



COUNTY COUNCIL OF BEAUFORT COUNTY
OFFICE OF THE PUBLIC DEFENDER

Human Services Building 1905 Duke Street (Room 210) P.O. Box 525
Beaufort, South Carolina 29901-0525
Phone: (843) 255-5805 Fax: (843) 255-9494

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

December 5, 2016

Clerk, SC Court of Appeals
Post Office Box 11629
Columbia, SC 29211-1629

RECEIVED

DEC 12 2016

SC Court of Appeals

Re: State of South Carolina vs. Travis Jenkins
Appellate Case No. 2016-002011
Indictment Numbers: 2016GS0700208, 2015GS0700576, 2015GS0700588

Dear Sir/ Madam:

I am in receipt of your letter on November 29, 2016 which is dated September 27, 2016. Per your request, I have enclosed a clocked copy of my explanation regarding this matter.

Should you have any questions or need any additional information, please contact my office at (843) 255-5806.

Sincerely,

Kate Cappelmann

Kate Cappelmann
Attorney for Defendant

KC/jcc
Enclosures

Cc: Robert Michael Dudek, Esquire
Dustin Lee Whetsel, Esquire
John Benjamin Aplin, Esquire
Alan McCrory Wilson, Esquire
Mr. Travis Jenkins

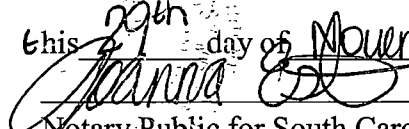
Indictment No: 2016650700208,
2015650700576,
2015650700588
Appellate case No. 2016-062011

AFFIDAVIT OF EMILY KATE CAPPELMANN

1. My name is Emily Kate Cappelmann and I am a licensed attorney for the State of South Carolina. My South Carolina bar number is 100551.
2. I am an Assistant Public Defender for Beaufort County Public Defender's Office.
3. I am filing this appeal upon the request of my client, Travis Oneil Jenkins.
4. I am not aware of any reviewable appellate issues as a result of this plea. However, at the request of appellant, I am filing this appeal.
5. Mr. Jenkin's concern is that though he agreed to plead guilty to Unlawful Carrying of a Firearm, Possession of a Controlled Substance, 1st Offense, and Possession of Crack Cocaine, 1st Offense, he did not know the associated court costs would be as high as \$683, \$283, and \$283, respectively.
6. Furthermore, Mr. Jenkins feels that the court costs should have been waived.



Emily Kate Cappelmann

SWORN to and subscribed before me
this 29th day of November 2016


Notary Public for South Carolina
My Commission expires on: May 12, 2026

2016 DEC -6 AM 10:50
JERRI ANN ROSENEAU
BEAUFORT COUNTY, S.C.
CLERK OF COURT

RECEIVED
DEC 12 2016
SC Court of Appeals

COPY



COUNTY COUNCIL OF BEAUFORT COUNTY
OFFICE OF THE PUBLIC DEFENDER

Human Services Building 1905 Duke Street (Room 210) P.O. Box 525
Beaufort, South Carolina 29901-0525
Phone: (843) 255-5805 Fax: (843) 255-9494

December 5, 2016

Via Certified Mail and U.S. Standard Mail

Mr. Travis Oneal Jenkins
156 Joe Frazier Road
Beaufort, South Carolina 29906

Re: The State vs. Travis Oneal Jenkins
Appellate Case No. 2016-002011

Dear Mr. Jenkins

Enclosed please find a copy of the letter my office received from The South Carolina Court of Appeals regarding your matter. Please be advised that you have twenty (20) days from the date of my letter to inform The South Carolina Court of Appeals Court in writing of any arguable basis that there are issues preserved for appeal. I have also enclosed a copy of my affidavit regarding this matter. Please use the following address to write the court:

South Carolina Court of Appeals
P.O. Box 11629
Columbia, SC 29211

For your convenience, I have also enclosed a copy of the letter our office received from the Supreme Court requesting this information, the letter enclosing my affidavit regarding this matter, another copy of the Appeal, Affidavit of Service, Order of Appointment, Indictments, and Sentencing Sheets which our office filed with the South Carolina Court of Appeals.

Sincerely,

Kate Cappelmann

Kate Cappelmann
Attorney for Defendant

KC/jcc
Enclosures

cc: Dustin Whetsel, Esquire
Clerk, SC Court of Appeals
Robert Michael Dudek, Esquire
Alan McCrory Wilson, Esquire
John Benjamin Aplin, Esquire

RECEIVED

DEC 12 2016

SC Court of Appeals



**COUNTY COUNCIL OF BEAUFORT COUNTY
OFFICE OF THE PUBLIC DEFENDER**

Human Services Building 1905 Duke Street (Room 210) P.O. Box 525
Beaufort, South Carolina 29901-0525
Phone: (843) 255-5805 Fax: (843) 255-9494

**CERTIFIED MAIL
RETURN RECEIPT REQUESTED**

December 5, 2016

Clerk, SC Court of Appeals
Post Office Box 11629
Columbia, SC 29211-1629

Re: State of South Carolina vs. Travis Jenkins
Appellate Case No. 2016-002011
Indictment Numbers: 2016GS0700208, 2015GS0700576, 2015GS0700588

Dear Sir/ Madam:

I am in receipt of your letter on November 29, 2016 which is dated September 27, 2016. Per your request, I have enclosed a clocked copy of my explanation regarding this matter.

