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SC Court of Appeals

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

ORIGINAL

Appeal from Sumter County

Honorable Howard P. King, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

LORENZO RAGIN,

APPELLANT

APPELLATE CASE NO 2016-000287

RECORD ON APPEAL

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INDEX

INDEX	i
GUILTY PLEA TRANSCRIPT DATED FEBRUARY 9-10, 2016.....	1
COURT QUESTIONING MR. RAGIN	4
FACTS BY MR. BROWN	9
REMARKS IN MITIGATION BY MS. TIMMONS.....	12
REMARKS BY PROBATION	14
WARRANT CITATION SERVED.....	18
COURT QUESTIONING MR. RAGIN	19
REMARKS BY PROBATION.....	21
REMARKS IN MITIGATION BY MS. TIMMONS.....	21
REMARKS BY DEFENDANT.....	23
REMARKS BY INVESTIGATOR MELTON.....	25
SENTENCING FOR GUILTY PLEA.....	27
PROBATION REVOCATION.....	27
PROBATION ARREST WARRANT DATED SEPTEMBER 28, 2015	30
PROBATION ORDER DATED FEBRUARY 10, 2016	32
INDICTMENTS AND SENTENCING SHEETS.....	33
CERTIFICATE OF COUNSEL	43

STATE OF SOUTH CAROLINA)
COUNTY OF SUMTER) COURT OF GENERAL SESSIONS

STATE OF SOUTH CAROLINA)

STATE,)

v.)

LORENZO RAGIN,)

DEFENDANT.)

TRANSCRIPT OF RECORD
16-GS-43-068
14-GS-43-069

February 9, 10, 2016
Sumter, South Carolina

BEFORE :

THE HONORABLE HOWARD P. KING, JUDGE

APPEARANCES:

TYLER BROWN, ESQ.
Assistant Solicitor

KATARZYNA TIMMONS, ESQ.
Attorney for Defendant

FRANCES B. RAY, RPR
Circuit Court Reporter

INDEX

Page

FEBRUARY 9, 2016:

Voir dire of defendant	4
Facts by Mr. Brown	9
Remarks in mitigation by Ms. Timmons	12
Remarks by probation	14

FEBRUARY 10, 2016:

Warrant citation served	18
Voir dire with defendant	19
Remarks by probation	21
Remarks in mitigation by Ms. Timmons	21
Remarks by defendant	23
Remarks by Investigator Melton	25
Sentence of the Court	26

(There were no exhibits submitted.)

1 MR. BROWN: We're before the Court on two
2 true indictments, 2016-GS-43-68, 2014-GS-43-69.
3 Both of those are charges of shoplifting, originally
4 indictments for third or subsequent. Upon further
5 review of his criminal history, for these two at
6 least, it would only be a second offense. We are
7 not making any recommendations or negotiations in
8 the plea on these two charges. There's also an
9 outstanding charge that will not be dismissed as a
10 part of this guilty plea. Permission to approach?

11 THE COURT: Yes, sir.

12 THE CLERK: Raise your right hand. State
13 your full name please.

14 THE DEFENDANT: Lorenzo Ragin.

15 WHEREUPON,

16 **LORENZO RAGIN,**
17 having been duly sworn by the Clerk, testified
18 as follows:

19 THE COURT: Ms. Timmons, you represent the
20 defendant?

21 MS. TIMMONS: Yes, Your Honor, I do.

22 THE COURT: Have you explained to him the
23 charges contained in these indictments, the possible
24 punishment, and his constitutional rights including
25 his right to a jury trial?

1 MS. TIMMONS: Yes, Your Honor.

2 THE COURT: In your opinion does he
3 understand those things?

4 MS. TIMMONS: Yes, Your Honor.

5 THE COURT: All right, you are Lorenzo
6 Ragin; is that right?

7 THE DEFENDANT: Yes, sir.

8 THE COURT: Mr. Ragin, before I can accept
9 your plea of guilty I need to make sure that it's
10 freely and voluntarily given. I need to ask you
11 some questions. If you don't understand the
12 questions or the words I use, you tell me, I'll be
13 glad to explain them to you. You may talk with your
14 lawyer at any time as we go through this process.
15 You understand?

16 THE DEFENDANT: Yes, sir.

17 THE COURT: How old are you?

18 THE DEFENDANT: Thirty-eight.

19 THE COURT: How far did you go in school?

20 THE DEFENDANT: To the 11th grade.

21 THE COURT: Are you today under the
22 influence of any kind of drugs or alcohol?

23 THE DEFENDANT: No, sir.

24 THE COURT: What kind of work do you
25 usually do?

1 THE DEFENDANT: I was working at Ryan's
2 Restaurant.

3 THE COURT: Are you today aware of any
4 physical, emotional, or nervous problem that would
5 prevent you from understanding what you're doing
6 here today?

7 THE DEFENDANT: Yes, sir.

8 THE COURT: The indictments in this
9 case — and let's take a look at them.

10 THE COURT REPORTER: Judge, he just
11 answered yes, sir to that last question.

12 THE COURT: Oh, I'll ask you again.
13 Everybody always gets that question mixed up. Are
14 you aware of anything that would prevent you from
15 understanding what's doing on here today?

16 THE DEFENDANT: Yes, sir.

17 THE COURT: Do you understand what's going
18 on here today?

19 THE DEFENDANT: Yes, sir.

20 THE COURT: So you don't know of anything
21 that would keep you from understanding that?

22 THE MS. TIMMONS: Oh, no, sir, no, sir, I
23 apologize.

24 THE COURT: Okay. You heard your lawyer
25 tell me that she has explained to you the charges

1 contained in the two indictments, the possible
2 punishment, your constitutional rights, and that you
3 understand these things; is that correct?

4 THE DEFENDANT: Yes, sir.

5 THE COURT: All right, let's take a look
6 at these two indictments. First, 2016-GS-43-068 has
7 been returned as a true bill, and it is a charge of
8 shoplifting third or subsequent offense, alleging
9 that on February 10th of 2015 that you did take and
10 carry away jewelry estimated at a value of one
11 thousand dollars from Reliable Pawnshop here in
12 Sumter, 33 West Liberty Street. The charge is one
13 originally of shoplifting, initial or subsequent
14 offense. The State says that it now, I guess, based
15 upon their investigation is not a third subsequent.
16 Is that right, Mr. Brown?

17 MR. BROWN: That's correct, Your Honor.

18 THE COURT: And the charge is one of
19 shoplifting or the value of two thousand dollars or
20 less from which you can get 30 days in jail and a
21 fine of up to one thousand dollars. You understand
22 that?

23 THE DEFENDANT: Yes, sir.

24 THE COURT: The other charge is also a
25 shoplifting that is in indictment number

1 2016-GS-43-69, also returned as a true bill by the
2 grand jury and charges that on February 20th that
3 you did take and carry away property of a value of
4 1400 dollars from Sumter Pawn and Gun located at 705
5 Broad Street, Sumter. And again, it was really
6 indicted shoplifting third, but apparently it's not
7 a enhanced offense but is a first or second offense
8 for which you can get a maximum of 30 days and/or a
9 fine of up to one thousand dollars. Do you
10 understand that?

