

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

RECEIVED
Mar 30 2026
SC Court of Appeals

Appeal from Anderson County

Honorable Patrick C. Fant, III, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

DEMETRIUS JOHN,

APPELLANT

APPELLATE CASE NO 2024-002008

RECORD ON APPEAL

GARY H. JOHNSON
Appellate Defender

MATTHEW C. BUCHANAN
General Counsel

South Carolina Commission on Indigent
Defense
Division of Appellate Defense
PO Box 11589
Columbia, SC 29211-1589
(803) 734-1330

South Carolina Department of Probation, Parole
and Pardon Services
P.O. Box 207
Columbia, South Carolina 20202
(803) 734-9220

ATTORNEY FOR APPELLANT

ATTORNEYS FOR RESPONDENT

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STATE OF SOUTH CAROLINA)	
)	COURT OF GENERAL SESSIONS
COUNTY OF GREENVILLE)	2022-GS-04-01160
)	
)	
)	
)	
STATE OF SOUTH CAROLINA,)	
)	
vs.)	TRANSCRIPT OF RECORD
)	
DEMETRIUS D. JOHN,)	
DEFENDANT.)	
_____)	

November 1, 2024
 Greenville, South Carolina

B E F O R E:

THE HONORABLE PATRICK C. FANT, III, JUDGE.

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

ELIZABETH P. WIYGUL, ESQ.
 Attorney for the Defendant

STEVEN PARKER
 Probation Agent

HOLLIE M. JENKINS
 Circuit Court Reporter

I N D E X

(SW) - Denotes State's Witness
(DW) - Denotes Defense Witness

Page No.

{DW} DEMETRIUS D. JOHN:
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E X H I B I T S

(There were no exhibits introduced.)

1 PROCEEDINGS

2 THE COURT: Okay. Ms. Wiygul.

3 MS. WIYGUL: Your Honor --

4 THE COURT: We -- yeah. We previously had -- I -- I
5 don't even remember the -- but I remember your client.
6 And I know that we -- I -- we discussed this. And I did
7 an order for him to be evaluated.

8 MS. WIYGUL: Yes, sir. And we have been provided a
9 copy of that evaluation. And Mr. John was deemed
10 competent by the Department of Mental Health and by the
11 Department of Special -- Disabilities and Special Needs.

12 Would you like the agent to put the recommendation
13 back on the record?

14 THE COURT: That's fine.

15 Thank you.

16 PROBATION AGENT STEVEN PARKER: Thank you, Your
17 Honor.

18 If it may it please the Court.

19 Agent Steven Parker on behalf of the State.

20 The State's recommendation in this matter was a full
21 revocation and terminate probation, place lifetime GPS
22 monitoring pursuant to Section 23-3-540.

23 THE COURT: Anything else?

24 PROBATION AGENT STEVEN PARKER: That's the State's
25 recommendation, Your Honor.

1 THE COURT: All right.

2 MS. WIYGUL: Your Honor, you have a copy of
3 Mr. John's evaluation in front of you by the Department of
4 Disabilities and Special Needs. It reflected my
5 experiences with Mr. John.

6 I would -- I would note there is one typo. Somewhere
7 in there it says he's 20 years old. He is, actually, 30
8 years old.

9 He does have a -- I believe his most recent IQ was
10 65 -- or 54 with prior to bad at testing out at 65. They
11 did find that while he did not meet the diagnosis criteria
12 for an intellectual disability that he did have a
13 diagnosis of borderline intellectual functioning and would
14 require support due to that intelligence level.

15 He has been in custody now for 421 days.

16 He does have family support. I heard from both his
17 aunt and his brother this morning. Unfortunately, his
18 brother threw his back out and his aunt's car broke done.
19 So they -- they had planned to be there [sic], but
20 unfortunately were unable to do so.

21 Mr. John is asking the Court and I am joining in his
22 request to consider reinstating him on probation with him
23 to be held at the detention center until an appropriate
24 living situation is identified for him.

25 He does wish to speak with you directly.

1 He is currently receiving the prescribed medication
2 of Lexapro and Buspar over at the detention center for a
3 diagnosis of adjustment disorder and anxiety.

4 He does want to do counseling. He has told me that
5 every time I've gone to see him. He tells me that he was
6 doing the counseling in Anderson and he felt like it
7 really helped him. And that when he got down to
8 Greenville he just was completely unfamiliar. I think he
9 does need that extra support.

10 I would ask if the Court's inclined to give him
11 another opportunity that an added condition of cooperate
12 with an assessment and any recommendations at Greater
13 Greenville Mental Health be added. That would add kind of
14 another layer of oversight, as well as some more people
15 that Mr. John could kind of get to help him do the things
16 he needs to do to be appropriate and with -- and stay in
17 compliance on probation.

18 Mr. John, if you want to say anything to the Judge, I
19 think now would be the time.

20 DEFENDANT DEMETRIUS JOHN: Yeah.

21 MS. WIYGUL: And Mr. John does have a bit of a speech
22 impediment. So if the Court needs clarification, I'll be
23 happy to clarify.

24 DEFENDANT DEMETRIUS JOHN: [Inaudible] probation and
25 get the help that I need and want and...

1 (Pause.)

2 MS. WIYGUL: Mr. John, would you be more comfortable
3 if I asked you questions and you answered them?

4 (WHEREUPON, there was no verbal response.)

5 MS. WIYGUL: Would that be acceptable to the Court?

6 THE COURT: That's fine.

7 DIRECT EXAMINATION

8 BY MS. WIYGUL:

9 Q Mr. John, have we discussed what you need to do -- to
10 do what -- to stay on probation?

11 A Yeah.

12 Q And do you have a better understanding of that now
13 than you did before?

14 A Yeah.

15 Q And do you understand that you can only have one --
16 if you have any devices, your agent has to give you
17 permission?

18 A Yeah.

19 Q Okay. And do you understand that you cannot go
20 anywhere near -- anywhere where children might be?

21 A Yeah.

22 Q Thank you.

23 Is there anything else you wanted to tell him?

24 A (There was no verbal response.)

25 MS. WIYGUL: Your Honor, Mr. John did want me to

1 point out -- and I will point out to the Court that he --
2 despite the nature of his conviction, he has never harmed
3 anyone. He has never, actually, had a physical
4 relationship with anyone. He -- there was no actual
5 identifiable victim in his case.

6 THE COURT: Agent.

7 PROBATION AGENT STEVEN PARKER: Your Honor, I would
8 like you to follow the recommendation. And I do have the
9 forensic reports from the electronic devices and some --

10 THE COURT: I think you showed those to me last time.

11 PROBATION AGENT STEVEN PARKER: I did, Your Honor.
12 It's some pretty serious violations. There's lengthy
13 conversations he had with another individual about being
14 attracted to children where he was checking out a child at
15 church. His e-mail address was [REDACTED].
16 They were -- he had pictures of children in soiled
17 underwear on his phone.

18 I just think he's a great risk to the community to
19 commit a crime on a child and that he is attracted to
20 minors. I think the appropriate sentence is the full
21 revocation and placement on Jesse's Law.

22 Part of his original order was that he was not to use
23 the Internet at all. And so he was originally placed in a
24 transitional house in Oconee County and was kicked out of
25 there because he had a device.

1 And then he came down to the Greenville Rescue
2 Mission. And that's when I came into his probation case
3 and discovered he had two devices capable of accessing the
4 Internet. It's not just so much that he used the
5 Internet, but that he used the Internet to commit these
6 violations.

7 THE COURT: I'm going to take it under advisement. I
8 do need -- I guess as far as notifying, I need to get your
9 e-mail. My law clerk may have it. But Brenna --

10 MS. WIYGUL: Your Honor, I'll be happy to send out an
11 e-mail to you and just copy Agent Parker, if you would
12 like.

13 THE COURT: And will you send it to Brenna?

14 MS. WIYGUL: I sure will.

15 THE COURT: She's my awesome paralegal. My law clerk
16 is getting married and going on his honeymoon.

17 MS. WIYGUL: Thank you, Your Honor.

18 THE COURT: All right. Thank you both.

19 *****END OF TRANSCRIPT OF RECORD*****
20
21
22
23
24
25

CERTIFICATE OF REPORTER

STATE OF SOUTH CAROLINA)
COUNTY OF GREENVILLE)

I, HOLLIE JENKINS, Official Court Reporter for the Thirteenth Judicial Circuit of the State of South Carolina, do hereby certify that the foregoing is a true, accurate, and complete Transcript of Record of the proceedings had and the evidence introduced in the captioned case, relative to appeal, in the Court of General Sessions for Greenville County, South Carolina, on the 1st day of November, 2024.

I do further certify that I am neither of kin, counsel, nor interest to any party hereto.

January 12, 2026

Hollie M. Jenkins, Court Reporter

23-50-01 Phil

STATE OF SOUTH CAROLINA

County of Greenville

STATE VS

Demetrius David John

AKA:

Race: B Sex: M

DOB: 1/9/4

SSN: [REDACTED]

SID#: 02393597

IN THE COURT OF GENERAL SESSIONS

Indictment Number: 22 - GS - 04 - 01160

Probation CDRs & issuance dates: W-23-23-0864
(11/13/23) W-23-23-0728
(9/18/23)

Name of Original Offense: Sexual exploitation of minor?

Original AWW#: 2000A 0410100501

Date of Original Offense: 3/11/2020

Conviction S.C. Code §: 16-15-410

Conviction CDR Code #: 0 1 3 1 8 1 1

Original Sentence: 10 yrs incl sus w/probation 5 yrs

ORDER

The above named defendant has been charged with violating the conditions of probation ordered on 7/11/22 in the Court of General Sessions of Anderson County, and/or the additional conditions ordered by the Court in probation continuation order(s) issued on _____ as set forth in the attached warrant(s) or citation(s).

After hearing the evidence and being duly advised, in the (presence/absence) of the defendant, I find that the above named defendant has violated the following condition(s) of probation: (List by number or indicate special conditions as provided in the affidavit)

violate 10 sex offense condition, 1, 6, 7, 9, 10 standard conditions

Therefore, IT IS ORDERED that:

- the suspended sentence be revoked and the above named defendant be required to serve the remainder of the original sentence.
- the suspended sentence be partially revoked and the above named defendant be required to serve 7 days/months/years of the original sentence; and
 - Terminate the balance of probation.
 - Continue/reinstate probation, subject to the conditions set forth in the original sentence and not inconsistent with this order.
- the above named defendant is continued on probation as provided for in the original sentence, subject to the conditions set forth therein and not inconsistent with this order.
- probation is reduced to time served under supervision and the defendant is discharged from supervision on this date.
- the above named defendant is placed on electronic monitoring pursuant to §23-3-540.
- Financial Obligations: Order satisfies:
 - Department fees (arrearage)
 - Fines and other fees (arrearage/balance)
 - Restitution (and 20%) (arrearage/balance)
 Civil judgment:
 - Department fees
 - Fines and other fees
 - Restitution (and 20%)
- Additional Conditions ordered by the Court (Jail time credits should not be reported in this section):

Place on lifetime GPS monitoring pursuant to S.C. Code § 23-3-540.
Hearings held on 11/1/24 and 11/14/24.

