

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

**RECEIVED**

SEP 02 2014

SC Court of Appeals

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APPEAL FROM AIKEN COUNTY  
Court of General Sessions

The Honorable Doyet Early III, Circuit Court Judge

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Indictment Number 2014-GS-02-00937  
Arrest Warrant Number 2014A0220100331

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The State,.....Respondent  
Edward James,.....Appellant.

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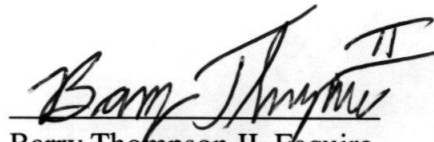
**MOTION TO FILE APPEAL OUT OF TIME**

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Edward James, by and through his undersigned attorney, moves to be allowed to file an appeal from his conviction out of time and after the ten (10) day deadline for filing. Mr. James was sentenced on June 10, 2014. The necessary documents for an appeal were prepared and mailed, via certified US mail, on June 17, 2014. At the same time, a duplicate package was prepared and mailed to the South Carolina Commission on Indigent Defense to inform them of the appeal. Both packages were properly addressed to their respective recipients. A copy of Mr. James' appeal package, a copy of the documents sent to the Commission, and a copy of the mailing documents are all attached. Despite the individual address on one of the envelopes, the US Postal Service appears to have accidentally delivered both packages to the Commission on

Indigent Defense. Despite the address and the intended recipient listed on one of the two envelopes, someone appears to have mistakenly signed for the package addressed to the Court of Appeals. This compound error on behalf of the US Postal Service and the receiver of the mail at the Commission on Indigent Defense has unfortunately resulted in the Court of Appeals not receiving Mr. James' Notice of Intent to Appeal in a timely fashion. Mr. James, by and through his undersigned attorney, humbly moves for the South Carolina Court of Appeals to accept and file his Notice of Intent to Appeal. His Notice of Intent to Appeal has been mailed to you in this envelope. Please consider it a stand-alone document and file it separately. The South Carolina Commission on Indigent Defense has not been provided with a new copy of Mr. James' Notice of Intent to Appeal, since Appellant's attorney has verified by phone that the Commission has already received two copies of Mr. James' Notice.

August 20, 2014



Barry Thompson II, Esquire  
Assistant Public Defender  
Office of the 2<sup>nd</sup> Judicial Circuit Public Defender  
P.O. Drawer 2247  
Aiken, SC 29802  
Attorney for Appellant

Other Counsel of Record

Kevin Moloney, Esquire  
Assistant Solicitor for the 2<sup>nd</sup> Judicial Circuit  
P.O. Box 3368  
Aiken, SC 29802  
Attorney for Respondent

Attachments: Copy of original appeal package sent to the Court of Appeals  
Copy of original appeal package sent to the SC Commission on Indigent Defense  
Copy of certified mail receipts showing proper addresses and miss-delivery

Appeal Package  
Originally Mailed to SC  
Court of Appeals

NOTICE OF INTENT TO APPEAL  
THE STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS  
FROM AIKEN COUNTY  
THE HONORABLE DOYET A. EARLY, III  
June 16, 2014

Indictment # 2014-GS-02-00937

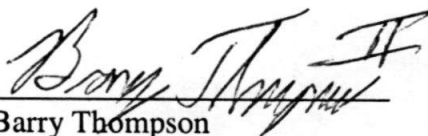
THE STATE OF SOUTH CAROLINA -- Respondent

VS.

EDWARD JAMES -- Appellant

NOTICE OF INTENT TO APPEAL

Edward James, pled guilty to Possession of stolen vehicle and was sentenced on June 10, 2014 before the Honorable Doyet Early in Aiken, South Carolina. He appeals his sentence.