11 THE DEFENDANT: Yes, sir.

12 THE COURT: All right. Now Mr. Ragin,
13 when you plead guilty you give up important
14 constitutional rights. You give up the right to
15 remain silent; that is, your privilege against
16 self-incrimination, your right to say nothing at
17 all. You give up the right to have a jury trial;
18 that is, your right to have a jury decide whether
19 you're guilty beyond a reasonable doubt. And you
20 give up the right to confront the witnesses against
21 you; that is, the right to require the witnesses
22 against you to come into court and testify, have
23 your lawyer cross-examine those witnesses, and the
24 right to subpoena and call witnesses on your own
25 behalf. Do you understand those constitutional

1 rights?

2 THE DEFENDANT: Yes, sir, I do.

3 THE COURT: Do you understand when you
4 plead guilty you waive or give up those
5 constitutional rights; there will not be a jury
6 trial?

7 THE DEFENDANT: Yes, sir.

8 THE COURT: Understanding the nature of
9 the charges against you and the consequences of a
10 guilty plea, how do you wish to plead to these two
11 charges of shoplifting, guilty or not guilty?

12 THE DEFENDANT: Guilty.

13 THE COURT: Do you understand that when
14 you plead guilty you're admitting that the charges
15 against you are true?

16 THE DEFENDANT: Yes, sir.

17 THE COURT: Pleading guilty because you
18 are guilty? You're pleading guilty because you are
19 guilty; is that right?

20 THE DEFENDANT: Yes, sir.

21 THE COURT: Plea negotiations are none,
22 Mr. Brown; is that right?

23 MR. BROWN: No, sir, Your Honor, no plea
24 negotiations.

25 THE COURT: Has anybody promised you

1 anything or held out any hope of reward to get you
2 to plead guilty?

3 THE DEFENDANT: No, sir.

4 THE COURT: Are you pleading guilty of
5 your own free will and accord?

6 THE DEFENDANT: Yes, sir.

7 THE COURT: You're represented in this
8 case by Mr. Timmons. Are you satisfied with the
9 manner in which she has advised and represented you?

10 THE DEFENDANT: Yes, sir.

11 THE COURT: Do you understand that you
12 have the right to appeal and you must do so within
13 ten days?

14 THE DEFENDANT: Yes, sir.

15 THE COURT: All right, Mr. Brown.

16 MR. BROWN: Your Honor, 16-68, indictment
17 2016-GS-43-668, that happened February 20th of this
18 year. On that particular day, this happened at
19 Reliable Pawnshop. Police officers were called out
20 regarding a black male subject entering the store to
21 look at jewelry. And Your Honor will find that is
22 what occurred in, on all the shopliftings we have.
23 What he would do is, he would go into a jewelry
24 store or pawnshop. He would ask to try on jewelry.
25 In this particular case he asked to try on a couple

1 of pieces, including gold and silver necklaces.
2 Once he was trying them on and once he had them
3 around his neck, he ran out the store as quickly as
4 he could. That is the same thing that occurred on
5 February 20th, 2015, for 2016-GS-43-0069. That
6 happened at Sumter Pawn where he tried on a gold
7 necklace and did the same.

8 On both of these cases I believe there was
9 photo lineups which he was identified as. I think
10 at Reliable Pawn there was video surveillance which
11 they used to match them to this case. And there is
12 another shoplifting which we are still investigating
13 as to whether or not that will be a property
14 enhancement because of a conviction following these
15 two that occurred. That one they actually had
16 fingerprint evidence which is really kind of what
17 started the investigation. That one occurred in
18 June of 2015.

19 But the basis of these are that he would
20 go into the store, put the necklaces on, run out.
21 For Sumter Reliable Pawn, for Reliable Pawn the
22 restitution amount was in the range of \$1,000 and
23 for Sumter Pawn it was around \$1300 of loss they
24 suffered. And representatives from both stores are
25 here present today.

1 THE COURT: Okay. What was the basis for
2 the reasoning that it was already an enhanced
3 offense?

4 MR. BROWN: Looking at the criminal
5 history, his criminal history is extensive to say
6 the least; and when we looked at it there were a lot
7 of charges for larceny and things of that nature.
8 There's also, by the way, another Lorenzo Ragin that
9 lives in Summerton not far away from him that also
10 has a lot of property offenses and so there was some
11 confusion about the number of convictions. While he
12 has a lot of convictions, there was only one prior
13 property offense once we looked at it more closely
14 and after indictment process that actually linked up
15 to a property offense. And that was something that
16 Detective Melton and I have looked at extensively;
17 but we are now, we've now been made aware that there
18 is a possibility that he was convicted in Florence
19 in March which would predate the third shoplifting
20 that he had for another property offense at trial in
21 his absence but we've got to look more closer into
22 that.

23 THE COURT: Okay. The victims seeking
24 restitution, Mr. Brown?

25 MR. BROWN: Your Honor, I'm sure they

1 would like it and we discussed it. I think
2 everybody in this room knows that that will be a
3 false hope; but I mean, certainly they would maybe
4 like a civil judgment, but I don't think anyone
5 actually is expecting to get anything out of this.

6 THE COURT: I'll address the victims just
7 a minute. You have the right under our victims
8 rights amendment and enabling legislation by the
9 general assembly to be present whenever there's
10 anything that comes up in connection with this
11 matter. You also have the right to be kept advised
12 of everything that's going on, and you have the
13 right to address the Court so if there's any of you
14 would like to say as the victims in this case, if
15 you'd give the court reporter your name, I'll be
16 glad to hear from you. Anybody want to say
17 anything?

18 (There was no response.)

19 THE COURT: Okay. All right, Ms. Timmons.

20 MS. TIMMONS: Yes, thank you, Judge.

21 First I'd like to address the shoplifting enhanced.
22 My client has the one prior conviction for petit
23 larceny from 2014. The second conviction that the
24 State planned to use to enhance those charges was
25 linked to a different Lorenzo Ragin with different

1 date of birth. Your Honor, my client lives in
2 Columbia with his three kids. He has a 12 year old
3 boy, 7 year old boy, 3 year old boy. He also
4 recently ---

5 THE COURT: Let me interrupt you for just
6 a minute, Ms. Timmons. Excuse me, but the
7 sentencing sheet indicates his address as being
8 , Summerton. Where did that address
9 come from?

