

STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM THE ADMINISTRATIVE LAW COURT
The Honorable H. W. Funderburk, Jr.

Appellate Case No.: 2017-002343

Dawan Chatman #172972,

Appellant,

vs.

South Carolina Department of Corrections,

Respondent.

RECORD ON APPEAL

RECEIVED
MAY 07 2018
SC Court of Appeals

Tommy A. Thomas, Esq.
S.C. Bar #5536
Attorney for Appellant
7588 Woodrow Street
P.O. Box 88
Irmo, SC 29063
(803) 732-5507

Kensey Barrett, Esq.
Office of General Counsel
South Carolina Department of Corrections
4444 Broad River Road
Columbia, SC 29210

INDEX

Notice of Appeal	1
Administrative Law Court Order	3
Reply Brief of Appellant.....	5
Respondent's Brief.....	8
Brief of Appellant	13
Notice of Appeal	17
Step 1 Grievance.....	20
Step 2 Grievance.....	22
SCDC Record.....	23
Sentencing Sheets and Indictments	28
SCDC Disciplinary History	37

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM THE ADMINISTRATIVE LAW COURT
The Honorable H. W. Funderburk, Jr., Administrative Law Judge
Docket No.: 17-ALJ-04-0200-AP

Dawan Chatman #172972,

Appellant.

vs.

South Carolina Department of Corrections,

Respondent.

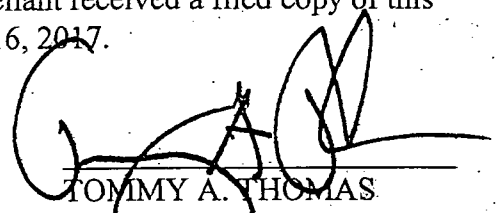
RECEIVED

NOV 14 2017

SC Court of Appeals

NOTICE OF APPEAL

Dawan Chatman #172972 appeals the Order of the Honorable H. W. Funderburk, Jr., dated October 11, 2017. The Attorney for the Appellant received a filed copy of this Order from the Administrative Law Court on October 16, 2017.



TOMMY A. THOMAS
Attorney for Appellant
P.O. Box 88
Irmo, SC 29063
(803) 732-5507

November 13, 2017

Other Counsel of Record:

Office of General Counsel
South Carolina Department of Corrections
P.O. Box 50666
Columbia, SC 29250

00002
10/10/17

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM THE ADMINISTRATIVE LAW COURT
The Honorable H. W. Funderburk, Jr., Administrative Law Judge
Docket No.: 17-ALJ-04-0200-AP

Dawan Chatman #172972,

Appellant,

vs.

South Carolina Department of Corrections,

Respondent.

RECEIVED
NOV 14 2017
SC Court of Appeals

CERTIFICATE OF SERVICE

I, Jacquelyn E. Miller, Secretary to Tommy A. Thomas, Attorney for Appellant certify that I have served a Notice of Appeal on Office of General Counsel for the South Carolina Department of Corrections and the South Carolina Administrative Law Court by depositing a copy of same in the United States Mail, postage prepaid and the return address clearly shown on said envelope to:

Melissa Arnold, Esq.
Office of General Counsel
South Carolina Department of Corrections
4444 Broad River Road
Columbia, SC 29210

S.C. Administrative Law Court
1205 Pendleton Street
Columbia, SC 29201

Jacquelyn E. Miller
Tommy A. Thomas, Esq.
Attorney for Appellant
7588 Woodrow Street
P.O. Box 88
Irmo, SC 29063
(803) 732-5507

November 13, 2017

STATE OF SOUTH CAROLINA
ADMINISTRATIVE LAW COURT

Dawan Chatman, #172972)
)
 Appellant,)
)
 vs.)
)
 South Carolina Department of Corrections,)
)
 Respondent.)
)

Docket No. 17-ALJ-04-0200-AP
Grievance No.: RCI 10-17

ORDER

This matter is before the South Carolina Administrative Law Court ("ALC" or "Court") pursuant to the Notice of Appeal filed March 21, 2017, by Dawan Chatman ("Appellant"), an inmate in the custody of the South Carolina Department of Corrections ("SCDC" or "Department").

Appellant challenges the decision of the SCDC in his Step Two Grievance, denying Appellant's contention that he was improperly sentenced to serve forty (40) years for murder to be served concurrently with a sentence of twenty-seven (27) years for armed robbery.

The Department also denied his Step One Grievance because the sentence for forty (40) years for murder was on the sentencing sheet.

STANDARD OF REVIEW

The ALC's jurisdiction to hear this matter is derived from the decision of the South Carolina Supreme Court in *Al-Shabazz v. State*, 338 S.C. 354, 527 S.E.2d 742 (2000). The ALC's appellate jurisdiction in inmate appeals is limited to state-created liberty interests typically involving: (1) cases in which an inmate contends that prison officials have erroneously calculated his/her sentence, sentence-related credits, or custody status; and (2) cases in which an inmate has received punishment in a major disciplinary hearing because of a serious rule violation. *Id.*

FILED

OCT 11 2017

SC ADMIN. LAW COURT

When reviewing the SCDC's decisions in inmate grievance matters, the ALC sits in an appellate capacity. *Id.* at 380, 527 S.E.2d at 756. Consequently, the review in these cases is limited to the record presented. An Administrative Law Judge may not reverse or modify an agency's decision unless substantial rights of the Appellant have been prejudiced because the decision is clearly erroneous in view of the substantial evidence on the whole record, arbitrary, or affected by an error of law. *See* S.C. Code Ann. § 1-23-380(5) (Supp. 2016).

DISCUSSION

Appellant was convicted of murder, under S.C. Code Ann. § 16-3-20(A) (Supp. 1998) and was sentenced to a term of imprisonment of forty (40) years. Appellant contends that the statute that went into effect on January 1, 1996 (*See* versions of S.C. Code Ann. § 16-3-20(A) (Supp. 1995)) "allowed a sentence of thirty (30) years or life imprisonment." That reading is incorrect.

S.C. Code Ann. § 16-3-20(A) that went into effect on and after January 1, 1996, reads as follows:

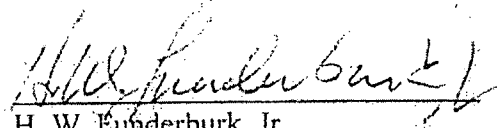
A person who is convicted of or pleads guilty to murder must be punished by death, by imprisonment for life, or by a **mandatory minimum** term of imprisonment for thirty years. [Emphasis added.]

The trial judge could not impose a sentence less than thirty (30) years, and the Department must impose the sentence on the sentencing sheet unless it is ambiguous. Here, it is not, and the ALC has no authority to correct an unambiguous sentence that has been properly calculated and applied. An erroneous or "illegal" sentence would be for another forum. It is therefore,

ORDERED that the decision of SCDC is **AFFIRMED**.

AND IT IS SO ORDERED.

Columbia, South Carolina
October 11, 2017


H. W. Funderburk, Jr.
Administrative Law Judge

STATE OF SOUTH CAROLINA
ADMINISTRATIVE LAW COURT

00005

Dawan Chatman #172972,)
)
 Appellant)
 v.)
)
 South Carolina Department of)
 Corrections,)
)
 Respondent)
)

Docket No.: 17-ALJ-04-0200-AP

REPLY BRIEF OF APPELLANT

In response to the Respondent's Brief, Appellant would reply as follows:

The Respondent contends that the Appellant's sentencing was correct because it can only rely upon the sentencing sheet. However, this Court has the opportunity to review decisions and make legal determinations based upon the substantial evidence in the record. Moreover, under SC Code Ann. Section 1-23-380, this Court can overturn a matter for an abuse of discretion. The Department has the discretion to take into account outside factors in making its sentencing determinations. It is clear however from its brief that it never exercises discretion. Never exercising any discretion in matters is in fact an abuse of discretion. As such, its decision can be overturned.

The Respondent also contends that estoppel is generally used only in contract cases. However, estoppel doctrines have been used in numerous other manners including criminal and civil cases. See State v. Brown, 201 S.C. 417, 23 S.E.2d 381 (1942). Appellant relied upon the statute in effect at the time of his sentence and made decisions to his detriment, as such, his sentencing decision should be overturned.

FILED

OCT 12 2017

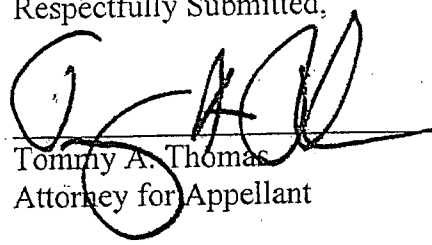
SC ADMIN. LAW COURT

00006

CONCLUSION

For the reasons set forth above, the Appellant respectfully requests that the decision of the South Carolina Department of Corrections be reversed.

Respectfully Submitted,



Tommy A. Thomas
Attorney for Appellant

October 12, 2017

FILED

OCT 12 2017

SC ADMIN. LAW COURT

STATE OF SOUTH CAROLINA
ADMINISTRATIVE LAW COURT

Docket No.: 17-ALJ-04-0200-AP

Dawan Chatman #172972,
Appellant

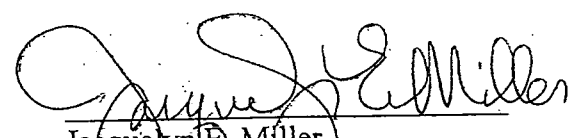
v.

