

OFFICE OF THE PUBLIC DEFENDER
13th JUDICIAL CIRCUIT
Greenville County Courthouse
305 East North Street (Rm 123)
GREENVILLE, SOUTH CAROLINA 29601

John I. Mauldin
Public Defender

TEL (864) 467-8522
FAX (864) 467-8521

December 6, 2013

V. Claire Allen, Deputy Clerk
The South Carolina Court of Appeals
P.O. Box 11629
Columbia, S.C. 29211

VIA FAX: 803-734-1839

Re: State v. Everette Martin Jenkins

Warrant/Ticket No(s): 2013A2330202177 - (2013-GS-23-04280)

Dear Deputy Clerk Allen,

Please find attached the requested information needed for Appellate Court Case No. 2013-002513 per you letter dated November 27, 2013 (included).

Should you need additional information, contact me or my staff at 864-467-8522.

Very truly yours,
GREENVILLE COUNTY PUBLIC DEFENDER

By: Timothy Sullivan
Timothy Sullivan, Esq.
Attorney for Defendant
305 E. North Street, Suite 123
Greenville, SC 29601
(864) 467-8522

cc: file

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The South Carolina Court of Appeals

JENNY ABBOTT KITCHINGS
CLERK

V. CLAIRE ALLEN
DEPUTY CLERK

POST OFFICE BOX 11629
COLUMBIA, SOUTH CAROLINA 29211
1015 SUMTER STREET
COLUMBIA, SOUTH CAROLINA 29201
TELEPHONE: (803) 734-1890
FAX: (803) 734-1839
www.sccourts.org

November 27, 2013

Mr. C. Timothy Sullivan
PO Box 2543
Greenville SC 29602

Re: The State v. Everette M. Jenkins
Appellate Case No. 2013-002513

Dear Counsel:

Upon reviewing your notice of appeal, the following deficiency or deficiencies have been noted under the South Carolina Appellate Court Rules (SCACR), and any deficiency must be corrected within ten (10) days of the date of this letter:

- The notice of appeal is not accompanied by the sentencing sheet(s) challenged on appeal.

Very truly yours,

V. Claire Allen, Deputy

CLERK

cc: Salley W. Elliott, Esquire
Jennifer A.R. Tessitore, Esquire
Robert Michael Dudek, Esquire

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WITNESSES

ACS

Jonathan A Home

Greenville County Sheriffs Office

3/17/2013

DOCKET NO. 2013-GS-23-004280

The State of South Carolina

County of Greenville

COURT OF GENERAL SESSIONS

May

TERM 2013

11-14-13

THE STATE

vs.

EVERETTE MARTIN JENKINS

ARREST WARRANT NUMBER

2013A2330202177

ACTION OF GRAND JURY

TRIE BILL

FOREMAN GRAND JURY

Foreperson of Grand Jury

VERDICT

Guilty

2877

Indictment for

SHOPLIFTING PURSUANT TO § 16-1-0057

VIOLATION § 16-13-0110

Foreperson of Petit Jury
Date: November 14, 2013

Veronica Aubin

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STATE OF SOUTH CAROLINA)
)
COUNTY OF GREENVILLE)

INDICTMENT FOR
SHOPLIFTING PURSUANT TO § 16-1-0057

MAY 21 2013

At a Court of General Sessions, convened on

the Grand Jurors of Greenville

County present upon their oath:

That EVERETTE MARTIN JENKINS did in Greenville County, on or about the 17th day of March, 2013, willfully and unlawfully take possession of, carry away, transfer to another person or from one area of a store to another area; alter, transfer, or remove the label or price tag or any other marking which aids in determining value affixed to any merchandise; transfer from its container to another container; and or willfully conceal certain merchandise to wit: several packs of tool sets by Auto Craft and/or Tool Works: a 6 piece offset wrench set, a 6 piece XL combo wrench set, a 72 tooth offset quick release ratchet, a 73 piece socket set and a 3 piece ratcheting box set, valued at less than Two Thousand Dollars displayed, held, stored, or offered for sale by ADVANCE AUTO PARTS, with the intent of depriving said merchant of the possession, use, or benefit of such merchandise without paying the full retail value. This is in violation of §16-13-0110 and §16-1-0057 of the South Carolina Code of Laws (1976) as amended.

