

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

APPEAL FROM BERKELEY COUNTY  
Court of General Sessions

Kristi L. Harrington, Circuit Court Judge

Case No.(s): 2017-GS-08-02347  
2017-GS-08-02348  
2018-GS-08-01126

RECEIVED

JUN 01 2018  
SC Court of Appeals

The State,

Respondent,

v.

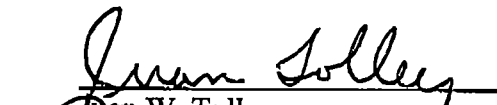
Joshua Steven Yates

Appellant.

NOTICE OF APPEAL

Joshua Steven Yates, was sentenced by the Honorable Kristi L. Harrington, on May 18, 2018. Mr. Yates wishes to appeal his guilty plea and sentence and asked his attorney to submit an appeal. This attorney is of the opinion that if a client requests an appeal, that the attorney is bound to file the appeal. In compliance with Appellate Practice Rule 263 and Appellate Practice Rule 203 (d) (1) B (iv), the Defendant's attorney asserts that this appeal is being filed at the request of the Defendant.

June 1, 2018

  
Juan W. Tolley  
219 N. Hwy. 52, Suite E  
Moncks Corner, S. C. 29461  
(843) 899-2777  
Attorney for Appellant

Other Counsel of Record:  
Daniel E. Duquette  
Assistant Solicitor  
300-B California Ave.  
Moncks Corner, South Carolina 29461  
(843)719-4529  
Attorney for Respondent

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

APPEAL FROM BERKELEY COUNTY  
Court of General Sessions

Kristi L. Harrington, Circuit Court Judge

RECEIVED

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SC Court of Appeals

Case No(s). 2017-GS-08-02347  
2017-GS-08-02348  
2018-GS-08-01126

The State,

Respondent,

v.

Joshua Steven Yates

Appellant.

PROOF OF SERVICE

I certify that I have served the Notice of Appeal on Daniel E. Duquette, Assistant Solicitor of the Ninth Judicial Circuit, by personally delivering a filed copy of it to his office and leaving the same with Dana Kay Chaddock, Administrative Clerk, for the Solicitor's Office located at 300 B California Ave., Moncks Corner, South Carolina 29461, on June 1, 2018.

June 1, 2018

Alicia Slawson  
Alicia Slawson  
219 N. Hwy. 52, Suite E  
Moncks Corner, S. C. 29461  
(843) 899-2777  
Paralegal

**BERKELEY COUNTY PUBLIC DEFENDER**

---

219 N. HWY. 52, SUITE E, POST OFFICE BOX 1687  
MONCK'S CORNER, SOUTH CAROLINA 29461  
(843) 899-2777 • FAX (843) 899-2701

June 1, 2018

**RECEIVED**

JUN 01 2018

SC Court of Appeals

Jenny Abbott Kitchings  
Clerk of Court  
South Carolina Court of Appeals  
Post Office Box 11629  
Columbia, South Carolina 29211

**RE: State of South Carolina vs. Joshua Steven Yates**  
**Indictment No.(s): 2017-GS-08-02347, 2017-GS-08-02348**  
**2018-GS-08-01126**

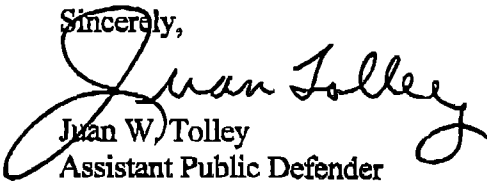
Dear Ms. Kitchings:

Enclosed you will find the original Notice of Intent to Appeal and the Proof of Service of the Appeal. The Plea in the above-referenced matter was heard before the Honorable Kristi L. Harrington in the County of Berkeley on May 18, 2018. The Defendant wishes to appeal his guilty plea and sentence and asked that an appeal be filed. In compliance with Appellate Practice Rule 203 (d) (1) B (iv), the Defendant's attorney asserts that this Appeal was filed at the request of the Defendant.

Also enclosed is a copy of the Sentence Sheets, and Indictments. I hope the information will be sufficient to move forward with the appeal.

