

WITNESSES

SPTBG CO SHERIFF'S OFFICE

2. REPORT ENR

3. CARD PULLED

4. INDEXED

5. CHECKED WARRANTS

6. CHECKED SIGNATURE

7. ASSESSMENT AND FINE CARD MADE
ARREST WARRANT NUMBER

8. TRAFFIC VIOLATION COPY

2015A4210100742

ACTION OF GRAND JURY

Foreperson of Grand Jury

Date:

VERDICT

Foreperson of Petit Jury

Date:

DOCKET NO. -

15-GS-42-2052

The State of South Carolina

County of Spartanburg

Barry J Barnette, Solicitor

COURT OF GENERAL SESSIONS

MAY 04 2015

TERM

THE STATE

vs.

DAVID LEE MIDGETTE

Indictment for

TRAFFICKING IN METHAMPHETAMINE

SC Code: 44-53-375

RECEIVED
MAY 08 2015
SC Court of Appeals

STATE OF SOUTH CAROLINA)
)
COUNTY OF SPARTANBURG)

INDICTMENT

At a Court of General Sessions, convened on APR 30 2015, the

Grand Jurors of Spartanburg County present upon their oath:

TRAFFICKING IN METHAMPHETAMINE

That David Lee Midgette did in Spartanburg County on or about March 12, 2015, knowingly sell, manufacture, deliver, purchase or bring into this State, or did provide financial assistance or did otherwise aid, abet, attempt, or conspire to sell, manufacture, deliver, purchase, or bring into this State, or did knowingly actually or constructively possess, or did knowingly attempt to actually or constructively possess more than (200) two hundred grams of Methamphetamine, a schedule II controlled substance, in violation of §44-53-375, *THE 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.



ASSISTANT SOLICITOR

STATE OF SOUTH CAROLINA

COUNTY OF SPARTANBURG STATE VS. David Lee Midgette

Computer

IN THE COURT OF GENERAL SESSIONS

INDICTMENT/CASE#: 15-65-42-2052 A/W#: 2015A4210100742 Date of Offense: 3/12/2015 S.C. Code §: 44-53-0375(C)(4) CDR Code #: 0369

AKA: Race: WHITE Sex: M Age: DOB: Address: City, State, Zip: DL#: SID#

SENTENCE SHEET

*CDL Yes No CMV Yes No Hazmat Yes No

In disposition of the said indictment comes now the Defendant who was TO: Drugs/Manufacture meth, 2nd (5-30 &/or \$0-50K)

CONVICTED OF or PLEADS

in violation of § 44-53-0375(B) of the S.C. Code of Laws, bearing CDR Code # 3777 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. The plea is: Without Negotiations or Recommendation, Negotiated Sentence, Recommendation by the State.

ATTEST: HUNTER JAMES EDWAR SC Bar# 77517 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 10 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. 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. 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:

Recipient:

Table with 3 columns: Description, Rate, Amount. Includes items like § 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 \$150.00, § 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) \$ \$5.40, TOTAL \$288.40

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

Clerk of Court/ Deputy Clerk Court Reporter: SCCA/217 (03/2011)

Presiding Judge Judge Code: 2753 Sentence Date: 5-5-15

RECEIVED
MAR 17 2015

BY: _____

3-16-15
COMPUTER
ARREST WARRANT
2015A4210100742
STATE OF SOUTH CAROLINA
 County of Municipality of
Spartanburg

STATE OF SOUTH CAROLINA
 County of Municipality of
Spartanburg

RR AFFIDAVIT

ORIGINAL

Form Approved by
U.S. Attorney General
April 21, 1963
5025-116

THE STATE 15030617
against
David Lee Midgette
Address: _____
Phone: _____ GSN: _____
Sex: M Race: W Height: 5 11 Weight: 180
DL State: SC DL #: _____
DOB: _____ Agency ORI #: SCD420000
Prosecuting Agency: Spartanburg County Sheriff
Prosecuting Officer: Nathan Cantrell - 0573
Offense: Drugs / Trafficking in meth. or cocaine base - 200
g or more, but less than 400 g
Offense Code: 0369
Code/Ordinance Sec: 44-53-0373(C)(4)

Personally appeared before me the affiant Nathan Cantrell who
being duly sworn deposes and says that defendant David Lee Midgette
did violate the criminal laws of the State of South Carolina (or ordinance of County of Municipality of Spartanburg)
in the following particulars:
DESCRIPTION OF OFFENSE: Drugs / Trafficking in meth. or cocaine base - 200g or more, but less than 400g

I further state that there is probable cause to believe that the defendant named above did commit
the crime set forth and that probable cause is based on the following facts:
That on March 12, 2015 in the county of Spartanburg, one David Lee Midgette, did traffick in more than 200gm of
methamphetamine, a schedule II controlled substance, without authority to do so.

