

5 COUNTY OF Oconee
STATE VS.
Russell Alan Tupper
AKA:
Race: W Sex: M Age: 38
DOB: SS#
Address: 1.
City, State, Zip:
DL#: SID#:

INDICTMENT/CASE#: 2014 GS 37 00503
A/W#: G624042
Date of Offense: 1/16/2014
S.C. Code § : 56-05-2930(A)
CDR Code #: 3363

RECEIVED

SENTENCE SHEET APR 17 2015

SC Court of Appeals

*CDL Yes No CMV Yes No Hazmat Yes No
In disposition of the said indictment comes now the Defendant who was
TO: DUI / Driving under the Influence, less than .10, 4th or subsequent Offense

CONVICTED OF or PLEADS

in violation of § 56-05-2930(A) of the S.C. Code of Laws, bearing CDR Code # 3363
 NON-VIOLENT VIOLENT SERIOUS MOST SERIOUS Mandatory GPS(CSC §17-25-45 w/minor 1st or Lewd Act)

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: Blundy, Blaney SC Bar# 100717
Blundy, Blaney Defendant R. Platt Attorney for Defendant 100717 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. To Probation Violate
 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: 2014-GS-37-504
 Set by SCDPPPS 2014-GS-37-505

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

Recipient: _____
*Fine: \$ _____
§ 14-1-206 (Assessments 107.5 %) \$ _____
§ 14-1-211(A)(1) (Conv. Surcharge) \$100 \$ 100.00
§ 14-1-211(A)(2) (DUI Surcharge) \$100 \$ 100.00
§ 56-5-2995 (DUI Assessment) \$12 \$ 12.00
§ 56-1-286 (DUI Breath Test) \$25 \$ 25.00
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 (SCCJA Surcharge) \$5 \$ 5.00
3% to County (if paid in installments) \$ 8.01
TOTAL \$ 275.01

Other: Recommend ATU -
undergo mental health evaluation +
treatment while incarcerated
 Appointed PD or appointed other counsel,
§ 47.12 requires \$500 be paid to Clerk
during probation.

Clerk of Court/ Deputy Clerk Beverly H. Whitfield
Court Reporter: Diane Marcengill
SCCA/217 (03/2011)

Presiding Judge [Signature]
Judge Code: 2155
Sentence Date: 3-24-15

✓ DR

COUNTY OF Oconee
STATE VS.
Russell Alan Tupper
AKA:
Race: W Sex: M Age: 38
DOB: SS#
Address:
City, State, Zip:
DL#: SID#

INDICTMENT/CASE#: 2014 GS 37 00504
A/W#: G624043
Date of Offense: 1/16/2014
S.C. Code §: 56-01-0460(3)
CDR Code #: 0956

SENTENCE SHEET

*CDL Yes No CMV Yes No Hazmat Yes No
In disposition of the said indictment comes now the Defendant who was 2nd CONVICTED OF or PLEADS TO: DUS / Driving under suspension, license suspended for DUI - 3rd or sub. offense

in violation of § 56-01-0460(3) of the S.C. Code of Laws, bearing CDR Code # 0956 2055
 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. RAT (defendant's initials)
The plea is: Without Negotiations or Recommendation, Negotiated Sentence, Recommendation by the State.

ATTEST: 79907 9868 R. Alan Tupper 100717
Stoudemire, Blair L. 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 6 days/months/years or under the Youthful Offender Act not to exceed _____ years and/or to pay a fine of \$ 600; 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: Probation Violate!
 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 _____ days/hours Public Service Employment

Total: \$ _____ plus 20% fee: \$ _____
Payment Terms: _____

Set by SCDPPPS _____

Recipient: _____
*Fine: \$ 600.00
§ 14-1-206 (Assessments 107.5 %) \$ 645.00
§ 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 (SCCJA Surcharge) \$5 \$ 5.00
3% to County (if paid in installments) \$ 41.25
TOTAL \$ 1416.25

Random Drug/Alcohol testing
Fine may be pd. in equal, consecutive weekly/monthly pmts. of \$ _____ beginning _____
\$ _____ paid to Public Defender Fund
Other: See 2014-05-37-503

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

Clerk of Court/ Deputy Clerk Beverly H. Whitfield
Court Reporter: Diane Marcengill
SCCA/217 (03/2011)

Presiding Judge [Signature]
Judge Code: 2155
Sentence Date: 3-24-15

DR

COUNTY OF Oconee
 STATE VS.
Russell Alan Tupper
 AKA: _____
 Race: W Sex: M Age: 38
 DOB: _____ SS# _____
 Address: _____
 City, State, Zip: _____
 DL#: _____ SID#: _____

INDICTMENT/CASE#: 2014 GS 37 00 50 5
 A/W#: G624044
 Date of Offense: 1/16/2014
 S.C. Code § : 56-01-1100
 CDR Code #: 0057

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: Traffic / Habitual Traffic Offenders, DUS as per Habitual Traffic Offender status

in violation of § 56-01-1100 of the S.C. Code of Laws, bearing CDR Code # 0057
 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 [Signature] 79907 R. [Signature] [Signature] 100717
 Stenemire, Blair L. SC Bar# _____ Defendant Attorney for Defendant SC Bar# _____
 Blundy, Bethany

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: To Probab Violation
 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: _____
 Set by SCDPPPS TO 2014 GS 37 504
2014 GS 37 503

*Fine:	\$	\$
§ 14-1-206 (Assessments 107.5 %)	\$	\$
§ 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 (SCCJA Surcharge)	\$5	\$ 5.00
3% to County (if paid in installments)	\$	\$ 3.90
TOTAL	\$	\$ 133.90

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: 500 2014 GS 37 503

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

Clerk of Court/ Deputy Clerk Beverly H. Whitfield
 Court Reporter: Diane Marcemill
 SCCA/217 (03/2011)

Presiding Judge [Signature]
 Judge Code: 2155
 Sentence Date: 3-24-15



TENTH CIRCUIT PUBLIC DEFENDER OFFICE

ANDERSON AND OCONEE COUNTIES

Anderson County Office
301 Camson Road
Anderson, SC 29625
Tel. 864.260.4048
Fax 864.260.4134

HERVERY B. O. YOUNG
Circuit Public Defender

Oconee County Office
415 S. Pine Street
Walhalla, SC 29691
Tel. 864.638.3133
Fax 864.638.0228

April 15, 2015

RECEIVED

APR 17 2015

SC Court of Appeals

Via Regular Mail

Court Clerk
The S.C. Court of Appeals
Post Office Box 11629
Columbia, South Carolina 29211

RE: The State v. Russell Alan Tupper
Appellate Case No. 2015-000717

To Whom It May Concern:

Thank you for notifying me of the deficiency in the above mentioned appeal. Please find redacted copies of the sentencing sheets enclosed with this letter. If you have any questions, please feel free to contact me: Thank you.

Russell W. Patrick
Assistant Public Defender
10th Judicial Circuit
415 S. Pine Street
Walhalla, SC 29691
(864) 638-3133

RWP/km
Enclosures

cc: Robert Michael Dudek, Esquire
Bethany Blundy, Esquire
Alan McCrory Wilson, Esquire
Salley W. Elliot, Esquire