

**THE STATE OF SOUTH CAROLINA  
In the Appellate Court**

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**APPEAL FROM HAMPTON COUNTY  
Court of General Sessions**

**Perry M. Buckner III, Circuit Court Judge**

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**Case No(s): 2012-GS-25-0117**

The State,

Respondent.

v.

Joseph Becker,

Appellant.

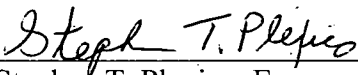
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**NOTICE OF APPEAL**

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Joseph Becker appeals his conviction and sentence in this case. The sentence was imposed by the Honorable Perry M. Buckner, III. on May 9, 2012.

Date: May 18, 2012

  
Stephen T. Plexico, Esq.  
Public Defender's Office  
Allendale and Hampton Counties  
P.O. Box 506  
Hampton, S.C. 29924  
Attorney for Appellant

Other Counsel of Record:  
R. Tabor Vaux, Jr.  
Solicitor for 14<sup>th</sup> Judicial Circuit  
PO Box 546  
Hampton, S.C. 29924  
Attorney for Respondent

**RECEIVED**  
MAY 21 2012

**SC Court of Appeals**

**In the Appellate Court**

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**PROOF OF SERVICE**

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I certify that I have served the Notice of Appeal on the below listed respondents by depositing a copy of it in the United States Mail, postage prepaid, on May 18, 2012, addressed to:

R. Tabor Vaux, Jr. Esq.  
Solicitor for 14<sup>th</sup> Judicial Circuit  
P.O. Box 546  
Hampton, S.C. 29924

Alan Wilson, Esq.  
Attorney General  
P.O. Box 11549  
Columbia, S.C. 29211

**RECEIVED**  
MAY 21 2012

**SC Court of Appeals**

May 18, 2012

*Stephen T. Plexico, Esq.*  
Stephen T. Plexico, Esq.  
Public Defender's Office  
Allendale and Hampton Counties  
P.O. Box 506  
Hampton, S.C. 29924

OFFICE OF THE PUBLIC DEFENDER  
FOURTEENTH JUDICIAL CIRCUIT  
ALLEDALE, HAMPTON & JASPER COUNTIES  
1 COURTHOUSE SQUARE, ELM STREET, SECOND FLOOR  
POST OFFICE BOX 506  
HAMPTON, SOUTH CAROLINA 29924  
Tel. (803) 914-2240 – Fax (803) 914-2244

May 18, 2012

**Via Regular Mail**

Mr. Kenneth A. Richstad  
Clerk, The S.C. Court of Appeals  
Post Office Box 11629  
Columbia, South Carolina 29211

**RECEIVED**

MAY 21 2012

**SC Court of Appeals**

RE: State v. Joseph Becker  
Warrant/Ticket No(s): N110127

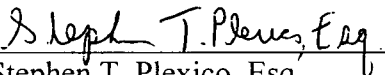
Dear Mr. Richstad:

Enclosed you will find the original Notice of Appeal in the above matter along with Proof of Service upon Respondents. The Notice has been filed with the Hampton County Clerk of Court. Also enclosed is a copy of the indictment.

These matters are being referred to the Office of Appellate Defense in that we were participating as Court appointed counsel at trial.

Thank you for your attention to this matter.

Yours very truly,

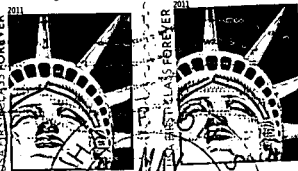
  
Stephen T. Plexico, Esq.  
Public Defender's Office  
Allendale and Hampton Counties  
P.O. Box 506  
Hampton, S.C. 29924

Enclosure

Cc: Office of the Fourteenth Circuit Solicitor  
Office of the Attorney General  
Office of the Appellate Defense

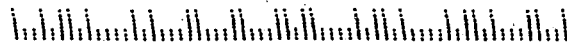
OFFICE OF THE PUBLIC DEFENDER  
ALLENDALE, HAMPTON AND JASPER COUNTIES  
COURTHOUSE ANNEX BUILDING, 2ND FL  
PO BOX 506  
HAMPTON, SC 29924

