

VOLUME TWO OF TWO

STATE OF SOUTH CAROLINA

In The Court of Appeals

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APPEAL FROM RICHLAND COUNTY

JUL 01 2015

Clifton Newman, Circuit Court Judge

SC Court of Appeals

THE STATE,

RESPONDENT,

V.

ALAN DALE SMITH,

APPELLANT

APPELLATE CASE NO. 2013-002524

RECORD ON APPEAL

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1 Indictment number 2013-GS-40-4198, the State
2 versus Alan Dale Smith. It's an indictment for
3 sexual exploitation of a minor third degree. We,
4 the jury, find the defendant guilty. This is
5 signed Juror number 154.

6 Indictment number 2013-GS-40-4197, the State
7 versus Alan Dale Smith. It's an indictment for
8 sexual exploitation of a minor third degree. We,
9 the jury, find the defendant guilty. This is
10 signed Juror number 154.

11 Indictment number 2013-GS-40-4196, the State
12 versus Alan Dale Smith. It's an indictment for
13 sexual exploitation of a minor third degree. We,
14 the jury, find the defendant guilty. This is
15 signed Juror number 154.

16 Indictment number 2013-GS-40-4195, the State
17 versus Alan Dale Smith. It's an indictment for
18 sexual exploitation of a minor third degree. We,
19 the jury, find the defendant guilty. This is
20 signed Juror number 154.

21 Indictment number 2013-GS-40-4194, the State
22 versus Alan Dale Smith. It's an indictment for
23 sexual exploitation of a minor third degree. We,
24 the jury, find the defendant guilty. This is
25 signed Juror number 154.

1 Indictment number 2013-GS-40-4193, the State
2 versus Alan Dale Smith. It's an indictment for
3 sexual exploitation of a minor third degree. We,
4 the jury, find the defendant guilty. This is
5 signed Juror number 154.

6 Indictment number 2013-GS-40-4192, the State
7 versus Alan Dale Smith. It's an indictment for
8 sexual exploitation of a minor third degree. We,
9 the jury, find the defendant guilty. This is
10 signed Juror number 154.

11 Indictment number 2013-GS-40-4191, the State
12 versus Alan Dale Smith. It's an indictment for
13 sexual exploitation of a minor third degree. We,
14 the jury, find the defendant guilty. This is
15 signed Juror number 154.

16 Indictment number 2013-GS-40-4190, the State
17 versus Alan Dale Smith. It's an indictment for
18 sexual exploitation of a minor third degree. We,
19 the jury, find the defendant guilty. This is
20 signed Juror number 154.

21 Indictment number 2013-GS-40-4189, the State
22 versus Alan Dale Smith. It's an indictment for
23 sexual exploitation of a minor third degree. We,
24 the jury, find the defendant guilty. This is
25 signed Juror number 154.

1 Indictment number 2013-GS-40-4188, the State
2 versus Alan Dale Smith. It's an indictment for
3 sexual exploitation of a minor third degree. We,
4 the jury, find the defendant guilty. This is
5 signed Juror number 154.

6 Indictment number 2013-GS-40-4187, the State
7 versus Alan Dale Smith. It's an indictment for
8 sexual exploitation of a minor third degree. We,
9 the jury, find the defendant guilty. This is
10 signed Juror number 154.

11 Indictment number 2013-GS-40-4186, the State
12 versus Alan Dale Smith. It's an indictment for
13 sexual exploitation of a minor third degree. We,
14 the jury, find the defendant guilty. This is
15 signed Juror number 154.

16 Indictment number 2013-GS-40-4185, the State
17 versus Alan Dale Smith. It's an indictment for
18 sexual exploitation of a minor third degree. We,
19 the jury, find the defendant guilty. This is
20 signed Juror number 154.

21 Indictment number 2013-GS-40-4184, the State
22 versus Alan Dale Smith. It's an indictment for
23 sexual exploitation of a minor third degree. We,
24 the jury, find the defendant guilty. This is
25 signed Juror number 154.

1 Indictment number 2013-GS-40-4183, the State
2 versus Alan Dale Smith. It's an indictment for
3 sexual exploitation of a minor third degree. We,
4 the jury, find the defendant guilty. This is
5 signed Juror number 154.

6 Indictment number 2013-GS-40-4182, the State
7 versus Alan Dale Smith. It's an indictment for
8 sexual exploitation of a minor third degree. We,
9 the jury, find the defendant guilty. This is
10 signed Juror number 154.

11 Indictment number 2013-GS-40-4180, the State
12 versus Alan Dale Smith. It's an indictment for
13 sexual exploitation of a minor third degree. We,
14 the jury, find the defendant guilty. This is
15 signed Juror number 154.

16 Indictment number 2013-GS-40-4178, the State
17 versus Alan Dale Smith. It's an indictment for
18 sexual exploitation of a minor third degree. We,
19 the jury, find the defendant guilty. This is
20 signed Juror number 154.

21 Indictment number 2013-GS-40-4176, the State
22 versus Alan Dale Smith. It's an indictment for
23 sexual exploitation of a minor third degree. We,
24 the jury, find the defendant guilty. This is
25 signed Juror number 154.

Verdict

1 Indictment number 2013-GS-40-4175, the State
2 versus Alan Dale Smith. It's an indictment for
3 sexual exploitation of a minor third degree. We,
4 the jury, find the defendant guilty. This is
5 signed Juror number 154.

6 Indictment number 2013-GS-40-4174, the State
7 versus Alan Dale Smith. It's an indictment for
8 sexual exploitation of a minor third degree. We,
9 the jury, find the defendant guilty. This is
10 signed Juror number 154.

11 Indictment number 2013-GS-40-4173, the State
12 versus Alan Dale Smith. It's an indictment for
13 sexual exploitation of a minor third degree. We,
14 the jury, find the defendant guilty. This is
15 signed Juror number 154.

16 Indictment number 2013-GS-40-4172, the State
17 versus Alan Dale Smith. It's an indictment for
18 sexual exploitation of a minor third degree. We,
19 the jury, find the defendant guilty. This is
20 signed Juror number 154.

21 Indictment number 2013-GS-40-4171, the State
22 versus Alan Dale Smith. It's an indictment for
23 sexual exploitation of a minor third degree. We,
24 the jury, find the defendant guilty. This is
25 signed Juror number 154.

1 Madam Foreperson, are these your verdicts and
2 the verdicts of the entire jury?

3 **THE JUROR:** Yes.

4 **THE COURT:** Any additional polling
5 requested?

6 **MR. COLLINS:** Yes, Your Honor.

7 **THE COURT:** All right. Madam Clerk, if you
8 will, poll the jurors.

9 **THE CLERK:** Ladies and Gentlemen of the
10 jury, I'm going to ask you two questions regarding
11 your verdict. You may answer yes or no to both
12 questions. Juror number 154, were these your
13 verdicts?

14 **THE JUROR:** Yes.

15 **THE CLERK:** Are they still your verdicts?

16 **THE JUROR:** Yes.

17 **THE CLERK:** Juror number 93, were these
18 your verdicts?

19 **THE JUROR:** Yes.

20 **THE COURT:** Are they still your verdicts?

21 **THE JUROR:** Yes.

22 **THE CLERK:** Juror number 5, were these your
23 verdicts?

24 **THE JUROR:** Yes.

25 **THE COURT:** Are they still your verdicts?

1 **THE JUROR:** Yes.

2 **THE CLERK:** Juror number 287, were these

3 your verdicts?

4 **THE JUROR:** Yes.

5 **THE COURT:** Are they still your verdicts?

6 **THE JUROR:** Yes..

7 **THE CLERK:** Juror number 58, were these

8 your verdicts?

9 **THE JUROR:** Yes.

10 **THE COURT:** Are they still your verdicts?

11 **THE JUROR:** Yes.

12 **THE CLERK:** Juror number 152, were these

13 your verdicts?

14 **THE JUROR:** Yes..

15 **THE COURT:** Are they still your verdicts?

16 **THE JUROR:** Yes.

17 **THE CLERK:** Juror number 86, were these

18 your verdicts?

19 **THE JUROR:** Yes.

20 **THE COURT:** Are they still your verdicts?

21 **THE JUROR:** Yes.

22 **THE CLERK:** Juror number 221, were these

23 your verdicts?

24 **THE JUROR:** Yes.

25 **THE COURT:** Are they still your verdicts?

1 **THE JUROR:** Yes.

2 **THE CLERK:** Juror number 15, were these

3 your verdicts?

4 **THE JUROR:** Yes.

5 **THE COURT:** Are they still your verdicts?

6 **THE JUROR:** Yes.

7 **THE CLERK:** Juror number 260, were these

8 your verdicts?

9 **THE JUROR:** Yes.

10 **THE COURT:** Are they still your verdicts?

11 **THE JUROR:** Yes.

12 **THE CLERK:** Juror number 195, were these

13 your verdicts?

14 **THE JUROR:** Yes.

15 **THE COURT:** Are they still your verdicts?

16 **THE JUROR:** Yes.

17 **THE CLERK:** Juror number 107, were these

18 your verdicts?

19 **THE JUROR:** Yes.

20 **THE COURT:** Are they still your verdicts?

21 **THE JUROR:** Yes.

22 **THE CLERK:** The jury has been polled, Your

23 Honor.

24 **THE COURT:** All right. With regard to

25 verdict of the jury, any post-trial motions?

1 **MR. COLLINS:** Yes, Your Honor.

2 **THE COURT:** I will hear them now.

3 **MR. COLLINS:** We renew all previous motions
4 and objections, uh, previous motion for directed
5 verdict. I ask for a new trial specifically in
6 regards to the issue that was objected to during
7 the closing argument of -- the second closing
8 argument of the state's case.

9 **THE COURT:** Tell me again what it was.

10 **MR. COLLINS:** Yes, Your Honor. That was
11 under State v. Atterberry where the state's closing
12 argument supposed to close completely on the law
13 and the facts in the original closing argument.
14 The second closing argument by the state is limited
15 strictly to rebuttal of the defendant's closing
16 argument. The basis for that is due process of the
17 defendant should be apprised of the state's theory
18 in the closing argument. That's why the second
19 closing should be limited only to rebuttal of the
20 defendant's.

21 What I specifically objected to is a reference
22 to Agent Bart Cave's testimony regarding the file
23 that was accessed. The Solicitor said they were
24 accessed right before they got there with the
25 search warrant when the actually testimony -- I

1 would have liked to have put up in rebuttal for
2 that issue that I did not address in my closing but
3 was brought up afterwards, what I would have liked
4 to put up in rebuttal. And the reason I asked for
5 a mistrial is that his testimony was actually the
6 accessed times of those files was an hour after the
7 computer was seized. That's the evidence I think
8 was material in this case because we had specific
9 questions from the jury on that issue.

10 **THE COURT:** There's a dispute about timing
11 of the computer and the time stamp based on various
12 things. That was a disputed issue in the trial,
13 wasn't it?

14 **MR. COLLINS:** It was a disputed issue, but
15 the testimony and the cross-examination of Agent
16 Cave was that time was 45 minutes after the
17 computer was seized.

18 **THE COURT:** The last time the defendant
19 accessed it?

20 **MR. COLLINS:** The computer, the time on the
21 computer when it was last accessed was time after
22 the computer was seized. They made the argument
23 that it was him. But the testimony that was very
24 clearly stated in cross-examination is that it was
25 accessed after it was seized. I think it could

1 have made a material difference. We would put that
2 up as rebuttal. That was my basis for an
3 objection.

4 **THE COURT:** You had an opportunity to do all
5 that when you made your argument.

6 **MR. COLLINS:** Yes, Your Honor. However it
7 was not part of the state's theories during their
8 original closing. That's the basis of the State
9 versus Atterberry. When they brought it up, I did
10 not bring it up in my closing. That's where they
11 violated the rule of State versus Atterberry.

12 **THE COURT:** Of course, we discussed the
13 State versus Atterberry. The rules regarding
14 State's opening and closing and what can be argued
15 is well settled. I noticed that this must be a new
16 theory or approach by the defense. I see another
17 similar motion citing the same thing from a similar
18 case. It must be -- I guess that's just a new
19 defense approach.

20 **MR. COLLINS:** Your Honor, it's a very well
21 settled rule from 1924. But it kind of lost its
22 way. It's not a new argument. It's just an
23 argument that people forgot about. It's very
24 important.

25 **THE COURT:** So therefore, you should have

1 the right to final argument as opposed to the
2 state? It's well settled that the state has the
3 burden of proof.

4 **MR. COLLINS:** Yes, sir.

5 **THE COURT:** Based on the burden of proof
6 that the state has, it's probably the rational for
7 the rule that gives the state the last argument
8 unless the defense has not put up any evidence,
9 then the defense gets final argument. But your
10 argument is well taken. I didn't -- I don't know
11 -- I just wanted to be sure I understood the
12 essence of your motion.

13 **MR. COLLINS:** Thank you, Your Honor. With
14 all that being said, we renew our motion for a new
15 trial and renew our motion for a mistrial. I'm
16 sorry. For the record, I did specifically request
17 a chance to rebut the new information. That was
18 denied for various reasons. I asked for a
19 mistrial. That was denied. I will renew my
20 request for a mistrial at this time as well as a
21 motion for a new trial.

22 **THE COURT:** I think the, uh, -- both sides
23 have fair and full opportunity to argue their
24 respective positions to the jury. The jury has
25 spoken. The evidence of guilt is overwhelming in

1 this case. I see no other verdict that the jury
2 could reach other than the verdict that the jury
3 reached. Your motion for a new trial and any
4 motion for a mistrial and any other motions are
5 denied.

6 **MR. COLLINS:** Thank you, Your Honor.

7 **THE COURT:** Ladies and Gentlemen, you have
8 found someone guilty. It is my duty to impose the
9 sentence. You have no role in sentencing, but
10 oftentimes jurors have vested so much in a case
11 that they like to see it through to the end
12 including sentencing. You are welcome to stay for
13 sentencing. If you want to leave, you can leave as
14 well. We will proceed with the sentencing if the
15 state and the defense is ready.

16 **MS. BODMAN:** Your Honor, with regard to
17 defendant's prior criminal history, he has a, in
18 1992, a conviction for Unlawful Carrying of a
19 Weapon, Carrying a Pistol and a DUI. Your Honor,
20 we just want to point out the numerous images both
21 video and photographs that were on the computer.
22 Just the extensive, extensive amount of them, Your
23 Honor, is enough that we ask for a significant
24 sentence in this case.

25 **THE COURT:** If the defendant will come

1 around.

2 Mr. Collins?

3 **MR. COLLINS:** Thank you, Your Honor.

4 Obviously, the exposure, due to the number of these
5 indictments, is very high. He's looking at a total
6 of 300 years. He knew that coming into this trial.
7 First off, I'd ask the Court to consider 0 to 10
8 years without being run consecutive.

9 Mr. Smith here has been a member of this
10 community for years. These are horrible images,
11 horrible things on, found on his computer.
12 However, none of these images involve any exchange
13 of any money or purchase or any effect on economy
14 or interstate commerce. There's been no allegations
15 of Mr. Smith doing anything with any live children.
16 There's been no allegations of any chat rooms or
17 any emails or any direct contact with children.

18 He served seven years in the military. He's
19 been working at many different restaurants around
20 here in Columbia as a manager. You heard through
21 testimony that he helped numerous people out. When
22 they were in financial need, he let them stay with
23 him. He let people work for him on the side when
24 they were financially in need. He's done a lot of
25 good things for a lot of people.

1 These allegations, they are horrible. That's
2 what he's been convicted of and he has to stand
3 here and take the punishment. He understands that.
4 We talked a lot about that. His family has been
5 here all week. His sister, his mother, his niece,
6 they are in support of Alan. They understand what
7 he's facing. He understands the potential sentence
8 he could get, Your Honor. He has a lot of skills.
9 He's very well educated.

10 This charge is going to put him on the sex
11 offender registry. I point that out, Your Honor,
12 because that's heavy punishment. That's a
13 requirement that restricts -- every single day of
14 your life that restricts what you can do and where
15 you can go. Your face is painted on the internet
16 whenever somebody google searches your name.
17 That's something he has to live with the rest of
18 his life unless there is an appeal -- unless there
19 is a successful appeal.

