

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF Orangeburg
STATE VS.

INDICTMENT/CASE#: 2015GS38-1637
A/W#: 2015A3810700779
Date of Offense: 10/18/2015
S.C. Code §: 16-03-0655 (C)
CDR Code #: 3661

Merlin F Theriot Jr.

AKA:

Race: WHITE Sex: M Age: 62

DOB: SS#:

Address:

City, State, Zip:

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 PLEADED TO: Criminal sexual conduct with minor, 3rd Degree - Commit/Attempt Lewd Act (victim under 16 years & actor over 14 years)

in violation of § 16-03-0655 (C) of the S.C. Code of Laws, bearing CDR Code # 3661

NON-VIOLENT VIOLENT SERIOUS MOST SERIOUS Mandatory GPS(CSC 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: Ford, Sarah A. SC Bar# 77029 Defendant Merli, John B. Attorney for Defendant SC Bar# 79788

WHEREFORE, the Defendant is committed to the State Department of Corrections, County Detention Center, for a determinate term of 15 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 10 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 and strict house arrest with GPS monitoring.

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. 10/18/15

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: Obtain GED Attend Voc. Rehab. or Job Corp. May serve W/E beginning Substance Abuse Counseling

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) \$18.75. TOTAL \$643.75

Clerk of Court/ Deputy Clerk V. Glenn Court Reporter: Karen Ambrogiale SCCA/217 (07/2016)

Presiding Judge Judge Code: 2153 Sentence Date: 10/16/17 Plea Date: 7/12/17

ATTACHED TRUE COPY Clerk of Court ORANGEBURG COUNTY, SC

WITNESSES

Lakesha Gillard

Orangeburg County Sheriff

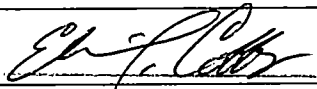
2015-8369

ARREST WARRANT NUMBER

2015A3810700779

Arrested: October 20, 2015

ACTION OF GRAND JURY



MAR 29 2017

Foreperson of Grand Jury

Date: March 29, 2017

VERDICT

Foreperson of Petit Jury

Date:

DOCKET NO. 2015GS38-1637

The State of South Carolina

County of ORANGEBURG

COURT OF GENERAL SESSIONS

April 3, 2017 TERM

THE STATE

vs.

Merlin F Theriot Jr.

Indictment for

CRIMINAL SEXUAL CONDUCT WITH
MINOR, 3RD DEGREE

SC Code: 16-03-0655 (C)

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
MAR 29 2017
ORANGEBURG COUNTY
SHERIFF'S OFFICE

STATE OF SOUTH CAROLINA)
)
COUNTY OF ORANGEBURG)

INDICTMENT
2015GS38-1637

At a Court of General Sessions, convened on March 29, 2017 the Grand Jurors of Orangeburg County present upon their oath:

CRIMINAL SEXUAL CONDUCT WITH MINOR, 3RD DEGREE

That in Orangeburg County, South Carolina, on or about October 18, 2015, the Defendant, ~~Merlin F. Theriot Jr.~~, being over the age of 14 years old, did willfully and lewdly commit or attempt to commit a lewd or lascivious act upon the body or its parts of _____, a child under the age of sixteen (16) years with the intent of arousing, appealing to, or gratifying the lust or passions or sexual desires of himself or the child. This offense in violation of Section 16-15-140, 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.



Sarah A. Ford, Solicitor

ARREST WARRANT

2015A3810700779

STATE OF SOUTH CAROLINA

County/

Municipality of

Orangeburg

THE STATE TRUE COPY 2015-8368 against

Merlin F Theriot, Jr.

Address:

Phone: BSN

Sex: M Race: W Height: 5 9 Weight: 240

DL State: GA DL #:

DOB: Agency ORI #: SC0380000

Prosecuting Agency: Orangeburg County Sheriff

Prosecuting Officer: Lakesha Gillard - 0785

Offense: Sex / Criminal sexual conduct with minor, 3rd degree - Commit/Attempt Lewd act (victim under

Offense Code: 3661

Code/Ordinance Sec: 16-03-0655(C)

This warrant is CERTIFIED FOR SERVICE in the County/ Municipality of

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

(L.S.)

