

Public Defender for the Second Judicial Circuit

54 Irving Street, Suite 225
Post Office Box 267
Barnwell, South Carolina 29812

De Grant Gibbons, Circuit Public Defender

RECEIVED

Feb 03 2025

SC Court of Appeals

February 03, 2025

Xavier Emmanuel Jones, 00395618
Kershaw Correctional Institution, SA-0017-T
4848 Gold Mine Highway
Kershaw, SC 29067

re: State v. Xavier Emmanuel Jones
Appellate Case No. 2024-001944

Dear Mr. Jones:

Under Rule 203(B) (iv) of the South Carolina Rules of Appellate Procedure, an appeal from a guilty plea may be dismissed unless you can identify issues that were preserved for appeal or make a sufficient showing to the Court that there are issues which can be argued on appeal. I do not believe that there were any issues preserved for appeal, however, I did file an appeal since you specifically asked me to do so. The paperwork that I filed is enclosed for your review.

You must now contact the appellate court yourself in writing to advise the Court of any issues you feel you may have on appeal.

You must send a written statement to the South Carolina Court of Appeals within twenty (20) days from the date of this letter to inform the Court of any argument you have that there are issues preserved for appeal. Your statement should include your case number as shown above. The address of the Court is:

South Carolina Court of Appeals
P.O. Box 11629
Columbia, SC 29211

Very truly yours,



David Hayes
Public Defender

Enclosure

cc: Jenny Kitchings, Deputy Clerk of the SC Court of Appeals

Telephone: (803) 541-1129 Fax: (803) 541-7046



The South Carolina Court of Appeals

JENNY ABBOTT KITCHINGS
CLERK

CATHERINE S. HARRISON
CHIEF DEPUTY CLERK

POST OFFICE BOX 11629
COLUMBIA, SOUTH CAROLINA 29211
1220 SENATE STREET
COLUMBIA, SOUTH CAROLINA 29201
TELEPHONE: (803) 734-1890
FAX: (803) 734-1839
www.sccourts.org

November 15, 2024

Mr. Charles David Hayes, Esquire
PO Box 267
Barnwell SC 29812

Re: The State v. Xavier E. Jones
Appellate Case No. 2024-001944

Dear Counsel:

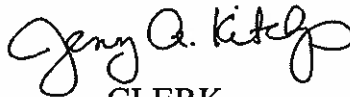
This Court has received your explanation for appealing.

Please forward your explanation to your client, along with a statement that your client has twenty (20) days from the date of your transmittal letter to inform this Court in writing of any arguable basis that there are issues preserved for appeal. Please provide your client with the Court's address:

South Carolina Court of Appeals
P.O. Box 11629
Columbia, SC 29211

Please send your letter to your client within ten (10) days, with a copy to this Court, or this appeal will be dismissed.

Very truly yours,


CLERK

cc: Alan McCrory Wilson, Esquire
Mark Reynolds Farthing, Esquire
David Warren Miller, Esquire
Robert Michael Dudek, Esquire



The South Carolina Court of Appeals

JENNY ABBOTT KITCHINGS
CLERK

CATHERINE S. HARRISON
CHIEF DEPUTY CLERK

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www.sccourts.org

November 15, 2024

Mr. Charles David Hayes, Esquire
PO Box 267
Barnwell SC 29812

Re: The State v. Xavier E. Jones
Appellate Case No. 2024-001944

Dear Counsel:

This Court has received your notice of appeal, and the case has been assigned the appellate case number that appears above. Please use this number on all future correspondence relating to this matter.

All parties to this matter are advised that all filings must comply with the requirements of Rule 267 of the South Carolina Appellate Court Rules (SCACR). The SCACR are available online at www.sccourts.org/courtreg. Additionally, any filings submitted by counsel admitted in South Carolina must include counsel's bar number.

The attention of the parties is directed to the order relating to the inclusion of personal data identifiers and other sensitive information in documents filed with the Supreme Court of South Carolina and the South Carolina Court of Appeals. The order can be found at www.sccourts.org/courtOrders/displayOrder.cfm?orderNo=2014-04-15-02. Please note that the responsibility for insuring that information is redacted or sealed as required by this order rests with counsel and the parties. This office will *not* review filings for redaction or to determine if materials should be sealed.

This is to advise that the title in the above matter has been changed to read as follows:

The State, Respondent,

v.

