

STATE OF SOUTH CAROLINA

COUNTY OF CHEROKEE

STATE

VS.

David Eugene Baynard

AKA:

Race: White Sex: Male Age: 55

DOB: _____ SS#: _____

Address: Homeless

City, State, Zip: _____

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: Murder 30 - LIFE

In violation of § 16-3-10; -20 of the S.C. Code of Laws, bearing CDR Code # 0116

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:

Barry J. Barnette 13039 69423 David Eugene Baynard
Solicitor SC Bar # Defendant

Tracy Racine 68415
Attorney for Defendant SC Bar #
Tracy Racine

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

for a determinate term of life 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.

RECEIVED
NOV 15 2024
SC Court of Appeals

IN THE COURT OF GENERAL SESSIONS

INDICTMENT/CASE#: 2022-GS-11-01296

A/W#: 2022A1110100495

Date of Offense: April 11, 2022

S.C. Code §: 16-3-10, - 20

CDR Code #: 0116

SENTENCE SHEET

SPECIAL CONDITIONS:

PTUP after _____ months/years

And Other Terms Listed Below:

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

RESTITUTION: Deferred Def. Waives Hearing Ordered

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

Payment Terms: _____ Set by SCDPPPS

Recipient: _____

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

Clerk of Court/Deputy Clerk: Brandy W. McBee
Court Reporter: pam green

Presiding Judge: A. Keith Kelly
Judge Code: 21650
Sentence Date: 31 October 2024

WITNESSES

Cherokee County Sheriff's Office

[Handwritten Signature]

ARREST WARRANT NUMBER

2022A1110100495

ACTION OF GRAND JURY

Curtis Hill
Foreperson of Grand Jury

Date: *9-19-2022*

VERDICT

Guilty

TRUE BILL

Jack M. Harris, Jr.
Foreperson of Petit Jury

Date: *10/31/2024*

DOCKET NO.

22-GS-11-01294

The State of South Carolina

County of Cherokee

Barry J. Barnette, Solicitor

COURT OF GENERAL SESSIONS

September 19, 2022 TERM

THE STATE

v.

DAVID EUGENE BAYNARD

Indictment for

MURDER

SC Code 16-03-0010, 0020

CDR Code 116

Class FEL-EXM

FILED IN THE OFFICE
CLERK OF COURT

2022 SEP 19 A 10:50

BRANDY W. MCBEE
CHEROKEE COUNTY, SC

RECEIVED
NOV 15 2024
SC Court of Appeals

STATE OF SOUTH CAROLINA)
)
COUNTY OF CHEROKEE)


INDICTMENT

At a Court of General Sessions, convened on September 19, 2022, the
Grand Jurors of Cherokee County present upon their oath:

MURDER

That the Defendant, David Eugene Baynard, did in Cherokee County at their home located at 414 Camp Ferry Road, Gaffney, South Carolina on or about April 11, 2022, feloniously, willfully, and with malice aforethought, expressed or implied, cause the death of one Heather Leigh-Anne Baynard, all in violation of §16-3-0010, 0020, *The South Carolina Code of Laws*, (1976, as amended).

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


SOLICITOR

RECEIVED

IN THE COURT OF GENERAL SESSIONS

STATE OF SOUTH CAROLINA

COUNTY OF CHEROKEE

NOV 15 2024
SC Court of Appeals

STATE VS.

INDICTMENT/CASE#: 2024-GS-11-00447

David Eugene Baynard
AKA:
Race: White Sex: Male Age: 55
DOB: SS#:
Address: Homeless
City, State, Zip:
DL#* SID#

A/W#: Direct Indictment
Date of Offense: October 2, 2020 - April 11, 2022
S.C. Code §: 63-5-70
CDR Code #: 2481

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: Unlawful Conduct Towards a Child 0-10 years
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 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:
Barry J. Barnette / 3039 / *David Baynard*
Solicitor SC Bar # 69423 Defendant
Tracy Racine 68415
Attorney for Defendant Tracy Racine 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 ___

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: all indictments

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

Clerk of Court/Deputy Clerk: Brandy w. McBeel
Court Reporter: pam green

Presiding Judge: R. Keith Kelly
Judge Code: 2165
Sentence Date: 31 October 2024

WITNESSES

CHEROKEE COUNTY SHERIFF'S OFFICE

ARREST WARRANT NUMBER

DIRECT INDICTMENT

ACTION OF GRAND JURY

Guilty

TRUE BILL

Foreperson of Grand Jury

Date: 3/25/24

VERDICT

Guilty

Foreperson of Petit Jury

Geoff M. Harris, Jr.
10/21/2024

DOCKET NO.

