

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF Beaufort
STATE VS. Nick Russell Evangelista
AKA:
Race: CAUCASIAN Sex: M Age: 56
DOB: SS#:
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: Murder / Murder

INDICTMENT/CASE#: 2014GS0701787
A/W#: 2014A0720300254
Date of Offense: 8/26/2014
S.C. Code §: 16-03-0010; 16-03-0020
CDR Code #: 0116

RECEIVED
MAR 14 2018
SC Court of Appeals

SENTENCE SHEET

CONVICTED OF or PLEADS

in violation of § 16-03-0010; 16-03-0020 of the S.C. Code of Laws, bearing CDR Code # 0116
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.

Swanson, Hunter 72934 Defendant
Jusi Campbell 15149 Attorney for Defendant

WHEREFORE, the Defendant is committed to the State Department of Corrections, County Detention Center,
for a determinate term of 45 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.

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

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

Table with columns for Recipient, Description, and Amount. Includes items like \*Fine: Public Defender \$40.00, § 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 \$138.75

Certified - A True Copy

Handwritten signature and stamp: Jennifer Petroff, Clerk of Court, Beaufort 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: [Signature]
Court Reporter: Karen V. Anderson
SCCA/217 (07/2016)

Presiding Judge: [Signature]
Judge Code: 2128
Sentence Date: 12/14/17

WITNESSES

J. Adams- BCSO

ARREST WARRANT NUMBER

2014A0720300254

ACTION OF GRAND JURY

**True Bill**

*Janifer Snider*  
Foreperson of Grand Jury  
Date: 'DEC 1 8 2014

VERDICT

*Guilty*

*AS Gault*  
Foreperson of Petit Jury  
Date: 12/14/17  
INDICT

DOCKET NO. 2014GS0701787

**The State of South Carolina**

County of Beaufort

COURT OF GENERAL SESSIONS

December Term 2014

THE STATE

vs.

Nick Russell Evangelista

Indictment for

Murder / Murder

SC Code: 16-03-0010; 16-03-0020  
CDR Code:0116

After being fully advised as to my legal rights, I hereby waive presentment to the Grand Jury.

Defendant

Hereby appear in my own proper person and plead guilty to the within indictment or to

Defendant

Witness:

C.C.C. PLS. and G.S.

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STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF BEAUFORT )

INDICTMENT  
2014GS0701787

At a Court of General Sessions, convened on December 18, 2014 the Grand Jurors of Beaufort County present upon their oath:

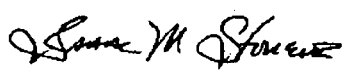
**Murder / Murder**

That in Beaufort County on or about August 26, 2014, with malice aforethought, express or implied, Nick Russell Evangelista did kill and murder Rebecca Melton and that she did die in Beaufort County as a proximate result thereof; in violation of Section 16-3-10 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.

2014  
AUG 27 10 17 AM  
2014

Time Bill  
1118 aurt



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Solicitor

ARREST WARRANT

2014A0720300254

STATE OF SOUTH CAROLINA

County/ Municipality of

Hilton Head Island

201409040281 THE STATE against

Nick Russell Evangelista

Address: Hilton Head Island, SC 29926-

Sex: M Race: W Height: 5 8 Weight: 165 DL State: SC DL #: 011649081 DOB: Agency ORI #:

Prosecuting Agency: Beaufort County Sheriff Department Prosecuting Officer: E Calendine Offense: Murder

Offense Code: 00116

Code/Ordinance Sec: 16-03-0010; 16-03-0020

This warrant is CERTIFIED FOR SERVICE in the County/ Municipality of BEAUFORT. The accused is to be arrested and brought before me to be dealt with according to the law.

Signature of Judge: [Signature] (L.S.)

Date: 10/3/14

RETURN

A copy of this arrest warrant was delivered to defendant Nick Russell Evangelista on 10/03/2014

RETURN WARRANT TO:

Beaufort County General Sessions 101 Ribaut Road Suite 208 Beaufort, SC 29901

STATE OF SOUTH CAROLINA County/ Municipality of

Hilton Head Island

Personally appeared before me the affiant E Calendine being duly sworn deposes and says that defendant Nick Russell Evangelista did within this county and state on 08/26/2014 violate the criminal laws of the State of South Carolina (or ordinance of County/ Municipality of Hilton Head Island in the following particulars:

DESCRIPTION OF OFFENSE: Murder

I further state that there is probable cause to believe that the defendant named above committed the crime set forth and that probable cause is based on the following facts:

That on or about August 26th, 2014 the defendant did willfully and unlawfully commit the offense of Murder in violation of the South Carolina Code of laws in that with malice aforethought, he did strangle to death the victim, Rebecca Melton during an altercation at their apartment. The defendant did cohabit and was in a relationship with the victim. This incident occurred at 20 Queens Folly Road apartment 1874, Hilton Head Island, SC 29926 (Beaufort County). Affiant and others are witnesses to prove the same.

Signature of Affiant

STATE OF SOUTH CAROLINA County/ Municipality of Hilton Head Island

Affiant's Address 2001 Duke Street Beaufort, SC 29902- Affiant's Telephone

ARREST WARRANT

TO ANY LAW ENFORCEMENT OFFICER OF THIS STATE OR MUNICIPALITY OR ANY CONSTABLE OF THIS COUNTY:

It appearing from the above affidavit that there are reasonable grounds to believe that on 08/26/2014 defendant Nick Russell Evangelista did violate the criminal laws of the State of South Carolina (or ordinance of County/ Municipality of Hilton Head Island) as set forth below:

DESCRIPTION OF OFFENSE: Murder

Having found probable cause and the above affiant having sworn before me, you are empowered and directed to arrest the said defendant and bring him or her 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

Sworn to and subscribed before me on 10/02/2014

Signature of Issuing Judge

Judge Code: 6522

Judge's Address Municipal Court Hilton Head Island, SC 29928-

Judge's Telephone (843)341-4670

Issuing Court: Magistrate Municipal Circuit

ORIGINAL

AFFIDAVIT

Form Approved by S.C. Attorney General April 21, 2003 SCCA 518

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RECEIVED

Beaufort County Sheriff's Office

True Copy Certified Jerrin Joser, Clerk of Court Beaufort County SC - Jennifer Petre

BAIL set by

WITNESSES

Judge Tupper  
on 10/4/14  
Type and Amount: Set by Circuit Judge  
Name of Surety: N/A

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Telephone: \_\_\_\_\_  
Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Telephone: \_\_\_\_\_

PRELIMINARY HEARING held by

Judge \_\_\_\_\_  
on \_\_\_\_\_  
Defendant Attorney: \_\_\_\_\_

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Telephone: \_\_\_\_\_

Decision: \_\_\_\_\_

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Telephone: \_\_\_\_\_

DISPOSITION before

Judge \_\_\_\_\_  
on \_\_\_\_\_  
by \_\_\_\_\_  
(indicate jury trial, bench trial, plea, nol. pros., etc.)

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Telephone: \_\_\_\_\_

Disposition: \_\_\_\_\_  
Sentence: \_\_\_\_\_

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Telephone: \_\_\_\_\_

JURORS

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Telephone: \_\_\_\_\_  
Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Telephone: \_\_\_\_\_

CODEFENDANTS

\_\_\_\_\_  
\_\_\_\_\_

2014 OCT -6 AM 8:00  
ANN ROSENBAUM  
BEAUFORT COUNTY, S.C.  
CLERK OF COURT