

**ORIGINAL**

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

Appeal From Greenwood County  
Eugene C. Griffith, Jr., Circuit Court Judge

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SC Court of Appeals

THE STATE

Appellant,

vs.

JOSIE DEAN JONES

Respondent.

Appellate Case No: 2016-000273

**RECORD ON APPEAL**

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**INDEX**

ENTIRE PLEA TRANSCRIPT DATED FEBRUARY 3-4, 2016.....1

ORDER FOR ENROLLMENT IN THE GREENWOOD COUNTY HOME  
DETENTION PROGRAM AND DEFENDANT’S AGREEMENT FOR  
PARTICIPATION .....30

SENTENCING SHEETS .....35

TRUE-BILLED INDICTMENTS .....37

CERTIFICATE OF COUNSEL .....41

State of South Carolina            )  
   ) Court of General Sessions  
 County of Greenwood            )        2015-GS-24-0871

State of South Carolina            )  
   )        Transcript of Record  
   )  
 Josie D. Jones                    )  
   )        DEFENDANT

February 3-4, 2016  
 Greenwood, South Carolina

B E F O R E:

Honorable Eugene C. Griffith, Jr., Judge

A P P E A R A N C E S:

William A. Maxey, Assistant Solicitor  
 Attorney for the State

Patricia Bolen, Assistant Public Defender  
 Attorney for the Defendant

Joy E. Holston  
 Official Court Reporter

1 THE COURT: Solicitor.

2 MR. MAXEY: Yes, Your Honor. This is a matter of the  
3 State versus Josie Jones. True billed indictment,  
4 15-GS-24-871 for trafficking methamphetamine, 10 to 28  
5 grams. And she is pro se and coming before the Court to  
6 be warned of the dangers proceeding pro se.

7 THE COURT: Haven't I talked to you before?

8 MS. JONES: Yes, sir.

9 THE COURT: Okay. You were real scared and the last  
10 time you were trying to hire somebody. I kind of put the  
11 brakes on it for you.

12 MS. JONES: Yes.

13 THE COURT: What have you done since then, that was  
14 before Christmas, wasn't it?

15 MS. JONES: Yes, sir.

16 THE COURT: Where do you stand now with the lawyer?

17 MS. JONES: I tried to get Andrew Hodge, I didn't  
18 have the money at the time. I mean, this is the first  
19 time I have ever been in trouble.

20 THE COURT: You told me that, your daddy was here  
21 with you last time, wasn't he, he was sitting over there.

22 MS. JONES: Yes, sir.

23 THE COURT: And I was concerned about that and the  
24 first time and I remember all of that.

25 MS. JONES: I am sorry, I have been trying to get the

1 money up. I had half of the money up to get a lawyer and  
2 I talked to one last night and they are not wanting to  
3 take the case anymore. So, I really am stuck.

4 MR. MAXEY: And just to refresh Your Honor's memory.  
5 She did have the public defender and she fired them in  
6 front of you and moved to relieve them.

7 THE COURT: Who was the public defender at that time?

8 MS. JONES: Ms. Able.

9 THE COURT: She was ready to go at the trial, if I  
10 remember. Because Ms. Nelson was here.

11 MS. JONES: I am sorry, Your Honor.

12 THE COURT: Here is the thing I tried to explain to  
13 you last time. The State has got a job and they have got  
14 cases to move. And they don't really, get emotional about  
15 it.

16 MS. JONES: They don't have time.

17 THE COURT: He has got time, he only has limited  
18 court time so he has got to get as much done as he  
19 possibly can or the cases back up. But he is not  
20 emotional about it. He has got ten other cases he could  
21 call. But your case, tried to call it last term and now  
22 here we are back this term. And he wants you to have a  
23 lawyer because it is easier for him to talk with your  
24 lawyer and say, look, I am going to do this and this and  
25 this. And the lawyer understands that is what he means.

1 You don't have the background and training that a lawyer  
2 would. So he has got to be careful how he talks to you  
3 because you are not a lawyer. It is not that he is being  
4 rude or anything, it is just he can't tell you how to  
5 stipulate to the chain of custody of evidence. You don't  
6 know what that means. He knows and your lawyer would know  
7 exactly what that meant. It is just things he can't  
8 explain to you because that would be giving advice to you.

9 MS. JONES: Your Honor, my ex, the one that I got  
10 locked up, me and him is not together anymore because he  
11 has been holding me back. And I was wanting to know if it  
12 was okay if you could give me until Friday and I would  
13 have the lawyer and the money because I have my friend  
14 here today and she is helping me.

15 THE COURT: But you told me that back before  
16 Christmas. I mean it was eleventh hour, late, late, late  
17 and I don't mean time wise but they are ready to call a  
18 jury. That is the time to do it. I was so concerned  
19 about you and you were telling me a very similar thing.  
20 And I said, okay, I am going to give you until the next  
21 term of court. And I will be back, here I am just like I  
22 promised. I mean, why should I take your word this time  
23 when I took it last time and here I am in the same boat.

24 MS. JONES: I can understand what you are saying. I  
25 have been through a lot and if you could take my word this

1 time I will get it done. I mean, I know that is what I  
2 said last time and it didn't happen. A lot of things have  
3 happened this week, well, last week. And it has made me  
4 realize, a lot of people don't care about me, you know.  
5 And they are out for theirselves. So, it is making,  
6 realize, look, you need to put them to the side and think  
7 about yourself and get this done. Your Honor, I am sorry.

8 THE COURT: Here is the issue I have got, we went  
9 through this back before Christmas and Mr. Maxey, I am  
10 certain, the whole Solicitor's office wants you to get the  
11 lawyer of your own choosing, you had a public defender,  
12 that is what you need. You need counsel.

13 MR. MAXEY: Your Honor, further to that point, she  
14 was brought into court during the general sessions term in  
15 January when Judge Addy admonished her the importance of  
16 getting an attorney again too.

17 MS. JONES: Your Honor, it is like I am stuck.

18 THE COURT: Tell me again why we let the public  
19 defender ago. They were telling you something and you  
20 just didn't agree with them? That happens a lot. I used  
21 to work on that side of that bar, and I prosecuted people  
22 and I defended people and I worked part-time one time for  
23 the public defender. And one thing that I noticed is when  
24 people didn't want to hear exactly what I was saying,  
25 look, you are in trouble. The facts don't look good, they

1 have got a lot of evidence against you or something, it is  
2 your job to look over the other guy's file. What do they  
3 have on you. That is what lawyers do. And every time I  
4 tell my client, this is going to be tough, the facts  
5 aren't good, they have got evidence against you, the  
6 police did a good investigation, we are going to have an  
7 uphill battle. Sometimes my client would get frustrated  
8 with me because they didn't want to hear that. And they  
9 go, you must not want to know what you are talking about.  
10 And then the next thing you know, I am an idiot but I was  
11 telling the truth.

