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**May 15 2025**

**SC Court of Appeals**

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

---

Appeal from Jasper County

Honorable Marvin H. Dukes, III, Circuit Court Judge

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THE STATE,

RESPONDENT,

V.

ROBBY WILLIE TRACY,

APPELLANT

APPELLATE CASE NO. 2024-001581

---

RECORD ON APPEAL

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State of South Carolina            )  
   )     In the Circuit Court  
 County of Jasper                    )  
   )  
   )  
 The State,                            )  
   )  
                           Plaintiff,    )  
   )  
 vs.                                    ) Case #: 2022-GS-27-00414  
   )  
 Bobby W. Tracy,                    )  
   )  
   )  
                           Defendant.    )  
 \_\_\_\_\_                          )

Jasper County Courthouse  
 September 5, 2024

**TRANSCRIPT OF HEARING**

B E F O R E

The Honorable Marvin H. Dukes, III

A P P E A R A N C E S:

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 Attorney for the State of South Carolina

Melisa Gay, Esquire  
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E X H I B I T S

(There were no exhibits marked during this hearing)

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1 MS. HART: This is Robby Tracy, Docket Number  
2 2022-DR-27-00414. Mr. Tracy is pleading to five charges.  
3 It's going to be three Berkeley charges, one Charleston  
4 charge and one Jasper charge.

5 MADAM CLERK OF COURT: Mr. Tracy, please raise  
6 your right hand. Do you swear or affirm to tell the  
7 truth, the whole truth and nothing but the truth so help  
8 you God?

9 MR. TRACY: I do.

10 MADAM CLERK OF COURT: Thank you.

11 THE COURT: Right. Have you had a chance to  
12 speak with your client about --- On the record, sorry.  
13 Have you had a chance to speak with your client about  
14 charges pending against him?

15 MS. GAY: Yes, and I would like to say that I've  
16 spoken to him and gotten maybe 100 smart mail messages  
17 from him that I've responded to, and also had my  
18 investigator speak to him multiple times. So Mr. Tracy is  
19 somebody that I've discussed extensively whether or not  
20 you should have a trial or not in his Berkeley case, and  
21 also a case that he has pending in Charleston and  
22 provided lots of case law to him, and done a lot of  
23 things. I want to say that because I want to put that on  
24 the record, but I thoroughly discussed it with him.

25 THE COURT: Okay. Thank you. So it would be fair

1 to say you believe he understands the charges?

2 MS. GAY: Yes, and his exposure, if he chooses  
3 not to plead guilty, he has multiple burglary  
4 convictions.

5 THE COURT: There was a Jasper case too you were  
6 mentioning?

7 MS. GAY: Yes.

8 THE COURT: You discussed that with him as well?

9 MS. GAY: Well, the Jasper public defender got  
10 that worked out and had the paperwork sent here. The  
11 Jasper public defender, I told her I would do the plea no  
12 problem. But she spoke to him on the telephone, and they  
13 --- he will tell you that he discussed all this with his  
14 Jasper public defender.

15 MS. HART: Her name is Hillary. She signed off  
16 on it and sent it to me, the sentencing sheet, Your  
17 Honor.

18 THE COURT: Okay, great. All right, and he  
19 wishes to plead guilty today to all five charges. Is that  
20 correct?

21 MS. GAY: Yes.

22 THE COURT: All right. Let's see, Mr. Tracy, can  
23 you state your full name for the record?

24 MR. TRACY: Robby William Tracy.

25 THE COURT: Thank you. Are you currently under

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1 the influence of any drugs, alcohol or conditions that  
2 would affect your ability to understand these  
3 proceedings?

4 MR. TRACY: No sir.

5 THE COURT: Let's see, is this negotiated or  
6 recommended?

7 MS. HART: This is a recommendation.

8 THE COURT: It's a recommendation for?

9 MS. HART: The recommendation is going to be 10  
10 years suspended to five years active and five years  
11 probation, a permanent restraining order for one of the  
12 victims. He's present and will speak when we get to his  
13 case, Your Honor. And in exchange for the plea the state  
14 is dismissing the receiving stolen goods. Possession of a  
15 controlled substance, grand larceny, resisting arrest,  
16 HTO, DUS, removing vin, another HTO, possession of a  
17 weapon during the commission of a violent crime and his  
18 burg second, non violent is reduced from burglary first.  
19 So an extensive amount of leeway here, Your Honor.

20 THE COURT: So you had mentioned the  
21 recommendation on three charges. I've got five here.

22 MS. HART: It's going to be for all five. All  
23 five will be included in the 10 years suspended to five  
24 years active, five years. So for all five of them, that's  
25 a recommendation. I apologize, Your Honor.

1 THE COURT: That's okay. I'm just trying to sort  
2 it out here. Okay. And is that a negotiation or a  
3 recommendation?

4 MS. HART: Recommendation.

5 MS. GAY: Recommendation.

6 THE COURT: Okay, sir, you understand --- Did  
7 you understand the recommendation?

8 MR. TRACY: Yes sir.

9 THE COURT: You need any more time to talk with  
10 your counsel about it?

11 MR. TRACY: No sir.

12 THE COURT: Do you understand that I don't have  
13 to accept the recommendation. I can sentence you to the  
14 maximum and have actually all those charge run  
15 consecutively? I'm not even sure what the math adds up  
16 to. What are the max on these?

17 MS. HART: Oh, my goodness, if everything that  
18 he has going on, he's probably looking at least 60 years.

19 THE COURT: Do you understand that, sir?

20 MR. TRACY: Yes sir.

21 THE COURT: That I don't have to listen to the  
22 recommendation. I can send it to the maximum on each of  
23 these and run it consecutive. All right, knowing that you  
24 wish to proceed with this?

25 MR. TRACY: Yes sir.

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1 THE COURT: Okay. Have you had a --- you heard  
2 your lawyer a minute ago talk about all she had done, the  
3 conversations you had with her. Have you had a, in your  
4 mind, a full and adequate opportunity to speak with your  
5 counsel?

6 MR. TRACY: Yes sir.

7 THE COURT: Do you have any more questions for  
8 her?

9 MR. TRACY: No sir.

10 THE COURT: Has she answered all your questions  
11 up until now?

12 MR. TRACY: Yes sir.

13 THE COURT: Are you satisfied with her services?

14 MR. TRACY: Yes sir.

15 THE COURT: Now you had another lawyer in Jasper  
16 County.

17 MR. TRACY: Yes sir.

18 THE COURT: What was the name of that lawyer?

19 MR. TRACY: Hillary.

20 THE COURT: Okay. Are you satisfied with her?

21 MR. TRACY: Yes sir.

22 THE COURT: Did she answer all your questions?

23 MR. TRACY: Yes sir.

24 THE COURT: You understand everything you need  
25 to know to plead guilty today in her absence on the

1 Jasper County charge?

2 MR. TRACY: Yes sir.

3 THE COURT: Okay. Do you understand that with  
4 regard to each of these charges, each of the five  
5 charges, you're waiving the right to a jury trial?

6 MR. TRACY: Yes sir.

7 THE COURT: Do you understand that you're  
8 waiving the right to remain silent?

9 MR. TRACY: Yes sir.

10 THE COURT: Do you understand that you're  
11 waiving the right to call your own witnesses at a trial?

12 MR. TRACY: Yes sir.

13 THE COURT: Do you understand that you're  
14 waiving the right to cross examine the state's witnesses  
15 at a trial?

16 MR. TRACY: Yes sir.

17 THE COURT: Do you understand that in any trial,  
18 and you would be entitled to trials on all of these  
19 conceivably individually, in fact, there are three  
20 separate counties you would have, the state, I'm sorry,  
21 would have the obligation to prove you guilty beyond a  
22 reasonable doubt. Do you understand that right?

23 MR. TRACY: Yes sir.

24 THE COURT: And knowing all of that you wish to  
25 waive the rights on all five charges individually in the

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1 three separate counties and plead guilty today. Is that  
2 correct?

3 MR. TRACY: Yes sir.

4 THE COURT: And you understand that you actually  
5 would have the right to have these dealt with in the  
6 county of their origin? I understand you've got Berkeley,  
7 Charleston and Jasper today. Is that correct?

8 MR. TRACY: Yes sir.

9 THE COURT: Do you understand that? That you're  
10 waving jurisdiction venue, all of that to have these done  
11 here as one big stack here in Berkeley County. Is that  
12 correct?