Should you have any questions or need any additional information, please contact my office at (843) 255-5806.

Sincerely,

Kate Cappelmann

Kate Cappelmann
Attorney for Defendant

RECEIVED

DEC 12 2016

SC Court of Appeals

KC/jcc
Enclosures

Cc: Robert Michael Dudek, Esquire
Dustin Lee Whetsel, Esquire
John Benjamin Aplin, Esquire
Alan McCrory Wilson, Esquire
Mr. Travis Jenkins

AFFIDAVIT OF EMILY KATE CAPPELMANN

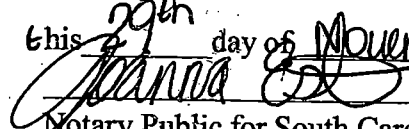
1. My name is Emily Kate Cappelmann and I am a licensed attorney for the State of South Carolina. My South Carolina bar number is 100551.
2. I am an Assistant Public Defender for Beaufort County Public Defender's Office.
3. I am filing this appeal upon the request of my client, Travis Oneil Jenkins.
4. I am not aware of any reviewable appellate issues as a result of this plea. However, at the request of appellant, I am filing this appeal.
5. Mr. Jenkin's concern is that though he agreed to plead guilty to Unlawful Carrying of a Firearm, Possession of a Controlled Substance, 1st Offense, and Possession of Crack Cocaine, 1st Offense, he did not know the associated court costs would be as high as \$683, \$283, and \$283, respectively.
6. Furthermore, Mr. Jenkins feels that the court costs should have been waived.



Emily Kate Cappelmann

SWORN to and subscribed before me

this 29th day of November 2016



Notary Public for South Carolina

My Commission expires on: May 12, 2026

RECEIVED

DEC 12 2016

SC Court of Appeals

JERRI ANN ROSENEAU
BEAUFORT COUNTY, S.C.
CLERK OF COURT

2016 DEC -6 AM 10:50



The South Carolina Court of Appeals

JENNY ABBOTT KITCHINGS
CLERK

V. CLAIRE ALLEN
DEPUTY CLERK

POST OFFICE BOX 11629
COLUMBIA, SOUTH CAROLINA 29211
1220 SENATE STREET
COLUMBIA, SOUTH CAROLINA 29201
TELEPHONE: (803) 734-1890
FAX: (803) 734-1839
www.sccourts.org

September 27, 2016

Mrs. Emily Kate Brobston Cappelmann, Esquire
PO Box 525
1905 Duke Street, 2Nd Floor, Rm 210
Beaufort SC 29901-0525

Re: The State v. Travis Jenkins
Appellate Case No. 2016-002011

RECEIVED
DEC 12 2016
SC Court of Appeals

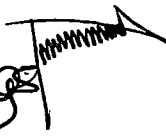
Dear Counsel:

This Court has received your notice of appeal. Since this is an appeal from a guilty plea, nolo contendere plea, or plea pursuant to *Alford*, Rule 203(d)(1)(B)(iv) of the South Carolina Appellate Court Rules requires you to provide "a written explanation showing that there is an issue which can be reviewed on appeal. This explanation should identify the issue(s) to be raised on appeal and the factual basis for the issue(s) including how the issue(s) was raised below and the ruling of the lower court on that issue(s). If an issue was not raised to and ruled on by the lower court, the explanation shall include argument and citation to legal authority showing how this issue can be reviewed on appeal." **Failure to make a sufficient showing may result in dismissal of this appeal.**

The explanation should be served and filed within ten (10) days of the date of this letter.

Please be advised the time limits for ordering the transcript are held in abeyance.

Very truly yours,

Tommy Abbott Kitchings 

CLERK

cc: Robert Michael Dudek, Esquire
Dustin Lee Whetsel, Esquire
Alan McCrory Wilson, Esquire
John Benjamin Aplin, Esquire

THE STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

APPEAL FROM BEAUFORT COUNTY

COURT OF GENERAL SESSIONS

MICHAEL G. NETTLES, CIRCUIT COURT JUDGE

INDICTMENT NO(s): 2016GS0700208, 2015GS0700576, 2015GS0700588

STATE OF SOUTH CAROLINA

RESPONDENT,

verus

TRAVIS ONEIL JENKINS.

APPELLANT.

2016 SEP 19 PM 2:17
BEAUFORT COUNTY, S.C.
COURT

TRAVIS ONEIL JENKINS, appeals his plea and conviction on the charges of Unlawful Carrying of a Pistol; MDP, Narcotic drugs in Schedule 1(b), & (c), LSD, and Scheduled II; and Manufacture, distribution of Cocaine Base, 1st Offense on September 12, 2016 before the Honorable Michael G. Nettles, Presiding Judge, Fourteenth Judicial Circuit; and TRAVIS ONEIL JENKINS appeals his subsequent sentence on September 12, 2016 before the Honorable Michael G. Nettles, Presiding Judge, Fourteenth Judicial Circuit.



Kate Cappelmann
Assistant Public Defender
Beaufort County Public Defender's Office
Post Office Box 525
Beaufort, South Carolina 29901

Other counsel of record:
Dustin Whetsel, Esquire
14th Circuit Solicitor Office
Post Office Box 1880
Bluffton, South Carolina 29910

RECEIVED

DEC 12 2016

SC Court of Appeals

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

INDICTMENT NO(s): 2016GS0700208, 2015GS0700576, 2015GS0700588

STATE OF SOUTH CAROLINA

RESPONDENT,

verus

TRAVIS ONEIL JENKINS.