Xavier Emmanuel Jones, Appellant.

All future records in this matter should be changed to reflect this title. If you have any questions, please do not hesitate to contact this office.

Very truly yours,



Jerry A. Kitzler
CLERK

cc: Alan McCrory Wilson, Esquire
Mark Reynolds Farthing, Esquire
David Warren Miller, Esquire
Robert Michael Dudek, Esquire

The South Carolina Court of Appeals

The State, Respondent,

v.

Xavier Emmanuel Jones, Appellant.

Appellate Case No. 2024-001944

ORDER

On December 13, 2024, this court dismissed this appeal because counsel for Appellant failed to provide a sufficient guilty plea explanation and proof that he forwarded the guilty plea explanation letter to Appellant, as required by Rule 203 of the South Carolina Court Rules, and this Court's letter dated November 19, 2024. Counsel for Appellant has now filed a motion to reinstate, seeking to be allowed to send the guilty plea explanation letter to Appellant. After careful consideration, we grant the motion to reinstate the appeal. Counsel for Appellant shall send Appellant the guilty plea explanation letter to Appellant within ten days of the date of this order.


FOR THE COURT

Columbia, South Carolina

cc:

Alan McCrory Wilson, Esquire
Mark Reynolds Farthing, Esquire
David Warren Miller, Esquire
Charles David Hayes, Esquire
Robert Michael Dudek, Esquire
Xavier Emmanuel Jones

FILED
Jan 31 2025

The South Carolina Court of Appeals

The State, Respondent,

v.

Xavier Emmanuel Jones, Appellant.

Appellate Case No. 2024-001944

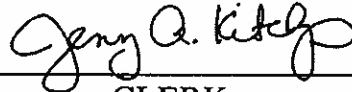
The Honorable Courtney Clyburn Pope
Bamberg County
Trial Court Case No. 2024GS0500177

ORDER

Counsel for the appellant has failed to provide a sufficient guilty plea explanation and proof that they forwarded the guilty plea explanation to their client, as required by Rule 203 of the South Carolina Appellate Court Rules, and this Court's letter dated November 19, 2024. Accordingly, this matter is dismissed. The remittitur will be sent as provided by Rule 221(b), SCACR.

FOR THE COURT

BY



CLERK

Columbia, South Carolina
December 13, 2024

cc:

Alan McCrory Wilson, Esquire
Mark Reynolds Farthing, Esquire
David Warren Miller, Esquire
Charles David Hayes, Esquire
Robert Michael Dudek, Esquire

OFFICE OF THE SECOND JUDICIAL CIRCUIT PUBLIC DEFENDER
54 Irving Street, Suite 225
Post Office Box 267
Barnwell, South Carolina 29812

November 14, 2024

South Carolina Commission
of Indigent Defense
Attention: Della White
P. O. Box 11589
Columbia, SC 29211

RE: NOTICE OF INTENT TO APPEAL
XAVIER EMMANUEL JONES

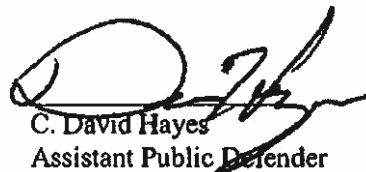
Dear Ms. White:

Please find enclosed Notice of Intent to Appeal, Indictment 2024-GS-05-0017, Arrest Warrant, Sentence Sheet, and the Defendants Appointment Order to the Public Defenders Office.

Xavier Emmanuel Jones plead guilty on November 4, 2024, and was sentenced on November 4, 2024, for Voluntary Manslaughter. Defendant was sentenced before Judge Courtney Clyburn Pope. Penny Johnson served as the Court Reporter.

I am available to discuss this case if you so desire.

Sincerely,


C. David Hayes
Assistant Public Defender

CDH/asb
Enclosure

NOTICE OF INTENT TO APPEAL
THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS
FROM BARNWELL COUNTY

November 14, 2024

Indictment #: 2024-GS-05-00177

THE STATE OF SOUTH CAROLINA -- Respondent

VS.

XAVIER EMMANUEL JONES -- Appellant

NOTICE OF INTENT TO APPEAL

XAVIER EMMANUEL JONES plead guilty and was sentenced on November 4, 2024, for Voluntary Manslaughter. Defendant was sentenced before Judge Courtney Clyburn Pope. He appeals his sentence.



