

ORIGINAL

STATE OF SOUTH CAROLINA

In The Court of Appeals

APPEAL FROM AIKEN COUNTY

R. Keith Kelly, Circuit Court Judge

RECEIVED
JUN 24 2016
SC Court of Appeals

THE STATE,

RESPONDENT,

V.

JUSTIN CAMERON HARDEN,

APPELLANT

APPELLATE CASE NO. 2016-000217

RECORD ON APPEAL

LAURA R. BAER
Appellate Defender

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

Attorney for Appellant

ALAN WILSON
Attorney General

J. BENJAMIN APLIN
Senior Assistant Attorney Deputy General
Office of the Attorney General
PO Box 11549
Columbia, SC 29211

J. STROM THURMOND, JR.
Solicitor, Second Judicial Circuit
Post Office Box 3368
Aiken, SC 29802-3368
(803) 642-1557

Attorneys for Respondent

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INDEXi

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INDICTMENT FOR CASE NO. 2008-GS-02-117213

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SENTENCING SHEET FOR CASE NO. 2012-GS-02-0107318

CERTIFICATE OF COUNSEL.....19

1 STATE OF SOUTH CAROLINA

2 COUNTY OF AIKEN

CIRCUIT COURT
2008-GS-02-01172 &
2012-GS-02-01073

4 STATE OF SOUTH CAROLINA,

5 -vs-

TRANSCRIPT OF RECORD

6 JUSTIN CAMERON HARDEN,
Defendant.

7

8

9

Heard on Monday, January 25, 2016

10

Aiken, South Carolina

11

12

BEFORE:

13

THE HONORABLE R. KEITH KELLY

14

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16

APPEARANCES:

17

Counsel on Behalf of the Defendant:
M. Bradley McMillian, Esq.

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Cheri L. Young, RPR
Circuit Court Reporter
P O Box 5232
Aiken, SC 29804-5232

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EXHIBIT INDEX

(NO EXHIBITS IDENTIFIED/INTRODUCED.)

1 ON MONDAY, JANUARY 25, 2016 AT 9:43 A.M.:

2 THE PROBATION OFFICER: If it please the
3 Court. We'll present our first probation
4 violation case. Justin Harden.

5 (Defendant placed under oath.)

6 THE COURT: Sir, you are Mr. Justin Cameron
7 Harden?

8 THE DEFENDANT: Yes, sir.

9 THE COURT: Mr. Hardin, you are in
10 custody. Have you taken any prescription
11 medication, drugs or any substance that affects
12 your thinking ability?

13 THE DEFENDANT: No, Your Honor.

14 THE COURT: You are clear minded, know what
15 you're doing here today?

16 THE DEFENDANT: Yes, Your Honor.

17 THE COURT: Okay. Agent, tell us what's
18 going on.

19 THE PROBATION OFFICER: Yes, sir, Your
20 Honor.

21 This is Justin Cameron Harden. He's on
22 probation on two separate orders. The first is
23 Indictment 08-GS-02-1172, possession of meth
24 first and a 12-GS-02-1073, unlawful carrying of a
25 pistol. The original meth charge was three years

1 suspended to three years of probation and the
2 unlawful carrying was one year suspended to three
3 years of probation.

4 The current violations, very similar
5 between the two case files for Mr. Harden. The
6 money's the only thing that will be different
7 between the two. The present violation:
8 Mr. Harden failed to follow the advice,
9 instructions of the agent by failing to report
10 since October 21st, 2015, as instructed in
11 November 4th, 2015; failing to refrain from
12 violating state and local laws, being convicted
13 of shoplifting second and failure to comply on
14 12-1-15; failing to notify his agent of his
15 arrest for possession of meth second on 11-15-15;
16 and failing to pay his financial obligations.

17 THE COURT: Mr. Harden, did you hear what
18 the agent told me?

19 THE DEFENDANT: Yes, Your Honor.

20 THE COURT: Is that true?

21 THE DEFENDANT: Yes, Your Honor.

22 THE COURT: Okay. The Court finds a
23 violation. Yes, sir.

24 MR. McMILLIAN: Thank you, Your Honor.

25 Mr. Harden is 25 years old. He works

1 mainly doing odd jobs. When we talked about his
2 violations, Your Honor, he's been very
3 forthcoming, very outright with me about them,
4 that these are violations, that he did commit
5 them, just like he told you.

