

ORIGINAL

STATE OF SOUTH CAROLINA

In The Court of Appeals

APPEAL FROM RICHLAND COUNTY

Thomas A. Russo, Circuit Court Judge

RECEIVED

APR 11 2014

THE STATE,

RESPONDENT, SC Court of Appeals

V.

SHONDEL A. CRIM,

APPELLANT

APPELLATE CASE NO. 2013-001993

RECORD ON APPEAL

ROBERT M. PACHAK
Appellate Defender

South Carolina Commission on Indigent Defense
Division of Appellate Defense
PO Box 11589
Columbia, SC 29211-1589
(803) 734-1330

Attorney for Appellant

MATTHEW BUCHANAN
General Counsel

South Carolina Department of
Probation, Parole & Pardon Services
PO Box 50666
Columbia, SC 29250
(803) 734-9220

Attorney for Respondent

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STATE OF SOUTH CAROLINA)	
)	COURT OF GENERAL SESSIONS
COUNTY OF FLORENCE)	2005-GS-40-4121
)	
)	
)	
State of South Carolina))
)	
vs.)	TRANSCRIPT OF RECORD
)	
Shondel A. Crim))
<u>DEFENDANT</u>)	September 13, 2013
		Lexington, SC

B E F O R E:

THE HONORABLE THOMAS A. RUSSO, JUDGE.

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

DAYNE PHILLIPS, ASSISTANT PUBLIC DEFENDER
Attorney for the Defendant

MATTHEW BUCHANAN, ESQ.
Probation, Pardon and Parole

KESHIA REED
Official Court Reporter

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I N D E X

(WHEREUPON, no witnesses were called.)

1 THE CLERK: Do you swear to tell the truth, the
2 whole truth, and nothing but the truth so help you God?

3 THE DEFENDANT: I do.

4 THE COURT: All right. Mr. Phillips, you
5 represent Mr. Crim?

6 MR. PHILLIPS: I do, Your Honor.

7 THE COURT: Have you gone over these allegations
8 with him?

9 MR. PHILLIPS: I have, Your Honor.

10 THE COURT: Have you had any more luck
11 convincing him that this -- he is appropriately on this
12 supervision track?

13 MR. PHILLIPS: Well, we do have a couple of
14 issues with this. Under 24-21-560, the community
15 supervision statute, it states to be eligible for
16 community supervision under 24-13-150 he had to serve the
17 minimum period of incarceration which would be the
18 85 percent. Well, he's never served the 85 percent. He
19 was actually --

20 THE COURT: We could fix that day.

21 MR. PHILLIPS: Terminated from probation --
22 Judge Miller terminated him from probation back in '08
23 when he sentenced him to four years. From a logistical
24 standpoint, I'm still trying to figure out how this is
25 suppose to work out when he -- he's never met the minimum

1 requirement to be on community supervision and Judge
2 Miller has revoked his probation or excuse me terminated
3 his probation back in '08, so I think we've now hit this
4 point where there's an issue of whether or not he was ever
5 suppose to be on community supervision because he hasn't
6 met the minimum requirements under the law.

7 THE COURT: Does the State have any position on
8 that?

9 PROBATION AGENT: Nothing other than what's in
10 the violation report, Your Honor. He was released to that
11 sentence through the department of corrections
12 calculations.

13 THE COURT: I'm not understanding. All right.
14 The distribution ---

15 MR. PHILLIPS: I can give you a time line, Your
16 Honor.

17 THE COURT: He was convicted of distribution of
18 crack second offense; correct?

19 MR. PHILLIPS: That's correct, Your Honor.

20 THE COURT: In '05?

21 MR. PHILLIPS: On May 16th of '05, he was
22 sentenced to ten years suspended upon 111 days of service
23 -- of service of 111 days with four years probation.