10 THE DEFENDANT: I was once at that
11 address.

12 THE COURT: Whose address is that?

13 THE DEFENDANT: That's my mom's.

14 THE COURT: Your mom's?

15 THE DEFENDANT: Yes, sir.

16 THE COURT: When's the last time you lived
17 down there?

18 THE DEFENDANT: 2011.

19 THE COURT: Is that the name that's on
20 your driver's license? The address that's on your
21 driver's license?

22 THE DEFENDANT: Yes, sir.

23 THE COURT: That's why everybody's got it
24 with that, okay. You have 30 days once you move to
25 change the address n your driver's license.

1 All right, go ahead, Ms. Timmons.

2 MS. TIMMONS: And Judge, on September 10th
3 of last year, 2015, he had a daughter. His daughter
4 was born, Zoe. She has several serious health
5 issues. And my client informed me that at that time
6 he was working at Ryan's. He had a problem with
7 making ends meet. He realized what he did was wrong
8 but tried to make some money. He realizes now that
9 it was the wrong way to make that money. Your
10 Honor, he's currently on probation in Richland
11 County for possession of cocaine base. I informed
12 him this plea will most likely be a violation of his
13 probation. He's still willing to proceed with this
14 plea. He has been in jail since October 28th, 2015,
15 so we ask for a leniency in this matter.

16 THE COURT: Okay. What you got, Mr.
17 Tisdale? He's on probation?

18 PROBATION OFFICER: Your Honor, Mr. Ragin
19 has not done well under supervision. Apparently he
20 got the case in Richland County. He never reported
21 for his initial intake.

22 THE COURT: Never reported for initial
23 intake?

24 PROBATION OFFICER: No, sir. The warrant
25 has been active since September 28th of ---

1 THE COURT: So there's a bench warrant out
2 for him?

3 PROBATION OFFICER: They have an active
4 probation, violation of probation warrant out for
5 his arrest.

6 THE COURT: That's been served on him,
7 y'all got him, or what's the status of it?

8 PROBATION OFFICER: I contacted Richland
9 County, one of the supervisors, and she's gonna scan
10 the warrant 1106 and send it to me in the morning.
11 We can go ahead and handle that violation on
12 Mr. Ragin. He's looking at two-and-a-half years,
13 well, two years nine months left on his status.

14 THE COURT: What's the violation, this
15 plea?

16 PROBATION OFFICER: Well, he was already
17 in violation status before the plea.

18 THE COURT: He was in violation for not
19 reporting for initial intake?

20 PROBATION OFFICER: Correct. So he
21 absconded supervision and they didn't know that he
22 was here in Sumter. It just so happened when we --
23 I looked at the names in OMS. I saw we had an
24 active warrant from Richland County.

25 THE COURT: So he's actually absconded

1 supervision over there?

2 PROBATION OFFICER: Yes, sir, he has.

3 THE COURT: They're gonna send you
4 information?

5 PROBATION OFFICER: Yes, sir, they're
6 supposed to be sending it to me. I should have it
7 in the morning, Your Honor, first thing in the
8 morning.

9 MR. BROWN: We'll make sure he's on the
10 transport list.

11 THE COURT: Sir?

12 MR. BROWN: We can make sure he's on the
13 transport list for tomorrow morning, if that will
14 help the Court to handle that matter.

15 THE COURT: I'd just hold everything in
16 abeyance until they get that information over here
17 and not sentence him on this, make sure he stays in
18 Sumter County jail until that can be taken care of
19 and we can take care of all of it at the same time
20 because if I have to sentence him today and he's
21 already got more than the 60 days that he can get
22 this behind him, he'd actually be entitled to get
23 out and I don't know that I can order the jail to
24 keep him without no legal grounds. I think the best
25 thing to do is withhold sentencing on these two 30

1 days offenses and let them get the paperwork over
2 here from probation violations and bring him over
3 here in the morning and serve that documentation on
4 him, I'll take care of it all at the same time.

5 All right, the Court does find there's a
6 substantial factual basis for the plea. I find the
7 defendant's decision to plead guilty is freely and
8 voluntarily, knowingly and intelligently made, that
9 he has had the advice of counsel of an attorney with
10 whom he says he's satisfied, the Court is going to
11 accept the pleas. In both cases withhold sentencing
12 until tomorrow. Bring him back up here tomorrow and
13 hopefully the probation department will have the
14 paperwork that they can serve him with the probation
15 paperwork and we can take care of the probation
16 violation at the same time that we take care of
17 sentencing on this case.

18 MR. BROWN: Yes, sir, Your Honor.

19 MS. TIMMONS: Thank you, Judge.

20

21 (Continued on February 10, 2016.)

22 MR. BROWN: May it please the Court, Your
23 Honor.

24 THE COURT: Yes.

25 MR. BROWN: Yesterday afternoon, and I

1 think it was the last matter of the day, you heard
2 two guilty pleas on Lorenzo Ragin. That was
3 2016-GS-43-68 and 69. As a result of his guilty
4 plea the Court was made aware that this would be a
5 violation of the conditions of his probation out of
6 Richland County. I believe it was for a charge of
7 possession of crack cocaine. Your Honor stood down
8 on the sentencing so that probation could get the
9 documentation. I believe they served a warrant for
10 the probation violation, and we're here for
11 sentencing on this case.

12 THE COURT: All right. Mr. Tisdale, have
13 you got information from the Richland County
14 Probation Department?

15 PROBATION OFFICER: Yes, sir, I have.

16 THE COURT: Have you served him with a
17 citation?

18 PROBATION OFFICER: No, sir, the warrant
19 that they sent over, I need to serve it.

20 THE COURT: It's a warrant? All right, go
21 ahead.

22 (Probation Agent Tisdale and defendant confer.)

23 THE COURT: Mr. Tisdale, has he been
24 served with the warrant?

25 PROBATION OFFICER: Yes, sir, he has.

1 THE COURT: Complete the proof of service
2 and hand it up please.

3 (Pause.)

4 THE COURT: The Court has a copy of the
5 arrest warrant against Mr. Ragin issued out of
6 Richland County for violation of the probation.

7 Mr. Ragin, the Department alleges that you
8 violated the terms and conditions of your probation
9 by failing to report on 10/21/14 or any time
10 thereafter. That would have been a year and several
11 months ago. Failed to notify the agent or gain
12 consent proving from in Elgin
13 to an unknown location, thus absconding supervision.
14 You failed to work diligently at a lawful occupation
15 having been unemployed and failed to notify the
16 agent of your arrest on 3/11/15 by the Florence
17 Police Department for shoplifting and on 4/18/15 by
18 the Manning Police Department for shoplifting. You
19 have not paid the supervision fees, nine payments in
20 arrears. You're -- failed to pay the Clarendon
21 County Clerk of Court. You're in arrears on the
22 payments down there as well. So as well as your
23 financial obligations you're also being considered
24 in absconding status for failing to report among
25 those other things that I read to you. Do you

1 understand what the allegations of the arrest
2 warrant?

3 THE DEFENDANT: Yes, sir.

4 THE COURT: Do you understand you have the
5 right to present any testimony or evidence to me
6 that you wish to present regarding those matters,
7 and I'll hear from you in that regard in a few
8 minutes. You understand that?

