

STATE OF SOUTH CAROLINA	)	IN THE COURT OF GENERAL SESSIONS
	)	
COUNTY OF RICHLAND	)	CASE NO. 2022-GS-47-16
	)	2022-GS-47-19
STATE OF SOUTH CAROLINA	)	
	)	ORDER OF APPOINTMENT FOR LEGAL
VS	)	COUNSEL OF INDIGENT DEFENDANT
	)	
NICHOLAS GRACELY	)	
<u>DEFENDANT</u>	)	

THE DEFENDANT CONTENDS THAT HE IS INDIGENT AND IN NEED OF SERVICE OF AN ATTORNEY AS CONTEMPLATED BY LAW. THEREFORE, ZACHARY FARR, ATTORNEY-AT-LAW, IS APPOINTED FOR THE DEFENDANT UNDER THE AUTHORITY OF THE CHIEF JUDGE FOR ADMINISTRATIVE PURPOSES/STATE GRAND JURY. THIS ORDER IS ISSUED BY THE CLERK OF COURT FOR THE STATE GRAND JURY TO APPOINT ATTORNEYS FOR INDIGENT DEFENDANTS.

IT IS SO ORDERED:

This 29<sup>th</sup> day of March, 2023

*Margaret J. Self*

\_\_\_\_\_  
MARGARET J. SELF, CLERK OF COURT  
STATE GRAND JURY

**RECEIVED**  
NOV 04 2024  
SC Court of Appeals

**FILED**  
**MAR 29 2023**  
**Margaret J. Self**  
**CLERK, STATE GRAND JURY**

STATE OF SOUTH CAROLINA

FILED

IN THE COURT OF GENERAL SESSIONS

COUNTY OF GREENVILLE

OCT 22 2024

STATE

VS.

MARGARET J. SELBY  
CLERK, SC STATE GRAND JURY

INDICTMENT/CASE#: 2022-GS- 47 - 19 (Count 21)

Nicholas Vincent Gracely

AW#: 2022GS47019

AKA:

Date of Offense: May 3, 2022

Race: W Sex: M Age: 42

S.C. Code §: 63-5-70

DOB: SS#:

CDR Code #: 2481

Address:

City, State, Zip:

DL#\* SID#

RECEIVED  
NOV 04 2024  
SC Court of Appeals

\*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: Unlawful Conduct Towards a Child

In violation of § 63-5-70 of the S.C. Code of Laws, bearing CDR Code # 2481

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

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

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

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

ATTEST:

102256  
Attorney General SC Bar #

Defendant

Attorney for Defendant

100225  
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: 2022-65-47-19 (count 26)

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.

904 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</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</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 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</u>
<input type="checkbox"/> § 17-3-30(B) Unpaid Application Fee to be paid to the Public Defender Fund	TBD	\$ _____
	<b>TOTAL</b>	\$ <u>643.75</u>

Clerk of Court/Deputy Clerk: Maryann J. Seth  
 Court Reporter: Cheyl Smith

Presiding Judge: [Signature]  
 Judge Code: # 2752  
 Sentence Date: 10-22-24

5Y

FILED

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF Greenville

OCT 22 2024

STATE

VS.

MARGARET J. SELF  
CLERK, SC STATE GRAND JURY

INDICTMENT/CASE#: 2022-GS-47-19 (CWnt 30)

Nicholus Vincent Gracely

AW#: 20226547019  
Date of Offense: May 3, 2022  
S.C. Code §: 16-23-490  
CDR Code #: 0549

AKA: \_\_\_\_\_  
Race: W Sex: M Age: \_\_\_\_\_  
DOB: \_\_\_\_\_ SS#: \_\_\_\_\_  
Address: \_\_\_\_\_  
City, State, Zip: \_\_\_\_\_  
DL#\* \_\_\_\_\_ SID# \_\_\_\_\_

RECEIVED  
NOV 04 2024  
SC Court of Appeals

\*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 a Weapon During a Violent Crime

In violation of § 16-23-490 of the S.C. Code of Laws, bearing CDR Code # 0549

NON-VIOLENT  VIOLENT  SERIOUS  MOST SERIOUS  Mandatory GPS  § 17-25-45  
(CSC w/minor 1<sup>st</sup> or CSC w/minor 3<sup>rd</sup>)

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

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

ATTEST:

[Signature] 102256 [Signature] 100525  
Attorney General SC Bar # Defendant Attorney for Defendant SC Bar #

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

for a determinate term of 5 days/months/years/Time Served  Youthful Offender Act not to exceed \_\_\_\_\_ years

and/or to pay a fine of \$\_\_\_\_\_; provided that upon the service of \_\_\_\_\_ 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 SCDOD.

