

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

\_\_\_\_\_  
Appeal from Spartanburg County

Honorable R. Keith Kelly, Circuit Court Judge  
\_\_\_\_\_

THE STATE,

RESPONDENT,

V.

CATHY DAWN SKATES,

APPELLANT

APPELLATE CASE NO 2016-001552  
\_\_\_\_\_

RECORD ON APPEAL  
\_\_\_\_\_

TAYLOR D GILLIAM  
Appellate Defender

South Carolina Commission on Indigent  
Defense  
Division of Appellate Defense  
PO Box 11589  
Columbia, SC 29211-1589  
(803) 734-1330

ATTORNEY FOR APPELLANT

MATTHEW BUCHANAN  
General Counsel

South Carolina Department of  
Probation, Parole & Pardon Services  
PO Box 50666  
Columbia, SC 29250  
(803) 734-9220

ATTORNEY FOR RESPONDENT

**ORIGINAL**  
**RECEIVED**  
MAR 01 2017  
SC Court of Appeals

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STATE OF SOUTH CAROLINA	)	
	)	IN THE COURT OF GENERAL SESSIONS
COUNTY OF SPARTANBURG	)	
The State,	)	
	)	TRANSCRIPT OF RECORD
-vs-	)	Warrant 42-16-0277
	)	
Cathy Dawn Skates,	)	
	)	July 15, 2016
Defendant.	)	Spartanburg, South Carolina

B E F O R E:

HONORABLE R. KEITH KELLY, JUDGE

A P P E A R A N C E S:

AGENT WITT  
Department of Probation, Parole and Pardon Services

MARY STUART SHEALY, ESQUIRE  
Attorney for the Defendant

Margaret A. Woods  
Circuit Court Reporter

**ORIGINAL**

1 THE CLERK: Ma'am, if you'll raise your right hand.

2 CATHY DAWN SKATES, having been  
3 first duly sworn, testified as follows:

4 THE COURT: Ma'am, you are, uh, Cathy Skates?

5 THE DEFENDANT: Yes, sir.

6 THE COURT: Ms. Skates, you're in custody, have you had a  
7 chance to go over this 1106 with your lawyer?

8 THE DEFENDANT: Yes, sir.

9 THE COURT: Okay, is it true what they say?

10 THE DEFENDANT: Yes, sir.

11 THE COURT: Court finds that she admits the violation.

12 Uh, Ms. Shealy, she's got a bad drug problem.

13 MS. SHEALY: Um, it -- she did and I I I do have some  
14 stuff to explain.

15 THE COURT: Okay.

16 MS. SHEALY: Uh, if -- you you see you actually did  
17 sentence her back in 2013 and it was 7 years suspended to  
18 probation for 5 years and hold for inpatient treatment. Uh,  
19 she actually did complete that inpatient treatment at Morris  
20 Village in 2013, uh, and then she did have I believe a a few  
21 more issues within the probation so they sent her to SADAC and  
22 she did complete SADAC November of 2015 so pretty recently.

23 Uh, as you can see Ms. Skates is pregnant, uh, she is due  
24 in August and she also has a 1-year 3-month-old, uh, so she  
25 has a lot going on right now. Uh, she has the DSS case and,

1 uh, she has to have a protector for her children and, uh, this  
2 last one fell through right before she was coming in to get  
3 the GPS monitoring on. She was supposed to come in on the day  
4 after her, uh, uh, administrative hearing and she failed to do  
5 that because that fell through and so she was hustling to get  
6 someone to be able to take care of that 1-year 3-month-old and  
7 herself. She actually did show up herself to get the GPS  
8 monitor on and I believe it's still on or they took it off  
9 when she got -- it's still on his -- her leg right now. Uh,  
10 she showed up to the probation office herself on 5/18, uh, the  
11 place that she was in touch with is called the Chrystalis  
12 Center which would take, uh, herself and her young child and  
13 allow her to have the baby there and it's a place where she  
14 lives, it's clean-living and there are not many, uh, rehab  
15 places around the county that take, uh, mothers and babies and  
16 allow the children to come with her. When she was talking to  
17 the center, uh, they said they take addicts into the place and  
18 apparently she has had, uh, clean drug screens, uh, up until  
19 this point and they said they only take people with, uh,  
20 positive drugs screens so she said she did use once and when  
21 she showed up to probation she told them she was gonna test  
22 positive, it was, uh, in hopes of getting into this Chrystalis  
23 Center. Um, I also told her about another, uh, program called  
24 Serenity Place in Greenville that takes, uh, pregnant women  
25 and there actual small children I believe up to, uh, 7 or

1 8-years-old.

