

ARREST WARRANT

M-974864

STATE OF SOUTH CAROLINA  
County/ Municipality of

Horry 2011 MAY 14 PM 3:07

THE STATE  
MELANIE HUGGINS-WARD  
CLERK OF COURT  
2097732

Timothy Leroy Frady  
Address:

Phone: Race: Height: SSN: Weight:

DL State: SC DL # Agency ORI #: SC0260400

Prosecuting Agency: Horry County Police Department

Prosecuting Officer: Matthew Singleton - 2138

Offense: Domestic / Criminal domestic violence of a high and aggravated nature

Offense Code: 2390

Code/Ordinance Sec: 16-25-0065, 17-25

This warrant is CERTIFIED FOR SERVICE in the County/ Municipality of

Signature of Judge (L.S.)

RETURN

A copy of this arrest warrant was delivered to defendant Timothy Frady on 9/29/12

RETURN WARRANT TO:

General Sessions  
PO Box 677  
1301 2nd Avenue  
Conway, SC 29528

ORIGINAL

ORIGINAL

STATE OF SOUTH CAROLINA  
County/ Municipality of

AFFIDAVIT

ORIGINAL

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

Personally appeared before me the affiant Matthew Singleton and says that defendant Timothy Leroy Frady did within this county and state on or about 9/28/2012 at 2:00 PM 3:09 State of South Carolina (or ordinance of Horry County) in the following particulars: violate the criminal laws of the

DESCRIPTION OF OFFENSE Domestic / Criminal domestic violence of a high and aggravated nature

MELANIE HUGGINS-WARD  
CLERK OF COURT  
HORRY COUNTY

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 September 28, 2012 in the Conway section of Horry County, one Timothy Leroy Frady did knowingly and willfully cause or attempt to cause injury to the victim by placing both his hands around her neck in attempt to choke her and by striking her in the right eye. The assault left visible injuries on the victim. The victim stated that she was in fear for her life during the assault. The defendant and victim are married and do co-habitate. case# 12097732 R/O Lent

Signature of Affiant

STATE OF SOUTH CAROLINA  
County/ Municipality of

Horry

Affiant's Address 2560 N. Main Street  
Conway, SC 29526-  
Affiant's Telephone (843)915-5350

FILED  
2012 OCT -3 AM 8:55  
HORRY COUNTY  
MELANIE HUGGINS-WARD  
CLERK OF COURT

ARREST WARRANT

TO ANY LAW ENFORCEMENT OFFICER OF THIS STATE OR MUNICIPALITY OR ANY CONSTABLE OF THIS COUNTY:

on or about 9/28/2012 defendant Timothy Leroy Frady did violate the criminal laws of the State of South Carolina (or ordinance of Horry County) as set forth below:

DESCRIPTION OF OFFENSE: Domestic / Criminal domestic violence of a high and aggravated nature

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 practicable. Sworn to and subscribed before me on 9/28/2012

Signature of Issuing Judge

Christopher John Arakas  
Judge Code: 5080

Judge's Address 1. Ruben Long Detention Center  
Conway, SC 29526-1071

Judge's Telephone (843)365-9222

Issuing Court: Magistrate

ORIGINAL

ORIGINAL

ORIGINAL

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF Horry  
STATE VS.

Timothy Leroy Frady

AKA: \_\_\_\_\_

Race: \_\_\_\_\_ Sex: \_\_\_\_\_ Age: \_\_\_\_\_

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: Criminal Domestic Violence - 3rd

INDICTMENT/CASE#: 2012GS2604266

A/W#: M974864

Date of Offense: 9/28/2012

S.C. Code § : 16-25-0020 (A);(D)

CDR Code #: 3055

SENTENCE SHEET

CONVICTED OF or  PLEADS

in violation of § 16-25-0020 (A);(D) of the S.C. Code of Laws, bearing CDR Code # 3055  
 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:

SCB76948

Hucks, J. Scott

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 5 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 4 days/months/years and/or payment  
of \$ \_\_\_\_\_; plus costs and assessments as applicable\*; the balance is suspended with probation for 3

~~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 \_\_\_\_\_

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 + 40.00 = 173.90

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 \$ 25.00 beginning 05/13/2014

