

RECEIVED**Mar 06 2025****SC Court of Appeals**

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM COLLETON COUNTY
Court of General Sessions

The Honorable Marvin H. Dukes, III, Circuit Court Judge

Warrant No (s): 2017A1510100015
Indictment No (s): 2017GS1500087

STATE OF SOUTH CAROLINA,

Respondent.

v.

DARRYL JEROME WASHINGTON,

Appellant.

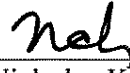
NOTICE OF APPEAL

Darryl Jerome Washington appeals his trial, conviction and sentence on the charge of Criminal Sexual Conduct With Minor Or Attempt - Victim Under 11 Yrs Of Age - First Degree before the Honorable Marvin H. Dukes, III, Presiding Judge, Fourteenth Judicial Circuit; and Darryl Jerome Washington appeals the Denial of his Motion for Direct Verdict on February 26, 2025 before the Honorable Marvin H. Dukes, III, Presiding Judge, Fourteenth Judicial Circuit.

MAR 5 2025 AM 8:50
COLLETON CO. GS. GARY HALE

[SIGNATURE PAGE TO FOLLOW]

March 5, 2025



Nicholas Kanaly, Esq.

Bar No. 104807

Assistant Public Defender

319 North Lucas Street

Walterboro, SC 29488

Attorney for Appellant

Other Counsel of Record:

Lynorr Musser, Esq.

Assistant Solicitor, 14th Judicial Circuit

Post Office Box 1880

Bluffton, SC 29910

Attorney for Respondent

MAR 5 2025 AM 8:50
COLLETON CO. GS. GARY HALE

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DARRYL JEROME WASHINGTON,

Appellant.

PROOF OF SERVICE

I certify that I have served the Notice of Appeal on the below listed respondents by depositing a copy of it in the United States Mail, postage prepaid, on March 5, 2025.

Lynorr Musser, Esq.
Assistant Solicitor
Post Office Box 1880
Bluffton, South Carolina 29910

Alan Wilson, Esq.
Attorney General
P.O. Box 11549
Columbia, SC 29211

I further certify that on March 5, 2025 an Original Notice of Intent to Appeal in the above captioned case was filed with the County Clerk of Court.

March 5, 2025

Nicholas Kanaly

Nicholas Kanaly, Esq.
Bar No. 104807
Assistant Public Defender
319 North Lucas Street
Walterboro, SC 29488

MAR 5 2025 AMB:50
COLLETON CO. GS. GARY HALE

STATE OF SOUTH CAROLINA

SENTENCE ORDER

IN THE COURT OF GENERAL SESSIONS

COUNTY OF Colleton

STATE vs.

Darryl Jerome Washington

AKA: SSN: XXX-XX-XXXX

RACE: Black SEX: Male DOB: XXX-XX-XXXX

INDICTMENT/CASE#: 2017-GS-15-00087
AW#: 2017A1510100015
Date of Offense: 06/01/2016
S.C. Code §: 16-3-655(a)(1)
CDR Code #: 0385
Range of Offense: 25-life

RECEIVED
Mar 06 2025
SC Court of Appeals

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

TO: Criminal Sexual Conduct Minor 1st Degree Range of Offense Pled 25-life

In violation of § 16-3-655(a)(1) of the S.C. Code of Laws, bearing CDR Code # 0385

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

The charge is: As indicted Lesser Included Offense Defendant Waives Presentment to Grand Jury.

The plea is: w/o Rec/Negotiations Negotiated Recommendation 25-life

Lynorr Musser 77699
Solicitor SC Bar #

Nick Kanaly
Attorney for Defendant SC Bar #

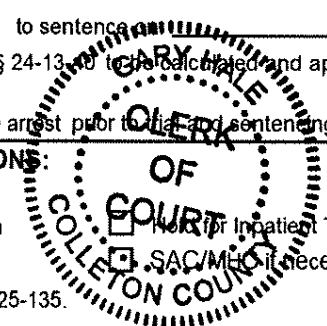
104807

The Defendant is committed to the SCDC County Detention Center Home Incarceration Program
for a determinate term of 30 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
The Defendant is to be given credit for time served pursuant to S.C. Code § 24-13-10 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
Sex Offender Registry pursuant to S.C. Code § 23-3-430
Central Registry of Child Abuse and Neglect pursuant to S.C. Code § 17-25-135.
Other:



Certified True Copies of Records
Lory Hale
Clerk of Court, General Sessions Court
Colleton County, South Carolina
Date: 03-06-2025

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

- §14-1-206 (Assessments 107.5%)
§14-1-211 (A)(1) Conv. Surcharge)
§14-1-211 (A)(2)(DUI Surcharge)
§56-5-1995 (DUI Assessment)
§56-1-286 (DUI Breath Test)
§14-1-212 (Law Enforcement Funding)
§14-1-213 (Drug Court Surcharge)
§34-11-70(b)and(c), and 34-11-90(c)and(d) (Admin Fraud Check Court Costs)
§50-21-114 (BUI Breath Test Fee)
§56-5-2942(J) (Vehicle Assessment)
3% to County (if paid in installments)

Fine/Costs and Assessments are to be paid to the
Clerk of Court within days/months

Table with columns for Restitution \$, FINE: \$, and TOTAL. Includes handwritten amounts like 100.00, 25.00, and 128.75.

