

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

ORIGINAL

Appeal from Richland County

Honorable L. Casey Manning, Circuit Court Judge

RECEIVED

AUG 08 2017

SC Court of Appeals

THE STATE,

RESPONDENT,

V.

TEKYSHA COHEN,

APPELLANT.

APPELLATE CASE NO. 2016-002044

RECORD ON APPEAL

ROBERT M. DUDEK
Chief Appellate Defender

MATTHEW BUCHANAN
General Counsel

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

South Carolina Department of Probation,
Parole, and Pardon Services
Post Office Box 50666
Columbia, SC 29250

ATTORNEY FOR RESPONDENT

ATTORNEY FOR APPELLANT

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1 STATE OF SOUTH CAROLINA) IN GENERAL SESSIONS
 2 COUNTY OF RICHLAND) COURT
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 4 STATE OF SOUTH CAROLINA,)
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 6 -V-) OF
 7) RECORD
 8 TEKYSHA COHEN,) 2012-GS-40-03056
 9 DEFENDANT.)

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SEPTEMBER 16, 2016

RICHLAND, SOUTH CAROLINA

B-E-F-O-R-E:

HONORABLE CASEY L. MANNING, JUDGE;

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

FOR THE STATE:

AGENT MORALES

FOR THE DEFENDANT:

MS. KUCHAR, ESQ.

I-N-D-E-X

1		
2		PG.
3	Probation violation	3
4		
5	Sentence	4
6		
7	Certificate of Reporter	5
8		
9	Reporter's Note: (There were no exhibits entered.)	
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1 (The following proceedings were held on
2 September 16, 2016.)

3 THE CLERK: Raise your right hand, please.

4 THEREUPON,

5 TEKYZHA COHEN,

6 after having been duly sworn, testified as follows:

7 THE COURT: Mr. Kuchar, she's working somewhere?

8 MS. KUCHAR: Not at the moment.

9 THE COURT: Well, okay. All right. Obviously,
10 the recommendation is in effort to try to help her in some
11 way, I assume, to get some more restitution?

12 MR. MORALES: Yes, sir, that's correct.

13 THE COURT: How much time does he have hanging?

14 MR. MORALES: She got three years suspended --
15 yeah, three years suspended to five years probation.

16 THE COURT: How many children do you have, ma'am?

17 MS. KUCHAR: She doesn't have children. She lives
18 with her sister.

19 THE COURT: I'm talking to her. Let her answer
20 the questions, please.

21 THE DEFENDANT: No kids, Your Honor.

22 THE COURT: Now, you tell me. You answer that
23 question for me. It's directed to you.

24 THE DEFENDANT: No children, Your Honor.

25 THE COURT: All right. Revoke 60 days and

1 continue.

2 MR. MORALES: Thank you, Your Honor.

3 THE COURT: Thank you. I find you're in violation
4 of the terms and conditions of your probation.

5 MS. KUCHAR: Your Honor --

6 THE COURT: Once a judge has ruled, you can't
7 argue beyond that.

8 Call the next case.

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END OF PROCEEDINGS

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1 COUNTY OF RICHLAND)

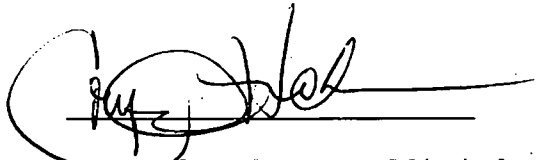
2 CERTIFICATE OF REPORTER

3 I, Crystal Holmes, hereby certify that I reported
4 the preceding case entitled State of South Carolina Vs.
5 Tekysha Cohen, Case No. 2016-GS-40-03056, at the Richland
6 County Courthouse, September 16, 2016, 2016.

7 I FURTHER CERTIFY that the foregoing pages 1
8 through 5 constitute a true, accurate and full transcript of
9 said hearing.

10 I FURTHER CERTIFY that I am not employed by any of
11 the parties hereto and I have no financial interest in the
12 outcome of said case.

13 IN WITNESS WHEREOF, I have heretofore set my hand
14 and seal at Richland County on this 26th day of November,
15 2016.

