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**Apr 29 2026**

**SC Court of Appeals**

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

---

Appeal from Spartanburg County

Honorable R. Keith Kelly, Circuit Court Judge

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THE STATE,

RESPONDENT,

V.

CHARLES EVERETT IVEY,

APPELLANT

APPELLATE CASE NO. 2025-001063

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RECORD ON APPEAL

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STATE OF SOUTH CAROLINA - COUNTY OF SPARTANBURG  
SEVENTH JUDICIAL CIRCUIT

STATE OF SOUTH CAROLINA )  
 ) Docket No.  
Plaintiff, )  
 )  
V. )  
 )  
 ) PLEA HEARING  
CHARLES E. IVEY )  
 )  
Defendant )

May 9, 2023  
Spartanburg, South Carolina

B-E-F-O-R-E:

THE HONORABLE GRACE GILCHRIST KNIE

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

CANDACE CLARK, ESQ.  
Attorney for the State of South Carolina

JAMES HATCHER, ESQ.  
Attorney for the Defendant

Maria DiScioscia, RPR  
Official Court Reporter

1 THE CLERK: Number 7, Charles Ivey.

2

3 C-H-A-R-L-E-S E. I-V-E-Y, the Witness herein, having  
4 been sworn by the Clerk of Court, was examined and  
5 testified as follows:

6

7 THE COURT: Sir you, are Charles. E. Ivey?

8 THE DEFENDANT: Yes, ma'am.

9 THE COURT: Sir, earlier I asked you a series  
10 of questions in a group setting. If I were to ask you  
11 all of the question again at this time would your  
12 answers be the same?

13 THE DEFENDANT: Yes, ma'am.

14 THE COURT: You indicated that you take  
15 medication?

16 THE DEFENDANT: Yes, ma'am.

17 THE COURT: Have you taken the medication in  
18 the last 3 days?

19 THE DEFENDANT: No ma'am.

20 THE COURT: And when you go without it, does it  
21 interfere with your ability to reason clearly?

22 THE DEFENDANT: No, ma'am.

23 THE COURT: Do you feel comfortable going  
24 forward?

25 THE DEFENDANT: Yes, ma'am.

1 THE COURT: And Mr. Hatcher, do you have any  
2 concerns about going forward understanding Mr. Ivey has  
3 taken a prescribed medicine?

4 MR. HATCHER: I do not.

5 THE COURT: Do you believe that he understands  
6 the proceeding?

7 MR. HATCHER: I do.

8 THE COURT: And that he can assist you in his  
9 representation?

10 MR. HATCHER: Yes, your Honor.

11 THE COURT: Okay. Thank you.

12 And do we have a victim?

13 MS. CLARK: We do, your Honor.

14 THE COURT: Okay. So if the victim wishes to  
15 address me, and they're are certainly not required too  
16 but if they wish to, there will be an opportunity in a  
17 few moments. Okay.

18 Yes, ma'am.

19 MS. CLARK: Your Honor, this is Mr. Ivey,  
20 represented today by his attorney, Mr. Hatcher. He's  
21 here under Indictment 2023-DR-1019 charged with domestic  
22 violence of a high and aggravated nature. He's here  
23 today, pleading to DV first-degree. He has 342 days of  
24 jail credit. There is no recommendation from the State.  
25 We have passed up a ^ STRAFA and permanent restraining

1 order form to the Court.

2 THE COURT: Thank you.

3 Mr. Hatcher, is that your understanding?

4 MR. HATCHER: Yes, your Honor.

5 THE COURT: Mr. Ivey, sir, I have a true  
6 billed indictment 2023-DR-1019. And this is for  
7 domestic violence of a high and aggravated nature. You  
8 are pleading to the lesser include offense of domestic  
9 violence in the first-degree. The potential penalty is  
10 zero to 10 years. This offense is a felony. It is a  
11 classify E felony. And it is classified as being  
12 violent and serious in nature.

13 Sir, do you understand the offense?

14 THE DEFENDANT: Yes, ma'am.

15 THE COURT: Do you understand the potential  
16 penalty?

17 THE DEFENDANT: Yes, ma'am.

18 THE COURT: And do you have any questions  
19 regarding the classification of the offense as being  
20 both violent and serious in nature?

21 THE DEFENDANT: No, ma'am.

22 THE COURT: Further, I have been provided a  
23 permanent restraining order that would apply to you and  
24 Laurie Ivey. And this would stay in effect through  
25 December 31, 2099. Do you understand if I accept the

1 plea that this will be part of my sentence, the  
2 permanent restraining order?

3 THE DEFENDANT: Yes, ma'am.

4 THE COURT: I also have a STRAFA order, which  
5 is an order prohibiting you from owning or possessing  
6 firearms or ammunition for a period of 10 years. You've  
7 already signed this at the bottom here. And I will sign  
8 it and make it an order of the Court. Do you understand?

9 THE DEFENDANT: Yes, ma'am.

10 THE COURT: Do you have questions about that?

11 THE DEFENDANT: Only if I -- I was just curious  
12 if I can also get a restraining order on my victim that  
13 covers me?

14 THE COURT: Well, you can ask your attorney  
15 about that. Even though this is captioned as being  
16 Laurie Ann Ivey versus Charles Everett Ivey. It's  
17 Complainant Versus Respondent and we call it a permanent  
18 restraining order unless, they agree today to make it a  
19 mutual permanent restraining order. Although, I believe  
20 that is an implicit. That would not be the case today.  
21 That doesn't mean you couldn't get one in the future if  
22 there was a need.

23 THE DEFENDANT: Yes, ma'am.

24 THE COURT: But I will let you take that up  
25 with your lawyer.

1 Anything else?

2 THE DEFENDANT: No, ma'am.

3 THE COURT: Further, this is coming before me  
4 without recommendation or negotiations, so it is an open  
5 plea, except for the STRAFA order and the permanent  
6 restraining order. Do you understand?

7 THE COURT: Yes, ma'am.

8 THE COURT: So understanding all of that, sir,  
9 do you wish to enter your plea to this offense at this  
10 time?

11 THE DEFENDANT: Yes, ma'am.

12 THE COURT: How do you plea?

13 THE DEFENDANT: Guilty.

14 THE COURT: Are you doing so freely and  
15 voluntarily?

16 THE DEFENDANT: Yes, ma'am.

17 THE COURT: And in the event you will to appeal  
18 any aspect of the plea hearing today, you only have 10  
19 days to do so in writing to this court. Do you  
20 understand?

