

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM ABBEVILLE COUNTY
Court Of General Sessions
Honorable Donald Hocker, Circuit Court Judge

Case No. 2013GS0100244

The State,

Respondent

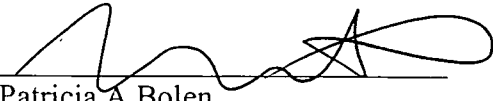
v.

Shawn Patrick White,

Appellant.

NOTICE OF APPEAL

Shawn Patrick White appeals his conviction and sentence in this case. The trial was held on January 6, 7, 8, and 9, 2014. The Honorable Judge Donald Hocker presided. The jury returned a verdict of guilty on January 9, 2014. The Sentence was imposed by the Honorable Judge Donald Hocker on January 9, 2014. Defense counsel filed and served a Motion for New Trial on January 16, 2014. The Honorable Donald Hocker denied the Motion for New Trial on January 17, 2014.


Patricia A Bolen
Office of the Public Defender
Greenwood and Abbeville Counties
Suite 208, Park Plaza
600 Monument Street, Box P-133
Greenwood, South Carolina 29646
(864) 229-9505

RECEIVED

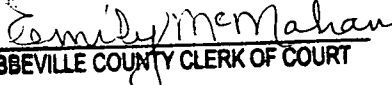
JAN 31 2014

SC Court of Appeals

January 23, 2014

Other Counsel of Record:

C. Yates Brown, Esquire
Eighth Circuit Solicitor's Office
Suite 203, Park Plaza
P.O. Box 516
Greenwood, South Carolina 29648-051

TRUE COPY
BY 
EMILY Y MCMAHAN
ABBEVILLE COUNTY CLERK OF COURT

EMILY Y MCMAHAN
CLERK OF COURT

2014 JAN 23 PM 4 07

FILED
STATE OF SOUTH CAROLINA
COUNTY OF ABBEVILLE

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM ABBEVILLE COUNTY
Court Of General Sessions
Honorable Donald Hocker, Circuit Court Judge

Case No. 2013GS0100244

The State,

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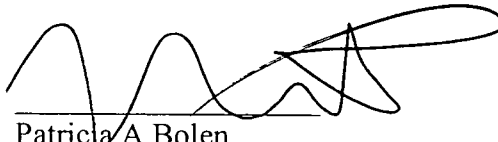
v.

Shawn Patrick White,

Appellant.

PROOF OF SERVICE

I certify that I have served the notice of appeal on the State of South Carolina by personally hand-delivering a clocked copy of the same to the Office of the Solicitor at 600 Monument Street, Suite 203, Greenwood, SC.



Patricia A Bolen
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Greenwood and Abbeville Counties
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JAN 31 2014

January 23, 2014

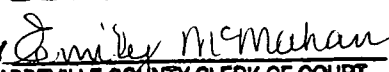
SC Court of Appeals

Accepted by


Eighth Circuit Solicitor's Office

Date: 1/23, 2014

TRUE COPY

BY 
ABBEVILLE COUNTY CLERK OF COURT

EMILY Y MCMAHAN
CLERK OF COURT

2014 JAN 23 PM 4 07

FILED
STATE OF SOUTH CAROLINA
COUNTY OF ABBEVILLE

THE STATE OF SOUTH CAROLINA

COUNTY OF ABBEVILLE

INDICTMENT FOR

HOMICIDE BY CHILD ABUSE
16-03-0085

At a Court of General Sessions, convened on the 26th day of July, 2013, the Grand Jurors of Abbeville County present upon their oath:

That Shawn Patrick White, in Abbeville County, between the dates of August 7, 2012 and August 8, 2012, did willfully and unlawfully commit the offense of homicide by child abuse by causing the death of Emily LaBounty, a child under the age of eleven, while committing child abuse or neglect, by an act or omission, and the death occurred under circumstances manifesting an extreme indifference to human life, in violation of Section 16-3-85, S.C. Code of Laws, 1976, as amended.

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


Assistant Solicitor

1796. C. 2. 11. 2013
12:00 PM

WITNESSES

Charity Herlong
State Law Enforcement Division

WARRANT NUMBER

2012A0110100125

THE STATE OF SOUTH CAROLINA

COUNTY OF ABBEVILLE

COURT OF GENERAL SESSIONS

July Term, 2013

Indictment # 13GS01-0244

THE STATE

vs.

