

STATE OF SOUTH CAROLINA]
COUNTY OF ANDERSON]

IN THE COURT OF GENERAL SESSIONS
TENTH JUDICIAL CIRCUIT

STATE OF SOUTH CAROLINA,]
VS.]
DEVON S. THOMAS,]
DEFENDANT.]

CASE NUMBER: 2012-GS-04-1478
through 1481

ORDER DENYING POST TRIAL MOTIONS

RECEIVED
JUN 09 2014
SC Court of Appeals

FILED-CLERK'S OFFICE
ANDERSON SC
2014 MAY 29 P 4: 16
COMMON PLEAS AND
GENERAL SESSIONS

Judge: HONORABLE R. LAWTON MCINTOSH
Assistant Solicitor: Rame Campbell
Defendant's Attorney: Scott McElhannon
Court Reporter: Renee Tollison
Date of Hearing: May 20, 2014

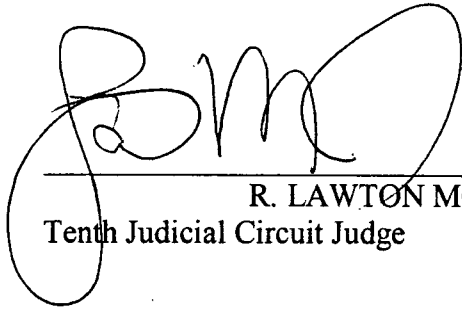
These matters were heard pursuant to the filing of a Motion for a New Trial and Motion to Reconsider Sentencing by the Defendant. The Defendant was found guilty at trial on February 26, 2014, and sentenced to ten [10] years. Said motions were timely filed by the Defendant.

The Court has heard from the witness and the arguments of counsel. The Court finds that the Motion for a New Trial and Motion to Reconsider Sentencing should be denied.

The Defendant's time to appeal shall not begin to run until this Order is signed and filed with the Clerk of Court.

IT IS SO ORDERED.

A TRUE COPY
MAY 29 2014
Richard A. Huley
CLERK OF COURT



R. LAWTON MCINTOSH
Tenth Judicial Circuit Judge

DATED: 5-29-14
Anderson, S.C.

FILED - CLERK'S OFFICE
ANDERSON SC
2014 MAY 29 P 4: 16
COMMON PLEAS AND
GENERAL SESSIONS

A TRUE COPY

MAY 29 2014

Richard A. Hulley
CLERK OF COURT

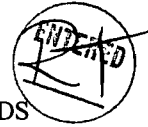
STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF Anderson
STATE VS.
Devon Shermayne Thomas
AKA:
Race: R Sex: M Age: 21
DOB: SS#:
Address:
City, State, Zip: Anderson, SC 29624
DL#: SID#: SC01966764

INDICTMENT/CASE#: 2012GS0401478
A/W#: J894801
Date of Offense: 3/25/2012
S.C. Code § : 16-03-0029
CDR Code #: 3410

SENTENCE SHEET



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

CONVICTED OF or PLEADS

in violation of § 16-03-0029 of the S.C. Code of Laws, bearing CDR Code # 3410
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.
The plea is: Without Negotiations or Recommendation, Negotiated Sentence, Recommendation by the State.

ATTEST:
Campbell, Rame Lambert 13981 Defendant
Scott W. Elden 11961 Attorney for Defendant SC Bar#

WHEREFORE, the Defendant is committed to the State Department of Corrections, County Detention Center,
for a determinate term of 10 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. (13800.75)
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 Fund
Other:

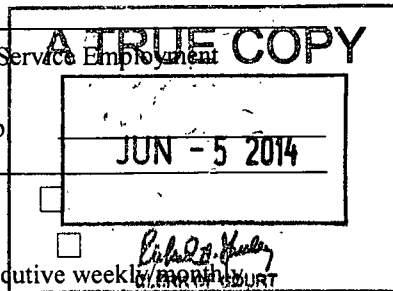


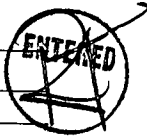
Table with columns for description, amount, and total. Includes items like § 14-1-206 (Assessments 107.5 %), § 14-1-211(A)(1) (Conv. Surcharge) \$100, § 14-1-211(A)(2) (DUI Surcharge) \$100, § 56-5-2995 (DUI Assessment) \$12, § 56-1-286 (DUI Breath Test) \$25, Proviso 47.9 (Public Def/Prob) \$500, § 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 (SCCJA Surcharge) \$5, 3% to County (if paid in installments) \$3.90, TOTAL \$133.90