9 THE DEFENDANT: Yes, sir.

10 THE COURT: And you were before the Court
11 yesterday so you are still under oath. Also, you
12 are represented by Ms. Timmons in the guilty plea.
13 Ms. Timmons, have you talked with him at all about
14 this?

15 MS. TIMMONS: Yes, Your Honor, I did.

16 THE COURT: You think he's familiar with
17 the allegations of the arrest warrant?

18 MS. TIMMONS: Yes, Your Honor.

19 THE COURT: Okay. And do you understand
20 that you have the right to appeal from any decision
21 I make on the probation violation just like you do
22 on the two shoplifting charges to which you pled
23 yesterday, you understand that?

24 THE DEFENDANT: Yes, sir.

25 THE COURT: All right, Mr. Tisdale, what

1 you want to add to what I already put on the record?

2 PROBATION OFFICER: Just that Mr. Ragin
3 was sentenced in Clarendon County by Judge Cothran
4 on October 13th, 2014. At that time he gave him a
5 sentence of three years upon 90 days.

6 THE COURT: He was sentenced to how many
7 years?

8 PROBATION OFFICER: Three years.

9 THE COURT: Three?

10 PROBATION OFFICER: Upon 90 days, Your
11 Honor, with the balance suspended, one year
12 probation. Apparently they transferred Mr. Ragin
13 out of court to Richland County because he had a
14 Richland County address. He was scheduled to appear
15 for his initial intake on October 21st. Mr. Ragin
16 never appeared for that initial intake; and after
17 doing an investigation on Mr. Ragin, they realized
18 that he no longer lived at the address he had listed
19 in Richland County, Your Honor.

20 THE COURT: So he has two years and nine
21 months remaining on his sentence?

22 PROBATION OFFICER: Yes, sir, that's
23 correct.

24 THE COURT: Okay. All right, okay,
25 Ms. Timmons.

1 MS. TIMMONS: Yes, thank you, Judge. I
2 spoke with my client about all those issues. He
3 doesn't deny that he did wrong. He's standing here
4 in front of you prepared to suffer the consequences
5 of his actions. He informed me that at that time he
6 had no transportation. He was, he was working at
7 Ryan's and also attending W.E. Rogers where he
8 obtained his work keys. However, his job and his
9 school were within walking distance so he was able
10 to walk over there.

11 Your Honor, he has already spent, served
12 90 days on possession of cocaine first offense.
13 This is a misdemeanor that carries up to three years
14 in prison, Judge.

15 THE COURT: Wait a minute, where's that
16 come in? He served 90 days for possession of what?

17 MS. TIMMONS: Cocaine base, the charge
18 that he's on probation now, violation of probation.

19 THE COURT: Oh, okay. Yeah, I understand
20 that. Two years suspended service of 90 days, yeah,
21 I understand that.

22 MS. TIMMONS: Yes, Your Honor. Since it's
23 a minor drug charge and he's standing here in front
24 of you, like I said, he doesn't deny that he did
25 wrong. We ask for leniency.

1 THE COURT: Okay. What you want tell me,
2 Mr. Ragin?

3 THE DEFENDANT: Yes, sir. I mean, I know
4 I did wrong and I know I supposed to reported; but
5 when I first got out, I gave Judge Cothran, told
6 them, the probation office, that I was staying at
7 ; but I didn't talk it over with my
8 girlfriend to let her know I was coming back. And
9 so when I got out and went up there she wasn't, she
10 wasn't even at the address; she was in New York. So
11 I had a key to the house, but I didn't have no
12 transportation of moving back and forth from around
13 there. But she came back home, then we found out
14 that she was pregnant. And like I say, I know I was
15 already late from, for not reporting, but I went
16 ahead and started working so that I could have, when
17 I go in front of my probation I could have used
18 that, tell them I was working, going back to school
19 and my work keys and stuff like that. And I just
20 had a little baby. Like I say, I was wrong and I'm
21 sorry for what I've done. That's why I came and
22 turned myself in when I did.

23 THE COURT: Give me a background on the
24 current charges. I don't want facts, but I want his
25 situation, Ms. Timmons. Just 30 day offenses for

1 shoplifting here because they're all being treated
2 as first offenses. What's the status as far as his
3 current situation in Sumter County Detention Center?

4 MS. TIMMONS: Your Honor, he has been in
5 jail since October 28th, 2015, and he was charged
6 with the shoplifting enhanced. And once I was
7 provided discovery we discovered that it wasn't his;
8 it was a shoplifting enhanced.

9 MR. BROWN: If I may, Your Honor, there's
10 also still one pending shoplifting which is a
11 shoplifting enhanced value two to ten thousand
12 dollars and that one is still pending.

13 PROBATION OFFICER: Your Honor, if it
14 please the Court, also I think Mr. Ragin also has a
15 pending charge in other counties as well as for the
16 same offenses of shoplifting.

17 MR. BROWN: As well as other states,
18 Judge.

19 THE COURT: So they got some holds on him
20 at the local detention center?

21 MR. BROWN: I think he's got holds in
22 Richland County, the State of Georgia, the State of
23 North Carolina. He's got holds all over.

24 MS. TIMMONS: And Judge, he turned himself
25 in. He realizes that he has all those holds. He

1 just wants to take care of everything and start a
2 new one. And Your Honor, my client's mother is here
3 in the courtroom and his brother; they're supporting
4 him.

5 MR. BROWN: Your Honor, I believe
6 Detective Melton also wanted, had some information
7 he wanted to relay something to you.

8 THE COURT: Yes, sir.

9 THE INVESTIGATOR: Yes, sir. I'd just
10 like to point out just a couple of things.
11 Yesterday Mr. Ragin had advised you that he lived
12 in, I believe, Columbia or Lexington, somewhere
13 other than Manning. On his date of arrest which
14 he's been incarcerated ever since, one of the lines
15 says "Carlton drove me over to Sumter. We both live
16 in Manning down in Clarendon County." I also would
17 like to point out that I do have, as you heard, a
18 failure to appear warrant for grand larceny for
19 Florence where he did another jewelry snatch and
20 grab. And I would also like to just present the
21 fact that, yes, he did indeed go back to work, Your
22 Honor. He's a thief; he went right back to
23 stealing. And that's what he does, that's what he's
24 been doing, that's why we have these holds. And I
25 would like you to take that in consideration in

1 imposing a sentence, Your Honor.

