

THE LAW OFFICES OF LAURA M. SAUNDERS, LLC  
Laura M. Saunders  
Attorney At Law

P.O. Box 731  
102 Church St.  
Laurens, SC 29360

(864) 681-4444 phone  
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October 2, 2017

**RECEIVED**

OCT 06 2017

Via U.S. Mail

The Honorable Daniel E. Shearouse  
Clerk, South Carolina Supreme Court  
P.O. Box 11330  
Columbia, SC 29211

**S.C. SUPREME COURT**

*Re: Henry Delos Anderson #358826 vs. State of South Carolina  
C/A No. 2014-CP-36-00401; Notice of Appeal and Proof of Service*

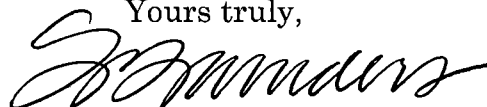
Dear Mr. Shearouse:

Enclosed for filing please find a Notice of Appeal which is being filed on behalf of the Appellant, Henry Delos Anderson #358826. Also enclosed are the following documents: (1) Proof of Service of Notice of Appeal; (2) a copy of the order denying Mr. Andersons' application for Post-Conviction Relief; and (3) a copy of the sentencing sheets from Mr. Andersons' trial. It is my understanding that a filing fee is not included because this appeal arises out of a post-conviction relief matter pursuant to Rule 203(d) SCACR. I have not been retained or appointed to handle the appeal.

Please file the original and return a clocked-in copy to me in the enclosed self-addressed stamped envelope. By copy of this letter, I am hereby serving the Attorney General with a copy of the same. I have also filed an original with the Clerk of Court in Newberry County. Should you have any questions, please do not hesitate to contact me. Thank you for your assistance.

With Kind Regards, I am

Yours truly,



Laura M. Saunders

*Enclosures*

*LMS/ File 4.400*

*cc: Justin Hunter, Assistant Attorney General  
Henry Delos Anderson #358826*

**RECEIVED**

THE STATE OF SOUTH CAROLINA  
In the Supreme Court

OCT 06 2017

APPEAL FROM NEWBERRY COUNTY  
Court of Common Pleas

**S.C. SUPREME COURT**

G. Thomas Cooper, Presiding Circuit Judge – Laurens County  
(8<sup>th</sup> Circuit PCR Term)

Post-Conviction Relief C/A Number:  
2014-CP-36-0401

State of South Carolina,

Respondent,

v.

Henry D. Anderson #358826,

Appellant.

**NOTICE OF APPEAL**

Henry D. Anderson #358826 appeals the decision and Order dated August 24, 2017. Counsel for Appellant received written entry of this Order on September 22, 2017.

Date: October 2, 2017



Laura M. Saunders, Esquire  
The Law Offices of Laura M. Saunders, LLC  
Post Office Box 731  
Laurens, South Carolina 29360  
Phone: 864-681-4444/ Fax: 866-654-0282  
PCR Counsel for Henry Anderson

Other Counsel of Record:  
Justin Hunter, Esquire  
SC Attorney General's Office  
Post Office Box 11549  
Columbia, SC 29211-1549  
(803) 734-3963

THE STATE OF SOUTH CAROLINA  
In the Supreme Court

**RECEIVED**

OCT 06 2017

APPEAL FROM NEWBERRY COUNTY  
Court of Common Pleas

**S.C. SUPREME COURT**

G. Thomas Cooper, Presiding Circuit Judge – Laurens County  
(8<sup>th</sup> Circuit PCR Term)

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Post-Conviction Relief C/A Number:  
2014-CP-36-0401

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State of South Carolina,

Respondent,

v.

Henry D. Anderson #358826

Appellant.

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**PROOF OF SERVICE**

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I certify that I have served the Notice of Appeal on the Respondent, State of South Carolina, by depositing a copy of it in the United States Mail, postage prepaid, on October 2, 2017 addressed to its attorney of record, Justin Hunter, Esquire, Assistant Attorney General, PO Box 11549, Columbia, South Carolina 29211.

