

COUNTY OF Aiken  
 STATE VS.  
Wayne Hankinson  
 AKA:  
 Race: Black Sex: M Age: 30  
 DOB: SS#:  
 Address:  
 City, State, Zip:  
 DL#: SID#: SC01656733

INDICTMENT/CASE#: 2016GS0202362  
 A/W#: 2016A0210200841  
 Date of Offense: 5/28/2016  
 S.C. Code § : 16-03-0656  
 CDR Code #: 0253

\*CDL Yes  No  CMV Yes  No  Hazmat Yes  No   
 In disposition of the said indictment comes now the Defendant who was  
 TO: Sex / Assault with intent to commit criminal sexual conduct - First degree

in violation of § 16-03-0656 of the S.C. Code of Laws, bearing CDR Code # 0253  
 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. (defendant's initials)  
 The plea is:  Without Negotiations or Recommendation,  Negotiated Sentence,  Recommendation by the State.

ATTEST:  
Ashley Agnew Defendant SC Bar#  
Ashley Agnew Hammack, Ashley Agnew SC Bar#  
[Signature] Attorney for Defendant SC Bar#

WHEREFORE, the Defendant is committed to the  State Department of Corrections,  County Detention Center,  
 for a determinate term of 12 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:  
 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. 449 Days

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 FEB 09 2018

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/Probation)	\$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	\$
3% to County (if paid in installments)	\$	\$ 3.75
TOTAL	\$	\$ 128.75

Clerk of Court/ Deputy Clerk [Signature]  
 Court Reporter: Brenda Sigwald  
 SCCA/217 (07/2016)

SENTENCE SHEET

Sex Offender Registry Required

CONVICTED OF or

STATE OF SOUTH CAROLINA  
 COUNTY OF Aiken  
 I, Robert J. Hays, Clerk of Court of Common Pleas and General Sessions for Aiken County, South Carolina, do hereby certify that the foregoing constitutes a true and correct copy of the original documents which have been filed in my office this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.  
[Signature]  
 C.C.P. & G.S., Aiken County, S.C.  
 Deputy Clerk

Presiding Judge [Signature]  
 Judge Code: 2139  
 Sentence Date: August 31, 2017

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.

Other: Sex Offender Registry Required

WITNESSES

Aiken County Sheriff

Inv. Stuart Graybeal

Law Enforcement Case #: 16-030204

AAH

ARREST WARRANT NUMBER

2016A0210200841 filed 10 November 2016

*Liz Godard*  
C.C.P. & G.S.  
*Angel Miles am*  
Deputy Clerk

ACTION OF GRAND JURY

*True Bill*

*[Signature]*  
Foreperson of Grand Jury  
Date: November 10, 2016

VERDICT

*Guilty*

*[Signature]*  
Foreperson of Petit Jury  
Date: *8/3/17*

DOCKET NO. 2016GS0202362

The State of South Carolina

County of Aiken

COURT OF GENERAL SESSIONS

NOVEMBER TERM 2016

THE STATE

vs.

WAYNE HANKINSON

CDR #: 0253

Indictment for

ASSAULT WITH INTENT TO COMMIT  
CRIMINAL SEXUAL CONDUCT IN THE  
FIRST DEGREE

§ 16-03-0656

J. STROM THURMOND, SOLICITOR

STATE OF SOUTH CAROLINA  
COUNTY OF AIKEN

I, Robert J. Harre, Clerk of Court of Common Pleas and General Sessions for Aiken County, South Carolina do hereby certify that the foregoing constitutes a true and correct copy of the original documents which have been filed in my office this

2 day of February 2016  
*[Signature]*  
C.C.C.P. & G.S., Aiken County, S.C.  
Deputy Clerk

**RECEIVED**  
FEB 09 2018  
SC Court of Appeals

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF AIKEN )  
 )


INDICTMENT FOR  
ASSAULT WITH INTENT TO COMMIT  
CRIMINAL SEXUAL CONDUCT IN THE FIRST  
DEGREE

§ 16-03-0656

At a Court of General Sessions, convened on November 14, 2016, the Grand Jurors of Aiken County present upon their oath:

That **WAYNE HANKINSON** did in Aiken County on or about May 28, 2016, wilfully and unlawfully commit an Assault With Intent To Commit Criminal Sexual Conduct In The First Degree upon Kristen Josephs, to wit: Wayne Hankinson did choke the victim, Kristen Josephs, with his hands, while attempting to commit a sexual battery. All in violation of Section 16-3-656 of the Code of Laws of South Carolina (1976), as amended.

