

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Charleston County

Honorable Roger L. Couch, Circuit Court Judge

RECEIVED
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SC Court of Appeals

THE STATE,

RESPONDENT,

v.

BRIAN CHRISTOPHER DAUGHERTY,

APPELLANT

APPELLATE CASE NO 2017-000738

RECORD ON APPEAL

LARA M. CAUDY
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

MARK FARTHING
Assistant Attorney General
Post Office Box 11549
Columbia, SC 29211
(803) 734-3727

ATTORNEY FOR APPELLANT

SCARLETT A. WILSON
Solicitor, Ninth Judicial Circuit
O.T. Wallace Building
101 Meeting Street, Suite 400
Charleston, SC 29401
(843) 958-1900

ATTORNEYS FOR RESPONDENT

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**THE FOLLOWING EXHIBIT IS ON FILE WITH THIS COURT:
STATE'S EXHIBIT NO. 11 (DVD of Forensic Interview)**

1 THE FOREPERSON: Yes, sir, Your Honor.

2 THE COURT: Do you have the form?

3 THE FOREPERSON: Yes.

4 THE COURT: If you would pass it to the
5 bailiff and they will bring it to me. Thank you,
6 sir.

7 (Brief pause.)

8 THE COURT: The clerk may publish the
9 verdict.

10 THE CLERK: State of South Carolina
11 versus Brian Christopher Daugherty. We the jury
12 unanimously find as follows: Case number
13 2015-GS-10-4916 criminal sexual conduct with a
14 minor first degree of cunnilingus, Younger
Sister
15 [REDACTED] alleged victim, guilty.
16 2015-GS-10-4917, criminal sexual conduct with a
17 minor first degree digital penetration, Younger
Sister
18 [REDACTED] alleged victim, guilty.
19 2015-GS-10-5005, criminal sexual conduct with a
20 minor first degree fellatio, Younger Sister
21 [REDACTED] alleged victim, guilty. 2015-GS-10-5009, lewd act
22 on a minor under 14 years Younger Sister [REDACTED] alleged
23 victim, guilty. 2015-GS-10-4922 criminal sexual
24 conduct with a minor second degree, digital
25 penetration, Older Sister [REDACTED] alleged victim, guilty.

1 2015-GS-10-4925, criminal sexual conduct with a
2 minor second degree cunnilingus with Older Sister
3 alleged victim, guilty. 2015-GS-10-5010 lewd act
4 on a minor, Older Sister alleged victim, guilty.

5 201-GS-10-2001, criminal sexual conduct
6 with a minor first degree, sexual intercourse
7 and/or digital penetration and/cunnilingus, Older
8 Sister alleged victim, guilty. Signed by the
9 foreperson dated March 16th, 2017.

10 MR. COCHRAN: Your Honor, we would
11 request a polling of the jury.

12 THE COURT: First of all, let me check
13 with the jury. Ladies and gentlemen of the jury,
14 if this is your verdict and still your verdict, let
15 it be known by raising your right hands.

16 (All jurors raised their right hand.)

17 THE COURT: Thank you. You may be
18 seated. The Defendant has requested the polling of
19 the jury. Please follow the directions of the
20 clerk. If you will poll the jury.

21 THE CLERK: Yes, sir. When I call out
22 your number please raise your right hand. And I
23 will ask you two questions. Please answer yes or
24 no. Juror No. 326, is this your verdict?

25 JUROR NO: 326: Yes.

1 MR. COCHRAN: Yes, Your Honor.

2 (Brief pause.)

3 THE COURT: Mr. Daugherty, having been
4 found guilty by a jury of your peers of the charges
5 that were before the Court, at this time the Court
6 will consider factors that might be involved in
7 sentencing you in this case.

8 I'm going to hear from your attorney
9 first. I then would be willing to hear from anyone
10 who wishes to speak on your behalf. And then I
11 will give you an opportunity to speak with me at
12 that time. Do you understand what we are doing at
13 this time, sir?

14 THE DEFENDANT: Yes, sir.

15 THE COURT: Counsel.

16 MR. COCHRAN: Thank you, Your Honor.
17 Obviously these cases are extremely difficult in
18 terms of the emotion involved. We would ask Your
19 Honor to consider minimum -- collective sentence of
20 25 years which is the minimum sentence on the most
21 serious of the charges. We would ask for a
22 collective sentence of 25 years to run concurrent.

23 Obviously you have heard testimony from
24 defense witnesses that I think indicate to the
25 Court typically what we would present in

1 mitigation. He's a working man. He is a family
2 man. He has children his of his own, two of which
3 are here today and a young child who is four years
4 old with his fiancée who is here today. Obviously
5 if he were to spend the next 25 years in prison he
6 would come out as a registered sex offender for the
7 rest of his life. We would --

8 THE COURT: What is his current age?

9 MR. COCHRAN: He is 38.

10 THE COURT: Okay.

11 MR. COCHRAN: Your Honor, that is
12 obviously a tremendously substantial sentence to
13 serve the entirety of that sentence and there are
14 consequences when you are released. I don't know
15 if his family wants to address the Court.

16 THE COURT: If you do wish to speak
17 with me step over to the bar here.

18 MR. COCHRAN: Your Honor, this is his
19 son.

20 THE COURT: All right. That's good
21 right there. State your name, please.

22 MR. DAUGHERTY: Austin Daugherty.

23 THE COURT: Yes, sir.

24 MR. DAUGHERTY: I want to state that no
25 matter what the people may think of my dad that he

1 is not the man that they have made him seem to be.
2 And no matter what anyone says, he will always be
3 the same in my heart.

