

RECEIVED

Nov 01 2024

SC Court of Appeals

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

Appeal from York County

Honorable Daniel D. Hall, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

FELICIA DANIELLE TURNAGE,

APPELLANT.

APPELLATE CASE NO. 2024-000225

RECORD ON APPEAL

SARAH E. SHIPE
Appellate Defender

ALAN WILSON
Attorney General

South Carolina Commission on Indigent Defense
Division of Appellate Defense
PO Box 11589
Columbia, SC 29211-1589
(803) 734-1330

MATTHEW C. BUCHANAN
General Counsel
S.C.D.P.P.S.
Post Office Box 207
Columbia, SC 29202
(803) 734-9220

ATTORNEY FOR APPELLANT

ATTORNEYS FOR RESPONDENT

INDEX

INDEX.....	i
2020 INDICTMENTS	1
2020 SENTENCE SHEETS	5
2023 INDICTMENT.....	9
2023 SENTENCE SHEET.....	11
PROBATION VIOLATION REPORT	13
PROBATION CITATION.....	15
TRANSCRIPT OF GUILTY PLEA AND PAROLE REVOCATION HEARING DATED FEBRUARY 8, 2024	17
OPENING STATEMENT BY MS. HOLT	18
PLEA COLLOQUY WITH DEFENDANT	19
TESTIMONY	
PROBATION AGENT	21
OPENING STATEMENT BY MS. ODOGWU.....	21
TESTIMONY	
RENEE GASTON-LIPE.....	23
FELICIA TURNAGE	23
COURT’S RULING FINDING REVOCATION PROPER.....	25
REVOCATION ORDER.....	28
CERTIFICATE OF COUNSEL	30

WITNESSES

YPD

Witnessing Officer: *Dunham*

ARREST WARRANT NUMBER

2019A4620500107

ACTION OF GRAND JURY

TRUE BILL

hdp

Foreperson of Grand Jury

Date: 11-12-2020

VERDICT

Foreperson of Petit Jury
Date:

DOCKET NO. 2020-GS-46-06874

The State of South Carolina

County of York

COURT OF GENERAL SESSIONS

NOVEMBER 12, TERM 2020

THE STATE

VS.

FELICIA DANIELLE TURNAGE

INDICTMENT FOR

**POSSESSION WITH INTENT TO
DISTRIBUTE METHAMPHETAMINE**

SC Code: § 44-53-375(B)

CDR Code: 3200

C.C.C. PLS. AND G.S.

After being fully advised as to my legal rights, I hereby waive presentment to the Grand Jury.

Defendant

I _____
hereby appear in my own proper person and plead guilty to the within indictment or to

Defendant

Witness:

STATE OF SOUTH CAROLINA
COUNTY OF YORK

INDICTMENT

At a Court of General Sessions, convened on November 12, 2020, the Grand Jurors of York County present upon their oath:

POSSESSION WITH INTENT TO DISTRIBUTE METHAMPHETAMINE

The defendant, Felicia Danielle Turnage, did on or about February 22, 2019, in York County, South Carolina, manufacture, distribute, dispense, deliver, purchase, or otherwise aid, abet, attempt, or conspire to manufacture, distribute, dispense, deliver, or purchase, or possess with the intent to distribute, dispense, deliver, or purchase methamphetamine in violation of the provisions of Section 44-53-370, all in violation of Section 44-53-375(B), 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.


MARINA B. HAMILTON
ASSISTANT SOLICITOR

WITNESSES

3
YPD

Witnessing Officer: *Dunham*

ARREST WARRANT NUMBER

2019A4620500108

ACTION OF GRAND JURY

TRUE BILL

HPD &

Foreperson of Grand Jury

Date: 11-12-2020

VERDICT

Foreperson of Petit Jury

Date:

DOCKET NO. 2020-GS-46-06875

The State of South Carolina

County of York

COURT OF GENERAL SESSIONS

NOVEMBER 12, TERM 2020

THE STATE

VS.

FELICIA DANIELLE TURNAGE

INDICTMENT FOR

POSSESSION WITH INTENT TO
DISTRIBUTE HEROIN

SC Code: § 44-53-370

CDR Code: 0185

C.C.C. PLS. AND G.S.

After being fully advised as to my legal rights, I hereby waive presentment to the Grand Jury.

Defendant

I _____
hereby appear in my own proper person and plead guilty to the within indictment or to

Defendant

Witness:

STATE OF SOUTH CAROLINA
COUNTY OF YORK

INDICTMENT

At a Court of General Sessions, convened on November 12, 2020, the Grand Jurors of York County present upon their oath:

POSSESSION WITH INTENT TO DISTRIBUTE HEROIN

The defendant, Felicia Danielle Turnage, did on or about February 22, 2019, in York County, South Carolina, manufacture, distribute, dispense, deliver, purchase, aid, abet, attempt, or conspire to manufacture, distribute, dispense, deliver, or purchase, or possess with the intent to manufacture, distribute, dispense, deliver, or purchase heroin, a schedule I controlled substance narcotic, all in violation of Section 44-53-370, Code of Laws South Carolina (1976, as amended).

