

Public Defender for the Second Judicial Circuit

410 Barnwell Avenue N.W.
Post Office Drawer 2247
Aiken, South Carolina 29802

De Grant Gibbons, Circuit Public Defender

April 28, 2014

South Carolina Court of Appeals
Attn: Jenny Kitchings
Post Office Box 11629
Columbia, South Carolina 29211

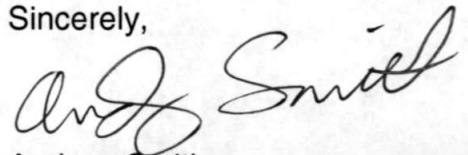
Re: The State v. John Upson 2014-000852

Dear Ms. Kitchings:

Enclosed please find the certified copies of the sentence sheets on John Upson.

Should you need anything further, please do not hesitate to contact me.

Sincerely,



Andrew Smith
Assistant Public Defender

AS/tpc

ENCLOSURE

RECEIVED

MAY 02 2014

SC Court of Appeals

STATE OF SOUTH CAROLINA

COUNTY OF Aiken
STATE VS.
John I. yndon Upson

AKA:
Race: Black Sex: M Age: 42
DOB: SS#
Address:
City, State, Zip:
DL#: SID#: SC00926172

*CDL Yes No CMV Yes No Hazmat Yes No
In disposition of the said indictment comes now the Defendant who was
TO: Robbery / Armed Robbery, robbery while armed or allegedly armed with a deadly weapon

IN THE COURT OF GENERAL SESSIONS

INDICTMENT/CASE#: 2014GS0200074
A/W#: 2013A0220101013
Date of Offense: 11/27/2013
S.C. Code §: 16-11-0330(A)
CDR Code #: 0139

SENTENCE SHEET

10-30 years

CONVICTED OF or PLEADS

in violation of § 16-11-0330(A) of the S.C. Code of Laws, bearing CDR Code # 0139
NON-VIOLENT VIOLENT SERIOUS MOST SERIOUS Mandatory GPS(CSC §17-25-45 w/minor 1st or Lewd Act)

The charge is: As Indicted, Lesser Included Offense, Defendant Waives Presentment to Grand Jury, Without Negotiations or Recommendation, Negotiated Sentence, Recommendation by the State.

ATTEST: Stocum, Jeffrey Alan "Jay" 100236 SC Bar# Defendant
Andy Smith 80294 SC Bar# Attorney for Defendant

WHEREFORE, the Defendant is committed to the State Department of Corrections, County Detention Center,
for a determinate term of 20 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.
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

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
Other:

Recipient:

Table with 3 columns: Description, Amount, Total. Includes items like § 14-1-206 (Assessments 107.5%), § 14-1-211(A)(1) (Conv. Surcharge) \$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, § 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, 3% to County (if paid in installments) \$3.90, TOTAL \$133.90

RECEIVED stamp with date 11/27/2014 and signatures of court officials.

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

Clerk of Court/ Deputy Clerk Angel Miles
Court Reporter: Cheri Young
SCCA/217 (03/2011)

Presiding Judge
Judge Code: 2167
Sentence Date: 4/16/14

STATE OF SOUTH CAROLINA

COUNTY OF Aiken
STATE VS.
John Lyndon Upson

AKA:
Race: Black Sex: M Age: 42
DOB: SS#
Address:
City, State, Zip:
DL#: SID#

*CDL Yes No CMV Yes No Hazmat Yes No
In disposition of the said indictment comes now the Defendant who was TO: Kidnapping / Kidnapping

IN THE COURT OF GENERAL SESSIONS

INDICTMENT/CASE#: 2014GS0200079
A/W#: 13-DI02-0105
Date of Offense: 11/24/2013
S.C. Code §: 16-03-0910
CDR Code #: 0095

SENTENCE SHEET

0-30 years

CONVICTED OF or PLEADS

in violation of § 16-03-0910 of the S.C. Code of Laws, bearing CDR Code # 0095
NON-VIOLENT VIOLENT SERIOUS MOST SERIOUS Mandatory GPS(CSC §17-25-45 w/minor 1st or Lewd Act)

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: Stocum, Jeffrey Alan "Jay" SC Bar# 100236 Defendant
Chad Smith Attorney for Defendant SC Bar# 80294

WHEREFORE, the Defendant is committed to the State Department of Corrections, County Detention Center,
for a determinate term of 20 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: 2014-65-020074
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.