- The defendant is given credit for 424 days/months/years of pre-revocation hearing detention time on current probation violation to be calculated and applied by the SC Department of Corrections.
- The defendant is to be given credit for 393 days/months/years of Hayes credit (N/A if defendant has served prior SCDC time).
- No pre-revocation hearing detention time to be awarded because a citation was issued.
- The defendant was previously placed on active electronic monitoring pursuant to §23-3-540.

This 15th day of Nov, 2024,
Greenville, SC

Hon. [Signature]
Presiding Judge
Hon. Astrick Fant III 13th Judicial Circuit

You are hereby advised that under the law the Court may at any time revoke or modify any condition of this probation; impose any lawful conditions it deems proper; or extend your period of probation not to exceed five (5) years. At any time within the period of your probation, the Court may require you to serve any part of the original sentence imposed.

This is to certify that I have read, or have had read to me, the order and the conditions set out therein. I agree to comply with such conditions and the conditions of my attached probation order during the period of my probation. I have received a copy of this Court's order and all attachments.

Offender's Signature
Demetrius John
Signed this 15 day of November, 2024 at
Day Month Year

Witnessed by
[Signature]
Greenville
City

RECEIVED
Nov 25 2024
SC
SC Court of Appeals

STATE OF SOUTH CAROLINA

COUNTY OF Anderson

STATE VS.

Demetrius David John

AKA: _____
Race: B Sex: M Age: 28
DOB: 1984 SS#: _____
Address: E Market St Apt 14B
City, State, Zip: Anderson, SC 29624-1802
DL#* _____ SID# _____

IN THE COURT OF GENERAL SESSIONS

INDICTMENT/CASE#: 2022-GS-04 - 01160

AW#: 2020A0410100501
Date of Offense: 3/11/2020
S.C. Code §: 16-15-410
CDR Code #: 0381

SENTENCE SHEET

*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: Sexual Exploitation of a Minor, Third Degree

In violation of § 16-15-410 of the S.C. Code of Laws, bearing CDR Code # 0381

NON-VIOLENT VIOLENT SERIOUS MOST SERIOUS Mandatory GPS § 17-25-45
(CSC w/minor 1st or CSC w/minor 3rd)

The charge is: As indicted, Lesser Included Offense, Defendant Waives Presentment to Grand Jury. _____ (def.'s initials)

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

ATTEST:

R. Kyle Gunn 77885 Demetrius John 07815
Assistant Attorney General SC Bar # Defendant Attorney for Defendant SC Bar #

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

for a determinate term of 90 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 _____ days/months/years/Time Served and or payment

of \$ _____; plus costs and assessments as applicable*; the balance is suspended with probation for 5

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: 2022-01161

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.

393 day, 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 § 16-25-55 (Domestic Violence) to ship, transport, possess, or receive a firearm or ammunition.

RECEIVED

Nov 25 2024

SC Court of Appeals

STATE VS. Demetrius David John INDICTMENT/CASE#: 2022-GS-04-1160

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 WE 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: No access to Internet at all - No devices capable of accessing internet - Shall not be in facilities subject to be monitored by mass. Record of probation shall not be in mail period of incarceration under 2022-GS-04-1160 shall have send.

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

\$14-1-208 (Assessments 107.5%)		\$
\$14-1-211 (A)(1)(Conv. Surcharge)	\$100	\$ <u>100.00</u>
\$14-1-211 (A)(2)(DUI Surcharge)	\$100	\$
\$56-5-2995 (DUI Assessment)	\$12	\$
\$56-1-288 (DUI Breath Test)	\$25	\$
\$14-1-212 (Law Enforce. Funding)	\$25	\$ <u>25.00</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	\$
\$56-5-2842(J) (Vehicle Assessment)	\$40/ea	\$
3% to County (if paid in installments)	TBD	\$ <u>18.75</u>
<input checked="" 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	\$ <u>500.00</u>
<input type="checkbox"/> § 17-3-30(B) Unpaid Application Fee to be paid to the Public Defender Fund	TBD	\$
TOTAL		\$ <u>643.75</u>

Clerk of Court/Deputy Clerk: _____
Court Reporter: _____

Richard A. Hilder
L. NOWELL (Contract)

Presiding Judge: _____
Judge Code: #2752
Sentence Date: 7-11-22

ARREST WARRANT

2020A0410100501

STATE OF SOUTH CAROLINA

County/ Municipality of

Anderson

THE STATE

2020-

against

Demetrius David John

Address:

Phone: Sex: M Race: B Height: 5 2 Weight: 160

DL State: SC DL#: DOB: Agency OR#: SC040015A

Prosecuting Agency: S C Attorney General

Prosecuting Officer: Kevin D Atkins - S00216

Offense: Sex / Sexual exploitation of a minor, Third degree

Offense Code: 0381

Code/Ordinance Sec: 16-15-0410(A)

This warrant is CERTIFIED FOR SERVICE in the

County/ Municipality of

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

'20 MAR 13 PM 1:59:08

Anderson, SC CDC, CP/GS

(L.S.)

Signature of Judge

Date:

RETURN

A copy of this arrest warrant was delivered to

defendant Demetrius David John on 3/11/2020

Signature of Constable/Law Enforcement Officer

RETURN WARRANT TO:

General Sessions
100 South Main Street
Po Box 8002
Anderson, SC 29622

ORIGINAL

ORIGINAL

ORIGINAL

ORIGINAL

STATE OF SOUTH CAROLINA

County/ Municipality of

Anderson

Personally appeared before me the affiant Kevin D Atkins who

being duly sworn deposes and says that defendant Demetrius David John

did within this county and state on or about 3/11/2020

violate the criminal laws of the

State of South Carolina (or ordinance of County/ Municipality of Anderson)

in the following particulars:

DESCRIPTION OF OFFENSE: Sex/ Sexual exploitation of a minor, Third 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 March 11, 2020, the defendant, Demetrius David John, did commit the offense of Third Degree Sexual Exploitation of a Minor, in that the defendant did knowingly and willingly possess material that contained a visual representation of minors engaged in sexual activity or appearing in a state of sexually explicit nudity. This material was located on the defendant's electronic device after the execution of a lawful search warrant for the device. This offense occurred at 1100 E. Market St., Apt. 14-B, Anderson, SC which is located in Anderson County. This case was investigated by Special Investigator Kevin Atkins, with the South Carolina Attorney General's Office. This being in violation of South Carolina Code of Laws 1976 as Amended.

Signature of Affiant

STATE OF SOUTH CAROLINA

County/ Municipality of

Anderson

Affiant's Address P O Box 11549
Columbia, SC 29211-
Affiant's Telephone

A TRUE COPY

MAR 13 2020

Richard Kelly
CLERK OF COURT

ARREST WARRANT

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

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

on or about 3/11/2020 defendant Demetrius David John

did violate the criminal laws of the State of South Carolina (or ordinance of

County/ Municipality of Anderson) as set forth below:

DESCRIPTION OF OFFENSE: Sex/ Sexual exploitation of a minor, Third 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 3/11/2020

Signature of Judge (L.S.)
Judge's Address 2404 N. Main St.
Anderson, SC 29621-

William Daniel Sharp
Judge's Telephone (864)260-4156

Judge Code: 7013

Issuing Court: Magistrate Municipal Circuit

ORIGINAL

ORIGINAL

ORIGINAL

ORIGINAL

Form Approved by
S.C. Attorney General
APR 21, 2003
SCCA 518

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF Anderson

STATE VS.

INDICTMENT/CASE#: 2022 -GS- 04 . 01161

Demetrius David John

AKA: _____
Race: B Sex: M Age: 28
DOB: _____ SS#: _____
Address: _____
City, State, Zip: _____
DL# _____ SID# _____

AW#: _____ Direct Presentment
Date of Offense: 6/23/2021
S.C. Code §: 16-15-410
CDR Code #: 0381

SENTENCE SHEET

*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: Sexual Exploitation of a Minor, Third Degree

In violation of § 16-15-410 of the S.C. Code of Laws, bearing CDR Code # 0381

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

(CSC w/minor 1st or CSC w/minor 3rd)

The charge is: As indicted, Lesser Included Offense, Defendant Waives Presentment to Grand Jury. _____ (def.'s Initials)

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

ATTEST:

R. K. S. 77885 Demetrius John 07815
Assistant Attorney General SC Bar# 77885 Defendant Attorney for Defendant 07815

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

for a determinate term of 3 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 _____ days/months/years/Time Served and/or payment

of \$ _____ plus costs and assessments as applicable; the balance is suspended with probation for 30

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

The sentence shall run CONCURRENT or CONSECUTIVE to sentence on:

The Defendant is to be given credit for time served pursuant to S.C. Code § 24-13-40 to be calculated and applied by SCDOC. 393 days/months

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.

STATE VS. Demetrius David John INDICTMENT/CASE#: 2022 -GS- 04 - 1161

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: mental health eval. & counsel while incarcerated

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

\$14-1-208 (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	\$
\$14-1-212 (Law Enforce. Funding)	\$25	\$ 25.00
\$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	\$ 3.75

Appointed PD or appointed other counsel, Proviso requires \$500 be paid to Clerk during probation and shall be collected before any other fees

§ 17-3-30(B) Unpaid Application Fee to be paid to the Public Defender Fund

TOTAL \$ 128.75

Judge Code: #2155

Sentence Date: 7/11/22

Clerk of Court/Deputy Clerk: L. Navel (Contract)

Presiding Judge: [Signature]

Judge Code: #2155

Sentence Date: 7/11/22

South Carolina Department of Probation, Parole and Pardon Services
Summary of Administrative Hearing

Probationer: Demetrius John

SID#: 02393597

Location: Greenville County Detention Center, Greenville, South Carolina

Date: January 16, 2024

Time: 11:57 AM

Persons in Attendance

Name	Relationship
Grant Ketner	Administrative Hearings Officer
Stephen Parker	Agent
Demetrius John	Probationer
Elizabeth Wiygul	Probationer's Attorney

Hearing Officer's Findings:

I find that Demetrius John violated conditions 1, 7, 9, 10, and additional conditions as set forth in the affidavits dated September 18, 2023 and November 13, 2023; such conditions having been contained in the Order of Probation accepted by Mr. John in writing on March 2, 2023.

I find that Demetrius John failed to report in person to the South Carolina Department of Probation, Parole and Pardon Services office on the day of sentencing or release, and as instructed by the Department; and make complete and truthful reports to the Agent. Mr. John failed to make a complete truthful report to the Agent on September 18, 2023, by failing to produce a second cell phone. Mr. John admitted to Agent Parker on September 20, 2023, to having the second cell phone, two days after the first one was searched.

I find that Demetrius John failed to pay supervision fee and other fees as determined by the Department. Mr. John was \$680.00 in arrears on the intensive supervision fee and \$20.00 in arrears on the drug test fee, at the time process was issued.

