

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

RECEIVED

JUN 27 2017

SC Court of Appeals

APPEAL FROM THE ADMINSTRATIVE LAW COURT

The Honorable Deborah Brooks Durden, Judge

Appellate Case No. 2016-002499

Quentin Holt (#268198)Appellant,

v.

South Carolina Department of Probation, Pardon and Parole Services... Respondent.

AMENDED RECORD ON APPEAL

Elizabeth A. Franklin-Best
Blume Franklin-Best & Young, LLC
900 Elmwood Avenue, Suite 200
Columbia, South Carolina 29201
(803) 765-1044
Attorney for Appellant

Tommy Evans, Jr.
Assistant General Counsel
SC DPPP
P.O. Box 50666
Columbia, South Carolina 29250
(803) 734-9220
Attorney for Respondent

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**STATE OF SOUTH CAROLINA
ADMINISTRATIVE LAW COURT**

Quentin Holt, #268198,

Appellant,

vs.

South Carolina Department of Probation,
Parole and Pardon Services,

Respondent.

Docket No.: 16-ALJ-15-0033-AP

ORDER

STATEMENT OF THE CASE

This matter is before the Administrative Law Court (ALC or court) pursuant to the appeal of Quentin Holt (Appellant), an inmate incarcerated with the South Carolina Department of Corrections. On June 20, 2016, the South Carolina Department of Probation, Parole and Pardon Services (Department) issued a final decision letter determining that the Appellant is ineligible for parole based upon his prior drug convictions. On August 8, 2016, Appellant filed a Notice of Appeal with this court challenging the Department's decision. Upon careful consideration of the record on appeal and briefs of the parties, the Department's decision is affirmed.

BACKGROUND

The Department determined that Appellant is ineligible for parole based upon his prior convictions. The Appellant is currently serving two concurrent sentences of twenty-five years, pursuant to South Carolina Code Section 44-53-375(B)(3), for "PWID/Dist/Mfg Cocaine Base or Meth, 3rd Offense." He was sentenced on September 22, 2010. Prior to these convictions, the Appellant was convicted of Possession of Powder Cocaine, 2nd Offense, pursuant to Section 44-53-370(d)(3), on December 20, 2007. He also pled guilty to Drugs / MDP, Narcotic drugs in Sch. I(b) & (c), LSD, and Sched. II, 1st offense, pursuant to Section 44-53-370(b)(1), on July 24, 2000.

ISSUE ON APPEAL

Whether the Department erred in determining that Appellant is ineligible for parole because of his prior drug offenses.

FILED

DEC 08 2016

SC ADMIN. LAW COURT

STANDARD OF REVIEW

The court's jurisdiction to hear this matter is derived from the South Carolina Supreme Court decisions in Al-Shabazz v. State, 338 S.C. 354, 527 S.E.2d 742 (2000) (establishing an administrative review process for inmate appeals), and Furtick v. S.C. Dept. of Prob., Parole & Pardon Servs., 352 S.C. 594, 576 S.E.2d 146 (2003) (incorporating final decisions of the Department into that review process). The Al-Shabazz decision explained that "procedural due process is guaranteed when an inmate is deprived of an interest encompassed by the Fourteenth Amendment's protection of liberty and property." Wicker v. S.C. Dept. of Corrs., 360 S.C. 421, 424, 602 S.E.2d 56, 58 (2004) (citation omitted). Because being granted parole is a privilege and not a right, the routine denial of parole does not implicate such a liberty interest; however, the denial of eligibility for parole does involve such a liberty interest, and thus is a matter properly before the ALC for review. See James v. S.C. Dept. of Prob., Parole & Pardon Servs., 376 S.C. 392, 395-96, 656 S.E.2d 399, 401-02 (Ct. App. 2008); see also Sullivan v. S.C. Dept. of Corrs., 355 S.C. 437, 443, 586 S.E.2d 124, 127 (2003).

When reviewing a decision of the Department, the ALC sits in an appellate capacity. See Furtick, 352 S.C. at 599, 576 S.E.2d at 149; Al-Shabazz, 338 S.C. at 377, 527 S.E.2d at 754. Under the appellate standard of the Administrative Procedures Act, the court's review is limited to the record. S.C. Code Ann. § 1-23-380(4) (Supp. 2016). The court may modify or reverse the decision of the agency when substantial rights of the appellant have been prejudiced. S.C. Code Ann. § 1-23-380(5) (Supp. 2016). Substantial rights of the appellant are prejudiced when the agency's decision, including the agency's findings, inferences, and conclusions, are in violation of constitutional or statutory provisions; in excess of the statutory authority of the agency; made upon unlawful procedure; affected by other error of law; clearly erroneous in view of the reliable, probative, and substantial evidence on the whole record; or arbitrary or capricious or characterized by abuse of discretion or clearly unwarranted exercise of discretion. Id.

DISCUSSION

Appellant argues that the Department misinterprets the statutes applicable to his case and the recent decision of the Court of Appeals in Bolin v. South Carolina Department of Corrections, 415 S.C. 276, 781 S.E.2d 914 (Ct. App. 2016), rehearing denied (Feb. 24, 2016). The Court disagrees. A review of the relevant statutes and Appellant's prior convictions supports the Department's determination that Appellant is ineligible for parole.

In determining whether an inmate is eligible for parole, several different statutes must be reviewed. The foundational rules of parole are contained in Title 24 of the South Carolina Code. Specifically, Section 24-21-610 sets the minimum amount of time that must be served of a sentence before an inmate reaches eligibility. See S.C. Code Ann. § 24-21-610 (2007). However, these baseline rules have been modified by other subsequently enacted or amended statutes. Section 24-13-100, enacted in 1995, defines Class A, B, and C felonies as “no parole offenses.” Id. at § 24-13-100.¹ When an inmate’s crime is a no-parole offense, the inmate is not eligible for “parole” consideration. Id. at § 24-21-30; see also Bolin, 415 S.C. at 283, 781 S.E.2d at 917 (“It is without doubt that the statutory definition for the term ‘no-parole offense’ in section 24-13-100, i.e., ‘a class A, B, or C felony . . . ,’ simply describes the types of offenses for which the offender is not eligible for parole.”). Instead, the inmate must complete a community supervision program. S.C. Code Ann. § 24-21-30 (2007). Unless provided otherwise, an inmate becomes eligible for the community supervision program after completion of at least eighty-five percent of the actual term of imprisonment imposed. Id. at § 24-13-150(A) (Supp. 2016).