SALVANNAH GA  
MAY 18 2012



Mr. Kenneth A. Richstad  
Clerk, The S.C. Court of Appeals  
Post Office Box 11629  
Columbia, South Carolina 29211

29211629



COUNTY OF Hampton VS. STATE Joseph Becker

AKA: Race: CAUCASIAN Sex: M Age: 58 DOB: 11-18-1953 SS#: 148-46-4808 Address: 29 Rose Lane City, State, Zip: Easley SC 29918 DL#: 007548757 SID#:

\*CDL Yes No CMV Yes No Hazmat Yes No

In disposition of the said indictment comes now the Defendant who was TO: Assault and Battery 2nd Degree

0-3 yrs &/or up to \$2,500 INDICTMENT/CASE#: 2012CS2808117 A/W#: N110127 Date of Offense: 3/10/2012 S.C. Code §: 16-03-0600(D)(1) CDR Code #: 3412

RECEIVED MAY 21 2012 Court of Appeals

SENTENCE SHEET

CONVICTED OF or PLEADS

in violation of § 16-03-0600(D)(1) of the S.C. Code of Laws, bearing CDR Code # 3413 NON-VIOLENT VIOLENT SERIOUS MOST SERIOUS Mandatory GPS(CSC) §17-25-45 w/minor 1st or Lewd Act

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

ATTEST: Vaux, Tabor SC Bar# 77421 Defendant Joseph Becker Attorney for Defendant Sleep T. Plems SC Bar# 0120141

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 TIME-SAVED months/years and/or payment of \$; plus costs and assessments as applicable\*; the balance is suspended with probation for 5

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 the 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 Total: \$ 3,530.77 plus 20% fee: Payment Terms: SC restitution order form. Set by SCDPPPS

PTUP IF NO OTHER VIOLATIONS days/hours Public Service Employment

Recipient:

Table with 3 columns: Description, Amount, Total. Rows include assessments, surcharges, and fees totaling \$648.90.

Obtain GED Attend Voc. Rehab. or Job Corp. 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: NO CONTACT WITH VICTIM BRANDON TOLLY, JAMES MOORE, ORELIAN BETH AUTO Appointed PD or appointed other counsel, § 47.12 requires \$500 be paid to Clerk during probation.

Clerk of Court/ Deputy Clerk Melinda D. Needles Court Reporter: Becky Hill SCCA/217 (03/2011)

Presiding Judge Judge Code: 0122 Sentence Date: 5/9/12

WITNESSES

Singleton, HCSO ✓

DOCKET NO. 2012GS2500117

The State of South Carolina  
County of Hampton

COURT OF GENERAL SESSIONS

April Term 2012

ARREST WARRANT NUMBER

N110127

Date of Arrest: March 11, 2012

THE STATE

vs.

ACTION OF GRAND JURY

Joseph Becker

**TRUE BILL**

*Cecilia B. McKenzie*  
Foreperson of Grand Jury

Date: APR 19 2012

VERDICT

Indictment for

Assault & Battery 1st Degree

SC Code: 16-03-0600(C)(1)  
CDR Code:3412

Foreperson of Petit Jury  
Date:

INDICT

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF HAMPTON )

INDICTMENT  
2012GS2500117


At a Court of General Sessions, convened on April 19, 2012, the Grand Jurors of Hampton County present upon their oath:

**Assault & Battery 1st Degree**

That in Hampton County, South Carolina, on or about March 10, 2012, the Defendant, Joseph Becker, did unlawfully offer or attempt to injure the Victim, Brandon R. Terry, with the present ability to do so, and the act was accomplished by means likely to produce death or great bodily injury; in violation of Section 16-3-600 of the 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.

LIB  
JURY

  
Isaac M. Stone, III  
Solicitor, 14<sup>th</sup> Judicial Circuit