16 
17 Crystal Holmes, Official Court Reporter

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6 STATE OF SOUTH CAROLINA
COUNTY OF RICHLAND

The State of South Carolina,

vs.

Tekysha Cohen,

Defendant.

) IN THE COURT OF GENERAL SESSIONS
) Indictment Number: 2012GS4003056
) Probation Citation Number: C40151095
)

) MOTION TO RECONSIDER SENTENCE
)

RECEIVED

SEP 29 2016

SC Court of Appeals

TO: THE HONORABLE L. CASEY MANNING
CC: PROBATION AGENTS TROY SMITH, AMANDA KING, AND LUIS MORALES

FILED
RICHLAND COUNTY
2016 SEP 16 PM 1:59
JEANE DE W. BRIDGE
C. O. P. & G.

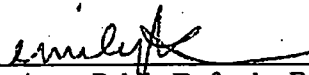
YOU WILL PLEASE TAKE NOTICE that Emily Kuchar, Assistant Public Defender, will move before this Court requesting reconsideration of the sentence imposed on the defendant Ms. Tekysha Cohen, as soon as this matter may be heard.

It appears that on September 16, 2016, Ms. Cohen was before this Court on a probation citation, which alleges only financial violations by Ms. Cohen. Judge Manning ordered that Ms. Cohen's probation be revoked for 60 days and then continued.

Ms. Cohen worked most recently on the assembly line at Jarden Applied Materials; she was laid off from that job in June. She made \$7.25 an hour at that job and worked part time. Ms. Cohen lives with her twin sister, Lakeysha, and assists with the care and transportation of Lakeysha's 13-year-old autistic daughter. Lakeysha's 20 year-old son also lives in the home, and Ms. Cohen takes him to and from his classes at Midlands Tech. Also, in July, Ms. Cohen took out a loan for \$2,100 from a family friend and paid the full amount toward her court-ordered restitution. Her balance is now \$2,296.28, down from \$4,847.28 at the time of her citation. The original restitution amount ordered was \$9,481.28.

Ms. Cohen alleges that her financial violations of probation were not willful, and respectfully asks the Court to reconsider her sentence.

Respectfully submitted,


Assistant Public Defender Emily Kuchar
Counsel for Tekysha Cohen

Columbia, South Carolina
This 16th day of September, 2016

STATE OF SOUTH CAROLINA
COUNTY OF RICHLAND

IN THE COURT OF GENERAL SESSIONS
IN THE FIFTH JUDICIAL CIRCUIT

I939153

State of South Carolina,
Plaintiff,

Indictment Number: 2012-GS-400-3056
Probation Citation Number: C40151095

v.
Tekysha Cohen,
Defendant.

**ORDER
DENYING DEFENDANT'S MOTION TO
RECONSIDER**

RECEIVED

SEP 29 2016

SC Court of Appeals

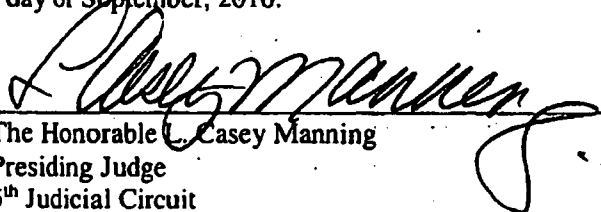
2016 SEP 21 AM 8:54
RICHLAND COUNTY
FILED
C.C. & S.

THIS MATTER came before the Court on September 16, 2016. The Defendant was before this Court on a probation citation which alleges financial violations. This Court ordered that the Defendant's probation be revoked for 60 days and then continued.

Thereafter, the Defendant timely filed a Motion to Reconsider the Sentence. The Defendant asks for a reconsideration of her sentence due to the fact that her financial violations of probation were not willful. The Motion to Reconsider refers to the Defendant's recent termination from her job and her family obligations.

After a review of the facts of the case, the motion and arguments therein, this Court DENIES Defendant's Motion to Reconsider without oral arguments presented.

IT IS SO ORDERED this 20th day of September, 2016.


