

ORIGINAL

STATE OF SOUTH CAROLINA

In The Court of Appeals

APPEAL FROM LANCASTER COUNTY

J. Ernest Kinard, Jr., Circuit Court Judge

**RECEIVED**

JAN 30 2015

**SC Court of Appeals**

THE STATE,

RESPONDENT,

V.

SHEDRIX STEWARD,

APPELLANT.

APPELLATE CASE NO. 2014-000919

RECORD ON APPEAL

ROBERT M. DUDEK  
Chief Appellate Defender

South Carolina Commission on Indigent Defense  
Division of Appellate Defense  
PO Box 11589  
Columbia, SC 29211-1589  
(803) 734-1330

Attorney for Appellant

J. BENJAMIN APLIN  
Chief Legal Counsel

MATTHEW BUCHANAN  
General Counsel  
South Carolina Department of  
Probation, Parole & Pardon Services  
PO Box 50666  
Columbia, SC 29250

(803) 734-9220

Attorneys for Respondent

INDEX

INDEX .....i

PROBATION REVOCATION HEARING TRANSCRIPT (April 18, 2014).....1

INDICTMENT 2014-GS-29-242.....12

INDICTMENT 2012-GS-29-718.....14

SENTENCING SHEET 2012-GS-29-718.....16

SENTENCING SHEET 2014-GS-29-242.....17

ORDER REVOKING PROBATION (Filed April 18, 2014) .....18

CERTIFICATE OF COUNSEL.....19

STATE OF SOUTH CAROLINA ) IN THE COURT OF GENERAL SESSIONS  
 ) SIXTH JUDICIAL CIRCUIT  
COUNTY OF LANCASTER ) 2012-GS-29-0242

STATE OF SOUTH CAROLINA )  
 )  
vs. ) TRANSCRIPT OF RECORD  
 )  
SHEDRIX STEWARD )

APRIL 18, 2014  
LANCASTER, SOUTH CAROLINA

BEFORE THE HONORABLE ERNEST KINARD

APPEARANCES:

BILL NOWICKI, ASSISTANT SOLICITOR  
LANCASTER, SOUTH CAROLINA

ATTORNEY FOR THE STATE

AMY RAINEY, ASSISTANT PUBLIC DEFENDER  
LANCASTER, SOUTH CAROLINA

ATTORNEY FOR THE DEFENDANT

ASHLEY BURCH, PROBATION AGENT  
LANCASTER, SOUTH CAROLINA

SHIRLEY BROOM  
16<sup>TH</sup> Circuit Court Reporter

I-N-D-E-X

NO TESTIMONY TAKEN

E-X-H-I-B-I-T-S

<u>NO.</u>	<u>DESCRIPTION</u>	<u>ID.</u>	<u>EVD.</u>
------------	--------------------	------------	-------------

NO EXHIBITS

1 MR. NOWICKI - Your Honor, this is case number  
2 2014-GS-29-242. This is the State vs. Shedrix Steward.  
3 It's an indictment for shoplifting third or subsequent  
4 property crime. My understanding is Mr. Steward is going  
5 to plead guilty to this charge, and the State is  
6 recommending that his sentence run concurrent with  
7 probation violation and what probation wanted to do.

8 THE COURT - Okay, Mr. Steward ---

9 MR. STEWARD - Yes, sir.

10 THE COURT - --- you're pleading guilty to  
11 shoplifting down in Walmart November of last year?

12 MR. STEWARD - Yes, sir, I'm guilty.

13 THE COURT - Well, unfortunately, anytime you do a  
14 property crime now it's up to ten years because of your  
15 prior record. You understand that?

16 MR. STEWARD - Yes, sir.

17 THE COURT - I mean, you know, you steal a pack of  
18 chewing gum, it's ten years.

19 MR. STEWARD - Yes, sir.

20 THE COURT - You want a jury trial?

21 MR. STEWARD - No, sir.

22 THE COURT - Did you get out of the store with the  
23 stuff?

24 MR. STEWARD - No, sir.

1 THE COURT - Well, I mean you probably couldn't  
2 win at a trial. Have you went over this advisement of  
3 rights form?