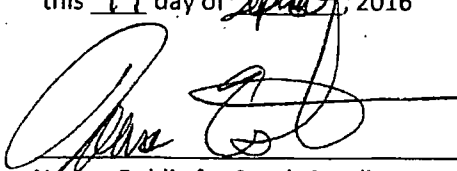
APPELLANT.


AFFIDAVIT OF SERVICE BY MAIL

PERSONALLY appeared before me, Kate Cappelmann, who being duly sworn, states:

1. That regular communication exists throughout the State of South Carolina, and this is the proper circumstances for service delivered mail.
2. That on September 19, 2016 an Original Notice of Intent to Appeal in the above captioned case was filed with the Beaufort County Clerk of Court.
3. That an original Notice of Intent to Appeal in the above captioned case was served on the Clerk of Court, SC Court of Appeals, P.O. Box 11629, Columbia, SC by depositing same in the United States Post Office at Beaufort, South Carolina on September 19, 2016 with the proper postage prepaid thereon.
4. That a true copy of the Notice of Intent to Appeal in the above captioned case was served on the Solicitor, Fourteenth Judicial Circuit, Post Office Box 1880, Bluffton, South Carolina by depositing same in the United States Post Office at Beaufort, South Carolina on September 19, 2016 with proper postage paid thereon.

Sworn to and subscribed before me
this 19 day of September, 2016


Notary Public for South Carolina
My Commission Expires: May 12, 2026


Kate Cappelmann
Attorney for Defendant

RECEIVED

DEC 12 2016

SC Court of Appeals

FILED
CLERK OF COURT
SOUTH CAROLINA
SEP 19 2016
PM 2:17

STATE OF SOUTH CAROLINA)
 COUNTY OF BEAUFORT)
 State of South Carolina)
 Plaintiff,)
 -vs-)
 Travis Oneil Jenkins)
 Defendant Juvenile.)

IN THE COURT OF GENERAL SESSIONS
 14th JUDICIAL CIRCUIT
 CASE NO.: 2015A0720400059
 APPOINTMENT OF COUNSEL
 (Select one.)

ORDER
 AMENDED ORDER

Offense(s): Drugs / Possession of narc. in Schedule I(b),(c), LSD & Schedule II - 1st offense

It appears that the above named person is entitled to court-appointed counsel or a guardian ad litem.

It further appears that: (Select only one.)

- the public defender now represents another person involved herein and that a conflict would arise if that office represents the above-named individual.
- the public defender has indicated a possible conflict of interest or other good cause warranting the appointment of counsel based on:
- the public defender or court-appointed counsel has indicated that the named individual has now retained private counsel and is no longer entitled to appointed counsel.
- court-appointed counsel has claimed an exemption or has demonstrated good cause pursuant to Rule 608 warranting the appointment of new counsel based on:
- court-appointed counsel has obtained substitute counsel named below pursuant to Rule 608(h)(2); only the member who originally received the appointment and who sought substitute counsel shall receive credit for the appointment.

Therefore, it is ordered that Emily Kate Brobston Cappelmann, Esquire hereby is appointed as (Select only one.)


counsel lead counsel (if capital PCR case)

for the above-named person. Counsel previously appointed is/are hereby relieved as counsel.

(If Death Penalty PCR Case) It is further ordered that , Esquire, is hereby appointed as second counsel in this capital case.

The clerk of court is directed to forward a copy of this order to all persons entitled to notice.

IT IS SO ORDERED
 September 20, 2016


 Circuit Judge Clerk of Court

2015 SEP 20 AM 10:35
 CLERK OF COURT
 BEAUFORT COUNTY, S.C.

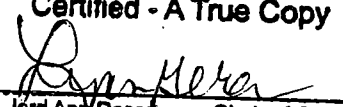
RECEIVED
 DEC 12 2016
 SC Court of Appeals

Plaintiff Attorney:
 Dustin Lee Whetsel
 PO Box 1880
 Bluffton, SC 29910

Defendant Attorney:
 Emily Kate Brobston Cappelmann
 P.O. Box 525
 1905 Duke Street, 2nd Floor, Room 210
 Beaufort, S.C. 29901-0525

NOTICE: SC Supreme Court Order of September 29, 2006, requires appointed counsel entitled to payment from the Office of Indigent Defense (OID) to register the case online with OID within fifteen (15) days of this appointment at www.sccid.sc.gov, and further directs that reimbursement vouchers be submitted directly to SCCID and not to the trial judge or clerk of court. See SCCID website for further details.