The Honorable Casey Manning
Presiding Judge
5th Judicial Circuit

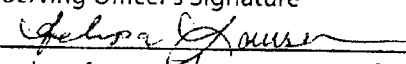
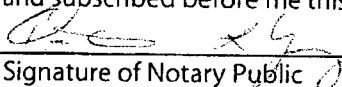
Offender: COHEN, TEKYSHA R (SID: 01710680 Earliest Potential: Earliest Adjusted:)

State:	Case Type:	Other State ID:	
* Event: Case Summary	* Appointment Date: 04/24/2017	Monday	Time: 7:29 AM
Outcome:	Occur Date: 04/24/2017	Time: 7:29 AM	Periodicity: T
	County: 40	Site: CO	
<p>Comment:</p> <p>Offender was sentenced on 10/02/12 to 2 year's ss to 5 years' probation for the offense of Criminal Conspiracy. The offender reported her residence as Pine lane Rd Apt # Columbia SC 29223. This residence was verified through home visits conducted by the agent. The offender was required to report monthly while under supervision. The offender's last monthly report being on 4/25/2017. Other than this, the subject has maintained stable residence. All financial obligations are paid in full. There have been no new arrests / pending charges reported or discovered. Case expire on 04/24/2017. The offender signed the Form 1453 Notice of Placement on Administrative Monitoring.</p>			
Created By: Luis R. Morales Vellon	Created Date: 4/24/2017	Updated By: Luis R. Morales Vellon	Updated Date: 4/24/2017
		<input type="button" value="Previous"/> <input type="button" value="Next"/>	

Financial PROBATION CITATION

Indictment Number: 12-GS-40-03056

Citation #: C-40-15-1095

SOUTH CAROLINA V. TEKYNISHA R COHEN	COUNTY: RICHLAND SID # 01710680 SCDC #
TO: TEKYNISHA R COHEN	
YOU ARE HEREBY NOTIFIED to appear in the above 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 The above named defendant has failed to comply with the Court's probation order and the defendant's agreement to pay a fine, restitution and supervision fees.	
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.	
COLUMBIA , South Carolina	Probation and Parole Agent Agent # Luis R. Morales Vellon 0497
Date 9/30/2015	
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 <u>SCD PD</u>	Date and Time <u>10/17/15 11:46</u>
Serving Officer's Signature 	
Sworn to and subscribed before me this <u>27</u> day of <u>October</u> , <u>2015</u>	
Signature of Notary Public 	My Commission Expires <u>5/19/25</u>

STATE OF SOUTH CAROLINA

AFFIDAVIT

County of RICHLAND

Personally appeared before me, Luis R. Morales Vellon, who first being duly sworn, deposes and says that TEKYSHA R COHEN did within this county and State on the 30 day of September, 2015, violate certain conditions of release in the following particulars:

DESCRIPTION OF VIOLATION

The above named defendnant has failed to comply with the Court's probation order and the defendant's agreement to pay a fine, restitution and supervision fees.

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 above named defendant agreed in writing, as a part of his/her probation agreement, to pay a fine, restitution and supervision fees. The defendant has not complied with his/her written agreement. As of the date of this affidavit, the defendant's arrearage and unpaid balance on the agreed payment schedule is as follows:

	<i>Fine</i>	<i>Restitution</i>	<i>Supervision Fees</i>	<i>DNA Fees</i>
Arrearage	\$147.00	\$2,835.00	\$350.00	\$250.00
Unpaid Balance	\$648.90	\$8,087.28	\$1,600.00	\$250.00

The matter needs to be reviewed by the court pursuant to Section 24-21-430. The defendant should be required to show the Court why he/she has not kept his/her probation agreement to pay. The Court should determine whether or not the defendant has willfully violated the condition to pay fines, and/or restitution and whether or not the condition to pay fines, restitution should be modified.

Sworn to and subscribed before me this 30 day of September, 2015

[Signature]
Affiant

[Signature]
Signature of Notary Public

My Commission Expires: 5/19/25

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

County of Richland
STATE VS.