24 THE COURT: All right. Back in '05 apparently
25 that was a suspendible sentence?

1 MR. PHILLIPS: That's correct, Your Honor.

2 THE COURT: Didn't fall under the 85 percent
3 rule?

4 MR. PHILLIPS: As far as in '05?

5 THE COURT: Right.

6 MR. PHILLIPS: Right.

7 THE COURT: Okay. Go ahead.

8 MR. PHILLIPS: Okay. And then in November 29th
9 of 2007, he was revoked for 18 months and continued on
10 probation. And then this is where things obviously -- the
11 issue at point on December 4th 2008, he was revoked four
12 years and then Judge Miller terminated probation. Now, he
13 gets out four years later on March 30th 2012, and he was
14 put on community supervision. So the issue here -- the
15 statute says that he must be on community supervision when
16 it's a non-parolable offense, but you must meet the
17 minimum eligible amount of 85 percent under the 24-13-150.

18 THE COURT: Let me see the statute. What's the
19 statute 24 what?

20 MR. BUCHANAN: 24-21-560.

21 MR. PHILLIPS: That's community supervision
22 statute and then they reference 24-13-150, which has ---

23 THE COURT: Hold on too many numbers. 21 --
24 24-21...

25 MR. PHILLIPS: 560, Your Honor.

1 THE COURT: All right. Was the -- was what he
2 was convicted of in '05 a non-parolable offense?

3 MR. PHILLIPS: That's where one of the issues of
4 whether or not -- and see again ---

5 THE COURT: Was it or was it not?

6 MR. PHILLIPS: I have to pull the '05 statute,
7 Your Honor, to see where it's changed.

8 THE COURT: To support your argument, I suggest
9 you do that.

10 MR. PHILLIPS: Yes, Your Honor.

11 THE COURT: I mean, it says here not
12 withstanding any other provision of law accept dah, dah,
13 dah any sentence for no parole offense as define in
14 section 24-13-100 must include any term of incarceration
15 and completion of community service program operated by
16 the department of probation, parole and pardon services.

17 MR. PHILLIPS: And that's kind of one issue I
18 was bringing up for the must to be triggered if it was, he
19 still has never met the minimum eligible amount of
20 85 percent.

21 THE COURT: I'm not that far yet.

22 MR. PHILLIPS: Okay.

23 THE COURT: Cause we don't get to that if that
24 wasn't a no parolable offense -- a no parolable offense.

25 MR. PHILLIPS: Correct. And if that's the case

1 once Judge Miller terminated in '08, he would have been
2 done.

3 THE COURT: I'm trying to figure it out, Mr.
4 Phillips need your help. You just want to say -- you've
5 prepared this thing and you want to say it. You have said
6 it. Now, help me out.

7 MR. PHILLIPS: Yes, Your Honor.

8 THE COURT: Was his conviction in '05 a
9 non-parolable offense?

10 MR. PHILLIPS: If you give us a break, I can go
11 pull ---

12 THE COURT: I suggest you take a break. You can
13 step aside and look into it.

14 MR. PHILLIPS: Thank you, Your Honor.

15 (WHEREUPON, a break was taken.)

16 THE COURT: We are back on the record with Mr.
17 Crim. And, Mr. Phillips, I gave Mr. Phillips an
18 opportunity to do a little research. And I think the
19 position of Mr. Crim is that he should not be subject to
20 community supervision based on the facts surrounding this
21 case; is that correct?

22 MR. PHILLIPS: It depends, Your Honor, if you
23 looking at it from the -- when Judge Miller did the ---

24 THE COURT: Well, let's back up a little bit
25 cause I understand, but just so that the record is clear.

1 In March of 2012, he was before a judge on the -- well,
2 no, it was later than that. At some point, he came before
3 a judge on a distribution of crack cocaine second offense
4 and received a sentence of ten years suspended upon time
5 served and four years probation. Then he came before
6 Judge Miller on a probation violation and that's where you
7 picked up with Judge Miller; correct?

8 MR. PHILLIPS: That's correct, Your Honor. Just
9 to put dates on it the 2005 was when he was originally
10 sentenced and then there was a revocation in '07 and then
11 Miller's is '08.

