

ORIGINAL

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from York County
Honorable Paul M. Burch, Circuit Court Judge
Appellate Case No. 2015-002563

RECEIVED
MAY 01 2018
SC Court of Appeals

THE STATE,

Respondent,

vs.

JOHN KENNETH MASSEY, JR.,

Appellant.

SUPPLEMENTAL RECORD ON APPEAL

SUSAN B. HACKETT
Appellate Defender

ALAN WILSON
Attorney General

S.C. Commission on Indigent Defense
Division of Appellate Defense
Post Office Box 11589
Columbia, SC 29211
(803) 734-1330

MARK R. FARTHING
Assistant Attorney General

Post Office Box 11549
Columbia, SC 29211
(803) 734-3727

ATTORNEY FOR APPELLANT

KEVIN S. BRACKETT
Solicitor, Sixteenth Judicial Circuit

1675-1A York Highway
Moss Justice Center
York, SC 29745
(803) 628-3020

ATTORNEYS FOR RESPONDENT

INDEX

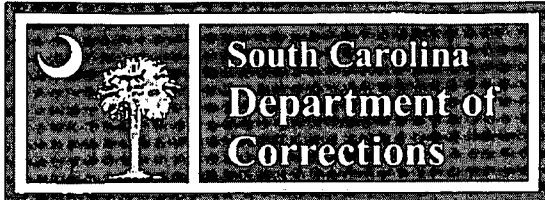
Index. i

Documentation from the South Carolina Department of Corrections Regarding Appellant's
Credit for Time Served. 1

SUPP. 1

HENRY McMASTER, Governor

BRYAN P. STIRLING, Director



OFFICE OF GENERAL COUNSEL

April 17, 2018

Mark R. Farthing, Esquire
S.C. Attorney General's Office
Post Office Box 11549
Columbia, South Carolina 29211

RE: John Kenneth Massey, # 305341

Dear Mr. Farthing:

Pursuant to your request, enclosed please find certified true copies of Inmate Massey's sentence sheets for grand larceny, third or subsequent property crime, and malicious injury to property, third or subsequent property crime. Also enclosed is a certified true copy of the jail time report we received from the York County Detention Center. Our records currently reflect that Inmate Massey is receiving a total of 582 days of jail time credit, which backs up his sentence start date to 4/29/14.

Sincerely,

A handwritten signature in cursive script that reads "Christina C. Bigelow".

Christina C. Bigelow
Deputy General Counsel
South Carolina Department of Corrections

STATE OF SOUTH CAROLINA
462
COUNTY OF YORK
STATE VS.

IN THE COURT OF GENERAL SESSIONS

JOHN KENNETH MASSEY, JR.
AKA: John K Massey, John Kenneth Jr Massey
Race: Black Sex: M Age: 40
DOB: [REDACTED] SSN: [REDACTED]
Address: [REDACTED]
City, State, Zip: York, SC 29745
DL# [REDACTED] SID# SC01101652

INDICTMENT/CASE#: 2013CS4601508
A/W: 2013A4610100814
Date of Offense: 07/17/2013
S.C. Code §: 16-13-030(B)
CDR Code #: 3587

SENTENTIAL

*CDL Yes No CMV Yes No Hazmat Yes No
In disposition of the said indictment comes now the Defendant who was
TO: Grand Larceny, Third or Subsequent Property Crime
In violation of § 16-13-030(B) of the S.C. Code of Laws, bearing CDR Code # 3587

CONVICTED OF or PLEADS

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

T. Matthew Hogge, Assistant Solicitor General, SC Bar # 100126 Defendant
[Signature] Attorney for Defendant, SC Bar # 66593

WHEREFORE, the Defendant is committed to the State Department of Corrections County Detention Center,
for a determinate term of 10 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:
 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. 140 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 (Criminal
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/Community
Total: \$ _____ plus 20% fee: \$ _____
Payment Terms: _____ Obtain GED

Set by SCDPPPS _____

Recipient: _____	
*Fine: _____	\$ _____
§14-1-206 (Assessments 107.5%)	\$ _____
§14-1-211 (A)(1)(Conv. Surcharge)	\$100 \$ 100
§14-1-211 (A)(2)(DUI Surcharge)	\$100 \$ _____
§56-5-2895 (DUI Assessment)	\$12 \$ _____
§56-1-286 (DUI Breath Test)	\$25 \$ _____
Proviso 47.9 (Public Def Prob)	\$500 \$ _____
§14-1-212 (Law Enforce. Fending)	\$25 \$ 25
§14-1-213 (Drug Court Surcharge)	\$150 \$ _____
§50-21-114 (BUI Breath Test Fee)	\$50 \$ _____
§56-5-2942(f) (Vehicle Assessment)	\$40/ea \$ _____
Proviso 50.5 (SCCJA Surcharge)	\$5 \$ 5
3% to County (if paid in installments)	\$ _____
TOTAL:	\$ 100

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: _____

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

Clerk of Court/Deputy Clerk: David Hamilton
Court Reporter: [Signature]
SCCA217 (03/2011)

Presiding Judge: [Signature]
Judge Bar ID: 1014 Judge Code: 51148
Sentence Date: 4-2-18

CERTIFIED TRUE COPY

Janice D. Kenady
Records Officer, S. C. Dept. of Cor.
Date 4-13-18

FILED
APR 13 2018
YORK COUNTY, SC
CLERK OF COURT
DAVID HAMILTON
2018 APR 13 PM 12:57
2018 APR 13 PM 12:57
FILED TRUE COPY

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

465

COUNTY OF YORK
STATE VS.