If you have any questions or need more information, please do not hesitate to contact my office.

Sincerely,



Juan W. Tolley  
Assistant Public Defender

JWT:avs

enc:

**BERKELEY COUNTY PUBLIC DEFENDER'S OFFICE**

**DAVID P. SCHWACKE  
DEBRA K. LITTLEJOHN  
KESHIA V. WHITE  
JOHN T. CHURCH  
JULIE M. SHIVERS  
JUAN W. TOLLEY  
PATRICK GOODWYN  
CAROLINE M. BICKLEY**

**RECEIVED**

JUN 01 2018

SC Court of Appeals

219 N. HWY 52 SUITE E • POST OFFICE BOX 1687 • MONCK'S CORNER, S.C. 29461  
TELEPHONE (843) 899-2777 • FACSIMILE (843) 899-2701

**FACSIMILE TRANSMITTAL SHEET**

<b>TO:</b> The Honorable Jenny Abbott Kitchings, Clerk of Court	<b>FROM:</b> Alicia Slawson for Atty. Juan W Tolley
<b>COMPANY:</b> S. C. Court of Appeals	<b>DATE:</b> 6-1-18
<b>FAX NUMBER:</b> 803-734-1839	<b>TOTAL NO. OF PAGES INCLUDING COVER:</b> 11
<b>PHONE NUMBER:</b> 803-734-1890	<b>SENDER'S REFERENCE NUMBER:</b>
<b>RE:</b> State v. Joshua Steven Yates	<b>YOUR REFERENCE NUMBER:</b>

URGENT       FOR REVIEW       PLEASE COMMENT       PLEASE REPLY

**NOTES/COMMENTS:**

Due to time constraints enclosed please find the Notice of Appeal and Proof of Service regarding Joshua Steven Yates. The originals will follow via U. S. Mail. If you have any questions, or more information is needed, please do not hesitate to contact our office.

Thank you so much for your assistance in this matter.

STATE OF SOUTH CAROLINA

COUNTY OF BERKELEY

STATE VS.

JOSHUA STEVEN YATES

AKA: Joshua Yates

Race: White Non-Latino/Caucasian Sex M

DOB: [redacted] SS#: [redacted]

Address: [redacted]

City, State, Zip: Summerville, SC 29486

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: Poss I-V Cont Subs (Alprazolam)

In violation of § 44-53-0370(d)(2) of the S.C. Code of Laws, bearing CDR Code # 0179

NON-VIOLENT  VIOLENT  SERIOUS  MOST SERIOUS  Mandatory GPS  §17-25-45 (CSC w/minor 1<sup>st</sup> or CSC w/minor 3<sup>rd</sup>)

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

ATTEST:

Daniel E. Duquette, Assistant Solicitor SC Bar # 102235

Defendant

Juan Solley, Attorney for Defendant SC Bar # 15201

WHEREFORE, the Defendant is committed to the  State Department of Corrections  County Detention Center, for a determinate term of 2136 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.  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 FTUP \_\_\_\_\_ 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 prts. of \$ \_\_\_\_\_ Beginning \_\_\_\_\_  
\$ \_\_\_\_\_ Paid to Public Defender Fund

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 (Public Def/Probation)	\$500	\$ _____
§14-1-212 (Law Enforc. Funding)	\$25	\$ 25.00
§14-1-213 (Drug Court Surcharge)	\$150	\$ 150.00
§50-21-114 (BUI Breath Test Fee)	\$50	\$ _____
§56-5-2942(J) (Vehicle Assessment)	\$40/ea	\$ _____
3% to County (if paid in installments)	\$	\$ 9.25
<b>TOTAL</b>		<b>\$ 703.25</b>

Appointed PD or appointed other counsel, Proviso requires \$500 be paid to Clerk during probation and shall be collected before any other fees.