13 MR. TRACY: Yes sir.

14 THE COURT: You need any time to talk with your  
15 lawyer about that?

16 MR. TRACY: No sir.

17 THE COURT: All right. How do you --- We're  
18 going to take these individually. How do you plead to the  
19 charge of grand larceny?

20 MR. TRACY: Guilty.

21 THE COURT: That is case 3343. In case 3344 how  
22 do you plead to the charge of failure to stop for a blue  
23 light?

24 MR. TRACY: Guilty.

25 THE COURT: In case 33-45 How do you plead to

1 burglary, second non-violent?

2 MR. TRACY: Guilty.

3 THE COURT: Did you say guilty?

4 MR. TRACY: Guilty, yes sir.

5 THE COURT: Okay, thank you. In case 33 - Well,  
6 that's 33-45 again. In case it's a Charleston County  
7 case, 22-937, how do you plead to burglary Second Degree  
8 violent?

9 MR. TRACY: Guilty.

10 THE COURT: By the way, has it been explained to  
11 you about violent and serious crimes? The enhancements in  
12 case you're caught again. Do you have any questions  
13 about that? Do you understand there are extra penalties  
14 for that?

15 MR. TRACY: Yes sir.

16 THE COURT: Okay. Do you need any more time to  
17 talk with this lawyer or your other lawyer about that?

18 MR. TRACY: No sir.

19 THE COURT: Okay. So I forgot your answer here  
20 in 22-937, burglary second degree, violent. How do you  
21 plead?

22 MR. TRACY: Guilty.

23 THE COURT: Okay. Thank you. In Jasper case, 22-  
24 414, Petty Larson, \$2000 or less. How do you plead?

25 MR. TRACY: Guilty.

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1 THE COURT: I think I got them all. Is that  
2 right?

3 MS. HART: Yes sir.

4 THE COURT: Okay, all right. Are you pleading  
5 guilty freely and voluntarily?

6 MR. TRACY: Yes sir.

7 THE COURT: Knowingly and intelligently?

8 MR. TRACY: Yes sir.

9 THE COURT: On each of the individual five  
10 charges, are you pleading guilty because you are guilty?

11 MR. TRACY: Yes sir.

12 THE COURT: Do you understand you have 10 days  
13 from today's date to appeal this guilty plea, if you'd  
14 like, but you must do so in writing.

15 MR. TRACY: Yes sir.

16 THE COURT: Okay, I'm happy to hear from the  
17 state.

18 MS. HART: Thank you, Your honor. I'm going to  
19 walk through the Berkeley County charges first with the  
20 grand larceny. On July 28 of 2020. Law enforcement  
21 responded to 111 Lumber Lane in Berkeley County, in  
22 reference to a theft, the victim reported his 2016  
23 Stingray boat was missing. Video surveillance captured on  
24 July 24th show the defendant drive his truck onto the  
25 property after opening the gate, he then used a saw to

1 cut the lock ball on a trailer. He then hooks the trailer  
2 with the boat to his truck and leaves with it. The  
3 defendant was identified after their surveillance footage  
4 was shown to the public and a citizen called in. After a  
5 search warrant of the defendant's property, law  
6 enforcement located the motor, seats and other items from  
7 the victims boat. The boat was valued at \$22,000 and that  
8 victim was notified and is not present. For the failure  
9 to stop for blue light on June the 11th of 2023 law  
10 enforcement responded to 117 Farrell Street in the Moncks  
11 Corner area of Berkeley County for reported break in that  
12 was in progress. Law enforcement got a description of the  
13 defendant and the vehicle, which was a dirt bike en route  
14 to the call law enforcement spotted the defendant and  
15 initiated a traffic stop. The defendant failed to stop  
16 after having multiple safe places to do so. He did  
17 eventually pull over and was arrested. The next is going  
18 to be the initial charge of burglary first, where he's  
19 pleading to the burglary second, non violent, and the  
20 victim is present in the courtroom. On May the Fourth of  
21 2023 the victim reported that a burglary occurred at his  
22 residence located at 2927 South Lot Oak Drive in the  
23 Moncks Corner area of Berkeley County. The victim  
24 reported that sometime between April the 17th of 2023 and  
25 May the fourth of 2023 while he was out of town, there

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1 was forced entry into the residence, and several items  
2 were taken to include a Ruger 10-22 rifle. The victim  
3 also reported that his 2006 Pontiac vehicle, valued at  
4 \$9,000 was stolen from his property, along with a utility  
5 a utility trailer and lawn mowers. Items taken from  
6 inside the home included musical instruments, which were  
7 trumpets and accessories, firearms, tools, jewelry,  
8 collectible currency, irreplaceable items that he had  
9 from his father's military career, all valued over  
10 \$30,000. During the investigation of the incident, it was  
11 found that on April the 20th of 2023 the Goose Creek  
12 Police Department conducted a traffic stop on the  
13 victim's vehicle that was being driven by this defendant.  
14 So that means he was pulled over before the burglary was  
15 reported. Because no one knew the burglary had happen  
16 yet, because the victim was out of town. There was a  
17 there was a utility trailer containing lawn mowers  
18 attached to the vehicle during the stop. At that time,  
19 the victim was still out of town and had not discovered  
20 the burglary or that his property had been stolen. The  
21 traffic stop occurred within three days of the victim's  
22 departure, the defendant, at the time of the traffic  
23 stop, claimed ownership of the vehicle and its contents  
24 to the Goose Creek Police Department. The stolen Ruger  
25 was located in the vehicle by Goose Creek Police

1 Department during the traffic stop. As a result of the  
2 traffic stop, the defendant was arrested and charged with  
3 driving offenses. The defendant, while being arrested,  
4 contacted his girlfriend and told her to sell the stolen  
5 property that was mentioned, and he mentioned a white  
6 cargo trailer. The vehicle and trailer had not been  
7 reported stolen at the time, a co-conspirator/friend was  
8 identified in the investigation and was subsequently  
9 interviewed regarding the incident. The co-  
10 conspirator/friend provided the statement that the  
11 defendant admitted to taking the items from the  
12 residence. During the investigation, law enforcement  
13 recovered some of the stolen property from other  
14 conspirators/friends. The defendant admitted to his co-  
15 conspirator/friends that he had taken the stolen items  
16 from the victim's residence in which he was in possession  
17 of. He also had searches on his phone trying to find ways  
18 to sell stolen items. We'll move on to the Charleston  
19 burglary, second degree violent. On February the fourth  
20 of 2021 the defendant arrived at Lowe's Home Improvement  
21 in the area of Charleston County and parked his vehicle  
22 at the rear of the store where there is no customer  
23 entrance. Utilizing a tool in his possession, he removed  
24 a hinge from a locked gate at the back of the store,  
25 which allowed him access to a fully enclosed bullpen area

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1 accessible only to employees. The defendant then drove  
2 around to the front of the store, where he unsuccessfully  
3 attempts to pry open a locked automatic sliding door at  
4 the contractor's entrance, which was locked. After the  
5 store was closed, the defendant drove back to the rear of  
6 the store and entered the bullpen once more after walking  
7 around for several minutes the defendant selected two  
8 pieces of equipment, and it was lawn equipment, a push  
9 mower. He moved each of these items separately outside of  
10 the bullpen and appeared to stage them in a wooded area  
11 near his parked vehicle, after which, he walked back into  
12 the bullpen. The defendant attempted to enter the main  
13 shopping area, which triggered the store's commercial  
14 alarm, to which he then was escorted off the premises.  
15 For the petty larceny in Jasper the enhancement. On March  
16 the 10th of 2022 the defendant entered Ridgeland  
17 Correctional Institute, located at five Correctional Road  
18 in Richland in Jasper County to visit an inmate. While  
19 leaving, the defendant stole an SCDC cell phone used to  
20 scan employee IDs, which was valued at less than \$2,000.  
21 The theft was caught on their security camera, and the  
22 defendant was positively ID as the person who took the  
23 phone. The defendant was a brother of one of the inmates.  
24 The inmates brother asked the defendant to return the  
25 phone. The defendant returned the phone to the

1 Correctional Institute. The defendant had two previous  
2 property theft convictions involving \$1 amount which  
3 correlates to the sentence. Those offenses are a 2008  
4 petty larceny and a 2021 shoplifting, \$2,000 or less.  
5 Your Honor, I do have Mr. Rainville here, who is the  
6 victim of the Berkeley County burglary that would like to  
7 address Your Honor. Would you want you to provide you  
8 with the defendant's record at this time before he  
9 speaks?

