

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF Anderson
STATE VS.

INDICTMENT/CASE#: 2013GS0400569
A/W#: DIRECT INDICTMENT
Date of Offense: 12/1/2009
S.C. Code §: 16-15-0140
CDR Code #: 2468

Andrew Antonio Clemons
AKA:
Race: B Sex: M Age: 32
DOB: SS#:
Address: 914 Apt B Railroad Street
City, State, Zip: Anderson, SC 29625
DL#: 2737010 SID#: SC01209513

SENTENCE SHEET

OCT 15 2013
SC Court of Appeals

\*CDL Yes No CMV Yes No Hazmat Yes No
In disposition of the said indictment comes now the Defendant who was
TO: Sex / Lewd Act, committing or attempting lewd act upon child

CONVICTED OF or PLEADS

in violation of § 16-15-0140 of the S.C. Code of Laws, bearing CDR Code # 2468
NON-VIOLENT VIOLENT SERIOUS MOST SERIOUS Mandatory GPS(CSC) §17-25-45 w/minor 1st or Lewd Act

The charge is: As Indicted, Lesser Included Offense, Defendant Waives Presentment to Grand Jury.
The plea is: Without Negotiations or Recommendation, Negotiated Sentence, Recommendation by the State.

ATTEST: Reeves, Kristin W. Defendant Attorney for Defendant SC Bar#

WHEREFORE, the Defendant is committed to the State Department of Corrections, County Detention Center,
for a determinate term of 15 days/months/years or under the Youthful Offender Act not to exceed years
and/or to pay a fine of \$; provided that upon the service of days/months/years and/or payment
of \$; plus costs and assessments as applicable\*; the balance is suspended with probation for

months/years and subject to South Carolina Department of Probation, Parole and Pardon Services standard conditions of
probation, which are incorporated by reference.

CONCURRENT or CONSECUTIVE to sentence on:
The Defendant is to be given credit for time served pursuant to S.C. Code § 24-13-40 to be calculated and applied
by the State Department of Corrections.
The Defendant is to be placed on the Central Registry of Child Abuse and Neglect pursuant to S.C. Code §17-25-135.

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

SPECIAL CONDITIONS:
RESTITUTION: Deferred Def. Waives Hearing Ordered
Total: \$ plus 20% fee: \$
Payment Terms:
Set by SCDPPPS

PTUP
days/hours Public Service Employment
Obtain GED
Attend Voc. Rehab. or Job Corp.
May serve W/E beginning
Substance Abuse Counseling
Random Drug/Alcohol testing
Fine may be pd. in equal, consecutive weekly/monthly
pmts. of \$ beginning
\$ paid to Public Defender Fund
Other:

APPROPRIATE COPY
OCT 11 2013
Richard M. Hinkle
CLERK OF COURT

Table with 3 columns: Description, Amount, Total. Includes items like § 14-1-206 (Assessments 107.5%), § 14-1-211(A)(1) (Conv. Surcharge) \$100, § 14-1-211(A)(2) (DUI Surcharge) \$100, § 56-5-2995 (DUI Assessment) \$12, § 56-1-286 (DUI Breath Test) \$25, Proviso 47.9 (Public Def/Prob) \$500, § 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/ca, Proviso 90.5 (SCCJA Surcharge) \$5, 3% to County (if paid in installments) \$, TOTAL \$130.00

Sealed sentence opened & read by Judge McIntosh on 9-12-13.
Appointed PD or appointed other counsel, § 47.12 requires \$500 be paid to Clerk during probation.

Clerk of Court/ Deputy Clerk: Richard M. Hinkle
Court Reporter: R. Talisa (for opened sentence)
SCCA/217 (03/2011) J. Rice (for opened sentence)

Presiding Judge:
Judge Code:
Sentence Date: 6-15-13

STATE OF SOUTH CAROLINA )  
 COUNTY OF Anderson )  
 STATE VS. )  
 Andrew Antonio Clemons )  
 AKA: )  
 Race: Sex: M Age: 30 )  
 DOB: 03-1983 SS#: 249-45-3622 )  
 Address: 427 Gray Street )  
 City, State, Zip: Anderson, SC 29621 )  
 DL#: 2737010 SID#: SC01209513 )

IN THE COURT OF GENERAL SESSIONS

INDICTMENT/CASE#: 2011-GS-04-01977  
 A/W#: 1723721  
 Date of Offense: 12/1/2009  
 S.C. Code § : 16-03-0655(A)(1)  
 CDR Code #: 0385