  
Barry Thompson  
Attorney for Defendant

Other Counsel of record is:

Kevin Molony  
Assistant Solicitor  
Second Judicial Circuit  
P.O. Drawer 3368  
Aiken, SC 29802

NOTICE OF INTENT TO APPEAL

State of South Carolina

Vs:

Edward James- Appellant

2014A0220100331

CERTIFICATE OF SERVICE

I, Loretta Walker, do hereby certify that I have this day served the original of Appellate's Notice to Appeal upon the South Carolina Court of Appeals, and copies of Appellate's Notice of Intent to Appeal to the Clerk of Court of Aiken County, and to J. Strom Thurmond Jr., Solicitor, Second Judicial Circuit, by placing same in the United States Mail properly addressed and with correct postage affixed thereto:

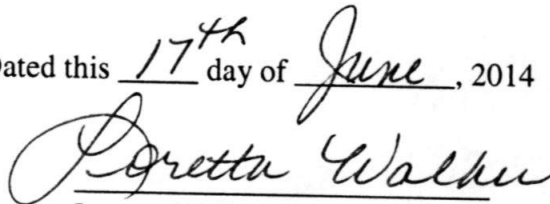
South Carolina Court of Appeals  
Post Office Box 11629  
Columbia, SC 29211

South Carolina Commission  
Of Appellate Defense  
P. O. Box 11589  
Columbia, SC 29211

Clerk of Court  
Aiken County Judicial Circuit  
Post Office Box 583  
Aiken, SC 29802

J. Strom Thurmond Jr.  
Solicitor  
Second Judicial Circuit  
Post Office Box 3368  
Aiken, SC 29802

Dated this 17<sup>th</sup> day of June, 2014



Loretta Walker  
Secretary to Appellant's Attorney  
Post Office Drawer 2247  
Aiken, SC 29802  
803-642-1732

STATE OF SOUTH CAROLINA

vs.

Edward James  
Appellant.


STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

Indictment #: 2014-GS-02-00937

**RULE 203(d)(1)(B)(iv) EXPLANATION**

Pursuant to Rule 203(d)(1)(B)(iv), the undersigned asserts that he does not have a good faith basis to believe that any issues are properly before the Court of Appeals, and the undersigned did not object to the sentence or file a motion to reconsider the sentence. Therefore, the undersigned has filed the appeal on behalf of the Appellant because the Sixth Amendment requires counsel to follow the Appellant's request. *See Frazer v. South Carolina*, 430 F.3d 696, 706 (4<sup>th</sup> Cir. 2005) ("A defendant has a right to pursue a direct appeal, even if frivolous, which counsel must assist as 'an active advocate on behalf of his client.'") (quoting *Anders v. California*, 386 U.S. 738, 744 (1967)).

Respectfully submitted,

  
Barry Thompson, II  
Aiken County Public Defender  
Post Office Drawer 2247  
Aiken, SC 29802  
(803) 642-1732

Aiken, South Carolina  
June 16, 2014

STATE OF SOUTH CAROLINA

COUNTY OF Aiken
STATE VS. Edward Levi James

AKA:

Race: White Sex: M Age: 26

DOB: SS#:

Address:

City, State, Zip:

DL#: SID#: SC02155044

\*CDL Yes No CMV Yes No Hazmat Yes No

In disposition of the said indictment comes now the Defendant who was TO: Possession of a Stolen Vehicle >\$2,000 <\$10,000

IN THE COURT OF GENERAL SESSIONS

INDICTMENT/CASE#: 2014GS0200937

A/W#: 2014A0220100331

Date of Offense: 5/6/2014

S.C. Code §: 16-21-80

CDR Code #: 3467

SENTENCE SHEET

0-5 years

CONVICTED OF or PLEADS

in violation of § 16-21-80 of the S.C. Code of Laws, bearing CDR Code # 3467

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: Kevin H. Ploy 80679 SC Bar# Defendant Edward L. James Attorney for Defendant 72900 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

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 PTUP

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/ca, Proviso 90.5 (SCCJA Surcharge) \$5, 3% to County (if paid in installments) \$3.90, TOTAL \$133.90

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: Sharon Stepper
Court Reporter: Bethanie P. Greppan
SCCA/217 (03/2011)

Presiding Judge: M. E. ...
Judge Code: 0139
Sentence Date: June 10, 2014

STATE OF SOUTH CAROLINA
COUNTY OF AIKEN
I, Liz Giddard, Clerk of Court of General Sessions for Aiken County, South Carolina do hereby certify that the foregoing constitutes a true and correct copy of the original document which has been filed in my office this 11 day of June 2014.
Liz Giddard
C.C.C.P. # G.S. # Aiken County, S.C.
Deputy Clerk

2014A0220100331

STATE OF SOUTH CAROLINA

County/  Municipality of

City of Aiken

14-32029

THE STATE against

Edward Levi James

Address:

Phone:

Sex: M Race: W Height: 6 1 Weight: 195

DL State:

DOB: Agency ORI #: SC0020100

Prosecuting Agency: Aiken Public Safety

Prosecuting Officer: Richard D Franklin

Offense: POSSESSION STOLEN AUTO

Offense Code: 430-3467

Code/Ordinance Sec: 16-21-0080(3)

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

is to be arrested and brought before me to be dealt with according to the law. The accused

Date: Signature of Judge (L.S.)

