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**STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS**

ORIGINAL

Appeal from Richland County
Diane Schafer Goodstein, Circuit Court Judge

RECEIVED

JUN 25 2015

SC Court of Appeals

THE STATE,

RESPONDENT,

V.

GERALD BERNARD HALTIWANGER, JR.

APPELLANT

Appellate Case No. 2013-002460

SUPPLEMENTAL RECORD ON APPEAL

Heather V. Scalzo
Appellate Project Attorney
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Greenville, SC 29601
(864)331-0111

Alan Wilson
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Division of Appellate Defense
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Assistant Attorney General
SC Attorney General's Office
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Attorneys for Appellant

Daniel E. Johnson
Solicitor, Fifth Judicial Circuit
PO Box 192
Columbia, SC 29202

Attorneys for Respondent

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WITNESSES

(S) Christopher Lindler – Richland County Sheriff

ARREST WARRANT NUMBER

2012A4010400065

ACTION OF GRAND JURY

TRUE BILL

Foreperson of Grand Jury
Date:

OCT 10 2012

VERDICT

Foreperson of Petit Jury
Date:

DOCKET NO. 2012GS4005298

The State of South Carolina
County of
Richland

COURT OF GENERAL SESSIONS

OCTOBER TERM 2012

42

THE STATE
vs.

Gerald Bernard Haltiwanger Jr

Indictment for
MURDER

SC Code: 16-03-0010
CDR Code: 0116

After being fully advised as to my legal rights, I hereby waive presentment to the Grand Jury.

Defendant

I hereby appear in my own proper person and plead guilty to the within indictment or to

Defendant

Witness:

C.C.C. PLS. AND G.S.

STATE OF SOUTH CAROLINA)
COUNTY OF RICHLAND)

INDICTMENT

At a Court of General Sessions, convened on OCTOBER 10, 2012,
the Grand Jurors of Richland County present upon their oath:

MURDER

G 14

MAS

That Gerald Bernard Haltiwanger Jr ^{vs} and ~~or another co-defendant and/or~~
~~other co-defendants~~ did in Richland County, on or about August 25, 2012,
willfully, feloniously, and intentionally kill the victim, Jimmy Moti, with
malice aforethought, either express or implied, by means of gun shot
wound, and the victim did die as a proximate result thereof, in violation of
Section 16-03-0010, S. C. 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.



DAN JOHNSON, SOLICITOR

STATE OF SOUTH CAROLINA

COUNTY OF Richland VS. STATE

Gerald Bernard Haltiwanger Jr

AKA: Race: BLACK Sex: M Age: 25 DOB: SS#: Address: Rd City, State, Zip: Hopkins, SC 29061-8450 DL#: SID#:

*CDL Yes No CMV Yes No Hazmat Yes No In disposition of the said indictment comes now the Defendant who was TO: Murder

IN THE COURT OF GENERAL SESSIONS

INDICTMENT/CASE#: 2012GS4005298 A/W#: 2012A4010400065 Date of Offense: 8/25/2012 S.C. Code § : 16-03-0010 CDR Code #: 0116

SENTENCE SHEET

CONVICTED OF or PLEADS

in violation of § 16-03-0010 of the S.C. Code of Laws, bearing CDR Code # 0116 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 Presentation to Grand Jury. The plea is: Without Negotiations or Recommendation, Negotiated Sentence, Recommendation by the State.

ARREST: Campbell, Luck 13009 SC Bar# Defendant, Mark Myers 76140 Attorney for Defendant SC Bar#

WHEREFORE, the Defendant is committed to the State Department of Corrections, County Detention Center, for a determinate term of Life 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: \$ days/hours Public Service Employment

Payment Terms: Obtain GED Attend Voc. Rehab. or Job Corp. May serve W/E beginning Substance Abuse Counseling Random Drug/Alcohol testing

Recipient: Fine may be pd. in equal, consecutive weekly/monthly pmts. of \$ beginning \$ paid to Public Defender Fund Other:

Table with 3 columns: Description, Amount, Total. Rows include assessments like § 14-1-206, § 14-1-211(A)(1), § 14-1-211(A)(2), § 56-5-2995, § 56-1-286, Proviso 47.9, § 14-1-212, § 14-1-213, § 50-21-114, § 56-5-2942(J), Proviso 90.5, 3% to County, and TOTAL.

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


Clerk of Court/ Deputy Clerk: Jeannette W. McBride Court Reporter: SCCA/217 (03/2011)

Presiding Judge: Judge Code: Sentence Date: November 18, 2013

CERTIFICATE OF COUNSEL FOR APPELLANT

Counsel for appellant certifies that this Supplemental Record on Appeal contains all material proposed to be included by any of the parties and not any other material and that this Record on Appeal complies to the best of my ability with the April 15, 2014 order from the South Carolina Supreme Court entitled "Revised Order Concerning Personal Identifying Information and Other Sensitive Information in Appellate Court Filings."

June 25th, 2015

By: 

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Appellate Project Attorney
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Robert M. Dudek
Chief Appellate Defender
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ATTORNEYS FOR APPELLANT

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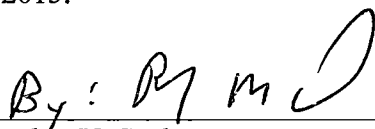
V.

GERALD BERNARD HALTIWANGER,

APPELLANT

CERTIFICATE OF SERVICE

I certify that a true copy of the Supplemental Record on Appeal in the above referenced case has been served upon Alphonso Simon, Jr., Esquire, at Rembert Dennis Building, 1000 Assembly Street, Room 519, Columbia, SC 29201, this 25th day of June, 2015.

By: 

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419 Vardry Street, Suite D
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ATTORNEYS FOR APPELLANT

SUBSCRIBED AND SWORN TO before me
this 25th day of June, 2015.

Maia Mendel (L.S.)

Notary Public for South Carolina

My Commission Expires: July 3, 2023.