

THE STATE OF SOUTH CAROLINA
In the Court of Common Pleas

APPEAL FROM LAURENS COUNTY
Court of Common Pleas

Frank R. Addy, Presiding Circuit Judge – Laurens County

Case Nos. 2009-GS-30-1407; -1408; -1409; -1410; -1411; -1412; -1413
PCR C/A Number: 2012-CP-30-890

State of South Carolina,

Respondent,

v.

Lakeem O. Smith,

Appellant.

NOTICE OF APPEAL

Lakeem O. Smith, #348951 appeals the conviction and sentence dated December 9, 2011 pursuant to an Order granting a review of his direct appeal issues under Post Conviction Relief C/A Number 2012-CP-30-890, and pursuant to White v. State, 263 S.C. 110, 208 S.E.2d 35 (1974).

September 5, 2013

 # 77957

Laura M. Saunders, Esquire
The Law Offices of Laura M. Saunders, LLC
102 Church Street
Post Office Box 731
Laurens, South Carolina 29360
Phone: (864) 681-4444
PCR Counsel for Lakeem Smith

Other Counsel of Record:
Rutledge Johnson, Esquire
SC Attorney General's Office
Post Office Box 11549
Columbia, SC 29211-1549
(803) 734-3963

RECEIVED

SEP 09 2013

S.C. SUPREME COURT

THE STATE OF SOUTH CAROLINA
In the Court of Common Pleas

APPEAL FROM LAURENS COUNTY
Court of Common Pleas

Frank R. Addy, Presiding Circuit Judge – Laurens County

Case Nos. 2009-GS-30-1407; -1408; -1409; -1410; -1411; -1412; -1413
PCR C/A Number: 2012-CP-30-890

State of South Carolina,

Respondent,

v.

Lakeem O. Smith,

Appellant.

PROOF OF SERVICE

I certify that I have served the Notice of Appeal on the Respondent, State of South Carolina., by depositing a copy of it in the United States Mail, postage prepaid, on September 5, 2013 addressed to its attorney of record, Rutledge Johnson, Esquire, Assistant Attorney General, PO Box 11549, Columbia, South Carolina 29211.

September 5, 2013.



Laura M. Saunders, Esquire
The Law Offices of Laura M. Saunders, LLC
102 Church Street
Post Office Box 731
Laurens, South Carolina 29360
Phone: (864) 681-4444
Attorney for Appellant

**Laura M. Saunders
Attorney At Law**

P.O. Box 731
102 Church St.
Laurens, SC 29360

(864) 681-4444 phone
(864) 984-5666 fax
lmsaunderslaw@gmail.com

September 5, 2013

RECEIVED

SEP 09 2013

Via U.S. Mail

The Honorable Daniel E. Shearouse
Clerk, South Carolina Supreme Court
P.O. Box 11330
Columbia, SC 29211

S.C. SUPREME COURT

**Re: Lakeem O. Smith, #348951 v. State of South Carolina
2012-CP-30-890 (Post Conviction Relief)
2009-GS-30-1407; -1408; -1409; -1410; -1411; -1412; -1413 (General Sessions)
Notice of Appeal**

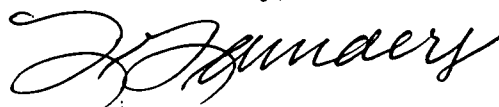
Dear Mr. Shearouse:

Enclosed for filing please find a Notice of Appeal which is being filed on behalf of the Appellant, Lakeem O. Smith #348951. Also enclosed are the following documents: (1) Proof of Service of Notice of Appeal; (2) a copy of the order granting a review of Mr. Smith's direct appeal issues pursuant to White v. State, 263 S.C. 110, 208 S.E.2d 35 (1974) and (3) copies of the original sentencing sheets from Mr. Smith's plea. It is my understanding that a filing fee is not included because this appeal arises out of a post-conviction relief matter pursuant to Rule 203(d) SCACR.