Shawn Patrick White

William S. Austin

Foreman of the Grand Jury

Date: JUL 26 2013

TRUE BILL

VERDICT

Foreman

INDICTMENT FOR

HOMICIDE BY CHILD ABUSE
16-03-0085

CDR: 2356

TRUE COPY
BY *Shandal B. Boggs*
ABBEVILLE COUNTY CLERK OF COURT

ARREST WARRANT

ORIGINAL

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

2012A0110100125

AFFIDAVIT

STATE OF SOUTH CAROLINA)
[X] County/ [] Municipality of)
Abbeville)

[X] County/ [] Municipality of

Abbeville

THE STATE against

Shawn Patrick White

Address: 105 South Butler Ave

Calhoun Falls, SC 29628-

Phone: SSN: 251-69-8302
Sex: M Race: W Height: 5 11 Weight: 150
Date: SC DL #:
DOB: 3/18/1982 Agency ORI #: SCLED0000
Prosecuting Agency: South Carolina Law Enforcement Division
Prosecuting Officer: Charity Herlong - 3013
Offense: Murder / Homicide by child abuse (20Y to Life)

Offense Code: 2356
Code/Ordinance Sec: 16-03-0085(A)(1)

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.

(L.S.)

Signature of Judge

De: [Signature]

RETURN

A copy of this arrest warrant was delivered to defendant Shawn Patrick White on 9/16/2012

Signature of Constable/Law Enforcement Officer

RETURN WARRANT TO:

General Sessions
Courthouse Court Square, Room 102
P O Box 99
Abbeville, SC 29620

ORIGINAL

ORIGINAL

ORIGINAL

ORIGINAL

ORIGINAL

ORIGINAL

ORIGINAL

Personally appeared before me the affiant Charity Herlong who being duly sworn deposes and says that defendant Shawn Patrick White did within this county and state on or about 8/7/2012 violate the criminal laws of the State of South Carolina (or ordinance of [X] County/ [] Municipality of Abbeville) in the following particulars:

DESCRIPTION OF OFFENSE: Murder / Homicide by child abuse (20Y to Life)

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:

Shawn White, in Abbeville County, caused the death of Emily LaBounty, a child under 11 years of age, while committing child abuse, and this death occurred under circumstances manifesting an extreme indifference to human life.

Between the dates of August 7 and 8, 2012, Mr. White was babysitting the aforementioned victim, Emily LaBounty, at 105 South Butler Avenue, Calhoun Falls, SC 29628. At the time, Victim Emily LaBounty was 10 months of age. During that time, Mr. White inflicted non-accidental trauma that caused Victim's death.

Information from Law Enforcement investigation.

Signature of Affiant

[Handwritten Signature: Charity Herlong]

STATE OF SOUTH CAROLINA)
[X] County/ [] Municipality of)
Abbeville)

Affiant's Address Po Box 21398
Columbia, SC 29221-
Affiant's Telephone

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 8/7/2012 defendant Shawn Patrick White did violate the criminal laws of the State of South Carolina (or ordinance of [X] County/ [] Municipality of Abbeville) as set forth below:

DESCRIPTION OF OFFENSE: Murder / Homicide by child abuse (20Y to Life)

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 9/6/2012

[Handwritten Signature] (L.S.)
George Thomas Ferguson
Judge Code: 5696

Judge's Address Abbeville Magistrate Court
Abbeville, SC 29620-1156
Judge's Telephone (864)446-6500

Issuing Court: [X] Magistrate [] Municipal [] Circuit

ORIGINAL

ORIGINAL

ORIGINAL

STATE OF SOUTH CAROLINA)
)
 v.)
)
 SHAWN PATRICK WHITE,)
 Defendant.)

