

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF Aiken
STATE VS. Kyle Matthew Magnus

INDICTMENT/CASE#: 2013GS0201862
A/W#: 2013A0220100807
Date of Offense: 9/7/2013
S.C. Code § : 47-01-0040(B)
CDR Code #: 2804

AKA:
Race: White Sex: M Age: 20
DOB: 05-11-1993 SS#: 251-91-3940
Address: 108 Circle Grove Ct
City, State, Zip: Greer, SC 29650-5122
DL#: 102147151 SID#:

*CDL Yes No CMV Yes No Hazmat Yes No
In disposition of the said indictment comes now the Defendant who was TO: Animals / Ill treatment of animals in general, torture

SENTENCE SHEET
180 days - 5 years and \$5,000
CONVICTED OF or PLEADS

in violation of § 47-01-0040(B) of the S.C. Code of Laws, bearing CDR Code # 2804
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: David W. Miller, David Warren Miller, David Warren
SC Bar# 69553
Defendant: Kyle Magnus
Attorney for Defendant: Wallace Alvis
SC Bar# 68701

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 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: 5/6/14
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. 239 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 16-25-05 (Criminal Domestic Violence) to ship, transport, possess, or receive a firearm or ammunition.

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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: Defendant shall have mental health and anger management treatment

Table with 2 columns: Description and Amount. 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(I) (Vehicle Assessment) \$40/ea, Proviso 90.5 (SCCJA Surcharge) \$5, 3% to County (if paid in installments) \$, TOTAL \$133.90.

Clerk of Court/ Deputy Clerk: Shannon D. Rosenberry
Court Reporter: Hilda Jordan
SCCA/217 (03/2011)

Presiding Judge: [Signature]
Judge Code: 2153
Sentence Date: 5/6/14

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF Aiken
STATE VS. Kyle Matthew Magnus

INDICTMENT/CASE#: 2013GS0201861
A/W#: 2013A0220100806
Date of Offense: 9/7/2013
S.C. Code §: 47-01-0040(B)
CDR Code #: 2804

AKA:
Race: White Sex: M Age: 20
DOB: 05-11-1993 SS#: 251-91-3940
Address: 108 Circle Grove Ct
City, State, Zip: Greer, SC 29650-5122
DL#: 102147151 SID#: SC02122331

*CDL Yes No CMV Yes No Hazmat Yes No
In disposition of the said indictment comes now the Defendant who was TO: Animals / Ill treatment of animals in general, torture

SENTENCE SHEET

180 days - 5 years and \$5,000
CONVICTED OF or PLEADS

in violation of § 47-01-0040(B) of the S.C. Code of Laws, bearing CDR Code # 2804
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: David W. Miller, David Warren Miller, David Warren
69553 SC Bar# Defendant
Wallis Alver Wallis Alver 105401 SC Bar# Attorney for Defendant

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 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. 239 days
The Defendant is to be placed on the Central Registry of Child Abuse and Neglect pursuant to S.C. Code § 17-26-120.

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.

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SPECIAL CONDITIONS:

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

SC Court of Appeals

Recipient:

Table with 2 columns: Description and Amount. 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

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: Defendant shall have mental health and anger management treatment

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

Clerk of Court/ Deputy Clerk: Shannon D. Rosenkrantz
Court Reporter: Hilda Jordan
SCCA/217 (03/2011)

Presiding Judge: [Signature]
Judge Code: 2153
Sentence Date: 5/6/14

OFFICE OF THE SECOND JUDICIAL CIRCUIT PUBLIC DEFENDER

**410 Barnwell Avenue N.W.
Post Office Box 2247
Aiken, South Carolina 29802**

September 19, 2014

Kyle Magnus 359946
Ridgeland Correctional Institution
Post Office Box 2039
Ridgeland, SC 29936

re: State v. Kyle Magnus
Appellate Case No. 2014-001811

Dear Mr. Magnus:

I filed an appeal of the judge's denial of our Motion to Reconsider the sentence.

I do not believe that there are any grounds for your appeal but I filed the paperwork because I was unable to meet with you before the deadline expired and I did not want you to lose this right if you desire the appeal. You now have to provide the court with your own reasons for the appeal and you must show the court that any issues for appeal were preserved for review. This means that any issues you want to argue on appeal must have been objected to or placed on the record prior to or during your guilty plea or the motion to reconsider.

You must provide the Court of Appeals with a written statement of your appeal grounds **within 20 days** of the date of this letter. Any correspondence should include your case number. You must send your statement to the court at:

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

Wishing you well, I am

Sincerely,



Wallis Alves

/wa
Enclosures

cc: V. Claire Allen, Deputy Clerk of the SC Court of Appeals (w/out enclosures)

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SC Court of Appeals

Second Judicial Circuit
Public Defender
P.O. Box 2247
Aiken, South Carolina 29802

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*V. Claire Allen, Deputy Clerk
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