Warrant based on police investigation. TRH

This warrant is CERTIFIED FOR SERVICE in the
 County of Municipality of _____
The accused
is to be arrested and brought before me to be
dealt with according to the law.

Signature of Affiant _____
STATE OF SOUTH CAROLINA
 County of Municipality of
Spartanburg
Affiant's Address 8045 Howard Street
Spartanburg, SC 29303-
Affiant's Telephone (864)503-4500

ARREST WARRANT

Date: _____
RETURN
A copy of this arrest warrant was delivered to
defendant David Midgette
on 3/12/15
Signature of Constable or Enforcement Officer _____

TO ANY LAW ENFORCEMENT OFFICER OF THIS STATE OR MUNICIPALITY OR ANY CONSTABLE OF THIS COUNTY:
It appearing from the above affidavit that there are reasonable grounds to believe that
on or about 3/12/2015 defendant David Lee Midgette
did violate the criminal laws of the State of South Carolina (or ordinance of
 County of Municipality of Spartanburg) as set forth herein
DESCRIPTION OF OFFENSE: Drugs / Trafficking in meth. or cocaine base - 200 g or more, but less than 400 g

Having found probable cause and the above affiant having sworn before me, you are empowered and directed to arrest the said defendant and bring him or
her before me forthwith to be dealt with according to law. A copy of this Arrest Warrant shall be delivered to the defendant at the time of his execution, or as
soon thereafter as is practicable
Sworn to and subscribed before me
on 3/12/2015
Signature of Issuing Judge _____ (L.S.)
Roberto Mark Inellan
Judge Code: 7240
Judge's Address 180 Magnolia Street
Spartanburg, SC 29303-
Judge's Telephone _____
Issuing Court: Magistrate Municipal Circuit

RETURN WARRANT TO:
General Sessions
180 Magnolia Street
P O Box 3483
Spartanburg, SC 29304

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ORIGINAL

CERTIFIED COPY
M. D. [Signature]
CLERK OF COURT
SPARTANBURG COUNTY
BY: _____
DATED: 3-16-15

WITNESSES

SPTBG CO SHERIFF'S OFFICE

1. SENTENCE MADE

2. REPORT ENDED

3. CARRIED

4. INDEXED

5. CHECKED WARRANTS

6. CHECKED SIGNATURE

7. ASSESSMENT AND FINE CARD MADE

8. TRAFFIC VIOLATION COPY

ARREST WARRANT NUMBER

2014A4210103453

ACTION OF GRAND JURY

True Bill

MAR 12 2015

Foreperson of Grand Jury

Date:

VERDICT

Foreperson of Petit Jury

Date:

DOCKET NO. 15-GS-42-0990

The State of South Carolina

County of Spartanburg

Barry J. Barnette, Solicitor

COURT OF GENERAL SESSIONS

MAR 12 2015

TERM

THE STATE

v.

DAVID LEE MIDGETTE

Indictment for

MANUFACTURING METHAMPHETAMINE

SC Code: 44-53-375

FILED
CLERK OF COURT
MAR 18 PM 3:52
M. HOPE BLACKLEY

AS

STATE OF SOUTH CAROLINA)
)
COUNTY OF SPARTANBURG)

INDICTMENT

MAR 16 2015

At a Court of General Sessions, convened on _____, the
Grand Jurors of Spartanburg County present upon their oath:

MANUFACTURING METHAMPHETAMINE

That David Lee Midgette did in Spartanburg County on or about September 3,
2014, manufacture, distribute, dispense, deliver, purchase, or otherwise aid, abet,
attempt, or conspire to manufacture, distribute, dispense, deliver, purchase, or
possess with intent to distribute, dispense, or deliver Methamphetamine, in
violation of the provisions of Section 44-53-375, THE 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.



Assistant Solicitor

STATE OF SOUTH CAROLINA

Complete IN THE COURT OF GENERAL SESSIONS

COUNTY OF SPARTANBURG
STATE VS.
David Lee Midgette
AKA: _____
Race: WHITE Sex: M Age:
DOB: _____
Address: _____
City, State, Zip: _____
DL#: _____ SID#: _____

INDICTMENT/CASE#: 2015GS4200990
A/W#: 2014A4210103453
Date of Offense: 9/3/2014
S.C. Code § : 44-53-0375(B)
CDR Code #: 3777 3778

SENTENCE SHEET
Alex J. NC

*CDL Yes No CMV Yes No Hazmat Yes No
In disposition of the said indictment comes now the Defendant who was
TO: Drugs / Possession Meth 2nd offense (0-5 &/or \$0-5K)

CONVICTED OF or PLEADS

in violation of § 44-53-0375(A) of the S.C. Code of Laws, bearing CDR Code # 3017
 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: 12/2/14 77517
HUNTER, JAMES EDWAR SC Bar# _____ Defendant [Signature] Attorney for Defendant [Signature] SC Bar# 1207