However, the rules regarding no parole offenses have been modified for certain offenses. In particular, the part of the sentencing statute under which the Appellant was convicted provides:

Notwithstanding any other provision of law, a person convicted and sentenced pursuant to this subsection for a first offense or second offense may have the sentence suspended and probation granted, and is eligible for parole, supervised furlough, community supervision, work release, work credits, education credits, and good conduct credits. Notwithstanding any other provision of law, a person convicted and sentenced pursuant to this subsection for a third or subsequent offense in which all prior offenses were for possession of a controlled substance pursuant to subsection (A), may have the sentence suspended and probation granted and is eligible for parole, supervised furlough, community supervision, work release, work credits, education credits, and good conduct credits. In all other cases, the sentence must not be suspended nor probation granted.

Id. at § 44-53-375(B) (Supp. 2016).² The Court of Appeals has construed this language to repeal the no-parole offense statute insofar as there is a conflict. Bolin, 415 S.C. at 282, 781 S.E.2d at 917 (citation omitted) (“The legislature’s use of the phrase ‘Notwithstanding any other provision

¹ Offenses classified as Class A, B, and C felonies are listed in Section 16-1-90.

² The relevant language was amended, effective June 2, 2010, by 2010 S.C. Act Number 273, Section 38. That amendment is construed in the recent Bolin case cited above. Because Appellant was sentenced on September 22, 2010, that amendment is relevant in this case. See State v. Dawson, 402 S.C. 160, 164, 740 S.E.2d 501, 503 (2013) (citation omitted). Section 44-53-375(B) was again amended by 2016 S.C. Act 154, Section 9. However, no changes were made to the language at issue here.

of law,' in the amendments to sections 44-53-375 and -370 expresses its intent to repeal section 24-13-100 to the extent it conflicts with amended sections 44-53-375 and -370." (emphasis in original)). The holding of the Court of Appeals in Bolin is very specific and does not, as Appellant argues, repeal Section 24-13-100 in all applications of the Omnibus Bill which amended the sentencing statute. The "notwithstanding any other provision of law" language included by the legislature does repeal Section 24-13-100 in regards to a second offense under subsection (B). S.C. Code Ann. § 44-53-375(B) ("Notwithstanding any other provision of law, a person convicted and sentenced pursuant to this subsection for a first offense or second offense . . . is eligible for parole . . ."). However, the case at hand involves a third offense. For a third or subsequent offense, all previous drug offenses must have been for possession under Section 44-53-375(A) for the Appellant to be parole eligible:

Notwithstanding any other provision of law, a person convicted and sentenced pursuant to this subsection for a third or subsequent offense in which all prior offenses were for possession of a controlled substance pursuant to subsection (A), may have the sentence suspended and probation granted and is eligible for parole, supervised furlough, community supervision, work release, work credits, education credits, and good conduct credits. In all other cases, the sentence must not be suspended nor probation granted.

Id.

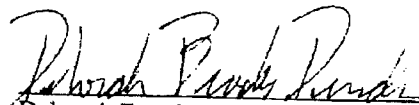
The Court rejects Appellant's somewhat inverse interpretation of this language for third offenses. Appellant argues that "if one has a prior non-possession offense, then a sentence cannot be suspended, nor may probation be granted. The language does not state that an inmate may not be considered for parole." The language need not restate that Appellant is not eligible for parole because the law regarding parole ineligibility still controls. The law contained in 24-13-100 still applies in all cases unless there is specifically expressed legislative intent to the contrary. See Bolin, 415 S.C. at 283, 781 S.E.2d at 917 (quoting Strickland v. State, 276 S.C. 17, 19, 274 S.E.2d 430, 432 (1981)) ("Statutes of a specific nature are not to be considered as repealed in whole or in part by a later general statute unless there is a direct reference to the former statute or the intent of the legislature to do so is explicitly implied therein."). The sentences beginning "notwithstanding" express such intent. However, Appellant does not fall into the parameters set by those sentences (first or second offense, or third with only simple possession priors). Rather, Appellant falls into the category for whom Section 24-13-100 is still binding.

Appellant also argues that to reject his interpretation is to violate the rule of lenity. The Court disagrees. The rule of lenity provides that doubt must be resolved in favor of the defendant where there is a *genuine ambiguity* in a statute. See Bryant v. State, 384 S.C. 525, 533, 683 S.E.2d 280, 284 (2009). In Bolin, the Court found that the legislative intent of the statute was reasonably discoverable, and interpreted the statute accordingly. See Bolin, 415 S.C. at 286, 781 S.E.2d at 919. In this case, the Court does not find the statute to be genuinely ambiguous. The legislature clearly provided an exception to existing law only where an inmate convicted of a third offense has prior offenses that only include simple possession under subsection (A). Miller v. Doe, 312 S.C. 444, 447, 441 S.E.2d 319, 321 (1994) (“If a statute’s language is plain and unambiguous and conveys a clear and definite meaning, there is no occasion for employing rules of statutory interpretation and the court has no right to look for or impose another meaning.”) Appellant’s prior drug offenses are not limited to simple possession. Because Appellant does not qualify for the parole eligibility exception for a third offense, the “no parole” rules remain in place. Under those rules, a Section 44-53-375(B)(3) offense, such as the Appellant’s, is classified as a Class A felony, and is thus a no-parole offense. S.C. Code Ann. § 24-13-100 (2007) & § 16-1-90(A) (2015). Therefore, the Department did not err in determining that the Appellant is ineligible for parole based upon his prior drug convictions.

