

-STATE OF SOUTH CAROLINA)

IN THE COURT OF GENERAL SESSIONS

COUNTY OF Aiken)
STATE VS.)
Gerald Thomas Checks Jr)
AKA:)
Race: White Sex: M Age: 50)
DOB: SS#:)
Address:)
City, State, Zip: North Augusta, SC 29860-9046)
DL#: SID#: SC00442355)

INDICTMENT/CASE#: 2015GS0200611
A/W#: 2015GS0200673
Date of Offense: 11/3/2014
S.C. Code §: 16-03-1730(A)
CDR Code #: 2409

SENTENCE SHEET

NMT 5 yrs
for
NMT \$5,000
PLEADS

CONVICTED OF or

in violation of § 16-03-1730(A) of the S.C. Code of Laws, bearing CDR Code # 2406
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, Negotiated Sentence, Recommendation by the State

ATTEST: Shefall, Virginia Lauren 100435 SC Bar# Defendant
M. B. McMullen 100386 SC Bar# Attorney for Defendant

WHEREFORE, the Defendant is committed to the State Department of Corrections, County Detention Center,
for a determinate term of 1 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 15 days/months/years and/or payment
of \$; plus costs and assessments as applicable*; the balance is suspended with probation for 5

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. 277 days credit
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% fec: \$
Payment Terms:
Set by SCDPPPS
Recipient:

Table with 2 columns: Description and Amount. 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 (SCJA Surcharge) \$5, 3% to County (if paid in installments) \$18.90, TOTAL \$648.90

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: No contact with victim or North
Augusta Police Officers while not on
duty. No contact with victim and
A's children unless allowed by family
court order. GPS monitoring during
Appointed PD or appointed other counsel,
§ 47.12 requires \$500 be paid to Clerk Probationary
during probation. sentence.

Clerk of Court/ Deputy Clerk Ann Sanders
Court Reporter: Cheri Young
SCCA/217 (03/2011)

Presiding Judge
Judge Code: 2758
Sentence Date: 9/14/2015

may be released from ACDC.

WITNESSES

North Augusta Dept. of Public Safety

L. A. Turner

Law Enforcement Case #: 14-003331

DOCKET NO. 2015GS0200611

The State of South Carolina

County of Aiken

VLS

COURT OF GENERAL SESSIONS

ARREST WARRANT NUMBER

MAY TERM 2015

2014A0211000187

April 30 2015
Liz Padard
C.C.P.&G.S.
D. Strom Thurmond
Deputy Clerk

THE STATE
vs.

GERALD THOMAS CHEEKS, JR.

ACTION OF GRAND JURY

True Bill

MS MBM
notle pros - Defendant pled to related charge.
MS/2015
9/14/15

[Signature]
Foreperson of Grand Jury
Date: April 30, 2015

CDR #: 2407

Indictment for

VERDICT

STALKING WITH RESTRAINING ORDER
OR INJUNCTION IN EFFECT

§ 16-03-1730(B)

Foreperson of Petit Jury
Date:

J. STROM THURMOND, SOLICITOR

STATE OF SOUTH CAROLINA)
)
COUNTY OF AIKEN)
)

INDICTMENT FOR
STALKING WITH RESTRAINING ORDER OR
INJUNCTION IN EFFECT

§ 16-03-1730(B)

At a Court of General Sessions, convened on May 11, 2015, the Grand Jurors of Aiken County present upon their oath:

That **GERALD THOMAS CHEEKS, JR.** did in Aiken County at divers time on or between November 4, 2014 and December 8, 2014, commit the crime of Stalking by violating a Restraining Order or Injunction which was in effect and prohibited the Defendant, Gerald Thomas Cheeks, Jr. from any contact with Rhonda Belcher, including, but not limited to personal contact, telephone, mail, e-mail, text messaging, social media, third party contact, or go to the residence of Rhonda Belcher while she was not present. All in violation of §16-3-1730 (B), 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.


for J. STROM THURMOND, SOLICITOR

②

BM

STATE OF SOUTH CAROLINA)
COUNTY OF AIKEN) AFFIDAVIT OF INDIGENCY AND APPLICATION FOR APPOINTED COUNSEL

STATE VS. GERALD THOMAS CHEEKS JR
ARREST WARRANT / TICKET & CHARGE: 2014 A02-110-00187 STALKING

1. ARE YOU PRESENTLY EMPLOYED? YES NO If yes, Please state the name and address of your employer and the amount of your salary or wages per month and/or week.

