

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF CHARLESTON
STATE VS.

WILLIA JEAN FLOWERS

AKA: _____
Race: _____ Sex: _____
DOB: _____ SS#: _____
Address: _____
City, State, Zip: _____
DL# _____ SID# _____

INDICTMENT/CASE#: 2015-GS-10-05127
A/W: 2015A1010201016
Date of Offense: 02/28/2015
S.C. Code #: 16-13-0110(A)
CDR Code #: 2877

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NOV 02 2016
SC Court of Appeals

SENTENCE SHEET

*CDL Yes No CMV Yes No Hazmat Yes No

In disposition of the said indictment comes now the Defendant who was
TO: Shoplifting- Enhancement

CONVICTED OF or PLEADS

In violation of § 16-13-0110(A) of the S.C. Code of Laws, bearing CDR Code # 2877

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

The charge is: As indicted, Lesser Included Offense, Defendant Waives Presentment to Grand Jury. _____ (def.'s initials)
The plea is: Without Negotiations or Recommendation, Negotiated Sentence, Recommendation by the State.

ATTEST: 6
Tyler S. Whitaker, Assistant Solicitor SC Bar # 74906 Defendant Willia Jean Flowers
Attorney for Defendant Pete Shukid, PD 102365 SC Bar # rev

WHEREFORE, the Defendant is committed to the State Department of Corrections County Detention Center,
for a determinate term of 37 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 _____ days/months/years and or payment
of \$ _____ plus costs and assessments as applicable*; the balance is suspended with probation for _____
months/years and subject to South Carolina Department of Probation, Parole and Pardon Service standard conditions of probation, which
are incorporated by reference.

CONCURRENT or CONSECUTIVE to sentence on: _____
 The Defendant is to be given credit for time served pursuant to S.C. Code §24-13-40 to be calculated and applied by the State
Department of Corrections. 37 days
 The Defendant is to be placed on Central Registry of Child Abuse and Neglect pursuant to S.C. Code §17-25-135.

Pursuant to 18 U.S.C. Section 922, it is unlawful for a person convicted of a violation of Section 16-25-20 or 16-25-65 (Domestic
Violence) to ship, transport, possess, or receive a firearm or ammunition.

SPECIAL CONDITIONS:

RESTITUTION: Deferred Def. Waives Hearing Ordered PTUP _____
Total: \$ _____ plus 20% fee: \$ _____ days/hours Public Service Employment
Payment Terms: _____ Obtain GED

Set by SCDPPPS _____
Attend Voc. Rehab. Or Job Corp. _____
May serve W/E beginning _____
Substance Abuse Counseling

*Fine:		\$
§14-1-206 (Assessments 107.5%)		\$
§14-1-211 (A)(1)(Conv. Surcharge)	\$100	\$ <u>100.00</u>
§14-1-211 (A)(2)(DUI Surcharge)	\$100	\$
§56-5-2995 (DUI Assessment)	\$12	\$
§56-1-286 (DUI Breath Test)	\$25	\$
Proviso 61.6 (Public Def/Prob)	\$500	\$
§14-1-212 (Law Enforce. Funding)	\$25	\$ <u>25.00</u>
§14-1-213 (Drug Court Surcharge)	\$150	\$
§50-21-114 (BUI Breath Test Fee)	\$50	\$
§56-5-2942(J) (Vehicle Assessment)	\$40/ea	\$
3% to County (if paid in installments)	\$	\$ <u>3.75</u>
TOTAL		\$ <u>128.75</u>

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

Other: _____

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

Clerk of Court/Deputy Clerk: Christine Pawy
Court Reporter: Karen Andersen

Presiding Judge: _____
Judge Code: _____
Sentence Date: 9/13/16

6

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

County of Charleston
STATE VS.