21 THE DEFENDANT: Yes, ma'am.

22 THE COURT: Please direct your attention again  
23 to Ms. Clark.

24 MS. CLARK: On June 1, 2022 the Spartanburg  
25 County Sheriff's Office responded to 411 South Meadow

1 Drive in Spartanburg County in reference to a 911 hang  
2 up. Once they were on scene, law enforcement made  
3 contact with the victim, Laurie Ivey, who was visibly  
4 shaken. She reported that her husband, this defendant,  
5 had been arguing with her since the night before. He  
6 slapped her face, strangled her and continued arguing  
7 with throughout the day. He took her cellphone after he  
8 caught her texting her mother. And shortly before law  
9 enforcement arrived he forced her into their car and  
10 told her he was taking her to the residence of the man  
11 that he accused her of having an affair with. He also  
12 said that he put a sword -- she also said that he put a  
13 sword against her chest and threatened her life, causing  
14 her to be so fearful that she urinated on herself. The  
15 defendant's brother was at the residence and heard the  
16 defendant being loud with the victim. He also so the  
17 defendant walk to the car with a sword. Law enforcement  
18 observed as slight discoloration on the victims face  
19 where she was slapped, redness on her chest, a bruise on  
20 her neck and her pants were soiled.

21 He does have a prior criminal history.

22 THE COURT: Okay. Sir, is that substantially  
23 what happened?

24 THE DEFENDANT: Yes, ma'am.

25 THE COURT: I find there is a factual basis

1 for your plea. I will accept it.

2 Let me hear the prior conviction history for  
3 the last ten years.

4 MS. CLARK: 2014 breach of peace, petit  
5 larceny, burglary third. 2016 CDV first. 2022 VOP.

6 And your Honor, the victim is present and  
7 would like to address the Court.

8 THE COURT: It's a 2016, is that the same  
9 victim?

10 MS. CLARK: Your Honor, I'm not sure. We can  
11 clarify with the victim.

12 THE COURT: No? Okay, thank you.

13 I'm happy to hear from the victim Laurie Ivey  
14 if she wishes to address me. She's not required to of  
15 course, but she can.

16 Yes, ma'am. Please, come forward. And I do  
17 need for you to state your full name.

18 MS. IVEY: Lori Ann Ivey.

19 THE COURT: Yes, ma'am. I'm happy to hear from  
20 you. Thank you for being here.

21 MS. IVEY: Yes, ma'am.

22 I promised my middle son, which is  
23 biologically Mr. Ivey's son, my stepson. He asked this  
24 to be read today to him.

25 It says: "Dear Dad. Hey, dad. You really

1 disappoint me and I hope you get better soon. I love  
2 you. Sincerely Omar."

3 I have a daughter that's 4 years old. Mine  
4 and Mr. Ivey's. She was 3 years old when all this  
5 happened and she was there. She remembers him yelling.  
6 She remembers being so terrified that she wanted to  
7 scream at him to stop and she can't. My daughter, our  
8 daughter, has PTSD. She has nightmares. And she's  
9 terrified. This man is dangerous. I have no  
10 bitterness in my heart. I hope that he never has to go  
11 through what I went through. That statement is only  
12 part of what he put me through and he probably doesn't  
13 remember telling me before we walked in Publix, that if  
14 I tried to get help, I knew what would happen. He has  
15 no idea what it's like to see what, 30 people, and not  
16 be able to ask anybody for help. To have the person  
17 that you love for six years, put a sword right here to  
18 my heart. I have a scare. I didn't make this up. I  
19 have nightmares. I'm not right because of what  
20 happened. I still can't even work more than twenty  
21 hours a week because I just don't mentally have it in my  
22 anymore. But everyday, I make sure that my little girl  
23 knows that she is loved and taken care of. I will never  
24 underestimate this man. I went back once. I know what  
25 kind of evil lives inside him. So if you want to grant

1 a permanent restraining order, he never has to worry  
2 about me speaking to him outside of when the judge in  
3 family court say that, "you're divorced." I will never  
4 speak to him again. I have nothing to say.

5 I know you're going to sentence this man to  
6 whatever you sentence him too, but outside of how ever  
7 many years or if you decide he even deserves prison for  
8 what happened to me and my little girl, and even his son  
9 who's hurt. Please sentence this man to get some kind  
10 of mental health help. Please. And something for  
11 addiction. This man has been an addict since he was 17  
12 years old. I tried get him help the first time I left  
13 him and I went back. And I'm sure that you probably see  
14 that in your records and I look like a stupid women and  
15 I was. If I had never looked back, my daughter wouldn't  
16 be suffering right now. And I thank you for hearing me.

17 THE COURT: Yes, ma'am. Thank you for being  
18 here. I do have one follow-up questions.

19 MS. IVEY: Yes, ma'am.

20 THE DEFENDANT: So there is a family court  
21 action pending right now or is it over? You said  
22 "divorce," but is the divorce the only thing left?

23 MS. IVEY: Yes.

24 THE COURT: Have y'all gotten through.

25 MS. IVEY: Yes. That is the only thing.

1           THE COURT: Is there a decree of separate  
2 maintenance that has been issued regarding, custody,  
3 visitation, no contact, division of assets.

4           MS. IVEY: Yes.

5           THE COURT: Okay. Thank you, so much.

6           Anything else from The State?

7           MS. CLARK: Nothing further.

8           THE COURT: Mr. Hatcher, did you an opportunity  
9 to review the evidence and discovery with Mr. Ivey?

10          MR. HATCHER: I have, your Honor.

11          THE COURT: Yes, sir. I'm happy to hear from  
12 you.

13          MR. HATCHER: May it please the Court, your  
14 Honor.

15                 I'm in agreement with my client's plea here  
16 today, based on the negotiations, your Honor. I can  
17 tell you that for the greater portion of Charlie's life  
18 he has been a hard working productive member of society.  
19 He's 37 years old. He went to Gaffney High School. And  
20 as you've heard, he and Laurie were married. Who have  
21 been together, as I understand since, or married since  
22 2017.

23                 As you've heard the divorce action is  
24 proceeding. And Charlie's been, now, come June 1st,  
25 will have been incarcerated for a year, which is the

1 longest he's ever experiences being incarcerated.

2 He, just for clarification your Honor. He  
3 tells me on that prior domestic violence, which did not  
4 involve Laurie. It was from some years ago. He tells  
5 me that was resolved as a domestic violence,  
6 third-degree.