2 She has done, uh, so far what she is supposed to do on  
3 probation. I understand she got arrested for shoplifting, uh,  
4 she tells me that that was a hand of one charge that, uh, I I  
5 don't know anything about that shoplifting, it's not my charge  
6 but, uh, she says that she did not do any shoplifting but, uh,  
7 she is saying that she has done everything for DSS that she  
8 was supposed to do, uh, she has completed SADAC, she has  
9 completed inpatient, uh, and she is basically begging to get  
10 into one of these centers that would take her child and her  
11 newborn and keep her clean. Uh, I don't know if Your Honor  
12 can, uh, send her to one a these that there's basically it --  
13 I only know of one which was Serenity Place and now she's told  
14 me of a second one and I don't know probation can help get her  
15 into one a these centers but I I think it's what she needs at  
16 this point.

17 THE COURT: Ma'am, anything you'd like to say?

18 THE DEFENDANT: Yes, sir. Uh, I realize decisions I've  
19 made to falsify that drug screen was stupid. I have  
20 maintained since my daughter was born, been clean and and the  
21 most terrifyin' thing in this world is havin' children took  
22 from me 'cause it's all I have. I just wanna maintain a clean  
23 lifestyle and keep my children, if you give me that chance,  
24 Your Honor, I swear you will never see my face again.

25 THE COURT: Well, ma'am, the problem you got with that is

1 that's exactly what you've told me.

2 AGENT WITT: Your Honor, the State would like to present  
3 a couple things at the appropriate time.

4 THE COURT: Yes, ma'am.

5 AGENT WITT: Uh, while Ms. Skates' testimony today sounds  
6 somewhat believable, it's not. Since the beginning a  
7 probation she was ordered to comply with DSS, all conditions  
8 of DSS due to bein' found guilty of a new charge, she failed  
9 to do so actually by removing her daughter from the caregiver  
10 or the protector without permission, ---

11 THE COURT: Okay.

12 AGENT WITT: --- that's why she recently got a, uh,  
13 arrested for the neglect of a child. She doesn't have custody  
14 a that 1-year-old, she's not supposed to remove it from the  
15 home without DSS permission. She did, she got arrested for  
16 that so caring for that 1-year-old is not an obligation for  
17 her at this point in time.

18 She does have several charges pending: she's got an  
19 attempted murder pending, she's got the unlawful neglect that  
20 we just talked about and she's got the shoplifting which  
21 occurred with her and her mother that were there shoplifting,  
22 I don't know the details of who actually was shoplifting but  
23 it was her and her mother and then of course she tested  
24 positive at six months pregnant with this child knowing that  
25 she had an open DSS case for the 1-year-old so this point in

1 time, you know, she's so concerned about gettin' the  
2 1-year-old back, testing positive with the new baby is  
3 definitely not gonna be her best case scenario, she does now  
4 have an open DSS case for the new baby as well, Your Honor.

5 THE COURT: Okay. Anything further?

6 (No response.)

7 THE COURT: Ma'am, you're revoked in full, best a luck to  
8 ya.

9 AGENT WITT: Thank Your Honor.

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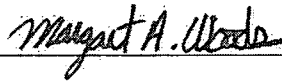
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## CERTIFICATE OF REPORTER

I, Margaret A. Woods, Court Reporter in and for the State of South Carolina at Large, hereby certify that I reported the preceding case on July 15, 2016 at the time and place heretofore set forth; and that the foregoing pages numbered from 2 through 6, inclusive, constitute a true and accurate transcription of my stenographic notes of the said proceeding.

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

August 24, 2016



Margaret A. Woods, Court Reporter  
in and for the State of South Carolina at Large.

