

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF Horry
STATE VS.
Eugene Hardy

INDICTMENT/CASE#: 2017GS2600310
A/W#: 2016A2610202623
Date of Offense: 10/3/2016
S.C. Code § : 44-53-0370(b)(1)
CDR Code #: 0185

RECEIVED
SEP 10 2017
SC Court of Appeals

AKA: _____
Race: B Sex: M Age: 50
DOB: _____ SS#: _____
Address: _____
City, State, Zip: Myrtle Beach, SC 29588-7515
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: PWID Cocaine, 3rd offense (10-30 yrs *1/2 up to \$50,000)

in violation of § 44-53-0370(b)(1) of the S.C. Code of Laws, bearing CDR Code # 0185
 NON-VIOLENT VIOLENT SERIOUS MOST SERIOUS Mandatory GPS(CSC w/minor 1st or Lewd Act) §17-25-45

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: _____ 100039
Caraker, Jr., David P. 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 15 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 PTUP _____ days/hours Public Service Employment
Total: \$ _____ plus 20% fee: \$ _____
Payment Terms: _____
 Set by SCDPPPS _____

Recipient: _____	
*Fine:	\$ _____
§ 14-1-206 (Assessments 107.5 %)	\$ _____
§ 14-1-211(A)(1) (Conv. Surcharge)	\$100 \$ <u>100.00</u>
§ 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 \$ <u>25.00</u>
§ 14-1-213 (Drug Court Surcharge)	\$150 \$ <u>150.00</u>
§ 50-21-114(BUI Breath Test Fee)	\$50 \$ _____
§ 56-5-2942(J) (Vehicle Assessment)	\$40/ea \$ _____
3% to County (if paid in installments)	\$ <u>8.25</u>
TOTAL	\$ <u>283.25</u>

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 \$ 25.00 beginning 10-14-2032
\$ _____ paid to Public Defender Fund
Other: _____

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 _____
Judge Code: _____
Sentence Date: 9/14/17

Clerk of Court/ Deputy Clerk Renee N. Elvis
Court Reporter: Natalie Dahl
SCCA/217 (07/2016)

FILED
HORRY COUNTY
SEP 15 11:11
RECEIVED
CLERK OF COURT
HORRY COUNTY

DOCKET NO. 2017-GS-26-00310

WITNESSES

Freddie Curry 15th Circuit Drug Enforcement Unit

D. Belue

The State of South Carolina

County of Horry

David P. Caraker, Jr.
16H05282

COURT OF GENERAL SESSIONS

JANUARY, 2017 TERM

ARREST WARRANT NUMBER

2016A2610202623

CDR: 0185 44-53-0370(b)(1)

DOA: 10/4/2016

THE STATE

vs.

Eugene Hardy
/ M

Myrtle Beach, SC 29588-7515
DOB: "
SSN

ACTION OF GRAND JURY

TRUE BILL

ATTORNEY: J. Eric Fox

Indictment for

POSSESSION WITH INTENT TO DISTRIBUTE
COCAINE

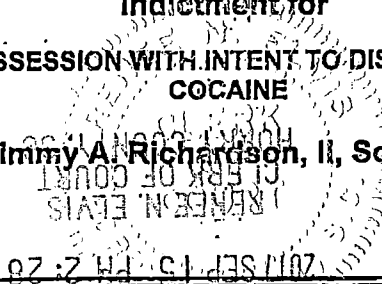
Jimmy A. Richardson, II, Solicitor

Foreperson of Grand Jury
Date:

JAN 19 2017

VERDICT

Foreperson of Petit Jury
Date:



RENEEN N. ELVIS
CLERK OF COURT
HORRY COUNTY, SC

2017 SEP 15 AM 11:26

ORIGINAL

FILED
HORRY COUNTY

STATE OF SOUTH CAROLINA)
)
COUNTY OF HORRY)

INDICTMENT


At a Court of General Sessions, convened on JANUARY 19, 2017, the Grand Jurors of Horry County present upon their oath:

POSSESSION WITH INTENT TO DISTRIBUTE COCAINE

CDR: 0185 44-53-0370(b)(1)

That Eugene Hardy did, in Horry County, on or about October 3, 2016, possess with intent to distribute, dispense or deliver, or did aid, abet, attempt or conspire to distribute, dispense, or deliver a quantity of Cocaine, a controlled substance under provisions of Section 44-53-110, et. seq., Code of Laws of South Carolina, 1976, as amended, such possession not having been authorized by law, and being in violation of Section 44-53-370(b)(1), S. C. 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.



