

STATE OF SOUTH CAROLINA

COUNTY OF Aiken VS. STATE

AKA: Jimmy Powell Jr

Race: Sex: Age: DOB: SS#:

Address: City, State, Zip: DL#: SID#:

\*CDL Yes No CMV Yes No Hazmat Yes No

In disposition of the said indictment comes now the Defendant who was TO: Shoplifting / Enhancement for 3rd or sub. offense. Value \$2000 or less (see 16-01-0057)

in violation of § 16-13-0110(A) (16-1-57) of the S.C. Code of Laws, bearing CDR Code # 2877

NON-VIOLENT VIOLENT SERIOUS MOST SERIOUS

The charge is: As Indicted, Lesser Included Offense, Defendant Waives Presentment to Grand Jury

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

ATTEST: Katie R. Cleveland, SC Bar# Defendant

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

for a determinate term of 10 days/months/years or under the Youthful Offender Act not to exceed years

and/or to pay a fine of \$ 30; provided that upon the service of 30 day/months/years and/or payment

of \$ 5; 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 Services standard conditions of

probation, which are incorporated by reference.

CONCURRENT or CONSECUTIVE to sentence on:

The Defendant is to be given credit for time served pursuant to S.C. Code § 24-13-40 to be calculated and applied

by the State Department of Corrections. (260073)

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 (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: \$

Payment Terms: Set by SCDPPPS

Recipient:

Table with 3 columns: Description, Amount, Total. Includes items like § 14-1-206 (Assessments 107.5%), § 14-1-211(A)(1) (Conv. Surcharge), § 14-1-211(A)(2) (DUI Surcharge), § 56-5-2995 (DUI Assessment), § 56-1-286 (DUI Breath Test), Proviso 61.6 (Public Def/Probation), § 14-1-212 (Law Enforce. Funding), § 14-1-213 (Drug Court Surcharge), § 50-21-114 (BUI Breath Test Fee), § 56-5-2942(J) (Vehicle Assessment), 3% to County (if paid in installments).

TOTAL \$ 643.75

Clerk of Court/ Deputy Clerk: Heather Landers Court Reporter: Heather Landers SCCA/217 (07/2016)

IN THE COURT OF GENERAL SESSIONS

RECEIVED

INDICTMENT/CASE#: 2016GS0202373

A/W#: 2016A0210400450

Date of Offense: 10/20/2016

S.C. Code §: 16-13-0110(A) (16-1-57)

CDR Code #: 2877

DEC 09 2016

SC Court of Appeals

SENTENCE SHEET 0-104

CONVICTED OF or PLEADS

Mandatory GPS/CSC w/minor 1st or Lewd Act §17-25-45

(defendant's initials)

Attorney for Defendant

SC Bar#

State Department of Corrections, County Detention Center, 10 days/months/years or under the Youthful Offender Act not to exceed years and/or to pay a fine of \$ 30; provided that upon the service of 30 day/months/years and/or payment of \$ 5; plus costs and assessments as applicable\*; the balance is suspended with probation for 5 months/years and subject to South Carolina Department of Probation, Parole and Pardon Services standard conditions of probation, which are incorporated by reference.

CONCURRENT or CONSECUTIVE to sentence on: The Defendant is to be given credit for time served pursuant to S.C. Code § 24-13-40 to be calculated and applied by the State Department of Corrections. (260073)

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 (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: \$

Payment Terms: Set by SCDPPPS

Recipient:

Table with 3 columns: Description, Amount, Total. Includes items like § 14-1-206 (Assessments 107.5%), § 14-1-211(A)(1) (Conv. Surcharge), § 14-1-211(A)(2) (DUI Surcharge), § 56-5-2995 (DUI Assessment), § 56-1-286 (DUI Breath Test), Proviso 61.6 (Public Def/Probation), § 14-1-212 (Law Enforce. Funding), § 14-1-213 (Drug Court Surcharge), § 50-21-114 (BUI Breath Test Fee), § 56-5-2942(J) (Vehicle Assessment), 3% to County (if paid in installments).

