

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

APPEAL FROM CHARLESTON COUNTY  
Court of General Sessions

R. MARKLEY DENNIS, JR., Circuit Court Judge

Appellate Case No. 2015-00051

The State,

Respondent,

v.

Tracy Wheeler Stubblefield,

Appellant

And

AAAA Bail Bonding and Crum and Forster  
Indemnity Company, Sureties for the  
Defendant,

Also Appellants

RECORD ON APPEAL

Lewis F. Gossett  
329 Amstar Road  
Columbia, S.C. 29212  
(803) 608-1373  
Attorney for Appellants

Deborah R.J. Shupe  
1000 Assembly Street  
Room 519  
Columbia, S.C. 29201  
Attorney for Respondent

**RECEIVED**  
MAY 20 2016  
SC Court of Appeals

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STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF CHARLESTON )

IN THE COURT OF GENERAL SESSIONS  
  
BOND ESTREATMENT ORDER

The State, )  
versus )  
Tracy Wheeler Stubblefield )  
Defendant )  
and )  
 )  
AAAA Bail Bonds )  
And Crum & Forster Indemnity Co. )  
Sureties for the Defendant )

Warrant No(s): 2013A1010203447  
  
Bond Amount: \$10,000

2014 NOV 24 AM 11:14  
JULIE J. PROHSE  
CLERK OF COURT  
BY *[Signature]*

FILED

WHEREAS, a bench warrant was issued by the Judge of the Court of General Sessions on 05/01/14 for the arrest of the above-named defendant, who having been released under the above warrants pursuant to § 17-15-10 et seq of the South Carolina Code of Laws willfully failed to appear before the Court; and,

WHEREAS, AAAA Bail Bonds and Crum & Forster Indemnity Co. issued its surety bond in the amount of \$10,000.00; and,

WHEREAS, a hearing was held in the court of General Sessions, Charleston County, before the Honorable R. Markley Dennis, Jr. on November 14, 2014, with representatives from Crum & Forster Indemnity Co. present on its behalf.

NOW, THEREFORE, it is ordered that \$10,000, the total bond amount, is estreated in full and due in a single payment on December 15, 2014.

IT IS SO ORDERED this 21<sup>st</sup> day of November, 2014.

Charleston, South Carolina

*[Signature]*  
R. Markley Dennis, Jr.  
Presiding Judge  
Ninth Judicial Circuit

R R-2

Exhibit 1

STATE OF SOUTH CAROLINA	)	
	)	COURT OF COMMON PLEAS
COUNTY OF CHARLESTON	)	
State of South Carolina,	)	
	)	
v.	)	Case No. 13-GS-10-5056
	)	
Tracy Stubblefield,	)	
	)	
Defendant	)	

**TRANSCRIPT OF HEARING**

The within Hearing in the above-captioned matter was held on November 14, 2014, before The Honorable R. Markley Dennis, Jr. in Courtroom 4D of the Charleston County Courthouse, 100 Broad Street, Charleston, South Carolina; attended by counsel as follows:

**APPEARANCES:**

Jennifer McCoy, Assistant Solicitor  
.... Appearing for State

Lewis Gossett  
... Appearing for AAAA Bail Bonds

**ALSO PRESENT:**

Al Holcombe

Deborah Garrison  
*Circuit Court Reporter – 9<sup>th</sup> Judicial Circuit*  
P O Box 901  
Johns Island, South Carolina 29457  
[dgarrison@sccourts.org](mailto:dgarrison@sccourts.org)

P. R-3  
P. HT 1

State of South Carolina v. Tracy Stubblefield

Case No. 13-GS-10-5056

Hearing of November 14, 2014

Before The Honorable R. Markley Dennis

1 THE COURT: What else do we have?

2 SOLICITOR: The next one, Your Honor,  
3 is also kinda of an unusual situation.

4 THE COURT: All right.

5 SOLICITOR: This involves Tracy Wheeler  
6 Stubblfield, who was written a ten thousand  
7 dollar bond by Larry Ballard with A Triple A  
8 Bail Bonds.

9 Your Honor, Larry Ballard is no longer in  
10 the business. Somebody on behalf of the surety  
11 company who had underwritten this bond is here  
12 today, and I will let them introduce them-  
13 selves.

14 THE COURT: Okay.

15 MR. GOSSETT: Your Honor, I am Lewis  
16 Gossett and I am representing the surety  
17 company and Mr. Al Holcombe.

18 And counsel is right, this is a very  
19 unusual situation. What we have determined at  
20 this point is that -- with this and quite a few  
21 others, and we are really on the beginning of  
22 this effort, is that we believe Mr. Ballard  
23 executed a number of bonds without authority  
24 from the surety company. We also believe that  
25 he fabricated the bond and powers. In fact,

P. R-4  
P. HT-2

1 we've got copies of those documents where  
2 they're clearly, uh, forged -- not forged but  
3 they're clearly manufactured by him at his  
4 computer; bonds with left-out language, that  
5 sort of thing.

6 We don't know the full extent of what he  
7 did. We found out that this bond existed when  
8 the notice of estreatment was sent.

9 THE COURT: Let me ask you a question,  
10 Mr. Gossett, -- and I understand that, and  
11 that's a wonderful cause of action against Mr.  
12 Ballard, but what has that got to do with the  
13 fact that you owe money to the State of South  
14 Carolina?

15 MR. GOSSETT: Well, we didn't know.

16 THE COURT: Oh, I understand that you  
17 didn't know. But my question is this, -- I  
18 haven't heard yet that the person doesn't  
19 exist, that there is no crime, that there is no  
20 reason for the bond. That, I would be happy to  
21 do.

22 MR. GOSSETT: Right.

23 THE COURT: The fact that Mr. Ballard  
24 may have forged somebody's -- that doesn't  
25 change the obligation. It may change the

P. R-S

P. HT.

1 resource, but it doesn't help me.

2 MR. GOSSETT: We've also got with this  
3 particular one where the runner actually did  
4 the work and actually Mr. Ballard's name was  
5 stamped on there. It wasn't signed. Nor was  
6 it signed by a judge.