6 Judge, he's been incarcerated for 56 days
7 on these. I believe the money is something Your
8 Honor could consider converting to a civil
9 judgment. I just don't think he's a probation
10 candidate and we'd ask Your Honor to consider 90
11 days and terminate him.

12 THE COURT: Okay. Sir, is there anything
13 you'd like to say?

14 THE DEFENDANT: I'm sorry about wasting
15 everybody's time this morning, Your Honor. I
16 wish I coulda did things a little bit different,
17 you know. I -- honestly, Your Honor, I messed
18 up. I don't know what to say and I apologize and
19 I'm sorry for wasting your time.

20 THE COURT: Okay. Sir, well, the money is
21 converted to civil judgments and he's revoked in
22 full. Good luck to you.

23 THE PROBATION OFFICER: Thank you, Your
24 Honor.

25 END OF PROCEEDINGS: 9:47 A.M.

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CERTIFICATE OF REPORTER

STATE OF SOUTH CAROLINA)
COUNTY OF AIKEN)

I, Cheri L. Young, Registered Professional Reporter and Official Court Reporter for the State of South Carolina, Second Circuit-At Large, do hereby certify that the foregoing proceedings were written stenographically by me using computer-aided translation; further, that the foregoing is a true, accurate and complete record, to the best of my skill and ability, of all the proceedings had and evidence introduced in the hearing of the captioned case, relative to appeal, in the Court of General Sessions for Aiken County, on the 25th day of January, 2016.

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

I have hereunder set my hand this 15th day of April, 2016.

Cheri L. Young, RPR
Official Court Reporter

RECEIVED

PPPS

PAGE 01

01/27/2016 16:29

803-734-3273

STATE OF SOUTH CAROLINA

FEB 08 2016

IN THE COURT OF GENERAL SESSIONS

County of Aiken vs. SC Court of Appeals

Indictment Number: 2008 -GS- 02 - 01172
Probation C/W#: W-02-18-0097

Justin Cameron Harden
AKA: _____
Race: White Sex: Male
DOB: _____
SSN: _____
SID#: 01800377

0237 CAP
Name of Original Offense: Poss. of less than one gram of met
Original A/W#: K 206892
Date of Original Offense: 1-10-08
Conviction S.C. Code §: 44-53-375 A
Conviction CDR Code #: 310019
Original Sentence: 3 yrs ss to 3 yrs probation

ORDER

The above named defendant has been charged with violating the conditions of probation ordered on 7/11/09 in the Court of General Sessions of Aiken County, and/or the additional conditions ordered by the Court in probation continuation orders(s) issued on 9/15/14, as set forth in the attached warrant(s) or citation(s) dated 12/16/15. After hearing the evidence and being duly advised, in the (presence/absence) of the defendant, I find that the above named defendant has violated the following condition(s) of probation: (List by number or indicate special conditions as provided in the affidavit)
1, 6, 7, 9, 10

Therefore, IT IS ORDERED that:

- the suspended sentence be revoked and the above named defendant be required to serve 3 months/years the remainder of the original sentence, and/or pay \$ _____
- the suspended sentence be revoked and the above named defendant be required to serve _____ months/years of the original sentence and/or pay \$ _____; thereupon to be reinstated on probation, subject to the conditions set forth in the attached order and not inconsistent with this order.
- the above named defendant is continued on probation as provided for in the original sentence, subject to the conditions set forth therein and not inconsistent with this order.
- probation is reduced to time served under supervision and the defendant is discharged from supervision on this date.
- the above named defendant is placed on active electronic monitoring pursuant to §23-3-540 (mandatory if convicted of first degree criminal sexual conduct with a minor or lewd act, discretionary if convicted of any other applicable sex offense against a minor).
- Financial Obligations: Order satisfies:
 - Department fees (arrearage)
 - Fines and other fees (arrearage/balance)
 - Restitution (and 20%) (arrearage/balance)
- Civil Judgment:
 - Department fees
 - Fines and other fees
 - Restitution (and 20%)
- Additional Conditions: ordered by the Court: Revoke in Full & Terminate

The defendant is given credit for pre-revocation hearing detention time on current probation violation to be calculated and applied by the SC Department of Corrections.