ORDER

THEREFORE, IT IS HEREBY ORDERED that the decision of the Department is **AFFIRMED**.

AND IT IS SO ORDERED.


Deborah Brooks Durden, Judge
S.C. Administrative Law Court

December 8, 2016
Columbia, South Carolina

THIS DOCUMENT IS UNCLASSIFIED AND IS THE PROPERTY OF THE SOUTH CAROLINA DEPARTMENT OF CORRECTIONS. IT IS TO BE KEPT IN THE ORIGINAL FILED COPY AND IS TO BE RETURNED TO THE COURT BY THE CLERK OF COURT. IF THE CLERK OF COURT IS NOT AVAILABLE, IT IS TO BE RETURNED TO THE DEPARTMENT OF CORRECTIONS.

The 8th of December, 2016
By R. E. Carter
OFFICIAL SEAL

ARREST WARRANT

J-513630

STATE OF SOUTH CAROLINA

County/ Municipality of

Georgetown

AFFIDAVIT

ORIGINAL

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

STATE OF SOUTH CAROLINA

County/ Municipality of

Georgetown

Personally appeared before me the affiant

Reginald Grant

being duly sworn deposes and says that defendant

Quentin J Holt

did within this county and state on or about

06/14/2009

State of South Carolina (or ordinance of

County/ Municipality of

Georgetown

violate the criminal laws of the

THE STATE
against

Quentin J Holt

in the following particulars:

DESCRIPTION OF OFFENSE

Drugs / manufacture, distribution, etc. of methamphetamine or cocaine base, 1st

13373 County Line Rd

Andrews, SC 29510-

WARRANT

CLERK OF COURT

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 OR BETWEEN THE DATES OF JUNE 15, 2009 THRU JUNE 21, 2009, THE DEFENDANT DID SELL TO A CONFIDENTIAL INFORMANT WORKING UNDER THE DIRECT CONTROL AND SUPERVISION OF THE GEORGETOWN COUNTY ORGANIZED CRIME BUREAU, APPROXIMATELY 0.7 GRAMS OF AN OFF WHITE ROCK LIKE SUBSTANCE BELIEVED TO BE CRACK COCAINE. THIS BEING AGAINST THE PEACE AND DIGNITY OF THE STATE OF SOUTH CAROLINA AND A VIOLATION OF SOUTH CAROLINA CODE OF LAW 44-53-0375(B)(1). CASE#06091821

Signature of Affiant

Affiant's Address 430 N. Fraser Street

Georgetown, SC 29440-

Affiant's Telephone (843)436-3600

STATE OF SOUTH CAROLINA

County/ Municipality of

Georgetown

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 6/14/2009

defendant Quentin J Holt

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

County/ Municipality of Georgetown

) as set forth below:

DESCRIPTION OF OFFENSE: Drugs / manufacture, distribution, etc. of methamphetamine or cocaine base, 1st

Having found probable cause and the above affiant having sworn before me, you are empowered and directed to arrest the said defendant and bring him or her before me forthwith to be dealt with according to law. A copy of this Arrest Warrant shall be delivered to the defendant at the time of its execution, or as soon thereafter as is practicable Sworn to and subscribed before me

on 06/22/2009

Judge's Address Post Office Box 807

Georgetown, SC 29442

Judge's Telephone (843)545-3381

Signature of Issuing Judge

Isaac Lester Pyatt (Magistrate)

Judge Code: 5899

Issuing Court: Magistrate Municipal Circuit

ORIGINAL

ORIGINAL

ORIGINAL

RETURN

Copy of this arrest warrant was delivered to

defendant, Quentin J. Holt

10-26-09

Signature of Constable/Law Enforcement Officer

RETURN WARRANT TO:

General Sessions

P.O. Box 479

129 Screven Street, Room 221

Georgetown, SC 29442

ORIGINAL

ORIGINAL

ORIGINAL

ORIGINAL

SCANNED

COUNTY OF Georgetown
 STATE South Carolina
 VS.
Quentin Broad Holt
 INDICTMENT/CASE# 07-22-164
 AKA: _____
 Race: B Sex: M Age: 29
 DOB: 7/31/78 SS#: 251-47-3715 S.C. Code §: 44-53-370(d)(3)
 Address: 51 Hollywood Ave CDR Code #: 310111
 City, State, Zip: Andrews SC 29510
 DL# _____ SID# SC0113315

SENTENCE SHEET

Max:
0-5 yrs.
± 7,500

In disposition of the said indictment comes now the Defendant who was CONVICTED OF or PLEADS
 TO: Possession of Powder Cocaine 2ND OFF
 in violation of §44-53-370(d)(3) of the S.C. Code of Laws, bearing CDR Code # 3101112
 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 initial)
 The plea is: Without Negotiations or Recommendation, Negotiated Sentence, Recommendation by the State.
 ATTEST: _____ Quentin Holt 3 yrs. Probationary sentence
 Solicitor Defendant Attorney for Defendant

WHEREFORE, the Defendant is committed to the State Department of Corrections, County Detention Center,
 for a determinate term of 4 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 3 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 Central Registry of Child Abuse and Neglect pursuant to S.C. Code §17-25-135.

SPECIAL CONDITIONS:

RESTITUTION: Heard, Waived, Ordered
 Total: \$ _____ plus 20% fee: \$ _____
 Payment Terms: _____
 set by SCDPPPS _____

PTUP
100 hours Public Service Employment 5 months
 Obtain GED full time employment
 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 \$ 10.00 beginning 1/20/08
 \$ _____ paid to Public Defender Fund
 Other: _____

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	\$
§35.13 (Public Def/Prob)	\$500	\$
§73.3, 1B TP (Law Enforce. Funding)	\$25	\$25.00
§33.7, 1B TP (Drug Court Surcharge)	\$100	\$100.00
§50-21-114(BUI Breath Test Fee)	\$50	\$
§56-5-2942(J) (Vehicle Assessment)	\$40/ea	\$
3% to County (if paid in Installments)		\$ 75
TOTAL		\$731.15

Appointed PD or appointed other counsel, \$35.13 TP
 Requires \$500 be paid to Clerk during probation.