Clerk of Court/Deputy Clerk: A. Howell  
Court Reporter: Denise Lawler

Presiding Judge: [Signature]  
Judge Code: 4161  
Sentence Date: 5/18/18

DED/0335773  
WITNESSES

Berkeley County Sheriff's Office

*A. Perry Warrington*

AGENCY CASE NUMBER

2017-10083391

ARREST WARRANT NUMBER

2017A0810401816

DATE OF ARREST

10/19/2017

ACTION OF GRAND JURY

**True Bill**

*Samuel J. Jones* 12-13-17  
Foreperson of Grand Jury Date:

VERDICT

Foreperson of Petit Jury

Date:

DOCKET NO. 2017-GS-08-02347

The State of South Carolina  
County of Berkeley

COURT OF GENERAL SESSIONS  
DECEMBER TERM 2017

THE STATE

VS.

JOSHUA STEVEN YATES  
W/M DOB: [REDACTED]

Indictment for

**POSS I-V CONT SUBS**

SC Code: § 44-53-0370(d)(2)  
CDR Code: 0179

*off*  
**FILED**  
DEC 13 2017  
CASE NO. 17-10083391  
MARY F. BROWN, CLERK OF COURT  
BERKELEY COUNTY, SC

*JH*

STATE OF SOUTH CAROLINA

COUNTY OF BERKELEY

INDICTMENT

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

**Possession of a Controlled Substance**

The Defendant, Joshua Steven Yates, did on or about October 18, 2017, in Berkeley County, South Carolina, knowingly or intentionally possess Alprazolam, a schedule IV controlled substance, without obtaining it directly from, or pursuant to a valid prescription or order of a practitioner. All in violation of § 44-53-0370(d)(2) 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.

  
DANIEL E. DUQUETTE  
ASSISTANT SOLICITOR

STATE OF SOUTH CAROLINA

COUNTY OF BERKELEY

STATE VS.

JOSHUA STEVEN YATES

AKA: Joshua Yates

Race: White Non-Latino/Caucasian

Sex: M

DOB: [REDACTED]

SS#: [REDACTED]

Address: [REDACTED]

City, State, Zip: Summerville, SC 29486

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: Poss-~~Heroin~~ Heroin (Psilocybin)

In violation of § 44-53-0370(c) of the S.C. Code of Laws, bearing CDR Code # 0176

NON-VIOLENT

VIOLENT

SERIOUS

MOST SERIOUS

Mandatory GPS

§17-25-45

(CSC w/minor 1<sup>st</sup> or CSC w/minor 3<sup>rd</sup>)

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:

Daniel E. Duquette, Assistant Solicitor SC Bar # 102235

[Signature]

Defendant

Juan Tolley, Attorney for Defendant SC Bar # 15201

WHEREFORE, the Defendant is committed to the  State Department of Corrections  County Detention Center, for a determinate term of 213 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. 213 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 \_\_\_\_\_

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: \_\_\_\_\_

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 (Public Def/Probation) \$500 \$ \_\_\_\_\_

§14-1-212 (Law Enforce. Funding) \$25 \$ 25.00

§14-1-213 (Drug Court Surcharge) \$150 \$ 150.00

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

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

3% to County (if paid in installments) \$ \$ 8.25

TOTAL \$ 293.25

Appointed PD or appointed other counsel, Proviso requires \$600 be paid to Clerk during probation and shall be collected before any other fees.

Clerk of Court/Deputy Clerk  
Court Reporter: \_\_\_\_\_

A. Howell  
Denise Linder

Presiding Judge: \_\_\_\_\_  
Judge Code: \_\_\_\_\_  
Sentence Date: \_\_\_\_\_

DED/0335773  
WITNESSES

Berkeley County Sheriff's Office

*Cpt. Reese Wainwright*

AGENCY CASE NUMBER  
2017-10083391

ARREST WARRANT NUMBER

2017A0810401817

DATE OF ARREST

10/19/2017

ACTION OF GRAND JURY

**True Bill**

*James O. House* 12-13-17  
Foreperson of Grand Jury Date:

VERDICT

Foreperson of Petit Jury Date:

DOCKET NO. 2017-GS-08-02348

The State of South Carolina  
County of Berkeley

COURT OF GENERAL SESSIONS  
DECEMBER TERM 2017

THE STATE

VS.