7 THE COURT: Not first-degree?

8 THE DEFENDANT: It was 2011. It was  
9 misdemeanor.

10 MS. CLARK: It was under the old law, your  
11 Honor.

12 THE COURT: Gotcha.

13 MR. HATCHER: Just for clarification to the  
14 Court, your Honor. But again, Charlie will tell you, he  
15 has struggled with addiction issues, as referenced by  
16 the victim for the past 20 years. But despite that, I  
17 would point out to the Court, that he is, for the most  
18 part, been a productive member of society. He has a CDL  
19 and has worked for trucking company and has been a  
20 valued member, employee of their company and would  
21 actually be working for them again I believe upon his  
22 release. He has family in Union County, your Honor.  
23 His mother and his brother are present here today in the  
24 courtroom to show their support.

25 I've confirm with them as well, your Honor,

1 the Charlie has struggled both with mental health and  
2 addiction issues. As to the events that you've heard  
3 about here today. He's very sorry about what's  
4 happened. He wishes to express his sincere apology,  
5 both to his wife and daughter. At the time, your Honor,  
6 he was operating under the belief based on things he had  
7 seen that there was some infidelity. And at the same  
8 time he readily acknowledges to me he should have  
9 handled that differently then the way he did.

10 He regrets what he did, your Honor. He tells  
11 me that he had been seeking help for a period of time  
12 through ReGenesis Health Care in Union County. And it  
13 would be his intention to begin that treatment again.  
14 He said it was helping him and it's available to him,  
15 your Honor.

16 Based on all of these factors, your Honor, he  
17 tells me he's actually never -- nothing in his prior  
18 record involved prison time and he's been incarcerated  
19 now for a year. He hasn't been able to be properly  
20 represented in the divorce action. He would like to be  
21 able to be out and able to have representation on the  
22 custody issue and things of that nature.

23 And with that in mind, your Honor, we would  
24 respectfully request the Court allow him the  
25 probationary sentence at this point. He is certainly in

1 agreement with the no contact order. And as you've  
2 heard from him, he would request that it be mutual, but  
3 your Honor, going forward I think he has positive goals.  
4 He has the right frame of mind now and we would ask the  
5 Court for that consideration.

6 THE COURT: Thank you.

7 Sir, is there anything you would like to tell  
8 me?

9 THE DEFENDANT: Yes, ma'am. I would like to  
10 apologize to my victim for the things I did. I should  
11 have handled things differently. I have had issues with  
12 drug addiction. I'm currently with ReGenesis Health  
13 Care to detox me off of Suboxone. I was almost  
14 completely through it. I do intend to continue mental  
15 health counseling through them when I get out.

16 As far as work and everything, I'm facing  
17 criminal charges in family court from what I understand.  
18 I have no way to get representation for that. My family  
19 cannot afford that. My mother is elderly. She's  
20 suffering from bone deteriorating disease. Usually, I'm  
21 on the outside, I help take care of her. I would like  
22 to be to get get back out and help do that as well. I'm  
23 will to doing whatever the Court deems is necessary for  
24 me to do so.

25 THE COURT: Thank you, sir.

1           Do you agree with the statements of your  
2 lawyer?

3           THE DEFENDANT: Yes, ma'am. Sorry.

4           THE COURT: I do have a question because on  
5 the sentencing sheet Mr. Ivey's address is listed a  
6 Buffalo, South Carolina.

7           THE DEFENDANT: It's Union County.

8           THE COURT: It's my understanding that was in  
9 Union Count. And on the restraining order, it says that  
10 the respondent lives in Spartanburg County.

11           MR. HATCHER: He last resided in Spartanburg  
12 County. That's were their marital home was.

13           THE COURT: Right. So do y'all want me to  
14 change that to Union County? Any objection to that?

15           MR. HATCHER No objection, your Honor.

16           MS. CLARK: No objection.

17           THE COURT: But Mrs. Ivey still lives in  
18 Spartanburg County. She doesn't have to give me the  
19 exact address, but -- it's my understanding these  
20 permanent restraining orders are served on sheriff in  
21 each County.

22           THE DEFENDANT: Yes, ma'am.

23           THE COURT: Again, I don't have to have the  
24 home of -- I don't have to have the street address, but  
25 I just need to know what county.

1 MS. CLARK: She would like to let the Court  
2 know in private. She doesn't feel comfortable stating  
3 the county she lives in.

4 THE COURT: Let me just put it this way.  
5 Spartanburg County will be -- there sheriff is going to  
6 receive a copy of the restraining order. And Union  
7 County sheriff will receive a copy of the restraining  
8 order. And if other counties, if other sheriff's need  
9 to receive it, I guess that information can be  
10 communicated by the solicitor. Okay.

11 Sorry, I just -- Just give me one moment.

12 With regards to the matter of State versus  
13 Charles E. Ivey and Indictment 23-GS-42-1019 and the  
14 offense of domestic violence in the first-degree. It  
15 would be the order of the Court, and I find it  
16 appropriate that the defendant be committed to the State  
17 Department of Corrections for ten years. That will be  
18 suspended to the service of 24 months. Followed by 5  
19 years of probation. He will get credit for 342 days.  
20 And during the period of probation, will submit for  
21 random drug and alcohol testing, will complete the  
22 domestic violence intervention program. He will under  
23 go intensive substance abuse counseling, mental health  
24 counseling if that is deemed appropriate. And there  
25 will be no contact with Laurie Ivey, his wife.

1 I've signed a STRAFA order and the permanent  
2 restraining order. There is a PTUP provision after 3  
3 years if Mr. Ivey is in full compliance.

4 Ma'am, I do wish and you your family the very  
5 best. And sir, I wish you the very best as well.

6 THE DEFENDANT: Thank you.

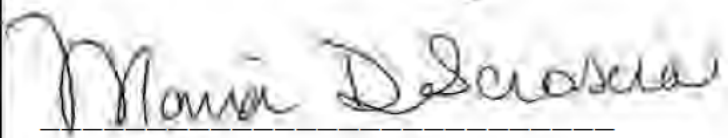
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8 (Whereupon, the above-mentioned caption  
9 was concluded.)  
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C E R T I F I C A T E

I, the undersigned Maria DiScioscia, Official Court Reporter for the Seventh Judicial Circuit of the State of South Carolina, do hereby certify that the foregoing is a true, accurate, and complete transcript of the record of all the proceedings in the captioned case, in the Circuit Court for Spartanburg, South Carolina, on the 9th day of May, 2023.

I do further certify that I am not related, either by blood or marriage, to any of the parties in this action; and that I am in no way interested in the outcome of this matter.



\_\_\_\_\_  
Maria DiScioscia  
Official Court Reporter



1 (There were no exhibits introduced in this case.)

