

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Richland County

Robert E. Hood, Circuit Court Judge

RECEIVED

MAY 31 2016

SC Court of Appeals

RANDOLPH ASHFORD

PETITIONER,

v.

STATE OF SOUTH CAROLINA

RESPONDENT,

APPELLATE CASE NO. 2015-001268

MEMORANDUM IN SUPPORT

Randolph Ashford

D.R.C.I. MLT- 2035

4460 Broad River Rd.

Columbia, South Carolina

29210

Pro-se Petitioner,

INDEX _____ 1.

ISSUE PRESENTED _____ 2.

STATEMENT OF FACTS _____ 3-5.

ARGUMENTS _____ 6-7.

CONCLUSION _____ 8-9.

ISSUES PRESENTED

- (1) Did the lower Court error in not having before it a valid indictment for the offense of burglary, Pursuant to SC Code Ann § 17-2B-30(A)(15) Section 16-11-311,
- (2) Did the lower Court error in its allege order of dismissal being filed in the Court of Common pleas, and contends that the green jacket was not made an exhibit.

STATEMENT OF FACTS

On April 18, 2007, the Richland County Grand Jury allegedly indicted Pro-se petitioner for 1st degree burglary, Kidnapping 20-07-65-40-1939, two (2) Counts of (AWIK) Assault with intent to Kill, and 1st degree Criminal Sexual Conduct, See April 3, 2009 Transcript of Record, TR. P. 21-26, 1-25,

On May 23, 2007, Petitioner was allegedly indicted of Kidnapping, 2007-65-40-02003, and three (3) Counts of Carjacking all of February 24, 2007.

On March 30, 2009 Petitioner's case proceeded to a Jury trial before the Honorable G. Thomas Cooper, JR, App. 1. Deon O'Neil and Nicole Singletary represented petitioner, Kathryn Luck Campbell and Will Bryant represented the State App. 1.

According to the State, On February 24, 2007, Petitioner Committed all the above offenses in Columbia, and Richland County in South Carolina, in which led him to the home of Deborah ANN Stearns Simmons, Petitioner testified that on February 24, 2007 his crushed forearm started bothering him (Pain), and he took (2) two pain killers medication, App. 792, 6-25, App. 793, 1-25, prior to this incident petitioner of February 24, 2007, Petitioner injured his arm in 2006, App. 780, 1-25, App. 781, 1-7, App. 784, 1-25, App. 785, 1-9, App. 855, 1-25, App. 856, 1-8, Simmons testified that Petitioner Called her house all night from 12.00 AM. until 4:00AM, and that was found to be false by phone records, App. 365, 7-25, App. 366, 1-25, App. 367, 1-10,

Simmons claimed that Petitioner forced his way into her home and held her grandchildren hostage at gunpoint, Petitioner testified he did not hold anybody against their will, App. 795, 2-25, App. 796, 1-25, App. 797, 1-4, Simmons stated Petitioner barricaded the front door with furniture, Petitioner testified that (she) who shut the door, and started pushing the chair toward the door, and

asked him to help her App. 797, 5-25, through App. 798-1-25, Simmons also asserted that petitioner sexually assaulted her while holding her against her will, then testified that petitioner never insert his personal parts (penis) inside of her. App. 370, 18-20-23, Petitioner testified that no sex occurred between them. App. 816, 21-25 App. 817, 1.

While Richland County officer testified that they heard a shot and a wiz of a bullet. App. 446, 20-25, unlike Page-3 of Petition for writ of certiorari by Tiffany L. Butler; David Unger, of Richland County Officer testified that he could not tell where the gunshot had been fired from. App. 447, 1-6.

According to Investigator Patricia Reed Enzor the Crime Scene was not processed the night of the incident, App. 618, 10-23, and by putting a deputy on the scene, so it was secured until the next morning, App. 626, 1-25, and that was found to be untrue as investigator Enzor had allowed the crime scene to be contaminated by the brother of the allege victim Simmons. App. 634, 23-25, App. 635, 1-2. There was witnesses who testified that petitioner was wearing a "green jacket" on the day of the incident. App. 196, 9-11 App. 203 1-4, and Deborah Ann Simmons; testified that petitioner was wearing a brown leather jacket/coat App. 362, 11-13 even the Petitioner testified that he was wearing a brown leather jacket. App. 791, 21-25, Petitioner testified that, he was in shock at the actions Simmons had taken upon him. App. 805, 9-25, Petitioner was found not guilty of the 1st degree Criminal Sexual Conduct. Trial Transcript of Record April 3, 2009 TR. P. 16, 5-10.

Petitioner, Not guilty, guilty, and Sentencing Phrase of the trial of March 30, 2009, through April 3, 2009, are very clear in record of the trial transcript, and not of the Johnson Petition for writ of certiorari or Appendix Volume III of III.

However Petitioner appeal his Conviction and Sentence, A brief was filed, Anders v. California 386, u.s. 738 (1967) by Deputy Chief Appellate Defender, Wanda H. Carter. The South Carolina Court of

Appeal dismissed petitioner's appeal by order dated January 25, 2012. See State v. Ashford 2012-up-035 CSC ct. App Filed January 25, 2012. The remittitur was issued February 15, 2012.

On April 23, 2013, Petitioner filed an application for post conviction forensic DNA Testing, Respondent filed its response on or about July 18, 2013, requesting the application be denied. App. 961 through 964, 1-25. An evidentiary hearing was held on January 5, 2015, before the Honorable Robert E. Hood.

Counsel David E. Belding, explained to the Court that his Client, Randolph Ashford, requested the green Jacket, States Exhibits #102, located at the Contaminated Crime Scene of the allege burglary, App. 634, 23-25 through 635, 1-2 be tested. App. 965 through 987, 1-25,

On January 5, 2015, Judge Hood, issued a signed order of dismissal of a general Sessions proceeding in the Court of Common Pleas App. 989 in fact on the 29th of April 2015, the Honorable Judges Rucker and Armstrong, held family Court,

Counsel for petitioner, inform the Court via letter dated January 23, 2015, that the green Jacket was not available for testing, App. 989,

However petitioner, was suffering from a prior injury of a crushed forearm from 2006, App. 855, 1-14, and Mental health issues, App. 855, 17-25 through 856, 1-8,

Investigator Eric Barnes, States witness testified that petitioner had kept saying that he was acting out of his right mind App. 683, 18-19, App. 707, 1-25, through App. 708, 1-25, App. 721, 8-13.

ARGUMENT

The lower Court erred in not having before it a valid indictment for the offense of burglary, Pursuant to SC Code Ann § 17-28-30 (A)(15) Section 16-11-311.

Pursuant to S.C. Code ANN § 17-28-30 (A)(5) of the Access to Justice, post Conviction DNA TESTING ACT. A person who Plea not guilty of the offense of (burglary) in the 1st degree and is found guilty and Sentence to ten (10) years or more, must be legally indicted for the offense.

In this case petitioner proceeded to a hearing pursuant to S.C. Code ANN § 17-28-90 (A)(B)(1-7) of the DNA Testing Act under the false pretents of a legal and valid True-bill indictment for burglary 2007-65-40-2048.