South Carolina Department of Corrections,
Respondent

CERTIFICATE OF SERVICE

I, Jacquelyn E. Miller, Secretary to Tommy A. Thomas, Attorney for Appellant certify that I have served a Reply Brief of Appellant on Office of General Counsel for the South Carolina Department of Corrections by depositing a copy of it in the United States Mail, postage prepaid and the return address clearly shown on said envelope to:

Melissa Arnold, Esq.
Office of General Counsel
South Carolina Department of Corrections
4444 Broad River Road
Columbia, SC 29210



Jacquelyn E. Miller
Tommy A. Thomas, Esq.
Attorney for Appellant
7588 Woodrow Street
P.O. Box 88
Irmo, SC 29063
(803) 732-5507

October 12, 2017

FILED

OCT 12 2017

SC ADMIN. LAW COURT

STATE OF SOUTH CAROLINA
ADMINISTRATIVE LAW COURT

Dawan Chatman, #172972,)	Docket No.: 17-ALJ-04-0200-AP
)	Grievance No.: RCI 10-17
Appellant,)	
)	RESPONDENT'S BRIEF
v.)	
)	<i>Honorable H.W. Funderburk, Jr.</i>
South Carolina Department of Corrections,)	
)	
Respondent.)	
)	

STATEMENT OF THE CASE

This case is before the Administrative Law Court (ALC) pursuant to the appeal of Dawan Chatham (Appellant), an inmate incarcerated with the Department of Corrections (SCDC or Respondent). Appellant filed a Step One Grievance on January 3, 2017, claiming SCDC incorrectly calculated his sentence pursuant to S.C. Code § 16-3-20. SCDC investigated and denied Appellant's grievance. Appellant filed a Step Two Grievance on January 25, 2017. Again, SCDC investigated and denied Appellant's grievance. Appellant subsequently filed his Notice of Appeal on March 21, 2017. Because SCDC properly applied Appellant's sentence as ordered by the trial court, the final determination of the Department should be affirmed.

STATEMENT OF FACTS

On December 17, 1998, a jury convicted Appellant of Murder pursuant to S.C. Code Ann. § 16-3-20, for which the trial court sentenced him to 40 years in prison. *Sentence Sheet*, Indictment No. 98GS4029036. Appellant now claims that his sentence was incorrectly calculated and he should have only been sentenced to 30 years.

JURISDICTION

The ALC's jurisdiction to hear this matter is derived entirely from the decision of the South Carolina Supreme Court in *Al-Shabazz v. State*, 338 S.C. 354, 527 S.E.2d 742 (2000). In *McNeil v. South Carolina Department of Corrections*, 00-ALJ-04-00336-AP (September 5, 2001), the ALC interpreted the breadth of its jurisdiction pursuant to *Al-Shabazz*. That decision holds that the ALC's appellate jurisdiction in inmate appeals is limited to two types of cases: (1) cases in which an inmate contends that prison officials have erroneously calculated his sentence, sentence-related credits, or custody status; and (2) cases in which the SCDC has taken an inmate's state created liberty interest as punishment in a major disciplinary hearing. Jurisdiction of the ALC was most recently addressed in *Sullivan v. SCDC*, 355 S.C. 437, 586 SE.2d 124 (2003).

In this case, Appellant contends that SCDC has incorrectly calculated his sentence. Consequently, the ALC has jurisdiction to hear his appeal.

STANDARD OF REVIEW

A reviewing court will not disturb findings of an administrative agency if its findings are supported by substantial evidence on record as a whole. *Pearson v. JPS Converter & Industry Corp.*, 327 S.C. 393, 489 S.E.2d 219 (Ct. App. 1997). "Substantial evidence" is evidence which, considering the record as a whole, would allow a reasonable mind to reach the conclusion reached by the administrative agency. *Hendley v. S.C. State Budget & Control Bd.*, 325 S.C. 413, 481 S.E.2d 159 (Ct. App. 1996). The possibility of drawing two inconsistent conclusions from the evidence does not prevent an administrative agency's finding from being supported by substantial evidence. *Grant v. S.C. Coastal Council*, 319 S.C. 348, 461 S.E.2d 388 (1995). Administrative agencies

are afforded wide latitude in making decisions, as shown in the deferential standard of appellate review. *Heater of Seabrook, Inc. v. Public Svc. Comm'n of S.C.*, 332 S.C. 20, 503 S.E.2d 739 (1998).

ARGUMENT

APPELLANT'S SENTENCE HAS BEEN CORRECTLY CALCULATED BY RESPONDENT

Appellant argues that SCDC has incorrectly calculated his sentence because under the statute in effect at the time of his conviction, "he should be sentenced for only thirty (30) years." *Appellant's Brief*, page 1. However, SCDC is "confined to the face of the sentencing sheets in determining the length of a sentence [unless . . .] there is an ambiguity in the sentencing sheets." *Tant v. S. Carolina Dep't of Corr.*, 408 S.C. 334, 337, 759 S.E.2d 398, 399 (2014), *reh'g denied* (July 10, 2014). Here, the trial court's order is not ambiguous. The trial court sentenced Appellant to a term of 40 years upon his conviction of murder. *Sentence Sheet*, Indictment No. 98GS4029036. SCDC cannot alter an inmate's sentence. *Id.* As there is no ambiguity in the sentencing sheet, SCDC has correctly calculated Appellant's sentence.

Appellant argues that "the facts in this matter are similar to those in equitable estoppel case," in that Appellant made determinations regarding his liberty interest based on his understanding of the statute. *Appellant's Brief*, page 3. Equitable estoppel traditionally applies to cases in contract law to stop one party from taking advantage of another when, through false language or conduct, the person to be estopped has induced another person to act in a certain way, with the result that the other person has been injured in some way. *Black's Law Dictionary* (10th ed. 2014), estoppel. That is not the case here. Nobody induced Appellant to act in any way, nor did any party take advantage

of Appellant through false language or conduct. Appellant was convicted by a jury of his peers and the trial court sentenced him under the statute.

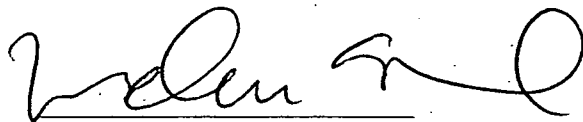
Appellant has not carried his burden to demonstrate SCDC incorrectly calculated his sentence. Therefore, SCDC respectfully requests its decision denying Appellant's Step Two Grievance be upheld.

CONCLUSION

RESPONDENT'S FINAL AGENCY DECISION IS SUPPORTED BY SUBSTANTIAL EVIDENCE

The record conclusively establishes that the "substantial evidence on the whole record" supports the Department's final agency decision. Appellant has the burden of proving that the decision of the Department is clearly erroneous, or arbitrary or capricious, or an abuse of discretion. *See Porter v. Public Service Comm'n*, 333 S.C. 12, 507 S.E.2d 328 (1998). Appellant has not met this burden and his claim should be dismissed with prejudice.

Respectfully submitted,



Melissa J. Arnold
Staff Attorney
South Carolina Department of Corrections
4444 Broad River Road
Columbia, South Carolina 29221
(803)896-1278

September 26, 2017
Columbia, South Carolina

STATE OF SOUTH CAROLINA
ADMINISTRATIVE LAW COURT

Case No.: 17-ALJ-04-0200-AP

Dawan Chatman #172972,)
)
Appellant)
v.)
)
South Carolina Department of)
Corrections,)
)
Respondent)
<hr/>	

BRIEF OF APPELLANT

STATEMENT OF ISSUES ON APPEAL

On December 14, 1998, Dawan Chatman (Appellant), an inmate incarcerated with the Department of Corrections (Department), went to trial in Richland County and was found guilty by a jury. He was sentenced by The Honorable James Barber to forty (40) years for Murder and twenty-seven (27) years for Armed Robbery. The statute in effect at the time of the appellants' sentencing (Section 16-3-20) allowed a sentence of thirty (30) years or life imprisonment. The amendment to the murder statute went into effect on January 1, 1996. During the grievance process to the department, Appellant argued that his sentence was incorrectly calculated as he should be sentenced for only thirty (30) years. However, Appellant has a forty (40) year sentence for murder. After properly filing grievances with the South Carolina Department of Corrections, Appellant seeks relief with the appellate tribunal of the Administrative Law Court.

STATEMENT OF THE CASE

Came
This matter is before the South Carolina Administrative Law Court pursuant to an appeal of Dawan Chatman, an inmate incarcerated with the Department of Corrections since March 25, 1998.

