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STATE OF SOUTH CAROLINA

FEB 12 2016

IN THE COURT OF GENERAL SESSIONS

COUNTY OF

CHESTER

SC Court of Appeals

STATE

INDICTMENT/CASE#: 2016-GS-12-065

Charles David Hayes vs.

AW#: DI
Date of Offense: 8-27-14
S.C. Code §: 16-23-30(F); 16-23-50(A)(1)
CDR Code #: 2364

AKA:
Race: Black Sex: Male Age: 25
DOB:
Address:
City, State, Zip:
DL#:
SID#

SENTENCE SHEET

In disposition of the said indictment comes now the Defendant who was CONVICTED OF or PLEADS

TO: Possession of a Semiautomatic Firearm

In violation of § 16-23-30(F); 16-23-50 of the S.C. Code of Laws, bearing CDR Code # 2364

NON-VIOLENT VIOLENT SERIOUS MOST SERIOUS Mandatory GPS \$17-25-45

The charge is: As indicted, Lesser Included Offense, Defendant Waives Presentment to Grand Jury.
The plea is: Without Negotiations or Recommendation, Negotiated Sentence, Recommendation by the State.

Solicitor 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 3 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: 2014-GS-12-650
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 SCDPPPS

Attend Voc. Rehab. Or Job Corp.

Recipient:

May serve W/E beginning Substance Abuse Counseling

*Fine: \$

Random Drug/Alcohol Testing Fine may be pd. in installments or weekly/monthly

\$14-1-206 (Assessments 107.5%) \$

On file in beginning

\$14-1-211 (A)(1)(Conv. Surcharge) \$100 \$

\$ Paid to Public Defender Fund

\$14-1-211 (A)(2)(DUI Surcharge) \$100 \$

Other: Sue R. Carpenter

\$56-5-2995 (DUI Assessment) \$12 \$

Clerk of Court Chester County, SC

\$56-1-286 (DUI Breath Test) \$25 \$

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

Proviso 47.9 (Public Def/Prob) \$500 \$

Presiding Judge

\$14-1-212 (Law Enforce. Funding) \$25 \$

Judge Code: 2754

\$14-1-213 (Drug Court Surcharge) \$150 \$

Sentence Date 1-28-16

\$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 \$ 133.90

Clerk of Court/Deputy Clerk Court Reporter: Sue R. Carpenter

COUNTY OF Chester
STATE VS.

INDICTMENT/CASE#: 2014GS12651

Charles David Hayes

2014A1210400075

AKA:

Date of Offense: 8/27/2014

Race: BLACK Sex: M Age: 25

S.C. Code §: 44-53-0370(b)(2)

DOB: SS#: [redacted]

CDR Code #: 0187

Address:
City, State, Zip:

SC Court of Appeals

SENTENCE SHEET

DL#: SID#:

*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: Drugs / Manuf., poss. of other sub. in Sch. I,II,III or flunitrazepam or analogue, w.i.t.d. - 2nd offense

in violation of § 44-53-0370(b)(2) of the S.C. Code of Laws, bearing CDR Code # 0187

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. (defendant's initials)

The plea is: Without Negotiations or Recommendation, Negotiated Sentence, Recommendation by the State.

ATTEST:

Fryar, Karen

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 5 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: 2014-GS-17-650

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

Recipient:

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 \$ 288 40

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: This and correct copy of original paper On file in this office

Sue K. Carpenter

Clerk of Court Chester County, SC

Date: 8-18-14

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

Clerk of Court/ Deputy Clerk

Sue K. Carpenter

Court Reporter:

Sisa Carter

Presiding Judge

Judge Code:

Sentence Date:

[Signature]

2754

01-28-16

STATE OF SOUTH CAROLINA

COUNTY OF Chester
STATE VS.
Charles David Hayes
AKA:
Race: BLACK Sex: M Age: 25
DOB: SS#:
Address:
City, State, Zip:
DL#: SID#:

IN THE COURT OF GENERAL SESSIONS

INDICTMENT/CASE#: 2014GS12650
A/W#: 2014A1210400074
Date of Offense: 8/27/2014
S.C. Code § : 44-53-0375(B)(2)
CDR Code #: 3015

SENTENCE SHEET

*CDL Yes No CMV Yes No Hazmat Yes No
In disposition of the said indictment comes now the Defendant who was
TO: Drugs / Manufacture, distribution, etc. cocaine base, 2nd offense

CONVICTED OF or PLEADS

in violation of § 44-53-0375(B)(2) of the S.C. Code of Laws, bearing CDR Code # 3015
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.
The plea is: Without Negotiations or Recommendation, Negotiated Sentence, Recommendation by the State.

Fryar, Karen 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 20 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
Total: \$ plus 20% fee: \$
Payment Terms:
Set by SCDPPS

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 \$ beginning
\$ paid to Public Defender Fund of original paper
Other:

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 (SCCJA Surcharge) \$5, 3% to County (if paid in installments) \$, TOTAL \$ 288.40

Sue K. Carpenter
Clerk of Court
Chester County, SC
Date: 1-28-16

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

Clerk of Court/ Deputy Clerk Sue K. Carpenter
Court Reporter: Lisa Carter
SCCA/217 (03/2011)

Presiding Judge Judge Code: 2754
Sentence Date: 1-28-16

HAMILTON DELLENEY GRIER & COTTEN, LLC

ATTORNEYS AT LAW

HISTORIC COUNTY JAIL BUILDING (CIRCA 1842)
128 CENTER STREET
POST OFFICE DRAWER 808
CHESTER, SC 29706-0808

Phone: 803-581-2211
Fax: 803-581-2209

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SC Court of Appeals

David Hamilton (1883-1941)
Thomas B. Hamilton (1916-1972)
David Lee Hamilton (1911-1995)

Chester Office
128 Center Street
Chester, SC 29706
803-581-2211

February 9, 2016

Milton E. Hamilton
F.G. Delleney, Jr.
Brian T. Grier
F.M. "Nick" Cotten, Jr.

Rock Hill Office
114 East Main Street
Rock Hill, SC 297930
803-328-2201

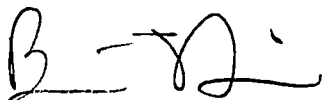
The Honorable Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
P.O. Box 11629
Columbia, SC 29211

RE: The State v. Charles D. Hayes
Appellate Case No. 2016-000193

Dear Ms. Kitchings:

Pursuant to your instructions, enclosed please find redacted, certified copies of the three (3) sentence sheets challenged in the above-referenced appeal. Thank you for your attention and assistance.

Sincerely,



Brian T. Grier
Attorney for the Appellant

Enclosures

cc: Robert Michael Dudek, Esq.
Julie Gamburg Hall, Esq.
Alan McCrorey Wilson, Esq.
John Benjamin Aplin, Esq.