C. David Hayes
Attorney for Defendant

Other Counsel of record is:
David W. Miller
Deputy Solicitor
Post Office Box 845
Barnwell, South Carolina 29812

NOTICE OF INTENT TO APPEAL
State of South Carolina
Vs:
XAVIER EMMANUEL JONES

CERTIFICATE OF SERVICE

I, Amy S. Black, do hereby certify that I have this day served the original of Appellant's Notice to Appeal upon the South Carolina Court of Appeals via email to ctappfilings@sccourts.org, and copies of Appellant's Notice of Intent to Appeal to the Clerk of Court of Bamberg County and to David W. Miller, Deputy Solicitor, Second Judicial Circuit by placing same in the United States Mail properly addressed and with correct postage affixed thereto:


South Carolina Court of Appeals
Post Office Box 11629
Columbia, South Carolina 29211
ctappfilings@sccourts.org

South Carolina Commission
Of Indigent Defense
Post Office Box 11589
Columbia, South Carolina 29211
dwhite@sccid.sc.gov

Clerk of Court
Bamberg County Judicial Circuit
Post Office Box 150
Bamberg, South Carolina 29003

David W. Miller
Deputy Solicitor
Post Office Box 845
Barnwell, South Carolina 29812

Dated this 14 day of November, 2024


Amy S. Black
Secretary to Appellant's Attorney
Post Office Box 267
Barnwell, SC 29812
(803) 541-1129

OFFICE OF THE SECOND JUDICIAL CIRCUIT PUBLIC DEFENDER
Post Office Box 267
Barnwell, South Carolina 29812

(803) 541-1129

Fax No.: (803) 541-7046

December 16, 2024

South Carolina Court of Appeals
Attention: Jenny Kitchings
P. O. Box 11629
Columbia, SC 29211

RE: MOTION TO REOPEN APPEAL
Xavier Emmanuel Jones
Appellate Case No. 2024-001944


Dear Mrs. Kitchings:

Enclosed, please find copies of Notice of Intent to Appeal, Indictment 2024-GS-05-00177 and defendant's sentence sheet.

Xavier Emmanuel Jones pled guilty but mentally ill to Voluntary Manslaughter on November 04, 2024, before the Honorable Courtney Clyburn Pope. Penny Johnson served as the Court Reporter.

I am available to discuss this case if you so desire.

Sincerely,


C. David Hayes
Attorney for Defendant

/CDH
Enclosure

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

The Sate, Respondent,

V.

Xavier Emmanuel Jones, Appellant.

Appellate Case No. 2024-001944

The Honorable Courtney Clyburn Pope
Barnberg County
Trial Court Case No. 2024GS0500177

MOTION TO REOPEN APPEAL

Xavier Jones pled guilty but mentally ill to Voluntary Manslaughter on November 04, 2024, before the Honorable Courtney Clyburn Pope, in Barnwell, South Carolina. On November 04, 2024, he requested that an appeal be filed for his conviction and sentence.

On November 14, 2024, Attorney David Hayes completed the paperwork for the Notice of Intent to Appeal and served it on Deputy Solicitor David W. Miller and the Barnberg County Clerk of Court by U.S. Mail delivery to their respective offices. (copy of paperwork attached)

On November 14, 2024, the original appeal was emailed to the South Carolina Court of Appeals and a copy was emailed to the South Carolina Office of Appellate Defense. (copy of email receipts attached).

Appeals Specialist, Tiffany Galloway, sent the Initial Letter and GPE to Client Letter on November 15, 2024. However, Attorney David Hayes missed the email and did not send the GPE Letter to Mr. Jones.

Then on December 13, 2024, Attorney David Hayes received an email from Appeals Specialist, Tiffany Galloway, with the Courts Dismissal for Attorney Hayes's failure to send the required explanation required by Rule 203 to Mr. Jones.

Attorney David Hayes only realized that the Court had sent the email on December 13, 2024, when he was contacted by the Appeals Specialist, Tiffany Galloway, notifying him of the dismissal, due to not receiving the Rule 203 explanation.

The attorney did inform Mr. Jones that he would have to give an explanation to the Court at the time of the plea, and to be looking for a letter from him and the Court of Appeals, However, due to David Hayes missing the email from Appeals Specialist, Tiffany Galloway, he did not send Mr. Jones the required letter timely.