GS16 (08/08)
 SCCA/268 (03/07)

Certified - A True Copy

 Jerril Amy Roseheu - Clerk of Court
 Beaufort County, SC - Lynn Geren

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF

Beaufort

STATE

Travis vs. Jenkins

INDICTMENT/CASE#: 2015-GS-07-576

AKA:

Race: AA Sex: M Age: 34

DOB: [REDACTED] SS#: [REDACTED]

Address:

City, State, Zip: [REDACTED]

DL#

SID#

*CDL Yes No CMV Yes No Hazmat Yes No

AW#: 2015 A0720400059

Date of Offense: 4/2/2015

S.C. Code §: 44-53-370(a)(1)

CDR Code #: 0177

SENTENCE SHEET

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

CONVICTED OF or PLEADS

In violation of § 44-53-370(a)(1) of the S.C. Code of Laws, bearing CDR Code # 0176

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 Presentation to Grand Jury. (def.'s Initials)

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

ATTEST:

Solicitor

SC Bar # 78998

Defendant

Attorney for Defendant

SC Bar # 100551

WHEREFORE, the Defendant is committed to the State Department of Corrections County Detention Center, for a determinate term of 2 days/months/years or under the Youthful Offender Act not to exceed 6 months/years and/or to pay a fine of \$ 61; provided that upon the service of 61 days/months/years and or payment of \$ 61; plus costs and assessments as applicable; the balance is suspended with probation for 9 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: 9-12-16

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. 6 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.

Recipient:

May serve W/E beginning Substance Abuse Counseling

*Fine:

§14-1-206 (Assessments 107.5%)	\$	
§14-1-211 (A)(1)(Conv. Surcharge)	\$100	\$ 100.00
§14-1-211 (A)(2)(DUI Surcharge)	\$100	\$
§56-5-2995 (DUI Assessment)	\$12	\$
§56-1-286 (DUI Breath Test)	\$25	\$ 95.00
Proviso 61.6 (Public Def/Probation)	\$500	\$
§14-1-212 (Law Enforce. Funding)	\$25	\$ 25.00
§14-1-213 (Drug Court Surcharge)	\$150	\$ 150.00
§50-21-114 (BUI Breath Test Fee)	\$50	\$
§56-5-2942(J) (Vehicle Assessment)	\$40/ea	\$
3% to County (if paid in installments)		\$ 8.25

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

Other:

TOTAL

\$ 283.25

Clerk of Court/Deputy Clerk Court Reporter:

Pam V. Burries Sharon Vizer

Appointed PD or appointed other counsel, Proviso 61.6 requires \$500 be paid to Clerk during probation and shall be collected before any other fees.

Presiding Judge

Judge Code: 3140

Sentence Date

Certified - A True Copy

RECEIVED

SCCA/217 (07/2016)

Jerri Ann Roseau - Clerk of Court Beaufort County, SC - Pam Burries

DEC 12 2016

SC Court of Appeals

WITNESSES

Bogges - Port Royal

ARREST WARRANT NUMBER

2015A0720400059

ACTION OF GRAND JURY

[Signature]
Foreperson of Grand Jury
Date: FEB 18 2016

VERDICT

True Bill

Foreperson of Petit Jury
Date:
INDICT

DOCKET NO. 2015GS0700576

**The State of South Carolina
County of Beaufort**

COURT OF GENERAL SESSIONS

February Term 2016

THE STATE

vs.

Travis Onell Jenkins

Indictment for

**Drugs / Poss. of narc. in Schedule I(b),(c), LSD
& Schedule II, 2nd Offense**

SC Code: 44-53-0370(c)
CDR Code:01767

After being fully advised as to my legal rights, I hereby waive presentment to the Grand Jury.

Defendant

Hereby appear in my own proper person and plead guilty to the within indictment or to

Defendant

Witness:

C.C.C. PLS. and G.S.

ARREST WARRANT

2015A0720400059

STATE OF SOUTH CAROLINA

County/ Municipality of

PORT ROYAL

THE STATE

against

TRAVIS ONEIL JENKINS

Address: [REDACTED]
Phone: [REDACTED] SSN: [REDACTED]
Sex: M Race: B Height: 5-11 Weight: 150
DL State: SC DL#: [REDACTED]
DOB: [REDACTED] Agency ORI#: SC0070300
Prosecuting Agency: PORT ROYAL POLICE
Prosecuting Officer: PTL JASON BOGCESS
Offense: POSSESSION OF SCHEDULE II
NARCOTICS 1ST OFFENSE Offense Code: 0183
Code/Ordinance Sec. 44-53-0370(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 law.

Signature of Judge

(L.S.)

Date:

RETURN

A copy of this arrest warrant was delivered to defendant TRAVIS ONEIL JENKINS on 4/03/15

[Signature]
Signature of Constable/Law Enforcement Officer

RETURN WARRANT TO:

JAMES GRIMSLEY
P.O. DRAWER 9
PORT ROYAL, SC
29935

STATE OF SOUTH CAROLINA

County/ Municipality of

PORT ROYAL

AFFIDAVIT

Form Approved by
S.C. Attorney General
April 21, 2003
SCCA 618

Personally appeared before me the affiant JASON L. BOGCESS
being duly sworn deposes and says that defendant TRAVIS ONEIL JENKINS
did within this county and state on 04/03/2015 to 04/03/2015
State of South Carolina (or ordinance of County/ Municipality of PORT ROYAL)
in the following particulars:

DESCRIPTION OF OFFENSE: 44-53-0370(B)(1) / POSSESSION OF SCHEDULE II NARCOTICS 1ST OFFENSE

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 04/03/2015, AT APPROXIMATELY 1130 HOURS, ON PARRIS ISLAND GATEWAY NEAR THE INTERSECTION OF MIDTOWN DRIVE, WITHIN THE TOWN LIMITS OF PORT ROYAL. THE DEFENDANT, TRAVIS JENKINS, DID WILLFULLY AND KNOWINGLY VIOLATE SOUTH CAROLINA STATE STATUTE 44-53-0370(B)(1), POSSESSION OF SCHEDULE II NARCOTICS 1ST OFFENSE. THE DEFENDANT DID HAVE A PRESCRIPTION PILL BOTTLE, PRESCRIBED TO ANOTHER PERSON, IN HIS RIGHT PANTS POCKET. THE PRESCRIPTION BOTTLE WAS LABELED TO CONTAIN METHYLPHENIDATE, AND CONTAINED 16 INDIVIDUAL PILLS IDENTIFIED AS METHYLPHENIDATE. THE ABOVE IS TRUE AND BELEIVABLE BASED UPON THE AFFIANTS OBSERVATIONS AND INVESTIGATION.