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


SOLICITOR

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF Greenville
STATE VS.

INDICTMENT/CASE#: 2013GS2304280

Everette Martin Jenkins

A/W#: 2013A2330202177

AKA:

Date of Offense: 3/17/2013

Race: WHITE Sex: M Age: 46

S.C. Code § : 16-13-0110

DOB: SS#:

CDR Code #: 2877

Address:

City, State, Zip:

DL#: SID#:

SENTENCE SHEET

*CDL Yes No CMV Yes No Hazmat Yes No

CONVICTED OF or PLEADS

In disposition of the said indictment comes now the Defendant who was TO: Shoplifting / Value \$2000 or less (Enhancement per 16-01-0057)

in violation of § 16-13-0110 of the S.C. Code of Laws, bearing CDR Code # 2877

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

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

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

ATTORNEY: Jennifer Tessitore, Jennifer 7436 SC Bar# Defendant Attorney for Defendant SC Bar#

WHEREFORE, the Defendant is committed to the State Department of Corrections, County Detention Center, for a determinate term of 8 days/months/years or under the Youthful Offender Act not to exceed years and/or to pay a fine of \$; provided that upon the service of days/months/years and/or payment of \$; plus costs and assessments as applicable*; the balance is suspended with probation for

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

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

Pursuant to 18 U.S.C Section 922, it is unlawful for a person convicted of a violation of Section 16-25-20 or 16-25-65 (Criminal Domestic Violence) to ship, transport, possess, or receive a firearm or ammunition.

SPECIAL CONDITIONS:

RESTITUTION: Deferred Def. Waives Hearing Ordered PTUP days/hours Public Service Employment

Total: \$ plus 20% fee: \$ Obtain GED Attend Voc. Rehab. or Job Corp.

Payment Terms: May serve W/E beginning Substance Abuse Counseling Random Drug/Alcohol testing

Recipient: Fine may be pd. in equal, consecutive weekly/monthly pmts. of \$ beginning \$ paid to Public Defender Fund Other:

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

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Appointed PD or appointed other counsel, § 47.12 requires \$500 be paid to Clerk during probation. SC Court of Appeals

Clerk of Court/ Deputy Clerk Paul B. Wickens Court Reporter: S. Hudgins SCCA/217 (03/2011)


Presiding Judge Judge Code: 2070 Sentence Date: 11-14-13

STATE OF SOUTH CAROLINA)
COUNTY OF GREENVILLE)
THE STATE)
v.)
EVERETTE MARTIN JENKINS,)
DEFENDANT.)
_____)

IN THE COURT OF GENERAL SESSIONS
WARRANT # 2013A2330202177
INDICTMENT # 2013GS2304280
STATE'S PROPOSED WITNESS LIST

- #3 1. Deputy Jonathan Horne, GCSO
- #2 2. Deputy John White, GCSO
- 3. Deputy John Ford, GCSO
- #1 4. Serbando Garcia, Advanced Auto Parts

Respectfully Submitted,


Jennifer A.R. Tessitore
Assistant Solicitor
Thirteenth Judicial Circuit

Dated: Nov. 14, 2013
Greenville, South Carolina

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**Greenville County Courthouse
RANDOM STRIKE SHEET**

JUDGE NAME : Victor C. Pyle Jr. VALUES (Ret)