Please file the original and return a clocked-in copy to me in the enclosed self-addressed stamped envelope. By copy of this letter, I am hereby serving the Attorney General with a copy of the same. I have also filed an original with the Clerk of Court in Laurens County. Should you have any questions, please do not hesitate to contact me. Thank you for your assistance.

With Kind Regards, I am

Yours truly,



Laura M. Saunders

LMS/ File 4.800

cc: Rutledge Johnson, Assistant Attorney General
Lakeem O. Smith, #348951



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LAURENS, SC
29360
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Law Offices of Laura M. Saunders
P.O. Box 731
Laurens, SC 29360

The Honorable Daniel E. Shearouse
Clerk, South Carolina Supreme Court
P.O. Box 11330
Columbia, SC 29211

STATE OF SOUTH CAROLINA
COUNTY OF LAURENS

IN THE COURT OF COMMON PLEAS
EIGHTH JUDICIAL CIRCUIT
CA# 2012-CP-30-890

LaKeem O. Smith #348951

2013 JUL 16 A 10 24

Petitioner,
v.
STATE OF SOUTH CAROLINA,
Respondent.

LAURENS COUNTY
CLERK OF COURT

**ORDER GRANTING REVIEW OF
DIRECT APPEAL ISSUES AND
ADDENDUM TO SENTENCING
SHEET REGARDING SEX
OFFENDER REGISTRY
REQUIREMENT**

This matter is before the Court pursuant to Lakeem O. Smith's (hereinafter referred to as "Petitioner") Application for post-conviction relief (hereinafter "PCR") filed with the Laurens County Clerk of Court on November 8, 2012. An evidentiary hearing was heard before me at the Laurens County Courthouse on June 4, 2013. At the hearing, Petitioner was present with his attorney Laura M. Saunders of Laurens, SC, and Assistant Attorney General Rutledge Johnson was present representing the State of South Carolina.

Petitioner is presently confined in the South Carolina Department of Corrections. On December 9, 2011, Petitioner pled guilty to the following indictments: two counts of Kidnapping (2009-GS-30-1407; -1408); Burglary, First Degree (2009-GS-30-1409); Possession of a weapon during the commission of a violent crime ((2009-GS-30-1410); Grand Larceny (2009-GS-30-1411), and two counts of Armed Robbery (2009-GS-30-1412; -1413). The Honorable Frank R. Addy, Jr. sentenced the Petitioner, pursuant to a negotiated sentence, to confinement for fifteen (15) years for each Kidnapping charge, fifteen (15) years for Burglary 1st

Degree, five (5) years for the possession charge, five (5) years for the Grand Larceny, and fifteen (15) years for each Armed Robbery charge. All sentences were to run concurrently.

At the evidentiary hearing, Petitioner requested that his sentencing sheets be amended to reflect a finding that the offenses and subsequent convictions for Kidnapping did not include a criminal sexual offense or attempt thereof pursuant to S.C. Code Ann. § 23-3-430(C)(15), which makes sex offender registration mandatory for the offense of kidnapping (S.C. Code Ann. § 16-3-910) of a person eighteen years of age or older "except when the court makes a finding on the record that the offense did not include a criminal sexual offense or an attempted criminal sexual offense". The State consented to the Petitioner's request. In the instant case, no finding was made on the record in accordance with the above statute but the record is clear that no sexual misconduct or attempted sexual misconduct was involved in this case.

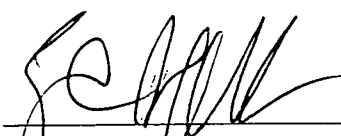
THEREFORE, based upon the arguments presented by counsel, testimony from the Petitioner and a review of the transcript from the plea, it is hereby ordered that the Petitioner's sentencing sheets be amended to reflect a finding that the offenses of Kidnapping (2009-GS-30-1407; -1408) for which Petitioner pled guilty on December 9, 2011 did not involve sexual misconduct and do not require mandatory Sex Offender registration.