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.
 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. _____
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: _____

Recipient: _____

*Fine:		\$
§ 14-1-206 (Assessments 107.5 %)		\$
§ 14-1-211(A)(1) (Conv. Surcharge)	\$100	\$ <u>100.00</u>
§ 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	\$ <u>25.00</u>
§ 14-1-213 (Drug Court Surcharge)	\$150	\$ <u>150.00</u>
§ 50-21-114(BUI Breath Test Fee)	\$50	\$
§ 56-5-2942(J) (Vehicle Assessment)	\$40/ea	\$
Proviso 90.5 (SCCJA Surcharge)	\$5	\$ <u>5.00</u>
3% to County (if paid in installments)		\$ <u>8.40</u>
TOTAL		\$ <u>288.40</u>

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

Clerk of Court/ Deputy Clerk [Signature]
Court Reporter: [Signature]
SCCA/217 (03/2011)

Presiding Judge [Signature]
Judge Code: 2753
Sentence Date: 5-5-15

ARREST WARRANT **COMPUTER**

2014A4210103453 **9/5/14**

STATE OF SOUTH CAROLINA

County/ Municipality of

Spartanburg

THE STATE 14090152

against

David Lee Midgette

Address: [REDACTED]

Phone: [REDACTED] SSN: [REDACTED]

Sex: M Race: W Height: 5 11 Weight: 180

DL Sta: [REDACTED]

DOB: [REDACTED] SC0420000

Prosecuting Agency: Spartanburg County Sheriff

Prosecuting Officer: Brad Roper - 0888

Offense: Drugs / Manufacture meth, 1st

Offense Code: 3776

Code/Ordinance Sec: 44-53-0375(B)

This warrant is CERTIFIED FOR SERVICE in the County/ Municipality of

The accused is to be arrested and brought before me to be dealt with according to the law.

(L.S.)

Signature of Judge

Date: _____

RETURN

A copy of this arrest warrant was delivered to defendant David Midgette on 9/5/14

[Signature]
Signature of Constable/Law Enforcement Officer

RETURN WARRANT TO:

General Sessions
180 Magnolia Street
P O Box 3483
Spartanburg, SC 29304

SEP 08 2014

ORIGINAL

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ORIGINAL

ORIGINAL

STATE OF SOUTH CAROLINA

County/ Municipality of

Spartanburg

Personally appeared before me the affiant Brad Roper who

being duly sworn deposes and says that defendant David Lee Midgette did within this county and state on or about 9/3/2014 violate the criminal laws of the

State of South Carolina (or ordinance of County/ Municipality of Spartanburg) in the following particulars:

DESCRIPTION OF OFFENSE: Drugs / Manufacture meth, 1st

I further state that there is probable cause to believe that the defendant named above did commit the crime set forth and that probable cause is based on the following facts:

That on September 3, 2014, in the county of Spartanburg, one David Lee Midgette did commit the crime of Drugs / Manufacture meth, 1st in that he did manufacture methamphetamine at 820 Hospitality Drive Room #240.

Warrant based on police investigation. RR

Signature of Affiant

STATE OF SOUTH CAROLINA

County/ Municipality of

Spartanburg

Affiant's Address 8045 Howard Street

Spartanburg, SC 29303-

Affiant's Telephone (864)503-4500

ARREST WARRANT

TO ANY LAW ENFORCEMENT OFFICER OF THIS STATE OR MUNICIPALITY OR ANY CONSTABLE OF THIS COUNTY:

It appearing from the above affidavit that there are reasonable grounds to believe that

on or about 9/3/2014 defendant David Lee Midgette

did violate the criminal laws of the State of South Carolina (or ordinance of County/ Municipality of Spartanburg) as set forth below:

DESCRIPTION OF OFFENSE: Drugs / Manufacture meth, 1st

Having found probable cause and the above affiant having sworn before me, you are empowered and directed to arrest the said defendant and bring him or her before me forthwith to be dealt with according to law. A copy of this Arrest Warrant shall be delivered to the defendant at the time of the execution of this warrant. Sworn to and subscribed before me on 9/3/2014

[Signature] (L.S.)

Jason Thomas Wall

Judge Code: 7019

Judge's Address Spartanburg County Judicial Center

Spartanburg, SC 29306-2335

Judge's Telephone (864)596-2564

Issuing Court: Magistrate Municipal Circuit

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Form Approved by S.C. Attorney General April 21, 2003 SCCA 118

FILED
CLERK OF COURT
SPARTANBURG COUNTY
2014 SEP -5 AM 10:39
M. HOPE BLACKLEY

[Signature]
M. Hope Blackley

CLERK OF COURT

SPARTANBURG COUNTY

BY: [Signature] D.C.

DATE: 9/5/14

ORIGINAL

SCANNED