Petitioner will show unto the Court that the South Carolina Rules of Court Rule - 3 (c) the Solicitor shall take action on the warrant by (1) preparing an indictment for presentment to the grand Jury, which indictment shall be filed with the Clerk of Court.

Petitioner, contends pursuant to South Carolina Battle Grounds of Freedom, Code of Laws, of South Carolina 1976, Criminal procedures Title 17-19-10, No person shall be held to answer in any Court for an alleged crime or offense, unless upon indictment by a grand Jury, the burglary 1st degree, under S.C. Code ANN § 17-28-30 (A)(15) invalid and are not, is not, have not, been filed original or Amended and Violates the petitioners Constitutional Rights of the United States Const. Amend V. and XIV, Section 1 and S.C. Const. Art. 1 § 3 and 11, and a Circuit Court Judge retains no authority on his/her own to conduct and oversee proceedings outside the bounds of a lawful and legal indictment.

However no local rule of Court, administrative order, policy or other procedure can take precedent over statutory law, S.C. Const. Art 1 § 4.

ARGUMENT

The lower Court erred in it allege order of dismissal being filed in the Court of Common Pleas and contends that the green Jacket was not made an exhibit,

The Honorable Judge Hood, order of dismissal is patiently incorrectly filed in the Court of Common pleas, the Court is made up of the Court of Common pleas, which hears civil actions and the Court of general sessions which hears Criminal cases, Dove V. Gold Kist INC. (SC 1994) and SC Const. Art § 1, S.C. Code Ann § 17-28-10-360 Access to Justice Post Conviction DNA Testing ACT is in fact a general sessions proceeding.

However the Honorable Judge, assignment appears not to have been to the Court of Common pleas on April 29, 2015 nor Family Court. the order of dismissal by affidavit of James D. TRUITT, Claim that the green Jacket was not made an exhibit is patiently incorrect, App. 240, 21-22 App. 362, 9-10 in fact the Solicitor Luck Campbell introduced the evidence to be made exhibit of States # 102,

The Honorable Judge, failed to issue its order of the Statutory provisions of SC Code Ann § 17-28-70 (E) to protect the petitioners rights, and up hold the laws of this states as required, Pursuant to S.C. Rules of Court, Rule - 501 Code of Judicial Conduct Canon-2(A).

Judge Hood, a circuit Court Judge retains no authority on his/her own standing to conduct this proceeding or others, and disregard the laws of this state and/or the statutory provisions of Access to Justice Post-Conviction DNA Testing Act of S.C. Code Ann 17-28-10 through 17-28-360.

CONCLUSION

Based on the following argument Pro-se Petitioner Randolph Ashford, respectfully request this Court to grant his petition for a new trial and/or hearing.

Respectfully Submitted,

Randolph Ashford
Randolph Ashford #256638

Pro-se Petitioner

This 27th day of May 2016.

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal From Richland County

Robert E. Hood, Circuit Court Judge

Randolph Ashford

Petitioner,

v.

The State of South Carolina

Respondent,

Appellate Case NO. 2015-001268

DESIGNATION OF MATTER TO BE
INCLUDED IN RECORD ON APPEAL

Petitioner proposes the following be included in the record on appeal,

- (1) Affidavit of James D. Truitt
- (2) All True-billed indictment(s)
- (3) South Carolina Rules of Court Rule-3.(1) Disposition of Arrest Warrants
- (4) Terms of Circuit and Family Court, April 2015
- (5) Entire Transcript dated April 3, 2009
- (6) Entire Transcript dated March 30, 2009
- (7) Entire Transcript dated September, 24, 25, 26, 2008
- (8) Sentence Sheets, 07-2000-03, 07-1938-414 2048

I certify that this designation contains no matter is irrelevant to this appeal.

Randolph Ashford

Randolph Ashford #256638

May

27^o

2016.

STATE OF SOUTH CAROLINA)
)
COUNTY OF RICHLAND)

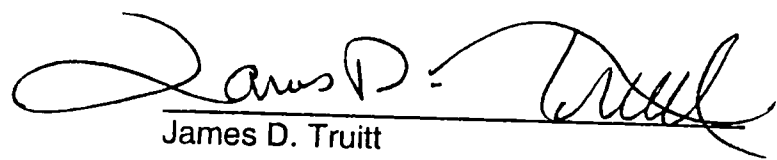
AFFIDAVIT OF JAMES D. TRUITT

Personally appeared before me JAMES D. TRUITT who, being first duly sworn, deposes and says:

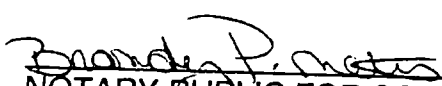
"I, James D. Truitt, am the Court Administrator for the Richland County Clerk of Court. I have held this position for sixteen (16) years. One of my duties is to securely maintain the physical evidence introduced in all criminal trials held by the Fifth Judicial Circuit Court of General Sessions in Richland County.

On January 6, 2015, I received a request from Defendant's counsel, David Belding, asking whether I still had possession of State's Exhibit #102 in the trial of *State vs. Randolph Ashford* (Indictment Nos.: 2007-GS-40-02000/02048). I have looked through the entire box of physical evidence from this trial and the "green jacket" Mr. Belding requested is not in the box. I am attaching a copy of the *Receipt for Exhibits* prepared at the trial which indicates that State Exhibit #102 was not a jacket but a photograph. I have looked at Exhibit #102 and it is a photograph of a green jacket from the crime scene. Therefore, this office does not have the jacket requested for DNA testing."

Further Affiant sayeth not.


James D. Truitt

SWORN TO AND SUBSCRIBED
before me this 7 day of January 2015.

 (L.S.)
NOTARY PUBLIC FOR SOUTH CAROLINA
My Commission Expires: 12/20/2017

RULE 3
DISPOSITION OF ARREST WARRANTS

(a) Transmittal to Clerk. Magistrates, municipal judges, and other officials authorized to issue warrants shall, in all cases within the jurisdiction of the Court of General Sessions, forward to the Clerk of the Court of General Sessions all documents pertaining to the case including, but not limited to, the arrest warrant and bond, within fifteen (15) days from the date of arrest in the case of an arrest warrant and date of issuance in the case of other documents. Transmittal shall be pursuant to procedures now or hereafter promulgated by the Office of South Carolina Court Administration.

(b) Transmittal to Solicitor. The Clerk of the Court of General Sessions shall forward a copy of any arrest warrant received pursuant to paragraph (a) above to the solicitor within two (2) business days from date of receipt from the issuing official.

(c) Action on Warrant. Within ninety (90) days after receipt of an arrest warrant from the Clerk of Court, the solicitor shall take action on the warrant by (1) preparing an indictment for presentment to the grand jury, which indictment shall be filed with the Clerk of Court, assigned a criminal case number, and presented to the Grand Jury; (2) formally dismissing the warrant, noting on the face of the warrant the action taken; or (3) making other affirmative disposition in writing and filing such action with the Clerk of Court.

(d) Extensions of Time. The solicitor may petition the circuit court for an order delaying action on the warrant, as set forth above, for successive ninety (90) day periods if the circuit court specifically finds good cause for such delay for each successive ninety day period.

(e) Record of Proceedings. Any action taken pursuant to paragraphs (a), (b), and (c) above shall be entered in the records of the Clerk of Court pursuant to procedures now or hereafter promulgated by the Office of South Carolina Court Administration.