20 I bring that up because I think that is a
21 heavy part of his punishment. I think that will
22 greatly effect Mr. Smith's life. Your Honor, I
23 think when you look at his prior history, there's
24 that one incident in 1993. Ever since then, he's
25 had no trouble with law. Everything he's done

1 outside of the community and has worked with other
2 people and been productive and contributed to
3 society. That being said, I think he'd be very
4 successful if given the opportunity on probation.

5 If Your Honor doesn't feel that's appropriate,
6 we ask you to go on the lower spectrum of the 0 to
7 10 year range given the fact that the sex offender
8 registry is a lifetime sentence. Thirty counts on
9 his record any time he applies for a job is a
10 lifetime sentence. Finding employment is going to
11 be extremely difficult if not impossible for Mr.
12 Smith because of these convictions. I ask Your
13 Honor to consider that when weighing the terms of
14 punishment and rehabilitation. When weighing those
15 two things, punishment is heavily favored.

16 I dealt with Mr. Smith for a couple of years
17 now. He had every opportunity if he wanted to run
18 away from these charges and didn't. He's standing
19 here today. He's taking responsibility for the
20 jury's verdict. I think that goes to show a little
21 something about his character. I've enjoyed
22 representing him. He's been completely forthright
23 with me on every issue. I think he understands the
24 situation he's in, Your Honor. Basically, at this
25 point, we're asking for your mercy. I don't know

1 if Ms. Davis would like to say anything.

2 **MS. DAVIS:** I don't have anything
3 additional, Your Honor. His sister is here. She'd
4 like to address you briefly.

5 **THE COURT:** Okay.

6 **SPEAKER:** Your Honor, I just want to say
7 that, uh, my brother has done a lot of good things.
8 I have to respect the jury's verdict of this. But
9 in my heart of hearts, I just don't believe that he
10 is guilty. But I know that that's what they've
11 decided. All that Alan's ever done was good
12 things. He's helped everyone out. He's taken
13 people in. He's done things for the community.
14 He's just never done anything bad at all.

15 I'm just so shook up about this. My family
16 has been through so much. My other brother was
17 murdered and my brother was really strong. I had a
18 really difficult time with it.

19 My brother was just a really good person. I
20 think that he's someone who could, uh, do well on
21 probation. He did show up here knowing what he was
22 facing. If he was given the opportunity for some
23 probation, he would do well. I would just ask Your
24 Honor if you would please consider that.

25 **THE COURT:** All right. Thank you.

1 Mr. Smith, what would you like to say?

2 **MR. SMITH:** I just have a lot of health
3 concerns just recently diagnosed last Friday that I
4 need to address with VA. I would like to thank her
5 for her patience. At one point, I didn't have an
6 attorney. She worked with me. She worked with me
7 through that whole process. I want to thank her.

8 I understand it's her job. I have no malice
9 towards her, the jury or anybody else that was
10 involved in this case. I do understand it's her
11 job and I put myself in this position or your
12 place. Knowing in my heart that I didn't do it, I
13 feel like based on the evidence what I would think.

14 **THE COURT:** All right. The State?

15 **MS. BODMAN:** Just briefly, Your Honor. As
16 Mr. Collins stated no money exchanged hands and
17 there's nothing that he did anything with live
18 children. But these children on these videos are
19 real. They are real children. We sent a number of
20 these images off to the National Center for Missing
21 and Exploited Children because they do have a
22 database of children that they've been able to
23 identify in these photographs. They did, in fact,
24 send back a report that some of these poor
25 children, they have -- they have the names at the

1 National Center.

2 These children -- every time somebody double
3 clicks on this image and watches it, these children
4 are violated time after time. They can never,
5 ever, ever get these images back. They are out
6 there on the internet forever. I would just like
7 you to keep that into consideration.

8 **THE COURT:** All right. Ms. All, a word or
9 two?

10 **MS. ALL:** Nothing, Your Honor. We'd just
11 like to exchange our thanks to the great deal of
12 time that law enforcement spent on this case both
13 in the trial, but mostly in the preparation of
14 evidence. We understand that it was weeks and a
15 lot of disturbing material to filter through.

16 **THE COURT:** Mr. Smith, the, uh, this offense
17 sexual exploitation of a minor third degree carries
18 a -- for each offense carries a penalty of up to 10
19 years imprisonment. As discussed during the course
20 of the trial and the issue raised by Mr. Collins,
21 this issue of how society is going to deal with
22 issues of pornography and child pornography is an
23 impelling issue. The issue that was addressed by
24 the Supreme Court in the Ashcroft case that Mr.
25 Collins argued and the response to that case

1 passing legislation in various states and passing
2 legislation in the state of South Carolina adopting
3 the statute. it's adopted for this state to play its
4 role in dealing with the worldwide problem with
5 child pornography..

6 Of course, the state has -- often has problems
7 with prosecution of these type crimes because of
8 difficulty in finding the actual victims. Many of
9 the perpetrators believe they are not doing
10 anything wrong. They feel the crime is a
11 victimless crime because it's something that you
12 can do in your own bedroom without calling anyone,
13 without stalking anyone, physically stalking
14 anyone. But I think the Solicitor remarked from
15 the beginning in talking about supply and demand
16 and addressing the problem by attempting to cut out
17 the abusers.

18 Clearly, these are -- clearly, to me, these
19 are images on your computer. They are not
20 accidentally put there. They were deliberately put
21 there. They were clearly something that anyone who
22 used that computer on a regular basis would be
23 exposed to. Clearly, it's something you were aware
24 of and that you accessed. You are clearly guilty
25 of this crime, uh, these crimes.

1 The number of the victims in this case are too
2 numerous to list. The state listed 30 cases and 30
3 indictments. But as the testimony revealed, the
4 widespread use of this on your computer are too
5 numerous to mention. Of course, I will not
6 consider any of that in your sentence. You will be
7 sentenced for what you are convicted of.

8 But the problem you have contributed to that
9 you have fed into this fetish for child pornography
10 and bestiality and all the things that were shown
11 on the images, one is from Cambodia, one is from
12 U.S., one is from Russia or wherever they may be,
13 you have contributed to, uh, lifetime of shame and
14 humiliation by these children, many of whom, if
15 they should become aware of the exploitation to
16 them by you and others, they have extreme
17 psychiatric problems, they are suicidal, they are
18 victimized. They then become perpetrators
19 themselves as a result of their lives being
20 destroyed and hopelessness caused by people like
21 you.

22 One thing we know is people like you who are
23 often otherwise the very nice neighbor next door
24 are people who are acting under the cover of
25 darkness in their communities. Folks come to court

1 and say great things about them like your sister
2 said about you. The fact remains, however, that
3 you've committed the serious crime of sexual
4 exploitation of a minor and you committed this
5 crime over and over again for years and years and
6 years. You come to court seemingly wanting to put
7 some of the blame on the brother who may also be
8 involved in the same thing that you are doing. Who
9 knows. But, uh, I can not take this lightly. It's
10 my responsibility to show mercy on one hand but
11 also to do justice on the other hand.

12 Final words, Mr. Collins?

13 **MR. COLLINS:** Your Honor, I didn't put on
14 the record the offers that were made in the case.

15 **MS. BODMAN:** I would object. Any offers
16 been made should not be a part of Your Honor's
17 consideration.

18 **THE COURT:** Well, whatever they might have
19 been, they were discussed with the defendant, is
20 that correct?

21 **MR. COLLINS:** Yes, Your Honor.

22 **THE COURT:** He being fully informed of all
23 of that nevertheless elected to go to trial?

24 **MR. COLLINS:** Yes, Your Honor.

25 **THE COURT:** Anything else, Mr. Smith?

1 **MR. SMITH:** No, Your Honor.

2 **THE COURT:** All right. Mr. Smith, the
3 sentence on Indictment number -- I'm trying to
4 figure out which is which. There are two
5 indictments that were amended. Amended was not
6 stamped on them. Which ones were they?

7 **MS. BODMAN:** We actually -- I'm glad that
8 you mentioned that, Your Honor. Thank you. With
9 regard to the two 2011 indictments, there was an
10 issue that the words amendment were not actually
11 written on there. Our position is that these two
12 indictments with the July 2013, uh, true billed
13 date on it supercede the two prior indictments with
14 the same indictment number. We would just ask Your
15 Honor to make a finding on the record that these
16 indictments supercede the previous ones so that it
17 is very clear the previous ones are handled in this
18 disposition.

19 **THE COURT:** Your position is that all of the
20 -- that these two indictments in addition to the
21 other 28 that their amendment supercede the
22 previous indictments.

23 **MS. BODMAN:** Correct. The other 28 actually
24 have the words amended on it. So I think it's just
25 the issue of the fact the word amended didn't get

1 typed on there. Just to make sure it's clear for
2 the record, they do, in fact, supercede the
3 previously true billed.

4 **THE COURT:** Those are indictments 89 and 90.
5 2789 and 2790.

6 **MS. BODMAN:** Correct.

7 **THE COURT:** What do you have to say that,
8 Mr. Collins?

9 **MR. COLLINS:** As long as the warrants aren't
10 left floating after this disposition.

11 **THE COURT:** The court finds the indictments
12 of the Grand Jury of July 19th, 2013 supercede --
13 those indictments supercede the previous.

14 **MS. BODMAN:** Thank you.

15 **THE COURT:** Indictment number 289, the
16 sentence is 10 years. Indictment 290 is 10 years.
17 Indictment number 4171 through the last indictment
18 4200, I think that's the last one, the sentence on
19 each of those is 10 years. The indictments 278 --
20 I'm sorry -- 2789, 2790 -- sorry. Strike that.
21 The sentence on indictment 2789 and indictment 4171
22 will run consecutive to each other. All the
23 remaining indictments will run concurrent.

24 You have two consecutive 10-year sentences.
25 The other sentences will run concurrent with those

1 two sentence. I give you credit for any time that
2 you served. Wish you the best of luck.

3 **MS. BODMAN:** Your Honor, in addition to the
4 sex offender registry, this also does mandate
5 registry on the DSS child abuse and neglect
6 registry.

7 **THE COURT:** I will check the box on the
8 sentencing sheet that say the defendant is placed
9 on the Central Registry of Child Abuse and Neglect
10 pursuant to Section 13-25-135 and the other, uh,
11 Sex Offender Registry box is mandated under the
12 statute.

13 **MS. BODMAN:** Yes, sir.

14 **THE COURT:** Good luck to you, sir.

15 **MR. COLLINS:** Your Honor, for any appellate
16 reasons, if I could just state what the offer was
17 made from the state for the record in case there's
18 any kind of appeal.

19 **MS. BODMAN:** We would object. It's not a
20 part of --

21 **MR. COLLINS:** The position made by the
22 Solicitor is based on them viewing all the evidence
23 and knowing the case. That's a position I think is
24 important.

25 **THE COURT:** We'll have the record remain

1 open. We'll reconvene in 15 or 20 minutes.

2 **MR. COLLINS:** Thank you, Your Honor.

3 **MS. BODMAN:** Thank you, Your Honor.

4 **THE COURT:** Ladies and Gentlemen, you all
5 have volunteered for it. You never know what you
6 might encounter when you stepped into this
7 courthouse or any other courthouse. It was
8 probably most distasteful for most of you. Mr.
9 Smith, these are people who are next door neighbors
10 to all of us. These are as serious as robbers and
11 burglars and other criminals on the streets of this
12 county and in this state. We have child molesters
13 and those engaged in child pornography in the same
14 vein.

15 So you played a roll of addressing the issue
16 through your verdict, which is consistent with the
17 evidence and the facts presented in this case. I'm
18 certainly impressed by the fact that you took the
19 time to review it. You didn't rush in and rush
20 out. You gave it the attention that it deserves.

21 I'm always impressed when jurors take their
22 time to reach a verdict. Quite often, the lawyers
23 and other court folks take days to present evidence
24 but then they want the jury to rush in and make a
25 decision and rush back out. It's about taking the

1 time to review the evidence and to deliberate on
2 the evidence. You all took your time and
3 deliberated and came out with a verdict that is
4 consistent with this case. We thank you for that.

5 Now that you've served, you are disqualified
6 for serving for the next year and, for two
7 additional years, you may elect not to serve. No
8 person can be required to serve in this court but
9 once every three years. So whatever burdens you
10 had to bear on this case, it at least frees you up
11 for three years. Thank you.

12 You were under the admonition not to discuss
13 the case with anyone. You are free from that
14 admonition at this time. You can talk to anyone
15 you might want to about it. But no one may bother
16 you or harass you based on your verdict. If anyone
17 should attempt do so, please let me know. Thank
18 you very much. You are free to go.

19 I would like to speak with the foreperson.
20 You can wait back there.

21 **(WHEREUPON, the jury exits at approximately**
22 12:38 p.m.)

23 **(WHEREUPON, a recess is taken.)**

24 **THE COURT:** All right. The state did not
25 want -- the state didn't want to hear any

1 representation of leniency in the presence of the
2 jury but you wanted --

3 **MR. COLLINS:** Yes, Your Honor.

4 **THE COURT:** That may or may not be true. It
5 was my suspicion.

6 **MR. COLLINS:** That was probably it, Your
7 Honor. I just wanted to put on the record that,
8 Your Honor, you probably haven't seen the images or
9 the videos that were on the computer. There was a
10 lot of alluding to numerous images that were never
11 presented. The State had the best viewpoint. The
12 last offer that was made in the case was a cap of
13 five years. I wanted Your Honor to know that
14 before sentencing.

15 **MS. BODMAN:** Really, my thoughts had nothing
16 to do with the jury. It's just that I do not think
17 that plea negotiations should be something that a
18 judge at all should consider. You have seen the
19 evidence from your own viewpoint throughout this
20 trial. That is the judge's position is to make
21 their own decision in totality about the evidence.

22 In addition, part of my job is to say I will
23 give you a break, I will give you a break from what
24 I think this case really, really deserves if you
25 stand up and say I did this. I will give you a

1 break. The fact that his friends say such nice
2 things about him, he always came to court, those
3 things are something that I interpret a plea and
4 admitting guilt, relieving us of our responsibility
5 of taking any risk of even a hung jury, that is my
6 offer.

7 **THE COURT:** I should have kept the jury in
8 here. You should have said all that in front of
9 the jury. Well, the state is correct. In
10 sentencing, the court is not bound by what might
11 have happened had the defendant pled guilty before
12 trial. My view is that in sentencing, you are
13 responsible regardless of whether any judge accept
14 no recommendation.

15 The law provides that the state is to prove
16 guilt or innocence. There are perhaps some
17 instances where there is a negotiated sentence.
18 The Court is not bound by recommendation other than
19 what the Court thinks it should be. That having
20 been said, however, there are cases that have
21 merged most recently on the scene in which the
22 disclosure of plea offers and the defendant's
23 objection of plea offers are necessarily made part
24 of the record to show that the lawyer has fully
25 informed the defendant of his rights and possible

1 consequences should he elect not to go to trial.

2 I think everyone did a great job in this case,
3 both sides. I want to thank you all for a job well
4 done in this case.

5 **MS. BODMAN:** Your Honor, we ask -- we would
6 like to ask that the actual images in evidence be
7 placed under seal so that they would be available
8 for any appellate purposes, but not available for
9 anybody else.

10 **THE COURT:** All right. So ordered.

11 **MR. POTTS:** Thank you, Your Honor.

12 **MS. ALL:** Thank you, Your Honor.

13 **(WHEREUPON, Court's Exhibits 1, 2 and 3 are marked**
14 **for identification purposes.)**

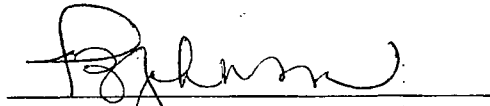
15 **(END OF PROCEEDINGS)**

CERTIFICATE

STATE OF SOUTH CAROLINA)
)
COUNTY OF RICHLAND)

I, the undersigned, Teresa B. Johnson, Official Court Reporter for the Thirteenth Judicial Circuit of the State of South Carolina, do hereby certify that the foregoing is a true, accurate and complete Transcript of Record of all the proceedings had and evidence introduced in the trial of the captioned case, relative to appeal, in the Court of General Sessions for Richland, South Carolina, on this 31st day of March, 2014.

