

STATE OF SOUTH CAROLINA

RECEIVED

IN THE COURT OF GENERAL SESSIONS

COUNTY OF Spartanburg

STATE VS.

OCT 14 2024
SC Court of Appeals

INDICTMENT/CASE#: 2022GS4200904

Michael Jay Shirley
AKA: _____
Race: White Sex: Male Age: 43
DOB: _____ SS#: _____
Address: _____
City, State, Zip: _____
DL#* _____ SID# _____

A/W#: 2022A4210200554
Date of Offense: 01/30/2022
S.C. Code §: 56-5-750(B)(1)
CDR Code #: 0065

SENTENCE SHEET

*CDL Yes No CMV Yes No Hazmat Yes No

Net: TS

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

TO: Fail to Stop for Law Enforcement Vehicle (Blue Light) - No Injury or Death - 1st Offense
In violation of § 56-5-750(B)(1) of the S.C. Code of Laws, bearing CDR Code # 0065

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

The charge is: As indicted, Lesser Included Offense, Defendant Waives Presentment to Grand Jury _____ (def.'s initials)

The plea is: Without Negotiations or Recommendation, Negotiated Sentence, Recommendation by the State.

ATTEST:

Eddie Hunter 77517 SC Bar # Defendant Michael Jay Shirley 77724 SC Bar #
Matthew William Shealy Attorney for Defendant

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

for a determinate term of 969 days/months/years/Time Served Youthful Offender Act not to exceed ___ years

and/or to pay a fine of \$____; provided that upon the service of ___ days/months/years/Time Served and or payment of \$____; plus costs and assessments as applicable*; the balance is suspended with probation for _____

months/years and subject to South Carolina Department of Probation, Parole and Pardon Services standard conditions of probation, which are incorporated by reference.

The sentence shall run

CONCURRENT or CONSECUTIVE to sentence on: _____

The Defendant is to be given credit for time served pursuant to S.C. Code § 24-13-40 to be calculated and applied by SCDOC.

969 days/months

To include time spent on monitored house arrest prior to trial and sentencing.

The Defendant Shall be Released from County Detention Center.

Pursuant to 18 U.S.C. § 922 and § 16-25-30 it is unlawful for a person convicted of a violation of § 16-25-20 or § 16-25-65 (Domestic Violence) to ship, transport, possess, or receive a firearm or ammunition.

SPECIAL CONDITIONS:

PTUP after _____ months/years

And Other Terms Listed Below:

- Substance Abuse Counseling Completion of GED Random Drug/Alcohol Testing
- Attend Voc. Rehab. Or Job Corp No Contact with Victim Domestic Violence Intervention Program
- Mental Health Counseling May serve W/E beginning: _____
- Sex Offender Registry pursuant to S.C. Code § 23-3-430 Public Service Employment _____ days/hours
- Central Registry of Child Abuse and Neglect pursuant to S.C. Code § 17-25-135.
- Other: _____

RESTITUTION: Deferred Def. Waives Hearing Ordered

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

Payment Terms: _____ Set by SCDPPPS

Recipient: _____

*Fine:

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

TOTAL 25.75

Don Morant
2780
9-24-24

Clerk of Court/Deputy Clerk:
Court Reporter:

T. Camp
P. Green

Presiding Judge:
Judge Code:
Sentence Date:

ARREST WARRANT

2022A4210200554

STATE OF SOUTH CAROLINA

County/ Municipality of

Spartanburg

THE STATE 22011434
against

Michael Jay Shirley

Address

Phone _____ SSN _____
Sex: M Race: W Height: 5 11 Weight: 195

DL State: SC DL # _____

DOB _____ Agency ORI #: SC0420000

Prosecuting Agency: Spartanburg County Sheriff

Prosecuting Officer: Nathan L. Rapp - S01148

Offense: Traffic / Failure to stop for a blue light, no injury or death - 1st offense

Offense Code: 0065

Code/Ordinance Sec: 56-05-0750(B)(1)

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

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

(L.S.)