Signature of Judge

Date:

RETURN

A copy of this arrest warrant was delivered to defendant MERLIN F. THERIOT JR on 10/20/15

Signature of Constable/Law Enforcement Officer

RETURN WARRANT TO:

RECEIVED

General Sessions 151 Docket Street P. O. Box 9000 Orangeburg, SC 29116

09 19 2015

WARRANT DIVISION

ORIGINAL

ORIGINAL

ORIGINAL

ORIGINAL

ORIGINAL

ORIGINAL

ORIGINAL

STATE OF SOUTH CAROLINA

County/ Municipality of

Orangeburg

Personally appeared before me the affiant Lakesha Gillard who being duly sworn deposes and says that defendant Merlin F Theriot, Jr. did within this county and state on or about 10/18/2015 violate the criminal laws of the State of South Carolina (or ordinance of County/ Municipality of Orangeburg) in the following particulars:

DESCRIPTION OF OFFENSE: Sex / Criminal sexual conduct with minor, 3rd degree - Commit/Attempt Lewd act (victim under 16 yrs & actor over 14 yrs)

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

Based on the investigation of the Orangeburg County Sheriff's Office on or about October 18, 2015 Merlin F. Theriot, Jr. (Defendant) did commit an offense in violation of section 16-3-655(C)(1), Criminal Sexual Conduct with a Minor-Third Degree, SC Code of Laws, in that Theriot willfully committed a lewd act upon the body and its private parts (Victim) who is eight years of age, for sexual gratification. The incident occurred in the County of Orangeburg, State of South Carolina.

Signature of Affiant

STATE OF SOUTH CAROLINA

County/ Municipality of

Orangeburg

Affiant's Address P. O. Box 9000

Orangeburg, SC 29116-

Affiant's Telephone (803)531-4647

ARREST WARRANT

TO ANY LAW ENFORCEMENT OFFICER OF THIS STATE OR MUNICIPALITY OR ANY CONSTABLE OF THIS COUNTY:

It appearing from the above affidavit that there are reasonable grounds to believe that

on or about 10/18/2015 defendant Merlin F Theriot, Jr. did violate the criminal laws of the State of South Carolina (or ordinance of County/ Municipality of Orangeburg) as set forth below:

DESCRIPTION OF OFFENSE: Sex / Criminal sexual conduct with minor, 3rd degree - Commit/Attempt Lewd act (victim under 16 yrs & actor over 14 yrs)

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

Sworn to and subscribed before me

on 10/19/2015

Signature of Issuing Judge Peggy D. Lorenus (L.S.)

Judge Code: 5721

Judge's Address Post Office Box 9000

Orangeburg, SC 29116-9000

Judge's Telephone (803)533-5879

Issuing Court: X Magistrate Municipal Circuit

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ORIGINAL

AFFIDAVIT

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

RECEIVED OCT 30 2015 SC Court of Appeals

FILED FOR RECORD WINIFRED S. CLARK 2015 OCT 23 P 2:41 CLERK OF COURT ORANGEBURG, SC

Jail

DEFENSE OF INDIGENT

APPOINTMENT SHEET

*Wife:
Angela
Theriot
706-265-5807

IN THE COURT OF GENERAL SESSIONS

STATE OF S.C. VS. Merlon Theriot

ATTEST: TRUE COPY
Winnifia B. Clark
CLERK OF COURT
ORANGEBURG COUNTY, SC

THE ABOVE DEFENDANT, AFTER APPLYING UNDER INDIGENT STATUS HAS BEEN FOUND TO QUALIFY FOR A PUBLIC DEFENDER.

IT IS THEREFORE ORDERED THAT

(CIRCLE ONE OF THE FOLLOWING)

- PEGGY HINDS
- R. DOUGLAS MELLARD
- BREEN STEVENS
- S. COLE FITCHETT
- MINH LEE

FILED FOR RECORD
WINNIFIA B. CLARK
2015 OCT 21 AM 11:28
CLERK OF COURT
ORANGEBURG, SC

IS HEREBY APPOINTED TO REPRESENT SAID DEFENDANT

21 DAY OF Oct, 2015

S/ Winnifia B Clark
CLERK OF COURT

CHARGES(S): 2015A 38 10700779

APPOINTMENT MADE IN PERSON/IN JAIL (CIRCLE ONE)

\$40.00 FEE PAID/DUE (CIRCLE ONE)

FIRST APPEARANCE DATE: _____