Indictment Number: 2014-GS-18-0645
Probation CWR #: W-18-16-0018

AKA: Willie Jean Flowers
Race: [Redacted] Sex: [Redacted]
DOB: [Redacted]
SSN: [Redacted]
SID#: [Redacted]

Name of Original Offense: Enhancement 3rd
Original A/W #: 2014A1021000503
Date of Original Offense: 3/18/2014
Conviction S.C. Code §: 16-13-40(a)
Conviction CDR Code #: 218111
Original Sentence: 10 years 55 3/4

ORDER

The above named defendant has been charged with violating the conditions of probation ordered on 11/3/14 in the Court of General Sessions of Charleston County, and/or the additional conditions ordered by the Court in probation continuation order(s) issued on _____, as set forth in the attached warrant(s) or citation(s) dated 1-28-16. 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, 19, 10 and 20

Therefore, IT IS ORDERED that:

- the suspended sentence be revoked and the above named defendant be required to serve 10 (ten) 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 active electronic monitoring pursuant to §23-3-540 (mandatory if convicted of first degree criminal sexual conduct with a minor or lewd act, discretionary if convicted of any other applicable sex offense against a minor).
- Financial Obligations: Order satisfies:
 - Department fees (arrearage)
 - Fines and other fees (arrearage/balance)
 - Restitution (and 20%) (arrearage/balance)
- Civil judgment:
 - Department fees
 - Fines and other fees
 - Restitution (and 20%)

RECORDED
2016 SEP 23 PM 3:54
CLERK OF COURT
DOUGLASS COUNTY

Additional Conditions ordered by the Court:

no alien monitoring

- 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.
- The defendant has previously served 14 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 13th day of Sept 2016
Charleston, SC

Justin Lang
Presiding Judge
Judicial Circuit

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: Willie Jean Flowers
Signed this 13th day of Sept 2016 at Charleston SC

Witnessed by: [Signature]
Charleston SC

STATE OF SOUTH CAROLINA)
COUNTY OF CHARLESTON)

STATE OF SOUTH CAROLINA)

v.)

WILLIA JEAN FLOWERS,)

Defendant.)

IN THE COURT OF GENERAL SESSIONS
FOR THE NINTH JUDICIAL CIRCUIT

Case No.: 2015-GS-10-5147

Warrant No(s):: 2015A1010201016; W18160018

ORDER

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SC Court of Appeals

FILED
JULIE J. ARMSTRONG
CLERK OF COURT

2016 OCT 13 AM 11:28

FILED

THIS MATTER IS BEFORE THE COURT on Defendant Willia Flowers's Motion to Withdraw Guilty Plea and in the Alternative Motion to Reconsider Sentence filed on September 22, 2016.

On September 13, 2016, the Defendant pled guilty to Indictment 2015-GS-10-5147, Shoplifting – Enhancement. At the time of the plea, Defendant Flowers was on probation in Dorchester County pursuant to her guilty plea on Indictment 2014-GS-18-0645. A probation warrant for failure to comply with the terms of the Dorchester County probation was issued on January 28, 2016, and served on Defendant Flowers on September 13, 2016. Defendant Flowers's plea of guilty was accepted, and the Court sentenced Defendant Flowers to thirty-seven days in the Charleston County Detention Center with credit for thirty-seven days of time served. Following sentencing on this indictment, the Court conducted Defendant Flowers's Dorchester County probation violation hearing pursuant to Warrant No. W18160018. The Court ruled that Defendant Flowers willfully violated her probation and revoked her probationary sentence in full.

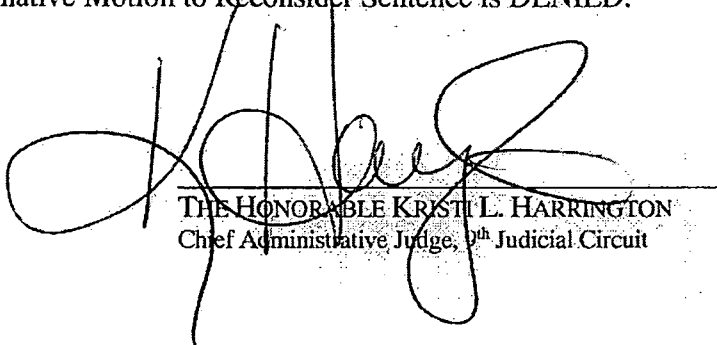
Upon review of Defendant Flowers's Motion, the Court finds that the Defendant was advised of the effect of pleading guilty in regards to her probation, and the Defendant knowingly

and intelligently pled guilty on September 13, 2016. The Defendant has not alleged grounds sufficient to warrant withdrawal of the guilty plea or reconsideration of sentence.

THEREFORE, IT IS HEREBY ORDERED that Defendant Willia Flowers's Motion to Withdraw Guilty Plea and in the Alternative Motion to Reconsider Sentence is DENIED.