I find that Demetrius John failed to pay fines, restitution or other payments, and the service of any period of incarceration. Mr. John was \$68.00 in arrears on the public defender fund, at the time process was issued.

South Carolina Department of Probation, Parole and Pardon Services
Summary of Administrative Hearing

I find that Demetrius John failed to follow the advice and instructions of the agent; and comply with any further conditions imposed by the Department or its Agents. Mr. John failed to comply with Conditions 2, 5, and 8 of the Standard Sex Offender Conditions, as agreed upon in writing on March 2, 2023.

STANDARD SEX OFFENDER CONDITION 2: I find that Demetrius John failed to attend, actively participate in, not give cause to be terminated from, and successfully complete any counseling/treatment program, to which he is referred by their agent, which may include polygraph or other treatment related testing. Mr. John has failed to attend sex offender counseling after being referred by the Agent on March 28, 2023.

STANDARD SEX OFFENDER CONDITION 5: I find that Demetrius John failed to not enter into, loiter or work within one thousand (1,000) feet of any area or event frequented by people under the age of eighteen (18) including but not limited to: schools, day care centers, playgrounds, arcades, public swimming pools or beaches, shopping malls, theaters, or and festivals, unless approved in advance by the agent. On September 18, 2023, Agent Parker conducted a search of Mr. John's cell phone and located a picture of Falls Park that was sent by Mr. John to a person named [REDACTED] on August 2, 2023 at 1121 hours.

STANDARD SEX OFFENDER CONDITION 6: I find that Demetrius John failed to not purchase, possess, or use any sexually stimulating or sexually explicit material or device, nor enter into, loiter or work within one thousand (1,000) feet of any place where such material or device is sold or presented as entertainment; which includes but is not limited to adult book stores, sexually explicit internet sites, television services, or telephone services, sex shops, topless bars, strip clubs, and massage parlors. On September 21, 2023, a forensic search was conducted by Chris Catoe with the Department's Forensic Digital Unit, on a second cell phone belonging to Mr. John. During the search, multiple sexually explicit/stimulating photographs of adult sexual activity and several digital files of prepubescent minors in soiled underwear and covered male genitals in a discernibly turgid state, were found on the cell phone. In addition, the application Pixiv was found on his phone, which allows access to visual novels of child sexual abuse material.

STANDARD SEX OFFENDER CONDITION 8: I find that Demetrius John failed to abide by the Computer/Internet Use Agreement for Sex Offenders. Mr. John failed to abide by Conditions 1, 3, 4, 5, and 6 of the Agreement, as agreed upon in writing on March 2, 2023.

South Carolina Department of Probation, Parole and Pardon Services
Summary of Administrative Hearing

COMPUTER/INTERNET USE CONDITION 1: I find that Demetrius John failed to not use the Internet to access social networking websites, communicate with other persons or groups for the purpose of promoting sexual relations with persons under the age of eighteen, or if he is over the age of eighteen, communicate with a person under the age of eighteen. On September 18, 2023, Agent Parker conducted a search of Mr. John's cellphone and discovered that Mr. John was engaging in sexually explicit conversations via text message with another person, involving male and female persons between the ages of ten (10) and fifteen (15) years old.

COMPUTER/INTERNET USE CONDITION 3: I find that Demetrius John failed to obtain prior written approval from the Supervising Agent/Designee before using an electronic bulletin board system, internet relay chat channel, DCC chat channel, newsgroup, user group, or any site-based email which provides some measure of anonymity (such as Hotmail or Gmail). On September 21, 2023, a forensic search was conducted by Chris Catoe with the Department's Forensic Digital Unit, on a second cell phone belonging to Mr. John. The search found that Mr. John had two email addresses [REDACTED] and [REDACTED] Mr. John never obtained prior approval from his Agent to have these email accounts.

COMPUTER/INTERNET USE CONDITION 4: I find that Demetrius John failed to not use the computer for any purpose which might further sexual activity, with such activities including but not limited to the following: possession of sexually explicit material in any manner; sexually related chat or email exchange; visiting or joining chat rooms which contain sexually explicit conversation; visiting/viewing sexually explicit material on web sites; downloading binary files, UUE files, MIME files, AVI files, MPG files, Real Player files, images in any format, text files, or multi-media material that is sexual in nature; or visiting and/or subscribing to user groups or newsgroups which focus on sexual content. On September 21, 2023, a forensic search was conducted by Chris Catoe with the Department's Forensic Digital Unit, on a second cell phone belonging to Mr. John. During the search, multiple sexually explicit/stimulating photographs of adult sexual activity and several digital files of prepubescent minors in soiled underwear and covered male genitals in a discernibly turgid state, were found on the cell phone. In addition, the application Pixiv was found on his phone, which allows access to visual novels of child sexual abuse material.

South Carolina Department of Probation, Parole and Pardon Services
Summary of Administrative Hearing

COMPUTER/INTERNET USE CONDITION 5: I find that Demetrius John failed to refrain from using any form of encryption, cryptography stenography, compression, password protected files and/or other method that might limit access to, or change the appearance of, data and/or images without prior written approval from the Supervising Agent/Designee. On September 21, 2023, a forensic search was conducted by Chris Catoe with the Department's Forensic Digital Unit, on a second cell phone belonging to Mr. John. The search found that Mr. John had the following applications on his cell phone which use encryption: Telegram, Skiff Mail, Degoo, TeleGuard, and Mega.

COMPUTER/INTERNET USE CONDITION 6: I find that Demetrius John failed to refrain from altering or destroying records of computer use, and will not use software designed to alter, clean or wipe computer media. On September 18, 2023, Agent Parker conducted a search of Mr. John's cell phone and found that Mr. John had deleted photographs and the Internet history from it.

I find that Demetrius John failed to comply with additional conditions. Mr. John failed to comply with the Court's order at sentencing to have "no access to Internet at all - no devices capable of accessing Internet." On September 18, 2023, Agent Parker conducted a search of Mr. John's cell phone and discovered that he was accessing the Internet, and that he sent website links to contacts listed in his phone on the following dates: July 24, 2023 at 1705 hours; July 20, 2023 at 1344 hours; August 2, 2023 at 1121 hours; August 4, 2023 at 1400 hours; and September 1, 2023 at 0912 hours. In addition, he downloaded a photograph on August 31, 2023. Then on September 20, 2023, Agent Parker discovered that Mr. John had a second cell phone in his possession that was capable of Internet access, to which Mr. John admitted to owing it. This phone was also searched which found multiple sexually explicit material along with two email addresses, and multiple applications which use the Internet.

I find that the aforementioned violations constitute a willful failure to follow the advice and instructions of the supervising agent. I base these findings on the evidence and testimony presented at the Administrative Hearing.

I do not find that Demetrius John failed to refrain from the violation of Federal, State, or Local Law; and to immediately contact the Agent when arrested or questioned by a law enforcement official for any reason whatsoever. Mr. John was not charged in either affidavit with violating this condition.

South Carolina Department of Probation, Parole and Pardon Services
Summary of Administrative Hearing

STANDARD SEX OFFENDER CONDITION 4: I do not find that Demetrius John failed to not have any contact with a person under the age of eighteen (18), with the exception of immediate family members and then may only have such contact if approved in advance under conditions set by the treatment provider and the agent; and will discuss any incidental contact at the next treatment session and will immediately report this contact to the agent. Insufficient evidence was presented to determine probable cause that Mr. John had contact with any person under the age of eighteen (18).

STANDARD SEX OFFENDER CONDITION 10: I do not find that Demetrius John failed to at all times maintain a suitable residence, approved by the agent, which complies with all conditions of supervision, which may not be within one thousand (1000) feet of any area frequented by people under the age of eighteen (18), including but not limited to schools, day care centers, playgrounds, arcades, public swimming pools or beaches, shopping malls, or theaters; to obtain approval from the agent for the residence and employment and to obtain prior approval from the agent before changing the residence or employment; and to stay at the approved residence every night and will not sleep or stay overnight anywhere else without prior approval of the agent. Mr. John was not charged in either affidavit with violating this condition.

Hearing Officer's Conclusions:

Mr. John was in possession of two cell phones capable of Internet access, which he used to access the Internet including two email accounts and multiple applications; one of which, Pixiv, is used to access visual novels of child sexual abuse material. Mr. John lied to the Agent about having a second cell phone, with the Agent learning about it from shelter staff. In addition, Mr. John texted with an individual discussing about minors in a sexually explicit way, and he had sexually explicit material on his phone of adults and children. He also went to Falls Park, which is frequented by people under the age of eighteen (18). Finally, he failed to attend sex offender counseling. Mr. John's blatant and willful violations demonstrate that he has no desire to address his sexual deviancy nor comply with conditions of probation and the orders of the Court. Further his actions demonstrate that he is a serious and significant risk to community safety. Therefore, I conclude, that based on all of the above; revocation is the only appropriate response to the violations.

South Carolina Department of Probation, Parole and Pardon Services
Summary of Administrative Hearing

Recommendation of the State:

Full revocation and terminate probation. Place on lifetime GPS monitoring pursuant to Section 23-3-540.

Respectfully Submitted,

Grant Ketner
Administrative Hearings Officer

STATE OF SOUTH CAROLINA
COUNTY OF SUMTER

IN THE COURT OF GENERAL SESSIONS

22-GS-04-01160

STATE

Count

-vs-

DEMETRIUS DAVID JOHN

STANDARD CONDITIONS OF PROBATION

1. I shall report in person to the South Carolina Department of Probation, Parole and Pardon Services' office on the day of my sentencing or release, and as instructed by the Department; and I shall make complete and truthful reports to the Agent.
2. I shall not change my residence or employment without the consent of my Agent. Further, I shall allow my Agent to visit me in my home, at my place of employment, or elsewhere, at any time.
3. I shall not use controlled substances, except when properly prescribed by a licensed physician, nor consume alcoholic beverages to excess, nor enter establishments whose primary business is the sale and drinking of alcoholic beverages. Further, I shall submit to a urinalysis, blood test or provide forensic evidence when instructed by Agents of the Department, and I agree that any of these test results may be used as evidence in any hearing for the violation of the conditions of my supervision.
4. I shall not possess or purchase any firearms or other dangerous weapons, and I shall not associate with any person who has a criminal record, or any other person whom my Agent has instructed me to avoid.
5. I shall work diligently at a lawful occupation. Further, I shall notify my Agent if I become unemployed.
6. I shall not violate any Federal, State, or Local Law, and I shall immediately contact my Agent if I am ever arrested or questioned by a law enforcement official for any reason whatsoever.
7. I shall pay a supervision fee and any other fees as determined by the Department.
8. I shall not leave the State without permission from my Agent. Further, if I am ever arrested in another state for violating these conditions, I hereby irrevocably waive all extradition rights I may otherwise have been entitled to and agree to return to South Carolina when directed by my Agent, the Court or by a warrant.
9. I shall obey all conditions of supervision set forth in this order including the payment of fines, restitution or other payments, and the service of any period of incarceration.
10. I shall follow the advice and instructions of my Agent and I agree to comply with any further conditions imposed by the Department or its Agents.
11. I agree to pay restitution and a statutory collection fee payable to the Department of Probation, Parole, and Pardon Services as directed by Agents of the Department. (20% collection fee charged)
12. Unless I was convicted of or pled guilty or nolo contendere to a Class C misdemeanor or an unclassified misdemeanor that carries a term of imprisonment of not more than one year, I shall be subject to a search or seizure, without a search warrant, based on reasonable suspicions, of my person, any vehicle I own or am driving, and any of my possessions by: (1) any probation agent employed by the Department; or (2) any other law enforcement officer.