The defendant has previously served 0 months/years on this sentence.
(split sentence time and/or prior partial revocation time)

The defendant was previously placed on active electronic monitoring pursuant to §23-3-540.

This 25 day of Jan, 2016
Aiken, SC

R. Keith Kelley
Presiding Judge 2nd Judicial Circuit

You are hereby advised that under the law the Court may at any time revoke or modify any condition of this probation; impose any lawful conditions it deems proper; or extend your period of probation not to exceed five (5) years. At any time within the period of your probation, the Court may require you to serve any part of the original sentence imposed.

This is to certify that I have read, or have had read to me, the order and the conditions set out therein. I agree to comply with such conditions and the conditions of my attached probation order during the period of my probation. I have received a copy of this Court's order and all attachments.

Offender's Signature Justin Harden

Witnessed by Cashley Linnell

Signed this 25 day of Jan, 2016, at Aiken, SC

STATE OF SOUTH CAROLINA

County of Aiken
STATE vs.

Justin Cameron Harden
AKA:
Race: White Sex: Male
DOB: [REDACTED]
SSN: [REDACTED]
SID#: 01800311

IN THE COURT OF GENERAL SESSIONS

Indictment Number:
2012 GS: 02 01073
Probation C/W#: W-02-15-0238

Name of Original Offense: Unlawful Carrying of Pistol
Original AW#: M-020768
Date of Original Offense: 5-9-2012
Conviction S.C. Code §: 16-23-0020
Conviction CDR Code #: 0101414
Original Sentence: 1 yr 55 to 56 days cfts

ORDER

3 yr Probation

The above named defendant has been charged with violating the conditions of probation ordered on 7/9/2014 the Court of General Sessions of Aiken County, and/or the additional conditions ordered by the Court in probation continuation orders(s) issued on 12/16/15, as set forth in the attached warrant(s) or citation(s) dated 12/16/15. After hearing the evidence and being duly advised, in the presence/absence of the defendant, I find that the above named defendant has violated the following condition(s) of probation: (List by number or indicate special conditions as provided in the affidavit)
1, 6, 7, 10

Therefore, IT IS ORDERED that:

- the suspended sentence be revoked and the above named defendant be required to serve 1 months/years, the remainder of the original sentence, and/or pay \$ _____.
- the suspended sentence be revoked and the above named defendant be required to serve _____ months/years of the original sentence and/or pay \$ _____; thereupon to be reinstated on probation, subject to the conditions set forth in the attached order and not inconsistent with this order.
- the above named defendant is continued on probation as provided for in the original sentence, subject to the conditions set forth therein and not inconsistent with this order.
- probation is reduced to time served under supervision and the defendant is discharged from supervision on this date.
- the above named defendant is placed on active electronic monitoring pursuant to §23-3-540 (mandatory if convicted of first degree criminal sexual conduct with a minor or lewd act, discretionary if convicted of any other applicable sex offense against a minor).
- Financial Obligations: Order satisfies: Department fees (arrearage) Fines and other fees (arrearage/balance) Restitution (and 20%) (arrearage/balance) Civil judgment: Department fees Fines and other fees Restitution (and 20%)
- Additional Conditions ordered by the Court: Rechain Full + Terminate

- The defendant is given credit for pre-revocation hearing detention time on current probation violation to be calculated and applied by the SC Department of Corrections.
- The defendant has previously served 56 Days months/years on this sentence. (sp: sentence time and/or prior partial revocation time)
- The defendant was previously placed on active electronic monitoring pursuant to §23-3-540.

This 25 day of Jan 2016
Aiken, SC

[Signature]
Presiding Judge
Judicial Circuit

You are hereby advised that under the law the Court may at any time revoke or modify any condition of this probation; impose any lawful conditions it deems proper; or extend your period of probation not to exceed five (5) years. At any time within the period of your probation, the Court may require you to serve any part of the original sentence imposed.

