

STATE OF SOUTH CAROLINA

COUNTY OF SPARTANBURG
STATE VS.
Gerald Edward Caldwell

AKA:

Race: WHITE Sex: M Age: 53

DOB: SS#:

Address:

City, State, Zip:

DL#: SID#:

\*CDL Yes No CMV Yes No Hazmat Yes No

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

TO: Burglary / Burglary (After June 20, 1985) - First degree (15 - Life) Rec: Concurrent

IN THE COURT OF GENERAL SESSIONS

INDICTMENT/CASE#: 2017GS4206078

A/W#: 2017A4210103031

Date of Offense: 9/22/2016

S.C. Code § : 16-11-0311

CDR Code #: 0079

Alford Plea SENTENCE SHEET

CONVICTED OF or PLEADS

in violation of § 16-11-0311 of the S.C. Code of Laws, bearing CDR Code # 0079

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.

The plea is: Without Negotiations or Recommendation, Negotiated Sentence, Recommendation by the State.

ATTEST: HUNTER, JAMES EDWARD SCB77517 Defendant; Rochester, Julie SCB79314 Attorney for Defendant

WHEREFORE, the Defendant is committed to the State Department of Corrections, County Detention Center, for a determinate term of 25 days/months/years or under the Youthful Offender Act not to exceed years and/or to pay a fine of \$; provided that upon the service of days/months/years and/or payment of \$; plus costs and assessments as applicable\*; the balance is suspended with probation for months/years and subject to South Carolina Department of Probation, Parole and Pardon 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 SCDoc.

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

Total: \$ plus 20% fee: \$

Payment Terms: Set by SCDPPPS

Recipient:

Table with 3 columns: Description, Amount, Total. Includes items like §14-1-206 (Assessments 107.5%), §14-1-211(A)(1) (Conv. Surcharge) \$100, §14-1-211(A)(2) (DUI Surcharge) \$100, §56-5-2995 (DUI Assessment) \$12, §56-1-286 (DUI Breath Test) \$25, Proviso (Public Def/Probation) \$500, §14-1-212 (Law Enforce. Funding) \$25, §14-1-213 (Drug Court Surcharge) \$150, §50-21-114(BUI Breath Test Fee) \$50, §56-5-2942(J) (Vehicle Assessment) \$40/ea, 3% to County (if paid in installments) \$375.

TOTAL \$ 128.75

Clerk of Court/ Deputy Clerk: J. Scott; Court Reporter: J. Scott

days/hours Public Service Employment

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 \$ beginning \$ paid to Public Defender Fund

Other: No Contact with Victim; ATV while in DOT

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

Presiding Judge: [Signature]; Judge Code: 2132; Sentence Date: 10/12/18

RECEIVED JUN 25 2018 SC Court of Appeals

WITNESSES

A. SENTENCE MADE

Sptbg. County Sheriff's Office

B. CARD FILED

C. INDEXED

D. CHECKED

E. ASSESSMENT

F. RECALLED

G. RECORDED

Computer  
Computer

Jimmy W. Oyster

ARREST WARRANT NUMBER

2017A4210103031

ACTION OF GRAND JURY

True Bill

Foreperson of Grand Jury

Date:

DEC 06 2017

VERDICT

Foreperson of Petit Jury

Date:

DOCKET NO.

17-GS-42-6078

The State of South Carolina

County of Spartanburg

Barry J. Barnette, Solicitor

COURT OF GENERAL SESSIONS

DEC 11 2017

TERM

THE STATE

vs.

