

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

ORIGINAL

Appeal from Anderson County

Honorable J. Cordell Maddox, Circuit Court Judge

RECEIVED

JUN 12 2017

SC Court of Appeals

THE STATE

RESPONDENT,

V.

DONALD ROBERT SURDAK

APPELLANT.

APPELLATE CASE NO 2017-000409

RECORD ON APPEAL

ROBERT M. PACHAK
Appellate Defender

ALAN WILSON
Attorney General

South Carolina Commission on Indigent
Defense
Division of Appellate Defense
PO Box 11589
Columbia, SC 29211-1589
(803) 734-1330

MATTHEW BUCHANAN
General Counsel
SCPPPS
Post Office Box 50666
Columbia, SC 29250

ATTORNEY FOR APPELLANT

ATTORNEYS FOR RESPONDENT

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State of South Carolina
 County of Anderson

Court of General Sessions

State of South Carolina)
)
)
 v.) Transcript of Record
) 2015-GS-04-00830
)
 Donald Robert Surdak)
)
Defendant.)

February 6, 2017
 Anderson, South Carolina

B E F O R E:

The Honorable J. Cordell Maddox, Judge.

A P P E A R A N C E S:

Al Means, Assistant Solicitor
 Attorney for the State

Victoria Gurney, Assistant Public Defender
 Attorney for the Defendant

Lisa Scott
 Circuit Court Reporter

I N D E X

WITNESS

PAGE

No Witnesses.

E X H I B I T S

<u>NO.</u>	<u>DESCRIPTION</u>	<u>ID.</u>	<u>EVD.</u>
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No Exhibits.

P R O C E E D I N G S

* * * * *

1
2
3 THE COURT: Donald Robert Surdak, receiving
4 stolen goods. Sentenced by Judge McIntosh in June.
5 Looks like he's changed residences, hasn't paid his
6 money, failed to enroll in the IP treatment, VOC
7 rehab, and he hasn't reported since August of last
8 year.

9 PROBATION OFFICER: Yes, Your Honor. That is
10 correct.

11 Mr. Surdak was released from the Department of
12 Corrections. He reported to the probation office.
13 And when he reported, he was under the influence at
14 that time.

15 I stated to Mr. Surdak -- well, I called my
16 supervisor over and I told him, "Don't ever let that
17 happen again." So from that point on, we hadn't
18 seen him. He was taken into custody.

19 THE COURT: That's one way to not let that
20 happen again ---

21 PROBATION OFFICER: Exactly.

22 THE COURT: --- is just not show up.

23 PROBATION OFFICER: He was taken into
24 custody -- I issued a warrant for him. He was taken
25 into custody. He bonded out. He got a PR bond on

1 one of the two, and we hadn't -- didn't see him
2 after that and issued another warrant. So at that
3 time it was ---

4 THE COURT: And why is Al standing there?

5 PROBATION OFFICER: I know.

6 MR. MEANS: Your Honor, he also has been
7 charged with failure to stop when signaled, and
8 Ms. Gurney has arranged a plea on that.

9 THE COURT: Okay. What -- what is the --
10 what's y'all -- is it a recommendation?

11 MR. MEANS: It is, Your Honor. It's
12 2017-GS-4186, failure to stop when signaled.
13 State's recommendation is 90 days concurrent with
14 his revocation.

15 THE COURT: Hold on.

16 MR. MEANS: It's concurrent with the
17 revocation.

18 THE COURT: How many days credit does he get?

19 MS. GURNEY: Forty-three -- no. Sorry.
20 Forty-five, Your Honor.

21 THE COURT: So basically this is an in-and-out?

22 PROBATION OFFICER: Your Honor, may it please
23 the Court? The Department was unaware that he had
24 pending charges.

25 THE COURT: Yeah, I mean, all they -- they --

1 they're just -- I suspect that the stopping for a
2 blue light, this is just going to run concurrent.
3 I'm not saying he's going to get the 90 days,
4 because this bothers me. Sorry, but...

5 You look familiar. Did I originally sentence
6 you back at some point?

7 THE DEFENDANT: I think back in the day about
8 2006.

9 THE COURT: Yeah, I mean, I do remember you. I
10 mean, I've told people before I do, but they don't
11 believe that I do.