12 MS. JONES: Yes, Your Honor.

13 THE COURT: I observe as a Judge a lot of times when  
14 people, when they get frustrated with their lawyers,  
15 lawyer is telling the truth, the client don't want to hear  
16 it. They don't want to listen because they are not ready  
17 to listen.

18 MS. JONES: I was 18 and I had, he was like, just  
19 fire your public defender, put it off and put it off. And  
20 I am thinking, what is that going to do me any good. That  
21 is not going to do any good. That is just going to make  
22 it look bad. And, Your Honor, when I had the public  
23 defender, I feel like she didn't explain like the first  
24 offer that y'all wanted me to take. And it was just hard.

25 MS. BOLEN: Your Honor, Ms. Able was appointed to

1 represent her, I was second chairing for the trial so I  
2 met with Josie.

3 THE COURT: You were there.

4 MS. BOLEN: Yes. So I met with her a number of times  
5 and was present for the hearing. And if Your Honor would  
6 like me to refresh what I remember from the reason she  
7 gave up I am happy to do that but I don't want to step in  
8 if you don't want me to.

9 MS. JONES: Can I say one more thing?

10 THE COURT: Yes, ma'am.

11 MS. JONES: And, Your Honor, Trey and--

12 THE COURT: Trey is the guy you are no longer with?

13 MS. JONES: This is, he is my ex. He is out of the  
14 picture.

15 THE COURT: He was the guy that gave you bad advice  
16 when you have got somebody to give you good advice, he  
17 said--

18 MS. JONES: He was the one that I got locked up with  
19 that night.

20 THE COURT: Where is he on this, is he the  
21 codefendant?

22 MR. MAXEY: Not on this particular drug charge  
23 because of where these drugs were located.

24 MS. JONES: But he came in with me to talk to my  
25 public defender. Well, I am not going to lie about

1 nothing. I mean, that gets you no where. But he came in  
2 and we talked and she remembers it.

3 THE COURT: Ms. Bolen and Ms. Able?

4 MS. JONES: Yes.

5 THE COURT: That is Ms. Bolen.

6 MS. JONES: Ms. Bolen, do you remember when me and  
7 Trey were here that day?

8 THE COURT: Yes.

9 MS. JONES: Okay. So he got caught in a lie because  
10 he said that he got out of the truck.

11 THE COURT: All right. I remember a lot of confusion  
12 with all of that. But here is the thing is, I talked to  
13 you before Christmas, Judge Addy talked to you early  
14 January and here it is early February. Mr. Maxey's boss  
15 is looking at him like, why can't you move your cases.  
16 You have had three shots at it, December, January,  
17 February. You are not the only case he has got. But he  
18 has got to move cases. And if they are ready to go it is  
19 time to move them.

20 MS. JONES: I understand.

21 THE COURT: It is difficult for him to talk directly  
22 with you. You have a lawyer, it is easy. If you knew you  
23 weren't going to get the lawyer why hadn't you reapplied  
24 for the public defender before today?

25 MS. JONES: At the time I knew that I was going to

1 have the money. I talked to my friend and he was going to  
2 give me the money. And I think it was Rauch Wise that I  
3 told you some private lawyer. Never did happen. And my  
4 friend, he said call Andrew Hodge, so I did. And I went  
5 and met with him, he said, I need a thousand dollars and I  
6 will take the case. At the time I didn't have it.

7 THE COURT: You got the public defender so I know you  
8 didn't have a lot of money. It is hard to get other  
9 people to pay for your problems. You have got your  
10 problems, you have got to deal with your own problems.

11 MS. JONES: Yes, sir. And my dad, he put back half  
12 the money, he helped me as much as possible. And the  
13 other I needed to come up with.

14 THE COURT: Let me ask you this. He is ready to tee  
15 up for a trial starting tomorrow morning. How are you  
16 going to represent yourself. I mean can you?

17 MS. JONES: I am pretty sure I couldn't. It would  
18 probably get me no where and it would be wasting y'all's  
19 time. But my friend, she was going to help me look for  
20 some lawyers and get it done today.

21 THE COURT: Realistically it is like going to a  
22 doctor to have surgery tomorrow, you can't find a doctor  
23 this afternoon to have surgery. You can't find a lawyer  
24 to represent you tomorrow.

25 MS. JONES: Because they are busy and stuff.

1 THE COURT: You have got to go through the pipeline.  
2 You have got to go see them and visit with them. You have  
3 got to make arrangements with them. You have got to be  
4 interviewed by them and prepare for trial. It is not like  
5 a one stop and going to the grocery store and buying  
6 ingredients for a supper. It is a process.

7 MS. JONES: I am sorry. I am stuck at this moment.  
8 I mean, if he was willing or you was willing to give me  
9 until Friday, I would have the money and a lawyer. If  
10 there is any way to hire another public defender, is that  
11 possible?

12 THE COURT: I tell you what I am going to do.

13 MS. JONES: I am sorry.

14 THE COURT: I am going, until I make a decision I  
15 want you to sit here in the grand jury box over there,  
16 right there. And I am going to figure out what to do with  
17 you, appoint you somebody or do something because we can't  
18 keep going around in the same circle. Let's take a break.

19 (Whereupon, a short break was taken.)

20 (Whereupon, guilty pleas were taken by the Court and  
21 a lunch break was taken.)

22 THE COURT: Mr. Maxey, we adjourned or recessed the  
23 hearing I was having regarding Ms. Jones. Ms. Jones, when  
24 we talked at length about your attorney or having one or  
25 not having one, what I am concerned about is getting this

1 case resolved for the State's benefit but also for your  
2 benefit. And you need and deserve representation if you  
3 so choose. They are just trying to move the case. They  
4 want to call it but they want to call the next one right  
5 behind it, it is not just yours, they are not focused on  
6 your case, they are focused on every day. So, do you want  
7 or do you remember Judge Addy admonishing you in January  
8 about getting an attorney and be ready and prepared for  
9 trial. Do you remember that, Judge Addy did that with you  
10 in January?