RETURN

A copy of this arrest warrant was delivered to defendant Edward James on 5-7-2014 0955

Signature of Constable/Law Enforcement Officer: Sgt. Dennis

RETURN WARRANT TO:

Aiken Municipal Court 251 Laurens St., N.W. Aiken, SC 29801

TWINGIRO

County/  Municipality of City of Aiken

AFFIDAVIT

S.C. Attorney General April 27, 2003 SCSA 518

Personally appeared before me the affiant Richard D Franklin

being duly sworn deposes and says that defendant Edward Levi James

did within this county and state on 05/06/2014

State of South Carolina (or ordinance of County/ Municipality of City of Aiken)

DESCRIPTION OF OFFENSE: POSSESSION STOLEN AUTO

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:

Upon information and belief, the defendant, Edward Levi James, did on 05-06-2014; commit the offense of Possession of a Stolen Vehicle. The defendant did have in his possession a 2008 Pontiac G6 with GA license plate BFN7571 and a VIN of 1GZZH57N084117875. The vehicle had been reported stolen in North Augusta SC. This incident did occur at 3608 Richland Ave W ( Quality Inn & Suites ) which is in the City of Aiken and in violation of the SC Code of Laws, as amended.

Signature of Affiant

STATE OF SOUTH CAROLINA County/ Municipality of City of Aiken

Affiant's Address 251 LAURENS ST AIKEN, SC 29801- Affiant's Telephone (803)642-7620

ARREST WARRANT

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

It appearing from the above affidavit that there are reasonable grounds to believe that on 05/06/2014 defendant Edward Levi James did violate the criminal laws of the State of South Carolina (or ordinance of County/ Municipality of City of Aiken) as set forth below: DESCRIPTION OF OFFENSE: POSSESSION STOLEN AUTO

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 is practicable

Sworn to and subscribed before me on 05/07/2014 Signature of Issuing Judge Judge Code 005

Judge's Address Judge's Telephone Issuing Court: Magistrate Municipal Circuit

ORIGINAL

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF AIKEN )  
 )

INDICTMENT FOR  
POSSESSION OF A STOLEN VEHICLE

§ 16-21-80

At a Court of General Sessions, convened on July 14, 2014, the Grand Jurors of Aiken County present upon their oath:

That **EDWARD LEVI JAMES** did in Aiken County on or about May 6, 2014, knowingly and unlawfully have in his possession a stolen vehicle which he was not entitled to possess, to wit: a 2008 Pontiac G6 GT valued at more than Two Thousand Dollars but less than Ten Thousand Dollars and belonging to Tyler Love. All in violation of §16-21-80 of the Code of Laws of South Carolina (1976), as amended.

Against the peace and dignity of the State, and contrary to the statute in such case made and provided.

  
\_\_\_\_\_  
J. STROM THURMOND, SOLICITOR

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF AIKEN )  
 )

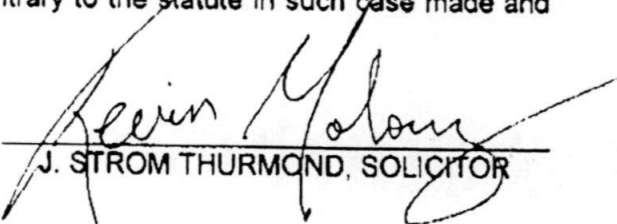
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Against the peace and dignity of the State, and contrary to the statute in such case made and provided.

