behavioral Health, where the Subject was originally referred to Batterer's Intervention, the Subject signed up for classes but did not show up for Orientation; the Subject claims he finished through a different service provider and can provide documentation but there has been none provided by

him and there is no documentation of completion by his previous Agent. Failure to follow advice and instructions in that the Subject has failed to follow the above conditions that he signed and agreed to on 12/07/2022. Failure to abide by Standard Condition #10 in that the Subject is \$300.00 in arrears on Public Defender Fund. Such actions constitute violation of conditions 7, 9, 10, Special Conditions.

**The Agent's Recommended Response(s) Summary**

**Responses:**

The Department recommends allowing the domestic violence case to terminate as originally ordered. Subject would still be under supervision on a Burglary charge, and can move forward with the ICOTS Application for Georgia.

**Justification:**

Mr Washingtons current Domestic Violence case began in 11/02/2021 and ends on 11/01/2023 (06/14/2023 with Compliance Credits). The Batterer's Intervention Courses, which Mr Washington has not completed yet, are 6-months long and there is not enough time to complete since they are once a week. Mr Washington also has a Probation Case for Burglary, where he was sentenced in Lexington County, that was activated on 08/23/2022 and is currently ongoing and ends 08/22/2025. Because of that, the supervising Agent would like to go ahead and get Mr Washington started on his supervision for the Burglary charge with a Standard Probation Agent and move forward with his ICOTS Application to Georgia but, if the Hearing Officer does not agree with this, then the supervising Agent would respectfully request that this be forwarded to General Sessions for a Final decision.

**Approved By: Joshua D Sebree, 6/15/2023**

**End Of Violation Report**

32 South Carolina Department of Probation, Parole and Pardon Services  
Violation Report - (Report 1106)

Personal Information					
Name:	SID:	DOB:	SCDC#:	Supervision Level:	Agent Name:
TERRY DARNELL WASHINGTON	01506056	█/1986	Y297241	Jail	04-DV-01-Mark Helling

Sentencing Information		
Order: 7	Potential End Date: 12/5/2024	Adjusted End Date: 6/23/2025
Warrant/Citation Numbers: W-04-23-0376		
Sentence Date: 08/23/2022	County Name: LEXINGTON	GPS Indicator:
Authority: Judge - Keesley, WilliamP.		

Indictment Number: 19-GS-32-02331	Offense Code: 80 - Burglary (Non - Violent) (After June 20, 1985) - Second degree
Supervision: Probation	Sup. Begin Date: 08/23/2022
	Sup. End Date: 08/22/2025
Sentence: 5 YRS SSP 33 DAYS (CTS 33 DAYS) AD 3 YRS PROBATION.	
Special Conditions: DACOR - Department Administered Court Ordered Restitution in the amount of \$DEFERRED; Fine - \$665, @\$50/MTH BEGINNING 12/1/2022; Intens - Intensive Supervision FOR 6 MTHS.; RADT - Random Alcohol/Drug Testing; SAC - Substance Abuse Counseling	

Residence Summary & Address History			
Address:	Begin Date:	End Date:	Time at Residence:
█ GLENN ST, ANDERSON, SC, 29625	09/19/2023		0 YR, 4 MO, 7 DY
█ WOODHAVEN DR, PENDLETON, SC, 29670	07/18/2023	09/19/2023	0 YR, 2 MO, 1 DY
█ SUTTONWOOD WAY, BUFORD, GA, 30519	06/19/2023	07/18/2023	0 YR, 0 MO, 29 DY
█ CLEMSON BLVD, ANDERSON, SC, 29621	05/03/2023	06/19/2023	0 YR, 1 MO, 16 DY
█ WOODHAVEN DR, PENDLETON, SC, 29670	09/23/2022	05/03/2023	0 YR, 7 MO, 20 DY
█ CLEMSON BLVD, ANDERSON, SC, 29621	09/07/2022	09/23/2022	0 YR, 0 MO, 16 DY
█ FORESTWOOD DR, COLUMBIA, SC, 29223	08/29/2022	09/07/2022	0 YR, 0 MO, 7 DY
█ BRANDYWINE DR, WESTMINSTER, SC, 29693	12/20/2021	08/29/2022	0 YR, 8 MO, 9 DY
█ LINDSAY RD APT 6, CLEMSON, SC, 29631	11/12/2021	12/20/2021	0 YR, 1 MO, 8 DY
█ FORESTWOOD DR, COLUMBIA, SC, 29223	11/02/2021	11/11/2021	0 YR, 0 MO, 9 DY
█ COLLETON ST, APT █ COLUMBIA, SC, 29203	10/21/2020	11/02/2021	1 YR, 0 MO, 10 DY