FILED

SEP 20 2017

Appellant initially filed a Step one grievance on January 6, 2017 stating that his sentence was being interpreted incorrectly, pursuant to §16-3-20. This grievance was received on January 6, 2017 and forwarded to the Warden on January 18, 2017. This Grievance was denied. On March 3, 2017, a Step Two Grievance was filed. This grievance was denied on March 3, 2017. The Appellant received a copy of this denial on March 15, 2017. On April 14, 2017, Appellant filed a notice of appeal with ~~the tribunal~~ ^{the administrative law court}. For the reasons set forth below, Appellant argues that his sentence was incorrectly calculated. *This appeal was affirmed by the*

ARGUMENT

The primary rule of statutory construction requires a determination of the General Assembly's intent. Mitchell v. City of Greenville, 411 S.C. 632, 634, 770 S.E.2d 391, 392 (2015) ("The cardinal rule of statutory interpretation is to ascertain and effectuate the legislative intent whenever possible."). Where the statutes' language is plain and unambiguous, "the text of a statute is considered the best evidence of the legislative intent or will." Hodges v. Rainey, 341 S.C. 79, 85, 533 S.E.2d 578, 581 (2000). "A statute as a whole must receive a practical, reasonable and fair interpretation consonant with the purpose, design, and policy of lawmakers." State v. Henkel, 413 S.C. 9, 14, 774 S.E.2d 458, 461 (2015), reh'g denied (Aug. 5, 2015). The statute in effect at the time of Appellant's sentencing allowed a sentencing of thirty years (30). Appellant relied on the thirty year provision of that statute in all decisions relating to his trial in Richland County. Had Appellant known that the statute would change, he would not have made various decisions relating to his case strategy. As a result of this reliance, Appellant was prejudiced and suffered detriment in the amount of an additional ten year sentence to jail time. *Decision of the Department of Corrections. This Appeal follows*

Often confused with waiver, equitable estoppel focuses on a party's detrimental reliance on another party's conduct while a waiver analysis focuses on a party's "unequivocal intent to relinquish a known right." 7 S.C. Jur. *Estoppel and Waiver* § 17 (1991). Nevertheless,

Courts acknowledge that "the distinction between waiver and estoppel is close, and sometimes the doctrines merge into each other with almost imperceptible gradations." Parker v. Parker, 313 S.C. 482, 443 S.E.2d 388, 391 (1994).

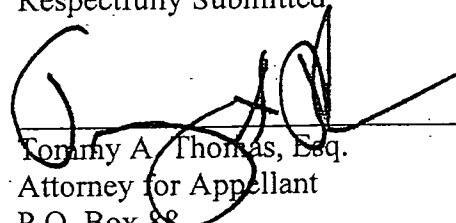
The facts in this matter are similar to those found in equitable estoppel cases. In those cases, the elements to find estoppel are: (1) the presence of a promise unambiguous in its terms; (2) reasonable reliance upon the promise by the party by whom the promise is made; (3) the reliance is expected and foreseeable by the party who makes the promise; and (4) the party to whom the promise is made must sustain injury in reliance on the promise. Illinois Valley Asphalt v. J.F. Edwards Construction Co, 45 Ill. Dec. at 878, 413 N.E. (2d) at 211; See Huggins Construction Co. v. Southern Bell Tel., 276 S.C 663; 281 S.E.2d 469 (1981).

The statute prior to the amendment was clear and unambiguous. Appellant, as a result of this clear language, made determinations regarding his liberty interest on the basis that 30 years imprisonment was at stake. Appellant has now sustained an injury in the amount of an additional 10 years prison time. As a result, the department should be equitably estopped from imposing the additional sentence.

CONCLUSION

For the reasons set forth above, the appellant respectfully requests that the decision of the South Carolina Department of Corrections be reversed.

Respectfully Submitted



Tommy A. Thomas, Esq.
Attorney for Appellant
P.O. Box 88
Irmo, SC 29063

September 19, 2017

STATE OF SOUTH CAROLINA
ADMINISTRATIVE LAW COURT

Docket No.: 17-ALJ-04-0200-AP

Dawan Chatman #172972,
Appellant

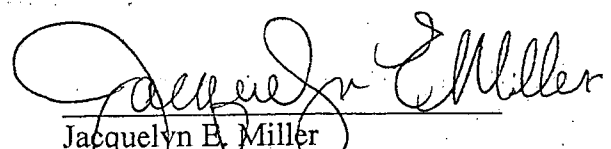
v.

South Carolina Department of Corrections,
Respondent

CERTIFICATE OF SERVICE

I, Jacquelyn E. Miller, Secretary to Tommy A. Thomas, Attorney for Appellant certify that I have served a Brief of Appellant on Office of General Counsel for the South Carolina Department of Corrections by depositing a copy of it in the United States Mail, postage prepaid and the return address clearly shown on said envelope to:

Office of General Counsel
South Carolina Department of Corrections
4444 Broad River Road
Columbia, SC 29210



Jacquelyn E. Miller
Tommy A. Thomas, Esq.
Attorney for Appellant
7588 Woodrow Street
P.O. Box 88
Irmo, SC 29063
(803) 732-5507

September 19, 2017

FILED
SEP 20 2017
SC ADMIN. LAW COURT

STATE OF SOUTH CAROLINA
ADMINISTRATIVE LAW COURT

00017

Dawan Chatman #172972

Appellant.

vs.

NOTICE OF APPEAL

South Carolina Department of Corrections.

Respondent.

DOCKET NO. -ALI-04-
GRIEVANCE NO.: RCI-0010-17

Notice is hereby given that Dawan Chatman does hereby appeal the final decision of the South Carolina Department of Corrections dated 3/3/17 and received on 3/15/17 a copy of which is attached. A general statement of the grounds for appeal is (See S.C. Code Ann. § 1-22-380(A)(6)):

See "Exhibit A" attached

Dawan Chatman
Appellant's Name by Tommy A. Thomas, Esq.

Signature

[Signature]

P.O. Box 88, Irmo, SC 29063
Mailing Address

Date

3/21/17

City, State, Zip Code

CERTIFICATE OF SERVICE

I hereby certify that I, Jacquelyn E. Miller (your name), on the 14 day of April, 2017, in Irmo (city), South Carolina, served a copy of the foregoing Notice of Appeal on all parties to this matter by depositing the same in the United States Mail, postage paid, or in the mail room of the undersigned's institution and addressed as follows:

Name of person/Agency served: Office of General Counsel

Address: 4444 Broad River Rd

City, State, Zip Code: Columbia, SC 29210

Print your name: Jacquelyn E. Miller
(See reverse side for instructions)

Sign your name:

[Signature]

STATE OF SOUTH CAROLINA
ADMINISTRATIVE LAW COURT

Dawan Chatman #172972,)
)
 Appellant)
 v.)
)
 South Carolina Department of)
 Corrections,)
)
 Respondent)
 _____)

ATTACHMENT TO
NOTICE OF APPEAL

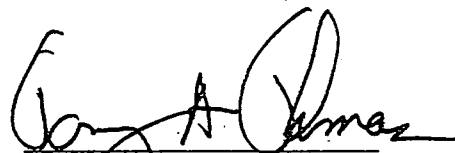
Notice is hereby given that Dawan Chatman #172972 does hereby appeal the final decision of the South Carolina Department of Corrections dated March 3, 2017 and received on March 15, 2017, a copy of which is attached. A general statement of the grounds for appeal is as follows:

1. Appellant initially filed a Step one grievance on January 6, 2017 stating that his sentence was being interpreted incorrectly, pursuant to §16-3-20.
2. This grievance was received on January 6, 2017 and forwarded to the Warden on January 18, 2017. This Grievance was denied.
3. On March 3, 2017, a Step two Grievance was filed. This grievance was denied on March 3, 2017.
4. The Appellant argues that his sentence is calculated incorrectly as follows:

I believe that my sentence is calculated improperly or is an illegal sentence. I went to trial in Richland County on December 14, 1998. I had a Jury trial and was found guilty. I was sentenced by Judge James Barber to forty (40) years for Murder and twenty-seven (27) years for Armed Robbery.

The statute in effect at the time of my crime and sentence (Section 16-3-20) allowed a sentence of thirty (30) years or life imprisonment. This amendment to the murder statute went into effect on January 1, 1996. I have a forty (40) year sentence for murder.

My sentence is incorrect because according to the Statute it could only be thirty (30) years.



TOMMY A. THOMAS
Attorney for Appellant
P.O. Box 88
Irmo, SC 29063
(803) 732-5507

Other Counsel of Record:
SCDC, Office of General Counsel
4444 Broad River Road
Columbia, SC 29210
Attorney for Respondent

Irmo, South Carolina
April 15, 2017

00030

INMATE GRIEVANCE FORM

STEP 1

INMATE NAME: Dawan Chalmers RIDGELAND
 SCDC NUMBER: 172972 CORRECTIONAL INSTITUTION
 INSTITUTION: Ridgeland Coll. East. JAN 06 2017
 HOUSING UNIT: SAVANNAH So.
 WORK ASSIGNMENT: Joan Walker

Office Use Only
 Grievance No. RCI-0010-17
 Code: General _____
 Policy _____
 Disc. Hear. _____
 Class. _____
 Date Received 1-6-17
 IGC Initials: AW

STATE GRIEVANCE (include documentation, and date of incident; if SCDC Policy, indicate which policy)

I believe that my sentence is calculated improperly, an error further
 adding, its an illegal sentence. I went to trial in Richland County on
 December 17, 1998. I had a jury trial and was found guilty. I was
 sentenced by judge James Barber to forty (40) years for Murder
 and twenty seven (27) years for Armed Robbery. The statute in effect
 at the time of my crime and sentence (Section 16-3-20) allowed
 a sentence of thirty (30) years or life imprisonment. See attach.