Therefore, the undersigned attorney for the Defendant respectfully requests that he be allowed to send the required 203 letter to Mr. Jones and that the Appeal be reopened.



C. David Hayes
Post Office Box 267
Barnwell, SC 29812
Attorney for Appellant

December 16, 2024

Other Counsel of record is:

David W. Miller
Second Judicial Circuit
Post Office Box 245
Barnwell, South Carolina 29812

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

The State, Respondent,

V.

Xavier Emmanuel Jones, Appellant.

Appellate Case No. 2024-001944

The Honorable Courtney Clyburn Pope
Bamberg County
Trial Court Case No. 2024GS0500177

CERTIFICATE OF SERVICE

I, Amy S. Black, do hereby certify that I have this day served the original of Appellant's Motion to Reopen the Appeal upon Deputy Solicitor David Miller by U.S. Mail at P.O. Box 845 Barnwell S.C. 29812 and the Bamberg County Clerk of Court by U.S. mail to the Bamberg County Clerk of Court at P.O. Box 150, Bamberg, S.C. 29003.

Dated this 16th day of December 2024



Amy S. Black
Post Office Box 267
Barnwell, SC 29812
803-541-1129

STATE OF SOUTH CAROLINA

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

INDICTMENT #: 2024-GS-05-00177

vs.

XAVIER EMMANUAL JONES

DEFENDANT

RULE 203(B) EXPLANATION

Pursuant to Rule 203(B)(iv), the undersigned asserts that he does not have a good faith basis to believe that any issues are properly before the Court of Appeals, and the undersigned did not object to the sentence or file a motion to reconsider the sentence. The Defendant notified the undersigned in court on November 4, 2024, that he wanted an appeal filed on his case. The undersigned has filed the instant appeal at the request of the Appellant because the Sixth Amendment requires counsel to follow the Appellant's request. See *Frazier v. South Carolina*, 430 F.3d 696, 706 (4th Cir.2005) ("A defendant has a right to pursue a direct appeal, even if frivolous, which counsel must assist as 'an active advocate on behalf of his client.'") (quoting *Anders v. California*, 386 U.S. 738, 744 (1967)).

Respectfully Submitted,



C. David Hayes
Assistant Public Defender
Post Office Box 267
Barnwell, South Carolina 29812
(803) 541-1129

November 14, 2024

A TRUE COPY

[Signature] MAW
CLERK OF COURT
BAMBERG COUNTY, SC 11/6/24

FILED
BAMBERG COUNTY

2024 NOV -4 PM 2: 01

JANNIE C. JOHNSON
CLERK OF COURT
BAMBERG, SC

WITNESSES

State Law Enforcement Division

Law Enforcement Case #: SLED 31-23-0015

JBW

ARREST WARRANT NUMBER

2023A0510100036

ACTION OF GRAND JURY

Foreperson of Grand Jury
Date:

VERDICT

Foreperson of Petit Jury
Date:

DOCKET NO. 2024GS0500177

The State of South Carolina
County of Bamberg

COURT OF GENERAL SESSIONS

OCTOBER 2024 TERM

THE STATE

vs.

XAVIER EMMANUEL JONES

CDR : 0217

Indictment For
Voluntary Manslaughter

SC Code: §16-3-50

Bill Weeks, Solicitor

STATE OF SOUTH CAROLINA)
)
COUNTY OF BAMBERG)
)

INDICTMENT FOR
Voluntary Manslaughter
§16-3-50

At a Court of General Sessions, convened on October 21, 2024, the Grand Jurors of Bamberg County present upon their oath:

That **Xavier Emmanuel Jones** did, in Bamberg County, South Carolina, on or about February 8, 2023, kill **Latrese Kutrina Broxton** without malice and upon sufficient legal provocation and **Latrese Kutrina Broxton** did die as a proximate result of **Xavier Emmanuel Jones** actions, all in violation of Section 16-3-50, 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.



BILL WEEKS, Solicitor

ARREST WARRANT

2023A0510100036

STATE OF SOUTH CAROLINA

County/ Municipality of

Bamberg

THE STATE against

Xavier Emmanuel Jones

Address 248 Second Street

Bamberg, SC 29003-

Phone: SSN: Sex: M Race: B Height: 6 Weight: 150 DL State: DL #:

DOB: Agency ORI # SCLED0000

Prosecuting Agency State Law Enforcement Division

Prosecuting Officer Shawn M Murray - S00344

Offense: Murder / Murder

Offense Code 0116

Code/Ordinance Sec 16-03-0010

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

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

(L.S.)