11 MS. JONES: Yes, sir.

12 THE COURT: Now, would you agree with me that you  
13 have not retained a lawyer or reapplied for the public  
14 defender? Have you applied for the public defender or  
15 hired a lawyer at this point?

16 MS. JONES: No.

17 THE COURT: Okay. I think that is pretty obvious.  
18 Do you think that is not within the requirements he placed  
19 on you, to hire a lawyer and be ready to go to trial?

20 FATHER: We have tried to get one.

21 THE COURT: Here is what I am going to do and you  
22 have been very polite, I am telling you that. You have  
23 not been disrespectful to me nor has your father. Y'all  
24 have always been respectful in here. But because of my  
25 position in trying to get the cases moved and the State is

1 ready to go I have got to hold you in contempt for not  
2 doing that at Judge Addy's direction. Okay. That is  
3 about as nicely as I can put it. But to hold you in  
4 contempt, the punishment would be to hold you in custody  
5 until you hire a lawyer or apply for the public defender.  
6 Okay. You can apply for them this afternoon if you want  
7 to. But until you get a lawyer or apply for a lawyer I am  
8 going to take you into custody. Okay.

9 MS. JONES: Today?

10 THE COURT: Today. Now, I have already talked with  
11 your former public defender to say when she left. Because  
12 I remember because I had the hearing. It didn't seem she  
13 was upset with you or she was disagreeing with you or you  
14 weren't listening with her, y'all buying time maybe. I  
15 don't know. It didn't matter but you weren't having cross  
16 words like I have seen with some clients and lawyers where  
17 they are not getting along at all and disagreeing because  
18 there was a mistrust there. Y'all seem to be  
19 communicating effectively. If you want to reapply she is  
20 still familiar with your case. She already has studied  
21 your files.

22 FATHER: I think there was a misunderstanding where,  
23 she thought it was going to be, she was going to have to  
24 do three years. But I think that y'all had three years  
25 suspended to two years of probation on paper.

1 THE COURT: Well, see, here is what I understand  
2 because I have asked that same question to the lawyers all  
3 together. Early on in cases the State generally makes an  
4 offer considering the facts we have, considering the law,  
5 considering the statute that she is charged with breaking.  
6 This is what we believe to be a fair resolution and that  
7 is kind of an initial offer. The lawyers that receive it  
8 for clients then look at it and say, well you know, that's  
9 the offer but how about this. And there is a little  
10 exchange back and forth. As I understand it Mr. Maxey has  
11 the awareness that she has got no prior record, she has  
12 never done anything wrong, never broken the law and  
13 therefore that is a huge benefit, never been in trouble  
14 with the law before. That is something that all of the  
15 defense lawyers say about their clients, I have never been  
16 in trouble, I am young, I need a second chance, give me  
17 some kind of supervisory probationary sentence. Very  
18 aware of that over here. He made an offer of something  
19 that probation was perhaps available for. And then the  
20 time started dragging on and he is ready to go to trial  
21 and so he withdrew that offer and now his only offer is,  
22 as charged. The indictment says, trafficking 10 to 28  
23 grams. Basically what she was caught with per his version  
24 of the story. And that is all he has to go on. Do you  
25 understand. So what we are going to do, I am going to

1 take you into custody and hold you in contempt. But you  
2 can purge that contempt finding by getting a lawyer or  
3 applying for the public defender. Okay. Now, I think it  
4 would behoove you to apply for the public defender very  
5 quickly. Okay.

6 MS. JONES: And if I did that?

7 THE COURT: If you did that then you talk to her  
8 about how to get the contempt removed. It is not  
9 automatically on a remove on contempt because I want you  
10 to talk to her. What I don't want is for you to apply for  
11 the public defender and walk out of here and go, okay, I  
12 will see them next month. That is what is happened three  
13 months straight. This case has got to get resolved.

14 MS. JONES: Can I ask something?

15 THE COURT: Yes. What is your question.

16 MS. JONES: When I go into custody, will I be in  
17 there for a while?

18 THE COURT: Until we can have a contempt or removal  
19 of contempt hearing. Everything I have said to you has  
20 been on the record I am not trying to hide anything from  
21 you. Ms. Holston has taken everything that I have said to  
22 you and your questions back to me and Mr. Maxey's  
23 comments. But the Court's business has got to get done.  
24 Okay. Now, you talk with your public defender if you  
25 apply for them this afternoon. But you have got to get

1 that done. She is in custody under contempt. She can  
2 purge that by doing what I told her. All right.

3 (Whereupon, Ms. Jones was taken into custody.)

4 February 4, 2016.

5 THE COURT: Solicitor.

6 MR. MAXEY: If it please the Court. Standing before  
7 you is the defendant, Josie Jones, represented by Patricia  
8 Bolen of the Eighth Circuit Public Defender's office.  
9 Pleading guilty to two indictments this morning, both true  
10 billed indictments, 15-870 for possession of a controlled  
11 substance; and 15-871 for trafficking methamphetamine, 10  
12 to 28 grams, first offense. And this plea is straight up  
13 without recommendation.

14 THE COURT: All right. Your name is Josie Dean  
15 Jones?

16 MS. JONES: Yes, sir.

17 THE COURT: I have got two indictments. The first  
18 one is 870, possession of a controlled substance which  
19 reads that you while in Greenwood on the 4th of April of  
20 '15 did possess a quantify of suboxone which is a  
21 controlled substance in violation of the health code  
22 provision, 44-53-370. It is my understanding that you are  
23 pleading guilty on that indictment; as well as indictment  
24 871 of 2015. And that indictment reads in part that you  
25 while in Greenwood County on the 4th of April of '15 did

1 knowingly traffic in methamphetamine by having actual  
2 possession of more than 10 but less than 28 grams of  
3 methamphetamine in violation of the health code,  
4 provisions 44-53-375. It is my understanding that you  
5 want to plead on that one as well.

6 MS. JONES: Yes, sir.

7 THE COURT: Ms. Bolen, you represent Ms. Jones?

8 MS. BOLEN: Yes, Your Honor, I do.

9 THE COURT: And you have had an opportunity to  
10 discuss with her the elements of both of these charges and  
11 her potential punishment?