Form 16.1-Arrest Warrant  
Form Approved by  
SC Attorney General  
Section 17-13-150  
March 16, 1978

**STATE OF SOUTH CAROLINA**  
COUNTY OF SPARTANBURG

Probation  
**ARREST WARRANT**

Indictment Number 12-GS-11-01239

Warrant Number W-42-16-0277

State Identification No. (SID) 01998531

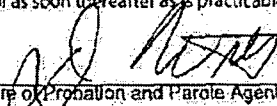
TO ANY LAW ENFORCEMENT OFFICER OF THIS STATE OR COUNTY OR OF THE MUNICIPALITY OF SPARTANBURG, AND ANY CONSTABLE OF THIS MAGISTERIAL DISTRICT:

It appearing from the attached affidavit that there are reasonable grounds to believe that CATHY DAWN SKATES, did on the 18 day of May, 2016 violate the criminal laws of the State of South Carolina as set forth below:

**DESCRIPTION OF OFFENSE:**

The offender violated conditions 1, 2, 3, 5, 6, 7 and 10 of cause number 2012-GS-11-01239 as ordered in the Cherokee County Court of General Sessions by the Honorable Judge Kelly on 11-14-13.

Now, therefore, you are empowered and directed to arrest the said defendant and bring CATHY DAWN SKATES 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 SPARTANBURG, S. C. this 18 day of May, 2016.

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

County of SPARTANBURG

**STATE OF SOUTH CAROLINA**

**AFFIDAVIT**

Personally appeared before me, one Donald P Witt, who, first being duly sworn, deposes and says that CATHY DAWN SKATES did within this County and State on the 18 day of May, 2016, violate the criminal laws of the State of South Carolina in the following particulars:

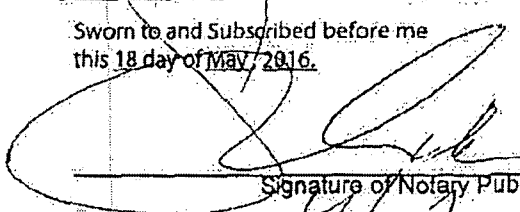
**DESCRIPTION OF OFFENSE:**

The offender violated conditions 1, 2, 3, 5, 6, 7 and 10 of cause number 2012-GS-11-01239 as ordered in the Cherokee County Court of General Sessions by the Honorable Judge Kelly on 11-14-13.

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:

The offender was ordered to be placed on GPS monitoring at an Administrative Hearing. However, the offender did not report to have the equipment installed. The offender changed her address and did not notify the Probation Agent, thereby absconding supervision. A home visit was completed to the offender's reported address on 5-17-16 where it was discovered that the offender had not resided there for several weeks. The offender tested positive for methamphetamine on 5/18/16 and also admitted to using yesterday and the offender is six months pregnant. The offender is not lawfully employed. The offender and her mother were arrested on 5-15-16 for shoplifting, but did not notify her Agent of the arrest. The offender has not paid her Supervision Fee being \$150 in arrears. The offender has not followed the directions of her Probation Agent.

Sworn to and Subscribed before me  
this 18 day of May, 2016.

 (L.S.)  
Signature of Notary Public  
11/1/2024  
My Commission Expires

  
Affiant

Address: 180 LIBRARY STREET  
SPARTANBURG, SC 29306  
SPARTANBURG  
USA

(864) 596-2562

RETURN

STATE OF SOUTH CAROLINA

COUNTY OF

SPARTANBURG

THE STATE  
against

CATHY DAWN SKATES

INFORMATION ON DEFENDANT

Name: CATHY DAWN SKATES

Address: [REDACTED]

Phone: [REDACTED]

Sex: Female Race: White Height: 504

Weight: 130 Birth date: [REDACTED]

Social Security Number: [REDACTED]

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 \_\_\_\_\_

Constable or Law Enforcement Officer

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

*Cathy Dawn Skates*

ARREST WARRANT

Offense: Violation of Conditions of Probation Supervision

Offense Section: 24-21-450

Date: 5/18/2016

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

Donald P Witt

on the 18<sup>th</sup> day of May 2016

*[Signature]*  
Constable or Law Enforcement Officer

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

Disposition \_\_\_\_\_

Sentence \_\_\_\_\_

Co-Defendants \_\_\_\_\_

Signature of Judge

(L.S.)

