

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

County of LEXINGTON  
STATE VS.  
MATTHEW TRUING SMOAK  
AKA:  
Race: W Sex: M  
DOB: [REDACTED]  
SSN: [REDACTED]  
SID#: 1682109

Indictment Number: 13 -GS- 32 - 7647  
Probation C/W#: C-32-16-0162  
Name of Original Offense: RESISTING ARREST, 3rd OFFENSE  
Original A/W#: 2013A3210600046  
Date of Original Offense: 8/12/13  
Conviction S.C. Code §: 16-07-0320(B)  
Conviction CDR Code #: 0 / 2 / 5 / 6  
Original Sentence: 2 YEARS SSB 79 DAYS (17) AND 5 YEARS

RECEIVED

JUN 30 2016

SC Court of Appeals

ORDER

The above named defendant has been charged with violating the conditions of probation ordered on 4/3/14 in the Court of General Sessions of LEXINGTON County, and/or the additional conditions ordered by the Court in probation continuation orders(s) issued on 1/2/15, as set forth in the attached warrant(s) or citation(s) dated 6/1/16. 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)  
§ 2, 10, special conditions

Therefore, IT IS ORDERED that:

- the suspended sentence be revoked and the above named defendant be required to serve 7 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:

- 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 33 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 24 day of JUNE, 2016  
LEXINGTON, SC

ENTERED  
[Signature]  
Presiding Judge  
14th 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 \_\_\_\_\_

Witnessed by [Signature]

A TRUE COPY

Signed this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_ Year, at \_\_\_\_\_

[Signature]  
Lex. Co. C.C.F., C.S. & F.C. SC