Note:

Rule 3 is the language of Criminal Practice Rule 6.

**Terms of Circuit and Family Court
April 2015**

Circuit Number	4/6/2015	4/13/2015	4/20/2015	4/27/2015
5	<p>General Sessions Richland James, George</p> <p><u>NO CR NEEDED</u></p> <p>General Sessions Richland Cooper, G. Thomas</p> <p><u>NO CR NEEDED 6</u> <u>LEBLANC 7 am, 8, 9, 10 am</u></p> <p>General Sessions Non-Jury Hood, Robert</p> <p><u>AMBROZIAK</u></p> <p>Common Pleas Non-Jury Lee, Alison</p> <p><u>JACKSON 6</u> <u>HOLMES 7</u> <u>NO CR NEEDED 8</u> <u>HOLMES 9, 10</u></p> <p>Common Pleas/Common Pleas Nonjury Richland Manning, L.</p> <p><u>KELLY 6 am, 7 am</u> <u>NO CR NEEDED 8, 9, 10</u></p> <p>Common Pleas/Common Pleas Nonjury Richland Gee, Tanya</p> <p><u>NEVERS 6 am</u> <u>JOHNSON 7</u> <u>NO CR NEEDED 8</u> <u>MCCURDY 9</u> <u>NO CR NEEDED 10</u></p> <p>Capital Post Conviction Relief 10 Cothran, R.</p> <p><u>JOHNSON 10</u></p>	<p>Common Pleas/Common Pleas Nonjury Richland Barber, James</p> <p><u>HOLMES 13, 14, 15, 16 am</u> <u>NO CR NEEDED 17</u></p> <p>General Sessions Kershaw Benjamin, DeAndrea</p> <p><u>MCCURDY 13, 14</u> <u>NO CR NEEDED 15</u> <u>MCCURDY 16, 17</u></p> <p>General Sessions Richland Hood, Robert</p> <p><u>NEVERS 13</u> <u>KELLY 14, 15, 16</u> <u>HOLMES 17</u></p> <p>General Sessions Richland Lee, Alison</p> <p><u>HARRIS 13 am</u> <u>NO CR NEEDED 14</u> <u>HARRIS 15 pm, 16 pm</u> <u>HARRIS 17</u></p> <p>Administrative Week Manning, L.</p> <p>Common Pleas Non-Jury 14, 15, 16, 17 Gee, Tanya</p> <p><u>NEVERS 14, 15, 16, 17</u></p>	<p>Common Pleas/Common Pleas Nonjury Richland Goodstein, Diane</p> <p><u>NO CR NEEDED 20</u> <u>KELLY 21, 22</u> <u>NO CR NEEDED 23, 24</u></p> <p>General Sessions Richland Barber, James</p> <p><u>REED 20, 21, 22</u> <u>NO CR NEEDED 23, 24</u></p> <p>Common Pleas Non-Jury 20, 21, 22 Benjamin, DeAndrea</p> <p><u>MCCURDY</u></p> <p>General Sessions Kershaw Hood, Robert</p> <p><u>NEVERS 20 am, 21, 22 am</u> <u>NEVERS 23, 24</u></p> <p>General Sessions Richland Lee, Alison</p> <p><u>HARRIS</u></p> <p>Common Pleas/Common Pleas Nonjury Richland Manning, L.</p> <p><u>HOLMES 20 am</u> <u>NO CR NEEDED 21, 22, 23, 24</u></p> <p>General Sessions 22 Richland Hood, Robert</p> <p><u>NEVERS 22</u></p> <p>Common Pleas Non-Jury 23, 24 Benjamin, DeAndrea Gravely, Perry Sitting With</p> <p><u>MCCURDY 23, 24</u></p>	<p>Common Pleas Non-Jury 28 Newman, Clifton</p> <p><u>HOLMES 28</u></p> <p>General Sessions Non-Jury 30 Hood, Robert</p> <p><u>NO CR NEEDED 30</u></p>

WITNESSES

(S) Thomas Croxton - RCSD

Eric Barnes RCSD

DOCKET NO. 2007-GS-40-2048

The State of South Carolina
County of Richland

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

Defendant

COURT OF GENERAL SESSIONS

APRIL TERM 2007

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

42

ARREST WARRANT NUMBER

J556198

Defendant

Witness:

ACTION OF GRAND JURY

THE STATE
vs.

Randolph
RANDALL ASHFORD

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

TRUE BILL

[Signature]
person of Grand Jury

APR 19 2007

VERDICT

9:

person of Petit Jury

3:

Indictment for
BURGLARY/(AFTER 6/20/85)
1ST DEGREE

SC Code: 16-11-311
CDR Code: 079
Class FEL-EXM(V)

STATE OF SOUTH CAROLINA)
C.C.C.)
RICHLAND COUNTY)
OF ORIGINAL FILED)
COURT)
GENTLE COPY)
RICHLAND)
COUNTY)

INDICTMENT

At a Court of General Sessions, convened on April 18, 2007, the Grand Jurors of Richland County present upon their oath:

BURGLARY(AFTER 6/20/85) - 1ST DEG

That ^{Randall} RANDALL ASHFORD did in Richland County on or about February 24, 2007, willfully and unlawfully enter the dwelling of Debbie Anne Simmons, without consent and with the intent to commit a crime therein and the defendant entered during the hours of darkness and/or was armed with a deadly weapon while therein and/or caused physical injury to the victim, Debbie Anne Simmons, and/or used or threatened to use a dangerous instrument and/or displayed what was or appeared to be a handgun, all in violation of Code Section §16-11-311, Code of Laws of South Carolina (1976, as amended).

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

Warren B. Giese
WARREN B. GIESE, SOLICITOR

WITNESSES

(s) Thomas Croxton - RCSD

DOCKET NO. 2007-GS-40-2048
AMENDED
The State of South Carolina
County of Richland

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

Defendant

COURT OF GENERAL SESSIONS

APRIL TERM 2007

42

ARREST WARRANT NUMBER

J556198

ACTION OF GRAND JURY

TRUE BILL

TRUE BILL

person of Grand Jury

AUG 15 2008

VERDICT

Guilty

[Signature] 4/3/09

person of Petit Jury

Indictment for
BURGLARY/(AFTER 6/20/85)
1ST DEGREE

SC Code: 16-11-311
CDR Code: 079
Class FEL-EXM(V)

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.

CERTIFIED TRUE COPY
OF ORIGINAL FILED
April 15, 2008
C.C.C. P.G.S.
RICHLAND COUNTY
SOUTH CAROLINA

STATE OF SOUTH CAROLINA

COUNTY OF Richland
STATE

VS. Randolph Ashford

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

IN THE COURT OF GENERAL SESSIONS

INDICTMENT/CASE#: 2007 -GS- 40 - 2000

AW#: K195896
Date of Offense: 2-24-07
S.C. Code §: 16-3-1075(B)(1)
CDR Code #: 2599

SENTENCE SHEET

In disposition of the paid indictment comes now the Defendant who was CONVICTED OF or PLEADS TO: Carjacking

in violation of § 16-3-1075(B)(1) of the S.C. Code of Laws, bearing CDR Code # 2599

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. _____ (defendant initial)
The plea is: Without Negotiations or Recommendation, Negotiated Sentence, Recommendation by the State.