 Clerk of Court Deputy Clerk
 Court Reporter: Dixie Eubank

PRESIDING JUDGE _____
 Judge Code: _____
 Sentence Date: 12/20/07

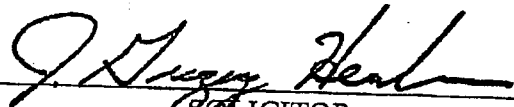
STATE OF SOUTH CAROLINA)
)
COUNTY OF GEORGETOWN)

INDICTMENT FOR:
POSSESSION OF POWDER COCAINE

At the Court of General Sessions, Convened on February 21, 2007 the Grand Jurors of Georgetown County present upon their oath:

That Quentin Jarod Holt did in Georgetown County on or about October 10, 2006, knowingly and intentionally possess a quantity of Powder Cocaine, a controlled substance under provisions of §44-53-110, et. seq., Code of Laws of South Carolina (1976), as amended, such possession not having been authorized by law, and being in violation of §44-53-370(d)(3), 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 JCB

SCANNED

DOCKET NO. 07 GS22 164xv
The State of South Carolina,

County of Georgetown

21756 001

COURT OF GENERAL SESSIONS
FEBRUARY TERM 2007

DCB

DCB

THE STATE

vs.

QUENTIN JAROD HOLT

51 Hollywood Avenue

Andrews, SC 29510

DOB: 7-31-78

SSN: 251-47-3715

J. GREGORY HEMBREE, SOLICITOR

INDICTMENT FOR

POSSESSION OF POWDER
COCAINE

WITNESSES:

Georgetown County Sheriff's Office

WARRANT NUMBER:

H-827875

§44-53-370(d)(3)

10-10-06

SC01113315

ACTION OF GRAND JURY

2/21/07

Andy Brown
of Grand Jury

TRUE BILL

VERDICT

of Petit Jury

SOUTH CAROLINA
DEPARTMENT OF MOTOR VEHICLES
DRIVERS LICENSE

12
CASE NO. 07 GS22 164xv

ARREST WARRANT

H- 827875

827875

2014

STATE OF SOUTH CAROLINA

GEORGETOWN Municipality of

AFFIDAVIT

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

STATE OF SOUTH CAROLINA

GEORGETOWN Municipality of

FILED 2006-OCT-16 AM 8:46

Personally appeared before me the affiant AGENT JASON WARD being duly sworn deposes and says that defendant QUENTIN HOLT

State of South Carolina (or ordinance of County/Municipality of) violate the criminal laws of the State of South Carolina in the following particulars:

THE STATE against QUENTIN HOLT

DESCRIPTION OF OFFENSE: MANUFACTURE, DISTRIBUTION, ETC., ICE, CR ANK, CRACK COCAINE - 1ST OFFENSE

306 SOUTH MAGNOLIA STREET ANDREWS SC 000029510

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:

Race: B Height: 5 Weight: 185

THAT ON OR ABOUT 10/10/06, IN THE COUNTY OF GEORGETOWN, THE DEFENDANT DID KNOWINGLY AND WITHOUT AUTHORIZATION MANUFACTURE A SCHEDULE CONTROLLED SUBSTANCE A OFF WHITE ROCK LIKE SUBSTANCE BELIEVED TO BE CRACK COCAINE. THIS BEING AGAINST THE PEACE AND DIGNITY OF THE STATE OF SOUTH CAROLINA AND IN VIOLATION OF SC CODE 44-53-0375(B)(1).

Agency ORI#: 31 1978

Offense Code: 44-53-0375(B)(1)

CASE #10060917/WARD Signature of Affiant 10/11/2006

[Signature]

STATE OF SOUTH CAROLINA GEORGETOWN Municipality of

Affiant's Address 430 N FRASER ST GEORGETOWN SC 29440 Affiant's Telephone 8435465102

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

DESCRIPTION OF OFFENSE: MANUFACTURE, DISTRIBUTION, ETC., ICE, CR ANK, CRACK COCAINE - 1ST OFFENSE

Signature of Judge (L.S.)

RETURN

This arrest warrant was delivered to Quentin Holt 10-11-06

[Signature] Constable/Law Enforcement Officer

WARRANT TO: ADAM F. DUNN 110 N. MORGAN AVE.

Judge's Address 110 N. MORGAN AVE. ANDREWS, S.C. Judge's Telephone 8432648321

Issuing Court: Magistrate Municipal Circuit

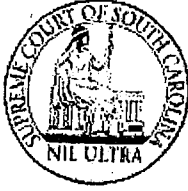
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ORIGINAL

SCANNED

13

10



Georgetown County Fifteenth Judicial Circuit Public Index



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[South Carolina Judicial Department Home Page](#)
[SC.GOV Home Page](#)

Switch View

The State of South Carolina VS Quentin Jarod Holt					
Case Number:	G044962	Court Agency:	General Sessions	Filed Date:	04/16/1999
Case Type:	Criminal-Clerk	Case Sub Type:			
Status:	Pled Guilty	Assigned Judge:	Floyd, Sidney T.	Disposition Judge:	Floyd, Sidney T.
Disposition:	Pled Guilty				
Disposition Date:	07/24/2000	Date Received:	04/16/1999	Arrest Date:	04/14/1999
Law Enf. Case:		True Bill Date:		No Bill Date:	
Prosecutor Case:		Indictment Number:	2000GS2200561	Waiver Date:	
Probation Case:					