4 THE COURT: Thank you for stepping
5 forward, sir. Anyone else wish to speak?

6 MR. COCHRAN: I don't believe so, Your
7 Honor. Obviously the reason for that is the
8 emotion at this point.

9 THE COURT: I understand.

10 MR. COCHRAN: And with appeals and PRC
11 I think that from Brian's standpoint I think we
12 will let his testimony on the stand or in the trial
13 serve as his address to the Court for purposes of
14 sentencing. I have no idea what the victims and
15 the prosecutor are going to specifically request.
16 But we would just request that Your Honor consider
17 25 years.

18 THE COURT: Mr. Daugherty, do you wish
19 to speak?

20 THE DEFENDANT: No.

21 THE COURT: Okay. I will hear from the
22 State. First of all, prior record for this
23 individual.

24 MS. HERRING-LASH: Yes, Your Honor. In
25 1996 simple assault, resisting arrest. 1998

1 driving under suspension, 1998, seven counts of
2 fraudulent check. 2002 -- 2003 harassment and use
3 of a vehicle without permission. 2005 fraudulent
4 check. That's his prior record, Your Honor.

5 THE COURT: Do any of the victims wish
6 to be heard?

7 MS. HERRING-LASH: Your Honor, at this
8 time I don't think they wish to be heard. They are
9 a little emotional at this point. As far as the
10 State, I think looking at these girls today it's
11 very hard to imagine what they were like when they
12 were six and nine. So he took advantage of very,
13 very vulnerable children. We would ask the Court
14 to run a sentence consecutive because we don't have
15 just one victim. We have two. And we leave it to
16 the discretion of the Court to sentence, but if it
17 just be consecutive because they are separate
18 children he assaulted.

19 THE COURT: Let me be sure that we're
20 in agreement on the range of sentencing. Madam
21 solicitor, my understanding criminal sexual conduct
22 with a minor in the first degree carries 25 years
23 or life; is that correct?

24 MS. HERRING-LASH: Twenty-five to life,
25 I think that's 25 to life.

1 THE COURT: To life. Then the criminal
2 sexual conduct with a minor second degree is not
3 more than 20 years.

4 MS. HERRING-LASH: Yes, Your Honor.

5 THE COURT: And then the lewd act on a
6 minor is not more than 15 years.

7 MS. HERRING-LASH: Yes, Your Honor.

8 THE COURT: Is that your understanding?

9 MS. HERRING-LASH: Yes, Your Honor.

10 THE COURT: Now, on the lewd act on a
11 minor I believe that that requires GPS monitoring.

12 MS. HERRING-LASH: The criminal sexual
13 conduct with a minor first and the lewd act
14 requires GPS monitor. The second does not.

15 THE COURT: They all require sexual
16 offender registration?

17 MS. HERRING-LASH: Yes, Your Honor.

18 THE COURT: Any other specific
19 requirement that you are aware of?

20 MS. HERRING-LASH: No. The other I
21 guess something that could happen down the road
22 would be the sexual violent predator act.

23 THE COURT: Well, I don't include that
24 on my sentencing at this time.

25 MS. HERRING-LASH: That's the only

1 thing.

2 THE COURT: Okay. Is he claiming any
3 credit for time he may have previously served on
4 these charges?

5 MR. COCHRAN: Your Honor, he served
6 roughly 90 days.

7 THE COURT: State have any objection to
8 that?

9 MS. HERRING-LASH: No, Your Honor.

10 (Brief pause.)

11 THE COURT: Mr. Daugherty, if you would
12 please stand. I have reviewed the factors involved
13 in sentencing in your case as well as the
14 information that you provided during trial. I note
15 that your prior record is -- while there is a prior
16 record, there was nothing serious on that prior
17 record, nothing that would indicate any violence.
18 I have taken that into consideration as well.

19 As to the charges of lewd act upon a
20 minor, that's in cases 2015-5009 and 5010, those
21 sentences are both 15 years, run them concurrently.
22 I will give you credit for 90 days. Sex offender
23 registration is required. And on the charges of
24 criminal sexual conduct with a minor in the second
25 degree, case numbers 2015-4925 and 4922, the

1 sentences in both of those cases are 20 years, run
2 concurrently. You have been given credit for
3 90 days. I require that you be placed on the
4 central registry for child abuse and sex offender
5 registration is required, as well as the lewd act
6 charge also carries a sex offender registration
7 requirement.

8 On criminal sexual conduct with a minor
9 in the first degree, case numbers 2015-GS-4916,
10 4917, and case number 2017-2001 and 2015-5005,
11 there's four of those charges, all of which carry a
12 sentence of 25 years and that's my sentence in this
13 case. Ninety days credit, again placed on the
14 central registry for child abuse and neglect. Sex
15 offender registration is required.

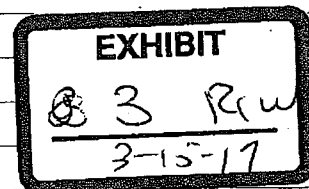
16 Good luck to you, sir.

17 (These proceedings were concluded at
18 2:19 p.m., March 16, 2017, Charleston County, South
19 Carolina.)

20 (END OF TRANSCRIPT.)
21
22
23
24
25

We know that we need 12 votes
for a guilty verdict. But do we need
12 votes for a not guilty verdict? If
we do not have 12 votes either
way ~~or either~~ does that result
in a hung jury or in a not guilty
verdict?

