

STATE OF SOUTH CAROLINA)
)
COUNTY OF CHESTER)
THE STATE,
VS.
Joseph Jemar Delvacio Hinson
Defendant.
_____)

FILED
OFFICE OF
CLERK OF COURT
2025 FEB 21) A 11: 04
CLERK OF COURT
LANCASTER, SC)

IN THE SOUTH CAROLINA
COURT OF APPEALS

STATEMENT OF APPELLANT'S COUNSEL
REGARDING REQUEST FOR APPEAL
OF GUILTY PLEA

INDICTMENT
2022-GS-29-1448

RECEIVED
FEB 25 2025
SC Court of Appeals

Appellant's Statement of Facts

The defendant was charged in Lancaster County General Sessions Court with one count of Failure to Stop for a Blue Light Resulting in Death from an incident occurring in Lancaster County on or about December 30, 2021. The defendant was scheduled for trial in Lancaster General Sessions Court on this matter for the week of February 18, 2025.

The defendant, after consultation with his attorney, agreed to enter a plea of guilty to the charge of Failure to Stop for a Blue Light Resulting in Death. The plea was "straight up" with no negotiations or recommendation by the solicitor's office. The State requested the defendant received the maximum sentence of 25 years consecutive to a sentence he was already serving in the South Carolina Department of Corrections from unrelated charges. The defendant, through his attorney, requested a concurrent sentence of 25 years suspended to the service of 10 years (the current sentence in SCDC) and 5 years of probation following. After, hearing from both the State and the defendant, the judge sentence Mr. Hinson to 25 years in the South Carolina Department of Corrections concurrent with sentence he is currently serving and verbally stated the defendant is entitled to time credit since his arrest of December 30, 2021.

Issues on Appeal

Subsequent to his guilty plea, the defendant requested her counsel to file an appeal regarding this plea. Pursuant to Rule 203(b)(2) and(d) SCACR, defendant's counsel is filing this appeal.



William P. Frick
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ATTORNEY FOR APPELLANT

STATE OF SOUTH CAROLINA
COUNTY OF LANCASTER

SENTENCE ORDER

IN THE COURT OF GENERAL SESSIONS

STATE vs.

Joseph Jemar Delvacio Hinson

AKA: Joseph Jamar Hinson, SSN: _____

Joseph Hinson

RACE: B SEX: M DOB: _____

) INDICTMENT/CASE#: 2022GS2901448

) AW#: 2021A2910103232

) Date of Offense: 12/30/2021

) S.C Code§: 56-05-0750(C)(2)

) CDR Code #: 2398

) Range of Offense: Failure To Stop For A Blue Light involving Death (NMT 25 years)

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

TO: Failure To Stop For A Blue Light involving Death

Range of Offense Pled: (NMT 25 years)

In violation of § 56-05-0750(C)(2) of the S.C. Code of Laws, bearing CDR Code # 2398

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

The plea is: w/o Rec/Negotiations Negotiated _____ Recommendation _____

/s Michael G. Matthews 64295

/s William P. Frick 69739

Solicitor

SC Bar #

Attorney for Defendant

SC Bar #

The Defendant is committed to the SCDC County Detention Center Home Incarceration Program
for a determinate term of 25 days/months/years/Time Served YOA NTE _____ years and/or shall 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*; balance is suspended with probation for _____ months/years
and subject to SCDPPPS standard conditions of probation, which are incorporated by reference.

The sentence shall run CONCURRENT or CONSECUTIVE to sentence on: current SCDC sentence

The Defendan is to be given credit for time served pursuant to S.C. Code § 24-13-40 to be calculated and applied by SCDC
_____ days/months To include time spent on monitored house arrest prior to trial and sentencing

SPECIAL CONDITIONS:

- PTUP _____
- No Contact with Victim Domestic Violence Intervention Program Hold for Inpatient Treatment
- Sex Offender Registry pursuant to S.C. Code § 23-3-430 SAC/MHC if necessary
- Central Registry of Child Abuse and Neglect pursuant to S.C. Code § 17-25-135
- Other: _____

RESTITUTION See Separate Order (20% per S.C. Code §24-21-490(B))

§14-1-206 (Assessments 107.5%)		Restitution	\$ _____
§14-1-211 (A)(1) Conv. Surcharge)	Fine/Costs and Assessments are to be paid to the Clerk of Court within _____ days/months	FINE:	\$ _____
§14-1-211 (A)(2)(DUI Surcharge)		\$100	\$ <u>100.00</u>
§56-5-1995 (DUI Assessment)		\$100	\$ _____
§56-1-286 (DUI Breath Test)		\$12	\$ _____
§14-1-212 (Law Enforcement Funding)		\$25	\$ _____
§14-1-213 (Drug Court Surcharge)		\$25	\$ <u>25.00</u>
§34-11-70(b)and(c), and 34-11-90(c)and(d) (Admin Fraud Check Court Costs)		\$150	\$ _____
§50-21-114 (BUI Breath Test Fee)		\$41	\$ _____
§56-5-2942(J) (Vehicle Assessment)		\$50	\$ _____
3% to County (if paid in installments)		\$40/ea	\$ _____
<input type="checkbox"/> Appointed PD or appointed other counsel. Provisio requires \$500 to be paid to Clerk during probation and shall be collected before any other fees		TBD	\$ <u>3.75</u>
<input type="checkbox"/> §17-3-45(B) Unpaid Application Fee to be paid to the Public Defender Fund		\$500	\$ _____
		\$40	\$ _____
		TOTAL	\$ <u>128.75</u>

/s Michael Watkins

Clerk of Court/Deputy Clerk

Maria DiScioscia 2168

Court Reporter

Judge Code

02/18/2025

Sentence Date

Presiding Judge

SCCA217B

01/27/2025

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