I hereby certify that this statement of Conditions has been read and explained to the Probationer listed above and he/she has agreed to them.

I hereby certify that the Conditions above have been explained fully to me and in agreement thereto, I attach my signature:

Demetrius John

This 2 day of March, 2023

Antonio Becker

Offender

Agent

PO Box 1322 SUMTER, SC 29151

[Redacted]

Agent's Address

Offender's Address

(803)-7785185

()-

Agent's Phone Number

Offender's Phone Number

South Carolina Department of Probation, Parole and Pardon Services
Project Ceasefire

Offender Name: Demetrius David John

SID #: 02393597

United States Criminal Code Title 18, Section 922 (a) states: _

(g) It shall be unlawful for any person—

- (1) who has been convicted in any court of, a crime punishable by imprisonment for a term exceeding one year;
- (2) who is a fugitive from justice;
- (3) who is an unlawful user of or addicted to any controlled substance (as defined in section 102 of the Controlled Substances Act (21 U.S.C. 802));
- (4) who has been adjudicated as a mental defective or who has been committed to a mental institution;
- (5) who, being an alien—
 - (A) is illegally or unlawfully in the United States; or
 - (B) except as provided in subsection (y)(2), has been admitted to the United States under a nonimmigrant visa (as that term is defined in section 101(a)(26) of the Immigration and Nationality Act (8 U.S.C. 1101 (a)(26)));
- (6) who has been discharged from the Armed Forces under dishonorable conditions;
- (7) who, having been a citizen of the United States, has renounced his citizenship;
- (8) who is subject to a court order that—
 - (A) was issued after a hearing of which such person received actual notice, and at which such person had an opportunity to participate;
 - (B) restrains such person from harassing, stalking, or threatening an intimate partner of such person or child of such intimate partner or person, or engaging in other conduct that would place an intimate partner in reasonable fear of bodily injury to the partner or child; and
 - (C)
 - (i) includes a finding that such person represents a credible threat to the physical safety of such intimate partner or child; or
 - (ii) by its terms explicitly prohibits the use, attempted use, or threatened use of physical force against such intimate partner or child that would reasonably be expected to cause bodily injury; or
- (9) who has been convicted in any court of a misdemeanor crime of domestic violence,

to ship or transport in interstate or foreign commerce, or possess in or affecting commerce, any firearm or ammunition; or to receive any firearm or ammunition which has been shipped or transported in interstate or foreign commerce.

United States Criminal Code Title 18, Section 924 (a) states: _

(2) Whoever knowingly violates subsection (a)(6), (d), (g), (h), (i), (j), or (o) of section 922 shall be fined as provided in this title, imprisoned not more than 10 years, or both.

United States Criminal Code Title 18, Section 924 (e) states: _

(1) In the case of a person who violates section 922(g) of this title and has three previous convictions by any court referred to in section 922(g)(1) of this title for a violent felony or a serious drug offense, or both, committed on occasions different from one another, such person shall be fined not more than \$25,000 and imprisoned not less than fifteen years, and, notwithstanding any other provision of law, the court shall not suspend the sentence of, or grant a probationary sentence to, such person with respect to the conviction under section 922(g). The maximum term of imprisonment under this section is life.

I am aware that in view of the above law, I am disqualified from owning or having possession of any firearms, ammunition, or other weapons. I understand that if I have a firearm, ammunition, or other type of weapon that I have to disclose these to my agent this date.

- do not own or have possession of a firearm, ammunition, or weapon.
- There are no firearms or ammunition at my place of residence.
- I currently have a firearm and/or ammunition and will disclose this to my agent today.

Offender Signature <i>Demetrius John</i>	Date 3/2/23
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Agent/OSS <i>Antonio Dickman</i>	Date 3/2/23
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South Carolina Department of Probation, Parole and Pardon Services

Standard Sex Offender Conditions

1. I will register as a sex offender as required by the Code of Laws of South Carolina and as described in the Department's *Notice of Sex Offender Registry*.
2. I will attend, actively participate in, not give cause to be terminated from, and successfully complete any counseling/treatment program, to which I am referred by my agent, which may include polygraph or other treatment related testing, all at my own expense. I waive all rights to confidentiality between myself and my treatment provider, and authorize my treatment provider to disclose to my agent, the Court, the Parole Board, the releasing authority, and/or the hearing officer, information about my attendance and participation in the program. (Must complete Referral Form 1054).
3. I will not have any contact with the victim(s) of my crime, directly or indirectly. This includes but is not limited to physical or face to face contact, contact through letters or written notes, telephone calls, or electronic mail (e-mail), or any contact through a third party, unless such contact is approved in writing by the Court, the Parole Board, or the releasing authority, or the hearing officer. I also will not enter into, travel past, or loiter near a victim's residence or workplace.
4. I will not have any contact with a person under the age of 18, with the exception of my immediate family members and then may only have such contact if approved in advance under conditions set by my treatment provider and my agent. If I have incidental contact with any child, I will be civil and courteous and immediately remove myself from the situation. I will discuss the contact at my next treatment session and will immediately report this contact to my agent.
5. I will not enter into, loiter or work within one thousand (1,000) feet of any area or event frequented by people under the age of 18 including but not limited to: schools, day care centers, playgrounds, arcades, public swimming pools or beaches, shopping malls, theaters, or and festivals, unless approved in advance by my agent.
6. I will not purchase, possess, or use any sexually stimulating or sexually explicit material or device, nor enter into, loiter or work within one thousand (1,000) feet of any place where such material or device is sold or presented as entertainment. This includes but is not limited to adult book stores, sexually explicit internet sites, television services, or telephone services, sex shops, topless bars, strip clubs, and massage parlors.
7. I will permit my agent or a representative of the Department, without a warrant and with or without the assistance of any other law enforcement officer, to search my person, residence, any vehicle I own or have permission to use, and any of my possessions, including computers, cellular telephones, and other electronic devices, for the presence of sexually stimulating or sexually explicit materials or devices prohibited by these conditions, and to seize said materials. Such materials seized shall be considered property of the court, Parole Board, or releasing authority, and shall be safely kept by the Department or other law enforcement agency until any violations concerning the seized materials have been addressed.
8. I will abide by all curfews as directed by my agent.
9. I will at all times maintain a suitable residence, approved by my agent, which complies with all conditions of my supervision, which may not be within one thousand (1000) feet of any area frequented by people under the age of 18, including but not limited to schools, day care centers, playgrounds, arcades, public swimming pools or beaches, shopping malls, or theaters. I will obtain approval from my agent of my residence and employment and shall obtain prior approval from my agent before changing my residence or employment. I will stay at my approved residence every night and will not sleep or stay overnight anywhere else without prior approval of my agent.
10. I will not consume alcoholic beverages and will submit to alcohol testing as instructed by my agent or treatment provider. I agree that any test results may be used as evidence in any hearing for the violation of the conditions of my supervision and I waive any right to challenge the validity of such results.
11. I will comply with the Department's requirements for any electronic monitoring program which I am ordered to participate in by the Court, the Parole Board, the releasing authority, the hearing officer, or my agent, or as required by statute, all at my own expense.

I have read, or had read to me, the above conditions and I understand their meaning. I have received a copy of these conditions. I accept and agree to these conditions and understand that any violation could result in the Court, Parole Board, or releasing authority revoking my supervision and reinstating my sentence or returning me to prison. If I refuse to accept these conditions, I must immediately ask my agent to bring my case before the Court, Parole Board, or releasing authority where I will request that my term of supervision be revoked and my sentence be reinstated or that I be returned to prison. I understand that, if I have objections to any of the above conditions but fail to timely take the actions described above, I will waive any right I may have to challenge these sex offender conditions at any future proceeding.

Demetrius John

3/2/23

Antonio Hickman

3/2/23

Offender Signature

Date

Agent Signature

Date

DEMETRIUS DAVID JOHN
Offender Name (printed)

Antonio Hickman
Agent Name (printed)

Computer/Internet Use Agreement for Sex Offenders

Offender DEMETRIUS DAVID JOHN Supervising Agent/Designee Antonio Hickman

By signing below, the above named offender understands and agrees as follows: computer or other access to the internet may pose significant risk of triggering re-offense; access to the internet is a privilege not a right; and access to the internet may be prohibited by the Supervising Agent/Designee at any time. The offender specifically agrees to be fully compliant with the following conditions if allowed access to the internet.

- 1. If the victim of my offense was under the age of eighteen at the time of the offense, or I reasonably believed the victim was under the age of eighteen at the time of the offense, I will not: (1) use the internet to access social networking websites, (2) communicate with other persons or groups for the purpose of promoting sexual relations with persons under the age of eighteen, or (3) if I am over the age of eighteen, communicate with a person under the age of eighteen. See S.C. Code Section 23-3-555(D).
2. I will provide all personal/business phone records and credit card bills to the Supervising Agent/Designee upon request.
3. I will obtain prior written approval from the Supervising Agent/Designee before using an electronic bulletin board system, internet relay chat channel, DCC chat channel, newsgroup, usergroup, or any site-based email which provides some measure of anonymity (such as Hotmail or Gmail).
4. I will not use the computer for any purpose which might further sexual activity. Such activities include but are not limited to the following: possession of sexually explicit material in any manner; sexually related "chat" or email exchange; visiting or joining "chat rooms" which contain sexually explicit conversation; visiting/viewing sexually explicit material on web sites; downloading binary files, UUE files, MIME files, AVI files, MPG files, Real Player files, images in any format, text files, or multi-media material that is sexual in nature; or visiting and/or subscribing to usergroups or newsgroups which focus on sexual content.
5. I will not use any form of encryption, cryptography stenography, compression, password protected files and/or other method that might limit access to, or change the appearance of, data and/or images without prior written approval from the Supervising Agent/Designee.
6. I will not alter or destroy records of computer use, and will not use software designed to alter, clean or "wipe" computer media.
7. I agree that if, for work purposes, password protection is required on any system or files I use, I will provide the password upon request of the Supervising Agent/Designee.
8. I will permit the announced or unannounced examination or search by the Supervising Agent/Designee of any computer, cell phone, and/or electronic devices to which I have access to verify my compliance with these special conditions of supervision. This includes examination of all data and/or images stored on hard disks, "Zip Disks", floppy diskettes, CD ROMs, optical disks, magnetic tape and/or any other storage media whether installed within a device or removable and separate from the actual computer or other electronic device. I understand and agree that any computer, cell phone, related equipment, and/or storage device are subject to seizure by the Supervising Agent/Designee.
9. I will provide the Supervising Agent/Designee with a list of all equipment used with my computer, including back-up systems. I will keep this list current.
10. I agree to install or allow to be installed at my expense, equipment and/or software to monitor or limit computer use, or remove any hardware device including modem, network card, and/or other device that may be used to provide access to another computer or computers.
11. I agree to be fully responsible for all material and information found on my computer at all times.