JIMMY A. RICHARDSON, II
FIFTEENTH CIRCUIT SOLICITOR

REBEH H. ELVIS
CLERK OF COURT
HORRY COUNTY, SC
2017 SEP 15 PM 2:28
CERTIFIED COPY

FILED
HORRY COUNTY
2017 SEP 15 AM 11:26
REBEH H. ELVIS
CLERK OF COURT
HORRY COUNTY, SC

ARREST WARRANT

2016A2610202623

STATE OF SOUTH CAROLINA

County/ Municipality of

Horry

THE STATE

DEU16045

against

Eugene Hardy

Address:

Myrtle Beach, SC 29588-7515

Phone:

SSN:

Sex: M Race: Height: 5 3 Weight: 172

Date: SC DL #: Agency ORI #: SC0260900

Prosecuting Agency: Horry County - D.E.U.

Prosecuting Officer: Freddie Curry - DEU7

Offense: Drugs / MDP, Narcotic drugs in Sch. I(b) & (c),

LSD, and Sched. II - 2nd offense

Offense Code: 0184

Code/Ordinance Sec: 44-53-0370(b)(1)

This warrant is CERTIFIED FOR SERVICE in the

County/ Municipality of

The accused

is to be arrested and brought before me to be

dealt with according to the law.

(L.S.)

Signature of Judge

Date:

RETURN

A copy of this arrest warrant was delivered to

defendant Eugene Hardy

on 10-4-2016

Signature of Constable/ Law Enforcement Officer

RETURN WARRANT TO:

General Sessions
PO Box 677
1301 2nd Avenue
Conway, SC 29528

ORIGINAL

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ORIGINAL

STATE OF SOUTH CAROLINA

County/ Municipality of

Horry

Personally appeared before me the affiant Freddie Curry who

being duly sworn deposes and says that defendant Eugene Hardy

did within this county and state on or about 10/3/2016 violate the criminal laws of the

State of South Carolina (or ordinance of County/ Municipality of Horry)

in the following particulars:

DESCRIPTION OF OFFENSE: Drugs / MDP, Narcotic drugs in Sch. I(b) & (c), LSD, and Sched. II - 2nd offense

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

That on October 3, 2016, in the Myrtle Beach area (near the intersection of Hwy 707 and Bay Road) in the County of Horry, the defendant was placed under arrest on warrant; when he was discovered to be in possession of four (4) separate plastic baggies, each containing a white in color powder type substance, which field tested positive for the presence of Cocaine. The defendant has prior Felony Drug convictions. On March 28, 1997 was sentenced to 10 years in reference to Drug Trafficking and was not released from Parole until December 30, 2006.

Signature of Affiant

STATE OF SOUTH CAROLINA

County/ Municipality of

Horry

Affiant's Address P.O. Box 1276

Conway, SC 29528-

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 or about 10/3/2016 defendant Eugene Hardy

did violate the criminal laws of the State of South Carolina (or ordinance of

County/ Municipality of Horry) as set forth below:

DESCRIPTION OF OFFENSE: Drugs / MDP, Narcotic drugs in Sch. I(b) & (c), LSD, and Sched. II - 2nd offense

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 10/4/2016

Signature of Issuing Judge (L.S.)

Aaron C. Butler

Judge Code: 5022

Judge's Address J. Ruben Long Detention Center

Conway, SC 29526-1071

Judge's Telephone (843)365-9222

Issuing Court: Magistrate Municipal Circuit