12 THE COURT: Okay.

13 MR. PHILLIPS: When Judge Miller on December 4th
14 of 2008 revoked those four years, he terminated probation.
15 At that time, my client served 85 percent of that sentence
16 and currently has the 15 left, which is roughly a little
17 over seven months. If the four years is the current
18 active sentence, then he could go on to the community
19 supervision and at the completion of those seven months if
20 you were to revoke those seven months, that would satisfy
21 Judge Miller's original sentence or subsequent sentence.
22 However, if we look at it from the original sentence of
23 2005 under the ten years, he hasn't served the 85 percent
24 of ten years. And under the community supervision statute
25 of 24-21-560, he doesn't fall under the eligibility

1 requirement of 85 percent, which would be eight and a half
2 years. When you add up all his time, he's only at about
3 six years at that point. Under the community supervision
4 statute, it lists another statute 24-13-150 which lists
5 that he's got to serve the 85 percent. So technically if
6 we look at it from the original sentence of the ten years,
7 he hasn't served the 85 percent is not eligibility for
8 community supervision. If we look at Judge Miller's
9 subsequent '08 sentence where he gave him the four year
10 active sentence and then terminated probation, he still
11 has the 15 percent left on that and it would be our
12 position that you could revoke those seven months and then
13 extinguish the community supervision because probation's
14 already ended per Judge Miller's order.

15 THE COURT: I'm just reading it. All right.
16 When I look at 24-13-150 -- and I see what you're saying.
17 And where it becomes cloudy even there is because it says
18 that they're not eligible for early release, discharge or
19 community supervision until an inmate has served at least
20 85 percent of the actual term of imprisonment imposed.
21 Now, what does that mean? Does it mean the ten years that
22 was imposed or does it mean the actual four years that
23 Judge Miller revoked, which was active time?

24 MR. PHILLIPS: That's the issue before us.

25 THE COURT: So I don't know what the answer to

1 that is. If you view it as being the ten years, then he's
2 not eligible to be under the community supervision
3 provision at all which basically makes this whole body of
4 law mute. It doesn't apply. If you view it as being that
5 he's actual -- when it says actual term of imprisonment
6 imposed, then you look at the four years that Judge Miller
7 revoked. Then 85 percent of that is 3.4 years. And once
8 you serve that, then you would come out and you be on that
9 with a remaining six years hanging over your head excuse
10 me -- six months hanging over your head. That makes more
11 sense for the statute to make sense because if you
12 don't -- if you look at it based on the ten years, then
13 this doesn't even come into play if Mr. Cook excuse me --
14 Mr. Crim would have done his probation not gotten anything
15 revoked, finished his probation and gone his happy way,
16 that wouldn't even come into play. And so -- I'll hear
17 from you on the subject.

18 MR. BUCHANAN: Thank you very much, Your Honor.
19 Matt Buchanan with the probation, pardon and parole
20 services. The Court is well aware that this statutory
21 scheme has a number of issues that needs to be interpreted
22 and specifically in this case Mr. Crim's case. What has
23 happened he had a probationary sentence that was revoked
24 in 2008. And then in 2010 we had these community
25 supervision program better defined and better straightened

1 out in Picklesimer which I apologize, but I apologize,
2 Your Honor, but don't have the cite in front of me.

3 THE COURT: That's fine.

4 MR. BUCHANAN: I believe you're familiar with
5 the case.

6 THE COURT: Yes.

7 MR. BUCHANAN: In which case, it shows that
8 Picklesimer or any case that is revoked through their
9 C.S.P., the person's community supervision is revoke.
10 They go back into that incarceration. When they return,
11 they come back out on community supervision and there is
12 no probation to follow basically, any kind of remainder of
13 probation would be extinguished by virtue of the language
14 of the community supervision statutes.

15 In Mr. Crim's case, his probation was
16 extinguished and he had four years revoked, but that was
17 not the full ten year sentence that was originally imposed
18 and then suspended to probation. So with that four years
19 revoked, he would do -- that would be under 24-13-150 that
20 would be the actual term of imprisonment imposed at least
21 the State would submit because as really any other reading
22 would come up with a absurd reality where he would not
23 serve his full ten because he was only ordered to serve
24 four or at least the 85 percent of ten.