10 THE COURT: Please.

11 MS. HART: Okay, I'm going to start in 2004  
12 simple possession of marijuana. 2007 criminal domestic  
13 violence, petty larceny, burglary third, grand larceny,  
14 2008 public disorder, conduct, 2009 failure to stop for  
15 blue white, 2010 criminal domestic violence, 2011  
16 burglary second degree, 2012 burglary second degree, 2016  
17 at federal financial institution crime and 2022 public  
18 disorderly conduct. And again, Your Honor, I listed  
19 earlier the amount of charges that are being dismissed,  
20 and you heard from his record what he would be looking  
21 at, what he could be looking at with direct indictments  
22 from his previous history, and I have Mr. Rainville  
23 present, if you would stand up and state your name for  
24 the record. And tell the Court what you would like them  
25 to hear.

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1 MR. RAINVILLE: David Rainville, R, A, I N, V,  
2 I, L, L, E. I've no ill will toward. Tracy. I never knew  
3 him. To my knowledge, he didn't know me. But I'd like to  
4 read a statement how this is how it affected me. Mr.  
5 Tracy stole from me 1000s of dollars of my emergency  
6 savings, collectable stamps, coins, currency from World  
7 War II, my microphones, many microphones, I'm a recording  
8 engineer my hobby. Trumpets, may trumpets. I play in  
9 orchestras and bands. Hi-Fi gear worth 1000s. Stuff I've  
10 saved since I was very young. My son's riffle, my  
11 ammunition, my tools, my car and my trailers. It hurt  
12 because some of these things I've collected for over 50  
13 years since I first started music and sound prior to  
14 President Kennedy's death which I recorded live off the  
15 air. My home was ransacked beyond the description, he and  
16 his helpers may have thought that since I did not keep a  
17 neat house, that I deserved it. That's not his call. But  
18 it was also clear that robbers were returning for a  
19 second load the way things were positioned in the house.  
20 He didn't stop after the first one apparently. The first  
21 thing that is troubling truly troubling is how some  
22 people decide that they don't, do not need to work, that  
23 others should spend their lives working, and to just hand  
24 over their savings. This is not good. This is why  
25 Americans will fight to defend our country from

1 communism. In my mind, there is little difference between  
2 a government that doesn't allow its people to own  
3 anything and a robber who acts on his own to take from  
4 others. These are the actions that are just driven by  
5 greed and the idea that others should do the work while  
6 others reap the benefits. It is the rationale behind  
7 slavery. My prayer. And I do pray for Mr. Tracy honestly,  
8 that he use his spare time to consider the idea of  
9 actually working for a living, rejoin society whenever he  
10 does, and have law abiding friends, it could be a good  
11 life. You're still young. You have skills. The only real  
12 barrier is that this requires a certain type of humility.  
13 The kind that for some, only the Lord can give and only  
14 if you ask. I speak from personal experience. Sorry for  
15 the emotions. It would mean the world to me to hear an  
16 apology and then to return my father's dog tags and  
17 service records for World War Two in Korea. They're not  
18 worth much on the market. They're worth a great deal to  
19 me and to my son, who also served in Korea, out of  
20 respect for his grandfather. Apologizing to me is a small  
21 thing. I can't offer true forgiveness for everything, and  
22 I can't offer a new life you would have the hour that you  
23 ask Jesus Christ to represent you in the final judgment.  
24 Some here know exactly what I mean and I ask the  
25 believers in this room to pray for Mr. Tracy, that he's

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1 use his time whatever is coming free or otherwise, to  
2 come to the same place where we too receive forgiveness  
3 in a new life, no matter what we did in the old one.

4 Thank you for listening.

5 THE COURT: Thank you very much, sir. Anything  
6 else from the state?

7 MS. HART: Nothing further, Your Honor.

8 THE COURT: All right, let's see, Mr. Tracy, as  
9 to the general allegations by the state. Do you agree  
10 with those facts?

11 MR. TRACY: Yes sir.

12 THE COURT: All right. I'll accept the plea.  
13 I'll find there's a substantial factual basis for the  
14 plea. I find the defendant's decision to plead guilty is  
15 freely, voluntarily, knowingly and intelligently made.  
16 The defendant has had the advice and counsel of two  
17 attorneys with whom the defendant is satisfied. The plea  
18 is accepted. And I'm happy to hear from you, ma'am.

19 MS. GAY: Well, Your Honor. That was a very  
20 generous statement made by the victim in this case. I  
21 know that that affected Mr. Tracy. I could see that in  
22 his face. It certainly affected me, Your Honor. Mr. Tracy  
23 is 38 years old. We've done a lot of calculations about  
24 his time, sir. We believe he's entitled to 45 days time,  
25 sir, and would ask you to give it to him in all the

1 cases, but the Department of Corrections is going to do a  
2 lot of that, Your Honor, but, but, you know, Mr. Tracy  
3 has a drug problem, and when he was involved and put in  
4 jail. Like he's been in jail now since early 2023 and he  
5 is dried out. And, you know, a dried out Mr. Tracy,  
6 somebody who's have, you know, completely sober, is a  
7 completely different person, you know, really, than Mr.  
8 Tracy, who was, you know, really out of control on drugs  
9 when he was on the street and mainly hurting himself,  
10 along with, you know, other things that were being done,  
11 but primarily hurting himself also. And so he has had a  
12 lot of time to to really think about what he's going to  
13 do next. When I tell the court that I've gotten 100  
14 messages from him, it might have been 150. He is a very  
15 intelligent man. He is somebody who is very capable of  
16 reviewing legal things, and once they gave them the  
17 tablets in the jail, there are a whole bunch of lawyers  
18 that are in the jail now, Your Honor. They have so much  
19 knowledge of so many things. Some of it was a little bit  
20 misguided, because they don't understand the difference  
21 between different state jurisdictions or federal  
22 different jurisdictions. Mr. Tracy tried really hard to,  
23 you know, to go through a lot of issues in his case and  
24 understand it completely. And so, you know, honestly,  
25 Your Honor, he and I butt heads a good bit in some of

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1 this, because, you know, I ultimately was going that's  
2 not South Carolina law. That's, you know, this is where  
3 this is law in our state. You know, we have to stay  
4 focused. But by that, I'm telling you that Mr. Tracy has  
5 a brain, and he has a good brain, and this is he has not  
6 done so much destruction to his body and mind that he's  
7 not going to be able to be as the victim ask a productive  
8 citizen in the future he will be able to. He had hoped  
9 and prayed that during this sentencing, that the judge  
10 could the judge who was going to be sentencing him would  
11 consider the possibility of allowing him to have a  
12 suspended sentence to go to rehab. He has contacted a  
13 rehab. Rehabs, you know, they're supposed to send me  
14 things, and then they don't, and then it gets to be the  
15 day before, and we can't, we just can't get them on the  
16 phone. But he had contacted rehab, Mr. Tracy, what is the  
17 name of that rehab you contacted?

18 MR. TRACY: Second chance.

19 MS. GAY: And he had set it up, and he sent me a  
20 message that said, hey, this is their telephone number.  
21 Can you please get this documentation from them? And I  
22 will let you know that we spoke to them, but we never  
23 actually saw the documentation. I think that there was a  
24 problem, and it might have got spam or something like  
25 that, but we were trying to find that this morning, Your

1 Honor. But I know that Mr. Tracy has family members that  
2 he's talked to that were able to pay the money for him to  
3 have a rehab. I know that I'm just going to throw it out  
4 there, Your Honor, that I believe that Mr. Tracy needs  
5 rehab instead of the Department of Corrections. There are  
6 often times situations when I ask the judge, when they're  
7 sentencing somebody, could you please sentence them and  
8 allow them to go to an inpatient program and not be  
9 released until bed space is paid for? Because that could  
10 happen in Mr. Tracy's, in Mr. Tracy's life. All that  
11 being said, I know Mr. Tracy's record he knows Mr.  
12 Tracy's record solicitor has, you know, is going to tell  
13 you that she thinks it's time for him to go to prison for  
14 the and she's being very generous by the recommendation,  
15 and I appreciate that. And he does too, but this is a  
16 person who needs treatment. And you know, if you would  
17 consider the possibility of maybe doing it as a three  
18 year sentence with the ATU unit at the Department of  
19 Corrections, I think that they could go straight into  
20 treatment and then spend their time in treatment and not  
21 just be sitting in general population, you know, passing  
22 time, Your Honor. Mr. Tracy has been in jail for 400 and  
23 something days. He is not only just disappointed, but  
24 bummed is, I guess, the best way to say it, that they're  
25 not going to allow him to get credit for that, and that's

State of South Carolina vs. Robby W. Tracy

23

1 because it's a lot of time, and that's real. He's not  
2 going to be able to get credit for that. We've resolved.  
3 You know, looked at the statute, but why can we please  
4 put him straight into waiting for the ATU unit? And I  
5 think you need to have a three year sentence to be able  
6 to do that, and just consider that as being what needs to  
7 happen, so that when he gets to SCDC, he gets into that  
8 treatment program, because that's really what he needs.  
9 Mr. Tracy, would you like to speak to the court?