2 THE COURT: Sir, you are Mr. Ivey?

3 MR. IVEY: Yes, sir.

4 THE COURT: Give your attention to Madam Clerk,  
5 please.

6 Charles Ivey, being  
7 first duly sworn, testified as follows:

8 THE COURT: Mr. Ivey, have you had a chance to review  
9 this 1106 with your lawyer?

10 MR. IVEY: As far as I know I have got all the  
11 information.

12 THE COURT: This report? That is what I am asking.  
13 Did you review this with your lawyer?

14 MR. IVEY: I am not sure.

15 MS. HICKS: Your Honor, we reviewed the substance of  
16 it. I don't have anything -- inaudible).

17 THE COURT: They say you violated condition number  
18 four and condition number three of your supervision. You  
19 had possession and confessed to having white crystalline  
20 substance with methamphetamine. Is that true?

21 MR. IVEY: Yes, sir.

22 THE COURT: Confessed to drinking alcohol. Still  
23 reserve alcoholic beverages were found. Is that right?

24 MR. IVEY: Yes, sir.

25 THE COURT: Tested positive for a drug screen

1 including methamphetamine and amphetamine.

2 MR. IVEY: Yes, sir.

3 THE COURT: Okay. The Court finds the violations.  
4 Counsel.

5 MS. HICKS: Thank you, Judge. Mr. Ivey is 30 years  
6 old, he is from Union. Your Honor, he has a GED and he  
7 also has had a CDL. He intends to get it again. To my  
8 understanding he has to take the money and do the driving  
9 test. Your Honor, I am going to tell you up front. Mr.  
10 Ivey has asked to be straight continued on. He  
11 understands he is going to SCD, SCDC for a period of time.  
12 I was asking for a shorter period. Mr. Ivey has two  
13 children. The original charge here is the first time he  
14 has ever been to prison, it is my understanding that he  
15 has been incarcerated, from May of 2022 to August of 2023.  
16 He tells me when he got out of prison the only place he  
17 could go was his mom's house and unfortunately there was a  
18 lot of people around him who were doing drugs. He has a  
19 drug problem. He admits he has a drug problem, he wants  
20 to get help for it. After the 1106, he has admitted to  
21 using drugs. On a couple of occasions, Your Honor, he  
22 admitted to methamphetamine, whenever Triple K came in and  
23 searched his house. He wasn't, (inaudible), or anything  
24 like that. At the time that this happened he was working  
25 as a chainsaw, he was working for himself trying to get up

1 some money so that he could move and he was working on  
2 getting into rehab. The rehab he was connected to  
3 required, didn't include detox as part of the program so  
4 he had to be clean. So he didn't get that part done.  
5 Your Honor, it is my understanding it is a requirement of  
6 some of the rehabs in the area. Judge, I understand this  
7 case is at the intersection of two things that this Court  
8 could never fail to take very seriously, probation and  
9 domestic violence cases. But I will say that Mr. Ivey has  
10 completed a lot of important requirements on his  
11 probation, Your Honor, he has not absconded. He has  
12 completed intensive outpatient treatment. He has  
13 completed the domestic violence intervention program in  
14 person in town. He has had mental health counseling and  
15 discharged from mental health. He has had no contact with  
16 his ex-wife, the alleged victim, in this case. He has had  
17 no contact with his daughter, the daughter that they  
18 share. Judge, it is my understanding that he and Ms. Ivey  
19 live in different counties. She lives in Spartanburg  
20 County, he lives in Union County. So there is no danger  
21 of them running into each other. It is also my  
22 understanding from speaking with Agent Overton from  
23 probation that the Agent's recommendation was something  
24 more like an 18 month revocation and continue Mr. Ivey on  
25 probation so that he can complete inpatient treatment.

1 Mr. Ivey doesn't, he doesn't want to go to prison, no one  
2 does. But he actually, I mean the first time, he agreed  
3 that he thought that that was fair. I would ask the Court  
4 to consider 12 months and continue him on probation, Your  
5 Honor, with the inpatient treatment. I do think that he  
6 has made some progress on probation. And it seems to me  
7 with the new domestic violence, not just the conditions  
8 but the domestic violence program on probation that Mr.  
9 Ivey actually is benefiting from that a great deal. So I  
10 would ask for you to consider something like that.

11 THE COURT: Sir, would you like to speak?

12 MR. IVEY: Yes, sir. As she said, I was trying to  
13 get into some kind of, because when I got out of prison, I  
14 was able to push the people who were doing the drugs away.  
15 I had my mom, a victim but led them right back in. I am  
16 an addict, eventually I gave in. No matter what you  
17 sentence me to, I am asking that you add an additional six  
18 months of rehab on the back end of it, if you will.

19 THE COURT: Agent?

20 AGENT OVERTON: Your Honor, if it may please the  
21 Court. The recommendation originally was 18 months, prior  
22 to that administrative hearing. The administrative  
23 hearing officer found it, to recommend a different  
24 recommendation for the State as you see in the forms here  
25 today. I would like to put the warrant on record and

1 additionally I would like to notify you that the victim is  
2 present today and would like to speak as well.

3 THE COURT: Oh, sure. Go ahead and put it on the  
4 record.

5 AGENT OVERTON: The domestic violence condition.  
6 Condition three of the standard conditions, supervision is  
7 evident by possession and confession of possession of  
8 white crystalline substance consistent with  
9 methamphetamines. The subject stated he believed it to be  
10 methamphetamine. Additionally subject confessed to  
11 drinking alcohol, still reserve alcoholic beverages were  
12 located in the subject's room in trash, can in his room.  
13 Last, the subject tested positive on an oral tox drug  
14 screen for methamphetamine and amphetamines on 1/30/2024.  
15 That is an incorrect date, it is 1/20/25, 1/30/2025. A  
16 violation condition 79 and standard conditions,  
17 supervision as evident as being in arrears of \$220.00  
18 dollars, payments on supervision fees. And \$45.00 dollars  
19 non-payments on court fines. And by violating condition  
20 10 of the domestic violence and standard condition.  
21 Supervision is evident by commission of these violations.  
22 Such actions constitute violation condition seven, nine  
23 and ten. Your Honor, may it please the Court. If the  
24 victim would be allowed to speak at this time?

25 THE COURT: Ma'am, you can stand next to my law

1 enforcement officer if you want to, if that makes you feel  
2 better. He can stand right there with you. Tell me your  
3 name, please.

