

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF CHARLESTON

STATE VS.

HENRY EDWARD KINLOCH, JR

AKA: Henry E Kinloch

Race: [redacted] Sex: [redacted] Age: [redacted]

DOB: [redacted] SS#: [redacted]

Address: [redacted]

City, State, Zip: [redacted]

DL# [redacted] SID# [redacted]

INDICTMENT/CASE#: 2012GS1002244

A/W: M640794

Date of Offense: 12/16/2011

S.C. Code #: 16-11-0311

CDR Code #: 0079

RECEIVED

SENTENCE SHEET

MAY 18 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

CONVICTED OF or

PLEADS

TO: Burglary First Degree

In violation of § 16-11-0311 of the S.C. Code of Laws, bearing CDR Code # 0079

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

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

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:

Alex J. Ziegler, Assistant Solicitor SC Bar # 101014

Henry Kinloch, Defendant

James King, Attorney for Defendant SC Bar # 68630

WHEREFORE, the Defendant is committed to the  State Department of Corrections  County Detention Center, for a determinate term of \_\_\_\_\_ 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 Service 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 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: \_\_\_\_\_ Obtain GED

Set by SCDPPTS \_\_\_\_\_ Attend Voc. Rehab. Or Job Corp. \_\_\_\_\_

Recipient: \_\_\_\_\_ May serve W/E beginning \_\_\_\_\_

\*Fine: \_\_\_\_\_ Substance Abuse Counseling

§14-1-206 (Assessments 107.5%) \$ \_\_\_\_\_ Random Drug/Alcohol Testing

§14-1-211 (A)(1)(Conv. Surcharge) \$100 \$ 100.00 Fine may be pd. in equal consecutive weekly/monthly

§14-1-211 (A)(2)(DUI Surcharge) \$100 \$ pmts. of \$ \_\_\_\_\_ Beginning \_\_\_\_\_

§56-5-2995 (DUI Assessment) \$12 \$ \$ \_\_\_\_\_ Paid to Public Defender Fund

§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

Clerk of Court/Deputy Clerk: \_\_\_\_\_ Presiding Judge: Kristi Hainy

Court Reporter: Mia Perron Judge Code: 2151

Sentence Date: 5/4/15

Other: mental health evaluation and follow recommendation • ATU

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

ATTEST: A TRUE COPY JULIE J. ARMSTRONG (SEAL)

By: [Signature] DEPUTY CLERK

WITNESSES

Charleston County Sheriff

AGENCY CASE NUMBER

2011020572B

ARREST WARRANT NUMBER

M640794

DATE OF ARREST

February 3, 2012

ACTION OF GRAND JURY

TRUE BILL

*[Signature]*  
Foreperson of Grand Jury  
Date: APR 9 2012

VERDICT

Foreperson of Petit Jury Date:

INDICT

The State of South Carolina

County of Charleston

COURT OF GENERAL SESSIONS

April Term 2012

THE STATE

vs.

HENRY EDWARD KINLOCH JR

~~\_\_\_\_\_~~  
~~\_\_\_\_\_~~

Indictment for

Burglary, 1st Degree

FILED

4/30/2012 8:45:38 AM  
JULIE J. ARMSTRONG  
CLERK OF COURT

ATTEST: A TRUE COPY  
JULIE J. ARMSTRONG (SEAL)  
CLERK OF COURT  
By *[Signature]*  
DEPUTY CLERK

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF CHARLESTON )

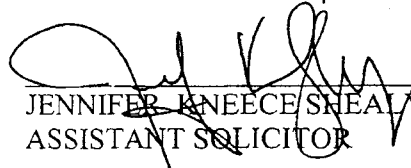
INDICTMENT

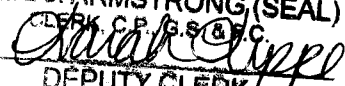
At a Court of General Sessions, convened on April 9, 2012 the Grand Jurors of Charleston County present upon their oath:

**Burglary, 1st Degree**

That in Charleston County, South Carolina, on or about December 16, 2011, the Defendant HENRY EDWARD KINLOCH JR, did enter the dwelling of Ioasha Washington, located at 2933 Bobo Rd, Mount Pleasant, South Carolina without consent and with the intent to commit a crime therein. That, in addition, entry occurred at night: in violation of Section 16-11-311 of the 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.

  
JENNIFER KNEECE SHEALY  
ASSISTANT SOLICITOR

ATTEST: A TRUE COPY  
JULIE J. ARMSTRONG, (SEAL)  
CLERK, C.P., S.S. & J.C.  
By   
DEPUTY CLERK

ARREST WARRANT

M-640794

STATE OF SOUTH CAROLINA

County/  Municipality of

Charleston

2011-020572

THE STATE  
against

Henry Edward Kinloch, Jr

Address

Phone: \_\_\_\_\_ SSN: \_\_\_\_\_

Sex: \_\_\_\_\_ Race: \_\_\_\_\_ Height: \_\_\_\_\_ Weight: \_\_\_\_\_

DL State: \_\_\_\_\_ DL #: \_\_\_\_\_

DOB: \_\_\_\_\_ Agency Unit #: \_\_\_\_\_

Prosecuting Agency: Charleston County Sheriff

Prosecuting Officer: Michael E. Thompson - 0268

Offense: Burglary / Burglary (After June 20, 1985) - First degree

Offense Code: 0079

Code/Ordinance Sec: 16-11-0311

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 HENRY KINLOCH on 2-3-12

Signature of Constable/Law Enforcement Officer

RETURN WARRANT TO:

General Sessions  
Charleston County Judicial Center  
100 Broad Street, Suite 106  
Charleston, SC 29401

ORIGINAL

ORIGINAL

ORIGINAL

ORIGINAL

STATE OF SOUTH CAROLINA )  
 County/  Municipality of )  
Charleston )

AFFIDAVIT

ORIGINAL

Form Approved by  
S.C. Attorney General  
April 21, 2003  
SCCA 518

Personally appeared before me the affiant Michael E. Thompson who being duly sworn deposes and says that defendant Henry Edward Kinloch, Jr did within this county and state on or about 12/16/2011 violate the criminal laws of the State of South Carolina (or ordinance of  County/  Municipality of Charleston ) in the following particulars

DESCRIPTION OF OFFENSE: Burglary / Burglary (After June 20, 1985) - First degree

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:

SEE ATTACHED AFFIDAVIT

Signature of Affiant

STATE OF SOUTH CAROLINA )  
 County/  Municipality of )  
Charleston )

Affiant's Address 3505 Pinehaven Drive  
Charleston, SC 29405-  
Affiant's Telephone (843)308-7311

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 12/16/2011 defendant Henry Edward Kinloch, Jr did violate the criminal laws of the State of South Carolina (or ordinance of  County/  Municipality of Charleston ) as set forth below

DESCRIPTION OF OFFENSE: Burglary / Burglary (After June 20, 1985) - First degree

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 its execution, or as soon thereafter as is practicable Sworn to and subscribed before me

on February 1, 2012 )  
Signature of Issuing Judge (L.S.) )  
Bonnie Lee Koontz )  
Judge Code 5627 )

Judge's Address 1720 Sam Rittenburg Blvd, Unit 11  
Charleston, SC 29417-1861  
Judge's Telephone (843)766-6531

Issuing Court:  Magistrate  Municipal  Circuit

ORIGINAL

ORIGINAL

ORIGINAL

ATTEST: A TRUE COPY  
JULIE J. ARMSTRONG (SEAL)  
CLERK, C.F. GS & F.C.  
By: *[Signature]*  
DEPUTY CLERK

STATE OF SOUTH CAROLINA  
COUNTY OF CHARLESTON

AFFIDAVIT

OCA # 2011-020572-B

Personally appeared before me, a magistrate of this County, one, Det. M.E. Thompson, who, first being duly sworn, deposes and says that

**HENRY EDWARD KINLOCH JR**

did within this County and State on or about the 16<sup>TH</sup> day of December, 2011 violate the criminal laws of the State of South Carolina in the following particulars:

**DESCRIPTION OF OFFENSE  
BURGLARY FIRST DEGREE  
16-11-311**

The affiant states that there is probable cause to believe that the defendant named above did commit the crime(s) set forth, and that such probable cause is based on the following facts:

That on 12-16-11, while at 2933 Bobo Rd., Mt Pleasant SC, in the County and State aforesaid, the above named defendant, **Henry Edward Kinloch Jr**, did commit offense of violation section 16-11-312 of the South Carolina Code of Laws, 1976 as amended, **BURGLARY FIRST DEGREE**, in that he did willfully, unlawfully, and feloniously enter the residence of the victim stealing a television and a laptop computer valued at \$800.00.

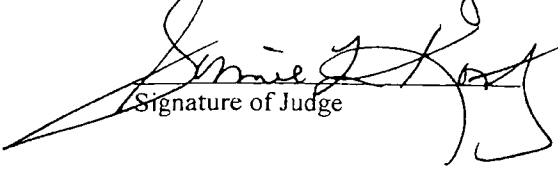
That on 12-16-11, the victim, Iroasha Washington reported to members of the Charleston County Sheriff's Office that she had returned home at 11:30pm to her residence ,2933 Bobo Rd., Mt Pleasant SC and discovered an intruder inside. The victim stated she observed the intruder face to face as she approached the front door on foot and the intruder retreated back inside closing the front door. According to the victim ,as she called for help,the same intruder then reopened the front door and ran out of her residence attempting to cover his face with a piece of her clothing. The victim entered her residence and discovered that a television and a laptop computer had been stolen from her residence.

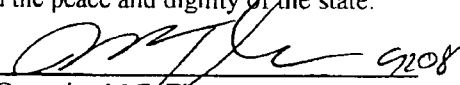
On 1-25-12, the victim reported to Det. M. Thompson that she had discovered from speaking to her neighbors that the name of the intruder that she had discovered inside her residence was Henry Edward Kinloch Jr. The victim stated she does not know Kinloch.

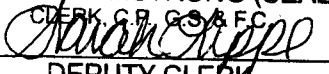
On 1-30-12, the victim met with Det. M. Thompson at the Charleston County Sheriff's Office Headquarters and was shown a photographic lineup that included the defendants photograph. The victim positively identified the defendant as the same subject she observed inside her residence on 12-16-11, and provided Det. M. Thompson with a written statement outlining the incident and identifying the defendant as the intruder that ran from the scene.

This information was revealed through the investigation of Det. M. Thompson of the Charleston County Sheriff's Office who along with the signed written statement of the victim, Iroasha Washington , are witnesses to prove the same against the form of the statute and the peace and dignity of the state.

Sworn to and Subscribed before me  
this 15<sup>th</sup> day of February 2012

  
Signature of Judge

  
Detective M.E. Thompson  
Charleston County Sheriff's Office  
3505 Pinehaven Drive  
Charleston Heights, SC 29405  
843-308-7311

ATTEST: A TRUE COPY  
JULIE J. ARMSTRONG (SEAL)  
CLERK, C.R. GOV. & EC.  
By   
DEPUTY CLERK