

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

RECEIVED

JUN 15 2017

SC Court of Appeals

Appeal from Spartanburg County
J. Derham Cole, Circuit Court Judge
Appellate Case No. 2014-000764

THE STATE,

Respondent,

vs.

STEPHANIE IRENE GREENE,

Appellant.

**RETURN TO MOTION FOR
BOND PENDING APPEAL**

Respondent State of South Carolina opposes Appellant Greene's petition for an appeal bond and would show this Court:

I.

Following a four day trial, the jury convicted Stephanie Greene of homicide by child abuse, involuntary manslaughter, and unlawful conduct towards a child. The Honorable J. Derham Cole, Sr., sentenced Greene to concurrent sentences of twenty years' imprisonment for homicide by child abuse and five years' imprisonment for both unlawful conduct towards a child and involuntary manslaughter.

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S.C. SUPREME COURT

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SC Court of Appeals

II.

As this Court is aware, Greene hid her pregnancy and the fact she was breastfeeding the victim from her doctors to obtain and consume dangerous opioids without the care or oversight of a treating physician. Morphine and extreme indifference killed the weeks old infant, who slowly died from respiratory failure. The infant lost considerable weight even as she vainly attempted to nurse from her mother. Only when the end was near did Greene bother to use formula, which could easily have prevented the death and Greene never bothered to seek necessary medical attention.

Greene's past conduct is a history filled with conniving means to obtain opioids, the exhibition of extreme intoxication, and the indifference to the well-being of her children. It culminated with her infant's death on November 13, 2010, but the narcotics-motivated subterfuge and child neglect spans a decade.

Greene pled guilty to unlawful conduct towards a child on October 7, 2003 (Her last name was Neet at the time). Based on the incident report and warrant, Greene was grossly intoxicated and wearing pajamas when wandering around a Bi-Lo parking lot in Landrum on November 19, 2001 at around 6:40 p.m. She was unable to give officers any information. The victims, her two children, were in the shopping cart wearing short sleeve shirts and the youngest wearing no shoes. Notes from the preliminary hearing indicate it was a cold day. The vehicle itself was parked in the exit lane and locked with the headlights left on. The incident report indicates DSS already investigated Greene prior to the incident and the children were taken into protective custody by the Landrum Police Department. When she was put in the patrol car, Greene told officers she needed to pick up her children. [See Exhibit A].

A family court order entered June 20, 2002 found Greene stipulated without admission to findings that two of her children were abused or neglected and the children were physically neglected by Greene. Custody was given to the father. She was ordered to receive substance abuse counseling. [See Exhibit F].

An investigative report prepared by Bruce E. Clary, an inspector with the South Carolina Department of Health and Environmental Control, Bureau of Drug Control reported that on August 1, 2002, a tubex of morphine was alleged to be broken at the Spartanburg Regional Medical Center, but no liquid was present and no waste of medication was documented. Greene was on duty at the time, she denied wrongdoing during questioning, but refused to provide a drug screen and was terminated. [See Exhibit E].

On information and belief, Greene was convicted of driving under the influence on April 9, 2003. She also has a 2003 conviction for driving under suspension. R. p 595, tr. p. 609.

Greene pled guilty to obtaining a controlled substance by fraud on August 13, 2003. The incident report from April 1, 2003, indicates that law enforcement was contacted by the Walmart Pharmacy on Greenville Highway in Spartanburg after Greene called the pharmacy and posed as staff from a hospital (“Cherie”) in order to obtain Darvocet. The supposed prescribing doctor was in Australia at the time and no longer employed at the hospital. When Greene called the pharmacy later to confirm the prescription, the pharmacy recognized her voice was the same as the purported “Cherie” who called earlier. She was interviewed by law enforcement that day when she attempted to pick up her prescription and admitted attempting to call in a prescription and admitted she did not have one from the doctor. [See Exhibit B].

Between the time she was apprehended and ultimately pled guilty to that charge, she attempted to obtain another prescription drug by fraud, on June 2, 2003. The pharmacist at the Landrum Drug pharmacy reported that Greene called in a refill prescription on a previously forged prescription. The difficult to read statement indicates the prescription was for vicoprofen. The pharmacist indicated the last time, she got away, but he remembered her this time. Greene was apprehended and was grossly intoxicated. She was also charged with disorderly conduct. She also was in possession of two Lortabs in an aspirin bottle. The doctor provided law enforcement with a letter in which he advised law enforcement that he did not proscribe her any medication and she was never a patient of his. A jury convicted Greene of attempt to obtain a controlled substance by fraud on November 13, 2003. [See Exhibit C].

In November, 2004, Greene entered into a consent agreement with the State Board of Nursing agreeing to suspension of her nursing license. In the Consent Agreement, Greene admits: (1) she appeared disorganized and irrational while on duty at Magnolia Manor in Inman, she failed to document administration of medication, and failed to administer medication to several patients on March 11, 2003; (2) on March 28, 2003, she attempted to call in unauthorized prescriptions for narcotics while employed at Med America Services of Spartanburg; and (3) refused to submit to a drug screen on April 30, 2003, after exhibiting strange behavior while on duty at Med America. [See Exhibit D].

According to a family court complaint for removal, on August 26, 2003, Greene's six-year-old child went to a neighbor's house and told the neighbor he was locked out of his house. He said he left the house while his mother was asleep and locked himself out. Responding officers knocked on the door for five minutes before Greene answered the door. Officers

conducted a protective sweep of the home, locating her four-year-old child, and found the home was dangerous and unsafe for children. They noted spoiled food and knives left within children's reach. [See Exhibit F].

At trial on the instant charges, the trial court severed thirty-eight counts of obtaining a prescription by fraud. On a later date, Greene entered an Alford plea to nineteen of the charges pursuant to a plea agreement with the Solicitor's Office. Although an Alford plea, Greene agreed with the facts alleged by the State for those nineteen charges. Solicitor Barnette noted that the State agreed to the plea bargain based on judicial economy, since Greene was serving the twenty-year sentence for the convictions in the instant case. [See Exhibit G, transcript dated July 22, 2014].

III.

Unlike cases where a pretrial bond is sought, Greene does not come before this Court with the cloak of innocence. She was convicted by a jury of homicide by child abuse. This conviction demonstrates the jury's belief that Greene's ingestion of fraudulently obtained morphine caused the infant's death, and the jury believed the infant's death was the result of Greene's extreme indifference.

Although this Court has found it holds the inherent power to grant bail, the legislature has expressed its clear intent to limit granting bail for serious crimes such as this homicide. Pursuant to S.C. Code § 18-1-90 (Supp. 2004), "bail is not allowed when the defendant has been sentenced to . . . imprisonment for more than ten years." But see State v. Whitener, 225 S.C. 244, 81 S.E.2d 784 (1954) (finding statute prohibiting bail pending appeal for sentence of more than ten years did not restrict the Court's inherent power to grant bail).

Greene's actions through the years demonstrate she is erratic and dangerous to those around her, especially to children in her care (she has a child who was seven at the time of conviction (R. p. 592)), but also anyone travelling on the roads. She is manipulative and focused on her quest for more opioids. Those around her seem prone to enabling her addiction. She is also a flight risk since she faces approximately another fourteen years of incarceration where access to opioids is extremely restricted.

WHEREFORE, Petitioner/Respondent requests that this Court deny the motion for bond.

Respectfully submitted,

ALAN WILSON
Attorney General

DAVID SPENCER
Senior Assistant Attorney General

BY: 

David Spencer
Office of the Attorney General
S.C. Bar No 68571

Post Office Box 11549
Columbia, SC 29211
(803) 734-3737

ATTORNEYS FOR PETITIONER/RESPONDENT

June 15, 2017

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

Appeal From Spartanburg County
The Honorable J. Derham Cole, Circuit Court Judge

Appellate Case No: 2014-00764

THE STATE,

Respondent,

v.

STEPHANIE IRENE GREENE,

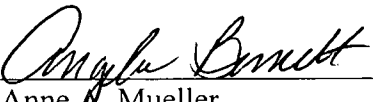
Appellant.

PROOF OF SERVICE

I, Anne Mueller, certify that I have served the Return to the Motion for Appeal Bond on Appellant by depositing two copies of the same in the United States mail, postage prepaid, addressed to his attorney of record C. Rauch Wise, Esquire, 305 Main Street, Greenwood, SC 29646.

I further certify that all parties required by Rule to be served have been served.

This 15th day of June, 2017.

for 
Anne A. Mueller
Legal Assistant
Office of Attorney General
Post Office Box 11549
Columbia, SC 29211
(803) 734-3727

RECEIVED

JUN 15 2017

SC Court of Appeals

STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

Appeal from Spartanburg County
J. Derham Cole, Circuit Court Judge
Appellate Case No. 2014-000764

THE STATE,

Respondent,

vs.

STEPHANIE IRENE GREENE,

Appellant.