I do further certify that I am neither of kin, counsel nor interest to any party hereto.

A handwritten signature in dark ink, appearing to read 'T. Johnson', is written over a horizontal line.

Teresa B. Johnson

Circuit Court Reporter

State of South Carolina	)	In the Court of General Sessions
	)	Fifth Judicial Circuit
County of Richland	)	2011-GS-40-02789; and
		2013-GS-40-04171 to 04176
		2013-GS-40-04178, 04180 and
		2013-GS-40-04182 to 04201

State of South Carolina,	)	
	)	
Plaintiff,	)	
	)	
Vs.	)	Transcript of Record
	)	
Alan Dale Smith,	)	
	)	
Defendant.	)	
	)	

October 21, 2013
Columbia, South Carolina

B e f o r e:

The Honorable Clifton Newman, Judge

A p p e a r a n c e s:

Margaret Bodman, Esq.
Carter Potts, Esq.
Attorneys for the Plaintiff

Greg Collins, Esq.
Jennifer Davis, Esq.
Attorneys for the Defendant

Bonnie H. Kelly, CVR
Circuit Court Reporter

I N D E X

<u>WITNESS/DESCRIPTION</u>	<u>PAGE NO.</u>
Case Called/The Court	4
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Response/Ms. Bodman	10
Decision of the Court	11
Certificate Page	14

E X H I B I T S

<u>NO.</u>	<u>DESCRIPTION</u>	<u>I.D.</u>	<u>EV.</u>
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-- NO EXHIBITS ENTERED --

1 THE COURT: All right, Mr. Collins.

2 MR. COLLINS: Yes, Your Honor. Would you like for us
3 to stand right in front of you?

4 THE COURT: Stand, sit, whatever.

5 (Brief pause.)

6 THE COURT: Yes, sir.

7 MR. COLLINS: For the record, this is the case of
8 *State vs. Alan Smith*. I do not have a copy of all 30
9 indictments in front of me for the record, but I believe
10 we -- I can supplement that with the order, whatever the
11 result of this hearing is.

12 But this is a motion to reconsider the sentence. Your
13 Honor sentenced him -- in the courtroom, in -- in the
14 paperwork, the way I read it was 20 years; four
15 indictments will run consecutive to each other.

16 But the first issue is the Department of Corrections
17 has that interpreted as a 40-year sentence. So the first
18 thing we'd be asking, if you're not willing to reduce the
19 20-year sentence, is just to do an order, clarifying to
20 the -- to the Department of Corrections so that they can
21 correct their mistake within their paperwork, because we
22 have a lot of trouble convincing them over the phone on
23 how to read the -- the sentencing sheets.

24 But Your Honor, I filed a motion to reconsider the
25 sentence. We did the sentencing the -- the same day that

1 a jury came back with a verdict. As you're going through
2 a trial, there's a lot of things on your mind, there's a
3 lot of things going on. And I wanted to make sure that I
4 had enough time to go through all of Mr. Smith's medical
5 records, and a long enough time to really speak with his
6 family, and make sure the Court understood everything
7 about Mr. Smith before sentencing.

8 And I'm asking you to reconsider because we went back
9 -- the 20-year sentence, I'll be honest with the Court,
10 did -- it surprised me greatly that it was a 20-year
11 sentence. That was much higher than I anticipated, and
12 much higher than my co-counsel or Mr. Smith.

13 After he was sentenced, I went back and pulled up some
14 numbers from the Department of Corrections just to compare
15 other inmates, other people within the State of South
16 Carolina and their sentences in similar situations.

17 I talked to some people in federal court, and it's
18 from my understanding that there was no distribution with
19 Mr. Smith, there was no money that he paid for, there were
20 no live children that were contacted by Mr. Smith; that he
21 would be looking at a cap of 10 years if this were in
22 federal court. This sentence is obviously twice as much
23 as that.

24 He was looking at an offer of a cap of five years
25 before trial. This sentence is four times that. The

1 average sentence in South Carolina for this charge is
2 about -- from the Department of Corrections is two years,
3 three months, and twenty-five days of active time. He's
4 over -- his sentence is over eight times that.

5 And I only bring that up because I think it's
6 important to look at the fairness of -- of the justice
7 system in -- in sentencing, and I think that, with all due
8 respect, his 20-year sentence is extreme, considering that
9 he had -- he had no record, he had military service, he --
10 if he had a record, it's a very minor record. He has a
11 very supportive family. He'd done a lot of good things
12 for the community. He stabled -- stably employed
13 throughout his life, an educated man.

14 And I -- I know that his family would like to address
15 the Court at the appropriate time now that they've had
16 time to reflect.

17 But just in front of Your Honor to ask for a
18 reconsideration, possibly down to about a 10-year
19 sentence. That's a little more in line with the federal
20 guidelines. I know that we don't follow them here in
21 state court, but I -- it's something that I -- I would ask
22 the Court to take into consideration.

23 And I believe his -- his sister and his mother would
24 like -- both address the Court.

25 THE COURT: All right.

1 DEFENDANT'S SISTER: Yes, Your Honor. I just wanted
2 to say that my brother has never done anything like this,
3 and there were a lot of things that we weren't allowed to
4 say in court that leads me to believe that my brother's
5 innocent. But I know that he's been found guilty by a
6 jury, and that that's what you have to base this one.

7 But I did want to say that he did serve honorably in
8 the military; that he's contributed to society; he's done
9 charitable work for Make A Wish, for Special Olympics, for
10 the Urban League. He's -- he's done a lot for the
11 community and he's never been in trouble.

12 And Your Honor, I feel personally responsible for him
13 not taking the deal. And his attorneys had told him that
14 this -- there was a chance, that anything could happen,
15 and that he was taking a chance; that it was 50/50.

16 But they also said that Your Honor -- that they
17 thought that you would not penalize him for exercising his
18 right to trial. So right before when he was given the
19 offer, he asked me. I was the only one here, and his
20 friend was here. And he came to me and he said, "What
21 should I do?"

22 And I said, "Well, the attorney said that the judge is
23 probably not going to give you way more than what you
24 would get if you go to trial. So I think you should go to
25 trial." And he went with what I said. And I feel

1 responsible for that.

2 And I also -- when I left here, I had to go to mental
3 health and see someone, because I've lost a lot of family
4 members. And my brother has gone through this. We had a
5 brother who was murdered in 2002.

6 And I left here feeling that this wasn't just, that --
7 I know that that's a horrible crime and children -- you
8 know, I have children; I have grandchildren. And I think
9 it's horrible.

10 But when I thought about how the man who shot my
11 brother in the back only got 30 years and my brother got
12 10 years less, I just couldn't understand. And I would
13 just ask Your Honor to consider that, and just maybe
14 consider mercy where he's concerned.

15 And maybe also, if you would give him a lesser
16 sentence, to give him some kind of -- something with an
17 added counseling or something to go with a lesser
18 sentence.

19 And that's all I ask, and I thank you, Your Honor.

20 THE COURT: All right.

21 THE COURT REPORTER: Her name, Your Honor?

22 THE COURT: I have no idea what her name might be.

23 MR. COLLINS: It's Jeanette Smith. It's a sister of
24 Mr. Alan Smith.

25 This is the mother. (To Mother) If you'd state your

1 name for the record.

2 MRS. CROFTS: Hazel Crofts. I'm Alan's mom.

3 I'm nervous, sir. So be patient with me.

4 Alan came to live with me in December of last year
5 because he felt like he needed to get out of Columbia. He
6 got a job right away.

7 I'm -- I'll be 75 years old next month. He came to
8 help take care of me financially and health wise. I am a
9 diabetic. I have neuropathy in both feet. And he -- he
10 had taken some classes for cooking for diabetics. So he
11 cooked for me for 10 months.

12 He did a lot of work in our community. He made
13 friends all over. He worked at Cracker Barrel and he made
14 a lot of friends there.

15 One in particular, she had lost her son. He committed
16 suicide. And she just took up with Alan and Alan with
17 her. They became good friends. Alan made a cross for her
18 to put in her yard as a memorial to her son. And he just
19 continued to do all kinds of good things like that in our
20 community.

21 And sir, I sure would appreciate if you could consider
22 a lesser sentence. And I thank you, sir, for taking time
23 to listen to me.

24 THE COURT: All right. Thank you.

25 MRS. CROFTS: Thank you.

1 MR. COLLINS: That's all we have, Your Honor.

2 THE COURT: All right. From the State.

3 MS. BODMAN: Thank you, Your Honor. First I'd like to
4 say that there is no way that this Court should base its -
5 - its decisions upon comparing it to other sentences in
6 the Department of Corrections. That is merely a number
7 you're looking at. It doesn't say anything about the
8 facts of -- of those cases. Your Honor ---

9 THE COURT: I place -- I place zero reliance on that.

10 MS. BODMAN: And -- then I'll move to my second point.
11 Secondly is the idea that the State's offer at pre-trial
12 should be considered in any manner. That is each of us
13 assessing the facts that we believe will be presented at
14 trial.

15 THE COURT: I place zero reliance on whatever the
16 State offered prior to trial.

17 MS. BODMAN: Okay. And then finally is -- you know,
18 it -- there is no information that his decision to reject
19 our offer was based on anything other than his own adult
20 decision. And while that, I guess, potentially could be
21 an issue for -- at PCR, he can listen to whoever he wants
22 to in terms of advice: his own attorneys, family members,
23 friends. But ultimately, there's nothing to indicate that
24 it was anything but his own adult decision.

25 There is ample and substantial evidence that the Court

1 listened to that justifies the sentence that you handed
2 down.

3 THE COURT: Well, how much time is he facing?

4 MS. BODMAN: Well, 10 times 30. Looking at 300 years.

5 THE COURT: He's facing 300 years?

6 MS. BODMAN: He was facing 300 years.

7 And in terms of, you know, the Court listening to the
8 number of images, the fact that some of these were not
9 just still photographs, but they were actual videos of,
10 you know, victims being victimized in such a -- such a
11 horrific manner.

12 So just the extensive nature or the extensive amount
13 of the images, taking into account basically how their
14 computer was set up in the room, and there was not much
15 else on this -- these computers other than the pornography
16 is just really justification of the Court's -- the Court's
17 sentence in this case.

18 THE COURT: All right. Yes, sir.

19 MR. COLLINS: I don't have anything to add, Your
20 Honor.

21 THE COURT: Okay. Anything you'd like to say, Mr.
22 Smith?

23 THE DEFENDANT: No, Your Honor.

24 THE COURT: All right. All right. I'll take all that
25 has been said under consideration.

1 With regard to the sentence, the -- I'm not sure how
2 the Department of Corrections can not -- or how the
3 interpreted what was written. But he was given a -- two
4 consecutive 10-year sentences, and all of the other
5 sentences were to run concurrent with those two
6 consecutive 10-year sentences.

7 And seems if I've looked at the indictments since
8 then, I don't see where they could be mistaken.

9 Do -- do you see any -- anything on any of them that
10 would give them a basis to ---.

11 MR. COLLINS: Your Honor --

12 THE COURT: --- be confused?

13 MR. COLLINS: They were written where four indictments
14 had the word "consecutive" written on them. They
15 referenced the other indictment that they were consecutive
16 to, so that they were -- it was 20 years.

17 And I agree with your reading; however, the Department
18 of Corrections simply looked at four indictments said
19 "consecutive," and put 40 in their system.

20 THE COURT: All right. Maybe two should be
21 consecutive rather -- written as consecutive, rather than
22 four. If that's what it is, but --

23 (To Court Clerk) Christine, do -- did you say you have
24 them there?

25 COURT CLERK: Yes, sir.

1 THE COURT: All right. So we'll -- I'll look at those
2 again to make sure that the original -- if I'm not
3 mistaken.

4 Other than that, regarding the sentence itself, I'll
5 consider what all -- that -- what all has been said today.

6 All right. Thank you.

7 MR. COLLINS: Thank you, Your Honor.

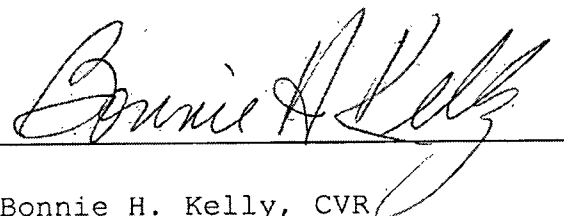
8 MS. BODMAN: Thank you, Your Honor.

10 -- END OF TRANSCRIPT RECORD --

CERTIFICATE

I, the undersigned Bonnie H. Kelly, Official Court Reporter for the Fifth Judicial Circuit of the State of South Carolina, do hereby certify that the foregoing is a true, accurate, and complete transcript of record of all the proceedings had and evidence introduced in the hearing of the captioned cause, relative to appeal, and to the best of my ability, in the Fifth Circuit Court, for Richland County, South Carolina, on the 21st day of October, 2013.

I do further certify that I am neither of kin, counsel, nor interest in any party hereto.

A handwritten signature in cursive script, reading "Bonnie H. Kelly", is written over a horizontal line.

Bonnie H. Kelly, CVR
Official Court Reporter

Columbia, South Carolina

January 5, 2014

STATE OF SOUTH CAROLINA
COUNTY OF RICHLAND
CITY OF FOREST ACRES

STATEMENT

DATE: 03-05-10
TIME: 1425hrs

Personally appeared before me, this date, an officer duly authorized to administer oaths in this state, comes one Alan Smith who resides at [REDACTED]

Home Telephone #: 348-0984

Business Telephone #:

Pager #:

Mobile Telephone #: Social Security #: Date of Birth: 4-10-65

The following is a sworn statement under oath by the above named individual:

Q Do you live at 2000 Beltline Blvd 608E?

A. Yes

Q. Do you live there by yourself

A. Yes

Q. Do you download porn onto your computer?

A. Yes

Q. Have you ever downloaded porn of girls who appeared to be under the age of 14

A. No

Q. Do you know how the movies and young nude girl pictures were saved to your computer?

A. No

Q. How old is your computer?

A. about five months old

Q. Are there any porn pictures on your other computer?

A. Yes

Q. Any of young girls?

A. No

Q. How long did you have your other computer

A. Since 2004

Q. Have you ever seen any porn on your computer which was of children naked under the age of 14?

A. Yes

Q. How did you get to these sites?

A. Through shownomercy.com and other sites.

Q. Has anyone ever spent hours on your computer?

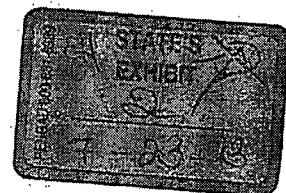
A. Yes Casey

Q. When you are not at work you are you usually at home?

A. For the most part.

Q. Have you ever seen anyone else download porn onto your computer?

A. No



This statement was made in the presence of, B.W. Hinson an employee of the Forest Acres Police Department. I make this statement of my own free will and accord, without reward or intimidation. All of the above is the truth, the whole truth, and nothing but the truth, so help me god. I received a copy of this statement at _____ hours on _____

[Signature]

Signed: *[Signature]*

Sworn to and subscribed before me

Witness: _____

This 5 day of March, 2010

Notary Public for South Carolina

Witness: _____

My Commission Expires: 5-21-2011

WITNESSES

(S) LT B HINSON

- Forest Acres Police Department

ARREST WARRANT NUMBER

1292041

ACTION OF GRAND JURY

TRUE BILL

Valencia Martin
Foreperson of Grand Jury

Date:

JUL 19 2013

VERDICT

Guilty

Wayne D. Kuhn 7.25.13

Foreperson of Petit Jury

Date:

DOCKET NO. 2011-GS-40-02789

The State of South Carolina

County of

Richland

COURT OF GENERAL SESSIONS

JUNE TERM 2013

92

THE STATE
vs.