Signature of Judge

Date

RETURN

A copy of this arrest warrant was delivered to defendant Michael Jay Shirley on 1/31/2022

Signature of Constable/Enforcement Officer

RETURN WARRANT TO:

General Sessions
180 Magnolia Street
P O Box 3483
Spartanburg, SC 29303

ORIGINAL

STATE OF SOUTH CAROLINA)
 County/ Municipality of)
Spartanburg)

AFFIDAVIT

ORIGINAL

Form Approved by
S.C. Attorney General
April 21, 2003
SCCA 518

Personally appeared before me the affiant Nathan L. Rapp who being duly sworn deposes and says that defendant Michael Jay Shirley did within this county and state on or about 1/30/2022 violate the criminal laws of the State of South Carolina (or ordinance of County/ Municipality of Spartanburg) in the following particulars:

DESCRIPTION OF OFFENSE: Traffic / Failure to stop for a blue light, no injury or death - 1st offense

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

That on January 30, 2022 in the county of Spartanburg, one Michael Jay Shirley, while driving a motor vehicle, did fail to stop when signaled by means of siren and/or flashing light on a law enforcement vehicle. This warrant is based upon police investigation. SL

Signature of Affiant

STATE OF SOUTH CAROLINA)
 County/ Municipality of)
Spartanburg)

Affiant's Address 8045 Howard Street
Spartanburg, SC 29303-

Affiant's Telephone _____

ARREST WARRANT

TO ANY LAW ENFORCEMENT OFFICER OF THIS STATE OR MUNICIPALITY OR ANY CONSTABLE OF THIS COUNTY:

It appearing from the above affidavit that there are reasonable grounds to believe that

on or about 1/30/2022 defendant Michael Jay Shirley did violate the criminal laws of the State of South Carolina (or ordinance of County/ Municipality of Spartanburg) as set forth below.

DESCRIPTION OF OFFENSE: Traffic / Failure to stop for a blue light, no injury or death - 1st offense

Having found probable cause and the above affiant having sworn before me, you are empowered and directed to arrest the said defendant and bring him or her before me forthwith to be dealt with according to law. A copy of this Arrest Warrant shall be delivered to the defendant at the time of its execution, or as soon thereafter as is practicable Sworn to and subscribed before me on 1/31/2022

Signature of Issuing Judge (L.S.)
Daniel Ray Burns
Judge Code: 7067

Judge's Address Spartanburg County Judicial Center
Spartanburg, SC 29306-2335

Judge's Telephone (864)596-3424

Issuing Court Magistrate Municipal Circuit

ORIGINAL

ORIGINAL

ORIGINAL

ORIGINAL

ORIGINAL

2022 FEB -3 AM 8:44
CLERK OF COURT
SPARTANBURG COUNTY
AMY W. COX

FILED
SC Court of Appeals
OCT 14 2024
RECEIVED

WITNESSES

SCSO

James E. Barnes

ARREST WARRANT NUMBER

2022A4210200554

ACTION OF GRAND JURY

[Signature]

Danielle Woodward

Foreperson of Grand Jury

Date: MAR 04 2022

VERDICT

Foreperson of Petit Jury

Date:

DOCKET NO.

22-GS-42-0904

The State of South Carolina

County of Spartanburg

Barry J. Barnette, Solicitor

COURT OF GENERAL SESSIONS

MAR 07 2022

TERM

THE STATE

vs.

Michael Jay Shirley

Indictment for

FAILURE TO STOP MOTOR VEHICLE

SC Code: 56-5-750

CDR Code: 0065

Class MIS/A

FILED

MAR 16 11 09 AM '22

CLERK OF COURT
SPARTANBURG COUNTY
AMY W. COX

RECEIVED
OCT 14 2024
SC Court of Appeals

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF Spartanburg

RECEIVED

STATE VS.

OCT 14 2024

INDICTMENT/CASE#: 2022GS4200905

SC Court of Appeals

Michael Jay Shirley
 AKA: _____
 Race: White Sex: Male Age: 43
 DOB: _____ SS#: _____
 Address: _____
 City, State, Zip: _____
 DL#* _____ SID# _____

A/W#: 2022A4210200555
 Date of Offense: 01/30/2022
 S.C. Code §: 44-53-375
 CDR Code #: 0349

SENTENCE SHEET

*Neg: 15 years
(7-25 + 850K)*

*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: Trafficking Methamphetamine or Cocaine Base - More Than 28 Grams But Less Than 100 Grams
 In violation of § 44-53-375 of the S.C. Code of Laws, bearing CDR Code # 0349

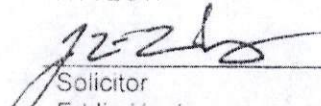
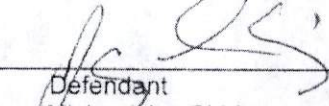
NON-VIOLENT VIOLENT SERIOUS MOST SERIOUS Mandatory GPS § 17-25-45

(CSC w/minor 1st or CSC w/minor 3rd)

The charge is: As indicted, Lesser Included Offense, Defendant Waives Presentment to Grand Jury. _____ (def.'s initials)

The plea is: Without Negotiations or Recommendation, Negotiated Sentence, Recommendation by the State.