Date: October 2, 2017



Laura M. Saunders, Esquire  
The Law Offices of Laura M. Saunders, LLC  
Post Office Box 731  
Laurens, South Carolina 29360  
Phone: 864-681-4444/ Fax: 866-654-0282  
PCR Counsel for Henry D. Anderson

Other Counsel of Record:  
Justin Hunter, Esquire  
SC Attorney General's Office  
Post Office Box 11549  
Columbia, SC 29211-1549  
(803) 734-3963

**FORM 4**

**STATE OF SOUTH CAROLINA  
COUNTY OF NEWBERRY  
IN THE COURT OF COMMON PLEAS**

**JUDGMENT IN A CIVIL CASE  
CASE NUMBER 2014CP3600401**

<b>Henry Delos Anderson</b>		<b>State Of South Carolina</b>	
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<b>PLAINTIFF(S)</b>	<b>DEFENDANT(S)</b>
<b>Submitted by:</b>	<b>Attorney for:</b> <input type="checkbox"/> Plaintiff <input type="checkbox"/> Defendant <input type="checkbox"/> Self-Represented Litigant

**DISPOSITION TYPE (CHECK ONE)**

- JURY VERDICT.** This action came before the court for a trial by jury. The issues have been tried and a verdict rendered.
- DECISION BY THE COURT.** This action came to trial or hearing before the court. The issues have been tried or heard and a decision rendered.  See Page 2 for additional information.
- ACTION DISMISSED (CHECK REASON):**       Rule 12(b), SCRPC;                       Rule 41(a), SCRPC (Vol. Nonsuit);  
 Rule 43(k), SCRPC (Settled);                       Other: \_\_\_\_\_
- ACTION STRICKEN (CHECK REASON):**       Rule 40(j) SCRPC;       Bankruptcy;  
 Binding arbitration, subject to right to restore to confirm, vacate or modify arbitration award;       Other: \_\_\_\_\_
- STAYED DUE TO BANKRUPTCY**
- DISPOSITION OF APPEAL TO THE CIRCUIT COURT (CHECK APPLICABLE BOX):**  
 Affirmed;       Reversed;       Remanded;       Other:

NOTE: ATTORNEYS ARE RESPONSIBLE FOR NOTIFYING LOWER COURT, TRIBUNAL, OR ADMINISTRATIVE AGENCY OF THE CIRCUIT COURT RULING IN THIS APPEAL.

**IT IS ORDERED AND ADJUDGED:**  See attached order: (formal order to follow)  Statement of Judgment by the Court:

**ORDER INFORMATION**

**This order**  ends  does not end the case.  
Additional Information for the Clerk:

**Order of Dismissal**

**INFORMATION FOR THE JUDGMENT INDEX**

Complete this section below when the judgment affects title to real or personal property or if any amount should be enrolled. If there is no judgment information, indicate "N/A" in one of the boxes below.

Judgment in Favor of (List name(s) below)	Judgment Against (List name(s) below)	Judgment Amount To be Enrolled (List amount(s) below)

If applicable, describe the property, including tax map information and address, referenced in the order:

The judgment information above has been provided by the submitting party. Disputes concerning the amounts contained in this form may be addressed by way of motion pursuant to the SC Rules of Civil Procedure. Amounts to be computed such as interest or additional taxable costs not available at the time the form and final order are submitted to the judge may be provided to the clerk.

**Note: Title abstractors and researchers should refer to the official court order for judgment details.**

**E-Filing Note: In E-Filing counties, the Court will electronically sign this form using a separate electronic signature page.**

S/ G. Thomas Cooper, Jr.