- Appointed PD or appointed other counsel. Provisio requires \$500 to be paid to Clerk during probation and shall be collected before any other fees.
§ 17-3-45(B) Unpaid Application Fee to be paid to the Public Defender Fund

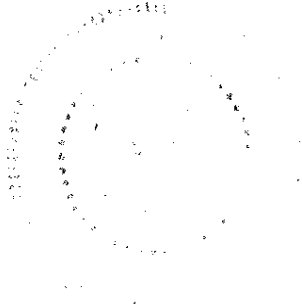
Lory Hale
Clerk of Court/Deputy Clerk
Melissa Singletary 2785
Court Reporter Judge Code

2/27/25
Sentence Date

Handwritten signature of Presiding Judge



CLERK OF SUPERIOR COURT
STATE OF NEW YORK
JULY 15 2025
CLERK OF SUPERIOR COURT
STATE OF NEW YORK
JULY 15 2025



ARREST WARRANT

2017A1510100015

STATE OF SOUTH CAROLINA

County/ Municipality of

Colleton

THE STATE 16-5881

against

Darryl Jerome Washington

Address: 311 Ground Circle

Yemassee, SC 29945-

Phone: SSN: Weight:

Sex: M Race: B Height: DL #:

DL State: Agency ORI #: SC0150000

Prosecuting Agency: Colleton County Sheriff

Prosecuting Officer: Kelly Padgett - SS26

Offense: Sex / Criminal sexual conduct with minor or

Attempt - victim under 11 yrs of age - First degree

Offense Code: 0385

Code/Ordinance Sec: 16-03-0655(A)(1)

This warrant is CERTIFIED FOR SERVICE in the

County/ Municipality of

is to be arrested and brought before me to be

dealt with according to the law. The accused (L.S.)

Date: Signature of Judge

RETURN

A copy of this arrest warrant was delivered to

defendant Darryl Jerome Washington

on 1/11-17

Signature of Probation/Law Enforcement Officer

RETURN WARRANT TO:

General Sessions

P O Box 620

101 Hampton Street

Walterboro, SC 29488

ORIGINAL

ORIGINAL

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STATE OF SOUTH CAROLINA

County/ Municipality of

Colleton

Personally appeared before me the affiant Kelly Padgett

being duly sworn deposes and says that defendant Darryl Jerome Washington

did within this county and state on or about 6/1/2016

State of South Carolina (or ordinance of County/ Municipality of Colleton

in the following particulars:

DESCRIPTION OF OFFENSE: Sex / Criminal sexual conduct with minor or Attempt - victim under 11 yrs of age - First degree

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:

That on or about the months of June - August 2016 while at 311 Ground Circle, Yemassee, SC 29945, the

defendant, 38 year old male, did commit the offense of criminal sexual conduct 1st degree. The eight (8) year old male victim w

violated by the defendant who placed his mouth on the victim's penis and fondled the victim's penis with his hand. Probable cause

is based on statements made by the victim during a forensic interview. OCA#16-5881

Certified True Copies of Records

Signature of Affiant Kelly Padgett

STATE OF SOUTH CAROLINA County/ Municipality of Colleton

Affiant's Address 112 S. Miller Street

Affiant's Telephone (843)549-2211

ARREST WARRANT

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

on or about 6/1/2016 did violate the criminal laws of the State of South Carolina (or ordinance of County/ Municipality of Colleton

DESCRIPTION OF OFFENSE: Sex / Criminal sexual conduct with minor or Attempt - victim under 11 yrs of age - First degree

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 1/9/2017

Signature of Issuing Judge Kenneth Arthur Campbell Jr.