PROBATION CITATION

No. C-42-16-0158

SOUTH CAROLINA V. CATHY DAWN SKATES	COUNTY: SPARTANBURG	
	SCDC #	SID # 01998531

TO: CATHY DAWN SKATES

YOU ARE HEREBY NOTIFIED to appear in the above named case at the time, date and place specified below.

Place	Room
	Date and Time


YOU ARE HEREBY NOTIFIED that you are charged with violating the conditions of your supervision as stated below.

**Violations Charged**  
By violating conditions 1, 4, 5, 6, 7 and 10 of cause number 2012-GS-11-01239 as ordered in the Cherokee County Court of General Sessions by the Honorable Judge R. Keith Kelly on 11-14-13.

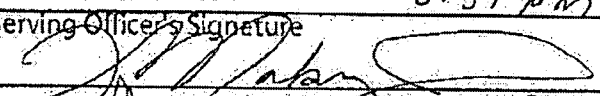
YOU ARE HEREBY NOTIFIED that you have the rights listed below.

**List of Rights:**  
You have the right at the hearing to question any person who appears as a witness against you and to have witnesses appear on your behalf. You may present evidence on your behalf. You may have an attorney represent you. If you cannot afford an attorney, an attorney will be appointed for you. You must advise the agent or the court in writing of your desire for an attorney. It is your responsibility to make arrangements for your witnesses and your attorney to appear at the hearing.

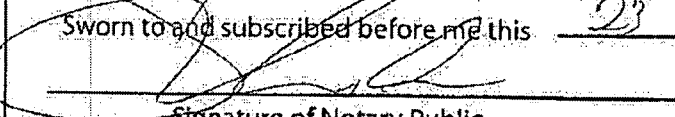
IF YOU FAIL TO APPEAR AT THE TIME, DATE AND PLACE SHOWN ABOVE, THE HEARING WILL BE HELD IN YOUR ABSENCE AND YOU MAY BE INCARCERATED.

SPARTANBURG, South Carolina	Probation and Parole Agent Donald P Witt	Agent # 0624
Date 3/23/2016		

A copy of the citation was served by the undersigned and given to the individual named therein at the time, date, and place indicated below.

Place	Date and Time 3-23-16 3:39 PM
	Serving Officer's Signature 

Sworn to and subscribed before me this 23 day of March 2016

  
Signature of Notary Public

My Commission Expires 4/16/2014

STATE OF SOUTH CAROLINA

AFFIDAVIT

County of SPARTANBURG

Personally appeared before me, Donald P. Witt, who first being duly sworn, deposes and says that CATHY DAWN SKATES did within this county and State on the 23 day of March, 2016, violate certain conditions of release in the following particulars:

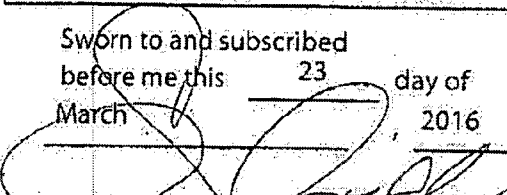
DESCRIPTION OF VIOLATION

By violating conditions 1, 4, 5, 6, 7 and 10 of cause number 2012-GS-11-01239 as ordered in the Cherokee County Court of General Sessions by the Honorable Judge R. Keith Kelly on 11-14-13;

The Affiant states that there is probable cause to believe the defendant named committed the violations set forth and that such probable cause is based on the following facts:

Offender failed to report on 1-27-16, 2-3-16, 2-10-16, 2-24-16 and 3-2-16. Offender failed to refrain from the possession of a dangerous weapon, in that subject was in possession of a folding knife on 3-16-16, when she allegedly ran towards another female intent on stabbing her and ultimately threw the knife at her. Offender was at the home of Michael William Collins, a person currently on Probation. Offender has failed to work at lawful employment. Offender failed to report contact with law enforcement on 3-16-16. There is probable cause to believe that the subject did commit the crime of Housebreaking, Possession of a Weapon During a Violent Crime, Assault and Battery, and Malicious Injury to Personal Property as referenced in Cowpens Police Department Incident Report #03049416 dated 3-16-16. Offender has failed to pay her Supervision Fee. Failure to follow the advice and instructions of the Probation Agent.