4 MR. STEWARD - Yes, sir, I did.

5 THE COURT - And you understand you're already on  
6 probation and this is a violation of your probation.

7 MR. STEWARD - Yes, sir.

8 THE COURT - You got any questions about anything?

9 MR. STEWARD - No, sir.

10 THE COURT - All right, Mr. Nowicki.

11 MR. NOWICKI - Your Honor, the incident occurred  
12 on November the 9<sup>th</sup> of 2013. This was at the Walmart in  
13 Indian Land here in Lancaster County. On that day -- I'm  
14 sorry -- the Walmart employees, the -- specifically for the  
15 asset protection associates who work there stated that they  
16 did see a black male enter the store and have one -- and  
17 selected a large plastic tote and then saw the subject --  
18 or I'm sorry -- the suspect put some items in there and  
19 some clothing items and then as they went out the -- pass  
20 all points of purchase the -- I believe the alarm went off  
21 and that's when they were able to -- there -- well, anyway  
22 he ran, I guess, into the -- they had -- this was the next  
23 day when they watched the video and it was Mr. Steward that  
24 was on the video. As far as his record, in 2002 had a  
25 forgery more than a thousand but less than five thousand

1 dollars and a fraudulent check in 2003, another forgery in  
2 2006, some more fraudulent checks in 2006, shoplifting in  
3 2011 and two more shopliftings in 2012, which I believe he  
4 ended up getting probation, and I believe that's the extent  
5 of his record.

6 MS. BURCH - Your Honor, Steward is actually  
7 supervised by Agent Boyd and she is just asking that he be  
8 held in custody until picked up for treatment due to his  
9 serious substance abuse issues.

10 MS. RAINEY - Your Honor, my client's been in jail  
11 159 days now on this charge. He's 43 years old. He's just  
12 really reached the point in this life, which I'm not sure  
13 if probation handed up, but he wrote a letter about the  
14 issues he's having that was attached to the 1106 that I  
15 got. He's kind of hit that wall as I say. He's 43. He's  
16 alienated his family to a large extent and he's just fed up  
17 with how he's been living life and wants to do better and  
18 wants to try to get the help to get his life set on the  
19 right path, because he knows that it's not going the right  
20 way that he wants it to go now. He understands that he has  
21 already met with Ms. Boyd and agreed to the recommendation  
22 of probation. He did ask me to present to the Court that  
23 his grandmother has recently passed and he did ask if the  
24 Court would consider allowing him to go to her funeral.

1 THE COURT - That's between he and the jail. I  
2 don't get into that. But, you know, I don't put  
3 shoplifters on probation, because they do it again. You  
4 know, y'all -- I've been here many times. Wasting my time.  
5 I have to re-sentence all these people that kind-hearted  
6 Judges try to help out. You can't help out a shoplifter.  
7 He's got seven property crimes just counting the couple of  
8 the forgeries as one. Two years, give him credit for time  
9 served, revoke nine months on that probation case and  
10 terminate that, run it concurrent. He'll maybe have time  
11 to dry out while he's in custody. They won't even keep him  
12 that much longer.

13 MS. RAINEY - Is the two years on his violation,  
14 Your Honor?

15 THE COURT - Nine months.

16 MS. RAINEY - Nine months on the violation.

17 THE COURT - But it runs concurrent.

18 MS. RAINEY - I guess just for paperwork sake,  
19 Your Honor, it was my understanding that we signed this as  
20 negotiated. Is it possible to switch it around with the  
21 time on the VOP?

22 THE COURT - I just have a recommendation here. I  
23 don't see anything about being negotiated.

24 MS. RAINEY - Okay. Thank you, Your Honor.

1 THE COURT - If it's negotiated, he gets what you  
2 negotiated. Recommended, he gets up to ten years.

3 MS. RAINEY - I mean it was my understanding on  
4 the plea it was negotiated, but on -- obviously on the  
5 violation we can't negotiate that out.

6 MR. NOWICKI - Yes, I mean I don't have -- unless  
7 I just mark - I didn't know it was a negotiated, but that's  
8 fine. We can do negotiated on that. Because I know ---

9 THE COURT - We can't do negotiated, because I'm  
10 not going to take negotiated. I'm going to give him two  
11 years if I -- if he pleads, which he pled. It's straight-  
12 up as far as I'm concerned. I mean I've got it checked on  
13 my plea sheet, recommendation by the Court. Now, I  
14 recognize you negotiated with probation that she wants him  
15 to go to drug counseling and be held to all that.

16 MS. RAINEY - Right.

17 THE COURT - He's not going to comply with that  
18 anyway. He's better off just doing his two years and dry  
19 it out, send him to drug Court, I mean drug place.