Clerk of Court/ Deputy Clerk: Richard A. Shirley
Court Reporter: J. RW
SCCA/217 (03/2011)

Presiding Judge: [Signature]
Judge Code: 2155
Sentence Date: 2-26-14

COUNTY OF Anderson
STATE VS. Devon Shermayne Thomas

INDICTMENT/CASE#: 2012GS0401478
A/W#: J894801
Date of Offense: 3/25/2012
S.C. Code §: 16-23-0410
CDR Code #: 0122



AKA:
Race: B Sex: M Age: 21
DOB: SS#:
Address:
City, State, Zip: Anderson, SC 29624
DL#: SID#: SC01966764

SENTENCE SHEET

*CDL Yes No CMV Yes No Hazmat Yes No
In disposition of the said indictment comes now the Defendant who was TO: Weapons / Pointing and presenting firearms at a person

CONVICTED OF or PLEADS

in violation of § 16-23-0410 of the S.C. Code of Laws, bearing CDR Code # 0122
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.
The plea is: Without Negotiations or Recommendation, Negotiated Sentence, Recommendation by the State.

ATTEST: Panel Campbell 13981 Defendant
Campbell, Rame Lambert SC Bar#
Scott W. Edman 11961 Attorney for Defendant
SC Bar#

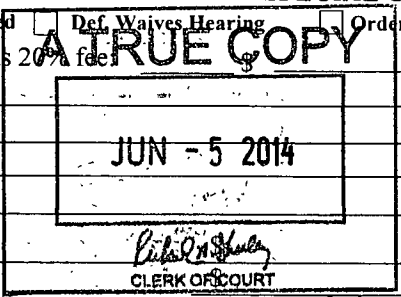
WHEREFORE, the Defendant is committed to the State Department of Corrections, County Detention Center,
for a determinate term of 3 days/months/years or under the Youthful Offender Act not to exceed years
and/or to pay a fine of \$; provided that upon the service of days/months/years and/or payment
of \$; plus costs and assessments as applicable*; the balance is suspended with probation for 5

months 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. (138 days)
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.

RESTITUTION: Deferred Def. Waives Hearing Ordered
Total: \$ plus 20% fee
Payment Terms:
Set by SCDPPPS



SPECIAL CONDITIONS:
PTUP days/hours Public Service Employment

Recipient:

Table with 3 columns: Description, Amount, Total. Includes items like Assessments 107.5%, DUI Surcharges, and Public Def/Prob fees. Total: 133.90

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: Probate not to begin until the end of Defendants period of incarceration

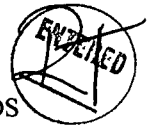
Clerk of Court/ Deputy Clerk: J. Rill
Court Reporter:

Appointed PD or appointed other counsel, § 47.12 requires \$500 be paid to Clerk during probation.
Presiding Judge: [Signature]
Judge Code: 2155
Sentence Date: 2-26-14

COUNTY OF Anderson
STATE VS.
Devon Shermae Thomas
AKA:
Race: B Sex: M Age: 21
DOB: SS#:
Address:
City, State, Zip: Anderson, SC 29624
DL#: SID#: SC01966764

INDICTMENT/CASE#: 2012GS0401479
A/W#: J894809
Date of Offense: 3/25/2012
S.C. Code § : 16-03-0029
CDR Code #: 3410

SENTENCE SHEET



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

CONVICTED OF or PLEADS

in violation of § 16-03-0029 of the S.C. Code of Laws, bearing CDR Code # 3410
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.
The plea is: Without Negotiations or Recommendation, Negotiated Sentence, Recommendation by the State.

ATTEST: Campbell, Rame Lambert 13981 SC Bar# Defendant
Attorney for Defendant 11961 SC Bar#

WHEREFORE, the Defendant is committed to the State Department of Corrections, County Detention Center,
for a determinate term of 10 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. (13800.5)
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:

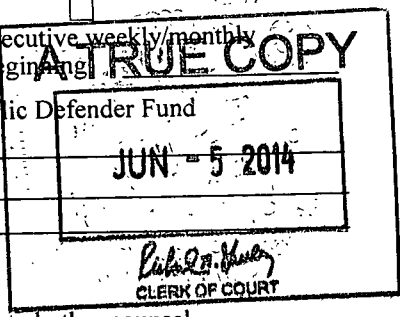
RESTITUTION: Deferred Def. Waives Hearing Ordered
Total: \$ plus 20% fee: \$
Payment Terms:
Set by SCDPPPS

PTUP days/hours Public Service Employment

Table with 3 columns: Description, Amount, Total. Includes items like Assessments, DUI Surcharge, Breath Test, etc. Total: \$133.00

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: J. R. W.