IT IS ORDERED!

October 12, 2016
Charleston, South Carolina



THE HONORABLE KRISTI L. HARRINGTON
Chief Administrative Judge, 9th Judicial Circuit

FILED
2016 OCT 13 AM 11:28
JULIE J. ARMSTRONG
CLERK OF COURT
BY JN

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NOV 02 2016

SC Court of Appeals

EXHIBIT A

Peter Shahid

From: Harrington, Kristi L. Law Clerk (Elizabeth D. Wiles) <kharringtonlc@sccourts.org>
Sent: Friday, October 28, 2016 9:44 AM
To: Peter Shahid
Cc: Tyler Whitaker
Subject: RE: Motion for Willia Jean Flowers
Attachments: Flowers Order.pdf

Good morning, Mr. Shahid,

Judge Harrington has ruled on the motion. I've attached a filed copy for reference.

Sincerely,

Elizabeth D. Wiles

Law Clerk
The Honorable Kristi Lea Harrington
The Circuit Court of South Carolina
Ninth Judicial Circuit
300-B California Avenue
Moncks Corner, SC 29461
Phone: (843) 719-4480
Fax: (843) 719-4724
Email: kharringtonlc@sccourts.org

If you need immediate assistance and cannot reach me, please contact Judge Harrington's Administrative Assistant, Tasha Kotz, at kharringtonsc@sccourts.org.

From: Peter Shahid [mailto:PShahid@charlestoncounty.org]
Sent: Friday, October 28, 2016 9:26 AM
To: Harrington, Kristi L. Law Clerk (Elizabeth D. Wiles) <kharringtonlc@sccourts.org>
Subject: RE: Motion for Willia Jean Flowers

Good Morning Elizabeth,

Is Judge Harrington willing to hear arguments in this matter before the end of the year?

Thanks,

Pete Shahid
Assistant Public Defender
Ninth Circuit Public Defender's Office
101 Meeting Street, 6th Floor
Charleston, SC 29401-2214
843-958-1885
843-958-1860 (facsimile)

pshahid@charlestoncounty.org

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From: Harrington, Kristi L. Law Clerk (Elizabeth D. Wiles) [<mailto:kharringtonlc@sccourts.org>]
Sent: Friday, September 23, 2016 2:26 PM
To: Amber S. Simmons <ASimmons@charlestoncounty.org>
Cc: Tyler Whitaker <whitakert@scsolicitor9.org>; Peter Shahid <PShahid@charlestoncounty.org>
Subject: RE: Motion for Willia Jean Flowers

Ms. Simmons,

I am in receipt of the motion.

Thank you,

Elizabeth D. Wiles

Law Clerk

The Honorable Kristi Lea Harrington

The Circuit Court of South Carolina

Ninth Judicial Circuit

300-B California Avenue

Moncks Corner, SC 29461

Phone: (843) 719-4480

Fax: (843) 719-4724

Email: kharringtonlc@sccourts.org

If you need immediate assistance and cannot reach me, please contact Judge Harrington's Administrative Assistant, Tasha Kotz, at kharringtonsc@sccourts.org.

From: Amber S. Simmons [<mailto:ASimmons@charlestoncounty.org>]
Sent: Thursday, September 22, 2016 10:15 AM
To: Harrington, Kristi L. Law Clerk (Elizabeth D. Wiles) <kharringtonlc@sccourts.org>
Subject: Motion for Willia Jean Flowers

Good Morning,

Attached is a motion and exhibit for Willia Jean Flowers,
The motion is to withdraw the guilty plea and to reconsider
sentence. The attorneys are Pete Shahid and Tyler Whitaker.

Amber S. Simmons
Paralegal
Ninth Circuit Public Defender's Office

101 Meeting Street, 5th Floor
Charleston, SC 29401
843-958-1857
843-958-1860 Fax

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Source: [illegible] [illegible]  
[illegible]

STATE OF SOUTH CAROLINA

COUNTY OF CHARLESTON

STATE OF SOUTH CAROLINA

vs.