12 MS. BOLEN: Yes, Your Honor, I have.

13 THE COURT: Do you have a belief that she would be  
14 convicted if she went to trial?

15 MS. BOLEN: Yes, sir.

16 THE COURT: And you agree with her decision to enter  
17 this plea?

18 MS. BOLEN: Yes, sir.

19 THE COURT: All right, Ms. Jones, I am going to have  
20 you placed under oath.

21 JOSIE JONES, being  
22 first duly sworn, testified as follows:

23 THE COURT: In the last 24 hours have you taken any  
24 alcohol, drugs or medication?

25 MS. JONES: Not in the last 24.

1 THE COURT: In the last 48?

2 MS. JONES: Yes.

3 THE COURT: What did you take?

4 MS. JONES: I was using.

5 THE COURT: What were you using?

6 MS. JONES: I used.

7 THE COURT: Methamphetamine?

8 MS. JONES: Yes.

9 THE COURT: You feel okay right now?

10 MS. JONES: Yes.

11 THE COURT: You have had, I took you into custody  
12 yesterday, late afternoon, probably you have been in  
13 custody since yesterday morning.

14 MS. JONES: Yes, sir.

15 THE COURT: Do you agree with that, you went to lunch  
16 and you came back at 2:00 like I directed. Most  
17 importantly is, have you had a chance to talk to Ms. Bolen  
18 about your plea, have you had a chance to talk to her?

19 MS. JONES: Yes.

20 THE COURT: Sufficiently to talk to her. I want to  
21 make sure you have understood your conversations with her.

22 MS. JONES: Yes, sir.

23 THE COURT: And she has explained to you that you  
24 have the ability to plead not guilty and have a trial. We  
25 could have a trial today because we have got a jury

1 waiting. And Mr. Maxey is ready to go with his witnesses  
2 and whatnot and y'all can present your defenses and  
3 challenge his evidence, cross-examine his witnesses if you  
4 choose. You can do that, do you understand. Ms. Bolen is  
5 ready to go and she could, she has got another young  
6 lawyer that would help her. What I want to make certain,  
7 you have understood your conversations with her and you  
8 understand to give up that right to defend yourself at  
9 trial. Do you understand that?

10 MS. JONES: Yes, sir.

11 THE COURT: And you don't have to testify at trial.  
12 You don't have to prove you didn't do something. They  
13 have got to prove that you did. You could remain silent,  
14 he can't call you as a witness, he can't, is not allowed  
15 to comment on your silence if you choose to keep your  
16 mouth shut. Do you understand?

17 MS. JONES: Yes, sir.

18 THE COURT: Now, do you want to waive those rights to  
19 defend yourself at trial?

20 MS. JONES: Plead guilty.

21 THE COURT: Are you giving up those rights to defend  
22 yourself freely and voluntarily?

23 MS. JONES: Yes.

24 THE COURT: Are you clearheaded right now?

25 MS. JONES: Yes, Your Honor.

1 THE COURT: Tell me what happened. I think I was  
2 apprized in-chambers generally of the gist of the facts of  
3 this case.

4 MR. MAXEY: Yes, Your Honor. The early morning hours  
5 of April 4th of last year, 2015, Greenwood County Dispatch  
6 received a call about a suspicious vehicle in the area of  
7 Riley Road near Hodges. Deputy Mathis went out to the  
8 scene, this truck pulled over into a driveway, Officer  
9 Mathis went up to the driver of the car, ask him for his  
10 license and registration. The truck turned out to be  
11 stolen, all three occupants of the vehicle were arrested.  
12 Ms. Jones admitted freely as she was being arrested for  
13 receiving stolen goods, that she had a suboxone strip in  
14 her purse that she was not supposed to have, that is the  
15 reason for the controlled substance charge. She was  
16 transported to the Greenwood County Detention Center and  
17 as she was searched, when she was being booked into the  
18 jail she had two baggies with a total weight of  
19 approximately 13 and a half grams of methamphetamine.  
20 Those were sent down to SLED and tested and turned out  
21 positive for methamphetamine. Additionally, the  
22 procedural history of this case is that she was originally  
23 on the November trial docket. Your Honor continued it and  
24 then she came back here and was admonished in January, and  
25 then came back again in February without an attorney and

1 had the public defender reappointed and now we are here  
2 today.

3 THE COURT: You heard the facts, the police stopped  
4 your car late at night, got to the jail, found  
5 methamphetamine on you and you had a strip of suboxone in  
6 your pocketbook or somewhere.

7 MS. JONES: Yes, sir.

8 THE COURT: Is that what you did?

9 MS. JONES: Yes, sir.

10 THE COURT: You understand if I accept your plea you  
11 are going to have convictions for drugs on your record.  
12 And those convictions can be used against you later if  
13 future drug offenses occur. Do you understand that?

14 MS. JONES: Yes, sir.

15 THE COURT: Do you understand that second offenses  
16 carry more punishment on all drugs than do first offenses?

17 MS. JONES: Yes, sir.

18 THE COURT: So the State could use this conviction  
19 against you later if future drug behavior occurs?

20 MS. JONES: Yes, sir.

21 THE COURT: You also understand that the trafficking  
22 is considered a violent offense. And what that means is  
23 if you are sent to the Department of Corrections, you are  
24 not qualified for all the programs that non-violent  
25 offenders are qualified for. Do you understand?

1 MS. JONES: Yes, sir.

2 THE COURT: Now, I ask you again, you have had enough  
3 time to discuss with Ms. Bolen your plea and your  
4 potential punishment involved. Is that right?

5 MS. JONES: Yes, sir.

6 THE COURT: And you don't want a trial?

7 MS. JONES: No, sir.

8 THE COURT: You want to get this done and admit your  
9 guilt?

10 MS. JONES: Yes, sir.

11 THE COURT: Have you understood all of your  
12 conversations with her?

13 MS. JONES: Yes, sir.

14 THE COURT: Are you pleading guilty freely and  
15 voluntarily?

16 MS. JONES: Yes, sir.

17 THE COURT: And are you pleading guilty because you  
18 are, in fact, doing what Mr. Maxey said?

19 MS. JONES: Yes.

20 THE COURT: You are pleading guilty but you did, what  
21 he said is a summary of what you did, is that right?

22 MS. JONES: Yes.

23 THE COURT: That is what you are admitting to?

24 MS. JONES: Yes.

25 THE COURT: Regarding indictment 15-GS-24-indictment

1 870 and 871. I find that Josie Dean Jones made a free,  
2 knowing and intelligent plea of guilt to the defense of  
3 possession of a controlled substance, first offense, and  
4 trafficking in methamphetamine, more than 10, less than 28  
5 grams. She has entered this plea with advice of counsel  
6 of an attorney of whom she states she is satisfied. And  
7 the State provided accurate facts to support this. Ms.  
8 Bolen, let me hear from you.