2 THE COURT: Okay, thank you. He was
3 arrested in Sumter County on shoplifting charges on
4 October 20---

5 MS. TIMMONS: Yes, Your Honor.

6 THE COURT: 20 what?

7 MR. BROWN: 28th.

8 MS. TIMMONS: 28th.

9 THE COURT: We've been having a big debate
10 about this matter with Mr. Tisdale, not a debate.
11 Mr. Tisdale and Mr. James brought it to my attention
12 that the South Carolina Department of Corrections
13 apparently is not applying the case, the holding in
14 State versus Hayes, in figuring up credit for time
15 served. And we've been trying to figure out the way
16 to do that because whether I do or do not agree with
17 the holding in State versus Hayes is immaterial. I
18 feel like I'm bound to follow that. Apparently the
19 Department of Corrections does not feel like that
20 they're bound to follow that; but I think I can word
21 this matter in the Form 9 that contains the correct
22 language I want so that we'll convey what we want
23 from the Department of Corrections.

24 With regard to the two charges here in
25 Sumter County, that is, indictment number

1 2016-GS-43-068, the sentence of the Court is the
2 defendant is committed to the State Department of
3 Corrections for a period of -- I mean, to the County
4 Detention Center for a period of 30 days, give him
5 credit for time served since October 28th, 2015.
6 With regard to 2016-069, the sentence is 30 days in
7 the County Detention Center consecutive to 068 and
8 give him credit for time served since October the
9 28th of 2016. So in effect, he has served his time
10 on those sentences.

11 With regard to the probation violation I
12 find the defendant does understand the nature of the
13 charges against him. He is represented by counsel
14 who has advised him on this matter, and he is in
15 violation of the terms and conditions of the
16 probation entered by Judge Cothran in that he has
17 failed to report, did not report to the initial
18 intake, has absconded from supervision. And I'm not
19 the making any finding with regard to the financial
20 obligations because that becomes a finding of
21 willfulness under State versus Hayes, but he is in
22 violation of the terms and conditions of his
23 probation clearly by not reporting when he was --
24 well, by not reporting for his initial intake,
25 thereby preventing the Department from supervising

1 him and he has absconded from supervision as a
2 result of which the Court is going to revoke the
3 probation allowed by Judge Cothran in full requiring
4 him to serve the sentence imposed by Judge Cothran
5 less the time that he has served, a balance of two
6 years and nine months, and that's to show in the
7 Form 9. All right?

8 PROBATION OFFICER: Thank you, sir.

9 MS. TIMMONS: Judge, would you being
10 willing to give my client credit for time served
11 since October 28th, 2015?

12 THE COURT: On the probation violation?

13 MS. TIMMONS: Yes, sir.

14 THE COURT: Can't do it because he just
15 got served with the warrant today.

16 MS. TIMMONS: Okay, Judge, thank you.

17
18 * * * END OF REQUESTED TRANSCRIPT OF RECORD * * *
19
20
21
22
23
24
25

C E R T I F I C A T E O F R E P O R T E R

STATE OF SOUTH CAROLINA)
COUNTY OF FLORENCE)

I, FRANCES B. RAY, Registered Professional Reporter (RPR), court reporter for the State of South Carolina, Third Judicial Circuit, do hereby certify that the foregoing proceeding is a stenographic report and was transcribed through computer-aided transcription; that the foregoing transcript contains a true record of the proceedings.

I further certify that I am neither counsel for, nor related to nor employed by any of the parties connected to the action, nor am I financially interested in the action.

Witness my hand at Florence, South Carolina, this 8th day of April, 2016.

Frances B. Ray

FRANCES B. RAY, RPR

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

STATE OF SOUTH CAROLINA
COUNTY OF RICHLAND

Probation

ARREST WARRANT

Indictment Number 14-GS-14-00358

Warrant Number W-40-15-0439

State Identification No. (SID) 00984996

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

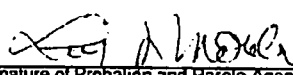
It appearing from the attached affidavit that there are reasonable grounds to believe that LORENZO RAGIN, Lorenzo Ragin, did on the 28 day of September, 2015 violate the criminal laws of the State of South Carolina as set forth below:

DESCRIPTION OF OFFENSE:

Lorenzo Ragin has violated conditions 1, 2, 5, 6, 7, 9 & 10 and special conditions as ordered in Cause Number 14-GS-14-0356 by the Clarendon County Court of General Sessions on 10/13/14

Now, therefore, you are empowered and directed to arrest the said defendant and bring LORENZO RAGIN, Lorenzo Ragin 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 COLUMBIA, S. C. this 28 day of September, 2015.

County of **RICHLAND**


Signature of Probation and Parole Agent

(L.S.)

STATE OF SOUTH CAROLINA

AFFIDAVIT

Personally appeared before me, one Luis R. Morales Vellon, who, first being duly sworn, deposes and says that LORENZO RAGIN, Lorenzo Ragin did within this County and State on the 28 day of September, 2015, violate the criminal laws of the State of South Carolina in the following particulars:

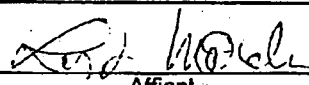
DESCRIPTION OF OFFENSE:

Lorenzo Ragin has violated conditions 1, 2, 5, 6, 7, 9 & 10 and special conditions as ordered in Cause Number 14-GS-14-0356 by the Clarendon County Court of General Sessions on 10/13/14

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:

Lorenzo Ragin has failed to follow the advice and instructions of his agent in that he: failed to report on 10/21/14 or any time thereafter; failed to notify Agent or gain consent prior to moving from 725 Jack Russell Ct, Elgin SC to an unknown location, thus absconding supervision; failed to work diligently at a lawful occupation, being unemployed; failed to notify Agent of his arrests on 03/11/15 by Florence PD for Shoplifting and 04/08/15 by Manning PD for Shoplifting; failed to pay supervision fee to the Department, being 9 payments (\$450) in arrears with a balance of \$600.00 at the issuance of process; failed to pay fine to Clarendon County Clerk of Court, being 9 payments (\$585) in arrears with a balance of \$548.90 at the issuance of process;; failed to pay drug test fee.

Sworn to and Subscribed before me
this 28 day of September, 2015.


Affiant


Signature of Notary Public

(L.S.)

5/19/15
My Commission Expires

Address: 1221 GREGG STREET
COLUMBIA, SC 29201
RICHLAND
USA

(803) 734-6320

RETURN

Constable or Law Enforcement Officer

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

on the _____ day of _____

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 of Judge

(L.S.)

STATE OF SOUTH CAROLINA
COUNTY OF

RICHLAND

THE STATE
against

LORENZO RAGIN, Lorenzo Ragin

ARREST WARRANT

Offense: Violation of Conditions of Probation Supervision

Offense Section: 24-21-450

Date: 9/28/2015

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

Luis R. Morales Vellon

Disposition

Sentence

Co-Defendants

INFORMATION ON DEFENDANT

Name LORENZO RAGIN

Address

Phone

Sex Male Race Black Height 601

Weight 197 Birth date

Social Security Number

INFORMATION ON WITNESSES

Name

Address

Phone

Name

Address

Phone

Name

Address

Phone

Name

Address

Phone

PRELIMINARY HEARING held by

Magistrate

on

with

Attorney for the Defendant.