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


MARINA B. HAMILTON
ASSISTANT SOLICITOR

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF YORK

STATE

INDICTMENT/CASE#: 2020-GS-46-06874

VS.

FELICIA DANIELLE TURNAGE

A/W#: 2019A4620500107

AKA:

Date of Offense: 02/22/2019

Race: W

Sex: F

Age: 30

S.C. Code §: 44-53-375(B)

DOB: [REDACTED] 990

SS# [REDACTED]

CDR Code #: 3200

Address: [REDACTED] E Jefferson Street

City, State, Zip: York, SC 29745

DL#* [REDACTED]

ORIGINAL

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: Possession with Intent to Distribute Methamphetamine 3rd or Sub. Offense (NLT 10 YEARS TO 30 YEARS &/OR \$50,000)

In violation of § 44-53-375(B) of the S.C. Code of Laws, bearing CDR Code # 3200

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:

/s/ Marina B. Hamilton	80383	/s/ Felicia Danielle Turnage	/s/ Jeffrey Zuschke	102416
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 10 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 3

months 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.

196 days/months

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

The Defendant Shall be Released from County Detention Center.

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

STATE VS. Felicia Danielle Turnage

INDICTMENT/CASE#:

2020-GS-46-06874

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	\$	100
§14-1-211 (A)(2)(DUI Surcharge)	\$100	\$	_____
§56-5-2995 (DUI Assessment)	\$12	\$	_____
§56-1-286 (DUI Breath Test) -	\$25	\$	_____
§14-1-212 (Law Enforce. Funding)	\$25	\$	25
§14-1-213 (Drug Court Surcharge)	\$150	\$	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	\$	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

[Signature]

2753 Hall

09/02/2021

Clerk of Court/Deputy Clerk: David Hamilton

Court Reporter: Aileen Butler

Presiding Judge: _____

Judge Code: _____

Sentence Date: _____

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF YORK

STATE

INDICTMENT/CASE#: 2020-GS-46-06875

VS.

FELICIA DANIELLE TURNAGE

A/W#: 2019A4620500108

AKA:

Date of Offense: 02/22/2019

Race: W Sex: F Age: 30

S.C. Code §: 44-53-370

DOB: [REDACTED] 990 SS# [REDACTED]

CDR Code #: 0185

Address: [REDACTED] E Jefferson Street

City, State, Zip: York, SC 29745

DL#* [REDACTED]

 ORIGINAL

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: Possession with Intent to Distribute Heroin 3rd or Sub. Offense (NLT 10 YEARS TO 30 YEARS &/OR \$50,000)

In violation of § 44-53-370 of the S.C. Code of Laws, bearing CDR Code # 0185

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:

/s/ Marina B. Hamilton	80383	/s/ Felicia Danielle Turnage	/s/ Jeffrey Zuschke	102416
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 10 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 3

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

The sentence shall run

CONCURRENT or CONSECUTIVE to sentence on:

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

196 days/months

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

The Defendant Shall be Released from County Detention Center.

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

STATE VS. Felicia Danielle Turnage

INDICTMENT/CASE#:

2020-GS-46-06875

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	\$	100
§14-1-211 (A)(2)(DUI Surcharge)	\$100	\$	_____
§56-5-2995 (DUI Assessment)	\$12	\$	_____
§56-1-286 (DUI Breath Test)	\$25	\$	_____
§14-1-212 (Law Enforce. Funding)	\$25	\$	25
§14-1-213 (Drug Court Surcharge)	\$150	\$	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	\$	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 \$ 783.25

[Signature]

2763 Hall

09/02/2021

Clerk of Court/Deputy Clerk: David Hamilton

Court Reporter: Aileen Butler

Presiding Judge: _____

Judge Code: _____

Sentence Date: _____

STATE OF SOUTH CAROLINA
COUNTY OF YORK


INDICTMENT

At a Court of General Sessions, convened on December 14, 2023, the Grand Jurors of York County present upon their oath:

POSSESSION OF METHAMPHETAMINE

The defendant, Felicia Danielle Turnage, did on or about September 19, 2023, in York County, South Carolina, knowingly or intentionally possess methamphetamine as defined in Section 44-53-110, all in violation of Section 44-53-375(A), 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.



AMBER BROOKE HOLT
ASSISTANT SOLICITOR

DOCKET NO. 2023-GS-46-05422

The State of South Carolina
County of York

COURT OF GENERAL SESSIONS

DECEMBER 14, TERM 2023

THE STATE
vs.