SENTENCE SHEET

\*CDL Yes  No  CMV Yes  No  Hazmat Yes  No   
 In disposition of the said indictment comes now the Defendant who was  
 TO: Sex / Criminal sexual conduct with minor - victim under 11 years of age- First Degree

CONVICTED OF or  PLEADS

*RT*

in violation of § 16-03-0655(A)(1) of the S.C. Code of Laws, bearing CDR Code # 0385  
 NON-VIOLENT  VIOLENT  SERIOUS  MOST SERIOUS  Mandatory GPS(CSC  §17-25-45 w/minor 1st or Lewd Act)

The charge is:  As Indicted,  Lesser Included Offense,  Defendant Waives Presentment to Grand Jury. (defendant's initials)  
 The plea is:  Without Negotiations or Recommendation,  Negotiated Sentence,  Recommendation by the State.

ATTEST: *Kristin Reeves* SC Bar# \_\_\_\_\_ Defendant *69673* SC Bar# \_\_\_\_\_ Attorney for Defendant SC Bar# \_\_\_\_\_

WHEREFORE, the Defendant is committed to the  State Department of Corrections,  County Detention Center,  
 for a determinate term of 25 days/months/years or  under the Youthful Offender Act not to exceed \_\_\_\_\_ years  
 and/or to pay a fine of \$ \_\_\_\_\_; provided that upon the service of \_\_\_\_\_ days/months/years and/or payment  
 of \$ \_\_\_\_\_; plus costs and assessments as applicable\*; the balance is suspended with probation for \_\_\_\_\_

months/years and subject to South Carolina Department of Probation, Parole and Pardon Services standard conditions of probation, which are incorporated by reference.

CONCURRENT or  CONSECUTIVE to sentence on:  
 The Defendant is to be given credit for time served pursuant to S.C. Code § 24-13-40 to be calculated and applied by the State Department of Corrections.

The Defendant is to be placed on the Central Registry of Child Abuse and Neglect pursuant to S.C. Code § 17-25-135

Pursuant to 18 U.S.C Section 922, it is unlawful for a person convicted of a violation of Section 16-25-10 or 16-25-65 (Criminal Domestic Violence) to ship, transport, possess, or receive a firearm or ammunition.

SPECIAL CONDITIONS:

RESTITUTION:  Deferred  Def. Waives Hearing  Ordered  
 Total: \$ \_\_\_\_\_ plus 20% fee: \$ \_\_\_\_\_  
 Payment Terms: \_\_\_\_\_  
 Set by SCDPPPS \_\_\_\_\_

PTUP \_\_\_\_\_ days/hours Public Service Employment

Obtain GED   
 Attend Voc. Rehab. or Job Corp. \_\_\_\_\_

May serve W/E beginning \_\_\_\_\_  
 Substance Abuse Counseling

Random Drug/Alcohol testing   
 Fine may be pd. in equal, consecutive weekly/monthly pmts. of \$ \_\_\_\_\_ beginning \_\_\_\_\_

\$ \_\_\_\_\_ paid to Public Defender Fund  
 Other: \_\_\_\_\_

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

*Fine:		\$
§ 14-1-206 (Assessments 107.5 %)		\$
§ 14-1-211(A)(1) (Conv. Surcharge)	\$100	\$ 100.00
§ 14-1-211(A)(2) (DUI Surcharge)	\$100	\$
§ 56-5-2995 (DUI Assessment)	\$12	\$
§ 56-1-286 (DUI Breath Test)	\$25	\$
Proviso 47.9 (Public Def/Prob)	\$500	\$
§ 14-1-212 (Law Enforce. Funding)	\$25	\$ 25.00
§ 14-1-213 (Drug Court Surcharge)	\$150	\$
§ 50-21-114(BUI Breath Test Fee)	\$50	\$
§ 56-5-2942(J) (Vehicle Assessment)	\$40/ea	\$
Proviso 90.5 (SCCJA Surcharge)	\$5	\$ 5.00
3% to County (if paid in installments)		\$
TOTAL		\$ 130.00

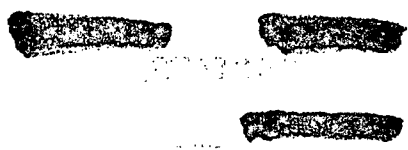
A TRUE COPY  
 OCT 11 2013  
*Richard S. Hixley*  
 CLERK OF COURT

Sealed sentence opened & read by Judge McIntosh on 9-12-13.

Appointed PD or appointed other counsel. § 47.12 requires \$500 be paid to Clerk during probation.