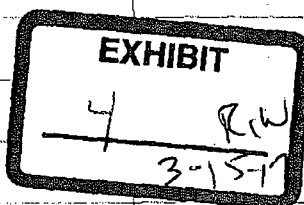
Abesaw W. Selassie
Abesaw W. Selassie
Jury Foreman
March 15, 2017



We Can not reach
agreement tonight.

We plan to convene
tomorrow morning to
reach a verdict.

Amesaw W. Selassie
AMESAW W. Selassie
Jury Foreman
March 15, 2017



DHL/0304560
WITNESSES

North Charleston Police Department

AGENCY CASE NUMBER
2015-004758

ARREST WARRANT NUMBER
2015A1021000326

DATE OF ARREST
04/10/2015

ACTION OF GRAND JURY

TRUE BILL

ll deede
Foreperson of Grand Jury

SEP 15 2015
Date:

VERDICT

Guilty

Antwan W. Roberts
Foreperson of Petit Jury

03/16/2017
Date:

DOCKET NO. 2015-GS-10-04916

The State of South Carolina
County of Charleston

COURT OF GENERAL SESSIONS
SEPTEMBER TERM 2015

THE STATE

VS.

BRIAN CHRISTOPHER
DAUGHERTY

[REDACTED]

Indictment for

CRIMINAL SEXUAL CONDUCT WITH A
MINOR, FIRST DEGREE

SC Code: § 16-03-0655(A)(1)
CDR Code: 0385

STATE OF SOUTH CAROLINA
COUNTY OF CHARLESTON

INDICTMENT

At a Court of General Sessions, convened on September 14, 2015, the Grand Jurors of Charleston County present upon their oath:

CRIMINAL SEXUAL CONDUCT WITH A MINOR, FIRST DEGREE

That in Charleston County, South Carolina, between April 8, 2009 and April 7, 2012 the ^{May 5, 2011 R2a}
Defendant, Brian Christopher Daugherty, did commit, a sexual battery to wit: digital
penetration upon the victim, _____, a minor who was less than eleven years of age in
violation of Sections 16-3-655(A)(1) 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.


DEBORAH HERRING-LASH
ASSISTANT SOLICITOR

DHL/0304560
WITNESSES

North Charleston Police Department

AGENCY CASE NUMBER
2015-004758

ARREST WARRANT NUMBER
2015A1021000327

DATE OF ARREST
04/10/2015

ACTION OF GRAND JURY

TRUE BILL

ll Jones
Foreperson of Grand Jury

SEP 15 2015
Date:

VERDICT

Guilty

Jones 03/16/2017
Foreperson of Petit Jury Date:

DOCKET NO. 2015-GS-10-04917

The State of South Carolina
County of Charleston

COURT OF GENERAL SESSIONS
SEPTEMBER TERM 2015

THE STATE

VS.

BRIAN CHRISTOPHER
DAUGHERTY

Indictment for

CRIMINAL SEXUAL CONDUCT WITH A
MINOR, FIRST DEGREE

SC Code: § 16-03-0655(A)(1)
CDR Code: 0385

STATE OF SOUTH CAROLINA
COUNTY OF CHARLESTON

INDICTMENT

At a Court of General Sessions, convened on September 14, 2015, the Grand Jurors of Charleston County present upon their oath:

CRIMINAL SEXUAL CONDUCT WITH A MINOR, FIRST DEGREE

That in Charleston County, South Carolina, between April 8, 2009 and ^{May 5, 2011} ~~April 7, 2012~~ the Defendant, Brian Christopher Daugherty, did commit, a sexual battery to wit: cunnilingus upon the victim,] minor who was less than eleven years of age in violation of Sections 16-3-655(A)(1) 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.



DEBORAH HERRING-LASH
ASSISTANT SOLICITOR

DHL/0304560
WITNESSES

North Charleston Police Department

AGENCY CASE NUMBER
2015-004758

ARREST WARRANT NUMBER
2015-GS-10-04922

DATE OF ARREST
04/10/2015

ACTION OF GRAND JURY

TRUE BILL

[Signature]
Foreperson of Grand Jury

SEP 15 2015
Date:

VERDICT

Guilty

[Signature] 03/16/2017
Foreperson of Petit Jury Date:

DOCKET NO. 2015-GS-10-04922

The State of South Carolina
County of Charleston

COURT OF GENERAL SESSIONS
SEPTEMBER TERM 2015

THE STATE

VS.

BRIAN CHRISTOPHER
DAUGHERTY
~~XXXXXXXXXXXX~~

Indictment for

CRIMINAL SEXUAL CONDUCT WITH A
MINOR, SECOND DEGREE

SC Code: § 16-03-0655(B)
CDR Code: 0396

STATE OF SOUTH CAROLINA
COUNTY OF CHARLESTON

INDICTMENT

At a Court of General Sessions, convened on September 14, 2015, the Grand Jurors of Charleston County present upon their oath:

CRIMINAL SEXUAL CONDUCT WITH A MINOR, SECOND DEGREE

That in Charleston County, South Carolina, on or about February 18, 2010 and ^{May 5, 2011} ~~February~~ ²⁰¹² 17, 2012, the Defendant, Brian Christopher Daugherty, did commit, a sexual battery to wit digital penetration upon a minor late of birth February 18, 1999 in violation of Sections 16-3-655(B) of the 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.


