

FILED

1-10 yr / \$10,000

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF

JUL 21 2016

STATE

HORRY

JAMES R. PARKS

VS.

CLERK, STATE GRAND JURY

INDICTMENT/CASE#: 2015-GS-47-33 (COUNT 1)

GABINO DE LA TORRE

A/W#: DIRECT PRESENTMENT

AKA:

Date of Offense: 12/1/2012 TO 12/9/2015

Race: Hisp.

Sex: M

Age: 37

S.C. Code §: 44-53-270(e)(1)(b)

DOB: [REDACTED]

SS#: [REDACTED]

CDR Code #: 0283

Address:

City, State, Zip:

DL#

SID#

\*CDL Yes  No  CMV Yes  No  Hazmat Yes  No

In disposition of the said indictment comes now the Defendant who was

CONVICTED OF or  PLEADS

TO: TRAFFICKING MARIJUANA 10-100 POUNDS (CONSPIRACY), FIRST OFFENSE

In violation of § 44-53-370(e)(1)(a) of the S.C. Code of Laws, bearing CDR Code # 2360

NON-VIOLENT  VIOLENT  SERIOUS  MOST SERIOUS  Mandatory GPS

(CSC w/minor 1<sup>st</sup> or Lewd Act)

The charge is:  As indicted,  Lesser Included Offense

Defendant Waives Presentation to Grand Jury.

The plea is:  Without Negotiations or Recommendation,

Negotiated Sentence,

Recommendation by the State.

ATTEST:

*[Signature]* 73986

Assistant Attorney General

SC Bar #

Defendant

Attorney for Defendant

SC Bar # 75081

WHEREFORE, the Defendant is committed to the  State Department of Corrections  County Detention Center,

for a determinate term of 30 days/months/years or  under the Youthful Offender Act not to exceed X years

and/or to pay a fine of \$ 10,000 provided that upon the service of X days/months/years and or payment of \$ X ; plus costs and assessments as applicable; the balance is suspended with probation for X

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: 7/21/2016

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

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 \$ 100.00

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 \$ \_\_\_\_\_

Proviso 47.9 (Public Def/Prob) \$500 \$ \_\_\_\_\_

§14-1-212 (Law Enforce. Funding) \$25 \$ 25.00

§14-1-213 (Drug Court Surcharge) \$150 \$ 150.00

§50-21-114 (BUI Breath Test Fee) \$50 \$ \_\_\_\_\_

§56-5-2942(J) (Vehicle Assessment) \$40/ea \$ \_\_\_\_\_

Proviso 90.5 (SCJA Surcharge) \$5 \$ 5.00

3% to County (if paid in installments) \$ \_\_\_\_\_ \$ 2.40

TOTAL \$ 200.40

Clerk of Court/Deputy Clerk *James R. Parks*

Court Reporter: *Grace Hurley*

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

Presiding Judge: *Mirjamatt Calhoun*

Judge Code: 2148

Sentences-Date *Plea date: May 9, 2016*

*Sentence date: July 21, 2016*

*Mirjamatt Calhoun*

RECEIVED

AUG 04 2016

SC Court of Appeals

0-5yr / \$0-5,000<sup>00</sup>

**FILED**

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF

MARION

JUL 21 2016

STATE

VS.

JAMES R. PARKS

INDICTMENT/CASE#: 2015-GS-47 - 28

GABINO DE LA TORRE

CLERK, STATE GRAND JURY

A/W#: DIRECT PRESENTMENT

AKA:

Date of Offense: 4/30/2015

Race: Hisp.

Sex: M

Age: 5

S.C. Code §: 44-53-370(b)(2)

DOB: [REDACTED]

SS#: [REDACTED]

CDR Code #: 0186

Address:

City, State, Zip:

DL#

SID#

\*CDL Yes  No  CMV Yes  No  Hazmat Yes  No

In disposition of the said indictment comes now the Defendant who was TO: MANUFACTURING MARIJUANA, FIRST OFFENSE

CONVICTED OF or  PLEADS

In violation of § 44-53-370(b)(2) of the S.C. Code of Laws, bearing CDR Code # 0186

NON-VIOLENT  VIOLENT  SERIOUS  MOST SERIOUS  Mandatory GPS  §17-25-49

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:

[Signature] 73986  
Assistant Attorney General SC Bar #

[Signature]  
Defendant

[Signature] 75081  
Attorney for Defendant SC Bar #

WHEREFORE, the Defendant is committed to the  State Department of Corrections  County Detention Center, for a determinate term of 30 days/months/years or  under the Youthful Offender Act not to exceed X years and/or to pay a fine of \$ X; provided that upon the service of X days/months/years and or payment of \$ X; plus costs and assessments as applicable\*; the balance is suspended with probation for X 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: 7/21/2016  
 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 \_\_\_\_\_ days/hours Public Service Employment