Case Parties	Charges	Sentencing	Associated Cases	Actions	Financials	Bonds
Name	Charge Code - Charge Description	Original Charge Code - Original Charge		Disposition Date		
Holt, Quentin Jarod	0183-Drugs / MDP, Narcotic drugs in Sch. I(b) & (c), LSD, and Sched. II (Cocaine)- 1st offense	0183-Drugs / MDP, Narcotic drugs in Sch. I(b) & (c), LSD, and Sched. II (Cocaine)- 1st offense		07/24/2000		

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BLUME NORRIS & FRANKLIN-BEST, LLC

ATTORNEYS AT LAW

JOHN H. BLUME
TERESA L. NORRIS
ELIZABETH FRANKLIN-BEST
KEIR M. WEYBLE *OF COUNSEL*
DAVID I. BRUCK *OF COUNSEL*

900 Elmwood Avenue, Suite 200
COLUMBIA, SOUTH CAROLINA 29201
PHONE: (803) 765-1044
FAX: (803) 765-1143

July 11, 2016

Matthew C. Buchanan
General Counsel
Department of Probation, Parole and Pardon Services
2221 Devine Street, Ste. 600
Columbia, South Carolina 29250

Dear Mr. Buchanan,

I represent Quentin Holt, #268198, in his federal habeas proceeding. He recently forwarded correspondence from your office informing him that he is ineligible for parole. My review of the statute suggests that is not accurate, and so I am requesting clarification on the issue. I would appreciate any information you can give me.

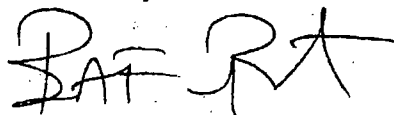
Quentin was convicted of distribution of cocaine base on September 22, 2010, pursuant to S.C. Code Ann. §44-53-375(B)(3), per the indictment. According to the statute:

Notwithstanding any other provision of law, a person convicted and sentenced pursuant to this subsection[(b)(3)] for a third or subsequent offense in which all prior offenses were for possession of a controlled substance pursuant to subsection (A), may have the sentence suspended and probation granted and is eligible for parole, supervised furlough, community supervision, work release, work credits, education credits, and good conduct credits. In all other cases, the sentence must not be suspended nor probation granted.

Id. I believe, in fact, this provision allowing parole eligibility became effective pursuant to the Omnibus Crime Reduction and Sentencing Reform Act of 2010 which became effective July 7, 2010.

I admit that I do not often handle drug crime sentencing issues, so please let me know if I have overlooked or misconstrued some provision of law. Otherwise, I look forward to hearing from you. It is my hope that we can resolve this issue without having to go through the lengthy process of an appeal. Please give me a call at your convenience. I can be reached at the above-listed number.

Sincerely,

A handwritten signature in black ink, appearing to read 'EAF RB' with a stylized flourish at the end.

Elizabeth A. Franklin-Best

Cc: Quentin Holt

State of South Carolina
Department of Probation, Parole and Pardon Services

NIKKI R. HALEY
Governor



JERRY B. ADGER
Director

2221 DEVINE STREET, SUITE 600
POST OFFICE BOX 50666
COLUMBIA, SOUTH CAROLINA 29250
Telephone: (803) 734-9220
Facsimile: (803) 734-9440
www.state.sc.us/ppp

July 13, 2016

Elizabeth Franklin-Best, Esquire
900 Elmwood Avenue, Suite 200
Columbia, SC 29201

RE: Quentin Holt #268198

Dear Ms. Franklin-Best:

Per our conversation regarding your July 11, 2016 letter where you have asked for clarification about Mr. Holt's parole eligibility, please see the Department's position regarding Mr. Holt's parole eligibility.


Mr. Holt was convicted of a third offense distribution of cocaine, as you indicated in your letter. The Omnibus Crime Reduction and Sentencing Reform Act of 2010 allowed for the parole eligibility of inmates convicted of third or subsequent drug offenses pursuant to Section 44-53-375(B)(3) only if all prior drug convictions were for possession.

Notwithstanding any other provision of law, a person convicted and sentenced pursuant to this subsection for a third or subsequent offense **in which all prior offenses were for possession** of a controlled substance pursuant to subsection (A)...
(Emphasis added)

A review of Mr. Holt's prior criminal history reveals that he was convicted of Distribution or PWID of Cocaine in July of 2000 in Georgetown County. I have included a copy of the Georgetown Public Index page for your review.

Please contact me if you have any other questions.

Sincerely,


Matthew C. Buchanan
General Counsel

Encl.

BLUME NORRIS & FRANKLIN-BEST, LLC

ATTORNEYS AT LAW

JOHN H. BLUME
TERESA L. NORRIS
ELIZABETH FRANKLIN-BEST
KEIR M. WEYBLE *OF COUNSEL*
DAVID I. BRUCK *OF COUNSEL*

900 Elmwood Avenue, Suite 101
COLUMBIA, SOUTH CAROLINA 29201
PHONE: (803) 765-1044
FAX: (803) 765-1143

July 19, 2016

Matthew C. Buchanan
2221 Devine Street, Ste. 600
P.O. Box 50666
Columbia, SC 29250

Dear Mr. Buchanan,

I received your letter dated July 13, 2016. I think the plain the language of the statute gives Mr. Holt the opportunity to seek parole for his offenses. You have cited Section 44-53-375(B)(3) in support of your view that he is not:

"Notwithstanding any other provision of law, a person convicted and sentenced pursuant to this subsection for a third or subsequent offense in which all prior offenses were for possession of a controlled substance pursuant to subsection (A) . . . (Emphasis added)."

But the complete wording of the statute says this:

Notwithstanding any other provision of law, a person convicted and sentenced pursuant to this subsection for a third or subsequent offense in which all prior offenses were for possession of a controlled substance pursuant to subsection (A), may have the sentence suspended and probation granted and is eligible for parole, supervised furlough, community supervision, work release, work credits, education credits, and good conduct credits. In all other cases, the sentence must not be suspended nor probation granted. (Emphasis added).

his prior convictions been for possession, he would have been entitled to have a judge consider a suspended sentence or probation. But now, the South Carolina Department of Probation, Parole and Pardon Services may consider him for early release on parole pursuant to the plain language of the statute as modified by the Omnibus Bill.