DEBORAH HERRING-LASH
ASSISTANT SOLICITOR

DHL/0304560
WITNESSES

North Charleston Police Department

AGENCY CASE NUMBER

2015-004758

ARREST WARRANT NUMBER

2015-GS-10-04924

DATE OF ARREST

04/10/2015

ACTION OF GRAND JURY

TRUE BILL

ll Deese

Foreperson of Grand Jury

SEP 15 2015

Date:

VERDICT

Foreperson of Petit Jury

Date:

DOCKET NO. 2015-GS-10-04924

The State of South Carolina

County of Charleston

COURT OF GENERAL SESSIONS

SEPTEMBER TERM 2015

THE STATE

VS.

BRIAN CHRISTOPHER

DAUGHERTY

W/M DOB: [REDACTED]

Indictment for

CRIMINAL SEXUAL CONDUCT WITH A
MINOR, SECOND DEGREE

SC Code: § 16-03-0655(B)

CDR Code: 0396

FILED

9/21/2015 3:26:29 PM

JULIE J. ARMSTRONG

CLERK OF COURT

STATE OF SOUTH CAROLINA
COUNTY OF CHARLESTON

INDICTMENT

At a Court of General Sessions, convened on September 14, 2015, the Grand Jurors of Charleston County present upon their oath:

CRIMINAL SEXUAL CONDUCT WITH A MINOR, SECOND DEGREE

That in Charleston County, South Carolina, between February 18, 2010 and February 17, 2012 the Defendant, Brian Christopher Daugherty, did commit, a sexual battery to wit sexual intercourse upon a minor, Older Sister date of birth [REDACTED] in violation of Sections 16-3-655(B) 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.


DEBORAH HERRING-LASH
ASSISTANT SOLICITOR

DHL/0304560
WITNESSES

North Charleston Police Department

AGENCY CASE NUMBER
2015-004758

ARREST WARRANT NUMBER
2015-GS-10-04925

DATE OF ARREST
04/10/2015

ACTION OF GRAND JURY

TRUE BILL

ll Deere SEP 15 2015
Foreperson of Grand Jury Date:

VERDICT

Guffy

Antwan Johnson 03/16/2017
Foreperson of Petit Jury Date:

DOCKET NO. 2015-GS-10-04925

The State of South Carolina
County of Charleston

COURT OF GENERAL SESSIONS
SEPTEMBER TERM 2015

THE STATE

VS.

BRIAN CHRISTOPHER
DAUGHERTY

Indictment for

CRIMINAL SEXUAL CONDUCT WITH A
MINOR, SECOND DEGREE

SC Code: § 16-03-0655(B)
CDR Code: 0396

STATE OF SOUTH CAROLINA
COUNTY OF CHARLESTON

INDICTMENT

At a Court of General Sessions, convened on September 14, 2015, the Grand Jurors of Charleston County present upon their oath:

CRIMINAL SEXUAL CONDUCT WITH A MINOR, SECOND DEGREE

That in Charleston County, South Carolina, between February 18, 2010 and ^{May 5, 2011} ~~February 17,~~

~~2012~~, the Defendant, Brian Christopher Daugherty, did commit, a sexual battery to wit cunnilingus upon a minor, date of birth February 18, 1999 in violation of Sections 16-3-655(B) 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.



DEBORAH HERRING-LASH
ASSISTANT SOLICITOR

DHL/0304560
WITNESSES

North Charleston Police Department

AGENCY CASE NUMBER

2015-004758

ARREST WARRANT NUMBER

2015-GS-10-05005

DATE OF ARREST

04/10/2015

ACTION OF GRAND JURY

TRUE BILL

[Signature]
Foreperson of Grand Jury

SEP 15 2015
Date:

VERDICT

[Signature]

[Signature]
Foreperson of Petit Jury

03/16/2017
Date:

DOCKET NO. 2015-GS-10-05005

The State of South Carolina

County of Charleston

COURT OF GENERAL SESSIONS

SEPTEMBER TERM 2015

THE STATE

VS.

BRIAN CHRISTOPHER
DAUGHERTY

[Redacted]

Indictment for

CRIMINAL SEXUAL CONDUCT WITH A
MINOR, FIRST DEGREE

SC Code: § 16-03-0655(A)(1)
CDR Code: 0385

STATE OF SOUTH CAROLINA
COUNTY OF CHARLESTON

INDICTMENT

At a Court of General Sessions, convened on September 14, 2015, the Grand Jurors of Charleston County present upon their oath:

CRIMINAL SEXUAL CONDUCT WITH A MINOR, FIRST DEGREE

That in Charleston County, South Carolina, on or about April 8, 2009 and ^{May 5, 2011} ~~April 7, 2012~~,
the Defendant, Brian Christopher Daugherty, did commit, sexual battery to wit: fellatio upon the
victim, a minor who was less than eleven years of age in violation of
Sections 16-3-655(A)(1) 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.


DEBORAH HERRING-LASH
ASSISTANT SOLICITOR

DHL/0304560
WITNESSES

North Charleston Police Department

AGENCY CASE NUMBER
2015-004758

ARREST WARRANT NUMBER
2015A1021000328

DATE OF ARREST
04/10/2015

ACTION OF GRAND JURY

TRUE BILL

[Signature]
Foreperson of Grand Jury

SEP 15 2015
Date:

VERDICT

[Signature]

[Signature] 03/16/2017
Foreperson of Petit Jury Date:

DOCKET NO. 2015-GS-10-05009

The State of South Carolina
County of Charleston

COURT OF GENERAL SESSIONS
SEPTEMBER TERM 2015

THE STATE

VS.