ACTION REQUESTED:

BE SENTENCE to the right sentence that I am
 due.

SPECIFY HOW AND WHEN INFORMAL RESOLUTION WAS ATTEMPTED BY GRIEVANT:

2012 But, I was told that it was a ~~state~~
 lower courts situation.

Dawan Chalmers 1/3/2017
 Grievant Signature Date

ACTION TAKEN BY IGC:

Your grievance was reviewed and because of the content, your grievance
 was forwarded to the Warden for his review/decision. See Warden's
 decision.

M. E. Walker 1-6-17
 IGC Signature Date
N/A
 Grievant Signature Date

- I accept the action taken by the IGC and consider the matter closed.
- I do not accept the action taken and wish to appeal.

CHATMAN, DAWN - 172972

This is in response to your Grievance RCI-0010-17. All pertinent information has been reviewed. According to Classification, your Sentencing Sheet states 40 years for Murder. The Judge would have to amend your Sentencing Sheet, if it is incorrect.

Based on this information, your grievance is denied. If you are not satisfied with my decision, you may appeal to the appropriate responsible official within 5 days of receipt, via the Institutional Grievance Coordinator.

[Handwritten Signature] 1/18/17
Warden Signature Date

- I accept the Warden's decision and consider the matter closed.
- I do not accept the Warden's decision and wish to appeal.

[Handwritten Signature] 1/23/17
Grievant Signature Date

[Handwritten Signature] 1/23/17
IGC Signature Date

INSTRUCTIONS FOR COMPLETING STEP 1 GRIEVANCE FORM

1. An informal resolution shall be attempted prior to the filing of Step 1.
2. Complete each section in its entirety, writing only in the space provided for inmate use.
3. Only one (1) issue is to be addressed on each form.
4. Submit the completed form to the Institutional Grievance Coordinator within fifteen (15) days of an alleged incident; policy grievances at any time. Do not write in the space provided for the Warden's response.
5. If you are not satisfied with the Warden's decision, you may appeal to the appropriate responsible official within five (5) days of your receipt of the Warden's decision, via the Institutional Grievance Coordinator.

FEB 15 2017

STEP 2

MAR 03 2017

Office Use Only

INMATE NAME: Dawn Chelmer

SCDC NUMBER: 172972

INSTITUTION: Richland Inst

HOUSING UNIT: Savannah B-03

WORK ASSIGNMENT: Dorm

DIVISION OF CLASSIFICATION
RIDGELAND INMATE RECORDS
CORRECTIONAL INSTITUTION

Grievance No. RCF-0010-17

General Policy

Disc. Hear

Class

Date Received 2/23/17

IGC Initials: [initials]

FEB 02 2017

INMATE'S REASON FOR APPEAL (state specific dissatisfaction):

I'm appealing the warden decision, I'm being denied due process cause I was given a sentence that didn't fit section (16-3-20) at the time I defendant was sentenced. An it's clearly stated that the same statute has been change, so it could mean 30 yrs to life. Dawn Chelmer 1/25/17
See Attachment...

Grievant Signature

Date

RESPONSIBLE OFFICIAL'S DECISION AND REASON:

I have reviewed your concern. In your grievance you stated that your sentence calculation is incorrect. You further alleged that you were found guilty of murder and armed robbery in a trail that took place in Richland County on December 17, 1998. You were sentenced forty (40) years for murder and twenty-seven (27) years for armed robbery. The Warden responded to your concern on SCDC Inmate Grievance Form Step 1 dated January 18, 2017. You have not provided any documentation that supports your allegations that your SCDC sentence calculation is incorrect. If it is your contention that there is an error in your Sentencing Sheet, that is a matter outside the authority of SCDC.

Therefore, your grievance is denied.

You may appeal this decision under the South Carolina Administrative Procedures Act to the South Carolina Administrative Law Court. In order to appeal, you must complete the attached Notice of Appeal Form (Form) and submit it as instructed on the Form within thirty (30) days of receipt.

[Signature] 3/3/17
Signature Date

The decision rendered by the responsible official exhausts the appeal process of the Inmate Grievance Procedure. I hereby acknowledge receipt of the official's response and understand this is the Agency's final response to this matter.

[Signature] 3-15-17
Grievant Signature Date

[Signature] 3-15-17
IGC Signature Date

(SEE REVERSE SIDE FOR INSTRUCTIONS)

CMTI100D
OMCOMITA

SCDC OFFENDER MANAGEMENT SYSTEM
COMMITMENT APPLICATION
CONVICTION SUMMARY

05/08/17
C056427

00023

SCDC# > 172972
CHATMAN, DAWAN -

CURR LOC: RIDGELAN

OFFENDER TYPE: ADULT-STRAIGHT SENTENCE

SCDC CLASSIFICATION...: VIOLENT

NUM	CONVICTION OFFENSE	INCARC YRS MO	SENT DYS	SENT DATE	SENT START	PROJ COMP	CONV STAT	VIO IND
S00004	ARMED ROBBERY	027 00	000	12/17/98	12/17/98	11/22/2021	ACT V	V
* S00003	MURDER	040 00	000	12/17/98	01/14/98	01/04/2038	ACT V	V
S00002	STRONG ARM ROBBERY	009 00	000	05/17/93	12/01/92	10/23/1998	ACT N	N
S00001	COCAINE DISTRIBUTION	009 00	000	05/17/93	12/01/92	10/23/1998	ACT N	N

MAKE A SELECTION AND PRESS <ENTER>...

PAGE: 0001

PF3-ADD PF4-MODIFY/REVOKE PF6-DISPLAY CONSEC PF9-DETAIN PF12-SUMREPT

0024 ROAI200D
ROAI20GM
OMROAUDA

SC OFFENDER MANAGEMENT SYSTEM
RECORD AUDIT APPLICATION
DISPLAY RECORD AUDIT

05/08/17
C056427

SCDC#: 172972
NAME.: CHATMAN, DAWAN -

CURR STATUS.: INCARCERATED
CURR LOC.....: RIDGELAND
CURR CUSTODY: MI2

AUDIT TYPE: 02 MAXOUT AUDIT

AUDIT DATE: 11/30/98

UPDATED BY: ROBINSON, DAISY

DATE: 11/30/98

RECORD AUDIT DISPLAYED...
CLEAR: SUMMARY

ENTER: DISPLAY NOTES

PF8: FORWARD

ROAI200D
ROAI200M
OMROAUDA

OFFENDER MANAGEMENT SYSTEM
RECORD AUDIT APPLICATION
DISPLAY RECORD AUDIT

05/08/17 00:02:51
C056427

SCDC#: 172972
NAME.: CHATMAN, DAWAN -

CURR STATUS.: INCARCERATED
CURR LOC....: RIDGELAND
CURR CUSTODY: MI2

AUDIT TYPE: 02 MAXOUT AUDIT

AUDIT DATE: 09/15/98

UPDATED BY: HEYWARD III, ANITA DATE: 09/15/98

RECORD AUDIT DISPLAYED...
CLEAR:SUMMARY

ENTER:DISPLAY NOTES

PF8:FORWARD

000026
ROAI200D
ROAI200M
OMROAUDA

SC OFFENDER MANAGEMENT SYSTEM
RECORD AUDIT APPLICATION
DISPLAY RECORD AUDIT

05/08/17
C056427

SCDC#: 172972
NAME.: CHATMAN, DAWAN -

CURR STATUS.: INCARCERATED
CURR LOC....: RIDGELAND
CURR CUSTODY: MI2

AUDIT TYPE: 02 MAXOUT AUDIT

AUDIT DATE: 08/06/98

UPDATED BY: HEYWARD III, ANITA

DATE: 08/06/98

RECORD AUDIT DISPLAYED...
CLEAR:SUMMARY

ENTER:DISPLAY NOTES

PF8:FORWARD

ROAI200D
ROAI200M
OMROAUDA

SC OFFENDER MANAGEMENT SYSTEM
RECORD AUDIT APPLICATION
DISPLAY RECORD AUDIT

05/08/17
C056427

00027

SCDC#: 172972
NAME.: CHATMAN, DAWAN -

CURR STATUS.: INCARCERATED
CURR LOC....: RIDGELAND
CURR CUSTODY: MI2

AUDIT TYPE: 01 RECORDS AUDIT

AUDIT DATE: 04/07/98

UPDATED BY: ROWE, ERNEST

DATE: 04/07/98

RECORD AUDIT DISPLAYED...
CLEAR: SUMMARY

ENTER: DISPLAY NOTES

PF8: FORWARD

COUNTY OF Richland

STATE _____ VS. _____

Lawan Chatsman

AKA: _____

Race: _____ Sex: _____

DOB: _____ Age: _____

SSN: _____

DL#: _____

SID#: _____

INDICTMENT/CASE #:

98-GS-40 - 29036

A/W#: F283925

Date of Offense: 11/4/94

S.C. CODE §: 16-3-50

CDR Code #: 0217

SENTENCE

PLEA TRIAL

In disposition of the said indictment comes now the Defendant who was CONVICTED OF or PLEADS TO: Murder

in violation of § _____ of the S.C. Code of Laws, bearing CDR Code # _____

NON-VIOLENT VIOLENT SERIOUS MOST SERIOUS

The charge is: As Indicted, Lesser Included Offense, Defendant Waives Presentment to Grand Jury.