ATTEST:

	77517		77724
Solicitor	SC Bar #	Defendant	Attorney for Defendant
Eddie Hunter		Michael Jay Shirley	Matthew William Shealy
			SC Bar #

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

for a determinate term of 15 days/months/years Time Served Youthful Offender Act not to exceed _____ years

and/or to pay a fine of \$____; provided that upon the service of _____ days/months/years/Time Served and or payment of \$____; plus costs and assessments as applicable*; the balance is suspended with probation for _____

months/years and subject to South Carolina Department of Probation, Parole and Pardon Services standard conditions of probation, which are incorporated by reference.

The sentence shall run

CONCURRENT or CONSECUTIVE to sentence on: _____

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.

96 days/months

To include time spent on monitored house arrest prior to trial and sentencing.

The Defendant Shall be Released from County Detention Center.

Pursuant to 18 U.S.C. § 922 and § 16-25-30 it is unlawful for a person convicted of a violation of § 16-25-20 or § 16-25-65 (Domestic Violence) to ship, transport, possess, or receive a firearm or ammunition.

SPECIAL CONDITIONS:

PTUP after _____ months/years

And Other Terms Listed Below:

- Substance Abuse Counseling Completion of GED Random Drug/Alcohol Testing
- Attend Voc. Rehab. Or Job Corp No Contact with Victim Domestic Violence Intervention Program
- Mental Health Counseling May serve W/E beginning: _____
- Sex Offender Registry pursuant to S.C. Code § 23-3-430 Public Service Employment _____ days/hours
- Central Registry of Child Abuse and Neglect pursuant to S.C. Code § 17-25-135.
- Other: _____

RESTITUTION: **Deferred** **Def. Waives Hearing** **Ordered**

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

Payment Terms: _____ Set by SCDPPPS

Recipient: _____

***Fine:**

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

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

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

TOTAL \$ 283.25

Clerk of Court/Deputy Clerk: T. Camp
Court Reporter: P. Green

Presiding Judge: [Signature]
Judge Code: 2780
Sentence Date: 9.24.24

ARREST WARRANT

2022A4210200555

STATE OF SOUTH CAROLINA

County/ Municipality of

Spartanburg

THE STATE

22011434

against

Michael Jay Shirley

Address

Sex M Race W Height 5 11 Weight 195

DL State SC DL #

DOB Agency ORI # SC0420000

Prosecuting Agency: Spartanburg County Sheriff

Prosecuting Officer: Nathan L Rapp - S01148

Offense: Drugs / Trafficking in meth. or cocaine base - 28 g or more, but less than 100 g - 1st offense

Offense Code: 0392

Code/Ordinance Sec: 44-53-0375(C)(2)(

This warrant is CERTIFIED FOR SERVICE in the

County/ Municipality of

The accused

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

(L.S.)

Signature of Judge

Date:

RETURN

A copy of this arrest warrant was delivered to

defendant Michael Jay Shirley

on 1-31-2022

Signature of Constable/Law Enforcement Officer

RETURN WARRANT TO:

General Sessions
180 Magnolia Street
P O Box 3483
Spartanburg, SC 29304

FEB 07 2022

ORIGINAL

ORIGINAL

STATE OF SOUTH CAROLINA

County/ Municipality of

Spartanburg

Personally appeared before me the affiant Nathan L Rapp who

being duly sworn deposes and says that defendant Michael Jay Shirley

did within this county and state on or about 1/30/2022

violate the criminal laws of the

State of South Carolina (or ordinance of County/ Municipality of Spartanburg)

in the following particulars:

DESCRIPTION OF OFFENSE: Drugs / Trafficking in meth. or cocaine base - 28 g or more, but less than 100 g - 1st offense

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

That on January 30, 2022, in the county of Spartanburg, one Michael Jay Shirley did commit the crime of Drugs / Trafficking in meth. or cocaine base - 28 g or more, but less than 100 g - 1st offense in that he did knowingly and willfully track Methamphetamine. This warrant is based upon police investigation. SI.