25 THE COURT: Correct.

1 MR. BUCHANAN: Again before, Your Honor, is a
2 question of how much of the community supervision is left
3 being it either the six months or roughly six years minus
4 whatever time Mr. Crim has already done. And ultimately,
5 Your Honor, don't have a tremendous amount of case law.
6 Picklesimer did not address this particular type of
7 question what would happen if a portion of a suspended
8 sentence is revoked. We understand that by operation of
9 statute a person would come out on community supervision,
10 but how much is left of that community supervision if the
11 judge had terminated probation in this case in which case
12 Judge Miller did.

13 THE COURT: Well, yeah, that's what I'm saying.
14 I think in this case the 24-13-150 where it says where the
15 inmate has served at least 85 percent of the actual term
16 of imprisonment imposed. I think there we're talking
17 about the four years that were imposed.

18 MR. BUCHANAN: Yes, sir.

19 THE COURT: Now, I think, Mr. Phillip's your
20 position is that terminates everything else and so the
21 only thing left is six months. The State's or the
22 probation's position is, Judge, all that does is trigger
23 the community supervision to begin. Then there's still
24 the original ten year sentence that has to be satisfied if
25 he fails to complete a community supervision stint.

1 MR. BUCHANAN: Yes, Your Honor. And while Judge
2 Miller did not order any further probation which now under
3 Picklesimer he wouldn't had been able to do any way.

4 THE COURT: Right.

5 MR. BUCHANAN: The situation that we were faced
6 with with Judge Miller's order is Mr. Crim had a four-year
7 revocation, but then the community supervision picks up
8 immediately after and would then require him to either A
9 finish two years of successful community supervision or B
10 faced revocations and hopefully that's not going to be the
11 case with Mr. Crim again, that's the statutory scheme
12 that's been design by the Legislature.

13 MR. PHILLIPS: As far as some follow one of the
14 things under the rule lenity the statutes must be
15 interpreted as such in favor of the defendant and against
16 the State. Whenever we have this ambiguity as to what
17 should be done, you know, the tie goes to the runner. And
18 in this case, the statute must be interpreted in favor of
19 the defendant. And again, as the State pointed out, I
20 think that interpretation of allowing this kind of
21 perpetuity of allowing him to get back out after Judge
22 Miller did his active sentence and then to keep giving him
23 two years of community supervision and then striking him
24 for a year and then allowing this to happen four more
25 times essentially to the original ten year sentence would

1 lead to an absurd result. And I believe Judge Miller's
2 order to revoke the four years and then to terminate
3 probation was to satisfy and extinguish essentially this
4 case. That's because the remainder of the ten only
5 applies when the probation is active I believe that's
6 essentially we're here ---

7 THE COURT: It doesn't though. The remainder of
8 the ten doesn't only apply when you're on probation.

9 MR. PHILLIPS: Because of the community
10 supervision trigger ---

11 THE COURT: Right.

12 MR. PHILLIPS: That's correct. But what we have
13 here with the four years and he's done the 85 percent
14 Picklesimer -- the reason this is entirely distinguishable
15 from Picklesimer it came out in 2010. This Judge Miller's
16 order for the four years was 2008 and the cases actual
17 deal actually -- pretty factually distinct in the sense
18 you have the split sentences in Picklesimer and
19 essentially that person had done the 85 percent that goes
20 to my second argument of under ten the years he hasn't
21 completed the 8.5.

22 THE COURT: But let me ask you this, I don't
23 know how you define a split sentence, but that's what we
24 have here. This is a split sentence. This is a sentence
25 of ten years active time suspended upon the time that you

1 have served whatever that was and then you're placed on
2 probation, that is a split sentence.

