

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF CHARLESTON

STATE VS.

JOHN ANDREW BIGGS

AKA:
Race:
DOB:
Address:
City, State, Zip:
DL#

INDICTMENT/CASE#: 2016-GS-10-03454
A/W: 2015A1021001053
Date of Offense: 10/08/2015
S.C. Code §: 56-05-2910
CDR Code #: 3097

SENTENCE SHEET

*CDL Yes No CMV Yes No Hazmat Yes No

CONVICTED OF or PLEADS

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

TO: Reckless Homicide

In violation of § 56-05-2910 of the S.C. Code of Laws, bearing CDR Code # 3097

NON-VIOLENT VIOLENT SERIOUS MOST SERIOUS Mandatory GPS §17-25-45

The charge is: As indicted, Lesser Included Offense, Defendant Waives Presentment to Grand Jury.
The plea is: Without Negotiations or Recommendation, Negotiated Sentence, Recommendation by the State.

ATTEST:

Edward R. Corvey, III, Assistant Solicitor SC Bar # 101454 Defendant
Attorney for Defendant SC Bar # 100153

WHEREFORE, the Defendant is committed to the State Department of Corrections for a determinate term of 10 days/months/years or under the Youthful Offender Act not to exceed years and/or to pay a fine of \$; provided that upon the service of 36 days/months/years and or payment of \$; plus costs and assessments as applicable*; the balance is suspended with probation for 5 months/years and subject to South Carolina Department of Probation, Parole and Pardon Service standard conditions of probation, which are incorporated by reference.

CONCURRENT or CONSECUTIVE to sentence on:
The Defendant is to be given credit for time served pursuant to S.C. Code §24-13-40 to be calculated and applied by the State Department of Corrections. 432 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
Attend Voc. Rehab. Or Job Corp.
May serve W/E beginning

Table with columns for assessment type, amount, and total. Includes items like §14-1-206 (Assessments 107.5%), §14-1-211 (A)(1)(Conv. Surcharge) \$100.00, §14-1-211 (A)(2)(DUI Surcharge) \$100.00, §56-5-2995 (DUI Assessment) \$12, §56-1-286 (DUI Breath Test) \$25, Proviso 61.6 (Public Def/Prob) \$500, §14-1-212 (Law Enforce. Funding) \$25, §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: Probation Teller while in jail

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

Clerk of Court/Deputy Clerk: Christine Dawg
Court Reporter: Joyce Reuger

Presiding Judge:
Judge Code:
Sentence Date: 12/14/16

STATE OF SOUTH CAROLINA)

COUNTY OF CHARLESTON)

State of South Carolina)

v.)

John Andrew Biggs)

Defendant)

IN THE COURT OF GENERAL SESSIONS
NINTH JUDICIAL CIRCUIT

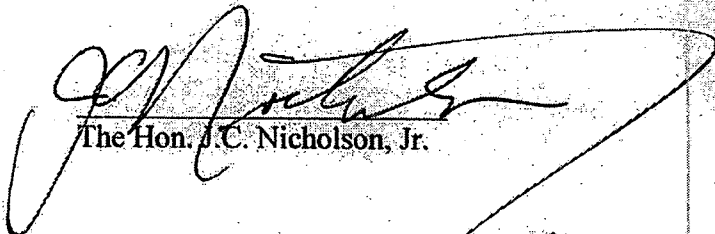
INDICTMENT #: 2016GS1003454

RECEIVED

FEB 02 2017

SC Court of Appeals

Defendant's Motion for a New Trial is respectfully denied.



The Hon. J.C. Nicholson, Jr.

January 5, 2017
Charleston, SC

BY _____

JULIE J. ARMSTRONG
CLERK OF COURT

2017 JAN -5 PM 4:01

FILED

STATE OF SOUTH CAROLINA)
)
COUNTY OF CHARLESTON)
)
State of South Carolina)
)
)
v.)
)
John Andrew Biggs)
)
)
Defendant)
_____)

IN THE COURT OF GENERAL SESSIONS
NINTH JUDICIAL CIRCUIT


INDICTMENT #: 2016GS1003454

VERDICT

1. ON THE CHARGE OF RECKLESS HOMICIDE:

WE THE JURY, ON THE CHARGE OF RECKLESS HOMICIDE, BY UNANIMOUS
CONSENT, FIND THE DEFENDANT JOHN ANDREW BIGGS:

 X GUILTY
 NOT GUILTY


Foreperson Joseph Terry

December 14, 2016

ARREST WARRANT

2015A1021001053

STATE OF SOUTH CAROLINA

County/ Municipality of

North Charleston

2015031519 THE STATE against

John Andrew Biggs

Address: [Redacted]

Phone: SSN: Sex: Race: Height: Weight:

DL State: DL #: DOB: Agency ORI #:

Prosecuting Agency: North Charleston Police Department

Prosecuting Officer: Anthony King #29690624

Offense: Reckless Homicide 56-5-2910

Code/Ordinance Sec: 56-5-2910

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.

Signature of Judge (L.S.)