This is to certify that I have read, or have had read to me, the order and the conditions set out therein. I agree to comply with such conditions and the conditions of my attached probation order during the period of my probation. I have received a copy of this Court's order and all attachments.

Offender's Signature: [Signature]
Signed this 25 day of Jan 2016 at Aiken, SC

Witnessed by [Signature]
Aiken, SC

Form 18.1 - Arrest Warrant
Form Approved by
SC Attorney General
Section 17-13-160
March 18, 1878

STATE OF SOUTH CAROLINA
COUNTY OF AIKEN

ORIGINAL

Probation
ARREST WARRANT

Indictment Number 08-GS-02-01172
Warrant Number W-02-15-0237
State Identification No. (SID) 01800377

TO ANY LAW ENFORCEMENT OFFICER OF THIS STATE OR COUNTY OR OF THE MUNICIPALITY OF AIKEN, AND ANY CONSTABLE OF THIS MAGISTERIAL DISTRICT:

It appearing from the attached affidavit that there are reasonable grounds to believe that JUSTIN CAMERON HARDEN, did on the 16 day of December, 2015 violate the criminal laws of the State of South Carolina as set forth below:

DESCRIPTION OF OFFENSE:

Justin Cameron Harden has violated conditions 1, 6, 7, 9 and 10 of his Probationary Sentence as ordered in Indictment#08-GS-02-01172 on July 18, 2008 in Aiken County General Sessions Court.

Now, therefore, you are empowered and directed to arrest the said defendant and bring JUSTIN CAMERON HARDEN before me forthwith to be dealt with according to law. A copy of this Arrest Warrant shall be delivered to the defendant at the time of its execution, or as soon thereafter as is practicable. Done at AIKEN, S. C. this 16 day of December, 2015.

Charles Ashley Finch (L.S.)
Signature of Probation and Parole Agent

County of AIKEN

STATE OF SOUTH CAROLINA

AFFIDAVIT

Personally appeared before me, one Charles Ashley Finch, who, first being duly sworn, deposes and says that JUSTIN CAMERON HARDEN did within this County and State on the 16 day of December, 2015, violate the criminal laws of the State of South Carolina in the following particulars:

DESCRIPTION OF OFFENSE:

Justin Cameron Harden has violated conditions 1, 6, 7, 9 and 10 of his Probationary Sentence as ordered in Indictment#08-GS-02-01172 on July 18, 2008 in Aiken County General Sessions Court.

The affiant states that there is probable cause to believe that the defendant named above did commit the crime(s) set forth, and that such probable cause is based on the following facts:

Justin Cameron Harden has failed to follow the advice and instructions of his Agent by: Failing to report since 10/21/15 and as instructed on 11/04/15; Failing to refrain from violating State/Local laws by being convicted of Shoplifting, 2nd and Failure to Comply on 12/01/15; Failing to notify Agent of his arrest for... Possession of Meth, 2nd on 11/17/15; Failing to pay Supervision Fees as instructed, current arrearage being \$950.00; Failing to pay Fines as instructed, leaving a balance of \$236.90 which constitutes a violation of conditions 1, 6, 7, 9 and 10 of his Probationary Sentence.

Sworn to and subscribed before me
this 16 day of December, 2015.

Notary Signature (L.S.)
Signature of Notary Public
7-14-2025
My Commission Expires

Charles Ashley Finch
Affiant

Address: P.O. BOX 2194
AIKEN, SC 29802-2194
AIKEN
USA
(803) 641-7690

RETURN

Constable or Law Enforcement Officer

A copy of this Arrest Warrant was delivered by me to the following defendant:

Justin Harden

on the 17th day of December 2015

Constable or Law Enforcement Officer

This Warrant is certified for service in (County of warrant Certification) County. The accused is to be arrested and brought before me to deal with according to law.

Signature of Judge (L.S.)