WILLIA JEAN FLOWERS,

Defendant

) IN THE COURT OF GENERAL SESSIONS  
) FOR THE NINTH JUDICIAL CIRCUIT

) Case No(s): 2015GS1005147  
) Warrant No(s): 2015A1010201016; W18160018  
) Charge(s): Shoplifting-Enhance; Probation  
) Violation

) **MOTION TO WITHDRAW GUILTY PLEA  
) AND IN THE ALTERNATIVE MOTION  
) TO RECONSIDER SENTENCE**

**RECEIVED**

NOV 02 2016

**SC Court of Appeals**

PLEASE TAKE NOTICE that the above captioned defendant, WILLIA JEAN FLOWERS, by and through her undersigned attorney, moves this Honorable Court to withdraw the guilty plea to the charges of Shoplifting – Enhancement and Probation Violation entered before the Honorable Judge Kristi Lea Harrington on September 13, 2016. This Motion is made on the grounds that Ms. Flowers’ decision to plead guilty was not made knowingly and intelligently. Ms. Flowers relied on erroneous advice from counsel in forming her decision to plead guilty.

When Ms. Flowers’ entered her guilty plea, she was on probation from Dorchester County after pleading guilty to Indictment No. 14GS1800645 (offense: Shoplifting – Enhancement). Ms. Flowers was placed on probation on November 3, 2014, in Dorchester County. Judge Harrington sentenced Ms. Flowers to ten years in the South Carolina Department of Corrections, but that sentence was suspended to three years of probation, with the special conditions that she pay a fine and obtain her GED. Prior to Ms. Flowers’ guilty plea for Indictment No. 2015GS1005147, Warrant No. W18160018 was issued for Ms. Flowers on January 28, 2016, stating that she had violated the terms

JULIE J. HARRINGTON  
CLERK OF COURT  
16 SEP 2 AM 3:18  
2

of her probation. This warrant was served on Ms. Flowers on September 13, 2016 (Exhibit A). A subsequent violation report was issued as well. (Exhibit B).

On September 13, 2016, Ms. Flowers pled guilty to Indictment No. 2015GS1005147 (offense: Shoplifting – Enhancement) before Judge Harrington. The State recommended that Ms. Flowers' sentence should run concurrent with her sentence for violating her probation. Ms. Flowers was sentenced to thirty-seven days in the Charleston County Detention Center, and was given credit for thirty-seven days of time she had already served there. (Exhibit C). After sentencing Ms. Flowers on Indictment No. 2015GS1005147, Judge Harrington then conducted Ms. Flower's probation violation hearing pursuant to Warrant No. W18160018. Judge Harrington ruled that Ms. Flowers knowingly violated her probation and revoked her probationary sentence in full.

During the course of Ms. Flowers' representation with counsel she was advised that, because she was sentenced to probation in Dorchester County, her probation violation hearing would be conducted in Dorchester County. Counsel communicated the State's recommendation to Ms. Flowers, but wrongfully assumed that following the conclusion of her guilty plea for Indictment No. 2015GS1005147, she would be sent to Dorchester County where she would receive her sentence for her probation violation. Therefore, Ms. Flowers relied on unsound advice from counsel in deciding to plead guilty on Indictment No. 2015GS1005147, and her guilty plea was not made knowingly and intelligently.

Furthermore, Ms. Flowers was served with her probation violation warrant at the time she entered her guilty plea on September 13, 2016. South Carolina law requires that a warrant be issued and then served on a defendant placed on probation before a probation can be revoked. See State v. Martin, 338 S.C. 401, 404 (2000) (stating that S.C. Code Ann. §§24-21-450, 460 "require a warrant to be issued and the probationer served with the warrant in order to revoke the probation.") Though

there is no time period prior to a probation hearing when a probationer must be served with a probation violation warrant, due process considerations for fairness should allow a probationer adequate time to develop either a defense or mitigation for their violation. Because Ms. Flowers was served with the warrant immediately after she was sentenced on her probation violation, she was granted neither. Therefore, we ask this court to withdraw Ms. Flowers' guilty plea for Indictment No. 2015GS1005147 and Warrant No. W18160018.