FELICIA DANIELLE TURNAGE

INDICTMENT FOR
POSSESSION OF METHAMPHETAMINE

SC Code: § 44-53-375(A)
CDR Code: 3016

WITNESSES

TCPD

Witnessing Officer: Dailey

ARREST WARRANT NUMBER

2023A4620400121

ACTION OF GRAND JURY

TRUE BILL

Dina Dimmons
Foreperson of Grand Jury
Date: 12/14/23

VERDICT

Foreperson of Petit Jury
Date:

After being fully advised as to my legal rights, I hereby waive presentment to the Grand Jury.

Felicia Turnage
Defendant

I Felicia Turnage
hereby appear in my own proper person and plead guilty to the within indictment or to

Felicia Turnage
Defendant

Witness:

C.C.C. PLS. AND G.S.

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF YORK

STATE

VS.

INDICTMENT/CASE#: 2023-GS-46-05422

FELICIA DANIELLE TURNAGE

A/W#: 2023A4620400121

AKA:

Date of Offense: 09/19/2023

Race: W Sex: F Age: 33

S.C. Code §: 44-53-375(A)

DOB: [REDACTED] 90 SS# [REDACTED]

CDR Code #: 3016

Address: [REDACTED] S. Tryon Street

City, State, Zip: Charlotte, NC 28217

DL#* [REDACTED]

SENTENCE SHEET
ORIGINAL

*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: Possession of Methamphetamine 3rd or Sub. Offense (NMT 10 YEARS &/OR \$12,500)

In violation of § 44-53-375(A) of the S.C. Code of Laws, bearing CDR Code # 3016

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. *YF* (def.'s initials)

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

ATTEST:

/s Amber Brooke Holt	103192	/s Felicia Danielle Turnage	/s Ugonna O. Udogwu	103845
Solicitor	SC Bar #	Defendant	Attorney for Defense	SC Bar #

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

for a determinate term of 3 ~~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:	\$	Beginning	\$
Fine may be pd. in equal consecutive weekly/monthly pmts. of	\$	_____	_____
§14-1-206 (Assessments 107.5%)			\$
§14-1-211 (A)(1)(Conv. Surcharge)	\$100		\$ 100
§14-1-211 (A)(2)(DUI Surcharge)	\$100		\$
§56-5-2995 (DUI Assessment)	\$12		\$
§56-1-286 (DUI Breath Test)	\$25		\$
§14-1-212 (Law Enforce. Funding)	\$25		\$ 25
§14-1-213 (Drug Court Surcharge)	\$150		\$ 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 \$ 275
 Paid 9/10
 Hail 2753
 2/8/2024

Clerk of Court/Deputy Clerk: Angie Bryant
Court Reporter: Shannon McMillan

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

13

South Carolina Department of Probation, Parole and Pardon Services

Violation Report - (Report 1106)

Personal Information

Name:	SID:	DOB:	SCDC#:	Supervision Level:	Agent Name:
FELICIA DANIELLE TURNAGE	[REDACTED]	[REDACTED]		Out of State	0461-Tawanna Davis

Sentencing Information

Order: 3	Potential End Date: 10/23/2023	Adjusted End Date: 11/12/2023
Warrant/Citation Numbers:		
Sentence Date: 09/02/2021	County Name: YORK	GPS Indicator:
Authority: Judge - Hall, DanielD.		

Indictment Number: 20-GS-46-06874	Offense Code: 3200 - Distribution etc. of methamphetamine - 3rd or sub. offense (Excludes manufacturing meth; see CDR Code 3778)	
Supervision: Probation	Sup. Begin Date: 09/02/2021	Sup. End Date: 09/01/2024
Sentence: 10 YRS BAL SUS 3 YRS PROB		
Special Conditions:		

Indictment Number: 20-GS-46-06875	Offense Code: 185 - MDP, Narcotic drugs in Sch. I(b) & (c), LSD, and Sched. II (Cocaine)- 3rd or sub. offense	
Supervision: Probation	Sup. Begin Date: 09/02/2021	Sup. End Date: 09/01/2024
Sentence: 10 YRS BAL SUS 3 YRS PROB		
Special Conditions:		

Residence Summary & Address History

Address:	Begin Date:	End Date:	Time at Residence:
[REDACTED]	09/03/2021		2 YR, 1 MO, 3 DY

Employment History

Employer:	Location:	Begin Date:	End Date:	Time at Employer:
ECONOLOGDE	4416 S TRYON ST, CHARLOTTE, NC, 28217	04/25/2022		1 YR, 5 MO, 11 DY