Judge Code: 5625-1158

Judge's Address 40 Klein Street

Judge's Telephone (843)549-1122

Issuing Court Magistrate

Municipal

Circuit

ORIGINAL

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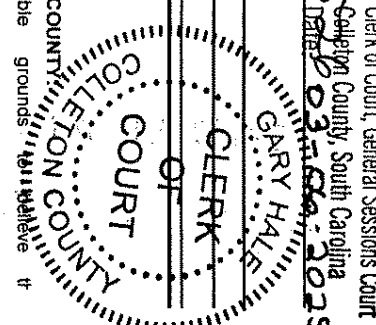
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689-61 [Redacted]

WITNESSES

Name: _____
 Address: _____
 Telephone: _____

Name: _____
 Address: _____
 Telephone: _____

Name: _____
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 Telephone: _____

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Name: _____
 Address: _____
 Telephone: _____

CODEFENDANTS

Appointed Public Defender
 as Attorney on 11/1/2017

ATLANTA COUNTY STRATE
[Signature]

Judge [Signature] BAIL set by [Signature]
 on May 11, 2017
 Type and Amount: Officer David M. [Signature]
 Name of Surety: Judge [Signature] Circuit Court

PRELIMINARY HEARING held by
[Signature]
 Judge [Signature]
 on APR 4 2017

Defendant Attorney: **PUBLIC DEFENDER**
 BIND-OVER-REFER TO GRAND JURY

Decision: _____

DISPOSITION before _____

Judge _____
 (Indicate jury trial, bench trial, plea, nol. pros., etc.)
 Disposition: _____
 Sentence: _____

2017 APR 13 AM 10:38
 COLLETON COUNTY GENERAL SESSIONS COURT

JURORS

WITNESSES

Padgett, Kelly - CCSO

[Handwritten Signature]

DOCKET NO. 2017GS1500087

**The State of South Carolina
County of Colleton**

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

Defendant

COURT OF GENERAL SESSIONS

May Term 2017

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

THE STATE

vs.

Darryl Jerome Washington

ARREST WARRANT NUMBER

2017A1510100015

Indictment For

**Criminal Sexual Conduct With Minor
or Attempt - 1st Degree**

SC Code: 16-3-655(A)(1)

CDR Code: 0385

Defendant

True Bill

Rooke Orsady

Foreperson of Grand Jury

Date: *5/11/17*

Witness:

VERDICT

Foreperson of Petit Jury

Date:

INDICT



C.C.C. PLS. and G.S.

RECEIVED

Mar 06 2025

SC Court of Appeals

2017 MAY 12 AM 8:43

COLLETON COUNTY
GENERAL SESSIONS COURT

STATE OF SOUTH CAROLINA)
)
COUNTY OF COLLETON)

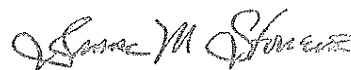
INDICTMENT
2017GS1500087

At a Court of General Sessions, convened on May 11, 2017, the Grand Jurors of Colleton County present upon their oath:

Criminal Sexual Conduct With Minor with Minor or Attempt – 1st Degree

That in Colleton County, South Carolina, on or between the dates of June 1, 2016 through August 31, 2016, the Defendant, Darryl Jerome Washington, did engage in sexual battery with Savion Wright who was less than eleven years of age at the time of the sexual battery, all in violation of Section 16-3-655(A)(1), et al. of the Codes of Law of South Carolina.

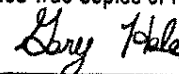
Against the peace and dignity of the State, and contrary to the statute in such case made and provided.



Solicitor



Certified True Copies of Records



Clerk of Court, General Sessions Court
Colleton County, South Carolina

Date: 03-06-2025

[Faint handwritten notes and signatures at the bottom of the page]

VERDICT FORM

STATE OF SOUTH CAROLINA)	IN THE COURT OF GENERAL SESSIONS
)	FOURTEENTH JUDICIAL CIRCUIT
COUNTY OF COLLETON)	Indictment Nos.: 2017-GS-15-00087
The State of South Carolina,)	
)	
vs.)	
)	
Darryl Jerome Washington ,)	
)	
_____ Defendant.)	

INSTRUCTION: *Please read the entire Verdict Form before deliberating.*

VERDICT

- As to Indictment Number 2017-GS-15-00087, for the charge of **First Degree Criminal Sexual Conduct with a Minor – Under 11 Years of Age**, occurring on or about June 1, 2016 through August 31, 2016, we, the jury, unanimously find the Defendant, Darryl Jerome Washington (Check One):

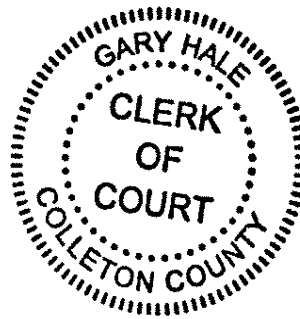
 X Guilty.

_____ Not Guilty.

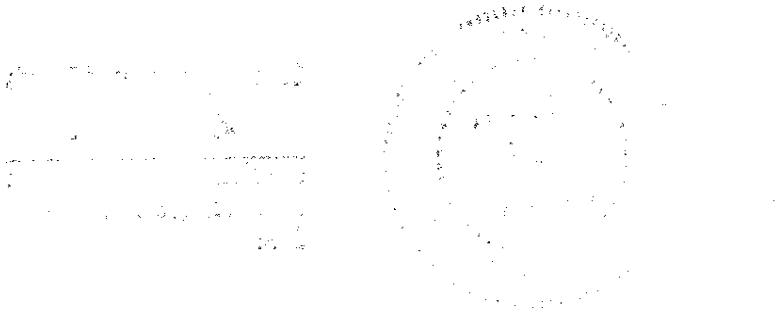
I certify that this is the unanimous decision of the jury.