Signature of Affiant

Affiant's Address 1748 PARIS AVE
PORT ROYAL SC 29935
Affiant's Telephone 843-986-2220

STATE OF SOUTH CAROLINA

County/ Municipality of

PORT ROYAL

ARREST WARRANT

TO ANY LAW ENFORCEMENT OFFICER IN 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 04/03/2015 defendant TRAVIS ONEIL JENKINS

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

County/ Municipality of PORT ROYAL

) as set forth below:
DESCRIPTION OF OFFENSE: DRUGS / MDP, NARCOTIC DRUGS IN SCH. I(B) & (C), LSD, AND SCHED. II - 1ST OFFENSE

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 the 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 4/4/15

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

Judge Code:

Judge's Address

Judge's Telephone

Issuing Court: Magistrate Municipal Circuit

DEFENDANT COPY

Case: 15PR04440

STATE OF SOUTH CAROLINA)
 COUNTY OF BEAUFORT)
 State of South Carolina)
 Plaintiff,)
 -vs-)
 Travis Oneil Jenkins)
 Defendant Juvenile.)

IN THE COURT OF GENERAL SESSIONS
 14th JUDICIAL CIRCUIT
 CASE NO.: 2016A0720600028
 APPOINTMENT OF COUNSEL
 (Select one.)

ORDER
 AMENDED ORDER

Offense(s): Drugs / Possession of narc. in Schedule I(b),(c), LSD & Schedule II - 1st offense

It appears that the above named person is entitled to court-appointed counsel or a guardian ad litem.

It further appears that: (Select only one.)

- the public defender now represents another person involved herein and that a conflict would arise if that office represents the above-named individual.
- the public defender has indicated a possible conflict of interest or other good cause warranting the appointment of counsel based on:
- the public defender or court-appointed counsel has indicated that the named individual has now retained private counsel and is no longer entitled to appointed counsel.
- court-appointed counsel has claimed an exemption or has demonstrated good cause pursuant to Rule 608 warranting the appointment of new counsel based on:
- court-appointed counsel has obtained substitute counsel named below pursuant to Rule 608(h)(2); only the member who originally received the appointment and who sought substitute counsel shall receive credit for the appointment.

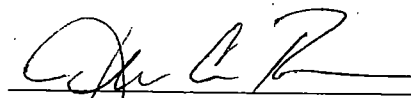
Therefore, it is ordered that Emily Kate Brobston Cappelmann, Esquire hereby is appointed as (Select only one.)

counsel lead counsel (if capital PCR case)
 for the above-named person. Counsel previously appointed is/are hereby relieved as counsel.

(If Death Penalty PCR Case) It is further ordered that , Esquire, is hereby appointed as second counsel in this capital case.

The clerk of court is directed to forward a copy of this order to all persons entitled to notice.

IT IS SO ORDERED
 September 20, 2016


 Circuit Judge Clerk of Court

2016 SEP 20 AM 10:05
 RECEIVED
 CLERK OF COURT
 BEAUFORT COUNTY, S.C.

Plaintiff Attorney:

Dustin Lee Whetsel
 PO Box 1880
 Bluffton, SC 29910

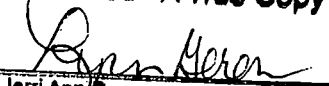
Defendant Attorney:

Emily Kate Brobston Cappelmann
 P.O. Box 525
 1905 Duke Street, 2nd Floor, Room 210
 Beaufort, S.C. 29901-0525

NOTICE: SC Supreme Court Order of September 29, 2006, requires appointed counsel entitled to payment from the Office of Indigent Defense (OID) to register the case online with OID within fifteen (15) days of this appointment at www.sccid.sc.gov, and further directs that reimbursement vouchers be submitted directly to SCCID and not to the trial judge or clerk of court. See SCCID website for further details.

GS16 (08/08)
 SCCA/268 (03/07)

Certified - A True Copy


 Jerril Ann Roseneau - Clerk of Court
 Beaufort County, SC - Lynn Geren

0-3 yrs

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF Beaufort

STATE Travis vs. Jenkins

INDICTMENT/CASE#: Zuko GS-07-208

AKA: _____
Race: AA Sex: M Age: 31
DOB: _____ SS#: _____
Address: _____
City, State, Zip: _____
DL# _____ SID# _____
*CDL Yes No CMV Yes No Hazmat Yes No

AW#: Z-16 A0720600028
Date of Offense: 2/5/16
S.C. Code §: 44-53-375 (B)(1)
CDR Code #: 3014

SENTENCE SHEET

In disposition of the said indictment comes now the Defendant who was CONVICTED OF or PLEADS TO: Possession less than 1 gram Cocaine Base, 1st offense
in violation of § 44-53-375 (A) of the S.C. Code of Laws, bearing CDR Code # 3009
 NON-VIOLENT VIOLENT SERIOUS MOST SERIOUS Mandatory GPS \$17-25-45 (GSC 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: [Signature] 78998 [Signature] 100551
Solicitor SC Bar # Defendant Attorney for Defendant SC Bar #

WHEREFORE, the Defendant is committed to the State Department of Corrections County Detention Center, for a determinate term of 3 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 61 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 Services standard conditions of probation, which are incorporated by reference.