Account Information

Account Name:	Case:	Indictment #:	Monthly Obligation:	Total Obligation:	Total Paid:	Co-Payer Paid:	Account Balance:	Pmts in Arrears:	Arrearage:	Last Payment Made:
ISC Application Fee			\$100.00	\$100.00	\$100.00	\$0.00	\$0.00	0	\$0.00	02/19/2022
Surcharge	103	20-GS-46-06874	\$10.00	\$283.25	\$0.00	\$0.00	\$283.25	25	\$250.00	
Surcharge	104	20-GS-46-06875	\$10.00	\$283.25	\$0.00	\$0.00	\$283.25	25	\$250.00	

Violation History

Violation:	Start Date:	Complete Date:	Disposition:

Current Violation(s) Summary

Violations:	16.x
Condition:	Description:

South Carolina Department of Probation, Parole and Pardon Services

Violation Report - (Report 1106)

Condition:	Description:
6	I shall not violate any Federal, State, or Local Law, and I shall immediately contact my Agent if I am ever arrested or questioned by a law enforcement official for any reason whatsoever.
9	I shall obey all conditions of supervision set forth in this order including the payment of fines, restitution or other payments, and the service of any period of incarceration.
10	I shall follow the advice and instructions of my Agent and I agree to comply with any further conditions imposed by the Department or its' Agents.

Description:

By failing to follow the advice and instructions of the agent, by failing to pay all monies ordered in the original probation case, and by being convicted of new charges in York County General Sessions Court. Such actions constitute violation of conditions 6, 9, 10.

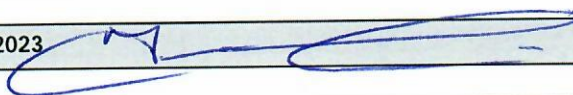
The Agent's Recommended Response(s) Summary
Responses:

Revocation

Justification:

This subject's violations are willful in that she had the opportunity as well as the ability to comply with the conditions of probation. Ms. Turnage was court ordered to pay two different surcharge accounts and have failed to pay anything towards her monetary obligations. Both accounts are currently 25 payments in arrears in the amount of \$250.00 with a balance of \$283.25 each. She was arrested on 9/19/2023 in York County South Carolina for possession of methamphetamine. After speaking with her supervising officer in North Carolina, the offender didn't have permission to travel out of state. Due to the offenders current pending charges, she is pleading to a new charge (s) on today. Based upon the above-mentioned facts, the offender is not considered a good candidate for probation.

Approved By: Tawanna Davis, 10/6/2023

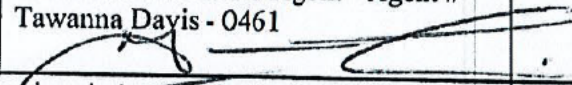


End Of Violation Report

Form 16.2
Form Approved by
SC Attorney General
May 1988

Indictment Number(s):
20-GS-46-06874, 20-GS-46-06875
No.C-47-23-0025

PROBATION CITATION

<p>SOUTH CAROLINA V. FELICIA DANIELLE TURNAGE</p>	<p>COUNTY: YORK</p> <p>SCDC # _____ SID # _____</p>
<p>TO: FELICIA DANIELLE TURNAGE</p>	
<p>YOU ARE HEREBY NOTIFIED to appear in the above named case at the time, date and place specified below.</p>	
<p>Place _____</p>	<p>Room _____</p> <p>Date to Appear: _____</p> <p>Time to Appear: _____</p>
<p>YOU ARE HEREBY NOTIFIED that you are charged with violating the conditions of your supervision as stated below.</p>	
<p>Violations Charged The offender has violated conditions 6, 9, 10 of the standard Department conditions associated with Section 24-21-430. The offender has also violated special conditions imposed by the General Sessions Court per order dated September 02, 2021. This warrant or citation is issued pursuant to section 24-21-450 or 300.</p>	
<p>YOU ARE HEREBY NOTIFIED that you have the rights listed below.</p>	
<p>List of Rights: You have the right at the hearing to question any person who appears as a witness against you and to have witnesses appear on your behalf. You may present evidence on your behalf. You may have an attorney represent you. If you cannot afford an attorney, an attorney will be appointed for you. You must advise the agent or the court in writing of your desire for an attorney. It is your responsibility to make arrangements for your witnesses and your attorney to appear at the hearing.</p>	
<p>IF YOU FAIL TO APPEAR AT THE TIME, DATE AND PLACE SHOWN ABOVE, THE HEARING WILL BE HELD IN YOUR ABSENCE AND YOU MAY BE INCARCERATED.</p>	
<p>COLUMBIA , South Carolina</p>	<p>Probation and Parole Agent - Agent # Tawanna Davis - 0461</p>
<p>Date 10/04/2023</p>	
<p>A copy of the citation was served by the undersigned and given to the individual named therein at the time, date, and place indicated below.</p>	
<p>Place <u>YDC</u></p>	<p>Date and Time <u>1-16-24/9:35am</u></p>
<p>Serving Officer's Signature <u>A. Davis</u></p>	
<p>Sworn to and subscribed before me this <u>16th</u> day of <u>January</u>, <u>2024</u></p>	<p><u>12/02/2020</u> My Commission Expires</p>
<p><u>Stephanie V. Naylis</u> Signature of Notary Public</p>	