ATTEST:

[Signature] Solicitor SC Bar # _____ Randolph Ashford Defendant [Signature] Attorney for Defendant SC Bar # 74114

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 SEE SHEET FOR 2007-GS-40-2002 (4-3-09)
 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. 2-24-07
 The Defendant is to be placed on Central Registry of Child Abuse and Neglect pursuant to S.C. Code §17-25-135.

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	\$ _____
\$35.13 (Public Def/Prob)	\$500	\$ _____
\$73.3, 1B TP (Law Enforce. Funding)	\$25	\$ _____
\$33.7, 1B TP (Drug Court Surcharge)	\$100	\$ _____
\$50-21-114(BUI Breath Test Fee)	\$50	\$ _____
\$56-5-2942(J) (Vehicle Assessment)	\$40/ea	\$ _____
\$90.11 TP (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, \$35.13 TP
 Requires \$500 be paid to Clerk during probation.

PRESIDING JUDGE [Signature]

Judge Code: 2126

Clerk of Court/ Deputy Clerk Jeanette McBride

Court Reporter: Williams

Sentence Date: 4-3-09

CERTIFIED TRUE COPY OF ORIGINAL FILED
Jeanette W McBride
C.C.C.P.&G.S.
RICHLAND COUNTY
SOUTH CAROLINA

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF Richland
STATE

INDICTMENT/CASE#: 2007 -GS- 40 - 2001

VS. Randolph Ashford

AW#: K195897
Date of Offense: 2-24-07
S.C. Code §: 16-3-1075(B)(1)
CDR Code #: 2599

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

SENTENCE SHEET

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

in violation of § 16-3-1075(B)(1) of the S.C. Code of Laws, bearing CDR Code # 2599
 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. _____ (defendant initial)
The plea is: Without Negotiations or Recommendation, Negotiated Sentence, Recommendation by the State.

ATTEST: [Signature] Solicitor SC Bar # _____ Randolph Ashford Defendant [Signature] Attorney for Defendant SC Bar # 74814

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: SEE SHEET FOR 2007-GS-40-2002 (4-3-09)
 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. 2-24-07
 The Defendant is to be placed on Central Registry of Child Abuse and Neglect pursuant to S.C. Code §17-25-135.

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 \$ _____
\$35.13 (Public Def/Prob)	\$500 \$ _____
\$73.3; 1B TP (Law Enforce. Funding)	\$25 \$ _____
\$33.7; 1B TP (Drug Court Surcharge)	\$100 \$ _____
\$50-21-114 (BUI Breath Test Fee)	\$50 \$ _____
\$56-5-2942(L) (Vehicle Assessment)	\$40/ea \$ _____
\$90.11 TP (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, \$35.13 TP
 Requires \$500 be paid to Clerk during probation.

Clerk of Court/ Deputy Clerk Jeanette McBride
Court Reporter: Williams

Judge Code: 2126
Sentence Date: 4-3-09

CERTIFIED TRUE COPY OF ORIGINAL FILED,
Jeanette McBride
C.C.C.P.S.
RICHLAND COUNTY
SOUTH CAROLINA

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF Richland
STATE

INDICTMENT/CASE#: 2007 -GS- 40 - 2002

VS. Randolph Ashford

AW#: K195898

AKA: _____

Date of Offense: 2-21-07

Race: Black Sex: Male Age: _____

S.C. Code §: 16-3-1075(B)(1)

DOB: _____ SS#: _____

CDR Code #: 2599

Address: _____

City, State, Zip: _____

DL# _____ SID# _____

SENTENCE SHEET

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

TO: Carjacking

in violation of § 16-3-1075(B)(1) of the S.C. Code of Laws, bearing CDR Code # 2599

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, _____ (defendant initial)
The plea is: Without Negotiations or Recommendation, Negotiated Sentence, Recommendation by the State.

ATTEST:

[Signature] Solicitor SC Bar # _____ Randolph Ashford Defendant [Signature] Attorney for Defendant SC Bar # 74814

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, Pardon and Parole Services standard conditions of probation, which are incorporated by reference.

CONCURRENT or CONSECUTIVE to sentence on: 2002, 65-46-2003, 2001, 2000, 2048, 1939, 1938, 1941
 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. 2-24-07

The Defendant is to be placed on Central Registry of Child Abuse and Neglect pursuant to S.C. Code §17-25-135. SPECIAL CONDITIONS:

RESTITUTION: Deferred Def. Waives Hearing Ordered PTUP _____

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

Payment Terms: _____

Obtain GED

set by SCDPPPS _____

Attend Voc. Rehab. or Job Corp. _____

Recipient: _____

May serve W/E beginning _____

Substance Abuse Counseling

*Fine:	\$	_____
\$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	\$ _____
\$35.13 (Public Def/Prob)	\$500	\$ _____
\$73.3, 1B TP (Law Enforce. Funding)	\$25	\$ _____
\$33.7, 1B TP (Drug Court Surcharge)	\$100	\$ _____
\$50-21-114(BUI Breath Test Fee)	\$50	\$ _____
\$56-5-2942(J) (Vehicle Assessment)	\$40/ea	\$ _____
\$90.11 TP (SCCJA Surcharge)	\$5	\$ _____
3% to County (if paid in installments)	\$	\$ _____
TOTAL	\$	\$ _____

Random Drug/Alcohol Testing

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

Clerk of Court/ Deputy Clerk Jeanette McBride

Appointed PD or appointed other counsel, \$35.13 TP. Requires \$500 be paid to Clerk during probation.

Court Reporter: Williams

PRESIDING JUDGE [Signature]

Judge Code: 2126

Sentence Date: 4-3-09

CERTIFIED TRUE COPY OF ORIGINAL FILED
Jain
RICHLAND COUNTY SOUTH CAROLINA

STATE OF SOUTH CAROLINA

IN THE COURT GENERAL SESSIONS

COUNTY OF Richland
STATE

INDICTMENT/CASE#: 2007 -GS- 40 - 2003

VS Randolph Clifford

A/W#: K195899

AKA: _____
Race: Black Sex: Male Age: _____

Date of Offense: 2-24-07

DOB: _____ SS#: _____

S.C. Code §: 16-3-910

Address: _____

CDR Code #: 0095

City, State, Zip: _____

SENTENCE SHEET

DL# _____ SID# _____

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

TO: Kidnapping

in violation of § 16-3-910 of the S.C. Code of Laws, bearing CDR Code # 0095

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

The charge is: As Indicted, Lesser Included Offense, Defendant Waives Presentment to Grand Jury. _____ (defendant initial)

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

ATTEST:

[Signature] Solicitor SC Bar # _____ Randolph Clifford Defendant [Signature] Attorney for Defendant SC Bar # 74814

WHEREFORE, the Defendant is committed to the State Department of Corrections, County Detention Center, for a determinate term of 20 days/months/years or under the Youthful Offender Act not to exceed _____ years and/or to pay a fine of \$ _____; provided that upon the service of _____ days/months/years and/or payment of \$ _____; plus costs and assessments as applicable; the balance is suspended with probation for _____ months/years and subject to South Carolina Department of Probation, Parole and Pardon Services standard conditions of probation, which are incorporated by reference.