I have read, or had read to me, this Computer/Internet Use Agreement for Sex Offenders and understand its meaning. I have received a copy of this advisement, and understand that if I violate any condition restricting my computer or internet use, I may be brought before the Court, Parole Board or releasing authority for revocation of my supervision and reinstatement of my sentence.

Demetrius John 3/2/23 Antonio Hickman 3/2/23
Offender's Signature Date Supervising Agent's Signature Date

DEMETRIUS DAVID JOHN Antonio Hickman
Offender Name (printed) Agent Name (printed)

NAME OF DEFENDANT: Demetrius David John

INFORMATION REGARDING YOUR RIGHTS

You have been charged with a criminal offense and if you are found guilty, you are facing serious consequences which may include payment of a fine, loss of your driver's license, and the possibility of a jail sentence. In addition, you may face increased penalties for later convictions, the loss of your right to possess firearms and/or ammunition, and your immigration status will be affected. You have important constitutional rights, including the right to representation by an attorney, but you may lose these rights or waive them if you do not act to protect these rights.

You have the right to hire an attorney to represent you in every case. If you cannot afford an attorney, you may be eligible for a free attorney. If you want a determination made as to whether you are qualified for a free lawyer, then it is your obligation to be screened at the location identified in Paragraph 5(c) of the Bond Checklist Form that you received after your Bond Hearing. If you do not hire an attorney or go to be screened, then you may be found to have waived your right to an attorney at your trial.

You also have the right to represent yourself. However, you should be aware that self-representation can be dangerous. For example, there may be certain factual or legal defenses to your charge that you are not aware of or legal issues related to the conduct of your trial or guilty plea that an attorney would know how to preserve for an appeal. If you exercise your right to proceed without a lawyer, then you are responsible for complying with all applicable rules of court, including rules of evidence, procedural rules, and proper behavior before the Judge and/or Jury.

If convicted on the charge(s) filed against you and ordered to pay a fine, you may request a reasonable scheduled payment plan to pay the fine.

It is your obligation to keep up with your trial date and to obtain an attorney, either by hiring one or by being screened and found eligible for a court-appointed attorney prior to your trial date. If you do not appear at your trial with your attorney, you may be deemed to have waived your right to have an attorney represent you.

You are required to keep the court notified of any change of address until the completion of the case.

Signature of Defendant Demetrius John
 Defendant Refused to Sign

Issuing Judge: E. M. O'BRIEN, MAGISTRATE

Case Number/Charge: W23230728/Probation / Violation of terms of probation, parole or other supervisory program (not used for DJJ-sec 2555)

Trial Court: SC Probation Pardon and Parole

CHECKLIST FOR MAGISTRATES AND MUNICIPAL JUDGES

Directions: Magistrates and municipal court judges must use this checklist for ALL GENERAL SESSIONS and for ALL MAGISTRATE AND MUNICIPAL COURT CASES IN WHICH BOND IS SET BY A JUDGE. Magistrates and municipal judges must also use the Checklist on those offenses, for which bond cannot be set by a summary court judge ("non-bailable"), that are GENERAL SESSIONS OFFENSES IN WHICH THEY ARE CONDUCTING FIRST APPEARANCES. The judge shall attach this checklist to the charging document (arrest warrant or uniform traffic ticket) when the defendant first appears before a judge for a bond hearing or first appearance, and complete the appropriate sections. Defendant must initial where indicated, sign, and be provided a completed copy of this form.

[X] BAIL PROCEEDING/[] FIRST APPEARANCE BEFORE A MAGISTRATE OR MUNICIPAL JUDGE (OFFENSES THAT ARE NON-BAILABLE BY A SUMMARY COURT JUDGE)

- 1. Form used at bail proceeding [] Bond Form I (personal recognizance) [X] Bond Form II (surety, cash, percentage) [] None (Non-Bailable Offense) because [] charge carries penalty of life or death; or [] defendant charged with violent offense while bonded out on violent offense

- 2. DJ (Def. Initials) For cases in which bond was set, defendant was informed: [X] a. Warrant for arrest may be issued for violation of any condition of bail bond order. [] b. His right and obligation to be present at trial and that trial may proceed in his absence if he fails to attend. [] c. Failure to appear in court as required may result in institution of additional criminal charges. S.C. Code Ann. § 17-15-90 (2014). Failure to appear in connection with a felony, or while awaiting sentence after conviction, carries an additional penalty of not more than \$5,000 or imprisonment for not more than 5 years, or both. Failure to appear in connection with a charge for a misdemeanor for which the maximum possible sentence is at least one year, carries an additional penalty of not more than \$1,000 or imprisonment for not more than one year, or both. Failure to appear in court as required on any charge not specified above may result in the issuance of a warrant for defendant's arrest, as well as loss of any posted bond.

- 3. (Def. Initials) For cases to be tried in Court of General Sessions, defendant was informed of right to preliminary hearing if requested within ten (10) days: [] Orally [] In writing {NOTE: Defendant must be informed of right both orally and in writing.}

- [] 4. (Def. Initials) Defendant was informed of the right to trial by jury.

- 5. DJ (Def. Initials) In all general sessions cases, in all domestic violence cases, and in all magistrate or municipal cases in which the defendant is subject to a prison sentence, defendant was informed of the following:

- [X] a. Charges against defendant and nature of the charges. [X] b. Right to counsel and right to court-appointed counsel if financially unable to employ counsel.

- c. Defendant was informed orally and provided a copy of this form advising him of his right to obtain court-appointed counsel if indigent (must meet guidelines set forth in Rule 602(b), SCACR) and instructions on how to obtain court-appointed counsel. In order to apply for court-appointed counsel, defendant is required to appear before Public Defender's Office located at 305 E. North Street Greenville SC 29601 for indigency screening. Defendant is responsible for a statutory fee of \$40.00 for indigency screening unless that fee is waived or reduced pursuant to §17-3-30(B).
6. _____ (Def. Initials) In all domestic violence cases and any case where defendant is subject to an Order of Protection or Restraining Order, defendant signed and was provided a document explaining that entering the grounds or property of a domestic violence shelter in which the person's household member resides constitutes an additional misdemeanor charge and, if in possession of a dangerous weapon, an additional felony charge.
7. If the charges that have been brought against you are discharged, dismissed, or nolle prossed or if you are found not guilty, you may have your record expunged.
8. Defendant is required to keep court notified of any change of address until final disposition of charge(s).



Judge's Signature

Demetrius John

Defendant's Signature

September 18, 2023

- Defendant refused to sign.

Case Number/Charge: W23230864/Probation / Violation of terms of probation, parole or other supervisory program (not used for DJJ-see 2555) Trial Court: SC Probation Pardon and Parole

CHECKLIST FOR MAGISTRATES AND MUNICIPAL JUDGES

Directions: Magistrates and municipal court judges must use this checklist for ALL GENERAL SESSIONS and for ALL MAGISTRATE AND MUNICIPAL COURT CASES IN WHICH BOND IS SET BY A JUDGE. Magistrates and municipal judges must also use the Checklist on those offenses, for which bond cannot be set by a summary court judge ("non-bailable"), that are GENERAL SESSIONS OFFENSES IN WHICH THEY ARE CONDUCTING FIRST APPEARANCES. The judge shall attach this checklist to the charging document (arrest warrant or uniform traffic ticket) when the defendant first appears before a judge for a bond hearing or first appearance, and complete the appropriate sections. Defendant must initial where indicated, sign, and be provided a completed copy of this form.

BAIL PROCEEDING/ FIRST APPEARANCE BEFORE A MAGISTRATE OR MUNICIPAL JUDGE OFFENSES THAT ARE NON-BAILABLE BY A SUMMARY COURT JUDGE)

1. Form used at bail proceeding Bond Form I (personal recognizance) Bond Form II (surety, cash, percentage)
- None (Non-Bailable Offense) because charge carries penalty of life or death; or defendant charged with violent offense while bonded out on violent offense


2. DJ (Def. Initials) For cases in which bond was set, defendant was informed:
- a. Warrant for arrest may be issued for violation of any condition of bail bond order.
 - b. His right and obligation to be present at trial and that trial may proceed in his absence if he fails to attend.
 - c. Failure to appear in court as required may result in institution of additional criminal charges. S.C. Code Ann. § 17-15-90 (2014). Failure to appear in connection with a felony, or while awaiting sentence after conviction, carries an additional penalty of not more than \$5,000 or imprisonment for not more than 5 years, or both. Failure to appear in connection with a charge for a misdemeanor for which the maximum possible sentence is at least one year, carries an additional penalty of not more than \$1,000 or imprisonment for not more than one year, or both. Failure to appear in court as required on any charge not specified above may result in the issuance of a warrant for defendant's arrest, as well as loss of any posted bond.

3. _____ (Def. Initials) For cases to be tried in Court of General Sessions, defendant was informed of right to preliminary hearing if requested within ten (10) days:
- Orally In writing {NOTE: Defendant must be informed of right both orally and in writing.}

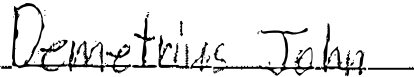
4. _____ (Def. Initials) Defendant was informed of the right to trial by jury.

5. DJ (Def. Initials) In all general sessions cases, in all domestic violence cases, and in all magistrate or municipal cases in which the defendant is subject to a prison sentence, defendant was informed of the following:
- a. Charges against defendant and nature of the charges.
 - b. Right to counsel and right to court-appointed counsel if financially unable to employ counsel.

- c. Defendant was informed orally and provided a copy of this form advising him of his right to obtain court-appointed counsel if indigent (must meet guidelines set forth in Rule 602(b), SCACR) and instructions on how to obtain court-appointed counsel. In order to apply for court-appointed counsel, defendant is required to appear before Public Defender's Office located at 305 E. North Street, Greenville SC 29601 for indigency screening. Defendant is responsible for a statutory fee of \$40.00 for indigency screening unless that fee is waived or reduced pursuant to §17-3-30(B).
6. _____ (Def. Initials) In all domestic violence cases and any case where defendant is subject to an Order of Protection or Restraining Order, defendant signed and was provided a document explaining that entering the grounds or property of a domestic violence shelter in which the person's household member resides constitutes an additional misdemeanor charge and, if in possession of a dangerous weapon, an additional felony charge.
7. If the charges that have been brought against you are discharged, dismissed, or nolle prossed or if you are found not guilty, you may have your record expunged.
8. Defendant is required to keep court notified of any change of address until final disposition of charge(s).



Judge's Signature



Defendant's Signature

November 14, 2023

- Defendant refused to sign.

