

# COFFEY & McKENZIE, P.A.

Attorneys At Law

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November 14, 2017

Ms. Frances B. Ray  
Court Reporter  
2216 Timberlane Drive  
Florence, SC 29506

**RECEIVED**

NOV 15 2017

RE: The State of South Carolina vs. Michael James Dinkins **SC Court of Appeals**

Dear Ms. Ray:

On November 6<sup>th</sup> and 7<sup>th</sup>, the above case was tried before the Honorable Michael G. Nettles. My records indicate that you were the court reporter for this case.

I request that you provide me with a transcript of the proceedings. Please transcribe the entire record as I have filed an appeal in this matter. Also, pursuant to Rule 207, this firm agrees to pay the per page charge for the transcript.

---

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(803) 435-8847 Telephone  
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Attorney for the Appellant

cc: South Carolina Court of Appeals  
South Carolina Court Administration

Katarzyna K. Timmons  
3 W. Keitt Street  
Manning, SC 29102  
Hemingway, SC 29554

Alan M Wilson  
Attorney General for SC  
PO Box 11549  
Columbia, SC 29211

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November 14, 2017

Ms. Krystal J. Smith  
Court Reporter  
1509 Woods Drive  
Florence, SC 29505

RE: The State of South Carolina vs. Michael James Dinkins

RECEIVED  
NOV 15 2017  
SC Court of Appeals

Dear Ms. Smith:

On November 2, 2017, the above case was tried before the Honorable Michael G. Nettles. My records indicate that you were the court reporter for this case.

I request that you provide me with a transcript of the proceedings. Please transcribe the entire record as I have filed an appeal in this matter. Also, pursuant to Rule 207, this firm agrees to pay the per page charge for the transcript.



---

Steven S. McKenzie  
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(803) 435-8847 Telephone  
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Attorney for the Appellant

cc: South Carolina Court of Appeals  
South Carolina Court Administration

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Alan M Wilson  
Attorney General for SC  
PO Box 11549  
Columbia, SC 29211

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF Clarendon
STATE VS. Michael James Dinkins
AKA:
Race: Sex: M Age: 55
DOB:
Address:
City, State, Zip:
DL SID#:

INDICTMENT/CASE#: 2016-GS-14-0098
A/W#: 2016A141010011
Date of Offense: 12/26/2015 10/27/15
S.C. Code §: 16-3-655 (C)
CDR Code #: 3061

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: Assault & Battery, 2nd Degree (D-3 years and/or \$2500)

in violation of § 16-3-600(D)(2) of the S.C. Code of Laws, bearing CDR Code # 3413
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:

Timmons, Katarzyna K. 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 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

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: 11-7-17
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: days/hours Public Service Employment
Payment Terms:
Set by SCDPPPS

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NOV 15 2017

SC Court of Appeals

Table with columns for Fee Description, Amount, and 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

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:

CERTIFIED COPY OF ORIGINAL FILED IN THIS OFFICE
DATE 11/13/2017
Beulah S. Roberts CLERK OF COURT CLARENDON COUNTY, SC

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.

Clerk of Court/ Deputy Clerk B. Roberts
Court Reporter: Frances B. Ray
SCCA 217 (07/2016)

Presiding Judge
Judge Code: 2145
Sentence Date: 11/7/2017

STATE OF SOUTH CAROLINA

COUNTY OF Clarendon  
STATE VS.

Michael James Dinkins

AKA: \_\_\_\_\_

Race: S Age: 55

DOB: 12-1-1961

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  
TO: Assault & Battery, 2nd Degree (0-3 years)

in violation of § 16-3-600(d)(2) of the S.C. Code of Laws, bearing CDR Code # 3413  
 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. (defendant's initials)  
The plea is:  Without Negotiations or Recommendation,  Negotiated Sentence,  Recommendation by the State.

ATTEST: \_\_\_\_\_  
Timmons, Katarzyna K. 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 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 \_\_\_\_\_

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: 11-7-17  
 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	\$ <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 61.6 (Public Def/Probation)	\$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	\$
3% to County (if paid in installments)		\$ <u>3.75</u>
<b>TOTAL</b>		\$ <u>128.75</u>

Clerk of Court/ Deputy Clerk B. Roberts  
Court Reporter: Frances B. Ray  
SCCA/217 (07/2016)

IN THE COURT OF GENERAL SESSIONS

INDICTMENT/CASE#: 2016-GS-14-0098

A/W#: \_\_\_\_\_

Date of Offense: 12/26/2015

S.C. Code §: 16-3-655(c) Nov

CDR Code #: 3del

SENTENCE SHEET

CONVICTED OF or  PLEADS

in violation of § 16-3-600(d)(2) of the S.C. Code of Laws, bearing CDR Code # 3413

Mandatory GPS(CSC  §17-25-45  
w/minor 1st or Lewd Act)

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

Timmons, Katarzyna K. 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 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 \_\_\_\_\_

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: 11-7-17  
 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: \_\_\_\_\_

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: \_\_\_\_\_

Presiding Judge Michael J. Roberts  
Judge Code: 2140  
Sentence Date: 11/7/2017

RECEIVED  
SC Court of Appeals  
11/15/2017

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ORIGINAL FILED IN THIS OFFICE  
11/13/2017  
B. Roberts  
CLERK OF COURT  
CLARENDON COUNTY, SC

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF Clarendon
STATE VS. Michael James Dinkins
AKA:
Race: Sex: M Age: 55
DOB:
Address:
City, State, Zip:
DL#: SID#:

INDICTMENT/CASE#: 2016-GS-14-0098
A/W#: 2016A1410100012
Date of Offense: 10/27/2015 12/21/2015
S.C. Code §: 16-03-0655(A)(2) 16-3-655(C)
CDR Code #: 3022 3661

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: Sex / Criminal sexual conduct with minor - Commit/Attempt Lewd act victim under 16 years of age and actor over 14 yrs
in violation of § 16-03-0655(A)(2) 16-3-655(C) of the S.C. Code of Laws, bearing CDR Code # 3022 3661
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. (defendant's initials)
The plea is: Without Negotiations or Recommendation, Negotiated Sentence, Recommendation by the State.

Timmons, Katarzyna K. 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 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 3 days/months/years and/or payment
of \$; plus costs and assessments as applicable\*; the balance is suspended with probation for 3

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: 11-7-17
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 16-25-650 (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: Obtain GED
Set by SCDPPPS 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 counseling
- sex offender registry
- DPS monitoring
- ATU

RECEIVED

NOV 15 2017

SC Court of Appeals

Table with 3 columns: Description, Amount, Total. Includes items like § 14-1-206 (Assessments 107.5 %), § 14-1-211(A)(1) (Conv. Surcharge), § 14-1-211(A)(2) (DUI Surcharge), § 56-5-2995 (DUI Assessment), § 56-1-286 (DUI Breath Test), Proviso 61.6 (Public Def/Probation), § 14-1-212 (Law Enforce. Funding), § 14-1-213 (Drug Court Surcharge), § 50-21-114 (BUI Breath Test Fee), § 56-5-2942(J) (Vehicle Assessment), 3% to County (if paid in installments), and TOTAL \$ 128.75.

CERTIFIED COPY OF ORIGINAL FILED IN THE OFFICE OF CLERK OF COURT CLARENDON COUNTY, SC DATE 11/13/2017

Clerk of Court/ Deputy Clerk: B. Roberts
Court Reporter: Franzen B. Ray
SCCA/217 (07/2016)

Presiding Judge: [Signature]
Judge Code: 2190
Sentence Date: 11/9/2017