CONCURRENT or CONSECUTIVE to sentence on: 2007-GS-40-2048

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. 2-24-07

The Defendant is to be placed on Central Registry of Child Abuse and Neglect pursuant to S.C. Code §17-25-135.

SPECIAL CONDITIONS:

RESTITUTION: Deferred Def. Waives Hearing Ordered PTUP _____

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

Payment Terms: _____

Obtain GED

set by SCDPPPS _____

Attend Voc. Rehab. or Job Corp. _____

Recipient: _____

May serve W/E beginning _____

Substance Abuse Counseling

*Fine:	\$	_____
\$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	\$ _____
\$56-1-288 (DUI Breath Test)	\$25	\$ _____
\$35.13 (Public Def/Prob)	\$500	\$ _____
\$73.3, 1B TP (Law Enforce. Funding)	\$25	\$ _____
\$33.7, 1B TP (Drug Court Surcharge)	\$100	\$ _____
\$50-21-114(BUI Breath Test Fee)	\$50	\$ _____
\$56-5-2942(J) (Vehicle Assessment)	\$40/ea	\$ _____
\$90.11 TP (SCCJA Surcharge)	\$5	\$ _____
3% to County (if paid in installments)	\$	\$ _____
TOTAL	\$	\$ _____

Random Drug/Alcohol Testing

Fine may be pd. in equal, consecutive weekly/monthly

pts. of \$ _____ Beginning _____ paid to Public Defender Fund

Other: _____

Appointed PD or appointed other counsel, \$35.13 TP

Requires \$500 be paid to Clerk during probation.

PRESIDING JUDGE [Signature]

Judge Code: 2126

Sentence Date: 4-3-09

Clerk of Court/ Deputy Clerk Jeanette McBride

Court Reporter: Williams

CERTIFIED TRUE COPY OF ORIGINAL FILE
Jeanette McBride
Clerk of Court
RICHLAND COUNTY SOUTH CAROLINA

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF Richland
STATE

INDICTMENT/CASE#: 2007 -GS- 40 - 1938
AW#: J556197
Date of Offense: 2-24-07
S.C. Code §: 16-3-910
CDR Code #: 0095

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

SENTENCE SHEET

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

TO: Kidnapping
in violation of § 16-3-910 of the S.C. Code of Laws, bearing CDR Code # 0095

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, _____ (defendant initial)
The plea is: Without Negotiations or Recommendation, Negotiated Sentence, Recommendation by the State.

ATTEST: Lan Sen Solicitor SC Bar # _____ Randolph Ashford Defendant Yenomeo Attorney for Defendant SC Bar # 74814

WHEREFORE, the Defendant is committed to the State Department of Corrections, County Detention Center,
for a determinate term of 20 days/months/years or under the Youthful Offender Act not to exceed _____ years
and/or to pay a fine of \$ _____; provided that upon the service of _____ days/months/years and/or payment
of \$ _____; plus costs and assessments as applicable*; the balance is suspended with probation for _____

months/years and subject to South Carolina Department of Probation, Parole and Pardon Services standard conditions of probation,
which are incorporated by reference TO 2007-GS-40-2003, AND CONSECUTIVE TO 2007-GS-40-204B

CONCURRENT or CONSECUTIVE to sentence on: ~~SEPARATE SENTENCES TO BE SERVED~~

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. 2-24-07

The Defendant is to be placed on Central Registry of Child Abuse and Neglect pursuant to S.C. Code §17-25-135.
SPECIAL CONDITIONS:

RESTITUTION: Deferred Def. Waives Hearing Ordered PTUP _____

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

Payment Terms: _____ Obtain GED
 set by SCDPPPS _____ Attend Voc, Rehab. or Job Corp. _____

Recipient: _____ May serve W/E beginning _____
Substance Abuse Counseling

*Fine: _____ Random Drug/Alcohol Testing
§14-1-206 (Assessments 107.5%) \$ _____ Fine may be pd. in equal, consecutive weekly/monthly
§14-1-211(A)(1) (Conv. Surcharge) \$100 \$ _____ pmts. of \$ _____ Beginning _____
§14-1-211(A)(2) (DUI Surcharge) \$100 \$ _____ \$ _____ paid to Public Defender Fund
§56-5-2995 (DUI Assessment) \$12 \$ _____
§56-1-286 (DUI Breath Test) \$25 \$ _____
§35.13 (Public Def/Prob) \$500 \$ _____
§73.3, 1B TP (Law Enforce. Funding) \$25 \$ _____
§33.7, 1B TP (Drug Court Surcharge) \$100 \$ _____
§50-21-114(BUI Breath Test Fee) \$50 \$ _____
§56-5-2942(J) (Vehicle Assessment) \$40/ea \$ _____
§90.11 TP (SCCJA Surcharge) \$5 \$ _____
3% to County (if paid in installments) \$ _____

TOTAL _____ Other: SEXUAL OFFENDER REGISTRY

Appointed PD or appointed other counsel, §35.13 TP
 Requires \$500 be paid to Clerk during probation.

PRESIDING JUDGE G. L. Kay

Clerk of Court/ Deputy Clerk Jeanette McBride Judge Code: 2126

Court Reporter: Williams Sentence Date: 4-3-09

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF Richland
STATE

INDICTMENT/CASE#: 2007 -GS- 40 - 1939

VS. Randolph Ashford

AW#: J556196

AKA: _____
Race: Black Sex: Male Age: _____

Date of Offense: 2-24-07

DOB: _____ SS#: _____

S.C. Code §: 17-25-30

Address: _____

CDR Code #: 768

City, State, Zip: _____

SENTENCE SHEET **BOOK 221 PAGE 667**

DL# _____ SID# _____

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

TO: Assault with Intent to Kill

in violation of § 17-25-30 of the S.C. Code of Laws, bearing CDR Code # 768

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. _____ (defendant initial)

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

ATTEST:

[Signature] Solicitor SC Bar # _____ Randolph Ashford Defendant [Signature] Attorney for Defendant SC Bar # 74814

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: SEE SHEET FOR 2007-GS-40. 2002 (13-09)

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.

SPECIAL CONDITIONS:

RESTITUTION: Deferred Def. Waives Hearing Ordered PTUP _____

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

Payment Terms: _____

Obtain GED

set by SCDPPPS _____

Attend Voc. Rehab. or Job Corp. _____

Recipient: _____

May serve W/E beginning _____
Substance Abuse Counseling

*Fine:	\$	_____
§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	\$ _____
§35.13 (Public Def/Prob)	\$500	\$ _____
§73.3, 1B TP (Law Enforce. Funding)	\$25	\$ _____
§33.7, 1B TP (Drug Court Surcharge)	\$100	\$ _____
§50-21-114(BUI Breath Test Fee)	\$50	\$ _____
§56-5-2942(J) (Vehicle Assessment)	\$40/ea	\$ _____
§90.11 TP (SCCJA Surcharge)	\$5	\$ _____
3% to County (if paid in installments)	\$	\$ _____

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, §35.13 TP
 Requires \$500 be paid to Clerk during probation.