Alan Dale Smith

Indictment for
SEXUAL EXPLOITATION OF A MINOR
3RD DEGREE

SC Code: 16-15-0410(A)

CDR Code: 0381

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)

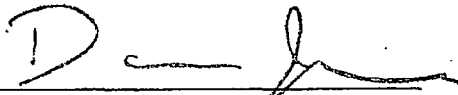
INDICTMENT

At a Court of General Sessions, convened on JUNE 15, 2011, the
Grand Jurors of Richland County present upon their oath:

SEXUAL EXPLOITATION OF A MINOR, 3RD DEGREE

That **Alan Dale Smith** did in Richland County on or about **March 5, 2010**,
possess material that contains visual representation of a minor engaging in
sexual activity TO WIT: **3Yo Sex Made Him Cum 2 Pedo Pedofilia Kids**
Child Porn.jpg while knowing the character or content of such material; in
violation of S. C. Code of Laws §16-15-0410.

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

IN THE COURT OF GENERAL SESSIONS

COUNTY OF Richland
STATE

INDICTMENT/CASE#: 2011 -GS- 40 - 2789

VS.

Alan Dale Smith

AW#: I292041

AKA:

Date of Offense: 3/5/10

Race: White Sex: Male

Age:

S.C. Code §: 16-15-0410(A)

DOB: SS#:

CDR Code #: 0381

Address:

City, State, Zip:

DL# * SID#

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: Sexual Exploitation of a Minor-3rd Degree

In violation of § 16-15-0410(A) of the S.C. Code of Laws, bearing CDR Code # 0381

☐ NON-VIOLENT ☐ VIOLENT ☐ SERIOUS ☐ MOST SERIOUS ☐ Mandatory GPS ☐ §17-25-45
(CSC w/minor 1st or Lewd Act)The charge is: ☒ As indicted, ☐ Lesser Included Offense,☐ Defendant Waives Presentation to Grand Jury. (def.'s initials)The plea is: ☐ Without Negotiations or Recommendation,☐ Negotiated Sentence, ☐ Recommendation by the State.

ATTEST:

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 10 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: 2013 GS 40-4171☒ 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:

*Fine:

§14-1-206 (Assessments 107.5%)

§14-1-211 (A)(1)(Conv. Surcharge)

§14-1-211 (A)(2)(DUI Surcharge)

§56-5-2995 (DUI Assessment)

§56-1-286 (DUI Breath Test)

Proviso 47.9 (Public Def/Prob)

§14-1-212 (Law Enforce. Funding)

§14-1-213 (Drug Court Surcharge)

§50-21-114 (BUI Breath Test Fee)

§56-5-2942(J) (Vehicle Assessment)

Proviso 90.5 (SCCJA Surcharge)

3% to County (if paid in installments)

TOTAL

Clerk of Court/Deputy Clerk

Court Reporter: Elizabeth Harris

SCCA/217 (03/2011)

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:

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

Presiding Judge

Judge Code:

Sentence Date 7/25/13

WITNESSES

✓(S) B. HINSON, FAPD

ARREST WARRANT NUMBER

I-292042

ACTION OF GRAND JURY

TRUE BILL

Melva H. Gardiner
Foreperson of Grand Jury

Date: JUN 16 2011

VERDICT

✓ Foreperson of Petit Jury
Date:

DOCKET NO. 2011-GS-40-02790

The State of South Carolina

County of Richland

COURT OF GENERAL SESSIONS

JUNE TERM 2011

92

THE STATE
vs.

ALAN DALE SMITH

Indictment for

**SEXUAL EXPLOITATION OF A MINOR
3RD DEGREE**

SC Code: 16-15-410

CDR Code: 0381

Class FEL-F

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.

550

STATE OF SOUTH CAROLINA)
COUNTY OF RICHLAND)

INDICTMENT

At a Court of General Sessions, convened on JUNE 15, 2011, the Grand Jurors of Richland County present upon their oath:

SEXUAL EXPLOITATION OF A MINOR 3rd DEGREE

That ALAN DALE SMITH did in Richland County on or about MARCH 5, 2010, possess material that contains a visual representation of a minor engaging in sexual activity while knowing the character or content of such material; all in violation of SC Code of Laws § 16-15-410.

Against the peace and dignity of the State, and contrary to the statute in such case made and provided.


DAN JOHNSON, SOLICITOR

552

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF Richland
STATE

INDICTMENT/CASE#: 2011 -GS- 40 - 2790

VS.

Alan Dale Smith

A/W#: 1292042

AKA:

Date of Offense: 3/5/10

Race: White

Sex: Male

Age:

S.C. Code §: 16-15-0410(A)

DOB:

SS#:

CDR Code #: 0381

Address:

City, State, Zip:

DL# *

SID#

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: Sexual Exploitation of a Minor-3rd Degree

In violation of § 16-15-0410(A) of the S.C. Code of Laws, bearing CDR Code # 0381

☐ NON-VIOLENT ☐ VIOLENT ☐ SERIOUS ☐ MOST SERIOUS ☐ Mandatory GPS ☐ §17-25-45
(CSC w/minor 1st or Lewd Act)The charge is: ☒ As indicted, ☐ Lesser Included Offense, ☐ Defendant Waives Presentation to Grand Jury. (def.'s initials)The plea is: ☐ Without Negotiations or Recommendation, ☐ Negotiated Sentence, ☐ Recommendation by the State.

ATTEST:

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 10 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: 2013 GS 40-4172☒ 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 ☐

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:

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

Presiding Judge

Judge Code:

Sentence Date 7/25/13

Recipient:

*Fine:

§14-1-206 (Assessments 107.5%)

§14-1-211 (A)(1)(Conv. Surcharge)

§14-1-211 (A)(2)(DUI Surcharge)

§56-5-2995 (DUI Assessment)

§56-1-286 (DUI Breath Test)

Proviso 47.9 (Public Def/Prob)

§14-1-212 (Law Enforce. Funding)

§14-1-213 (Drug Court Surcharge)

§50-21-114 (BUI Breath Test Fee)

§56-5-2942(J) (Vehicle Assessment)

Proviso 90.5 (SCJA Surcharge)

3% to County (if paid in installments)

TOTAL

Clerk of Court/Deputy Clerk

Court Reporter: Elizabeth Harris

SCCA/217 (03/2011)

Jeannette McBride

WITNESSES

(S) B HINSON

- Forest Acres Police Department

ARREST WARRANT NUMBER

DP13142

ACTION OF GRAND JURY

TRUE BILL

Valencia Marston
Foreperson of Grand Jury **JUL 19 2013**
Date:

VERDICT

Guilty

James D. Kern
Foreperson of Petit Jury
Date:

DOCKET NO. 2013-GS-40-04171

AMENDED

The State of South Carolina

County of

Richland

COURT OF GENERAL SESSIONS

JUNE TERM 2013

92

THE STATE
vs.

Alan Dale Smith

Amended Indictment for
SEXUAL EXPLOITATION OF A MINOR
3RD DEGREE

SC Code: **16-15-0410(C)**
CDR Code: **0381**
CLASS FEL - F

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)

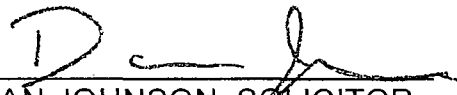
INDICTMENT

At a Court of General Sessions, convened on JUNE 12, 2013, the
Grand Jurors of Richland County present upon their oath:

SEXUAL EXPLOITATION OF A MINOR, 3RD DEGREE

That **Alan Dale Smith** did in Richland County on or about **March 5, 2010**,
possess material that contains visual representation of a minor engaging in
sexual activity while knowing the character or content of such material TO
WIT: **PTHC Childlover P042.jpg** in violation of S. C. Code of Laws §16-
15-0410.

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

IN THE COURT OF GENERAL SESSIONS

COUNTY OF Richland

STATE

VS.

Alan Dale Smith

AKA:

Race: White

Sex: Male

Age:

DOB:

SS#:

Address:

City, State, Zip:

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: Sexual Exploitation of a Minor-3rd Degree

In violation of § 16-15-0410(A) of the S.C. Code of Laws, bearing CDR Code # 0381

☐ NON-VIOLENT ☐ VIOLENT ☐ SERIOUS ☐ MOST SERIOUS ☐ Mandatory GPS ☐ §17-25-45(CSC w/minor 1st 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:

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 10 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: 2011 GS 40-2789☒ 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 1 FORMTEXT

Total: \$ plus 20% fee: \$ days/hours Public Service Employment

Payment Terms:

Obtain GED ☐☐ Set by SCDPPPS

Attend Voc. Rehab. Or Job Corp.

Recipient:

*Fine:

§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)	\$	\$
TOTAL		\$

Clerk of Court/Deputy Clerk

Court Reporter: Elizabeth Harris

SCCA/217 (03/2011)

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:

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

Presiding Judge

Judge Code:

Sentence Date 7/25/13

WITNESSES

(S) B HINSON

– Forest Acres Police Department

ARREST WARRANT NUMBER

DP13143

ACTION OF GRAND JURY

TRUE BILL

Valencia Morton

Foreperson of Grand Jury

Date:

JUL 19 2013

VERDICT

Guilty

Unger D Kun 7.25.13

Foreperson of Petit Jury

Date:

DOCKET NO. 2013-GS-40-04172

AMENDED

The State of South Carolina

County of

Richland

COURT OF GENERAL SESSIONS

JUNE TERM 2013

92

THE STATE

vs.

Alan Dale Smith

Amended Indictment for
SEXUAL EXPLOITATION OF A MINOR
3RD DEGREE

SC Code: 16-15-0410(C)

CDR Code: 0381

CLASS FEL - F

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.

556

STATE OF SOUTH CAROLINA)
COUNTY OF RICHLAND)

INDICTMENT

At a Court of General Sessions, convened on JUNE 12, 2013, the
Grand Jurors of Richland County present upon their oath:

SEXUAL EXPLOITATION OF A MINOR, 3RD DEGREE

That **Alan Dale Smith** did in Richland County on or about **March 5, 2010**,
possess material that contains visual representation of a minor engaging in
sexual activity while knowing the character or content of such material TO
WIT: **pthc_ptsc 9yo jenny sucking daddys dog, naked. look at her lil
pussy.JPG** in violation of S. C. Code of Laws §16-15-0410.

Against the peace and dignity of the State, and contrary to the
statute in such case made and provided.


DAN JOHNSON, SOLICITOR

558 OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF Richland

STATE

VS.

Alan Dale Smith

AKA:

Race: White

Sex: Male

Age:

DOB:

SS#:

Address:

City, State, Zip:

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: Sexual Exploitation of a Minor-3rd Degree

In violation of § 16-15-0410(A) of the S.C. Code of Laws, bearing CDR Code # 0381

☐ NON-VIOLENT ☐ VIOLENT ☐ SERIOUS ☐ MOST SERIOUS ☐ Mandatory GPS ☐ §17-25-45(CSC w/minor 1st 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:

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 10 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: 2011 GS 40 2790☒ 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:

*Fine:

\$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		\$

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:

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

Clerk of Court/Deputy Clerk

Court Reporter: Elizabeth Harris

SCCA/217 (03/2011)

Presiding Judge

Judge Code:

Sentence Date 7/24/13

[Signature]
2127
45
gpp

WITNESSES

(S) B HINSON

– Forest Acres Police Department

ARREST WARRANT NUMBER

DP13145

ACTION OF GRAND JURY

TRUE BILL

Valencia Martin

Foreperson of Grand Jury

Date:

JUL 19 2013

VERDICT

Guilty

Jason D. Kinn 7.25.13

Foreperson of Petit Jury

Date:

DOCKET NO. 2013-GS-40-04173

AMENDED

The State of South Carolina

County of

Richland

COURT OF GENERAL SESSIONS

JUNE TERM 2013

92

THE STATE

vs.

Alan Dale Smith

Amended Indictment for
SEXUAL EXPLOITATION OF A MINOR
3RD DEGREE

SC Code: 16-15-0410(C)

CDR Code: 0381

CLASS FEL - F

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)

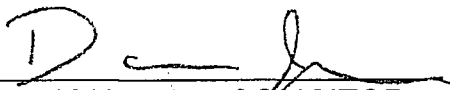
INDICTMENT

At a Court of General Sessions, convened on JUNE 12, 2013, the
Grand Jurors of Richland County present upon their oath:

SEXUAL EXPLOITATION OF A MINOR, 3RD DEGREE

That **Alan Dale Smith** did in Richland County on or about **March 5, 2010**,
possess material that contains visual representation of a minor engaging in
sexual activity while knowing the character or content of such material TO
WIT: **hornytoad's best cp ptn lsm pthc (201)(1).jpg**; in violation of S. C.
Code of Laws §16-15-0410.

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

IN THE COURT OF GENERAL SESSIONS

COUNTY OF Richland

STATE

VS.

Alan Dale Smith

AKA:

Race: White Sex: Male

Age:

DOB: SS#:

Address:

City, State, Zip:

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: Sexual Exploitation of a Minor-3rd Degree

In violation of § 16-15-0410(A) of the S.C. Code of Laws, bearing CDR Code # 0381

☐ NON-VIOLENT ☐ VIOLENT ☐ SERIOUS ☐ MOST SERIOUS ☐ Mandatory GPS ☐ §17-25-45(CSC w/minor 1st 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:

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 10 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 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 ☐

Fine may be pd. in equal consecutive weekly/monthly

pmts. of \$ Beginning

\$ Paid to Public Defender Fund

Other:

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

Recipient:

*Fine:

§14-1-206 (Assessments 107.5%)

§14-1-211 (A)(1)(Conv. Surcharge)

§14-1-211 (A)(2)(DUI Surcharge)

§56-5-2995 (DUI Assessment)

§56-1-286 (DUI Breath Test)

Proviso 47.9 (Public Def/Prob)

§14-1-212 (Law Enforce. Funding)

§14-1-213 (Drug Court Surcharge)

§50-21-114 (BUI Breath Test Fee)

§56-5-2942(J) (Vehicle Assessment)

Proviso 90.5 (SCCA Surcharge)

3% to County (if paid in installments)

TOTAL

Clerk of Court/Deputy Clerk

Court Reporter: Elizabeth Harris

SCCA/217 (03/2011)

Presiding Judge

Judge Code:

Sentence Date 7/24/13

WITNESSES

(S) B HINSON

- Forest Acres Police Department

ARREST WARRANT NUMBER

DP13146

ACTION OF GRAND JURY

TRUE BILL

Valencia Morton

Foreperson of Grand Jury

Date:

JUL 19 2013

VERDICT

Guilty

Viggo D. Kue 7.25.13

Foreperson of Petit Jury

Date:

DOCKET NO. 2013-GS-40-04174

AMENDED

The State of South Carolina

County of

Richland

COURT OF GENERAL SESSIONS

JUNE TERM 2013

92

THE STATE

vs.

Alan Dale Smith

Amended Indictment for
SEXUAL EXPLOITATION OF A MINOR
3RD DEGREE

SC Code: 16-15-0410(C)

CDR Code: 0381

Class Fel-F

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.

562

STATE OF SOUTH CAROLINA)
COUNTY OF RICHLAND)

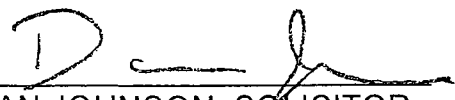
INDICTMENT

At a Court of General Sessions, convened on JUNE 12, 2013, the
Grand Jurors of Richland County present upon their oath:

SEXUAL EXPLOITATION OF A MINOR, 3RD DEGREE

That **Alan Dale Smith** did in Richland County on or about **March 5, 2010**,
possess material that contains visual representation of a minor engaging in
sexual activity while knowing the character or content of such material TO
WIT: **hornytoad's best cp ptn lsm pthc (137).jpg**; in violation of S. C.
Code of Laws §16-15-0410.

Against the peace and dignity of the State, and contrary to the
statute in such case made and provided.


DAN JOHNSON, SOLICITOR

564 OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF Richland
STATE

INDICTMENT/CASE#: 2013 -GS- 40 - 4174

VS.