Gerald Edward Caldwell

Indictment for

BURGLARY, FIRST DEGREE  
(Dwelling)

SC Code: 16-11-0311

CDR Code: 0079

Class: FEL/EXM (V)

RECEIVED

JUN 25 2018

SC Court of Appeals

FILED  
CLERK OF COURT  
SPARTANBURG COUNTY

2017 DEC 14 PM 12:01

M. HOPE BLACKLEY

AK

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF SPARTANBURG )

INDICTMENT

DEC 06 2017

At a Court of General Sessions, convened on \_\_\_\_\_, the Grand Jurors of  
Spartanburg County present upon their oath:

**BURGLARY, FIRST DEGREE**

**(DWELLING)**

That the Defendant, Gerald Edward Caldwell, did in Spartanburg County, on or about  
September 22, 2016, willfully and intentionally enter the dwelling located at  
1, Spartanburg, South Carolina, without consent and with the intent to  
commit a crime therein, and that the defendant did enter the dwelling either:

- (1) the Defendant did enter in the nighttime and/or
- (2) armed with a deadly weapon; and/or
- (3) caused physical injury to any person who is not a participant in the  
crime; and/or
- (4) uses or threatens the use of a dangerous instrument; and/or
- (5) displays what is or appears to be a knife, pistol, revolver, rifle,  
shotgun, machine gun, or other firearms

in violation of Section 16-11-311, Code of Laws of South Carolina (1976) as amended.

Against the peace and dignity of the State, and contrary to the statute in such  
case made and provided.

  
\_\_\_\_\_  
ASSISTANT SOLICITOR

STATE OF SOUTH CAROLINA )  
 COUNTY OF SPARTANBURG )  
 STATE VS. )  
 Gerald Edward Caldwell )  
 AKA: )  
 Race: WHITE Sex: M Age: 53 )  
 DOB: SS#: )  
 Address: )  
 City, State, Zip: )  
 DL#: SID#: )

IN THE COURT OF GENERAL SESSIONS

INDICTMENT/CASE#: 2017GS4206080 ✓  
 A/W#: 2017A4210103034  
 Date of Offense: 9/22/2016  
 S.C. Code § : 16-11-0330(B)  
 CDR Code #: 0026

SENTENCE SHEET

*Alford plea*

CONVICTED OF or  PLEADS

\*CDL Yes  No  CMV Yes  No  Hazmat Yes  No   
 In disposition of the said indictment comes now the Defendant who was  
 TO: Robbery / Attempted armed, or allegedly armed, robbery (0-20) Rec: Concurrent

in violation of § 16-11-0330(B) of the S.C. Code of Laws, bearing CDR Code # 0026  
 NON-VIOLENT  VIOLENT  SERIOUS  MOST SERIOUS  Mandatory GPS(CSC  §17-25-45  
 w/minor 1st or Lewd Act)

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: *[Signature]* SCB7517 *[Signature]* SCB79314  
 HUNTER, JAMES EDWARD SC Bar# Defendant Rochester, Julie SC Bar#  
 Attorney for Defendant

WHEREFORE, the Defendant is committed to the  State Department of Corrections,  County Detention Center,  
 for a determinate term of 20 days/months/years or  under the Youthful Offender Act not to exceed \_\_\_\_\_ years  
 and/or to pay a fine of \$ \_\_\_\_\_; provided that upon the service of \_\_\_\_\_ days/months/years and/or payment  
 of \$ \_\_\_\_\_; plus costs and assessments as applicable\*; the balance is suspended with probation for \_\_\_\_\_  
 months/years and subject to South Carolina Department of Probation, Parole and Pardon 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 SCDoc.

The Defendant is to be placed on the Central Registry of Child Abuse and Neglect pursuant to S.C. Code §17-25-135. *300 day*  
 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: \$ \_\_\_\_\_

Payment Terms: \_\_\_\_\_

Set by SCDPPPS \_\_\_\_\_

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	\$
§50-21-114(BUI Breath Test Fee)	\$50	\$
§56-5-2942(J) (Vehicle Assessment)	\$40/ea	\$
3% to County (if paid in installments)		\$ 3.75

TOTAL \$ 128.75

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

\_\_\_\_\_ days/hours Public Service Employment

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 \$ \_\_\_\_\_ beginning \_\_\_\_\_  
 \$ \_\_\_\_\_ paid to Public Defender Fund