  
\_\_\_\_\_  
J. STROM THURMOND, SOLICITOR

STATE OF SOUTH CAROLINA

COUNTY OF Aiken
STATE VS. Edward Levi James

AKA:

Race: White Sex: M Age: 26

DOB: SS#:

Address:

City, State, Zip:

DL#: SID#: SC02155044

\*CDL Yes No CMV Yes No Hazmat Yes No

In disposition of the said indictment comes now the Defendant who was TO: Possession of a Stolen Vehicle >\$2,000 < \$10,000

IN THE COURT OF GENERAL SESSIONS

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INDICTMENT/CASE#: 2014GS0200937

A/W#: 2014A0220100331

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CDR Code #: 3467

Court of Appeals

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

ATTEST: Kevin N. Molony, Kevin N. Molony, Kevin N. Molony, Kevin N. Molony

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

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

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SPECIAL CONDITIONS:

RESTITUTION: Deferred Def. Waives Hearing Ordered

Total: \$ plus 20% fee: \$

Payment Terms:

Set by SCDPPPS

Recipient:

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Court Reporter: Bethanie P. Creppan
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Presiding Judge: M. E. ...
Judge Code: 0139
Sentence Date: June 10, 2014

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COUNTY OF Aiken
I, Liz Giddard, Clerk of Court of 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 11 day of June 2014.
Liz Giddard
C.C.C.P. # S.C. # 1420 County, S.C.
Deputy Clerk

Appeal Package  
Originally Mailed to SC  
Commission on  
Indigent Defense

**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

June 16, 2014

South Carolina Commission  
On Indigent Defense  
Attention: Lorie French  
P. O. Box 11589  
Columbia, SC 29211

RE: NOTICE OF INTENT TO APPEAL  
EDWARD JAMES  
2014A0220100331 / 2014-GS-02-00937

Dear Mrs. French:

Please find enclosed copies of Notice of Intent to Appeal, Indictments 2014-GS-02-00937 Arrest Warrant 2014A0220100331, defendant's affidavit of indigency and the Rule 203(B) explanation.

Edward James, pled guilty to Possession of stolen vehicle and was sentenced on June 10, 2014 before the Honorable Doyet Early. Ms. Bethanie Creppon served as the Court Reporter. Her address is P. O. Box 85411, Lexington, SC 29073.

I am available to discuss this case if you so desire.

Sincerely,



Barry Thompson  
Assistant Public Defender

BT:lw  
Enclosure

NOTICE OF INTENT TO APPEAL  
THE STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS  
FROM AIKEN COUNTY  
THE HONORABLE DOYET A. EARLY, III  
June 16, 2014

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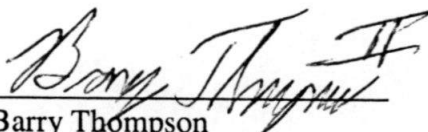
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Attorney for Defendant

Other Counsel of record is:

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State of South Carolina

Vs:

Edward James- Appellant

2014A0220100331

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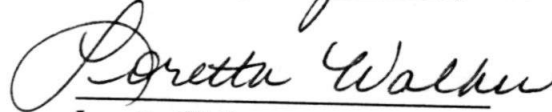
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J. Strom Thurmond Jr.  
Solicitor  
Second Judicial Circuit  
Post Office Box 3368  
Aiken, SC 29802

Dated this 17<sup>th</sup> day of June, 2014



Loretta Walker  
Secretary to Appellant's Attorney  
Post Office Drawer 2247  
Aiken, SC 29802  
803-642-1732

STATE OF SOUTH CAROLINA

vs.

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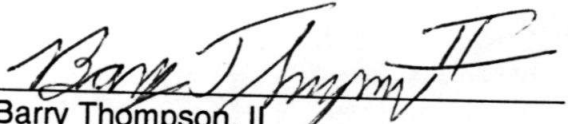
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Indictment #: 2014-GS-02-00937

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Respectfully submitted,

  
Barry Thompson, II  
Aiken County Public Defender  
Post Office Drawer 2247  
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Aiken, South Carolina  
June 16, 2014

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF Aiken
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In disposition of the said indictment comes now the Defendant who was
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in violation of § 16-21-80 of the S.C. Code of Laws, bearing CDR Code # 3467
[x] 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, [x] Defendant Waives Presentment to Grand Jury. (defendant's initials)
The plea is: [x] Without Negotiations or Recommendation, [ ] Negotiated Sentence, [ ] Recommendation by the State.