3 MR. PHILLIPS: That's correct, Your Honor. I
4 misspoke as far as the split sentence. I guess going back
5 to when we initially went to -- the issues are does the
6 community supervision extinguish upon the rest of that
7 15 percent of the four years, that's seven months or does
8 it continue after until the ten years ---

9 THE COURT: And I agree that's the question that
10 we're answering here and I'm ready to respond.

11 MR. BUCHANAN: May I add one thing in response
12 to Mr. Phillip's statement there? Judge Miller did not.

13 THE COURT: Extinguish the remainder of the ten
14 years.

15 MR. BUCHANAN: Right, he did not do that and he
16 also did not either order or extinguish community
17 supervision. Community supervision offer is pursuant to
18 statute. There is no court order involve in that, so what
19 he extinguished was the probation, which is the order of
20 the Court in which a court is empowered to impose
21 community supervision is a different animal. It does not
22 operate by the Court but by virtue of the statute.

23 MR. PHILLIPS: And then another fold is the
24 community supervision statute was revised in 2010 to -- we
25 have this whole -- there's so many different layers here

1 when Judge Miller did this -- well, essentially redid this
2 order we weren't -- he wasn't looking at the same scenario
3 that we are today in 2013 where I believe the original
4 intent was to extinguish after the seven months
5 essentially the actual sentence of the four years.

6 THE COURT: All right. I believe that to be
7 your position. I don't believe that is what is intended.
8 What is intended -- I know what I do when I have a person
9 in front of me on a probation violation. And let's use
10 this scenario and if I'm Judge Miller, my thought process
11 here is whatever those violations were I'm going to be
12 satisfied to revoke four years and then terminate
13 probation, just terminate the case.

14 Now, when I do that, all I'm saying is I'm going
15 to revoke four years of that ten year sentence. I'm not
16 going to do five. I'm not going to do eight. I'm not
17 going to do the remainder of it. I'm going to revoke four
18 of it. And then I'm going to terminate this probation
19 case, so he's going to have to do 85 percent of whatever I
20 revoked and then community supervision kicks in at the end
21 of that. I'm not speaking to community supervision. I'm
22 not speaking to the original sentence of the Court because
23 I don't think I have authority to take another judge's
24 sentence and wipe it of the books. I don't have that
25 authority. I have authority over the probation case

1 that's in front of me. And so that's why when I sentence
2 people, I don't ever sentence anybody to ten years
3 suspended upon time served four years probation and
4 community supervision thereafter. I don't address
5 community supervision because that kicks in as a statutory
6 thing not as part of my sentence.

7 Community supervision is never part of my
8 sentence. And so what I'm going to do here is I find that
9 there has been a violation of the terms and conditions of
10 community supervision and that has been a willful
11 violation of those terms and conditions. I'm going to
12 revoke seven months and then he'll come back out on
13 whatever community supervision is required, whatever is
14 require from that.

15 To me, the way I read this and if we're
16 concerned about the 85 percent, I think you're exactly
17 right whatever Judge Miller revoked community supervision,
18 does not kick in until he has served 85 percent of that,
19 which I believe he has done. So and any other at least in
20 this simple mind here any other reading of that statute
21 really just makes the whole statute in effective. And I
22 don't think that's what it's meant to do and so that's the
23 sentence of the Court.

24 MR. PHILLIPS: Thank you, Your Honor.

25 THE COURT: Good luck to you.

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END OF REQUESTED TRANSCRIPT

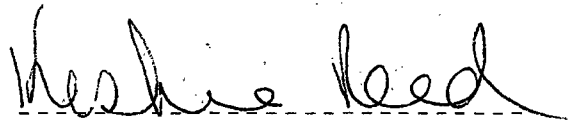
CERTIFICATE OF REPORTER

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STATE OF SOUTH CAROLINA)
)
COUNTY OF FLORENCE)

I, Keshia Reed, Court Reporter and Notary Public in and for the State of South Carolina At Large, do hereby certify that the above-entitled cause was heard as hereinafter set out; that I was authorized to and did transcribe the said proceedings; and that the foregoing and annexed paged, numbered 1 through 19, inclusive, constitute a true and accurate transcription of my stenographic report of the said cause taken during the said hearing. In the Court of General Sessions for Lexington County, South Carolina, on the 13th day of September, 2013.