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

  
J. STROM THURMOND, SOLICITOR

COUNTY OF Aiken VS. STATE

Wayne Hankinson

AKA: Race: Black Sex: M Age: 30 DOB: SS#: Address: City, State, Zip: DL#: SID#: SC01656733

\*CDL Yes No CMV Yes No Hazmat Yes No In disposition of the said indictment comes now the Defendant who was TO: Kidnapping / Kidnapping

INDICTMENT/CASE#: 2016GS0202363 A/W#: 2016A0210200842 Date of Offense: 5/28/2016 S.C. Code §: 16-03-0910 CDR Code #: 0095

SENTENCE SHEET

Sex Offender

CONVICTED OF or

in violation of § 16-03-0910 of the S.C. Code of Laws, bearing CDR Code # 0095

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: Ashley A. Hammack 80176 Defendant Attorney for Defendant SC Bar# 77834

WHEREFORE, the Defendant is committed to the State Department of Corrections, County Detention Center, for a determinate term of 12 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: 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. 449 Days

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:

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) \$ 3.75

TOTAL \$ 128.75

Clerk of Court/ Deputy Clerk Sherry Langley Court Reporter: Brenda Sigwald SCCA/217 (07/2016)

RECEIVED FEB 09 2018 SC Court of Appeals

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: 50R Required

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 2139 Judge Code: Sentence Date: August 31, 2017

STATE OF SOUTH CAROLINA COUNTY OF Aiken I, Robert J. Hartley, Clerk of Court of General Sessions for Aiken County, South Carolina, do hereby certify that the foregoing constitutes a true and correct copy of the original documents which have been filed in my office this day of February 2018. Deputy Clerk

WITNESSES

Aiken County Sheriff

Inv. Stuart Graybeal

Law Enforcement Case #: 16-030204

AAH

ARREST WARRANT NUMBER

2016A0210200842 ED 10 November 20 16

*Liz Godard*  
CCCP & G.S.  
*Angel Miles am*  
Deputy Clerk

ACTION OF GRAND JURY

*True Bill*

*[Signature]*  
Foreperson of Grand Jury  
Date: November 10, 2016

VERDICT

*Guilty*

*[Signature]*  
Foreperson of Petit Jury  
Date: 8/31/17

DOCKET NO. 2016GS0202363

The State of South Carolina

County of Aiken

COURT OF GENERAL SESSIONS

NOVEMBER TERM 2016

THE STATE

vs.

WAYNE HANKINSON

CDR #: 0095

Indictment for

KIDNAPPING

§ 16-03-0910

J. STROM THURMOND, SOLICITOR

STATE OF SOUTH CAROLINA  
COUNTY OF AIKEN

I, Robert J. Harte, Clerk of Court of Common Pleas and General Sessions for Aiken County, South Carolina do hereby certify that the foregoing constitutes a true and correct copy of the original documents which have been filed in my office this

20 16

day of February

*[Signature]*  
C.C.C.P. & G.S., Aiken County, S.C.  
*[Signature]*  
Deputy Clerk

RECEIVED

FEB 09 2018

SC Court of Appeals

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF AIKEN )  
 )

INDICTMENT FOR  
KIDNAPPING  
§ 16-03-0910

At a Court of General Sessions, convened on November 14, 2016, the Grand Jurors of Aiken County present upon their oath:

That **WAYNE HANKINSON** did in Aiken County on or about May 28, 2016, unlawfully seize, confine, inveigle, decoy, kidnap, abduct or carry away Kristen Josephs without authority of law, all in violation of §16-3-910 of the Code of Laws of South Carolina (1976), as amended.