Form 16.1-Arrest Warrant
Form Approved by
SC Attorney General
Section 17-13-160
March 15, 1978

STATE OF SOUTH CAROLINA
COUNTY OF GREENVILLE

Probation
ARREST WARRANT
Indictment Number: 22-GS-04-01160
Warrant Number: W-23-23-0864
State Identification No. (SID) 02393597

**ORIGINAL
RECEIVED**

Nov 25 2024

SC Court of Appeals

TO ANY LAW ENFORCEMENT OFFICER OF THIS STATE OR COUNTY OR OF THE MUNICIPALITY OF GREENVILLE, AND ANY CONSTABLE OF THIS
MAGISTERIAL DISTRICT:

It appearing from the attached affidavit that there are reasonable grounds to believe that DEMETRIUS DAVID JOHN, did on the 13 day of November, 2023 violate
the criminal laws of the State of South Carolina as set forth below:

DESCRIPTION OF OFFENSE:

The offender has violated conditions 1, 6, 7, 9, 10 of the standard Department conditions and Sex Offender
Conditions 1, 2, 8, and 10 associated with Section 24-21-430. The offender has also violated special conditions
imposed by the General Sessions Court per order dated September 28, 2023. This warrant or citation is issued
pursuant to section 24-21-450 or 300.

Now, therefore, you are empowered and directed to arrest the said defendant and bring DEMETRIUS DAVID JOHN 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. Done at GREENVILLE, S.
C. this 13 day of November, 2023.

Signature of Probation and Parole Agent

(L.S.)

County of GREENVILLE
STATE OF SOUTH CAROLINA

AFFIDAVIT

Personally appeared before me, one Stephen Parker, who, first being duly sworn, deposes and says that DEMETRIUS DAVID JOHN did within this County and State
on the 13 day of November, 2023, violate the criminal laws of the State of South Carolina in the following particulars:

DESCRIPTION OF OFFENSE:

The offender has violated conditions 1, 6, 7, 9, 10 of the standard Department conditions and Sex Offender
Conditions 1, 2, 8, and 10 associated with Section 24-21-430. The offender has also violated special conditions
imposed by the General Sessions Court per order dated September 28, 2023. This warrant or citation is issued
pursuant to section 24-21-450 or 300.

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

By failing to not attend and/or actively participate in, not give cause to be terminated from, and successfully
complete sex offender counseling as ordered by Honorable Judge McIntosh on 7/11/2022. By failing to follow the
advice and instructions of supervising agent. By willfully failing to comply with the standard sex offender
conditions 6, 8 and computer/ internet use agreement conditions 1, 3, 4, 5 as evident by the department
conducting forensics investigation in that Cellbrite forensic report of Mr. John's smartphone which flagged
multiple sexually explicit/stimulating photographs of adult sexual activity to several digital files of
prepubescent minors in soiled underwear and covered male genitals in a discernibly turgid state. Mr. John also
had the Pixiv app which allows access to visual novels of child sexual abuse material. Mr. John also had the
social media programs of [redacted] a skiff email address of [redacted] and
google email address of [redacted]. Mr. John had the apps Te [redacted] o,
TeleGuard, Mega which all [redacted] is smart phone. By willfully failing to comply with
special condition of "No access to internet at all - no devices capable of accessing internet" as evident by
discovery of Mr. John's second cellphone being a smartphone capable of accessing the internet on 9/20/23. By
failing to make complete truthful reports to supervising agent whereas subject failed to not notify agent of all
his electronic devices he owned, possessed, and had access to as evident by subject verbally admitting on

Sworn to and Subscribed before me
this 13 day of November, 2023,

Signature of Affiant
Affiant

Address: 350 HALTON ROAD SUITE 100
GREENVILLE, SC 29607

(864) 282-4540

Signature of Notary Public (L.S.)
My Commission Expires

RETURN

STATE OF SOUTH CAROLINA

COUNTY OF

GREENVILLE

THE STATE

against

DEMETRIUS DAVID JOHN

ARREST WARRANT

INFORMATION ON DEFENDANT

Name DEMETRIUS DAVID JOHN

Address [REDACTED] W WASHINGTON ST
RESCUE MISSIONS
GREENVILLE, SC 29601

Phone [REDACTED]

Sex Male Race Black Height 502

Weight 179 Birth date [REDACTED] 1994

Social Security Number [REDACTED]

INFORMATION ON WITNESSES

Name

Address

Phone

Name

Address

Phone

Name

Address

Phone

Name

Address

Phone

PRELIMINARY HEARING held by

Magistrate

on

with

Attorney for the Defendant.

Decision

Date Set

Magistrate

Amount

Surety

BAIL

11-14-23

[Signature]

\$25,000 Surety

[Signature]

Constable or Law Enforcement Officer

A copy of this Arrest Warrant was delivered by me to the following defendant:

Demetrius D. John

Offense: Violation of Conditions of Probation Supervision

Offense Section: 24-21-450

Date: 11/13/2023

Officer and Agency: SC Department of Probation,
Parole and Pardon Services

Stephen Parker

on the 14 day of Nov. 2023

[Signature]
Constable or Law Enforcement Officer

This Warrant is certified for service in [County of warrant Certification] County. The accused is to be arrested and brought before me to dealt with according to law.

Disposition

Sentence

Co-Defendants

(L.S.)

Signature of Judge

ARRESTED

Addendum


ORIGINAL

9/20/23, whereas subject advised agent of owning and possessing a second phone being a smartphone with internet access. By failing to pay intensive supervision fees being 34 payments \$680 in arrears. By failing to pay drug test fee owing \$20. By failing to pay public defender fund being 7 payments \$68 in arrears. Such actions constitute violation of conditions 7, 9, 10, Special Conditions.

Sworn to and Subscribed before me
this 13 day of November, 2023.



Affiant



Signature of Notary Public

March 25, 2032

My Commission Expires

1a/B5

Form 18.1-Arrest Warrant
Form Approved by
SC Attorney General
Section 17-13-160
March 15, 1978

Probation
ARREST WARRANT
Indictment Number: 22-GS-04-01160
Warrant Number: W-23-23-0728
State Identification No. (SID) 02393597

ORIGINAL

STATE OF SOUTH CAROLINA
COUNTY OF GREENVILLE

TO ANY LAW ENFORCEMENT OFFICER OF THIS STATE OR COUNTY OR OF THE MUNICIPALITY OF GREENVILLE, AND ANY CONSTABLE OF THIS
MAGISTERIAL DISTRICT:

It appearing from the attached affidavit that there are reasonable grounds to believe that DEMETRIUS DAVID JOHN, dtd on the 18 day of September, 2023 violate
the criminal laws of the State of South Carolina as set forth below:

DESCRIPTION OF OFFENSE:

The offender has violated conditions 10, Special Conditions of the standard Department conditions and standard
Sex Offender conditions 2, 4, and 8 associated with Section 24-21-430. The offender has also violated special
conditions imposed by the General Sessions Court per order dated July 11, 2022. This warrant or citation is
issued pursuant to section 24-21-450 or 300.

Now, therefore, you are empowered and directed to arrest the said defendant and bring DEMETRIUS DAVID JOHN 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. Done at GREENVILLE, S.
C. this 18 day of September, 2023.



(L.S.)
Signature of Probation and Parole Agent

County of **GREENVILLE**

STATE OF SOUTH CAROLINA

AFFIDAVIT

Personally appeared before me, one Stephen Parker, who, first being duly sworn, deposes and says that DEMETRIUS DAVID JOHN dtd within this County and State
on the 18 day of September, 2023, violate the criminal laws of the State of South Carolina in the following particulars:

DESCRIPTION OF OFFENSE:

The offender has violated conditions 10, Special Conditions of the standard Department conditions and standard
Sex Offender conditions 2, 4, and 8 associated with Section 24-21-430. The offender has also violated special
conditions imposed by the General Sessions Court per order dated July 11, 2022. This warrant or citation is
issued pursuant to section 24-21-450 or 300.


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

By willfully failing to not enter into, loiter, or work within 1,000 feet of any area or event frequented by
people under the age of 18 to include schools, day cares, parks, etc. as evident by cell phone search conducted
on 9/18/23 where agent found a picture of Falls Park sent by subject to Diane on 8/2/23 at 11:21. By willfully
failing to comply with specific court order issued by Honorable Judge McIntosh on 7/11/22 who ordered "no access
to internet at all-no devices capable of accessing internet". Agent conducted a computer/internet search on
subject's cellphone on 9/18/23 and discovered subject was possessed a cell phone which was internet capable,
connected to the internet, and subject was utilizing the internet on his cellphone which is a direct violation
of his court order. Agent also found website links being sent by subject to contacts in his phone with website
links on 7/24/23 at 1795, 7/30/23 at 1344, 8/2/23 at 1121, 8/4/23 at 1400, 9/1/23 at 0912. A photograph was also
downloaded on 8/31/23. By willfully failing to not alter or destroy records of computer use, will not use
software designed to alter or clean computer media after during cell phone search on 9/18/23 where agent found
subject deleted photographs and internet history off of his cellphone. By failing to follow the advice and
instructions of supervising agent. By willfully failing to attend, actively participate in, not give cause to be
terminated from sex offender counseling whereas subject has not provided any proof or record of attending
counseling. By willfully failing to comply with the computer/internet use agreement to not use the computer for

Sworn to and Subscribed before me
this 18 day of September, 2023.



Affiant



Signature of Notary Public
My Commission Expires
March 25, 2032

(L.S.) Address: 350 HALTON ROAD SUITE 100
GREENVILLE, SC 29607

(864) 282-4540

RETURN

STATE OF SOUTH CAROLINA

COUNTY OF

GREENVILLE

THE STATE

against

DEMETRIUS DAVID JOHN

Constable or Law Enforcement Officer

A copy of this Arrest Warrant was delivered by me to the following defendant:

ARREST WARRANT

Offense: Violation of Conditions of Probation Supervision

Offense Section: 24-21-450

Date: 9/18/2023

Officer and Agency: SC Department of Probation, Parole and Pardon Services

Stephen Parker

on the 18th day of September 23

Damon Wooten

Constable or Law Enforcement Officer

This Warrant is certified for service in [County of warrant Certification] County. The accused is to be arrested and brought before me to dealt with according to law.

Disposition

Sentence

Co-Defendants

Signature of Judge (L.S.)

INFORMATION ON DEFENDANT

Name DEMETRIUS DAVID JOHN

Address W WASHINGTON ST RESCUE MISSIONS GREENVILLE, SC 29601

Phone

Sex Male Race Black Height 502

Weight 179 Birth date 1994

Social Security Number

INFORMATION ON WITNESSES

Name

Address

Phone

Name

Address

Phone

Name

Address

Phone

Name

Address

Phone

PRELIMINARY HEARING held by

Magistrate

on

with

Attorney for the Defendant.

Decision

Date Set

Magistrate

Amount

Surety

BAIL 9-18-23 E. MOORE \$75,000 Surety

Addendum

ORIGINAL

any purpose which might further sexual activity, as evident by cell phone search by agent on 9/18/23 and found subject engaging in sexually explicit text conversations involving minor children with an age range of 10 years old to 15 years old. Such actions constitute violation of conditions 10, Special Conditions.