In addition, Petitioner requested that he should be afforded a review of his direct appeal issues through PCR pursuant to White v. State, 263 S.C. 110, 208 S.E.2d 35 (1974) because Petitioner did not make a knowing and intelligent decision

not to pursue an appeal. Petitioner argued that plea counsel did not inform him of his right to appeal, and the plea transcript does not reflect that Petitioner was informed that he had a right to appeal. At the evidentiary hearing, plea counsel disclosed that he did not inform Petitioner of his right to appeal. Based upon the arguments presented by counsel, testimony from the Petitioner, testimony from plea counsel, and a review of the transcript from the plea, I find that the Petitioner did not make a knowing and intelligent decision not to pursue an appeal and should be granted a review of direct appeal issues through PCR pursuant to Davis v. State, 288 S.C. 290, 352 S.E.2d 60 (1986) and White v. State, 263 S.C. 110, 208 S.E.2d 35 (1974).

AND IT IS SO ORDERED.

July 10, 2013
Newberry, SC



The Honorable Eugene C. Griffith, Jr.
Judge, Eighth Judicial Circuit

A TRUE COPY OF ORIGINAL

Lynn W. Lancaster
Lynn W. Lancaster
Laurens County CCCP & GS

STATE OF SOUTH CAROLINA

COUNTY OF Laurens VS. STATE

Lakeem Olijuwon Smith

AKA: _____

Race: BLK Sex: M Age: 22

DOB: 11/19/89 SS#: 2-19-922

Address: 19 Crescent Dr

City, State, Zip: Laurens, SC 29360

DL#: _____ SID#: _____

*CDL Yes No CMV Yes No Hazmat Yes No

In disposition of the said indictment comes now the Defendant who was TO: Grand Larceny, value more than \$1,000 but less than \$5,000

in violation of § 16-13-0030 of the S.C. Code of Laws, bearing CDR Code # 0478
 NON-VIOLENT VIOLENT SERIOUS MOST SERIOUS Mandatory GPS(CSC w/minor 1st or Lewd Act) §17-25-45

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

ATTEST: Jack Hammack SC Bar# 69652 Lakeem Smith Defendant [Signature] Attorney for Defendant 6533 SC Bar#

WHEREFORE, the Defendant is committed to the State Department of Corrections, County Detention Center, for a determinate term of 5 (five) 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: All charges deal to today
 The Defendant is to be given credit for time served pursuant to S.C. Code § 24-13-40 to be calculated and applied by the State Department of Corrections. Credit time served since June 10, 2009
 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 (Criminal Domestic Violence) to ship, transport, possess, or receive a firearm or ammunition.

SPECIAL CONDITIONS:

RESTITUTION: Deferred Def. Waives Hearing Ordered PTUP _____ days/hours Public Service Employment

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

Payment Terms: _____
 Set by SCDPPPS _____

Recipient: _____

*Fine: _____

§ 14-1-206 (Assessments 107.5 %)		\$	
§ 14-1-211(A)(1) (Conv. Surcharge)	\$100	\$	<u>100</u>
§ 14-1-211(A)(2) (DUI Surcharge)	\$100	\$	
§ 56-5-2995 (DUI Assessment)	\$12	\$	
§ 56-1-286 (DUI Breath Test)	\$25	\$	
Proviso 47.9 (Public Def/Prob)	\$500	\$	
§ 14-1-212 (Law Enforce. Funding)	\$25	\$	<u>25</u>
§ 14-1-213 (Drug Court Surcharge)	\$150	\$	
§ 50-21-114(BUI Breath Test Fee)	\$50	\$	
§ 56-5-2942(J) (Vehicle Assessment)	\$40/ea	\$	
Proviso 90.5 (SCCJA Surcharge)	\$5	\$	<u>5</u>
3% to County (if paid in installments)		\$	<u>3.90</u>
TOTAL		\$	<u>133.90</u>

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: _____

A TRUE COPY OF ORIGINAL

Appointed PD or appointed other counsel, 47.12 requires \$500 be paid to Clerk during probation. Eryn W. Lancaster
Laurens County Clerk & OS
Presiding Judge [Signature]
Judge Code: 2159
Sentence Date: Dec. 8, 2011