**RETURN TO MOTION FOR
BOND PENDING APPEAL**

EXHIBITS

ALAN WILSON
Attorney General

DAVID SPENCER
Senior Assistant Attorney General
Post Office Box 11549
Columbia, SC 29211
(803) 734-3737

ATTORNEYS FOR PETITIONER/RESPONDENT

A

SPMRT
COUNT
STATE

STATE OF SOUTH CAROLINA
COUNTY OF Spartanburg
STATE vs.
Stephanie Inoue Neet
AKA: _____
Race: w Sex: F Age: 29
DOB: 1/24 SS#: _____
Address: Emerald Drive
City, State, Zip: Campobello, SC 29322
DL# _____ SID# _____

IN THE COURT OF GENERAL SESSIONS

INDICTMENT/CASE#: 02 -GS- 42 - 0755
AW#: H 095538
Date of Offense: November 19, 2001
S.C. Code §: 20-7-50
CDR Code #: 2141811
 CASE RESTORED
 SENTENCE
 PLEA TRIAL

In disposition of the said indictment comes now the Defendant who was CONVICTED OF or PLEADS nolo contendere
TO: unlawful conduct towards a child
in violation of § 20-7-50 of the S.C. Code of Laws, bearing CDR Code # 2141811
 NON-VIOLENT VIOLENT SERIOUS MOST SERIOUS 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: [Signature] Solicitor Stephanie Neet Defendant William G. May Jr. Attorney for Defendant

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 _____ years
and/or to pay a fine of \$ _____; provided that upon the service of 90 days/months/years and/or payment
of \$ 200; plus costs and assessments as applicable*; the balance is suspended with probation for 3
months/years and subject to South Carolina Department of Probation, Parole and Pardon Services standard conditions of probation,
which are incorporated by reference.
 CONCURRENT or CONSECUTIVE to sentence on: _____
 The Defendant is to be given credit for time served pursuant to S.C. Code §24-13-40 to be calculated and applied by the State
Department of Corrections.

SPECIAL CONDITIONS:

RESTITUTION: Heard, Waived, Ordered
Total: \$ _____ plus 20% fee: \$ _____
Payment Terms: _____
 set by SCDPPPS _____

PTUP _____ days/hours Public Service Employment
Obtain GED _____
Attend Voc. Rehab. or Job Corp. X
May serve W/E beginning _____
Substance Abuse Counseling X
Random Drug/Alcohol Testing X
Fine may be pd. in equal, consecutive weekly/monthly
pmts. of \$ _____ beginning _____
\$ _____ paid to Public Defender Fund
Other: W/E and follow any treatment all
drug and alcohol use and follow that
program; no unsupervised visitation w/
children until completion of treatment.
contact w/ husband
 Appointed PD or appointed other counsel, \$35.13 TP.
Requires \$500 be paid to Clerk during probation.

Recipient: _____ \$
*Fine: _____ \$
§14-1-206 (Assessments 107.5%) \$100 \$
§14-1-211(A)(1) (Conv. Surcharge) \$100 \$
§14-1-211(A)(2) (DUI Surcharge) \$12 \$
§56-5-2995 (DUI Assessment) \$500 \$
§ 35.13 (Public Def/Prob) \$25 \$
§73.3, 1B TP (Law Enforce. Funding) \$100 \$
§33.7, 1B TP (Drug Court Surcharge) \$50 \$
§50-21-114(BUI Breath Test Fee) \$40/ea \$
§56-5-2942(J) (Vehicle Assessment) \$ \$
3% to County (if paid in installments) \$ \$
TOTAL \$ \$

Mac Kitchen / B. Bonnell
Clerk of Court/ Deputy Clerk
Court Reporter: Rinda Martin

PRESIDING JUDGE _____
Judge Code: _____
Sentence Date: October 17, 2003

WITNESSES

G.M. Turner

Landrum Police Dept.

1. SENTENCE MADE

2. REPORT ENDED

3. CARD PULLED

4. INDEXED

5. CHECKED WARRANTS

6. CHECKED SIGNATURE

7. ASSESSMENT AND

ARREST WARRANT NUMBER

1095538 3 TRAFFIC VIOLATIONS COPY

Computer

DOCKET NO.

02-GS-42-0755

The State of South Carolina

County of Spartanburg

Trey Gowdy, Solicitor

COURT OF GENERAL SESSIONS

TERM

THE STATE
vs.

Stephanie Irene Neet

ACTION OF GRAND JURY

True Billy
Foreperson of Grand Jury

Date: 2/21/02

VERDICT

Foreperson of Petit Jury
Date:

Indictment for
CHILDREN/NEGLECT OF CHILD

SC Code: 20-7-50
CDR Code: 2481
Class FEL-E

2003 SEP 23 AM 11:19

MARC KITCHENS

STATE OF SOUTH CAROLINA)
)
COUNTY OF SPARTANBURG)

INDICTMENT

FEB 21 2002

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

CHILDREN/NEGLECT OF CHILD

The defendant, Stephanie Irene Neet, did in Spartanburg County on or about November 19, 2001, willfully and unlawfully, being the legal custodian of and/or having charge of, and/or being responsible for the care and support of the minor child/children, Minor and MinorMinor, did place the child/children at an unreasonable risk of harm affecting the child/children's life, physical or mental health or safety, in violation of Section 20-7-50, 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

AGENCY I.D.
SC-0421000

INCIDENT REPORT
Landrum Police Department

CASE NUMBER

NCIC

INCIDENT TYPE	COMPLETED	FORCED ENTRY	PREMISE TYPE	UNITS ENTERED	TYPE VICTIM
1. PDC (Drunk)	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES <input type="checkbox"/> NO	Parking Lot		<input type="checkbox"/> Individual <input type="checkbox"/> Business <input type="checkbox"/> Financial Inst. <input type="checkbox"/> Government <input type="checkbox"/> Relig. Org. <input type="checkbox"/> Scientific <input type="checkbox"/> Other <input type="checkbox"/> Unknown <input type="checkbox"/> Police Off.
2. Child Neglect	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES <input type="checkbox"/> NO			
3.	<input type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES <input type="checkbox"/> NO			

INCIDENT LOCATION (If ROOMING, APARTMENT AND NUMBER, STREET NAME AND NUMBER) ZIP CODE WEAPON TYPE

ACCIDENT DATE 24 HR CLOCK TO DATE 24 HR CLOCK DISPATCH DATE TIME 24 HR CLOCK DEPARTURE TIME

COMPLAINANT'S NAME (LAST, FIRST, MIDDLE) #1 #2 #3 RESIDENT RACE SEX AGE ETH DAYTIME PHONE EVENING PHONE

ADDRESS CITY STATE ZIP CODE LOCATION NO

VICTIM'S NAME (LAST, FIRST, MIDDLE) #1 #2 #3 RESIDENT RACE SEX AGE ETH DAYTIME PHONE EVENING PHONE

HEIGHT WEIGHT HAIR EYES FACIAL HAIR SCARS TPOOS GLASSES CLOTHING PHYSICAL PECULIARITIES ETC.

ADDRESS CITY STATE ZIP CODE LOCATION NO

WARRANT ALIBI (VICT. YES NO) EXPLAIN VICTIM (NO. 1) DRUGS (YES NO) UNK () TYPE

TWO-MAN VEH. ONE-MAN VEH () DETECTIVE, SPLASHT () OTHER () ALONE () ASSISTED ()

SUBJECT NAME (LAST, FIRST, MIDDLE) RACE SEX AGE ETH DATE OF BIRTH HEIGHT WEIGHT HAIR EYES

ADDRESS CITY STATE ZIP CODE LOCATION NO

SUBJECT (NO. 1) DRUGS (YES NO) UNK () ARRESTED NEAR OFFENSE SCENE (YES NO) DATE/TIME OF OFFENSE DATE/TIME OF ARREST

REASON FOR EXCEPTIONAL CLEARANCE () OFFENDER DEATH () NO PROSECUTION () EXTRADITION DENIED () VICTIM DECLINES COOPERATION () JUVENILE - NO CUSTODY

REPORTING OFFICER(S) DATE UNIT NUMBER APPROVING OFFICER DATE UNIT NUMBER

FOLLOW-UP INVESTIGATION (YES NO) OFFICER

PROPERTY EST. TYPE (THEFT) STOLEN DAMAGED BURNED RECOVERED SEIZED

SUBJECT IDENTIFIED (YES NO) SUBJECT LOCATED (YES NO) () ACTIVE () ADM. CLOSED () ARRESTED UNDER 18 () ARRESTED 18 AND OVER () EX-CLEAR UNDER 18 () EX-CLEAR 18 AND OVER

REASON FOR EXCEPTIONAL CLEARANCE () OFFENDER DEATH () NO PROSECUTION () EXTRADITION DENIED () VICTIM DECLINES COOPERATION () JUVENILE - NO CUSTODY

REPORTING OFFICER(S) DATE UNIT NUMBER APPROVING OFFICER DATE UNIT NUMBER

FOLLOW-UP INVESTIGATION (YES NO) OFFICER

PROPERTY EST. TYPE (THEFT) STOLEN DAMAGED BURNED RECOVERED SEIZED

SUBJECT IDENTIFIED (YES NO) SUBJECT LOCATED (YES NO) () ACTIVE () ADM. CLOSED () ARRESTED UNDER 18 () ARRESTED 18 AND OVER () EX-CLEAR UNDER 18 () EX-CLEAR 18 AND OVER

REASON FOR EXCEPTIONAL CLEARANCE () OFFENDER DEATH () NO PROSECUTION () EXTRADITION DENIED () VICTIM DECLINES COOPERATION () JUVENILE - NO CUSTODY

REPORTING OFFICER(S) DATE UNIT NUMBER APPROVING OFFICER DATE UNIT NUMBER

FOLLOW-UP INVESTIGATION (YES NO) OFFICER

NARRATIVE
ON ABOVE DATE i time R/O and Cpt. Stelwint received A call of a intoxicated female and two small children in parking lot of the Bilo they 14. When we arrived observed above subject pushing victims 2 & 3 in a shopping cart across parking lot toward Landrum. Subject was grossly intoxicated and unable to give officers any information. R/O was familiar with subject from prior calls. Victim was subject's son and daughter. Subject was in her pajamas and both children in short sleeve shirts the youngest being without shoes. Subjects

EVENT

VICTIM NO. 1

SUBJECT NO. 1

NARRATIVE

PROPERTY EST.