12 Why didn't you show back up? I mean, you know,
13 the answer was, you were using, right?

14 THE DEFENDANT: I ain't -- I ain't going to
15 lie. I was out in the streets. I mean, I got three
16 kids and a wife. I'm trying really -- I requested
17 inpatient treatment because I need it. You know
18 what I'm saying?

19 THE COURT: Have you ever been on long-term
20 inpatient treatment?

21 THE DEFENDANT: I ain't -- I ain't never been.
22 This is my first time on probation. I haven't had a
23 chance..

24 THE COURT: You got any real objection to me
25 holding him and putting him in long term just like I

1 did with this last lady?

2 PROBATION OFFICER: That's possible.

3 MS. GURNEY: I think that's part of the
4 recommendation, Your Honor. He does have bed space
5 available at Turning Point, I believe.

6 THE COURT: How long is it? Isn't that just
7 28 days?

8 PROBATION OFFICER: Your Honor, may it please
9 the Court? I would prefer that he go -- if he's
10 going to do long term, I'd prefer he go to the Haven
11 of Rest.

12 THE COURT: Yeah, what about Haven of Rest?

13 THE DEFENDANT: Okay.

14 THE COURT: Okay. Here's the deal though,
15 Curtis Pless, who runs Haven of Rest, is a friend of
16 mine. He is the most straightforward guy I've ever
17 seen. He's going to come out to the jail and talk
18 to you.

19 Then he's going to call me, and he's going to
20 say, "Judge, this guy can do Haven of Rest," or he's
21 going to say, "Don't send him to us. He ain't going
22 to do it."

23 So what I'll do is, I'm going to hold him in
24 jail, order an evaluation for long-term treatment at
25 Haven of Rest which will require him to come out.

1 Curtis Pless is one of the -- he spent his life
2 at Haven of Rest helping people, but he is not an
3 easy man. I mean, he calls it like it is. He can
4 help you, but it's long term, but you got to -- how
5 many -- I mean, you've got kids?

6 THE DEFENDANT: I got three kids, three
7 daughters.

8 THE COURT: How old are they?

9 THE DEFENDANT: I've got a 10, 12, and a
10 15-month old.

11 THE COURT: They're young. I mean, you need to
12 do this and be a dad.

13 THE DEFENDANT: Yes, sir.

14 THE COURT: All right. So what I'll do is,
15 I'll go along with the recommendation, 90 days, give
16 him credit for 45, and hold him in jail until he's
17 been evaluated by Haven of Rest.

18 If Curtis says nope, then bring him back up
19 here and we'll have to figure something out. So my
20 advice is, tell Curtis the absolute truth. He would
21 not say -- he's such a good Christian man, he would
22 not even say the word "BS" and he certainly wouldn't
23 say what it stands for, but he'll tell me if he
24 thinks you're BS'ing him. Be honest with him and
25 make him understand you want some help.

1 THE DEFENDANT: Yes, sir.

2 PROBATION OFFICER: Your Honor, can we write in
3 the order that if he leaves treatment that he
4 directly comes directly back to court?

5 THE COURT: Yeah, I mean, he's going to --
6 you've got to complete -- put in there he's got to
7 complete, I mean...

8 THE DEFENDANT: Yeah, I'm going to complete it.

9 THE COURT: Yeah, just...

10 PROBATION OFFICER: Okay. Thank you.

11 THE COURT: Man, if I can remember you from
12 2006, that's not a good thing. All right.

13 THE DEFENDANT: Yes, sir.

14 THE COURT: All right. Good luck to you.

15 MR. MEANS: Thank you, Your Honor.

16 (Proceedings concluded at 3:08 p.m.)

17 * * * * *

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C E R T I F I C A T E O F R E P O R T E R

STATE OF SOUTH CAROLINA
COUNTY OF ANDERSON

I, the undersigned, Lisa Scott, Circuit Court Reporter for the Tenth Judicial Circuit of the State of South Carolina, do hereby certify that the foregoing is a true, accurate and complete transcript of record of all the proceedings had and the evidence introduced in the hearing of the captioned cause, relative to appeal in the Circuit Court for Anderson County, South Carolina, on the 6th day of February, 2017.

I do further certify that I am neither of kin, counsel, nor interest to any party hereto.

