

STATE OF SOUTH CAROLINA)
)
COUNTY OF SPARTANBURG)
)
IN THE MATTER OF THE CARE)
AND TREATMENT OF)
JOHNNY RAY GARRETT,)
PETITIONER.)
_____)

IN THE COURT OF COMMON PLEAS
SEVENTH JUDICIAL CIRCUIT

CASE NO. 2008-CP-42-5822

ORDER OF CONTINUED COMMITMENT

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SC Court of Appeals

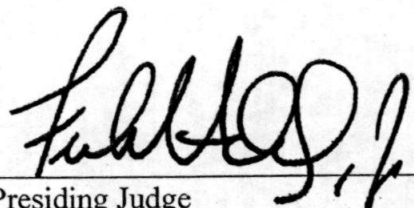
The trial of this case was held in the County of Spartanburg in the Court of Common Pleas the week of October 6, 2014. A jury of citizens from Spartanburg County heard this case pursuant to a request for a jury trial filed by the State. Senior Assistant Attorney James G. Bogle, Jr. represented the State. Tommy A. Thomas, Esquire, represented the Petitioner. The jury having heard the presentation of the evidence made the following findings of fact pursuant to South Carolina Code Sections 44-48-10 through 44-48-110:

The State has proven beyond a reasonable doubt that Petitioner's mental abnormality or personality disorder remains such that he is not safe to be at large and, if released, is likely to engage in acts of sexual violence.

NOW, THEREFORE, IT IS ORDERED, ADJUDGED AND DECREED THAT:

Petitioner Johnny Ray Garrett is to remain committed to the Department of Mental Health for his long-term control, care and treatment.

AND IT IS SO ORDERED.



Presiding Judge
Seventh Judicial Circuit
Court of Common Pleas

Oct. 7, 2014
Spartanburg, South Carolina

FILED
CLERK OF COURT
SPARTANBURG COUNTY
2014 OCT - 7 PM 3:11
M. HOPE BLACKLEY

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COUNTY OF SPARTANBURG)

THE COURT OF COMMON PLEAS
CASE NO. 08-CP-42-5822

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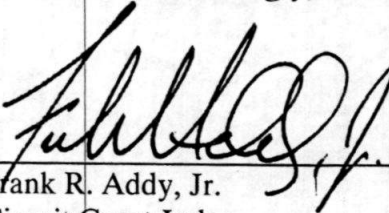
ORDER DENYING MOTION FOR NEW TRIAL

THIS MATTER COMES BEFORE THE COURT on motion of counsel for Johnny Garrett who moves for judgment notwithstanding the verdict and for a new trial. This matter was tried before a jury, and on October 7, 2014, the jury returned a verdict finding that Mr. Garrett's mental abnormality or personality disorder remains such that he is not safe to be released from the Sexually Violent Predator Unit of the Department of Mental Health. Mr. Garrett's motion for JNOV and a new trial were timely filed. The court finds as follows:

A hearing is not necessary for the court to rule, and the court recalls the underlying facts at trial and rulings made during the course of the trial. The court finds that the jury's verdict is supported by credible evidence and that the jury's verdict was not the result of passion, caprice, prejudice, corruption, or other improper motive. Accordingly, the court did not err in submitting the case to the jury, so Mr. Garrett's motion for JNOV is denied.

Similarly, the court finds that any purportedly improper comments made by Dr. Gehle were not so improper and/or prejudicial as to warrant a mistrial. Accordingly, Mr. Garrett's motion for a new trial is denied.

IT IS SO ORDERED.



Frank R. Addy, Jr.
Circuit Court Judge
Eighth Judicial Circuit

October 28, 2014
Greenwood, South Carolina