Alan Dale Smith

AW#: DP13146

AKA:

Date of Offense: 3/5/10

Race: White Sex: Male

Age:

S.C. Code §: 16-15-0410(A)

DOB: SS#:

CDR Code #: 0381

Address:

City, State, Zip:

DL# * SID#

SENTENCE SHEET

*CDL Yes ☐ No ☐ CMV Yes ☐ No ☐ Hazmat Yes ☐ No ☐☒ CONVICTED OF or ☐ PLEADS

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

TO: Sexual Exploitation of a Minor-3rd Degree

In violation of § 16-15-0410(A) of the S.C. Code of Laws, bearing CDR Code # 0381

☐ NON-VIOLENT ☐ VIOLENT ☐ SERIOUS ☐ MOST SERIOUS ☐ Mandatory GPS ☐ §17-25-45(CSC w/minor 1st 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:

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 10 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 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:

*Fine: \$

§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 \$

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:

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

Clerk of Court/Deputy Clerk

Court Reporter: Elizabeth Harris

SCCA/217 (03/2011)

Presiding Judge

Judge Code:

Sentence Date 7/24/13

WITNESSES

(S) B HINSON

- Forest Acres Police Department

ARREST WARRANT NUMBER

DP13147

ACTION OF GRAND JURY

TRUE BILL

Valencia Martin

Foreperson of Grand Jury

Date:

JUL 19 2013

VERDICT

Guilty

Vernon D. Kim 7.25.13

Foreperson of Petit Jury

Date:

DOCKET NO. 2013-GS-40-04175

AMENDED

The State of South Carolina

County of

Richland

COURT OF GENERAL SESSIONS

JUNE TERM 2013

92

THE STATE

vs.

Alan Dale Smith

Amended Indictment for
SEXUAL EXPLOITATION OF A MINOR
3RD DEGREE

SC Code: 16-15-0410(C)

CDR Code: 0381

CLASS FEL-F

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)

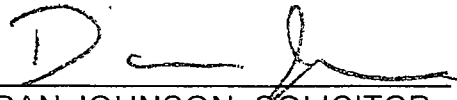
INDICTMENT

At a Court of General Sessions, convened on JUNE 12, 2013, the
Grand Jurors of Richland County present upon their oath:

SEXUAL EXPLOITATION OF A MINOR, 3RD DEGREE

That **Alan Dale Smith** did in Richland County on or about **March 5, 2010**,
possess material that contains visual representation of a minor engaging in
sexual activity while knowing the character or content of such material TO
WIT: **Qqaazz Pthc Pedo 3Yo Girl Tied and Butt-Fucked 2.jpg**; in
violation of S. C. Code of Laws §16-15-0410.

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

IN THE COURT OF GENERAL SESSIONS

COUNTY OF Richland
STATE

VS.

Alan Dale Smith

AKA:

Race: White Sex: Male

DOB: SS#:

Address:

City, State, Zip:

DL# * SID#

*CDL Yes ☐ No ☐ CMV Yes ☐ No ☐ Hazmat Yes ☐ No ☐

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

TO: Sexual Exploitation of a Minor-3rd Degree

In violation of § 16-15-0410(A) of the S.C. Code of Laws, bearing CDR Code # 0381

☐ NON-VIOLENT ☐ VIOLENT ☐ SERIOUS ☐ MOST SERIOUS ☐ Mandatory GPS ☐ §17-25-45(CSC w/minor 1st 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:

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 10 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 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:

☐ Set by SCDPPPSObtain 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:

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

Recipient:

*Fine:

§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		\$

Clerk of Court/Deputy Clerk

Court Reporter: Elizabeth Harris

SCCA/217 (03/2011)

Presiding Judge

Judge Code:

Sentence Date 7/25/13

WITNESSES

(S) B HINSON

- Forest Acres Police Department

ARREST WARRANT NUMBER

DP13148

ACTION OF GRAND JURY

TRUE BILL

Valencia Morton

Foreperson of Grand Jury

Date:

JUL 19 2013

VERDICT

Guilty

Deane D. Kim 7.25.13

Foreperson of Petit Jury

Date:

DOCKET NO. 2013-GS-40-04176

AMENDED

The State of South Carolina

County of

Richland

COURT OF GENERAL SESSIONS

JUNE TERM 2013

92

THE STATE

vs.

Alan Dale Smith

**Amended Indictment for
SEXUAL EXPLOITATION OF A MINOR
3RD DEGREE**

SC Code: 16-15-0410(C)

CDR Code: 0381

CLASS FEL-F

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.

568

STATE OF SOUTH CAROLINA)
COUNTY OF RICHLAND)

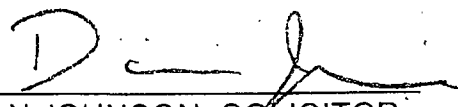
INDICTMENT

At a Court of General Sessions, convened on JUNE 12, 2013, the
Grand Jurors of Richland County present upon their oath:

SEXUAL EXPLOITATION OF A MINOR, 3RD DEGREE

That **Alan Dale Smith** did in Richland County on or about **March 5, 2010**,
possess material that contains visual representation of a minor engaging in
sexual activity while knowing the character or content of such material TO
WIT: **Mafiasex Ru Children Kids Hard Hussyfan Pedo Babyshivid**
Lolita Pthc Large Pic Amanda 01 - Sweetest Little Girl.jpg; in violation
of S. C. Code of Laws §16-15-0410.

Against the peace and dignity of the State, and contrary to the
statute in such case made and provided.


DAN JOHNSON, SOLICITOR

570 OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF Richland

STATE

VS.

Alan Dale Smith

AKA:

Race: White

Sex: Male

Age:

DOB:

SS#:

Address:

City, State, Zip:

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: Sexual Exploitation of a Minor-3rd Degree

In violation of § 16-15-0410(A)

of the S.C. Code of Laws, bearing CDR Code # 0381

☐ NON-VIOLENT☐ VIOLENT☐ SERIOUS☐ MOST SERIOUS☐ Mandatory GPS☐ §17-25-45(CSC w/minor 1st 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:

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

10

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 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:

*Fine:

\$

\$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

\$

Clerk of Court/Deputy Clerk

Court Reporter: Elizabeth Harris

SCCA/217 (03/2011)

Presiding Judge

Judge Code:

Sentence Date

2/29/13

7/25/13

2/29/13

7/25/13

WITNESSES

(S) B HINSON

- Forest Acres Police Department

ARREST WARRANT NUMBER

DP13150

ACTION OF GRAND JURY

TRUE BILL

Valencia Markon
Foreperson of Grand Jury
Date: 8/02/13

VERDICT

Guilty

Debra D. Hill 7.25.13
Foreperson of Petit Jury
Date:

DOCKET NO. 2013-GS-40-04178

AMENDED

The State of South Carolina

County of

Richland

COURT OF GENERAL SESSIONS

JUNE TERM 2013

92

THE STATE
vs.

Alan Dale Smith

Amended Indictment for
SEXUAL EXPLOITATION OF A MINOR
3RD DEGREE

SC Code: 16-15-0410(C)
CDR Code: 0381
CLASS FEL-F

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 JUNE 12, 2013, the
Grand Jurors of Richland County present upon their oath:

SEXUAL EXPLOITATION OF A MINOR, 3RD DEGREE

That **Alan Dale Smith** did in Richland County on or about **March 5, 2010**,
possess material that contains visual representation of a minor engaging in
sexual activity while knowing the character or content of such material TO
WIT: **pedofilia - pjk 12 years old boy fucks 12 years old girl kiddie
pedo boy lolita raygold underage.mpg**; in violation of S. C. Code of
Laws §16-15-0410.

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

IN THE COURT OF GENERAL SESSIONS

COUNTY OF Richland

STATE

VS.

Alan Dale Smith

AKA:

Race: White

Sex: Male

Age:

DOB:

SS#:

Address:

City, State, Zip:

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: Sexual Exploitation of a Minor-3rd Degree

In violation of § 16-15-0410(A)

of the S.C. Code of Laws, bearing CDR Code # 0381

☐ NON-VIOLENT ☐ VIOLENT ☐ SERIOUS ☐ MOST SERIOUS ☐ Mandatory GPS ☐ §17-25-45(CSC w/minor 1st 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:

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 10 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.

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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:

*Fine:

§14-1-206 (Assessments 107.5%)

§14-1-211 (A)(1)(Conv. Surcharge)

§14-1-211 (A)(2)(DUI Surcharge)

§56-5-2995 (DUI Assessment)

§56-1-286 (DUI Breath Test)

Proviso 47.9 (Public Def/Prob)

§14-1-212 (Law Enforce. Funding)

§14-1-213 (Drug Court Surcharge)

§50-21-114 (BUI Breath Test Fee)

§56-5-2942(J) (Vehicle Assessment)

Proviso 90.5 (SCCJA Surcharge)

3% to County (if paid in installments)

TOTAL

Clerk of Court/Deputy Clerk

Court Reporter: Elizabeth Harris

SCCA/217 (03/2011)

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:

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

Presiding Judge

Judge Code:

Sentence Date

7/24/13

WITNESSES

(S) B HINSON

- Forest Acres Police Department

ARREST WARRANT NUMBER

DP13152

ACTION OF GRAND JURY

TRUE BILL

Valencia Martin
Foreperson of Grand Jury

Date:

JUL 19 2013

VERDICT

Guilty

Unger D. Kim 7.25.13
Foreperson of Petit Jury

Date:

DOCKET NO. 2013-GS-40-04180

AMENDED

The State of South Carolina

County of

Richland

COURT OF GENERAL SESSIONS

JUNE TERM 2013

92

THE STATE

vs.

Alan Dale Smith

Amended Indictment for
SEXUAL EXPLOITATION OF A MINOR
3RD DEGREE

SC Code: 16-15-0410(C)

CDR Code: 0381

CLASS FEL - F

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

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possess material that contains visual representation of a minor engaging in
sexual activity while knowing the character or content of such material TO
WIT: **kiddy Rape- (Pthc) Hussyfan R@ygold babyshivid-Any a 11yo**
child prostitute.mpg; in violation of S. C. Code of Laws §16-15-0410.

Against the peace and dignity of the State, and contrary to the
statute in such case made and provided.


DAN JOHNSON, SOLICITOR

576 OF SOUTH CAROLINA

COUNTY OF Richland
STATE

VS.

Alan Dale Smith

AKA:

Race: White Sex: Male

Age:

DOB: SS#:

Address:

City, State, Zip:

DL# * SID#

*CDL Yes ☐ No ☐ CMV Yes ☐ No ☐ Hazmat Yes ☐ No ☐

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

TO: Sexual Exploitation of a Minor-3rd Degree

In violation of § 16-15-0410(A) of the S.C. Code of Laws, bearing CDR Code # 0381

☐ NON-VIOLENT ☐ VIOLENT 1 SERIOUS ☐ MOST SERIOUS ☐ Mandatory GPS ☐ §17-25-45

(CSC w/minor 1st 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:

Solicitor

SC Bar #

Defendant

Attorney for Defendant

SC Bar #

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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:

*Fine:

\$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		\$

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:

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

Clerk of Court/Deputy Clerk

Court Reporter: Elizabeth Harris

SCCA/217 (03/2011)

Presiding Judge

Judge Code:

Sentence Date 7/24/13

WITNESSES

(S) B HINSON

- Forest Acres Police Department

ARREST WARRANT NUMBER

DP13153

ACTION OF GRAND JURY

TRUE BILL

Valencia Martin

Foreperson of Grand Jury

JUL 19 2013

Date:

VERDICT

Guilty

Wayne D. Kim 7.25.13

Foreperson of Petit Jury

Date:

DOCKET NO. 2013-GS-40-04182

AMENDED

The State of South Carolina

County of

Richland

COURT OF GENERAL SESSIONS

JUNE TERM 2013

92

**THE STATE
vs.**

Alan Dale Smith

**Amended Indictment for
SEXUAL EXPLOITATION OF A MINOR
3RD DEGREE**

SC Code: 16-15-0410(C)

CDR Code: 0381

CLASS FEL - F

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

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possess material that contains visual representation of a minor engaging in
sexual activity while knowing the character or content of such material TO
WIT: **(pthc)vicky_9yo_early works(rare).mpg** ; in violation of S. C. Code
of Laws §16-15-0410.

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

IN THE COURT OF GENERAL SESSIONS

COUNTY OF Richland
STATE

VS.

Alan Dale Smith

AKA:

Race: White Sex: Male

Age:

DOB: SS#:

Address:

City, State, Zip:

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: Sexual Exploitation of a Minor-3rd Degree

In violation of § 16-15-0410(A) of the S.C. Code of Laws, bearing CDR Code # 0381

☐ NON-VIOLENT ☐ VIOLENT ☐ SERIOUS ☐ MOST SERIOUS ☐ Mandatory GPS ☐ §17-25-45(CSC w/minor 1st 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:

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 10 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 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 UTUP

Total: \$ plus 20% fee: \$ days/hours Public Service Employment

Payment Terms:

Obtain GED ☐☐ Set by SCDPPPS

Attend Voc. Rehab. Or Job Corp.

Recipient:

*Fine:

\$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	\$

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:

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

Clerk of Court/Deputy Clerk
Court Reporter: Elizabeth Harris
SCCA/217 (03/2011)

Presiding Judge

Judge Code:

Sentence Date 7/24/13

WITNESSES

(S) B HINSON

– Forest Acres Police Department

ARREST WARRANT NUMBER

DP13149

ACTION OF GRAND JURY

TRUE BILL

Valencia Martin

Foreperson of Grand Jury JUL 19 2013
Date:

VERDICT

Guilty

Wayne D. Kurr 7.25.13
Foreperson of Petit Jury
Date:

DOCKET NO. 2013-GS-40-04183

AMENDED

The State of South Carolina

County of

Richland

COURT OF GENERAL SESSIONS

JUNE TERM 2013

92

THE STATE
vs.

Alan Dale Smith

Amended Indictment for
SEXUAL EXPLOITATION OF A MINOR
3RD DEGREE

SC Code: 16-15-0410(C)
CDR Code: 0381
CLASS FEL – F

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.

580

STATE OF SOUTH CAROLINA)
)
COUNTY OF RICHLAND)

INDICTMENT

At a Court of General Sessions, convened on JUNE 12, 2013, the
Grand Jurors of Richland County present upon their oath:

SEXUAL EXPLOITATION OF A MINOR, 3RD DEGREE

That **Alan Dale Smith** did in Richland County on or about **March 5, 2010**,
possess material that contains visual representation of a minor engaging in
sexual activity while knowing the character or content of such material TO
WIT:

**MafiaSex.Ru_Children_Kids_Hard003ChildPorn_Collection_7_Suck_
2_Illegal_Preteen_Underage_Lolita_Kiddy_Child_Incest_Xxx_Porno_
Gay_Fuck_Young_Naked_Nude_Little_Girl.jpg**; in violation of S. C.
Code of Laws §16-15-0410.

Against the peace and dignity of the State, and contrary to the
statute in such case made and provided.


DAN JOHNSON, SOLICITOR

582 OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF Richland

STATE

VS.

Alan Dale Smith

AKA:

Race: White Sex: Male Age:

DOB: SS#:

Address:

City, State, Zip:

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: Sexual Exploitation of a Minor-3rd Degree

In violation of § 16-15-0410(A) of the S.C. Code of Laws, bearing CDR Code # 0381

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

(CSC w/minor 1st 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:

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 10 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 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:

*Fine: \$

\$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 \$

Clerk of Court/Deputy Clerk

Court Reporter: Elizabeth Harris

SCCA/217 (03/2011)

Presiding Judge

Judge Code:

Sentence Date 7/24/13

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

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:

WITNESSES

(S) B HINSON

- Forest Acres Police Department

ARREST WARRANT NUMBER

DP13144

ACTION OF GRAND JURY

TRUE BILL

Valencia Morton
Foreperson of Grand Jury
Date: JUL 19 2013

VERDICT

Guilty

Angie D. Kuhl 7.25.13
Foreperson of Petit Jury
Date:

DOCKET NO. 2013-GS-40-04184

AMENDED

The State of South Carolina

County of

Richland

COURT OF GENERAL SESSIONS

JUNE TERM 2013

92

THE STATE
vs.