ADMINISTRATIVE

AGENCY I.D.
SC-0421000

SUPPLEMENTARY REPORT
Landrum Police Department

CASE NUMBER

[Empty case number box]

NO. [] EXT. []

<input type="checkbox"/> ORIGINAL REPORT	<input type="checkbox"/> SUPPLEMENTAL REPORT	<input type="checkbox"/> ADDITIONAL VICTIMS	<input type="checkbox"/> ADDITIONAL STOLEN PROPERTY	PAGE _____ OF _____ PAGES
<input type="checkbox"/> COPIES ORIGINAL	<input type="checkbox"/> CASE STATUS CHANGE	<input type="checkbox"/> ADDITIONAL OFFENSES	<input type="checkbox"/> ADDITIONAL RECOVERED PROPERTY	

Vehicle was found on the east side of the parking lot in exit lane, locked with headlights left on. After subject was placed into Police Vehicle she stated she needed to go pick-up her kids. Subject has been investigated by DSS prior to this incident. Both children were taken into protective custody by this Department and transported to children's shelter in Spots. Vehicle was towed by McMurters towing, ~~subject~~ subject transported to 51366 Co. Jail.

NARRATIVE

SUBJECT IDENTIFIED <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	SUBJECT LOCATED <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> ACTIVE <input type="checkbox"/> ADM CLOSED <input type="checkbox"/> UNFOUNDED	<input type="checkbox"/> ARRESTED UNDER 18 <input checked="" type="checkbox"/> ARRESTED 18 AND OVER	<input type="checkbox"/> EX-CLEAR UNDER 18 <input type="checkbox"/> EX-CLEAR 18 AND OVER
REASON FOR EXCEPTIONAL CLEARANCE: <input type="checkbox"/> OFFENDER DEATH		2. <input type="checkbox"/> NO PROSECUTION	3. <input type="checkbox"/> EXTRADITION DENIED	4. <input type="checkbox"/> VICTIM DECLINES COOPERATION
REPORTING OFFICER(S) K. M. Turner	DATE 11-19-01	UNIT NUMBER 526	APPROVING OFFICER	S. C. JUVENILE - NO CUSTODY DATE [] UNIT NUMBER []
FOLLOW-UP INVESTIGATION <input type="checkbox"/> YES <input type="checkbox"/> NO		OFFICER		

ADMINISTRATIVE

WITNESSES

K.M. Turner

Landrum Police Dept.

ARREST WARRANT NUMBER
H095538

ACTION OF GRAND JURY

Tracie Bell
Yvonne Wilkins
Foreperson of Grand Jury

Date: *2/21/02*

VERDICT

Foreperson of Petit Jury
Date:

DOCKETED

02-GJ-42-0755

The State of South Carolina

County of Spartanburg

Trey Gowdy, Solicitor

COURT OF GENERAL SESSIONS

FEB 25 2002

TERM

THE STATE
vs.

Stephanie Irene Neet

Indictment for
CHILDREN/NEGLECT OF CHILD

SC Code: 20-7-50
CDR Code: 2481
Class FEL-E

AGENCY I.D.
SC-0421000

INCIDENT REPORT
Landrum Police Department

CASE NUMBER

NCIC

NO. ENTD.

INCIDENT TYPE	COMPLETED	FORCED ENTRY	PREMISE TYPE	UNITS ENTERED	TYPE VICTIM
1. PDC (Drunk)	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES <input type="checkbox"/> NO	Parking Lot		<input type="checkbox"/> Individual <input type="checkbox"/> Business <input type="checkbox"/> Financial Inst. <input type="checkbox"/> Government <input type="checkbox"/> Relig. Orgn. <input type="checkbox"/> Soc. Pro. Soc. <input type="checkbox"/> Other <input type="checkbox"/> Unknown <input type="checkbox"/> Police Off.
2. Child Neglect	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES <input type="checkbox"/> NO			

3. INCIDENT LOCATION (SUBDIVISION, APARTMENT AND NUMBER, STREET NAME AND NUMBER) _____ ZIP CODE _____ WEAPON TYPE _____

INCIDENT DATE	24 HR CLOCK	TO	DATE	24 HR CLOCK	DISP. DATE	DISP. TIME	TIME ARRIVED	DEPART. TIME	LOCATION NO.
11-19-01	1840	-	11-19-01	1840					

COMPLAINANT'S NAME (LAST, FIRST, MIDDLE) #1 #2 #3
Turner, Keven, M

RESIDENT SOU RACE W M SEX M AGE 30 ETH N DAYTIME PHONE 457-7281 X EVENING PHONE H B

ADDRESS CITY STATE ZIP CODE LOCATION NO.
100 N. Shamrock Ave. Landrum SC 29356 520

VICTIM'S NAME (LAST, FIRST, MIDDLE) #1 #2 #3
CITY OF Landrum

RESIDENT SOU RACE W M SEX M AGE 30 ETH N DAYTIME PHONE 457-7281 X EVENING PHONE H B

HEIGHT WEIGHT HAIR EYES FACIAL HAIR, SCARS, TATTOOS, GLASSES, CLOTHING, PHYSICAL PECULIARITIES, ETC.

ADDRESS CITY STATE ZIP CODE LOCATION NO.
100 N. Shamrock Ave. Landrum SC 29356 520

VISIBLE INJURY (VICT. 1) YES NO EXPLAIN -

VICTIM (NO. 1) USING ALCOHOL YES NO UNK DRUGS YES NO UNK TYPE.

TWO-MAN VEH ONE-MAN VEH DETECTIVE/SPLASMT. OTHER ALONE ASSISTED

NAME (LAST, FIRST, MIDDLE) RACE SEX AGE ETH DATE OF BIRTH HEIGHT WEIGHT HAIR EYES
Nect, Stephanie, Irene W F 27 N [REDACTED] 74 5-04 102 BM BRN

ADDRESS CITY STATE ZIP CODE LOCATION NO.
[REDACTED] N. Trade Ave Landrum SC 29356 520

ARRESTED NEAR OFFENSE SCENE YES NO DATE/TIME OF OFFENSE DATE/TIME OF ARREST

SUBJECT (NO. 1) USING ALCOHOL YES NO UNK DRUGS YES NO UNK TYPE.

JURISDICTION OF THEFT LAW ENFORCEMENT AGENCY JURISDICTION OF RECOVERY LAW ENFORCEMENT AGENCY

ON ABOVE DATE & TIME R/O and Cpt. Stelwint received a call of an intoxicated female and two small children in parking lot of the Biko they 14. When we arrived observed above subject pushing victims 2 & 3 in a shopping cart across parking lot toward Landrum. Subject was grossly intoxicated and unable to give officers any information. R/O was familiar with subject from prior calls. Victims was subject's son and daughter. Subject was in her pajamas and both children in short sleeve shirts the youngest being without shoes. Subject

PROPERTY EST. TYPE (GSP#) STOLEN DAMAGED BURNED RECOVERED SEIZED

SUBJECT IDENTIFIED YES NO SUBJECT LOCATED YES NO

REASON FOR EXCEPTIONAL CLEARANCE 1. OFFENDER DEATH 2. NO PROSECUTION 3. EXTRADITION DENIED 4. VICTIM DECLINES COOPERATION

REPORTING OFFICER(S) DATE UNIT NUMBER APPROVING OFFICER DATE UNIT NUMBER
K. M. Turner 11-19-01 526

FOLLOW-UP INVESTIGATION YES NO OFFICER

AGENCY I.D:
SC-0421000

SUPPLEMENTARY REPORT
Landrum Police Department

CASE NUMBER

[Empty box for Case Number]

NCIC

NO.	ENTD.

- ORIGINAL REPORT
- MODIFIES ORIGINAL
- SUPPLEMENTAL REPORT
- CASE STATUS CHANGE
- ADDITIONAL VICTIMS
- ADDITIONAL OFFENDERS
- ADDITIONAL STOLEN PROPERTY
- ADDITIONAL RECOVERED PROPERTY

PAGE _____ of _____ PAGES.

