

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

Indictment Number:

County of Spartanburg

2015 - GS - 42 - 01292

STATE VS.

RECEIVED

Probation C/W#: 10-42-15-0532

FRANCIS MARIE GILBERT

OCT 17 2016

Name of Original Offense: 30M44310101990

AKA:

Original AW#: Grand Larceny \$2000, L210,000

Race: W

Sex: F

SC Court of Appeals

Date of Original Offense: 05/05/2014

DOB:

Conviction S.C. Code §: 16-13-0030(10)

SSN:

Conviction CDR Code #: 3 / 9 / 2 / 0

SID#: 02165668

Original Sentence: 3yrs susp time served (46 days)

ORDER of 2yrs. probation

The above named defendant has been charged with violating the conditions of probation ordered on 10 / 27 / 15 in the Court of General Sessions of Spartanburg County, and/or the additional conditions ordered by the Court in probation continuation orders(s) issued on 11/3, as set forth in the attached warrant(s) or citation(s) dated 12/21/2015. After hearing the evidence and being duly advised, in the (presence/absence) of the defendant, I find that the above named defendant has violated the following condition(s) of probation: (List by number or indicate special conditions as provided in the affidavit)

1, 2, 5, 8, 9, 10

Therefore, IT IS ORDERED that:

[X] the suspended sentence be revoked and the above named defendant be required to serve 3 months/years, the remainder of the original sentence, and/or pay \$

[ ] the suspended sentence be revoked and the above named defendant be required to serve months/years of the original sentence and/or pay \$; thereupon to be reinstated on probation, subject to the conditions set forth in the attached order and not inconsistent with this order.

[ ] the above named defendant is continued on probation as provided for in the original sentence, subject to the conditions set forth therein and not inconsistent with this order.

[ ] probation is reduced to time served under supervision and the defendant is discharged from supervision on this date.

[ ] the above named defendant is placed on electronic monitoring pursuant to §23-3-540 (mandatory if convicted of first or third degree criminal sexual conduct with a minor or lewd act, discretionary if convicted of any other applicable sex offense against a minor).

[X] Financial Obligations: Order satisfies: [X] Department fees (arrearage) Civil judgment: [ ] Department fees [X] Fines and other fees (arrearage / balance) [ ] Fines and other fees [ ] Restitution (and 20%) (arrearage / balance) [X] Restitution (and 20%)

[ ] Additional Conditions ordered by the Court:

[ ] The defendant is given credit for pre-revocation hearing detention time on current probation violation to be calculated and applied by the SC Department of Corrections.

[X] The defendant has previously served 46 days months/years on this sentence. (split sentence time and/or prior partial revocation time)

[ ] The defendant was previously placed on active electronic monitoring pursuant to §23-3-540.

This 7th day of October, 2016, Spartanburg, SC

R. Keith Kelly, Presiding Judge, Judicial Circuit 7th

You are hereby advised that under the law the Court may at any time, revoke or modify any condition of this probation; impose any lawful conditions it deems proper; or extend your period of probation not to exceed five (5) years. At any time within the period of your probation, the Court may require you to serve any part of the original sentence imposed.

This is to certify that I have read, or have had read to me, the order and the conditions set out therein. I agree to comply with such conditions and the conditions of my attached probation order during the period of my probation. I have received a copy of this Court's order and all attachments.

Offender's Signature

Witnessed by

Signed this day of at City SC

**South Carolina Department of Probation, Parole and Pardon Services  
Violation Report**

Offender's Name: **KASEY MARIE GILBERT**  
 State of South Carolina, County of: **SPARTANBURG**  
 SID#: **02165668**

Warrant#: **W-42-15-0532**  
 Date of Birth:  
 SCDC#:

CS

**Indictment Numbers:**  
**15-GS-42-01292**

**Offense and Offense Code:**  
**3420 - Grand Larceny, value more than \$2,000  
 but less than \$10,000**

Supervision Program: **Probation**  
 Supervision Level: **Institutionalized**

Begin Date: **10/27/2015** End Date: **10/26/2017**  
 Potential End Date: **5/19/2017** Adjusted End Date: **10/26/2017**

Sentencing Judge: **2165 - Kelly, R.**  
 Sentencing Date: **10/27/2015**  
 Location (Bold Response): **Community**

Sentencing County: **SPARTANBURG**

**RECEIVED**

**OCT 17 2016**

**SC Court of Appeals**

**Sentence:**  
 3 years suspended to time served and 2 years probation

**Special Conditions:**  
 Pay restitution as instructed.

**Current Address and Summary of Residence:**  
 688 WEBB RD, ELLENBORO, NC 28040, RUTHERFORD, USA,

**Reporting:**  
 This subject returned to NC with permission, however she refused to return to SC as instructed. She has not reported back until her arrest.

**Employment Records While Under Supervision:**

Employer	Dates (from -to)	Reason(s) for Leaving	Earnings

**Financial Conditions:**

	Total Amount ordered	Pay Period	Total Paid	Date Last Paid	Arrearage	Balance Due
Fines						
Court Ordered Fines	\$648.90	\$30.00/M	\$0.00		\$300.00	\$648.90
Restitutions						
Dept. Admin. Ct. Ordered Re	\$420.00	\$20.00/M	\$0.00		\$200.00	\$420.00

Prior Violation Dates	Prior Violations	Prior Violation Disposition

**Details of the Present Violation:**

By willfully violating conditions 1,2,5,8,9,and 10 of the probation ordered under cause 15-GS-42-01292 and 4990 of the Spartanburg County Court of General Sessions. - By willfully failing to report on 11/04/2015 and since that time. By willfully failing to keep the agent advised of her whereabouts, thus absconding supervision. By willfully failing to maintain gainful employment or provide proof to the agent. By willfully being out of the state without permission, having failed to return to SC for her intake or since that time. By

**South Carolina Department of Probation, Parole and Pardon Services**  
**Violation Report**

Offender's Name: **KASEY MARIE GILBERT**

willfully failing to pay a fine as instructed, being \$30 arrears as of this date. By willfully failing to follow the advice and instructions of the agent. By willfully failing to pay restitution, being \$20 arrears as of this date.

**Agent's Recommendation:**

Revoke in full. Convert restitution to a civil judgment.

**Agent's Justification:**

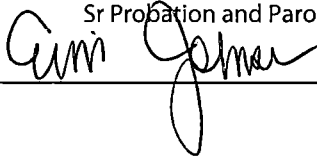
Ms. Gilbert was allowed to return to North Carolina with a travel permit and was given a date to return back to South Carolina for intake. She failed to report as instructed and refused to respond to the agent's phone calls. This warrant was not served until she had contact with law enforcement in North Carolina. This offender has shown that she is not serious about her probation and not willing to comply with the terms of the probation.

Robyn Fahnle

Sr Probation and Parole Agent

Date: 9/19/2016

Supervisor's Signature



Date: 9/19/16

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