The plea is: Without Negotiations or Recommendation Negotiated Sentence

Recommendation by the State

ATTEST:

[Signature]
Solicitor

[Signature]
Defendant

[Signature]
Attorney for Defendant

WHEREFORE, the Defendant is committed to the State Department of Corrections, County Detention Center, or Under Youthful Offender Act for a term of 40 days/months/years and/or to pay a fine of \$ _____; provided the sentence be suspended upon the service of _____ days/months/years and/or payment of \$ _____ plus costs and assessments as applicable*; the balance suspended with probation for _____ months/years AND SUBJECT TO SCDPPPS STANDARD CONDITIONS OF PROBATION

CONCURRENT or CONSECUTIVE to sentence on: _____

SPECIAL CONDITIONS:

RESTITUTION Heard, Waived, Ordered
Total: \$ _____
Pay Terms: _____
Recipient: _____

- PTUP
- _____ days/hours Public Service Employment
- Obtain GED
- Attend Voc Rehab. or Job Corps
- May serve W/E beginning _____
- Substance Abuse Counseling
- Random Drug/Alcohol Testing
- Fine may be pd. in equal, consecutive weekly/monthly pmts. of \$ _____ beginning _____
- Other: CTS since 1/14/98
- Other: [Signature]

*Fine: \$ _____
§14-1-206 - Assessments 100% \$ _____
§14-1-211 - Surcharge \$ _____
(Exceptions: See §14-1-211)
§56-5-2995 (DUI) \$ _____
TOTAL \$ _____

[Signature]
Clerk of Court/Deputy Clerk

Court Reporter: _____

PRESIDING JUDGE _____

Sentence Date: 12/17/98

Judge Code: _____

Lauran Chatman

AKA: [Redacted]

Race: [Redacted] Sex: [Redacted]

DOB: [Redacted] Age: [Redacted]

SSN: [Redacted]

DL#

SID#

98-GS-40-27037

A/W#: F283924

Date of Offense: 11/4/97

S.C. CODE §: 16-11-330(A)

CDR Code #: 0139

SENTENCE

PLEA TRIAL

In disposition of the said indictment comes now the Defendant who was CONVICTED OF or PLEADS TO:

Armed Robbery

in violation of § 16-11-330(A) of the S.C. Code of Laws, bearing CDR Code # 0139

NON-VIOLENT VIOLENT SERIOUS MOST SERIOUS

The charge is: As Indicted, Lesser Included Offense, Defendant Waives Presentment to Grand Jury.

The plea is: Without Negotiations or Recommendation Negotiated Sentence

Recommendation by the State

ATTEST:

[Signature]
Solicitor

[Signature]
Defendant

[Signature]
Attorney for Defendant

WHEREFORE, the Defendant is committed to the State Department of Corrections, County Detention Center, or Under Youthful Offender Act for a term of 27 days/months/years and/or to pay a fine of \$ _____; provided the sentence be suspended upon the service of _____ days/months/years and/or payment of \$ _____ plus costs and assessments as applicable*; the balance suspended with probation for _____ months/years AND SUBJECT TO SCDPPPS STANDARD CONDITIONS OF PROBATION

CONCURRENT or CONSECUTIVE to sentence on: _____

SPECIAL CONDITIONS:

RESTITUTION Heard, Waived, Ordered
Total: \$ _____
Pay Terms: _____
Recipient: _____

- PTUPa Dork
- _____ days/hours Public Service Employment
- Obtain GED
- Attend Voc Rehab. or Job Corps
- May serve W/E beginning _____
- Substance Abuse Counseling
- Random Drug/Alcohol Testing
- Fine may be pd. in equal, consecutive weekly/monthly pmts. of \$ _____ beginning _____
- Other: _____
- Other: _____

*Fine: \$ _____
 §14-1-206 - Assessments 100% \$ _____
 §14-1-211 - Surcharge \$ _____
 (Exceptions: See §14-1-211)
 §56-5-2995 (DUI) \$ _____
 TOTAL \$ _____

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

[Signature]
PRESIDING JUDGE
 Sentence Date: 12/17/98
 Judge Code: [] [] [] [] [] []
 SCCA/217 (12/97)

The State of South Carolina,

County of RICHLAND

COURT OF GENERAL SESSIONS

#89 MARCH TERM 1993

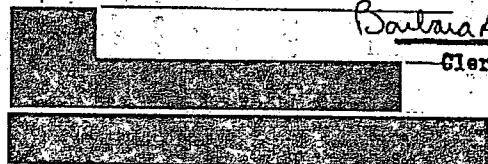
THE STATE

vs.

DAWAN CHATMAN

The Prisoner, Dawan Chatman
is put to the bar and arraigned and upon his
arraignment pleads Guilty ~~to~~ charged to Distribution
of Cocaine
ATTEST:

Barbara A. Scott
Clerk of Court
5-17-93



Indictment for
Unlawful Drugs

DISTRIBUTION OF CRACK COCAINE

S.C. Code: 44-53-370 (a) (1) & (b) (1)

WITNESSES

RCSD- Smalley

Dr. [Signature]

[Signature]

ARREST WARRANT NO.

DIRECT PRESENTMENT

DP 93078

ACTION OF GRAND JURY

TRUE BILL

Donna B. Wright
Foreman of Grand Jury

VERDICT

sb

Foreman of Petit Jury

Date:

YDA converted to SYAD6HT NUMBER S-20-93

11292

[Signature]

- B. McDow
- T. Hardee
- J. Williams

6-28-91
[Signature]

NAME CHATMAN, DAWAN
 DATE BOOKED 12-01-92
 DATE RELEASED ON BOND
 DATE SENTENCED 5-18-93
 DATE RELEASED TO PEN 5-20-93

00030

TIME

WITNESSES

Invest. J. Gray - CPD

RECEIVED
MAY 20 1991
CLERK OF COURT
RICHLAND COUNTY

#70

ARREST WARRANT NO. C-876099

ACTION OF GRAND JURY

TRUE BILL

Foreman of Grand Jury

Raymond M. Dowell

VERDICT

Foreman of Petit Jury

Date:

DOCKET NO. ~~91GS400506~~

The State of South Carolina,

County of RICHLAND

COURT OF GENERAL SESSIONS

JANUARY

TERM 1991

THE STATE

vs.

DAWAN LONTRAI CHATMAN

The Prisoner, Dawan Lontrai Chatman
is put to the bar and arraigned and upon his
arraignment pleads Guilty ~~as charged~~ to
Strong's Armed Robbery

ATTEST:

Barbara A. Scott

Clerk of Court

5-17-93

Dawan Lontrai Chatman

under N.C. v Alford

Indictment for Armed Robbery and Robbery

S. C. Code §16-11-330

(139)

bk

00031

00032

SENTENCE

on 11/10/93 Local
CASE NO. 93-GS-1666

STATE OF SOUTH CAROLINA

Litell COUNTY

The defendant Dawan Chatman is committed to the State Department of Corrections/County for a term of 9 months/years and/or to pay a fine of \$ _____; provided upon the service of _____ months/years and/or payment of \$ _____, plus pay/waive costs and assessments as applicable*, the balance suspended with probation for _____ months/years.

Restitution Yes/No to be paid
For physical injury \$ _____
property damage \$ _____

93-5-17
92-12-1

5-16

to clerk for _____ **

Other conditions _____

Date 5-17-93

Ed B...
Presiding Judge

*Costs and Assessments
Non-waivable _____
Not waived _____
Total _____

MAILED 5/17/93
RECEIVED
CLERK OF COURT

Lubera Scott
Clerk of Court

**Pay to Victim's Compensation Fund if subrogated.

SENTENCE

Armed Robbery
CASE NO. 91-GS-0506

STATE OF SOUTH CAROLINA

Richland COUNTY

The defendant Dawan Lontrai Chatman is committed to the State Department of Corrections/County for a term of 9 months/years and/or to pay a fine of \$ _____; provided upon the service of _____ months/years and/or payment of \$ _____, plus pay/waive costs and assessments as applicable*, the balance suspended with probation for _____ months/years.

Restitution For physical injury \$ _____
Yes/No property damage \$ _____
to be paid _____

to clerk for _____ **

Other conditions _____

Date 5-17-93 [Signature]
Presiding Judge

*Costs and Assessments
Non-waivable _____
Not waived _____
Total _____

MAY 20 1993
RECEPTION
COURT CLERK

[Signature]
Clerk of Court

**Pay to Victim's Compensation Fund if subrogated.

00034

JAIL T

NAME CHATMAN, DAWAN T.
 DATE BOOKED 10-12-90
 DATE RELEASED ON BOND _____
 DATE SENTENCED 1-11-91
 DATE RELEASED TO PEN 1-17-91

Handwritten notes:
 ACC
 1/29/91
 BWH

Form 9
 State of South Carolina
 County of Richland

IN THE COURT OF GENERAL SESSIONS
 No. 91-GS-41-2747

STATE

ORDER

Use of Ven. WD Permission

Name of Offense

07-25-73

SCDC# or DB#

Dawan Chatman

DEFENDANT

SID#

Whereas the above named defendant has been charged with violating the conditions of probation ordered on 05-16-90, 1990 in the Court of General Sessions of Richland County as set forth in the warrant or citation filed herein.