PRESIDING JUDGE [Signature]

TOTAL \$ _____

Judge Code: 2126

Clerk of Court/ Deputy Clerk Jeanette McBride

Sentence Date: 4-3-09

Court Reporter: Williams

STATE OF SOUTH CAROLINA

COUNTY OF Richland
STATE

VS Randolph Ashford

AKA: Black Sex: Male Age: 44
DOB: 5/1/65 SS#: 25142 2452
Address: 4801 Muir St
City, State, Zip: Cala SC 29903

DL# _____ SID# _____

In disposition of the said indictment, I hereby find the Defendant who was CONVICTED OF PLEADS TO:

Assault and Battery of a High and Aggravated Nature
in violation of § 17-25-0030 of the S.C. Code of Laws, bearing CDR Code # 0013

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

The charge is: As Indicted, Lesser Included Offense, Defendant Waives Presentment to Grand Jury. _____ (defendant initial)
The plea is: Without Negotiations or Recommendation, Negotiated Sentence, Recommendation by the State.

ATTEST: [Signature] Solicitor SC Bar # _____ Randolph Ashford Defendant [Signature] Attorney for Defendant SC Bar # 74814

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: 560 S.M.C. for 2007, G.S. 40.2002 (4.3.09)
 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. 2.24.07
 The Defendant is to be placed on Central Registry of Child Abuse and Neglect pursuant to S.C. Code §17-25-135.

SPECIAL CONDITIONS:
 RESTITUTION: Deferred Def. Waives Hearing Ordered _____ PTUP _____

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

Payment Terms: _____ Obtain GED
 set by SCDPPPS _____ Attend Voc. Rehab. or Job Corp. _____

Recipient: _____ May serve W/E beginning _____
Substance Abuse Counseling

*Fine: _____ Random Drug/Alcohol Testing
\$14-1-206 (Assessments 107.5%) \$ _____ Fine may be pd: in equal, consecutive weekly/monthly
\$14-1-211(A)(1) (Conv. Surcharge) \$100 \$ _____ prmts. of \$ _____ Beginning: _____
\$14-1-211(A)(2) (DUI Surcharge) \$100 \$ _____ \$ _____ paid to Public Defender Fund
\$56-5-2995 (DUI Assessment) \$12 \$ _____
\$56-1-286 (DUI Breath Test) \$25 \$ _____
\$35.13 (Public Def/Prob) \$500 \$ _____
\$73.3, 1B TP (Law Enforce. Funding) \$25 \$ _____
\$33.7, 1B TP (Drug Court Surcharge) \$100 \$ _____
\$50-21-114(BUI Breath Test Fee) \$50 \$ _____
\$56-5-2942(J) (Vehicle Assessment) \$40/ea \$ _____
\$90.11 TP (SCCJA Surcharge) \$5 \$ _____
3% to County (if paid in installments) \$ _____

TOTAL \$ _____ Other: _____
Clerk of Court/ Deputy Clerk Jeanette McBride
Court Reporter: Williams/Thorne

Appointed PD or appointed other counsel, \$35.13 TP
Requires \$500 be paid to Clerk during probation.

PRESIDING JUDGE: [Signature]
Judge Code: 2126

Sentence Date: 4-3-09

SCCA/217 (03/2009)
CERTIFIED TRUE COPY OF ORIGINAL FILED, Jeanette McBride C.C.C.P. & G.S. RICHLAND COUNTY SOUTH CAROLINA

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF Richland
STATE

INDICTMENT/CASE#: 2007 -GS- 40 - 1941

VS. Randolph Ashford

AW#: J556194

AKA: _____
Race: Black Sex: Male Age: _____

Date of Offense: 2-24-07

DOB: _____ SS#: _____

S.C. Code §: 17-25-30

Address: _____

CDR Code #: 768

City, State, Zip: _____

SENTENCE SHEET

DL# _____ SID# _____

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

TO: Assault with Intent to Kill

in violation of § 17-25-30 of the S.C. Code of Laws, bearing CDR Code # 768

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. _____ (defendant initial)

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

ATTEST: _____
Solicitor SC Bar # _____ Defendant _____ Attorney for Defendant SC Bar # 74814

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: SEE SHEET FOR 2007. GS. 40. 2002 (43-09)
 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. 2-24-07

The Defendant is to be placed on Central Registry of Child Abuse and Neglect pursuant to S.C. Code §17-25-135.

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	\$ _____
§35.13 (Public Def/Prob)	\$500	\$ _____
§73.3, 1B TP (Law Enforce. Funding)	\$25	\$ _____
§33.7, 1B TP (Drug Court Surcharge)	\$100	\$ _____
§50-21-114 (BUI Breath Test Fee)	\$50	\$ _____
§56-5-2942(J) (Vehicle Assessment)	\$40/ea	\$ _____
§90.11 TP (SCCJA Surcharge)	\$5	\$ _____
3% to County (if paid in installments)	\$	\$ _____
TOTAL	\$	_____

Clerk of Court/ Deputy Clerk: Jeanette McBride
Court Reporter: Williams

SCCA/217 (03/2009)

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, \$35.13 T.P.
 Requires \$500 be paid to Clerk during probation.

PRESIDING JUDGE: _____

Judge Code: 2126

Sentence Date: 4-3-09

**CERTIFIED TRUE COPY
OF ORIGINAL FILED,
Jeanette WMBride
C.C.C.P.&G.S.
RICHLAND COUNTY
SOUTH CAROLINA**

STATE OF SOUTH CAROLINA

IN THE COURT GENERAL SESSIONS

COUNTY OF Richland
STATE

VS. Randolph Ashford

INDICTMENT/CASE#: 2007 -GS- 40 - 2048

AKA: _____

AW#: J556198

Race: Black Sex: Male Age: _____

Date of Offense: 2-24-07

DOB: _____ SS#: _____

S.C. Code §: 16-11-311

Address: _____

CDR Code #: 079

City, State, Zip: _____

SENTENCE SHEET

DL# _____ SID# _____

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

TO: Burglary 1st
in violation of § 16-11-311 of the S.C. Code of Laws, bearing CDR Code # 079

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. _____ (defendant initial)
The plea is: Without Negotiations or Recommendation, Negotiated Sentence, Recommendation by the State.

ATTEST: Kan Jon Solicitor SC Bar # _____ Randolph Ashford Defendant Personnel Attorney for Defendant SC Bar # 74814

WHEREFORE, the Defendant is committed to the State Department of Corrections, County Detention Center, for a determinate term of 20 days/months/years or under the Youthful Offender Act not to exceed _____ years and/or to pay a fine of \$ _____; provided that upon the service of _____ days/months/years and/or payment of \$ _____; plus costs and assessments as applicable; the balance is suspended with probation for _____ months/years and subject to South Carolina Department of Probation, Parole and Pardon Services standard conditions of probation, which are incorporated by reference.

CONCURRENT or CONSECUTIVE to sentence on: 2007-65-40-2003; 2007-65-40-1938
 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. 2-24-07
 The Defendant is to be placed on Central Registry of Child Abuse and Neglect pursuant to S.C. Code §17-25-135.