CONCURRENT or CONSECUTIVE to sentence on: 9-12-16
 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. 6 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: _____
 Set by SCODPPPS Obtain GED
Attend Voc. Rehab. Or Job Corp. _____
Recipient: _____ May serve W/E beginning _____
Substance Abuse Counseling

*Fine:

§14-1-206 (Assessments 107.5%)	\$	
§14-1-211 (A)(1)(Conv. Surcharge)	\$	
§14-1-211 (A)(2)(DUI Surcharge)	\$	100.00
§56-5-2995 (DUI Assessment)	\$	
§56-1-286 (DUI Breath Test)	\$	
Proviso 61.6 (Public Def/Probation)	\$	
§14-1-212 (Law Enforce. Funding)	\$	25.00
§14-1-213 (Drug Court Surcharge)	\$	150.00
§50-21-114 (BUI Breath Test Fee)	\$	
§56-5-2942(J) (Vehicle Assessment)	\$	
3% to County (if paid in installments)	\$	8.25

TOTAL \$ 283.25

Clerk of Court/Deputy Clerk Pam V. Burris
Court Reporter: Sharon Vizer

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, Proviso 61.6 requires \$500 be paid to Clerk during probation and shall be collected before any other fees.
Presiding Judge [Signature]
Judge Code: 2140
Sentence Date: 9-12-16

Certified - A True Copy

Pam V. Burris
Jerri Ann Roseneau - Clerk of Court
Beaufort County, SC - Pam Burris

STATE OF SOUTH CAROLINA)
)
COUNTY OF BEAUFORT)

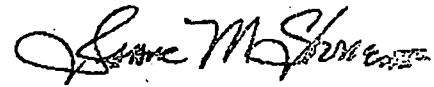
INDICTMENT
2016GS0700208

At a Court of General Sessions, convened on May 19, 2016, the Grand Jurors of Beaufort County present upon their oath:

Possession of Less than 1 Gram of Cocaine Base, 2nd Offense

That in Beaufort County, South Carolina, on or about February 5, 2016, the Defendant, Travis Oneil Jenkins, did possess a controlled substance or a controlled substance analogue in an amount less than one gram, to wit: Cocaine Base and Travis Oneil Jenkins was previously convicted of, or pled guilty or nolo contendere to, a violation under this section, all in violation of Section 44-53-375, et al. of the Codes of Law of South Carolina.

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



Solicitor

ARREST WARRANT

2016A0720600028

STATE OF SOUTH CAROLINA

County/ Municipality of

Beaufort

THE STATE against 16B09207

Travis Oneil Jenkins

Address: 150 504 [redacted]

Phone: (843) 476-3526 SSN: [redacted]

Sex: M Race: B Height: 5 11 Weight: 180

DL State: SC DL #: [redacted]

DOB: [redacted] Agency ORI #: SC0070100

Prosecuting Agency: Beaufort Police Department

Prosecuting Officer: Heidi Light - 255

Offense: Drugs / Manufacture, distribution, etc. of cocaine base, 1st

Offense Code: 3014

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.

(L.S.)

Signature of Judge

Date:

RETURN

A copy of this arrest warrant was delivered to defendant Travis Oneil Jenkins on 2-6-16

Signature of Law Enforcement Officer

RETURN WARRANT TO:

Beaufort County General Sessions, PO Box 1128, 102 Ribaut Road, Rm. 208, Beaufort, SC 29901128

ORIGINAL

ORIGINAL

ORIGINAL

ORIGINAL

ORIGINAL

ORIGINAL

ORIGINAL

STATE OF SOUTH CAROLINA

County/ Municipality of

Beaufort

AFFIDAVIT

ORIGINAL

Form Approved by S.C. Attorney General April 21, 2003 SCCA-510

Personally appeared before me the affiant Heidi Light who

being duly sworn deposes and says that defendant Travis Oneil Jenkins

did within this county and state on or about 2/5/2016 violate the criminal laws of the State of South Carolina (or ordinance of County/ Municipality of Beaufort) in the following particulars:

DESCRIPTION OF OFFENSE: Drugs / Manufacture, distribution, etc. of cocaine base, 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:

On 02/05/2016 at 1356 Hrs at Depot Rd and Ribaut Rd which is in the jurisdictional limits of The City of Beaufort, the Defendant, Travis Oneil Jenkins, violated South Carolina State Statute 44-53-375(B)(2), PWID Cocaine Base, when 2.2 Grams of a Cocaine Based substance was located next to the Defendant's seat during a lawful search of a vehicle. The above is true and believable based on the Affiant's investigation.