9 MS. BOLEN: Thank you, Your Honor, may it please the  
10 Court. Josie is 19 years old, she actually just turned 19  
11 this past weekend. As I think Your Honor is aware from  
12 some of the previous history on this case, this has been a  
13 very emotional time for Josie. At the time that this  
14 incident happened, Your Honor, she was 18 years old, she  
15 made the mistake of hanging out with some people who were  
16 a good bit older than her and who were engaged in  
17 activities that were not the right thing to do. When this  
18 happened, Your Honor, she was a passenger in the truck.  
19 And when the truck got pulled over another individual in  
20 the truck gave her the drugs and told her to hide them.  
21 And that is what she did. She understands that they were  
22 obviously on her so that obviously makes her guilty of  
23 possessing them. But this is not a situation where she  
24 was, has ever made drugs, has ever sold drugs or anything  
25 like that. She was sort of a young vulnerable person who

1 did what someone who is older and influential over her  
2 told her to do. She has now distanced herself from those  
3 people. I think she told Your Honor yesterday in one of  
4 her hearings that she has broken up with one of the  
5 individuals in the car and I think that is a step towards  
6 her trying to get her life together and trying to do the  
7 right thing. She has applied to some jobs, she applied at  
8 Cook-Out recently. She is trying to get into Genesis to  
9 finish her GED. She is actually a bright young woman and  
10 I think she is someone who actually could have a future  
11 ahead of her if she can just get this behind her. And she  
12 did, you know, when we talked in the jail yesterday after  
13 court was over she did tell me, she knows she has got a  
14 problem, as I think is evidence by all of her iterations  
15 here in the courtroom. Your Honor, we are asking you to  
16 consider some sort of mercy on her. If the trafficking  
17 charge makes it, it sounds like she is just, you know,  
18 transporting large amounts of drugs across State lines,  
19 bringing drugs to other people and that, although the way  
20 our statute is written, because of the weight it does fall  
21 under trafficking. She is not what I would consider a  
22 drug trafficker. I don't believe she knew how much was in  
23 there when the bag was thrust at her and told her, hey,  
24 hide this. But, again, she realizes by doing what he said  
25 that she did the wrong thing. And she is here taking

1 responsibility for that. But we are asking you to  
2 consider some sort of sentence such as house arrest or  
3 probation that would allow her to get her life together.  
4 I think she is honestly taking steps to try to do the  
5 right thing. She has spent, obviously last night in jail  
6 and then also in the jail when she was arrested. I saw  
7 her yesterday in the jail and then this morning and to me  
8 it looks like she didn't sleep at all last night because  
9 of all the anxiety with this case. And I think being in  
10 the jail, even for such a short time, has had a very  
11 strong affect on her. She is someone that I hope we will  
12 never see back again. I think of all of the clients I  
13 have represented, this has perhaps been the case where a  
14 charge has had the most significant emotional affect on  
15 someone that I have seen. So we are asking you to take  
16 all of that into consideration and consider some sort of  
17 sentence where she could be on house arrest or be on  
18 probation or something like that, Your Honor.

19 MR. MAXEY: May I be heard, Your Honor?

20 THE COURT: Yes.

21 MR. MAXEY: I have just been notified by someone in  
22 my office, who looked up Ms. Jones' public Facebook  
23 profile, I want to show this to defense counsel.

24 MS. BOLEN: Your Honor, apparently her Facebook page,  
25 can I see that for just a minute.

1 MS. JONES: May I see it. Yes, that says I am in a  
2 relationship with him but, that is just on Facebook, sir.

3 MS. BOLEN: And it doesn't look like she has actually  
4 posted. So, Your Honor, the issue, what the Solicitor has  
5 handed up to me is her Facebook page which says that she  
6 went to Greenwood High School, lives in Hodges, South  
7 Carolina. And under the relationship status says that she  
8 is in a relationship with Trey who is that gentleman.  
9 However, it doesn't look, although people have posted to  
10 her page in the last month, it doesn't look like she has  
11 actually posted. She didn't change her relationship  
12 status, Your Honor, apparently.

13 THE COURT: She is pleading to what she is charged  
14 to.

15 MR. MAXEY: I just wanted you to know she may be less  
16 than forthcoming with the Court.

17 THE COURT: I think she is forthcoming this morning  
18 by her admission to me about the last 48 hours.

19 MR. MAXEY: Okay, that is true, yes.

20 THE COURT: What else you got, anything else?

21 MR. MAXEY: Nothing, Your Honor. Just no  
22 recommendation.

23 THE COURT: Okay. Anything else?

24 MS. BOLEN: No, sir.

25 THE COURT: I accept the plea. This is what I tried

1 to fashion, all things considered, her lack of prior  
2 record and her age. Sentence of the Court, on the  
3 trafficking is 5 years, that is suspended upon the service  
4 of 18 months, cost and assessments imposed, probation for  
5 36 months also. Now, the 18 months can be served under  
6 the home incarceration program which is essentially house  
7 arrest. She has got to make arrangements to be qualified  
8 for that and we will sign an order doing that. She will  
9 be placed in substance abuse counseling, hopefully  
10 inpatient while she is on probation. If probation can  
11 work it out the inpatient longterm can count toward the  
12 home incarceration time. She is going to be on probation  
13 for about, 18, 36, about 5 and a half years, well no, I am  
14 sorry, 4 and a half years. Not figuring on home  
15 incarceration program because you get day-for-day. If I  
16 were to give her 3 years, rough figures, would be parole  
17 eligible, it would be about fifty percent. And that is  
18 how we figure it. I am just thinking out loud for y'all.  
19 This home incarceration, you don't get good time. So, I  
20 want her to do everything that she can to get this behind  
21 her. And I think that allows her that opportunity. If  
22 she doesn't take advantage of it probation will let us  
23 know and we will deal with it then. On the other charge  
24 is 6 months suspended to 36 months of probation, they run  
25 concurrent. And I impose the public defender assessment.

1 MR. MAXEY: Your Honor, the State objects to that  
2 sentence pursuant to 44-53-375(c)(1)(a); provides that for  
3 someone convicted of trafficking of 10 grams or more but  
4 less than 28 grams, for a first offense a term of  
5 imprisonment of not less than 3 years, no more than 10  
6 years, no part of which may be suspended nor probation  
7 granted and a fine of \$25,000.00 dollars. I just wanted  
8 to note the State's objection to that sentence is not  
9 complying with the statute for the record.