Decision

BAIL

Date Set

Magistrate

Amount

Surety

County of Sumter
 STATE VS.
Lorenzo Ragin
 AKA: N/A
 Race: B Sex: M
 DOB: _____
 SSN: _____
 SID#: 964996

Indictment Number: 14 -GS- 14 - 0356
 Probation C/W #: W-40-15-0439
 Name of Original Offense: Poss. of Coc. 1st.
 Original A/W #: 2014 A1410200052
 Date of Original Offense: 8/15/14
 Conviction S.C. Code §: 44-53-0370(d)(3)
 Conviction CDR Code #: 3101111
 Original Sentence: 3 yrs 4 mo - 90 days ss/w 1 yr
prob
ORDER

The above named defendant has been charged with violating the conditions of probation ordered on 10/13/14 in the Court of General Sessions of Clarendon County, and/or the additional conditions ordered by the Court in probation continuation orders(s) issued on _____, as set forth in the attached warrant(s) or citation(s) dated 9/28/15. 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, 3, 6, 7, 9, 10

Therefore, IT IS ORDERED that:

- ☒ the suspended sentence be revoked and the above named defendant be required to serve 2 1/2 ^{9 mos} 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) Civil judgment: ☐ Department fees
☐ Fines and other fees (arrearage/balance) ☒ Fines and other fees
☐ Restitution (and 20%) (arrearage/balance) ☐ Restitution (and 20%)
- ☒ Additional Conditions ordered by the Court: terminate probation this date.

- ☐ 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 90 ^{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 10 day of February, 2016
Sumter, SC

Glenn P. King
 Presiding Judge
3rd 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

Lorenzo Ragin

Witnessed by

Ma. R. King

Signed this 10 day of February, 2016 at Sumter, SC
 Day Month Year City

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF Clarendon
STATE VS.Lorenzo Ragin

AKA:

Race: Black Sex: M Age: 37DOB: 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: Possession of cocaine, 1st offense (0-3 years)INDICTMENT/CASE#: 2014-GS-14-356A/W#: 2014A1410200052Date of Offense: 8/15/2014S.C. Code § : 44-53-0370(d)(3)CDR Code #: 3011

SENTENCE SHEET

108

☐ CONVICTED OF or ☒ PLEADSin violation of § 44-53-0370(d)(3) of the S.C. Code of Laws, bearing CDR Code # 3011☒ NON-VIOLENT ☐ VIOLENT ☐ SERIOUS ☐ MOST SERIOUS ☐ Mandatory GPS(CSC w/minor 1st or Lewd Act) ☐ §17-25-45The charge is: ☐ As Indicted, ☒ Lesser Included Offense, ☒ Defendant Waives Presentment to Grand Jury, L.R. (defendant's initials)The plea is: ☐ Without Negotiations or Recommendation ☐ Negotiated Sentence, ☒ Recommendation by the State.ATTEST: Anderson, Warren SC Bar# 100513 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 90 years
and/or to pay a fine of \$ -; provided that upon the service of 90 days/months/years and/or payment
of \$ -; plus costs and assessments as applicable*; the balance is suspended with probation for 1months/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. 8/15/14☐ 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 (Criminal
Domestic Violence) to ship, transport, possess, or receive a firearm or ammunition.

SPECIAL CONDITIONS:

☐ RESTITUTION: ☐ Deferred ☐ Def. Waives Hearing ☐ Ordered PTUPTotal: \$ - plus 20% fee: \$ - days/hours Public Service Employment

Payment Terms:

☐ Set by SCDPPPS

Recipient:

*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	\$ <u>100.00</u>
§ 56-5-2995 (DUI Assessment)	\$12	\$ <u>12.00</u>
§ 56-1-286 (DUI Breath Test)	\$25	\$ <u>25.00</u>
Proviso 47.9 (Public Def/Prob)	\$500	\$ <u>500.00</u>
§ 14-1-212 (Law Enforce. Funding)	\$25	\$ <u>25.00</u>
§ 14-1-213 (Drug Court Surcharge)	\$150	\$ <u>150.00</u>
§ 50-21-114(BUI Breath Test Fee)	\$50	\$ <u>50.00</u>
§ 56-5-2942(J) (Vehicle Assessment)	\$40/ea	\$ <u>40.00</u>
Proviso 90.5 (SCCA Surcharge)	\$5	\$ <u>5.00</u>
3% to County (if paid in installments)	\$	\$ <u>18.90</u>
TOTAL		\$ <u>648.90</u>

Obtain GED ☐Attend Voc. Rehab. or Job Corp. ☐May serve W/E beginning ☐Substance Abuse Counseling ☐Random Drug/Alcohol testing ☐Fine may be pd. in equal, consecutive weekly/monthly
pmts. of \$ - beginning -\$ - paid to Public Defender FundOther: -☐ Appointed PD or appointed other counsel.
§ 47.12 requires \$500 be paid to Clerk
during probation.Clerk of Court/ Deputy Clerk: B. RobertCourt Reporter: Melissa Singleton

SCCA/217 (03/2011)

Presiding Judge: Timothy E. EganJudge Code: 2144Sentence Date: 10/13/2014

13/19

WITNESSES

John Melton
Sumter Police Dept.

03-03-2016

12:38:11 p.m.

ARREST WARRANT NUMBER

2015A4320100512

ACTION OF GRAND JURY

True Bill

Robert S. Gallaway Jr.
Foreperson of Grand Jury
Date: *1-7-2016*

VERDICT

803436223

Foreperson of Petit Jury
Date:

DOCKET NO. 2016-GS-43-0070

The State of South Carolina

County of SUMTER

COURT OF GENERAL SESSIONS

JANUARY **TERM** **2016**

THE STATE

vs.

LORENZO RAGIN

Indictment for

Shoplifting - Third or Subsequent

Ernest A. Finney III

ERNEST A. FINNEY, III, SOLICITOR

STATE OF SOUTH CAROLINA)
)
COUNTY OF SUMTER)

INDICTMENT FOR

Shoplifting - Third or Subsequent

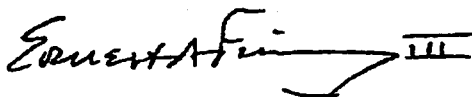
At a Court of General Sessions, convened on January 7, 2016 the Grand Jurors of SUMTER County present upon their oath:

COUNT ONE - SHOPLIFTING, THIRD OR SUBSEQUENT OFFENSE

That Lorenzo Ragin did in Sumter County on or about June 15, 2015, take possession of, carry away, transfer to another area of the store, or cause to be carried away or transferred, alter, transfer, or remove the price label or tag on, and/or did transfer from its container to another container, merchandise displayed, held, stored or offered for sale by Kmart, to wit: did carry away jewelry valued at approximately \$3,599.98, in violation of §16-13-110, S.C. Code of Laws, 1976, as amended, such being the defendant's third or subsequent offense for which the penalty is contingent upon the value of the property involved, in violation of §16-1-57, S.C. Code of Laws, 1976, as amended.