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 \$ _____
§35.13 (Public Def/Prob)	\$500 \$ _____
§73.3, 1B TP (Law Enforce. Funding)	\$25 \$ _____
§33.7, 1B TP (Drug Court Surcharge)	\$100 \$ _____
§50-21-114(BUI Breath Test Fee)	\$50 \$ _____
§56-5-2942(J) (Vehicle Assessment)	\$40/ea \$ _____
§90.11 TP (SCCJA Surcharge)	\$5 \$ _____
3% to County (if paid in installments)	\$ _____
TOTAL	\$ _____

Clerk of Court/ Deputy Clerk Jeanette McBride
Court Reporter: Williams

May serve WE 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, §35.13 TP
 Requires \$300 be paid to Clerk during probation.
PRESIDING JUDGE [Signature]

Judge Code: 2126
Sentence Date: 4-3-07

CERTIFIED TRUE COPY OF ORIGINAL FILED, Jeanette W.M. McBride C.C.C.P.&G.S. RICHLAND COUNTY SOUTH CAROLINA

WITNESSES

AL THOMAS - RCSD

ARREST WARRANT NUMBER

K-195899

ACTION OF GRAND JURY

TRUE BILL

Jay Child

Foreperson of Grand Jury
Date:

MAY 23 2007

VERDICT

Guilty

Randy [Signature]

Foreperson of Petit Jury
Date:

DOCKET NO. 2007-GS-40-02003

The State of South Carolina
County of Richland

COURT OF GENERAL SESSIONS

MAY TERM 2007

42

THE STATE
vs.

RANDOLPH ASHFORD

Indictment for
KIDNAPPING

SC Code: 16-3-910
CDR Code:0095
Class FEL/A(V)

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.

CERTIFIED TRUE COPY
OF ORIGINAL FILED
New York, NY
C.C.P.S. 1958
RICHLAND COUNTY
SOUTH CAROLINA

WITNESSES

✓(S) AL THOMAS - CPD

ARREST WARRANT NUMBER

K195896

ACTION OF GRAND JURY

TRUE BILL

person of Grand Jury
Date: SEP 19 2008

VERDICT

Foreperson of Petit Jury
Date: 4/3/09

DOCKET NO. 2007-GS-40-02000

AMENDED

The State of South Carolina

County of Richland

COURT OF GENERAL SESSIONS

MAY TERM 2007

42

THE STATE
vs.

RANDOLPH ASHFORD

Indictment for

CARJACKING

SC Code: 16-3-1075(B)(1)

CDR Code: 2599

Class: C/FELONY

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

Defendant

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.

WITNESSES

(S) AL THOMAS - CPD

ARREST WARRANT NUMBER

K195897

ACTION OF GRAND JURY

TRUE BILL

[Signature]
person of Grand Jury

MAY 23 2007

VERDICT

Guilty

[Signature] 4/3/09
person of Petit Jury

DOCKET NO. 2007-GS-40-02001

The State of South Carolina
County of Richland

COURT OF GENERAL SESSIONS

MAY TERM 2007

42

THE STATE
vs.

RANDOLPH ASHFORD

Indictment for
CARJACKING

SC Code: 16-3-1075(B)(1)
CDR Code: 2599
Class FEL/C

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

Defendant

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

Defendant

Witness:

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

CERTIFIED TRUE COPY
OF ORIGINAL FILED
Jas. [Signature]
RICHLAND COUNTY
SOUTH CAROLINA

STATE OF SOUTH CAROLINA)
)
COUNTY OF RICHLAND)

INDICTMENT

At a Court of General Sessions, convened on May 23, 2007, the Grand Jurors of Richland County present upon their oath:

CARJACKING

That RANDOLPH ASHFORD did in Richland County on or about February 24, 2007, take or attempt to take a motor vehicle from the victims, Pearl Kelly ~~and King~~, ~~and King~~, by force and violence or by intimidation, while the persons, Pearl Kelly ~~and King~~ ~~and King~~, are operating the vehicle or while the persons are in the vehicle. All in violation of § 16-3-1075.

Amended by AGREEMENT 5-30-09.

G. T. King

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

Warren B. Giese

WARREN B. GIESE, SOLICITOR

WITNESSES

(S) AL THOMAS - CPD

ARREST WARRANT NUMBER

K195898

ACTION OF GRAND JURY

TRUE BILL

person of Grand Jury

MAY 23 2007

VERDICT

Guilty

4/3/09
person of Petit Jury

DOCKET NO. 2007-GS-40-02002

The State of South Carolina

County of Richland

COURT OF GENERAL SESSIONS

MAY TERM 2007

42

THE STATE
vs.

RANDOLPH ASHFORD

Indictment for
CARJACKING

SC Code: 16-3-1075(B)(1)
CDR Code: 2599
Class FEL/C

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

Defendant

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

Defendant

Witness:

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

CERTIFIED TRUE COPY
OF ORIGINAL FILED
10/19/09
C.C.C.
RICHLAND COUNTY
SOUTH CAROLINA

STATE OF SOUTH CAROLINA)

INDICTMENT

COUNTY OF RICHLAND)

At a Court of General Sessions, convened on May 23, 2007, the Grand Jurors of Richland County present upon their oath:

CARJACKING

That RANDOLPH ASHFORD did in Richland County on or about February 24, 2007, take or attempt to take a motor vehicle from the victim, Barry Taylor, by force and violence or by intimidation, while the person, Barry Taylor, is operating the vehicle or while the person is in the vehicle. All in violation of § 16-3-1075.

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

Warren B. Giese
WARREN B. GIESE, SOLICITOR

WITNESSES

(S) Thomas Croxton - RCSD

ARREST WARRANT NUMBER

J556197

ACTION OF GRAND JURY

TRUE BILL

TRUE BILL

Foreperson of Grand Jury

Date: **AUG 15 2008**

VERDICT

Guilty

Foreperson of Petit Jury

Date: *4/13/09*

DOCKET NO. 2007-GS-40-1938

AMENDED

The State of South Carolina

County of Richland

COURT OF GENERAL SESSIONS

APRIL TERM 2007

42

THE STATE

vs.

RANDOLPH ASHFORD

Indictment for

KIDNAPPING

SC Code: 16-3-910

CDR Code:0095

Class FEUA(V)

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 April 18, 2007, the Grand Jurors of Richland County present upon their oath:

KIDNAPPING

That RANDOLPH ASHFORD did in Richland County on or about February 24, 2007, unlawfully seize, confine, inveigle, decoy, kidnap, abduct or carry away any person, to wit: Debbie Anne Simmons, by any means whatsoever without authority of law. All in violation of § 16-3-910, Code of Laws of South Carolina (1976) as amended.

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

W. Bay Giese

Warren B. Giese, SOLICITOR

WITNESSES

(S) Thomas Croxton - RCSD

ARREST WARRANT NUMBER

J556196

ACTION OF GRAND JURY

TRUE BILL

TRUE BILL

Person of Grand Jury
NOV 15 2008

VERDICT

Guilty

[Signature] 4/3/09
Person of Petit Jury

DOCKET NO. 2007-GS-40-1939

AMENDED

The State of South Carolina

County of Richland

COURT OF GENERAL SESSIONS

APRIL TERM 2007

42

**THE STATE
vs.**

RANDOLPH ASHFORD

Indictment for

**ASSAULT WITH
INTENT TO KILL**

SC Code: 17-25-30

CDR Code: 768

Class MIS-UNC

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

Defendant

Witness:

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

**CERTIFIED TRUE COPY
OF ORIGINAL FILED,**
[Signature]
C.
RICHLAND COUNTY
SOUTH CAROLINA

STATE OF SOUTH CAROLINA)
COUNTY OF RICHLAND)

INDICTMENT

At a Court of General Sessions, convened on April 18, 2007, the Grand Jurors of Richland County present upon their oath:

ASSAULT WITH INTENT TO KILL

That RANDOLPH ASHFORD, did in Richland County on or about February 24, 2007, with malice aforethought commit an assault with intent to kill upon one Deputy Unger. All in violation of Section 17-25-30 C/L, Code of Laws of South Carolina, (1976, as amended).