After hearing the evidence and being duly advised, I find the defendant has violated one or more of the conditions of supervision as set forth in the affidavit filed herein and dated 11-27-90, 1990, a copy of which is incorporated by reference.

- IT IS ORDERED that the suspended sentence be revoked and the above named defendant be required to serve NOA NOT months/years of the XXXX months/years sentence identified above, and/or pay \$ _____; the defendant is not to be reinstated on probation. This action is taken in the (presence/absence) of the defendant.
- IT IS ORDERED that the suspended sentence be revoked and the above named defendant be required to serve _____ months/years of the original _____ months/years sentence (and/or) pay \$ _____; thereupon to be reinstated on probation as provided in the sentence identified above and subject to the conditions set forth therein and not inconsistent with this order. This action is taken in the (presence/absence) of the defendant.
- IT IS ORDERED that the suspended sentence be revoked and the above named defendant be required to serve _____ months/years (and/or) pay \$ _____; the defendant is not to be reinstated on probation. This action is taken in the (presence/absence) of the defendant.
- The defendant has previously served _____ months/years on this sentence.
- IT IS ORDERED that the above named defendant is continued on probation as provided for in the sentence identified above and subject to the conditions set forth therein and not inconsistent with this order. This action is taken in the (presence/absence) of the defendant.

Additional Conditions ordered by the Court:

NOA Not To Exceed (6) years + discontinue probation as

91 JAN 11 PM 12:06
 BARBARA A SCOTT
 C.C.C. & G.S.

FILED

RECEIVED
 JAN 17 1991
 CLERK OF COURTS

This 11 day of July, 1991
Columbia, SC
 _____, Presiding Judge
 5th 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 special conditions it deems proper; or it may extend your period of probation not to exceed five (5) years. At any time within the period of your probation, the Court may, if it sees fit, impose any judgment and sentence it might have imposed in the first instance.

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 probation order identified above during the period of my probation. I have received a copy of this court order and my sentence identified above.

Witnessed by: _____ Signed: Barbara A. Scott
 Probationer

Signed this _____ day of _____, C. C. C. P., & G. S., at _____, SC.

COUNTY OF Hawaii

IN THE COURT OF GENERAL SESSIONS 3 5 12/2

INDICTMENT/CASE #:

STATE

OFFENDER RECORDS BRANCH 98-GS-40 - 29036

vs.

A/W#: F283925

Kawan Chatterjee 98 DEC 29 A9 58

Date of Offense: 11/4/94

AKA: [Redacted]

S.C. CODE §: 16-3-50

Race: [Redacted] Sex: [Redacted]

CDR Code #: 0217

DOB: [Redacted] Age: [Redacted]

SSN: [Redacted]

DL#

SID#

SENTENCE

PLEA TRIAL

In disposition of the said indictment comes now the Defendant who was CONVICTED OF or PLEADS TO: Murder

in violation of § _____ of the S.C. Code of Laws, bearing CDR Code # [] [] [] []

NON-VIOLENT VIOLENT SERIOUS MOST SERIOUS

The charge is: As Indicted, Lesser Included Offense, Defendant Waives Presentment to Grand Jury.

The plea is: Without Negotiations or Recommendation Negotiated Sentence

Recommendation by the State

ATTEST:

Solicitor

Defendant

Attorney for Defendant

WHEREFORE, the Defendant is committed to the State Department of Corrections, County Detention Center, or Under Youthful Offender Act for a term of 40 days/months/years and/or to pay a fine of \$ _____; provided the sentence be suspended upon the service of _____ days/months/years and/or payment of \$ _____ plus costs and assessments as applicable*, the balance suspended with probation for _____ months/years AND SUBJECT TO SCDPPPS STANDARD CONDITIONS OF PROBATION

CONCURRENT or CONSECUTIVE to sentence on: _____

SPECIAL CONDITIONS:

RESTITUTION Heard, Waived, Ordered
Total: \$ _____
Pay Terms: _____
Recipient: _____

- 1 PTUP
- 2 _____ days/hours Public Service Employment
- 3 Obtain GED
- 4 Attend Voc Rehab. or Job Corps
- 5 May serve W/E beginning _____
- 6 Substance Abuse Counseling
- 7 Random Drug/Alcohol Testing
- 8 Fine may be pd. in equal, consecutive weekly/monthly pmts. of \$ _____ beginning _____
- 9 Other: CTS SINCE 11/4/98
- 10 Other: 2.364

*Fine: \$ _____
 §14-1-206 - Assessments 100% \$ _____
 §14-1-211 - Surcharge \$ _____
 (Exceptions: See §14-1-211)
 §56-5-2995 (DUI) \$ _____
 TOTAL \$ _____

Shirley A. Scott
 Clerk of Court/Deputy Clerk
 Court Reporter: [Signature]

PRESIDING JUDGE [Signature]
 Sentence Date: 12/17/98
 Judge Code: [] [] [] []

COUNTY OF Fitchland

IN THE COURT OF GENERAL SESSIONS

INDICTMENT/CASE #:

STATE 05036

98-GS-40 - 29037

vs. Sawan Chatman

A/W#: 6283924

Date of Offense: 11/1/97

AKA: [REDACTED]

S.C. CODE §: 16-11-330(A)

Race: [REDACTED] Sex: [REDACTED]

CDR Code #: 0139

DOB: [REDACTED] Age: [REDACTED]

SENTENCE

SSN: [REDACTED]

PLEA TRIAL

DL# _____

SID# _____

In disposition of the said indictment comes now the Defendant who was CONVICTED OF or PLEADS TO: Armed Robbery

in violation of § 16-11-330(A) of the S.C. Code of Laws, bearing CDR Code # 0139

NON-VIOLENT VIOLENT SERIOUS MOST SERIOUS

The charge is: As Indicted, Lesser Included Offense, Defendant Waives Presentment to Grand Jury.

The plea is: Without Negotiations or Recommendation Negotiated Sentence

Recommendation by the State

ATTEST

Solicitor

Defendant

Attorney for Defendant

WHEREFORE, the Defendant is committed to the State Department of Corrections, County Detention Center, or Under Youthful Offender Act for a term of 27 days/months/years and/or to pay a fine of \$ _____; provided the sentence be suspended upon the service of _____ days/months/years

and/or payment of \$ _____ plus costs and assessments as applicable*; the balance suspended with probation for _____ months/years AND SUBJECT TO SCDPPPS STANDARD CONDITIONS OF PROBATION.

CONCURRENT or CONSECUTIVE to sentence on: _____

SPECIAL CONDITIONS:

RESTITUTION Heard, Waived, Ordered

Total: \$ _____

Pay Terms: _____

Recipient: _____

- Return to Work
- _____ days/hours Public Service Employment
- Obtain GED
- Attend Voc Rehab. or Job Corps
- May serve W/E beginning _____
- Substance Abuse Counseling
- Random Drug/Alcohol Testing
- Fine may be pd. in equal, consecutive weekly/monthly pmts. of \$ _____ beginning _____
- Other: _____
- Other: _____

*Fine: _____ \$
 §14-1-206 - Assessments 100% \$
 §14-1-211 - Surcharge \$
 (Exceptions: See §14-1-211)
 §56-5-2995 (DUI) \$
 TOTAL \$

[Signature]
Clerk of Court/Deputy Clerk

Court Reporter: [Signature]

PRESIDING JUDGE

Sentence Date: 12/17/98

Judge Code: [] [] [] []

SCDC ID: 172972

DISPLAY INMATE OFFENSE HISTORY

CURR LOC: RIDGELAND

00037

CHATMAN, DAWAN -

OFFENDER TYPE: ADULT-STRAIGHT

PURCHASED TV REINSTATE 7/29/2017

CASE#	OFFENSE DESCRIPTION	TYPE ACTION	OFFENSE DATE	HEARING DATE	NET GT LOST	DHO DECISION	OFF LVL
00102	SEXUAL MISCONDUCT	MAJOR DI	07/22/16	08/03/16	00000	CONVICTED	2
00101	I/M UNDER INFLUENCE/P	ADMINIST	01/14/14	01/22/14	00000	CONVICTED	3
00100	POSS. OR/ATTEMPT TO P	MAJOR DI	11/24/13	12/18/13	00000	CONVICTED	1
00099	USE, POSS NARC, MARIJ, U	MAJOR DI	12/06/12	12/18/12	00000	CONVICTED	1
00098	POSSESSION OF CONTRAB	ADMINIST	08/21/11	09/12/11	00000	CONVICTED	3
00097	OUT OF PLACE	ADMINIST	07/30/09	08/05/09	00000	CONVICTED	3
00096	OUT OF PLACE	MAJOR DI	06/25/09	07/23/09	00000	CONVICTED	3
00094	POSSESSION OF CONTRAB	MAJOR DI	02/23/09	03/05/09	00000	CONVICTED	3
00093	DAMAGE, DESTROY, PROP. V	ADMINIST	11/16/07	/ /	00000	CONVICTED	2
00092	POSSESSION OF CONTRAB	MAJOR DI	10/16/06	11/01/06	00000	CONVICTED	3
00091	OUT OF PLACE	ADMINIST	06/08/06	/ /	00000	CONVICTED	3
00090	REFUSING OR FAILING O	OTHER AC	10/17/05	/ /	00000	CLOSED	3
00089	POSSESSION OF CONTRAB	OTHER AC	10/11/05	/ /	00000	CLOSED	3