April 5, 2017

/s/Lisa Scott 

Lisa Scott
Circuit Court Reporter

Form 16.1 - Arrest Warrant
Form Approved by
SC Attorney General
Section 17-13-160
March 15, 1978

STATE OF SOUTH CAROLINA
COUNTY OF ANDERSON

Probation
ARREST WARRANT

Indictment Number 15-GS-04-00830

Warrant Number W-04-16-0443

State Identification No. (SID) 01035850

TO ANY LAW ENFORCEMENT OFFICER OF THIS STATE OR COUNTY OR OF THE MUNICIPALITY OF ANDERSON, AND ANY CONSTABLE OF THIS MAGISTERIAL DISTRICT:

It appearing from the attached affidavit that there are reasonable grounds to believe that DONALD ROBERT SURDAK, did on the 17 day of October, 2016 violate the criminal laws of the State of South Carolina as set forth below:

DESCRIPTION OF OFFENSE:

Probation violation in that the Defender has violated the Conditions of Probation as imposed in Cause Numbers 2015-GS-04-00830 by Judge McIntosh at the June 1, 2016 term of General Sessions Court held in Anderson County, Anderson, SC.

Now, therefore, you are empowered and directed to arrest the said defendant and bring DONALD ROBERT SURDAK 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. Done at ANDERSON, S. C. this 17 day of October, 2016.

Signature of Probation and Parole Agent

(L.S.)

County of **ANDERSON**

STATE OF SOUTH CAROLINA

AFFIDAVIT

Personally appeared before me, one Tillie Palmore-Kilgore, who, first being duly sworn, deposes and says that DONALD ROBERT SURDAK did within this County and State on the 17 day of October, 2016, violate the criminal laws of the State of South Carolina in the following particulars:

DESCRIPTION OF OFFENSE:

Probation violation in that the Defender has violated the Conditions of Probation as imposed in Cause Numbers 2015-GS-04-00830 by Judge McIntosh at the June 1, 2016 term of General Sessions Court held in Anderson County, Anderson, SC.

The affiant states that there is probable cause to believe that the defendant named above did commit the crime(s) set forth, and that such probable cause is based on the following facts:

By failing to report as instructed on 8/23/2016. By changing residence without consent of agent in that offender does not reside at last given address, thus absconding supervision, evident by the home visit conducted on 9/28/2016 in that the homeowner stated the offender has not resided at documented address in several months. By failing to pay supervision fees in that the offender is \$200.00 in arrears. By failing to pay Public Defender Fund in that the offender is \$44.00 in arrears. By failing to pay Restitution in that the offender is \$164.00 in arrears, By failing to pay DT in that the offender is \$20 in arrears, By failing to follow advice and instructions of the Agent, in that offender failed to enroll in I/P treatment with V/R. These constitute violations of sections 1,2,7,9, Special Conditions and 10 of the Conditions of Probation.

Sworn to and Subscribed before me
this 17 day of October, 2016.

Affiant

Signature of Notary Public

(L.S.)

7-24-2021
My Commission Expires

Address: P.O. BOX 8002
ANDERSON, SC 29622
ANDERSON
USA

(864) 260-2230

RECEIVED
NOV 09 2016
ANDERSON COUNTY

RETURN

STATE OF SOUTH CAROLINA
COUNTY OF

ANDERSON

THE STATE
against

DONALD ROBERT SURDAK

ARREST WARRANT

Offense: Violation of Conditions of Probation Supervision

Offense Section: 24-21-450

Date: 10/17/2016

Officer and Agency: SC Department of Probation,
Parole and Pardon Services

Tilie Palmore-Kilgore

Disposition

Sentence

Co-Defendants

INFORMATION ON DEFENDANT

Name DONALD ROBERT SURDAK

Address [REDACTED] TROTTER ROAD
ANDERSON, SC 29626

Phone [REDACTED]

Sex Male Race White Height 600

Weight 172 Birth date [REDACTED] 1978

Social Security Number [REDACTED]

INFORMATION ON WITNESSES

Name

Address

Phone

Name

Address

Phone

Name

Address

Phone

Name

Address

Phone

PRELIMINARY HEARING held by

Magistrate

on

with

Attorney for the Defendant

Decision

BAIL

Date Set

Magistrate

Amount

Surety

11/4/2016
Tilie Palmore-Kilgore
5000.00 BR

Must report to Probation
if released per Judge
Palmore

Constable or Law Enforcement Officer

A copy of this Arrest Warrant was delivered by me to the following defendant:

on the 33 day of November 2016

Constable or Law Enforcement Officer

This Warrant is certified for service in [County of warrant Certification] County. The accused is to be arrested and brought before me to deal with according to law.