ATTEST: Kevin H. Haly, 80679 SC Bar# Defendant; Edward J. ... Attorney for Defendant; ... SC Bar#

WHEREFORE, the Defendant is committed to the [x] State Department of Corrections, [ ] County Detention Center,
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and/or to pay a fine of \$ ; provided that upon the service of days/months/years and/or payment
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Other:

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/ca, Proviso 90.5 (SCCJA Surcharge) \$5, 3% to County (if paid in installments) \$3.90, TOTAL \$133.90

STATE OF SOUTH CAROLINA
COUNTY OF AIKEN
I, Liz Odum, 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
11 day of June 2014
Liz Odum, Clerk
C.C.P. # 03 S. Aiken County, S.C.

Clerk of Court/ Deputy Clerk: Sharon Stepper
Court Reporter: Bethanie P. Creppan
SCCA/217 (03/2011)

Presiding Judge: [Signature]
Judge Code: 0136
Sentence Date: June 10, 2014

2014A0220100331

STATE OF SOUTH CAROLINA  
County/  Municipality of

City of Aiken

14-32029

THE STATE  
against

Edward Levi James

Address:

Phone:

Sex: M Race: W Height: 6 Weight: 195

DL State: 8/23/1987 DL #: SC0020100

Agency ORI #: SC0020100

Prosecuting Agency: Aiken Public Safety

Prosecuting Officer: Richard D Franklin

Offense: POSSESSION STOLEN AUTO

Offense Code: 430-3467

Coder/Ordinance Sec: 16-21-0080(3)

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

The accused is to be arrested and brought before me to be dealt with according to the law

Signature of Judge (L.S.)

Date:

RETURN

A copy of this arrest warrant was delivered to defendant Edward James on 5-7-2014 0955

Signature of Constable/Law Enforcement Officer: Sgt. Dennis

RETURN WARRANT TO:

Aiken Municipal Court  
251 Laurens St., N.W.  
Aiken, SC 29801  
TAMIGIRO

County/  Municipality of )  
City of Aiken )

AFFIDAVIT

April 21, 2003  
SCCA 518

Personally appeared before me the affiant Richard D Franklin

being duly sworn deposes and says that defendant Edward Levi James

did within this county and state on 05/06/2014

State of South Carolina (or ordinance of  County/  Municipality of City of Aiken)

in the following particulars:

DESCRIPTION OF OFFENSE: POSSESSION STOLEN AUTO

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:

Upon information and belief, the defendant, Edward Levi James, did on 05-06-2014; commit the offense of Possession of a Stolen Vehicle. The defendant did have in his possession a 2008 Pontiac G6 with GA license plate BFN7571 and a VIN of 1G2ZH57N084117875. The vehicle had been reported stolen in North Augusta SC. This incident did occur at 3608 Richland Ave W ( Quality Inn & Suites ) which is in the City of Aiken and in violation of the SC Code of Laws, as amended.

Signature of Affiant

STATE OF SOUTH CAROLINA

County/  Municipality of

City of Aiken

Affiant's Address 251 LAURENS ST

AIKEN, SC 29801-

Affiant's Telephone (803)642-7620

ARREST WARRANT

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

It appearing from the above affidavit that there are reasonable grounds to believe that

on 05/06/2014

defendant Edward Levi James

did violate the criminal laws of the State of South Carolina (or ordinance of  County/  Municipality of City of Aiken) as set forth below.

DESCRIPTION OF OFFENSE: POSSESSION STOLEN AUTO

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 is practicable

Sworn to and subscribed before me

on 05/07/2014

Signature of Issuing Judge [Signature] (L.S.)

Judge Code 005

Judge's Address

Judge's Telephone

Issuing Court:  Magistrate  Municipal  Circuit

ORIGINAL

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF AIKEN )  
 )

INDICTMENT FOR  
POSSESSION OF A STOLEN VEHICLE

§ 16-21-80

At a Court of General Sessions, convened on July 14, 2014, the Grand Jurors of Aiken County present upon their oath:

That **EDWARD LEVI JAMES** did in Aiken County on or about May 6, 2014, knowingly and unlawfully have in his possession a stolen vehicle which he was not entitled to possess, to wit: a 2008 Pontiac G6 GT valued at more than Two Thousand Dollars but less than Ten Thousand Dollars and belonging to Tyler Love. All in violation of §16-21-80 of the Code of Laws of South Carolina (1976), as amended.

Against the peace and dignity of the State, and contrary to the statute in such case made and provided.

  
\_\_\_\_\_  
J. STROM THURMOND, SOLICITOR

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF AIKEN )  
 )

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Against the peace and dignity of the State, and contrary to the statute in such case made and provided.