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


WARREN B. GIESE, SOLICITOR

WITNESSES

(S) Thomas Croxton - RCSD

Em Barr RCSD

ARREST WARRANT NUMBER

156199

ACTION OF GRAND JURY

TRUE BILL

[Signature]
person of Grand Jury

APR 19 2007

VERDICT

person of Petit Jury

DOCKET NO. 2007-GS-40-1940

The State of South Carolina

County of Richland

COURT OF GENERAL SESSIONS

APRIL TERM 2007

42

THE STATE
vs.

~~RANDALL ASHFORD~~
RANDOLPH

Indictment for
CRIMINAL SEXUAL CONDUCT.
1ST DEGREE

SC Code: 16-3-652
CDR Code: 0160
Class FEL/A(V)

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 of

Defendant

Witness:

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

CERTIFIED TRUE COPY
OF ORIGINAL FILED,
[Signature]
C.G.F.&G.
RICHLAND COUNTY
SOUTH CAROLINA

STATE OF SOUTH CAROLINA)
COUNTY OF RICHLAND)

INDICTMENT

At a Court of General Sessions, convened on April 18, 2007, the Grand Jurors of Richland County present upon their oath:

CRIMINAL SEXUAL CONDUCT - 1ST DEGREE

Randall Ashford
That RANDALL ASHFORD did in Richland County on or about February 24, 2007, engage in sexual battery with the victim, Debbie Anne Simmons, without her consent. The defendant, Randall Ashford, used aggravated force to accomplish the sexual battery, to wit: defendant threatened the use of a pistol, and/or the victim, Debbie Anne Simmons, submitted to sexual battery by Randall Ashford under circumstances where the victim is also a victim of forcible confinement, kidnapping, robbery, burglary, or housebreaking committed by the defendant, Randall Ashford. All in violation of SC Code of Laws § 16-3-652.

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

Warren B. Giese

Warren B. Giese, SOLICITOR

WITNESSES

(S) Thomas Croxton - RCSD

ARREST WARRANT NUMBER

J556194

ACTION OF GRAND JURY

TRUE BILL

TRUE BILL

Foreperson of Grand Jury

Date: **AUG 15 2008**

VERDICT

Guilty

Foreperson of Petit Jury

Date:

4/3/09
4/3/09

DOCKET NO. 2007-GS-40-1941

AMENDED

The State of South Carolina

County of Richland

COURT OF GENERAL SESSIONS

APRIL TERM 2007

42

THE STATE

vs.

RANDOLPH ASHFORD

Indictment for

**ASSAULT WITH
INTENT TO KILL**

SC Code: 17-25-30

CDR Code: 768

Class MIS-UNC

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)

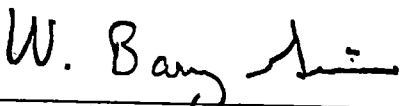
INDICTMENT

At a Court of General Sessions, convened on April 18, 2007, the Grand Jurors of Richland County present upon their oath:

ASSAULT WITH INTENT TO KILL

That RANDOLPH ASHFORD, did in Richland County on or about February 24, 2007, with malice aforethought commit an assault with intent to kill upon one Deputy Nate White. All in violation of Section 17-25-30 C/L, Code of Laws of South Carolina, (1976, as amended).

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



WARREN B. GIESE, SOLICITOR

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Richland County
Robert E. Hood, Circuit Court Judge

RANDOLPH ASHFORD

PETITIONER,

V.

RECEIVED

MAY 31 2016

SC Court of Appeals

STATE OF SOUTH CAROLINA

RESPONDENT,

APPELLATE CASE NO. 2015-001268

CERTIFICATE OF SERVICE

I, do hereby certify that the original Memorandum in this case have been served on the following counsel(s) of record, by placing the same in the United States Mail with sufficient postage affixed thereto on this 27 day of MAY 2016.

Randolph Ashford ✓

Randolph Ashford # 256638

Pro-se Pro-se

SWORN TO BEFORE ME THIS 27 Day OF

May 2016.

Nancy C Merchant

Notary Public for South Carolina

My Commission Expires 1-27-2023

Randolph Ashford # 256638
B.R.C.I. MLT- 2035
4460 Broad River Rd.
Columbia, South Carolina- 29210

May 27, 2016

RECEIVED

MAY 31 2016

SC Court of Appeals

The South Carolina Court of Appeals
Jenny Abbott Kitchings, Clerk
Post Office Box 11629
Columbia, South Carolina- 29211

Re: Appellant Case No. 2015-001268 Memoranda in Support

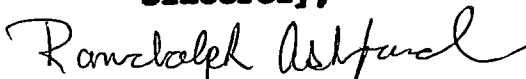
Dear Ms. Kitchings:

Enclose you will find a memoranda in support of the Johnson petition for writ of certiorari file by the attorney Ms. Tiffany L. Bulter in this case.

Please file the memoranda in support, and provide me with a letter of acknowledgement.

Thank you very much.

Sincerely,



Randolph Ashford # 256638

Enclosures

CC:



SCCID

SOUTH CAROLINA COMMISSION ON INDIGENT DEFENSE

Division of Appellate Defense
1330 Lady Street, Suite 401
Columbia, South Carolina 29201-3332
Post Office Box 11589
Columbia, South Carolina 29211-1589
Telephone: (803) 734-1330
Facsimile: (803) 734-1397

Robert M. Dudek, Chief Appellate Defender
Wanda H. Carter, Deputy Chief Appellate Defender

RECEIVED

MAY 31 2015

SC Court of Appeals

April 22, 2016

Mr. Randolph Ashford, #256638
Perry Correctional Institution
430 Oaklawn Road
Pelzer, SC 29669

Dear Mr. Ashford:

I have received your letters dated March 2, 2016 and March 8, 2016. I filed the Johnson petition and the appendix with Court on March 2, 2016. I will not supplement the record or file any additional documents in your case with the Court.

Sincerely,

Tiffany L. Butler
Appellate Defender

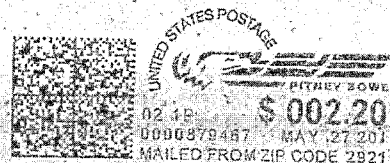
TLB/ccf

Randolph Ashford # 256638

B.R.C.I. MLT # 2035

4460 Broad River Rd.

Columbia, South Carolina - 29210



THE SOUTH CAROLINA COURT OF APPEALS
JENNY ABBOTT KITCHINGS, CLERK
Post Office Box 11629
Columbia, South Carolina - 29211

RECEIVED

MAY 27 2016

BRCI
MAILROOM

Legal Mail

POSTED
MAY 27 2016
SC Court of Appeals