7 THE COURT: If there is a challenge  
8 that the bond does not exist, -- I think that's  
9 what I meant to say if I didn't communicate  
10 that.

11 MR. GOSSETT: Yes, sir.

12 THE COURT: If there is no bond, then  
13 obviously there's nothing to estreat. But if  
14 there a bond and the clerk of court accepted  
15 that and we acted upon that bond, then it is a  
16 bond as far as I am concerned insofar as its  
17 effect of releasing the inmate -- the  
18 defendant.

19 Insofar as your ability to recoup that,  
20 that's not a matter that's before me.

21 SOLICITOR: And, Your Honor, I didn't  
22 mean -- Mr. Holcombe has expressed to me that  
23 he knows who the defendant is and is concerned,  
24 because it is a counterfeit bond, that he could  
25 be charged with kidnaping for bringing him in.

P. RL

P. HT'

1 I think that was his concern. So he expressed  
2 that if he had an Order from Your Honor, that  
3 ---

4 THE COURT: Well, I'd be happy to --  
5 you have to tell me, is it a bond? Is it a  
6 legitimate bond on file that was signed by a  
7 judge?

8 SOLICITOR: The front page is signed by  
9 Judge Baldwin (phonetic), Your Honor. Yes,  
10 sir, we do have a copy of that.

11 MR. GOSSETT: Your Honor, there -- going  
12 with that could help us with that in getting  
13 this defendant under the circumstances. There  
14 is one other aspect of this that is important  
15 at this point.

16 THE COURT: Yes, sir.

17 MR. GOSSETT: We've begun significant  
18 discussions with the State's Attorney General  
19 Office and the Department of Insurance about  
20 what has transpired here. We do not know the  
21 full scope of what's happened. We have been  
22 trying to work with the local clerks of court  
23 in three counties to find out exactly what this  
24 man wrote.

25 THE COURT: I appreciate that. I

P. R-7  
P. HTS

1 really and truly -- what's the bond that we  
2 have?

3 SOLICITOR: A ten thousand dollar bond,  
4 Your Honor.

5 THE COURT: That is the only bond that  
6 I'm interested in.

7 MR. GOSSETT: Yes, sir. If ---

8 THE COURT: I mean, I can't help with  
9 that. That bond, if it is a legitimate bond,  
10 bring him in and we're home free.

11 MR. HOLCOMBE: Your Honor, could I  
12 say something?

13 THE COURT: Sure.

14 MR. HOLCOMBE: The law says that no  
15 one without a license could put in a bond.  
16 These bonds was put in and stamped by a surety  
17 runner, which cannot bind a bond.

18 THE COURT: Sir, I understand you have  
19 legitimacy. The problem that I have is that  
20 this -- that the clerk of court acted on that.  
21 On its face it appears to be a bond. We don't  
22 have to serve -- to me it's like when somebody  
23 says, 'I served the defendant.' I don't have  
24 to bring them in an satisfy myself that that  
25 document is true. You can rely on it. We rely

P. R-8  
P. HT-L

1 on them every day. If we didn't, nobody would  
2 ever get out of jail.

3 So, listen, this is the wrong place, the  
4 wrong forum to deal with this. This is a bond  
5 estreatment on ten thousand dollars. Get him in  
6 and you won't have to do it.

7 You are estreated until -- you've got  
8 thirty days. Thank you.

9 (HEARING CONCLUDED)

10

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12

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P. HT-

State of South Carolina v. Tracy Stubblefield  
Case No. 13-GS-10-5056  
Hearing of November 14, 2014  
Before The Honorable R. Markley Dennis

8

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF CHARLESTON )

CERTIFICATE

**RECEIVED**

OCT 14 2015

SC Court of Appeals

I, the undersigned Deborah Garrison, Circuit Court Reporter for the 9<sup>th</sup> Judicial Circuit, hereby certify that the foregoing is a complete and accurate transcript of the hearing held in the within action heard on November 14, 2014 before The Honorable R. Markley Dennis, Jr.;

I further certify that I am neither kin nor counsel to any of the parties and have no interest in the outcome of this action.



Deborah Garrison

Charleston, South Carolina  
May 17, 2015

P. R-11  
P. HT-

Williams 100000

C10-70076907

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF CHARLESTON )  
 )  
STATE OF SOUTH CAROLINA )  
 )  
vs. )  
 )  
AAAA BAIL BONDS )  
AND CRUM & FORSTER )  
INDEMNITY CO. )  
Stubblefield, Tracy Wheeler )  
 )

IN THE COURT OF GENERAL SESSIONS  
NINTH JUDICIAL CIRCUIT

NOTICE OF  
FORFEITED RECOGNIZANCE

2014 OCT - 1 AM 4:15  
FILED  
JENNIFER MCCOY, CLERK  
COURT

TO: Above-captioned defendants as Principals and AAAA BAIL BONDS and CRUM & FORSTER INDEMNITY COMPANY sureties:

You will please take notice that the conditions of the following Recognizance bonds dated and filed in the Charleston County Clerk of Court as follows:

Defendant	Warrant #	Bond Issued Date	Bond Amount	BW Issued Date
Stubblefield, Tracy Wheeler	2013A1010203447	06/22/13	\$10,000	05/01/14

have not been complied with for these reasons: Defendant's failure to appear in the Court of General Sessions when summoned to appear and that such Recognizance has become forfeit by non-compliance;

You are therefore summoned to appear in the office of Assistant Solicitor Jennifer McCoy (101 Meeting Street, 4<sup>th</sup> Floor) on **Monday, November 3, 2014 at 3:00 PM** to resolve all issues related to the forfeiture on the above listed bonds. Failure to attend this meeting will result in the Solicitor's Office moving for immediate Forfeiture of 100% of the bond(s).

You are further summoned to appear before the term of Court of General Sessions for this County at **9:00 AM on Friday, November 14, 2014**, to show cause, if any you can, why judgment should not be confirmed against you in the amount of such bond(s) not resolved in the meeting scheduled in the above proceeding paragraph.

