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**MELISA W. GAY, LLC**  
Attorneys and Counselors at Law  
Post Office Box 2144  
Mt. Pleasant, South Carolina 29465-2144  
Telephone 843-856-0580  
Fax 843-856-0590

# FACSIMILE TRANSMITTAL SHEET

To: SC Court of Appeals Fax: 803-734-1839

From: Melisa W. Gay Date: 6/17/14

Re: Henry Nesbit Page: 7

Case: 2014-001231 CC: \_\_\_\_\_

- Urgent
- For Review
- Please Comment
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JUN 17 2014  
SC Court of Appeals

.....

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF Charleston
STATE VS.

Henry Oliver Nesbit Jr

AKA:

Race: BLACK Sex: M Age: 29

DOB: SS#:

Address:

City, State, Zip:

DL#: SID#: SC01421253

\*CDL Yes No CMV Yes No Hazmat Yes No

In disposition of the said indictment comes now the Defendant who was

TO: PWID/Dist. of Cocaine/LSD/other Narcotic drugs in Sch. I(b) & (c)/Sched. II, 3rd offense CONVICTED OF or PLEADS

in violation of 44-53-0370(b)(1) of the S.C. Code of Laws, bearing CDR Code # 0185

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.

TEST: [Signature] 72656
Linder, Stephanie B. SC Bar# Defendant

[Signature] 63773
Attorney for Defendant SC Bar#

WHEREFORE, the Defendant is committed to the State Department of Corrections, County Detention Center,
for a determinate term of 15 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: 2013-GS-10-5527, 5639
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:

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.

Table with 2 columns: Description and Amount. Includes items like Assessments, Conv. Surcharge, DUI Surcharge, etc. Total: \$288.40

Clerk of Court/ Deputy Clerk

Court Reporter: Ruth Mott

SCCA217 (03/2011)

TEST: A TRUE COPY

JULIE J. ARMSTRONG (SEAL)

DEPUTY CLERK Date: 5-8-2014

By [Signature] DEPUTY CLERK

[Signature] 2128
5-8-2014

STATE OF SOUTH CAROLINA )  
 )  
 COUNTY OF CHARLESTON )  
 )  
 State of South Carolina )  
 )  
 vs. )  
 )  
 Henry Oliver Nesbit, Jr., )  
 )  
 Defendant. )  
 \_\_\_\_\_ )

IN THE COURT OF GENERAL SESSIONS  
 FOR THE NINTH JUDICIAL CIRCUIT

Indictment No.: 2013-GS-10-5634

**VERDICT FORM**

**AS TO INDICTMENT NO.: 2013-GS-10-5634:**

We, the jury, by unanimous consent find the Defendant:

Guilty of Trafficking in Cocaine

OR

AS TO THE LESSER INCLUDED OFFENSE:

Guilty of Possession with Intent to Distribute Cocaine

OR

Not Guilty.

Please sign and date

Foreperson

May 8, 2014

**Please let the bailiff(s) know when you have finished your deliberations.**

STATE OF SOUTH CAROLINA )  
 COUNTY OF Charleston )  
 STATE VS. )  
Henry Oliver Nesbit Jr )  
 AKA: )  
 Race: BLACK Sex: M Age: 29 )  
 DOB: [REDACTED] SS#: [REDACTED] )  
 Address: [REDACTED] )  
 City, State, Zip: [REDACTED] )  
 DL#: [REDACTED] SID#: SC01421253 )

IN THE COURT OF GENERAL SESSIONS

INDICTMENT/CASE#: 2013GS1005639  
 A/W#: 2013A1010203902  
 Date of Offense: 6/16/2013  
 S.C. Code § : 44-53-0370(b)(2)  
 CDR Code #: 0186

SENTENCE SHEET

\*CDL Yes  No  CMV Yes  No  Hazmat Yes  No   
 In disposition of the said indictment comes now the Defendant who was  
 TO: Poss. of Heroin/LSD/Schedule I(b),(c), & Schedule narcotics, 3rd offense

CONVICTED OF or  PLEADS

in violation of § 44-53-0370(d)(1)(2) of the S.C. Code of Laws, bearing CDR Code # 0178 ~~0179~~ 0180  
 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.