Signature of Affiant

Heidi Light

STATE OF SOUTH CAROLINA

County/ Municipality of

Beaufort

Affiant's Address 1901 Boundary Street

Beaufort, SC 29902-

Affiant's Telephone

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 2/5/2016 defendant Travis Oneil Jenkins

did violate the criminal laws of the State of South Carolina (or ordinance of County/ Municipality of Beaufort) as set forth below.

DESCRIPTION OF OFFENSE: Drugs / Manufacture, distribution, etc. of cocaine base, 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 2/6/2016

Signature of Judge

Ralph Edwin Tupper

Judge Code: 6297

(L.S.)

Judge's Address 1901 Boundary Street

Beaufort, SC 29902-

Judge's Telephone (843) 525-7033

Issuing Court: Magistrate

Municipal

Circuit

STATE OF SOUTH CAROLINA)
 COUNTY OF BEAUFORT)
 State of South Carolina)
 Plaintiff,)
 -vs-)
 Travis Oneil Jenkins)
 Defendant Juvenile.)

IN THE COURT OF GENERAL SESSIONS
 14th JUDICIAL CIRCUIT
 CASE NO.: 2015A0720400058
 APPOINTMENT OF COUNSEL
 (Select one.)

ORDER
 AMENDED ORDER

Offense(s): Drugs / Possession of narc. in Schedule I(b),(c), LSD & Schedule II - 1st offense

It appears that the above named person is entitled to court-appointed counsel or a guardian ad litem.

It further appears that: (Select only one.)

- the public defender now represents another person involved herein and that a conflict would arise if that office represents the above-named individual.
- the public defender has indicated a possible conflict of interest or other good cause warranting the appointment of counsel based on:
- the public defender or court-appointed counsel has indicated that the named individual has now retained private counsel and is no longer entitled to appointed counsel.
- court-appointed counsel has claimed an exemption or has demonstrated good cause pursuant to Rule 608 warranting the appointment of new counsel based on:
- court-appointed counsel has obtained substitute counsel named below pursuant to Rule 608(h)(2); only the member who originally received the appointment and who sought substitute counsel shall receive credit for the appointment.


Therefore, it is ordered that Emily Kate Brobston Cappelmann, Esquire hereby is appointed as (Select only one.)

counsel lead counsel (if capital PCR case)
 for the above-named person. Counsel previously appointed is/are hereby relieved as counsel.

(If Death Penalty PCR Case) It is further ordered that , Esquire, is hereby appointed as second counsel in this capital case.

The clerk of court is directed to forward a copy of this order to all persons entitled to notice.

IT IS SO ORDERED
 September 20, 2016


 Circuit Judge Clerk of Court

2015 SEP 20 AM 10:35
 BEAUFORT COUNTY S.C.
 CLERK OF COURT

Plaintiff Attorney:

Dustin Lee Whetsel PO Box 1880 Bluffton, SC 29910	
---	--

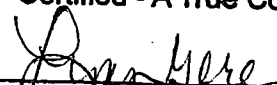
Defendant Attorney:

Emily Kate Brobston Cappelmann	
P.O. Box 525	
1905 Duke Street, 2nd Floor, Room 210	
Beaufort, S.C. 29901-0525	

NOTICE: SC Supreme Court Order of September 29, 2006, requires appointed counsel entitled to payment from the Office of Indigent Defense (OID) to register the case online with OID within fifteen (15) days of this appointment at www.sccid.sc.gov, and further directs that reimbursement vouchers be submitted directly to SCCID and not to the trial judge or clerk of court. See SCCID website for further details.

GS16 (08/08)
 SCCA/268 (03/07)

Certified - A True Copy


 Jerri Ann Roseneau - Clerk of Court
 Beaufort County, SC - Lynn Geren

0-1 yr

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF

Beaufort

STATE

Travis vs. Jenkins

INDICTMENT/CASE#: 2015 GS-07-588

AKA:

AW#: 2015 A0720400058

Race: AA

Sex: M

Age: 31

Date of Offense: 9/3/2015

DOB: [REDACTED]

SS#: [REDACTED]

S.C. Code §: 16-23-20

Address: [REDACTED]

CDR Code #: 0044

City, State, Zip: [REDACTED]

DL#

SID#

SENTENCE SHEET

*CDL Yes No CMV Yes No Hazmat Yes No

In disposition of the said indictment comes now the Defendant who was CONVICTED OF or PLEADS TO:

In violation of § 16-23-20 Unlawful Carrying of Pistol of the S.C. Code of Laws, bearing CDR Code # 0044

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

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

ATTEST: [Signature] 78998 [Signature] [Signature] 100537
Solicitor SC Bar # Defendant Attorney for Defendant SC Bar #

WHEREFORE, the Defendant is committed to the State Department of Corrections County Detention Center, for a determinate term of 61 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 61 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 Services standard conditions of probation, which are incorporated by reference.