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

  
\_\_\_\_\_  
J. STROM THURMOND, SOLICITOR

WITNESSES

Aiken County Sheriff

Inv. Stuart Graybeal

Law Enforcement Case #: 16-030204

AAH

ARREST WARRANT NUMBER

FILED 10 November 2016  
2016A0210200843

*Liz Godard*  
C.C.P.&G.S.  
*Angel Miles am*  
Deputy Clerk

ACTION OF GRAND JURY

*True Bill*

*[Signature]*  
Foreperson of Grand Jury  
Date: November 10, 2016

VERDICT

*Not Guilty*

*[Signature]*  
Foreperson of Petit Jury  
Date: *8/13/17*

DOCKET NO. 2016GS0202364

The State of South Carolina

County of Aiken

COURT OF GENERAL SESSIONS

NOVEMBER TERM 2016

THE STATE

vs.

WAYNE HANKINSON

CDR #: 0549

Indictment for

POSSESSION OF FIREARM OR KNIFE  
DURING COMMISSION OF OR  
ATTEMPT TO COMMIT A VIOLENT  
CRIME

§ 16-23-0490

J. STROM THURMOND, SOLICITOR

RECEIVED

FEB 09 2018

SC Court of Appeals

STATE OF SOUTH CAROLINA  
COUNTY OF AIKEN

I, Robert J. Harte, Clerk of Court of Common Pleas and General Sessions for Aiken County, South Carolina do hereby certify that the foregoing constitutes a true and correct copy of the original documents which have been filed in my office this

2 day of *February*, 20 *18*  
*[Signature]*  
C.C.C.P. & G.S., Aiken County, S.C.  
*Ruby Williams*  
Deputy Clerk

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF AIKEN )

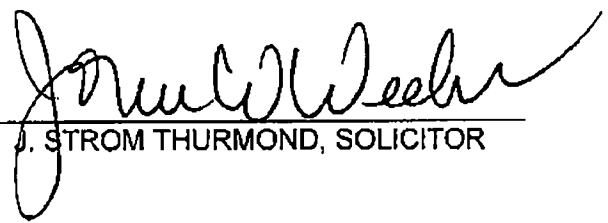
INDICTMENT FOR  
POSSESSION OF FIREARM OR KNIFE  
DURING COMMISSION OF OR ATTEMPT TO  
COMMIT A VIOLENT  
CRIME

§ 16-23-0490

At a Court of General Sessions, convened on November 14, 2016, the Grand Jurors of Aiken County present upon their oath:

That **WAYNE HANKINSON** did in Aiken County on or about May 28, 2016, possess or visibly display a firearm or visibly display a knife during the commission or attempted commission of a violent crime, to wit: Assault With Intent To Commit Criminal Sexual Conduct In The First Degree or Kidnapping, all in violation of Section 16-23-490, Code of Laws of South Carolina (1976), as amended.

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

  
J. STROM THURMOND, SOLICITOR

2016A0210200841  
2016A0210200842  
2016A0210200843

STATE OF SOUTH CAROLINA ) IN THE COURT OF GENERAL SESSIONS  
COUNTY OF AIKEN ) SECOND JUDICIAL CIRCUIT

STATE OF SOUTH CAROLINA ) Indictment Numbers: 2016GS0202362  
2016GS0202363  
2016GS0202364

vs. )  
Wayne Hankinson, )  
Defendant )

RECEIVED  
FEB 09 2018  
SC Court of Appeals

2016-GS-02-02362

This matter comes before the court upon Defendant's Motion For New Trial dated September 8, 2017.

Defendant argues that one juror seated for the trial of his case was a friend of an investigator for the Sheriff's Department who sat at the table of the Solicitor who tried this case and assisted with the handling of evidence. The investigator's name was not given to the jury during voir dire and he was not present during jury selection. The investigator did not testify.

Defendant argues that he would have struck the friend of the investigator had he known of their relationship and thus Defendant was denied his right to a fair and impartial jury.