IN THE COURT OF GENERAL SESSIONS
 FOR ABBEVILLE COUNTY

INDICTMENT NO. 2013GS01002

FILED
 STATE OF SOUTH CAROLINA
 COUNTY OF ABBEVILLE
 2014 JAN 16 PM 1:57
 EMILY Y. MCMAHAN
 CLERK OF COURT

MOTION FOR NEW TRIAL

Pursuant to Rule 29, SCRCrimP the Defendant, Shawn Patrick White, moves for a new trial. “A trial judge has the discretion to grant or deny a motion for a new trial, and his decision will not be reversed absent a clear abuse of discretion.” State v. Johnson, 376 S.C. 8, 654 S.E.2d 835 (2007) (trial judge properly granted new trial when witness improperly testified about polygraph, thereby improperly bolstering his credibility to the jury). The new trial motion is based on the following errors of law:

1. Defendant should have been granted a directed verdict, since the state did not present substantial evidence of the defendant’s guilt; the state presented no direct or circumstantial evidence that the defendant did anything to the child victim.
2. Defendant’s motion to quash the indictment should have been granted, as the language merely tracked the language of the statute, without putting the defendant on notice for what ‘act or omission’ he was alleged to have committed.
3. Defendant’s motion for 10 peremptory strikes should have been granted, as it was a violation of equal protection to deny defendant the number of jury strikes that is granted to defendants charged with other types of homicides and lesser crimes.
4. Defendant’s motion to exclude the use of a video by the State’s witness Dr. Anthony Johnson should have been granted, as the video had no relevance to this particular case or this particular victim. The video was not created for this trial; it did not purport to show anything specifically in regards to this victim; and the video did not relate to any evidence submitted by the State of any ‘act or omission’ of the defendant.

5. Defendant's motion to exclude the testimony of Isabelle LaBounty, based on a lack of competency, should have been granted.


6. Defendant's motion to limit the number of pictures from the hospital should have been granted, as the pictures admitted were redundant and prejudicial.

7. Defendant made several objections to hearsay evidence; these objections should have been sustained, as witnesses were referring to things that had been said to them.

8. The Court should grant a new trial based on the cumulative error doctrine which requires a new trial when a combination of errors prevents a party from receiving a fair trial. E.g., State v. Blurton, 342 S.C. 500, 537 S.E.2d 291 (Ct. App. 2000) reversed on other grounds 352 S.C. 203, 573 S.E.2d 803 (2002).

For the foregoing reasons, this Court should grant Defendant's motion for new trial.

IT IS SO MOVED.

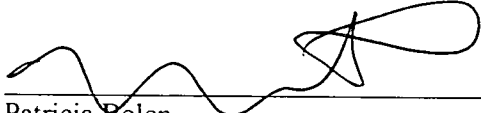


Patricia Bolen
Assistant Public Defender
Suite 208, Park Plaza
600 Monument Street, Box P-133
Greenwood, South Carolina 29646
(864) 229-9505

January 16, 2014
Greenwood, South Carolina

CERTIFICATE OF SERVICE

The undersigned certifies that she has served this Motion for New Trial by hand on opposing counsel (as well as by email at ybrown@greenwoodsc.gov) and by mail on The Honorable Donald Hocker, at PO Box 972, Laurens, SC (as well as by email at dhockerlc@sccourts.org and dhockerj@sccourts.org), on January 16, 2014.



Patricia Bolen
Attorney for Defendant Shawn Patrick White

TRUE COPY
BY 
EMILY Y MCMAHIAN
ABBEVILLE COUNTY CLERK OF COURT

FILED
STATE OF SOUTH CAROLINA
COUNTY OF ABBEVILLE
2014 JAN 16 PM 1:57
EMILY Y MCMAHIAN
CLERK OF COURT

STATE OF SOUTH CAROLINA)
)
COUNTY OF ABBEVILLE)

IN THE COURT OF GENERAL SESSIONS

STATE OF SOUTH CAROLINA)
)
vs.)
)
SHAWN PATRICK WHITE)
)
Defendant)
_____)

ORDER
2013-GS-01-244

After carefully reviewing the Defendant's Motion for New Trial, the Court has concluded to respectfully deny the same.

SO ORDERED



DONALD B. HOCKER
PRESIDING JUDGE
EIGHTH JUDICIAL CIRCUIT

Laurens, South Carolina
Date: 1-17-14

STATE OF SOUTH CAROLINA

COUNTY OF Abbeville
STATE VS.