CHARLESTON, SC  
September 29, 2014

*Jennifer McCoy*  
Jennifer McCoy  
Assistant Solicitor

*Holcomb*

Exhibit 2

P. R-11

ARREST WARRANT

2013A1010203447

STATE OF SOUTH CAROLINA
County: Charleston

THE STATE

against

Tracy Wheeler Stubblefield

Address: 1941 Satcher Blvd
Augusta, GA 30906

Phone: SSN: 259-67-8760
Sex: F Race: W Height: 5-1 Weight: 90
DL State: GA DL #: 050316380
DOB: 9/21/1977 Agency CR#: SC0100100
Prosecuting Agency: Charleston City Police Department
Prosecuting Officer: Officer Scurry - 8999
Offense: Drugs / Manufacture, distribution, etc. of methamphetamine, 1st
Offense Code: 3198
Code/Ordinance Sect: 44-53-0275 (B) (1)

This warrant is CERTIFIED FOR SERVICE in the
County/ Municipality of
The accused
is to be arrested and brought before me to be
dealt with according to the law.

Signature of Judge

Date:

RETURN

A copy of this arrest warrant was delivered to
defendant Tracy Wheeler Stubblefield
on 6-22-13
Signature of Court/Clerk/Judicial Officer

RETURN WARRANT TO:

General Sessions
Charleston County Judicial Center
100 Broad Street, Suite 106
Charleston, SC 29401

STATE OF SOUTH CAROLINA

County/ Municipality of
Charleston

AFFIDAVIT

DEFENDANT COPY

Not Applicable
S.D. Attorney General
April 23, 2008
SCDA512

Personally appeared before me the affiant Officer Scurry / DWG who
being duly sworn deposes and says that defendant Tracy Wheeler Stubblefield
did within this county and state on or about 6/21/2013 violate the criminal laws of the
State of South Carolina (or ordinance of County/ Municipality of Charleston)
in the following particulars:

DESCRIPTION OF OFFENSE: Drugs / Manufacture, distribution, etc. of methamphetamine, 1st

I further state that there is probable cause to believe that the defendant named above did commit
the crime set forth and that probable cause is based on the following facts:

SEE ATTACHED AFFIDAVIT

Signature of Affiant

STATE OF SOUTH CAROLINA

County/ Municipality of
Charleston

Affiant's Address: 180 Lockwood Blvd,
Charleston, SC 29403-
Affiant's Telephone: (843)577-7434

ARREST WARRANT

TO ANY LAW ENFORCEMENT OFFICER OF THIS STATE OR MUNICIPALITY OR ANY CONSTABLE OF THIS COUNTY:

It appearing from the above affidavit that there are reasonable grounds to believe that

on or about 6/21/2013 defendant Tracy Wheeler Stubblefield
violates the criminal laws of the State of South Carolina (or ordinance of
County/ Municipality of Charleston) as set forth below:

DESCRIPTION OF OFFENSE: Drugs / Manufacture, distribution, etc. of methamphetamine, 1st

Having found probable cause and the above affiant having sworn before me, you are empowered and directed to arrest the said defendant and bring him or
her 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.

Sworn to and subscribed before me
on 6/22/2013

Signature of Judge
Priscilla Bridges Baldwin
Judge Code: 5749

Judge's Address: 1870 Leeds Avenue, Suite 106
North Charleston, SC 29405-7469
Judge's Telephone: (843)746-9822

Issuing Court: X Magistrate Municipality Circuit

DEFENDANT COPY DEFENDANT COPY DEFENDANT COPY DEFENDANT COPY DEFENDANT COPY DEFENDANT COPY DEFENDANT COPY

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CONSENT TO VIDEO CONFERENCING

Subblefield-Tracy

Name of Defendant:

Warrant/Ticket Numbers

Type of Proceeding:

- Initial Appearance (non-capital case)
- Bond Hearing
- Preliminary Hearing
- Contested Motion
- Guilty Plea and Sentencing (Magistrate's/Municipal Court Offense)

County of Charleston

- Trial Court  General Sessions
- Magistrate Court
- Municipal Court

By my signature below, I, the defendant, consent to the use of video conference equipment in this criminal proceeding. The court will maintain the videotape of these proceeding for a period of thirty (30) days from today's date, after which the videotape may be destroyed. I have been fully informed of my rights to be personally present before the court for this proceeding and with that knowledge, I voluntarily waive that right.

Attorney for Defendant

*[Handwritten Signature]*  
Signature of Defendant

The defendant waived his rights to personally appear at this criminal proceeding both orally and by writing.

Appearance/or hearing date

*[Handwritten Signature]*  
Signature of Judge:

BAIL PROCEEDING FORM II

STATE OF SOUTH CAROLINA

COURT OF GENERAL SESSIONS

COUNTY OF CHARLESTON

STATE OF SOUTH CAROLINA

ORDER SPECIFYING METHODS AND CONDITIONS OF RELEASE

TRACY STUBBLEFIELD
NAME OF DEFENDANT

Offense Charged: POSSESSION OF METHAMPHETAMINE

At a bail proceeding conducted by the undersigned judge, for the defendant named above, it was determined by the court (check one or both):

- [X] The release of the defendant on recognizance will not reasonably assure his appearance as required.
[X] The release of the defendant on recognizance will result in an unreasonable danger to the community.

This determination was based upon the following findings of fact:

[Considerations: Nature and circumstances of the offense charged, the defendant's family ties, employment, financial resources, character and mental condition, the length of his residence in the community, his record of convictions, and any record of flight to avoid prosecution or failure to appear at other court proceedings.]

THEREFORE, IT IS HEREBY ORDERED:

1. That the above named defendant be released from custody on the condition that he will personally appear before the designated court at the place, date and time required to answer the charge made against him and do what shall be ordered by the court and not depart the State without the permission of the court and be of good behavior.

2. That the above named defendant be released from custody provided as follows (check all that apply):

CASH IN LIEU OF BOND

[ ] The defendant, acknowledges himself to be indebted to the State of South Carolina in the sum of \_\_\_\_\_ to secure his release from custody. Should the defendant fail to comply with all terms and conditions of this Order, this sum of money is subject to being forfeited to the State.