4 MS. LORI IVEY: Lori Ivey.

5 THE COURT: Yes, ma'am.

6 MS. LORI IVEY: Thank you for giving me a chance to  
7 speak, Your Honor. It is hard to put into words how much  
8 my life and our biological daughter. Mr. Ivey has two  
9 children. My step-son is not biologically mine, he has a  
10 different mother. But the child that I am going to be  
11 speaking about is mine and his flesh and blood. I am so  
12 sorry.

13 THE COURT: You are okay. You want some water?

14 MS. LORI IVEY: When the police asked me for a  
15 victim's statement, they asked me for one day, Your Honor.  
16 The truth is, the crime started May 29th and June 1st is  
17 when it ended. On May 29th of 2022, that Sunday things  
18 took a drastic turn, things were rocky before that. But  
19 more to the point you need to hear regarding the crime.  
20 That night I was unable to sleep because Charles was  
21 yelling, saying crazy untrue accusations and sitting with  
22 a gun out in the garage. About 6:30 a.m. I was finally  
23 able to sleep a few hours. I had to cancel work for that  
24 Monday because of his continued anger. From Sunday until  
25 Wednesday morning here is some of what I endured that is

1 not in the report because they said just to write 24 hours  
2 from Monday until Wednesday. I survived off of what  
3 little Gatorade Zero I could swallow. I had one banana  
4 and in front of it, right side of my face was struck so  
5 hard by Mr. Ivey that they had to pull a tooth because he  
6 fractured the enamel of my tooth and broke a root off of  
7 the tooth. Due to the damage the tooth had to be removed.  
8 My left ear has hearing damage from that slap as well. I  
9 couldn't sleep on the right side for a week because it was  
10 so sore. I was barely able to eat for two weeks from  
11 anxiety. That is all I was, my heart wouldn't stop  
12 racing. And to those, that I had no access to the camera  
13 feed and they were turned off two days before the crimes  
14 began. These were premeditated, not some crime of  
15 passion. And there was no reason, I can fill this  
16 courtroom many times with people from my church, people  
17 that know me that will tell you that the lies he tells  
18 about me are not true. I was so dumbly brainwashed and in  
19 love -- him ever even existence. I am not perfect but I  
20 am loyal and honest. He has duct tape in the car and  
21 trash bags. He told me, the guy he thought I was having  
22 an affair with, one of many, he was going to cut up the  
23 guy's head, make me watch and skin him. He forced me into  
24 Public's where I couldn't speak or ask for help when he  
25 went to pick up Caroline's Zamoxin prescription because --

1 he went to another neighbor's house and forced me to look  
2 down and make no eye contact or else, because he was  
3 again, supposedly the other man I was having an affair  
4 with. I told my mother-in-law at the time, when he drove  
5 to Union trying to get the Zamoxin that he was going to  
6 kill me. And I -- (crying), all three of my kids. And,  
7 (crying). I am so, (crying), (inaudible). She said his  
8 younger, (crying), (inaudible), to the house, but it makes  
9 no difference. I tried to tell my mom via text that I was  
10 in trouble and then he took all of my, (crying)  
11 (inaudible). I had no way to get help. I tried -- but  
12 instead, so I wouldn't be, (crying). I couldn't go back  
13 outside. After he forced me in the car, sorts of  
14 (crying), (inaudible). I still have a scar, I was scared.  
15 I was not allowed to leave the car. He made me take a  
16 shower with him after I gave my daughter a bath because  
17 she came looking for me crying when he was watching her.  
18 When he made me go to the second guy's house, he kept  
19 rushing me, she was three and a half at the time and I was  
20 trying to comfort her. I cannot give an exact sequence of  
21 all the memories that are there. I layed down with my  
22 daughter. He told me I couldn't leave and as I tried to  
23 go, he wouldn't, (inaudible). I have been praying for  
24 days but I am exhausted and I knew I was going to die. He  
25 handed me the landline phone to call the man I was having

1 the affair with or I would not see the sunrise and that is  
2 when I called 911. I knew it was my last chance to save  
3 my life and protect my little girl. All of this has  
4 affected me. I have PTSD and when I get too tired and my  
5 heart races and I feel like I struggle to breathe. I  
6 still have nightmares, I live like a ghost so we stay  
7 safe. I have been through counseling and they can't do,  
8 undo any more than what he has done. I couldn't work over  
9 eight hours a week for almost a year. And I have panic  
10 attacks and I still can't work for more than 22 hours a  
11 week, Your Honor. Every court appearance I relive  
12 nightmares, I am sick to my stomach, my heart races, I am  
13 dizzy and I have trouble focusing. But it isn't just me  
14 that suffers. There is not a night that goes by that my  
15 daughter's little feet go patter into the room to check on  
16 me. She has to know I am still there and that I am okay.  
17 It took her two and a half years to sleep in her room.  
18 She sleeps a few hours and comes to sleep next to me.  
19 Maybe 20 nights in the past three years she has not  
20 climbed into my bed right beside me. Here are some of her  
21 statements about how this has impacted her life. At age  
22 four, Mommy, I don't want to get big. Why Sweetheart.  
23 When I grow up I am going to be a monster like my daddy.  
24 Mommy, is daddy going to find us. No, Sweetheart.  
25 Remember, he doesn't know where we are. Who protects us.

1 God. That is right. Good. I don't want him to hurt you  
2 again. You are my best mom. Mommy, I told my classmates  
3 my daddy slapped you. I was so scared. I wanted to tell  
4 daddy to stop when he was yelling at you but I was scared.  
5 I am so sorry, Mommy. Maybe if I did, it is my fault. No  
6 Sweetheart. Grownups make choices and decisions. It is  
7 not your responsibility or your job, your job is to be the  
8 beautiful girl that you are, age five. Mommy, I don't  
9 ever want to see my daddy, he is mean. She tells a  
10 stranger in the store daddy hurt Mommy. She told a person  
11 dressed as Santa at church, my daddy is mean to my Mommy.  
12 Santa would you please tell him not to do that. But two  
13 or three years of therapy but PTSD can't be cured. The  
14 first two years the nightmares she endured were terrible.  
15 She would wake up screaming and crying so hard from panic  
16 attacks. Still almost three years later she has  
17 nightmares. My daughter at age six said this. She said,  
18 he has been really mean to you and he hurt my feelings. I  
19 am scared of Charlie. And I asked her if there was  
20 anything she wanted me to say. And she said, Charlie, I  
21 hope you will do better and be kind. I still have bad  
22 dreams and I wish you will trust God. I am asking for  
23 justice, Your Honor, for myself and my daughter. Please  
24 revoke probation entirely and send him to prison. He  
25 gave me and our daughter a lifetime of symptoms. Even if

1 you give him a full revocation, what he serves four years.  
2 We have to suffer for the rest of our lives. I was given  
3 no trial, no jury or support. I am advocating for her  
4 because she deserves peace and knowing he can't walk  
5 around may get her some. She knows what I am asking for  
6 and she shared her thoughts. She said, so will we be  
7 safe. He is not daddy to her anymore. He is Charlie. He  
8 bears no accountability for his actions. I ask them to  
9 get him counseling the first time and he chose drugs. He  
10 doesn't hold a job. He isn't a productive member of  
11 society. He does not work, he doesn't pay regular child  
12 support to support her. He has wrote her three letters  
13 and given her three cards since our divorce hearing. That  
14 is it. He is nothing to her but the man she fears that  
15 will take her Mommy away. You can't help someone who is  
16 never willing to change. Thank you for letting my voice  
17 be heard and my daughter's voice.