Signature of Affiant

STATE OF SOUTH CAROLINA

County/ Municipality of

Spartanburg

Affiant's Address 8045 Howard Street

Spartanburg, SC 29303-

Affiant's Telephone

ARREST WARRANT

TO ANY LAW ENFORCEMENT OFFICER OF THIS STATE OR MUNICIPALITY OR ANY CONSTABLE OF THIS COUNTY

It appearing from the above affidavit that there are reasonable grounds believe that

on or about 1/30/2022 defendant Michael Jay Shirley

did violate the criminal laws of the State of South Carolina (or ordinance of

County/ Municipality of Spartanburg) as set forth below.

DESCRIPTION OF OFFENSE: Drugs / Trafficking in meth. or cocaine base - 28 g or more, but less than 100 g - 1st offense

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

on 1/31/2022

Judge's Address Spartanburg County Judicial Center

Spartanburg, SC 29306-2335

Judge's Telephone (864)596-3424

Issuing Court Magistrate Municipal Circuit

Signature of Issuing Judge (L.S.)
Daniel Ray Burns
Judge Code 7067

ORIGINAL

ORIGINAL

ORIGINAL

ORIGINAL

ORIGINAL

ORIGINAL

Form Approved by
S. C. Attorney General
April 21, 2003
SCCA 518

AFFIDAVIT

FILED
2022 FEB -3 AM 8:44
CLERK OF COURT
SPARTANBURG COUNTY
AMY W. COX

FILED

RECEIVED
OCT 14 2024
SC Court of Appeals

STATE OF SOUTH CAROLINA)
)
COUNTY OF SPARTANBURG)

INDICTMENT

At a Court of General Sessions, convened on MAR 04 2022 the
Grand Jurors of Spartanburg County present upon their oath:

TRAFFICKING IN METHAMPHETAMINE

That the Defendant, Michael Jay Shirley did in Spartanburg County on or about January 30, 2022, knowingly sell, manufacture, deliver, purchase or bring into this State, or did provide financial assistance or did otherwise aid, abet, attempt, or conspire to sell, manufacture, deliver, purchase, or bring into this State, or was knowingly in actual or constructive possession or did knowingly attempt to actually or constructively possess, more than twenty eighty (28) grams of Methamphetamine, a schedule II controlled substance, in violation of § 44-53-375, *THE CODE OF LAWS OF SOUTH CAROLINA*, (1976), as amended.

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



ASSISTANT SOLICITOR

WITNESSES

SCSO

[Handwritten signature]

ARREST WARRANT NUMBER

2022A4210200555

ACTION OF GRAND JURY

[Handwritten text]

[Handwritten signature: Danielle Woodward]

Foreperson of Grand Jury
Date: MAR 04 2022

VERDICT

Foreperson of Petit Jury
Date:

DOCKET NO. **22-GS-42-0905**

The State of South Carolina

County of Spartanburg

Barry J. Barnette, Solicitor

COURT OF GENERAL SESSIONS

MAR 07 2022

TERM

THE STATE
vs.

Michael Jay Shirley

Indictment for

TRAFFICKING METHAMPHETAMINE

SC Code: 44-53-375

FILED

MAR 16 AM 9:47

CLERK OF COURT
SPARTANBURG COUNTY
AMY W. COX

RECEIVED
OCT 14 2024
SC Court of Appeals

THE STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

APPEAL FROM SPARTANBURG COUNTY
Court of General Sessions

William C. McMaster, Circuit Court Judge

Case No(s): 2022-GS-42-904
2022-GS-42-905

The State of South Carolina,

Respondent

v.

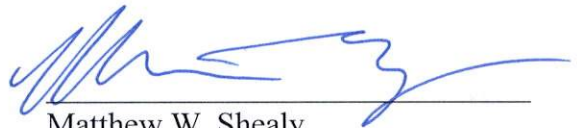
Michael Jay Shirley,

Appellant.

STATEMENT PURSUANT TO RULE 203(d)(1)(B)(iv)

Appellant pled guilty on September 24, 2024. Undersigned counsel files this appeal at the request of Appellant and pursuant to In re Anonymous Member of the Bar, 303 S.C. 306, 400 S.E.2d 483 (1991), as well as Weathers v. State, 319 S.C. 59 (1995). Counsel knows of no issue that can be reviewed on appeal.

Date: October 7, 2024



Matthew W. Shealy
Knie & Shealy Law Offices
250 Magnolia Street
Spartanburg, Sc 29306
(864) 582-5118
ATTORNEY FOR APPELLANT

cc:

James E. Hunter
Assistant Solicitor
Seventh Circuit Solicitor's Office
Spartanburg County Courthouse
180 Magnolia Street
Spartanburg, SC 29306

Respondent

RECEIVED
OCT 14 2024
SC Court of Appeals