CASH PERCENTAGE IN LIEU OF BOND

[ ] The defendant, acknowledging himself to be indebted to the State of South Carolina in the full amount of \_\_\_\_\_, his release to be obtained by payment to the court of \_\_\_\_\_ % (not to exceed 10%) of the full amount of the bond, deposits \_\_\_\_\_ to secure his release from custody. Should the defendant fail to perform the conditions of this Order, the full amount shall be levied on his real and personal property for the use of the State.

APPEARANCE RECOGNIZANCE WITH SURETY

[X] The defendant will provide good and sufficient surety approved by the court, in the form hereinafter set forth in this Order, acknowledging an indebtedness to the State in the amount of \$10,000.00.

3. That the defendant shall appear at (check one):

[X] the term of COURT OF GENERAL SESSIONS beginning on Friday, September 13, 2013 at 2:00 o'clock, P.M. at CHARLESTON COUNTY JUDICIAL CENTER, 100 BROAD STREET, CHARLESTON and remain there throughout that term of court. If no disposition is made during that term, the defendant shall appear and remain throughout each succeeding term of court until final disposition is made of his case, unless otherwise ordered by the court.

[ ] the session of \_\_\_\_\_ beginning on \_\_\_\_\_ at \_\_\_\_\_ o'clock, \_\_\_\_\_ at \_\_\_\_\_ If no final disposition is made during that session, the defendant shall appear at such other times and places as ordered by the court.

INITIALS OF DEFENDANT

4. That the defendant will notify the court promptly if he changes his address from the one contained in this order and he will comply with those conditions described hereinafter in the Order.

SIGNATURE OF JUDGE: Baldwin

June 22, 2013
DATE

TRACY STUBBLEFIELD  
Name of Defendant

2013A1010203447

Criminal Charging Document No.

COUNTY OF CHARLESTON

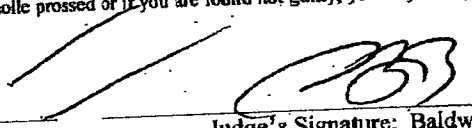
Charges: POSSESSION OF METHAMPHETAMINE	Trial Court: General Sessions
--	-------------------------------

### CHECKLIST FOR MAGISTRATES AND MUNICIPAL JUDGES

Directions: Magistrates and municipal court judges must use this checklist for ALL GENERAL SESSIONS and for ALL MAGISTRATE AND MUNICIPAL COURT CASES IN WHICH BOND HAS BEEN SET BY A JUDGE. The judge should attach this checklist to the charging document (arrest warrant or uniform traffic ticket) when the defendant first appears before a judge for a bond hearing or first appearance, and complete the appropriate sections. Defendant must be provided a completed copy of this form.

- BAILABLE PROCEEDING/  FIRST APPEARANCE (NON-BAILABLE OFFENSE)
1. Form used at bail proceeding  Bond Form I (personal recognizance)  Bond Form II (surety, cash, percentage)  None (Non-Bailable Offense)
  2. For cases in which bond was set, defendant was informed:
    - a. Warrant for arrest will be issued for violation of any condition of bail bond order.
    - b. His right and obligation to be present at trial and that trial will proceed in his absence if he fails to attend.
    - c. Failure to appear in court as required will result in institution of additional criminal charges. Failure to appear in connection with a felony, or while awaiting sentence after conviction, additional charge has penalty of not more than \$5,000 or imprisonment for not more than 5 years, or both. Failure to appear in connection with a charge for a misdemeanor for which the maximum possible sentence is at least one year, additional charge has penalty of not more than \$1,000 or imprisonment for not more than one year, or both. Failure to appear in court as required on any charge not specified above will result in the issuance of a warrant for defendant's arrest, as well as loss of any posted bond.
  3. For cases to be tried in Court of General Sessions, defendant was informed of right to preliminary hearing if requested within ten (10) days:
    - a. Orally  In writing (NOTE: Defendant must be informed of right both orally and in writing.)
  4. Defendant was informed of the right to trial by jury.
  5. In all general sessions cases, in all criminal domestic violence cases, and in all magistrate or municipal cases in which a prison sentence is likely to be imposed, defendant was informed of the following:
    - a. Charges against defendant and nature of the charges.
    - b. Right to counsel and right to court-appointed counsel if financially unable to employ counsel.
    - c. Defendant was informed orally and provided a copy of this form advising him of his right to obtain court appointed counsel if indigent (must meet federal poverty guidelines) and instructions on how to obtain court appointed counsel. In order to apply for court appointed counsel, defendant is required to appear before \_\_\_\_\_ located at \_\_\_\_\_ for indigency screening. Defendant is responsible for a statutory fee of \_\_\_\_\_ for indigency screening.
  6.  In all criminal domestic violence cases and any case where defendant is subject to an Order of Protection or Restraining Order, defendant signed and was provided a document explaining that entering the grounds or property of a domestic violence shelter in which the person's household member reside constitutes an additional misdemeanor charge and, if in possession of a dangerous weapon, an additional felony charge.
  7.  If the charges that have been brought against you are discharged, dismissed, or nolle prossed or if you are found not guilty, you may have your record expunged.

Appearance or  
Hearing Date: Friday, September 13, 2013 at 2:00 p.m.

  
Judge's Signature: Baldwin

Second  
Appearance Date: Friday, November 22, 2013 at 9:00 a.m.

**ACKNOWLEDGEMENT BY DEFENDANT**

I understand that if I violate any condition of this Order, a warrant for my arrest will be issued.

I understand and have been informed that I have a right and obligation to be present at trial and should I fail to attend the court, the trial will proceed in my absence.

It has been explained to me that if I fail to appear before the court as required, a warrant for my arrest will be issued.