Sworn to and Subscribed before me
this 18 day of September, 2023.



Affiant



Signature of Notary Public

March 25, 2022

My Commission Expires

Constance Holloway, Esq.
State Director
 Carolyn Benzon
General Counsel
 Janet Brock Priest
Associate State Director
Operations
 Lori Manos
Associate State Director
Policy
 Mary Long
Interim Chief Financial Officer
 Greg Meetze
Chief Information Officer



South Carolina
 Department of Disabilities
 and Special Needs

COMMISSION
 Eddie L. Miller
Chairman
 Michelle Woodhead
Vice-Chairman
 Gary Kocher, M.D.
Secretary
 Barry D. Malphrus
 David L. Thomas

October 9, 2024

Brice Garrett, Clerk of Court
 Greenville County Courthouse
 305 East North Street, Suite 232
 Greenville, South Carolina 29601

Re: **Demetrius David John**
Warrant(s): W-23-23-0864

Dear **Ms. Garrett:**

In accordance with the Court Order issued by the Honorable Patrick C. Fant, Judge of the Thirteenth Judicial Circuit, General Sessions Court, an evaluation on the above-named individual was conducted jointly by the South Carolina Department of Disabilities and Special Needs and the South Carolina Department of Mental Health.

Please find the enclosed Forensic Evaluation for the Court.

Please contact me at 803-898-9694 should you have any questions or need additional information.

This seven(7) page document is hereby certified to be the original court ordered evaluation report issued pursuant to S.C. Code Ann. §44-23-410 or 17-24-10 (1976)

Sincerely,

Alicia V. Hall, Ph.D.
 Office of Clinical Services
 Division of Operations

Enclosure

cc: Stephen Parker, Greenville County Probation Agent
 Elizabeth P. Wiygul, Defense Counsel
 Rashell Black, DMH Forensic Services
 Carolyn Benzon, DDSN General Counsel
 DDSN File

Constance Holloway, Esq.
State Director
Carolyn Benzon
General Counsel
Janet Brock Priest
Associate State Director
Operations
Lori Manos
Associate State Director
Policy
Mary Long
Interim Chief Financial Officer
Greg Meetze
Chief Information Officer



COMMISSION
Eddie L. Miller
Chairman
Michelle Woodhead
Vice-Chairman
Gary Kocher, M.D.
Secretary
Barry D. Malphrus
David L. Thomas

JOINT DMH/DDSN EVALUATION OF COMPETENCY TO STAND TRIAL

Name:	Demetrius John	Gender:	Male
County:	Greenville	Race:	African American
Date of Evaluation:	September 30, 2024	Date of Birth:	██████████ 1994
Place of Evaluation:	DMH Forensic Evaluation Service	Age:	30

Examiners: Jessica Davis, PsyD – DDSN Examiner
 Matthew Gaskins, MD – DMH Examiner

Charges: Violation of Probation

Purpose of Evaluation:

This evaluation was conducted pursuant to an order dated June 28, 2024 (received August 30, 2024) signed by the Honorable Patrick C. Fant in the Court of General Sessions of Greenville County. The order required that Mr. John be evaluated by the Department of Mental Health and, if necessary, the Department of Disabilities and Special Needs to determine his competency to stand trial pursuant to State v. Blair, 275 S.C. 529, 273 S.E. 2d 536 (1981) and Section 44-23-410, Code of Laws of South Carolina (Supp. 2020).

Limits of Confidentiality:

Before the interview started, Mr. John was advised of the purpose of the evaluation, and that the results and content of the evaluation would be communicated to his defense counsel, the prosecution, and the court. In addition, he was informed of the possibility that the examiner(s) might be called to testify regarding the content and results of the evaluation. He recalled that the "judge" ordered the evaluation, and that his "lawyer, solicitor, and judge" would receive copies of the evaluation report. He also understood that the evaluation was related to his legal case. Overall, he understood the limits of confidentiality and the purpose of the evaluation.

Summary of Evaluation Results:

Presence of Intellectual Disability:	No
Presence of Mental Illness:	Yes, Adjustment Disorder
Competency to Stand Trial:	Yes

Evaluation Procedures:

Mr. John was evaluated on September 30, 2024, for 120 minutes at the DMH Forensic Evaluation Service in Columbia, South Carolina by the undersigned and by Dr. Gaskins, who concurs with the opinions on competency in this report.

Sources of Information:

Interview with Mr. John on September 30, 2024 for 120 minutes
Order for Competency to Stand Trial Evaluation (received August 30, 2024)
County of Greenville Arrest Warrant, Standard Conditions of Probation,
South Carolina Department of Probation, Parole, and Pardon Services Notice of Sex Offender Registry, Service Referral Information, Incident Reports, Chain of Custody, Violation Report, Summary of Administrative Hearing
County of Anderson Sentence Sheet, Consent Order for Forfeiture of Seized Equipment
Cellebrite Extraction Report
Academic Records obtained from Anderson School District Five
Evaluation Results Summary by Geoffrey R. McKee, PhD, ABPP dated July 28, 2020
Medical Records from Rosa Clark Medical Clinic
Records from the South Carolina Department of Corrections
Records from Greenville County Detention Center
Records from Anderson-Oconee Pickens Mental Health Center

*A SCDMH Forensic Evaluation Service Social Work Assessment was attempted but not completed of Mr. John's next of kin.

Relevant History:

Mr. John reported that he was born and raised in New York, New York and he stated he and his family moved to Anderson, South Carolina when he was seven years old. He stated that his mother was his primary caregiver and that he was raised with his older brother and two younger sisters. He denied involvement from the Department of Social Services and further denied that he was ever removed from his home due to physical or sexual abuse or neglect. Nevertheless, he indicated that his family experienced financial hardship and did not have enough food or clothing at times.

He stated he lived in Anderson, South Carolina before he was arrested. He stated he was residing in a homeless shelter for "days" before he was arrested and he also stated he lived in a "halfway house" in Walhalla, South Carolina. He noted he was "kicked out" of the home due to breaking the rules. He stated he has lived with family much of his adult life and he denied that he has ever lived independently.

At the time of the evaluation, Mr. John reported he has been in jail for "12 months" and is getting along "pretty well." He noted he is housed in the mental health unit and takes medications for his "anxiety." He reported he was prescribed "Lexapro" and two other medications, but he was unaware of the names. Based on a review of jail records, it appears that Mr. John is prescribed Buspirone (anxiolytic) and Trazadone (sedative/antidepressant). He stated his medications work well. He denied that he has been placed on suicide watch since he has been incarcerated but reported he has been placed in administrative segregation twice due to fighting.

Mr. John denied that he has ever been married or been involved in any romantic relationships. He further denied fathering any children. He noted he has "a couple" of friends whom he "met online." He noted he feels lonely, and he feels as if he does not have the skills to make friends. Regarding his adaptive functioning, Mr. John indicated that he is able to cook food, and he stated his favorite food to cook is steak and hamburgers. However, he was unable to conceptually indicate how one should determine if the food is cooked enough to consume. He

was also unable to identify how he prepares the meat. He denied that he has obtained a driver's permit or driver's license and noted he primarily relies on transportation from others.

Educational History

Mr. John reported he "graduated" high school with a "certificate." He indicated that he began receiving special education when he was in "elementary school" due to learning difficulties. When asked about behavior problems in school, Mr. John indicated he has been expelled for "being aggressive towards a teacher." He reported that he attended vocational rehabilitation.

Academic records were obtained and reviewed from Anderson County School District Five. Mr. John was identified as a student requiring special education due to an educational categorization of Specific Learning Disorder. In an Individualized Education Plan dated February 4, 2014, it was noted Mr. John would not receive a high school diploma and instead would finish school with an attendance certificate.

Employment History

As previously stated, Mr. John indicated he received services from vocational rehabilitation who helped him obtain employment at a fast-food restaurant. He noted he was a cook for "three years" and, when asked about getting in trouble at work, he stated he was late and failed to report for his scheduled shifts. He noted he was fired after he was arrested for an unrelated charge. Since, he noted he has worked in a factory working on "parts." He stated he worked for three months after staff at the halfway house helped get him the job. He stated he quit because he did not have transportation. He denied any other jobs and noted that while he has applied for Social Security Disability, he has not received benefits.

Medical History

Mr. John reported he has been to the emergency department due to illnesses; however, he indicated that he has never been admitted. He denied a history of surgeries, strokes, head injuries, or seizures. He denied any diagnoses of chronic medical conditions such as high blood pressure or high cholesterol. He denied requiring medication to treat any medical conditions, and he is reportedly healthy.

Substance Abuse

Mr. John denied a history of alcohol or illicit substance use.

Mental Health History

Mr. John denied that he has ever required psychiatric hospitalization and denied that he has ever attended outpatient mental health treatment. However, he stated that he believed he could benefit from therapy because of his anxiety. When asked about his symptoms of anxiety, he reported he feels "afraid" and worries when he is around people. He indicated that when he feels anxious, his heart races for a "couple of minutes" and he gets "hot" and experiences sweaty "hands." He denied having difficulty breathing and he was unable to identify any worries he experiences. He stated he does not feel sad very often and he noted when he does feel sad, it lasts "a couple of minutes to a couple of hours." He denied any changes in his appetite but reported that he has lost "a little bit of weight" because the food is not good, and he does not eat as much as he would if he were not incarcerated. Nevertheless, he stated he receives canteen and has money on his books. He reported having sleep disturbances and indicates that his medications do not help. However, he reported that "the environment" of being in jail contributes to his difficulty sleeping. He reported his energy is declining because he does not have the opportunity to do things he enjoys. However, he reported he spends his time laying down, reading a book, and watching television. He endorsed positive self-esteem and hope of the future. He denied past suicide attempts or past suicidal ideation, plan, or intent. He also denied past self-injurious behaviors.

Mr. John denied symptoms of serious mental illnesses including psychosis or mania. Specifically, he denied hearing or seeing things others do not hear or see, beliefs inconsistent with reality, and paranoia. He further denied a decreased need for sleep, excessive energy, or mood changes lasting for days. While he endorsed reliving memories of mean things others have said to him, symptoms he endorsed do not rise to the clinical threshold for trauma symptoms. To that end, he denied having any problems with inattention or hyperactivity.

DDSN History

Mr. John is not a current or former DDSN consumer and he has never been referred for DDSN eligibility determination.

Record Review

SCDMH Forensic Evaluation Service: Social Work Assessment

Beth Bluemle, LMSW made numerous attempts to reach Mr. John's next of kin to conduct a collateral interview; however, was unsuccessful.

Geoffrey R. McKee, PhD. ABPP

A results summary of an evaluation conducted on July 29, 2020, was available for review regarding Mr. John. Results suggested Mr. John demonstrated a factual and rational understanding of charges and can assist his attorney. However, it was also reported that he may "have difficulty understanding complex testimony at trial" and his "anxiety would be overwhelming if he testified." Mr. John was administered assessments measuring risk and the results were not relevant to issue of competency.