Date:

RETURN

A copy of this arrest warrant was delivered to defendant JOHN ANDREW BIGGS on 11-18-15

Signature of Constable/Law Enforcement Officer

RETURN WARRANT TO:

North Charleston Municipal Court 2500 City Hall Lane North Charleston, SC 29406

STATE OF SOUTH CAROLINA County/ Municipality of North Charleston

AFFIDAVIT

Form Approved by S.C. Attorney General April 21, 2003 SCCA 518

Personally appeared before me the affiant Anthony King #29690624 being duly sworn deposes and says that defendant John Andrew Biggs did within this county and state on 10/08/2015 violate the criminal laws of the State of South Carolina (or ordinance of County/ Municipality of North Charleston) in the following particulars:

DESCRIPTION OF OFFENSE: Reckless Homicide 56-5-2910

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:

OCA 2015031519

See Attached Affidavit

DEH/ Charleston Co

RECEIVED NOV 17 2015 ORIGINAL

Signature of Affiant

STATE OF SOUTH CAROLINA County/ Municipality of North Charleston

Affiant's Address 2500 City Hall Lane North Charleston, SC 29405- Affiant's Telephone (843)554-5700

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 10/08/2015 defendant John Andrew Biggs did violate the criminal laws of the State of South Carolina (or ordinance of County/ Municipality of North Charleston) as set forth below:

DESCRIPTION OF OFFENSE: Reckless Homicide 56-5-2910

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 11/17/2015

Signature of Issuing Judge

Judge Code: 015 John L. Duff, III ORIGINAL

Judge's Address 2500 City Hall Lane North Charleston, SC 29406- Judge's Telephone (843)740-2601

Issuing Court: Magistrate Municipality Circuit

ERC/0310659
WITNESSES

DOCKET NO. 2016-GS-10-03454

North Charleston Police Department

The State of South Carolina
County of Charleston

AGENCY CASE NUMBER
2015-031519

COURT OF GENERAL SESSIONS
JUNE TERM 2016

ARREST WARRANT NUMBER
2015A1021001053

DATE OF ARREST

10/08/2015

THE STATE

ACTION OF GRAND JURY

VS.

TRUE BILL

JOHN ANDREW BIGGS
W/M DOB:

JUN 14 2016

Foreperson of Grand Jury

Date:

VERDICT

Guilty

Indictment for

RECKLESS HOMICIDE

SC Code: § 56-05-2910
CDR Code: 3097

Foreperson of Petit Jury

Date:

12/14/16

BAIL set by

WITNESSES

Judge Baldwin
on 11/19/15
Type and Amount: \$700,000
Name of Surety: _____

Name: _____
Address: _____
Telephone: _____

PRELIMINARY HEARING held by

Judge _____
on _____
Defendant Attorney: _____
Decision: _____

Name: _____
Address: _____
Telephone: _____
Name: _____
Address: _____
Telephone: _____

DISPOSITION before

Judge _____
on _____
by _____
(indicate jury trial, bench trial, plea, nol. pros., etc.)
Disposition: _____
Sentence: _____

Name: _____
Address: _____
Telephone: _____
Name: _____
Address: _____
Telephone: _____

JURORS

Name: _____
Address: _____
Telephone: _____
Name: _____
Address: _____
Telephone: _____

CODEFENDANTS

FILED
2015 NOV 25 AM 11:52
JULIE J. ARMSTRONG
CLERK OF COURT
BY _____

STATE OF SOUTH CAROLINA

AFFIDAVIT

COUNTY OF CHARLESTON
CITY OF NORTH CHARLESTON

Collision Inv. A. King
OCA# 2015-031519

ORIGINAL

Personally appeared before me, a magistrate of this County, Plt. Anthony J. King who first being duly sworn, deposes and says that

JOHN ANDREW BIGGS

did within this County and State on the 8th day of October, 2015 violate the criminal laws of the State of South Carolina in the following particulars:

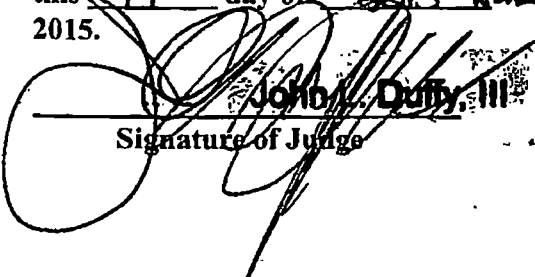
**DESCRIPTION OF OFFENSE
RECKLESS HOMICIDE
56-5-2910**

The affiant states 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:

On Thursday, October 8th, 2015 at approximately 3:58 am, while on Rivers Avenue/US Highway 52 and Eagle Landing Boulevard, located in the city of North Charleston, County of Charleston and the State of South Carolina the aforesaid, one **John Andrew Biggs**, did willfully and unlawfully commit the offense of **Reckless Homicide** in violation of Section 56-5-2910 of the South Carolina Code of Laws of 1976, as amended. In that the defendant was driving a 2005 Cheverolet Silverado 1500, tag (IN) TK224MQ, in a reckless disregard for the safety of others and was involved in a motor vehicle collision with another occupied motor vehicle that fatally injured the other driver.

Facts to establish the aforesaid are that on Thursday, October 8th, 2015 the defendant, one **John Andrew Biggs**, did within the city of North Charleston, County of Charleston, State of South Carolina, willfully and unlawfully commit the crime of Reckless Homicide in that the defendant was traveling at twice the posted speed limit, at night, and was in a business area with a lot of cross traffic. The investigation revealed that the defendant was driving at 98-99 miles per hour in a posted 45 miles per hour section of Rivers Ave/US Highway 52. The defendant then drove into a rear of a 2014 Ford Mustang, never slowing or braking. The Mustang, tag (SC) KTZ297, was stopped on a red light at the intersection with Eagle Landing Boulevard. The defendant struck the other vehicle with such force that it pushed it over 200 feet to the other side of the intersection and caused the Mustang to burst into flames. The other driver was entrapped within his burning Mustang. The collision resulted in the death of the other driver, one Calvin Lavert Walker (victim). The victim died at the scene. Collision Investigators A. King, M. Woodall, B. Molina, and P. Kirkland are witnesses to prove the same. All of which is against the law, peace and dignity of the State of South Carolina.

Sworn to and Subscribed before me ~~fee~~
this 17 day of 2015 ~~November~~
2015.


Signature of Judge


(AFFIANT)

Address: 2500 City Hall Lane
North Charleston SC, 29406
Phone: 843-554-5700