STATE OF SOUTH CAROLINA
COUNTY OF

AIKEN

THE STATE
against

JUSTIN CAMERON HARDEN

ARREST WARRANT

Offense: Violation of Conditions of Probation Supervision

Offense Section: 24-21-450

Date: 12/16/2015

Officer and Agency: SC Department of Probation,
Parole and Pardon Services

Charles Ashley Finch

Disposition _____

Sentence _____

Co-Defendants _____

INFORMATION ON DEFENDANT

Name JUSTIN CAMERON HARDEN
Address _____
NORTH AUGUSTA, SC 29841
Phone _____
Sex Male Race White Height 510
Weight 145 Birth date _____
Social Security Number _____

INFORMATION ON WITNESSES

Name _____
Address _____
Phone _____

Name _____
Address _____
Phone _____

Name _____
Address _____
Phone _____

Name _____
Address _____
Phone _____

PRELIMINARY HEARING held by

Magistrate _____
on _____
with _____

Attorney for the Defendant.

Decision _____

Date Set 12-18-15
Magistrate [Signature]
Amount \$ 15,000.00
Surety _____

Form 18.1-Arrest Warrant
Form Approved by
SC Attorney General
Section 17-13-180
March 18, 1978

STATE OF SOUTH CAROLINA
COUNTY OF AIKEN

ORIGINAL

Probation
ARREST WARRANT

Indictment Number 12-GS-02-01073
Warrant Number W-02-15-0238
State Identification No. (SID) 01800377

TO ANY LAW ENFORCEMENT OFFICER OF THIS STATE OR COUNTY OR OF THE MUNICIPALITY OF AIKEN, AND ANY CONSTABLE OF THIS MAGISTERIAL DISTRICT:

It appearing from the attached affidavit that there are reasonable grounds to believe that JUSTIN CAMERON HARDEN, did on the 16 day of December, 2015 violate the criminal laws of the State of South Carolina as set forth below:

DESCRIPTION OF OFFENSE:

Justin Cameron Harden has violated conditions 1, 6, 7, 9 and 10 of his Probationary Sentence as ordered in Indictment#12-GS-02-01073 on July 19, 2012 in Aiken County General Sessions Court.

Now, therefore, you are empowered and directed to arrest the said defendant and bring JUSTIN CAMERON HARDEN before me forthwith to be dealt with according to law. A copy of this Arrest Warrant shall be delivered to the defendant at the time of its execution, or as soon thereafter as is practicable. Done at AIKEN, S. C. this 16 day of December, 2015.

Charles Ashley Finch (L.S.)
Signature of Probation and Parole Agent

County of AIKEN

STATE OF SOUTH CAROLINA

AFFIDAVIT

Personally appeared before me, one Charles Ashley Finch, who, first being duly sworn, deposes and says that JUSTIN CAMERON HARDEN did within this County and State on the 16 day of December, 2015, violate the criminal laws of the State of South Carolina in the following particulars:

DESCRIPTION OF OFFENSE:

Justin Cameron Harden has violated conditions 1, 6, 7, 9 and 10 of his Probationary Sentence as ordered in Indictment#12-GS-02-01073 on July 19, 2012 in Aiken County General Sessions Court.

The affiant states that there is probable cause to believe that the defendant named above did commit the crime(s) set forth, and that such probable cause is based on the following facts:

Justin Cameron Harden has failed to follow the advice and instructions of his Agent by: Failing to report since 10/21/15 and as instructed on 11/04/15; Failing to refrain from violating State/Local laws by being convicted of Shoplifting, 2nd and Failure to Comply on 12/01/15; Failing to notify Agent of his arrest for Possession of Meth, 2nd on 11/17/15; Failing to pay Supervision Fees as instructed, current arrearage being \$950.00; Failing to pay Fine as instructed, leaving a balance of \$648.90 which constitutes a violation of conditions 1, 6, 7, 9 and 10 of his Probationary Sentence.

Sworn to and Subscribed before me
this 16 day of December, 2015.