South Carolina Department of Corrections

Records suggest that Mr. John was assessed at R&E for anxiety, depression, and anger. His diagnosis was Adjustment Disorder and Unspecified Intellectual Disabilities. He was treated with escitalopram (antidepressant/anxiolytic).

Greenville County Detention Center

As previously stated, Mr. John is being treated with escitalopram (antidepressant/anxiolytic), buspirone (anxiolytic), and trazodone (antidepressant/sedative).

Rosa Clark Medical Center

Records suggest that Mr. John was treated for anxiety, pervasive developmental disorder, elevated blood pressure, and chronic rhinitis on June 21, 2023. He was treated with escitalopram (antidepressant/anxiolytic).

Anderson-Oconee Pickens Mental Health Center

Records indicate Mr. John has received outpatient mental health treatment from April 17, 2023, until May 22, 2023, for a diagnosis of Unspecified Intellectual Disability and Adjustment Disorder.

Psychological Test Results:

(Anderson County School District Number Five)

April 14, 2004	Wechsler Intelligence Scale for Children – IV	Full Scale IQ	65
		Verbal	69
		Nonverbal	82
	Compressive Test of Nonverbal Intelligence	Nonverbal IQ	90
March 5, 2007	Wechsler Intelligence Scale for Children – IV	Full Scale IQ	54
		Verbal	59
		Nonverbal	65

ADH

Behavioral Observations/Mental Status Examination:

Mr. John is a 20-year-old African American male who was dressed in jail issued clothing. He was oriented to person, place, time, and situation. He identified his name, age, and date of birth. He also identified the city and state as well as the date and day of week. He further identified the purpose of the evaluation. His fund of knowledge was intact, and he correctly identified the current President, two predecessors, and the first President of the United States without error. His working memory was intact, and he was able to spell a simple word forward and backward without error. He was also able to complete a series of simple subtractions with minimal error. He was able to immediately repeat three unrelated words and spontaneously recalled two of the words after a delay. He was an adequate historian, and he was able to provide information regarding life events in chronological order. He displayed the ability to complete simple multiplication and division calculations. His abstract reasoning was intact, and he was able to determine how two seemingly unrelated concepts were alike (i.e., angry and happy). He defined common proverbs without difficulty and indicated that he would call the fire department if he found a neighbor's home on fire.

Notably, Mr. John exhibited a significant speech production deficit, and he struggled to pronounce words. As a result, the examiners asked him to repeat what he said occasionally throughout the evaluation. However, despite his poor pronunciation, he was able to understand and use language appropriately to communicate with the examiners. He displayed the ability to learn new information and, what he learned, he was able to rationally apply to his ability to make decisions and understand the consequences of his decision. He exhibited adequate attention, and he was not easily distracted. To that end, he did not require redirection to remain on topic. His thoughts were logical, linear, and goal directed. He was not observed responding to internal stimuli and no beliefs inconsistent with reality were elicited. His stated mood was anxious, and his observable mood appeared flat (i.e., he made very little facial expressions in response to the conversation with the examiners). Nevertheless, his range of emotions was within normal limits. His fine motor and gross motor movement were unremarkable. He denied current suicidal and homicidal ideation, plan, and intent.

Competency to Proceed:

Mr. John identified his charge as "probation violation" and he recognized that he was alleged to have had access to the internet and he discussed specific allegations related to his internet usage. He was informed that he was alleged to have had missed payments and to have failed to attend counseling as mandated by his probation. He stated he could go to "prison" for "10 years" if he is found guilty of the allegations. He recognized that the allegations against him are more serious than stealing a candy bar but less serious than murder. Overall, he understood the allegations against him, and he appreciated the seriousness of the allegations against him.

Mr. John identified the two common pleas available to him as "guilty" and not guilty. He stated that when a defendant enters a plea of "guilty," they indicate to the court that they "did it" and will go to "prison." He recognized a judge could sentence a defendant to paying a "fine" or "probation." He stated that when a defendant enters a plea of not guilty, they indicate to the court they "didn't do it." He reported the purpose of a trial is to determine if a defendant is "guilty or not guilty." He noted that if a defendant won at trial, they would be found "Not guilty", and their charges would "get dismissed." He reported that if a defendant lost at trial, they would be found "guilty" and would "go to prison." He reported that a defendant could accept a plea bargain if they plead "guilty." He stated a defendant would receive a "lesser sentence" if they accepted a plea bargain. Notably, he recognized that a defendant would not be required to accept a plea bargain because they would be giving up their right to a trial by accepting a plea bargain. He recognized he could discuss the advantages and disadvantageous of a plea bargain with his attorney.

Mr. John identifies his attorney by name and stated that her job is to "represent me in court." He noted she would want him to be found "not guilty" at trial and would want him to receive a "small" punishment if he is

found guilty of a crime. He further recognized that she is on his side in court. He stated that the solicitor would want him to be found "guilty" of a crime and that the solicitor is "against me" in court. He also noted the solicitor would want him to receive a "big" punishment. He reported the "judge" is the boss of the courtroom, can determine if a defendant is guilty or not guilty of a crime, and determines a defendant's sentence. He stated the judge is on "nobody's side" in court. He noted a jury consists of "12" people that are on "nobody's side" and must "all" agree if a defendant is guilty or not guilty. Regarding trial, he also understood that he would not be required to testify in court.

Rationally, Mr. John understood that a judge and jury would consider "evidence" and "eyewitness" to determine if a defendant is guilty or not guilty of a crime. Mr. John stated an "eyewitness" is someone that saw the crime and their testimony could help or hurt a defense, depending on what is said. He reported a witness must "tell the truth" in court and can get in trouble if they do not. He noted he would tell his attorney if he knew a witness was lying in court. Mr. John was unable to define evidence, but he identified examples of evidence including "camera" and "gun," and he conceptually understood how evidence is used in court and how evidence can impact his defense. He was able to identify potential witnesses in his case and he was able to weigh the strength of evidence and possible witness testimony to inform decisions he would be required to make. When asked how he would want to resolve his case, his response was rational and realistic. He demonstrated flexibility in his ability to make decisions by weighing information. When he was presented with hypothetical plea bargains, he displayed the ability to make rational decisions and understood the possible consequences of the decisions he would be required to make.

To that end, he displayed an appreciation for his attorney's legal advice when making decisions. He understood he should consult her regarding the advantages and disadvantages of a plea bargain and trial. He noted he trusts his attorney to do a good job and understands her expertise. He stated that he should tell his attorney his side of the story and he recognized he should not keep secrets because it would "not help me." He knew that his attorney could not break attorney-client privilege and that she could get in trouble if she did. He reported he would not speak to the solicitor alone because they could "use [the information] against him." He reported his attorney speaks for him in court and that he could get "kicked out" if he disrupted court.

Conclusion:

Mr. John does not meet diagnostic criteria for an Intellectual Disability, which requires concurrent deficits in intellectual and adaptive functioning with an onset during the developmental period. Notably, Mr. John is not a current or prior DDSN consumer and he has never been classified as a student requiring special education due to a categorization of Intellectual Disability. When reviewing his intelligence scores, he exhibits significantly higher nonverbal intelligence when compared to his verbal intelligence. As such, he does not meet diagnostic criteria for an Intellectual Disability since he exhibits intelligence that fall within the average range on nonverbal tasks. During the current interview, he exhibited the ability to learn new information and integrate that information into his ability to make decisions and understand the consequences of decisions. Consequently, his intellectual scores and his current presentation are higher than what would be expected of someone with an Intellectual Disability. To that end, there is no evidence to suggest that Mr. John has a related disability.

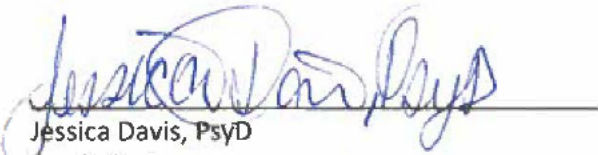
While Mr. John does not meet diagnostic criteria for an Intellectual Disability, he has consistently exhibited impaired verbal intelligence scores. As such, a diagnosis of borderline intellectual functioning is offered at this time. This diagnosis is appropriate for individuals who require support due to borderline intelligence that do not meet to the clinical threshold of deficits required by an individual who meets criteria for an Intellectual Disability. Notably, this diagnosis does not negatively impact his competency to stand trial. Borderline intellectual functioning is not considered a related disorder.

Additionally, a diagnosis of Adjustment Disorder is offered. Mr. John has maintained this diagnosis throughout his incarceration, and he is currently treated with anxiolytics and antidepressants to manage his symptoms. He continues to endorse sleep disturbance related to his incarceration. As a result, the diagnosis is maintained.

Regarding his competency to stand trial, Mr. John required very little education, and of what information he was educated, he recalled and applied without difficulty. Specifically, he understood the pleas available to him and the resulting legal proceedings. He understood that when a defendant enters a plea of not guilty, they will go to trial. He further understood that when a defendant enters a plea of guilty, they will be sentenced. He also knew the plea-bargaining process and noted that a defendant would plead "guilty" for a "lesser" punishment. He understood the roles of key courtroom personnel and appreciated the adversarial nature of court. To that end, he understood the purpose of a trial and the possible consequences of trial. He knew that a judge and jury would consider evidence and witness testimony to determine whether a defendant is guilty of a crime. Additionally, he was able to weigh the strength of evidence and witness testimony in his case to discuss the advantages and disadvantages of the plea-bargaining process and trial. He appreciated the potential consequences of his decisions. He understood the importance of consulting with his attorney and noted that his attorney was the legal expert. He appeared willing to consider his attorney's legal advice and noted he would advocate for himself if his attorney provided him with legal advice that he disagreed with. He stated he trusts his attorney and believed she will do a good job defending him. He appeared able to benefit from working and communicating with his attorney. He further understood the importance of conforming his behavior appropriately in court and there was no evidence to suggest he will not be able to regulate his behavior. As such, it is in the opinion of the undersigned that Mr. John does have the capacity to understand the proceedings against him and to work with his attorney.

We respectfully offer the following opinions:

Presence of Intellectual Disability/Related Disability:	No
Presence of Mental Illness:	Yes – Adjustment Disorder
Competency to Stand Trial:	Yes



 Jessica Davis, PsyD
 Psychologist-II
 SCDDSN Central Office



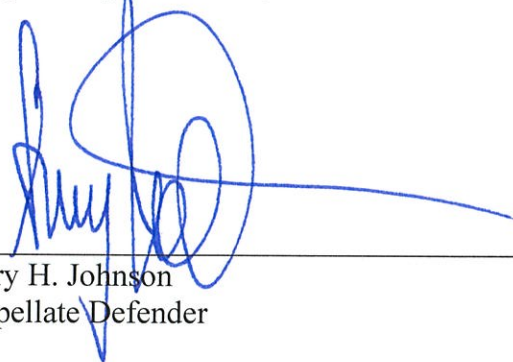
 Date Signed

CERTIFICATE OF COUNSEL FOR APPELLANT

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."

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Mar 30 2026
SC Court of Appeals

Respectfully Submitted,



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ATTORNEY FOR APPELLANT

This 30th day of March, 2026.