NAME: _____ ADDRESS: _____
NET WAGES: \$ _____ WEEKLY / BI-WEEKLY / MONTHLY

If No, please state the name and address of your former employer, date of termination and the amount of your salary or wages.

EMPLOYER: ADVANCED CHEMICAL
NET WAGES: \$ 200⁰⁰ WEEKLY BI WEEKLY / MONTHLY DATE OF TERMINATION: 12-11-2014

2. HOUSEHOLD MEMBER(S) EMPLOYER (if applicable): _____
NET WAGES: \$ _____ WEEKLY / BI-WEEKLY / MONTHLY

3. Have you or household member(s) received within the past twelve months any money from any of the following sources?
- a. Business, Profession or Self-Employment? Yes _____ No
 - b. Rent Payments, Interest or Dividends? Yes _____ No
 - c. Pensions, Annuities or Life Insurance Payments? Yes _____ No
 - d. Gifts or Inheritance? Yes _____ No
 - e. Any Other Source (including Unemployment, Retirement, Disability and/or Food Stamps)? Yes No _____

If the answer to any question above is "Yes", please list the source of the money and the amount received within the last 12 months.
SOURCE: FS AMOUNT: \$81.00/mo.

4. LIST BY NAME, AGE AND RELATIONSHIP TO YOU, ANY PERSONS WHO ARE DEPENDENT UPON YOU FOR SUPPORT. INDICATE BESIDE EACH HOW MUCH YOU CONTRIBUTE TOWARD THEIR SUPPORT.

NAME: Jesse Cheeks AGE: 12 RELATIONSHIP: Son AMOUNT \$ _____ lives
 NAME: Jonathan Cheeks AGE: 13 RELATIONSHIP: Son AMOUNT \$ _____ w/ def.
 NAME: _____ AGE: _____ RELATIONSHIP: _____ AMOUNT \$ _____

5. DO YOU HAVE CASH, OR DO YOU HAVE ANY MONEY IN A CHECKING OR SAVINGS ACCOUNT
CASH: \$ _____ CHECKING: \$ _____ SAVINGS: \$ _____

Receives no child support.

6. DO YOU OWN ANY REAL ESTATE, STOCKS, BONDS, NOTES OR OTHER VALUABLE PROPERTY, EXCLUDING ORDINARY HOUSEHOLD FURNISHINGS AND CLOTHING? YES _____ NO

PLEASE SPECIFY: _____

7. LIST THE TYPE OF VEHICLE(S) YOU OWN (YEAR, MAKE, MODEL): 2001 Dodge Van
 PAID FOR? YES NO AMOUNT OF PAYMENT(S) \$ _____
 8. DO YOU OR HOUSEHOLD MEMBER PAY RENT OR (MORTGAGE?) \$450⁰⁰
 9. AMOUNT OF DEBTS, LIENS, MORTGAGES, ETC.? _____ AMOUNT \$ _____

I do solemnly swear that the information reported by me for this application for counsel does contain a true and full account of all my real and personal estate, debts, credits and effects whatsoever without exception, which I or any person in trust for me have or at the time of my possession had, or am, or was in any way respect, entitled to, in possession, remainder or reversion, and that I have not at any time since charges were made against me or before, directly or indirectly sold, leased, assigned, or otherwise disposed of any property, or made over in trust for myself or otherwise, other than mentioned herein.

I understand that the appointment of counsel creates a claim against the assets and estate of the person who is provided counsel or the parents or legal guardians of a juvenile in the amount equal to the costs of representation less the amount paid to appointed counsel, the public defender office and/or the Commission on Indigent Defense. I understand such claim shall be filed in the Office of the Clerk of Court where I, my child, or ward are assigned counsel, but that the filing of a claim shall not constitute a lien against my real or personal property unless, in the discretion of the Court, part or all of such a claim is reduced to judgment by appropriate Order of the Court, after serving me with at least thirty (30) days notice that judgment will be entered.

I understand that pursuant to §17-3-30(b), I am required to pay a non-refundable \$40.00 application fee to the Public Defender's Office for public defender services or other appointed counsel.