20 MR. RAINEY - Will you give him credit for the  
21 time he's done, Your Honor?

22 THE COURT - Give him credit for the time he's  
23 been incarcerated. That's why I said they won't keep him  
24 there much longer.

25 MS. RAINEY - Okay. Thank you, Your Honor.

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25

THE COURT - All right.

MR. NOWICKI - Thank you.

(End of transcript)

1

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23


24

25

## C E R T I F I C A T E

I, Shirley Broom, Official Court Reporter for the Sixteenth Judicial Circuit for the State of South Carolina, do hereby certify that the foregoing 10 pages is a true, accurate and complete Transcript of Record of the proceedings had and the evidence introduced in the proceedings of State of South Carolina v. Shedrix Steward as taken by me in the Court of General Sessions for the Sixth Judicial Circuit on the 18th day of April, 2014, and provided by me this the 26<sup>th</sup> day of May, 2014.

I do further certify that I am neither of kin, counsel, nor interest to any party herein.



Shirley Broom, CVR-M  
Official Court Reporter,  
Certified Verbatim Reporter, In and  
for the State of South Carolina.

STATE OF SOUTH CAROLINA )  
 )  
 COUNTY OF LANCASTER )

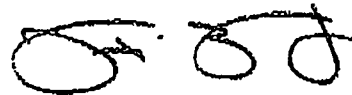
INDICTMENT

At a Court of General Sessions, convened on February 6, 2014, the Grand Jurors of Lancaster County present upon their oath:

Shoplifting 3<sup>rd</sup> or Subsequent Property Crime

That Shedrix Oren Steward did in Lancaster County on or about November 9, 2013, take possession of and carry away, transfer from one person to another or from one area of the store or other retail mercantile establishment to another area, or cause the same to be done, merchandise, to wit: a plastic container, clothing and other miscellaneous items, valued at \$2,000.00 or less, displayed, held, stored, or offered for sale by Wal-Mart with the intention of depriving the merchant of the possession, use, or benefit of the merchandise without paying the full retail value, the defendant having been twice or more previously convicted of a property crime the term of imprisonment for which was contingent upon the value of the property involved in violation of §16-13-110(B)(1) and § 16-1-57, *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.



\_\_\_\_\_  
 Douglas A. Barfield, Jr., SOLICITOR

WITNESSES

Aldridge - LCSO #13-41563

*# Doe re*

DOCKET NO. 2014-GS-29-242

The State of South Carolina

County of Lancaster

FILED  
OFFICE OF CLERK  
OF COURT

2014 FEB -6 PM 2:29

CLERK OF COURT  
LANCASTER, SC

COURT OF GENERAL SESSIONS

FEBRUARY TERM 2014

ARREST WARRANT NUMBER/DOA

2013A2910200260 (DOA-11-11-13)

ACTION OF GRAND JURY

THE STATE

vs.

Shedrix Oren Steward *242-43*

*S. H. B. Williams*  
Foreperson of Grand Jury

Date: *6 Feb 2014*

VERDICT

**TRUE BILL**

Foreperson of Petit Jury

Date:

FEB 06 2014

Indictment for

Shoplifting 3<sup>rd</sup> or Subsequent  
Property Crime

SC Code: § 16-13-0110(B)(1), § 16-01-57

CDR Code: 2877

Class: Felony, E

STATE OF SOUTH CAROLINA )  
 )  
 COUNTY OF LANCASTER )

## INDICTMENT

At a Court of General Sessions, convened on June 7, 2012, the Grand Jurors of Lancaster County present upon their oath:

**Shoplifting 3<sup>rd</sup> or Subsequent Property Crime**

That Shedrix O. Steward did in Lancaster County on or about March 3, 2012, take possession of and carry away, transfer from one person to another or from one area of the store or other retail mercantile establishment to another area, or cause the same to be done, merchandise, to wit: Tide, a scale, and bed sheets, valued at \$2,000.00 or less, displayed, held, stored, or offered for sale by K-Mart with the intention of depriving the merchant of the possession, use, or benefit of the merchandise without paying the full retail value, the defendant having been twice or more previously convicted of a property crime the term of imprisonment for which was contingent upon the value of the property involved in violation of §16-13-110(B)(1) and § 16-1-57, 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.