CONCURRENT or CONSECUTIVE to sentence on: 9-12-16
 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. 61 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 _____ days/hours Public Service Employment

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

Payment Terms: _____

Set by SCDPPPS

Obtain GED
Attend Voc. Rehab. Or Job Corp. _____

Recipient: _____

May serve W/E beginning
Substance Abuse Counseling

*Fine:		\$
§14-1-206 (Assessments 107.5%)		\$
§14-1-211 (A)(1)(Conv. Surcharge)	\$100	\$ 100.00
§14-1-211 (A)(2)(DUI Surcharge)	\$100	\$
§56-5-2995 (DUI Assessment)	\$12	\$
§56-1-286 (DUI Breath Test)	\$25	\$ 25.00
Proviso 61.6 (Public Def/Probation)	\$500	\$ 500.00
§14-1-212 (Law Enforce. Funding)	\$25	\$
§14-1-213 (Drug Court Surcharge)	\$150	\$
§50-21-114 (BUI Breath Test Fee)	\$50	\$
§56-5-2942(J) (Vehicle Assessment)	\$40/ea	\$
3% to County (if paid in installments)		\$ 18.75
TOTAL		\$ 643.75

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

Other: attend AA/NA

Appointed PD or appointed other counsel, Proviso 61.6 requires \$500 be paid to Clerk during probation and shall be collected before any other fees.

Clerk of Court/Deputy Clerk
Court Reporter:

Pam V. Burries
Sharon Visel

Presiding Judge [Signature]
Judge Code: 2140
Sentence Date: 9-12-16

Certified - A True Copy

Pam V. Burries
Jerri Ann Roseneau - Clerk of Court
Beaufort County, SC - Pam Burries

ARREST WARRANT

2015A0720400058

STATE OF SOUTH CAROLINA

County/ Municipality of

PORT ROYAL

THE STATE

against

TRAVIS ONEIL JENKINS

Address:

Phone: SSN:

Sex: M Race: B Height: 5-11 Weight: 150

DL State: SC DL#: 00433196

DOB: 03/11/1985 Agency ORI#: SC0070300

Prosecuting Agency: PORT ROYAL POLICE

Prosecuting Officer: PTL JASON BOGCESS

Offense: UNLAWFUL CARRYING OF A PISTOL

Offense Code: 0044

Code/Ordinance Sec. 16-23-0020,

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 law.

Signature of Judge (L.S.)

Date:

RETURN

A copy of this arrest warrant was delivered to defendant TRAVIS ONEIL JENKINS

on 3/04/15

Signature of Constable/Law Enforcement Officer

RETURN WARRANT TO:

JAMES GRIMSLEY
P.O. DRAWER 9
PORT ROYAL, SC
29935

STATE OF SOUTH CAROLINA

County/ Municipality of

PORT ROYAL

AFFIDAVIT

Form Approved by S.C. Attorney General April 21, 2003 SCCA 618

Personally appeared before me the affiant JASON L. BOGCESS being duly sworn deposes and says that defendant TRAVIS ONEIL JENKINS did within this county and state on 04/03/2015 to 04/03/2015 violate the criminal laws of the State of South Carolina (or ordinance of County/ Municipality of PORT ROYAL) in the following particulars:

DESCRIPTION OF OFFENSE: 16-23-0020, 16-23-0050(A)(2) / UNLAWFUL CARRYING OF A PISTOL

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 04/03/2015, AT APPROXIMATELY 1130 HOURS, ON PARRIS ISLAND GATEWAY NEAR THE INTERSECTION OF MIDTOWN DRIVE, WITHIN THE TOWN LIMITS OF PORT ROYAL. THE DEFENDANT, TRAVIS JENKINS DID WILLFULLY AND KNOWINGLY VIOLATE SOUTH CAROLINA STATE STATUTE 16-23-0020, UNLAWFUL CARRYING OF A PISTOL. THE DEFENDANT, WITHOUT ISSUANCE OF A CONCEALED WEAPONS PERMIT, DID HAVE A .40 CALIBER RUGER MODEL P94 HAND GUN PLACED INTO THE RIGHT SIDE WAISTBAND OF HIS PANTS WITH HIS SHIRT PLACED OVER THE HAND GUN IN AN EFFORT TO CONCEAL IT FROM VIEW OF THE OFFICERS. THE ABOVE IS TRUE AND BELIEVABLE BASED UPON THE AFFIANTS OBSERVATIONS AND INVSTIGATION.

Signature of Affiant

STATE OF SOUTH CAROLINA

County/ Municipality of

PORT ROYAL

Affiant's Address 1748 PARIS AVE
PORT ROYAL SC 29935
Affiant's Telephone 843-986-2220

ARREST WARRANT

TO ANY LAW ENFORCEMENT OFFICER IN 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 04/03/2015 defendant TRAVIS ONEIL JENKINS

did violate the criminal laws of the State of South Carolina (or ordinance of County/ Municipality of PORT ROYAL) as set forth below:

DESCRIPTION OF OFFENSE: WEAPONS / UNLAWFUL CARRYING OF PISTOL

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 the 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 4/4/15

Signature of Issuing Judge (L.S.)

Judge Code:

Judge's Address

Judge's Telephone

Issuing Court: Magistrate Municipal Circuit

DEFENDANT COPY

Case: 15PR04449

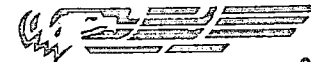
CERTIFIED MAIL™



7009 0820 0002 3449 9218



U.S. POSTAGE PITNEY BOWES



ZIP 29906 \$ 007.78⁰
02 1W
0001373767 DEC. 08. 2016



BEAUFORT COUNTY COUNCIL
PUBLIC DEFENDER
1905 DUKE STREET
POST OFFICE BOX 525
BEAUFORT, SC 29901

Clerk, SC Court of Appeals
Post Office Box 11629
Columbia, SC 29211

RECEIVED

DEC 12 2016

SC Court of Appeals