STATE OF SOUTH CAROLINA

AFFIDAVIT

County of YORK

Personally appeared before me, Tawanna Davis, who first being duly sworn, deposes and says that FELICIA DANIELLE TURNAGE did within this county and State on the 04 day of October, 2023, violate certain conditions of release in the following particulars:

DESCRIPTION OF VIOLATION

The offender has violated conditions 6, 9, 10 of the standard Department conditions associated with Section 24-21-430. The offender has also violated special conditions imposed by the General Sessions Court per order dated September 02, 2021. This warrant or citation is issued pursuant to section 24-21-450 or 300.

The Affiant states that there is probable cause to believe the defendant named committed the violations set forth and that such probable cause is based on the following facts:

By failing to follow the advice and instructions of the agent, by failing to pay all monies ordered in the original probation case, by failing to receive permission from her supervising agent before traveling out of state, and by being convicted of new charges in York County General Sessions Court. Such actions constitute violation of conditions 6, 9, 10.

Sworn to and subscribed before me this 04 day of October, 2023

Signature of Notary Public

Affiant

September 20, 2028
My Commission Expires:

STATE OF SOUTH CAROLINA
COUNTY OF YORK

IN THE COURT OF GENERAL SESSIONS
CASE NO. 2023-CP-29-00015

STATE OF SOUTH CAROLINA,)
)
 Plaintiff,)
)
 -vs-)
)
 FELICIA DANIELLE TURNAGE,)
)
 Defendant.)
 _____)

TRANSCRIPT OF RECORD

February 8, 2024
York, South Carolina

B E F O R E:

Honorable Daniel D. Hall, Judge.

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

Ms. Amber Holt
Assistant Solicitor
Sixteenth Circuit Solicitor's Office
Attorney for the Plaintiff
York, South Carolina

Ms. Ugonu Udogwu
Assistant Public Defender
Sixteenth Circuit Public Defender's Office
Attorney for the Defendant
York, South Carolina

Shannon E. McGilberry, CVR-M
Court Reporter

1 THE COURT: All right. Solicitor.

2 MS. HOLT: May it please the Court, Your Honor. Before
3 you is Felicia Danielle Turnage. She's represented by
4 Ugonna Udogwu of the public defender's office. She's before
5 you on indictment number 2023-GS-46-05422, possession of
6 methamphetamine, third or subsequent offense, carries up to
7 ten years. The recommendation is for 90 days concurrent
8 with her probation violation.

9 I do believe that probation will be asking for a
10 certain term of time and I will let her do that. This
11 charge -- for this charge, it is 90 days and then she has
12 already served 62 days, Your Honor.

13 THE COURT: All right. Thank you.

14 MS. HOLT: And, Your Honor, let me just double check
15 that that number is correct, because we have put this on a
16 few times and I believe, though, (reviewing document) -- 63
17 days, Your Honor.

18 THE COURT: All right. Do you have a probation packet
19 for me or at least a -- just the violation report?

20 PROBATION AGENT: Yes, Your honor. May I approach?

21 THE COURT: Yes. The violation report would be better.

22 PROBATION AGENT: My apology.

23 THE COURT: All right. Ms. Udogwu, you represent Ms.
24 Turnage?

25 MS. UDOGWU: Yes, Your Honor.

1 THE COURT: How does she plead to the possession of
2 methamphetamine third?

3 MS. UDOGWU: Guilty, Your Honor.

4 THE COURT: And is she prepared to go forward with her
5 probation matter as well?

6 MS. UDOGWU: Yes, Your Honor.

7 THE COURT: Ms. Turnage, how old are you?

8 MS. TURNAGE: Thirty-three.

9 THE COURT: How far did you go in school?

10 MS. TURNAGE: I graduated high school.

11 THE COURT: Have you ever been treated for any mental
12 or emotional disability?

13 MS. TURNAGE: No, sir.

14 THE COURT: You know what you're doing here today?

15 MS. TURNAGE: Yes, sir.

16 THE COURT: I have an indictment, 23-5422, alleges that
17 on or about September the 19th of 2023, you did possess
18 methamphetamine here in York County, this being a third drug
19 offense. You can get up to ten years in prison for that.
20 You're, in fact, on probation for the sentence that I gave
21 you on September the 2nd, 2021, a ten-year sentence
22 suspended on three years probation. This very well could be
23 viewed and seen as a violation of your probation. You could
24 have all of that sentence revoked. You understand that?