Alan Dale Smith

Amended Indictment for
SEXUAL EXPLOITATION OF A MINOR
3RD DEGREE

SC Code: 16-15-0410(C)
CDR Code: 0381
CLASS FEL - F

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 JUNE 12, 2013, the
Grand Jurors of Richland County present upon their oath:

SEXUAL EXPLOITATION OF A MINOR, 3RD DEGREE

That **Alan Dale Smith** did in Richland County on or about **March 5, 2010**,
possess material that contains visual representation of a minor engaging in
sexual activity while knowing the character or content of such material TO
WIT: **lsm-pthc-lsp-uft-41.jpg**; in violation of S. C. Code of Laws §16-15-
0410.

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

IN THE COURT OF GENERAL SESSIONS

COUNTY OF Richland

STATE

VS.

Alan Dale Smith

AKA:

Race: White Sex: Male

Age:

DOB: SS#:

Address:

City, State, Zip:

DL# * SID#

*CDL Yes ☐ No ☐ CMV Yes ☐ No ☐ Hazmat Yes ☐ No ☐

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

TO: Sexual Exploitation of a Minor-3rd Degree

In violation of § 16-15-0410(A) of the S.C. Code of Laws, bearing CDR Code # 0381

☐ NON-VIOLENT ☐ VIOLENT ☐ SERIOUS ☐ MOST SERIOUS ☐ Mandatory GPS ☐ \$17-25-45
 (CSC w/minor 1st 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:

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 10 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 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 ☐

Fine may be pd. in equal consecutive weekly/monthly

pmts. of \$ Beginning

\$ Paid to Public Defender Fund

Other:

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

Recipient:

*Fine:

§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		\$

Clerk of Court/Deputy Clerk

Court Reporter: Elizabeth Harris

SCCA/217 (03/2011)

Presiding Judge

Judge Code:

Sentence Date 7/24/13

25

WITNESSES

(S) B HINSON

- Forest Acres Police Department

ARREST WARRANT NUMBER

DP13151

ACTION OF GRAND JURY

TRUE BILL

Valencia Martin

Foreperson of Grand Jury

Date:

JUL 19 2013

VERDICT

Guilty

Angie D. Kinn 7.25.13

Foreperson of Petit Jury

Date:

DOCKET NO. 2013-GS-40-04185

AMENDED

The State of South Carolina

County of

Richland

COURT OF GENERAL SESSIONS

JUNE TERM 2013

92

THE STATE

vs.

Alan Dale Smith

Amended Indictment for
SEXUAL EXPLOITATION OF A MINOR
3RD DEGREE

SC Code: 16-15-0410(C)

CDR Code: 0381

CLASS FEL-F

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.

586

STATE OF SOUTH CAROLINA)
COUNTY OF RICHLAND)

INDICTMENT

At a Court of General Sessions, convened on JUNE 12, 2013, the
Grand Jurors of Richland County present upon their oath:

SEXUAL EXPLOITATION OF A MINOR, 3RD DEGREE

That **Alan Dale Smith** did in Richland County on or about **March 5, 2010**,
possess material that contains visual representation of a minor engaging in
sexual activity while knowing the character or content of such material TO
WIT: **(pthc) 9yo vicky stripping and sucking (kiddy pedo illegal
underage preteen).mpg**; in violation of S. C. Code of Laws §16-15-0410.

Against the peace and dignity of the State, and contrary to the
statute in such case made and provided.


DAN JOHNSON, SOLICITOR

5688 OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF Richland

STATE

VS.

Alan Dale Smith

AKA:

Race: White Sex: Male

Age:

DOB: SS#:

Address:

City, State, Zip:

DL# * SID#

*CDL Yes ☐ No ☐ CMV Yes ☐ No ☐ Hazmat Yes ☐ No ☐

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

TO: Sexual Exploitation of a Minor-3rd Degree

In violation of § 16-15-0410(A) of the S.C. Code of Laws, bearing CDR Code # 0381

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

(CSC w/minor 1st 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:

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 10 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 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:

*Fine: \$
§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 \$

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:

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

Presiding Judge

Judge Code:

Sentence Date 7/24/13

Clerk of Court/Deputy Clerk

Court Reporter: Elizabeth Harris

SCCA/217: (03/2011)

WITNESSES

(S) B HINSON

- Forest Acres Police Department

ARREST WARRANT NUMBER

DP13154

ACTION OF GRAND JURY

TRUE BILL

Valencia Martin

Foreperson of Grand Jury

Date:

JUL 19 2013

VERDICT

Guilty

Uyana D. Kuen 7.25.13

Foreperson of Petit Jury

Date:

DOCKET NO. 2013-GS-40-04186

AMENDED

The State of South Carolina

County of

Richland

COURT OF GENERAL SESSIONS

JUNE TERM 2013

92

THE STATE

vs.

Alan Dale Smith

Amended Indictment for
SEXUAL EXPLOITATION OF A MINOR
3RD DEGREE

SC Code: 16-15-0410(C)

CDR Code: 0381

CLASS FEL - F

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 JUNE 12, 2013, the
Grand Jurors of Richland County present upon their oath:

SEXUAL EXPLOITATION OF A MINOR, 3RD DEGREE

That **Alan Dale Smith** did in Richland County on or about **March 5, 2010**,
possess material that contains visual representation of a minor engaging in
sexual activity while knowing the character or content of such material TO
WIT: !!! **NEW Pthc - 0607!!! kelly - 7yo backyard fuck & pedo**
kittycum.mpg; in violation of S. C. Code of Laws §16-15-0410.

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

IN THE COURT OF GENERAL SESSIONS

COUNTY OF Richland
STATE

VS.

Alan Dale Smith

AKA:

Race: White Sex: Male

Age:

DOB: SS#:

Address:

City, State, Zip:

DL# * SID#

*CDL Yes ☐ No ☐ CMV Yes ☐ No ☐ Hazmat Yes ☐ No ☐

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

INDICTMENT/CASE#: 2013 -GS- 40 - 4186

AW#: DP13154

Date of Offense: 3/5/10

S.C. Code §: 16-15-0410(A)

CDR Code #: 0381

SENTENCE SHEET

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

☒ CONVICTED OF or ☐ PLEADS

TO: Sexual Exploitation of a Minor-3rd Degree

In violation of § 16-15-0410(A) of the S.C. Code of Laws, bearing CDR Code # 0381

☐ NON-VIOLENT ☐ VIOLENT ☐ SERIOUS ☐ MOST SERIOUS ☐ Mandatory GPS ☐ \$17-25-45
(CSC w/minor 1st 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:

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 10 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 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 ☐

Fine may be pd. in equal consecutive weekly/monthly

pmts. of \$ Beginning

\$ Paid to Public Defender Fund

Other:

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

Recipient:

*Fine:

\$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 \$

Clerk of Court/Deputy Clerk

Court Reporter: Elizabeth Harris

SCCA/217 (03/2011)

Presiding Judge

Judge Code:

Sentence Date 7/24/13

WITNESSES

(S) B HINSON

– Forest Acres Police Department

ARREST WARRANT NUMBER

DP13155

ACTION OF GRAND JURY

TRUE BILL

Valencia Martin

Foreperson of Grand Jury

Date:

JUL 17 2013

VERDICT

Guilty

Angie DK 7.25.13

Foreperson of Petit Jury

Date:

DOCKET NO. 2013-GS-40-04187

AMENDED

The State of South Carolina

County of

Richland

COURT OF GENERAL SESSIONS

JUNE TERM 2013

92

THE STATE

vs.

Alan Dale Smith

Amended Indictment for
SEXUAL EXPLOITATION OF A MINOR
3RD DEGREE

SC Code: 16-15-0410(C)

CDR Code: 0381

CLASS FEL – F

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.

592

STATE OF SOUTH CAROLINA)
COUNTY OF RICHLAND)

INDICTMENT

At a Court of General Sessions, convened on JUNE 12, 2013, the
Grand Jurors of Richland County present upon their oath:

SEXUAL EXPLOITATION OF A MINOR, 3RD DEGREE

That **Alan Dale Smith** did in Richland County on or about **March 5, 2010**,
possess material that contains visual representation of a minor engaging in
sexual activity while knowing the character or content of such material TO
WIT: **(Pthc) 6yo Favela Full (1+2) BEAUTIFUL_Very willing angel faced
little girl relieved~Kids need sex 2~!.mpg**; in violation of S. C. Code of
Laws §16-15-0410.

Against the peace and dignity of the State, and contrary to the
statute in such case made and provided.


DAN JOHNSON, SOLICITOR

594 OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF Richland

STATE

VS.

Alan Dale Smith

AKA:

Race: White

Sex: Male

Age:

DOB:

SS#:

Address:

City, State, Zip:

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: Sexual Exploitation of a Minor-3rd Degree

In violation of § 16-15-0410(A) of the S.C. Code of Laws, bearing CDR Code # 0381

☐ NON-VIOLENT ☐ VIOLENT 1 SERIOUS ☐ MOST SERIOUS ☐ Mandatory GPS ☐ §17-25-45

(CSC w/minor 1st 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:

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 10 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 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:

*Fine: \$
 §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 \$

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:

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

Clerk of Court/Deputy Clerk Jeanette McBride
 Court Reporter: Elizabeth Harris
 SCCA/217 (03/2011)

Presiding Judge
 Judge Code:
 Sentence Date 7/24/13

C. News
 2127

WITNESSES

(S) B HINSON

- Forest Acres Police Department

ARREST WARRANT NUMBER

DP13156

ACTION OF GRAND JURY

TRUE BILL

Valencia Martin
Foreperson of Grand Jury
Date: JUL 19 2013

VERDICT

Guilty

Debra D. Kuhn 7.25.13
Foreperson of Petit Jury
Date:

DOCKET NO. 2013-GS-40-04188

AMENDED

The State of South Carolina

County of

Richland

COURT OF GENERAL SESSIONS

JUNE TERM 2013

92

THE STATE
vs.

Alan Dale Smith

Amended Indictment for
SEXUAL EXPLOITATION OF A MINOR
3RD DEGREE

SC Code: 16-15-0410(C)
CDR Code: 0381
CLASS FEL - F

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 JUNE 12, 2013, the
Grand Jurors of Richland County present upon their oath:

SEXUAL EXPLOITATION OF A MINOR, 3RD DEGREE

That **Alan Dale Smith** did in Richland County on or about **March 5, 2010**,
possess material that contains visual representation of a minor engaging in
sexual activity while knowing the character or content of such material TO
WIT: **(Pthc) 4yo-Kitty 8yo-Kelly - New Stuff.mpg**; in violation of S. C.
Code of Laws §16-15-0410.

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

IN THE COURT OF GENERAL SESSIONS

COUNTY OF Richland

STATE

VS.

Alan Dale Smith

AKA:

Race: White Sex: Male

Age:

DOB: SS#:

Address:

City, State, Zip:

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: Sexual Exploitation of a Minor-3rd Degree

In violation of § 16-15-0410(A) of the S.C. Code of Laws, bearing CDR Code # 0381

☐ NON-VIOLENT ☐ VIOLENT ☐ SERIOUS ☐ MOST SERIOUS ☐ Mandatory GPS ☐ §17-25-45(CSC w/minor 1st 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:

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 10 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 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 ☐

Fine may be pd. in equal consecutive weekly/monthly

pmts. of \$ Beginning

\$ Paid to Public Defender Fund

Other:

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

Recipient:

*Fine:

§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 (SCCA Surcharge) \$5 \$

3% to County (if paid in installments) \$ \$

TOTAL \$

Clerk of Court/Deputy Clerk

Court Reporter: Elizabeth Harris

SCCA/217 (03/2011)

Presiding Judge

Judge Code:

Sentence Date 7/24/13

C. W. Harris
2127
25

WITNESSES

(S) B HINSON

– Forest Acres Police Department

ARREST WARRANT NUMBER

DP13157

ACTION OF GRAND JURY

TRUE BILL

Valencia Martin
Foreperson of Grand Jury
Date: JUL 19 2013

VERDICT

Guilty

Wagner D. Kell 7.25.13
Foreperson of Petit Jury
Date:

DOCKET NO. 2013-GS-40-04189

AMENDED

The State of South Carolina

County of

Richland

COURT OF GENERAL SESSIONS

JUNE TERM 2013

92

THE STATE
vs.

Alan Dale Smith

Amended Indictment for
SEXUAL EXPLOITATION OF A MINOR
3RD DEGREE

SC Code: 16-15-0410(C)
CDR Code: 0381
CLASS FEL – F

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.

598

STATE OF SOUTH CAROLINA)
COUNTY OF RICHLAND)

INDICTMENT

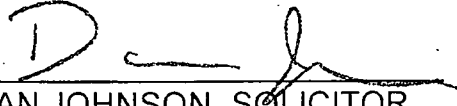
At a Court of General Sessions, convened on JUNE 12, 2013, the
Grand Jurors of Richland County present upon their oath:

SEXUAL EXPLOITATION OF A MINOR, 3RD DEGREE

That **Alan Dale Smith** did in Richland County on or about **March 5, 2010**,
possess material that contains visual representation of a minor engaging in
sexual activity while knowing the character or content of such material TO
WIT:

MafiaSex.Ru_Children_Kids_Hard_000013_R@ygold_Mexican_Girl_Really_Good_Pthc_Child_Sex_Porn_Pedo_5.48 (2).mpg; in violation of
S. C. Code of Laws §16-15-0410.

Against the peace and dignity of the State, and contrary to the
statute in such case made and provided.


DAN JOHNSON, SOLICITOR

600 OF SOUTH CAROLINA

COUNTY OF Richland

STATE

VS.

Alan Dale Smith

AKA:

Race: White Sex: Male

Age:

DOB: SS#:

Address:

City, State, Zip:

DL# * SID#

*CDL Yes ☐ No ☐ CMV Yes ☐ No ☐ Hazmat Yes ☐ No ☐

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

TO: Sexual Exploitation of a Minor-3rd Degree

In violation of § 16-15-0410(A) of the S.C. Code of Laws, bearing CDR Code # 0381

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

(CSC w/minor 1st 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:

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 10 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 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 1 FORMTEXT

Total: \$ plus 20% fee: \$ days/hours Public Service Employment

Payment Terms:

☐ Set by SCDPPPS

Recipient:

*Fine:

\$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		\$

Clerk of Court/Deputy Clerk

Court Reporter: Elizabeth Harris

SCCA/217 (03/2011)

IN THE COURT OF GENERAL SESSIONS

INDICTMENT/CASE#: 2013 -GS- 40 - 4189

AW#: DP13157

Date of Offense: 3/5/10

S.C. Code §: 16-15-0410(A)

CDR Code #: 0381

SENTENCE SHEET

☒ CONVICTED OF or ☐ PLEADS

(CSC w/minor 1st or Lewd Act)

Defendant Waives Presentment to Grand Jury. (def.'s initials)

Negotiated Sentence, Recommendation by the State.

Attorney for Defendant County Detention Center,

under the Youthful Offender Act not to exceed years

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.

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: PTUP 1 FORMTEXT

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:

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

Presiding Judge

Judge Code:

Sentence Date 7/24/13

2127

WITNESSES

(S) B HINSON

– Forest Acres Police Department

ARREST WARRANT NUMBER

DP13158

ACTION OF GRAND JURY

TRUE BILL

Valencia Morton
Foreperson of Grand Jury
Date: JUL 19 2013

VERDICT

Guilty

Wayne D. Kline 7.25.13
Foreperson of Petit Jury
Date:

DOCKET NO. 2013-GS-40-04190

AMENDED

The State of South Carolina

County of

Richland

COURT OF GENERAL SESSIONS

JUNE TERM 2013

92

THE STATE
vs.

Alan Dale Smith

Amended Indictment for
SEXUAL EXPLOITATION OF A MINOR
3RD DEGREE

SC Code: 16-15-0410(C)
CDR Code: 0381
CLASS FEL - F

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 JUNE 12, 2013, the
Grand Jurors of Richland County present upon their oath:

SEXUAL EXPLOITATION OF A MINOR, 3RD DEGREE

That **Alan Dale Smith** did in Richland County on or about **March 5, 2010**,
possess material that contains visual representation of a minor engaging in
sexual activity while knowing the character or content of such material TO
WIT: **T-363278340-Pedo (Pthc) - 2 8Yo Mexicans Preteens With Male
(Hussyfan) (r%40ygold) (babyshivid) - music, sound. mpg**; in violation
of S.C. Code of Laws §16-15-0410.