I greatly appreciate the opportunity to work with you to see if we can resolve this issue. Please give me a call to discuss at your convenience.

Sincerely,

Elizabeth A. Franklin-Best

Cc: Quentin Holt

State of South Carolina
Department of Probation, Parole and Pardon Services

NIKKI R. HALEY
Governor



JERRY B. ADGER
Director

2221 DEVINE STREET, SUITE 600
POST OFFICE BOX 50666
COLUMBIA, SOUTH CAROLINA 29250
Telephone: (803) 734-9220
Facsimile: (803) 734-9440
www.state.sc.us/ppp

July 25, 2016

Elizabeth Franklin-Best, Esq.
900 Elmwood Avenue Ste. 101
Columbia, SC 29201

Re: Quentin Holt #1113315

Dear Ms. Franklin-Best:


I have received your letter dated July 19, 2016. I respectfully disagree with your interpretation of South Carolina Code 44-53-375(B)(3).

I appreciate your thoughtful analysis. However, your reading of the statute neglects to factor in Section 24-13-100, which defines a "no parole offense" as, "a class A, B, or C felony or an offense exempt from classification as enumerated in Section 16-1-10(d), which is punishable by a maximum term of imprisonment for twenty years or more."

Distribution, Manufacturing, or PWID of cocaine base or methamphetamine is a class A felony, as it is listed in 16-1-90(A). Consequently, it is clearly and unambiguously a "no parole offense." The only time such an offense can be parole eligible is when, as per the language of Section 44-53-375(B)(3), all prior offenses were for possession.

As this is clear and unambiguous, it is the position of the Department that Mr. Holt is not eligible for parole. If you have any questions, please do not hesitate to contact me.

Sincerely,


Matthew C. Buchanan
General Counsel

BLUME NORRIS & FRANKLIN-BEST, LLC

ATTORNEYS AT LAW

JOHN H. BLUME
TERESA L. NORRIS
ELIZABETH FRANKLIN-BEST
KEIR M. WEYBLE *OF COUNSEL*
DAVID I. BRUCK *OF COUNSEL*

900 Elmwood Avenue, Suite 200
COLUMBIA, SOUTH CAROLINA 29201
PHONE: (803) 765-1044
FAX: (803) 765-1143

July 28, 2016

Matthew C. Buchanan
Department of Probation, Parole and Pardon Services
2221 Devine Street, Ste. 600
P.O. Box 50666
Columbia, South Carolina 29250

Dear Mr. Buchanan,

Thank you for your thoughtful response to my last letter. I think that this point our best approach would be to appeal your office's interpretation to the Administrative Law Judge. I would respectfully like to request that you provide me with a Final Agency Decision regarding your position on Mr. Holt's right to be considered for parole. Once you do that, then I will file a notice of intent to appeal, and we can go forward from there.

I sincerely appreciate your willingness to discuss this issue with me, and your prompt attention to it.

Sincerely,


Elizabeth A. Franklin-Best

Cc: Quentin Holt

State of South Carolina
Department of Probation, Parole and Pardon Services

NIKKI R. HALEY
Governor



JERRY B. ADGER
Director

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Telephone: (803) 734-9220
Facsimile: (803) 734-9440
www.state.sc.us/ppp

August 1, 2016

Elizabeth Franklin-Best, Esq.
900 Elmwood Avenue Ste. 101
Columbia, SC 29201

Re: Quentin Holt #1113315

Dear Ms. Franklin-Best:

I have received your letter dated July 28, 2016, in which you have requested a final decision letter from the Department. Please note that our letter dated June 20, 2016, to the inmate was the Department's final decision letter. I am enclosing a copy for you.

Should you have any questions, please let me know.

Sincerely,

A handwritten signature in black ink, appearing to read "Matthew C. Buchanan", written over a horizontal line.

Matthew C. Buchanan
General Counsel

MCB:dn

State of South Carolina
Department of Probation, Parole and Pardon Services

NIKKI R. HALEY
Governor



JERRY B. ADGER
Director

2221 DEVINE STREET, SUITE 600
POST OFFICE BOX 50666
COLUMBIA, SOUTH CAROLINA 29250
Telephone: (803) 734-9220
Facsimile: (803) 734-9440
www.dppps.sc.gov/

June 20, 2016

Quentin Holt, #268198
McCormick Correctional Institution
386 Redemption Way
McCormick, SC 29899

Dear Mr. Holt:

On September 22, 2010, you were convicted of Possession with Intent to Distribute Cocaine, third offense, in Indictment Number 10-GS-22-00179. Pursuant to South Carolina law, a person convicted of this offense with two or more aggregate violations of the law relating to drugs is not eligible for parole.

A review of your prior record reveals prior drug convictions, therefore, your current offense is ineligible for parole pursuant to South Carolina law. Therefore, you will not be considered for parole on this offense.

Sincerely

A handwritten signature in black ink, appearing to read "Matthew C. Buchanan".

Matthew C. Buchanan
General Counsel

MCB:dn

INDICTMENT/CASE#: 2010-GS22-00179
 A/W#: J513626
 Date of Offense: 6/14/2009
 S.C. Code § : 44-53-0375 (B) (3)
 CDR Code #: 3039

Sex: M Age: 32
 SS#: 251-47-3715
 Address: 398 County Line Road
 City/State/Zip: Andrews, SC 29510
 DL#: 011619833 SID#: SC01113315

SENTENCE SHEET

*CDL Yes No CMV Yes No Hazmat Yes No
 In disposition of the said indictment comes now the Defendant who was
 TO: PWID/Dist/Mfg Cocaine Base or Meth, 3rd Offense

CONVICTED OF or PLEADS

in violation of § 44-53-0375 (B) (3) of the S.C. Code of Laws, bearing CDR Code # 3039
 NON-VIOLENT VIOLENT SERIOUS MOST SERIOUS Mandatory GPS(CSC §17-25-45 w/minor 1st or Lewd Act)

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: Erin Bailey Defendant Heidi Moore Attorney for Defendant
 Bailey, Erin 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 25 days/months/years or under the Youthful Offender Act not to exceed X years
 and/or to pay a fine of \$ 50,000.00; provided that upon the service of X days/months/years and/or payment
 of \$ X; plus costs and assessments as applicable*, the balance is suspended with probation for X

months/years and subject to South Carolina Department of Probation, Parole and Pardon Services standard conditions of probation, which are incorporated by reference.