\$ \_\_\_\_\_ paid to Public Defender Fund

Other: \_\_\_\_\_

MAY 19 2014

SC Court of Appeals

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)

Melanie Huggins Ward  
Dixie Eubank

Presiding Judge

Judge Code: 2041

Sentence Date: 05/13/14

E. J. [Signature]

05/13/14

FILED  
Horry County  
2014 MAY 14 PM 3:07  
CLERK OF COURT  
MELANIE HUGGINS-WARD  
RECEIVED  
MAY 13 2014

**WITNESSES**

Robert Cody Horry County Police Department

HORRY COUNTY

2014 MAY 14 PM 3:07

MELANIE HUGGINS-WARD  
CLERK OF COURT

DOCKET NO. 2012-GS-26-04266

**The State of South Carolina** CERTIFIED COPY

County of Horry 2014 MAY 14 PM 3:09

J. Scott Hucks

*12404880000 Melanie Huggins-Ward*

COURT OF GENERAL SESSIONS

CLERK OF COURT  
HORRY COUNTY

December, 2012 TERM

**REST WARRANT NUMBER**

M974864

CDR: 2390 16-25-0065, 17-25-0030  
DOA: 9/29/2012

**ACTION OF GRAND JURY**

Timothy Leroy Frady

THE STATE

vs.

DOB:  
SSN:

ATTORNEY:

**TRUE BILL**

DEC. 13 2012

VERDICT

Indictment for

CRIMINAL DOMESTIC VIOLENCE

**ORIGINAL**

Foreperson of Petit Jury  
Date:

J. Gregory Hembree, Solicitor

STATE OF SOUTH CAROLINA )  
COUNTY OF HORRY )

IN THE COURT OF GENERAL SESSIONS  
OF THE FIFTEENTH JUDICIAL CIRCUIT

STATE OF SOUTH CAROLINA )

CERTIFICATE OF REPRESENTATION  
(APPOINTING AS COUNSEL)

-VS-

TIMOTHY FRADY

**MELINDA A KNOWLES**

DEFENDANT )

FILE NO: 26A12-00003155

SSN:

TO: Court of General Sessions of the Fifteenth Judicial Circuit  
Office of the Solicitor  
Appointed Counsel  
Defendant

This certifies that the above captioned Defendant is eligible for the services of the Public Defender, such determination having been made on, 25th day of October, 2012, regarding the charge(s) of:

M-974864 \*Domestic / Criminal domestic violence of a high and aggravated nature (Misdemeanor)

The Defendant's Counsel is **Melinda A Knowles**. The office of the Public Defender requests on the Defendant's behalf any and all evidence in the possession of you and or your agents pursuant to S.C. Criminal Practice Rule 5, Brady Maryland 373 U.S. 383 (1963). The formal Motion for Discovery is attached

CONWAY, SC  
DATED: October 25, 2012

ORRIE-E. WEST  
FIFTEENTH CIRCUIT  
PUBLIC DEFENDER

FILED  
HORRY COUNTY  
2012 MAY 14 PM 3:07  
MELINDA A KNOWLES-WARD  
CLERK OF COURT

FILED  
HORRY COUNTY  
2012 OCT 26 PM 3:10  
MELINDA A KNOWLES  
CLERK OF COURT

CERTIFIED COPY  
2012 MAY 14 PM 3:10  
CLERK OF COURT  
HORRY COUNTY

STATE OF SOUTH CAROLINA )  
COUNTY OF Horry )  
 )  
STATE OF SOUTH CAROLINA )  
 )  
 -VS- )  
 )  
TIMOTHY FRADY )  
DEFENDANT )

IN THE COURT OF GENERAL SESSION  
OF THE FIFTEENTH JUDICIAL CIRCUIT

NOTICE AND MOTION FOR PRODUCTION  
OF SPECIFIC EVIDENCE AND  
DISCLOSURE OF WITNESSES

FILED  
HORRY COUNTY  
MAY 11 PM 3:07  
CLERK OF COURT

FILE NO: 26A12-00003155  
SSN::