In the alternative, the defense moves for a reconsideration of the full revocation for Warrant No. W18160018. The defense reiterates the above grounds, and believes there are other mitigating circumstances the court did not hear that could have swayed the court to grant Ms. Flowers a lesser sentence. First, Ms. Flowers served as a mentor and de facto mother for many children in her neighborhood who are either runaways or homeless. She does not volunteer with an organization to do this work, she does it to help these children and to keep these children off the street and out of trouble. Furthermore, Ms. Flowers informed her probation agent that she had difficulty in making her monthly meetings with them because she did not own a car, so she requested that her probation be transferred to Berkeley County because it was easier for her to travel to the Berkeley County Probation office than to the Dorchester County Probation office. She was under the impression that her probation agent was in the process of transferring her probation, but he never did. Finally, Ms. Flowers has two daughters in high school who, if her current sentence is maintained, will not have their mother help them graduate school and potentially apply to and be accepted into college. Her daughters will likely stay with their grandmother while Ms. Flowers finishes her sentence, but their living situation is subject to change. Ms. Flowers' friends and family are available to address the court regarding these facts if need be.



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Exhibit  
A

Form 16.1-Arrest Warrant  
Form Approved by  
SC Attorney General  
Section 17-13-160  
March 15, 1978

Probation  
**30 Court of Appeals**  
**ARREST WARRANT**

**STATE OF SOUTH CAROLINA**  
COUNTY OF DORCHESTER

Indictment Number 14-GS-18-00645  
Warrant Number WV-18-16-0018  
State Identification No. (SID) 01296543

TO ANY LAW ENFORCEMENT OFFICER OF THIS STATE OR COUNTY OR OF THE MUNICIPALITY OF SUMMERVILLE, AND ANY CONSTABLE OF THIS MAGISTERIAL DISTRICT:

It appearing from the attached affidavit that there are reasonable grounds to believe that WILLIA JEAN FLOWERS, did on the 28 day of January, 2016 violate the criminal laws of the State of South Carolina as set forth below:

DESCRIPTION OF OFFENSE:

By Violating conditions of probation 1, 2, 7, 9, 10 and Special Conditions as ordered In Cause Number 14-GS18-645 by the Dorchester County Court of General Sessions.

Now, therefore, you are empowered and directed to arrest the said defendant and bring WILLIA JEAN FLOWERS 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. Done at SUMMERVILLE, S. C. this 28 day of January, 2016.

  
Signature of Probation and Parole Agent (L.S.)

County of **DORCHESTER**

**STATE OF SOUTH CAROLINA**

**AFFIDAVIT**

Personally appeared before me, one Luther S. Brown, who, first being duly sworn, deposes and says that WILLIA JEAN FLOWERS did within this County and State on the 28 day of January, 2016, violate the criminal laws of the State of South Carolina in the following particulars:


DESCRIPTION OF OFFENSE:

By violating conditions of probation 1, 2, 7, 9, 10 and Special Conditions as ordered in Cause Number 14-GS18-645 by the Dorchester County Court of General Sessions.

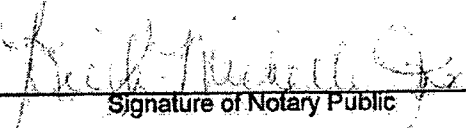
The affiant states that there is probable cause to believe that the defendant named above did commit the crime(s) set forth, and that such probable cause is based on the following facts:

Ms. Flowers has failed to follow the advice and instructions of her agent by failing to report. Last report 10.21.15.  
By changing her address without consent. A home visit was attempted on 1.21.16 at 5660 Nelson St (lot 24) N. Chas. Agent advised subj. does not live at the residence. Anita Davis called after receiving HV card and advised subject does not live there.  
Fail to pay S/F. Current arrears \$700.  
Fail to pay DACOR. Current arrears \$23.80.  
Fail to pay fine: current arrears \$300, DNA (\$180).

Sworn to and Subscribed before me  
this 28 day of January, 2016.

  
Affiant

Address: 422-A Industrial Road  
SUMMERVILLE, SC 29483  
DORCHESTER  
USA  
(843) 832-8340

  
Signature of Notary Public (L.S.)