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 (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 pmts. of \$ beginning
\$ paid to Public Defender Fund
Other:

Recipient:

Table with 3 columns: Description, Amount, Total. Includes items like Assessments 107.5%, DUI Surcharges, and Vehicle Assessment.

STATE OF SOUTH CAROLINA
COUNTY OF AIKEN
I, Liz Godard, Clerk of Court of Common Pleas and General Sessions for Aiken County, South Carolina do hereby certify that the foregoing constitutes a true and correct copy of the original documents which have been filed in my office this day of 11/20/14
C.C.P. & G.S., Aiken County, S.C.
Liz Godard
Deputy Clerk

RECEIVED

MAY 02 2014

Appointed PD or appointed other counsel, § 47.12 requires \$500 be paid SC Court of Appeals during probation.

Clerk of Court Deputy Clerk Angel Miller
Court Reporter: Cheri Young
SCCA/217 (03/2011)

Presiding Judge
Judge Code: 2167
Sentence Date: 4/16/14

STATE OF SOUTH CAROLINA

COUNTY OF Aiken
STATE VS.
John Lyndon Upson

AKA:
Race: Black Sex: M Age: 42
DOB: SS#
Address:
City, State, Zip:
DL#: SID#

*CDL Yes No CMV Yes No Hazmat Yes No
In disposition of the said indictment comes now the Defendant who was TO: Kidnapping / Kidnapping

IN THE COURT OF GENERAL SESSIONS

INDICTMENT/CASE#: 2014GS0200080
A/W#: 13-DI02-0106
Date of Offense: 11/27/2013
S.C. Code §: 16-03-0910
CDR Code #: 0095

SENTENCE SHEET

0-30 years
[X] CONVICTED OF or [] PLEADS

in violation of § 16-03-0910 of the S.C. Code of Laws, bearing CDR Code # 0095
[] NON-VIOLENT [X] VIOLENT [] SERIOUS [X] MOST SERIOUS [] Mandatory GPS(CSC w/minor 1st or Lewd Act) [] § 17-25-45

The charge is: [X] As Indicted, [] Lesser Included Offense, [] Defendant Waives Presentment to Grand Jury. (defendant's initials)
The plea is: [X] Without Negotiations or Recommendation, [] Negotiated Sentence, [] Recommendation by the State.

Attest:
Stecum, Jeffrey Alan "Jay" 100236 SC Bar# Defendant
Andy Smith 80294 SC Bar# Attorney for Defendant

WHEREFORE, the Defendant is committed to the [X] State Department of Corrections, [] County Detention Center,
for a determinate term of 20 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.

[X] CONCURRENT or [] CONSECUTIVE to sentence on: 2014-GS-020074
[] 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.

[] The Defendant is to be placed on the Central Registry of Child Abuse and Neglect pursuant to S.C. Code § 17-25-135.

Under 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 (Central 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:

Table with 3 columns: Description, Amount, Total. Includes items like Assessments, DUI Surcharges, Vehicle Assessment, etc. 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 Angel Miles
Court Reporter: Cheri Young
SCCA/217 (03/2011)

Presiding Judge
Judge Code: 2167
Sentence Date: 4/16/14

Vertical text on right side: COUNTY OF AIKEN, Clerk of Court of Common Pleas and General Sessions for Aiken County, South Carolina do hereby certify that the foregoing constitutes a true and correct copy of the original documents which have been filed in my office. 21 day of April 2014. C.C.C.P. & G.S. Aiken County, S.C. Deputy Clerk

**Second Judicial Circuit
Public Defender**

P.O. Box 2247
Aiken, South Carolina 29802

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LN
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PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT
OF THE RETURN ADDRESS. FOLD AT DOTTED LINE.
CERTIFIED MAIL™



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South Carolina Court of Appeals
Attn: Jenny Kitchings
Post Office Box 11629
Columbia, South Carolina 29211

SC Court of Appeals

MAY 02 2014

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04/29/2014

US POSTAGE

\$06.48⁰

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