TOTAL \$ 643.75

Clerk of Court/ Deputy Clerk: Heather Landers Court Reporter: Heather Landers SCCA/217 (07/2016)

Presiding Judge: Judge Code: Sentence Date: 11-14-16

Vertical stamp: COUNTY OF Aiken, South Carolina, Clerk of Court, Heather Landers, 11/14/2016, 10:14 AM, RECEIVED

Vertical stamp: Deputy Clerk: Heather Landers

ARREST WARRANT

2016A0210400450

STATE OF SOUTH CAROLINA

County/  Municipality of

Aiken

THE STATE against 16-003360

Jimmy Powell, Jr

Address: [Redacted]

Phone: [Redacted] SSN: [Redacted]

Sex: M Race: W Height: 6 Weight: [Redacted]

DL State: [Redacted]

DOB: [Redacted]

Prosecuting Agency: North Augusta Department Of Public Sa  
Prosecuting Officer: [Redacted]

Offense: Shoplifting / Value \$2000 or less (Enhancement per 16-01-0057)

Offense Code: 2877

Code/Ordinance Sec: 16-13-0110(A)

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.

(L.S.)

Signature of Judge

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

RETURN

A copy of this arrest warrant was delivered to defendant Powell Jr Jimmy on 10-21-16 @ 1138

Sgt. Bhl 6646  
Signature of Constable/Law Enforcement Officer

RETURN WARRANT TO:

General Sessions  
P O Box 583  
109 Park Avenue  
Aiken, SC 29802

ORIGINAL

ORIGINAL

ORIGINAL

ORIGINAL

ORIGINAL

ORIGINAL

ORIGINAL

STATE OF SOUTH CAROLINA

County/  Municipality of

Aiken

Personally appeared before me the affiant

*Paul Ruten for*  
Branton Rowland

being duly sworn deposes and says that defendant

Jimmy Powell, Jr

did within this county and state on or about 10/20/2016

State of South Carolina (or ordinance of

County/  Municipality of

Aiken

in the following particulars:

DESCRIPTION OF OFFENSE: Shoplifting / Value \$2000 or less (Enhancement per 16-01-0057)

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:

That on October 20, 2016 in the city/county of Aiken, one Jimmy Powell Jr did take possession of and/or carry away merchandise valued at \$429.50 which is \$2,000 from Kroger, 1284 Knox Avenue, North Augusta, with the intention of depriving the merchant of the possession of such merchandise without paying the full retail value. The defendant has at least two prior convictions for this offense.

Signature of Affiant

STATE OF SOUTH CAROLINA

County/  Municipality of

Aiken

Affiant's Address 444 East Buena Vista Av  
North Augusta, SC 29841-

Affiant's Telephone

FILED

*Deborah Job*  
*Liz Anderson*  
S.C.C.P.&G.S.  
*Deborah Job*  
Deputy Clerk

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 10/20/2016 defendant Jimmy Powell, Jr

did violate the criminal laws of the State of South Carolina (or ordinance of

County/  Municipality of Aiken

) as set forth below.

DESCRIPTION OF OFFENSE: Shoplifting / Value \$2000 or less (Enhancement per 16-01-0057)

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 10/21/2016

*Tracey Lynn Carroll*  
Signature of Issuing Judge

Tracey Lynn Carroll  
Judge Clerk: 5036

(L.S.)

Judge's Address 1930 University Parkway, Suite 1519  
Aiken, SC 29801-

Judge's Telephone (803)642-1744

Issuing Court:  Magistrate

Municipal

Circuit

ORIGINAL

ORIGINAL

ORIGINAL

RECEIVED

DEC 09 2016

Court of Appeals

WITNESSES

North Augusta Dept. of Public Safety

Law Enforcement Case #: 16-003350

KRC

ARREST WARRANT NUMBER

2016A0210400450

FILED 14 November 2016

*Liz Godard*  
C.C.P. & G.S.  
*Shannon W. Rosenkrantz*  
Deputy Clerk

ACTION OF GRAND JURY

Foreperson of Grand Jury  
Date: December 8, 2016

VERDICT

Foreperson of Petit Jury  
Date:

DOCKET NO. 2016GS0202373

The State of South Carolina

County of Aiken

COURT OF GENERAL SESSIONS

DECEMBER TERM 2016

THE STATE  
vs.