BRIAN CHRISTOPHER
DAUGHERTY

Indictment for
LEWD ACT UPON A MINOR

SC Code: § 16-15-140
CDR Code: 2468

STATE OF SOUTH CAROLINA
COUNTY OF CHARLESTON

INDICTMENT

At a Court of General Sessions, convened on September 14, 2015, the Grand Jurors of Charleston County present upon their oath:

LEWD ACT UPON A MINOR

That in Charleston County, South Carolina, between April 8, 2009 and ^{May 5 2011 RLR} ~~April 7, 2012~~ the defendant, Brian Christopher Daugherty, who was over fourteen (14) years of age, did willfully and lewdly commit or attempt to commit a lewd or lascivious act upon or with the body, or its parts, of -- a child under sixteen years of age, with the intent of arousing, appealing to, or gratifying the lust, passions, or sexual desires of the defendant or the child.; in violation of Section 16-15-140, 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.


DEBORAH HERRING-LASH
ASSISTANT SOLICITOR

DHL/0304560
WITNESSES

North Charleston Police Department

AGENCY CASE NUMBER

2015-004758

ARREST WARRANT NUMBER

2015A1021000329

DATE OF ARREST

04/10/2015

ACTION OF GRAND JURY

TRUE BILL

lldeeee
Foreperson of Grand Jury

SEP 15 2015
Date:

VERDICT

Guilty

Amber W. Lawrence 03/16/2017
Foreperson of Petit Jury Date:

DOCKET NO. 2015-GS-10-05010

The State of South Carolina
County of Charleston

COURT OF GENERAL SESSIONS
SEPTEMBER TERM 2015

THE STATE

VS.

BRIAN CHRISTOPHER
DAUGHERTY

Indictment for

LEWD ACT UPON A MINOR

SC Code: § 16-15-140
CDR Code: 2468

STATE OF SOUTH CAROLINA
COUNTY OF CHARLESTON

INDICTMENT

At a Court of General Sessions, convened on September 14, 2015, the Grand Jurors of Charleston County present upon their oath:

LEWD ACT UPON A MINOR

That in Charleston County, South Carolina, between February 18, 2009 and ^{May 5, 2011} ~~February 17,~~ ₂₀₁₂ the defendant, Brian Christopher Daugherty, who was over fourteen (14) years of age, did willfully and lewdly commit or attempt to commit a lewd or lascivious act upon or with the body, or its parts, of _____, a child under sixteen years of age, with the intent of arousing, appealing to, or gratifying the lust, passions, or sexual desires of the defendant or the child. In violation of Section 16-15-140 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.


DEBORAH HERRING-LASH
ASSISTANT SOLICITOR

DHL/0304560
WITNESSES

DOCKET NO. 2017-GS-10-2001

North Charleston Police Department

The State of South Carolina
County of Charleston

AGENCY CASE NUMBER

2015-004758

ARREST WARRANT NUMBER

2017-GS-10-02001

DATE OF ARREST

04/10/2015

ACTION OF GRAND JURY

TRUE BILL

MAR 13 2017

Foreperson of Grand Jury

Date:

VERDICT

Guilty

Antwan D. Davis 03/16/2017
Foreperson of Petit Jury Date:

COURT OF GENERAL SESSIONS

MARCH TERM 2017

THE STATE

VS.

BRIAN CHRISTOPHER
DAUGHERTY

Indictment for

**CRIMINAL SEXUAL CONDUCT WITH A
MINOR, FIRST DEGREE**

SC Code: § 16-03-0655(A)(1)
CDR Code: 0396

STATE OF SOUTH CAROLINA

INDICTMENT

COUNTY OF CHARLESTON

At a Court of General Sessions, convened March 2017, the Grand Jurors of Charleston County present upon their oath:

CRIMINAL SEXUAL CONDUCT WITH A MINOR, FIRST DEGREE

That in Charleston County, South Carolina, between June 2009 and February 17th 2010 the Defendant, Brian Christopher Daugherty, did commit, or assaulted with the intent to commit, a sexual battery to wit: sexual intercourse and / or digital penetration and / or cunnilingus upon a minor, --- (Minor), who was under the age of eleven years of age in violation of Sections 16-3-655 (A)(1) and 16-3-656 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.


DEBORAH HERRING-LASH
ASSISTANT SOLICITOR

STATE OF SOUTH CAROLINA

COUNTY OF CHARLESTON
STATE VS.

BRIAN CHRISTOPHER DAUGHERTY

AKA:
Race: _____ Sex: _____
DOB: _____ SS#: _____
Address: _____
City, State, Zip: _____
DL# _____ SID# _____

IN THE COURT OF GENERAL SESSIONS

INDICTMENT/CASE#: 2015-GS-10-04916
A/W: 2015A1021000326
Date of Offense: 04/08/2009
S.C. Code §: 16-03-0655(A)(1)
CDR Code #: 0385

RECEIVED
MAR 27 2017
SC Court of Appeals

SENTENCE SHEET

*CDL Yes No CMV Yes No Hazmat Yes No
In disposition of the said indictment comes now the Defendant who was
TO: Criminal Sexual Conduct With A Minor, First Degree
In violation of § 16-03-0655(A)(1) of the S.C. Code of Laws, bearing CDR Code # 0385