10 THE COURT: Okay, noted.

11 MS. BOLEN: Your Honor, just so I am clear, the home  
12 incarceration program, is that saying she applies for  
13 through probation?

14 THE COURT: There is a supplemental order that she  
15 has got, y'all have got to fill out and reattach to this  
16 to allow her to have the home incarceration program. Is  
17 that right?

18 PROBATION OFFICER: Home incarceration is actually  
19 done by the Sheriffs Department.

20 THE COURT: Okay. There is a supplemental order that  
21 we will sign that she will see the conditional term of  
22 where she is going to live and how she is supervised there  
23 and what she can depart from the home to do, things like  
24 that. It is a form order that is kind of piecemeal thing.

25 PROBATION OFFICER: Now, the probation department, we

1 treat those as a split sentence so the 18 months, she is  
2 on home incarceration would be like she is in SCDC.  
3 Probation actually won't start until then.

4 THE COURT: All right.

5 MS. BOLEN: so I would get that form from the  
6 Sheriffs Office?

7 THE COURT: No, I think you get it from the  
8 Solicitor's office, it is run through the sheriffs  
9 department. The Solicitors have it.

10 MS. BOLEN: Okay.

11 THE COURT: I used to see Mr. Hodge's with it a lot.  
12 He was the one that put it together, the form order, it is  
13 5 or 6 pages but it is on the computer system at the  
14 Solicitor's office somewhere or at least it seems like it  
15 is. Good luck.

16 MR. MAXEY: Thank you, Your Honor.

17 MS. BOLEN: Thank you, Your Honor.

18 \*\*\* END OF REQUESTED TRANSCRIPT OF RECORD \*\*\*

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CERTIFICATE OF REPORTER

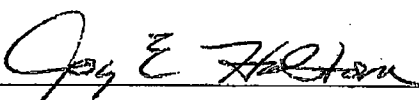
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State of South Carolina        )  
  )  
County of Newberry            )

I, Joy E. Holston, Official Court Reporter for the Eighth Judicial Circuit of the State of South Carolina, do hereby certify that the foregoing is a true, accurate and complete transcript of record of the proceedings had and evidence introduced in the trial of the captioned case, relative to appeal, in the County of Greenwood on the 4th day of February, 2016.

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

February 23, 2016



Joy E. Holston, Court Reporter

My Commission expires: March 13, 2016

STATE OF SOUTH CAROLINA ) IN THE COURT OF GENERAL SESSIONS  
 COUNTY OF GREENWOOD )  
 )  
 The State ) ORDER FOR ENROLLMENT IN THE  
 ) GREENWOOD COUNTY HOME  
 v. ) DETENTION PROGRAM;  
 )  
 Josie Dean Jones, ) DEFENDANT'S AGREEMENT  
 Defendant. ) FOR PARTICIPATION  
 )

FILED IN THE COURT OF GENERAL SESSIONS  
 COUNTY OF GREENWOOD  
 2016 FEB - 5 AM 12:30

The above-listed Defendant appeared before me on Indictment 15GS24-0871 and pled guilty to the offense(s) of trafficking methamphetamine, 10-28g, 1<sup>st</sup> offense.

It appears that the Defendant is a qualified candidate for participation in the Greenwood County Home Detention Program. Release of the Defendant may be granted under the terms and conditions of the Administrative Order establishing the Greenwood County Home Detention Program, under the terms and conditions of the attached signed agreement for enrollment in the program, and upon payment of all fees associated with monitoring and supervision.

NOW, THEREFORE, IT IS ORDERED that the Defendant is hereby granted release from active incarceration upon completion of the agreement for enrollment in the Greenwood County Home Detention Program, payment of all fees associated with monitoring and supervision, and under the terms and conditions of the Court's sentence.

IT IS FURTHER ORDERED that the Defendant be under home detention at the following address: [REDACTED]

The Defendant may be absent from this address for the purpose of (check all that apply)

- Employment, to include time from travel to and from site of employment
- Seeking employment
- Participation in medical, psychiatric, or mental health treatment and/or counseling, or other treatment programs
- Attendance at an educational institution
- Attendance at a regularly scheduled religious service at a place of worship
- Participation in a community work-release or community service program

The Defendant must provide, in advance, a schedule of all planned absences to the monitoring agency.

IT IS FURTHER ORDERED that upon violation of any of the terms of the attached agreement, the Sheriff of Greenwood County, or his designee, is hereby authorized to immediately take the Defendant into custody. The Defendant will be held in custody, without bond, pending a violation hearing. This violation hearing is to be held within a reasonable time from the date of detainment.

IT IS SO ORDERED.



---

Eugene C. Griffith, Jr.  
Presiding Judge  
Eighth Judicial Circuit

Date: 2/4/16  
Greenwood, SC

24-13-425

32

MR. JONES  
CELL PHONE

JOSIE CELL PHONE

AGREEMENT FOR PARTICIPATION  
IN THE GREENWOOD COUNTY HOME DETENTION PROGRAM

I, the undersigned, voluntarily agree to participate in the Greenwood County Home Detention Program. In order to participate in the program, I agree to abide by the following rules and conditions governing the program. Furthermore, I understand that violation of these rules and conditions may result in revocation from this program and my return to secure incarceration.


1. I agree to abide by the home detention restrictions and to comply with the Court's Orders in every respect.
2. I understand that a tamper-proof, non-removable monitoring device, which I agree to wear at all times, will monitor my participation in the program. I agree to notify the monitoring personnel immediately if the device is broken. I also understand that my location will be monitored by this electronic equipment.
3. I understand that it may be necessary for a monitoring device to be connected to my home telephone. I agree to allow personnel with the monitoring agency to enter my home whenever necessary to install, maintain or inspect this device.
4. I agree to remain at my residence at all times, except for those reasons provided by court order and scheduled for, in advance, with the monitoring agency.
5. I agree that, with the exception of the court ordered absences, I will not leave my residence except in case of emergency. In case of emergency I agree to contact the monitoring agency, or the Sheriff of Greenwood County, or his designee, to secure permission to deviate from the requirement of home detention. I agree to make a record of the name of the individual notified about the deviation, and to provide to the Sheriff of Greenwood County, or his designee, documentation verifying the nature of the emergency that necessitated the deviation from home detention.
6. I understand that my home detention restrictions may also be monitored by telephone calls and personal visits to my residence by the monitoring personnel or Sheriff's deputies at any time during the day or night. I understand that I may be required to make arrangements for visits to my place of employment or education so that monitoring personnel may verify my compliance with conditions of the program.
7. I understand that the monitoring equipment is costly and I agree to return all equipment in the same condition it was received. I agree to reimburse the monitoring company for any losses of equipment or repairs required for damaged equipment. I will also be subject to criminal charges for any destruction of the monitoring equipment.