904 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</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</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 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</u>
<input type="checkbox"/> § 17-3-30(B) Unpaid Application Fee to be paid to the Public Defender Fund	TBD	\$ _____
	<b>TOTAL</b>	\$ <u>643.75</u>

Clerk of Court/Deputy Clerk: Margaret J. Setts  
 Court Reporter: Cheryl Smith

Presiding Judge: [Signature]  
 Judge Code: #2752  
 Sentence Date: 10-22-24

5Y

FILED

STATE OF SOUTH CAROLINA  
COUNTY OF GREENVILLE

IN THE COURT OF GENERAL SESSIONS

OCT 23 2024

STATE VS.

MARGARET J. SELF  
CLERK, SC STATE GRAND JURY

INDICTMENT/CASE#: 2022-GS-47 - 19 (Count 29)

Nicholas Vincent Gracely

A/W#: 2022GS47019  
Date of Offense: May 3, 2022  
S.C. Code §: 16-23-490  
CDR Code #: 0549

AKA: \_\_\_\_\_  
Race: W Sex: M Age: 42  
DOB: \_\_\_\_\_ SS#: \_\_\_\_\_  
Address: \_\_\_\_\_  
City, State, Zip: \_\_\_\_\_  
DL#\* \_\_\_\_\_ SID# \_\_\_\_\_

RECEIVED  
NOV 04 2024  
SENTENCE SHEET  
SC Court of Appeals

\*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 a Weapon During a Violent Crime

In violation of § 16-23-490 of the S.C. Code of Laws, bearing CDR Code # 0549

NON-VIOLENT  VIOLENT  SERIOUS  MOST SERIOUS  Mandatory GPS  § 17-25-45  
(CSC w/minor 1<sup>st</sup> or CSC w/minor 3<sup>rd</sup>)

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

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

ATTEST:

 102256  
Attorney General SC Bar #  
 Defendant  
 Attorney for Defendant  
100525  
SC Bar #

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

for a determinate term of 5 days/months/years/Time Served  Youthful Offender Act not to exceed \_\_\_\_\_ years

and/or to pay a fine of \$\_\_\_\_\_; provided that upon the service of \_\_\_\_\_ 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. 90Y 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</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</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 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</u>
<input type="checkbox"/> § 17-3-30(B) Unpaid Application Fee to be paid to the Public Defender Fund	TBD	\$	_____
	<b>TOTAL</b>	\$	<u>643.75</u>

Clerk of Court/Deputy Clerk: Maryann J. Feltz  
 Court Reporter: Cheryl Smith

Presiding Judge: [Signature]  
 Judge Code: #2752  
 Sentence Date: 10-22-24

STATE OF SOUTH CAROLINA  
COUNTY OF GREENVILLE  
STATE

**FILED**  
**OCT 22 2024**

IN THE COURT OF GENERAL SESSIONS

INDICTMENT/CASE#: 2022-GS-47-19 (Count 27)

VS.

MARGARET J. SELF  
CLERK, SC STATE GRAND JURY

Nicholas Vincent Gracely

A/W#: 2022GS47019  
Date of Offense: May 3, 2022  
S.C. Code §: 44-53-375(B)  
CDR Code #: 3776

AKA: \_\_\_\_\_  
Race: W Sex: M Age: 42  
DOB: \_\_\_\_\_ SS#: \_\_\_\_\_  
Address: \_\_\_\_\_  
City, State, Zip: \_\_\_\_\_  
DL#\* \_\_\_\_\_ SID# \_\_\_\_\_

**RECEIVED**  
NOV 04 2024  
SC Court of Appeals

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: Manufacturing Methamphetamine, 1st Offense

In violation of § 44-53-375(B) of the S.C. Code of Laws, bearing CDR Code # 3776

NON-VIOLENT  VIOLENT  SERIOUS  MOST SERIOUS  Mandatory GPS  § 17-25-45  
(CSC w/minor 1<sup>st</sup> or CSC w/minor 3<sup>rd</sup>)