CONVICTED OF or

PLEADS

NON-VIOLENT VIOLENT SERIOUS MOST SERIOUS

Mandatory GPS
(CSC w/minor 1* or Lewd Act) §17-25-45

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:

Deborah Herring-Lash 15083
Deborah Herring-Lash, Assistant Solicitor SC Bar #

Defendant

Attorney for Defendant

76963
SC Bar #

WHEREFORE, the Defendant is committed to the State Department of Corrections County Detention Center,
for a determinate term of 25 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: 3/16/17

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. 90 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

Ordered PTUP _____

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

_____ days/hours Public Service Employment

Payment Terms: _____

Obtain GED

Set by SCDPPPS _____

Attend Voc. Rehab. Or Job Corp. _____

May serve W/E beginning _____

Recipient: _____

Substance Abuse Counseling

*Fine: _____ \$ _____

Random Drug/Alcohol Testing

\$14-1-206 (Assessments 107.5%) \$ _____

Fine may be pd. in equal consecutive weekly/monthly

\$14-1-211 (A)(1)(Conv. Surcharge) \$100 \$ 100.00

pmts. of \$ _____ Beginning _____

\$14-1-211 (A)(2)(DUI Surcharge) \$100 \$ _____

\$ _____ Paid to Public Defender Fund

\$56-5-2995 (DUI Assessment) \$12 \$ _____

Other: S.O. registration

\$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 \$ _____

\$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

Appointed PD or appointed other counsel.

§47.12 requires \$500 be paid to Clerk

during probation.

Clerk of Court/Deputy Clerk: Jay Miller
Court Reporter: Ruth Weese

Presiding Judge: _____

Judge Code: 2175

Sentence Date: 3/16/17

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF CHARLESTON

STATE VS.

BRIAN CHRISTOPHER DAUGHERTY

INDICTMENT/CASE#: 2015-GS-10-04917
A/W: 2015A1021000327
Date of Offense: 04/08/2009
S.C. Code §: 16-03-0655(A)(1)
CDR Code #: 0385

AKA:
Race:
DOB:
Address:
City, State, Zip:
DL#
SID#

SENTENCE SHEET

*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: Criminal Sexual Conduct With A Minor, First Degree

In violation of § 16-03-0655(A)(1) of the S.C. Code of Laws, bearing CDR Code # 0385

NON-VIOLENT VIOLENT SERIOUS MOST SERIOUS Mandatory GPS §17-25-45 (CSC w/minor 1st or Lewd Act)

The charge is: As indicted, Lesser Included Offense, Defendant Waives Presentation to Grand Jury, Negotiated Sentence, Recommendation by the State.
The plea is: Without Negotiations or Recommendation, Negotiated Sentence, Recommendation by the State.

ATTEST:

Deborah Herring-Lash, Assistant Solicitor SC Bar # 15083 Defendant
Attorney for Defendant SC Bar # 76963

WHEREFORE, the Defendant is committed to the State Department of Corrections or County Detention Center, for a determinate term of 25 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: 3/16/17
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. 90 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 Ordered PTUP days/hours Public Service Employment
Total: \$ plus 20% fee: \$
Payment Terms: Obtain GED

Set by SCDPPPS
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 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/Prob) \$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(I) (Vehicle Assessment) \$40/ea, 3% to County (if paid in installments) \$, TOTAL \$128.75

Other: S.O. registration required
Appointed PD or appointed other counsel, \$47.12 requires \$500 be paid to Clerk during probation.

Clerk of Court/Deputy Clerk:
Court Reporter: Ruth Weese

Presiding Judge:
Judge Code: 2135
Sentence Date: 3/16/17

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF CHARLESTON
STATE VS.

BRIAN CHRISTOPHER DAUGHERTY

AKA: _____
Race: _____ Sex: _____
DOB: _____ SS#: _____
Address: _____
City, State, Zip: _____
DL# _____ SID# _____

INDICTMENT/CASE#: 2015-GS-10-04922
A/W: 2015-GS-10-04922
Date of Offense: 04/08/2009
S.C. Code §: 16-03-0655(B)(1)
CDR Code #: 0396

SENTENCE SHEET

*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: Criminal Sexual Conduct With A Minor, Second Degree
In violation of § 16-03-0655(B)(1) of the S.C. Code of Laws, bearing CDR Code # 0396

NON-VIOLENT VIOLENT SERIOUS MOST SERIOUS Mandatory GPS §17-25-45
(CSC w/minor 1st or Lewd 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

Deborah Herring-Lash 15083 Defendant _____ 76963 Attorney for Defendant SC Bar #
Deborah Herring-Lash, Assistant Solicitor SC Bar # _____

WHEREFORE, the Defendant is committed to the State Department of Corrections County Detention Center,
for a determinate term of 20 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: 3/16/17

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. 90 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 Ordered PTUP _____
Total: \$ _____ plus 20% fee: \$ _____ days/hours Public Service Employment
Payment Terms: _____ Obtain GED

Set by SCDPPPS _____ Attend Voc. Rehab. Or Job Corp. _____
May serve W/E beginning _____

Recipient: _____ Substance Abuse Counseling

*Fine: _____ \$ _____ Random Drug/Alcohol Testing

§14-1-206 (Assessments 107.5%) \$ _____ Fine may be pd. in equal consecutive weekly/monthly

§14-1-211 (A)(1)(Conv. Surcharge) \$100 \$ 100.00 pmts. of \$ _____ Beginning _____

§14-1-211 (A)(2)(DUI Surcharge) \$100 \$ _____ \$ _____ Paid to Public Defender Fund

§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 \$ _____

§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

Appointed PD or appointed other counsel,
\$47.12 requires \$500 be paid to Clerk
during probation.

