

COUNTY OF BERKELEY

STATE VS.

MARCUS ANTONIO SMITH

AKA: Marcus A Smith

Race: Black/African American

Sex: M

DOB: SS#:

Address:

City, State, Zip: Goose Creek, SC 29445-4638

DL# SID#

\*CDL Yes No CMV Yes No Hazmat Yes No

In disposition of the said indictment comes now the Defendant who was TO: Burglary Second Degree (Violent)

In violation of § 16-11-0312(B) of the S.C. Code of Laws, bearing CDR Code # 0086

NON-VIOLENT VIOLENT SERIOUS MOST SERIOUS Mandatory GPS \$17-25-45 (CSC w/minor 1st or Lowd 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: Kamila Szybiaczynska-Sas, Assistant Solicitor SC Bar # 100437 Defendant Attorney for Defendant SC Bar #

WHEREFORE, the Defendant is committed to the State Department of Corrections or County Detention Center, for a determinate term of days/months/years or under the Youthful Offender Act not to exceed 6 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 Service 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 Obtain GED

Set by SCDPPPS

Recipient:

Table with columns for item description, amount, and total. Includes items like \$14-1-206 (Assessments 107.5%), \$14-1-211 (A)(1) (Conv. Surcharge) \$100, \$14-1-211 (A)(2) (DUI Surcharge) \$100, \$56-5-2995 (DUI Assessment) \$12, \$56-1-286 (DUI Breath Test) \$25, Proviso 47.9 (Public Def/Prob) \$500, \$14-1-212 (Law Enforce. Funding) \$25, \$14-1-213 (Drug Court Surcharge) \$150, \$50-21-114 (BUI Breath Test Fee) \$50, \$56-5-2942(J) (Vehicle Assessment) \$40/ea, Proviso 90.5 (SCCJA Surcharge) \$5, 3% to County (if paid in installments) \$, TOTAL \$133.40

Clerk of Court/Deputy Clerk: K. Mills Court Reporter: Wanda Rowe

INDICTMENT/CASE#: 2016-GS-08-00864 A/W: 2014A0810401454 Date of Offense: 10/28/2014 S.C. Code §: 16-11-0311 CDR Code #:

RECEIVED SENTENCE SHEET

JUN 24 2016

CONVICTED OF or PLEADS SC Court of Appeals

FILED 16 JUN 17 PM 2:48 MARY P. BROWN CLERK OF COUNTY, S.C.

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

Presiding Judge: Judge Code: 2142 Sentence Date: 6-17-16

Handwritten initials

KSS/0236063/2014-12-02895  
WITNESSES

Berkeley County Sheriff's Office

Brent Fenton *B.F.*

AGENCY CASE NUMBER

201410052779

ARREST WARRANT NUMBER

2014A0810401454

DATE OF ARREST

12/11/2014

ACTION OF GRAND JURY

**True Bill**

*Jina M. Marshall* *4-26-16*  
Foreperson of Grand Jury Date:

VERDICT

Foreperson of Petit Jury Date:

DOCKET NO. 2016-GS-08-00864

The State of South Carolina  
County of Berkeley

COURT OF GENERAL SESSIONS  
APRIL TERM 2016

THE STATE

VS.

MARCUS ANTONIO SMITH  
B/M DOB:

Indictment for

**BURGLARY FIRST DEGREE**

SC Code: § 16-11-0311  
CDR Code: 0079

STATE OF SOUTH CAROLINA  
CLERK OF COURT  
BERKELEY COUNTY, S.C.

16 APR 26 PM 2:38

*AFH*  
**FILED**

Supr5#83

STATE OF SOUTH CAROLINA

COUNTY OF BERKELEY

INDICTMENT

At a Court of General Sessions, convened April 2016, the Grand Jurors of Berkeley County present upon their oath:

**BURGLARY FIRST DEGREE**

That in Berkeley County, South Carolina on or about October 28, 2014, the Defendant Marcus Antonio Smith, did enter the dwelling of David Smyth without consent and with the intent to commit a crime therein. That, in addition, the defendant displayed what was or appeared to be a knife, pistol, revolver, rifle, shotgun, machine gun, or other firearm; in violation of Section 16-11-311 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 case made and provided.



KAMILA SZYM CZYNSKA-SAS  
ASSISTANT SOLICITOR

SupR5#84