Neither Defendant nor the State submitted any briefs supporting their respective positions although the attorney for the State advised the court that the State opposed the motion as was argued at the conclusion of the trial. Neither party

1 SOL (Hammack)  
1 P.D (Hayes)

FILED DEC. 15 20 17  
Robert J. White  
C.C.P. & G.S.  
Thomas Skippers  
Deputy Clerk

STATE OF SOUTH CAROLINA  
COUNTY OF AIKEN  
I, Robert J. Hurt, Clerk of Court of Common Pleas and General Sessions for Aiken County, South Carolina do hereby certify that the foregoing constitutes a true and correct copy of the original document(s) as they have been filed in my office this 17 day of Feb. 20 18  
Robert J. Hurt  
C.C.P. & G.S., Aiken County, SC  
15511  
Hayes  
Deputy Clerk

requested a hearing "on the record" and I decide this motion without such hearing.

Defendant apparently contends that the State was obligated to divulge the name of anyone who might sit at the prosecution table but no such request was made prior to trial. Defendant does not argue any inappropriate conduct on the part of the prosecution or that the name of the investigator was not disclosed pursuant to Rule 5 SCRPC. No specific prejudice is alleged by Defendant, only that he would have used one of his strikes to keep the juror from being seated. Defendant does not argue that the witness was not qualified, was prejudiced or should have been disqualified by the court for cause.

Based on the foregoing, I find the Defendant's Motion should be denied.

December 13, 2017

~~October 3, 2017~~

A handwritten signature in black ink, appearing to read "Brooks P. Goldsmith", written over a horizontal line.

Brooks P. Goldsmith , Circuit Judge

2016-65-02-02362



Public Defender

JAN 31 2018

Received

## The South Carolina Court of Appeals

JENNY ABBOTT KITCHINGS  
CLERK

V. CLAIRE ALLEN  
DEPUTY CLERK

POST OFFICE BOX 11629  
COLUMBIA, SOUTH CAROLINA 29211  
1220 SENATE STREET  
COLUMBIA, SOUTH CAROLINA 29201  
TELEPHONE: (803) 734-1890  
FAX: (803) 734-1839  
www.sccourts.org

January 29, 2018

Mr. Charles David Hayes, Esquire  
PO Drawer 2247  
Aiken SC 29802

Re: The State v. Wayne Hankinson  
Appellate Case No. 2017-002603

Dear Counsel:

This is the second letter from the Court attempting to obtain the following documents. Upon reviewing your notice of appeal, the following deficiency or deficiencies have been noted under the South Carolina Appellate Court Rules (SCACR), and any deficiency must be corrected within ten (10) days of the date of this letter, **or this appeal will be dismissed:**

- The notice of appeal is not accompanied by a complete and redacted copy of the order(s) and/or sentencing sheet(s) challenged on appeal. Please provide the Court with the sentencing sheets that have been signed by the sentencing judge, and filed with the Clerk.
- You must provide a copy of the motion for a new trial that was filed on September 8, 2017.

Very truly yours,

*V. Claire Allen, Deputy*

CLERK

cc: Alan McCrory Wilson, Esquire  
John Benjamin Aplin, Esquire  
Katelyn Rose Cleveland, Esquire  
Robert Michael Dudek, Esquire

**Public Defender for the Second Judicial Circuit**

410 Barnwell Avenue N.W.  
Post Office Drawer 2247  
Aiken, South Carolina 29802

De Grant Gibbons, Circuit Public Defender

February 5, 2018

South Carolina Court of Appeals  
V. Claire Allen, Deputy Clerk  
Post Office Box 11629  
Columbia, SC 29211

**RECEIVED**

FEB 09 2018

SC Court of Appeals

Ref.: State v. Wayne Hankinson  
Appellate Case No. 2017-002603

Dear Ms. Allen:

We have received your request for documents that were not included in the original appeal.

Please find enclosed the sentencing sheets and motion for new trial.

Sincerely,



C. David Hayes  
Assistant Public Defender

CH/lw

Public Defender  
PO 2247  
Aiken, SC 29802

CERTIFIED MAIL



7015 1730 0000 6523 8686

neopost  
02/06/2018  
FIRST-CLASS MAIL  
US POSTAGE \$007.62<sup>9</sup>

ZIP 29801  
041M12251591



RECEIVED  
FEB 09 2018  
SC Court of Appeals

A. C. Court of Appeals  
P. O. Box 11629  
Columbia, SC 29211

2/8