CONCURRENT or CONSECUTIVE to sentence on: 9/22/2010
 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 PTUP _____
 Total: \$ _____ plus 20% fee: \$ _____
 Payment Terms: _____
 Set by SCDPPPS _____

_____ 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 \$ int'l beginning 1 Mo after Release
 \$ _____ paid to Public Defender Fund
 Other: _____

Recipient: _____
 *Fine: 50,000.00

§ 14-1-206 (Assessments 107.5 %)		\$ 53750.00
§ 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)	\$100	\$ 100.00
§ 50-21-114(BUI Breath Test Fee)	\$50	\$
§ 56-5-2942(J) (Vehicle Assessment)	\$40/ea	\$
Proviso 90.5 (SCCA Surcharge)	\$5	\$ 5.00
§ 44-53-450(C) (Conditional Discharge)	\$350	\$
3% to County (if paid in installments)		\$ 3119.40
TOTAL		\$ 467099.40

Condition Discharge, § 44-53-450(C) requires \$350 be paid to the Clerk prior to case disposition
 Appointed PD or appointed other counsel, § 47.12 requires \$500 be paid to Clerk during probation.

Clerk of Court/ Deputy Clerk: Heidi Moore
 Court Reporter: Bronnie Babab
 SCCA/217 (06/2010)

Presiding Judge: Margaret Tubbs
 Judge Code: 2148
 Sentence Date: Sept. 23, 2010

SCANNED

STATE OF SOUTH CAROLINA)
)
COUNTY OF GEORGETOWN)

INDICTMENT

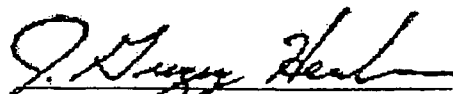
At a Court of General Sessions, convened on February 10, 2010, the Grand Jurors of Georgetown County present upon their oath:

DISTRIBUTION OF COCAINE BASE

CDR: 3039 44-53-0375(B)(3)

That Quentin J Holt did in Georgetown County, on or about June ^{20 (PAC)} 14, 2009, distribute, dispense or deliver, or did aid, abet, attempt or conspire to distribute, dispense or deliver a quantity of Cocaine Base, a controlled substance under provisions of Section 44-53-110, et. seq., Code of Laws of South Carolina, 1976, as amended, such distribution not having been authorized by law, and being in violation of Section 44-53-375(B), 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.


J. GREGORY PEMBREE
FIFTEENTH CIRCUIT SOLICITOR

WITNESSES

Georgetown County Sheriff's Office

DOCKET NO. 2010GS2200179x

The State of South Carolina

County of Georgetown

Scott R. Hixson

09G01040

COURT OF GENERAL SESSIONS

FEBRUARY, 2010 TERM

WARRANT NUMBER

§44-53-0375 (B) (3)
February 14, 2009

THE STATE

vs.

QUENTIN J HOLT
13373 County Line Road
Andrews, SC 29510
DOB: 7/31/1978
SSN: 251-47-3715
B/M

ATTORNEY: Colvin, Richard F.

Indictment for

DISTRIBUTION OF COCAINE BASE

J. Gregory Hembree, Solicitor

OF GRAND JURY

TRUE BILL

son of Grand Jury
2-10-10

ILTY

son of Petit Jury

71

23



SCOTT R. HIXSON, CLERK OF COURT
COURT OF GENERAL SESSIONS
GEORGETOWN COUNTY, SOUTH CAROLINA
P.O. BOX 757, GEORGETOWN, SC 29526
776-2211

ARREST WARRANT

J-513626 ✓

STATE OF SOUTH CAROLINA

County/ Municipality of Georgetown

THE STATE against

13373 County Line Rd Andrews, SC 29510-

SSN: 251-47-3715 Race: B Height: 5 6 Weight: 185

DL #: 011619833 Agency ORI #: SC0220000

Agency: Georgetown County Sheriff Officer: Reginald Grant - 0084

Drugs / manufacture, distribution, etc. of methamphetamine or cocaine base, 1st

3014 Sec: 44-53-0375 (B) (1)

CERTIFIED FOR SERVICE in the Municipality of

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

Signature of Judge

RETURN

This arrest warrant was delivered to Quentin J Holt + 10-20-09

Signature of Constable/Enforcement Officer

WARRANT TO:

General Sessions P.O. Box 479 29 Screven Street, Room 221 Georgetown, SC 29442

ORIGINAL

ORIGINAL

STATE OF SOUTH CAROLINA

County/ Municipality of Georgetown

Georgetown

Personally appeared before me the affiant Reginald Grant

being duly sworn deposes and says that defendant Quentin J Holt

did within this county and state on or about 06/14/2009

State of South Carolina (or ordinance of County/ Municipality of Georgetown violate the criminal laws of the

in the following particulars:

DESCRIPTION OF OFFENSE Drugs / manufacture, distribution, etc. of methamphetamine or cocaine base, 1st

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

That on or between June 14, 2009 and June 21, 2009 in the county of Georgetown, one Quentin J Holt did sell to a confidential informant working under the direct control and supervision of the Georgetown County Organized Crime Bureau, approximately 0.8 grams of an off white in color rock like substance believed to be crack cocaine, a Schedule II Controlled Substance. This being against the peace and dignity of the State of South Carolina and a violation of South Carolina code of law 44-53-0375(B)(1).