Sworn to and subscribed  
before me this 23 day of  
March, 2016

  
\_\_\_\_\_  
Signature of Notary Public

  
\_\_\_\_\_  
Affiant

My Commission Expires: 4/15/2024

Indictment Number:

2012-65 ~~4~~ 1239

PROBATION CITATION

No. CC-42-16-0608

SOUTH CAROLINA		COUNTY:	
v. Cathy Dawn Sketes		Spartanburg	
		SCDC #	SID #
TO:			1998531

YOU ARE HEREBY NOTIFIED to appear in the above named case at the time, date and place specified below.

Place:	Room	
Spartanburg County Courthouse	Date and Time	

YOU ARE HEREBY NOTIFIED that you are charged with violating the conditions of your supervision as stated below.

Violations Charged

The defendant has violated conditions of supervision by violating the laws of South Carolina as evidenced by the defendant's conviction in Cause Numbers 2015-65-92-1803

YOU ARE HEREBY NOTIFIED that you have the rights listed below.

List of Rights:

You have the right at the hearing to question any person who appears as a witness against you and to have witnesses appear in your behalf. You may present evidence on your behalf. You may have an attorney represent you. If you cannot afford an attorney, an attorney will be appointed for you. You must advise the agent or the court in writing of your desire for an attorney. It is your responsibility to make arrangements for your witnesses and your attorney to appear at the hearing.

IF YOU FAIL TO APPEAR AT THE TIME, DATE AND PLACE SHOWN ABOVE, THE HEARING WILL BE HELD IN YOUR ABSENCE AND YOU MAY BE INCARCERATED.

Spartanburg, South Carolina	Probation and Parole Agent
Date <u>1-26-2016</u>	<u>Andrea Manigan</u> Agent # 116

A copy of the citation was served by the undersigned and given to the individual named therein at the time, date, and place indicated below.

Place	Date and Time
Spartanburg County	<u>1-26-2016 @ 4:15 PM</u>
Sworn to and subscribed before me this <u>26</u> day of <u>January</u> , 2016	Serving Officer's Signature
<u>Kimberly McKinney</u> Signature of Notary Public	<u>[Signature]</u>
	My Commission Expires <u>2/21/2017</u>

STATE OF SOUTH CAROLINA

AFFIDAVIT

County of Spartanburg

Personally appeared before me, Andrea Manigan, who first being duly sworn, deposes and says that Cathy Dawn Skates did within this County and State on the 26 day of January, 2016, violate certain conditions of release in the following particulars:

DESCRIPTION OF VIOLATION

Willful failure to comply with Federal, State or Local Laws which is contrary to probation conditions.

The Affiant states that there is probable cause to believe the defendant named committed the violations set forth and that such probable cause is based on the following facts:

The defendant was convicted of the crime set forth in the conviction and sentence set forth in Cause Numbers 2015-65-42-1803

Sworn to and subscribed

before me this 26 day of January, 2016

Kimberly McKunney  
Signature of Notary Public

My Commission Expires: 2/21/2017

Andrea Manigan  
Affiant  
Andrea Manigan

STATE OF SOUTH CAROLINA

IN THE COURT GENERAL SESSIONS

County of SPARTANBURG  
STATE VS.

Indictment Number: 2012-GS-11-01239  
Probation C/W#s: W-42-16-0277

AKA: Cathy Dawn Smith  
Race: [REDACTED] Sex: [REDACTED]  
DOB: [REDACTED]  
SSN: [REDACTED]  
SID#: [REDACTED]

Name of Original Offense: MARF Meth  
Original A/W#: 2012 A110200065  
Date of Original Offense: 9-29-12  
Conviction S.C. Code #: 44-52-0275  
Conviction CDR Code #: 311917  
Original Sentence: 2 YR INF + 5 YR Probation

ORDER PROBATION

The above named defendant has been charged with violating the conditions of probation ordered on 11/14/13 in the Court of General Sessions of CHARLEE County, and/or the additional conditions ordered by the Court in probation continuation order(s) issued on 1-26-16 + 4-29-16, as set forth in the attached warrant(s) or citation(s) dated MAY 18 2016. 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, 5, 6, 7, 10