  
\_\_\_\_\_  
J. STROM THURMOND, SOLICITOR

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF Aiken
STATE VS.

INDICTMENT/CASE#: 2014GS0200937

Edward Levi James

A/W#: 2014A0220100331

AKA:

Date of Offense: 5/6/2014

Race: White Sex: M Age: 26

S.C. Code §: 16-21-80

DOB: SS#:

CDR Code #: 3467

Address:

City, State, Zip:

DL#: SID#: SC02155044

SENTENCE SHEET

0-5 years

\*CDL Yes No CMV Yes No Hazmat Yes No

CONVICTED OF or PLEADS

In disposition of the said indictment comes now the Defendant who was TO: Possession of a Stolen Vehicle >\$2,000 < \$10,000

in violation of § 16-21-80 of the S.C. Code of Laws, bearing CDR Code # 3467

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: Kevin M. Molony, Kevin N. Molony, 80679 SC Bar# Defendant, Edward J. ... Attorney for Defendant, 72900 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

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 PTUP

Total: \$ plus 20% fee: \$ days/hours Public Service Employment

Payment Terms: Obtain GED

Set by SCDPPPS Attend Voc. Rehab. or Job Corp.

Recipient: May serve W/E beginning

\*Fine: Substance Abuse Counseling

§ 14-1-206 (Assessments 107.5 %) Random Drug/Alcohol testing

§ 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 (SCJA Surcharge) \$5 \$ 5.00

3% to County (if paid in installments) \$ 3.90

TOTAL \$ 133.90

Clerk of Court/ Deputy Clerk Sharon Skipper
Court Reporter: Bethanie P. Creppan
SCCA/217 (03/2011)

Presiding Judge M. E. ...
Judge Code: 0136
Sentence Date: June 10, 2014

STATE OF SOUTH CAROLINA
COUNTY OF AIKEN
I, Liz Godard, Clerk of Court of General Sessions for Aiken County, South Carolina do hereby certify that the foregoing constitutes a true and correct copy of the original document which has been filed in my office this 11 day of June 2014.
Liz Godard
C.C.C.P. # G.S. Aiken County S.G.
Deputy Clerk

Certified Mail Receipts  
Showing Both Packages  
Were Addressed  
Correctly & Both  
Delivered to SC  
Commission on  
Indigent Defense &  
Signed for by the Same  
Person

7007 2680 0000 2163 3023

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Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$6.69

Received	
----------	--



Sent to *Commissioner of Indigent Defense*  
 Street, Apt. No. or PO Box No. *Attn: Loren French P.O. Box*  
 City, State, ZIP+4 *Aiken SC 29811*  
 PS Form 3800, August 2006 See Reverse for Instructions

7007 2680 0000 2163 3030

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**OFFICIAL USE**

Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$6.69

Received	
----------	--



Sent to *Se Court of Appeals*  
 Street, Apt. No. or PO Box No. *P.O. Box 11629*  
 City, State, ZIP+4 *Aiken SC 29811*



**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

SC Commission on Indigent  
Defense  
Attn: Loriane French  
P.O. Box 11589  
Columbia, SC 29211

2. Article Number  
(Transfer from service label)

7007 2680 0000 2163 3023

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature  Agent  
*Marie S. Shampet*  Addressee

B. Received by (Printed Name) *Marie S. Shampet* C. Date of Delivery

D. Is delivery address different from item 1?  Yes  
If YES, enter delivery address below:  No

3. Service Type  
 Certified Mail  Express Mail  
 Registered  Return Receipt for Merchandise  
 Insured Mail  C.O.D.

4. Restricted Delivery? (Extra Fee)  Yes

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:  
SC Court of Appeals  
P.O. Box 11629  
Columbia, SC 29211

2. Article Number  
(Transfer from service label)

7007 2680 0000 2163 3030

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature  
*Marie J. Shupt*  Agent  Addressee

B. Received by (Printed Name)  
*Marie J. Shupt* C. Date of Delivery

D. Is delivery address different from item 1?  Yes  
If YES, enter delivery address below:  No

3. Service Type  
 Certified Mail  Express Mail  
 Registered  Return Receipt for Merchandise  
 Insured Mail  C.O.D.

4. Restricted Delivery? (Extra Fee)  Yes