10 MR. TRACY: I just want to tell them what's been  
11 going on. So I want to make an apology for everything  
12 that's going on. I know we're asking for a treatment  
13 program and it doesn't compare to what you lost and I  
14 just want to say I apologize. If I could help get  
15 everything back I would. But I sincerely apologize.

16 MR. RAINVILLE: You can still have a good life.

17 MR. TRACY: Yes sir.

18 MS. GAY: I think that's very gracious of you to  
19 say that, sir.

20 MR. RAINVILLE: But you need the Lord.

21 MR. TRACY: Yes sir.

22 MR. RAINVILLE: Everybody who knows the Lord  
23 will tell you the same thing. We've been at the bottom.

24 MR. TRACY: Yes sir.

25 MR. RAINVILLE: Same place.

1 MR. TRACY: Thank you.

2 THE COURT: Quick question for the solicitor.  
3 There's nothing that would prevent him under the  
4 recommended sentence from getting alcohol and drug  
5 counseling?

6 MS. GAY: No.

7 MS. HART: No. There's nothing that would  
8 prevent him. As well as when he gets to his split side of  
9 the sentence, when he goes to probation, they can provide  
10 all of that for him and I'm prepared to make my argument  
11 for that when you're ready.

12 MS. GAY: But for sure, if you would consider  
13 the ATU Unit in the department corrections, I think that  
14 would be a good start, but I'm just asking you to  
15 consider less than five years.

16 MS. HART: And Your Honor on the sentencing  
17 sheet. Which box is checked off on there?

18 THE COURT: Well, it looks it's, you mean as far  
19 as recommended or negotiated? It's recommended and agreed  
20 on. Now, I don't think it's written the way you wanted  
21 it, because it says five years. I think you meant 10  
22 years suspended.

23 MS. HART: Well, I didn't put the suspended, but  
24 it's the five years active and then the five years of  
25 probation.

State of South Carolina vs. Robby W. Tracy

25

1 THE COURT: Right.

2 MS. HART: But can you change that? Because if  
3 it's an agreed upon sentence, we don't have an agreed  
4 upon sentences here today. She's arguing for lesser. Can  
5 you agree to charges only? I would like it changed on the  
6 sentencing sheets to reflect that she does not agree with  
7 my sentence recommendation.

8 THE COURT: I can do that, I guess.

9 MS. GAY: I thought it was a recommendation.  
10 It's just how they have it on the sheets.

11 THE COURT: Everybody good with that?

12 MS. GAY: Yes, as long as she's not going to now  
13 ask for 10 years but active. I think we're still on the  
14 same page 25 or 30 minutes into it.

15 THE COURT: The state, I'm gonna hand this over  
16 to a person who can do it in a more organized fashion.  
17 But so there is still a recommendation from the state.

18 MS. HART: There is, but it's not an agreed upon  
19 recommendation, since she's argued for a lesser.

20 THE COURT: So should we just cross out agreed  
21 upon or leave recommended?

22 MS. HART: However you want to do it Your Honor.  
23 I just don't want the record to reflect that we walked in  
24 here agreeing on the same sentence recommendation.

25 THE COURT: Well, why don't we just cross out

1 just the part that says ...

2 MS. GAY: Because you would ask me to ask less  
3 or something. I might just pass it out here.

4 THE COURT: All right. Anything else from the  
5 state?

6 MS. HART: I'm prepared to make my argument now  
7 that Ms. Gay has given hers. This is, you know, I could  
8 go back through his record for you, and I could also go  
9 back through the 1,2,3,4,5,6,7,8,9, nine charges I'm  
10 dismissing, as well as lowering down from the mandatory  
11 15 year minimum, which he, in my opinion, I'm pretty  
12 confident, would be convicted of his trial, whether I did  
13 it for what happened for Mr. Rainville or I directly  
14 indicted him because of his previous record, either way  
15 it gets into that burg first. I've sympathized and  
16 empathize with what's going on, but this is absolutely  
17 not a send him to rehab case. It is time for prison, and  
18 I've taken into consideration the needs of the future of  
19 the safety of our public because that five years  
20 probation is going to give him the opportunity to get the  
21 tools he needs after he gets done serving his five years,  
22 I would ask you to consider his record everything we're  
23 dismissing. The actions that took place for particularly  
24 this victim, some of the other stuff, you know, we can  
25 maybe get around. But what has happened to this man, and

State of South Carolina vs. Robby W. Tracy

27

1 the things that have been taken that can't be replaced  
2 over a period of time or just, it's really sad, and at  
3 some point it has to stop, and the defendant has been  
4 getting away with stuff and getting away with stuff. I  
5 thought long and hard talking to victims about this  
6 recommendation. I talked with Ms. Gay about this  
7 recommendation. I believe that it is more than gracious,  
8 but more than fair and more than accountability in this  
9 case. So I would ask Your Honor to sentence the defendant  
10 to 10 years, suspended to the five years active time and  
11 five years of probation. Nothing further Your Honor.

12 THE COURT: Thank you so much.

13 MS. HART: Yes, sir.

14 THE COURT: Yeah, I think we may still have to  
15 change some of this, but I'll check with you afterwards  
16 the way it's written.

17 MS. HART: Okay.

18 THE COURT: Okay.

19 MS. HART: And also that he not obviously get  
20 credit for that 400 days.

21 THE COURT: 41 or 45.

22 MS. HART: If you can get, I believe, 45 days  
23 credit.

24 THE COURT: 45 days credit.

25 THE COURT: But no credit after the revocation

1 in Charleston.

2 THE COURT: All right. On the grand larceny  
3 case, 24-3343 the sentence of the Court, Mr. Tracy, is  
4 you be sentenced to the custody of the Department of  
5 Corrections for a period of 10 years to be suspended on  
6 service of five years and five years probation, credit  
7 given for 45 days.

8 MS. GAY: And could you place on the sentencing  
9 sheet ATU Unit, please, Your Honor?

10 THE COURT: I don't see any harm in that, any  
11 ...

12 MS. HART: No objection from the state to that.

13 THE COURT: AT U, what does that stand for?

14 MS. HART: Alcohol Treatment Unit.

15 THE COURT: Thank you. All of these will run  
16 concurrent on case, 24-3344 failure to stop for a blue  
17 light. The sentence is sentenced to the Department of  
18 Corrections for a period of 10 years suspended on service  
19 of five years incarceration, followed by five years of  
20 probation with credit for 45 days. I don't know if we  
21 need to put ATU unit on each of them, but I guess we  
22 might as well. So, all right, 45 days, if I didn't say  
23 that, credit. That will run concurrent with the first  
24 charge, the third one here, 24-3345. The sentence of the  
25 court is you be sentenced to the Department of

State of South Carolina vs. Robby W. Tracy

29

1 Corrections for a period of 10 years suspended to service  
2 of five years incarceration, followed by five years of  
3 probation, 45 days of credit, given ATU unit. That is  
4 concurrent with the previous charges. Case 22-937, this  
5 is the burglary, second violent I may have skipped one.  
6 This is to be concurrent with the other charges, 10 years  
7 Department of Corrections suspended on service of five  
8 years incarceration, probation for balanced probation for  
9 five years, 45 days given, ATU unit. Case, 22-414, Jasper  
10 County case, Petty Larson, sentence of the Court is you  
11 be incarcerated, I'm sorry, you be sentenced to the  
12 Department of Corrections for 10 years, five years  
13 active, five years probation, credit for 45 days, ATU  
14 unit. I think I forgot one. Is that four or five?