Shi [Signature] (L.S.)
Signature of Notary Public
7-14-2025
My Commission Expires

Charles Ashley Finch
Affiant

Address: P.O. BOX 2194
AIKEN, SC 29802-2194
AIKEN
USA
(803) 641-7690

RETURN

Constable or Law Enforcement Officer

A copy of this Arrest Warrant was delivered by me to the following defendant:

Justin Harden

on the 17th day of December 2015

Constable or Law Enforcement Officer

This Warrant is certified for service in [County of warrant Certification] County. The accused is to be arrested and brought before me to deal with according to law.

Signature of Judge (L.S.)

STATE OF SOUTH CAROLINA
COUNTY OF

AIKEN

THE STATE
against

JUSTIN CAMERON HARDEN

ARREST WARRANT

Offense: Violation of Conditions of Probation Supervision

Offense Section: 24-21-450

Date: 12/16/2015

Officer and Agency: SC Department of Probation,
Parole and Pardon Services

Charles Ashley Finch

Disposition _____

Sentence _____

Co-Defendants _____

INFORMATION ON DEFENDANT

Name JUSTIN CAMERON HARDEN
Address _____
NORTH AUGUSTA, SC 28841
Phone: _____
Sex Male Race White Height 510
Weight 145 Birth date _____
Social Security Number _____

INFORMATION ON WITNESSES

Name _____
Address _____
Phone _____
Name _____
Address _____
Phone _____
Name _____
Address _____
Phone _____
Name _____
Address _____
Phone _____

PRELIMINARY HEARING held by

Magistrate _____
on _____
with _____
Attorney for the Defendant

Decision _____
Date Set 12-19-15
Magistrate [Signature]
Amount \$ 75,000.00
Surety _____

WITNESSES

G. Benfield, A.C.S.O.

FILED

July 18 2008
J. Hodard
CCP&GS
Pauline Hurley
County Clerk

ARREST WARRANT NUMBER

K-206892

ACTION OF GRAND JURY

Foreperson of Grand Jury
Date: August 7, 2008

VERDICT

Foreperson of Petit Jury
Date:

DOCKET NO. 2008-GS-02--

1172

The State of South Carolina

County of Aiken

COURT OF GENERAL SESSIONS

AUGUST 11, TERM 2008

**THE STATE
vs.**

JUSTIN CAMERON HARDEN

**Indictment for
POSSESSION OF METHAMPHETAMINE**

SC Code: 44-53-375(A)
CDR Code: 3009
Class MIS/A

STATE OF SOUTH CAROLINA)
)
COUNTY OF AIKEN)

INDICTMENT

At a Court of General Sessions, convened on August 11, 2008, the Grand Jurors of Aiken County present upon their oath:

POSSESSION OF METHAMPHETAMINE

That JUSTIN CAMERON HARDEN did in Aiken County on or about January 10, 2008 knowingly or intentionally possess or attempt to possess a quantity of Methamphetamine, a controlled substance under provisions of §44-53-110, *et. seq.*, *Code of Laws of South Carolina (1976)*, as amended, such possession not having been authorized by law.

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


BARBARA R. MORGAN, SOLICITOR

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF Aiken
STATE

INDICTMENT/CASE#: 2008 -GS- 02-1172

Justin Cameron Harden
vs.

A/W#: K 206892

AKA:
Race: W Sex: M Age: 17

Date of Offense: 1/10/08

DOB: 12/11/90 SS#: 259-77-2100

S.C. Code §: 17-53-375(A)

Address: 556 Chestnut Avenue

CDR Code #: 3009

City, State, Zip: North Augusta, SC 29851
DL# SID#

SENTENCE SHEET

Not more than
3 yrs. AND/OR
\$5000

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

TO: Possession of Methamphetamine, First Offense

In violation of § 17-53-375(A) of the S.C. Code of Laws, bearing CDR Code # 3009

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. JH (defendant initial)
The plea is: Without Negotiations or Recommendation, Negotiated Sentence, Recommendation by the State. YOR - Shock

ATTEST: Elizabeth B. Hargis Solicitor Justin Harden Defendant WJ Sum Attorney for Defendant 05444 SC Bar #

WHEREFORE, the Defendant is committed to the State Department of Corrections, County Detention Center,
for a determinate term of 3 days/months/years or under the Youthful Offender Act not to exceed 3 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 3
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.