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

Solicitor



COUNTY OF
STATE

Sumter

VS.

Lorenzo Ragin

AKA:

Race: Black Sex: M Age: 38

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 / Shoplifting, value more than \$2,000 but less than \$10,000

INDICTMENT/CASE#: 2016-GS-43-0070

A/W#: 2015A4320100512

Date of Offense: 6/15/2015

S.C. Code §: 16-13-0110 (A)

CDR Code #: 3214

SENTENCE SHEET

☐ CONVICTED OF or ☒ PLEADS

in violation of § 16-13-0110(A) of the S.C. Code of Laws, bearing CDR Code # 0529

☒ NON-VIOLENT ☐ VIOLENT ☐ SERIOUS ☐ MOST SERIOUS ☐ Mandatory GPS(CSC w/minor 1st or Lewd Act) ☐ §17-25-45The charge is: ☐ As Indicted, ☒ Lesser Included Offense, ☐ Defendant Waives Presentment to Grand Jury. (defendant's initials)The plea is: ☒ Without Negotiations or Recommendation, ☐ Negotiated Sentence, ☐ Recommendation by the State.

ATTEST:

Brown, Tyler

SC Bar# 78316

Defendant

Attorney for Defendant

SC Bar# 100953

WHEREFORE, the Defendant is committed to the ☒ State Department of Corrections, ☐ County Detention Center,for a determinate term of 5 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 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.☐ 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 (Criminal Domestic Violence) to ship, transport, possess, or receive a firearm or ammunition.

SPECIAL CONDITIONS:

☐ RESTITUTION: ☐ Deferred ☐ Def. Waives Hearing ☐ Ordered

Total: \$ plus 20% fee: \$

Payment Terms:

☐ Set by SCDPPPS

Recipient:

*Fine:	\$
§ 14-1-206 (Assessments 107.5 %)	\$
§ 14-1-211(A)(1) (Conv. Surcharge)	\$100
§ 14-1-211(A)(2) (DUI Surcharge)	\$100
§ 56-5-2995 (DUI Assessment)	\$12
§ 56-1-286 (DUI Breath Test)	\$25
Proviso 47.9 (Public Def/Prob)	\$500
§ 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
Proviso 90.5 (SCCA Surcharge)	\$5
3% to County (if paid in installments)	\$
TOTAL	\$133.90

PTUP

days/hours Public Service Employment

Obtain GED ☐Attend Voc. Rehab. or Job Corp. ☐

May serve W/E beginning

Substance Abuse Counseling ☐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

Court Reporter:

SCCA/217 (03/2011)

Presiding Judge

Judge Code:

Sentence Date:

Howard P. King
2107
2-11-14

16 / 19
WITNESSES

John Melton
Sumter Police Dept.

03-03-2016

12:38:58 p.m.

ARREST WARRANT NUMBER

2015A4320100514

ACTION OF GRAND JURY

True Bill

Robert Halloway
Foreperson of Grand Jury
Date: *1-7-2016*

VERDICT

DOCKET NO. 2016-GS-43-0069

The State of South Carolina

County of SUMTER

COURT OF GENERAL SESSIONS

JANUARY TERM 2016

THE STATE

vs.

LORENZO RAGIN

Indictment for

Shoplifting - Third or Subsequent

Ernest A. Finney III

ERNEST A. FINNEY, III, SOLICITOR

80343432223
Foreperson of Petit Jury
Date:

STATE OF SOUTH CAROLINA)
)
COUNTY OF SUMTER)

INDICTMENT FOR

Shoplifting - Third or Subsequent

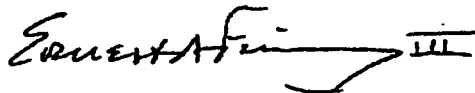
At a Court of General Sessions, convened on January 7, 2016, the Grand Jurors of SUMTER County present upon their oath:

COUNT ONE - SHOPLIFTING, THIRD OR SUBSEQUENT

That in Sumter County, South Carolina, on or about February 20, 2015, the Defendant, Lorenzo Ragin, previously having been convicted of at least two offenses for which the term of imprisonment is contingent upon the value of the property involved, did take possession of or carry away, transfer from one person to another or from one area of a store to another; did alter, transfer, or remove the price label or tag; or did transfer from its container to another container or conceal merchandise displayed, held or offered for sale by a store with the intention of depriving the merchant of the possession, use or benefit of the merchandise without paying the full retail value; to wit: Jewelry with an estimated value of \$1,400.00 from Sumter Pawn & Gun, located at 705 Broad Street, Sumter, South Carolina; all in violation of §16-13-110 and §16-1-57 South Carolina Code of Laws, (1976, as amended).

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

Solicitor



SPLTEN.DOT

COUNTY OF
STATE

Sumter

VS.

Lorenzo Ragin

AKA:

Race: Black Sex: M Age: 38

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 / Shoplifting, value \$2,000 or less

INDICTMENT/CASE#: 2016-GS-43-0069

A/W#: 2015A4320100514

Date of Offense: 2/20/2015

S.C. Code §: 16-13-0110(A)

CDR Code #: 2877

SENTENCE SHEET

☐ CONVICTED OF or ☒ PLEADS

in violation of § 16-13-0110(A) of the S.C. Code of Laws, bearing CDR Code # 0528

☒ NON-VIOLENT ☐ VIOLENT ☐ SERIOUS ☐ MOST SERIOUS ☐ Mandatory GPS(CSC w/minor 1st or Lewd Act) ☐ §17-25-45The charge is: ☐ As Indicted, ☒ Lesser Included Offense, ☐ Defendant Waives Presentment to Grand Jury. (defendant's initials)The plea is: ☒ Without Negotiations or Recommendation, ☐ Negotiated Sentence, ☐ Recommendation by the State.

ATTEST:

Brown, Tyler

SC Bar# 78316

Defendant

Attorney for Defendant

SC Bar# 10918

WHEREFORE, the Defendant is committed to the ☐ State Department of Corrections, ☒ County Detention Center,for a determinate term of 30 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 Services standard conditions of probation, which are incorporated by reference.

☐ CONCURRENT or ☒ CONSECUTIVE to sentence on: 2016-GS-43-068☒ 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. Since Oct 29, 2015☐ 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 (Criminal Domestic Violence) to ship, transport, possess, or receive a firearm or ammunition.

SPECIAL CONDITIONS:

☐ RESTITUTION: ☐ Deferred ☐ Def. Waives Hearing ☐ Ordered

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

Payment Terms:

☐ Set by SCDPPPS

Recipient:

*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	\$
Proviso 47.9 (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	\$
Proviso 90.5 (SCCJA Surcharge)	\$5	\$ 5.00
3% to County (if paid in installments)		\$ 3.90
TOTAL		\$ 133.90

Clerk of Court/ Deputy Clerk

Court Reporter:

SCCA/217 (03/2011)

PTUP

_____ days/hours Public Service Employment

Obtain GED ☐

Attend Voc. Rehab. or Job Corp. _____

May serve W/E beginning _____

Substance Abuse Counseling ☐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.

