

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM SPARTANBURG COUNTY
Court of General Sessions

Honorable J. Derham Cole, Circuit Court Judge

RECEIVED

OCT 22 2024

SC Court of Appeals

Case No(s): 2024GS4201920, 2024GS4201921, 2024GS4201922, 2024GS4201925, 2024GS4201927,
2024GS4201928, 2024GS4201929, 2024GS4201930, 2024GS4201931, W-42--24-0364

The State

v.

Respondent,

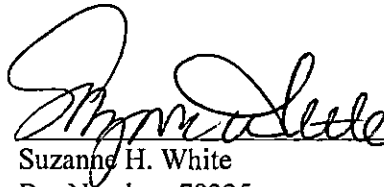
Andrew James Horton

Appellant.

EXPLANATION OF APPEAL PURSUANT TO RULE 203(d)(1)(B), SCACR

Pursuant to Rule 203(d)(1)(B), SCACR, Andrew James Horton files this explanation of his appeal of his guilty plea, conviction and sentence in this case. The sentence was imposed by the Honorable J. Derham Cole on October 10, 2024. No issues were raised during the guilty plea; however, the client insisted upon an appeal; therefore, this appeal was filed pursuant to Weathers v. State, 319 S.C. 59, 459 S.E.2d 838 (1995), and State v. Thrift, 378 S.C. 70, 661 S.E.2d 373 (2008).

October 18, 2024



Suzanne H. White

Bar Number: 78225

Seventh Judicial Circuit Public Defender Office

180 Magnolia Street, Suite 2137

Spartanburg, South Carolina 29306

(864) 596-2561

Attorney for Appellant

Other Counsel of Record:

Aubrey O'Brien, Esq.
Seventh Judicial Circuit Solicitor's Office
180 Magnolia Street
Spartanburg, South Carolina 29306
Attorney for Respondent

RECEIVED
OCT 22 2024
SC Court of Appeals

FILED

2024 MAY 15 PM 3:45

CLERK OF COURT
SPARTANBURG COUNTY
AMY W. COX

WITNESSES

SPD

H. C. Howell

ARREST WARRANT NUMBER

2024A4210100265

ACTION OF GRAND JURY

True Bill

[Signature] Foreperson of Grand Jury
Date: MAY 10, 2024

VERDICT

Foreperson of Petit Jury
Date:

DOCKET NO. -

~~24-GS-42-1920-~~
The State of South Carolina
County of Spartanburg
Barry J. Barnette, Solicitor

COURT OF GENERAL SESSIONS
MAY 13 2024

TERM

THE STATE
vs.

Andrew James Alyn Horton

Indictment for
POSSESSION OF METHAMPHETAMINE
SC Code: 44-53-375

STATE OF SOUTH CAROLINA)
)
COUNTY OF SPARTANBURG)

INDICTMENT

At a Court of General Sessions, convened on MAY 10 2024 the
Grand Jurors of Spartanburg County present upon their oath: .

POSSESSION OF METHAMPHETAMINE

That Andrew James Alyn Horton did in Spartanburg County, on or about
March 14, 2024, possess or attempt to possess a quantity 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

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF Spartanburg

RECEIVED

STATE

OCT 22 2024

INDICTMENT/CASE#: 2024GS4201920

VS.

SC Court of Appeals

Andrew James Alyn Horton

A/W#: 2024A4210100265

AKA:

Date of Offense: 03/14/2024

Race: White Sex: Male Age: 34

S.C. Code §: 44-53-375

DOB: _____ SS#: _____

CDR Code #: 3017

Address: _____

City, State, Zip: Spartanburg SC 29302

DL#* _____ SID# _____

SENTENCE SHEET

*CDL Yes No CMV Yes No Hazmat Yes No

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

TO: Poss Meth 2nd offense 0-5 y and/or 0-\$7500

In violation of § 44-53-375 of the S.C. Code of Laws, bearing CDR Code # 3017

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)

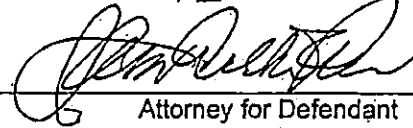
The plea is: Without Negotiations or Recommendation, Negotiated Sentence, Recommendation by the State.

ATTEST:



104718





1307

78225

Solicitor SC Bar # Defendant Attorney for Defendant SC Bar #

Aubrey O'Brien Andrew James Alyn Horton Suzanne H. White

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 — 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.