SPECIAL CONDITIONS:

RESTITUTION: Deferred Def. Waives Hearing Ordered PTUP _____
_____ days/hours Public Service Employment

Total: \$ _____ plus 20% fee: \$ _____

Payment Terms: _____

set by SCDPPPS _____

Recipient: _____

*Fine:	\$	_____
\$14-1-206 (Assessments 107.5%)	\$	_____
\$14-1-211(A)(1) (Conv. Surcharge)	\$100	\$ <u>100.00</u>
\$14-1-211(A)(2) (DUI Surcharge)	\$100	\$ _____
\$56-5-2995 (DUI Assessment)	\$12	\$ _____
\$35.13 (Public Def/Prob)	\$500	\$ _____
\$73.3, 1B TP (Law Enforce. Funding)	\$25	\$ <u>25.00</u>
\$33.7, 1B TP (Drug Court Surcharge)	\$100	\$ <u>100.00</u>
\$50-21-114(BUI Breath Test Fee)	\$50	\$ _____
\$58-5-2942(J) (Vehicle Assessment)	\$40/ea	\$ _____
3% to County (if paid in installments)	\$	\$ <u>6.90</u>
\$60.11 TP (SCCJA Surcharge)	\$5	\$ <u>5.00</u>
TOTAL		\$ <u>236.90</u>

Obtain GED
Attend Voc. Rehab. or Job Corp. _____
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 \$500 be paid to Clerk during probation.

Shanna Thayer
Clerk of Court Deputy Clerk

PRESIDING JUDGE Ji Madhge

Court Reporter: Cheri Yang

Judge Code: _____
Sentence Date: 2/18/08

WITNESSES

Aiken County Sheriff

M. Hickson

Law Enforcement Case #: 12-026994

JAS

ARREST WARRANT NUMBER

M026768

FILED July 19 2012
Qui Hardard
C.C.P. & G.S.
Shannon Thompson
Deputy Clerk

ACTION OF GRAND JURY

Foreperson of Grand Jury
Date: August 2, 2012

VERDICT

Foreperson of Petit Jury
Date:

DOCKET NO. 2012GS0201073

The State of South Carolina

County of Aiken

COURT OF GENERAL SESSIONS

AUGUST TERM 2012

**THE STATE
vs.**

JUSTIN CAMERON HARDEN

CDR #: 0044

Indictment for

UNLAWFUL CARRYING OF A PISTOL

§ 16-23-0020

J. STROM THURMOND, SOLICITOR

STATE OF SOUTH CAROLINA)
)
COUNTY OF AIKEN)
)

INDICTMENT FOR
UNLAWFUL CARRYING OF A PISTOL

§ 16-23-020

At a Court of General Sessions, convened on August 6, 2012, the Grand Jurors of Aiken County present upon their oath:

That JUSTIN CAMERON HARDEN did in Aiken County, on or about May 9, 2012 unlawfully carry about his/her person a pistol. All in violation of §16-23-20, 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.

Elizabeth B. Young
FOR J. STROM THURMOND, SOLICITOR

STATE OF SOUTH CAROLINA
COUNTY OF Aiken
STATE

IN THE COURT OF GENERAL SESSIONS

INDICTMENT/CASE#: 2012GS0201073

VS.
Justin Cameron Harden

AW#: M026768
Date of Offense: 5/9/2012
S.C. Code §: 16-23-0020
CDR Code #: 0044

AKA: _____
Race: 1 Sex: M Age: 21
DOB: 1 SS#: _____
Address: _____
City, State, Zip: NORTH AUGUSTA, SC 29841
DL# _____ SID# SC01800377

SENTENCE SHEET NMT 1 year

*CDL Yes No CMV Yes No Hazmat Yes No
In disposition of the said indictment comes now the Defendant who was
TO: Weapons / Unlawful carrying of pistol

CONVICTED OF or PLEADS NO CONTEST +/OR NMT \$1,000

In violation of § 16-23-0020 of the S.C. Code of Laws, bearing CDR Code # 0044

NON-VIOLENT VIOLENT SERIOUS MOST SERIOUS MANDATORY GPS §17-25-45

The charge is: As indicted, Lesser Included Offense, Defendant Waives Presentment to Grand Jury. J.H. (def.'s initials)
The plea is: Without Negotiations or Recommendation, Negotiated Sentence, Recommendation by the State.