(L.S.)

Signature of Judge

WARRANT ENTERED IN SCW/NCIC

Date entered: 10/18/16

Date served: _____

FIOS notified: _____ by (Initials) _____

Form 16.1 - Arrest Warrant
Form Approved by
SC Attorney General
Section 17-13-160
March 15, 1978

STATE OF SOUTH CAROLINA

COUNTY OF ANDERSON

Probation

ARREST WARRANT

Indictment Number 15-GS-04-00830

Warrant Number W-04-16-0520

State Identification No. (SID) 01035850

TO ANY LAW ENFORCEMENT OFFICER OF THIS STATE OR COUNTY OR OF THE MUNICIPALITY OF ANDERSON, AND ANY CONSTABLE OF THIS MAGISTERIAL DISTRICT:

It appearing from the attached affidavit that there are reasonable grounds to believe that DONALD ROBERT SURDAK, did on the 13 day of December, 2016 violate the criminal laws of the State of South Carolina as set forth below:

DESCRIPTION OF OFFENSE:

Probation violation in that the Defender has violated the Conditions of Probation as imposed in Cause Numbers 2015-GS-04-00830 by Judge McIntosh at the June 1, 2016 term of General Sessions Court held in Anderson County, Anderson, SC.

Now, therefore, you are empowered and directed to arrest the said defendant and bring DONALD ROBERT SURDAK 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. Done at ANDERSON, S. C. this 13 day of December, 2016.

Signature of Probation and Parole Agent

(L.S.)

County of ANDERSON

STATE OF SOUTH CAROLINA

AFFIDAVIT

Personally appeared before me, one Tillie Palmore-Kilgore, who, first being duly sworn, deposes and says that DONALD ROBERT SURDAK did within this County and State on the 13 day of December, 2016, violate the criminal laws of the State of South Carolina in the following particulars:

DESCRIPTION OF OFFENSE:

Probation violation in that the Defender has violated the Conditions of Probation as imposed in Cause Numbers 2015-GS-04-00830 by Judge McIntosh at the June 1, 2016 term of General Sessions Court held in Anderson County, Anderson, SC.

The affiant states that there is probable cause to believe that the defendant named above did commit the crime(s) set forth, and that such probable cause is based on the following facts:

By failing to follow the advice and instructions of the Agent; by failing to appear at Administrative Hearing on 12/12/2016 as instructed per Notice of Hearing dated 11/3/2016. By failing to report upon release from Anderson County Detention Center on 11/4/16, or anytime thereafter. By failing to report upon release from Anderson City Detention Center on 11/29/16. By failing to report arrest on 11/28/16 by Anderson City Police Department for False Information to Law Enforcement and Loitering in a Drug Area. These actions constitute violations of sections 1,6,10 and Special Conditions of Probation.

Sworn to and Subscribed before me
this 13 day of December, 2016.

Affiant

Signature of Notary Public

(L.S.)

5-3-2017

My Commission Expires

Address: P.O. BOX 8002
ANDERSON, SC 29622
ANDERSON
USA

(864) 260-2230

RECEIVED

DEC 29 2016

ANDERSON COUNTY

RETURN

STATE OF SOUTH CAROLINA
COUNTY OF
ANDERSON

THE STATE
against

DONALD ROBERT SURDAK

ARREST WARRANT

Offense: Violation of Conditions of Probation Supervision

Offense Section: 24-21-450

Date: 12/13/2016

Officer and Agency: SC Department of Probation,
Parole and Pardon Services

Tilie Palmore-Kilgore

Disposition

Sentence

Co-Defendants

INFORMATION ON DEFENDANT

Name DONALD ROBERT SURDAK

Address [REDACTED] TROTTER ROAD
ANDERSON, SC 29628

Phone [REDACTED]

Sex Male Race White Height 600

Weight 172 Birth date [REDACTED] 1978

Social Security Number [REDACTED]

INFORMATION ON WITNESSES

Name
Address
Phone

Name
Address
Phone

Name
Address
Phone

Name
Address
Phone

PRELIMINARY HEARING held by

Magistrate
on
with

Attorney for the Defendant.