Clerk of Court/ Deputy Clerk Eryn W. Lancaster
Court Reporter: Amelita Fawcette

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF Laurens VS. STATE

INDICTMENT/CASE#: 09GS30-1412

AKA: Lakeem Olijuwon Smith

A/W#: J616436

Race: BLK Sex: M Age: 22

Date of Offense: 6/9/2009

DOB: 11-13-1989 SS#: 23-79-9023

S.C. Code §: 16-11-0330

Address: [Redacted]

CDR Code #: 0139

City, State, Zip: Laurens, SC 29360

DL#: SID#:

SENTENCE SHEET

*CDL Yes No CMV Yes No Hazmat Yes No

CONVICTED OF or PLEADS

In disposition of the said indictment comes now the Defendant who was TO: Armed Robbery (10-30 years)

in violation of § 16-11-0330 of the S.C. Code of Laws, bearing CDR Code # 0139

NON-VIOLENT VIOLENT SERIOUS MOST SERIOUS Mandatory GPS(CSC) §17-25-45 w/minor 1st or Lewd Act

The charge is: As Indicted, Lesser Included Offense, Defendant Waives Presentment to Grand Jury, Negotiated Sentence, Recommendation by the State.

ATTEST: Hammack, Jack SC Bar# 69652 Defendant Lakeem Olijuwon Smith Attorney for Defendant Lynn W. Lancaster SC Bar# 65351

WHEREFORE, the Defendant is committed to the State Department of Corrections, County Detention Center, for a determinate term of 15 (fifteen) 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 the State Department of Corrections. Credit time since June 10, 2009. 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 (Criminal 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: \$

Payment Terms:

Set by SCDPPPS

Recipient:

*Fine:

Table with 3 columns: Description, Amount, Total. Includes items like Assessments 107.5%, Conv. Surcharge \$100, DUI Surcharge \$100, DUI Assessment \$12, DUI Breath Test \$25, Public Def/Prob \$500, Law Enforce. Funding \$25, Drug Court Surcharge \$150, BUI Breath Test Fee \$50, Vehicle Assessment \$40/ea, SCCJA Surcharge \$5, 3% to County (if paid in installments) \$3.90, TOTAL \$133.90.

days/hours Public Service Employment

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:

A TRUE COPY OF ORIGINAL

Appointed PD or appointed other counsel, 47.12 requires \$500 be paid to Clerk of Court during probation.

Lynn W. Lancaster Laurens County ECDPPS & GS

Clerk of Court/ Deputy Clerk

Court Reporter:

SCCA/217 (03/2011)

Lynn W. Lancaster Pamela Faucette

Presiding Judge

Judge Code:

Sentence Date:

Lynn W. Lancaster 2159 Dec. 8, 2011

STATE OF SOUTH CAROLINA

COUNTY OF Laurens)
STATE VS.)

Lakeem Olijuwon Smith)

AKA: _____)

Race: BLK Sex: M Age: 22)

DOB: 11-13-1989 SS: 23-79-9029)

Address: 301 Present Dr)

City, State, Zip: Laurens, SC 29360)

DL#: _____ SID#: _____)

*CDL Yes No CMV Yes No Hazmat Yes No

In disposition of the said indictment comes now the Defendant who was
TO: Armed Robbery (10-30 years)

in violation of § 16-11-0330 of the S.C. Code of Laws, bearing CDR Code # 0139
 NON-VIOLENT VIOLENT SERIOUS MOST SERIOUS Mandatory GPS(CSC w/minor 1st or Lewd Act) §17-25-45

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

ATTEST: _____
Hammack, Jack SC Bar# 69682 Lakeem Smith Defendant [Signature] Attorney for Defendant 6535 SC Bar#

WHEREFORE, the Defendant is committed to the State Department of Corrections, County Detention Center,
for a determinate term of 15 Months 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: all charges pled to today
 The Defendant is to be given credit for time served pursuant to S.C. Code § 24-15-40 to be calculated and applied by the State Department of Corrections. Credit time served since June 10, 2009.
 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 (Criminal 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: \$ _____

Payment Terms: _____ days/hours Public Service Employment
 Set by SCDPPPS _____ Obtain GED
Attend Voc. Rehab. or Job Corp. _____