Shawn Patrick White

AKA:
Race: CAU Sex: M Age: 31

DOB: 03-18-1982 SS#: 251-69-8302

Address: 105 South Butler Avenue

City, State, Zip: Calhoun Falls, SC

DL#: SID#:

*CDL Yes No CMV Yes No Hazmat Yes No

In disposition of the said indictment comes now the Defendant who was TO: Murder / Homicide by child abuse (20Y to Life)

IN THE COURT OF GENERAL SESSIONS

INDICTMENT/CASE#: 13GS01-0244

A/W#: 2012A0110100125

Date of Offense: 8/7/2012

S.C. Code §: 16-03-0085(A)

CDR Code #: 2356

SENTENCE SHEET

CONVICTED OF or PLEADS

in violation of § 16-03-0085(A) of the S.C. Code of Laws, bearing CDR Code # 2356

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

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

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

ATTEST: R.M. Stiles 72105
Brown, C. Yates Solicitor 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 40 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. 491 DAYS CREDIT

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

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

Payment Terms: _____

Set by SCDPPPS _____

Recipient: _____

*Fine:

§ 14-1-206 (Assessments 107.5 %)	\$	
§ 14-1-211(A)(1) (Conv. Surcharge)	\$100	\$ 100.00
§ 14-1-211(A)(2) (DUI Surcharge)	\$100	\$
§ 56-5-2995 (DUI Assessment)	\$12	\$
§ 56-1-286 (DUI Breath Test)	\$25	\$
Proviso 47.9 (Public Def/Prob)	\$500	\$
§ 14-1-212 (Law Enforce. Funding)	\$25	\$ 25.00
§ 14-1-213 (Drug Court Surcharge)	\$150	\$
§ 50-21-114(BUI Breath Test Fee)	\$50	\$
§ 56-5-2942(J) (Vehicle Assessment)	\$40/ea	\$
Proviso 90.5 (SCCJA Surcharge)	\$5	\$ 5.00
3% to County (if paid in installments)	\$	\$ 3.90
TOTAL		\$ 133.90

PTUP _____

_____ days/hours Public Service Employment

Obtain GED

Attend Voc. Rehab. or Job Corp. _____

May serve W/E beginning _____

Substance Abuse Counseling

Random Drug/Alcohol testing

Fine may be pd. in equal, consecutive weekly/monthly pmts. of \$ _____ beginning _____

\$ _____ paid to Public Defender Fund

Other: _____

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

Clerk of Court/ Deputy Clerk

Court Reporter:

SCCA/217 (03/2011)

Emily J. McMahon
Tara Scott

Presiding Judge

Judge Code:

Sentence Date:

2167
1/9/14

Jail

STATE OF SOUTH CAROLINA)
)
 COUNTY OF Abbeville)
)
)
)
The State of South Carolina)
 Plaintiff,)
)
 vs.)
)
Shawn White)
 Defendant.)

IN THE COURT OF GENERAL SESSIONS
 8th JUDICIAL CIRCUIT

**AFFIDAVIT OF INDIGENCY
 AND
 APPLICATION FOR COUNSEL**
 (Defense of Indigency Act, Form No.2)

12-14-15

CRIMINAL CHARGING DOCUMENT NO. 2012A0110100125

NAME OF APPLICANT	Shawn White
ADDRESS	86 Country Lane Calhoun Falls SC 29628
TELEPHONE NUMBER(S)	864-378-6020
DATE OF BIRTH	3-18-82
SOCIAL SECURITY NO.	251-69-8302
NAMES OF CO-DEFENDANTS	—

1. Are you presently employed? Yes No
- a. If "yes", state the amount of your salary or wages per month, and give the name and address of your employer.

SALARY OR WAGES PER MONTH	NAME AND ADDRESS OF EMPLOYER

If "no", state the name and address of last employment, date of termination of employment, and amount of your salary or wages per month.

SALARY OR WAGES PER MONTH	NAME AND ADDRESS OF EMPLOYER	TERMINATION DATE
\$ 320.00/wk	Lloyd Roofing	2011

2. Include employment information for the spouse, if applicable.

SALARY OR WAGES PER MONTH	NAME AND ADDRESS OF EMPLOYER

If the spouse is not currently employed, state the name and address of last employment, date of termination of employment, and amount of salary or wages per month.

SALARY OR WAGES PER MONTH	NAME AND ADDRESS OF EMPLOYER	TERMINATION DATE

3. List by name, age and relationship to you, any persons who are dependent upon you for support. Indicate beside each how much you contribute toward their support.