ATTEST:

J.H. Solicitor SC Bar# 100236 Justin Harden Defendant Chris Smith Attorney for Defendant SC Bar# 80294

WHEREFORE, the Defendant is committed to the State Department of Corrections County Detention Center,
for a determinate term of 1 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 56 TIME SERVED days/months/years and/or payment
of \$ _____; plus costs and assessments as applicable; the balance is suspended with probation for 3

months/years and subject to South Carolina Department of Probation, Parole and Pardon Services standard conditions of probation, which are
incorporated by reference. TOLL PROBATION WHILE INCARCERATED OR YOUR CHARGE. (W)

CONCURRENT or CONSECUTIVE to sentence on: HOLD IN JAIL UNTIL YOU PROVE HEARING 2 AS
 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 PROVIDE
Department of Corrections. BELOW ONLY
 The Defendant is to be placed on Central Registry of Child Abuse and Neglect pursuant to S.C. Code §17-25-135. YOU SERVED

Pursuant to 18 U.S.C. Section 922, it is unlawful for a person convicted of a violation of Section 16-25-20 or 16-25-85 (Criminal
Domestic Violence) to ship, transport, possess, or receive a firearm or ammunition. SERVED (W)

SPECIAL CONDITIONS:

RESTITUTION: Deferred Def. Waives Hearing Ordered PTUP _____

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

Payment Terms: _____

Set by SCOPPPS _____

Recipient:		
*Fine:	\$	
§14-1-206 (Assessments 107.5%)	\$	
§14-1-211 (A)(1)(Conv. Surcharge)	\$100	\$ <u>100.00</u>
§14-1-211 (A)(2)(DUI Surcharge)	\$100	\$
§58-5-2985 (DUI Assessment)	\$12	\$
§58-1-286 (DUI Breath Test)	\$25	\$
Proviso 47.9 (Public Def/Prob)	\$500	\$ <u>500.00</u>
§14-1-212 (Law Enforce. Funding)	\$25	\$ <u>25.00</u>
§14-1-213 (Drug Court Surcharge)	\$150	\$
§50-21-114 (BUI Breath Test Fee)	\$50	\$
§58-5-2942(J) (Vehicle Assessment)	\$40/ea	\$
Proviso 90.5 (SCCJA Surcharge)	\$5	\$ <u>5.00</u>
3% to County (if paid in installments)		\$ <u>18.90</u>

TOTAL \$ 648.90

Clerk of Court/Deputy Clerk Shannon D. Roenker

Court Reporter: Risa H. Davenport
SCCA/217 (03/2011)

Obtain GED

Attend Voc. Rehab. Or Job Corp. IF DEEMED APPROP. BY SCOPPPS

May serve W/E beginning _____
Substance Abuse Counseling SEE BELOW
Random Drug/Alcohol Testing

Fine may be pd. in equal consecutive/weekly/monthly
prmts. of \$ _____ Beginning
\$ _____ Paid to Public Defender Fund

Other: Def. is to be held in jail until
discharge in order to attend in-patient
residential drug addiction treatment center,
approved by SCOPPPS & successfully complete
that program, with following treatment
 Appointed PD or appointed other counsel,
\$47.12 requires \$500 be paid to Clerk
during probation.

Presiding Judge William P. Dooling

Judge Code: 2050

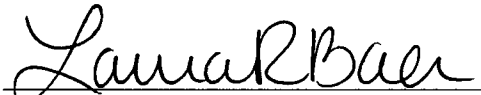
Sentence Date July 19, 2012

throughout probation; no contact w/ Billy
Rach; pay P.D. fee & court costs @ \$15/mo.
beginning 6/1/13

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."

June 24th, 2016



Laura R. Baer
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

RECEIVED

JUN 24 2016

SC Court of Appeals

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