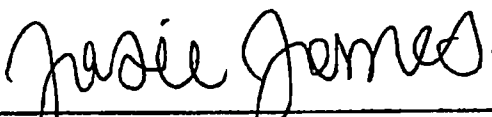
8. I agree that the loss of receiving signal or a receipt of a tamper alert by the monitoring device shall constitute prima facie evidence that I have violated the conditions of my home detention. I further understand that documentation generated by the monitoring agency may be used against me in a court of law to prove the violation.
9. I agree to comply with all instructions given by the monitoring staff of Sheriff's Office personnel in regards to my participation in the program. Any failure to comply with these instructions can result in termination from the program and my return to secure detention.
10. I understand that I am responsible for maintaining a telephone line at my residence that is suitable for attachment of a monitoring device. I agree to any restrictions on that telephone line that are required by the monitoring agency for proper functioning of the monitoring device.
11. I agree to abide by all laws of the State of South Carolina and the United States.
12. I agree to notify the monitoring agency if I have any contact with law enforcement agencies regarding matters unrelated to my home detention.
13. I agree to notify the monitoring agency if I have to take any prescription medication.
14. I agree that all expenses necessary for the installation of the electronic monitoring equipment and/or the expense of telephone calls incurred in the course of monitoring shall be my responsibility. I understand that all fees must be paid in advance, and that failure to pay fees is a violation of the conditions of the program and will result in my termination from the program.
15. In order to defray the cost of supervision, I agree to pay a fifty dollar (\$50) per month supervision fee to the Sheriff of Greenwood County. I understand that this supervision fee is in addition to any fees paid to the monitoring agency. I understand that payment of this fee is a condition of my participation in the program, and failure to pay the fee in advance will be considered a violation of the conditions of the program and will result in my termination from the program.
16. I agree to report to the monitoring agency and/or the Greenwood County Sheriff's Office whenever required by the staff of those agencies.
17. I understand that any unauthorized absences from my residence are a violation of the conditions of the program.
18. I understand that the consumption of alcohol or possession or use of any unlawful drug or narcotic is prohibited while enrolled in the program. I agree to submit to

random drug and alcohol testing to ensure my compliance with this requirement.

19. I agree that any medical expenses incurred by me during participation in the program are my responsibility.
20. I agree to notify the monitoring agency if I am ill or if my work schedule changes.
21. I agree and understand that if I violate the terms and conditions of the home detention program, then I am subject to incarceration for the total amount of time received at sentencing less credit for time served under the program. I understand that the total amount of time includes any amount of time that was suspended during participation in the home detention program.
22. I understand that I will receive credit for any time served in the Greenwood County Detention Center prior to being placed in the program.
23. I understand that I will not earn work credits or good conduct credits while participating in the home detention program.
24. I understand that any violations of the terms and conditions of this program will result in my immediate arrest and incarceration, with no bond, until such time as a violation hearing may be held before a Circuit Judge.

THE ABOVE RULES AND CONDITIONS HAVE BEEN EXPLAINED TO ME BY THE UNDERSIGNED AND I HEREBY AGREE TO ABIDE BY THE CONDITIONS. I CERTIFY BY MY SIGNATURE BELOW THAT I HAVE RECEIVED A COPY OF THESE RULES AND CONDITIONS.

  
 \_\_\_\_\_  
 Witness

  
 \_\_\_\_\_  
 Defendant

Done this 2 day of 4, 16  
 Greenwood, SC

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

35

COUNTY OF Greenwood
STATE VS.
Josie Dean Jones

INDICTMENT/CASE#: 15GS24-0870
A/W#: 2015A2410200373
Date of Offense: 4/4/2015
S.C. Code § : 44-53-0370
CDR Code #: 0179

AKA:
Race: Sex: F Age: 19
DOB:
Address:
City, State, Zip: Hodges, SC
DL#: SID#:

SENTENCE SHEET

\*CDL Yes No CMV Yes No Hazmat Yes No
In disposition of the said indictment comes now the Defendant who was
TO: Drugs/Possession of Controlled Substance in Sched. I to V - 1st offense (0-6 months)

CONVICTED OF or PLEADS

in violation of § 44-53-0370 of the S.C. Code of Laws, bearing CDR Code # 0179
NON-VIOLENT VIOLENT SERIOUS MOST SERIOUS
Mandatory GPS(CSC w/minor 1st or Lewd Act) §17-25-45

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.

ALIST: Maxey, William Alban 101804 Defendant
Attorney for Defendant

WHEREFORE, the Defendant is committed to the State Department of Corrections, County Detention Center,
for a determinate term of 6 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 165 days/months/years and/or payment
of \$; plus costs and assessments as applicable\*; the balance is suspended with probation for 36

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: 15 GS 24 871
The Defendant is to be given credit for time served pursuant to S.C. Code § 24-13-40 to be calculated and applied.
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: \$ plus 20% fee: \$
Payment Terms:
Set by SCDPPPS

PTUP
days/hours Public Service Employment
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:

Table with 3 columns: Description, Amount, Total. Includes items like § 14-1-206 (Assessments 107.5 %), § 14-1-211(A)(1) (Conv. Surcharge) \$100.00, § 14-1-211(A)(2) (DUI Surcharge) \$100.00, § 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 (SCCA Surcharge) \$5, 3% to County (if paid in installments) \$8.40, TOTAL \$288.40

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

Clerk of Court/ Deputy Clerk Kayla Inyer
Court Reporter: by Heister
SCCA/217 (03/2011)

Presiding Judge
Judge Code: 2154
Sentence Date: 2-4-16

FILED
2016 FEB -4 AM 10:25

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

36

COUNTY OF Greenwood  
STATE VS.