NAME	AGE	RELATIONSHIP	AMOUNT OF SUPPORT
Kaitlyn White	11	Daughter	
Brantley White	4	Son	
Caden Crawford	2	Son	

4. Have you received within the past twelve months any money from any of the following sources?

- a. Business, profession or form of self-employment? Yes No
- b. Rent payments, interest or dividends? Yes No
- c. Pensions, annuities or life insurance payments? Yes No
- d. Gifts or inheritances? Yes No
- e. Any other sources? Yes No

If the answer to any of the above is "yes", describe each source of money and state the amount received from each during the past twelve months.

SOURCE OF MONEY	AMOUNT

5. Do you own cash, or do you have any money in a checking or savings account?

Yes No

If the answer is "yes", state the total amount of the cash owned. _____

6. Do you own any real estate, stocks, bonds, notes, or other valuable property (excluding ordinary household furnishings and clothing)?

Yes No

If the answer is "yes", describe the property and state the appropriate value of the items owned.

7. What kind of motor vehicle do you own? no

Is it paid for? Yes No

If not, what are the payments? _____

8. How much do you owe (on liens, mortgages, other encumbrances or debts)?

I do solemnly swear that the account by me delivered into this court with my application for counsel does contain a true and full account of all my real and personal estate, debts, credits and effects whatsoever without exception, which I or any person in trust for me have or at the time of my possession had, or am, or was, in any respect, entitled to, in possession, remainder or reversion and that I have not at any time since charges were made against me or before, directly or indirectly sold, leased, assigned or otherwise disposed of or made over, in trust for myself or otherwise, other than is mentioned herein.

I understand the appointment of counsel creates a claim against the assets and estate of the person who is provided counsel or the parents or legal guardians of a juvenile in an amount equal to the cost of representation less the amount paid to appointed counsel, the public defender office and/or the Commission on Indigent Defense. I understand that such claim shall be filed in the office of the Clerk of Court in the county where I, my child, or ward are assigned counsel, but that the filing of a claim shall not constitute a lien against my real or personal property unless, in the discretion of the court, part of all of such claim is reduced to judgment by appropriate order of the court after serving me with at least thirty (30) days notice that judgment will be entered.

I understand that, pursuant to §17-3-30(b), I am required to pay a non-refundable \$40.00 application fee to the Clerk of Court for public defender services or other appointed counsel.

I am financially unable to employ counsel and request that counsel be assigned to represent me. I understand that I am entitled to at least thirty days' notice before a claim against me may be reduced to judgment, and I do hereby waive the right to such notice.

This 3rd day of October, 2012

X Shawn White
Defendant or Parent/Guardian of Defendant if applicable

Subscribed and sworn to before me this <u>3rd</u> day of <u>October</u> , <u>2012</u>
<u>Shandal B. Boggs</u> (L.S.) Notary Public for South Carolina My Commission Expires: <u>2-10-2020</u>

.....

The applicant's request for court-appointed counsel is hereby granted / denied.

Dated: 10-3-2012

Aberville South Carolina

Shandal B. Boggs
Judge/Clerk or Deputy Clerk

ARREST WARRANT

2012A0110100125

STATE OF SOUTH CAROLINA

County/ Municipality of

Abbeville

THE STATE

against

Shawn Patrick White

Address: 105 South Butler Ave
Calhoun Falls, SC 29628-

Phone: _____ SSN: 251-69-8302

Sex: M Race: W Height: 5 11 Weight: 150

DL State: SC DL #: _____

DOB: 3/18/1982 Agency ORI #: SCLED0000

Prosecuting Agency: South Carolina Law Enforcement Division

Prosecuting Officer: Charity Herlong - 3013

Offense: Murder / Homicide by child abuse (20Y to Life)

Offense Code: 2356

Code/Ordinance Sec: 16-03-0085(A)(1)

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.

(L.S.)

Signature of Judge

Date: _____

RETURN

A copy of this arrest warrant was delivered to

defendant Shawn White

on 9/6/2012

[Signature]
Signature of Constable/Law Enforcement Officer

RETURN WARRANT TO: Rec'd 9-24-12

General Sessions
Courthouse Court Square, Room 102
P O Box 99
Abbeville, SC 29620

ORIGINAL ORIGINAL ORIGINAL ORIGINAL ORIGINAL

STATE OF SOUTH CAROLINA)

County/ Municipality of)

Abbeville)

Personally appeared before me the affiant Charity Herlong who

being duly sworn deposes and says that defendant Shawn Patrick White

did within this county and state on or about 8/7/2012 violate the criminal laws of the

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

in the following particulars:

DESCRIPTION OF OFFENSE: Murder / Homicide by child abuse (20Y to Life)

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:

Shawn White, in Abbeville County, caused the death of Emily LaBounty, a child under 11 years of age, while committing child abuse, and this death occurred under circumstances manifesting an extreme indifference to human life.