Recipient: _____ May serve W/E beginning _____
*Fine: _____ Substance Abuse Counseling

§ 14-1-206 (Assessments 107.5 %)		\$
§ 14-1-211(A)(1) (Conv. Surcharge)	\$100	\$ <u>100</u>
§ 14-1-211(A)(2) (DUI Surcharge)	\$100	\$
§ 56-5-2995 (DUI Assessment)	\$12	\$
§ 56-1-286 (DUI Breath Test)	\$25	\$
Proviso 47.9 (Public Def/Prob)	\$500	\$
§ 14-1-212 (Law Enforce. Funding)	\$25	\$ <u>25</u>
§ 14-1-213 (Drug Court Surcharge)	\$150	\$
§ 50-21-114(BUI Breath Test Fee)	\$50	\$
§ 56-5-2942(J) (Vehicle Assessment)	\$40/ea	\$
Proviso 90.5 (SCCJA Surcharge)	\$5	\$ <u>5</u>
3% to County (if paid in installments)		\$ <u>3.90</u>
TOTAL		\$ <u>133.90</u>

Random Drug/Alcohol testing
Fine may be pd. in equal, consecutive weekly/monthly pmts. of \$ _____ beginning _____
\$ _____ paid to Public Defender Fund
Other: _____

Appointed PD or appointed other counsel, 47.12 requires \$500 be paid to Clerk during probation. ORIGINAL
Lynn W. Lancaster Presiding Judge
[Signature] Judge Code: 2159
Sentence Date: Dec 8, 2011

Clerk of Court/ Deputy Clerk Lynn W. Lancaster
Court Reporter: Pamela Fawcette
SCCA/217 (03/2011)

IN THE COURT OF GENERAL SESSIONS

INDICTMENT/CASE#: 09GS30-1413
A/W#: J616437
Date of Offense: 6/9/2009
S.C. Code § : 16-11-0330
CDR Code #: 0139

SENTENCE SHEET

CONVICTED OF or PLEADS

STATE OF SOUTH CAROLINA

COUNTY OF Laurens)
STATE VS.)

Lakeem Olijuwon Smith)

AKA: _____)

Race: BLK Sex: M Age: 22)

DOB: 11-13-1989 SS#: 30-79-9028)

Address: 99 Crescent Dr)

City, State, Zip: Laurens, SC 29360)

DL#: _____ SID#: _____)

*CDL Yes No CMV Yes No Hazmat Yes No

In disposition of the said indictment comes now the Defendant who was TO: Kidnapping

IN THE COURT OF GENERAL SESSIONS

INDICTMENT/CASE#: 09GS30-1407

A/W#: 09-INFO-30-0106

Date of Offense: 6/9/2009

S.C. Code § : 16-03-0910

CDR Code #: 0095

SENTENCE SHEET

CONVICTED OF or PLEADS

in violation of § 16-03-0910 of the S.C. Code of Laws, bearing CDR Code # 0095
 NON-VIOLENT VIOLENT SERIOUS MOST SERIOUS Mandatory GPS(CSC §17-25-45 w/minor 1st or Lewd Act)

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

ATTEST: [Signature] Hammack, Jack SC Bar# 69612
[Signature] Defendant
[Signature] Attorney for Defendant SC Bar# 65351

WHEREFORE, the Defendant is committed to the State Department of Corrections, County Detention Center, for a determinate term of 15 (fifteen) 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 § 20-13-40 to be calculated and applied by the State Department of Corrections. Credit time - jail since June 10, 2009.
 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 (Criminal Domestic Violence) to ship, transport, possess, or receive a firearm or ammunition.