Josie Dean Jones

AKA:

Race: Sex: F Age: 19

DOB: SS#:

Address:

City, State, Zip: Hodges, SC

DL#: SID#:

\*CDL Yes  No  CMV Yes  No  Hazmat Yes  No

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

INDICTMENT/CASE#: 15GS24-0871

A/W#: 2015A2410200372

Date of Offense: 4/4/2015

S.C. Code §: 44-53-0375

CDR Code #: 0450

SENTENCE SHEET

TO: Drugs / Trafficking in ice, crack or crack - 10 g or more, but less than 28 g - (3-10)

CONVICTED OF or  PLEADS

in violation of § 44-53-0375 of the S.C. Code of Laws, bearing CDR Code # 0450

NON-VIOLENT  VIOLENT  SERIOUS  MOST SERIOUS  Mandatory GPS(CSC w/minor 1st or Lewd Act)  §17-25-45

The charge is:  As Indicted,  Lesser Included Offense,  Defendant Waives Presentment to Grand Jury. (defendant's initials)

The plea is:  Without Negotiations or Recommendation,  Negotiated Sentence,  Recommendation by the State.

ATTEST: Maxey, William Alton SC Bar# 101504 Defendant Attorney for Defendant P. B. ... SC Bar#

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

for a determinate term of 5 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 36 days/months/years and/or payment

of \$ ; plus costs and assessments as applicable\*; the balance is suspended with probation for 36

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: 15 GS 24 870 § 24-13-40 to be calculated and applied

The Defendant is to be given credit for time served pursuant to S.C. Code 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: \$ plus 20% fee: \$

Payment Terms:

Set by SCDPPPS

Recipient:

*Fine:	\$
§ 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)	\$23.40
TOTAL	\$803.40

PTUP \_\_\_\_\_ days/hours Public Service Employment

Obtain GED

Attend Voc. Rehab. or Job Corp. \_\_\_\_\_

May serve W/E beginning \_\_\_\_\_

Substance Abuse Counseling  in patient

Random Drug/Alcohol testing

Fine may be pd. in equal, consecutive weekly/monthly pmts. of \$ beginning \_\_\_\_\_

\$ paid to Public Defender Fund

Other: 18 months may be served under HLP

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

Clerk of Court/ Deputy Clerk Kayla Fryer

Court Reporter: Jay Holstoh

SCCA/217 (03/2011)

Presiding Judge

Judge Code: 2154

Sentence Date: 2-4-16

FILED IN COURT GREENWOOD, SC 2016 FEB -4 AM 10:25

37

WITNESSES

Mitch Mathis  
Greenwood County Sheriff

WARRANT NUMBER

2015A2410200373

*L. Rom*

Foreman of the Grand Jury

Date: 6.5.15

VERDICT

*True Bill*

*L.R.*

Foreman

THE STATE OF SOUTH CAROLINA

COUNTY OF GREENWOOD

COURT OF GENERAL SESSIONS

June Term, 2015

Indictment # 15GS24- *0870*

THE STATE

vs  
Josie Dean Jones

INDICTMENT FOR

POSSESSION OF  
CONTROLLED SUBSTANCE

§ 44-53-0370

CDR: 0179

THE STATE OF SOUTH CAROLINA

INDICTMENT FOR

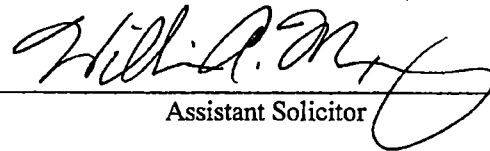
COUNTY OF GREENWOOD

POSSESSION OF  
CONTROLLED SUBSTANCE  
§ 44-53-0370

At a Court of General Sessions, convened on the 5th day of June, 2015, the Grand Jurors of Greenwood County present upon their oath:

That Josie Dean Jones, on or about April 4, 2015, in Greenwood County, did willfully, unlawfully and knowingly possess a quantity of Suboxone, a Schedule III controlled substance, in violation of the provisions of Title 44, Chapter 53, Article 3 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 cases made and provided.

  
Assistant Solicitor

39

**WITNESSES**

Mitch Mathis  
Greenwood County Sheriff

**WARRANT NUMBER**

2015A2410200372

*R. Rom*

Foreman of the Grand Jury

Date: *6-5-15*

**VERDICT**

*True Bill*

*L.R.*

Foreman

**THE STATE OF SOUTH CAROLINA**

COUNTY OF GREENWOOD

**COURT OF GENERAL SESSIONS**

June Term, 2015  
Indictment # 15GS24- *0871*

**THE STATE**

vs

Josie Dean Jones

**INDICTMENT FOR**

**TRAFFICKING IN METHAMPHETAMINE**  
§ 44-53-0375

CDR: 0450

**THE STATE OF SOUTH CAROLINA****INDICTMENT FOR****TRAFFICKING IN METHAMPHETAMINE****§ 44-53-0375**

COUNTY OF GREENWOOD

At a Court of General Sessions, convened on the 5th day of June, 2015, the Grand Jurors of Greenwood County present upon their oath:

That Josie Dean Jones, on or about April 4, 2015, in Greenwood County, did willfully, unlawfully, and knowingly traffic in methamphetamine, in that the said defendant did sell, manufacture, deliver, purchase, or bring into this State, or provide financial assistance or otherwise aid, abet, attempt, or conspire to sell, manufacture, deliver, purchase, or bring into this State, or was in actual or constructive possession or did knowingly attempt to become in actual or constructive possession of more than 10 grams, but less than 28 grams of methamphetamine, in violation of Section 44-53-375 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 cases made and provided.**



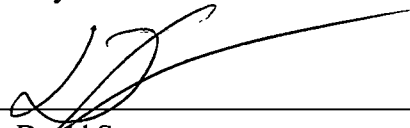
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Assistant Solicitor

CERTIFICATE OF COUNSEL

The undersigned certifies that this Record on Appeal contains all material proposed to be included by any of the parties and not any other material.

BY: \_\_\_\_\_



David Spencer  
S.C. Bar No.: 68571

August 18, 2016

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

**RECEIVED**

AUG 18 2016

SC Court of Appeals

Appeal from Greenwood County  
Eugene C. Griffith, Jr., Circuit Court Judge

THE STATE,

Appellant,

vs.

JOSIE DEAN JONES,

Respondent.

Appellate Case No. 2016-000273

**PROOF OF SERVICE**

I, Anne Mueller, certify that I have served the Record On Appeal on respondent by depositing two copies of the same in the United States mail, postage prepaid, addressed to his attorney Laura R. Baer, Esquire, South Carolina Commission on Indigent Defense, Division of Appellate Defense, P.O. Box 11589, Columbia, SC 29211.

I further certify that all parties required by Rule to be served have been served.

This 18<sup>th</sup> day of August, 2016.



Anne A. Mueller  
Legal Assistant

Office of Attorney General  
Post Office Box 11549  
Columbia, SC 29211  
(803) 734-3727