

WITNESSES

Lexington County Sheriffs Department

Tricia Chandler Stoner

Law Enforcement Case #: 12009210

LSM

ARREST WARRANT NUMBER

2013A3210200561

ACTION OF GRAND JURY

TRUE BILL

Foreperson of Grand Jury

Date: 6/9/14

VERDICT

Foreperson of Petit Jury

Date:

DOCKET NO. 2014GS3201759

The State of South Carolina

County of Lexington

COURT OF GENERAL SESSIONS

JUNE TERM 2014

THE STATE

vs.

David Lorance Adams

CDR #: 0397

Indictment for

**Criminal sexual conduct with a minor -
second degree**

§ 16-03-0655(B)(2)

DONALD V. MYERS, SOLICITOR

RECEIVED
MAY 12 2015
SC Court of Appeals

A TRUE COPY

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

STATE OF SOUTH CAROLINA)
)
COUNTY OF LEXINGTON)
)

INDICTMENT FOR
Criminal sexual conduct with a minor - second
degree

§ 16-03-0655(B)(2)

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

That **David Lorance Adams**, date of birth being [REDACTED], did in Lexington County on or about January 1, 2012 through May 18, 2012, willfully and unlawfully commit the offense of criminal sexual conduct with a minor in the second degree by engaging in sexual battery with a minor who was at least fourteen (14) years of age but who was less than sixteen (16) years of age, to wit: sexual intercourse upon or with Tracey S. Johnson, date of birth [REDACTED] and the Defendant was older than the victim; furthermore, the defendant was a person over eighteen years of age, in violation of Section 16-3-655(B)(2), 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

(0-20 years)

IN THE COURT OF GENERAL SESSIONS

STATE OF SOUTH CAROLINA)
COUNTY OF Lexington)
STATE VS.)
David Lorange Adams)
AKA:)
Race: White Sex: M Age: 40)
DOB: [redacted] SS#: [redacted])
Address: 736 Madera Rd)
City, State, Zip: Batesburg, SC 29006-2204)
DL#: 004248408 SID#:)

INDICTMENT/CASE#: 2014GS3201759
A/W#: 2013A3210200561
Date of Offense: 1/1/2012 - 5/18/2012
S.C. Code §: 16-03-0655(B)(2)
CDR Code #: 0397

SENTENCE SHEET

CONVICTED OF or PLEADS

*CDL Yes No CMV Yes No Hazmat Yes No
In disposition of the said indictment comes now the Defendant who was
TO: Criminal sexual conduct with minor - Second degree

in violation of § 16-03-0655(B)(2) of the S.C. Code of Laws, bearing CDR Code # 0397
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, Negotiated Sentence, Recommendation by the State.
The plea is: Without Negotiations or Recommendation, Negotiated Sentence, Recommendation by the State.

ATTEST:
RS Nays Solicitor
64191 SC Bar#
X David Lorange Defendant
PD Attorney for Defendant
12210 SC Bar#

WHEREFORE, the Defendant is committed to the State Department of Corrections, County Detention Center,
for a determinate term of 18 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 PTUP
Total: \$ plus 20% fee: \$
Payment Terms:
Set by SCDPPPS

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 \$130.

days/hours Public Service Employment
Obtain GFD
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:
Lex. Co. C.C.C.P., G.S. & F.C.

Appointed PD or appointed other counsel, § 47.12 requires \$500 bc paid to Clerk during probation.
Presiding Judge [Signature]
Judge Code: 2156
Sentence Date: 5/4/15

Clerk of Court/ Deputy Clerk Beth A. Carrigg #
Court Reporter: Bethany Cragg #
SCCA/217 (03/2011)

STATE OF SOUTH CAROLINA)
)
)

IN THE COURT OF APPEALS

ORIGINAL

STATE OF SOUTH CAROLINA,)
)
vs.)
)
DAVID ADAMS,)
)
Defendant.)
_____)

Indictment #: 2014-GS-32-1759

RECEIVED

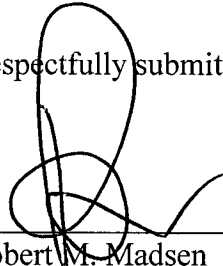
MAY 12 2015

SC Court of Appeals

RULE 203(B) EXPLANATION

Pursuant to Rule 203(B)(iv), the undersigned asserts that he does not have a good faith basis to believe that any issues are properly before the Court of Appeals, and the undersigned did not object to the sentence or file a motion to reconsider the sentence. Nevertheless, the undersigned consulted with the Appellant about his right to appeal, and after consultation, the undersigned has filed the instant appeal at the request of the Appellant because the Sixth Amendment requires counsel to follow the Appellant's request. *See Frazer v. South Carolina*, 430 F.3d 696, 706 (4th Cir. 2005) ("A defendant has a right to pursue a direct appeal, even if frivolous, which counsel must assist as 'an active advocate on behalf of his client.'") (quoting *Anders v. California*, 386 U.S. 738, 744 (1967)).

Respectfully submitted,



Robert M. Madsen
Eleventh Circuit Public Defender
407 West Main Street
Lexington, South Carolina 29072
(803) 785-8873

Lexington, South Carolina
May 7, 2015

OFFICE OF THE PUBLIC DEFENDER

ELIZABETH FULLWOOD
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407 W. Main St.
Lexington, SC 29072
Telephone (803) 957-8873
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Eleventh Judicial Circuit
Lexington, Saluda, Edgefield,
and McCormick Counties

ROBERT M. MADSEN
Circuit Public Defender

BENNETT CASTO
Tri-County Public Defender
Post Office Box 1852
McCormick, SC 29835
Telephone (864) 852-9555
Fax (864) 852-9554

May 7, 2015

David Adams
SCDC #: 00271989
Kirkland Correctional Institution
4344 Broad River Road
Columbia, South Carolina 29210

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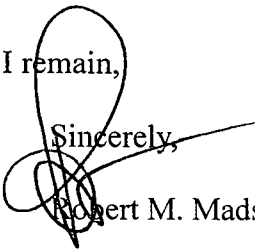
Dear David

I am required to provide you with a copy of my filing under Rule 203(B) indicating that I am not aware of an arguable basis for your appeal. Please note, you have twenty (20) days from the transmittal of the enclosure in which to provide the Court of Appeals an arguable basis for your appeal. The Court's address is:

South Carolina Court of Appeals
Post Office Box 11629
Columbia, South Carolina 29211

With my warm personal regards, I remain,

Sincerely,


Robert M. Madsen

Enclosures
cc: Court of Appeals