I am financially unable to employ counsel and request that counsel be assigned to represent me. I understand that I am entitled to at least 30 days notice before a claim against me may be reduced to judgment, and I do hereby waive the right to such notice.

[Signature]
 Applicant

Sworn to before me this 15 day of December, 2014.

Kathy Bowles Notary Public for South Carolina. My commission expires: 12-10-2020

RACE: W SEX: M AGE: 49 IN JAIL OUT ON BOND
 SSN: _____ DATE OF ARREST: 12-12-2014
 DATE OF BIRTH: _____ BOND AMOUNT: no bond
 ADDRESS: _____ BONDSMAN: _____
 CITY & STATE: North Augusta, SC 29860 CO-DEFENDANTS: _____
 TELEPHONE: (703) 294-0096 (cell)

The applicant's request for counsel is hereby
 GRANTED
 DENIED

[Signature]
 Judge/ Clerk or Deputy Clerk
 DATE: 12-16-14

ARREST WARRANT

2014A0211000187

STATE OF SOUTH CAROLINA

[X] County/ [] Municipality of

Aiken

THE STATE NA IR 14-003331 against

Gerald Thomas Cheeks, Jr

Address: North Augusta, SC 29860-9046

Phone: 5 SSN: Sex: M Race: W Height: 6 1 Weight: 195

DL State: SC DL #: DOB: Agency ORI #: SC0020300

Prosecuting Agency: North Augusta Police Department Prosecuting Officer: L. A. Turner - 276

Offense: Stalking / Stalking

Offense Code: 2406 Code/Ordinance Sec: 16-03-1700(C)

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 Gerald Thomas Cheeks Jr on 12-12-2014

Signature of Constable/Law Enforcement Officer

RETURN WARRANT TO:

General Sessions P O Box 583 109 Park Avenue Aiken, SC 29802

ORIGINAL

ORIGINAL

ORIGINAL

ORIGINAL

STATE OF SOUTH CAROLINA)

[X] County/ [] Municipality of)

Aiken)

Personally appeared before me the affiant L. A. Turner who

being duly sworn deposes and says that defendant Gerald Thomas Cheeks, Jr did within this county and state on or about 12/8/2014 violate the criminal laws of the

State of South Carolina (or ordinance of [X] County/ [] Municipality of Aiken) in the following particulars:

DESCRIPTION OF OFFENSE: Stalking / Stalking

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:

UPON INFORMATION AND BELIEF, BETWEEN FEBRUARY 9, 2014 AND DECEMBER 10, 2014, COMMIT THE CRIMINAL OFFENSE OF STALKING BY CONSTANTLY HARASSING THE VICTIM, RHONDA BELCHER, BY VANDALIZING THE VICTIM'S HOUSE AND VEHICLE NUMEROUS TIMES, THE DEFENDANT FOLLOWS THE VICTIM EVERYWHERE, AND HAS SENT THE VICTIM THOUSANDS OF UNWANTED TEXT MESSAGES, WHICH INCLUDE REFERENCES TO HIS ACTIONS, WHICH HAS CAUSED THE VICIM TO FEAR FOR HER LIFE AND SAFETY. THESE OFFENSES OCCURRING IN RICHMOND, AND COLUMBIA COUNTIES IN GEORGIA AND EDGEFIELD COUNTY, SC AND AT 2003 CURTIS DRIVE, NORTH AUGUSTA, AIKEN COUNTY, SOUTH CAROLINA. THIS BEING IN VIOLATION OF SECTION

Signature of Affiant

STATE OF SOUTH CAROLINA)

[X] County/ [] Municipality of)

Aiken)

Affiant's Address 454 E Buena Vista Avenue North Augusta, SC 29841-

Affiant's Telephone

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 12/8/2014 defendant Gerald Thomas Cheeks, Jr

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

DESCRIPTION OF OFFENSE: Stalking / Stalking

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 12/10/2014

Signature of Issuing Judge Sheridan Lee Lynn Jr Judge Code: 5034 (L.S.)

Judge's Address Aiken, SC 29801-8743

Judge's Telephone (803)642-2044

Issuing Court: [X] Magistrate [] Municipal [] Circuit

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

AFFIDAVIT