Presiding Judge

Judge Code:

Sentence Date:

2167

2/11/16

19/19

03-03-2016

12:39:37 p.m.

WITNESSES

John Melton
Sumter Police Dept.

ARREST WARRANT NUMBER

2015A4320100513

ACTION OF GRAND JURY

True Bill

Robert E. Halloran
Foreperson of Grand Jury
Date: *1-7-2016*

VERDICT

8034362223

Foreperson of Petit Jury
Date:

DOCKET NO. 2016-GS-43-0068

The State of South Carolina

County of SUMTER

COURT OF GENERAL SESSIONS

JANUARY TERM 2016

THE STATE

vs.

LORENZO RAGIN

Indictment for

Shoplifting, Third or Subsequent

Ernest A. Finney III

ERNEST A. FINNEY, III, SOLICITOR

STATE OF SOUTH CAROLINA)
COUNTY OF SUMTER)

INDICTMENT FOR
Shoplifting, Third or Subsequent

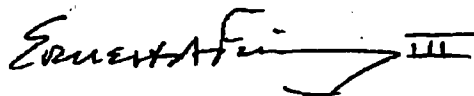
At a Court of General Sessions, convened on January 7, 2016 the Grand Jurors of SUMTER County present upon their oath:

COUNT ONE - SHOPLIFTING, THIRD OR SUBSEQUENT

That in Sumter County, South Carolina, on or about February 10, 2015, the Defendant, Lorenzo Ragin, previously having been convicted of at least two offenses for which the term of imprisonment is contingent upon the value of the property involved, did take possession of or carry away, transfer from one person to another or from one area of a store to another; did alter, transfer, or remove the price label or tag; or did transfer from its container to another container or conceal merchandise displayed, held or offered for sale by a store with the intention of depriving the merchant of the possession, use or benefit of the merchandise without paying the full retail value; to wit: **did carry away jewelry with an estimated value of \$1,000 from Reliable Pawn Shop, located at 33 West Liberty Street, Sumter, South Carolina; all in violation of §16-13-110 and §16-1-57 South Carolina Code of Laws, (1976, as amended).**

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

Solicitor



SPLTEN.DOT

COUNTY OF
STATE

Sumter

VS.

Lorenzo Ragin

AKA:

Race: Black Sex: M Age: 38

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 / Shoplifting, value \$2,000 or less

INDICTMENT/CASE#: 2016-GS-43-0068

A/W#: 2015A4320100513

Date of Offense: 2/10/2015

S.C. Code §: 16-13-0110(A)

CDR Code #: 2877

SENTENCE SHEET

☐ CONVICTED OF or ☒ PLEADS

in violation of § 16-13-0110(A) of the S.C. Code of Laws, bearing CDR Code # 0528

☒ NON-VIOLENT ☐ VIOLENT ☐ SERIOUS ☐ MOST SERIOUS ☐ Mandatory GPS(CSC w/minor 1st or Lewd Act) ☐ § 17-25-45The charge is: ☐ As Indicted, ☒ Lesser Included Offense, ☐ Defendant Waives Presentment to Grand Jury. (defendant's initials)The plea is: ☒ Without Negotiations or Recommendation, ☐ Negotiated Sentence, ☐ Recommendation by the State.

ATTEST:

Brown, Tyler

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 30 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 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. since Oct 28, 2015☐ 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 (Criminal Domestic Violence) to ship, transport, possess, or receive a firearm or ammunition.

SPECIAL CONDITIONS:

☐ RESTITUTION: ☐ Deferred ☐ Def. Waives Hearing ☐ Ordered

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

Payment Terms:

☐ Set by SCDPPPS

Recipient:

*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 \$ _____

Proviso 47.9 (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 \$ _____

Proviso 90.5 (SCJA Surcharge) \$5 \$ 5.003% to County (if paid in installments) \$ 3.90TOTAL \$ 133.90

Clerk of Court/ Deputy Clerk

Court Reporter:

SCCA/217 (03/2011)

PTUP

_____ days/hours Public Service Employment

Obtain GED ☐

Attend Voc. Rehab. or Job Corp. _____

May serve W/E beginning _____

Substance Abuse Counseling ☐Random Drug/Alcohol testing ☐

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Sentence Date:

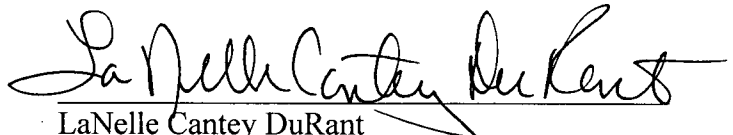
James C. Campbell
James B. RayHoward P. King
2167
2/11/16

CERTIFICATE OF COUNSEL FOR APPELLANT

Counsel for appellant certifies that this Record on Appeal contains all material proposed to be included by any of the parties and not any other material and that this Record on Appeal complies to the best of my ability with the April 15, 2014 order from the South Carolina Supreme Court entitled "Revised Order Concerning Personal Identifying Information and Other Sensitive Information in Appellate Court Filings."

Respectfully Submitted,

RECEIVED
OCT 04 2016
SC Court of Appeals


LaNelle Cantey DuRant
Appellate Defender

South Carolina Commission on Indigent Defense
Division of Appellate Defense
PO Box 11589
Columbia, S.C. 29211-1589

ATTORNEY FOR APPELLANT

This 4th day of October, 2016.

RECEIVED

OCT 04 2016

SC Court of Appeals

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

ORIGINAL

Appeal from Sumter County
Honorable Howard P. King, Circuit Court Judge

THE STATE,

RESPONDENT,

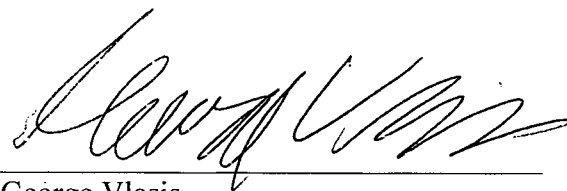
V.

LORENZO RAGIN,

APPELLANT

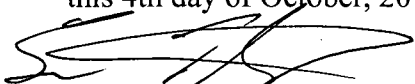
CERTIFICATE OF SERVICE

I certify that a copy of the Record on Appeal in the above-referenced case has been served upon Matthew Buchanan, Esquire, at the South Carolina Department of Probation, Parole & Pardon Services, PO Box 50666, Columbia, SC 29250, this 4th day of October, 2016.



George Vlasis
Administrative Specialist

SUBSCRIBED AND SWORN TO before me
this 4th day of October, 2016.



(L.S.)

Notary Public for South Carolina
My Commission Expires: October 30, 2022.