15 MS. HART: You did five. That was everything.

16 THE COURT: That was all of them?

17 MS. HART: Yes sir.

18 MS. GAY: Yes sir.

19 THE COURT: Was there any restitution that was  
20 sought?

21 MS. HART: There's not Your Honor.

22 THE COURT: Nothing, sir?

23 MR. RAINVILLE: Okay, but the way the form  
24 worked it didn't apply.

25 MS. HART: He had insurance.

1 MR. RAINVILLE: I got some money back through  
2 insurance.

3 THE COURT: Oh, also, there's a restraining  
4 order here. There's no argument against the restraining  
5 order I'm assuming?

6 MS. GAY: No. You don't have a problem with  
7 being restrained from the Lowes in Charleston?

8 MS. HART: No it's from Mr. Rainville.

9 MS. GAY: Oh, is that what it said? I thought --  
10 - I apologize.

11 THE COURT: All right, so I'm going to execute  
12 that restraining order. And I guess, y'all will stick  
13 around for a minute.

14 MS. HART: Yes sir.

15 THE COURT: ... while I execute all of that.  
16 Anything else need to go on the record on this one?

17 MS. HART: No sir. Thank you very much.

18 MS. GAY: No sir, Your Honor.  
19  
20  
21  
22  
23  
24  
25

State of South Carolina vs. Robby W. Tracy

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1 STATE OF SOUTH CAROLINA )  
2 ) CERTIFICATE  
3 COUNTY OF JASPER )  
4

5 Be it known that I, the undersigned Melissa R.  
6 Singletary, certified Verbatim Reporter, for the State of  
7 South Carolina, do hereby certify that the foregoing  
8 transcript represents a true, accurate and complete  
9 transcript of record of the testimony and evidence  
10 introduced in during this testimony of the captioned  
11 case, before the Circuit Court for Jasper County, South  
12 Carolina, so given on September 5, 2024, to the best of  
13 my skill and ability;

14 That I am not related to nor an employee of any of  
15 the parties hereto, nor a relative or employee of any  
16 attorney or counsel employed by the parties hereto, nor  
17 interested in the outcome of this action.

18 IN WITNESS WHEREOF I have here unto set my hand this  
19 6<sup>th</sup> day of January, 2025.

20 *Melissa R. Singletary*

21

22 \_\_\_\_\_  
Melissa R. Singletary, CVR

23 Certified Verbatim Reporter

24

25

RHJ/0372606  
WITNESSES

Goose Creek Police Department

AGENCY CASE NUMBER  
2020-3726

ARREST WARRANT NUMBER  
2020A0820200727

DATE OF ARREST  
10/14/2020

ACTION OF GRAND JURY

Foreperson of Grand Jury Date:

VERDICT

Foreperson of Petit Jury Date:

DOCKET NO. 2024-GS-08-03343

The State of South Carolina  
County of Berkeley

COURT OF GENERAL SESSIONS  
AUGUST TERM 2024

THE STATE

VS.

ROBBY WILLIE TRACY  
W/M DOB: [REDACTED] 1986

Indictment for

GRAND LARCENY

SC Code: § 16-13-0030(B)  
CDR Code: 3421

STATE OF SOUTH CAROLINA

COUNTY OF BERKELEY

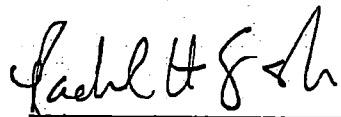
INDICTMENT

At a Court of General Sessions, convened August 2024, the Grand Jurors of Berkeley County present upon their oath:

**Grand Larceny**

That in Berkeley County, South Carolina, on or about July 24, 2020, the Defendant, Robby Willie Tracy, did take and carry away the personal property of the victim, Grant Earl Mueller, valued at Ten Thousand Dollars or more, with the intent to deprive the victim of its possession and to convert the property to Defendant's own use in violation of Section 16-13-30 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.



---

**RACHEL H. JANOWSKI**  
ASSISTANT SOLICITOR

RHJ/0402372  
WITNESSES

Berkeley County Sheriff's Office

AGENCY CASE NUMBER  
2023-06005776

ARREST WARRANT NUMBER  
20230220018121

DATE OF ARREST  
06/11/2023

ACTION OF GRAND JURY

Foreperson of Grand Jury Date:

VERDICT

Foreperson of Petit Jury Date:

DOCKET NO. 2024-GS-08-03344

The State of South Carolina  
County of Berkeley

COURT OF GENERAL SESSIONS  
AUGUST TERM 2024

THE STATE

VS.

ROBBY WILLIE TRACY  
W/M DOB: [REDACTED] 1986

Indictment for

FAILURE TO STOP FOR A BLUE LIGHT

SC Code: § 56-05-0750(B)(1)  
CDR Code: 0065

STATE OF SOUTH CAROLINA

COUNTY OF BERKELEY

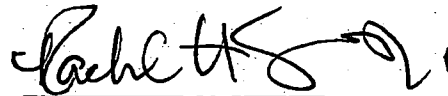
## INDICTMENT

At a Court of General Sessions, convened August 2024, the Grand Jurors of Berkeley County present upon their oath:

**Failure To Stop For A Blue Light**

That in Berkeley County, South Carolina, on or about June 11, 2023, the Defendant, Robby Willie Tracy, while driving a motor vehicle on a road, street, or highway of the State did, in the absence of mitigating circumstances, knowingly fail to stop after being signaled to do so by a law enforcement vehicle by means of flashing light and/or a siren, in violation of § 56-5-750 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.



---

RACHEL H. JANOWSKI  
ASSISTANT SOLICITOR

RHJ/0406558  
WITNESSES

Berkeley County Sheriff's Office

AGENCY CASE NUMBER  
2023-05004429

ARREST WARRANT NUMBER  
2023A0810201931

DATE OF ARREST  
10/13/2023

ACTION OF GRAND JURY

Foreperson of Grand Jury Date:

VERDICT

Foreperson of Petit Jury Date:

DOCKET NO. 2024-GS-08-03345

The State of South Carolina  
County of Berkeley

COURT OF GENERAL SESSIONS  
AUGUST TERM 2024

THE STATE

VS.

ROBBY WILLIE TRACY  
W/M DOB: [REDACTED]-1986

Indictment for

**BURGLARY SECOND DEGREE (NON-VIOLENT)**

SC Code: § 16-11-0312(C)(1)  
CDR Code: 0080

STATE OF SOUTH CAROLINA  
COUNTY OF BERKELEY

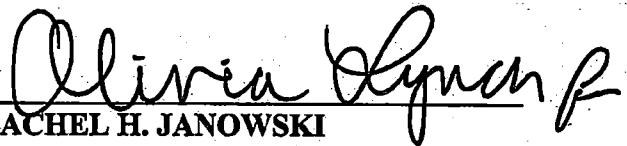
## INDICTMENT

At a Court of General Sessions, convened August 2024, the Grand Jurors of Berkeley County present upon their oath:

**Burglary Second Degree (Non-Violent)**

That in Berkeley County on or about April 20, 2023 the Defendant, Robby Willie Tracy, did enter the dwelling of Daniel Rainville without consent and with the intent to commit a crime therein in violation of Section 16-11-312(A) 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.

  
RACHEL H. JANOWSKI  
ASSISTANT SOLICITOR

PNA/0376814  
WITNESSES

Charleston City Police Department

AGENCY CASE NUMBER  
2021-01668

ARREST WARRANT NUMBER  
2021A1020100009

DATE OF ARREST  
03/03/2021

DOCKET NO. 2022-GS-10-00937

The State of South Carolina  
County of Charleston

COURT OF GENERAL SESSIONS  
MARCH TERM 2022

3/17/2022 11:54:30 AM  
JULIE J. ARMSTRONG  
CLERK OF COURT

THE STATE

VS.

ROBBY WILLIE TRACY A.K.A. Robby  
Willie Tracy Jr, Robby White Tracy, Robert Willis  
Tracy, Bobby Tracy, Robby W Tracy  
W/M DOB: [REDACTED] 1986

ACTION OF GRAND JURY  
**TRIPLE BILL**

*[Signature]*  
Foreperson of Grand Jury Date: **MAR 14 2022**

VERDICT

Indictment for

BURGLARY SECOND DEGREE  
(VIOLENT)

SC Code: § 16-11-0312(B)  
CDR Code: 0086

Foreperson of Petit Jury

Date:

STATE OF SOUTH CAROLINA

COUNTY OF CHARLESTON

INDICTMENT

At a Court of General Sessions, convened March 2022, the Grand Jurors of Charleston County present upon their oath:

BURGLARY SECOND DEGREE (VIOLENT)

That in Charleston County on or about February 4, 2021 the Defendant, Robby Willie Tracy, did enter the building of Lowes without consent and with the intent to commit a crime therein. That, in addition, said entry or remaining occurred in the nighttime; in violation of Section 16-11-312(B) 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.