ADDRESS \_\_\_\_\_ SIGNATURE OF DEFENDANT \_\_\_\_\_  
 CITY/STATE/ZIP \_\_\_\_\_ TELEPHONE \_\_\_\_\_ DATE \_\_\_\_\_  
 SOCIAL SECURITY NUMBER \_\_\_\_\_ DRIVER'S LICENSE OR ID NUMBER \_\_\_\_\_ ATTORNEY REPRESENTING ACCUSED (IF KNOWN) \_\_\_\_\_

**SPECIAL CONDITIONS OF RELEASE**

a.  Placement in custody. The defendant is placed in the custody of: \_\_\_\_\_  
 NAME OF PERSON OR ORGANIZATION

ADDRESS \_\_\_\_\_ CITY/STATE \_\_\_\_\_ ZIP \_\_\_\_\_ TELEPHONE \_\_\_\_\_  
 who agrees (1) to supervise the defendant as set forth by the court, (2) to use every effort to assure the appearance of the defendant at all scheduled hearings before the court, and (3) to notify the court immediately in the event the defendant violates any conditions of his release or disappears.  
 SIGNATURE OF CUSTODIAN (IF APPROVED) \_\_\_\_\_ DATE \_\_\_\_\_

b.  Restrictions on Travel, Association or Residence. The defendant will comply with each of the following conditions:  
 c.  Part-time Release. The defendant will be released from custody from \_\_\_\_\_ o'clock, \_\_\_\_\_ to \_\_\_\_\_ o'clock, \_\_\_\_\_  
 on \_\_\_\_\_ on condition that he return to the custody of \_\_\_\_\_  
 at \_\_\_\_\_ as designated.

d.  Other Conditions. The defendant will comply with the following other conditions of release:

**APPEARANCE RECOGNIZANCE WITH SURETY**

On the 24<sup>th</sup> day of June, 2013, personally appeared before the undersigned judge a surety named below who acknowledged himself indebted to the State of South Carolina, in the sum of 10,000.00, such sum to be levied on his real and personal property for the use of the State, should named defendant fail in performing the conditions of this Order.

The surety, being duly sworn, says that he is a resident and free holder within the State and is worth the sum acknowledged and underwritten herein, over all his debts and liabilities, and exclusive of property exempt from execution.

A AAA Bail Bonds  
 4476 LEEDS PLACE W. STE B  
 N. Charleston, SC 29405  
 PH (843) 766-0730, FAX (843) 747-2242  
 AGENT FOR Crum & Forster Ind. Co.  
 Larry G. Ballard

E-Mail: [babettepickles@bellsouth.net](mailto:babettepickles@bellsouth.net)  
 CRUM & FORSTER Ind. Co.  
 P.O. Box 2807  
 Houston, TX 77252  
 (713) 954-8389

SIGNATURE OF SURETY BONDSMAN \_\_\_\_\_  
 SIGNATURE OF JUDGE \_\_\_\_\_  
 DATE \_\_\_\_\_

Williams 100000

C10-70076907

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF CHARLESTON )  
 )  
STATE OF SOUTH CAROLINA )  
 )  
vs. )  
 )  
AAAA BAIL BONDS )  
AND CRUM & FORSTER )  
INDEMNITY CO. )  
Stubblefield, Tracy Wheeler )

IN THE COURT OF GENERAL SESSIONS  
NINTH JUDICIAL CIRCUIT

NOTICE OF  
FORFEITED RECOGNIZANCE

FILED  
2014 OCT -1 AM 4:22  
JENNIFER MCCOY  
CLERK OF COURT

TO: Above-captioned defendants as Principals and AAAA BAIL BONDS and CRUM & FORSTER INDEMNITY COMPANY sureties:

You will please take notice that the conditions of the following Recognizance bonds dated and filed in the Charleston County Clerk of Court as follows:

Defendant	Warrant #	Bond Issued Date	Bond Amount	BW Issued Date
Stubblefield, Tracy Wheeler	2013A1010203447	06/22/13	\$10,000	05/01/14

have not been complied with for these reasons: Defendant's failure to appear in the Court of General Sessions when summoned to appear and that such Recognizance has become forfeit by non-compliance;

You are therefore summoned to appear in the office of Assistant Solicitor Jennifer McCoy (101 Meeting Street, 4<sup>th</sup> Floor) on **Monday, November 3, 2014 at 3:00 PM** to resolve all issues related to the forfeiture on the above listed bonds. Failure to attend this meeting will result in the Solicitor's Office moving for immediate Forfeiture of 100% of the bond(s).

You are further summoned to appear before the term of Court of General Sessions for this County at **9:00 AM on Friday, November 14, 2014**, to show cause, if any you can, why judgment should not be confirmed against you in the amount of such bond(s) not resolved in the meeting scheduled in the above proceeding paragraph.

CHARLESTON, SC  
September 29, 2014

*Jennifer McCoy*  
Jennifer McCoy  
Assistant Solicitor

*Holcomb*

*Exhibit 2*

*P. R-17*

ARREST WARRANT

2013A1010203447

STATE OF SOUTH CAROLINA

County/  Municipality of

Charleston

THE STATE  
against

Tracy Wheeler Stubblefield

Address: 1941 Satcher Blvd  
Augusta, GA 30906-

Phone: \_\_\_\_\_ SSN: 259-67-8760  
Sex: F Race: W Height: 5-1 Weight: 90  
DL State: GA DL #: 050316380  
DOB: 9/21/1977 Agency ORI #: SC0100100  
Prosecuting Agency: Charleston City Police Department  
Prosecuting Officer: Officer Scary - 8999  
Offense: Drugs / Manufacture, distribution, etc. of  
methamphetamine, 1st

Offense Code: 3198  
Code/Ordinance Sec: 44-53-0375 (B) (1)

This warrant is CERTIFIED FOR SERVICE in the  
 County/  Municipality of \_\_\_\_\_  
The accused  
is to be arrested and brought before me to be  
dealt with according to the law.