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

IN THE COURT OF GENERAL SESSIONS

COUNTY OF Richland
STATE

INDICTMENT/CASE#: 2013 -GS- 40 - 4190

VS.

Alan Dale Smith

AW#: DP13158

AKA:

Date of Offense: 3/5/10

Race: White Sex: Male

Age:

S.C. Code §: 16-15-0410(A)

DOB: SS#:

CDR Code #: 0381

Address:

City, State, Zip:

DL# * SID#

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: Sexual Exploitation of a Minor-3rd Degree

In violation of § 16-15-0410(A) of the S.C. Code of Laws, bearing CDR Code # 0381

☐ NON-VIOLENT ☐ VIOLENT ☐ SERIOUS ☐ MOST SERIOUS ☐ Mandatory GPS ☐ §17-25-45(CSC w/minor 1st 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:

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 10 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.

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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 1 FORMTEXT

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 ☐

Fine may be pd. in equal consecutive weekly/monthly

pmts. of \$ Beginning

\$ Paid to Public Defender Fund

Other:

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

Recipient:

*Fine:

§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)	\$	\$
TOTAL		\$

Clerk of Court/Deputy Clerk

Court Reporter: Elizabeth Harris

SCCA/217 (03/2011)

Presiding Judge

Judge Code:

Sentence Date 7/24/13

[Signature]
2127
25
JHP

WITNESSES

(S) B HINSON

- Forest Acres Police Department

ARREST WARRANT NUMBER

DP13159

ACTION OF GRAND JURY

TRUE BILL

Valencia Morton
Foreperson of Grand Jury

Date: JUL 19 2013

VERDICT

Guilty

Unger D. Kurr 7.25.13
Foreperson of Petit Jury

Date:

DOCKET NO. 2013-GS-40-04191

AMENDED

The State of South Carolina

County of

Richland

COURT OF GENERAL SESSIONS

JUNE TERM 2013

92

THE STATE
vs.

Alan Dale Smith

Amended Indictment for
SEXUAL EXPLOITATION OF A MINOR
3RD DEGREE

SC Code: 16-15-0410(C)
CDR Code: 0381
CLASS FEL - F

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.

604

STATE OF SOUTH CAROLINA)
COUNTY OF RICHLAND)

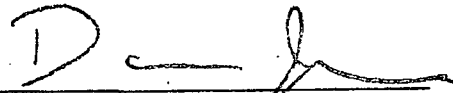
INDICTMENT

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SEXUAL EXPLOITATION OF A MINOR, 3RD DEGREE

That **Alan Dale Smith** did in Richland County on or about **March 5, 2010**,
possess material that contains visual representation of a minor engaging in
sexual activity while knowing the character or content of such material TO
WIT: T-164104616-(Kinderkutje) (Pthc) Hc-c4G—Compile 4 Girls—All
Small And Loving It—9.08 9Yo Mpg 7Yo Girl Try To Fuck Ptsc
Hussyfan Kingpass Kleuterkutje.mpg; in violation of S. C. Code of
Laws §16-15-0410.

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

IN THE COURT OF GENERAL SESSIONS

COUNTY OF Richland
STATE

INDICTMENT/CASE#: 2013 -GS- 40 - 4191

VS.

Alan Dale Smith

AW#: DP13159

AKA:

Date of Offense: 3/5/10

Race: White Sex: Male

S.C. Code §: 16-15-0410(A)

DOB: SS#:

CDR Code #: 0381

Address:

City, State, Zip:

DL# * SID#

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: Sexual Exploitation of a Minor-3rd Degree

In violation of § 16-15-0410(A) of the S.C. Code of Laws, bearing CDR Code # 0381

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

(CSC w/minor 1st 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:

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 10 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.

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☒ 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 ☐

Random Drug/Alcohol Testing ☐

Fine may be pd. in equal consecutive weekly/monthly

pmts. of \$ Beginning

\$ Paid to Public Defender Fund

Other:

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

*Fine: \$
§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 \$

Clerk of Court/Deputy Clerk

Court Reporter: Elizabeth Harris

SCCA/217 (03/2011)

Presiding Judge

Judge Code:

Sentence Date 7/24/13

[Signature]
2127
25

WITNESSES

(S) B HINSON

- Forest Acres Police Department

ARREST WARRANT NUMBER

DP13160

ACTION OF GRAND JURY

TRUE BILL

Valencia Martin
Foreperson of Grand Jury

Date:

JUL 19 2013

VERDICT

Guilty

Angie D. Kuhn 725.13
Foreperson of Petit Jury

Date:

DOCKET NO. 2013-GS-40-04192

AMENDED

The State of South Carolina

County of

Richland

COURT OF GENERAL SESSIONS

JUNE TERM 2013

92

THE STATE

vs.

Alan Dale Smith

Amended Indictment for
SEXUAL EXPLOITATION OF A MINOR
3RD DEGREE

SC Code: 16-15-0410(C)

CDR Code: 0381

CLASS FEL-F

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 JUNE 12, 2013, the
Grand Jurors of Richland County present upon their oath:

SEXUAL EXPLOITATION OF A MINOR, 3RD DEGREE

That **Alan Dale Smith** did in Richland County on or about **March 5, 2010**,
possess material that contains visual representation of a minor engaging in
sexual activity while knowing the character or content of such material TO
WIT: **T-48750620-little girls mix (lolitas-preteens-reelkiddymov-
r@ygold-hussyfans-underage-girls-children-pedofilia-ptsc-
xx.mpeg**; in violation of S. C. Code of Laws §16-15-0410.

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

IN THE COURT OF GENERAL SESSIONS

COUNTY OF Richland

STATE

VS.

Alan Dale Smith

AKA:

Race: White

Sex: Male

Age:

DOB:

SS#:

Address:

City, State, Zip:

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: Sexual Exploitation of a Minor-3rd Degree

In violation of § 16-15-0410(A) of the S.C. Code of Laws, bearing CDR Code # 0381

☐ NON-VIOLENT ☐ VIOLENT ☐ SERIOUS ☐ MOST SERIOUS ☐ Mandatory GPS ☐ §17-25-45(CSC w/minor 1st 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:

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 10 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 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:

*Fine:

§14-1-206 (Assessments 107.5%)

§14-1-211 (A)(1)(Conv. Surcharge)

§14-1-211 (A)(2)(DUI Surcharge)

§56-5-2995 (DUI Assessment)

§56-1-286 (DUI Breath Test)

Proviso 47.9 (Public Def/Prob)

§14-1-212 (Law Enforce. Funding)

§14-1-213 (Drug Court Surcharge)

§50-21-114 (BUI Breath Test Fee)

§56-5-2942(J) (Vehicle Assessment)

Proviso 90.5 (SCCA Surcharge)

3% to County (if paid in installments)

TOTAL

Clerk of Court/Deputy Clerk

Court Reporter: Elizabeth Harris

SCCA/217 (03/2011)

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:

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

Presiding Judge

Judge Code:

Sentence Date 7/24/13

C. N. Harris
2129
25

WITNESSES

(S) B HINSON

– Forest Acres Police Department

ARREST WARRANT NUMBER

DP13161

ACTION OF GRAND JURY

TRUE BILL

Valencia Martin
Foreperson of Grand Jury

Date: JUL 19 2013

VERDICT

Guilty

Wayne D. Kell
Foreperson of Petit Jury

Date: 7.25.13

DOCKET NO. 2013-GS-40-04193

AMENDED

The State of South Carolina

County of

Richland

COURT OF GENERAL SESSIONS

JUNE TERM 2013

92

THE STATE

vs.

Alan Dale Smith

Indictment for
SEXUAL EXPLOITATION OF A MINOR
3RD DEGREE

SC Code: 16-15-0410(C)

CDR Code: 0381

CLASS FEL – F

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.

610

STATE OF SOUTH CAROLINA)
COUNTY OF RICHLAND)

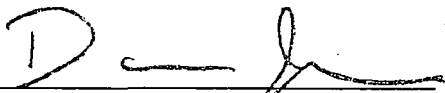
INDICTMENT

At a Court of General Sessions, convened on JUNE 12, 2013, the
Grand Jurors of Richland County present upon their oath:

SEXUAL EXPLOITATION OF A MINOR, 3RD DEGREE

That **Alan Dale Smith** did in Richland County on or about **March 5, 2010**,
possess material that contains visual representation of a minor engaging in
sexual activity while knowing the character or content of such material TO
WIT: **(Hussyfan) (pthc) (r@ygold) (babyshivid) Fucking 8 yr START**
.mpg; in violation of S. C. Code of Laws §16-15-0410.

Against the peace and dignity of the State, and contrary to the
statute in such case made and provided.


DAN JOHNSON, SOLICITOR

612 OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF Richland
STATE

INDICTMENT/CASE#: 2013 -GS- 40 - 4193

VS.
Alan Dale Smith

AW#: DP13161

AKA:

Date of Offense: 3/5/10

Race: White Sex: Male Age:

S.C. Code §: 16-15-0410(A)

DOB: SS#:

CDR Code #: 0381

Address:

City, State, Zip:

DL# * SID#

SENTENCE SHEET

*CDL Yes ☐ No ☐ CMV Yes ☐ No ☐ Hazmat Yes ☐ No ☐

☒ CONVICTED OF or ☐ PLEADS

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

TO: Sexual Exploitation of a Minor-3rd Degree

In violation of § 16-15-0410(A) of the S.C. Code of Laws, bearing CDR Code # 0381

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

(CSC w/minor 1st 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:

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 10 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 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:

*Fine: \$
§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 \$

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:

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

Clerk of Court/Deputy Clerk

Court Reporter: Elizabeth Harris

SCCA/217 (03/2011)

Presiding Judge

Judge Code:

Sentence Date 7/24/13

WITNESSES

(S) B HINSON

- Forest Acres Police Department

ARREST WARRANT NUMBER

DP13162

ACTION OF GRAND JURY

TRUE BILL

Patricia Marshall

Foreperson of Grand Jury

Date:

JUL 19 2013

VERDICT

Guilty

Angela D. Kim 7.25.13

Foreperson of Petit Jury

Date:

DOCKET NO. 2013-GS-40-04194

AMENDED

The State of South Carolina

County of

Richland

COURT OF GENERAL SESSIONS

JUNE TERM 2013

92

THE STATE

vs.

Alan Dale Smith

Amended Indictment for
SEXUAL EXPLOITATION OF A MINOR
3RD DEGREE

SC Code: 16-15-0410(C)

CDR Code: 0381

CLASS FEL - F

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)

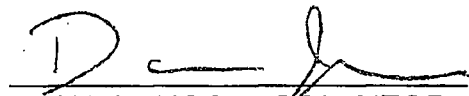
INDICTMENT

At a Court of General Sessions, convened on JUNE 12, 2013, the
Grand Jurors of Richland County present upon their oath:

SEXUAL EXPLOITATION OF A MINOR, 3RD DEGREE

That **Alan Dale Smith** did in Richland County on or about **March 5, 2010**,
possess material that contains visual representation of a minor engaging in
sexual activity while knowing the character or content of such material TO
WIT: **BJAfileOfNow - 7yo Guat chick gets fucked in backseat and
remains silent hussyfan r@ygold pthc 1yo 2yo 3yo 4yo 5yo.mpg**; in
violation of S. C. Code of Laws §16-15-0410.

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

IN THE COURT OF GENERAL SESSIONS

COUNTY OF Richland
STATE

INDICTMENT/CASE#: 2013 -GS- 40 - 4194

VS.

Alan Dale Smith

A/W#: DP13162

AKA:

Date of Offense: 3/5/10

Race: White

Sex: Male

Age:

S.C. Code §: 16-15-0410(A)

DOB:

SS#:

CDR Code #: 0381

Address:

City, State, Zip:

DL# *

SID#

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: Sexual Exploitation of a Minor-3rd Degree

In violation of § 16-15-0410(A) of the S.C. Code of Laws, bearing CDR Code # 0381

☐ NON-VIOLENT ☐ VIOLENT ☐ SERIOUS ☐ MOST SERIOUS ☐ Mandatory GPS ☐ §17-25-45(CSC w/minor 1st 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:

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 10 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 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 ☐Random Drug/Alcohol Testing ☐

Fine may be pd. in equal consecutive weekly/monthly

pmts. of \$ Beginning

\$ Paid to Public Defender Fund

Other:

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

*Fine:

\$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 (SCCA Surcharge)	\$5	\$
3% to County (if paid in installments)	\$	\$
TOTAL		\$

Clerk of Court/Deputy Clerk

Court Reporter: Elizabeth Harris

SCCA/217 (03/2011)

Presiding Judge

Judge Code:

Sentence Date 7/24/13

C. W. Harris
2127
25

WITNESSES

(S) B HINSON

- Forest Acres Police Department

ARREST WARRANT NUMBER

DP13163

ACTION OF GRAND JURY

TRUE BILL

Valencia Morton
Foreperson of Grand Jury

Date:

JUL 19 2013

VERDICT

Guilty

Viggo D. Kuhn
Foreperson of Petit Jury

Date:

7.25.13

DOCKET NO. 2013-GS-40-04195

AMENDED

The State of South Carolina

County of

Richland

COURT OF GENERAL SESSIONS

JUNE TERM 2013

92

THE STATE

vs.

Alan Dale Smith

Amended Indictment for
SEXUAL EXPLOITATION OF A MINOR
3RD DEGREE

SC Code: 16-15-0410(C)

CDR Code: 0381

CLASS FEL - F

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.

616

STATE OF SOUTH CAROLINA)
COUNTY OF RICHLAND)

INDICTMENT

At a Court of General Sessions, convened on JUNE 12, 2013, the
Grand Jurors of Richland County present upon their oath:

SEXUAL EXPLOITATION OF A MINOR, 3RD DEGREE

That **Alan Dale Smith** did in Richland County on or about **March 5, 2010**,
possess material that contains visual representation of a minor engaging in
sexual activity while knowing the character or content of such material TO
WIT: **Best Vicky BJ & Handjob with sound (r@ygold pedo
reelkiddymov underage illegal lolita daughter incest xxx oral
handjob).mpg**; in violation of S. C. Code of Laws §16-15-0410.

Against the peace and dignity of the State, and contrary to the
statute in such case made and provided.


DAN JOHNSON, SOLICITOR

648 OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF Richland
STATE

INDICTMENT/CASE#: 2013 -GS- 40 - 4195

VS.

Alan Dale Smith

AW#: DP13163

AKA:

Date of Offense: 3/5/10

Race: White Sex: Male

Age:

S.C. Code §: 16-15-0410(A)

DOB: SS#:

CDR Code #: 0381

Address:

City, State, Zip:

DL# * SID#

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: Sexual Exploitation of a Minor-3rd Degree

In violation of § 16-15-0410(A) of the S.C. Code of Laws, bearing CDR Code # 0381

☐ NON-VIOLENT ☐ VIOLENT ☐ SERIOUS ☐ MOST SERIOUS ☐ Mandatory GPS ☐ §17-25-45
(CSC w/minor 1st 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:

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 10 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 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:

*Fine:

\$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	\$

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:

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

Clerk of Court/Deputy Clerk *Jeanette McBride*
Court Reporter: Elizabeth Harris
SCCA/217 (03/2011)

Presiding Judge

Judge Code:

Sentence Date 7/24/13

WITNESSES

(S) B HINSON

- Forest Acres Police Department

ARREST WARRANT NUMBER

DP13164

ACTION OF GRAND JURY

TRUE BILL

Valencia Martin

Foreperson of Grand Jury

Date:

JUL 19 2013

VERDICT

Guilty

Ogden D. Kuhn 7.25.13

Foreperson of Petit Jury

Date:

DOCKET NO. 2013-GS-40-04196

AMENDED

The State of South Carolina

County of

Richland

COURT OF GENERAL SESSIONS

JUNE TERM 2013

92

THE STATE

vs.