142 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 prmts. of	\$ _____	Beginning	_____	\$ _____
§14-1-206 (Assessments 107.5%)				\$ _____
§14-1-211 (A)(1)(Conv. Surcharge)			\$100	\$ 100.00
§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	\$ 25.00
§14-1-213 (Drug Court Surcharge)			\$150	\$ 150.00
§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	\$ 252 8.25
<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 \$ 283.25

Clerk of Court/Deputy Clerk: Tinsley Mettler
Court Reporter: _____

Presiding Judge: _____
Judge Code: _____
Sentence Date: October 10, 2024

RECEIVED

OCT 22 2024

SC Court of Appeals

FILED

2024 MAY 15 PM 3:45

CLERK OF COURT
SPARTANBURG COUNTY
AMY W. COX

WITNESSES

SPD

L. O. Arnold

ARREST WARRANT NUMBER

2024A4210100288 -- DIRECT INDICTMENT

ACTION OF GRAND JURY

True Bill

[Signature]
MAY 10 2024

Foreperson of Grand Jury
Date:

VERDICT

Foreperson of Petit Jury
Date:

DOCKET NO. -

24-GS-42-1921

The State of South Carolina

County of Spartanburg:

Barry J. Barnette, Solicitor

COURT OF GENERAL SESSIONS

MAY 13 2024

TERM

THE STATE

vs.

Andrew James Alyn Horton

Indictment for

**BURGLARY, SECOND DEGREE
(VIOLENT)**

SC Code: 16-11-0312

CDR Code: 0086

Class: FEL/D (V)

STATE OF SOUTH CAROLINA)
)
COUNTY OF SPARTANBURG)

INDICTMENT

At a Court of General Sessions, convened on MAY 10 2024, the Grand Jurors of Spartanburg County present upon their oath:

BURGLARY, SECOND DEGREE (VIOLENT)

That the Defendant Andrew James Alyn Horton did in Spartanburg County on or about March 12, 2024, willfully and unlawfully enter or attempt to enter a building, located at 2079 E Main St (Lowes) in South Carolina, without consent and with intent to commit a crime therein, and the entering or remaining occurred in the nighttime, in violation of Section 16-11-312, 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

STATE OF SOUTH CAROLINA

RECEIVED

IN THE COURT OF GENERAL SESSIONS

COUNTY OF Spartanburg

OCT 22 2024

STATE

vs.

SC Court of Appeals

INDICTMENT/CASE#: 2024GS421921

Andrew James Alyn Horton

A/W#: 2024A4210100288

AKA:

Date of Offense: 03/12/2024

Race: White Sex: Male Age: 34

S.C. Code §: 16-11-312

DOB: [redacted] SS#: [redacted]

CDR Code #: 0086

Address:

City, State, Zip: Spartanburg SC 29302

DL# [redacted] SID# [redacted]

SENTENCE SHEET

*CDL Yes No CMV Yes No Hazmat Yes No

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

TO: Burglary 3rd Degree 1st Offense 0-5 y

In violation of § 16-11-313 of the S.C. Code of Laws, bearing CDR Code # 0427

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. [redacted] (def.'s initials)

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

ATTEST:

Aubrey O'Brien 104718 Andrew James Alyn Horton 1207
Solicitor SC Bar # Defendant Attorney for Defendant SC Bar #
Aubrey O'Brien Andrew James Alyn Horton James Cheek

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 7 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.

142 days/months To include time spent on monitored house arrest prior to trial and sentencing.

The Defendant Shall be Released from County Detention Center.

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

SPECIAL CONDITIONS:

PTUP after _____ months/years

And Other Terms Listed Below:

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

RESTITUTION: Deferred Def. Waives Hearing Ordered

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

Payment Terms: _____ Set by SCDPPPS

Recipient: _____

***Fine:**

Fine may be pd. in equal consecutive weekly/monthly pmts. of	\$ _____	Beginning	_____	\$ _____
§14-1-206 (Assessments 107.5%)				\$ _____
§14-1-211 (A)(1)(Conv. Surcharge)		\$100		\$ <u>100.00</u>
§14-1-211 (A)(2)(DUI Surcharge)		\$100		\$ _____
§56-5-2995 (DUI Assessment)		\$12		\$ _____
§56-1-286 (DUI Breath Test)		\$25		\$ _____
§14-1-212 (Law Enforce. Funding)		\$25		\$ <u>25.00</u>
§14-1-213 (Drug Court Surcharge)		\$150		\$ _____
§34-11-70(b)and(c), and 34-11-90(c)and(d) (Admin Fraud Check Court Costs)		\$41		\$ _____
§50-21-114 (BUI Breath Test Fee)		\$50		\$ _____
§56-5-2942(J) (Vehicle Assessment)		\$40/ea		\$ _____
3% to County (if paid in installments)		TBD		\$ <u>3.75</u>
<input type="checkbox"/> Appointed PD or appointed other counsel, Proviso requires \$500 be paid to Clerk during probation and shall be collected before any other fees		\$500		\$ _____
<input type="checkbox"/> § 17-3-30(B) Unpaid Application Fee to be paid to the Public Defender Fund		TBD		\$ _____
TOTAL				\$ <u>128.75</u>

Clerk of Court/Deputy Clerk: [Signature]
Court Reporter: [Signature]

Presiding Judge: [Signature]
Judge Code: _____
Sentence Date: October 10, 2024

WITNESSES

SPD

L. O. Arnold

ARREST WARRANT NUMBER

2024A4210100289 - DIRECT INDICTMENT

ACTION OF GRAND JURY

FILED

MAY 10 2024

[Signature]
Foreperson of Grand Jury
Date:

VERDICT

Foreperson of Petit Jury
Date:

DOCKET NO.