Clerk of Court/Deputy Clerk *Richard S. Hixley*  
 Court Reporter: *R. Hollis*  
 SCCA/217 (03/2011) R.R.P. (for ordered sentence)

Presiding Judge *[Signature]*  
 Judge Code: *2155*  
 Sentence Date: *5-13-13*



ORIGINAL DOCUMENT  
REPRODUCED FROM THE ORIGINAL

CONFIDENTIAL

John Wilson  
Attorney General  
100 East Main  
Portland, Oregon

CONFIDENTIAL

John Wilson  
Attorney General  
100 East Main  
Portland, Oregon

CONFIDENTIAL

CONFIDENTIAL

THE STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

THE STATE, )  
)  
-vs- )  
)  
ANDREW ANTONIO CLEMONS )  
)  
Defendant. )  
\_\_\_\_\_ )

CERTIFICATE OF MAILING  
2011-GS-04-1977; 2013-GS-04-569  
Appellate Case No. 2013-001951

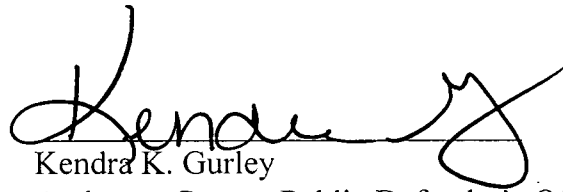
This is to certify that on the 11 day of October, 2013, **Sentencing Sheets** were placed in an envelope and mailed to individuals listed below with the proper postage affixed thereto.

Kristin Reeves  
Solcitor's Office  
PO Box 8002  
Anderson, SC 29622

Salley W. Elliott  
Attorney General  
PO Box 11549  
Columbia, SC 29211

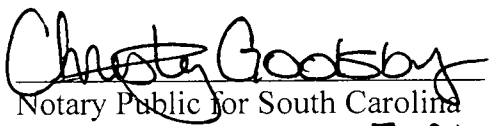
Robert Dudek  
SC Office of Appellate Defense  
PO Box 11589  
Columbia, SC 29211

Alan Wilson  
Attorney General  
PO Box 11549  
Columbia, SC 29211

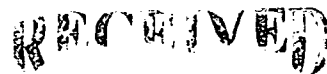


Kendra K. Gurley  
Anderson County Public Defender's Office  
301 Camson Road  
Anderson, South Carolina 29625

Sworn to before me this  
11 day of October, 2013



Notary Public for South Carolina  
My Commission Expires: 7-26-17



OCT 15 2013

SC Court of Appeals



# TENTH CIRCUIT PUBLIC DEFENDER OFFICE

ANDERSON AND OCONEE COUNTIES

Anderson County Office  
301 Camson Road  
Anderson, SC 29625  
Tel. 864.260.4048  
Fax 864.260.4134

**HERVERY B. O. YOUNG**  
Circuit Public Defender

Oconee County Office  
415 S. Pine Street  
Walhalla, SC 29691  
Tel. 864.638.3133  
Fax 864.638.3120

October 11, 2013

South Carolina Court of Appeals  
Post Office Box 11629  
Columbia, SC 29211

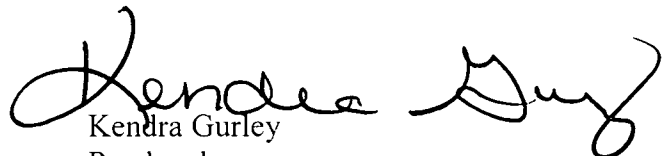
Re: The State vs. Andrew Antonio Clemons  
Appellate Case No.: 2013-001951

Dear Sirs/Madam

Pursuant to your letter dated October 8, 2013, please find enclosed the Order/Judgment to be challenged on appeal (Sentencing Sheets) along with a Certificate of Mailing for the same in the above referenced case.

Please contact me if you have any questions.

Very truly yours,

  
Kendra Gurley  
Paralegal

/kkg

Enclosures

Xc: Kristin Reeves  
Robert Dudek  
Salley Elliott  
Alan Wilson

**RECEIVED**

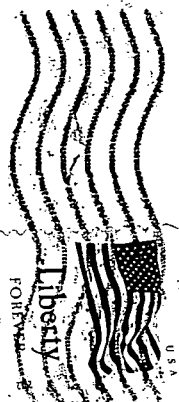
OCT 15 2013

**SC COURT OF APPEALS**

Anderson Public Defender's Office  
301 Cannon Road  
Anderson, SC 29625

GREENVILLE SC 296

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29211 1629

