

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

RECEIVED

MAY 21 2015

APPEAL FROM HORRY COUNTY
Court of General Sessions

SC Court of Appeals

Benjamin H. Culbertson, Circuit Court Judge

Case Nos. 2013A2610700933, 2013A2610700934 & 2015GS2600361

The State,

Respondent,

v.

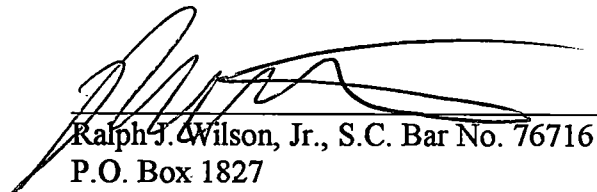
Domenic John Merino,

Appellant.

CORRECTED NOTICE OF APPEAL

Domenic John Merino appeals his guilty pleas and sentences in this case. The sentence was imposed by the Honorable Benjamin H. Culbertson on April 20, 2015. A copy of all applicable sentencing sheets are attached hereto.

May 19, 2015



Ralph J. Wilson, Jr., S.C. Bar No. 76716

P.O. Box 1827

Conway, SC 29528

(843) 381-0765

Court Appointed Trial Counsel for Appellant

Other Counsel of Record:

Thomas Terrell, Assistant Solicitor

Fifteenth Circuit Solicitor's Office

P.O. Box 1260

Conway, South Carolina 29528

(843) 915-5460

Attorney for Respondent

STATE OF SOUTH CAROLINA

RECEIVED

IN THE COURT OF GENERAL SESSIONS

COUNTY OF Horry
STATE VS.

MAY 21 2015

INDICTMENT/CASE#: 2014GS2600323

AKA: Domenic John Merino

A/W#: 2013A2610700934

Race: WHITE Sex: M Age: 27

Date of Offense: 9/4/2013

DOB: [REDACTED] SS#: [REDACTED]

S.C. Code §: 16-03-0910

Address: 4853 Meadowsweet Drive Apt 1804

CDR Code #: 0095

City, State, Zip: Myrtle Beach, SC 29579

DL#: [REDACTED] SID#: [REDACTED]

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: Kidnapping (0-30)

in violation of § 16-03-0910 of the S.C. Code of Laws, bearing CDR Code # 0095

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: Terrell, H., Thomas Groom SC100776 SC Bar# Defendant [Signature] Attorney for Defendant 76714 SC Bar#

WHEREFORE, the Defendant is committed to the State Department of Corrections, County Detention Center, for a determinate term of 22 days/months/years or under the Youthful Offender Act not to exceed X years and/or to pay a fine of \$ X; provided that upon the service of X days/months/years and/or payment of \$ X; plus costs and assessments as applicable*; the balance is suspended with probation for X

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: 4/20/2015
 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 § 17-25-13

Pursuant to 18 U.S.C Section 922, it is unlawful for a person convicted of a violation of Section 16-25-20 or 16-25-6 (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

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 \$
§ 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/ca \$
Proviso 90.5 (SCCJA Surcharge)	\$5 \$5.00
3% to County (if paid in installments)	\$390 \$
TOTAL	\$15390

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 \$ 25.00 beginning 4/20/2015
\$ paid to Public Defender Fund
Other: No Sex offender Registry.

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

Clerk of Court/ Deputy Clerk: Melone Huggins - Ward
Court Reporter: Grace Hurley
SCCA/217 (03/2011)

Presiding Judge: [Signature]
Judge Code: 2148
Sentence Date: April 20, 2015

FILED
CLERK OF COURT
2015 APR 20 PM 4:36
Horry County

STATE OF SOUTH CAROLINA

COUNTY OF Horry
STATE VS.

Domenic John Merino

AKA:

Race: WHITE Sex: M Age: 27

DOB: [REDACTED] SS#: [REDACTED]

Address: 4853 Meadowsweet Drive Apt 1804

City, State, Zip: Myrtle Beach, SC 29579

DL#: [REDACTED] SID#: [REDACTED]

*CDL Yes No CMV Yes No Hazmat Yes No

In disposition of the said indictment comes now the Defendant who was

TO: Burglary, 1st degree (15-LIFE)

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(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:

Terrell, III, Thomas Groom

SC100776
SC Bar#

Domenic Merino
Defendant

[Signature]
Attorney for Defendant

76716
SC Bar#

WHEREFORE, the Defendant is committed to the State Department of Corrections, County Detention Center, for a determinate term of 22 days/month/years or under the Youthful Offender Act not to exceed X years and/or to pay a fine of \$ X; provided that upon the service of X days/months/years and/or payment of \$ X; plus costs and assessments as applicable*; the balance is suspended with probation for X

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: 4/20/2015
 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 of 16-25-67(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 _____

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	\$
§ 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)		\$ 3.40
TOTAL		\$ 133.90

Clerk of Court/ Deputy Clerk: Melanie Huggins Ward
Court Reporter: Grace Hurley
SCCA/217 (03/2011)

IN THE COURT OF GENERAL SESSIONS

INDICTMENT/CASE#: 2014GS2600322

A/W#: 2013A2610700933

Date of Offense: 9/4/2013

S.C. Code § : 16-11-0311

CDR Code #: 0079

SENTENCE SHEET

CONVICTED OF or PLEADS

FILED COPY
APR 23 PM 3:22
CLERK OF COURT
HORRY COUNTY

FILED
APR 20 PM 4:34
CLERK OF COURT
HORRY COUNTY

_____ 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 \$ 250 beginning 4/20/2015

\$ _____ paid to Public Defender Fund

Other: _____

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

Presiding Judge

Judge Code: 2148

Sentence Date: April 20, 2015

Margaret Culbertson

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF Horry VS. STATE

Domenic John Merino

AKA:

Race: WHITE Sex: M Age: 27

DOB: SS#:

Address: 4853 Meadowsweet Drive Apt 1804

City, State, Zip: Myrtle Beach, SC 29579

DL#: SID#:

*CDL Yes No CMV Yes No Hazmat Yes No

In disposition of the said indictment comes now the Defendant who was TO: Armed Robbery (10-30)

INDICTMENT/CASE#: 2015GS2600361

A/W#: 2015GS2600361

Date of Offense: 9/4/2013

S.C. Code §: 16-11-0330(A)

CDR Code #: 0139

SENTENCE SHEET

CONVICTED OF or PLEADS

in violation of § 16-11-0330(A) of the S.C. Code of Laws, bearing CDR Code # 0139

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: Terrell, III, Thomas Groom SC100776 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 22 days/months/years or under the Youthful Offender Act not to exceed X years and/or to pay a fine of \$ X; provided that upon the service of X days/months/years and/or payment of \$ X; plus costs and assessments as applicable*; the balance is suspended with probation for X

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: 4/20/2015 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

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 \$ 2500 beginning 4/20/2015 \$ paid to Public Defender Fund

Other:

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

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

FILED APR 20 PM 3:22

FILED APR 20 PM 4:34

Clerk of Court/ Deputy Clerk: Melrose Higgins Ward Court Reporter: Grace Hurley

Presiding Judge: Miriam T. Callahan Judge Code: 2148 Sentence Date: April 20, 2015