Signature of Judge

Date: \_\_\_\_\_

RETURN

A copy of this arrest warrant was delivered to  
defendant Tracy Wheeler Stubblefield  
on 6-22-13  
Signature of Constable/Law Enforcement Officer

RETURN WARRANT TO:

General Sessions  
Charleston County Judicial Center  
100 Broad Street, Suite 106  
Charleston, SC 29401

DEFENDANT COPY DEFENDANT COPY DEFENDANT COPY DEFENDANT COPY DEFENDANT COPY DEFENDANT COPY DEFENDANT COPY

STATE OF SOUTH CAROLINA

County/  Municipality of

Charleston

AFFIDAVIT

DEFENDANT  
COPY

Not Applicable  
S.D. Attorney General  
April 23, 2003  
SCCA 212

Personally appeared before me the affiant Officer Scary / OWEN who  
being duly sworn deposes and says that defendant Tracy Wheeler Stubblefield  
did within this county and state on or about 6/21/2013 violate the criminal laws of the  
State of South Carolina (or ordinance of  County/  Municipality of Charleston)  
in the following particulars:

DESCRIPTION OF OFFENSE: Drugs / Manufacture, distribution, etc. of methamphetamine, 1st

I further state that there is probable cause to believe that the defendant named above did commit  
the crime set forth and that probable cause is based on the following facts:

SEE ATTACHED AFFIDAVIT

*[Faint signature and text area]*

Signature of Affiant

STATE OF SOUTH CAROLINA

County/  Municipality of

Charleston

Affiant's Address: 180 Lockwood Blvd,  
Charleston, SC 29403-  
Affiant's Telephone: (843)577-7434

ARREST WARRANT

TO ANY LAW ENFORCEMENT OFFICER OF THIS STATE OR MUNICIPALITY OR ANY CONSTABLE OF THIS COUNTY:

It appearing from the above affidavit that there are reasonable grounds to believe that

on or about 6/21/2013 defendant Tracy Wheeler Stubblefield  
did violate the criminal laws of the State of South Carolina (or ordinance of  
 County/  Municipality of Charleston) as set forth below:

DESCRIPTION OF OFFENSE: Drugs / Manufacture, distribution, etc. of methamphetamine, 1st

Having found probable cause and the above affiant having sworn before me, you are empowered and directed to arrest the said defendant and bring him or  
her 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  
Sworn to and subscribed before me  
on 6/22/2013

*[Signature]* (L.S.)  
Priscilla Bridges Baldwin  
Judge Code: 5749

Judge's Address: 3870 Leeds Avenue, Suite 106  
North Charleston, SC 29405-7469  
Judge's Telephone: (843)746-9822

Issuing Court:  Magistrate  Municipal  Circuit

P. R- 18

NO. 7362 P. 7/10  
843 746 9960  
JUN 22 2013 9:42AM

06/22/2013 9:45:31 AM  
002/005

TRACY STUBBLEFIELD  
Name of Defendant

2013A1010203447

Criminal Charging Document No.

COUNTY OF CHARLESTON

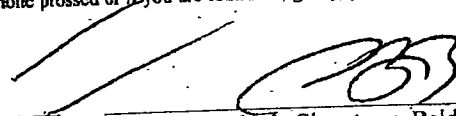
Charges: POSSESSION OF METHAMPHETAMINE	Trial Court: General Sessions
--	-------------------------------

### CHECKLIST FOR MAGISTRATES AND MUNICIPAL JUDGES

Directions: Magistrates and municipal court judges must use this checklist for ALL GENERAL SESSIONS and for ALL MAGISTRATE AND MUNICIPAL COURT CASES IN WHICH BOND HAS BEEN SET BY A JUDGE. The judge should attach this checklist to the charging document (arrest warrant or uniform traffic ticket) when the defendant first appears before a judge for a bond hearing or first appearance, and complete the appropriate sections. Defendant must be provided a completed copy of this form.

- BAILABLE PROCEEDING /  FIRST APPEARANCE (NON-BAILABLE OFFENSE)
1. Form used at bail proceeding  Bond Form I (personal recognizance)  Bond Form II (surety, cash, percentage)  None (Non-Bailable Offense)
  2. For cases in which bond was set, defendant was informed:
    - a. Warrant for arrest will be issued for violation of any condition of bail bond order.
    - b. His right and obligation to be present at trial and that trial will proceed in his absence if he fails to attend.
    - c. Failure to appear in court as required will result in institution of additional criminal charges. Failure to appear in connection with a felony, or while awaiting sentence after conviction, additional charge has penalty of not more than \$5,000 or imprisonment for not more than 5 years, or both. Failure to appear in connection with a charge for a misdemeanor for which the maximum possible sentence is at least one year, additional charge has penalty of not more than \$1,000 or imprisonment for not more than one year, or both. Failure to appear in court as required on any charge not specified above will result in the issuance of a warrant for defendant's arrest, as well as loss of any posted bond.
  3. For cases to be tried in Court of General Sessions, defendant was informed of right to preliminary hearing if requested within ten (10) days:
    - a. Orally  In writing (NOTE: Defendant must be informed of right both orally and in writing.)
  4. Defendant was informed of the right to trial by jury.
  5. In all general sessions cases, in all criminal domestic violence cases, and in all magistrate or municipal cases in which a prison sentence is likely to be imposed, defendant was informed of the following:
    - a. Charges against defendant and nature of the charges.
    - b. Right to counsel and right to court-appointed counsel if financially unable to employ counsel.
    - c. Defendant was informed orally and provided a copy of this form advising him of his right to obtain court appointed counsel if indigent (must meet federal poverty guidelines) and instructions on how to obtain court appointed counsel. In order to apply for court appointed counsel, defendant is required to appear before \_\_\_\_\_ located at \_\_\_\_\_ for indigency screening. Defendant is responsible for a statutory fee of \_\_\_\_\_ for indigency screening.
  6.  In all criminal domestic violence cases and any case where defendant is subject to an Order of Protection or Restraining Order, defendant signed and was provided a document explaining that entering the grounds or property of a domestic violence shelter in which the person's household member reside constitutes an additional misdemeanor charge and, if in possession of a dangerous weapon, an additional felony charge.
  7.  If the charges that have been brought against you are discharged, dismissed, or nolle prossed or if you are found not guilty, you may have your record expunged.

Appearance or  
Hearing Date: Friday, September 13, 2013 at 2:00 p.m.

  
Judge's Signature: Baldwin

Second  
Appearance Date: Friday, November 22, 2013 at 9:00 a.m.

CONSENT TO VIDEO CONFERENCING

*Stubblefield-Tracy*

Name of Defendant:

Warrant/Ticket Numbers

Type of Proceeding:

- Initial Appearance (non-capital case)
- Bond Hearing
- Preliminary Hearing
- Contested Motion
- Guilty Plea and Sentencing (Magistrate's/Municipal Court-Offense)

County of Charleston

- Trial Court  General Sessions
- Magistrate Court
- Municipal Court

By my signature below, I, the defendant, consent to the use of video conference equipment in this criminal proceeding. The court will maintain the videotape of these proceeding for a period of thirty (30) days from today's date, after which the videotape may be destroyed. I have been fully informed of my rights to be personally present before the court for this proceeding and with that knowledge, I voluntarily waive that right.