Margaret Bolchuz
Foreperson

February 27, 2025



Certified True Copies of Records
Gary Hale
 Clerk of Court, General Sessions Court
 Colleton County, South Carolina
 Date: 03-06-2025



STATE OF SOUTH CAROLINA

County of Colleton

STATE OF SOUTH CAROLINA

Petitioner

vs.

Darryl Jerome Washington
Defendant

IN THE COURT OF
GENERAL SESSIONS

14th Judicial Circuit

NOTICE OF APPOINTMENT
FOR LEGAL COUNSEL

Warrant: 2017A1510100015

Indictment: _____

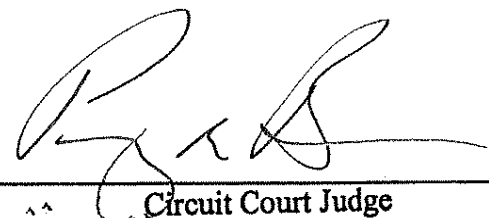
To: Helen Dovell, Attorney at Law

Rmb

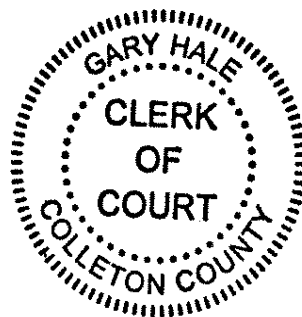
By order of the Chief Administrative Judge and pursuant to ~~Rule 608, SCACR~~, you are hereby appointed to act as attorney for Darryl J. Washington, the Defendant, in this action.

This 26th day of January, 2017.

Walterboro, S.C.



Circuit Court Judge
14th Judicial Circuit



Certified True Copies of Records

Gary Hale

Clerk of Court, General Sessions Court
Colleton County, South Carolina
Date: 03-06-2025

COLLETON COUNTY
GENERAL SESSIONS COURT
2017 JAN 30 AM 10:18

Office of the Public Defender
Fourteenth Judicial Circuit
Stephanie Smart-Gittings, Circuit Defender

BEAUFORT COUNTY

Human Services Building
 1905 Duke Street, Room 210
 Post Office Box 525
 Beaufort, SC 29902
 (843) 255-5805 (Phone)

ALLENDALE, HAMPTON & JASPER COUNTIES

1 Courthouse Square
 80 Elm Street, Room 133
 Post Office Box 506
 Hampton, SC 29924
 (803) 914-2240 (Phone)
 (843) 255-9494 (Fax)

COLLETON COUNTY

319 N. Lucas Street
 Walterboro, SC 29488
 (843) 549-1633 (Phone)

March 5, 2025

Via Certified Mail/ Return Receipt Requested

Clerk, The S.C. Court of Appeals
 Post Office Box 11629
 Columbia, South Carolina 29211

RECEIVED

Mar 06 2025

SC Court of Appeals

Re: NOTICE OF APPEAL
State v. Darryl Jerome Washington
 Warrant/Ticket No(s): 2017A1510100015

Dear Sir/ Madam:

Enclosed you will find the original Notice of Appeal in the above matter along with Proof of Service upon the Respondents. The Notice has been filed with the Colleton County Clerk of Court. Also enclosed is a copy of the sentencing sheet from which this appeal is taken and a copy of the warrant(s) and indictment(s).

These matters are being referred to the Office of Appellate Defense in that we were participating as Court appointed counsel at trial.

Thank you for your attention to this matter.

Yours very truly,



 Nicholas Kanaly, Esq.
 Assistant Public Defender
 319 North Lucas Street
 Walterboro, SC 29488
 Attorney for Appellant

Enclosure

cc: Office of the Fourteenth Circuit Solicitor's Office
 Office of the Attorney General
 Office of Appellate Defense

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MAR 5 2025 AM 8:50
COLLETON CO GS, GARY HALE

[SIGNATURE PAGE TO FOLLOW]

March 5, 2025



Nicholas Kanaly, Esq.

Bar No. 104807

Assistant Public Defender

319 North Lucas Street

Walterboro, SC 29488

Attorney for Appellant

Other Counsel of Record:

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Assistant Solicitor, 14th Judicial Circuit

Post Office Box 1880

Bluffton, SC 29910

Attorney for Respondent

MAR 5 2025 AMB:50
COLLETON CO GS, GARY HALE

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