

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

0-11

COUNTY OF Sumter

STATE VS. Daniel Peter Girdvainis

AKA:

Race: White Sex: M Age: 43

DOB: SS#: [redacted]

Address:

City, State, Zip: Sumter, SC 29154

DL#: SID#:

*CDL Yes [] No [] CMV Yes [] No [] Hazmat Yes [] No []

In disposition of the said indictment comes now the Defendant who was TO: Sex / Criminal sexual conduct - Third degree

INDICTMENT/CASE#: 2016-GS-43-0347

A/W#: 2015A4310200921

Date of Offense: 11/5/2015

S.C. Code § : 16-03-0654

CDR Code #: 0162

AUG 28 2017

SENTENCE SHEET SC Court of Appeals

[] CONVICTED OF or [X] PLEADS

in violation of § 16-03-0654 of the S.C. Code of Laws, bearing CDR Code # 0162

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

The charge is: [X] As Indicted, [] Lesser Included Offense, [] Defendant Waives Presentment to Grand Jury. (defendant's initials)

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

ATTEST: [Signature] Brown, Tyler SC Bar# 78316 [Signature] Defendant [Signature] Attorney for Defendant [Signature] SC Bar# 101791

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

for a determinate term of 6 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:

[X] 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

Total: \$ plus 20% fee: \$

Payment Terms:

[] Set by SCDPPPS

Recipient:

*Fine:

§ 14-1-206 (Assessments 107.5 %)	\$	
§ 14-1-211(A)(1) (Conv. Surcharge)	\$100	\$ 100.00
§ 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	\$ 25.00
§ 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 \$ 1287.5

Clerk of Court/ Deputy Clerk James C. Campbell

Court Reporter: Elizabeth Harris

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: Special Offender Registry required. However, since no minor involved in this offense, and with victim consent, violation and contact with his children is not a violation of sexual registry.

[] 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: 2107

Sentence Date: 8-22-17

WITNESSES

D, Dellinger
Sumter County Sheriff

J. Mims SCSO

ARREST WARRANT NUMBER

2015A4310200921

ACTION OF GRAND JURY

Robert E. Halloway
Foreperson of Grand Jury
Date: *3/17/16*

VERDICT

Foreperson of Petit Jury
Date:

DOCKET NO. 2016-GS-43-0347

The State of South Carolina

County of SUMTER

COURT OF GENERAL SESSIONS

MARCH TERM 2016

THE STATE

vs.

DANIEL PETER GIRDVAINIS

Indictment for

Criminal Sexual Conduct - Third Degree

Ernest A. Finney III

ERNEST A. FINNEY, III, SOLICITOR

STATE OF SOUTH CAROLINA)
COUNTY OF SUMTER)

INDICTMENT FOR

Criminal Sexual Conduct - Third Degree

At a Court of General Sessions, convened on March 17, 2016 the Grand Jurors of SUMTER County present upon their oath:

COUNT ONE – CRIMINAL SEXUAL CONDUCT, THIRD DEGREE

That in Sumter County, South Carolina, on or about November 5, 2015, the Defendant, Daniel Peter Girdvainis, did commit a sexual battery upon the victim, with knowledge or reason to have knowledge that the victim was mentally defective, mentally incapacitated or physically helpless where aggravated force or aggravated coercion was not used, to wit: **digitally penetrating the victim while she was incapacitated as a result of prescription medication**; all in violation of §16-3-654, Code of Laws of South Carolina, (1976, as amended).

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

Solicitor