Sorted by: Ranc

TRIAL TYPE : Criminal

DESCRIPTION : PYLE 11/14/13

Trial

PANEL ID : PYLE 11/14/13

COURTROOM CRT3

NAME	JUROR NBR	RACE	SEX	ST/PT	DEF	CRT	REMARKS
24 Haskew, Ben	74	W	M	()	()	()	
25 Harris, Frederick	73	B	M	()	()	()	
26 Mccoy, Robert J	109	W	M	()	()	()	
27 Mobley, Ronald J	122	W	M	()	()	()	
28 Suber, Pamela L	164	B	F	()	()	()	
29 Crowell, Kathryn J	38	W	F	()	()	()	
30 Grant, Donald J	67	W	M	()	()	()	
31 Griffin, Deborah N	180	B	F	()	()	()	
32 Moore, Georgia W	126	B	F	()	()	()	
33 Lewis, Synova S	102	B	F	()	()	()	
34 Mccrary, Hozea E	111	B	M	()	()	()	
35 Benton, Glenn S	16	W	M	()	()	()	

Total Number of Jurors:

35

** END OF REPORT **

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SC Court of Appeals

2013A2330202177

Greenville County Courthouse RANDOM STRIKE SHEET

JUDGE NAME: Victor C. Pyle Jr. VALUES (Ret) *2013-05-23-4280*
TRIAL TYPE: Criminal *STATE VS EVERETTE MARTIN JENKINS*
PANEL ID: PYLE 11/14/13 *(J. Tessitore) (T. Sullivan)*
COURTROOM CRT3 DESCRIPTION: PYLE 11/14/13

Sorted by: Race
Trial

NAME	JUDGE	NUMBER	RACE	SEX	STATUS	DEF	CRT	REMARKS
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1	Sullivan, Sandra L	165	(1)	W	F	()	()	()	
2	Stewart, Garry N	163	(2)	W	M	()	()	()	State Witness
3	Frazier, Robert A	58	(3)	W	M	()	()	()	D. Serbando
4	Cody, Edward G	30	(4)	W	M	()	()	()	Garcia
5	Dendy, Meketia Q	43	(5)	B	F	()	()	()	2) Dep. John
6	Sagger, Christopher J	148	(6)	W	M	()	()	()	White
D 7	Pichierre, Tracy M	138		W	F	()	(/)	()	3) Dep. John
8	Chadwell, Keith E	25	(7)	W	M	()	()	()	Horne
9	Riordan, Patricia C (FORG)	143	(8)	W	F	()	()	()	
D 10	Pennell, Aimee L	146		W	F	()	(2)	()	
S 11	Bailey, Ted K Jr.	6		W	M	(/)	()	()	
D 12	Eskew, Barry S	49		W	M	()	(3)	()	
13	Seawright, Brittany L	152	(9)	W	F	()	()	()	
D 14	Hume, Michael F	84		W	M	()	(4)	()	
D 15	Hundley, Bradley M	85		W	M	()	(5)	()	
16	Theys, Nancy R	169	(10)	W	F	()	()	()	
17	Golaski, Angela C	65	(11)	W	F	()	()	()	
18	Sims, Robert Kevin	155	(12)	W	M	()	()	()	
c 19	Knowles, David G	96		W	M	()	()	(X)	
c 20	Hunt, Nancy A	86		W	F	()	()	(X)	
D 21	Newsome, Tracy L	132		W	M	()	(/)	()	
22	Bridges, Brittany N	19	(A)	W	F	()	()	()	
23	Williams, Kenneth J	183		B	M	()	()	()	

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STAT FAX ✓
END FAX ✓

START: 10:40 11-14-13
END: 3:45 11-14-13



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**13th JUDICIAL CIRCUIT
Greenville County Courthouse
305 East North Street (Rm 123)
GREENVILLE, SOUTH CAROLINA 29601**

DEC 06 2013

pm

John I. Mauldin
Public Defender

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Facsimile Transmittal Sheet

To: V. Claire Allen, Deputy Clerk

From: Timothy Sullivan

Company: The South Carolina Court of Appeals

Date: 12/06/2013

Fax Number: 803-734-1839

Total Number of Pages (Including Cover): 9

Phone Number: 803-734-1890

Sender's Fax Number: 864-467-8521

**Re: Appellate Court Case No.
2013-002513
Everette Martin Jenkins**

Sender's Phone Number: 864-467-8522

Urgent

For Review

Please Comment

Please Reply

Thank you.

Timothy Sullivan

pm for Timothy Sullivan

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