Attorney for Defendant

*[Handwritten Signature]*  
Signature of Defendant

The defendant waived his rights to personally appear at this criminal proceeding both orally and by writing.

Appearance/or hearing date

*[Handwritten Signature]*  
Signature of Judge:

2013A1010203447

Criminal Charging Document No.

BAIL PROCEEDING FORM II

STATE OF SOUTH CAROLINA COUNTY OF Charleston

IN THE [X] COURT OF GENERAL SESSIONS [ ] MAGISTRATE COURT [ ] MUNICIPAL COURT OF

STATE OF SOUTH CAROLINA

ORDER SPECIFYING METHODS AND CONDITIONS OF RELEASE

Tracy Stubblefield NAME OF DEFENDANT

Offense Charged: Poss. of Meth.

At a bail proceeding conducted by the undersigned judge, for the defendant named above, it was determined by the court (check one or both):

- [ ] The release of the defendant on recognizance will not reasonably assure his appearance as required. [ ] The release of the defendant on recognizance will result in an unreasonable danger to the community.

This determination was based upon the following findings of fact:

[Considerations: Nature and circumstances of the offense charged, the defendant's family ties, employment, financial resources, character and mental condition, the length of his residence in the community, his record of convictions, and any record of flight to avoid prosecution or failure to appear at other court proceedings.]

THEREFORE, IT IS HEREBY ORDERED:

- 1. That the above named defendant be released from custody on the condition that he will personally appear before the designated court at the place, date and time required to answer the charge made against him and do what shall be ordered by the court and not depart the State without the permission of the court and be of good behavior. 2. That the above named defendant be released from custody provided as follows:

CASH IN LIEU OF BOND

[ ] The defendant, acknowledges himself to be indebted to the State of South Carolina in the sum of to secure his release from custody. Should the defendant fail to comply with all terms and conditions of this Order, this sum of money is subject to being forfeited to the State.

CASH PERCENTAGE IN LIEU OF BOND

[ ] The defendant, acknowledging himself to be indebted to the State of South Carolina in the full amount of, his release to be obtained by payment to the court of % (not to exceed 10%) of the full amount of the bond, deposits to secure his release from custody. Should the defendant fail to perform the conditions of this Order, the full amount shall be levied on his real and personal property for the use of the State.

APPEARANCE RECOGNIZANCE WITH SURETY

[ ] The defendant will provide good and sufficient surety approved by the court, in the form hereinafter set forth in this Order, acknowledging an indebtedness to the State in the amount of

3. That the defendant shall appear at (check one):

[X] the term of COURT OF GENERAL SESSIONS beginning on at o'clock, M, at and remain there throughout that term of court. If no disposition is made during that term, the defendant shall appear and remain throughout each succeeding term of court until final disposition is made of his case, unless otherwise ordered by the court.

[ ] the session of [ ] MAGISTRATE COURT [ ] MUNICIPAL COURT beginning on at o'clock, M, at If no final disposition is made during that session, the defendant shall appear at such other times and places as ordered by the court.

INITIALS OF DEFENDANT

4. That the defendant will notify the court promptly if he changes his address from the one contained in this order and he will comply with those conditions described hereinafter in the Order.

SIGNATURE OF JUDGE

DATE

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**ACKNOWLEDGEMENT BY DEFENDANT**

I understand that if I violate any condition of this Order, a warrant for my arrest will be issued.  
I understand and have been informed that I have a right and obligation to be present at trial and should I fail to attend the court, the trial will proceed in my absence.  
It has been explained to me that if I fail to appear before the court as required, a warrant for my arrest will be issued.

ADDRESS \_\_\_\_\_ SIGNATURE OF DEFENDANT \_\_\_\_\_  
CITY/STATE/ZIP \_\_\_\_\_ TELEPHONE \_\_\_\_\_ DATE \_\_\_\_\_  
SOCIAL SECURITY NUMBER \_\_\_\_\_ DRIVER'S LICENSE OR ID NUMBER \_\_\_\_\_ ATTORNEY REPRESENTING ACCUSED (IF KNOWN) \_\_\_\_\_

**SPECIAL CONDITIONS OF RELEASE**

a.  Placement in custody. The defendant is placed in the custody of: \_\_\_\_\_  
NAME OF PERSON OR ORGANIZATION

ADDRESS \_\_\_\_\_ CITY/STATE \_\_\_\_\_ ZIP \_\_\_\_\_ TELEPHONE \_\_\_\_\_  
who agrees (1) to supervise the defendant as set forth by the court, (2) to use every effort to assure the appearance of the defendant at all scheduled hearings before the court, and (3) to notify the court immediately in the event the defendant violates any conditions of his release or disappears.

SIGNATURE OF CUSTODIAN (IF APPROVED) \_\_\_\_\_ DATE \_\_\_\_\_  
b.  Restrictions on Travel, Association or Residence. The defendant will comply with each of the following conditions:  
c.  Part-time Release. The defendant will be released from custody from \_\_\_\_\_ o'clock, \_\_\_\_\_ to \_\_\_\_\_ o'clock, \_\_\_\_\_  
on \_\_\_\_\_ on condition that he return to the custody of \_\_\_\_\_  
at \_\_\_\_\_ as designated.  
DATE(S) TIME AM/PM TIME AV  
NAME OF PERSON OR ORGANIZATION

d.  Other Conditions. The defendant will comply with the following other conditions of release:

**APPEARANCE RECOGNIZANCE WITH SURETY**

On the 24<sup>th</sup> day of June, 2013, personally appeared before the undersigned judge a surety named below who acknowledged himself indebted to the State of South Carolina, in the sum of 10,000.00, such sum to be levied on his real and personal property for the use of the State, should named defendant fail in performing the conditions of this Order.

The surety, being duly sworn, says that he is a resident and free holder within the State and is worth the sum acknowledged and underwritten herein, over all his debts and liabilities, and exclusive of property exempt from execution.