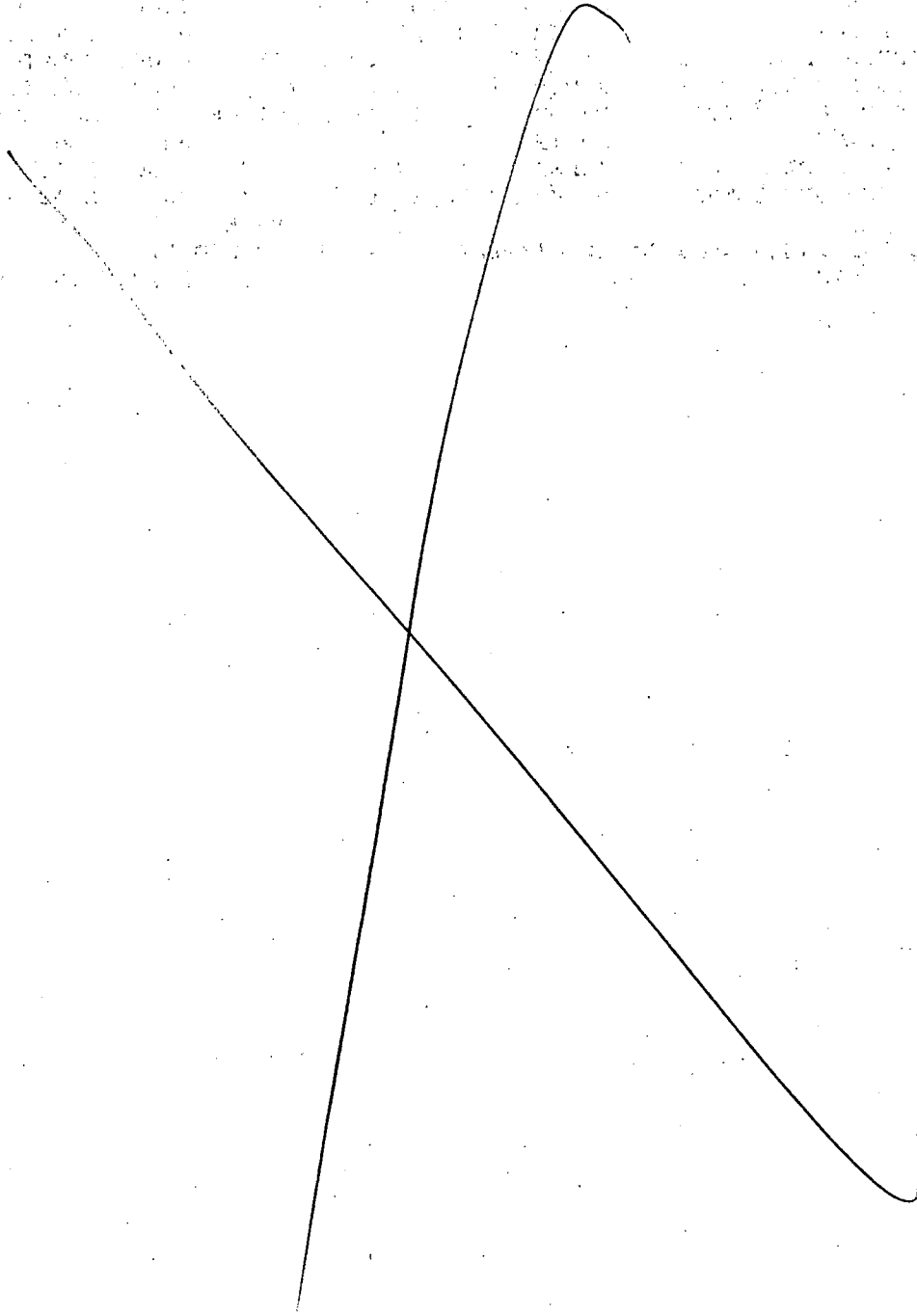
PAGE 0001

SELECT A RECORD AND PRESS <ENTER> TO DISPLAY OR <PF04> TO MODIFY

PF4-MODIFY PF6-DISMISSED/NOT GUILTY

PF11-QUIT PF10-MAIN MENU

00038



DISI100D

SCDC OFFENDER MANAGEMENT SYSTEM
DISCIPLINARY SYSTEM
DISPLAY INMATE OFFENSE HISTORY

05/11/17
C052640

00039

SCDC ID: 172972

CHATMAN, DAWAN -

OFFENDER TYPE: ADULT-STRAIGHT

CURR LOC: RIDGELAND
PURCHASED TV REINSTATE 7/29/2017

CASE#	OFFENSE DESCRIPTION	TYPE ACTION	OFFENSE DATE	HEARING DATE	NET GT LOST	DHO DECISION	OFF LVL
- 00088	FIGHTING WITHOUT A WE	ADMINIST	10/10/05	/ /	00000	CONVICTED	3
- 00087	REFUSING OR FAILING O	OTHER AC	03/24/05	/ /	00000	CLOSED	3
- 00086	THREATENING TO INFLIC	OTHER AC	07/07/04	/ /	00000	CLOSED	2
- 00085	REFUSING OR FAILING O	MINOR DI	07/07/04	07/09/04	00000	CONVICTED	3
- 00084	OUT OF PLACE	OTHER AC	06/10/03	/ /	00000	CLOSED	3
- 00083	REFUSING OR FAILING O	OTHER AC	08/29/02	/ /	00000	CLOSED	3
- 00082	SEXUAL MISCONDUCT	OTHER AC	08/21/02	/ /	00000	CLOSED	2
- 00081	REFUSING OR FAILING O	MAJOR DI	07/10/02	07/19/02	00000	CONVICTED	3
- 00080	USE OBSCENE, VULGAR, PR	MINOR DI	07/05/02	07/16/02	00000	CONVICTED	3
- 00077	REFUSING OR FAILING O	MINOR DI	05/08/02	05/16/02	00000	CONVICTED	3
- 00075	FORGERY OR POSS. ANY F	MINOR DI	04/10/02	04/19/02	00000	CONVICTED	3
- 00074	USE OBSCENE, VULGAR, PR	MINOR DI	03/27/02	04/05/02	00000	CONVICTED	3
- 00073	USE OBSCENE, VULGAR, PR	MINOR DI	03/21/02	04/01/02	00000	CONVICTED	3

PAGE 0002

PF4-MODIFY PF6-DISMISSED/NOT GUILTY

PF11-QUIT PF10-MAIN MENU

SCDC ID: 172972

CHATMAN, DAWAN -

OFFENDER TYPE: ADULT-STRAIGHT

CURR LOC: RIDGELAND

PURCHASED TV REINSTATE 7/29/2017

CASE#	DESCRIPTION	TYPE	OFFENSE DATE	HEARING DATE	NET GT LOST	DHO DECISION	OFF LVL
00071	EVADING A SECURITY DE	MAJOR DI	06/18/01	06/27/01	00000	CONVICTED	3
00070	THREATENING TO INFLIC	MAJOR DI	06/08/01	06/18/01	00000	CONVICTED	2
00068	THREATENING TO INFLIC	MAJOR DI	05/16/01	06/04/01	00000	CONVICTED	2
00067	OUT OF PLACE	MINOR DI	05/10/01	05/21/01	00000	CONVICTED	3
00066	OUT OF PLACE	MINOR DI	05/10/01	05/21/01	00000	CONVICTED	3
00065	SEXUAL MISCONDUCT	MAJOR DI	05/08/01	05/18/01	00000	CONVICTED	2
00064	FORGERY OR POSS ANY F	MINOR DI	05/03/01	05/14/01	00000	CONVICTED	3
00063	THREATENING TO INFLIC	MAJOR DI	04/18/01	04/30/01	00000	CONVICTED	2
00062	EVADING A SECURITY DE	MAJOR DI	02/28/01	03/14/01	00000	CONVICTED	3
00061	OUT OF PLACE	MINOR DI	02/22/01	03/05/01	00000	CONVICTED	3
00060	SEXUAL MISCONDUCT	MINOR DI	12/08/00	12/18/00	00000	CONVICTED	2
00059	REFUSING OR FAILING O	OTHER AC	07/28/00	/ /	00000	CLOSED	3
00058	USE OBSCENE, VULGAR, PR	OTHER AC	07/28/00	/ /	00000	CLOSED	3