I do further certify that I am neither of kin, counsel nor interest to any party hereto. In witness whereof, I have hereunto affixed my signature this 6th day of January 2014.


Keshia Reed, Court Reporter

Form 18.1 - Arrest Warrant
Form Approved by
SC Attorney General
Section 17-13-160
March 15, 1979

STATE OF SOUTH CAROLINA
COUNTY OF LEXINGTON

Community Supervision
ARREST WARRANT

Indictment Number 05-GS-4D-04121
Warrant Number W-32-12-0317
State Identification No. (SID) 00918923

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

It appearing from the attached affidavit that there are reasonable grounds to believe that SHONDEL CRIM, did on the 1 day of November, 2012 violate the criminal laws of the State of South Carolina as set forth below:

DESCRIPTION OF OFFENSE:

Violation of Community Supervision Program pursuant to Section 24-21-560.

Now, therefore, you are empowered and directed to arrest the said defendant and bring SHONDEL CRIM 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 LEXINGTON, S. C. this 1 day of November, 2012.

County of LEXINGTON

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

STATE OF SOUTH CAROLINA

AFFIDAVIT

Personally appeared before me, one Angela Lyons, who, first being duly sworn, deposes and says that SHONDEL CRIM did within this County and State on the 1 day of November, 2012, violate the criminal laws of the State of South Carolina in the following particulars:

DESCRIPTION OF OFFENSE:

Violation of Community Supervision Program pursuant to Section 24-21-560.

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

Shondel Crim has failed to follow the advice and instructions of his agent in the following particulars: By failing to report on October 3, 2012 as scheduled; By failing to report 10/31/12 as scheduled; By failing to immediately notify agent in a change of address; Having absconded supervision which constitutes a community safety risk; By failing to submit to random drug screens; By failing to obtain or provide proof of having obtained gainfull employment; By being \$125.00 in arrears on supervision fees; By being \$20.00 in arrears on drug test processing fees; By failing to complete 93 hours of public service employment having an arrearage of 86 hours; By failing to attend and complete substance abuse counseling. The above does constitute a willful violation of conditions 1,2,3,7,9,10 and special conditions of his Community Supervision Program release certificate.

Sworn to and Subscribed before me
this 1 day of November, 2012.

Angela Lyons
Affiant

Clare V. White
Signature of Notary Public

(L.S.)
Address: 605 West Main Street
Suite 104
LEXINGTON, SC 29072
LEXINGTON
USA
(803) 359-2551

May 29, 2018
My Commission Expires

RETURN

STATE OF SOUTH CAROLINA
COUNTY OF

LEXINGTON

THE STATE
against

SHONDEL CRIM

INFORMATION ON DEFENDANT

Name SHONDEL CRIM
Address _____
Phone _____
Sex Male Race Black Height _____
Weight 200 Birth date 1 11/1
Social Security Number 2 6

Constable or Law Enforcement Officer

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

Shondel Crim

ARREST WARRANT

Offense: Violation of Conditions of Community
Supervision Supervision

Offense Section: 24-21-560

Date: 11/1/2012

on the 8th day of August, 2012

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

Constable or Law Enforcement Officer

Angela Lyons

INFORMATION ON WITNESSES

Name _____
Address _____
Phone _____
Name _____
Address _____
Phone _____
Name _____
Address _____
Phone _____

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.

Disposition _____

Sentence _____

Co-Defendants _____

Signature of Judge

(L.S.)

PRELIMINARY HEARING held by

Magistrate _____
on _____
with _____
Attorney for the Defendant.