24-GS-11-447

The State of South Carolina

County of Cherokee

Barry Barnette, Solicitor

COURT OF GENERAL SESSIONS

March 25, 2024 TERM

THE STATE

vs.

DAVID EUGENE BAYNARD

Indictment for

UNLAWFUL NEGLECT / CONDUCT
TOWARDS CHILD

SC Code: 63-5-70

CDR Code: 2481

Class: FFI/E

FILED IN OFFICE OF
CLERK OF COURT
CHEROKEE COUNTY, S.C.

2024 MAR 25 A 11:11

BRANDY W. MCBEE

RECEIVED

NOV 15 2024

SC Court of Appeals

STATE OF SOUTH CAROLINA)
)
COUNTY OF CHEROKEE)


INDICTMENT

At a Court of General Sessions, convened on March 25, 2024 the
Grand Jurors of Cherokee County present upon their oath:

UNLAWFUL CONDUCT TOWARDS CHILD

That the Defendant, David Eugene Baynard, did in Cherokee County, between the dates of October 2, 2020 to April 11, 2022, willfully and unlawfully, having charge or custody, and/or being the parent or guardian of a minor child, or who is responsible for the welfare of a child as defined in §63-7-20 of the South Carolina Code of Laws, did (1) place the child at unreasonable risk of harm affecting the child's life, physical or mental health, or safety, and/or (2) did do or cause to be done unlawfully or maliciously any bodily harm to the child so that the life or health of the child was endangered or likely to be endangered, in violation of §63-5-70, 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.



SOLICITOR

STATE OF SOUTH CAROLINA
COUNTY OF CHEROKEE

IN THE COURT OF GENERAL SESSIONS

RECEIVED

NOV 15 2024

SC Court of Appeals

STATE VS.

INDICTMENT/CASE#: 2024-GS-11-00448

David Eugene Baynard
AKA:
Race: White Sex: Male Age: 55
DOB: SS#:
Address: Homeless
City, State, Zip:
DL#* SID#

A/W#: Direct Indictment
Date of Offense: October 2, 2020 - April 11, 2022
S.C. Code §: 16-3-95
CDR Code #: 2766

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: Child Abuse with Great Bodily Injury 0-20 years
In violation of § 16-3-95 of the S.C. Code of Laws, bearing CDR Code # 2766

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:

Barry J. Barnette 13139 SC Bar # 69423 Defendant
Tracy Racine 68415 SC Bar # Attorney for Defendant
Tracy Racine

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

for a determinate term of 20 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: All indictments

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

Clerk of Court/Deputy Clerk: Brandy W. McBee
Court Reporter: pam green

Presiding Judge: A. Keith Kelly
Judge Code: 2165
Sentence Date: 31 October 2024

WITNESSES

CHEROKEE COUNTY SHERIFF'S OFFICE

ARREST WARRANT NUMBER

DIRECT INDICTMENT

ACTION OF GRAND JURY

TRUE BILL

Foreperson of Grand Jury

Date: 3/25/24

VERDICT

Guilty

Foreperson of Petit Jury

Date: 10/31/2024

DOCKET NO. - 24-GS-11- 448

The State of South Carolina

County of Cherokee

Barry J. Barnette, Solicitor

COURT OF GENERAL SESSIONS

March 25, 2024 TERM

THE STATE

vs.

DAVID EUGENE BAYNARD

Indictment for

CHILD ABUSE WITH GREAT BODILY INJURY

SC Code: 16-3-95

CDR Code: 2766

Class FEL-C

FILED IN OFFICE OF
CLERK OF COURT
CHEROKEE COUNTY, S.C.

2024 MAR 25 A 11:11

BRANDY W. MCBEE

RECEIVED
NOV 15 2024
SC Court of Appeals

STATE OF SOUTH CAROLINA)
)
COUNTY OF CHEROKEE)

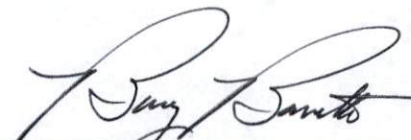
INDICTMENT

At a Court of General Sessions, convened on March 25, 2024 the
Grand Jurors of Cherokee County present upon their oath:

CHILD ABUSE WITH GREAT BODILY INJURY

That the Defendant, David Eugene Baynard, did in Cherokee County between the dates of October 2, 2020 to April 11, 2022, inflict great bodily injury upon Heather Leigh-Anne Baynard, a child under the age of eighteen (18), as defined by §16-3-95 of the SOUTH CAROLINA CODE OF LAWS, (1976), as amended.

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



SOLICITOR