08/24/2017

**Circuit Court Judge**

**Judge Code**

**Date**

**For Clerk of Court Office Use Only**

This judgment was entered on **September 18, 2017**, and a copy mailed first class or placed in the appropriate attorney's box on **September 19, 2017**, to attorneys of record or to parties (when appearing pro se) as follows:

**Laura McCall Saunders** PO Box 731 102 Church Street  
Laurens, SC 29360

**Justin James Hunter** PO Box 11549 Columbia, SC  
29211-1549

---

**ATTORNEY(S) FOR THE PLAINTIFF(S)**

---

**ATTORNEY(S) FOR THE DEFENDANT(S)**

Elizabeth P. Folk (jt)

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**Court Reporter**

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**Elizabeth P. Folk - Clerk of Court**

**Court Reporter:**

**E-Filing Note: In E-Filing counties, the date of Entry of Judgment is the same date as reflected on the Electronic File Stamp and the clerk's entering of the date of judgment above is not required in those counties. The clerk will mail a copy of the judgement to parties who are not E-Filers or who are appearing pro se. See Rule 77(d), SCRCP.**

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**ADDITIONAL INFORMATION REGARDING DECISION BY THE COURT AS REFERENCED ON PAGE 1.**

This action came to trial or hearing before the court. The issues have been tried or heard and a decision rendered.

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STATE OF SOUTH CAROLINA )  
COUNTY OF NEWBERRY )  
Henry Anderson, )  
S.C.D.C. No. 358826, )  
Applicant, )  
v. )  
State of South Carolina, )  
Respondent. )

IN THE COURT OF COMMON PLEAS  
OF THE EIGHTH JUDICIAL CIRCUIT

2014-CP-36-401

**ORDER OF DISMISSAL**

FILED  
NEWBERRY COUNTY  
2017 SEP 18 AM 10:44  
ELIZABETH P. FOLK  
CLERK OF COURT

This matter comes before the Court by way of an Application for Post-Conviction Relief (PCR) filed August 5, 2014. An evidentiary hearing into the matter was convened on June 5, 2017, at the Laurens County Courthouse in Laurens, South Carolina. Applicant was present at the hearing and represented by Laura Saunders, Esquire. Justin Hunter, Esquire, of the South Carolina Attorney General's Office represented Respondent. At the hearing, Applicant testified on his own behalf. Applicant's trial counsel, Thomas Mosley, Esquire, also testified. This Court had before it a copy of Applicant's records from the Newberry County Clerk of Court, Applicant's records from the South Carolina Department of Corrections, the trial transcript, Applicant's PCR Application and amendment, Respondent's Return, and Applicant's exhibits.

**I. PROCEDURAL HISTORY**

Applicant is presently confined in the South Carolina Department of Corrections pursuant to orders of commitment of the Newberry County Clerk of Court. Applicant was indicted at the April 2013 term of the Newberry County Grand Jury for first degree criminal sexual conduct (2013-GS-36-0238), kidnapping (2013-GS-36-0239), and pointing and presenting a firearm (2013-GS-36-0240). Applicant was represented by Thomas E. Mosely, Esquire. On February 10-14, 2014, Applicant underwent trial by jury and was convicted of all charges as indicted. The

Honorable Frank R, Addy, Jr. sentenced Applicant to imprisonment for twenty years for first degree criminal sexual conduct, thirty years for kidnapping, and five years for pointing and presenting a firearm. All sentences were to run concurrently.

A Notice of Appeal was filed. The South Carolina Court of Appeals, by written Order dated July 9, 2014, dismissed Applicant's appeal for counsel's failure to comply with Rule 267(a) and Rule 203 SCACR. The Remittitur was sent on July 15, 2014.