Decision _____
BAIL
Date Set _____
Magistrate _____
Amount _____
Surety _____

4/18/12

IN THE COURT OF GENERAL SESSIONS
No. 05 -GS- 40 - 04121
Count

STATE OF SOUTH CAROLINA
COUNTY OF Lexington

STATE
-vs-
Shondel Crim
Defendant
00919923
SID #
00294227
SCDC# or DOB

Community Supervision
REVOCATION ORDER

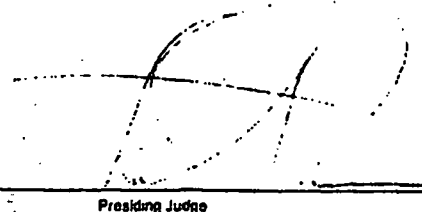
W-32-12-0317

This matter was brought before me on the 13 day of September, 2013, pursuant to a [warrant or citation] charging the Defendant with violating the Defendant's Community Supervision Program and asking the Court to revoke the Defendant's community supervision. I find:

1. The terms of the Community Supervision Program are fair and reasonable;
2. The Defendant has not complied with all terms of the Community Supervision Program;
3. The Defendant has willfully violated terms of the Community Supervision Program;
4. The Defendant should not be continued in the Community Supervision Program under its current terms or under other terms and conditions;

IT IS ORDERED that the Defendant be in the custody of the South Carolina Department of Corrections for a term of days 7 months year (total may not exceed one (1) year).

ENTERED



Presiding Judge

This 13 day of September, 2013

Lexington

S. C.

11th

Judicial Circuit

This is to certify that I have received this order.

Offender's Signature _____

Witnessed by _____

Signed this _____ day of _____, 2013, at Lexington, SC

WITNESSES

CPD

ARREST WARRANT NUMBER

H762571

ACTION OF GRAND JURY

Foreperson of Grand Jury
Date:

VERDICT

Foreperson of Petit Jury
Date:

DOCKET NO. 2005-GS-40-4121

The State of South Carolina

County of Richland

COURT OF GENERAL SESSIONS

AUGUST TERM 2005

113

THE STATE
vs.

SHONDEL CRIM

Indictment for

DISTRIBUTION OF CRACK COCAINE
3RD OFFENSE
SC Code: 44-53-375(B)(3)
CDR Code: 0114
Class FEL/A

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

Defendant

I, Shondel Crim
hereby appear in my own proper person and plead guilty to the within indictment or to

PWD Crack Cocaine - 2nd

X Shondel Crim
Defendant

Witness: Barbara A. Scott
C.C.C. PLS. AND G.S.

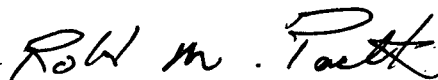
8-16-05

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C.C.P. & G.S.
RICHLAND COUNTY
SOUTH CAROLINA

CERTIFICATE OF COUNSEL FOR APPELLANT

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 August 13, 2007, order from the South Carolina Supreme Court entitled "Interim Guidance Regarding Personal Data Identifiers and Other Sensitive Information in Appellate Court Filings."

April 11, 2014



Robert M. Pachak
Appellate Defender

South Carolina Commission on Indigent Defense
Division of Appellate Defense
PO Box 11589
Columbia, S. C. 29211-1589
(803) 734-1330

ATTORNEY FOR APPELLANT

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SC Court of Appeals

STATE OF SOUTH CAROLINA

ORIGINAL

IN THE COURT OF APPEALS

Appeal from Richland County

Thomas A. Russo, Circuit Court Judge

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APR 11 2014

SC Court of Appeals

THE STATE,

RESPONDENT,

V.

SHONDEL A. CRIM,

APPELLANT

APPELLATE CASE NO. 2013-001993.

CERTIFICATE OF SERVICE

I certify that a true copy of the Record on Appeal in the above referenced case has been served upon Matthew Buchanan, Esquire, at South Carolina Department of , Probation, Parole & Pardon Services, PO Box 50666, Columbia, SC 29250, this 11th day of April, 2014.

Brandon Hall

Brandon Hall
Administrative Specialist

SUBSCRIBED AND SWORN TO before me
this 11th day of April, 2014.

Palumbo
Notary Public for South Carolina

(L.S.)

My Commission Expires: July 24, 2022.