PAGE 0003

PF4-MODIFY PF6-DISMISSED/NOT GUILTY

PF11-QUIT PF10-MAIN MENU

DIS1100D

SCDC OFFENDER MANAGEMENT SYSTEM
DISCIPLINARY SYSTEM
DISPLAY INMATE OFFENSE HISTORY

05/11/17
C052640

00041

SCDC ID: 172972
CHATMAN, DAWAN -

CURR LOC: RIDGELAND

OFFENDER TYPE: ADULT-STRAIGHT

PURCHASED TV REINSTATE 7/29/2017

CASE#	OFFENSE DESCRIPTION	TYPE ACTION	OFFENSE DATE	HEARING DATE	NET GT LOST	DHO DECISION	OFF LVL
00057	USE OBSCENE, VULGAR, PR	OTHER AC	07/28/00	/ /	00000	CLOSED	3
00056	SEXUAL MISCONDUCT	MAJOR DI	07/10/00	07/20/00	00000	CONVICTED	2
00055	OUT OF PLACE	MINOR DI	07/09/00	07/18/00	00000	CONVICTED	3
00054	REFUSING OR FAILING O	MINOR DI	07/09/00	07/18/00	00000	CONVICTED	3
00053	USE OBSCENE, VULGAR, PR	MAJOR DI	07/04/00	07/14/00	00000	CONVICTED	3
00052	OUT OF PLACE	MINOR DI	06/26/00	07/05/00	00000	CONVICTED	3
00051	REFUSING OR FAILING O	MINOR DI	06/26/00	07/05/00	00000	CONVICTED	3
00049	REFUSING OR FAILING O	MINOR DI	06/25/00	07/05/00	00000	CONVICTED	3
00042	REFUSING OR FAILING O	MINOR DI	06/04/00	06/13/00	00000	CONVICTED	3
00038	OUT OF PLACE	MAJOR DI	05/06/00	05/24/00	00000	CONVICTED	3
00036	OUT OF PLACE	MINOR DI	04/30/00	05/09/00	00000	CONVICTED	3
00035	REFUSING OR FAILING O	MINOR DI	04/30/00	05/09/00	00000	CONVICTED	3
00034	OUT OF PLACE	MINOR DI	04/16/00	04/25/00	00000	CONVICTED	3

PAGE 0004

PF4-MODIFY PF6-DISMISSED/NOT GUILTY

PF11-QUIT PF10-MAIN MENU

DIS1100D

SCDC OFFENDER MANAGEMENT SYSTEM

05/11/17

00042

DISCIPLINARY SYSTEM

C052640

SCDC ID: 172972

DISPLAY INMATE OFFENSE HISTORY

CHATMAN, DAWAN

CURR LOC: RIDGELAND

OFFENDER TYPE: ADULT-STRAIGHT

PURCHASED TV REINSTATE 7/29/2017

CASE#	OFFENSE DESCRIPTION	TYPE ACTION	OFFENSE DATE	HEARING DATE	NET GT LOST	DHO DECISION	OFF LVL
00033	REFUSING OR FAILING O	MINOR DI	04/16/00	04/25/00	00000	CONVICTED	3
00030	USE OBSCENE, VULGAR, PR	MAJOR DI	03/08/00	03/16/00	00000	CONVICTED	3
00028	USE OBSCENE, VULGAR, PR	MINOR DI	02/12/00	02/23/00	00000	CONVICTED	3
00026	FALSE STATEMENT TO HA	MINOR DI	10/02/99	10/12/99	00000	CONVICTED	3
00025	VIOLATIONS WRITE/POST	MINOR DI	08/03/99	08/10/99	00000	CONVICTED	5
00022	USE OBSCENE, VULGAR, PR	MAJOR DI	06/09/99	06/17/99	00000	CONVICTED	3
00020	USE OBSCENE, VULGAR, PR	OTHER AC	04/08/99	/ /	00000	CLOSED	3
00019	IN LIVING QUARTERS W/	OTHER AC	02/05/99	/ /	00000	CLOSED	
00018	USE, POSS NARC, MARIJ, U	MAJOR DI	11/07/98	12/04/98	00300	CONVICTED	1
00017	POSSESSION OF A WEAPO	MAJOR DI	11/07/98	12/04/98	00000	CONVICTED	2
00016	OUT OF PLACE	MINOR DI	10/19/98	11/04/98	00000	CONVICTED	3
00015	THREATENING TO INFELIC	MAJOR DI	08/19/98	09/03/98	00090	CONVICTED	2
00014	IN LIVING QUARTERS W/	MINOR DI	07/29/98	08/28/98	00000	CONVICTED	

PAGE 0005

PF4-MODIFY PF6-DISMISSED/NOT GUILTY

PF11-QUIT PF10-MAIN MENU

DISI100D

SCDC OFFENDER MANAGEMENT SYSTEM
DISCIPLINARY SYSTEM
DISPLAY INMATE OFFENSE HISTORY

05/11/17
C052640 # 1000-43

SCDC ID: 172972
CHATMAN, DAWAN -

CURR LOC: RIDGELAND

OFFENDER TYPE: ADULT-STRAIGHT

PURCHASED TV REINSTATE 7/29/2017

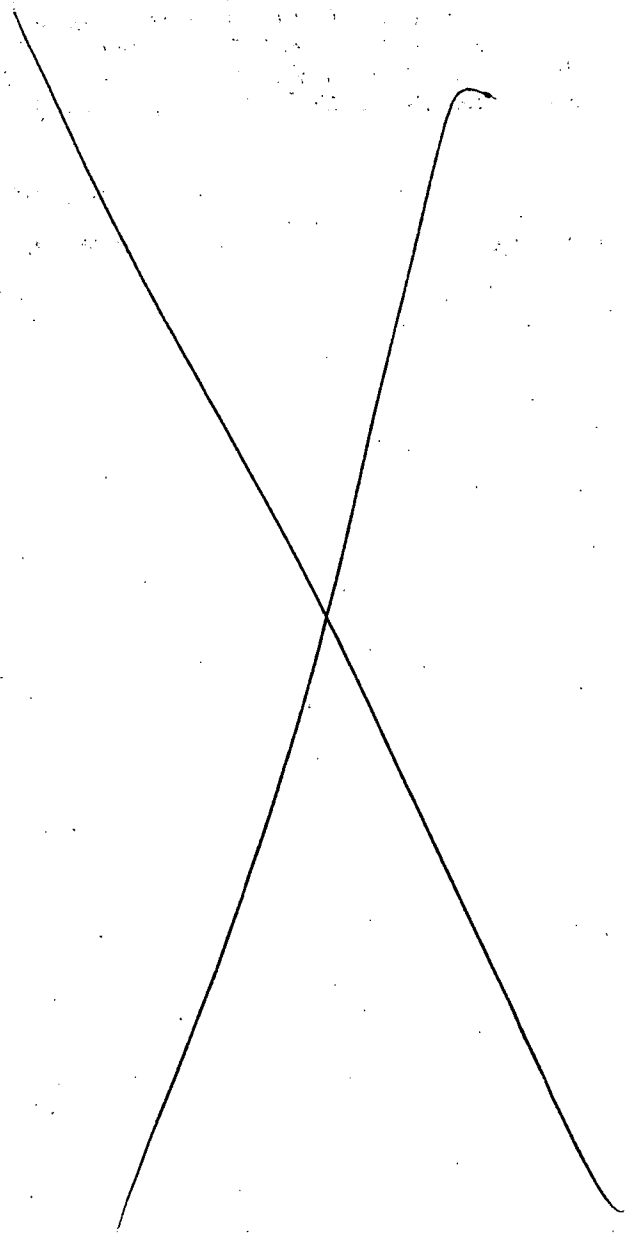
CASE#	OFFENSE DESCRIPTION	TYPE ACTION	OFFENSE DATE	HEARING DATE	NET GT LOST	DHO DECISION	OFF LVL
00011	FALSE STATEMENT TO HA	MINOR DI	07/11/98	08/10/98	00000	CONVICTED	3
00010	OUT OF PLACE	MINOR DI	07/11/98	08/10/98	00000	CONVICTED	3
00009	IN LIVING QUARTERS W/	MINOR DI	07/04/98	07/31/98	00000	CONVICTED	
00008	REFUSING TO WORK	MINOR DI	06/20/98	07/20/98	00000	CONVICTED	3
00007	OUT OF PLACE	MINOR DI	06/20/98	07/20/98	00000	CONVICTED	3
00006	REFUSING OR FAILING O	MINOR DI	06/11/96	07/02/96	00030	CONVICTED	3
00005	FALSE STATEMENT TO HA	MAJOR DI	06/07/96	07/02/96	00030	CONVICTED	3
00004	REFUSING OR FAILING O	MINOR DI	04/25/96	05/21/96	00030	CONVICTED	3
00003	REFUSING OR FAILING O	MINOR DI	03/09/96	03/26/96	00030	CONVICTED	3
00002	I/M UNDER INFLUENCE/P	MAJOR DI	09/29/95	/ /	00000	CONVICTED	3
00001	FALSE STATEMENT TO HA	MAJOR DI	11/01/93	11/17/93	00000	CONVICTED	3

END OF LIST

PAGE 0006

PF4-MODIFY PF6-DISMISSED/NOT GUILTY

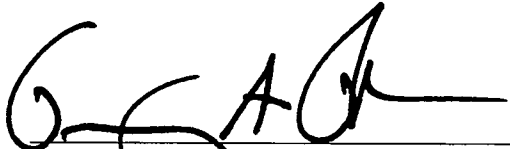
PF11-QUIT PF10-MAIN MENU



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."

May 7, 2018

A handwritten signature in black ink, appearing to read 'T. A. Thomas', written over a horizontal line.

Tommy A. Thomas
Attorney for Appellant

P.O. Box 88
7588 Woodrow Street
Irmo, SC 29063
(803) 732-5507

RECEIVED
MAY 07 2018
SC Court of Appeals