Other: *no contact with victim*  
*ATV while in the DOC*

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

Presiding Judge \_\_\_\_\_  
 Judge Code: 2132  
 Sentence Date: 11/2/18

RECEIVED  
 JUN 25 2018  
 SC Court of Appeals

WITNESSES

SCSO

- SENTENCED
- REPORTED
- CARRIED
- ISSUED
- CHECKED WARRANTS
- CHECKED SIGNATURE
- ASSESSMENT

ARREST WARRANT NUMBER  
 2017A4210103034 (Count One) Amended  
 Direct Indictment (Count Two)

ACTION OF GRAND JURY

True Bill

JUN - 8 2018

Foreperson of Grand Jury  
 Date:

VERDICT

Foreperson of Petit Jury  
 Date:

DOCKET # 7-GS-42-6080

The State of South Carolina  
 County of Spartanburg  
 Barry Barnette, Solicitor

COURT OF GENERAL SESSIONS

JUN 11 2018

TERM

THE STATE

vs.

Gerald Edward Caldwell

Indictment for

ATTEMPTED ARMED ROBBERY AND  
 POSSESSION  
 OF FIREARM DURING COMMISSION  
 OF A VIOLENT CRIME

SC Code: 16-11-330 (B); 16-23-490  
 CDR CODE: 0026; 0549  
 CLASS: FEL/C; FEL/F

RECEIVED

JUN 25 2018

SC Court of Appeals

FILED  
 CLERK OF COURT  
 SPARTANBURG COUNTY  
 2018 JUN 18 PM 4:26  
 M. HOPE BLACKLEY

Nolle Prosequi: Count II only  
 8/18/19 JEB  
 Per pro agreement

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF SPARTANBURG )

INDICTMENT

JUN 08 2018

At a Court of General Sessions, convened on \_\_\_\_\_, the  
Grand Jurors of Spartanburg County present upon their oath:

**COUNT ONE-ATTEMPTED ARMED ROBBERY**

That the defendant, Gerald Edward Caldwell, did in Spartanburg County on or about September 22, 2016, attempt to take a vehicle and/or US currency from Roberson, while armed with a pistol, a deadly weapon, in violation of Section 16-11-330 (B), Code of Laws of South Carolina (1976, as amended).

**COUNT TWO-POSSESSION OF FIREARM DURING  
COMMISSION OF A VIOLENT CRIME**

That the defendant, Gerald Edward Caldwell, did in Spartanburg County on or about September 22, 2016, possess a firearm and/or knife, during the commission of a violent crime as defined in Code §16-1-60, to wit: ATTEMPTED ARMED ROBBERY, in violation of Code §16-23-490. *CODE OF LAWS OF SOUTH CAROLINA*, (1976), as amended.

Against the peace and dignity of the State, and contrary to the statute in such case made and provided.

  
\_\_\_\_\_  
ASSISTANT SOLICITOR

STATE OF SOUTH CAROLINA )  
 COUNTY OF SPARTANBURG )  
 STATE VS. )  
 Gerald Edward Caldwell )  
 AKA: )  
 Race: WHITE Sex: M Age: 53 )  
 DOB: SS#: )  
 Address: )  
 City, State, Zip: )  
 DL#: SID#: )

IN THE COURT OF GENERAL SESSIONS

INDICTMENT/CASE#: 2017GS4206079 ✓  
 A/W#: 2017A4210103033 ✓  
 Date of Offense: 9/22/2015  
 S.C. Code § : 16-03-0910  
 CDR Code #: 0095

\*CDL Yes  No  CMV Yes  No  Hazmat Yes  No   
 In disposition of the said indictment comes now the Defendant who was  
 TO: Kidnapping/Kidnapping (0-30) Rec: Concurrent

SENTENCE SHEET  
 Alford plea  
 CONVICTED OF or  PLEADS

in violation of § 16-03-0910 of the S.C. Code of Laws, bearing CDR Code # 0095  
 NON-VIOLENT  VIOLENT  SERIOUS  MOST SERIOUS  Mandatory GPS(CSC  §17-25-45  
 w/minor 1st or Lewd Act)

