

COUNTY OF YORK STATE VS.

ERNST BORCHERT, V

AKA: Ernst V Borchert V, Ernst Borchert V
Race: White Sex: M Age: 32
DOB: SS#:
Address:
City, State, Zip:
DL# SID#

INDICTMENT/CASE#: 2016GS4604468
A/W: 2016A4610201559
Date of Offense: 07/08/2016
S.C. Code §: 16-25-0020(A)
CDR Code #: 3811

RECEIVED
MAR 29 2017

SENTENCE SHEET SC Court of Appeals

\*CDL Yes No CMV Yes No Hazmat Yes No
In disposition of the said indictment comes now the Defendant who was
TO: Domestic Violence, 3rd Degree
In violation of § 16-25-20(D) of the S.C. Code of Laws, bearing CDR Code # 3813

CONVICTED OF or PLEADS

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

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

ATTEST:
Leslie D. Robinson, Assistant Solicitor SC Bar # 80151
Defendant
Attorney for Defendant SC Bar # 102359

WHEREFORE, the Defendant is committed to the State Department of Corrections County Detention Center,
for a determinate term of 90 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 6
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. 1 day
The Defendant is to be placed on Central Registry of Child Abuse and Neglect pursuant to S.C. Code §17-25-135.

Pursuant to 18 U.S.C. Section 922, it is unlawful for a person convicted of a violation of Section 16-25-20 or 16-25-65 (Domestic
Violence) to ship, transport, possess, or receive a firearm or ammunition.

SPECIAL CONDITIONS:

RESTITUTION: Deferred Def. Waives Hearing Ordered PTUP
Total: \$ plus 20% fee: \$ days/hours Public Service Employment
Payment Terms: Obtain GED

Set by SCDPPPS Attend Voc. Rehab. Or Job Corp.
May serve W/E beginning

Recipient: Substance Abuse Counseling
\*Fine: \$ Random Drug/Alcohol Testing

Table with 3 columns: Code, Amount, Total. Rows include §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 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) \$, TOTAL \$625

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

Other: Butler's Counsel

DAVID HAMILTON
C.C.P. & C.S.
YORK COUNTY, SC

Appointed PD or appointed other counsel,
Proviso: \$1000 requires \$500 be paid to Clerk
during probation and shall be collected before
any other fees.

Clerk of Court/Deputy Clerk: David Hamilton
Court Reporter: Wanda Nelson
SCCA/217 (07/2016)

Presiding Judge:
Judge Bar ID: 12867 Judge Code: 2049
Sentence Date: 03/16/2017

ARREST WARRANT

2016A4610201559

STATE OF SOUTH CAROLINA

[X] County/ [ ] Municipality of

York

THE STATE against

Ernst V Borchert

Address: [REDACTED]

Phone: [REDACTED] SSN: [REDACTED]

Sex: M Race: [REDACTED] Height: 5 8 Weight: 260

DL State: SC DL #: [REDACTED]

DOB: 6/28/1984 Agency ORI #: SC0460000

Prosecuting Agency: York County Sheriff

Prosecuting Officer: W. Kelly - K3988

Offense: Domestic / Domestic Violence, 1st degree

Offense Code: 3811

Code/Ordinance Sec: 16-25-0020(A)

This warrant is CERTIFIED FOR SERVICE in the [ ] County/ [ ] Municipality of

The accused is to be arrested and brought before me to be dealt with according to the law.

Date: [REDACTED] (L.S.)

Signature of Judge: [REDACTED]

A copy of this arrest warrant was delivered to defendant Ernst V Borchert on 7-21-16

Signature of Constable/Law Enforcement Officer: [REDACTED]

RETURN WARRANT TO:

York County General Sessions
1675 York Hwy
York, SC 29745

ORIGINAL

ORIGINAL

STATE OF SOUTH CAROLINA

[X] County/ [ ] Municipality of

York

Personally appeared before me the affiant W. Kelly

being duly sworn deposes and says that defendant Ernst V Borchert

did within this county and state on or about 7/8/2016

State of South Carolina (or ordinance of [X] County/ [ ] Municipality of York

in the following particulars:

DESCRIPTION OF OFFENSE: Domestic / Domestic Violence, 1st degree

I further state that there is probable cause to believe that the defendant named above did commit the crime set forth and that probable cause is based on the following facts:

That on July 8, 2016, in the county of York, one Ernst V. Borchert did commit Domestic Violence upon Leonard Wilson, the victim, with whom he is lawfully married, by intentionally driving a motor vehicle at a high rate of speed into the motor vehicle occupied by Leonard Wilson. The defendant attempted to injure the victim and had the ability to do so and the act was accomplished by means likely to produce death or great bodily injury. This occurred at the traffic circle on Stepping Stone Drive, Fort Mill, SC. The defendant and victim were co-habiting at the time of this incident. Probable cause based on a police investigation, including victim statement, witness statement and digital images of the victim's motor vehicle. REPORT#201600024925

Signature of Affiant

STATE OF SOUTH CAROLINA

[X] County/ [ ] Municipality of

York

Affiant's Address 1675 2-A York Hwy

York, SC 29745-

Affiant's Telephone (803)628-3059

ARREST WARRANT

TO ANY LAW ENFORCEMENT OFFICER OF THIS STATE OR MUNICIPALITY OR ANY CONSTABLE OF THIS COUNTY:

It appearing from the above affidavit that there are reasonable grounds to believe that

on or about 7/8/2016 defendant Ernst V Borchert

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

[X] County/ [ ] Municipality of York as set forth below:

DESCRIPTION OF OFFENSE: Domestic / Domestic Violence, 1st degree

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 7/19/2016

Signature of Issuing Judge: [REDACTED]

Leon E. Yard

Judge Code: 5945

Judge's Address Moss Justice Center

York, SC 29745-7423

Judge's Telephone (803)628-3029

Issuing Court: [X] Magistrate [ ] Municipal [ ] Circuit

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OFFICE OF THE STATE
DEFENTION DIVISION
YORK, SOUTH CAROLINA
2016 JUL 22 AM

JUL 20 2016
Form Approved by
S.C. Attorney General
April 21, 2003
SCCA 518

AFFIDAVIT

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DAVID HAMILTON
G.C.C.P. & G.S.
YORK COUNTY, SC

BAIL set by

WITNESSES



Judge \_\_\_\_\_

on \_\_\_\_\_

Type and Amount: \_\_\_\_\_

Name of Surety: \_\_\_\_\_

**PRELIMINARY HEARING held by**

Judge \_\_\_\_\_

on \_\_\_\_\_

Defendant Attorney: \_\_\_\_\_

Decision: \_\_\_\_\_

**DISPOSITION before**

Judge \_\_\_\_\_

on \_\_\_\_\_

by \_\_\_\_\_

(indicate jury trial, bench trial, plea, nol. pros., etc.)

Disposition: \_\_\_\_\_

Sentence: \_\_\_\_\_

**JURORS**

\_\_\_\_\_

\_\_\_\_\_

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Name: \_\_\_\_\_

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**CODEFENDANTS**

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