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

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

ATTEST:

[Signature] 102256 [Signature] 100525  
Attorney General 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 15 days/months/years/Time Served  Youthful Offender Act not to exceed \_\_\_ years

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

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

The sentence shall run

CONCURRENT or  CONSECUTIVE to sentence on: \_\_\_\_\_

The Defendant is to be given credit for time served pursuant to S.C. Code § 24-13-40 to be calculated and applied by SCDoc. 904 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</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</u>
§14-1-213 (Drug Court Surcharge)	\$150	\$ <u>150</u>
§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>23.25</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	\$ <u>500</u>
<input type="checkbox"/> § 17-3-30(B) Unpaid Application Fee to be paid to the Public Defender Fund	TBD	\$ _____
	<b>TOTAL</b>	<b>\$ <u>798.25</u></b>

Clerk of Court/Deputy Clerk: Margaret J. Self Presiding Judge: [Signature]  
 Court Reporter: Cheryl Smith Judge Code: #2752  
 Sentence Date: 10-22-24

257

STATE OF SOUTH CAROLINA  
COUNTY OF Greenville  
STATE

FILED

IN THE COURT OF GENERAL SESSIONS

OCT 22 2024

INDICTMENT/CASE#: 2022-GS-47-19 (Count 2)

VS.

MARGARET J. SELF  
CLERK, SC STATE GRAND JURY

Nicholas Vincent Gracely  
AKA: \_\_\_\_\_  
Race: W Sex: M Age: 42  
DOB: \_\_\_\_\_ SS#: \_\_\_\_\_  
Address: \_\_\_\_\_  
City, State, Zip: \_\_\_\_\_  
DL#\* \_\_\_\_\_ SID# \_\_\_\_\_

A/W#: 2022GS47019  
Date of Offense: May 3, 2022  
S.C. Code §: 44-53-375(C)(4)  
CDR Code #: 0369

SENTENCE SHEET

RECEIVED  
NOV 04 2024  
SC Court of Appeals

\*CDL Yes  No  CMV Yes  No  Hazmat Yes  No

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

TO: Trafficking Methamphetamine, 200-400 Grams

In violation of § 44-53-375(C)(4) of the S.C. Code of Laws, bearing CDR Code # 0369

NON-VIOLENT  VIOLENT  SERIOUS  MOST SERIOUS  Mandatory GPS  § 17-25-45  
(CSC w/minor 1<sup>st</sup> or CSC w/minor 3<sup>rd</sup>)

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

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

ATTEST:

[Signature] 102256 [Signature] [Signature] 100525  
Attorney General 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 25 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.

904 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. Nicholas Vincent Gracely INDICTMENT/CASE#: 2022-GS- 47 - 19 (Count 2)

**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</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</u>
§14-1-213 (Drug Court Surcharge)	\$150	\$ <u>150</u>
§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>23.25</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	\$ <u>500</u>
<input type="checkbox"/> § 17-3-30(B) Unpaid Application Fee to be paid to the Public Defender Fund	TBD	\$ _____
<b>TOTAL</b>		\$ <u>998.25</u>

Clerk of Court/Deputy Clerk: Mayanet J. Seth  
 Court Reporter: Cheryl Smith

Presiding Judge: [Signature]  
 Judge Code: #2752  
 Sentence Date: 10-22-24

25-304

STATE OF SOUTH CAROLINA

FILED

IN THE COURT OF GENERAL SESSIONS

COUNTY OF Greenville

OCT 28 2024

STATE

VS.

INDICTMENT/CASE#: 2022-GS-47-19 (Count 26)

Nicholas Vincent Gracely

MARGARET J. SELF  
CLERK, SC STATE GRAND JURY

AW#: 2022GS47019  
Date of Offense: May 3, 2022  
S.C. Code §: 44-53-375 (C)(5)  
CDR Code #: 0370

AKA: \_\_\_\_\_  
Race: W Sex: M Age: 42  
DOB: \_\_\_\_\_ SS#: \_\_\_\_\_  
Address: \_\_\_\_\_  
City, State, Zip: \_\_\_\_\_  
DL#\* \_\_\_\_\_ SID# \_\_\_\_\_

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\*CDL Yes  No  CMV Yes  No  Hazmat Yes  No

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

TO: Trafficking Methamphetamine, 400 Grams or More

In violation of § 44-53-375(C)(5) of the S.C. Code of Laws, bearing CDR Code # 0370

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

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

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

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

ATTEST:

[Signature]  
Attorney General SC Bar # 102256

[Signature]  
Defendant

[Signature]  
Attorney for Defendant

[Signature]  
SC Bar # 100525

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

for a determinate term of 25 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.