18 THE COURT: Thank you for your comments. Anything  
19 further, Agent?

20 AGENT OVERTON: Your Honor, we do ask that the order  
21 of disposal be issued on the contraband that was seized  
22 that day as well. And nothing further from the State.

23 THE COURT: Anything further?

24 MS. HICKS: Your Honor. I am not familiar with the  
25 original case, (inaudible).

1 THE COURT: Yes, I understand. The problem he has  
2 though is, of course the underlying charge. And you know  
3 my position on that and then, I don't know who the trial  
4 Judge was. But on the 6th day of March of 2024 a Judge  
5 issued a zero tolerance for further violations. He has  
6 since violated and he is revoked in full. Best of luck to  
7 you.

8 MS. HICKS: Thank you, Judge.

9 \*\*\* END OF REQUESTED TRANSCRIPT OF RECORD \*\*\*

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CERTIFICATE OF REPORTER

State of South Carolina        )  
  )  
County of Newberry            )

I, Joy E. Holston, Official Court Reporter do hereby certify that the foregoing is a true, accurate and complete transcript of record of the proceedings had and evidence introduced in the trial of the captioned case, relative to appeal, in the County of Spartanburg, South Carolina on the 16th day of May, 2025.

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

That said proceedings were transcribed to the best of my ability with the audio and supporting information.

February 13, 2026

s/ Joy E. Holston

\_\_\_\_\_

Joy E. Holston, Court Reporter

My Commission expires: May 2, 2026

WITNESSES

Spartanburg County Sheriff's Office

*Jimmy W. Owens*

ARREST WARRANT NUMBER

2022A4210203302

ACTION OF GRAND JURY

FEB 24 2023

*Tim Wine*

Foreperson of Grand Jury  
Date:

VERDICT

Foreperson of Petit Jury  
Date:

DOCKET NO. **23-08-42-1019**

The State of South Carolina

County of Spartanburg

Barry J. Barnette, Solicitor

COURT OF GENERAL SESSIONS

FEB 27 2023

TERM

THE STATE  
vs.

CHARLES E. IVEY

Indictment for

DOMESTIC VIOLENCE OF A HIGH  
AND AGGRAVATED NATURE

SC Code: 16-25-65

CDR Code: 3814

Class FEL C

CLERK OF COURT  
SPARTANBURG COUNTY  
AMY W. COX

2023 MAR -2 PM 2:50

FILED

STATE OF SOUTH CAROLINA )

INDICTMENT

COUNTY OF SPARTANBURG )

FEB 24 2023

At a Court of General Sessions, convened on \_\_\_\_\_, the Grand Jurors of Spartanburg County present upon their oath:

**DOMESTIC VIOLENCE OF A HIGH AND AGGRAVATED NATURE**

That Charles E. Ivey did, in Spartanburg County on or about June 1, 2022, cause physical harm or injury or offer or attempt to cause physical harm or injury to Lori Ivey, a household member, causing the victim to fear for her safety, to wit: by striking the victim and/or strangling the victim and/or holding a sword to the victim's chest and/or threatening the victim; and

- (1) did commit the offense, with or without an accompanying battery and under circumstances manifesting extreme indifference to the value of human life, and would reasonably cause a person to fear imminent great bodily injury or death;

in violation of Section 16-25-65, *THE CODE OF LAWS OF SOUTH CAROLINA*, (1976) as amended.

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

*Jane Coleman Hicker*  
 Assistant Solicitor

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF Spartanburg

INDICTMENT/CASE#: 23-GS-421019

STATE

VS.

AW#: 2022A4210203302  
Date of Offense: 4/11/2022  
S.C. Code §: 16-25-45  
CDR Code #: 3814

Charles E. Ivey

AKA: \_\_\_\_\_  
Race: W Sex: M Age: 37  
DOB: 1985 SS#: \_\_\_\_\_  
Address: Flat Dr  
City, State, Zip: Buffalo, SC 29321  
DL#\* \_\_\_\_\_ SID# \_\_\_\_\_

SENTENCE SHEET

PRO requested as part of plea

\*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: DV 1st Degree (0-10yrs)

In violation of § 16-25-20(B) of the S.C. Code of Laws, bearing CDR Code # 3811

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

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

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

ATTEST:

David Adam Jinder 102213 [Signature] [Signature] 13008  
Solicitor 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 10 days/months/years Time Served 34  Youthful Offender Act not to exceed \_\_\_\_\_ years

and/or to pay a fine of \$ \_\_\_\_\_; provided that upon the service of 34 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: \_\_\_\_\_

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. 342 days/months

To include time spent on monitored house arrest prior to trial and sentencing.  
 The Defendant Shall be Released from County Detention Center.

Pursuant to 18 U.S.C. § 922 and § 16-25-30 it is unlawful for a person convicted of a violation of § 16-25-20 or § 16-25-65 (Domestic Violence) to ship, transport, possess, or receive a firearm or ammunition.