INDICTMENT/CASE#: 2013GS4603509
AAV: 2013A4610100A1S
Date of Offense: 07/17/2013
S.C. Code §: 16-11-0510(A) and 16-1-57
CDR Code #: 3594

JOHN KENNETH MASSEY, JR.
AKA: John K. Massey, John Kenneth Jr Massey
Race: Black Sex: M Age: 40
DOB: [REDACTED] SSN: [REDACTED]
Address: [REDACTED]
City, State, Zip: York, SC 29745
DL# [REDACTED] SID# SC01101652

SENTENCES SECRET
ORIGINAL

*CDL Yes No CMV Yes No Hazardous Yes No
In disposition of the said indictment comes now the Defendant who was
TO: Molestation Involuntary in Property, Third or Subsequent Property Crime
In violation of § of the S.C. Code of Laws, bearing CDR Code # 3594

CONVICTED OF or PLEADS

NON-VIOLENT VIOLENT SERIOUS MOST SERIOUS Mandatory OPS §17-25-45
(CSC w/minor 1st or Lewis 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:

T. Matthew Hodges, Assistant Solicitor General, SC Bar # 100126 Defendant
[Signature] Attorney for Defendant, SC Bar # 66592

WHEREFORE, the Defendant is committed to the State Department of Corrections County Detention Center,
for a determinate term of 2 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: 2013-GS-460-3508
 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. 140 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 (Criminal
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 SCOPPPS _____ Attend Voc. Rehab. Or Job Corp. _____

Recipient: _____ May serve W/E beginning _____

*Fine: _____ Substance Abuse Counseling

§14-1-206 (Assessments 107.596) \$ _____ Random Drug/Alcohol Testing

§14-1-211 (A)(1)(Conv. Surcharge) \$100 \$ 100 Fine may be pd. in equal consecutive weekly/monthly

§14-1-211 (A)(2)(DUI Surcharge) \$100 \$ _____ pmis. of \$ _____ Beginning _____

§56-5-2993 (DUI Assessment) \$72 \$ _____ \$ _____ Paid to Public Defender Fund

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

Proviso 47.9 (Public Def/Prob) \$500 \$ _____

§14-1-212 (Law Enforce. Funding) \$25 \$ 25

§14-1-213 (Drug Court Surcharge) \$150 \$ _____

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

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

Proviso 90.3 (SCCJA Surcharge) \$5 \$ 5

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

TOTAL \$ 130

Presiding Judge: [Signature]
Judge Bar ID: 1014 Judge Code: 2018
Sentence Date: 12-2-15

Clerk of Court/Deputy Clerk: David Hamilton
Court Reporter: Lanika Perry
SCCA217 (03/2011)

CERTIFIED TRUE COPY
Janice W. Kernals
Records Officer, S. C. Dept. of Corr.
Date 4-13-18

30 5341

JAIL TIME REPORT FOR SCDC TRANSFER
SOUTH CAROLINA DEPARTMENT OF CORRECTIONS
INMATE RECORDS OFFICE, PO BOX 21787, COLUMBIA, SC 29221-1787
OFFICE #: (803) 896-8531 FAX#: (803) 896-1217

COUNTY SUBMITTING FORM: York County Detention Center, York, SC

PURSUANT TO SC STATUTE 24-13-40 ...In every case in computing the time served by a prisoner, full credit against the sentence shall be given for time served prior to trial and sentencing...

Name: MASSEY, JOHN		Date of Birth: [REDACTED]		
Social Security #: [REDACTED]		Race/Sex: B/M		
SID#:		FBI#:		
Arrest Date	Charge	Warrant No. / Indictment No.	Release Date	Reason for Release
7/13/13 8/26/15	GRAND LARCENY	WH 2013A4610100814 IH	8/27/13 - 45 12/22/15-98	ON BOND R&E
"	MALICIOUS INJURY TO PROPERTY 3 RD OR SUB.	WH 2013A4610100815 IH	8/27/15 12/22/15-94	ON BOND R&E
"	HOLD/OPEN CHARGES BURGLARY 1 ST	WH 2014A4610100076, IH	12/22/15 ct	R&E L40
	Detainer Probation Violation	WH 646140103 IH	ct	S82
		WH IH		
		WH IH		
		WH IH		
Approved By: <u>Jan, Jan</u>		Date: <u>12/21/15</u>		

* Reason for Release (i.e., Explain if transferred to another county/city jail or if inmate bonded). Please submit this form at the time of the inmate's transfer and admission to the SCDC, however, if unable to do so, please mail or fax to the address or number listed above.

CERTIFIED TRUE COPY

Janice W. Kenealy
 Records Officer, S. C. Dept. of Cor
 Date 4-13-18

CERTIFICATE OF COUNSEL

Counsel for Respondent certifies this Supplemental Record on Appeal contains all the supplemental material proposed to be included by any of the parties and not any other material and this Record on Appeals 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."

ALAN WILSON
Attorney General

MARK R. FARTHING
Assistant Attorney General

KEVIN S. BRACKETT
Solicitor, Sixteenth Judicial Circuit

BY: 

Mark R. Farthing

Office of the Attorney General
Post Office Box 11549
Columbia, SC 29211
(803) 734-3727

ATTORNEYS FOR RESPONDENT

May 1, 2018

RECEIVED
MAY 01 2018
SC Court of Appeals