

STATE OF SOUTH CAROLINA

RECEIVED

IN THE COURT OF GENERAL SESSIONS

COUNTY OF Newberry
STATE VS.

APR 20 2016

INDICTMENT/CASE#: 15GS36-0133

Theia Darion Mcardle

A/W#: 2014A3620200467

AKA:

Date of Offense: 12/30/2014

Race: CAUCASIAN Sex: F Age: 22

S.C. Code §: 16-03-0085

DOB: SS#:

CDR Code #: 2356

Address:

City, State, Zip: Enoree, SC 29335

DL#: SID#:

SENTENCE SHEET

20 years - life

\*CDL Yes No CMV Yes No Hazmat Yes No

In disposition of the said indictment comes now the Defendant who was TO: Murder / Homicide by child abuse (20Y to Life)

CONVICTED OF or PLEADS

in violation of § 16-03-0085 of the S.C. Code of Laws, bearing CDR Code # 2356

NON-VIOLENT VIOLENT SERIOUS MOST SERIOUS Mandatory GPS(CSC) §17-25-45 w/minor 1st or Lewd Act

The charge is: As Indicted, Lesser Included Offense, Defendant Waives Presentment to Grand Jury.

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

ATTEST: Stumbo, David M. SC Bar# 72105 Defendant; Attorney for Defendant; SC Bar# 10033

WHEREFORE, the Defendant is committed to the State Department of Corrections, County Detention Center, for a determinate term of 30 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. Since 12-30-2014 The Defendant is to be placed on the Central Registry of Child Abuse and Neglect pursuant to S.C. Code §17-25-135.

Pursuant to 18 U.S.C Section 922, it is unlawful for a person convicted of a violation of Section 16-25-20 or 16-25-65 (Criminal Domestic Violence) to ship, transport, possess, or receive a firearm or ammunition.

SPECIAL CONDITIONS:

RESTITUTION: Deferred Def. Waives Hearing Ordered Total: \$ plus 20% fee: \$ Payment Terms: Set by SCDPPPS

PTUP days/hours Public Service Employment Obtain GED

Recipient:

Attend Voc. Rehab. or Job Corp. May serve W/E beginning Substance Abuse Counseling

Table with 3 columns: Description, Amount, Total. Includes items like § 14-1-206 (Assessments 107.5%), § 14-1-211(A)(1) (Conv. Surcharge) \$100, § 14-1-211(A)(2) (DUI Surcharge) \$100, § 56-5-2995 (DUI Assessment) \$12, § 56-1-286 (DUI Breath Test) \$25, Proviso 47.9 (Public Def/Prob) \$500, § 14-1-212 (Law Enforce. Funding) \$25, § 14-1-213 (Drug Court Surcharge) \$150, § 50-21-114 (BUI Breath Test Fee) \$50, § 56-5-2942(J) (Vehicle Assessment) \$40/ea, Proviso 90.5 (SCCA Surcharge) \$5, 3% to County (if paid in installments) \$, TOTAL \$133.

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

SCANNED

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

Clerk of Court/ Deputy Clerk: Elizabeth O. Webb; Court Reporter: Tara Scott

Presiding Judge: Judge Code: 2157; Sentence Date: April 7, 2016; April 8, 2016

**WITNESSES**

Roy McClurkin  
Newberry Police Department

**WARRANT NUMBER**

2014A3620200467

**TRUE BILL**

*Phyllis Sanders*  
Foreman of the Grand Jury

Date: 4-2-15

**VERDICT**

*Guilty*  
*Keef P. Ring*  
Foreman 4-8-16

**THE STATE OF SOUTH CAROLINA**

COUNTY OF NEWBERRY

**COURT OF GENERAL SESSIONS**

April Term, 2015  
Indictment # 15GS36- 0133

**THE STATE**

vs.

Theia Darion Mcardle

**INDICTMENT FOR**

Homicide by Child Abuse  
§16-03-0085

CDR: 2356

**THE STATE OF SOUTH CAROLINA**

COUNTY OF NEWBERRY

**INDICTMENT FOR**

**Homicide by Child Abuse**

**§16-03-0085**

At a Court of General Sessions, convened on the 2nd day of April, 2015, the Grand Jurors of Newberry County present upon their oath:

That Theia Darion Mcardle did, on or about December 29, 2014 to December 30, 2014, in Newberry County, willfully and unlawfully cause the death of a child under the age of eleven (11) years, to wit: one Gabriel McArdle (DOB: 12-30-2011), while committing child abuse or neglect as defined in Section 16-3-85(B) of the South Carolina Code of Laws, 1976, as amended, and the death occurred under circumstance manifesting an extreme indifference to human life, in violation of Section 16-3-85(A)(1) of the South Carolina Code of Laws, 1976, as amended.

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



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Assistant Solicitor