Stephanie B. 72656 SC Bar# 72656 Defendant [Signature] 63773 Attorney for Defendant SC Bar# 63773

WHEREFORE, the Defendant is committed to the  State Department of Corrections,  County Detention Center,  
 for a determinate term of 1 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: 2013-GS-10-5527-5634  
 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:       

       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:       

*Fine:	\$
§ 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)	\$
TOTAL	\$ <u>288.40</u>

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

Clerk of Court/ Deputy Clerk: Ruth Matt  
 Court Reporter: Ruth Matt  
 SCCA/217 (03/2011)  
 Presiding Judge: [Signature]  
 CLERK OF COURT: JULIE J. ARMSTRONG  
 By: [Signature] DEPUTY CLERK  
 Date: 5-8-2014

STATE OF SOUTH CAROLINA )  
 )  
 COUNTY OF CHARLESTON )  
 )  
 State of South Carolina )  
 )  
 vs. )  
 )  
 Henry Oliver Nesbit, Jr., )  
 )  
 Defendant. )

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IN THE COURT OF GENERAL SESSIONS  
 FOR THE NINTH JUDICIAL CIRCUIT

Indictment No.: 2013-GS-10-5639

**VERDICT FORM**

**AS TO INDICTMENT NO.: 2013-GS-10-5639:**

We, the jury, by unanimous consent find the Defendant:

Guilty of Possession With Intent to Distribute Methylone (Bath Salts)

OR

AS TO THE LESSER INCLUDED OFFENSE:

Guilty of Possession of Methylone (Bath Salts)

OR

Not Guilty.

Please sign and date

*[Signature]*  
 Foreperson

May 8, 2014

Please let the balliff(s) know when you have finished your deliberations.

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF Charleston
STATE VS.

Henry Oliver Nesbit Jr

AKA:

Race: BLACK Sex: M Age: 29

DOB: SS#:

Address:

City, State, Zip:

DL#: SID#: SC01421253

\*CDL Yes No CMV Yes No Hazmat Yes No

In disposition of the said indictment comes now the Defendant who was TO: Traffic / Failure to stop for a blue light, no injury or dea

INDICTMENT/CASE#: 2013GS1005527

A/W#: 51804GF

Date of Offense: 6/16/2013

S.C. Code § : 56-05-0750(C)(2)

CDR Code #: 2398

SENTENCE SHEET

in violation of § 56-05-0750(B)(2) of the S.C. Code of Laws, bearing CDR Code # 2396

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: Stephanie B. Linder, Stephanie B. SC Bar#

Defendant Attorney for Defendant SC Bar# 6377

WHEREFORE, the Defendant is committed to the State Department of Corrections, County Detention Center, for a determinate term of 5 months 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: 2013-GS-10-5634; 5639

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:

Table with 3 columns: Description, Amount, Total. Includes items like § 14-1-206 (Assessments 107.5 %), § 14-1-211(A)(1) (Conv. Surcharge), § 14-1-211(A)(2) (DUI Surcharge), § 56-5-2995 (DUI Assessment), § 56-1-286 (DUI Breath Test), Proviso 47.9 (Public Def/Prob), § 14-1-212 (Law Enforce. Funding), § 14-1-213 (Drug Court Surcharge), § 50-21-114 (BUI Breath Test Fee), § 56-5-2942(J) (Vehicle Assessment), Proviso 90.5 (SCCJA Surcharge), 3% to County (if paid in installments), TOTAL.

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

Court Reporter: Ruth Molt

SCCA/217 (03/2011)

ATTEST: A TRUE COPY Judge JULIE J. ARMSTRONG Clerk of Court Date: 5-8-2014 By: [Signature] REPUTY CLERK

[Signature] 2108 5-8-2014

STATE OF SOUTH CAROLINA )

COUNTY OF CHARLESTON )

State of South Carolina )

vs. )

Henry Oliver Nesbit, Jr., )

Defendant. )

IN THE COURT OF GENERAL SESSIONS  
FOR THE NINTH JUDICIAL CIRCUIT

Indictment No.: 2013-GS-10-5527

**VERDICT FORM**

**AS TO INDICTMENT NO.: 2013-GS-10-5527:**

We, the jury, by unanimous consent find the Defendant:

Guilty of Failure to Stop for a Blue Light

OR

Not Guilty.

Please sign and date

*Maria Carlos*  
Foreperson

May 8, 2014

Please let the bailiff(s) know when you have finished your deliberations.

**RECEIVED**

JUN 17 2014

**SC Court of Appeals**