**A AAA Bail Bonds**  
4476 LEEDS PLACE W. STE B  
N. Charleston, SC 29405  
PH (843) 766-0730, FAX (843) 747-2242  
AGENT FOR Crum & Forster Ind. Co.  
Larry G. Ballard

E-Mail: [babettepickles@bellsouth.net](mailto:babettepickles@bellsouth.net)  
Crum & Forster Ind. Co.  
P.O. Box 2807  
Houston, Tx. 77252  
(713) 954-8389

SIGNATURE OF SURETY BONDSMAN \_\_\_\_\_  
SIGNATURE OF JUDGE \_\_\_\_\_  
DATE \_\_\_\_\_

**ACKNOWLEDGEMENT BY DEFENDANT**

I understand that if I violate any condition of this Order, a warrant for my arrest will be issued.

I understand and have been informed that I have a right and obligation to be present at trial and should I fail to attend the court, the trial will proceed in my absence.

It has been explained to me that if I fail to appear before the court as required, a warrant for my arrest will be issued.

*Tracy Stubblefield*  
SIGNATURE OF DEFENDANT: TRACY STUBBLEFIELD

ADDRESS		SIGNATURE OF DEFENDANT: TRACY STUBBLEFIELD	
CITY/STATE/ZIP		TELEPHONE	DATE June 22, 2013
SOCIAL SECURITY NUMBER	DRIVER'S LICENSE OR ID NUMBER		No Attorney on Record ATTORNEY REPRESENTING ACCUSED (IF KNOWN)

**SPECIAL CONDITIONS OF RELEASE**

a.  Placement in custody. The defendant is placed in the custody of: \_\_\_\_\_  
NAME OF PERSON OR ORGANIZATION

ADDRESS CITY/STATE ZIP TELEPHONE  
who agrees (1) to supervise the defendant as set forth by the court, (2) to use every effort to assure the appearance of the defendant at all scheduled hearings before the court, and (3) to notify the court immediately in the event the defendant violates any conditions of his release or disappears.

SIGNATURE OF CUSTODIAN (IF APPROVED) DATE

b.  Restrictions on Travel, Association or Residence. The defendant will comply with each of the following conditions:

c.  Part-time Release. The defendant will be released from custody from \_\_\_\_\_ o'clock, \_\_\_\_\_ o'clock,  
on \_\_\_\_\_ on condition that he return to the custody of \_\_\_\_\_  
at \_\_\_\_\_ as designated.  
DATE(S) LOCATION NAME OF PERSON OR ORGANIZATION

d.  Other Conditions. The defendant will comply with the following other conditions of release: **You are required to appear for your 2<sup>nd</sup> Court Appearance on Friday, November 22, 2013 at 9:00 A.M. at the Court of General Sessions located at 100 Broad Street, Charleston.**

**APPEARANCE RECOGNIZANCE WITH SURETY**

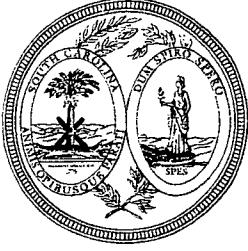
On the \_\_\_\_\_ day of \_\_\_\_\_, personally appeared before the undersigned judge the surety named below who acknowledged himself indebted to the State of South Carolina, in the sum of \_\_\_\_\_, such sum to be levied on his real and personal property for the use of the State, should named defendant fail in performing the conditions of this Order.

The surety, being duly sworn, says that he is a resident and free holder within the State and is worth the sum acknowledged and underwritten herein, over all his debts and liabilities, and exclusive of property exempt from execution.

NAME OF SURETY BONDSMAN COMPANY	TELEPHONE	SIGNATURE OF SURETY BONDSMAN
ADDRESS OF SURETY BONDSMAN		
CITY/STATE/ZIP		SIGNATURE OF JUDGE:
NAME OF INSURANCE COMPANY		DATE:
ADDRESS OF INSURANCE COMPANY		
CITY/STATE/ZIP		

Form Approved by SC Attorney General  
Section 17-1-560  
March 21, 2012

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# South Carolina Department of Insurance

Capitol Center  
1201 Main Street, Suite 1000  
Columbia, South Carolina 29201

NIKKI R. HALEY  
Governor

RAYMOND G. FARMER  
Director

**Mailing Address:**

P.O. Box 100105, Columbia, S.C. 29202-3105  
Telephone: (803) 737-6160

October 10, 2014

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED  
CRUM & FORSTER INDEMNITY COMPANY  
ATTN: Legal Secretary  
Post Office Box 1973  
Morristown, NJ 07962-0000


Dear Sir:

On October 10, 2014, I accepted service of the attached Notice of Forfeited Recognizance on your behalf. I am, hereby, forwarding that accepted process on to you pursuant to the provisions of S.C. Code Ann. § 38-5-70. By forwarding accepted process on to you, I am meeting a ministerial duty imposed upon me by S.C Code Ann. § 15-9-270. I am not a party to this case. The State of South Carolina Department of Insurance is not a party to this case. It is important for you to realize that service was effected upon your insurer on my date of acceptance for service.

**You must promptly acknowledge in writing your receipt of this accepted process.** When replying, please refer to File Number 156463, State of South Carolina v. CRUM & FORSTER INDEMNITY COMPANY, et al., 2013A1010203447.

By:

Sincerely Yours,

  
David E. Belton  
Senior Associate General Counsel  
(803)737-6132

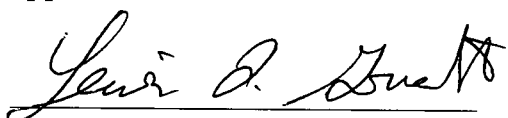
Raymond G. Farmer  
Director  
State of South Carolina  
Department of Insurance

Attachment

CC: Jennifer McCoy  
101 Meeting Street, 4th Floor  
Charleston, SC 29401

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I certify that above Record on Appeal contains no matter which is irrelevant to the appeal.

A handwritten signature in cursive script, reading "Lewis F. Gossett", written over a horizontal line.

Lewis F. Gossett  
Attorney for Appellants

4-30-16