25 MS. TURNAGE: Yes, sir.

1 THE COURT: Ready to go forward with your probation
2 matter as well?

3 MS. TURNAGE: Yes, sir.

4 THE COURT: Are you giving up all of your rights to
5 have a jury trial and for the grand jury to hear the case?

6 MS. TURNAGE: (Inaudible response)

7 THE COURT: You need to speak up so I can hear you---

8 MS. TURNAGE: Yes, sir.

9 THE COURT: ---and the court reporter can hear you.
10 Are you satisfied with the way your lawyer has represented
11 you?

12 MS. TURNAGE: Yes, sir.

13 THE COURT: Are you pleading to this charge of your
14 own free will?

15 MS. TURNAGE: Yes, sir.

16 THE COURT: You have a right to appeal within ten days.
17 All right. Solicitor.

18 MS. HOLT: Thank you, Your Honor. On September 19th,
19 2023, the defendant was arrested for shoplifting at Walmart
20 in York County. As officers went to arrest the defendant,
21 she pulled out a glass pipe wrapped in brown tissue paper
22 from her bra. Inside the pipe was .2 grams of meth. The
23 defendant has two prior drug convictions, one from 2018, was
24 possession of meth, and then in September of 2021, she had a
25 distribution meth third. And, Your Honor, there should be a

1 lift bench warrant in there as well.

2 THE COURT: All right. Thank you. All right. Tell me
3 about her probation.

4 PROBATION AGENT: Yes, sir. If I may please the Court.
5 She was sentenced by yourself in September 2nd of 2021 for
6 the offense of distribution of methamphetamine, third or
7 subsequent offense, and possession of narcotic. She was
8 sentenced to ten years. That was suspended to three years
9 probation. Her citation is for her monetary obligations and
10 then being convicted of her new charges.

11 I am studying it, Your Honor, but it states that she --
12 I believe she was being supervised in North Carolina as
13 well. She was arrested 9/19/2023 in York County, South
14 Carolina for possession of methamphetamine.

15 After speaking with her supervising officer in North
16 Carolina, the offender didn't have permission to travel
17 outside of the state. Due to the offender's current pending
18 charges, she's pleading to new charges and that is why we
19 are asking for a full revocation at this time. She has had
20 the opportunity and the ability to be able to comply with
21 these conditions and has wilfully not.

22 THE COURT: All right. Thank you. All right.

23 Ms. Udogwu, I'll be glad to hear from you and then your
24 client.

25 MS. UDOGWU: Yes, Your Honor. Of course, she's pled

1 guilty to the possession of methamphetamine, third offense.
2 We're dealing with the violation. Felicia, she's an addict.
3 That's her main issue. She's a -- she's abused drugs for so
4 -- over the years and this -- that's why we're here today
5 and I'm just asking the Court not to give her a full
6 revocation. We're asking for her to be allowed to go to
7 rehab. She has asked for help in our long discussions and
8 with my conversations with her mother, who is present in
9 court today. They have found a rehab center for her to go
10 to in North Carolina. We just ask that she be allowed to
11 enter treatment and get the help she needs.

12 I don't think going to prison for ten years is going to
13 help her addiction problem. This is an issue that she needs
14 to deal with. She has three children that she wants to go
15 back to. She has told me she has tried very hard while
16 she's been incarcerated here to get herself back on track
17 and she's been doing a lot of Bible studying and just trying
18 to understand why she has this addiction, because she has a
19 lot of problems. She has to keep dealing with it and using
20 drugs th way she has been, she's been self-medicating, Your
21 Honor, and she just wants to get away from that lifestyle
22 and get back to being a mother to her children.

23 Her mother is here and so are her grandparents. They
24 are fully supportive of her. Her mother would like to
25 address the Court at the appropriate time.

1 THE COURT: I'll be glad to hear from mother.

2 MS. GASTON-LIPE: Excuse me, Your Honor. First of all,
3 I -- okay. I'm --

4 THE COURT: Yes, ma'am. If --

5 MS. GASTON-LIPE: Oh. Sorry.

6 THE COURT: If you'd tell me your name.

7 MS. GASTON-LIPE: I don't have the daughters -- I'm
8 Renee Lipe, Renee Gaston-Lipe. She's the closest thing to a
9 daughter that I've had. I know Felicia has had problems in
10 the past and I honestly believe in my heart that she wants
11 out of that lifestyle. She wants help. She wants to be a
12 mother to her children. She still has relationships with
13 them and they love her and miss her very much. Christmas
14 was horrible for them already. We are willing to help her
15 do whatever she needs to do to get help and we're trying to
16 get her in a place in Asheville so she can be away from the
17 people in the county where she was and just get her away
18 from that environment. I'm sorry.