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	\$ 100.00
§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	\$ 25.00
§14-1-213 (Drug Court Surcharge)	\$150	\$ 150.00
§50-21-114 (BUI Breath Test Fee)	\$50	\$ _____
§56-5-2942(J) (Vehicle Assessment)	\$40/ea	\$ _____
Proviso 90.5 (SCJA Surcharge)	\$5	\$ 5.00
3% to County (if paid in installments)	\$	\$ 7.40
TOTAL	\$	\$ 280.40

Random Drug/Alcohol Testing   
Fine may be pd. in equal consecutive weekly/monthly pmts. of \$ \_\_\_\_\_ Beginning \_\_\_\_\_  
\$ \_\_\_\_\_ Paid to Public Defender Fund

Other: Sentencing deferred  
\$25000 bond to remain in effect.

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

Clerk of Court/Deputy Clerk: James R. Parks  
Court Reporter: Grace Havelly

Presiding Judge: Amjant Culbertson  
Judge Code: 2148  
Sentence Date: Plea date: May 9, 2016  
Sentence date: July 21, 2016  
Amjant Culbertson

RECEIVED

AUG 04 2016

SC Court of Appeals

1-104R / \$10,000<sup>00</sup>

**FILED**

STATE OF SOUTH CAROLINA )

IN THE COURT OF GENERAL SESSIONS

COUNTY OF )

JUL 21 2016 )

STATE HORRY )

JAMES R. PARKE )

vs. )

CLERK, STATE GRAND JURY )

INDICTMENT/CASE#: 2015-GS-47-33 (COUNT 3)

GABINO DE LA TORRE )

A/W#: DIRECT PRESENTMENT

AKA: )

Date of Offense: 4/27/2015

Race: Hisp Sex: M Age: 5 )

S.C. Code §: 44-53-270(e)(1)(a)

DOB: [REDACTED] SS#: [REDACTED] )

CDR Code #: 2360

Address: )

City, State, Zip: )

DL# )

\*SID# )

\*CDL Yes  No  CMV Yes  No  Hazmat Yes  No

**SENTENCE SHEET**

In disposition of the said indictment comes now the Defendant who was TO: TRAFFICKING MARIJUANA 10-100 POUNDS, FIRST OFFENSE

CONVICTED OF or  PLEADS

In violation of § 44-53-370(e)(1)(a) of the S.C. Code of Laws, bearing CDR Code # 2360

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. (def.'s initials)  
The plea is:  Without Negotiations or Recommendation,  Negotiated Sentence,  Recommendation by the State.

ATTEST: [Signature] 73986 [Signature] 75081

Assistant Attorney General

SC Bar #

Defendant

Attorney for Defendant

SC Bar #

WHEREFORE, the Defendant is committed to the  State Department of Corrections  County Detention Center, for a determinate term of 30 days/months/years or  under the Youthful Offender Act not to exceed X years and/or to pay a fine of \$ 10,000.00, provided that upon the service of X days/months/years and or payment of \$ Y; plus costs and assessments as applicable; the balance is suspended with probation for X 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: 7/21/2016  
 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

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	\$ <u>100.00</u>
§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	\$ <u>25.00</u>
§14-1-213 (Drug Court Surcharge)	\$150	\$ <u>150.00</u>
§50-21-114 (BUI Breath Test Fee)	\$50	\$ _____
§56-5-2942(J) (Vehicle Assessment)	\$40/ea	\$ _____
Proviso 90.5 (SCJA Surcharge)	\$5	\$ <u>5.00</u>
3% to County (if paid in installments)	\$	\$ <u>2.40</u>
<b>TOTAL</b>	\$	\$ <u>280.40</u>

Random Drug/Alcohol Testing   
Fine may be pd. in equal consecutive weekly/monthly pmts. of \$ \_\_\_\_\_ Beginning \_\_\_\_\_  
\$ \_\_\_\_\_ Paid to Public Defender Fund

Other: Sentencing deferred  
\$25000 bond to remain in effect.

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

Clerk of Court/Deputy Clerk James R. Parke  
Court Reporter: Grace Henley

Presiding Judge Amjannutt Culbertson  
Judge Code: 2148  
Sentence Date Plea date: May 9, 2016  
Sentence date: July 21, 2016  
Amjannutt Culbertson