JOSHUA STEVEN YATES  
W/M DOB: [REDACTED]

Indictment for

**POSS I-II NARC**

SC Code: § 44-53-0370(e)  
CDR Code: 0176

FILED

DEC 13 2017

CASE NO. [REDACTED]  
MARY P. BROPHY CLERK OF COURT  
BERKELEY COUNTY

JH

STATE OF SOUTH CAROLINA

COUNTY OF BERKELEY

INDICTMENT

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

**Possession of Psilocybin (Sched I)**

The Defendant, Joshua Steven Yates, did on or about October 18, 2017, in Berkeley County, South Carolina, knowingly or intentionally possess Psilocybin, a schedule I controlled substance narcotic. All in violation of Section 44-53-0370(c) 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.

  
DANIEL E. DUQUETTE  
ASSISTANT SOLICITOR

STATE OF SOUTH CAROLINA

COUNTY OF BERKELEY

STATE VS.

JOSHUA STEVEN YATES

AKA: Joshua Yates

Race: White Non-Latino/Caucasian

Sex: M

DOB: [REDACTED]

SS#: [REDACTED]

Address:

City, State, Zip: Summerville, SC 29486

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

CONVICTED OF or

PLEADS

TO: Grand Larceny (value \$2,000-10,000)

In violation of § 16-13-030(B) of the S.C. Code of Laws, bearing CDR Code # 3420

NON-VIOLENT

VIOLENT

SERIOUS

MOST SERIOUS

Mandatory GPS

§17-25-45

(CSC w/minor 1<sup>st</sup> or CSC w/minor 3<sup>rd</sup>)

The charge is:

As indicated,

Lesser Included Offense,

Defendant Waives Prosecution to Grand Jury (def.'s initials)

This plea is:

Without Negotiations or Recommendation,

Negotiated Sentence,

Recommendation by the State.

ATTEST:

Daniel E. Duquette, Assistant Solicitor SC Bar # 102235

Defendant

Juan Tellez, Attorney for Defendant SC Bar # 15201

WHEREFORE, the Defendant is committed to the  State Department of Corrections  County Detention Center

for a determinate term of 5 days/months/years or  under the Youthful Offender Act not to exceed 3 years

and/or to pay a fine of \$ [REDACTED], provided that upon the service of [REDACTED] days/months/years and/or payment

of \$ [REDACTED] plus costs and assessments as applicable\*; the balance is suspended with probation for 4 (years) 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.

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.

RESTITUTION:  Deferred  Def. Waives Hearing

SPECIAL CONDITIONS:

Total: \$ [REDACTED] plus 20% fee: \$ [REDACTED]

Ordered PTUP [REDACTED] days/hours Public Service Employment

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: \_\_\_\_\_

Recipient:

\*Fine: See attached order \$ [REDACTED]

§14-1-206 (Assessments 107.5%) \$ [REDACTED]

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

§14-1-211 (A)(2)(DUI Surcharge) \$100 \$ [REDACTED]

§56-5-2995 (DUI Assessment) \$12 \$ [REDACTED]

§56-1-286 (DUI Breath Test) \$25 \$ [REDACTED]

Proviso (Public Def/Probation) \$500 \$ 500.00

§14-1-212 (Law Enforce. Funding) \$25 \$ 25.00

§14-1-213 (Drug Court Surcharge) \$150 \$ [REDACTED]

§50-21-114 (BUI Breath Test Fee) \$50 \$ [REDACTED]

§56-5-2942(J) (Vehicle Assessment) \$40/ea \$ [REDACTED]

3% to County (if paid in installments) \$ [REDACTED] \$ 18.75

TOTAL \$ 1043.75

Appointed PD or appointed other counsel, Proviso requires \$600 be paid to Clerk during probation and shall be collected before any other fees.

