

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF NEWBERRY

STATE VS.

FRANKLIN DELL HAYES

AKA:

Race: White Sex: M Age: 31

DOB: [redacted] SS#: [redacted]

Address: 2308 Mayes Avenue

City, State, Zip: Newberry, SC

DL# [redacted] SID# [redacted]

INDICTMENT/CASE#: 2017-GS-36-00473

A/W: 2017A3610100368

Date of Offense: 07/13/2017

S.C. Code §: 44-53-375(A)

CDR Code #: 3016

SENTENCE SHEET

0-10y15

\*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: Possession of Methamphetamine 3rd or Sub. Offense

In violation of § 44-53-375(A) of the S.C. Code of Laws, bearing CDR Code # 3016

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

(CSC w/minor 1<sup>st</sup> or Lowd 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:

Taylor W. Daniel, Assistant Solicitor 100588 SC Bar #

Defendant

Attorney for Defendant 10033 SC Bar #

WHEREFORE, the Defendant is committed to the  State Department of Corrections  County Detention Center, for a determinate term of 9 ~~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 Service standard conditions of probation, which are incorporated by reference.

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. 5 days

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 (Domestic Violence) to ship, transport, possess, or receive a firearm or ammunition.

SPECIAL CONDITIONS:

RESTITUTION:  Deferred  Def. Waives Hearing

Total: \$ \_\_\_\_\_ plus 20% fee: \_\_\_\_\_

Payment Terms: \_\_\_\_\_

Ordered FTUP \_\_\_\_\_

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

Obtain GED

Set by SCDPPPS \_\_\_\_\_

DEC 20 2017

Recipient: \_\_\_\_\_

SC Court of Appeals

\*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/Prob) \$500 \$ \_\_\_\_\_

§14-1-212 (Law Enforce. Funding) \$25 \$ 25.00

§14-1-213 (Drug Court Surcharge) \$150 \$ 150.00

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

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

3% to County (if paid in installments) \$ \$ 8.95

TOTAL \$ 283.95

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: ~~ATI~~ SAC. vehicle on parole if possible.

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 Bar ID: \_\_\_\_\_ Judge Code: 2154

Sentence Date: 12-7-17

Clerk of Court/Deputy Clerk: Beverly A. Brechner

Court Reporter: GUY HOLSTAD

SCCA/217 (07/2016)

**WITNESSES**

Robert Dennis  
Newberry County Sheriff's Department

**WARRANT NUMBER**

2017A3610100368

**TRUE BILL**

*MPKoon*

Foreman of the Grand Jury

Date: *10.6.17*

**VERDICT**

*Guilty*  
*Daniel Wessinger*

Foreman

*12-7-17*

**THE STATE OF SOUTH CAROLINA**

COUNTY OF NEWBERRY

**COURT OF GENERAL SESSIONS**

October Term, 2017

Indictment # 2017-GS-36-00473

**THE STATE**

vs.

FRANKLIN DELL HAYES

**INDICTMENT FOR**

Possession of Methamphetamine

SC Code: § 44-53-375(A)

CDR: 3016

I hereby waive presentment to the Grand Jury.

Defendant

Witness:

**RECEIVED**  
DEC 20 2017  
SC Court of Appeals

**THE STATE OF SOUTH CAROLINA**

**COUNTY OF NEWBERRY**

**INDICTMENT FOR**

**Possession of Methamphetamine  
§44-53-375(A)**

At a Court of General Sessions, convened on the 6th day of October, 2017, the Grand Jurors of Newberry County present upon their oath:

The defendant, Franklin Dell Hayes, did on or about July 13, 2017, in Newberry County, South Carolina, knowingly or intentionally possess methamphetamine as defined in Section 44-53-110, all in violation of Section 44-53-375(A), Code of Laws of South Carolina (1976, as amended).

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



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Taylor W. Daniel  
Assistant Solicitor