Between the dates of August 7 and 8, 2012, Mr. White was babysitting the aforementioned victim, Emily LaBounty, at 105 South Butler Avenue, Calhoun Falls, SC 29628. At the time, Victim Emily LaBounty was 10 months of age. During that time, Mr. White inflicted non-accidental trauma that caused Victim's death.

Information from Law Enforcement investigation.

Signature of Affiant

Charity Herlong
BY Shardal Boggs
CLERK OF COURT

STATE OF SOUTH CAROLINA)

County/ Municipality of)

Abbeville)

Affiant's Address Po Box 21398

Columbia, SC 29221-

Affiant's Telephone _____

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 8/7/2012 defendant Shawn Patrick White

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

County/ Municipality of Abbeville) as set forth below:

DESCRIPTION OF OFFENSE: Murder / Homicide by child abuse (20Y to Life)

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 9/6/2012)

[Signature] (L.S.))

George Thomas Ferguson)

Judge Code: 5696)

Issuing Court: Magistrate Municipal Circuit

ORIGINAL ORIGINAL ORIGINAL ORIGINAL ORIGINAL ORIGINAL ORIGINAL

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

STATE OF SOUTH CAROLINA
COUNTY OF ABBEVILLE

IN THE COURT OF GENERAL SESSIONS

STATE OF SOUTH CAROLINA

NOTICE OF DATE AND TIME

vs

OF

SHAWN PATRICK WHITE

MANDATORY COURT APPEARANCES

DEFENDANT

Warrant/Ticket#/Charge

1. 2012A0110100125 / Murder / Homicide by child abuse (20Y to Life)	4.
2.	5.
3.	6.

******THIS IS THE ONLY NOTICE YOU WILL RECEIVE
KEEP A COPY FOR YOUR RECORDS******

You are a defendant in a criminal case. You are required to appear on two (2) separate occasions at: **The Abbeville County Courthouse, Abbeville, SC.** The date and times of these appearances **CANNOT** be changed for any reason.

1. Your first, **INITIAL APPEARANCE** is set for the Friday November 2, 2012, at 3:00 pm, at the Abbeville County Courthouse.
1. Your second **DOCKET APPEARANCE** is TO BE DETERMINED BY THE SOLICITOR at the Abbeville County Courthouse.

You MUST be present at these appearances. If you FAIL TO APPEAR on these dates and times, a BENCH WARRANT will issued for your arrest. You will be placed in jail and may be held until the trial of your case. You must appear and remain in court until dismissed for each term of Abbeville County General Sessions Court and other Scheduled Court Appearances, as directed by the Solicitor's Office or the Judge until your case is disposed.

You **have qualified** for a Public Defender and the Public Defender is hereby appointed. You must pay \$40.00 to the Abbeville County Clerk of Court within 15 days from the date of your release. You should contact your Attorney as soon as possible at the Abbeville County Public Defender's Office. **FAILURE TO PAY THE \$40.00 MAY RESULT IN YOUR BOND BEING REVOKED.**

You **have not qualified** for a Public Defender. If you desire representation by counsel, you must obtain an attorney at your expense immediately, notifying the attorney of the dates you are required to appear.

At this time, I do not wish to have the Public Defender.

I HAVE READ THIS FORM OR HAVE HAD IT READ TO ME. I UNDERSTAND THESE INSTRUCTIONS, AND I HAVE BEEN GIVEN A COPY TO KEEP.

Defendant's signature

Judge's signature

Shawn Patrick White

Date: September 7, 2012

[Signature]

Date: September 7, 2012

Greenwood Public Defender Office
Suite 20
600 Mon
Greenwood, SC 29646



The Honorable Jenny Abbott Kitchings
Clerk Of Court
The South Carolina Court of Appeals
PO Box 11629
Columbia, SC 29211

RECEIVED

JAN 31 2014

SC Court of Appeals