  
My Commission Expires

RETURN

STATE OF SOUTH CAROLINA

COUNTY OF

DORCHESTER

THE STATE

against

WILLIA JEAN FLOWERS

ARREST WARRANT

Offense: Violation of Conditions of Probation Supervision

Offense Section: 24-21-450

Date: 1/28/2016

Officer and Agency: SC Department of Probation, Parole and Pardon Services

Luther S. Brown

Disposition

Sentence

Co-Defendants

INFORMATION ON DEFENDANT

Name WILLIA JEAN FLOWERS

Address [REDACTED]

Phone [REDACTED]

Sex [REDACTED] Race [REDACTED] Height [REDACTED]

Weight [REDACTED] Birth date [REDACTED]

Social Security Number [REDACTED]

INFORMATION ON WITNESSES

Name [REDACTED]

Address [REDACTED]

Phone [REDACTED]

Name [REDACTED]

Address [REDACTED]

Phone [REDACTED]

Name [REDACTED]

Address [REDACTED]

Phone [REDACTED]

Name [REDACTED]

Address [REDACTED]

Phone [REDACTED]

PRELIMINARY HEARING held by

Magistrate [REDACTED]

on [REDACTED]

with [REDACTED]

Attorney for the Defendant

Decision [REDACTED]

BAIL

Date Set [REDACTED]

Magistrate [REDACTED]

Amount [REDACTED]

Surety [REDACTED]

A copy of this Arrest Warrant was delivered by me to the following defendant:

on the 13 day of April 2016  
[Signature]  
Constable or Law Enforcement Officer

This Warrant is certified for service in [County of warrant Certification] County. The accused is to be arrested and brought before me to deal with according to law.

[Signature] (L.S.)  
Signature of Judge

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

Offender's Name: **WILLIA JEAN FLOWERS**  
 State of South Carolina, County of: **DORCHESTER**  
 SID#: **[REDACTED]**

Warrant#: **W-18-16-0018**  
 Date of Birth: **[REDACTED]**  
 SDC#: **[REDACTED]**

**Indictment Numbers:**  
**14-G5-18-00645**

**Offense and Offense Code:**  
**2877 - Enhancement for 3rd or sub. offense.**  
**Value \$2000 or less (see 16-01-0057)**

Supervision Program: **Probation**  
 Supervision Level: **Standard Supervision**

Begin Date: **11/3/2014** End Date: **11/2/2017**  
 Potential End Date: **2/8/2017** Adjusted End Date: **10/13/2017**

Sentencing Judge: **2151 - Harrington, Kristi**  
 Sentencing Date: **11/3/2014**  
 Location (Bold Response): **Community**

Sentencing County: **DORCHESTER**

**Sentence:**

10 years suspended on 3 years probation.

**Special Conditions:**

FINE - \$648.90; GED - OBTAIN GED

**Current Address and Summary of Residence:**

5660 NELSON ST, LOT 24, NORTH CHARLESTON, SC 29418, CHARLESTON, USA,  
 115-A CEDAR GROVE DRIVE, NORTH CHARLESTON, SC 29420, DORCHESTER, USA,

**Reporting:**

Poor

*Exhibit B*

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**SC Court of Appeals**

**Employment Records While Under Supervision:**

| Employer                  | Dates (from -to)      | Reason(s) for Leaving | Earnings |
|---------------------------|-----------------------|-----------------------|----------|
| UNEMPLOYED                | 10/21/2015 -          |                       | \$0.00   |
| HARDEES                   | 11/3/2014 - 6/3/2015  |                       | \$1.00   |
| EXPRESS CLEANING SERVICES | 6/3/2015 - 10/20/2015 |                       | \$1.00   |

**Financial Conditions:**

|                             | Total Amount ordered | Pay Period | Total Paid | Date Last Paid | Arrearage | Balance Due |
|-----------------------------|----------------------|------------|------------|----------------|-----------|-------------|
| Fees                        |                      |            |            |                |           |             |
| DNA Fee                     | \$250.00             | \$20.00/M  | \$0.00     |                | \$160.00  | \$250.00    |
| Regular Supervision         | \$1,800.00           | \$50.00/M  | \$50.00    | 12/19/2014     | \$650.00  | \$1,750.00  |
| Fines                       |                      |            |            |                |           |             |
| Court Ordered Fines         | \$648.90             | \$20.00/M  | \$0.00     |                | \$280.00  | \$648.90    |
| Restitutions                |                      |            |            |                |           |             |
| Dept. Admin. Ct. Ordered Re | \$28.80              | \$5.00/M   | \$5.00     | 12/19/2014     | \$23.80   | \$23.80     |