Alan Dale Smith

Amended Indictment for
SEXUAL EXPLOITATION OF A MINOR
3RD DEGREE

SC Code: 16-15-0410(C)

CDR Code: 0381

CLASS FEL - F

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 JUNE 12, 2013, the
Grand Jurors of Richland County present upon their oath:

SEXUAL EXPLOITATION OF A MINOR, 3RD DEGREE

That **Alan Dale Smith** did in Richland County on or about **March 5, 2010**,
possess material that contains visual representation of a minor engaging in
sexual activity while knowing the character or content of such material TO
WIT: **T-420426338-zooskool- Pthc Hussyfan - Thailand 2003.mpg**; in
violation of S. C. Code of Laws §16-15-0410.

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

IN THE COURT OF GENERAL SESSIONS

COUNTY OF Richland

STATE

VS.

Alan Dale Smith

AKA:

Race: White Sex: Male

Age:

DOB: SS#:

Address:

City, State, Zip:

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: Sexual Exploitation of a Minor-3rd Degree

In violation of § 16-15-0410(A) of the S.C. Code of Laws, bearing CDR Code # 0381

☐ NON-VIOLENT ☐ VIOLENT ☐ SERIOUS ☐ MOST SERIOUS ☐ Mandatory GPS ☐ §17-25-45
(CSC w/minor 1st 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:

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 10 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 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:

*Fine:

§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		\$

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:

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

Presiding Judge

Judge Code:

Sentence Date 7/24/13

Clerk of Court/Deputy Clerk

Court Reporter: Elizabeth Harris

SCCA/217 (03/2011)

WITNESSES

(S) B HINSON

- Forest Acres Police Department

ARREST WARRANT NUMBER

DP13165

ACTION OF GRAND JURY

TRUE BILL

Valencia Martin
Foreperson of Grand Jury
Date:

JUL 19 2013

VERDICT

Guilty

Unger D. Kim 7.25.13
Foreperson of Petit Jury
Date:

DOCKET NO. 2013-GS-40-04197

AMENDED

The State of South Carolina

County of

Richland

COURT OF GENERAL SESSIONS

JUNE TERM 2013

92

THE STATE
vs.

Alan Dale Smith

Amended Indictment for
SEXUAL EXPLOITATION OF A MINOR
3RD DEGREE

SC Code: 16-15-0410(C)
CDR Code: 0381

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.

622

STATE OF SOUTH CAROLINA)
COUNTY OF RICHLAND)

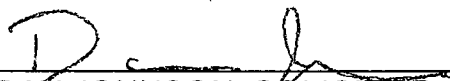
INDICTMENT

At a Court of General Sessions, convened on JUNE 12, 2013, the
Grand Jurors of Richland County present upon their oath:

SEXUAL EXPLOITATION OF A MINOR, 3RD DEGREE

That **Alan Dale Smith** did in Richland County on or about **March 5, 2010**,
possess material that contains visual representation of a minor engaging in
sexual activity while knowing the character or content of such material TO
WIT: 【幼児ロリ】 幼女 3歳 fdsa5- 3yo girl pedo r@ygold hussyfan
lolitaguy lsm.mpg; in violation of S. C. Code of Laws §16-15-0410.

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

STATE

VS.

Alan Dale Smith

AKA:

Race: White Sex: Male

Age:

DOB: SS#:

Address:

City, State, Zip:

DL# * SID#

*CDL Yes ☐ No ☐ CMV Yes ☐ No ☐ Hazmat Yes ☐ No ☐

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In violation of § 16-15-0410(A) of the S.C. Code of Laws, bearing CDR Code # 0381

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ATTEST:

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 10 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.

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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:

*Fine:

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

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:

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

Clerk of Court/Deputy Clerk

Court Reporter: Elizabeth Harris

SCCA/217 (03/2011)

Presiding Judge

Judge Code:

Sentence Date 7/24/13

WITNESSES

(S) B HINSON

- Forest Acres Police Department

ARREST WARRANT NUMBER

DP13166

ACTION OF GRAND JURY

TRUE BILL

Valencia Martin

Foreperson of Grand Jury

Date: **JUL 19 2013**

VERDICT

Guilty

D. K. 7.25.13

Foreperson of Petit Jury

Date:

DOCKET NO. 2013-GS-40-04198

AMENDED

The State of South Carolina

County of

Richland

COURT OF GENERAL SESSIONS

JUNE TERM 2013

92

**THE STATE
vs.**

Alan Dale Smith

**Amended Indictment for
SEXUAL EXPLOITATION OF A MINOR
3RD DEGREE**

SC Code: **16-15-0410(C)**

CDR Code: **0381**

CLASS FEL- F

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 JUNE 12, 2013, the
Grand Jurors of Richland County present upon their oath:

SEXUAL EXPLOITATION OF A MINOR, 3RD DEGREE

That **Alan Dale Smith** did in Richland County on or about **March 5, 2010**,
possess material that contains visual representation of a minor engaging in
sexual activity while knowing the character or content of such material TO
WIT: **Child - uuuuuuuuuuuu (Porno-Lolitas-Preteens-Reelkiddymov-
R@ygold-Hussyfans-Underage-Girls-Children-Pedofilia-Pthc-Ptsc-
Xxx-Sexy).mpg**; in violation of S. C. Code of Laws §16-15-0410.

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

IN THE COURT OF GENERAL SESSIONS

COUNTY OF Richland

STATE

VS.

Alan Dale Smith

AKA:

Race: White Sex: Male

Age:

DOB: SS#:

Address:

City, State, Zip:

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: Sexual Exploitation of a Minor-3rd Degree

In violation of § 16-15-0410(A) of the S.C. Code of Laws, bearing CDR Code # 0381

☐ NON-VIOLENT ☐ VIOLENT ☐ SERIOUS ☐ MOST SERIOUS ☐ Mandatory GPS ☐ §17-25-45(CSC w/minor 1st 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:

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 10 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

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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:

*Fine:

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

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

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

\$56-5-2995 (DUI Assessment)

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

Proviso 47.9 (Public Def/Prob)

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

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

\$50-21-114 (BUI Breath Test Fee)

\$56-5-2942(J) (Vehicle Assessment)

Proviso 90.5 (SCCJA Surcharge)

3% to County (if paid in installments)

TOTAL

Clerk of Court/Deputy Clerk

Court Reporter: Elizabeth Harris

SCCA/217 (03/2011)

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:

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

Presiding Judge

Judge Code:

Sentence Date 7/24/13

WITNESSES

(S) B HINSON

- Forest Acres Police Department

ARREST WARRANT NUMBER

DP13167

ACTION OF GRAND JURY

TRUE BILL

Foreperson of Grand Jury

Date:

JUL 19 2013

VERDICT

Guilty

Foreperson of Petit Jury

Date:

DOCKET NO. 2013-GS-40-04199

AMENDED

The State of South Carolina

County of

Richland

COURT OF GENERAL SESSIONS

JUNE TERM 2013

92

THE STATE
vs.

Alan Dale Smith

Amended Indictment for
SEXUAL EXPLOITATION OF A MINOR
3RD DEGREE

SC Code: 16-15-0410(C)

CDR Code: 0381

CLASS FEL - F

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.

628

STATE OF SOUTH CAROLINA)
COUNTY OF RICHLAND)

INDICTMENT

At a Court of General Sessions, convened on JUNE 12, 2013, the
Grand Jurors of Richland County present upon their oath:

SEXUAL EXPLOITATION OF A MINOR, 3RD DEGREE

That **Alan Dale Smith** did in Richland County on or about **March 5, 2010**,
possess material that contains visual representation of a minor engaging in
sexual activity while knowing the character or content of such material TO
WIT: **T-108025860-(Pthc) Sally Cums - Medley Of Scenes (4yo to 8yo**
Pedo Like a Monkey) (LogicalReality.com).mpg; in violation of S. C.
Code of Laws §16-15-0410.

Against the peace and dignity of the State, and contrary to the
statute in such case made and provided.


DAN JOHNSON, SOLICITOR

630 OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF Richland
STATE

INDICTMENT/CASE#: 2013 -GS- 40 - 4199

VS.
Alan Dale Smith

AW#: DP13167
Date of Offense: 3/5/10
S.C. Code §: 16-15-0410(A)
CDR Code #: 0381

AKA:
Race: White Sex: Male Age:
DOB: SS#:
Address:
City, State, Zip:
DL# * SID#
*CDL Yes ☐ No ☐ CMV Yes ☐ No ☐ Hazmat Yes ☐ No ☐

SENTENCE SHEET

In disposition of the said indictment comes now the Defendant who was
TO: Sexual Exploitation of a Minor-3rd Degree

☒ CONVICTED OF or ☐ PLEADS

In violation of § 16-15-0410(A) of the S.C. Code of Laws, bearing CDR Code # 0381

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

(CSC w/minor 1st 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:

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 10 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
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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:

*Fine: \$
\$14-1-206 (Assessments 107.5%) \$
\$14-1-211 (A)(1)(Conv. Surcharge) \$100 \$
\$14-1-211 (A)(2)(DUI Surcharge) \$100 \$
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\$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 \$

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:

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

Clerk of Court/Deputy Clerk Jeanette McBride
Court Reporter: Elizabeth Harris
SCCA/217 (03/2011)

Presiding Judge

Judge Code:

Sentence Date 7/24/13

[Signature]
2129

WITNESSES

(S) B HINSON

- Forest Acres Police Department

ARREST WARRANT NUMBER

DP13168

ACTION OF GRAND JURY

TRUE BILL

Valencia Martin
Foreperson of Grand Jury
Date: JUL 19 2013

VERDICT

Guilty

Wynne D. Kue 7.25.13
Foreperson of Petit Jury
Date:

DOCKET NO. 2013-GS-40-04200

AMENDED

The State of South Carolina

County of

Richland

COURT OF GENERAL SESSIONS

JUNE TERM 2013

92

THE STATE
vs.

Alan Dale Smith

Amended Indictment for
SEXUAL EXPLOITATION OF A MINOR
3RD DEGREE

SC Code: 16-15-0410(C)
CDR Code: 0381
CLASS FEL - F

After being fully advised as to my
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Defendant

I
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Defendant

Witness:

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

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COUNTY OF RICHLAND)

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possess material that contains visual representation of a minor engaging in
sexual activity while knowing the character or content of such material TO
WIT: **Kids Box - (Asian Lolita) 0708 - Cambodian Girl (11Yo) Fucks
10Yo Girl and Man (Excellent,Pthc).mpg**; in violation of S. C. Code of
Laws §16-15-0410.

Against the peace and dignity of the State, and contrary to the
statute in such case made and provided.


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STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF Richland

STATE

VS.

Alan Dale Smith

AKA:

Race: White Sex: Male

Age:

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Address:

City, State, Zip:

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*CDL Yes ☐ No ☐ CMV Yes ☐ No ☐ Hazmat Yes ☐ No ☐

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SC Bar #

Defendant

Attorney for Defendant

SC Bar #

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Recipient:

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§56-5-2942(J) (Vehicle Assessment)	\$40/ea	\$
Proviso 90.5 (SCCJA Surcharge)	\$5	\$
3% to County (if paid in installments)	\$	\$
TOTAL		\$

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:

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

Presiding Judge

Judge Code:

Sentence Date

C. New
2127
7/24/13
35

Clerk of Court/Deputy Clerk

Court Reporter: Elizabeth Harris

SCCA/217-(03/2011)

WITNESSES

(S) B HINSON

- Forest Acres Police Department

ARREST WARRANT NUMBER

DP13169

ACTION OF GRAND JURY

TRUE BILL

Valencia Martin
Foreperson of Grand Jury

Date:

JUL 19 2013

VERDICT

Guilty

Opie D Kim
Foreperson of Petit Jury

Date:

7.25.13

DOCKET NO. 2013-GS-40-04201

AMENDED

The State of South Carolina

County of

Richland

COURT OF GENERAL SESSIONS

JUNE TERM 2013

92

THE STATE

vs.

Alan Dale Smith

Amended Indictment for
SEXUAL EXPLOITATION OF A MINOR
3RD DEGREE

SC Code: 16-15-0410(C)

CDR Code: 0381

CLASS FEL-F

After being fully advised as to my
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C.C.C. PLS. AND G.S.

634

STATE OF SOUTH CAROLINA)
COUNTY OF RICHLAND)

INDICTMENT

At a Court of General Sessions, convened on JUNE 12, 2013, the
Grand Jurors of Richland County present upon their oath:

SEXUAL EXPLOITATION OF A MINOR, 3RD DEGREE

That **Alan Dale Smith** did in Richland County on or about **March 5, 2010**,
possess material that contains visual representation of a minor engaging in
sexual activity while knowing the character or content of such material TO
WIT: **Best Vicky BJ & Handjob with sound (r@ygold pedo
reelkiddymov underage illegal lolita daughter incest xxx oral
handjob).mpg**; in violation of S. C. Code of Laws §16-15-0410.

Against the peace and dignity of the State, and contrary to the
statute in such case made and provided.


DAN JOHNSON, SOLICITOR

636
STATE OF SOUTH CAROLINACOUNTY OF Richland
STATE

VS.

Alan Dale Smith

AKA:

Race: White Sex: Male

Age:

DOB: SS#:

Address:

City, State, Zip:

DL# * SID#

*CDL Yes ☐ No ☐ CMV Yes ☐ No ☐ Hazmat Yes ☐ No ☐

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

TO: Sexual Exploitation of a Minor-3rd Degree

In violation of § 16-15-0410(A)

of the S.C. Code of Laws, bearing CDR Code # 0381

☐ NON-VIOLENT ☐ VIOLENT ☐ SERIOUS ☐ MOST SERIOUS ☐ Mandatory GPS ☐ §17-25-45(CSC w/minor 1st 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:

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 10 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 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:

*Fine: \$

\$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 \$

Clerk of Court/Deputy Clerk

Court Reporter: Elizabeth Harris

SCCA/217 (03/2011)

IN THE COURT OF GENERAL SESSIONS

INDICTMENT/CASE#: 2013 -GS- 40 - 4201

AW#: DP13169

Date of Offense: 3/5/10

S.C. Code §: 16-15-0410(A)

CDR Code #: 0381

SENTENCE SHEET

☒ CONVICTED OF or ☐ PLEADS☐ NON-VIOLENT ☐ VIOLENT ☐ SERIOUS ☐ MOST SERIOUS ☐ Mandatory GPS ☐ §17-25-45(CSC w/minor 1st 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.

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3% to County (if paid in installments) \$ \$

TOTAL \$

Clerk of Court/Deputy Clerk

Court Reporter: Elizabeth Harris

SCCA/217 (03/2011)

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

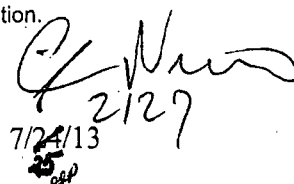
Other:

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

Presiding Judge

Judge Code:

Sentence Date 7/24/13



CERTIFICATE OF COUNSEL FOR APPELLANT

Counsel for appellant certifies that this 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."

July 1st, 2015


Kathrine H. Hudgins
Appellate Defender

South Carolina Commission on Indigent Defense
Division of Appellate Defense
PO Box 11589
Columbia, S. C. 29211-1589
(803) 734-1330

ATTORNEY FOR APPELLANT

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JUL 01 2015
SC Court of Appeals

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

Appeal from Richland County

Clifton Newman, Circuit Court Judge

 ORIGINAL
RECEIVED

JUL 01 2015

SC Court of Appeals

THE STATE,

RESPONDENT,

V.

ALAN DALE SMITH,

APPELLANT

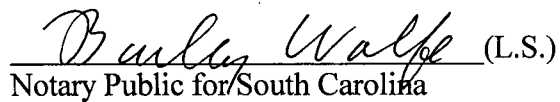
APPELLATE CASE NO. 2013-002524

CERTIFICATE OF SERVICE

I certify that a true copy of the Record on Appeal in the above referenced case has been served upon William M. Blich Jr., Esquire, at Rembert Dennis Building, 1000 Assembly Street, Room 519, Columbia, SC 29201 this 1st day of July, 2015.


Cruise Mitchell
Administrative Specialist

SUBSCRIBED AND SWORN TO before me
this 1st day of July, 2015.

 (L.S.)
Notary Public for South Carolina

My Commission Expires: October 24, 2021.