SPECIAL CONDITIONS:

RESTITUTION: Deferred Def. Waives Hearing Ordered
Total: \$ _____ plus 20% fee: \$ _____

Payment Terms: _____
 Set by SCDPPPS _____

Recipient: _____
*Fine: _____

§ 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	\$	
Proviso 47.9 (Public Def/Prob)	\$500	\$	
§ 14-1-212 (Law Enforce. Funding)	\$25	\$	25
§ 14-1-213 (Drug Court Surcharge)	\$150	\$	
§ 50-21-114(BUI Breath Test Fee)	\$50	\$	
§ 56-5-2942(J) (Vehicle Assessment)	\$40/ea	\$	
Proviso 90.5 (SCCJA Surcharge)	\$5	\$	5
3% to County (if paid in installments)		\$	3.90
TOTAL		\$	133.90

PTUP _____ days/hours Public Service Employment
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: _____

Appointed, Appointed, Other (Specify) ORIGINAL!
47.12 requires \$500 be paid to Clerk during probation. [Signature]
Lynn W. Lancaster
Laurens County CCOR &
Presiding Judge
Judge Code: 2159
Sentence Date: Dec 8, 2011

Clerk of Court/ Deputy Clerk [Signature]
Court Reporter: Pamela Trancette
SCCA/217 (03/2011)

STATE OF SOUTH CAROLINA

COUNTY OF STATE LAURENS VS. Lakeem Olijuwon Smith AKA: Race: BLK Sex: M Age: 22 DOB: 12-19-87 SS#: 70-79-0023 Address: 19 Crescent Dr City, State, Zip: Laurens, SC 29360 DL#: SID#:

IN THE COURT OF GENERAL SESSIONS

INDICTMENT/CASE#: 09GS30-1408 A/W#: 09-INFO-30-0107 Date of Offense: 6/9/2009 S.C. Code §: 16-03-0910 CDR Code #: 0095

SENTENCE SHEET

*CDL Yes No CMV Yes No Hazmat Yes No In disposition of the said indictment comes now the Defendant who was TO: Kidnapping

CONVICTED OF or PLEADS

in violation of § 16-03-0910 of the S.C. Code of Laws, bearing CDR Code # 0095 NON-VIOLENT VIOLENT SERIOUS MOST SERIOUS Mandatory GPS(CSC w/minor 1st or Lewd Act) §17-25-45

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

ATTEST: Hammack, Jack SC Bar# 69682 Defendant Lakeem Olijuwon Smith Attorney for Defendant SC Bar# 6535

WHEREFORE, the Defendant is committed to the State Department of Corrections, County Detention Center, for a determinate term of 15 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 the State Department of Corrections. Credit time served since June 10, 2009. 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 (Criminal 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: \$ Payment Terms: Set by SCDPPPS Recipient: *Fine:

Table with 3 columns: Description, Amount, Total. Rows include § 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, Proviso 47.9 (Public Def/Prob) \$500, § 14-1-212 (Law Enforce. Funding) \$25, § 14-1-213 (Drug Court Surcharge) \$150, § 50-21-114(BUI Breath Test Fee) \$50, § 56-5-2942(J) (Vehicle Assessment) \$40/ea, Proviso 90.5 (SCCJA Surcharge) \$5, 3% to County (if paid in installments) \$, TOTAL \$ 133.90

days/hours Public Service Employment 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:

Appointed PD or appointed other counsel, 47.12 requires \$500 be paid to Clerk during probation. Presiding Judge Laurens Judge Code: 2159 Sentence Date: Dec 8 2011

Clerk of Court/ Deputy Clerk Court Reporter: Pamela Fayette

STATE OF SOUTH CAROLINA

COUNTY OF Laurens VS. Lakeem Olijuwon Smith AKA: Race: BLK Sex: M Age: 22 DOB: 03-13-1989 SS: 250-79-9028 Address: 309 Crescent D City, State, Zip: Laurens, SC 29360 DL#: SID#:

IN THE COURT OF GENERAL SESSIONS

INDICTMENT/CASE#: 09GS30-1409 A/W#: J616433 Date of Offense: 6/9/2009 S.C. Code §: 16-11-0311 CDR Code #: 0079

SENTENCE SHEET

CONVICTED OF or PLEADS

*CDL Yes No CMV Yes No Hazmat Yes No In disposition of the said indictment comes now the Defendant who was TO: Burglary (After June 20, 1985) - First degree (15 years - life)

in violation of § 16-11-0311 of the S.C. Code of Laws, bearing CDR Code # 0079 NON-VIOLENT VIOLENT SERIOUS MOST SERIOUS Mandatory GPS(CSC w/minor 1st or Lewd Act) §17-25-45