Grant case #06092091

Signature of Affiant

Reginald Grant

STATE OF SOUTH CAROLINA

County/ Municipality of Georgetown

Georgetown

Affiant's Address 430 N. Fraser Street

Georgetown, SC 29440-

Affiant's Telephone (843)436-3600

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 6/14/2009 defendant Quentin J Holt

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

DESCRIPTION OF OFFENSE: Drugs / manufacture, distribution, etc. of methamphetamine or cocaine base, 1st

Having found probable cause and the above affiant having sworn before me, you are empowered and directed to arrest the said defendant and bring him or her before me forthwith to be dealt with according to law. A copy of this Arrest Warrant shall be delivered to the defendant at the time of its execution, or as soon thereafter as is practicable

Sworn to and subscribed before me on 06/22/2009

Signature of Issuing Judge Isaac Lester Pyatt (Magistrate) (L.S.)

Isaac Lester Pyatt (Magistrate) Judge Code: 5899

Judge's Address Post Office Box 807

Georgetown, SC 29442

Judge's Telephone (843)545-3381

Issuing Court: ORIGINAL

Magistrate Municipal Circuit

ORIGINAL

ORIGINAL

AFFIDAVIT

ORIGINAL

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

SCANNED

5

24

STATE

Georgetown

VS.

Quentin J Holt

AKA:

Race: B Sex: M Age: 32

DOB: 07-31-1978 SS#: 251-47-3715

Address: 13373 County Line Road

City, State, Zip: Andrews, SC 29510

DL#: 011619833 SID#: SC01113315

*CDL Yes No CMV Yes No Hazmat Yes No

In disposition of the said indictment comes now the Defendant who was TO: PWID/Dist/Mfg Cocaine Base or Meth, 3rd Offense

INDICTMENT/CASE#: 2010-GS22-00181

A/W#: J513630

Date of Offense: 6/15/2009

S.C. Code §: 44-53-0375 (B) (3)

CDR Code #: 3039

SENTENCE SHEET

CONVICTED OF or PLEADS

in violation of § 44-53-0375 (B) (3) of the S.C. Code of Laws, bearing CDR Code # 3039
 NON-VIOLENT VIOLENT SERIOUS MOST SERIOUS Mandatory GPS(CSC) §17-25-45 w/minor 1st or Lewd Act

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

Bailey, Erin

Holt

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 25 days/months/years or under the Youthful Offender Act not to exceed X years and/or to pay a fine of \$ 50,000.00; provided that upon the service of X days/months/years and/or payment of \$ X; plus costs and assessments as applicable*; the balance is suspended with probation for X

months/years and subject to South Carolina Department of Probation, Parole and Pardon Services standard conditions of probation, which are incorporated by reference.

CONCURRENT or CONSECUTIVE to sentence on: 9/22/2010
 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: \$

PTUP

Payment Terms:

Set by SCDPPPS

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 \$ 100.00 beginning 1 mo after release
\$ paid to Public Defender Fund

Other: _____

Condition Discharge, § 44-53-450(C) requires \$350 be paid to the Clerk prior to case disposition
 Appointed PD or appointed other counsel, § 47.12 requires \$500 be paid to Clerk during probation.

§ 14-1-206 (Assessments 107.5 %)		\$ 50000.00
§ 14-1-211(A)(1) (Conv. Surcharge)	\$100	\$ -53750.00
§ 14-1-211(A)(2) (DUI Surcharge)	\$100	\$ 100.00
§ 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	\$ 100.00
§ 50-21-114(BUI Breath Test Fee)	\$50	\$
§ 56-5-2942(I) (Vehicle Assessment)	\$40/ea	\$
Proviso 90.5 (SCCJA Surcharge)	\$5	\$ 5.00
§ 44-53-450(C) (Conditional Discharge)	\$350	\$ 350.00
3% to County (if paid in installments)		\$ 349.40
TOTAL		\$ 107,099.40

Clerk of Court/ Deputy Clerk

Court Reporter: Barbara Babal

SCCA/217 (06/2010)

Presiding Judge

Judge Code: 2178

Sentence Date: Sept, 22, 2010

SCANNED

25

6

STATE OF SOUTH CAROLINA)
COUNTY OF GEORGETOWN)

INDICTMENT

At a Court of General Sessions, convened on February 10, 2010, the Grand Jurors of Georgetown County present upon their oath:

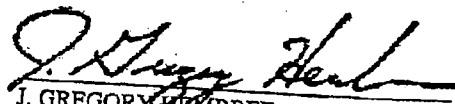
DISTRIBUTION OF COCAINE BASE

CDR: 3039 44-53-0375(B)(3)

17 (MHC)

That Quentin J Holt did in Georgetown County, on or about June 15, 2009, distribute, dispense or deliver, or did aid, abet, attempt or conspire to distribute, dispense or deliver a quantity of Cocaine Base, a controlled substance under provisions of Section 44-53-110, et. seq., Code of Laws of South Carolina, 1976, as amended, such distribution not having been authorized by law, and being in violation of Section 44-53-375(B), 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.


J. GREGORY HEMBREE
FIFTEENTH CIRCUIT SOLICITOR

WITNESSES

Georgetown County Sheriff's Office

DOCKET NO. 2010GS2200181 ✓

The State of South Carolina

County of Georgetown

Scott R. Hixson

09G01040

COURT OF GENERAL SESSIONS

FEBRUARY, 2010 TERM

WARRANT NUMBER

630

3039 \$44-53-0375 (B) (3)
June 15, 2009

THE STATE

vs.

QUENTIN J HOLT

13373 County Line Road
Andrews, SC 29510

DOB: 7/31/1978

SSN: 251-47-3715

B/M

ATTORNEY: Colvin, Richard F.

ORDINANCE OF GRAND JURY

DATE: 2-10-10

Person of Grand Jury

DICT

GUILTY

Indictment for

DISTRIBUTION OF COCAINE BASE

J. Gregory Hembree, Solicitor

Person of Petit Jury