Signature of Judge

Date:

RETURN

A copy of this arrest warrant was delivered to defendant Xavier Emmanuel Jones on 2/9/2023

Signature of Constable/Law Enforcement Officer

RETURN WARRANT TO:

Bamberg Magistrate 1234 North Street Post Office Box 187 Bamberg, SC 29003

DEFENDANT COPY DEFENDANT COPY DEFENDANT COPY DEFENDANT COPY DEFENDANT COPY DEFENDANT COPY DEFENDANT COPY

STATE OF SOUTH CAROLINA County/ Municipality of Bamberg

AFFIDAVIT

DEFENDANT COPY

Form Approved by S.C. Judiciary Council April 21, 2020 RSCA 119

Personally appeared before me the affiant Shawn M Murray who being duly sworn deposes and says that defendant Xavier Emmanuel Jones did within this county and state on or about 2/8/2023 violate the criminal laws of the State of South Carolina (or ordinance of County/ Municipality of Bamberg) in the following particulars

DESCRIPTION OF OFFENSE: Murder / Murder

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

See Attached Affidavit.

Signature of Affiant

STATE OF SOUTH CAROLINA County/ Municipality of Bamberg

Affiant's Address P. O. Box 21398 Columbia, SC 29221- Affiant's Telephone

ARREST WARRANT

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

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

on or about 2/8/2023 defendant Xavier Emmanuel Jones did violate the criminal laws of the State of South Carolina (or ordinance of County/ Municipality of Bamberg) as set forth below:

DESCRIPTION OF OFFENSE: Murder / Murder

Having found probable cause and the above affiant having sworn before me, you are empowered and directed to arrest the said defendant and bring him or her before me forthwith to be dealt with according to law. A copy of this Arrest Warrant shall be delivered to the defendant at the time of its execution, or as soon thereafter as is practicable Sworn to and subscribed before me on 2/9/2023

Judge's Address 2873 Main Highway Bamberg, SC 29003 Judge's Telephone (803)245-3016 Issuing Court: Magistrate

Judge Code 7035

BAIL set by

Judge _____
on _____
Type and Amount: _____
Name of Surety _____

PRELIMINARY HEARING held by

Judge _____
on _____
Defendant Attorney: _____
Decision: _____

DISPOSITION before

Judge _____
on _____
by _____
(indicate jury trial, bench trial, plea, not pros., etc.)
Disposition: _____
Sentence: _____

JURORS

WITNESSES

Name: _____
Address: _____
Telephone: _____
Name: _____
Address: _____
Telephone: _____

Name: _____
Address: _____
Telephone: _____
Name: _____
Address: _____
Telephone: _____

Name: _____
Address: _____
Telephone: _____
Name: _____
Address: _____
Telephone: _____

Name: _____
Address: _____
Telephone: _____
Name: _____
Address: _____
Telephone: _____

CODEFENDANTS



STATE OF SOUTH CAROLINA

COUNTY OF BAMBERG

AFFIDAVIT

Personally appeared before me, a magistrate of this county, one Special Agent Shawn Murray of SLED who first being duly sworn, deposes and says that XAVIER EMMANUEL JAVONTE JONES (Black male, height: 6'1 / weight: approximately 150 / [REDACTED]) did within this county and state on or about February 08, 2023, violate the criminal laws of the State of South Carolina in the following particulars:

DESCRIPTION OF OFFENSE

MURDER
16-3-10

The affiant states there is probable cause to believe that the defendant named above did commit the crime(s) set forth, and that such probable cause is based upon the following facts:

That on February 8, 2023, the defendant Xavier Jones; did willingly, knowingly, and feloniously violate S.C. statute of MURDER 16-3-10 with malice aforethought, while at 2834 Main Highway, in the town of Bamberg within the County of Bamberg, SC in the following particulars:

The defendant admitted to striking the victim several times in the head. The defendant also choked the victim, and kicked her in the head, leaving the victim lying on the ground, where she was later pronounced dead by the Bamberg County Coroner.

The above information is true and accurate and was obtained through witness statements and the investigation of Special Agent Shawn Murray of the South Carolina Law Enforcement Division.