Vehicle was found on the east side of the parking lot in exit lane, locked with headlights left on. After subject was placed into police vehicle she stated she needed to go pick-up her kids. Subject has been investigated by DSS prior to this incident. Both children were taken into protective custody by this department and transported to children's shelter in Galveston. Vehicle was towed by McInters towing, ~~subject~~ was transported to 5136 Co. Jail.

NARRATIVE

ADMINISTRATIVE	SUBJECT IDENTIFIED <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO		SUBJECT LOCATED <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO		<input type="checkbox"/> ACTIVE <input type="checkbox"/> ADM CLOSED <input type="checkbox"/> UNFOUNDED		<input type="checkbox"/> ARRESTED UNDER 18 <input checked="" type="checkbox"/> ARRESTED 18 AND OVER		<input type="checkbox"/> EX-CLEAR UNDER 18 <input type="checkbox"/> EX-CLEAR 18 AND OVER		
	REASON FOR EXCEPTIONAL CLEARANCE: 1. <input type="checkbox"/> OFFENDER DEATH 2. <input type="checkbox"/> NO PROSECUTION 3. <input type="checkbox"/> EXTRADITION DENIED 4. <input type="checkbox"/> VICTIM DECLINES COOPERATION 5. <input type="checkbox"/> JUVENILE - NO CUSTODY				APPROVING OFFICER:		DATE	UNIT NUMBER			
	REPORTING OFFICER(S)			DATE	UNIT NUMBER						
	K. M. Turner			11-19-01	526	FOLLOW-UP INVESTIGATION <input type="checkbox"/> YES <input type="checkbox"/> NO		OFFICER			

Computer

ARREST WARRANT

H-095538 11/24/01

STATE OF SOUTH CAROLINA

County/ Municipality of
SPARTANBURG COUNTY

THE STATE
against

NEET, STEPHANIE IRENE

Address: NORTH TRADE STREET
LANDRUM, SC 29356

Phone: SSN: - -

Sex: F Race: W Height: 5'04" Weight: 102

DL State: DL#: - -

DOB: 1974 Agency ORI#: - -

Prosecuting Agency: - -

Prosecuting Officer: TURNER, K.M.

Offense: Children/Neglect of child

Offense Code: 2481

Code/Ordinance Sec. 20-07-0050

This warrant is CERTIFIED FOR SERVICE in the
 County/ Municipality of

The accused
is to be arrested and brought before me to be
dealt with according to law.

Signature of Judge (LS.)

Date: _____

RETURN

A copy of this arrest warrant was delivered to
defendant NEET, STEPHANIE IRENE

on 11/19/01

Signature of Constable/Law Enforcement Officer
P A Miller

RETURN WARRANT TO:

JOHN POOLE
COUNTY JAIL
SPARTANBURG, SC 29306

STATE OF SOUTH CAROLINA)
 County/ Municipality of)
SPARTANBURG COUNTY)

AFFIDAVIT CASE # H095538

Form Approved by
S.C. Attorney General
July 28, 1990
SCCA 518

Personally appeared before me the affiant TURNER, K.M. who
being duly sworn deposes and says that defendant NEET, STEPHANIE IRENE
did within this county and state on 11/19/01 violate the criminal laws of the
State of South Carolina (or ordinance of County/ Municipality of SPARTANBURG)
in the following particulars:

DESCRIPTION OF OFFENSE: Children/Neglect of child
20-07-0050

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

THE DEFENDANT, BEING THE LAWFUL GUARDIAN OF Minor AND Minor Minor, DID
WILLFULLY NEGLECT TO PROVIDE SAFETY FOR SAID MINOR CHILDREN BY PUSHING
A GROCERY CART IN THE PARKING LOT OF BILO IN LANDRUM, SC WHILE
INTOXICATED.

OFFICER'S BELIEF IS BASED UPON PERSONAL KNOWLEDGE.

Sworn to and subscribed before me
on NOVEMBER 19, 2001

Signature of Issuing Judge (LS.)
John Poole

K.M. Turner
Signature of Affiant
Affiant's Address 100 NORTH SHAMROCK AVE
LANDRUM, SC 29356
Affiant's Telephone 000-0000

STATE OF SOUTH CAROLINA)
 County/ Municipality of)
SPARTANBURG)

ARREST WARRANT

TO ANY LAW ENFORCEMENT OFFICER OF THIS STATE OR MUNICIPALITY OR ANY CONSTABLE OF THIS COUNTY:

It appearing from the above affidavit that there are reasonable grounds to believe that
on 11/19/01 defendant NEET, STEPHANIE IRENE

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

County/ Municipality of SPARTANBURG) as set forth below:

DESCRIPTION OF OFFENSE: Children/Neglect of child
20-07-0050

Now, therefore, you are empowered and directed to arrest the said defendant and bring him or her before
me forthwith to be dealt with according to law. A copy of this Arrest Warrant shall be delivered to the
defendant at the time of its execution, or as soon thereafter as is practicable.

Signature of Issuing Judge (LS.)
John Poole
Judge's Address COUNTY JAIL
SPARTANBURG, SC 29306
Judge's Telephone 864 596-3424
Issuing Court: Magistrate Municipal Circuit

MAILED COPY
M. HAMMOND
CLERK OF COURT
SPARTANBURG COUNTY
BY: [Signature]
DATED

2001 NOV 25 PM 03:00
MAGISTRATE

ORIGINAL

B

STATE OF SOUTH CAROLINA)
 COUNTY OF SPARTANBURG)
 STATE VS.)
Stephanie Irene Neet)
 AKA:)
 Race: W Sex: F Age: 29)
 DOB: [REDACTED] F74 SS#: [REDACTED])
 Address: [REDACTED] North Trade Ave.)
 City, State, Zip Landrum, SC 29356)
 DL# [REDACTED] SID# [REDACTED])

IN THE COURT OF GENERAL SESSIONS

Computer
 03 -GS- INDICTMENT/CASE#: 1967
 AN#: 42
 Date of Offense: 4/1/2003
 S.C. Code §: 44-157-290
 CDR Code #: 0151615
 CASE RESTORED
 SENTENCE
 PLEA TRIAL

In disposition of the said indictment comes now the Defendant who was CONVICTED OF or PLEADS TO: Out. controlled substance by food (0-5) in violation of § 44-157-290 of the S.C. Code of Laws, bearing CDR Code # 0151615
 NON-VIOLENT VIOLENT SERIOUS MOST SERIOUS 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. : probation
 ATTEST: [Signature] Solicitor [Signature] Defendant [Signature] Attorney for Defendant

WHEREFORE, the Defendant is committed to the State Department of Corrections, County Detention Center, for a determinate term of 30 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 10 months/years and subject to South Carolina Department of Probation, Parole and Pardon Services standard conditions of probation, which are incorporated by reference.
 CONCURRENT or CONSECUTIVE to sentence on: _____
 The Defendant is to be given credit for time served pursuant to S.C. Code §24-13-40 to be calculated and applied by the State Department of Corrections.

SPECIAL CONDITIONS:

RESTITUTION: Heard, Waived, Ordered
 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 \$ _____
 §14-1-211(A)(2) (DUI Surcharge) \$100 \$ _____
 §56-5-2995 (DUI Assessment) \$12 \$ _____
 § 35.13 (Public Def/Prob) \$500 \$ _____
 §73.3, 1B TP (Law Enforce. Funding) \$25 \$ _____
 §33.7, 1B TP (Drug Court Surcharge) \$100 \$ _____
 §50-21-114(BUI Breath Test Fee) \$50 \$ _____
 §56-5-2942(J) (Vehicle Assessment) \$40/ea \$ _____
 3% to County (if paid in installments) \$ _____
 TOTAL \$ _____

PTUP _____ 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: _____

Appointed PD or appointed other counsel, \$35.13 TP Requires \$500 be paid to Clerk during probation.

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

PRESIDING JUDGE [Signature]
 Judge Code: _____
 Sentence Date: August 13, 2003

WITNESSES

R MCSWAIN

SPTG CO SHERIFF'S OFFICE

1. SENTENCE MADE

2. REPORT MADE

3. CARD PULLED

ARREST WARRANT NUMBER

4. INDEXED

H398620 CONTROLLED WARRANTS

6. CHECKED SIGNATURE

7. ASSESSMENT AND

FINE CARD MADE

8. TRAFFIC VIOLATIONS COPY

ACTION OF GRAND JURY

Foreperson of Grand Jury

Date: 6/5/03

VERDICT

Foreperson of Petit Jury

Date:

DOCUMENT NO.

03-GS-42-1967

The State of South Carolina

County of Spartanburg

Trey Gowdy, Solicitor

COURT OF GENERAL SESSIONS

JUN 09 2003

TERM

THE STATE

VS.

STEPHANIE IRENE NEET

Indictment for

OBTAINING CONTROLLED
SUBSTANCE BY FRAUD

SC Code: 44-53-390

AGENCY I.D.
SCD 420000

INCIDENT REPORT

CASE NUMBER

NCIC

030400029

INC. ENTD.