Signature: Richard S. Shiley

Presiding Judge
Judge Code: 2185
Sentence Date: 2-28-14

COUNTY OF Anderson
STATE VS.
Devon Shermayne Thomas
AKA:
Race: B Sex: M Age: 21
DOB: SS#:
Address:
City, State, Zip: Anderson, SC 29624
DL#: SID#: SC01966764

INDICTMENT/CASE#: 2012GS0401479
A/W#: J894809
Date of Offense: 3/25/2012
S.C. Code §: 16-23-0410
CDR Code #: 0122



SENTENCE SHEET

*CDL Yes No CMV Yes No Hazmat Yes No
In disposition of the said indictment comes now the Defendant who was
TO: Weapons / Pointing and presenting firearms at a person

CONVICTED OF or PLEADS

in violation of § 16-23-0410 of the S.C. Code of Laws, bearing CDR Code # 0122
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.
The plea is: Without Negotiations or Recommendation, Negotiated Sentence, Recommendation by the State.

ATTEST: Campbell, Rame Lambert 13981 SC Bar# Defendant
Attorney for Defendant 11961 SC Bar#

WHEREFORE, the Defendant is committed to the State Department of Corrections, County Detention Center,
for a determinate term of 3 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 5

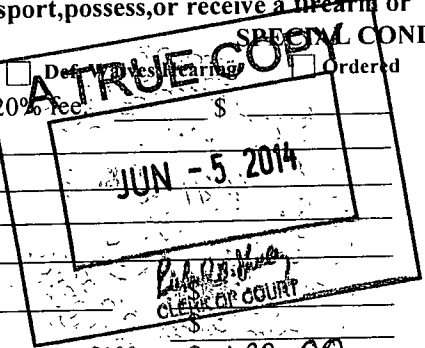
months/years and subject to South Carolina Department of Probation, Parole and Pardon Services standard conditions of
probation, which are incorporated by reference.

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. See 2012-65-04-1478

RESTITUTION: Deferred Def. V. Res. Earning Ordered
Total: \$ plus 20% fee \$
Payment Terms:
Set by SCDPPPS

Table with columns for assessment type, amount, and 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 (SCCJA Surcharge) \$5, 3% to County (if paid in installments) \$3.90, TOTAL \$133.90.



SPECIAL CONDITIONS:
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: See 2012 65 04 1478

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

Clerk of Court/Deputy Clerk: J. R. Riu
Court Reporter: J. R. Riu

Presiding Judge: [Signature]
Judge Code: 2135
Sentence Date: 2-26-14

COUNTY OF Anderson
STATE VS.

Devon Sherma yne Thomas

AKA:

Race: B Sex: M Age: 21

DOB: SS#

Address:

City, State, Zip: Anderson, SC 29624

DL#: SID#: SC01966764

*CDL Yes No CMV Yes No Hazmat Yes No

In disposition of the said indictment comes now the Defendant who was TO: Murder / Attempted Murder

INDICTMENT/CASE#: 2012GS0401480

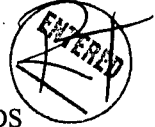
A/W#: J894810

Date of Offense: 3/25/2012

S.C. Code § : 16-03-0029

CDR Code #: 3410

SENTENCE SHEET



CONVICTED OF or PLEADS

in violation of § 16-03-0029 of the S.C. Code of Laws, bearing CDR Code # 3410
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.
The plea is: Without Negotiations or Recommendation, Negotiated Sentence, Recommendation by the State.

ATTEST: Campbell, Rame Lambert 13981 SC Bar# Defendant
Attorney for Defendant 11961 SC Bar#

WHEREFORE, the Defendant is committed to the State Department of Corrections, County Detention Center,
for a determinate term of 10 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. (1380 days)
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:

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 (SCCJA Surcharge) \$5, 3% to County (if paid in installments) \$3.90, TOTAL \$133.90

Clerk of Court/ Deputy Clerk: Richard A. Shirley

Court Reporter: J. Riu

PTUP days/hours Public Service Employment

Obtain GED

Attend Voc. Rehab. or Job Corp.

