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mcw

THE STATE OF SOUTH CAROLINA
COUNTY OF ORANGEBURG

IN THE COURT OF GENERAL SESSIONS
FIRST JUDICIAL CIRCUIT

THE STATE

Charge(s):

VOP

Warrant/Indictment Nos:

CC 38-18
13

1465-38-1596

ORDER APPOINTING PUBLIC DEFENDER
OFFICE

Will Mitchum

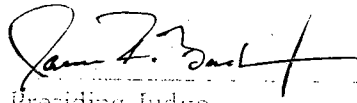
DEFENDANT.

It appears that the above-entitled defendant appeared before the court to address his Probation Violation charges without representation. Therefore, the *Office of the Public Defender, First Judicial Circuit*, shall be appointed to represent the above named defendant. In consideration of this appointment Defendant is hereby ordered to pay the sum of \$40.00 to the Clerk of Court.

IT IS SO ORDERED.

Orangeburg, SC

Dated: 2-7-18



Presiding Judge

FILED FOR RECORD
WINNIFA B. CLARK
2018 FEB - 8 A 10:45
CLERK OF COURT
ORANGEBURG, SC

RECEIVED

FEB 15 2018

SC Court of Appeals

ATTEST: TRUE COPY



CLERK OF COURT
ORANGEBURG COUNTY, SC

STATE OF SOUTH CAROLINA
 County of Orangeburg
 STATE vs.
 AKA: Will Mitchum
 Race: Black Sex: male
 DOB: _____
 SSN: _____
 SID# 61980546

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FEB 15 2018

IN THE COURT OF GENERAL SESSIONS

Indictment Number: _____
14 - GS - 38 - 01596
 Probation C/W#: CC-38-18-0013
 Name of Original Offense: Distribution of meth 1st
 Original A/W#: _____
 Date of Original Offense: 10/13/14
 Conviction S.C. Code §: 44-53-0375 (B)(1)
 Conviction CDR Code #: 3111918
 Original Sentence: levy 35 1yr and 4yrs prob

SC Court of Appeals ORDER

The above named defendant has been charged with violating the conditions of probation ordered on 5/1/15 in the Court of General Sessions of Orangeburg County, and/or the additional conditions ordered by the Court in probation continuation order(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)

Paragraph 10

Therefore, IT IS ORDERED that:

- the suspended sentence be revoked and the above named defendant be required to serve 30 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 _____ 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 electronic monitoring pursuant to §23-3-540 (mandatory if convicted of first or third 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:

Revoke 30 months and terminate probation.

- 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 is to be given credit for pretrial detention time served (N/A if defendant has served prior SCDC time).
- The defendant has served 1 days/months/years of prior revocations and/or initial SCDC time.
- The defendant was previously placed on active electronic monitoring pursuant to §23-3-540.

This _____ day of _____, SC _____
 Presiding Judge _____
 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 proper; or extend 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: [Signature]
 Signed this _____ day of Feb 2018 at Orangeburg SC
 Witnessed by: [Signature]

Indictment Number:

14-GS-38-1596

PROBATION CITATION

No. CC-38-18-0013

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FEB 15 2018

SC Court of Appeals

SOUTH CAROLINA

COUNTY:

Orangeburg

v.

Will Mitchell

SCDC #

SID #

01986546

TO: Will Mitchell

YOU ARE HEREBY NOTIFIED to appear in the above named case at the time, date and place specified below.

Place	Room	
	Date and Time	

YOU ARE HEREBY NOTIFIED that you are charged with violating the conditions of your supervision as stated below.

Violations Charged

Subject has violated conditions 6 and 10 as ordered in cause number 14-GS-38-1596

YOU ARE HEREBY NOTIFIED that you have the rights listed below.

List of Rights:

You have the right at the hearing to question any person who appears as a witness against you and to have witnesses appear in your behalf. You may present evidence on your behalf. You may have an attorney represent you. If you cannot afford an attorney, an attorney will be appointed for you. You must advise the agent or the court in writing of your desire for an attorney. It is your responsibility to make arrangements for your witnesses and your attorney to appear at the hearing.

IF YOU FAIL TO APPEAR AT THE TIME, DATE AND PLACE SHOWN ABOVE, THE HEARING WILL BE HELD IN YOUR ABSENCE AND YOU MAY BE INCARCERATED.

Orangeburg, South Carolina

Probation and Parole Agent

Date 2-7-18

Kim Brambley Agent # 0038

A copy of the citation was served by the undersigned and given to the individual named therein at the time, date, and place indicated below.

Place	Date and Time
	2/7/18 @ 12:01pm

Serving Officer's Signature [Signature]

Sworn to and subscribed before me this

[Signature]

Signature of Notary Public

ATTEST: TRUE COPY
 My Commission Expires 2/8/21
 CLERK OF COURT
 ORANGEBURG COUNTY, SC
 Feb 2018

STATE OF SOUTH CAROLINA

AFFIDAVIT

County of Orangeburg

Personally appeared before me, Kim Brantley, who first being duly sworn, deposes and says that Will Mitchell did within this County and

State on the 7 day of Feb, 2018, violate certain conditions of release in the following particulars:

DESCRIPTION OF VIOLATION

Subject has violated conditions 6 and 10 as ordered in cause number 14-GS-38-01596

The Affiant states that there is probable cause to believe the defendant named committed the violations set forth and that such probable cause is based on the following facts:

Subject has violated his/her supervision based on the following facts: By failing to follow the advice and instructions of the supervising agent; By failing to refrain from violating state law, by being found guilty or pleading guilty to Forgery less than \$10,000 on indictment(s) 18-GS-38-0102 in the Orangeburg County Court of General Sessions.

Sworn to and subscribed

before me this 7 day of Feb, 2018

Kim Brantley
Affiant

Janea Valente
Signature of Notary Public

My Commission Expires: 2/8/21