INCIDENT TYPE	COMPLETED	FORCED ENTRY	PREMISE TYPE	UNITS ENTERED	TYPE VICTIM
1. OBTAINING CONTROLLED SUBSTANCE BY FRAUD SCHIV	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	STORE		<input type="checkbox"/> Individual <input type="checkbox"/> Business <input type="checkbox"/> Financial Inst. <input type="checkbox"/> Government <input type="checkbox"/> Relig. Orgn. <input checked="" type="checkbox"/> Soc./Public <input type="checkbox"/> Other <input type="checkbox"/> Unknown <input type="checkbox"/> Police Off.
2. WARRANT H-398620	<input type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES <input type="checkbox"/> NO			
3.	<input type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES <input type="checkbox"/> NO			

INCIDENT LOCATION (SUBDIVISION, APARTMENT AND NUMBER, STREET NAME AND NUMBER)				ZIP CODE		WEAPON TYPE
7600 GREENVILLE HIGHWAY SPARTANBURG WALMART				29301		
INCIDENT DATE	24 HR. CLOCK	TO	DATE	24 HR. CLOCK	DISPATCH DATE/TIME 24 HR. CLOCK	LOCATION NO.
04-01-03	1240				DISP. DATE: 040103 DISP. TIME: 1240 TIME ARRIVED: 1240 DEPART. TIME: 1305	22

COMPLAINANT'S NAME (LAST, FIRST, MIDDLE)	RELATIONSHIP TO SUBJECT	RESIDENT	RACE	SEX	AGE	ETH.	DAYTIME PHONE	EVENING PHONE
SPARTANBURG COUNTY NARCOTICS	#1 STR #2 #3	<input checked="" type="checkbox"/> S <input type="checkbox"/> O <input type="checkbox"/> U					596-2619 ^H	596-2619 ^H
ADDRESS	CITY	STATE	ZIP CODE	LOCATION NO.				
366 NORTH CHURCH STREET	SPARTANBURG	SC	29301	300				

VICTIM'S NAME (LAST, FIRST, MIDDLE)	RELATIONSHIP TO SUBJECT	RESIDENT	RACE	SEX	AGE	ETH.	DAYTIME PHONE	EVENING PHONE
SOC./PUBLIC	#1 #2 #3	<input type="checkbox"/> S <input type="checkbox"/> O <input type="checkbox"/> U						
HEIGHT	WEIGHT	HAIR	EYES	FACIAL HAIR, SCARS, TATTOOS, GLASSES, CLOTHING, PHYSICAL PECULIARITIES, ETC.				

ADDRESS	CITY	STATE	ZIP CODE	LOCATION NO.
VISIBLE INJURY (VICT. 1) <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO EXPLAIN -				
COMPLAINT OF ANY NON-VISIBLE INJURIES <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO				
VICTIM (NO. 1) USING: ALCOHOL <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> DUNK. DRUGS: <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> DUNK. TYPE:				
TWO-MAN VEH. <input type="checkbox"/> ONE-MAN VEH. <input type="checkbox"/> DETECTIVE/PLASMT. <input type="checkbox"/> OTHER <input type="checkbox"/> ALONE <input type="checkbox"/> ASSISTED <input type="checkbox"/> *J - This Jurisdiction S - State O - Out of State U - Unknown				

SUBJECT NO. 1	<input checked="" type="checkbox"/> SUSPECT	NAME (LAST, FIRST, MIDDLE)	RACE	SEX	AGE	ETH.	DATE OF BIRTH	HEIGHT	WEIGHT	HAIR	EYES
	<input type="checkbox"/> FUGITIVE	NEET, STEPHANIE IRENE	W	F	28	N	-74	504	100	BRN	GRN
	<input type="checkbox"/> WANTED	FACIAL HAIR, SCARS, TATTOOS, GLASSES, CLOTHING, PHYSICAL PECULIARITIES, ETC.									
	<input type="checkbox"/> WARRANT	ADDRESS	CITY	STATE	ZIP CODE	LOCATION NO.					
<input checked="" type="checkbox"/> ARREST		N. TRADE STREET	LANDRUM	SC	29356	17					
<input checked="" type="checkbox"/> JAIL	SUBJECT (NO. 1) USING: ALCOHOL <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> DUNK.		ARRESTED NEAR OFFENSE SCENE <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO.		DATE/TIME OF OFFENSE		DATE/TIME OF ARREST				
<input type="checkbox"/> BARRONS	DRUGS: <input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> DUNK. TYPE:		TOTAL # ARRESTED		04-01-03/1240		04-01-03/1240				

ON THE ABOVE DATE AND TIME I WAS DISPATCHED TO THE ABOVE LOCATION IN REF TO A FRAUDUALANT PRESCRIPTION. THE PHARMACIST STATED THAT THE PHARMACY HAD CONTACTED ST LUKES HOSPITAL IN AN ATTEMPT TO SPEAK WITH DR. GEORGE E. HARTMEN BUT WAS TOLD THAT HE NO LONGER PRACTICED MEDICINE AT THE HOSPITAL AND THAT HE HAD BEEN IN AUSTRALIA OR NEW ZEALAND. THE PHARMACIST STATED THAT THEY RECEIVED A PHONE CALL FROM A SUBJECT NAMED "CHERIE" FROM DR. HARTMEN'S OFFICE IN REF TO THE PRESCRIPTION FOR PROPO-N/APAP 100-650TAB. WHEN "CHERIE" WAS ASKED THE DOCTOR'S TELEPHONE NUMBER AND DEA NUMBER "CHERIE" COULD NOT GIVE IT. LATER THE ABOVE SUBJECT, STEPHANIE NEET, CALLED TO CONFIRM THE PRESCRIPTION. THE PHARMACY RECOGNIZED HER VOICE TO BE THE SAME AS "CHERIE". THE PRESCRIPTION IS AGENERIC FOR DARVOCET AND WAS CALLED IN IN THE AMOUNT OF 120 TABLETS. WHEN THE SUBJECT PAID THE WALMART PHARMACY THIS INV THEN APPROACHED THE SUBJECT AND IDENTIFIED

TYPE (GROUP)	DARVOCET	TOTAL VALUE
STOLEN		
DAMAGED		
RETURNED		
RECOVERED		
QTY	120	

SUBJECT IDENTIFIED	SUBJECT LOCATED	<input type="checkbox"/> ACTIVE <input type="checkbox"/> ADM. CLOSED	<input type="checkbox"/> ARRESTED UNDER 18	<input type="checkbox"/> EX-CLEAR UNDER 18	
<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> UNFOUNDED	<input checked="" type="checkbox"/> ARRESTED 18 AND OVER	<input type="checkbox"/> EX-CLEAR 18 AND OVER	
REASON FOR EXCEPTIONAL CLEARANCE: 1. <input type="checkbox"/> OFFENDER DEATH 2. <input type="checkbox"/> NO PROSECUTION 3. <input type="checkbox"/> EXTRADITION DENIED 4. <input type="checkbox"/> VICTIM DECLINES COOPERATION 5. <input type="checkbox"/> JUVENILE NO CUSTODY					
REPORTING OFFICER(S)	DATE	UNIT NUMBER	APPROVING OFFICER	DATE	UNIT NUMBER
R. MCSWAIN	04-01-03	N-35			
FOLLOW-UP INVESTIGATION <input type="checkbox"/> YES <input type="checkbox"/> NO					

030400029

NCIC
IND. ENTD.

<input checked="" type="checkbox"/> ORIGINAL REPORT	<input type="checkbox"/> SUPPLEMENTAL REPORT	<input type="checkbox"/> ADDITIONAL VICTIMS	<input type="checkbox"/> ADDITIONAL STOLEN PROPERTY
<input type="checkbox"/> MODIFIED ORIGINAL	<input type="checkbox"/> CASE STATUS CHANGE	<input type="checkbox"/> ADDITIONAL OFFENDERS	<input type="checkbox"/> ADDITIONAL RECOVERED PROPERTY

PAGE 2 OF 2 PAGES.

HIMSELF AS AN INVESTIGATOR AND ASKED MRS. NEET TO WALK TO THE WALMART SECURITY ROOM. THIS INV WAS ASSISTED BY WALMART SECURITY, SHELLY JENNINGS. THIS INV READ MRS NEET HER MIRANDA WARNINGS FROM A CARD THAT IS WORN AROUND THIS INV NECK ALONG WITH A BADGE. MRS NEET STATED THAT SHE UNDERSTOOD HER RIGHTS. SHE THEN GAVE A WRITTED STATEMENT THAT SHE CALLED IN THE PRESCRIPTION AND DID NOT HAVE ONEFROM DR. HARTMEN. SHE STATED THAT SHE WAS IN A LOT OF PAIN AND NEEDED THE MEDICATION. SHE WAS PLACED UNDER ARREST AND WAS TRANSPORTED TO THE COUNTY JAIL BY UNIFORM PATROL. THIS INV GOT A WRITTEN STATEMENT FROM THE PHARMACIST AND ALSO RECOVERED THE MEDICATION AND PLACED IT INTO EVIDENCE A THE SCSO IN BEST BAG S004642.