19 THE COURT: All right. Well, thank you. I'm sorry you
20 had to be here. Thank you.

21 MS. UDOGWU: Your Honor, Felicia would actually like to
22 address the Court.

23 THE COURT: All right. Ms. Turnage, I'll be glad to
24 hear from you.

25 MS. TURNAGE: Since I've been -- since I've been locked

1 -- since I've been incarcerated, since this last time, I've
2 never -- like, before I've never took the time to actually
3 open my Bible and really read my Bible. I'd read it, but I
4 wouldn't comprehend it as well. But me sitting here these
5 last two months, I've done nothing but read my Bible. I've
6 completed three -- I'm on my third set of Bible study. I've
7 -- so I've got two certificates for completion of sixteen --
8 of sixteen different sessions of Bible studies. I'm three
9 and a half chapters away from being done with a complete
10 Celebrate Recovery, in fact. So, Your Honor, I'm taking
11 knowledge of, you know, what triggered me, what -- where all
12 my stuff has started. I've done -- I have -- I have
13 attended NA meetings and AA meetings and I want -- and I've
14 got -- I'll get my fourth book of -- in part the help -- I
15 need help -- the help I'm locked up for. I need hope, I
16 need peace and I've got the (indiscernable). I receive my
17 fourth book today. So I took time and I've isolated myself
18 away from the people in there, in the pod with me, to do my
19 Bible study, to do my rehab book, to actually focus on what
20 I need to do for my kids. I have been able to talk to them,
21 yes, and I told them I promise that I'll come home to be a
22 better mother to them.

23 THE COURT: How old are your children?

24 MS. TURNAGE: Ten, thirteen and fourteen.

25 THE COURT: And who has custody of them?

1 MS. TURNAGE: I have custody of my two boys, my
2 thirteen- and my fourteen-year-old, but the one -- my
3 fourteen lives with my mother in Fort Mill. My thirteen-
4 year-old lives with my ex-husband and my ten-year-old, she
5 has -- she has to live with her aunt and uncle. They have
6 custody of her.

7 THE COURT: All right. Thank you. Well, here's the
8 thing, Ms. Turnage, it appears based on your record, I mean,
9 you're a severe addict. Sadly, the Court sees more mamas
10 with drug addiction and that's sort of a recent thing, in
11 the last four or five years. We have more mamas in here
12 with drugs. That's -- I think that just shows the hold that
13 Fentanyl and meth has on people. It's also been my
14 experience that you've been in the detention center for 63
15 days, two months is not enough, generally, to deal with a
16 severe addiction. You've been dealing with, it appears, on
17 -- according to your record, you've been dealing with an
18 addiction, really, for the last six years. So I'm going to
19 -- I'll follow the recommendation on the possession of meth.
20 The sentence on that indictment is time served; however, I'm
21 going to revoke five years of the sentence that was over
22 your -- hanging -- on probation and terminate the balance.

23 You need to take advantage -- continue -- you're to be
24 applauded for how you're taking advantage of the programs
25 that are available here. You need to take advantage of the

1 programs at the Department of Corrects and then after you
2 finish the five-year sentence, maybe you can get your life -
3 -- get back with your children. All right. Thank you.
4 That's the order of the Court.

5 MS. UDOGWU: Thank you, Your Honor.

6 MS. HOLT: Thank you, Your Honor.

7 PROBATION AGENT: Thank you, Your Honor.

8 (END OF REQUESTED TRANSCRIPT)

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

STATE OF ²⁸ SOUTH CAROLINA
County of York
STATE VS
Felicia Turnage
AKA:
Race: white Sex: Female
DOB: [REDACTED] 1990
SSN: [REDACTED]
SID#: [REDACTED]

IN THE COURT OF GENERAL SESSIONS
Indictment Number:
2020 - GS - 46 - 06875
Probation CW#s & issuance dates: C-47-23-0025
(10/4/23)
Name of Original Offense: Poss w/ intent to distribute heroin 3rd
Original A/W#: 2019441620500108
Date of Original Offense: 2/22/2019
Conviction S.C. Code §: 44-53-370
Conviction CDR Code #: 0 1 1 8 1 5
Original Sentence: 10yrs sus to 3yrs probation

ORDER

The above named defendant has been charged with violating the conditions of probation ordered on 9 / 2 / 2021 in the Court of General Sessions of York County, and/or the additional conditions ordered by the Court in probation continuation order(s) issued on _____, as set forth in the attached warrant(s) or citation(s). After hearing the evidence and being duly advised, in the (~~presence~~/absence) of the defendant, I find that the above named defendant has violated the following condition(s) of probation: (List by number or indicate special conditions as provided in the affidavit)

Therefore, IT IS ORDERED that:

- the suspended sentence be revoked and the above named defendant be required to serve the remainder of the original sentence.
- the suspended sentence be partially revoked and the above named defendant be required to serve 5 days/months/years of the original sentence; and
 - Terminate the balance of probation.
 - Continue/reinstate probation, subject to the conditions set forth in the original sentence and not inconsistent with this order.
- the above named defendant is continued on probation as provided for in the original sentence, subject to the conditions set forth therein and not inconsistent with this order.
- probation is reduced to time served under supervision and the defendant is discharged from supervision on this date.
- the above named defendant is placed on electronic monitoring pursuant to §23-3-540.
- Financial Obligations: Order satisfies: Department fees (arrearage) Civil judgment: Department fees
 Fines and other fees (arrearage / balance) Fines and other fees
 Restitution (and 20%) (arrearage / balance) Restitution (and 20%)
- Additional Conditions ordered by the Court (Jail time credits should not be reported in this section):

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

This 8 day of February, 2024,
York, SC

[Signature]
Presiding Judge
110M Judicial Circuit

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

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

Offender's Signature
Unable to Sign
Signed this 8 day of February, 2024 at _____
Day Month Year

Witnessed by
[Signature]
City York SC

STATE OF SOUTH CAROLINA

County of YORK

STATE VS

Felicia Turnage

AKA:

Race: white Sex: Female

DOB: 1990

SSN: [REDACTED]

SID#: [REDACTED]

IN THE COURT OF GENERAL SESSIONS²⁹

Indictment Number:

2000 - GS - 40 - 00874

Probation C/W#s & issuance dates:
C-47-23-0085 (10/4/23)

Name of Original Offense: PWTD meth 3rd or sup.

Original AWW#: 2019A4U20500107

Date of Original Offense: 12/1/2019

Conviction S.C. Code §: 44-53-375 (B)

Conviction CDR Code #: 3 1 2 1 0 1 0

Original Sentence: 10 YR BAL TWS 3YR PROB.

ORDER

The above named defendant has been charged with violating the conditions of probation ordered on 9, 2, 2021 in the Court of General Sessions of YORK County, and/or the additional conditions ordered by the Court in probation continuation order(s) issued on _____, as set forth in the attached warrant(s) or citation(s). After hearing the evidence and being duly advised, in the ~~presence~~ absence of the defendant, I find that the above named defendant has violated the following condition(s) of probation: *(List by number or indicate special conditions as provided in the affidavit)*
1, 9, and 10

Therefore, IT IS ORDERED that:

- the suspended sentence be revoked and the above named defendant be required to serve the remainder of the original sentence.
- the suspended sentence be partially revoked and the above named defendant be required to serve 5 days/months/years of the original sentence; and
 - Terminate the balance of probation.
 - Continue/reinstate probation, subject to the conditions set forth in the original sentence and not inconsistent with this order.
- the above named defendant is continued on probation as provided for in the original sentence, subject to the conditions set forth therein and not inconsistent with this order.
- probation is reduced to time served under supervision and the defendant is discharged from supervision on this date.
- the above named defendant is placed on electronic monitoring pursuant to §23-3-540.
- Financial Obligations: Order satisfies:
 - Department fees (arrearage)
 - Fines and other fees (arrearage / balance)
 - Restitution (and 20%) (arrearage / balance)
 Civil judgment:
 - Department fees
 - Fines and other fees
 - Restitution (and 20%)
- Additional Conditions ordered by the Court (Jail time credits should not be reported in this section):

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

This 9 day of February, 2024,
YORK, SC

[Signature]
Presiding Judge
10th Judicial Circuit

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

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

Offender's Signature
Unable to Sign
Signed this 9 day of February, 2024 at _____
Day Month Year

Witnessed by
[Signature]
City YORK SC

CERTIFICATE OF COUNSEL FOR APPELLANT

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

Respectfully Submitted,



Sarah E. Shipe
Appellate Defender

RECEIVED

Nov 01 2024

SC Court of Appeals

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

ATTORNEY FOR APPELLANT

This 1st day of November, 2024.

RECEIVED

Nov 01 2024

SC Court of Appeals

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from York County

Honorable Daniel D. Hall, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

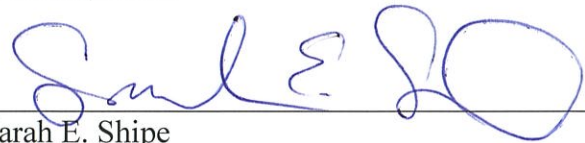
FELICIA DANIELLE TURNAGE,

APPELLANT.

APPELLATE CASE NO. 2024-000225

CERTIFICATE OF SERVICE

Pursuant to Rule 262(a)(3) and Rule 262(c)(3), SCACR, the undersigned hereby certifies a true copy of the Record on Appeal in the above-referenced case has been served upon Matthew C. Buchanan, Esquire, at the primary e-mail address listed in the Attorney Information System (AIS); and on Felicia Danielle Turnage, #393332, at Leath Correctional Institution, 2809 Airport Road, Greenwood, SC 29649, this 1st day of November, 2024.



Sarah E. Shipe
Appellate Defender

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

ATTORNEY FOR APPELLANT