Indictment Number: 17-GS-40-0256
Probation C/W#: C-90-15-1075

AKA: Talisha R. Miller
Race: B Sex: F
DOB: _____
SSN: _____
SID#: 1710690

Name of Original Offense: Criminal Sexual Act
Original A/W#: I 939 153
Date of Original Offense: 4/1/11
Conviction S.C. Code §: 16-17-0410
Conviction CDR Code #: 01 01 419
Original Sentence: 3 years SC to 5 years Probation

ORDER

The above named defendant has been charged with violating the conditions of probation ordered on 10/02/12 in the Court of General Sessions of Richland County, and/or the additional conditions ordered by the Court in probation continuation orders(s) issued on 9/10/13, 9/16/14, 2/10/15, as set forth in the attached warrant(s) or citation(s) dated 2-1-15. After hearing the evidence and being duly advised, in the (presence/absence) of the defendant, I find that the above named defendant has violated the following condition(s) of probation: (List by number or indicate special conditions as provided in the affidavit)

Therefore, IT IS ORDERED that:

- the suspended sentence be revoked and the above named defendant be required to serve _____ 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 18 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 16 JAN 21 10 21:18
- 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:
Must report to 1211 Airways, Columbia SC 29201 upon release.

16 JAN 21 10 21:18
JUDICIAL CIRCUIT
RICHLAND COUNTY

- 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 10 ^{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 14 day of February, 2016
Columbia, SC

[Signature]
Presiding Judge
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 [Signature]

Witnessed by _____

Signed this _____ day of _____, _____ at Columbia SC

STATE OF SOUTH CAROLINA

AFFIDAVIT

County of RICHLAND

Personally appeared before me, Luis R. Morales Vellon, who first being duly sworn, deposes and says that TEKYSHA R COHEN did within this county and State on the 29 day of October, 2014, violate certain conditions of release in the following particulars:

DESCRIPTION OF VIOLATION

The above named defendant has failed to comply with the Court's probation order and the defendant's agreement to pay a fine, restitution and supervision fees.


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:

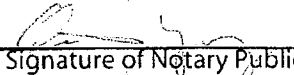
The above named defendant agreed in writing, as a part of his/her probation agreement, to pay a fine, restitution and supervision fees. The defendant has not complied with his/her written agreement. As of the date of this affidavit, the defendant's arrearage and unpaid balance on the agreed payment schedule is as follows:

	<i>Fine</i>	<i>Restitution</i>	<i>Supervision Fees</i>	<i>DNA Fees</i>
Arrearage	\$0.00	\$750.00	\$1,200.00	\$0.00
Unpaid Balance	\$648.90	\$8,087.28	\$3,000.00	\$250.00

The matter needs to be reviewed by the court pursuant to Section 24-21-430. The defendant should be required to show the Court why he/she has not kept his/her probation agreement to pay. The Court should determine whether or not the defendant has willfully violated the condition to pay fines, and/or restitution and whether or not the condition to pay fines, restitution should be modified.

Sworn to and subscribed
before me this 29 day of
October 2014


Affiant


Signature of Notary Public

My Commission Expires: 6/27/15

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

County of Richland
STATE VS.

Indictment Number:

12 -GS- 40 - 07056

Probation C/W#s: C-70-14-0719

Tekysha R. Cohen
AKA:
Race: E Sex: F
DOB:
SSN:
SID#: 1710080

Name of Original Offense: CONSPIRACY
Original A/W#: I 929153
Date of Original Offense: 9/10/10
Conviction S.C. Code §: 16-17-040
Conviction CDR Code #: 0101419
Original Sentence: 240 days with probation for 540 days

ORDER

The above named defendant has been charged with violating the conditions of probation ordered on 10/10/11 in the Court of General Sessions of Richland County, and/or the additional conditions ordered by the Court in probation continuation orders(s) issued on 07/01/12, as set forth in the attached warrant(s) or citation(s) dated 02/10/15. After hearing the evidence and being duly advised, in the (presence/absence) of the defendant, I find that the above named defendant has violated the following condition(s) of probation: (List by number or indicate special conditions as provided in the affidavit)
7, 9, 16

Therefore, IT IS ORDERED that:

- the suspended sentence be revoked and the above named defendant be required to serve _____ 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:
Example of Gov. by of S/F Adams, Restraint of fines and Probation. Counsel advised supervision for 0. Arrearage & Acc.