JUDGE OVERCASH ISSUED WARRANT H-398620 FOR OBTAINING DRUGS BY FRAUD.

NARRATIVE

SUBJECT IDENTIFIED <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO		SUBJECT LOCATED <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO		<input type="checkbox"/> ACTIVE <input type="checkbox"/> UNFOUNDED	<input type="checkbox"/> ADM. CLOSED <input type="checkbox"/> UNFOUNDED	<input checked="" type="checkbox"/> ARRESTED UNDER 18 <input checked="" type="checkbox"/> ARRESTED 18 AND OVER	<input type="checkbox"/> EX-CLEAR UNDER 18 <input type="checkbox"/> EX-CLEAR 18 AND OVER
REASON FOR EXCEPTIONAL CLEARANCE: 1. <input type="checkbox"/> OFFENDER DEATH. 2. <input type="checkbox"/> NO PROSECUTION. 3. <input type="checkbox"/> EXTRADITION DENIED. 4. <input type="checkbox"/> VICTIM DECLINES COOPERATION. 5. <input type="checkbox"/> JUVENILE-NO CUSTODY							
REPORTING OFFICER(S)		DATE	UNIT NUMBER	APPROVING OFFICER		DATE	UNIT NUMBER
R. MCSWAIN		04-01-03	N-35				
				FOLLOW-UP INVESTIGATION <input type="checkbox"/> YES <input type="checkbox"/> NO			

ADMINISTRATIVE

030400029

<input type="checkbox"/> ORIGINAL REPORT	<input type="checkbox"/> SUPPLEMENTAL REPORT	<input type="checkbox"/> ADDITIONAL VICTIMS	<input type="checkbox"/> ADDITIONAL STOLEN PROPERTY	PAGE 1 of 1 PAGES.
<input type="checkbox"/> MODIFIED ORIGINAL	<input type="checkbox"/> CASE STATUS CHANGE	<input type="checkbox"/> ADDITIONAL OFFENDERS	<input type="checkbox"/> ADDITIONAL RECOVERED PROPERTY	

NARRATIVE

On 3/28/03 a R_x was called in for Stephanie Neet for Darvocet N-100 by someone ^{"Cherie"} who said she was calling for Dr. George Hartman. The pharmacist asked the person on the phone for Dr. Hartman's phone number & DEA number. That person could not provide that information. The pharmacist told "Cherie" she couldn't fill the R_x without that information. Meanwhile Stephanie Neet kept calling to see if the R_x had been called in. The pharmacist (Cathy Pridgem) recognized that the voice of "Cherie" & Ms. Neet were the same. I called Dr. Hartman's office to verify the R_x & got no answer. I then called St. Luke's Hospital & asked them to page Dr. Hartman. I was told that he was out of the country probably in Australia & that he had not returned. Ms. Neet called this morning (4/1/03) to see if her R_x was ready. I once again called St. Luke's Hospital in Tryon NC. I spoke with Teresa in Medical Certification department & she confirmed that Dr. Hartman is in Australia or New Zealand & is no longer on staff at St. Luke's. END OF STATEMENT

June B. Shiller RPH

ADMINISTRATIVE

SUBJECT IDENTIFIED <input type="checkbox"/> YES <input type="checkbox"/> NO	SUBJECT LOCATED <input type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> ACTIVE <input type="checkbox"/> ADM. CLOSED <input type="checkbox"/> UNFOUNDED	<input type="checkbox"/> ARRESTED UNDER 18 <input type="checkbox"/> ARRESTED 18 AND OVER	<input type="checkbox"/> EX-CLEAR UNDER 18 <input type="checkbox"/> EX-CLEAR 18 AND OVER	
REASON FOR EXCEPTIONAL CLEARANCE 1. <input type="checkbox"/> OFFENDER DEATH. 2. <input type="checkbox"/> NO PROSECUTION. 3. <input type="checkbox"/> EXTRADITION DENIED. 4. <input type="checkbox"/> VICTIM DECLINES COOPERATION. 5. <input type="checkbox"/> JUVENILE-NO CRIMINAL RECORD					
REPORTING OFFICER(S)	DATE	UNIT NUMBER	APPROVING OFFICER	DATE	UNIT NUMBER
			FOLLOW-UP INVESTIGATION <input type="checkbox"/> YES <input type="checkbox"/> NO	OFFICER	

ARREST WARRANT

H-398620

STATE OF SOUTH CAROLINA

County/ Municipality of SPARTANBURG COUNTY

THE STATE against

NEET, STEPHANIE IRENE

Address: NORTH TRADE STREET LANDRUM, SC 29356

Phone: SSN: Sex: F Race: W Height: 5'04" Weight: 100 DL State: DL #: DOB: /1974 Agency ORI#:

Prosecuting Agency: Prosecuting Officer: MCSWAIN, R. Offense: Drugs/Obtaining by fraud-1st off Offense Code: 0296 Code/Ordinance Sec. 44-53-0040(B)

This warrant is CERTIFIED FOR SERVICE in the County/ Municipality of

The accused is to be arrested and brought before me to be dealt with according to law.

Signature of Judge (L.S.)

Date:

RETURN

A copy of this arrest warrant was delivered to defendant NEET, STEPHANIE IRENE on

Signature of Constable/Law Enforcement Officer

RETURN WARRANT TO: E.H. OVERCASH 180 MAGNOLIA ST SPARTANBURG, SC 29306

STATE OF SOUTH CAROLINA County/ Municipality of SPARTANBURG COUNTY

AFFIDAVIT CASE # H398620

Form Approved by S.C. Attorney General July 28, 1980 SCCA 618

Personally appeared before me the affiant MCSWAIN, R. being duly sworn deposes and says that defendant NEET, STEPHANIE IRENE did within this county and state on 04/01/03 violate the criminal laws of the State of South Carolina (or ordinance of County/ Municipality of SPARTANBURG) in the following particulars:

DESCRIPTION OF OFFENSE: Drugs/Obtaining by fraud-1st off 44-53-0040(B)

I further state that there is probable cause to believe that the defendant named above did commit the crime set forth and that probable cause is based on the following facts: THE DEFENDANT DID INTENTIONALLY OBTAIN DARVOCET, A SCHEDULE IV CONTROLLED SUBSTANCE BY MEANS OF FRAUD BY CALLING IN A FORGED PRESCRIPTION AND PICKING THE PRESCRIPTION UP.

AFFIANTS BELIEF IS BASED UPON POLICE INVESTIGATION.

Sworn to and subscribed before me on APRIL 01, 2003

Signature of Issuing Judge (L.S.)

Signature of Affiant Affiant's Address SHERIFF'S DEPARTMENT Affiant's Telephone 000-0000

STATE OF SOUTH CAROLINA County/ Municipality of SPARTANBURG

ARREST WARRANT

TO ANY LAW ENFORCEMENT OFFICER OF THIS STATE OR MUNICIPALITY OR ANY CONSTABLE OF THIS COUNTY:

It appearing from the above affidavit that there are reasonable grounds to believe that on 04/01/03 defendant NEET, STEPHANIE IRENE

did violate the criminal laws of the State of South Carolina (or ordinance of SPARTANBURG County/ Municipality of) as set forth below:

DESCRIPTION OF OFFENSE: Drugs/Obtaining by fraud-1st off 44-53-0040(B)

Now, therefore, you are empowered and directed to arrest the said defendant and bring him or her before me forthwith to be dealt with according to law. A copy of this Arrest Warrant shall be delivered to the defendant at the time of its execution, or as soon thereafter as is practicable.

Signature of Issuing Judge (L.S.) Judge's Address 180 MAGNOLIA ST SPARTANBURG, SC 29306 Judge's Telephone 864 595-2564 Issuing Court: Magistrate Municipal Circuit

ORIGINAL

VOLUNTARY STATEMENT

STATEMENT OF: Stephanie M Neet AGE 28 DATE April 1
ADDRESS: N. TRADE STREET LANDRUM
PHONE # [REDACTED] CASE: 030400029
SM

I, Stephanie Neet have been suffering from Deep Vein Thrombosis and cellulitis of Both legs. I was in so much pain I could barely walk to do simple things like dishes or laundry. I called a prescription for Darvocet out of desperation of my leg pain. Just today my family doctor, Dr Gabel wanted to do a venous doppler study of my legs and put me in the hospital for treatment. I also have severe cellulitis of both legs. I did not have a current prescription for Darvocet, but my pain was so bad I could not take it anymore. SM END OF STATEMENT

GIVEN COPY OF STATEMENT ON 04-01-03 X Stephanie M Neet

I have read this statement consisting of 1 page(s), and I certify that the facts contained therein are true and correct. I further certify that I made no request for the advice or presence of a lawyer before or during any part of this statement, nor at any time before it was finished did I request that this statement be stopped. I also declare that I was not told or prompted what to say in this statement.
This statement was completed at 12:50P M. on the 1 day of April, 2003.