Clerk of Court: Denise Lander

Presiding Judge: [Signature]  
Judge Code: [REDACTED]  
Sentence Date: 5/16/18

**DED/0338267  
WITNESSES**

**Berkeley County Sheriff's Office**

**AGENCY CASE NUMBER  
2017-10086815**

**ARREST WARRANT NUMBER  
2017A0810402125**

**DATE OF ARREST**

**12/29/2017**

**ACTION OF GRAND JURY**

*Foreperson of Grand Jury*      *Date:*

**VERDICT**

*Foreperson of Path Jury*      *Date:*

**DOCKET NO. 2018-GS-08-01126**

**The State of South Carolina  
County of Berkeley**

**COURT OF GENERAL SESSIONS  
MAY TERM 2018**

**THE STATE**

**VS.**

**JOSHUA STEVEN YATES  
W/M DOB: ██████████**

**Indictment for**

**GRAND LARCENY**

**SC Code: § 16-13-0030(B)  
CDR Code: 3420**

STATE OF SOUTH CAROLINA

COUNTY OF BERKELEY


INDICTMENT

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

**GRAND LARCENY**

That in Berkeley County, South Carolina, on or about October 30, 2017, the Defendant, Joshua Steven Yates, did take and carry away the personal property of the victim, \_\_\_\_\_, valued at more than Two Thousand Dollars but less than Ten Thousand Dollars, with the intent to deprive the victim of its possession and to convert the property to Defendant's own use in violation of Section 16-13-30 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.

  
**DANIEL E. DUQUETTE**  
ASSISTANT SOLICITOR

STATE OF SOUTH CAROLINA )

COUNTY OF Berkeley )

STATE OF SOUTH SOUTH CAROLINA )

-versus-

Joshua Steven Yates )

DEFENDANT

IN THE COURT OF GENERAL SESSIONS

ORDER OF RESTITUTION

INDICTMENT # 2018-GS-08-01126

INDICTMENT # \_\_\_\_\_

INDICTMENT # \_\_\_\_\_

INDICTMENT # \_\_\_\_\_

Upon Motion of the Solicitor of the Ninth Circuit, it appears South Carolina Code of Laws Section 17-25-322 requires the Court to hold a hearing to determine the amount of restitution due the victim(s) of the defendant's criminal acts which have resulted in pecuniary damage or loss. Further, South Carolina Code of Laws Section 16-3-1530(D)(3) provides that the Court "shall order restitution at every sentencing for a crime against person or property" unless the Court finds a substantial and compelling reason not to order restitution.

The court upon conducting a Restitution Hearing, or upon waiver and consent of the defendant, hereby finds:

( ) Restitution should NOT be ordered for the following substantial and compelling reason:

(X) Restitution should be paid by the defendant as a condition of his/her sentence to the designated victims in the following court-ordered amounts:

1. VICTIM: of Drive  
Account # \_\_\_\_\_  
Address: Ladson, SC 29456  
Phone: \_\_\_\_\_  
Restitution: \$ 2,000.00

2. VICTIM: \_\_\_\_\_  
Account # \_\_\_\_\_  
Address: \_\_\_\_\_  
Phone: \_\_\_\_\_  
Restitution: \$ \_\_\_\_\_

3. VICTIM: \_\_\_\_\_  
Account # \_\_\_\_\_  
Address: \_\_\_\_\_  
Phone: \_\_\_\_\_  
Restitution: \$ \_\_\_\_\_

4. VICTIM: \_\_\_\_\_  
Account # \_\_\_\_\_  
Address: \_\_\_\_\_  
Phone: \_\_\_\_\_  
Restitution: \$ \_\_\_\_\_

AND IT IS SO ORDERED this 15th day of May, 2018  
Moncks Corner, South Carolina.

I SO MOVE:

Scarlett A. Wilson  
Solicitor, Ninth Judicial Circuit

BY: Daniel E. Dugre  
Asst Solicitor Daniel E. Dugre

WHITE - CLERK OF COURT

CANARY - PROBATION OFFICE

[Signature]  
PRESIDING JUDGE  
NINTH JUDICIAL CIRCUIT

I WAIVE MY RIGHT TO A RESTITUTION HEARING AND CONSENT TO THE ABOVE:

[Signature]  
DEFENDANT

PINK - SOLICITOR'S OFFICE

FILED  
MAY 18 2018

CASE NO  
MARY P. BROWN, CLERK OF COURT  
BERKELEY COUNTY, SC