TO: SOLICITOR FOR THE FIFTEENTH JUDICIAL CIRCUIT

FILED  
HORRY COUNTY  
OCT 20 PM 4:03  
CLERK OF COURT

YOU WILL PLEASE TAKE NOTICE that unless the prosecution responds to the Defendant's request for disclosure within 30 days, or within such time as may be ordered by the Court, Counsel for the Defendant will move this Court for an Order compelling that the State:

1. Make available for Defendant any and all written and oral statements by the Defendant which are, or may come to be, in the possession of the State.
2. Make available for purposes of inspection, and copying, any and all police reports relating to the investigation and circumstances surrounding the crime which the Defendant is charged with, including any and all statements taken from witnesses and the Defendant.
3. Make available to the Defendant all tangible objects obtained during the investigation of this case, including, but not limited to:
  - (a) All tangible objects obtained from the scene of the crime; and
  - (b) All tangible objects obtained from the State's witnesses in this case.
  - (c) All tangible objects the State intends to introduce into evidence at trial which are relevant to the offense charged.
4. Make available any witnesses known to the State who have knowledge of facts which might be favorable to the Defendant.
5. Make available any promises made or actions taken by the State which caused or might have caused any witnesses for the State to testify on behalf of the State.
6. Make available any inconsistent statements made by witnesses for the State or any statements made by witnesses for the State which tend to exculpate the Defendants or to negate participation by the Defendants in the alleged crime.
7. Make available to the Defendant all results of laboratory tests, scientific tests, or physical examinations conducted in connection with this case, including but not limited to:
  - (a) Analysis of handwriting
  - (b) Photographs secured of the scene of the crime
  - (c) Comparison of fingerprints

FILED  
HORRY COUNTY  
MAY 10 PM 3:10  
CLERK OF COURT


8. Make available any facts which tend to exculpate the Defendant.
9. Make available any and all scientific or medical, psychiatric, legal or other information, reports or records which might tend to reflect on the credibility or competence of any of prospective witnesses for the State.
10. Make available to the Defendant the names and addresses of all persons who have knowledge of this case or who have been interviewed by the investigating officers in connection with this case.
11. Make available to the Defendant, the SLED, FBI, and local arrest and conviction records of all persons, including the Defendant, named in connection with this proceeding.
12. Make any chemist, analyst, and all persons within the chain of custody appear in Court for the purpose of personally testifying. Attorney for the Defense thus objects to the introduction of any chemist's or analyst's report pursuant to Rule 6, S.C. Rules of Criminal Procedure.

This information is requested pursuant to Rule 5 of the South Carolina Rules of Criminal Procedure. This information is further requested pursuant to Brady vs Maryland, 373 U.S. 383, 10 L. Ed. 2d 215, 83 S. Ct. 1194 (1963), U.S. vs Agurs, 427 U.S. 97, 49 L Ed 2nd 342, 96 S. Ct. 2392 1976, State vs Mixon 274 S.E. 2nd 406 (1981). Further this information is requested on the grounds that it is essential to insure the Defendant's right to a fair trial, right to confrontation of witnesses, the right to effective Counsel and due process of law guaranteed by the South Carolina Constitution, and the United States Constitution.

WHEREFORE, Defendant prays:

- (a) That the Solicitor be Ordered to produce all information described herein and allow the Defendant the right to examine, inspect, copy and photograph, such materials and information at a specific time and place to be fixed by the Court.
- (b) That the information be provided no later than 30 days from the date of this request, as reflected by the Clerk of Court's time-stamp appearing on the face of this Document.
- (c) That the Court enter an Order requiring the Solicitor's Office to make continuing disclosure of all matters requested herein up to and during the Trial of the charges against the Defendant.

RESPECTFULLY SUBMITTED,

  
 \_\_\_\_\_  
 ORRIE E. WEST  
 FIFTEENTH CIRCUIT  
 PUBLIC DEFENDER

DATED: October 25, 2012  
 CONWAY, SOUTH CAROLINA

FILED  
 Horry County  
 2012 OCT 26 PM 4:13  
 FILED  
 Horry County  
 2012 MAY 14 PM 3:10  
 CLERK OF COURT  
 Horry County