

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF Orangeburg
STATE VS. Oscar James Small Jr
AKA:
Race: BLACK Sex: M Age: 57
DOB: SS#:
Address: 1
City, State, Zip: Holly Hill, SC 29059-3024
DL#: SID#:
\*CDL Yes No CMV Yes No Hazmat Yes No
In disposition of the said indictment comes now the Defendant who was TO: Exposing Another to Hiv Virus

INDICTMENT/CASE#: 2017GS38-1066
A/W#: 2015A3820500107
Date of Offense: 8/1/2015
S.C. Code § : 44-29-145
CDR Code #: 1561

RECEIVED
AUG 07 2017
SC Court of Appeals

SENTENCE SHEET

CONVICTED OF or PLEADS

in violation of § 44-29-145 of the S.C. Code of Laws, bearing CDR Code # 1561
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.
The plea is: Without Negotiations or Recommendation, Negotiated Sentence, Recommendation by the State.

ATTEST: Ashley B. Cornwell, Ashley B. 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 10 days/months/years or under the Youthful Offender Act not to exceed years
and/or to pay a fine of \$ ; provided that upon the service of days/months/years and/or payment
of \$ ; plus costs and assessments as applicable\*; the balance is suspended with probation for

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: 2016 GS 38-0204
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 (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

Recipient:

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 61.6 (Public Def/Probation) \$500, § 14-1-212 (Law Enforce. Funding) \$25, § 14-1-213 (Drug Court Surcharge) \$150, § 50-21-114(BUI Breath Test Fee) \$50, § 56-5-2942(J) (Vehicle Assessment) \$40/ea, 3% to County (if paid in installments) \$ 3.75

TOTAL \$ 128.75

Clerk of Court/ Deputy Clerk: Doreen Valentin Wells
Court Reporter: Heather Randy
SCCA/217 (07/2016)

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, Proviso 61.6 requires \$500 be paid to Clerk during probation and shall be collected before any other fees.
Presiding Judge: [Signature]
Judge Code: 2144
Sentence Date: 7-27-17

**WITNESSES**

Joshua Detter

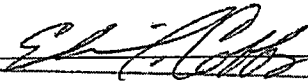
Holly Hill Police Department

**ARREST WARRANT NUMBER**

2015A3820500107

Arrested: December 16, 2015

**ACTION OF GRAND JURY  
TRUE BILL**



JUL 05 2017

Date

Foreperson of Grand Jury

Date: July 5, 2017

**VERDICT**

Foreperson of Petit Jury

Date:

DOCKET NO. 2017GS38-1066

**The State of South Carolina**

County of ORANGEBURG

**COURT OF GENERAL SESSIONS**

July 10, 2017 TERM

**THE STATE**

vs.

Oscar James Small Jr

**Indictment for**

**EXPOSING ANOTHER TO HIV VIRUS**

SC Code: 44-29-145

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.

FILED FOR RECORD  
WINNIFRA B. CLARK  
2017 JUL - 5 A 10:33  
CLERK OF COURT  
ORANGEBURG, SC

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF ORANGEBURG )

INDICTMENT  
2017GS38-1066

At a Court of General Sessions, convened on July 5, 2017 the Grand Jurors of Orangeburg County present upon their oath:

**EXPOSING ANOTHER TO HIV VIRUS**

That Oscar James Small, Jr., did in Orangeburg County, on or between August 1 and August 31, 2015, while knowing that he is infected with Human Immunodeficiency Virus (HIV), did knowingly engage in sexual intercourse, vaginal, anal or oral, with another person without consent or without first informing that person of his HIV infection. This offense is in violation of Section 44-29-145 of the South Carolina Code of Laws, as amended.

Against the peace and dignity of the State, and contrary to the statute in such case made and provided.