On June 10, 2015, Applicant filed an application for post-conviction relief alleging ineffective assistance of counsel. On May 3, 2017, Applicant filed a Motion to Amend, alleging the following grounds:

1. Petitioner requests to be granted a belated appeal pursuant to White v. State, 263 S.C. 110, 208 S.E.2d 35 (1974) because Petitioner did not make a knowing and intelligent decision not to pursue an appeal, because Petitioner requested that trial counsel file and appeal, and trial counsel failed to timely cure the deficiencies as listed in the letter from the Court of Appeals to trial counsel on February 28, 2014, causing the Appeal to be dismissed. Petitioner has therefore suffered prejudice in the form of an unjust procedural error due to trial counsel's deficient performance.
2. Petitioner requests a new trial on the grounds of ineffective assistance of counsel pursuant to Strickland v. Washington, 466 U.S. 668, 104 S.Ct. 2052, 80 L.Ed. 2d 674 (1984). Specifically, Petitioner alleges that trial counsel was deficient in his performance such that Petitioner was prejudiced for the following reasons:
  - a. That trial counsel failed to prepare an Order for Bond after Petitioner was granted a bond by The Honorable Frank Addy on March 22, 2013 which included home detention, but counsel for Petitioner failed and/or refused to prepare an Order granting the Defendant bond. Therefore, Defendant remained incarcerated.
  - b. That trial counsel failed to convey the State's plea offer to Petitioner, which was conveyed to trial counsel by the State on October 24, 2013 via electronic mail.
  - c. That trial counsel failed to request that the Jury be charged with the lesser included offenses of Criminal Sexual Conduct – Second Degree and Criminal Sexual Conduct - Third Degree

## II. APPLICABLE LAW

In a post-conviction relief action, the applicant bears the burden of proving the allegations in their application. Butler v. State, 286 S.C. 441, 334 S.E.2d 813 (1985). Where the

application alleges ineffective assistance of counsel as a ground for relief, the Applicant must prove that "counsel's conduct so undermined the proper functioning of the adversarial process that the trial cannot be relied upon as having produced a just result." Strickland v. Washington, 466 U.S. 668, 104 S. Ct. 2052, 2064, 80 L.Ed.2d 674, 692 (1984); Butler, 334 S.E.2d 813.

The proper measure of performance is whether the attorney provided representation within the range of competence required in criminal cases. The courts presume that counsel rendered adequate assistance and made all significant decisions in the exercise of reasonable professional judgment. Strickland, 466 U.S. 668. Applicant must overcome this presumption in order to receive relief. Cherry v. State, 300 S.C. 115, 386 S.E.2d 624 (1989).

Courts use a two-pronged test in evaluating allegations of ineffective assistance of counsel. Id. at 117, 386 S.E.2d at 625. First, the applicant must prove counsel's performance was deficient. Id. Under this prong, courts measure an attorney's performance by its "reasonableness under prevailing professional norms." Id. (citing Strickland, 466 U.S. at 688). Second, any deficient performance must have prejudiced the applicant such that "there is a reasonable probability that, but for counsel's unprofessional errors, the result of the proceeding would have been different." Id. at 117-18, 386 S.E.2d at 625.

### III. FINDINGS OF FACT AND CONCLUSIONS OF LAW

This Court has reviewed the testimony presented at the evidentiary hearing, observed the witnesses presented at the hearing, passed upon their credibility, and weighed the testimony accordingly. Further, this Court has reviewed the Clerk of Court records regarding the subject convictions, the trial transcript, Applicant's records from the South Carolina Department of Corrections, the application for post-conviction relief, and the legal arguments made by the



attorneys. Pursuant to S.C. Code Ann. § 17-27-80 (2003), this Court makes the following findings of fact based upon all of the probative evidence presented.

As a matter of general impression, this Court finds the testimony of Applicant's trial counsel Thomas Mosley ("Counsel") to be credible and persuasive on all matters. These credibility findings have been applied to the Court's findings and conclusions set forth below.

**Ineffective Assistance of Counsel**

Belated appeal pursuant to *White v. State*, 263 S.C. 110, 208 S.E.2d 35 (1974).

Applicant notified this Court that he is waiving the ground that he is entitled to a belated appeal pursuant to *White v. State*. Therefore, this allegation is dismissed.