Douglas A. Barfield, Jr., SOLICITOR

DOCKET NO. 2012-GS-29-718

The State of South Carolina  
County of Lancaster

FILED  
OFFICE OF CLERK  
OF COURT

2012 JUN -7 PM 12:22

COUNTY OF LANCASTER  
LANCASTER, SC

COURT OF GENERAL SESSIONS

JUNE TERM 2012

THE STATE  
vs.

Shedrix O. Steward

WITNESSES

Ratliff - LPD #12-03723

# *Assante*

ARREST WARRANT NUMBER/DOA

M701666 (DOA-3-7-12)

ACTION OF GRAND JURY

TRUE BILL

*Roger M. ...*  
Foreperson of Grand Jury

Date:

VERDICT

Foreperson of Petit Jury

Date:

Indictment for

Shoplifting 3<sup>rd</sup> or Subsequent  
Property Crime

SC Code: § 16-13-0110(B)(1), § 16-01-57  
CDR Code: 2877  
Class: Felony, E

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF

Lancaster

STATE

VS.

Shedrick Oren Steward

INDICTMENT/CASE#: 2012-G-29-718

AM#: M701666

Date of Offense: March 3, 2012

S.C. Code §: 16-13-110(C)(1) 16-1-57

CDR Code #: 2 8 2 2

AKA:

Race:

DOB:

Address:

City, State, Zip:

DL#

SID#

\*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:

In violation of § 16-13-110(C)(1) 16-1-57 of the S.C. Code of Laws, bearing CDR Code # 2 8 2 2

NON-VIOLENT  VIOLENT  SERIOUS  MOST SERIOUS  Mandatory GPS  §17-25-45

The charge is:  As Indicted,  Lesser Included Offense,  Defendant Waives Presentment to Grand Jury (def.'s initials)

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

ATTEST:

[Signature] 70432 [Signature] 15145  
Sectior SC Bar# Defendant Attorney for Defendant 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 90 day/months/years and or payment of \$ \_\_\_\_\_; plus costs and assessments as applicable; the balance is suspended with probation for 18 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. No Credit

The Defendant is to be placed on Central Registry of Child Abuse and Neglect pursuant to S.C. Code §17-26-15.

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 Substance Abuse Counseling

\*Fine: \_\_\_\_\_ Random Drug/Alcohol Testing

§14-1-208 (Assessments 107.5%) \$ \_\_\_\_\_ Fina may be pd. in equal consecutive weekly/monthly

§14-1-211 (A)(1)(Conv. Surchage) \$100 pmts. of \$ \_\_\_\_\_ Beginning

§14-1-211 (A)(2)(DUI Surchage) \$100 \$ \_\_\_\_\_ Paid to Public Defender Fund

§56-5-2995 (DUI Assessment) \$12 Other: \_\_\_\_\_

§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 Surchage) \$160 \_\_\_\_\_

§60-21-114 (BUI Breath Test Fee) \$50 \_\_\_\_\_

§66-5-2842(J) (Vehicle Assessment) \$40/ea \_\_\_\_\_

Proviso 80.5 (SCCJA Surchage) \$5 \_\_\_\_\_

3% to County (If paid in Installments) \_\_\_\_\_

TOTAL \$ 618.90

Clerk of Court/Deputy Clerk [Signature] Presiding Judge [Signature]

Court Reporter: [Signature] Judge Code: \_\_\_\_\_ Sentence Date: 04/02/11, 2012

only 1-sided

STATE OF SOUTH CAROLINA )  
COUNTY OF LANCASTER )

IN THE COURT OF GENERAL SESSIONS

STATE )

INDICTMENT/CASE#: 2014-GS-29-242

vs. )  
Shelrix Owen Steward )

AW#: 2013A2910200260

AKA: )

Date of Offense: 11-9-13

Race: ) Sex: M Age: )

S.C. Code §: 16-13-110(C)(1), 16-1-S7

DOB: ) SS#: )

CDR Code #: 2877

Address: )

SENTENCE SHEET

City, State, Zip: )

DL# ) SID# )

\*GDL 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:  Non-Violent  Violent  Serious  Most Serious  Mandatory GPS  §17-25-45

In violation of §16-13-110(C)(1), 16-1-S7 of the S.C. Code of Laws, bearing CDR Code # 2877

The charge is:  As Indicted,  Lesser Included Offense

(CSC w/minor 1<sup>st</sup> or Lewd Act)

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

ATTEST: )

(def.'s initials)