WITNESS: [Signature]
WITNESS: [Signature]
Signature of person giving voluntary statement: Stephanie M Neet

VOLUNTARY STATEMENT

DATE 6-2-03 TIME 4 PM M. PLACE Landrum Drug
I, Dennis Burdette, am 46 years old and I live at Old South Rd, Simpson, SC 29334

I am giving this statement to Officer Turner I.D. _____, who has identified himself as a Police Officer

and he has duly warned me that I have the following rights: that I have the right to remain silent and not make any statement at all; that any statement I make may be used against me at my trial; that any statement I make may be used as evidence against me in court; that I have the right to have a lawyer present to advise me prior to and during any questioning; that if I am unable to employ a lawyer, I have the right to have a lawyer appointed to advise me prior to and during any questioning and that I have the right to terminate the interview at any time.

Prior to and during the making of the statement, I have and do hereby knowingly, intelligently, and voluntarily waive the above explained rights and I do make the following voluntary statement to the aforementioned person of my own free will and without any promises or offers of leniency or favors, and without compulsion or persuasion by any person or persons whomsoever:

On 3-28 scrip # 381603 for is Nicotifen was called in + picked up. I found out later that day that she worked there at one time + knew all the numbers to call in. I called + left message with Mr. Clary. I also knew that she was arrested that day.

On 6-2-03 she called in report. When she came in I called Landrum Police + Officer Turner came + arrested her. I was in process of checking her out + Officer Turner walked in + she tried to leave at which point he arrested her. He didn't have medicine in her possession at that point.

I have read this statement consisting of 1 page(s), each page of which bears my signature, and I do affirm that all facts and statements contained herein are true and correct.

LANDRUM DRUGS
104 W. RUTHERFORD RD.
LANDRUM, SC 29356

Dennis Burdette
Signature of person making voluntary statement

The above warnings were given by and this voluntary statement was taken by Dennis Burdette
(This must be one and the same person as named above)

Witness



THOMAS W. WESTMORELAND, M.D.
D. MARK HICKLIN, M.D.
SCOTT A. COLEY, M.D.

July 21, 2003

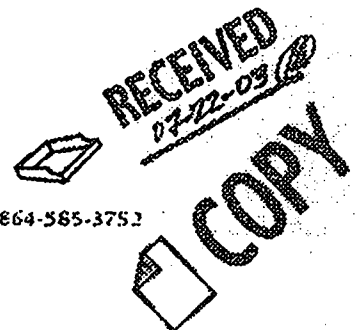
Re: Stephanie Neet

To Whom It May Concern:

Due to the information provided by Bruce Clary from DHEC and local pharmacists, it has come to my attention that several medications have been written for or called in under my name without my authorization. These medications include Soma 350 and Vicoprofin for Stephanie Neet. This individual is not a patient of mine and has not been a patient of mine in the past. I did not write, issue or authorize anyone to call in either of these medications at any point and time for this individual. In looking at a photocopy of the above prescriptions, I believe they are forged, indeed that is not my signature on the prescription. If you need any more assistance concerning this matter, please let me know.

Sincerely,


Scott Coley, M. D.



C

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF Spartanburg
 STATE SC
 AKA: Stephanie Irene Nott
 Race: W Sex: F Age: 31
 DOB: 07-4 SS#: [REDACTED]
 Address: Kimbrell Loop
 City, State, Zip: Campobello, SC
 DL# _____ SID# _____

INDICTMENT/CASE#: 03 4183
 A/W#: 1514327
 Date of Offense: 6/2/03
 S.C. Code §: 44-53-420
 CDR Code #: 010217
 CASE RESTORED
 PLEA TRIAL

In disposition of the said indictment comes now the Defendant who was CONVICTED OF or PLEADS TO: Attempt - Obtain EIS by Fraud (0-2 1/2 yr for \$10-8k)
 in violation of § 44-53-420 of the S.C. Code of Laws, bearing CDR Code # 010217
 NON-VIOLENT VIOLENT SERIOUS MOST SERIOUS 17-25-45

The charge is AAs 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, for a determinate term of 60 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 2 1/2 days/months/years and/or payment of \$ _____; plus costs and assessments as applicable; the balance is suspended with probation for _____ months/years and subject to South Carolina Department of Probation, Parole and Pardon Services standard conditions of probation, which are incorporated by reference.

CONCURRENT or CONSECUTIVE to sentence on: _____
 The Defendant is to be given credit for time served pursuant to S.C. Code §24-13-40 to be calculated and applied by the State Department of Corrections. 2 weeks

RESTITUTION: Heard, Waived, Ordered
 Total: \$ _____ plus 20% fee: \$ _____
 Payment Terms: _____
 set by SCDPPPS _____

SPECIAL CONDITIONS:
 PTUP _____ 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: _____

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 \$
§ 35.13 (Public Def/Prob)	\$500 \$
§73.3, 1B TP (Law Enforce. Funding)	\$25 \$ 25.00
§33.7, 1B TP (Drug Court Surcharge)	\$100 \$ 100.00
§50-21-114(BUI Breath Test Fee)	\$50 \$
§56-5-2942(J) (Vehicle Assessment)	\$40/ea \$
3% to County (if paid in installments)	\$
TOTAL	\$228.75

Appointed PD or appointed other counsel, §35.13 TP Requires \$500 be paid to Clerk during probation.
 PRESIDING JUDGE [Signature]
 Judge Code: _____
 Sentence Date: _____

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

[Signature]
 CLERK OF COURT
 SPARTANBURG COUNTY
 BY: [Signature]
 DATED: 10-8-13

STATE OF SOUTH CAROLINA)
)
COUNTY OF SPARTANBURG)

INDICTMENT

At a Court of General Sessions, convened on _____ 2003 the
Grand Jurors of Spartanburg County present upon their oath:

ATTEMPT TO OBTAIN CONTROLLED SUBSTANCE BY FRAUD

That Stephanie Irene Neel did in Spartanburg County on or about June 2, 2003, knowingly or intentionally attempt or conspire to acquire or obtain possession of Hydrocodone, a schedule III controlled substance, by misrepresentation, fraud, forgery, deception, or subterfuge, at Landrum Drug Company, 104 W. Rutherford Road, Landrum, South Carolina, in violation of §44-53-420 and § 44-53-390, *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

WITNESSES

B CLARY

DHEC

1. SENTENCE MADE

2. RETURNED

3. BY FILED

4. BY FILED

5. BY FILED

ARREST WARRANT NUMBER

H514327

Page 3 of 3

ACTION OF GRAND JURY

True Bill

Foreperson of Grand Jury

Date: *11/13/03*

VERDICT

Foreperson of Petit Jury

Date:

DOCKET NO.

03-GS-42-

4183

The State of South Carolina

County of Spartanburg

Trey Gowdy, Solicitor

COURT OF GENERAL SESSIONS

NOV 17 2003

TERM

THE STATE

vs.

STEPHANIE IRENE NEET

Indictment for

ATTEMPT TO OBTAIN CONTROLLED
SUBSTANCE BY FRAUD

SC Code: 44-53-390; 44-53-420

*Recalled
BWH 14590 - Inmed 8-10-05*

CERTIFIED COPY
N. S. ...
CLERK OF COURT
SPARTANBURG COUNTY
BY: *...*
DATED: *11-2-12*

FILED
NOV 17 2003

INCIDENT REPORT

CASE NUMBER: 03-06-02-01
 NCIC (INV) (EXTD)