Trial Counsel failed to prepare an Order for Bond.

Applicant alleges that Counsel failed to prepare an Order for Bond after his bond hearing on March 22, 2013. Applicant testified that he was supposed to have house arrest. He testified that if he was on house arrest then he would be able to assist Counsel in his defense and assist in paying Counsel. He testified that he called Counsel about the bond hearing and Counsel told him that he was not representing Applicant anymore. Applicant testified that he wrote to the Clerk of Court on March 29, 2013, in an attempt to follow up on his bond hearing.

Counsel testified that he did not recall the facts surrounding the bond hearing. He testified that Judge Addy took the matter under advisement but seemed inclined to give Applicant home detention. He testified that Judge Addy did not place an obligation on him to do anything after the hearing. Counsel testified that it was clear Applicant's family could not afford to keep him as counsel, but also testified that Applicant's uncle said at the bond hearing that they could afford Counsel. Counsel testified that he believes he called the solicitor's office to follow up on the bond matter.



This Court finds that Counsel was not ineffective for failing to secure a bond order for Applicant. This Court finds that Judge Addy notified all parties at the end of the bond hearing that he would take it under advisement and issue an order in the following days. This Court finds that it was not unreasonable for Counsel to wait on the order from Judge Addy as he instructed. Thus, Counsel's performance was not deficient.

This Court also finds that Applicant has failed to show that he was prejudiced by Counsel's actions. Applicant has failed to show that the outcome of his trial would have been different had Counsel prepared a bond order to allow Applicant home detention prior to the trial. He has failed to show with specificity what assistance he could have provided to Counsel pretrial and the impact this would have had on his case. This Court also finds that Applicant has failed to show that the outcome of the trial would have been different because there is no evidence that the State would have presented any different evidence at trial had Applicant been on home detention prior to the trial. Accordingly, this allegation must be dismissed.

Trial counsel failed to convey the State's plea offer to Petitioner, which was conveyed to trial counsel by the State on October 24, 2013 via electronic mail.

Applicant alleged that Counsel was ineffective for failing to convey a plea offer that was conveyed to Counsel by an email on October 24, 2013. This offer was to reduce first degree criminal sexual conduct to second degree criminal sexual conduct, run the pointing and presenting charge concurrently, and drop the kidnapping charge. He testified that he never knew about this plea offer and inquired to the Clerk of Court's Office and the Solicitor's Office about the possibility of plea offers. Applicant testified that he never knew of the October 24, 2013 plea offer until after his trial when he received a copy of his client file from Counsel. Applicant further testified that the file also contained a plea offer conveyed via email to Counsel on October 31, 2013 and Counsel never conveyed this plea offer to him. Applicant testified that he



was surprised to see these offers and would have taken the plea offer had it been conveyed to him.

Counsel testified that he did not recall the exact email from the solicitor conveying the plea offer. He testified that he could not recall if he conveyed the offer but stated that it was his normal practice to convey plea offers to Applicant.

This Court finds that Counsel was not ineffective. This Court finds Counsel provided credible testimony that as a veteran defense attorney it would be his normal practice to convey all plea offers prior to trial. This Court also finds that even if Counsel was deficient, Applicant did not present sufficient evidence to show that he would have taken the plea offer. Although Applicant now testifies that he would have accepted the plea offer, his letter to the solicitor indicates that he wanted to plead to simple assault or first degree assault and battery to a probationary or time served sentence – which is a very different scenario than the offer of second degree criminal sexual assault, which carries twenty years. This Court finds Applicant has failed to meet his burden of proving that Counsel did not convey the plea offer and that he was prejudiced as a result.

Trial counsel failed to request that the Jury be charged with the lesser included offenses of Criminal Sexual Conduct – Second Degree and Criminal Sexual Conduct - Third Degree.