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: 9/22/18 SCB77517 Defendant Julie Rochester SCB79314  
 HUNTER, JAMES EDWARD SC Bar# Rochester, Julie SC Bar#  
 Attorney for Defendant

WHEREFORE, the Defendant is committed to the  State Department of Corrections,  County Detention Center,  
 for a determinate term of 25 days/months/years or  under the Youthful Offender Act not to exceed \_\_\_\_\_ years  
 and/or to pay a fine of \$ \_\_\_\_\_; provided that upon the service of \_\_\_\_\_ days/months/years and/or payment  
 of \$ \_\_\_\_\_; plus costs and assessments as applicable\*; the balance is suspended with probation for \_\_\_\_\_  
 months/years and subject to South Carolina Department of Probation, Parole and Pardon 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 SCDOC.  
 The Defendant is to be placed on the Central Registry of Child Abuse and Neglect pursuant to S.C. Code §17-25-135. 300 days  
 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: \$ \_\_\_\_\_

Payment Terms: \_\_\_\_\_  
 Set by SCDPPS \_\_\_\_\_

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 (Public Def/Probation)	\$500	\$
§14-1-212 (Law Enforce. Funding)	\$25	\$ <u>25.00</u>
§14-1-213 (Drug Court Surcharge)	\$150	\$
§50-21-114(BUI Breath Test Fee)	\$50	\$
§56-5-2942(J) (Vehicle Assessment)	\$40/ea	\$
3% to County (if paid in installments)		\$ <u>3.75</u>
<b>TOTAL</b>		\$ <u>128.75</u>

RECEIVED  
 JUN 25 2018

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 \$ \_\_\_\_\_ beginning \_\_\_\_\_  
 \$ \_\_\_\_\_ paid to Public Defender Fund

Other: No Contact with Victim  
ATTN while DOC

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 [Signature]  
 Court Reporter: [Signature]

Presiding Judge \_\_\_\_\_  
 Judge Code: 2132  
 Sentence Date: 6/13/18

WITNESSES

Spartanburg Co. Sheriff's Office

REPORT ENDED *Computer*

CARD PULLED

INDEXED

CHECKED IN *Jerry W. [Signature]*

CHECKED OUT

RECEIVED

FILED *Computer*

ARREST WARRANT NUMBER

2017A4210103033

ACTION OF GRAND JURY

*QE*  
Foreperson of Grand Jury  
Date:

**True Bill**  
DEC 06 2017

VERDICT

Foreperson of Petit Jury  
Date:

DOCKET NO **17-GS-42-6079**

The State of South Carolina  
County of Spartanburg

Barry J. Barnette, Solicitor

COURT OF GENERAL SESSIONS

DEC 11 2017

TERM

THE STATE  
vs.

Gerald Edward Caldwell

Indictment for  
KIDNAPPING

SC Code: 16-03-910  
CDR Code: 0095  
Class FEL-A

FILED  
CLERK OF COURT  
SPARTANBURG COUNTY  
2017 DEC 14 PM 12:01  
M. HOPE BLACKLEY

**RECEIVED**  
JUN 25 2018  
SC Court of Appeals

*76*

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF SPARTANBURG )

INDICTMENT

DEC 06 2017

At a Court of General Sessions, convened on \_\_\_\_\_ the  
Grand Jurors of Spartanburg County present upon their oath:

**KIDNAPPING**

----- The Defendant, Gerald Edward Caldwell, did in Spartanburg County, on or about  
September 22, 2016, unlawfully seize, confine, inveigle, decoy, kidnap, abduct and/or  
carry away the victim, \_\_\_\_\_ Robinson, from \_\_\_\_\_ d., Spartanburg, South  
Carolina, forcing the victim into his residence at gun point, without authority of law, all in  
violation of Section 16-03-910, *THE CODE OF LAWS OF SOUTH CAROLINA*, (1976,  
as amended).

Against the peace and dignity of the State, and contrary to the statute in such  
case made and provided.

  
\_\_\_\_\_  
Assistant Solicitor