Clerk of Court/Deputy Clerk: _____
Court Reporter: _____

Presiding Judge: _____
Judge Code: 2555
Sentence Date: 3/16/17

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF CHARLESTON
STATE VS.

BRIAN CHRISTOPHER DAUGHERTY

INDICTMENT/CASE#: 2015-GS-10-04925
A/W: 2015-GS-10-04925
Date of Offense: 04/08/2009
S.C. Code §: 16-03-0655(B)(1)
CDR Code #: 0396

AKA:
Race: [redacted] Sex: [redacted]
DOB: [redacted] SS#: [redacted]
Address: [redacted]
City, State, Zip: [redacted]
DL# [redacted] SID# [redacted]

SENTENCE SHEET

*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: Criminal Sexual Conduct With A Minor, Second Degree *NMT 20yr*

In violation of § 16-03-0655(B)(1) of the S.C. Code of Laws, bearing CDR Code # 0396

NON-VIOLENT VIOLENT SERIOUS MOST SERIOUS Mandatory GPS §17-25-45
(CSC w/minor 1st or Lewd Act)

The charge is: As indicted, Lesser Included Offense, Defendant Waives Presentation to Grand Jury. (def.'s initials)
The plea is: Without Negotiations or Recommendation, Negotiated Sentence, Recommendation by the State.

ATTEST:

[Signature] 15083 Defendant *[Signature]* 76963 Attorney for Defendant
Deborah Herring Lash, Assistant Solicitor SC Bar # _____

WHEREFORE, the Defendant is committed to the State Department of Corrections County Detention Center,
for a determinate term of 90 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: 3/16/17
 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. 90 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 Ordered PTUP _____
Total: \$ _____ plus 20% fee: \$ _____ days/hours Public Service Employment
Payment Terms: _____ Obtain GED

Set by SCDPPPS _____ Attend Voc. Rehab. Or Job Corp. _____
May serve W/E beginning _____

Recipient: _____ Substance Abuse Counseling
*Fine: _____ \$ _____ Random Drug/Alcohol Testing
§14-1-206 (Assessments 107.5%) \$ _____ Fine may be pd. in equal consecutive weekly/monthly
§14-1-211 (A)(1)(Conv. Surcharge) \$100 \$ 100.00 pmts. of \$ _____ Beginning _____
§14-1-211 (A)(2)(DUI Surcharge) \$100 \$ _____ \$ _____ Paid to Public Defender Fund

§56-5-2995 (DUI Assessment) \$12 \$ _____ Other: S.O. registration
§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 \$ _____
§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: *[Signature]*
Presiding Judge: *[Signature]*
Judge Code: 2135
Sentence Date: 3/16/17

STATE OF SOUTH CAROLINA

COUNTY OF CHARLESTON
STATE VS.

BRIAN CHRISTOPHER DAUGHERTY

AKA: _____
Race: _____ Sex: M
DOB: _____ SS#: _____
Address: _____
City, State, Zip: _____
DL# _____ SID# _____

IN THE COURT OF GENERAL SESSIONS

INDICTMENT/CASE#: 2015-GS-10-05005
A/W: 2015-GS-10-05005
Date of Offense: 04/08/2009
S.C. Code §: 16-03-0655(A)(1)
CDR Code #: 0385

SENTENCE SHEET

*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: Criminal Sexual Conduct With A Minor, First Degree

In violation of § 16-03-0655(A)(1) of the S.C. Code of Laws, bearing CDR Code # 0385

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

(CSC w/minor 1st or Lewd 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:

Deborah Herring-Lash 15083 _____ 76963
Deborah Herring-Lash, Assistant Solicitor SC Bar # Defendant Attorney for Defendant SC Bar #

WHEREFORE, the Defendant is committed to the State Department of Corrections County Detention Center, for a determinate term of 25 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: 3/16/17

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. 90 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: \$ _____

Ordered PTUP _____
_____ days/hours Public Service Employment

Payment Terms: _____

Obtain GED

Set by SCDPPPS _____

Attend Voc. Rehab. Or Job Corp. _____

May serve W/E beginning _____

Recipient: _____

Substance Abuse Counseling

Random Drug/Alcohol Testing

*Fine: _____ \$ _____

Fine may be pd. in equal consecutive weekly/monthly

prmts. of \$ _____ Beginning _____

\$ _____ Paid to Public Defender Fund

§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 \$ _____

§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

Other: Sex offender registration is required

Appointed PD or appointed other counsel, §47.12 requires \$500 be paid to Clerk during probation.

Clerk of Court/Deputy Clerk: [Signature]
Court Reporter: [Signature]

Presiding Judge: [Signature]
Judge Code: 4135
Sentence Date: 3/16/17

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF CHARLESTON

STATE VS.