904 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</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</u>
§14-1-213 (Drug Court Surcharge)	\$150	\$ <u>150</u>
§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>23.25</u>
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<b>TOTAL</b>		\$ <u>798.25</u>

Clerk of Court/Deputy Clerk: Maryann J. Self  
 Court Reporter: Cheryl Smith

Presiding Judge: [Signature]  
 Judge Code: #2752  
 Sentence Date: 10-22-24

STATE OF SOUTH CAROLINA )  
)  
COUNTY OF GREENVILLE )  
)  
State of South Carolina )  
)  
v. )  
)  
Nicholas Vincent Gracely, )  
)  
Defendant. )  
\_\_\_\_\_ )

IN THE COURT OF GENERAL SESSIONS

Indictment Nos. 2022-GS-47-16  
2022-GS-47-19

**FILED**

OCT 22 2024

MARGARET J. SELF  
CLERK, SC STATE GRAND JURY

**VERDICT**

**INDICTMENT NO. 2022-GS-47-16**

**Trafficking Methamphetamine 400 Grams or More**

We, the jury, unanimously find that the Defendant, **Nicholas Vincent Gracely**, is:

\_\_\_\_\_

**Not Guilty of Trafficking Methamphetamine 400 Grams or More**

OR

\_\_\_\_\_

**Guilty of Trafficking Methamphetamine 400 Grams or More**

**INDICTMENT NO. 2022-GS-47-19**

**Trafficking Methamphetamine Greater Than 200 Grams but Less Than 400 Grams**

We, the jury, unanimously find that the Defendant, **Nicholas Vincent Gracely**, is:

\_\_\_\_\_

**Not Guilty of Trafficking Methamphetamine Greater Than 200 Grams but Less Than 400 Grams.**

OR

\_\_\_\_\_

**Guilty of Trafficking Methamphetamine Greater Than 200 Grams but Less Than 400 Grams.**

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SC Court of Appeals

**INDICTMENT NO. 2022-GS-47-19  
Manufacturing Methamphetamine**

We, the jury, unanimously find that the Defendant, **Nicholas Vincent Gracely**, is:

\_\_\_\_\_

**Not Guilty of Manufacturing Methamphetamine**

**OR**

✓  
\_\_\_\_\_

**Guilty of Manufacturing Methamphetamine**

**INDICTMENT NO. 2022-GS-47-19  
Unlawful Conduct Towards a Child**

We, the jury, unanimously find that the Defendant, **Nicholas Vincent Gracely**, is:

\_\_\_\_\_

**Not Guilty of Unlawful Conduct Towards a Child**

**OR**

✓  
\_\_\_\_\_

**Guilty of Unlawful Conduct Towards a Child**

**INDICTMENT NO. 2022-GS-47-19  
Possession of a Weapon during the Commission of a Violent Crime**

**IN ORDER TO FIND THE DEFENDANT GUILTY OF THIS OFFENSE, YOU MUST HAVE FOUND HIM GUILTY OF AT LEAST ONE OF THE ABOVE LISTED TRAFFICKING METHAMPHETAMINE CHARGES. IF YOU HAVE FOUND THE DEFENDANT NOT GUILTY OF BOTH THE TRAFFICKING METHAMPHETAMINE CHARGES, PROCEED DIRECTLY TO THE BOTTOM OF THE FORM.**

We, the jury, unanimously find that the Defendant, **Nicholas Vincent Gracely**, is:

\_\_\_\_\_

**Not Guilty of Possession of a Weapon during the Commission of a  
Violent Crime.**

✓

**OR**

**Guilty of Possession of a Weapon during the Commission of a Violent  
Crime.**

Sarah Clark

Sarah Clark, Foreperson

Greenville, South Carolina

October 22, 2024

[NOTIFY THE BAILIFF WHEN YOU HAVE FINISHED]