Decision

BAIL

Date Set 12/27/2016
Magistrate Tilie Palmore-Kilgore
Amount 5000.00
Surety

Must report to
Probation if released
Judge Palmore

WELSH: CORNIA

Constable or Law Enforcement Officer

A copy of this Arrest Warrant was delivered by me to the following defendant:

Donald Surdak

on the 27 day of Dec. 2016

Cal [Signature]
Constable or Law Enforcement Officer

This Warrant is certified for service in [County of warrant Certification] County. The accused is to be arrested and brought before me to deal with according to law.

(L.S.)
Signature of Judge

IN SCW/NCIC
Date entered 12-14-16
Date served 12-27-16
FIOB notified [check] by (initials) LTH

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

County of Anderson
STATE VS.
Donald Surodak
AKA:
Race: W Sex: M
DOB: [REDACTED]
SSN: [REDACTED]
SID#: 01035850

Indictment Number: 15 -GS- 04 - 00830
Probation C/W#: W-04-16-0443
W-04-16-0520
Name of Original Offense: RSB
Original A/W#: 2015A0410900008
Date of Original Offense: 8/26/14
Conviction S.C. Code §: 16-13-0180
Conviction CDR Code #: 3 17 14 10
Original Sentence: 3yrs 85 15mts ss 5yrs
prob

ORDER

The above named defendant has been charged with violating the conditions of probation ordered on 1/12/16 in the Court of General Sessions of Anderson County, and/or the additional conditions ordered by the Court in probation continuation orders(s) issued on _____, as set forth in the attached warrant(s) or citation(s) dated _____. After hearing the evidence and being duly advised, in the (presence/absence) of the defendant, I find that the above named defendant has violated the following condition(s) of probation: (List by number or indicate special conditions as provided in the affidavit)
1, 2, 7, 9, 10 + Sp. Cond.

Therefore, IT IS ORDERED that:

- the suspended sentence be revoked and the above named defendant be required to serve _____ months/years, the remainder of the original sentence, and/or pay \$_____.
- the suspended sentence be revoked and the above named defendant be required to serve 90 days months/years of the original sentence and/or pay \$_____; thereupon to be reinstated on probation, subject to the conditions set forth in the attached order and not inconsistent with this order.
- the above named defendant is continued on probation as provided for in the original sentence, subject to the conditions set forth therein and not inconsistent with this order.
- probation is reduced to time served under supervision and the defendant is discharged from supervision on this date.
- the above named defendant is placed on active electronic monitoring pursuant to §23-3-540 (mandatory if convicted of first degree criminal sexual conduct with a minor or lewd act, discretionary if convicted of any other applicable sex offense against a minor).
- Financial Obligations: Order satisfies:
 - Department fees (arrearage)
 - Fines and other fees (arrearage/balance)
 - Restitution (and 20%) (arrearage/balance)
- Civil judgment:
 - Department fees
 - Fines and other fees
 - Restitution (and 20%)

Additional Conditions ordered by the Court:
of 90 days, (lefts 45 days) hold for 1p treatment at Haven of Rest, restrictive monies, time satisfy SF arrears, continue

- The defendant is given credit for pre-revocation hearing detention time on current probation violation to be calculated and applied by the SC Department of Corrections.
- The defendant has previously served _____ months/years on this sentence.
(split sentence time and/or prior partial revocation time)
- The defendant was previously placed on active electronic monitoring pursuant to §23-3-540.

This 6 day of February, 2017,
Anderson, SC

[Signature]
Presiding Judge 10 Judicial Circuit

You are hereby advised that under the law the Court may at any time revoke or modify any condition of this probation; impose any lawful conditions it deems appropriate and your period of probation not to exceed five (5) years. At any time within the period of your probation, the Court may require you to serve any part of the original sentence imposed.

This is to certify that I have read, or have had read to me, the order and the conditions set out therein. I agree to comply with such conditions and the conditions of my attached probation order during the period of my probation. I have received a copy of this Court's order and all attachments.