BRIAN CHRISTOPHER DAUGHERTY

AKA:

Race: [redacted] Sex: [redacted]

DOB: [redacted] SS#: [redacted]

Address: [redacted]

City, State, Zip: [redacted]

DL# [redacted] SID# [redacted]

*CDL Yes No CMV Yes No Hazmat Yes No

In disposition of the said indictment comes now the Defendant who was

TO: Lewd Act Upon A Minor

NOT 15 yrs

In violation of § 1615-140 of the S.C. Code of Laws, bearing CDR Code # 2468

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

SENTENCE SHEET

CONVICTED OF or PLEADS

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:

[Signature] 15083
Deborah Herring-Lash, Assistant Solicitor SC Bar #

Defendant

[Signature] 76963
Attorney for Defendant SC Bar #

WHEREFORE, the Defendant is committed to the State Department of Corrections County Detention Center, for a determinate term of 15 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: 3/16/17

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. *90 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

Ordered PTUP _____ days/hours Public Service Employment.

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

Obtain GED

Payment Terms: _____

Set by SCIDPPPS _____

Attend Voc. Rehab. Or Job Corp. _____

Recipient: _____

May serve W/E beginning _____

*Fine: _____ \$ _____

Substance Abuse Counseling

§14-1-206 (Assessments 107.5%) \$ _____

Random Drug/Alcohol Testing

§14-1-211 (A)(1)(Conv. Surcharge) \$100 \$ 100.00

Fine may be pd. in equal consecutive weekly/monthly

§14-1-211 (A)(2)(DUI Surcharge) \$100 \$ _____

pmts. of \$ _____ Beginning _____

§56-5-2995 (DUI Assessment) \$12 \$ _____

\$ _____ Paid to Public Defender Fund

§56-1-286 (DUI Breath Test) \$25 \$ _____

Other: SO - registration

Proviso 61.6 (Public Det/Prob) \$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) \$ 375

TOTAL \$ 128.75

Appointed PD or appointed other counsel, §47.12 requires \$500 be paid to Clerk during probation.

Clerk of Court/Deputy Clerk: *[Signature]*
Court Reporter: *[Signature]*

Presiding Judge: *[Signature]*
Judge Code: 2135
Sentence Date: 3/16/17

STATE OF SOUTH CAROLINA

COUNTY OF CHARLESTON
STATE VS.

BRIAN CHRISTOPHER DAUGHERTY

AKA: _____
Race: _____ Sex: _____
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: Lewd Act Upon A Minor

In violation of § 1-15-140 of the S.C. Code of Laws, bearing CDR Code #2468

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

(CSC w/minor 1st or Lewd 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:

Deborah Herring-Lash 15083 SC Bar # _____ Defendant Attorney for Defendant 76963 SC Bar #

WHEREFORE, the Defendant is committed to the State Department of Corrections County Detention Center, for a determinate term of 15 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: 3/16/17

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. 90 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 Ordered PTUP _____ days/hours Public Service Employment

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

Payment Terms: _____

Obtain GED

Set by SCDPPPS _____

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: S.O. registration

Recipient: _____

*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 \$ _____

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

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

3% to County (if paid in installments) \$ \$ 375

TOTAL \$ 128.75

Appointed PD or appointed other counsel.

\$47.12 requires \$500 be paid to Clerk

during probation.

Clerk of Court/Deputy Clerk: [Signature]
Court Reporter: [Signature]

Presiding Judge: [Signature]

Judge Code: 2135

Sentence Date: 3/16/17

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF CHARLESTON

STATE VS.

BRIAN CHRISTOPHER DAUGHERTY

INDICTMENT/CASE#: 2017-GS-10-2001
A/W: 2017-GS-10-02001
Date of Offense: 04/08/2009
S.C. Code §: 16-03-0655(B)(1)
CDR Code #: 0385

AKA:
Race:
DOB:
SS#:
Address:
City, State, Zip:
DL#
SID#

SENTENCE SHEET

*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: Criminal Sexual Conduct With A Minor, First Degree 25 yrs or life

In violation of § 16-03-0655(B)(1) of the S.C. Code of Laws, hearing CDR Code # 0385

NON-VIOLENT VIOLENT SERIOUS MOST SERIOUS Mandatory GPS §17-25-45 (CSC w/minor 1st or Lewd Act)

The charge is: As indicted, Lesser Included Offense, Defendant Waives Presentment to Grand Jury, Negotiated Sentence, Recommendation by the State.
The plea is: Without Negotiations or Recommendation.

ATTEST:

Deborah Herring-Lash, Assistant Solicitor SC Bar # 15083 Defendant
Attorney for Defendant SC Bar # 76963

WHEREFORE, the Defendant is committed to the State Department of Corrections County Detention Center, for a determinate term of 25 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: 3/16/17
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. 90 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 Ordered PTUP
Total: \$ plus 20% fee: \$
days/hours Public Service Employment
Payment Terms: Obtain GED

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/Prob) \$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/ca, 3% to County (if paid in installments) \$, TOTAL \$128.75

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: SA registration

Appointed PD or appointed other counsel, §47.12 requires \$500 be paid to Clerk during probation.


Clerk of Court/Deputy Clerk:
Court Reporter:

Presiding Judge:
Judge Code:
Sentence Date: 3/16/17

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,


Lara M. Caudy
Appellate Defender

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

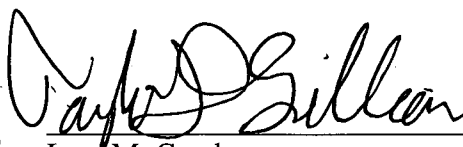
ATTORNEY FOR APPELLANT

This 11th day of April, 2018.

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,


Lara M. Caudy
Appellate Defender

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

ATTORNEY FOR APPELLANT

This 11th day of April, 2018.

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