Ashley B. Cornwell, Solicitor

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF Orangeburg
STATE VS. Oscar James Small Jr
AKA:
Race: BLACK Sex: M Age: 57
DOB: SS#:
Address:
City, State, Zip: Holly Hill, SC 29059-3024
DL#: SID#:

INDICTMENT/CASE#: 2016GS38-0204
A/W#: 2015A3820500106
Date of Offense: 8/1/2015
S.C. Code § : 16-3-655(1)
CDR Code #: 0385

SENTENCE SHEET

\*CDL Yes No CMV Yes No Hazmat Yes No
In disposition of the said indictment comes now the Defendant who was CONVICTED OF or PLEADS
TO: Criminal Sexual Conduct with Minor - Victim Under 11 Yrs of Age - First Degree

in violation of § 16-3-655(1) of the S.C. Code of Laws, bearing CDR Code # 0385
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: Cornwell, Ashley B. SC Bar# 76577 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 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

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 (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

Recipient:

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 61.6 (Public Def/Probation) \$500, § 14-1-212 (Law Enforce. Funding) \$25, § 14-1-213 (Drug Court Surcharge) \$150, § 50-21-114(BUI Breath Test Fee) \$50, § 56-5-2942(J) (Vehicle Assessment) \$40/ea, 3% to County (if paid in installments) \$ 3.75.

TOTAL \$ 128.75

Clerk of Court/ Deputy Clerk: Demarcus Wake
Court Reporter: Heather Handry
SCCA/217 (07/2016)

PTUP days/hours Public Service Employment
Obtain GED
Attend Voc. Rehab. or Job Corp.
May serve W/E beginning
Substance Abuse Counseling
Random Drug/Alcohol testing
Fine may be pd. in equal, consecutive weekly/monthly
pmts. of \$ beginning
\$ paid to Public Defender Fund
Other:

Appointed PD or appointed other counsel, Proviso 61.6 requires \$500 be paid to Clerk during probation and shall be collected before any other fees.
Presiding Judge: [Signature]
Judge Code: 21414
Sentence Date: 7-27-17

**WITNESSES**

Joshua Detter

Holly Hill Police Department

**ARREST WARRANT NUMBER**

2015A3820500106

Arrested: December 16, 2015

**ACTION OF GRAND JURY**

**TRUE BILL**



JUL 05 2017

Foreperson of Grand Jury

Date: July 5, 2017

**VERDICT**

Foreperson of Petit Jury

Date:

DOCKET NO. 2016GS38-0204

**The State of South Carolina**

County of ORANGEBURG

**COURT OF GENERAL SESSIONS**

July 10, 2017 TERM

**THE STATE**

vs.

Oscar James Small Jr

**Indictment for**

**CRIMINAL SEXUAL CONDUCT WITH  
MINOR - VICTIM UNDER 11 YRS OF  
AGE - FIRST DEGREE**

SC Code: 16-3-655(1)

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.

FILED FOR RECORD  
WINNIFA B. CLARK  
2017 JUL -5 A 10:33  
CLERK OF COURT  
ORANGEBURG, SC

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF ORANGEBURG )

INDICTMENT  
2016GS38-0204

At a Court of General Sessions, convened on July 5, 2017 the Grand Jurors of Orangeburg County present upon their oath:

**CRIMINAL SEXUAL CONDUCT WITH MINOR - VICTIM UNDER 11 YRS OF  
AGE - FIRST DEGREE**

That in Orangeburg County, South Carolina, on or between August 1 and August 31, 2015, the Defendant, Oscar James Small Jr, did willfully and unlawfully commit criminal sexual conduct with a minor in the first degree by engaging in sexual battery with a minor who was less than eleven (11) years of age to wit: \_\_\_\_\_, DOB: October 27, 2009. This offense in violation of Section 16-3-655 of the South Carolina Code of Laws, as amended.

Against the peace and dignity of the State, and contrary to the statute in such case made and provided.



Ashley B. Cornwell, Solicitor

STATE OF SOUTH CAROLINA ) IN THE COURT OF GENERAL SESSIONS  
 ) IN THE FIRST JUDICIAL CIRCUIT  
 COUNTY OF ORANGEBURG ) Case No.: 2016-GS-38-0204  
 ) 2016-GS-38-0205  
 )  
 The State, )  
 )  
 vs. )  
 )  
 Oscar James Small, Jr, )  
 )  
 Defendant. )  
 )  
 \_\_\_\_\_ )

VERDICT FORM

1. We, the jury, unanimously find the Defendant

Guilty

Guilty Of Criminal Sexual Conduct With A

Minor in The First Degree

\_\_\_\_\_

Not Guilty

2. We, the jury, unanimously find the Defendant

Guilty

Guilty Of Exposing Another to HIV

\_\_\_\_\_

Not Guilty

Dated: 7-27-2017

Timothy F. Adrien  
 Foreperson