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

ATTEST: Hammack, Jack SC Bar# 10962 Defendant Johnson, Omitl Attorney for Defendant SC Bar# 6535

WHEREFORE, the Defendant is committed to the State Department of Corrections, County Detention Center, for a determinate term of 15 (fifteen) 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 the State Department of Corrections. Credit time served since June 10, 2009. 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 (Criminal Domestic Violence) to ship, transport, possess, or receive a firearm or ammunition.

SPECIAL CONDITIONS:

RESTITUTION: Deferred Def. Waives Hearing Ordered Total: \$ plus 20% fee: \$ Payment Terms: Set by SCDPPPS

PTUP days/hours Public Service Employment 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:

Recipient:

*Fine:

Table with 3 columns: Description, Amount, Total. Rows include assessments and surcharges like § 14-1-206, § 14-1-211(A)(1), etc., totaling \$133.90.

Appointed PD or appointed other counsel, 47.12 requires \$500 be paid to Clerk during probation.

Clerk of Court/ Deputy Clerk Lynn W. Rancaster Court Reporter: Pamela Fayette

Presiding Judge Lynn W. Rancaster Judge Code: 2159 Sentence Date: Dec 8, 2011

STATE OF SOUTH CAROLINA

COUNTY OF Laurens
STATE VS.
Lakeem Olijuwon Smith
AKA:
Race: BLK Sex: M Age: 22
DOB: 11-13-1986 SS# 30-79-9023
Address: 309 Crescent Dr
City, State, Zip: Laurens, SC 29360
DL#: SID#:

IN THE COURT OF GENERAL SESSIONS

INDICTMENT/CASE#: 09GS30-1410
A/W#: J616434
Date of Offense: 6/9/2009
S.C. Code §: 16-23-0490
CDR Code #: 0549

SENTENCE SHEET

*CDL Yes No CMV Yes No Hazmat Yes No
In disposition of the said indictment comes now the Defendant who was TO: Poss. weapon during violent crime

CONVICTED OF or PLEADS

in violation of § 16-23-0490 of the S.C. Code of Laws, bearing CDR Code # 0549
NON-VIOLENT VIOLENT SERIOUS MOST SERIOUS
Mandatory GPS(CSC w/minor 1st or Lewd Act) §17-25-45

The charge is: As Indicted, Lesser Included Offense, Defendant Waives Presentment to Grand Jury.
The pleas: Without Negotiations or Recommendation, Negotiated Sentence, Recommendation by the State.
ATTEST: Hammack, Jack Defendant Attorney for Defendant

WHEREFORE, the Defendant is committed to the State Department of Corrections, County Detention Center,
for a determinate term of 5 (Five) 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 the State Department of Corrections. Credit time served since June 10, 2009
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 (Criminal
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: \$
Payment Terms:
Set by SCDPPPS

Recipient:
*Fine:

Table with 3 columns: Description, Amount, Total. Includes items like § 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, Proviso 47.9 (Public Def/Prob) \$500, § 14-1-212 (Law Enforce. Funding) \$25, § 14-1-213 (Drug Court Surcharge) \$150, § 50-21-114 (BUI Breath Test Fee) \$50, § 56-5-2942(J) (Vehicle Assessment) \$40/ea, Proviso 90.5 (SCCJA Surcharge) \$5, 3% to County (if paid in installments) \$, TOTAL \$133.90

days/hours Public Service Employment
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:

A TRUE COPY OF ORIGINAL

Appointed PD or appointed other counsel
47.12 requires \$500 be paid to Clerk
during probation. County JCCP & GS

Clerk of Court/ Deputy Clerk: Ryan W. Lancaster
Court Reporter: Pamela Fawcette
SCCA/217 (03/2011)

Presiding Judge: [Signature]
Judge Code: 2159
Sentence Date: Dec 8, 2011