24-GS-42-MR

The State of South Carolina

County of Spartanburg

Barry J. Barnette, Solicitor

COURT OF GENERAL SESSIONS

MAY 13 2024

TERM

THE STATE

vs.

Andrew James Alyn Horton

Indictment for

BURGLARY, SECOND DEGREE
(VIOLENT)

SC Code: 16-11-0312

CDR Code: .0086

Class: FELD (V)

FILED

2024 MAY 15 PM 3:45

CLERK OF COURT
SPARTANBURG COUNTY, S.C.
JULY W. FOSTER

RECEIVED

OCT 22 2024

SC Court of Appeals

STATE OF SOUTH CAROLINA)
)
COUNTY OF SPARTANBURG)

INDICTMENT

MAY 10, 2024

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

BURGLARY, SECOND DEGREE (VIOLENT)

That the Defendant Andrew James Alyn Horton did in Spartanburg County on or about March 13, 2024, willfully and unlawfully enter or attempt to enter a building, located at 2079 E Main St (Lowes) in South Carolina, without consent and with intent to commit a crime therein; and the entering or remaining occurred in the nighttime, in violation of Section 16-11-312, 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

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF Spartanburg

RECEIVED

STATE

vs.

OCT 22 2024

INDICTMENT/CASE#: 2024GS421922

Andrew James Alyn Horton **SC Court of Appeals**

AW#: 2024A4210100289

AKA: _____

Date of Offense: 03/13/2024

Race: White Sex: Male Age: 34

S.C. Code §: 16-11-312

DOB: _____ SS#: _____

CDR Code #: 0086

Address: _____

City, State, Zip: Spartanburg SC 29302

SENTENCE SHEET

DL#* _____ SID# _____

*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 3rd Degree 1st Offense 0-5 y

In violation of § 16-11-313 of the S.C. Code of Laws, bearing CDR Code # 0427

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

(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:

	104718			1207
Solicitor	SC Bar #	Defendant	Attorney for Defendant	SC Bar #
Aubrey O'Brien		Andrew James Alyn Horton	James Cheek	

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 days/months/years/Time Served and or payment

of \$; plus costs and assessments as applicable*; the balance is suspended with probation for 5

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.

 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: no firearms; inpatient drug treatment

RESTITUTION: Deferred Def. Waives Hearing Ordered

Total \$ 1599 plus 20% fee: _____ \$ _____

Payment Terms: see next order Set by SCDPPPS

Recipient: _____

Fine:	\$	Beginning	\$
§14-1-206 (Assessments, 107.5%)			\$
§14-1-211 (A)(1)(Conv. Surcharge)	\$100		\$ <u>100.00</u>
§14-1-211 (A)(2)(DUI Surcharge)	\$100		\$
§56-5-2995 (DUI Assessment)	\$12		\$
§56-1-286 (DUI Breath Test)	\$25		\$
§14-1-212 (Law Enforce. Funding)	\$25		\$ <u>25.00</u>
§14-1-213 (Drug Court Surcharge)	\$150		\$
§34-11-70(b)and(c), and 34-11-90(c)and(d) (Admin Fraud Check Court Costs)	\$41		\$
§50-21-114 (BUI Breath Test Fee)	\$50		\$
§56-5-2942(J) (Vehicle Assessment)	\$40/ea		\$
3% to County (if paid in installments)	TBD		\$ <u>3.75</u>
<input type="checkbox"/> Appointed PD or appointed other counsel, Proviso requires \$500 be paid to Clerk during probation and shall be collected before any other fees	\$500		\$
<input type="checkbox"/> § 17-3-30(B) Unpaid Application Fee to be paid to the Public Defender Fund	TBD		\$
TOTAL			\$ <u>1287.75</u>

Clerk of Court/Deputy Clerk: T. [Signature]
Court Reporter: [Signature]

Presiding Judge: [Signature]
Judge Code: _____
Sentence Date: October 10, 2024

RECEIVED

OCT 22 2024

SC Court of Appeals

FILED

2024 MAY 15 PM 3:45

CLERK OF COURT
SPARTANBURG COUNTY
AMY W. COX

WITNESSES

City PD

L. O. Howell

ARREST WARRANT NUMBER

DIRECT INDICTMENT - 2024A4210100292

ACTION OF GRAND JURY

True Bill

MAY 11 2024

[Signature]
Foreperson of Grand Jury
Date:

VERDICT

Foreperson of Petit Jury
Date:

DOCKET NO.

24-GS-42-1925

The State of South Carolina

County of Spartanburg

Barry Barnette, Solicitor

COURT OF GENERAL SESSIONS

MAY 13 2024

THE STATE
vs.