May serve W/E beginning

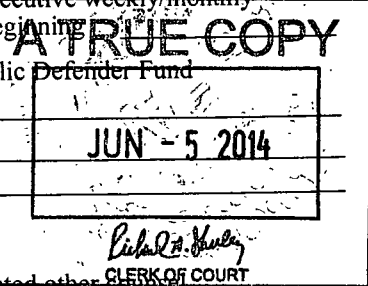
Substance Abuse Counseling

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.

Presiding Judge

Judge Code: 2155

Sentence Date: 2-26-14

COUNTY OF Anderson
STATE VS.
Devon Shermayne Thomas
AKA:
Race: B Sex: M Age: 21
DOB: SS#:
Address: 1
City, State, Zip: Anderson, SC 29624
DL#: SID#: SC01966764

INDICTMENT/CASE#: 2012GS0401480
A/W#: J894810
Date of Offense: 3/25/2012
S.C. Code §.: 16-23-0410
CDR Code #: 0122

SENTENCE SHEET



CONVICTED OF or PLEADS

*CDL Yes No CMV Yes No Hazmat Yes No
In disposition of the said indictment comes now the Defendant who was
TO: Weapons / Pointing and presenting firearms at a person

in violation of § 16-23-0410 of the S.C. Code of Laws, bearing CDR Code # 0122
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.
The plea is: Without Negotiations or Recommendation, Negotiated Sentence, Recommendation by the State.

ATTEST: Panel Campbell 13981 Defendant
Campbell, Rame Lambert SC Bar#
Scott McEllen 11961 Attorney for Defendant SC Bar#

WHEREFORE, the Defendant is committed to the State Department of Corrections, County Detention Center,
for a determinate term of 3 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 5

months 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. (138 0075)
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. See 2012-GS-04-1478

RESTITUTION: Deferred, Deferred Hearing, Ordered
Total: \$
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 (SCCA Surcharge) \$5 \$ 5.00
3% to County (if paid in installments) \$ 3.90
TOTAL \$ 133.90

Table of fines and surcharges with columns for statute number, amount, and total.

Clerk of Court/Deputy Clerk: Richard A. Huiley
Court Reporter: J. R. W.
SCCA/217 (03/2011)

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: See 2012-GS-04-1478

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

Presiding Judge: [Signature]
Judge Code: 2155
Sentence Date: 2-26-14

STATE OF SOUTH CAROLINA

COUNTY OF Anderson
STATE VS.

Devon Shermayne Thomas

AKA:

Race: B Sex: M Age: 21

DOB: SS#:

Address:

City, State, Zip: Anderson, SC 29624

DL#: SID#: SC01966764

*CDL Yes No CMV Yes No Hazmat Yes No

In disposition of the said indictment comes now the Defendant who was TO: Murder / Attempted Murder

IN THE COURT OF GENERAL SESSIONS

INDICTMENT/CASE#: 2012GS0401481

A/W#: J894811

Date of Offense: 3/25/2012

S.C. Code § : 16-03-0029

CDR Code #: 3410

SENTENCE SHEET



CONVICTED OF or PLEADS

in violation of § 16-03-0029 of the S.C. Code of Laws, bearing CDR Code # 3410

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.

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

ATTEST: Panel Campbell, Rame Lambert 13981 SC Bar# Defendant; Scott McElhiney 11961 SC Bar# Attorney for Defendant

WHEREFORE, the Defendant is committed to the State Department of Corrections, County Detention Center, for a determinate term of 10 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. (1380 days) 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:

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 (SCCJA Surcharge) \$5, 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

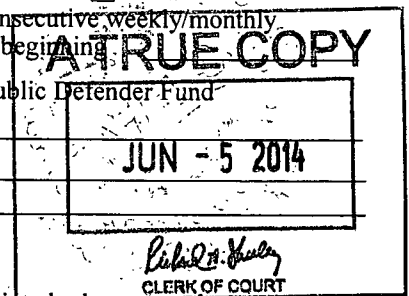
Random Drug/Alcohol testing

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: Richard S. Shirley

Court Reporter: J. Pitt

Presiding Judge

Judge Code: 2155

Sentence Date: 2-26-14

COUNTY OF Anderson
STATE VS. Devon Shermayne Thomas

INDICTMENT/CASE#: 2012GS0401481
A/W#: J894811
Date of Offense: 3/25/2012
S.C. Code §: 16-23-0410
CDR Code #: 0122