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 67 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 17 day of February, 2015,
Columbia, SC

Presiding Judge [Signature]
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, 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 [Signature]

Witnessed by [Signature]

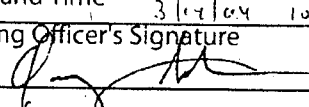
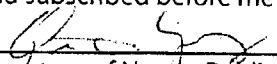
Signed this 10 day of February, 2015, at Columbia, SC

Form 16.6
Form Approved by
SC Attorney General
May 1988

Financial PROBATION CITATION

Indictment Number: 12-GS-40-03056

Citation #: C-40-14-0141

SOUTH CAROLINA		COUNTY: RICHLAND	
V.		SID # 01710680	
TEKYSHA R COHEN		SCDC #	
TO: TEKYSHA R COHEN			
YOU ARE HEREBY NOTIFIED to appear in the above 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 The above named defendant has failed to comply with the Court's probation order and the defendant's agreement to pay a fine, restitution and supervision fees.			
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.			
COLUMBIA , South Carolina		Probation and Parole Agent	
Date 3/4/2014		Luis R. Morales Vellon	
		Agent # 0497	
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 <u>SCA PPD'S</u>		Date and Time <u>3/4/14 10:50</u>	
		Serving Officer's Signature 	
Sworn to and subscribed before me this <u>4</u> day of <u>MARCH</u> <u>2014</u>			
 Signature of Notary Public		My Commission Expires <u>6/27/15</u>	

STATE OF SOUTH CAROLINA

AFFIDAVIT

County of RICHLAND

Personally appeared before me, Luis R. Morales Vellon, who first being duly sworn, deposes and says that TEKYSHA R COHEN did within this county and State on the 4 day of March, 2014, violate certain conditions of release in the following particulars:

DESCRIPTION OF VIOLATION

The above named defendant has failed to comply with the Court's probation order and the defendant's agreement to pay a fine, restitution and supervision fees.

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 above named defendant agreed in writing, as a part of his/her probation agreement, to pay a fine, restitution and supervision fees. The defendant has not complied with his/her written agreement. As of the date of this affidavit, the defendant's arrearage and unpaid balance on the agreed payment schedule is as follows:

	<i>Fine</i>	<i>Restitution</i>	<i>Supervision Fees</i>	<i>DNA Fees</i>
Arrearage	\$0.00	\$625.00	\$850.00	\$250.00
Unpaid Balance	\$648.90	\$8,387.28	\$3,000.00	\$250.00

The matter needs to be reviewed by the court pursuant to Section 24-21-430. The defendant should be required to show the Court why he/she has not kept his/her probation agreement to pay. The Court should determine whether or not the defendant has willfully violated the condition to pay fines, and/or restitution and whether or not the condition to pay fines, restitution should be modified.

Sworn to and subscribed
before me this 4 day of
March 2014

Affiant

Signature of Notary Public

My Commission Expires: 6/27/15

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

County of Richland
STATE VS.

Indictment Number: 12-GS-40-03050
Probation C/W#: C-06-N-0101

AKA: Tokyo A. Lewis
Race: B Sex: F
DOB: _____
SSN: _____
SID#: 1710000

Name of Original Offense: Domestic Violence
Original A/W#: I 979153
Date of Original Offense: 7/2/11
Conviction S.C. Code §: 16-17-0410
Conviction CDR Code #: 0101419
Original Sentence: 30 days in jail 90 days probation

ORDER

The above named defendant has been charged with violating the conditions of probation ordered on 11/22/12 in the Court of General Sessions of Richland County, and/or the additional conditions ordered by the Court in probation continuation orders(s) issued on 04/11/14, as set forth in the attached warrant(s) or citation(s) dated 4/11/14. 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)
7 & 10

Therefore, IT IS ORDERED that:

- the suspended sentence be revoked and the above named defendant be required to serve _____ 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:
Restoration of financial obligations; Appeal to Columbia Center for assistance

- 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 0 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 4 day of April, 2014, at Richland, SC