Employment History				
Employer:	Location:	Begin Date:	End Date:	Time at Employer:
BAXTER MANUFACTURING	1000 INNOVATION WAY, WESTMINSTER, SC, 29693	09/20/2023		0 YR, 4 MO, 6 DY
UNEMPLOYED		09/07/2022	09/16/2022	0 YR, 0 MO, 9 DY
KELLY REBAR		11/10/2021	09/07/2022	0 YR, 9 MO, 3 DY
ELMWOOD STAFFING	10121 CLEMSON BLVD STE F, SENECA, SC, 29678	11/12/2021	03/04/2022	0 YR, 3 MO, 8 DY

Account Information										
Account Name:	Case:	Indictment #:	Monthly Obligation:	Total Obligation:	Total Paid:	Co-Payer Paid:	Account Balance:	Pmts in Arrears:	Arrearage:	Last Payment Made:
ISC Application Fee			\$100.00	\$100.00	\$100.00	\$0.00	\$0.00	0	\$0.00	05/11/2023

**South Carolina Department of Probation, Parole and Pardon Services**  
**Violation Report - (Report 1106)**

33

Account Name:	Case:	Indictment #:	Monthly Obligation:	Total Obligation:	Total Paid:	Co-Payer Paid:	Account Balance:	Pmts in Arrears:	Arrearage:	Last Payment Made:
Intensive Supervision			\$87.00	\$540.00	\$540.00	\$0.00	\$0.00	0	\$0.00	03/23/2023
Regular Supervision			\$50.00	\$500.00	\$500.00	\$0.00	\$0.00	0	\$0.00	11/07/2022
Regular Supervision			\$50.00	\$1,650.00	\$300.00	\$0.00	\$1,350.00	5	\$250.00	09/14/2023
Court Ordered Fines	112	19-GS-32-02331	\$50.00	\$684.95	\$0.00	\$0.00	\$684.95	13	\$650.00	
Drug Test Fee			\$20.00	\$20.00	\$20.00	\$0.00	\$0.00	0	\$0.00	03/23/2023

**Violation History**

Violation:	Start Date:	Complete Date:	Disposition:
2023-05-11: Failure to abide by Standard Condition #10 in that the Subject is \$300.00 in arrears on Public Defender Fund.	05/11/2023	09/13/2023	
2023-05-11: Failure to follow advice and instructions in that the Subject has failed to follow the above conditions that he signed and agreed to on 12/07/2022.			

**Current Violation(s) Summary**

Violations:	16.x
Condition:	Description:
1	I shall report in person to the SCDPPPS' office on the day of my sentencing or release, and as instructed by the Department; and I shall make complete and truthful reports to the Agent.
10	I shall follow the advice and instructions of my Agent and I agree to comply with any further conditions imposed by the Department or its' Agents.

**Description:**

W-04-23-0376  
 Failure to appear before Judge Sprouse on 12/15/2023 in the Court of General Sessions. The subject signed a Notice of this date on 11/13/2023 and did not appear. Such actions constitute violation of conditions 1, 10.

C-04-23-0212  
 Failure to abide by Domestic Violence Probation Condition #1 in that the Subject failed to report as scheduled to DV Group Reports on 10/18/2023. Failure to abide by Domestic Violence Probation Condition #2 in that the Subject has failed to actively participate in a Batterer's Intervention Program, the Free In-House Program, that he was referred to on 08/23/2023, where the provider attempted to reach out to him on 10/19/2023 to schedule his Enrollment, but the number was not in service. Failure to notify change of residence in that, per Home Visit conducted on 10/23/2023 at the address on file, █ Glenn Street in Anderson SC, the Agent was advised by the female of the home that he does not live there and resides in the Piedmont area. Agent was instructed to go and investigate at the last known address of █ Woodhaven Drive in Pendleton SC and, after no one answering the door, the Agent was advised by a next-door neighbor that he does live there and was last seen this past Friday 10/20 at the residence. Failure to pay Regular Supervision Fee by being \$100.00 in arrears, Failure to pay Public Defender Fund by being \$25.00 in arrears, and failure to pay Court Ordered Fines by being \$500.00 in arrears. Failure to follow the advice and instructions of the Agent by failing to abide by the above conditions. Such actions constitute violation of conditions 2, 7, 9, 10, Special Conditions.

**The Agent's Recommended Response(s) Summary**

Responses:
Full Revocation
Justification:
See Administrative Hearing summary.