AKA:
Race: R Sex: M Age: 21
DOB: SS#:
Address:
City, State, Zip: Anderson, SC 29624
DL#: SID#: SC01966764

SENTENCE SHEET

*CDL Yes No CMV Yes No Hazmat Yes No
In disposition of the said indictment comes now the Defendant who was TO: Weapons / Pointing and presenting firearms at a person

CONVICTED OF or PLEADS

in violation of § 16-23-0410 of the S.C. Code of Laws, bearing CDR Code # 0122
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.
The plea is: Without Negotiations or Recommendation, Negotiated Sentence, Recommendation by the State.

ATTEST: Campbell, Rame Lambert SC Bar# 13981 Defendant
Attorney for Defendant SC Bar# 11961

WHEREFORE, the Defendant is committed to the State Department of Corrections, County Detention Center,
for a determinate term of 3 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 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. (138 days)
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.

RESTITUTION: Deferred Def. Waives Hearing Ordered
Total: \$ plus 20% fee
Payment Terms:
Set by SCDPPPS
SPECIAL CONDITIONS: See 2012-GS-04-1478
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

Table with 3 columns: Fee Description, Amount, Total. Includes items like Assessments 107.5%, Conv. Surcharge, DUI Surcharge, etc. Total: \$133.90

Fine may be pd. in equal, consecutive weekly/monthly pmts. of \$ beginning \$ paid to Public Defender Fund
Other: See 2012GS041478

Clerk of Court/Deputy Clerk: Richard A. Huiley
Court Reporter: J. Pitt
SCCA/217 (03/2011)

Appointed PD or appointed other counsel, § 47.12 requires \$500 be paid to Clerk during probation.
Presiding Judge: [Signature]
Judge Code: 2155
Sentence Date: 2-26-14

THE STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

THE STATE,)
)
-vs-)
)
DEVON S. THOMAS)
)
Defendant.)
_____)

ACCEPTANCE OF SERVICE
2012-GS-04-1478; 1479;
1480; 1481

RECEIVED
JUN 09 2014
SC Court of Appeals

I, Salley W. Elliott, of the Office of the Attorney General, hereby accept service of a copy of the Notice of Appeal in regard to the captioned matter this 2nd day of June, 2014.



SALLEY W. ELLIOTT
ASSISTANT DEPUTY ATTORNEY GENERAL

**M. SCOTT McELHANNON
ATTORNEY AT LAW**

**110 EAST BENSON STREET
ANDERSON, S.C. 29624**

scottmcelhannon@yahoo.com

**TELEPHONE
(864) 642-6662
FAX
(864) 222-2176**

June 5, 2014

Ms. V. Claire Allen
Deputy Clerk of the Court of Appeals
P.O. Box 11629
Columbia, South Carolina 29211

RECEIVED

JUN 09 2014

SC Court of Appeals

RE: The State v. Devon S. Thomas
Appellate Case No. 2014-001182

Dear Ms. Allen:

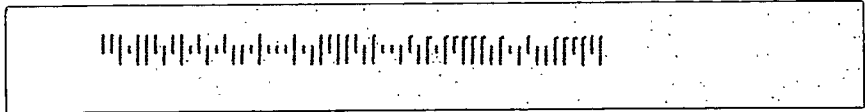
I have received your letter dated June 4, 2014, regarding a deficiency in the appeal of the above case. Please find enclosed the Order Denying Post Trial Motions signed by Judge McIntosh on May 29, 2014, and the sentencing sheet being challenged on appeal. Also enclosed is the Acceptance of Service of Salley W. Elliott, Assistant Deputy Attorney General. Please file the aforesaid in the appropriate file.

Thank you and kindest regards.

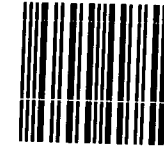
Most sincerely,


M. Scott McElhannon

enclosures



1000



29211

U.S. POSTAGE
PAID
ANDERSON, SC
29621
JUN 05 14
AMOUNT

\$1.40
00035448-03

M. Scott McElhannon
Attorney at Law
110 East Benson Street
Anderson, South Carolina 29624

JUN 05 2014

FIRST CLASS SC Court of Appeals

V. Claire Allen
Deputy Clerk, Court of Appeals
P.O. Box 11629
Columbia, SC 29211