Andrew James Alyn Horton

Indictment for

MALICIOUS INJURY TO
HOUSE; TRESPASS UPON REAL
PROPERTY \$2,000 or LESS

SC Code: 16-11-510 (A)
CDR Code: 3428

STATE OF SOUTH CAROLINA)
COUNTY OF SPARTANBURG)

INDICTMENT

MAY 10 2024

At a Court of General Sessions, convened on _____ the

Grand Jurors of Spartanburg County present upon their oath:

MALICIOUS INJURY TO REAL PROPERTY

That the defendant, Andrew James Alyn Horton, did in Spartanburg County on or around March 12, 2024, willfully, unlawfully, and maliciously mutilate, deface, or otherwise injure a house or fixture of another or commit any other trespass upon the real property of Lowes, valued less than Two Thousand Dollars, to wit: damaging fencing on the property, in violation of §16-11-510 (A), §16-1-57 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

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF Spartanburg

RECEIVED

STATE VS.

OCT 22 2024

INDICTMENT/CASE#: 2024GS421925

Andrew James Alyn Horton

A/W#: 2024A4210100292

AKA:

Date of Offense: 03/12/2024

Race: White Sex: Male Age: 34

S.C. Code §: 16-11-510(A)

DOB: [redacted] SS#: [redacted]

CDR Code #: 3415

Address: [redacted]

City, State, Zip: Spartanburg SC 29302

DL#* [redacted] SID# [redacted]

SENTENCE SHEET

REC: Time Served

*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: Malicious Injury to Real Property less than \$2,000 0-30 d and/or 0-\$1,000

In violation of § 16-11-510(A) of the S.C. Code of Laws, bearing CDR Code # 3415

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. [redacted] (def.'s initials)

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

ATTEST:

Aubrey O'Brien 104718 Andrew James Alyn Horton James Cheek 1207
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 30 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.

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:	\$	Beginning	\$
Fine may be pd. in equal consecutive weekly/monthly pmts. of	\$ _____	Beginning	_____
§14-1-206 (Assessments 107.5%)			\$ _____
§14-1-211 (A)(1)(Conv. Surcharge)	\$100		\$ <u>100.00</u>
§14-1-211 (A)(2)(DUI Surcharge)	\$100		\$ _____
§56-5-2995 (DUI Assessment)	\$12		\$ _____
§56-1-286 (DUI Breath Test)	\$25		\$ _____
§14-1-212 (Law Enforce. Funding)	\$25		\$ <u>25.00</u>
§14-1-213 (Drug Court Surcharge)	\$150		\$ _____
§34-11-70(b)and(c), and 34-11-90(c)and(d) (Admin Fraud Check Court Costs)	\$41		\$ _____
§50-21-114 (BUI Breath Test Fee)	\$50		\$ _____
§56-5-2942(J) (Vehicle Assessment)	\$40/ea		\$ _____
3% to County (if paid in installments)	TBD		\$ <u>3.75</u>
<input type="checkbox"/> Appointed PD or appointed other counsel, Proviso requires \$500 be paid to Clerk during probation and shall be collected before any other fees	\$500		\$ _____
<input type="checkbox"/> § 17-3-30(B) Unpaid Application Fee to be paid to the Public Defender Fund	TBD		\$ _____
TOTAL			\$ <u>128.75</u>

Clerk of Court/Deputy Clerk: *Trinity*
Court Reporter: *M. Smith*

Presiding Judge: _____
Judge Code: _____
Sentence Date: *October 10, 2024*

RECEIVED

OCT 22 2024

SC Court of Appeals

FILED

2024 MAY 15 PM 3:45

CLERK OF COURT
SPARTANBURG COUNTY
AMY W. COX

DOCKET NO. -

24-GS-42-1927

The State of South Carolina

County of Spartanburg

Barry J. Barnette, Solicitor

COURT OF GENERAL SESSIONS

MAY 13 2024

TERM

THE STATE
vs.

Andrew James Alyn Horton

Indictment for
BURGLARY, SECOND DEGREE
(VIOLENT)

SC Code: 16-11-0312
CDR Code: 0086
Class: FEL/D (V)

WITNESSES

SPD

H. O. Howell

ARREST WARRANT NUMBER

2024A4210100301 - DIRECT INDICTMENT

ACTION OF GRAND JURY

True Bill

MAY 10 2024

Lucia Cox
Foreperson of Grand Jury
Date:

VERDICT

Foreperson of Petit Jury
Date:

STATE OF SOUTH CAROLINA)
)
COUNTY OF SPARTANBURG)

INDICTMENT

MAY 10 2024

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

BURGLARY, SECOND DEGREE (VIOLENT)

That the Defendant Andrew James Alyn Horton did in Spartanburg County on or about March 3, 2024, willfully and unlawfully enter or attempt to enter a building, located at 2091 E Main St (Tractor Supply) in South Carolina, without consent and with intent to commit a crime therein, and the entering or remaining occurred in the nighttime, in violation of Section 16-11-312, 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

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: no program; inpatient drug treatment