  
PHILLIP ABSHIRE  
ASSISTANT SOLICITOR

**WITNESSES**

South Carolina Department of  
Corrections

DOCKET NO. 2022GS2700414

**The State of South Carolina**

**County of Jasper**

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

  
\_\_\_\_\_  
Defendant

**COURT OF GENERAL SESSIONS**

**September Term 2024**

\_\_\_\_\_  
I \_\_\_\_\_

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

**ARREST WARRANT NUMBER**

2022A2720200098

**THE STATE**

vs.

**Robby Willie Tracy**


\_\_\_\_\_  
\_\_\_\_\_

**Indictment For**

**Larceny**

SC Code: 16-13-30(A), 16-1-57

CDR Code: 3596

  
\_\_\_\_\_

Defendant

**ACTION OF GRAND JURY**

*Foreperson of Grand Jury*

*Date:*

Witness:

**VERDICT**

*Foreperson of Petit Jury*

*Date:*

INDICT

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

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF JASPER )

INDICTMENT  
2022GS2700414

At a Court of General Sessions, convened on September 12, 2024, the Grand Jurors of Jasper County present upon their oath:

**Larceny**

That in Jasper County, South Carolina, on or about March 10, 2022, the Defendant, Robby Willie Tracy, did, take and carry away property of Ridgeland Correctional Institution with the intent to deprive the owner of such property, which was valued at the time of the offense at two thousand dollars or less and Robby Willie Tracy was previously convicted of, or pled guilty or nolo contendere to, two or more violations under this section, to wit: Petit Larceny, \$2,000 or less in 2008 and Shoplifting, \$2,000 or less in 2021, all in violation of Section 16-13-30(A), 16-1-57, 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.

*Rachel H. Sharp for  
James Sharp*

**Solicitor**

NMT 10 years

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF BERKELEY

FILED

STATE

SEP - 5 2024

INDICTMENT/ CASE#: 2024-GS-08-03343

ROBBY WILLIE TRACY

VS. NO  
LEAH GUERRY DUPREE  
CLERK OF COURT  
BERKELEY COUNTY, SC

A/W#: 2020A0820200727  
Date of 07/24/2020  
Offense:  
S.C. Code §: 16-13-0030(B)  
CDR Code #: 3421

AKA: Robby Willie Tracy Jr, Robby White Tracy

Race: White Sex: M Age: 38

DOB: [REDACTED] SS#: [REDACTED]

Address: [REDACTED]  
City, State, Zip: Moncks Corner, SC 29461

DL#: [REDACTED] SID SC01566987

SENTENCE SHEET

\*CDL Yes  No  CMV Yes  No  Hazmat Yes  No   
 Defendant Pro Se

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

TO: Grand Larceny

In violation of § 16-13-0030(B) of the S.C. Code of Laws, bearing CDR Code # 3421

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. *RT*

The State's Position is:

None  
 Negotiated and Agreed Upon Sentence: \_\_\_\_\_ Years, \_\_\_\_\_ Months, Probation for \_\_\_\_\_ Years, \_\_\_\_\_ Months;  
 Negotiated and Agreed as to Charges Only  
 Recommended and Agreed Upon Sentence: 5 Years, \_\_\_\_\_ Months, Probation for 5 Years, \_\_\_\_\_ Months;

ATTEST:

*Rachel H. Janowski* 104674 SC Bar # \_\_\_\_\_ Defendant *Melissa J. [Signature]* 63773 SC Bar # \_\_\_\_\_  
Rachel H. Janowski, Assistant Solicitor Attorney for Defendant

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

for a determinate term of 10 Hours/Days/Months/ Years  Time Served

- Home Detention Program(HIP)  MH Evaluation and Compliance  Batterer's Treatment
- Domestic Abuse Counseling  Drug Court  Drug Program  Alcohol Program  Inpatient Facility
- Hold Until Bed Space Available  Mental Health Court  Balance Suspended with Drug Court
- Other: \_\_\_\_\_
- Judicial Review \_\_\_\_\_ Days/ Months
- Youthful Offender Act not to exceed \_\_\_\_\_ Days/ Months/ Years

*[Handwritten mark]*

STATE ROBBY WILLIE INDUMENT/CASE#: 2024-GS-08-03343  
VS. TRACY

And /Or to pay a fine of \$ \_\_\_\_\_

provided that upon the service of 5 Hours/Days/Months/Years  Time Served

- Home Detention Program(HIP)  MH Evaluation and Compliance  Batterer's Treatment
- Domestic Abuse Counseling  Drug Court  Drug Program  Alcohol Program  Inpatient Facility
- Hold Until Bed Space Available  Mental Health Court  Balance Suspended with Drug Court
- Suspended To Batterer's Treatment
- Other: \_\_\_\_\_

And/ Or a payment of \$ \_\_\_\_\_ ; plus costs and assessments as applicable\*  
the balance is suspended with probation for 5 Months/ Years

- Suspended During Probation  Suspended During Drug Court  Suspended During Batterer's Treatment
- Other: \_\_\_\_\_

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: 2024-GS-08-03344 2022-GS-10-00937

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.  
45 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.

Defendant has 10 days to apply for Home Detention Program or this will convert to an active sentence.  
**SPECIAL CONDITIONS:**

PTUP after \_\_\_\_\_ Months/Years  Home Detention Program (HIP)  
**And Other Terms Listed Below:**

- Conditional Discharge
- 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: Def to be placed in ATU.

STATE ROBBY WILLIE  
VS. TRACY

INDICUMENT/CASE#: 2024-GS-08-03343

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	\$	_____
\$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>

Other Costs (As Authorized by Cost Code)\*

<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	\$	_____
<b>TOTAL</b>		\$	<u>128.75</u>

Clerk of Court/Deputy Clerk: J Hill  
Court Reporter: Melissa Singletary

Presiding Judge: [Signature]  
Judge Code: 2786  
Sentence Date: 9/5/24

Specify Other Costs\*

<input type="checkbox"/>	Cost Code	Cost Description	Amount
<input type="checkbox"/>	_____	_____	_____
<input type="checkbox"/>	_____	_____	_____
<input type="checkbox"/>	_____	_____	_____
<input type="checkbox"/>	_____	_____	_____
<input type="checkbox"/>	_____	_____	_____

45 RMT 3 years

STATE OF SOUTH CAROLINA

FILED JK

IN THE COURT OF GENERAL SESSIONS

COUNTY OF BERKELEY

SEP - 5 2024

STATE

CASE NO  
LEAH GUERRY DUPREE  
CLERK OF COURT  
BERKELEY COUNTY, SC

INDICTMENT/ CASE#: 2024-GS-08-03344

VS.

ROBBY WILLIE TRACY

AKA: Robby Willie Tracy Jr, Robby White Tracy

AW#: 20230220018121  
Date of 06/11/2023  
Offense:  
S.C. Code §: 56-05-0750(B)(1)  
CDR Code #: 0065

Race: White Sex: M Age: 38  
DOB: [REDACTED] SS#: [REDACTED]  
Address: [REDACTED]  
City, State,  
Zip: Moncks Corner, SC 29461

DL# [REDACTED] SID SC01566987  
#

SENTENCE SHEET

\*CDL Yes  No  CMV Yes  No  Hazmat Yes  No   
 Defendant Pro Se

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

TO: Failure To Stop For A Blue Light

In violation of § 56-05-0750(B)(1) of the S.C. Code of Laws, bearing CDR Code # 0065

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. CT

The State's Position is:  
 None

Negotiated and Agreed Upon Sentence: \_\_\_\_\_ Years, \_\_\_\_\_ Months, Probation for \_\_\_\_\_ Years, \_\_\_\_\_ Months;  
 Negotiated and Agreed as to Charges Only  
 Recommended and Agreed Upon Sentence: 5 Years, \_\_\_\_\_ Months, Probation for 5 Years, \_\_\_\_\_ Months;

ATTEST:

Rachel H. Janowski 104674 SC Bar # \_\_\_\_\_ Defendant Robby Willie Tracy Jr 63773 SC Bar # \_\_\_\_\_ Attorney for Defendant

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

for a determinate term of 10 Hours/Days/Months/ Years  Time Served

- Home Detention Program(HIP)  MH Evaluation and Compliance  Batterer's Treatment
- Domestic Abuse Counseling  Drug Court  Drug Program  Alcohol Program  Inpatient Facility
- Hold Until Bed Space Available  Mental Health Court  Balance Suspended with Drug Court
- Other: \_\_\_\_\_
- Judicial Review \_\_\_\_\_ Days/ Months
- Youthful Offender Act not to exceed \_\_\_\_\_ Days/ Months/ Years

STATE ROBBY WILLIE INDICTMENT/CASE#: 2024-GS-08-03344  
VS. TRACY

And /Or to pay a fine of \$ \_\_\_\_\_;

provided that upon the service of 5 Hours/Days/Months/Years  Time Served

- Home Detention Program(HIP)     MH Evaluation and Compliance     Batterer's Treatment
- Domestic Abuse Counseling     Drug Court     Drug Program     Alcohol Program     Inpatient Facility
- Hold Until Bed Space Available     Mental Health Court     Balance Suspended with Drug Court
- Suspended To Batterer's Treatment
- Other: \_\_\_\_\_

And/ Or a payment of \$ \_\_\_\_\_; plus costs and assessments as applicable\*  
the balance is suspended with probation for 5 Months/Years

- Suspended During Probation     Suspended During Drug Court     Suspended During Batterer's Treatment
- Other: \_\_\_\_\_

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: 2024-GS-08-03343 2022-GS-10-00937  
2024-GS-08-00345 2022-GS-27-00414

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.  
45 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.

Defendant has 10 days to apply for Home Detention Program or this will convert to an active sentence.

**SPECIAL CONDITIONS:**

PTUP after \_\_\_\_\_ Months/Years     Home Detention Program (HIP)

**And Other Terms Listed Below:**

- Conditional Discharge
- 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: Def to be placed in ATU

STATE ROBBY WILLIE INDICTMENT/CASE#: 2024-GS-08-03344  
VS. TRACY

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	\$ <del>100</del> <sup>100</sup>
§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	\$ _____
§50-21-114 (BUI Breath Test Fee)	\$50	\$ _____
§56-5-2942(J) (Vehicle Assessment)	\$40/ea	\$ _____
3% to County (if paid in installments)	TBD	\$ _____
Other Costs (As Authorized by Cost Code)*		
<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	\$ _____
<b>TOTAL</b>		\$ _____

Clerk of Court/Deputy Clerk: J Hill  
Court Reporter: Melissa Singletary

Presiding Judge: \_\_\_\_\_  
Judge Code: 2785  
Sentence Date: 9/6/24

Specify Other Costs\*

<input type="checkbox"/>	Cost Code	Cost Description	Amount
<input type="checkbox"/>	_____	_____	_____
<input type="checkbox"/>	_____	_____	_____
<input type="checkbox"/>	_____	_____	_____
<input type="checkbox"/>	_____	_____	_____
<input type="checkbox"/>	_____	_____	_____

NMT 10 year

STATE OF SOUTH CAROLINA  
COUNTY OF BERKELEY  
STATE

FILED  
SEP - 5 2024

IN THE COURT OF GENERAL SESSIONS

ROBBY WILLIE TRACY

CASE NO. LEAH GUERRY DUPREE  
CLERK OF COURT  
BERKELEY COUNTY, SC

INDICTMENT/  
CASE#: 2024-GS-08-03345

AKA: Robby Willie Tracy Jr, Robby White Tracy

A/W#: 2023A0810201931

Race: White Sex: M Age: 38

Date of 04/20/2023

DOB: [REDACTED] SS#: [REDACTED]

Offense:  
S.C. Code §: 16-11-0311  
CDR Code #: 0079

Address: [REDACTED]

City, State:

Zip: Moncks Corner, SC 29461

SENTENCE SHEET

DL# [REDACTED] SID SC01566987  
#

\*CDL Yes  No  CMV Yes  No  Hazmat Yes  No   
 Defendant Pro Se

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

TO: Burglary Second Degree (Non-Violent)

In violation of  
§ 16-11-0312(C)(1) of the S.C. Code of Laws, bearing CDR Code # 0080

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. *RT*

The State's Position is:

None  
 Negotiated and Agreed Upon Sentence: \_\_\_\_\_ Years, \_\_\_\_\_ Months, Probation for \_\_\_\_\_ Years, \_\_\_\_\_ Months  
 Negotiated and Agreed as to Charges Only  
 Recommended and Agreed Upon Sentence: 5 Years, \_\_\_\_\_ Months, Probation for 5 Years, \_\_\_\_\_ Months

ATTEST:

*Rachel H. Janowski*  
Rachel H. Janowski, Assistant Solicitor  
104674 SC Bar #

*Leah Guerry Dupree*  
Defendant  
Attorney for Defendant  
63773 SC Bar #

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

for a determinate term of 10 Hours/Days/Months/Years  Time Served

Home Detention Program(HIP)  MH Evaluation and Compliance  Batterer's Treatment  
 Domestic Abuse Counseling  Drug Court  Drug Program  Alcohol Program  Inpatient Facility  
 Hold Until Bed Space Available  Mental Health Court  Balance Suspended with Drug Court

Other: \_\_\_\_\_  
 Judicial Review \_\_\_\_\_ Days/ Months  
 Youthful Offender Act not to exceed \_\_\_\_\_ Days/ Months/ Years

*dx*

STATE ROBBY WILLIE INDICTMENT/CASE#: 2024-GS-08-03345  
VS. TRACY

And /Or to pay a fine of \$ \_\_\_\_\_;

provided that upon the service of 5 Hours/Days/Months/Years  Time Served

- Home Detention Program(HIP)     MH Evaluation and Compliance     Batterer's Treatment
- Domestic Abuse Counseling     Drug Court     Drug Program     Alcohol Program     Inpatient Facility
- Hold Until Bed Space Available     Mental Health Court     Balance Suspended with Drug Court
- Suspended To Batterer's Treatment
- Other: \_\_\_\_\_

And/ Or a payment of \$ \_\_\_\_\_ ; plus costs and assessments as applicable\*

the balance is suspended with probation for 5 Months/Years

- Suspended During Probation     Suspended During Drug Court     Suspended During Batterer's Treatment
- Other: \_\_\_\_\_

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:

2024-GS-08-03343    2022-GS-10-00937  
2024-GS-08-03344    2022-GS-27-00414

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.

45 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.

Defendant has 10 days to apply for Home Detention Program or this will convert to an active sentence.

**SPECIAL CONDITIONS:**

- PTUP after \_\_\_\_\_ Months/Years     Home Detention Program (HIP)
- And Other Terms Listed Below:**
- Conditional Discharge
- 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: Def to be placed in ATU

STATE ROBBY WILLIE INDICTMENT/CASE#: 2024-GS-08-03345  
VS. TRACY

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	\$ _____
§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>
Other Costs (As Authorized by Cost Code)*				
<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	\$ _____
			<b>TOTAL</b>	\$ <u>128.75</u>

Clerk of Court/Deputy Clerk: J Hill Presiding Judge: [Signature]  
 Court Reporter: Melissa Singletary Judge Code: 2785  
 Sentence Date: 9/5/24

Specify Other Costs\*

<input type="checkbox"/>	Cost Code	Cost Description	Amount
<input type="checkbox"/>	_____	_____	_____
<input type="checkbox"/>	_____	_____	_____
<input type="checkbox"/>	_____	_____	_____
<input type="checkbox"/>	_____	_____	_____
<input type="checkbox"/>	_____	_____	_____

51  
NMT 15 years

FILED

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF CHARLESTON

2024 SEP -6 AM 11:00

STATE

JULIE J. ARMSTRONG  
CLERK OF COURT  
BY lc

INDICTMENT/  
CASE#: 2022-GS-10-00937

VS.