Keyhard
Presiding Judge of 1st 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 Tokyo A. Lewis

Witnessed by James M. Moore

Signed this 4 day of March, 2014, at _____, City

ETAN A. HAY
SC

Financial PROBATION CITATION

Indictment Number: 12-GS-40-03056

Citation #: C-40-13-0489

SOUTH CAROLINA		COUNTY: RICHLAND	
v.		SID # 01710680	
TEKYSHA R COHEN		SCDC #	
TO: TEKYSHA R COHEN			
YOU ARE HEREBY NOTIFIED to appear in the above 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 The above named defendant has failed to comply with the Court's probation order and the defendant's agreement to pay a fine, restitution and supervision fees.			
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.			
COLUMBIA, South Carolina		Probation and Parole Agent	
Date 8/26/2013		Luis R. Morales Vellon	
		Agent # 0497	
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	
SCA PDAS		8/27/2013	
		Serving Officer's Signature	
		<i>[Signature]</i>	
Sworn to and subscribed before me this <u>27</u> day of <u>August</u> , <u>2013</u>			
Signature of Notary Public		My Commission Expires <u>6/22/15</u>	

STATE OF SOUTH CAROLINA

AFFIDAVIT

County of RICHLAND

Personally appeared before me, Luis R. Morales Vellon, who first being duly sworn, deposes and says that TEKYSHA R COHEN did within this county and State on the 26 day of August, 2013, violate certain conditions of release in the following particulars:

DESCRIPTION OF VIOLATION

The above named defendant has failed to comply with the Court's probation order and the defendant's agreement to pay a fine, restitution and supervision fees.

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 above named defendant agreed in writing, as a part of his/her probation agreement, to pay a fine, restitution and supervision fees. The defendant has not complied with his/her written agreement. As of the date of this affidavit, the defendant's arrearage and unpaid balance on the agreed payment schedule is as follows:

	<i>Fine</i>	<i>Restitution</i>	<i>Supervision Fees</i>	<i>DNA Fees</i>
Arrearage	\$150.00	\$886.00	\$500.00	\$0.00
Unpaid Balance	\$648.90	\$8,387.28	\$3,000.00	\$250.00

The matter needs to be reviewed by the court pursuant to Section 24-21-430. The defendant should be required to show the Court why he/she has not kept his/her probation agreement to pay. The Court should determine whether or not the defendant has willfully violated the condition to pay fines, and/or restitution and whether or not the condition to pay fines, restitution should be modified.

Sworn to and subscribed before me this 26 day of August, 2013

Luis R. Morales Vellon
Affiant

[Signature]
Signature of Notary Public

My Commission Expires: 6/27/15

County of Richland
STATE VS.

Indictment Number: 12-GS-40-0307
Probation C/W#s: C-40-13-0489

Tonyshia Beckon
AKA: _____
Race: B Sex: F
DOB: _____
SSN: _____
SID#: 1710690

Name of Original Offense: CONSUMPTION
Original A/W#: I929157
Date of Original Offense: 9/10/11
Conviction S.C. Code §: 16-17-0410
Conviction CDR Code #: 0101419
Original Sentence: 3yrs 30d of probation for 1yr

ORDER

The above named defendant has been charged with violating the conditions of probation ordered on 10/10/11 in the Court of General Sessions of Richland County, and/or the additional conditions ordered by the Court in probation continuation orders(s) issued on 7/7/11, as set forth in the attached warrant(s) or citation(s) dated 20th month 2011. 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)

Therefore, IT IS ORDERED that:

- the suspended sentence be revoked and the above named defendant be required to serve _____ 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:
Additional condition: defendant must pay all court costs and fees within 30 days of this order; high payment of fine weekly.

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 _____ months/years on this sentence (split sentence time and/or prior partial revocation time)

ENTERED ON 9-23-11
BY [Signature]

The defendant was previously placed on active electronic monitoring pursuant to §23-3-540.