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

Offender's Name: WILLIA JEAN FLOWERS

| Prior Violation Dates | Prior Violations | Prior Violation Disposition |
|-----------------------|------------------|-----------------------------|
|                       |                  |                             |

**Details of the Present Violation:**

By violating conditions of probation 1, 2, 7, 9, 10 and Special Conditions as ordered in Cause Number 14-GS18-645 by the Dorchester County Court of General Sessions. - Ms. Flowers has failed to follow the advice and instructions of her agent by failing to report. Last report 10.21.15. By changing her address without consent. A home visit was attempted on 1.21.16 at 5660 Nelson St (lot 24) N. Chas. Agent advised subj. does not live at the residence. Fail to pay S/F. Current arrears \$700. Fail to pay DACOR. Current arrears \$23.80. Fail to pay fine: current arrears \$300, DNA (\$180).

**Agent's Recommendation:**

Revocation

**Agent's Justification:**

Ms. Flowers has not reported since October 2015. her reporting history has been very sporadic and makes little efforts to comply. Her actions shows that she is not a suitable candidate for supervision.

Luther S. Brown

Probation/Parole Agent

Date: 1/26/2016

Supervisor's Signature

Date: 1/26/16

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF CHARLESTON  
STATE VS.

WILLIA JEAN FLOWERS

INDICTMENT/CASE#: 2015-GS-10-05147  
A/W: 2015A1010201016  
Date of Offense: 02/28/2015  
S.C. Code §: 16-13-0110(A)  
CDR. Code #: 2877

Exhibit  
C

AKA: \_\_\_\_\_  
Race: \_\_\_\_\_ Sex: \_\_\_\_\_  
DOB: \_\_\_\_\_ SS#: \_\_\_\_\_  
Address: \_\_\_\_\_  
City, State, Zip: \_\_\_\_\_  
DL# \_\_\_\_\_ SID# \_\_\_\_\_

SENTENCE SHEET

RECEIVED

NOV 02 2016

SC Court of Appeals

\*CDL Yes  No  CMV Yes  No  Hazmat Yes  No

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

CONVICTED OF or  PLEADS

TO: Shoplifting- Enhancement

In violation of § 16-13-0110(A) of the S.C. Code of Laws, bearing CDR Code # 2877

NON-VIOLENT  VIOLENT  SERIOUS  MOST SERIOUS  Mandatory GPS

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

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

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

ATTEST:

Tyler S. Whitaker, Assistant Solicitor 74906 SC Bar # 74906  
Willia Jean Flowers, Defendant

Ete Shukid, PD, Attorney for Defendant 102365 SC Bar # 102365

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

for a determinate term of 37 days or  under the Youthful Offender Act not to exceed \_\_\_\_\_ years

and/or to pay a fine of \$ \_\_\_\_\_, provided that upon the service of \_\_\_\_\_ days/months/years and or payment

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

months/years and subject to South Carolina Department of Probation, Parole and Pardon Service standard conditions of probation, which are incorporated by reference.

CONCURRENT or  CONSECUTIVE to sentence on: \_\_\_\_\_

The Defendant is to be given credit for time served pursuant to S.C. Code §24-13-40 to be calculated and applied by the State Department of Corrections. 37 days

The Defendant is to be placed on Central Registry of Child Abuse and Neglect pursuant to S.C. Code §17-25-135.

Pursuant to 18 U.S.C. Section 922, it is unlawful for a person convicted of a violation of Section 16-25-20 or 16-25-65 (Domestic Violence) to ship, transport, possess, or receive a firearm or ammunition.

SPECIAL CONDITIONS:

RESTITUTION:  Deferred  Def. Waives Hearing

Total: \$ \_\_\_\_\_ plus 20% fee: \$ \_\_\_\_\_

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

Payment Terms: \_\_\_\_\_

Obtain GED

Set by SCDPPPS \_\_\_\_\_

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

Recipient: \_\_\_\_\_

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

\*Fine: \_\_\_\_\_ \$ \_\_\_\_\_

Substance Abuse Counseling

§14-1-206 (Assessments 107.5%) \_\_\_\_\_ \$ \_\_\_\_\_

Random Drug/Alcohol Testing

§14-1-211 (A)(1)(Conv. Surcharge) \$100 \$100.00

Fine may be pd. in equal consecutive weekly/monthly

§14-1-211 (A)(2)(DUI Surcharge) \$100 \_\_\_\_\_ \$ \_\_\_\_\_

prmts. of \$ \_\_\_\_\_ Beginning \_\_\_\_\_

§56-5-2995 (DUI Assessment) \$12 \_\_\_\_\_ \$ \_\_\_\_\_

\$ \_\_\_\_\_ Paid to Public Defender Fund

§56-1-286 (DUI Breath Test) \$25 \_\_\_\_\_ \$ \_\_\_\_\_

Other: \_\_\_\_\_

Proviso 61.6 (Public Def/Prob) \$500 \_\_\_\_\_ \$ \_\_\_\_\_

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

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

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

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

Appointed PD or appointed other counsel.

3% to County (if paid in installments) \$ 3.75

§47.12 requires \$500 be paid to Clerk during probation.

TOTAL \$ 128.75

Clerk of Court/Deputy Clerk: Christine Pury  
Court Reporter: Karen Andersen

Presiding Judge: \_\_\_\_\_

Judge Code: 251

Sentence Date: 9/13/16

STATE OF SOUTH CAROLINA )  
COUNTY OF CHARLESTON )

STATE OF SOUTH CAROLINA )

v. )

WILLIA JEAN FLOWERS, )  
Defendant. )

IN THE COURT OF GENERAL SESSIONS  
FOR THE NINTH JUDICIAL CIRCUIT  
Case No.: 2015-GS-10-5147  
Warrant No(s): 2015A1010201016; W18160018

ORDER

**RECEIVED**

NOV 02 2016

SC Court of Appeals

FILED  
2016 OCT 13 AM 11:28  
JILL J. ARMSTRONG  
CLERK OF COURT

**THIS MATTER IS BEFORE THE COURT** on Defendant Willia Flowers's Motion to Withdraw Guilty Plea and in the Alternative Motion to Reconsider Sentence filed on September 22, 2016.

On September 13, 2016, the Defendant pled guilty to Indictment 2015-GS-10-5147, Shoplifting - Enhancement. At the time of the plea, Defendant Flowers was on probation in Dorchester County pursuant to her guilty plea on Indictment 2014-GS-18-0645. A probation warrant for failure to comply with the terms of the Dorchester County probation was issued on January 28, 2016, and served on Defendant Flowers on September 13, 2016. Defendant Flowers's plea of guilty was accepted, and the Court sentenced Defendant Flowers to thirty-seven days in the Charleston County Detention Center with credit for thirty-seven days of time served. Following sentencing on this indictment, the Court conducted Defendant Flowers's Dorchester County probation violation hearing pursuant to Warrant No. W18160018. The Court ruled that Defendant Flowers willfully violated her probation and revoked her probationary sentence in full.

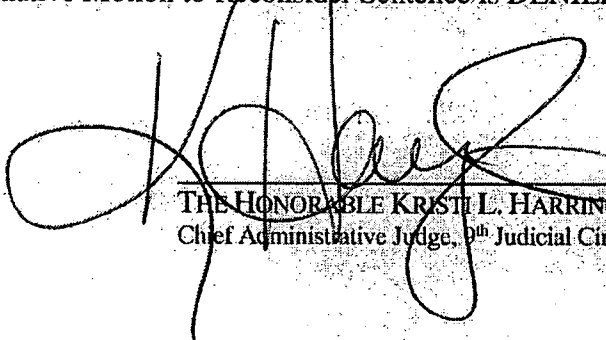
Upon review of Defendant Flowers's Motion, the Court finds that the Defendant was advised of the effect of pleading guilty in regards to her probation, and the Defendant knowingly

and intelligently pled guilty on September 13, 2016. The Defendant has not alleged grounds sufficient to warrant withdrawal of the guilty plea or reconsideration of sentence.

**THEREFORE, IT IS HEREBY ORDERED** that Defendant Willia Flowers's Motion to Withdraw Guilty Plea and in the Alternative Motion to Reconsider Sentence is DENIED.

**IT IS ORDERED!**

October 12, 2016  
Charleston, South Carolina



THE HONORABLE KRISTI L. HARRINGTON  
Chief Administrative Judge, 9<sup>th</sup> Judicial Circuit

**FILED**  
2016 OCT 13 AM 11:28  
JULIE J. ARSTRONG  
CLERK OF COURT  
BY JV