Sworn to and subscribed before me
this 9th day of February, 2023


Affiant

104-Simmons Street
Walterboro, S.C. 29488
(843) 782-3822

Signature of Judge 

STATE VS. Xavier Emmanuel Jones INDICTMENT/CASE#: 2024GS0500177

FILED
BAMBERG COUNTY

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

2024 NOV -4 PM 2: 01

COUNTY OF Bamberg

JANNIE C. JOHNSON

STATE

CLERK OF COURT INDICTMENT/CASE#: 2024GS0500177

VS.

BAMBERG, SC

Xavier Emmanuel Jones

A/W#: 2023A0510100036

AKA:

Date of Offense: 2/8/2023

Race: Black Sex: Male Age: 33

S.C. Code §: 16-3-50

Address: 248 Second Street

CDR Code #: 0217

City, State, Zip: Bamberg, SC 29003

SENTENCE SHEET

DL#* _____ SID# _____

GUILTY BUT MENTALLY ILL

*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 (GBMI)
TO: Voluntary Manslaughter

In violation of § 16-3-50 of the S.C. Code of Laws, bearing CDR Code # 0217

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. XV (def.'s initials)

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

ATTEST:

David W. M...
Solicitor

69553
SC Bar #

[Signature]
Defendant

[Signature]
Attorney for Defendant

7839
SC Bar #

WHEREFORE, the Defendant is committed to the State Department of Correction County Detention Center, for a determinate term of 30 days/months/years/Time Served Youthful Offender Act not to exceed 60 and/or to pay a fine of 0; 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 60 days/months

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

The Defendant Shall be Released from County Detention Center.

A TRUE COPY

[Signature] MAW
CLERK OF COURT
BAMBERG COUNTY, SC 11/6/24

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

SPECIAL CONDITIONS:

PTUP after months/years

And Other Terms Listed Below

- Substance Abuse Counseling Completion of GED Random Drug/Alcohol Testing
 - Attend Voc. Rehab. Or Job Corp No Contact with Victim Domestic Violence Intervention Program
 - Mental Health Counseling May serve W/E
- beginning: _____

- Sex Offender Registry pursuant to S.C. Code § 23-3-430 Public Service Employment ___ days/hours
- Central Registry of Child Abuse and Neglect pursuant to S.C. Code § 17-25-135.

Other: _____

RESTITUTION: Deferred Def. Waives Hearing Ordered

Total ___ plus 20% fee: _____

Payment Terms: _____ Set by SCDPPPS

Recipient: _____

*Fine:

Fine may be pd. in equal consecutive weekly/monthly prmts. of \$_____ Beginning _____		\$ _____
§ 14-1-206 (Assessments 107.5%)		\$ _____
§ 14-1-211 (A)(1)(Conv. Surcharge)	\$100	\$ <u>100</u>
§ 14-1-211 (A)(2)(DUI Surcharge)	\$100	\$ _____
§ 56-1-2995 (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>3.75</u>
<input type="checkbox"/> Appointed PD or appointed other counsel, Proviso requires \$500 be paid to Clerk during probation and shall be collected before any other fees	\$500	\$ _____
<input type="checkbox"/> § 17-3-30(B) Unpaid Application Fee to be paid to the Public Defender Fund	TBD	\$ _____
	TOTAL	\$ <u>128.75</u>

Presiding Judge: Ca SP

Clerk of Court/Deputy Clerk: Rhonda McElroy

Judge Code: 2707

Court Reporter: Penny Johnson

Sentence Date: 11/4/2024

STATE OF SOUTH CAROLINA)

COUNTY OF BAMBERG)

STATE OF SOUTH CAROLINA,)

v.)

Xavier Emmanuel Jones
Defendant.

IN THE COURT OF GENERAL SESSIONS
SECOND JUDICIAL CIRCUIT

Warrants: 2023 A0510100036

ORDER APPOINTING PUBLIC DEFENDER

This matter came before the Court by the Defendant's request to have counsel appointed for the above captioned charges.

Based on the information presented, this Court finds that the Defendant is indigent and is entitled to the appointment of counsel.

IT IS THEREFORE, ORDERED THAT the Second Circuit Public Defender's Office is appointed to represent the Defendant.

SO ORDERED this 21 day of Feb, 2023

Rice Bailey 2770
Presiding Judge

FILED
BAMBERG COUNTY
2023 FEB 21 PM 1:22
COURT CLERK
BAMBERG, SC