ARREST WARRANT

2017A2720200149

STATE OF SOUTH CAROLINA

☐ County/ ☒ Municipality of

Ridgeland

THE STATE 31-2017-108

against

Benjamin Walter Dubois, III

Address:

Phone: SSN

Sex: M Race: Height: 5 8 Weight: 170

DL State: SC DL #:

DOB: Agency ORI #: SC040095C

Prosecuting Agency: S C Department Of Corrections Division

Prosecuting Officer: William A Garvin - S00027

Offense: Murder / Murder

Offense Code: 0116

Code/Ordinance Sec: 16-03-0020

This warrant is CERTIFIED FOR SERVICE in the ☒ County/ ☐ Municipality of Greenville. The accused is to be arrested and brought before me to be dealt with according to the law.

(L.S.)

Signature of Judge

Date: 8-15-17

RETURN

A copy of this arrest warrant was delivered to defendant Benjamin Dubois III on 8-15-17

Signature of Constable/Law Enforcement Officer

RETURN WARRANT TO:

General Sessions
265 Russell Street
Po Box 248
Ridgeland, SC 299360248

TRUE COPY
MARGARET BOSTICK
CLERK OF COURT
JASPER COUNTY, SC
BY:
DATE: 8/10/23

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STATE OF SOUTH CAROLINA)
☐ County/ ☒ Municipality of)
Ridgeland)

ORIGINAL

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

AFFIDAVIT

Personally appeared before me the affiant William A Garvin who being duly sworn deposes and says that defendant Benjamin Walter Dubois, III did within this county and state on or about 6/22/2017 violate the criminal laws of the State of South Carolina (or ordinance of ☐ County/ ☒ Municipality of Ridgeland) in the following particulars:

DESCRIPTION OF OFFENSE: Murder / Murder

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 June 22, 2017 in the County of Jasper, Town of Ridgeland, one Benjamin Walter Dubois III did commit the offense of Murder, in that defendant did, with malice and aforethought, cause the death of the victim listed as [redacted] Defendant is an inmate SCDC # 295690 being housed at Ridgeland Correctional Institution located at 5 Correctional Rd. in Ridgeland, SC 29936. On the date in question defendant Dubois III did enter the cell block area of victim Holmes and once therein did without just cause or provocation physically assault victim [redacted] by using some type a homemade edged weapon and stabbed victim [redacted] multiple times throughout the body causing victim [redacted] death. .

Signature of Affiant

STATE OF SOUTH CAROLINA)
☐ County/ ☒ Municipality of)
Ridgeland)

Affiant's Address P.O. Box 21787
Columbia, SC 29221-1787

Affiant's Telephone

RECEIVED
AUG 16 2023
SC Court of Appeals

FILED
2017 AUG 22 PM 1:06
CLERK OF COURT
JASPER COUNTY

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 6/22/2017 defendant Benjamin Walter Dubois, III did violate the criminal laws of the State of South Carolina (or ordinance of ☐ County/ ☒ Municipality of Ridgeland) as set forth below:

DESCRIPTION OF OFFENSE: Murder / Murder

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 7/17/2017

(L.S.)

Signature of Issuing Judge

Thomas L. Scoggins (Ridgeland)

Judge Code: 6563

Judge's Address Post Office Box 1119
Ridgeland, SC 29936-

Judge's Telephone (843)726-7500

Issuing Court: ☐ Magistrate ☒ Municipal ☐ Circuit

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RECEIVED
AUG 16 2023
SC Court of Appeals

STATE OF SOUTH CAROLINA)
) IN THE COURT OF GENERAL SESSIONS
COUNTY OF JASPER)
)
STATE) INDICTMENT/CASE#: 2017GS2700582
VS.)
)
Benjamin Walter Dubois, III) A/W#: 2017A2720200149
AKA:) Date of Offense: 06/22/2017
Race: White Sex: Male Age: 39) S.C. Code §: 16-3-10
DOB: SS#:) CDR Code #: 0116
Address:)
City, State, Zip:) **SENTENCE SHEET**
DL#* SID#)

*CDL Yes ☐ No ☐ CMV Yes ☐ No ☐ Hazmat Yes ☐ No ☐

In disposition of the above indictment comes now the Defendant who was ☒ CONVICTED OF or ☐ PLEADS

TO: Murder

In violation of § 16-3-10 of the S.C. Code of Laws, bearing CDR Code # 0116

☐ 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:

Reed A Evans 79925
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 life without parole 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 _____

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.
_____ 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.

TRUE COPY
MARGARET BOSTICK
CLERK OF COURT
JASPER COUNTY, SC
BY:
DATE: 8/10/23

STATE VS. BENJAMIN WALTER DUBOIS, III INDICTMENT/CASE#: 2017GS2700582

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: Medications currently taking: Geodon and Zoloft

☐ **RESTITUTION:** ☐ **Deferred** ☐ **Def. Waives Hearing** ☐ **Ordered**

Total $_____ plus 20% fee: _____ $_____

Payment Terms: ☐ Set by SCDPPPS

Recipient: _____

*Fine:		$
Fine may be pd. in equal consecutive weekly/monthly pmts. of $ _____ Beginning _____		
§14-1-206 (Assessments 107.5%)		$
§14-1-211 (A)(1)(Conv. Surcharge)	$100	$ 100
§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
§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	$500	$
☐ § 17-3-30(B) Unpaid Application Fee to be paid to the Public Defender Fund	TBD	$
	TOTAL	$ 128.75

Clerk of Court/Deputy Clerk: Margaret Bostick
Court Reporter: Kim Williams

Presiding Judge: C
Judge Code: 2142
Sentence Date: 8/4/23

SCCA/217 (07/2021)

TRUE COPY
MARGARET BOSTICK
CLERK OF COURT
JASPER COUNTY, SC
BY: MB
DATE: 8/10/23

WITNESSES

R. Jenkins--SCDC

ARREST WARRANT NUMBER

2017A2720200149

ACTION OF GRAND JURY

TRUE BILL ✓

NO BILL

FOREMAN Jeannie Bunch

DATE 5-31-18

Foreperson of Grand Jury

Date:

VERDICT

Guilty

Foreperson of Petit Jury

Date: 08/4/2023

INDICT

DOCKET NO. 2017GS2700582

The State of South Carolina

County of Jasper

COURT OF GENERAL SESSIONS

May Term 2018

THE STATE

vs.

Benjamin Walter Dubois, III

Indictment For

Murder

SC Code: 16-3-10

CDR Code: 0116

RECEIVED

AUG 16 2023

SC Court of Appeals

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

Defendant

I

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

Defendant

Witness:

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

TRUE COPY
MARGARET BOSTICK
CLERK OF COURT
JASPER COUNTY, SC
BY:
DATE: 8/10/23

STATE OF SOUTH CAROLINA)
)
COUNTY OF JASPER)

INDICTMENT

2017GS2700582

At a Court of General Sessions, convened on May 31, 2018, the Grand Jurors of Jasper County present upon their oath:

Murder

That in Jasper County, South Carolina, on or about June 22, 2017, the Defendant, Benjamin Walter Dubois, III, did, with malice aforethought, kill [redacted] did die as a proximate result of Benjamin Walter Dubois, III's actions, all in violation of Section 16-3-10, et al. of the Codes of Law of South Carolina.

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

Solicitor