STATE VS. Charles E. Ivey INDICTMENT/CASE#: 23 -GS- 42-1019

SPECIAL CONDITIONS:

PTUP after 3 months/years

And Other Terms Listed Below:

- Intensive Substance Abuse Counseling
- Attend Voc. Rehab. Or Job Corp
- Mental Health Counseling
- Sex Offender Registry pursuant to S.C. Code § 23-3-430
- Central Registry of Child Abuse and Neglect pursuant to S.C. Code § 17-25-135.
- Other: STROPPA Order signed  
PRO signed
- Completion of GED
- No Contact with Victim Lori Ivey
- May serve W/E beginning: \_\_\_\_\_
- Random Drug/Alcohol Testing
- Domestic Violence Intervention Program
- Public Service Employment \_\_\_\_\_ days/hours

RESTITUTION:  Deferred  Def. Waives Hearing  Ordered

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

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

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

\*Fine:

Fine may be pd. in equal consecutive weekly/monthly pmts. of	\$	Beginning	\$
§14-1-206 (Assessments 107.5%)			\$
§14-1-211 (A)(1)(Conv. Surcharge)			\$
§14-1-211 (A)(2)(DUI Surcharge)		\$100	\$ 100 -
§56-5-2995 (DUI Assessment)		\$100	\$
§56-1-286 (DUI Breath Test)		\$12	\$
§14-1-212 (Law Enforce. Funding)		\$25	\$
§14-1-213 (Drug Court Surcharge)		\$25	\$ 25 -
§34-11-70(b)and(c), and 34-11-90(c)and(d) (Admin Fraud Check Court Costs)		\$150	\$
§50-21-114 (BUI Breath Test Fee)		\$41	\$
§56-5-2942(J) (Vehicle Assessment)		\$50	\$
3% to County (if paid in installments)		\$40/ea	\$
<input type="checkbox"/> Appointed PD or appointed other counsel, Proviso requires \$500 be paid to Clerk during probation and shall be collected before any other fees		TBD	\$ 3.75
<input type="checkbox"/> § 17-3-30(B) Unpaid Application Fee to be paid to the Public Defender Fund		\$500	\$
		TBD	\$
<b>TOTAL</b>			\$ 128.75

Clerk of Court/Deputy Clerk: Lindsey  
Court Reporter: Anita DiScioscia

Presiding Judge: \_\_\_\_\_  
Judge Code: 2760  
Sentence Date: 5/9/2023

Form 10-1, Arrest Warrant  
Form Approved by  
SC Attorney General  
Seschen 17-13 180  
March 15, 1978

Probation

**ARREST WARRANT**

Indictment Number 23-GS-42-01019

Warrant Number W-44-25-0003

State Identification No (SID) 01799678

**RECEIVED**  
MAY 29 2025  
SC Court of Appeals

**STATE OF SOUTH CAROLINA**

COUNTY OF UNION

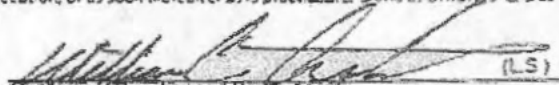
TO ANY LAW ENFORCEMENT OFFICER OF THIS STATE OR COUNTY OR OF THE MUNICIPALITY OF UNION, AND ANY CONSTABLE OF THIS MAGISTERIAL DISTRICT

It appearing from the attached affidavit that there are reasonable grounds to believe that CHARLES EVERETT MEY, did on the 30 day of January, 2025 violate the criminal laws of the State of South Carolina as set forth below

**DESCRIPTION OF OFFENSE**

The offender has violated conditions 7, 9, 10 of the standard Department conditions associated with Section 24-21-430. The offender has also violated special conditions imposed by the General Sessions Court per order dated May 09, 2023. This warrant or citation is issued pursuant to section 24-21-450 or 390.

Now, therefore, you are empowered and directed to arrest the said defendant and bring CHARLES EVERETT MEY 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 UNION, S. C. this 30 day of January, 2025

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

County of UNION

**STATE OF SOUTH CAROLINA**

**AFFIDAVIT**

Personally appeared before me, one William Overton, who, first being duly sworn, deposes and says that CHARLES EVERETT MEY did within this County and State on the 30 day of January, 2025, violate the criminal laws of the State of South Carolina in the following particulars

**DESCRIPTION OF OFFENSE:**


The offender has violated conditions 7, 9, 10 of the standard Department conditions associated with Section 24-21-430. The offender has also violated special conditions imposed by the General Sessions Court per order dated May 09, 2023. This warrant or citation is issued pursuant to section 24-21-450 or 390.

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

By violating condition 4 of the domestic violence and condition 3 of the standard conditions of supervision as evident by possession and confession of possession of white crystalline substance consistent with methamphetamine. The subject stated he believed it to be methamphetamine. Additionally, subject consumed drinking alcohol. Steel Reserve alcoholic beverages were located in the subject's room and the trash can in his room. Last, the subject tested positive on OralTox drug screen for methamphetamine and amphetamine 13 2 24. By violating conditions 7 and 9 of the standard conditions of supervision as evident by being in arrears \$22. (5 payments) on supervision fee and \$45.00 (9 payments) on Court Fines. By violating condition 1 of the domestic violence and standard conditions of supervision as evident by the commission of these violations. Such actions constitute violation of conditions 7, 9, 10.

Sworn to and Subscribed before me  
this 30 day of January, 2025

  
Affiant

  
Signature of Notary Public (L.S.)

Address: 200 SOUTH MOUNTAIN STREET  
UNION SC 29379

7-6-2033  
My Commission Expires

(854) 429-1645

RETURN

STATE OF SOUTH CAROLINA

COUNTY OF

UNION

THE STATE

against

CHARLES EVERETT IVEY

ARREST WARRANT

Offense: Violation of Conditions of Probation Supervision

Offense Section: 24-21-450

Date: 1/30/2025

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

William Overton

Disposition

Sentence

Co-Defendants

INFORMATION ON DEFENDANT

Name CHARLES EVERETT IVEY

Address

Phone

Sex Male Race White Height 601

Weight 180 Birth date

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

BAIL

Date Set

Magistrate

Amount

Surety

Constable or Law Enforcement Officer

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

Charles Ivey

on the 30th day of January, 2025

[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 deal with according to law.

(L.S.)

Signature of Judge

STATE OF SOUTH CAROLINA

County of UNION

STATE VS.

CHARLES EVERETT IVEY

AKA: \_\_\_\_\_

Race: White Sex: Male

DOB: \_\_\_\_\_

SSN: \_\_\_\_\_

SID#: \_\_\_\_\_

IN THE COURT OF GENERAL SESSIONS

Indictment Number:

23 - GS - 24-899 - 1019

Probation C/W#s & issuance dates: \_\_\_\_\_

W-44-25-0003 (1.30.25)

Original Offense: DV 1st Degree

Original A/W#: 2022A4210203302

Date of Original Offense: 6/1/2022

Conviction S.C. Code §: 16-25-65

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

Original Sentence: 10 yrs sus 24 mos w/ 5 yrs prob, 342 CTS

RECEIVED  
MAY 29 2025  
SC Court of Appeals

ORDER

The above named defendant has been charged with violating the conditions of probation ordered on 5 / 8 / 2023 in the Court of General Sessions of SPARTANBURG County, and/or the additional conditions ordered by the Court in probation continuation orders(s) issued on 04/17/2024, 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 name defendant has violated the following condition(s) of probation: (List by number or indicate special conditions as provided in the affidavit)

7,9, and 10

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 \_\_\_\_\_ 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):

The suspended sentence revoked in full. Order satisfies all fees and fines associated with indictment 23-GS-24-1019. Order of disposal for items seized associated with Warrant W-44-25-0003.