Therefore, IT IS ORDERED that:

the suspended sentence be revoked and the above named defendant be required to serve 7 months/years, the remainder of the original sentence, and/or pay \$ \_\_\_\_\_.

the suspended sentence be revoked and the above named defendant be required to serve \_\_\_\_\_ months/years of the original sentence and/or pay \$ \_\_\_\_\_; thereupon to be reinstated on probation, subject to the conditions set forth in the attached order and not inconsistent with this order.

the above named defendant is continued on probation as provided for in the original sentence, subject to the conditions set forth therein and not inconsistent with this order.

probation is reduced to time served under supervision and the defendant is discharged from supervision on this date.

the above named defendant is placed on active electronic monitoring pursuant to §23-3-540. (mandatory if convicted of first degree criminal sexual conduct with a minor or lewd act, discretionary if convicted of any other applicable sex offense against a minor).

Financial Obligations: Order satisfies:  Department fees (arrearage)  Fines and other fees (arrearage/balance)  Restitution (and 20%) (arrearage/balance) Civil judgment:  Department fees  Fines and other fees  Restitution (and 20%)

Additional Conditions ordered by the Court:  
Terminate Probation

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 41 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 15 day of July, 2016,  
SPARTANBURG SC H. R. Keith Kelly Presiding Judge 5th 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 \_\_\_\_\_ Witnessed by \_\_\_\_\_

Signed this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, at \_\_\_\_\_ SC

STATE OF SOUTH CAROLINA )

COUNTY OF Cherokee )

STATE VS. )

Cathy Dawn Skates )

AKA: )

Race: WHITE Sex: F Age: 23 )

IN THE COURT OF GENERAL SESSIONS

INDICTMENT/CASE#: 2012GSI101239

A/W#: 2012A1110200065

Date of Offense: 9/29/2012

S.C. Code §: 44-53-0375

CDR Code #: 3198

SENTENCE SHEET

\*CDL Yes  No  CMV Yes  No  Hazmat Yes  No

In disposition of the said indictment comes now the Defendant who was TO: Man. Meth 1st (0-15 yrs)

CONVICTED OF or  PLEADS

in violation of § 44-53-0375 of the S.C. Code of Laws, bearing CDR Code # 3198

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. (defendant's initials)

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

ATTEST: Mendall, Matt SC Bar# 77713 Defendant Cathy Skates Attorney for Defendant M. J. [Signature] SC Bar# 68596

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

for a determinate term of 7 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 <sup>sentence</sup> balance is suspended with probation for 5 years

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)	\$130
§ 50-21-114 (BUI Breath Test Fee)	\$50
§ 56-5-2942(J) (Vehicle Assessment)	\$40/ea
Proviso 90.5 (SCCJA Surcharge)	\$5
3% to County (if paid in installments)	\$ 8.40
TOTAL	\$ 288.40

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: Hold for inpatient drug treatment as guided by Defendant.

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

Clerk of Court/ Deputy Clerk Brenda L. [Signature]

Court Reporter: Maggie [Signature]

SCCA/217 (03/2011)

Presiding Judge A. Keith Kelly

Judge Code: 2105

Sentence Date: 11/14/13

## 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,



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Taylor D Gilliam  
Appellate Defender

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

ATTORNEY FOR APPELLANT

This 1<sup>st</sup> day of March, 2017.

**RECEIVED**

MAR 01 2017

**SC Court of Appeals**

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

**ORIGINAL**  
**RECEIVED**

\_\_\_\_\_  
Appeal from Spartanburg County  
Honorable R. Keith Kelly, Circuit Court Judge  
\_\_\_\_\_

MAR 01 2017  
SC Court of Appeals

THE STATE,

RESPONDENT,

V.

CATHY DAWN SKATES,

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 This 1<sup>st</sup> day of March, 2017.



George Vlasis  
Administrative Specialist

SUBSCRIBED AND SWORN TO before me  
this This 1<sup>st</sup> day of March, 2017.

  
\_\_\_\_\_  
(L.S.)  
Notary Public for South Carolina

My Commission Expires 5/12/2025.