Applicant alleged that Counsel was ineffective for failing to charge the lesser included offenses of CSC second degree and CSC third degree. Counsel testified that he could not recall his reasoning behind asking the court for a third degree assault and battery charge. He testified that he did not want to ask for the criminal sexual conduct lesser included offenses because of the lifetime sex offender registry. Counsel also testified that he wanted to go all-or-nothing with the charges because he believed Applicant was not guilty.

This Court finds that this allegation must be dismissed. First, this Court finds that the trial judge did charge CSC second degree. See Transcript p. 627, ll. 10-20. Regarding CSC third degree, this Court finds that Counsel was not deficient as he did not want the jury to find Applicant guilty of CSC third degree and risk Applicant's lifetime sex offender registration. This Court finds that Counsel provided a valid strategy of not asking for CSC third degree charge. "[W]hen counsel articulates a valid reason for employing a certain strategy, such conduct will not be deemed ineffective assistance of counsel." Smith v. State, 386 S.C. 562, 567, 689 S.E.2d 629, 632 (2010) (citing Caprood v. State, 338 S.C. 103, 110, 525 S.E.2d 514, 517 (2000)).

Furthermore, this Court finds that Applicant has failed to show that the outcome would have been different because the judge indicated that he was not inclined to charge CSC third degree. The transcript reflects that the trial judge indicated to both parties that he was going to charge CSC first degree and second degree but stated, "I am not going to charge CSC third because I tend to agree that that would not apply in this particular scenario and it doesn't sound like Mr. Mosley really even wants CSC third, he would rather have assault." Transcript p. 593, ll. 3-7. Regardless of Counsel's desire to have assault, the trial judge made it clear that he did not think that CSC third degree applied to the facts of Applicant's case. Thus Applicant has failed to prove that he was prejudiced in this regard because the judge did charge CSC second degree and he made it clear that he was not going to charge CSC third degree because it did not fit Applicant's facts. Accordingly, this allegation must be dismissed.

#### Overwhelming Evidence

Additionally, this Court notes that there is clear overwhelming evidence of guilt. See Franklin v. Catoe, 346 S.C. 563, 570 n. 3, 552 S.E.2d 718, 722 n. 3 (2001), cert. denied, 535 U.S. 1114, 122 S.Ct. 2332, 153 L.Ed.2d 162 (2002) (finding overwhelming evidence of guilt negated



any claim that counsel's deficient performance could have reasonably affected the result of defendant's trial).

Evidence was presented at trial through very detailed testimony from the victim about the incident, the threatening and harassing text messages from Applicant, and the video of Applicant pointing a gun at his head. The victim also gave a statement to officers when she was at the hospital for the rape kit test. Applicant admitted that he made a false oral statement to investigators denying any involvement and stating he did not have a gun. Applicant also admitted to giving a written statement to officers at the Sheriff's Office that also denied any involvement but admitted that he had a gun at his house. After learning details about the allegations against him and that a rape kit had been performed on the victim, Applicant then gave another written statement to officers finally admitting that he did get in the car with the victim the morning of the incident and have sex with her across the street. The trial judge noted that he agreed with the jury's verdict and would not hesitate to grant a new trial if he had any hesitation with the verdict. Additionally, in Applicant's letter to the Clerk of Court asking about a plea offer, he stated that he wanted to get the charges out of the way because he was guilty of his charges. Accordingly, this Court finds that there is overwhelming evidence of Applicant's guilt, and as a result, Applicant cannot show that the result of his trial would have been different but for Counsel's alleged performance.

#### IV. CONCLUSION

Based on the foregoing facts, the Court finds and concludes that Applicant has not established any constitutional violations or deprivations that would require this Court to grant his application for post-conviction relief. Applicant failed to demonstrate that Counsel's performance was unreasonable under prevailing professional norms. Cherry, 300 S.C. at 117-18, 386 S.E.2d at





STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF

Newberry

STATE

vs.