This 14 day of August, 2011, at Columbia, SC

Presiding Judge [Signature] 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, if deemed 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 [Signature]

Witnessed by [Signature]

Signed this 27 day of August, 2011, at Columbia, SC

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

21

COUNTY OF Richland
STATE VS.
Tekysha R Cohen
AKA:
Race: BLACK Sex: F Age: 36
DOB: SS#:
Address:
City, State, Zip:
DL#: 004405574 SID#:

INDICTMENT/CASE#: 2012GS4003056
A/W#: I939153
Date of Offense: 9/1/2011
S.C. Code § : 16-17-0410
CDR Code #: 0049

SENTENCE SHEET

*CDL Yes No CMV Yes No Hazmat Yes No
In disposition of the said indictment comes now the Defendant who was
TO: Conspiracy / Criminal Conspiracy, Common Law conspiracy defined

CONVICTED OF or PLEADS

in violation of § 16-17-0410 of the S.C. Code of Laws, bearing CDR Code # 0049
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.
The plea is: Without Negotiations or Recommendation, Negotiated Sentence, Recommendation by the State.

ATTEST:
Williams, Justin SC Bar# 80478 Defendant
Tekysha R Cohen Attorney for Defendant
16/6/4 SC Bar#

WHEREFORE, the Defendant is committed to the State Department of Corrections, County Detention Center,
for a determinate term of 3 days/months/years or under the Youthful Offender Act not to exceed 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 5 years probation
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 PTUP
Total: \$ 701.07 plus 20% fee: \$
Payment Terms:
Set by SCDPPPS

Table with 3 columns: Description, Amount, Total. Includes items like § 14-1-206 (Assessments 107.5%), § 14-1-211(A)(1) (Conv. Surcharge) \$100, § 14-1-211(A)(2) (DUI Surcharge) \$100, § 56-5-2995 (DUI Assessment) \$12, § 56-1-286 (DUI Breath Test) \$25, Proviso 47.9 (Public Def/Prob) \$500, § 14-1-212 (Law Enforce. Funding) \$25, § 14-1-213 (Drug Court Surcharge) \$150, § 50-21-114 (BUI Breath Test Fee) \$50, § 56-5-2942(J) (Vehicle Assessment) \$40/ea, Proviso 90.5 (SCCJA Surcharge) \$5, 3% to County (if paid in installments) \$, TOTAL \$

days/hours Public Service Employment
Obtain GED
Attend Voc. Rehab. or Job Corp.
May serve W/E beginning
Substance Abuse Counseling
Random Drug/Alcohol testing
Fine may be pd. in equal, consecutive weekly/monthly
pmts. of \$ beginning
\$ paid to Public Defender Fund
Other:
Appointed PD or appointed other counsel,
§ 47.12 requires \$500 be paid to Clerk
during probation.

Clerk of Court/ Deputy Clerk: Jeanette McBride / McCurdy
Court Reporter: McCurdy
SCCA/217 (03/2011)

Presiding Judge: Al Cree Lee
Judge Code: 2118
Sentence Date: 10/2/12

WITNESSES

(S) B Rast - Richland County Sheriff

ARREST WARRANT NUMBER

1939153

ACTION OF GRAND JURY

TRUE BILL

Jill Koenigs
Foreperson of Grand Jury
Date:

JUL 19 2012

VERDICT

Foreperson of Petit Jury
Date:

DOCKET NO. 2012-GS-40-03056

The State of South Carolina

County of

Richland

COURT OF GENERAL SESSIONS

JULY TERM 2012

102

THE STATE

vs.

Tekysha R Cohen

**Indictment for
CRIMINAL CONSPIRACY**

SC Code: 16-17-0410

CDR Code: 0049

After being fully advised as to my legal rights, I hereby waive presentment to the Grand Jury.

Defendant

I hereby appear in my own proper person and plead guilty to the within indictment or to

Defendant

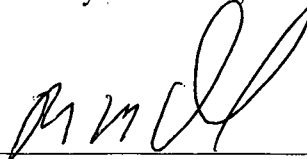
Witness:

C.C.C. PLS. AND G.S.

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,



Robert M. Dudek
Chief Appellate Defender

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

ATTORNEY FOR APPELLANT

This 8th day of August, 2017.

RECEIVED

AUG 08 2017

SC Court of Appeals