

**YORK COUNTY PUBLIC DEFENDER OFFICE**

MOSS JUSTICE CENTER  
1675-1E York Highway  
York, SC 29745-0691  
Telephone (803) 628-3031

**FAX COVER SHEET**  
FAX (803) 628-3054

To: South Carolina Court of Appeals  
From: 16th Circuit Public Defender Helman  
Re: Ricky Passmore  
Date: 4-15-14

**RECEIVED**  
APR 15 2014  
**SC Court of Appeals**

NUMBER OF PAGES (Including cover sheet): 5

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**ATTENTION:**



# The South Carolina Court of Appeals

JENNY ABBOTT KITCHINGS  
CLERK

V. CLAIRE ALLEN  
DEPUTY CLERK

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

April 09, 2014

Mr. Daniel Dewitt Hall, Esquire  
1675-1E York Hwy.  
York SC 29745

**RECEIVED**

APR 15 2014

**SC Court of Appeals**

Re: The State v. Ricky E. Passmore  
Appellate Case No. 2014-000727

Dear Counsel:

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

- The notice of appeal is not accompanied by a redacted copy of the order(s) and/or sentencing(s) challenged on appeal.

Very truly yours,  
*Jenny Abbott Kitchings*

CLERK

cc: Robert Michael Dudek, Esquire  
Jessica Elizabeth Holland, Esquire  
Christopher Wayne Epting, Esquire  
Salley W. Elliott, Esquire

STATE VS. Ricky Eugene Passmore  
 INDICTMENT/CASE#: 2013034002700  
 A/W#: 2013A4620100090  
 Date of Offense: 6/19/2013  
 S.C. Code §: 16-11-0311  
 CDR Code #: 0079

CERTIFIED TRUE COPY  
 2014 APR 15 PM 12:09  
 DAVID HAMILTON  
 CLERK OF COURT  
 YORK COUNTY, SC

AKA: \_\_\_\_\_  
 Race: WHITE Sex: M Age: 46  
 DOB: [REDACTED] SS#: [REDACTED]  
 Address: [REDACTED]  
 City, State, Zip: [REDACTED]  
 DL#: [REDACTED] SID#: \_\_\_\_\_

SENTENCE SHEET  
 ORIGINAL

\*CDL Yes  No  CMV Yes  No  Hazmat Yes  No   
 In disposition of the said indictment comes now the Defendant who was  
 TO: Burglary / Burglary (After June 20, 1985) - First degree

CONVICTED OF or  PLEADS

in violation of § 16-11-0311 of the S.C. Code of Laws, bearing CDR Code # 0079  
 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: Jessica E Holland 75182 Defendant Jessica E Holland 011846 Attorney for Defendant SC Bar#

WHEREFORE, the Defendant is committed to the  State Department of Corrections,  County Detention Center,  
 for a determinate term of 30 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. 246 2243  
 The Defendant is to be placed on the Central Registry of Child Abuse and Neglect pursuant to S.C. Code §17-25-35

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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 \_\_\_\_\_

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: \_\_\_\_\_

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

*Fine:		\$
§ 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	\$
Proviso 47.9 (Public Def/Prob)	\$500	\$
§ 14-1-212 (Law Enforce. Funding)	\$25	\$ 25
§ 14-1-213 (Drug Court Surcharge)	\$150	\$
§ 50-21-114(BUI Breath Test Fee)	\$50	\$
§ 56-5-2942(J) (Vehicle Assessment)	\$40/ea	\$
Proviso 90.5 (SCCA Surcharge)	\$5	\$ 5
3% to County (if paid in installments)		\$
TOTAL		\$ 130

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

Clerk of Court/ Deputy Clerk David Hamilton  
 Court Reporter: Wanda Nelson  
 SCCA/217 (03/2011)

Presiding Judge John C. Tamm  
 Judge Code: 2044  
 Sentence Date: 04-01-2014

329  
OVER PD/ Davis  
WITNESSES

DOCKET NO. 2013SS-46- 02903

The State of South Carolina

County of York

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

COURT OF GENERAL SESSIONS  
August 2, Term 2013

Defendant

Witness:

C.C.C. PLS. AND G.S.

ARREST WARRANT NUMBER

13A4620400089

DAVID HAMILTON  
CLERK OF COURT  
YORK COUNTY, SC

ACTION OF GRAND JURY

TRIPOLI  
2 APR 16 PM 12:00

RICKEYELLE PASSMORE

Wmmy Eakin  
Person of Grand Jury  
01/22/13

VERDICT

Guilty

Indictment for

BURGLARY IN THE FIRST DEGREE

Person of Petit Jury  
4/11/14

☒ Oct: 16-11-311  
CDR Code: 079

STATE OF SOUTH CAROLINA )  
COUNTY OF YORK )

<sup>Ca</sup>  
CERTIFIED TRUE COPY INDICTMENT

2014 APR 15 PM 12: 09

DAVID HAMILTON  
CLERK OF COURT

At a Court of General Sessions, <sup>YORK COUNTY, SC</sup> convened on August 22, 2013, the Grand Jurors of York County present upon their oath:

**BURGLARY IN THE FIRST DEGREE**

The Defendant, Ricky Eugene Passmore, did in York County, South Carolina, on or about June 19, 2013, willfully and unlawfully enter the dwelling, located at 210 Trinity Street, Clover, South Carolina, without consent and with the intent to commit a crime therein. Said entering or remaining did occur during the nighttime hours. All in violation of Section 16-11-311, 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.

  
ASSISTANT SOLICITOR