Offender's Signature

Witnessed by

Signed this 6 day of Feb, 2017, at _____
Day Month Year

Anderson
City

TRUE COPY

FEB 15 2017

[Signature]
ANDERSON CLERK OF COURT
SC

TENTH CIRCUIT PUBLIC DEFENDER OFFICE
ANDERSON AND OCONEE COUNTIES

Anderson County Office
301 Camson Road
Anderson, SC 29625
Tel. 864.260.4048
Fax 864.260.4134

HERVERY B. O. YOUNG
Circuit Public Defender

Oconee County Office
415 S. Pine Street
Walhalla, SC 29691
Tel. 864.638.3133
Fax 864.638.0228

February 15, 2017

Via Regular Mail

The Honorable Jenny Abbott Kitchings
Clerk, The S.C. Court of Appeals
Post Office Box 11629
Columbia, South Carolina 29211

Re: State v. Donald Robert Surdak
Case No(s): 2015-GS-04-00830

RECEIVED

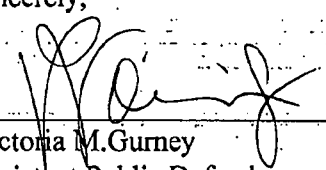
FEB 17 2017

SC Court of Appeals

Dear Ms. Kitchings:

Pursuant to Rule 203(d)(B)(iv), I am filing this appeal at the request of the Defendant, Donald Robert Surdak. Defendant wishes to appeal his sentence. He was sentenced to ninety days incarceration and then to be held for bed space at the Haven of Rest Rehabilitation Center for long term inpatient rehabilitation. The defendant is appealing based on the amount of time that he may have to wait for bed space at the rehabilitation facility. This appeal is being filed at the Defendant's request, although I am not aware of any meritorious issues to be raised upon appeal.

Sincerely,


Victoria M. Gurney
Assistant Public Defender
301 Camson Road
Anderson, C 29625

Attorney for Appellant

WITNESSES

Anderson Co. Sheriff's Office
Neal B. McGuire

ARREST WARRANT NUMBER

2015A0410900008

TRUE BILL
ACTION OF GRAND JURY

MAY 12 2015

[Signature]

Foreperson of Grand Jury
Date:

VERDICT

Foreperson of Grand Jury
Date:

DOCKET NO. 2015-GS-04- 00830

The State of South Carolina
County of Anderson

COURT OF GENERAL SESSIONS

MAY 12 2015, TERM

THE STATE

VS.

DONALD ROBERT SURDAK, JR
B/w Issued 10/13/15 - RT
B/w Recalled 1/12/16 - RT

INDICTMENT FOR

RECEIVING STOLEN GOODS

SC Code: § 16-13-0180(A)
CDR Code: 3740

COMMITMENT

1/12/16 RT

A TRUE COPY

FEB 15 2017

[Signature]
ANDERSON CLERK OF COURT

STATE OF SOUTH CAROLINA
COUNTY OF ANDERSON

INDICTMENT

MAY 12 2015

At a Court of General Sessions, convened on _____, the
Grand Jurors of Anderson County present upon their oath:

RECEIVING STOLEN GOODS

The defendant, Donald Robert Surdak Jr, did on or about August 26, 2014, in Anderson County, South Carolina, buy, receive, or possess stolen goods, chattels, or other property; to wit: a 4 Ton HVAC unit belonging to Steve Jones, and knew or had reason to believe the goods, chattels, or property was stolen. All in violation of 16-13-0180(A) of the South Carolina Code of Laws (1976) as amended.

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



AL ANDREW MEANS
SR. CAREER PROSECUTOR

NOTICE TO THE PUBLIC: THIS DOCUMENT IS A PUBLIC RECORD AND IS AVAILABLE TO ANYONE WHO REQUESTS IT. IT IS THE POLICY OF THE STATE OF SOUTH CAROLINA TO MAKE ALL PUBLIC RECORDS AVAILABLE TO THE PUBLIC.

Office of the
Solicitor General
1000 Orange Street
Columbia, SC 29201
803.732.2000

CLERK OF COURT
1000 Orange Street
Columbia, SC 29201
803.732.2000

Office of the
Solicitor General
1000 Orange Street
Columbia, SC 29201
803.732.2000

CERTIFICATE OF COUNSEL FOR APPELLANT

Counsel for appellant certifies that this Record on Appeal contains all material proposed to be included by any of the parties and not any other material and that this Record on Appeal complies to the best of my ability with the April 15, 2014 order from the South Carolina Supreme Court entitled "Revised Order Concerning Personal Identifying Information and Other Sensitive Information in Appellate Court Filings."

Respectfully Submitted,



Robert M. Pachak
Appellate Defender

South Carolina Commission on Indigent Defense
Division of Appellate Defense
PO Box 11589
Columbia, S.C. 29211-1589

ATTORNEY FOR APPELLANT

This 12th day of June, 2017.

RECEIVED

JUN 12 2017

SC Court of Appeals