Henry Delos Anderson

AKA:

Race:

B

Sex:

m

Age:

25

DOB:

SS#:

Address:

City, State,

DL#

SID#

\*CDL Yes  No  CMV Yes  No  Hazmat Yes  No

INDICTMENT/CASE#: 13-GS-36-0238

AW#: 2013A3610100064

Date of Offense: 1/30/2013

S.C. Code §: 16-3-652

CDR Code #: 0160

SENTENCE SHEET

In disposition of the said indictment comes now the Defendant who was  CONVICTED OF or  PLEADS TO:

Criminal Sexual Conduct 1st Degree

In violation of § 16-3-652 of the S.C. Code of Laws, bearing CDR Code # 0160

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

The charge is:  As indicted,  Lesser Included Offense,

Defendant Waives Presentment to Grand Jury. (def.'s initials)

The plea is:  Without Negotiations or Recommendation,

Negotiated Sentence,  Recommendation by the State.

ATTEST:

*[Signature]*

73081

Solicitor

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 20 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: 13-GS-36-239 and 240

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. Credit 380 days = jail.

The Defendant is to be placed on Central Registry of Child Abuse and Neglect pursuant to S.C. Code §17-25-135.

Pursuant to 18 U.S.C. Section 922, it is unlawful for a person convicted of a violation of Section 16-25-20 or 16-25-65 (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: \_\_\_\_\_ \$ \_\_\_\_\_

\_\_\_\_\_ days/hours Public Service Employment

Payment Terms: Jackie S. Bowers, Clerk of Court, Newberry, South Carolina, do hereby certify that this is a true and correct copy of the original on file in this office.

Set by SCDPPS

FEB 18 2014

Recipient:

Jackie S. Bowers  
Clerk of Court

\*Fine:

§14-1-206 (Assessments 107.5%)		\$	
§14-1-211(A)(1)(Conv. Surcharge)	\$100	\$	<u>100.00</u>
§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	\$	<u>25.00</u>
§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	\$	<u>5.00</u>
3% to County (if paid in installments)		\$	
TOTAL		\$	<u>390.00</u>
		\$	<u>133.90</u>

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: Sex Offender Registry Defendant is prohibited from possessing a firearm.

Appointed PD or appointed other counsel, \$47.12 requires \$500 be paid to Clerk during probation.

Clerk of Court/Deputy Clerk  
Court Reporter:

Elizabeth P. Hall  
Jay Holston

Presiding Judge  
Judge Code:  
Sentence Date

[Signature]  
259  
2-14-14

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF

Newberry

STATE

vs. Henry Delos Anderson

INDICTMENT/CASE#: 13-GS-36-0239

AW#: 2013 A 3610100065

Date of Offense: 1/30/2013

S.C. Code §: 16-3-910

CDR Code #: 0095

AKA:

Race:

Sex: M

Age: 25

DOB: [REDACTED]

SS#: [REDACTED]

Address: [REDACTED]

City, State, Z: [REDACTED]

DL#

SID#

\*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:

Kidnapping

In violation of § 16-3-910 of the S.C. Code of Laws, bearing CDR Code # 0095

NON-VIOLENT  VIOLENT  SERIOUS  MOST SERIOUS  Mandatory GPS  §17-25-45

(CSC w/minor 1<sup>st</sup> or Lewd Act)

The charge is:  As indicted,  Lesser Included Offense,  Defendant Waives Presentment to Grand Jury. (def.'s initials)

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

ATTEST:

[Signature]

73081

Solicitor

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 30 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 30 days/months/years and or payment

of \$ \_\_\_\_\_; plus costs and assessments as applicable\*; the balance is suspended with probation for 5

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: 13-65-36-238 and 240

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. Credit 380 days = jail.

The Defendant is to be placed on Central Registry of Child Abuse and Neglect pursuant to S.C. Code §17-25-135.