Solicitor ) SC Bar # 70432 ) Defendant ) Attorney for Defendant ) SC Bar # 73035

WHEREFORE, the Defendant is committed to the  State Department of Corrections  County Detention Center, for a determinate term of 2 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: Prob. Probation

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 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 16-26-65 (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 \_\_\_\_\_  
Substance Abuse Counseling

*Fines:		\$
§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	\$
§56-1-288 (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	\$
§58-6-2942(J) (Vehicle Assessment)	\$40/ea	\$
Proviso 90.5 (SCJA Surcharge)	\$5	\$
3% to County (if paid in installments)		\$
TOTAL		\$ 133.90

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 )  
Court Reporter: )

Presiding Judge )

Judge Code: )  
Sentence Date: 11-18-14

18  
STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

County of Lancaster  
STATE VS.

**FILED**  
OFFICE OF CLERK OF COURT  
FOR LANCASTER COUNTY

Indictment Number: 29-1349 & 718  
Case #s: CC-29-14-0010

Shedrix Steward

Served on: 04-18-14  
Date of Original Offense: Shedrix 3rd or subor.

AKA: \_\_\_\_\_  
Race: Black Sex: male  
DOB: \_\_\_\_\_  
SSN: \_\_\_\_\_  
SID#: 00742516

LANCASTER COUNTY # 2012A291200178 # M701061  
Date of Original Offense: 9-24-12 & 3-3-12  
Conviction S.C. Code §: 16-13-10 (B)(1) 16-1-57  
Conviction CDR Code #: 2 1 8 1 7 7  
Original Sentence: 5 yrs 14 mon 90 days ss 18 mths Probation

**ORDER**

The above named defendant has been charged with violating the conditions of probation ordered on 10/11/12 in the Court of General Sessions of Lancaster County, and/or the additional conditions ordered by the Court in probation continuation order(s) issued on \_\_\_\_\_, as set forth in the attached warrant(s) or citation(s) dated 4-18-14. 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)  
6, 9, & 10

Therefore, IT IS ORDERED that:

- the suspended sentence be revoked and the above named defendant be required to serve 90 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 \_\_\_\_\_ 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)
- Civil Judgment:
  - Department fees
  - Fines and other fees
  - Restitution (and 20%)
- Additional Conditions ordered by the Court:

- 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. 160 days
- The defendant has previously served 90 days 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<sup>th</sup> day of April, 2014  
Lancaster, SC

Presiding Judge [Signature]  
Judicial Circuit Rinard

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 condition 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.

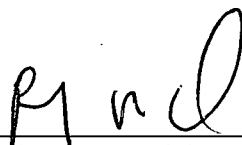
Offender's Signature \_\_\_\_\_ Witnessed by \_\_\_\_\_

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

**CERTIFICATE OF COUNSEL FOR APPELLANT**

Counsel for appellant certifies that this Record on Appeal contains all material proposed to be included by any of the parties and not any other material and that this Record on Appeal complies to the best of my ability with the April 15, 2014 order from the South Carolina Supreme Court entitled "Revised Order Concerning Personal Identifying Information and Other Sensitive Information in Appellate Court Filings."

January 30<sup>th</sup>, 2015.



---

Robert M. Dudek  
Chief Appellate Defender

South Carolina Commission on Indigent Defense  
Division of Appellate Defense  
PO Box 11589  
Columbia, S. C. 29211-1589  
(803) 734-1330

ATTORNEY FOR APPELLANT

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

Appeal from Lancaster County

J. Ernest Kinard, Jr., Circuit Court Judge

ORIGINAL

RECEIVED

JAN 30 2015

SC Court of Appeals

THE STATE,

RESPONDENT,

V.

SHEDRIX STEWARD,

APPELLANT.

APPELLATE CASE NO. 2014-000919

CERTIFICATE OF SERVICE

I certify that a true copy of the Record on Appeal in the above referenced case has been served upon Matthew Buchanan, Esquire, General Counsel, South Carolina Department of Probation, Parole & Pardon Services, P.O. Box 50666, Columbia, SC 29250, this 30th day of January, 2015.

*Brandon Hall*  
Brandon Hall  
Administrative Specialist

SUBSCRIBED AND SWORN TO before me  
this 30th day of January, 2015.

*Rhonda Demeise Squath* (L.S.)  
Notary Public for South Carolina  
My Commission Expires: October 17, 2021