- The defendant is given credit for 106 days/months/years 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 \_\_\_\_\_ days/months/years of Hayes credit (N/A if defendant has served prior SCDJ 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 16<sup>th</sup> day of May, 2025, SC

A. Ruth Kelly  
Presiding Judge  
Sixteenth 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  
Charles Ivey

Witnessed by  
William C. [Signature]

Signed this 16<sup>th</sup> day of May, 2025 at UNION SC  
Day Month Year City

THE STATE OF SOUTH CAROLINA  
In the South Carolina Court of Appeals

**APPEAL FROM UNION COUNTY**  
Court of General Sessions

THE HONORABLE R. KEITH KELLY, CIRCUIT COURT JUDGE

**RECEIVED**  
MAY 29 2025  
SC Court of Appeals

Indictment No.: 2023-GS-42-1019  
Warrant No: 2022A4210203302

THE STATE OF SOUTH CAROLINA, Respondent

v.

Charles Everett Ivey, APPELLANT

**NOTICE OF APPEAL**

Charles Everett Ivey appeals his sentence imposed by the Honorable R. Keith Kelly on May 15, 2025. On May 9, 2023, Appellant pled guilty to Domestic Violence-First Degree before the Honorable Grace G. Knie. He was sentenced to ten years (10) years in the South Carolina Department of Corrections provided upon the service of twenty-four (24) months the balance was suspended to probation for five (5) years. He was given credit for 342 days time served. On May 15, 2025, Appellant appeared before the Honorable R. Keith Kelly for a violation of probation. Appellant admitted he violated the terms of his probation. Judge Kelly revoked Appellant's probation in full, and he was sentenced to ten (10) years in the South Carolina Department of Corrections.



Laura D. Hicks  
Attorney for Appellant  
South Carolina Bar Number 103977  
Union County Public Defender  
Sixteenth Judicial Circuit  
Post Office Box One  
Union, South Carolina 29379

SPARTANBURG COUNTY  
CLERK OF COURT  
AMY M. COX  
(864) 319-1315

This 23<sup>rd</sup> day of May, 2025  
Union, South Carolina

2025 MAY 23 PM 2:46

**FILED**

THE STATE OF SOUTH CAROLINA  
IN THE SOUTH CAROLINA COURT OF APPEALS

RECEIVED  
MAY 29 2025  
SC Court of Appeals

APPEAL FROM UNION COUNTY  
COURT OF GENERAL SESSIONS

THE HONORABLE R. KEITH KELLY, CIRCUIT COURT JUDGE

Indictment Number: 2023-GS-42-1019

Warrant Number: 2022A4210203302

The State of South Carolina, Respondent

v.

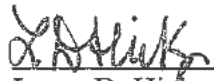
Charles Everett Ivey, APPELLANT

Certificate of Service

This is to certify that a copy of the Notice of Appeal in the case of State of South Carolina vs. Charles Everett Ivey was served upon the following parties via First Class Mail on May 23, 2025, by the undersigned:

Hope Tyler Coleman Hicks, Esquire  
Seventh Circuit Solicitor's Office  
180 Magnolia Street  
Spartanburg, South Carolina 29306

South Carolina Department of Probation, Parole, and Pardon Services  
Office of General Counsel  
Post Office Box 207  
Columbia, South Carolina 29202



\_\_\_\_\_  
Laura D. Hicks  
Attorney for the Defendant

May 23, 2025

AMY W. COX  
CLERK OF COURT  
SPARTANBURG COUNTY

2025 MAY 23 PM 2:46

FILED

STATE OF SOUTH CAROLINA

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

v.

INDICTMENT NUMBER:  
2023-GS-42-1019

CHARLES EVERETT IVEY,

Appellant.

RECEIVED  
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SC Court of Appeals

**RULE 203(B) EXPLANATION**

Pursuant to Rule 203(B)(iv), the issue to be raised on appeal is whether the trial court abused its discretion when it imposed a sentence of ten (10) years at the South Carolina Department of Corrections for the above referenced charge. On May 9, 2023, Appellant pled guilty to Domestic Violence-First Degree before the Honorable Grace G. Knie. He was sentenced to ten years (10) years in the South Carolina Department of Corrections (SCDC) provided upon the service of twenty-four (24) months the balance was suspended to probation for five (5) years. He was given credit for 342 days time served.

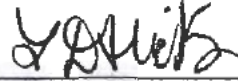
On August 1, 2023, Appellant was released from the SCDC and began his probationary sentence. Judge Knie specifically required him to comply with the following conditions of probation: domestic violence counseling, domestic violence supervision conditions, mental health counseling, no contact with the victim, substance abuse counseling, and random drug and alcohol testing.

The undersigned does not have a good faith basis to believe that this issue is properly before the Court of Appeals, and the undersigned did not object to the sentence or file a motion to reconsider the sentence. Nevertheless, the undersigned consulted with the Appellant about his right to appeal, and after consultation, the undersigned has filed the instant appeal at the request of the Appellant because the Sixth Amendment requires counsel to follow the Appellant's request. See *Frazer v. South Carolina*, 430 F.3d 696, 705 (4<sup>th</sup> Cir. 2005) ("A defendant has a right to pursue a

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direct appeal, even if frivolous, which counsel must assist as 'an active advocate on behalf of his client.'") (quoting *Anders v. California*, 386 U.S. 738, 744 (1967)).

Respectfully submitted this 22nd Day of May, 2025.



\_\_\_\_\_  
Laura D. Hicks  
South Carolina Bar No. 103977  
Sixteenth Circuit Public Defender Office  
Post Office Box One  
Union, South Carolina 29379

CLERK OF COURT  
SPARTANBURG COUNTY  
AMY W. COX

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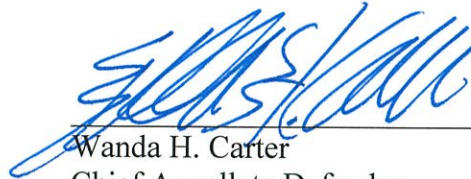
Apr 29 2026

CERTIFICATE OF COUNSEL FOR APPELLANT

SC Court of Appeals

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

Respectfully Submitted,



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Wanda H. Carter

Chief Appellate Defender

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

ATTORNEY FOR APPELLANT

This 29th day of April, 2026.