RESTITUTION: Deferred Def. Waives Hearing Ordered

Total \$ 2769.98 plus 20% fee: _____ \$ _____

Payment Terms: _____ Set by SCDPPPS

Recipient: see next order

*Fine:		\$
Fine may be pd. in equal consecutive weekly/monthly pmts. of	\$ _____	Beginning _____
§14-1-206 (Assessments 107.5%)		\$ _____
§14-1-211 (A)(1)(Conv. Surcharge)	\$100	\$ <u>100.00</u>
§14-1-211 (A)(2)(DUI Surcharge)	\$100	\$ _____
§56-5-2995 (DUI Assessment)	\$12	\$ _____
§56-1-286 (DUI Breath Test)	\$25	\$ _____
§14-1-212 (Law Enforce. Funding)	\$25	\$ <u>25.00</u>
§14-1-213 (Drug Court Surcharge)	\$150	\$ _____
§34-11-70(b)and(c), and 34-11-90(c)and(d) (Admin Fraud Check Court Costs)	\$41	\$ _____
§50-21-114 (BUI Breath Test Fee)	\$50	\$ _____
§56-5-2942(J) (Vehicle Assessment)	\$40/ea	\$ _____
3% to County (if paid in installments)	TBD	\$ <u>18.75</u>
<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	\$ <u>500.00</u>
<input type="checkbox"/> § 17-3-30(B) Unpaid Application Fee to be paid to the Public Defender Fund	TBD	\$ _____
TOTAL		\$ <u>648.75</u>

Clerk of Court/Deputy Clerk: Wesley H. Hester
Court Reporter: _____

Presiding Judge: _____
Judge Code: 2053
Sentence Date: October 10, 2024

RECEIVED
OCT 22 2024
SC Court of Appeals

FILED

2024 MAY 15 PM 3:45

CLERK OF COURT
SPARTANBURG COUNTY
AMY W. COX

DOCKET NO. **24-GS-42-1928**

The State of South Carolina
County of Spartanburg
Barry J. Barnette, Solicitor

COURT OF GENERAL SESSIONS

MAY 13 2024

TERM

THE STATE
vs.

Andrew James Alyn Horton

Indictment for

**BURGLARY, SECOND DEGREE
(VIOLENT)**

SC Code: 16-11-0312
CDR Code: 0086
Class: FEL/D (V)

WITNESSES

SPD

L. O. Howell

ARREST WARRANT NUMBER

2024A4210100302 - DIRECT INDICTMENT

ACTION OF GRAND JURY

TRUE BILL

[Signature] MAY 10 2024

Foreperson of Grand Jury
Date:

VERDICT

Foreperson of Petit Jury
Date:

STATE OF SOUTH CAROLINA)
)
COUNTY OF SPARTANBURG)

INDICTMENT

MAY 10 2024

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

BURGLARY, SECOND DEGREE (VIOLENT)

That the Defendant Andrew James Alyn Horton did in Spartanburg County on or about March 9, 2024, willfully and unlawfully enter or attempt to enter a building, located at 2091 E Main St (Tractor Supply) in South Carolina, without consent and with intent to commit a crime therein, and the entering or remaining occurred in the nighttime, in violation of Section 16-11-312, 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

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF Spartanburg

RECEIVED

STATE VS.

OCT 22 2024
SC Court of Appeals

INDICTMENT/CASE#: 2024GS421928

Andrew James Alyn Horton
AKA: _____
Race: White Sex: Male Age: 34
DOB: _____ SS#: _____
Address: _____
City, State, Zip: Spartanburg SC 29302
DL#* _____ SID# _____

A/W#: 2024A4210100302
Date of Offense: 03/09/2024
S.C. Code §: 16-11-312
CDR Code #: 0086

SENTENCE SHEET

*CDL Yes No CMV Yes No Hazmat Yes No

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

TO: Burglary 3rd Degree 1st Offense 0-5 y
In violation of § 16-11-313 of the S.C. Code of Laws, bearing CDR Code # 0427

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: Aubrey O'Brien 104718 Andrew James Alyn Horton 1207
Solicitor SC Bar # Defendant Attorney for Defendant SC Bar #
Aubrey O'Brien Andrew James Alyn Horton James Cheek

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 - 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.

142 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
- Attend Voc. Rehab. Or Job Corp
- Mental Health Counseling
- Sex Offender Registry pursuant to S.C. Code § 23-3-430
- Central Registry of Child Abuse and Neglect pursuant to S.C. Code § 17-25-135.
- Other: _____
- Completion of GED
- No Contact with Victim
- May serve W/E beginning: _____
- Public Service Employment _____ days/hours
- Random Drug/Alcohol Testing
- Domestic Violence Intervention Program

RESTITUTION: Deferred Def. Waives Hearing Ordered

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

Payment Terms: _____ Set by SCDPPPS

Recipient: _____

*Fine:

Fine may be pd. in equal consecutive weekly/monthly pmts. of	\$ _____	Beginning	_____	\$ _____
§14-1-206 (Assessments 107.5%)				\$ _____
§14-1-211 (A)(1)(Conv. Surcharge)		\$100		\$ 100.00
§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		\$ 25.00
§14-1-213 (Drug Court Surcharge)		\$150		\$ _____
§34-11-70(b)and(c), and 34-11-90(c)and(d) (Admin Fraud Check Court Costs)		\$41		\$ _____
§50-21-114 (BUI Breath Test Fee)		\$50		\$ _____
§56-5-2942(J) (Vehicle Assessment)		\$40/ea		\$ _____
3% to County (if paid in installments)		TBD		\$ 3.75
<input type="checkbox"/> Appointed PD or appointed other counsel, Proviso requires \$500 be paid to Clerk during probation and shall be collected before any other fees		\$500		\$ _____
<input type="checkbox"/> § 17-3-30(B) Unpaid Application Fee to be paid to the Public Defender Fund.		TBD		\$ _____
TOTAL				\$ 128.75

Clerk of Court/Deputy Clerk: Travis A. Ait
Court Reporter: _____

Presiding Judge: _____
Judge Code: _____
Sentence Date: October 10, 2024

RECEIVED
OCT 22 2024
SC Court of Appeals

FILED

2024 MAY 15 PM 3:45

CLERK OF COURT
SPARTANBURG COUNTY
AMY W. COX

DOCKET NO. **24-GS-42-1929**

The State of South Carolina
County of Spartanburg

BARRY J. BARNETTE, Solicitor

COURT OF GENERAL SESSIONS

MAY 13 2024

TERM

THE STATE
vs.

Andrew James Alyn Horton

Indictment for
PETIT LARCENY

SC Code: 16-13-0030 (A)

WITNESSES

SPD

H. O. Howell

ARREST WARRANT

2024A4210100303

ACTION OF GRAND JURY

True Bill

MAY 10 2024

[Signature]
Foreperson of Grand Jury
Date:

VERDICT

Foreperson of Petit Jury
Date:

STATE OF SOUTH CAROLINA)
)
COUNTY OF SPARTANBURG)

INDICTMENT

MAY 10 2024

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

PETIT LARGENY

That the Defendant, Andrew James Alyn Horton, did in Spartanburg County, on or
around ~~March 3, 2024~~, feloniously take and carry away goods from the Tractor Supply,
located at 2091 E Main St. Spartanburg, South Carolina, of a value less than Two
Thousand Dollars, described as follows: gokart and gas can, with the intent to deprive the
owner permanently of such property, in violation of §16-13-0030 (A), 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.


ASSISTANT SOLICITOR

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF Spartanburg

RECEIVED

STATE VS.

INDICTMENT/CASE#: 2024GS4201929

Andrew James Alyn Horton

OCT 22 2024
SC Court of Appeals

A/W#: 2024A4210100303

AKA: _____
Race: White Sex: Male Age: 34

Date of Offense: 03/03/2024

DOB: _____ SS#: _____

S.C. Code §: 16-13-30(A)

Address: _____

CDR Code #: 3419

City, State, Zip: Spartanburg SC 29302

SENTENCE SHEET

DL#* _____ SID# _____

REC: Time Served Sentence

*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: Petit or Simple Larceny - \$2,000 or Less 0-30 day

In violation of § 16-13-30(A) of the S.C. Code of Laws, bearing CDR Code # 3419

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:

Aubrey O'Brien 104718 Andrew James Alyn Horton 78225
Solicitor SC Bar # Defendant Attorney for Defendant SC Bar #
Aubrey O'Brien Andrew James Alyn Horton Suzanne H. White

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

for a determinate term of 30 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, _____ days/months

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

The Defendant Shall be Released from County Detention Center.

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

SPECIAL CONDITIONS:

PTUP after _____ months/years

And Other Terms Listed Below:

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

RESTITUTION: Deferred Def. Waives Hearing Ordered

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

Payment Terms: _____ Set by SCDPPPS

Recipient: _____

***Fine:**

Fine may be pd. in equal consecutive weekly/monthly pmts. of	\$ _____	Beginning	_____	\$ _____
§14-1-206 (Assessments 107.5%)				\$ _____
§14-1-211 (A)(1)(Conv. Surcharge)		\$100		\$ <u>100.00</u>
§14-1-211 (A)(2)(DUI Surcharge)		\$100		\$ _____
§56-5-2995 (DUI Assessment)		\$12		\$ _____
§56-1-286 (DUI Breath Test)		\$25		\$ _____
§14-1-212 (Law Enforce. Funding)		\$25		\$ <u>25.00</u>
§14-1-213 (Drug Court Surcharge)		\$150		\$ _____
§34-11-70(b)and(c), and 34-11-90(c)and(d) (Admin Fraud Check Court Costs)		\$41		\$ _____
§50-21-114 (BUI Breath Test Fee)		\$50		\$ _____
§56-5-2942(J) (Vehicle Assessment)		\$40/ea		\$ _____
3% to County (if paid in installments)		TBD		\$ <u>3.75</u>
<input type="checkbox"/> Appointed PD or appointed other counsel, Provviso requires \$500 be paid to Clerk during probation and shall be collected before any other fees		\$500		\$ _____
<input type="checkbox"/> § 17-3-30(B) Unpaid Application Fee to be paid to the Public Defender Fund		TBD		\$ _____
TOTAL				\$ <u>128.75</u>

