

County of Lexington  
STATE VS.

Indictment Number: 12-20-02989  
Probation C/W #s: C-32-A-0115

D'neal Burdick  
AKA:  
Race: W Sex: M  
DOB: [REDACTED]  
SSN: [REDACTED]  
SID#: 48274

Name of Original Offense: DJ of 055 mot 48  
Original A/W #: I-358016  
Date of Original Offense: 9-16-09  
Conviction S.C. Code §: 16-15-0345  
Conviction CDR Code #: 0 / 3 / 7 / 5  
Original Sentence: 5 yrs upon 3 yrs  
**ORDER 3 yrs prob**

The above named defendant has been charged with violating the conditions of probation ordered on 01/12 in the Court of General Sessions of Lexington County, and/or the additional conditions ordered by the Court in probation continuation orders(s) issued on 03-04, as set forth in the attached warrant(s) or citation(s) dated 03-04. After hearing the evidence and being duly advised, in the (presence/absence) of the defendant, I find that the above named defendant has violated the following condition(s) of probation: (List by number or indicate special conditions as provided in the affidavit)  
5, 7, 9, 10

Therefore, IT IS ORDERED that:

- the suspended sentence be revoked and the above named defendant be required to serve \_\_\_\_\_ months/years, the remainder of the original sentence, and/or pay \$ \_\_\_\_\_.
- the suspended sentence be revoked and the above named defendant be required to serve 1 months/years of the original sentence and/or pay \$ \_\_\_\_\_; thereupon to be reinstated on probation, subject to the conditions set forth in the attached order and not inconsistent with this order.
- the above named defendant is continued on probation as provided for in the original sentence, subject to the conditions set forth therein and not inconsistent with this order.
- probation is reduced to time served under supervision and the defendant is discharged from supervision on this date.
- the above named defendant is placed on active electronic monitoring pursuant to §23-3-540 (mandatory if convicted of first degree criminal sexual conduct with a minor or lewd act, discretionary if convicted of any other applicable sex offense against a minor).
- Financial Obligations: Order satisfies:
  - Department fees (arrearage)
  - Fines and other fees (arrearage/balance)
  - Restitution (and 20%) (arrearage/balance)
- Additional Conditions ordered by the Court:
  - Civil judgment:  Department fees
  - Fines and other fees
  - Restitution (and 20%)

CONSENT

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AUG 18 2014  
**ENTERED**

- The defendant is given credit for pre-revocation hearing detention time on current probation violation to be calculated and applied by the SC Department of Corrections.
- The defendant has previously served 3 months/years on this sentence.  
(split-sentence time and/or prior partial revocation time)
- The defendant was previously placed on active electronic monitoring pursuant to §23-3-540.

This 18 day of JULY, 2014,  
LEXINGTON, SC

Presiding Judge [Signature]  
11th Judicial Circuit

You are hereby advised that under the law the Court may at any time revoke or modify any condition of this probation; impose any lawful conditions it deems proper; or extend your period of probation not to exceed five (5) years. At any time within the period of your probation, the Court may require you to serve any part of the original sentence imposed.

This is to certify that I have read, or have had read to me, the order and the conditions set out therein. I agree to comply with such conditions and the conditions of my attached probation order during the period of my probation. I have received a copy of this Court's order and all attachments.

Offender's Signature \_\_\_\_\_ Witnessed by \_\_\_\_\_

Signed this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_ at \_\_\_\_\_ SC

**RECEIVED**  
AUG 18 2014  
**SC Court of Appeals**

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

APPEAL FROM LEXINGTON COUNTY  
Court of General Sessions

The Honorable Edward B. Cottingham, Circuit Court Judge

Case No. 12-GS-26-02889,02890  
Warrant No. W-32-14-0115

The State,

Respondent,

v.

O'Neal Byrdic

Appellant.

PROOF OF SERVICE

I certify that I have served the Notice of Appeal on the Department of Probation, Pardon, and Parole (DPPP), by depositing a copy of it in the United States Mail, postage prepaid, on July 29, 2014, addressed to Matthew C. Buchanan, General Counsel for DPPP, at P.O. Box 50666, Columbia, SC 29250.

R. Joseph Oppermann  
Assistant Public Defender  
407 ½ W. Main Street  
Lexington, SC 29072  
(803) 785-8873