ROBBY WILLIE TRACY

AKA: Robby Willie Tracy Jr. Robby White Tracy

A/W#: 2021A1020100009  
Date of  
Offense: 03/03/2021  
S.C. Code §: 16-11-0312(B)  
CDR Code #: 0086

Race: White Sex: M Age: 37  
DOB: [REDACTED] SS#: [REDACTED]  
Address: [REDACTED]  
City, State, Zip: Moncks Corner, SC 29461

DL# [REDACTED] SID SC01566987  
#

SENTENCE SHEET

\*  CDL Yes  No  CMV Yes  No  Hazmat Yes  No   
 Defendant Pro Se

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

TO: Burglary Second Degree (Violent)

In violation of § 16-11-0312(B) of the S.C. Code of Laws, bearing CDR Code # 0086

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.

The State's Position is:

None  
 Negotiated and Agreed Upon Sentence: \_\_\_\_\_ Years, \_\_\_\_\_ Months, Probation for \_\_\_\_\_ Years, \_\_\_\_\_ Months;  
 Negotiated and Agreed as to Charges Only  
 Recommended and Agreed Upon Sentence: 5 Years, \_\_\_\_\_ Months, Probation for 5 Years, \_\_\_\_\_ Months;

ATTEST:

Lowell M. Gearding 105758  
Assistant Solicitor SC Bar #

[Signature]  
Defendant Attorney for Defendant

63773  
SC Bar #

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

for a determinate term of 10 Hours/Days/Months/Years  Time Served

- Home Detention Program (HIP)  MH Evaluation and Compliance  Batterer's Treatment
- Domestic Abuse Counseling  Drug Court  Drug Program  Alcohol Program  Inpatient Facility
- Hold Until Bed Space Available  Mental Health Court  Balance Suspended with Drug Court
- Other: \_\_\_\_\_
- Judicial Review \_\_\_\_\_ Days/ Months
- Youthful Offender Act: not to exceed \_\_\_\_\_ Days/ Months/ Years

STATE ROBBY WILLIE INDICTMENT/CASE#: 2022-GS-10-00937  
VS. TRACY

And/Or to pay a fine of \$ \_\_\_\_\_

provided that upon the service of 5 Hours/Days/Months/Years

Time Served

- Home Detention Program(HIP)     MH Evaluation and Compliance     Batterer's Treatment
- Domestic Abuse Counseling     Drug Court     Drug Program     Alcohol Program     Inpatient Facility
- Hold Until Bed Space Available     Mental Health Court     Balance Suspended with Drug Court
- Suspended To Batterer's Treatment
- Other: \_\_\_\_\_

And/ Or a payment of \$ \_\_\_\_\_ plus costs and assessments as applicable\*  
the balance is suspended with probation for 5 Months/Years

- Suspended During Probation     Suspended During Drug Court     Suspended During Batterer's Treatment
- Other: \_\_\_\_\_

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:

2024-GS-08-03343    2024-GS-08-03345  
2024-GS-08-03344    2022-GS-27-00414

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.

45 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.

Defendant has 10 days to apply for Home Detention Program or this will convert to an active sentence.

**SPECIAL CONDITIONS:**

PTUP after \_\_\_\_\_ Months/Years     Home Detention Program (HIP)  
And Other Terms Listed Below:

Conditional Discharge

- 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: Def to be placed in ATU

STATE ROBBY WILLIE INDICTMENT/CASE# 2022-GS-10-00937  
VS. TRACY

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	\$ _____
§56-5-2995 (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	\$ _____
§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>
Other Costs (As Authorized by Cost Code)*		
<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	\$ _____
	<b>TOTAL</b>	<b>\$ <u>128.75</u></b>

Clerk of Court/Deputy Clerk: J Hill Presiding Judge: [Signature]  
 Court Reporter: Melissa Singletary Judge Code: 2785  
 Sentence Date: 7/5/24

Specify Other Costs\*

Cost Code	Cost Description	Amount
<input type="checkbox"/> _____	_____	_____
<input type="checkbox"/> _____	_____	_____
<input type="checkbox"/> _____	_____	_____
<input type="checkbox"/> _____	_____	_____
<input type="checkbox"/> _____	_____	_____

NMT 10 years

STATE ROBBY WILLIE TRACY

INDICTMENT/CASE# 2022GS2700414

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF JASPER

STATE

INDICTMENT/CASE# 2022GS2700414

VS

ROBBY WILLIE TRACY

A/W# 2022A2720200098

AKA

Date of Offense: 03/10/2022

Race Other Sex: Male Age: 35

S C Code § 16-13-30(A)

DOB: [REDACTED] SS# [REDACTED]

CDR Code # 3596

Address [REDACTED]

City, State, Zip

SENTENCE SHEET

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: Petit Larceny - \$2,000 or less (Enhancement per 16-1-57)

In violation of § 16-13-30(A) of the S.C. Code of Laws, bearing CDR Code # 3596

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. RT (def's initials)

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

ATTEST Rachel H. Sharpe for James Sharpe 106632 SC Bar # 104962 Defendant [Signature] Attorney for Defendant [Signature] SC Bar # by Melissa Gay

WHEREFORE, the Defendant is committed to the  State Department of Correction  County Detention Center, 63773

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 5 days/months/years Time Served and or payment of \$\_\_\_\_; plus costs and assessments as applicable\*, the balance is suspended with probation for 5 yrs

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: 2024-GS-08-03343 2022-GS-10-00937  
2024-GS-08-03344 2024-GS-08-03345

The Defendant is to be given credit for time served pursuant to S.C. Code § 24-13-40 to be calculated and applied by SCDOP. 45 days/months

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

The Defendant Shall be Released from County Detention Center.

STATE ROBBY WILLIE TRACY INDICTMENT/CASE# 2022GS2700414

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: Def to be placed in ATU.

RESTITUTION:  Deferred  Def. Waives Hearing  Ordered

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

Payment Terms: \_\_\_\_\_  Set by SCDPPPS

Recipient: \_\_\_\_\_

*Fine	\$ _____	Beginning	_____	\$ _____
Fine may be pd. in equal consecutive weekly/monthly pmts. of	\$ _____			\$ _____
§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>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			\$ _____
<b>TOTAL</b>				\$ <u>128.75</u>

Clerk of Court/Deputy Clerk: U Hill  
Court Reporter: Melissa Singletary

Presiding Judge: [Signature]  
Judge Code: 2705  
Sentence Date: 9/5/24

*Heard in Berkeley County*

RECEIVED

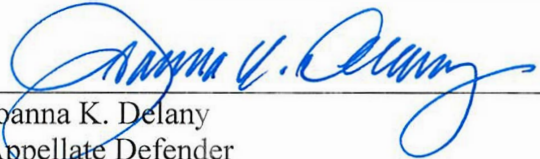
May 15 2025 56

CERTIFICATE OF COUNSEL FOR APPELLANT

SC Court of Appeals

Counsel for appellant certifies that this Record on Appeal contains all material proposed to be included by any of the parties and not any other material and that this Record on Appeal complies to the best of my ability with the April 15, 2014 order from the South Carolina Supreme Court entitled "Revised Order Concerning Personal Identifying Information and Other Sensitive Information in Appellate Court Filings."

Respectfully Submitted,

  
\_\_\_\_\_  
Joanna K. Delany  
Appellate Defender

South Carolina Commission on Indigent Defense  
Division of Appellate Defense  
PO Box 11589  
Columbia, SC 29211-1589

ATTORNEY FOR APPELLANT

This 15th day of May, 2025.

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

**RECEIVED**  
**May 15 2025**  
**SC Court of Appeals**

Appeal from Jasper County

Honorable Marvin H. Dukes, III, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

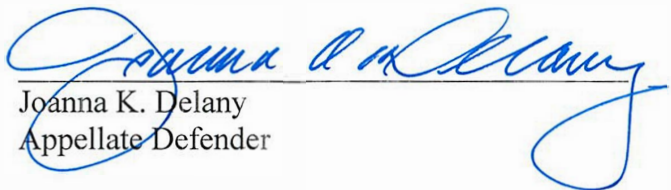
ROBBY WILLIE TRACY,

APPELLANT

APPELLATE CASE NO. 2024-001581

CERTIFICATE OF SERVICE

Pursuant to Rule 262(a)(3) and Rule 262(c)(3), SCACR, the undersigned hereby certifies a true copy of the Record on Appeal in the above-referenced case has been served upon Mark R. Farthing, Esquire, at the primary e-mail address listed in the Attorney Information System (AIS); and on Robby Willie Tracy, #348887, at Palmer Pre-Release Center, 2012 Pisgah Road, Florence, SC 29501, this 15th day of May, 2025.



Joanna K. Delany  
Appellate Defender

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