Clerk of Court/Deputy Clerk: *Trishy A. Hill*
Court Reporter: _____

Presiding Judge: _____
Judge Code: _____
Sentence Date: October 10, 2024

RECEIVED
OCT 22 2024
SC Court of Appeals

FILED

2024 MAY 15 PM 3:45
CLERK OF COURT
SPARTANBURG COUNTY
AMY W. COX

WITNESSES

SPD
H. C. Howell

ARREST WARRANT

2024A4210100304

ACTION OF GRAND JURY

[Signature]
Foreperson of Grand Jury
Date: MAY 10 2024

VERDICT

Foreperson of Petit Jury
Date:

DOCKET NO. **24-GS-42-1930**
The State of South Carolina
County of Spartanburg
BARRY J. BARNETTE, Solicitor

COURT OF GENERAL SESSIONS
MAY 13 2024
TERM

THE STATE
vs.

Andrew James Alyn Horton

Indictment for
PETIT LARCENY

SC Code: 16-13-0030 (A)

STATE OF SOUTH CAROLINA)
)
COUNTY OF SPARTANBURG)

INDICTMENT

At a Court of General Sessions, convened on MAY 10 2024, the Grand Jurors of Spartanburg County present upon their oath:

PETIT LARCENY

That the Defendant, Andrew James Alyn Horton, did in Spartanburg County, on or around March 9, 2024, feloniously take and carry away goods from the Tractor Supply, located at 2091 E Main St. Spartanburg, South Carolina, of a value less than Two Thousand Dollars, described as follows: minibike, with the intent to deprive the owner permanently of such property, in violation of §16-13-0030 (A), 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.



ASSISTANT SOLICITOR

STATE OF SOUTH CAROLINA

RECEIVED

IN THE COURT OF GENERAL SESSIONS

COUNTY OF Spartanburg

OCT 22 2024

SC Court of Appeals

STATE vs.

INDICTMENT/CASE#: 2024GS4201930

Andrew James Alyn Horton
 AKA: _____
 Race: White Sex: Male Age: 34
 DOB: _____ SS#: _____
 Address: _____
 City, State, Zip: Spartanburg SC 29302
 DL#* _____ SID# _____

AW#: 2024A4210100304
 Date of Offense: 03/09/2024
 S.C. Code §: 16-13-30(A)
 CDR Code #: 3419

SENTENCE SHEET

REC: Time Served Sentence

*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: Petit or Simple Larceny - \$2,000 or Less 0-30 d and/or 0-\$1,000 fine
 In violation of § 16-13-30(A) of the S.C. Code of Laws, bearing CDR Code # 3419

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:
Aubrey O'Brien 104718 Andrew James Alyn Horton 78225
 Solicitor SC Bar # Defendant Attorney for Defendant SC Bar #
 Aubrey O'Brien Andrew James Alyn Horton Suzanne H. White

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

for a determinate term of 30 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.
 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.

RT

SPECIAL CONDITIONS:

PTUP after _____ months/years

And Other Terms Listed Below:

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

RESTITUTION: Deferred Def. Waives Hearing Ordered

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

Payment Terms: _____ Set by SCDPPPS

Recipient: _____

***Fine:**

Fine may be pd. in equal consecutive weekly/monthly pmts. of	\$ _____	Beginning	_____	\$ _____
§14-1-206 (Assessments 107.5%)				\$ _____
§14-1-211 (A)(1)(Conv. Surcharge)		\$100		\$ <u>100.00</u>
§14-1-211 (A)(2)(DUI Surcharge)		\$100		\$ _____
§56-5-2995 (DUI Assessment)		\$12		\$ _____
§56-1-286 (DUI Breath Test)		\$25		\$ _____
§14-1-212 (Law Enforce. Funding)		\$25		\$ <u>25.00</u>
§14-1-213 (Drug Court Surcharge)		\$150		\$ _____
§34-11-70(b)and(c), and 34-11-90(c)and(d) (Admin. Fraud Check Court Costs)		\$41		\$ _____
§50-21-114 (BUI Breath Test Fee)		\$50		\$ _____
§56-5-2942(J) (Vehicle Assessment)		\$40/ea		\$ _____
3% to County (if paid in installments)		TBD		\$ <u>3.75</u>
<input type="checkbox"/> Appointed PD or appointed other counsel, Proviso requires \$500 be paid to Clerk during probation and shall be collected before any other fees		\$500		\$ _____
<input type="checkbox"/> § 17-3-30(B) Unpaid Application Fee to be paid to the Public Defender Fund		TBD		\$ _____
TOTAL				\$ <u>128.75</u>

Clerk of Court/Deputy Clerk: [Signature]
Court Reporter: [Signature]