Approved By: Joshua D Sebree, 1/26/2024

End Of Violation Report

STATE OF SOUTH CAROLINA

County of Anderson

STATE

VS

Terry Darnell Wash

MAR 04 2024

Court of Appeals

IN THE COURT OF GENERAL SESSIONS

Indictment Number:

2021 - GS - 39 - 1223

Probation CW#s & issuance dates:

C-04-23-0211 (10/24/2023)

AKA:

Race:

Black

Sex:

Male

DOB:

SSN:

SID#:

01506056

State of Original Offense:

Domestic Violence 1<sup>st</sup> Degree

Original AWW#:

2021A3120200687

Date of Original Offense:

01/06/2021

Conviction S.C. Code §:

16-25-0867

Conviction CDR Code #:

3 1 8 1 1 1

Original Sentence:

5 YEARS UPON SERVICE OF 1 Year and 2 Years Probation

ORDER

The above named defendant has been charged with violating the conditions of probation ordered on 05 / 24 / 2021 in the Court of General Sessions of Plebens County, and/or the additional conditions ordered by the Court in probation continuation order(s) issued on 06/19/2023, as set forth in the attached warrant(s) or citation(s).

After hearing the evidence and being duly advised, in the (presence/absence) of the defendant, I find that the above named defendant has violated the following condition(s) of probation: (List by number or original special conditions as provided in the affidavit)

2, 7, 8, 10, 11 & SP Conditions

Therefore, IT IS ORDERED that:

- the suspended sentence be revoked and the above named defendant be required to serve the remainder of the original sentence.
- the suspended sentence be partially revoked and the above named defendant be required to serve 30 days/months/years of the original sentence; and
  - Terminate the balance of probation.
  - Continue/reinstall probation, subject to the conditions set forth in the original sentence and not inconsistent with this order.
- the above named defendant is continued on probation as provided for in the original sentence, subject to the conditions set forth therein and not inconsistent with this order.
- probation is reduced to time served under supervision and the defendant is discharged from supervision on this date.
- the above named defendant is placed on electronic monitoring pursuant to §23-3-540.
- Financial Obligations: Order satisfies:
  - Department fees (arrears only)
  - Fines and other fees (arrears only / balance)
  - Restitution (and 20%) (arrears only / balance)
 Civil Judgment:
  - Department fees
  - Fines and other fees
  - Restitution (and 20%)
- Additional Conditions ordered by the Court (Jail time credits should not be reported in this section):

Toll time while on HEP. Terminate Domestic Violence Case upon completion of Batterers Intervention.

- The defendant is given credit for \_\_\_\_\_ days/months/years of pre-revocation hearing detention time on current probation violation to be calculated and applied by the SC Department of Corrections.
- The defendant is to be given credit for \_\_\_\_\_ days/months/years of Hayes credit (N/A if defendant has served prior SCDL time).
- No pre-revocation hearing detention time to be awarded because a citation was issued.
- The defendant was previously placed on active electronic monitoring pursuant to §23-3-540.

This 08 day of February, 2024  
Anderson, SC

Presiding Judge

10<sup>th</sup>

Judicial Circuit

You are hereby advised that under the law the Court may at any time revoke or modify any condition of this probation; impose any lawful conditions it deems proper; or extend your period of probation not to exceed five (5) years. At any time within the period of your probation, the Court may require you to serve any part of the original sentence imposed

This is to certify that I have read, or have had read to me, the order and the conditions set out therein. I agree to comply with such conditions and the conditions of my attached probation order during the period of my probation. I have received a copy of this Court's order and all attachments.

Offender's Signature

Witnessed by

[Signature]  
Anderson  
City

Signed this \_\_\_\_\_ day of \_\_\_\_\_ at \_\_\_\_\_  
Day Month Year

**TRUE COPY**

SC  
FEB 21 2024

[Signature]  
CLERK OF COURT

STATE OF SOUTH CAROLINA

County of Anderson  
STATE VS

Terry Darnell Washington

AKA:  
Race: Black Sex: Male  
DOB:  
SSN:  
SID#: 01506056

IN THE COURT OF GENERAL SESSIONS

Indictment Number:  
2019 - GS - 32 - 02331

Probation CW#s & issuance dates:  
W-04-23-0376  
C-04-23-0212  
Name of Original Offense: Burglary 2nd Degree  
Original AWW#: 2018A326700107  
Date of Original Offense: 01/05/2018  
Conviction S.C. Code §: 16-11-0311  
Conviction CDR Code #: 01021810  
Original Sentence: 5 years upon service of 33 Day TS and 3 years Probation

ORDER

The above named defendant has been charged with violating the conditions of probation ordered on 01/23/2022 in the Court of General Sessions of Lexington County, and/or the additional conditions ordered by the Court in probation continuation order(s) issued on 01/19/2022, as set forth in the attached warrant(s) or citation(s). After hearing the evidence and being duly advised, in the (presence/absence) of the defendant, I find that the above named defendant has violated the following condition(s) of probation: (List by number or include special conditions as provided in the affidavit)  
1, 2, 7, 8, 10, & 12 conditions

Therefore, IT IS ORDERED that:

- the suspended sentence be revoked and the above named defendant be required to serve the remainder of the original sentence.
- the suspended sentence be partially revoked and the above named defendant be required to serve 30 days/months/years of the original sentence; and
  - Terminate the balance of probation.
  - Continue/reinstate probation, subject to the conditions set forth in the original sentence and not inconsistent with this order.
- the above named defendant is continued on probation as provided for in the original sentence, subject to the conditions set forth therein and not inconsistent with this order.
- probation is reduced to time served under supervision and the defendant is discharged from supervision on this date.
- the above named defendant is placed on electronic monitoring pursuant to §23-3-540.
- Financial Obligations: Order satisfies:
  - Department fees (arrears)
  - Fines and other fees (arrears / balance)
  - Restitution (and 20%) (arrears / balance)
- Additional Conditions ordered by the Court (Jail time credits should not be reported in this section);

Toll time while on HEP-

- The defendant is given credit for \_\_\_\_\_ days/months/years of pre-revocation hearing detention time on current probation violation to be calculated and applied by the SC Department of Corrections.
- The defendant is to be given credit for \_\_\_\_\_ days/months/years of Hayes credit (N/A if defendant has served prior SCDC time).
- No pre-revocation hearing detention time to be awarded because a citation was issued.
- The defendant was previously placed on active electronic monitoring pursuant to §23-3-540.

This 04 day of February, 2024  
Anderson, SC

Presiding Judge [Signature]  
Judicial Circuit

You are hereby advised that under the law the Court may at any time revoke or modify any condition of this probation; impose any lawful conditions it deems proper; or extend your period of probation not to exceed five (5) years. At any time within the period of your probation, the Court may require you to serve any part of the original sentence imposed.

This is to certify that I have read, or have had read to me, the order and the conditions set out therein. I agree to comply with such conditions and the conditions of my attached probation order during the period of my probation. I have received a copy of this Court's order and all attachments.

Offender's Signature  
Signed this \_\_\_\_\_ day of \_\_\_\_\_ at \_\_\_\_\_  
Day Month Year

Witnessed by \_\_\_\_\_  
City

**A TRUE COPY**

FEB 21 2024 SC

C. Reena Thomason  
CLERK OF COURT

## CERTIFICATE OF COUNSEL FOR APPELLANT

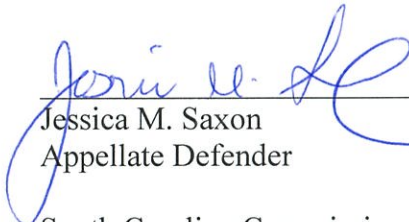
Counsel for appellant certifies that this Record on Appeal contains all material proposed to be included by any of the parties and not any other material and that this Record on Appeal complies to the best of my ability with the April 15, 2014 order from the South Carolina Supreme Court entitled "Revised Order Concerning Personal Identifying Information and Other Sensitive Information in Appellate Court Filings."

Respectfully Submitted,

**RECEIVED**

**Sep 17 2024**

**SC Court of Appeals**

  
\_\_\_\_\_  
Jessica M. Saxon  
Appellate Defender

South Carolina Commission on Indigent Defense  
Division of Appellate Defense  
PO Box 11589  
Columbia, SC 29211-1589

ATTORNEY FOR APPELLANT

This 17th day of September, 2024.

**RECEIVED**

**Sep 17 2024**

**SC Court of Appeals**

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

\_\_\_\_\_  
Appeal from Anderson County  
Honorable R. Lawton McIntosh, Circuit Court Judge  
\_\_\_\_\_

THE STATE,

RESPONDENT,

V.

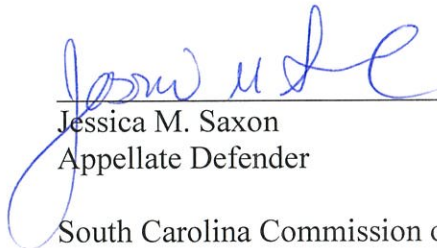
TERRY DARNELL WASHINGTON,

APPELLANT

APPELLATE CASE NO. 2022-000902

\_\_\_\_\_  
CERTIFICATE OF SERVICE  
\_\_\_\_\_

Pursuant to Rule 262(a)(3) and Rule 262(c)(3), SCACR, the undersigned hereby certifies a true copy of the Record on Appeal in the above referenced case has been served upon Mark R. Farthing, Esquire, at the primary e-mail address listed in the Attorney Information System (AIS), and on Terry Darnell Washington, 807 Glenn Street, Anderson, SC 29625, this 17th day of September, 2024.

  
\_\_\_\_\_  
Jessica M. Saxon  
Appellate Defender

South Carolina Commission on Indigent Defense  
Division of Appellate Defense  
PO Box 11589  
Columbia, S.C. 29211-1589

ATTORNEY FOR APPELLANT