

10/30/14
Sherrice Wilson



The South Carolina Court of Appeals

JENNY ABBOTT KITCHINGS
CLERK

V. CLAIRE ALLEN
DEPUTY CLERK

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October 28, 2014

Mr. Thomas E. Shealy, Esquire
1535 Adella Street
Columbia SC 29210

Re: The State v. Jerry Galloway
Appellate Case No. 2014-001942

Dear Counsel:

Upon reviewing your notice of appeal, the following deficiency or deficiencies have been noted under the South Carolina Appellate Court Rules (SCACR), and any deficiency must be corrected within ten (10) days of the date of this letter:

- The notice of appeal is not accompanied by a redacted copy of the order(s) and/or sentencing sheet(s) challenged on appeal.

Very truly yours,

A handwritten signature in black ink that reads "Jenny Abbott Kitchings" with a stylized flourish at the end.

CLERK

cc: Alan McCrory Wilson, Esquire
Salley W. Elliott, Esquire
Laura Suzanne Mayes, Esquire
Robert Michael Dudek, Esquire

Penalty: 5-30 years and/or \$50,000 fine (Recommendation: Cap of 20 years)

STATE OF SOUTH CAROLINA)
COUNTY OF Lexington)
STATE VS.)
Jerry Galloway)
AKA:)
Race: White Sex: M Age: 37)
DOB: [redacted] SS#: [redacted])
Address:)
City, State, Zip: Columbia, SC 29021)
DL#: SID#:)

IN THE COURT OF GENERAL SESSIONS

INDICTMENT/CASE#: 2014GS3201956
A/W#: 2014A3210200379
Date of Offense: 3/8/2014
S.C. Code § : 44-53-0375(B)(3)
CDR Code #: 3777

SENTENCE SHEET

*CDL Yes [] No [] CMV Yes [] No [] Hazmat Yes [] No []
In disposition of the said indictment comes now the Defendant who was
TO: Manufacture of methamphetamine - 2nd offense

[] CONVICTED OF or [X] PLEADS

in violation of § 44-53-0375(B)(3) of the S.C. Code of Laws, bearing CDR Code # 3777
[] NON-VIOLENT [X] VIOLENT [X] SERIOUS [] MOST SERIOUS [] Mandatory GPS(CSC §17-25-45 w/minor 1st or Lewd Act)

The charge is: [] As Indicted, [X] Lesser Included Offense, [] Defendant Waives Presentment to Grand Jury. (defendant's initials)
The plea is: [] Without Negotiations or Recommendation, [] Negotiated Sentence, [X] Recommendation by the State.

ATTEST:
J Smayes Solicitor 64191 SC Bar#
Jerry Galloway Defendant
Thomas E. Shady Attorney for Defendant 5019 SC Bar#

WHEREFORE, the Defendant is committed to the [X] State Department of Corrections, [] County Detention Center,
for a determinate term of 12 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:
[X] 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

PTUP
days/hours Public Service Employment
Obtain GED []
Attend Voc. Rehab. or Job Corp.

Recipient:

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

May serve W/E beginning Substance Abuse Counseling []
Random Drug/Alcohol testing []
Fine may be pd. in equal, consecutive weekly or monthly pmts. of \$ beginning

A TRUE COPY

\$ paid to Public Defender Fund
Other:

Clerk of Court/ Deputy Clerk Beth A. Augustine
Court Reporter: Bethanie Creppore
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: 0136
Sentence Date: May 26, 2014

WITNESSES

Lexington County Sheriffs Department

Paige B. Tucker

Law Enforcement Case #: 14003940

LSM

ARREST WARRANT NUMBER

2014A3210200379

ACTION OF GRAND JURY

Foreperson of Grand Jury
Date: *July 14, 2014*

VERDICT

Foreperson of Petit Jury
Date:

DOCKET NO. 2014GS3201956

The State of South Carolina
County of Lexington

COURT OF GENERAL SESSIONS

JULY TERM 2014

THE STATE
vs.

Jerry Galloway

CDR #: 3039

Indictment for

Manufacturing methamphetamine - 3rd or
subsequent offense

§ 44-53-0375(B)(3)

DONALD V. MYERS, SOLICITOR

A TRUE COPY

Lex. Co. C.C.P., G.S. & F.C.

STATE OF SOUTH CAROLINA)
COUNTY OF LEXINGTON)

INDICTMENT FOR
Manufacturing methamphetamine - 3rd or
subsequent offense

§ 44-53-0375(B)(3)

At a Court of General Sessions, convened on JULY 2014, the Grand Jurors of Lexington County present upon their oath:

That **Jerry Galloway** did in Lexington County, South Carolina on or about March 8, 2014, knowingly and intentionally, whether acting alone or in concert with another, willfully and unlawfully manufacture, distribute, dispense, deliver, purchase, or otherwise aid, abet, attempt, or conspire to manufacture, distribute, dispense, deliver, or purchase, or possess with intent to distribute, dispense, or deliver methamphetamine, an illegal drug and/or controlled substance, in violation of the provisions of Section 44-53-370 and/or § 44-53-110, et. Seq. Code of Laws of South Carolina 1976, as amended, and in violation of § 44-53-375(B) and 44-53-375(B)(3), Code of Laws of South Carolina, 1976, as amended, furthermore, this being the third or subsequent offense.