JIMMY POWELL, JR.

CDR #: 2877

Indictment for

SHOPLIFTING

§ 16-13-0110(A) (16-1-57)

J. STROM THURMOND, SOLICITOR

RECEIVED  
DEC 09 2016  
SC Court of Appeals

STATE OF SOUTH CAROLINA  
COUNTY OF AIKEN

I, Liz Godard, Clerk of Court of Common Pleas and General Sessions for Aiken County, South Carolina do hereby certify that the foregoing constitutes a true and correct copy of the original documents which have been filed in my office this

16 day of Nov. 2016

*Liz Godard*  
C.C.P. & G.S., Aiken County, S.C.

*Shannon W. Rosenkrantz*  
Deputy Clerk

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF AIKEN )  
 )

INDICTMENT FOR  
SHOPLIFTING

§ 16-13-0110(A) (16-1-57)

At a Court of General Sessions, convened on December 12, 2016, the Grand Jurors of Aiken County present upon their oath:

That **JIMMY POWELL, JR.** did in Aiken County on or about October 20, 2016, take possession, carry away, transfer to another area of the store; alter, transfer or remove the price label or tag; transfer from its container to another container; and/or wilfully conceal certain merchandise valued at less than Two Thousand Dollars, to wit: general merchandise, displayed, held, stored or offered for sale by Kroger, a store or retail mercantile establishment with the intention of depriving the merchant of the possession, use or benefit of the merchandise without paying the full retail value. The Defendant having previously been twice convicted of offenses for which the term of imprisonment was contingent upon the value of the property involved. All in violation of §16-13-110 of the Code of Laws of South Carolina (1976), as amended.

**RECEIVED**

DEC 09 2016

SC Court of Appeals

Against the peace and dignity of the State, and contrary to the statute in such case made and provided.

  
J. STROM THURMOND, SOLICITOR

**Public Defender for the Second Judicial Circuit**

211 York Street, NE  
Post Office Drawer 2247  
Aiken, South Carolina 29802

De Grant Gibbons, Circuit Public Defender

December 6, 2016

**RECEIVED**

DEC 09 2016

**SC Court of Appeals**

Ms. V. Claire Allen  
Deputy Clerk  
South Carolina Court of Appeals  
Post Office Box 11629  
Columbia, South Carolina 29201

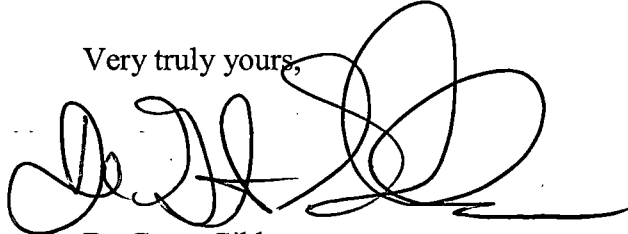
RE: The State v. Jimmy Powell, Jr.  
Appellate Case No. 2016-002351

Dear Ms. Allen:

Enclosed please find the redacted sentence sheet, arrest warrant and the indictment on the above named defendant.

Should there be any further issues, please do not hesitate to contact me.

Very truly yours,



De Grant Gibbons  
Circuit Public Defender

DGG:tpc  
ENCLOSURE

**CERTIFIED MAIL**

Second Judicial Circuit  
Public Defender  
P.O. Box 2247  
Aiken, South Carolina 29802



7015 1730 0000 6523 9140

AUGUSTA GA 309

neopost  
12/06/2016

FIRST-CLASS MAIL

DEC 2016 PM 1 L

POSTAGE

005670



ZIP 29801  
041L11219893

# 31

South Carolina Court of Appeals  
Attn: U. Claire Allen  
Post Office Box 11629  
Columbia, South Carolina 29211

**RECEIVED**

DEC 09 2016

SC Court of Appeals

29211+1629