Presiding Judge: [Signature]
Judge Code: 2093
Sentence Date: October 10, 2024

RECEIVED
OCT 22 2024
SC Court of Appeals

FILED
2024 MAY 15 PM 3:45
CLERK OF COURT
SPARTANBURG COUNTY
AMY W. COX

WITNESSES
City PD
L. O. Howell

ARREST WARRANT NUMBER
DIRECT INDICTMENT - 2024A4210100305

ACTION OF GRAND JURY
True Bill
[Signature] MAY 10 2024
Foreperson of Grand Jury
Date:

VERDICT
Foreperson of Petit Jury
Date:

DOCKET NO. 24-GS-42-1931
The State of South Carolina
County of Spartanburg
Barry Barnette, Solicitor

COURT OF GENERAL SESSIONS
MAY 13 2024

THE STATE
vs.
Andrew James Alyn Horton

Indictment for
MALICIOUS INJURY TO
HOUSE; TRESPASS UPON REAL
PROPERTY \$2,000 or LESS
SC Code: 16-11-510 (A)
CDR Code: 3428

STATE OF SOUTH CAROLINA)
)
COUNTY OF SPARTANBURG)

INDICTMENT

MAY 10 2024

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

MALICIOUS INJURY TO REAL PROPERTY

That the defendant, Andrew James Alyn Horton, did in Spartanburg County on or around March 9, 2024, willfully, unlawfully, and maliciously mutilate, deface, or otherwise injure a house or fixture of another or commit any other trespass upon the real property of Tractor Supply, valued less than Two Thousand Dollars, to wit: damaging fencing on the property, in violation of §16-11-510 (A), §16-1-57 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

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF Spartanburg

RECEIVED

STATE

VS.

OCT 22 2024

INDICTMENT/CASE#: 2024GS421931

Andrew James Alyn Horton

SC Court of Appeals

AW#: 2024A4210100305

AKA: _____

Date of Offense: 03/09/2024

Race: White Sex: Male Age: 34

S.C. Code §: 16-11-510(A)

DOB: _____ SS#: _____

CDR Code #: 3415

Address: _____

City, State, Zip: Spartanburg SC 29302

DL#* _____ SID# _____

SENTENCE SHEET

REC: Time Served

*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: Malicious Injury to Real Property less than \$2,000 0-30.d and/or 0-\$1,000

In violation of § 16-11-510(A) of the S.C. Code of Laws, bearing CDR Code # 3415


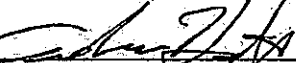
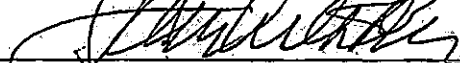
NON-VIOLENT VIOLENT SERIOUS MOST SERIOUS Mandatory GPS § 17-25-45

(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:

	104718			1207
Solicitor	SC Bar #	Defendant	Attorney for Defendant	SC Bar #

Aubrey O'Brien Andrew James Alyn Horton James Cheek
WHEREFORE, the Defendant is committed to the State Department of Correction County Detention Center,

for a determinate term of 30 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.

_____ days/months

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

The Defendant Shall be Released from County Detention Center.

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

SPECIAL CONDITIONS:

PTUP after _____ months/years

And Other Terms Listed Below:

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

RESTITUTION: Deferred Def. Waives Hearing Ordered

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

Payment Terms: _____ Set by SCDPPPS

Recipient: _____

*Fine:		\$
Fine may be pd. in equal consecutive weekly/monthly pmts. of	\$ _____ Beginning	_____
§14-1-206 (Assessments 107.5%)		\$ _____
§14-1-211 (A)(1)(Conv. Surcharge)	\$100	\$ <u>100.00</u>
§14-1-211 (A)(2)(DUI Surcharge)	\$100	\$ _____
§56-5-2995 (DUI Assessment)	\$12	\$ _____
§56-1-286 (DUI Breath Test)	\$25	\$ _____
§14-1-212 (Law Enforce. Funding)	\$25	\$ <u>25.00</u>
§14-1-213 (Drug Court Surcharge)	\$150	\$ _____
§34-11-70(b)and(c), and 34-11-90(c)and(d) (Admin Fraud Check Court Costs)	\$41	\$ _____
§50-21-114 (BUI Breath Test Fee)	\$50	\$ _____
§56-5-2942(J) (Vehicle Assessment)	\$40/ea.	\$ _____
3% to County (if paid in installments)	TBD	\$ <u>3.75</u>
<input type="checkbox"/> Appointed PD or appointed other counsel, Proviso requires \$500 be paid to Clerk during probation and shall be collected before any other fees	\$500	\$ _____
<input type="checkbox"/> § 17-3-30(B) Unpaid Application Fee to be paid to the Public Defender Fund	TBD	\$ _____
TOTAL		\$ <u>128.75</u>

Clerk of Court/Deputy Clerk: *J. Kinsey*
Court Reporter: *M. Hill*

Presiding Judge: _____
Judge Code: _____
Sentence Date: *October 10, 2024*