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


ASSISTANT SOLICITOR

D-5 and/or \$5,000 fine

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF Lexington
STATE VS. Jerry Galloway
AKA:
Race: White Sex: M Age: 37
DOB: SS#:
Address:
City, State, Zip: Columbia, SC 29021
DL#: SID#:

INDICTMENT/CASE#: 2014GS3202599
A/W#: 2014A3210200383
Date of Offense: 3/8/2014
S.C. Code § : 44-53-0378
CDR Code #: 3215

SENTENCE SHEET

*CDL Yes No CMV Yes No Hazmat Yes No
In disposition of the said indictment comes now the Defendant who was CONVICTED OF or PLEADS TO: Unlawful manufacture of methamphetamine in the presence of a minor child; exposure of minor child to methamphetamine

in violation of § 44-53-0378 of the S.C. Code of Laws, bearing CDR Code # 3215
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. J.G. (defendant's initials)
The plea is: Without Negotiations or Recommendation, Negotiated Sentence, Recommendation by the State.

ATTEST:
S. Magee Solicitor 64191 Jennifer Galloway Defendant Thomas E. Sherry Attorney for Defendant 5048 SC Bar#

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: 14-65-32-1956
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/ea, Proviso 90.5 (SCCJA Surcharge) \$5, 3% to County (if paid in installments), TOTAL \$220

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 Lex. CO. C.C.T., G.S. & F.C.
Other:

A TRUE COPY

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

Clerk of Court/ Deputy Clerk: Dawn A. Caggione
Court Reporter: Bethel Cheppard
SCCA/217 (03/2011)

Presiding Judge: J. M. Early
Judge Code: D136
Sentence Date: Aug 26, 2014

WITNESSES

Lexington County Sheriffs Department

Paige B. Tucker

Law Enforcement Case #: 14003940

LSM

ARREST WARRANT NUMBER

2014A3210200383

ACTION OF GRAND JURY

Foreperson of Grand Jury
Date:

VERDICT

Foreperson of Petit Jury
Date:

DOCKET NO. 2014GS3202599

The State of South Carolina
County of Lexington

COURT OF GENERAL SESSIONS

SEPTEMBER TERM 2014

THE STATE
vs.

Jerry Galloway

CDR #: 3215

Indictment for

Unlawful manufacture of
methamphetamine in presence of child

§ 44-53-0378

DONALD V. MYERS, SOLICITOR

ATRUE COPY

[Signature]
Lex. Co. C.C.P., G.S. & F.C.

**I DO HEREBY WAIVE MY RIGHT
TO GRAND JURY PRESENTMENT**

[Signature]
DEFENDANT

26 August 2014
DATE

[Signature]
WITNESS

STATE OF SOUTH CAROLINA)
)
COUNTY OF LEXINGTON)
)

INDICTMENT FOR
Unlawful manufacture of methamphetamine in
presence of child

§ 44-53-0378

At a Court of General Sessions, convened on September 2014, the Grand Jurors of Lexington County present upon their oath:

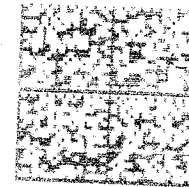
That **Jerry Galloway**, DOB 9/28/1976, did in Lexington County, South Carolina, on March 8, 2014, being a person who is eighteen years of age or older, either directly or by extraction from natural substances, or independently by means of chemical processes, or both, unlawfully manufacture methamphetamine, its salts, isomers, or salts of its isomers in the presence of a minor child; or did knowingly permit a child to be in an environment where drug paraphernalia or volatile, toxic, or flammable chemicals are stored for the purpose of manufacturing or attempting to manufacture amphetamine or methamphetamine, to wit: minor children Connor Blackmon, age 8; and/or Kylee Chowdhury, age 5; and/or Isabella Chowdhury, age 4; in violation of §44-53-378 of the South Carolina Code of Laws, (1976 as amended).

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



ASSISTANT SOLICITOR

**COUNTY OF LEXINGTON
PUBLIC DEFENDER'S OFFICE**
407 1/2 West Main Street
Lexington, South Carolina 29072



500.480
NOV 03 2014
US POSTAGE

The Honorable Jenny Abbott Kitchings
Clerk of Court for Court of Appeals
P.O. Box 11629
Columbia, SC 29211

RECEIVED

NOV 03 2014

SC Court of Appeals

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