Pursuant to 18 U.S.C. Section 922, it is unlawful for a person convicted of a violation of Section 16-25-20 or 16-25-65 (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: \_\_\_\_\_ \$ \_\_\_\_\_

\_\_\_\_\_ days/hours Public Service Employment

Payment Terms: Judith S. Bowers, Clerk of Court, Newberry, South Carolina, do hereby certify that this is a true copy of the original on file in this office.

Set by SCDPPPS

Obtain GED

Attend Voc. Rehab. Or Job Corp. Upon release

Recipient: FEB 18 2014

May serve W/E beginning \_\_\_\_\_

Substance Abuse Counseling

\*Fine: \_\_\_\_\_ Clerk of Court

Random Drug/Alcohol Testing

§14-1-206 (Assessments 107.5%) \$ \_\_\_\_\_

Fine may be pd. in equal consecutive weekly/monthly

§14-1-211 (A)(1)(Conv. Surcharge) \$100 \$ 100.00

prmts. of \$ \_\_\_\_\_ Beginning \_\_\_\_\_

§14-1-211 (A)(2)(DUI Surcharge) \$100 \$ \_\_\_\_\_

\$ \_\_\_\_\_ Paid to Public Defender Fund

§56-5-2995 (DUI Assessment) \$12 \$ \_\_\_\_\_

Other: No contact of victim or her family upon release from SCDC.

§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 \$ \_\_\_\_\_

§50-21-114 (BUI Breath Test Fee) \$50 \$ \_\_\_\_\_

§56-5-2942(J) (Vehicle Assessment) \$40/ea \$ \_\_\_\_\_

Appointed PD or appointed other counsel, §47.12 requires \$500 be paid to Clerk during probation.

Proviso 90.5 (SCCJA Surcharge) \$5 \$ 5.00

3% to County (if paid in installments) \$ 3.70

TOTAL \$ 133.70

Clerk of Court/Deputy Clerk Elizabeth P. Fald

Presiding Judge [Signature]

Court Reporter: Jay K. [Signature]

Judge Code: 2159

Sentence Date: 2-14-14

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF

Newberry

STATE

INDICTMENT/CASE#: 13-GS-36-0240

vs. Henry Delos Anderson

AW#: 2013A3610100066

AKA: Race: B Sex: M Age: 25

Date of Offense: 1/30/2013

DOB: SS#:

S.C. Code §: 16-23-410

Address: City, State:

CDR Code #: 0122

DL# SID#

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: Painting and Presenting a Firearm

In violation of § 16-23-410 of the S.C. Code of Laws, bearing CDR Code # 0122

NON-VIOLENT VIOLENT SERIOUS MOST SERIOUS Mandatory GPS \$17-25-45

The charge is: As indicted, Lesser Included Offense, Defendant Waives Presentation to Grand Jury

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

ATTEST: [Signature] 73081

Solicitor SC Bar # Defendant Attorney for Defendant SC Bar #

WHEREFORE, the Defendant is committed to the State Department of Corrections or County Detention Center, for a determinate term of 5 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: 13-GS-36-239 and 238

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. Credit 380 days - paid.

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: \$ days/hours Public Service Employment

Payment Terms: Clerk of Court, Newberry.

Set by SCDPPPS of the original on file in this office. FEB 18 2014

Recipient: Clerk of Court

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 \$133.90

Clerk of Court/Deputy Clerk Elizabeth Hall Court Reporter: Jay Holman

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

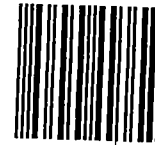
Other:

Appointed PD or appointed other counsel, \$47.12 requires \$500 be paid to Clerk during probation.

Presiding Judge [Signature] Judge Code: 2159 Sentence Date: 2-14-14



1000



29211

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OCT 03 2017

**S.C. SUPREME COURT**

The Honorable Daniel E. Shearouse  
Clerk, South Carolina Supreme Court  
P.O. Box 11330  
Columbia, SC 29211

Offices of Laura M. Saunders  
Box 731  
Laurens, SC 29360