INCIDENT TYPE		COMPLETED	FORCED ENTRY	PREMISE TYPE	UNITS ENTERED	TYPE VICTIM																																																	
1. PDC 25707CH		<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	PHARMACY		<input type="checkbox"/> Individual <input type="checkbox"/> Business <input type="checkbox"/> Financial Inst. <input type="checkbox"/> Government <input type="checkbox"/> Relig. Orgn. <input type="checkbox"/> Soc/Public <input type="checkbox"/> Other <input type="checkbox"/> Unknown <input type="checkbox"/> Police Officer																																																	
2. POSS OF SCHED. IV (LORTAB)		<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	PHARMACY																																																			
3. WARRANT G709660		<input type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES <input type="checkbox"/> NO																																																				
INCIDENT LOCATION (SUBDIVISION AND NUMBER, STREET NAME AND NUMBER)				ZIP CODE	WEAPON TYPE																																																		
HWY 14 AND N. RANDOLPH AVENUE LANDRUM, SC				29356																																																			
INCIDENT DATE	24 HR. CLOCK	TO	DATE	24 HR. CLOCK	DISPATCH DATE/TIME 24 HR. CLOCK	DISPATCH TIME	LOCATION NUMBER																																																
06-02-03	1600		06-02-03	1600	1604	1630	520																																																
COMPLAINANT'S NAME (LAST, FIRST)		RELATIONSHIP TO SUBJECT		RACE	SEX	AGE	ETH																																																
TURNER, KEVEN M		STR		W	M	31	N																																																
ADDRESS		CITY		STATE	ZIP CODE	LOCATION NUMBER																																																	
100 N. SHAMROCK AVENUE		LANDRUM		SC	29356	520																																																	
VICTIM'S NAME (LAST, FIRST, MIDDLE)		RELATIONSHIP TO SUBJECT		RACE	SEX	AGE	ETH																																																
CITY OF LANDRUM		STR																																																					
ADDRESS		CITY		STATE	ZIP CODE	LOCATION NUMBER																																																	
100 N. SHAMROCK AVENUE		LANDRUM		SC	29356	520																																																	
VICTIM'S INJURY		EXPLAIN		COMPLAINT OF ANY NON-VISIBL INJURIES																																																			
<input type="checkbox"/> YES <input type="checkbox"/> NO				<input type="checkbox"/> YES <input type="checkbox"/> NO																																																			
VICTIM (NO. 1) USING:		DRUGS:		TYPE:																																																			
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NAME (LAST, FIRST, MIDDLE)		RACE	SEX	AGE	ETH.	DATE OF BIRTH	HEIGHT																																																
NEET, STEPHANIE IRENE		W	F	29	N	74	505																																																
FACIAL HAIR, SCARS, TATOOS, GLASSES, CLOTHING																																																							
ADDRESS		CITY																																																					
EMERALD DRIVE		CAMPOBELLO, SC 29322																																																					
SUBJECT (NO. 1) USING:		ALCOHOL		ARRESTED NEAR OFFENSE SCENE		DATE/TIME OF OFFENSE																																																	
<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> UNK.		<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> UNK.		<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO																																																			
DRUGS:		<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> UNK. TYPE:		TOTAL # ARRESTED																																																			
<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> UNK.				1																																																			
<p>On above date and time, Sgt. Turner responded to 104 Rutherford Road at Landrum Drug. Sgt. Turner spoke with the pharmacist, Mr. Dennis Burdette. Mr. Burdette stated that above subject, Ms. Neet had called in a refill prescription on a previous forged prescription. Mr. burdette stated Ms. Neet had gotten away last time but remembered her this time. When Ms. Neet saw Sgt. Turner she tried to leave. Sgt. Turner stopped Ms. Neet outside the store and Sgt. Turner smelled a strong odor of alcoholic beverage coming from her person. Ms. Neet was grossly intoxicated and admitted to drinking wine. Sgt. Turner placed Ms. Neet under arrest for PDC. Sgt. Turner found two white pills in an aspirin bottle which turned out to be Lortabs. Subject transported to LPD for booking. Sgt. Turner called and spoke with officer Bruce Clary with DHEC to make follow up charges.</p>																																																							
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REASON FOR EXCEPTIONAL COOPERATION		OFFENSE DEATH ?		NO PROSECUTION ?		EX-CLEAR UNDER 18																																																	
REPORTING OFFICER (S):		DATE		UNIT NUMBER		APPROVING OFFICER																																																	
K. TURNER		06-02-03		102		CHRIS VERNON																																																	
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						FOLLOW-UP OFFICER																																																	
						INVESTIGATION <input type="checkbox"/> YES <input type="checkbox"/> NO																																																	

VOLUNTARY STATEMENT

DATE 6-2-03 TIME 4 PM M. PLACE Landrum Drug
I, Dennis Beaudette, am 46 years old and I live at Old South Rd, Simpson, S.C. 29334

I am giving this statement to Officer Turner I.D. _____, who has identified himself as a Police Officer

and he has duly warned me that I have the following rights: that I have the right to remain silent and not make any statement at all; that any statement I make may be used against me at my trial; that any statement I make may be used as evidence against me in court; that I have the right to have a lawyer present to advise me prior to and during any questioning; that if I am unable to employ a lawyer, I have the right to have a lawyer appointed to advise me prior to and during any questioning and that I have the right to terminate the interview at any time.

Prior to and during the making of the statement, I have and do hereby knowingly, intelligently, and voluntarily waive the above explained rights and I do make the following voluntary statement to the aforementioned person of my own free will and without any promises or offers of leniency or favors, and without compulsion or persuasion by any person or persons whomsoever:

On 3-28 soup # 381603 for is Nicotifen was called in + picked up. I found out later that day that she worked there at one time + knew all the numbers to call in. I called + left message with Mr. Clary. I also knew that she was arrested that day.

On 6-2-03 she called in report. When she came in I called Landrum Police + Officer Turner came + arrested her. I was in process of checking her out + Officer Turner walked in + she tried to leave at which point he arrested her. He didn't have medicine in her possession at that point.

I have read this statement consisting of 1 page(s), each page of which bears my signature, and I do affirm that all facts and statements contained herein are true and correct.

LANDRUM DRUGS
104 W. RUTHERFORD RD.
LANDRUM, SC 29356

Dennis Beaudette
Signature of person making voluntary statement

The above warnings were given by and this voluntary statement was taken by Dennis Beaudette

Witness _____ (This must be one and the same person as named above)



THOMAS W. WESTMORELAND, M.D.
D. MARK HICKLIN, M.D.
SCOTT A. COLEY, M.D.

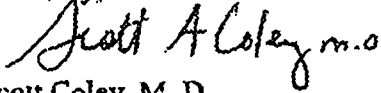
July 21, 2003

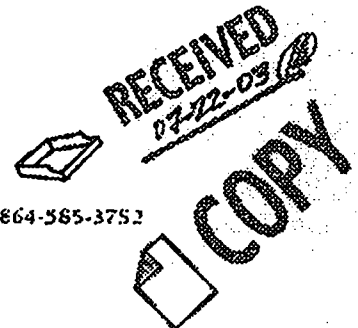
Re: Stephanie Neet

To Whom It May Concern:

Due to the information provided by Bruce Clary from DHEC and local pharmacists, it has come to my attention that several medications have been written for or called in under my name without my authorization. These medications include Soma 350 and Vicoprofin for Stephanie Neet. This individual is not a patient of mine and has not been a patient of mine in the past. I did not write, issue or authorize anyone to call in either of these medications at any point and time for this individual. In looking at a photocopy of the above prescriptions, I believe they are forged, indeed that is not my signature on the prescription. If you need any more assistance concerning this matter, please let me know.

Sincerely,


Scott Coley, M. D.



D

BEFORE THE STATE BOARD OF NURSING FOR SOUTH CAROLINA

In the Matter of:

**Stephanie L. Neet,
RN, 67076**

Respondent.

CONSENT AGREEMENT

By agreement of the State Board of Nursing for South Carolina (the Board) and the above-named Respondent, the following disposition of this matter is entered pursuant to the provisions of Section 1-3-320(f) of the 1976 Code of Laws of South Carolina, as amended (Administrative Procedures Act).

FINDINGS OF FACT

1. Respondent admits that she is licensed to practice nursing as a registered nurse in South Carolina and was so licensed at all times relevant to the matters asserted in this case. Said license is current.
2. Respondent admits that on or about March 11, 2003, while employed at Magnolia Manor in Inman, South Carolina, Respondent appeared disorganized and irrational, and she failed to document administration of any medication and failed to administer medication to several patients.
3. Respondent admits that on or about March 28, 2003, while employed by Med America Services of Spartanburg, Respondent attempted to call in an unauthorized prescription for narcotics.
4. Respondent admits that on or about April 30, 2003, while employed by Med America Services of Spartanburg, Respondent exhibited strange behavior at work and was asked to submit to a drug screen, but Respondent left the building before a sample was taken.
5. Respondent admits that on or about August 27, 2003, Respondent was arrested by the Department of Health and Environmental Control for Knowingly, Willingly, and Unlawfully Attempting to Obtain a Controlled Substance by Fraud.
6. Respondent waives any further findings of fact with respect to this matter.

CONCLUSION OF LAW

7. Respondent admits that the conduct in this matter constitutes sufficient grounds for disciplinary or corrective action under Section 40-33-935 (b), (e) and (g) of the 1976 Code of Laws of South Carolina, as amended, and Regulation 91-19(c)(2) and (c)(3)(f), (g) and (j) of the amended Code. Respondent hereby waives any further conclusions of law with respect to this matter.

8. Respondent has full knowledge that she has the right to a hearing and to be represented by counsel in this matter, and freely, knowingly, and voluntarily waives such rights by entering into this Consent Agreement. She voluntarily relinquishes any right to judicial review of Board action(s) which may be taken concerning any related matters. Respondent understands and agrees that this Consent Agreement will not become effective unless and until approved by the Board. Respondent understands and agrees that a representative of the General Counsel's Office may be present during presentation of this Consent Agreement to the Board and that the Board shall have the authority to review portions of the investigative file and all relevant evidence in considering this Consent Agreement. Respondent understands and agrees that this Consent Agreement, if approved, will be disseminated as a public action of the Board. Respondent understands and agrees that if this Consent Agreement is not approved, it shall not constitute an admission against interest in this proceeding or prejudice the right of the Board to adjudicate this matter.

THEREFORE, IT IS AGREED WITH RESPONDENT'S CONSENT THAT:

1. Respondent's license to practice nursing as a registered nurse in this State is hereby suspended. Said suspension may be immediately stayed and the license reinstated in a probationary status for a period of not less than two (2) years upon written recommendation of the Recovering Professional Program that Respondent is safe to practice nursing and further Order of the Board, upon the following terms and conditions:
 - a. Respondent must attend a Board-approved Legal Aspects Workshop and provide written documentation of completion to the Board or its designee within six (6) months from the date of the Board's action on this petition. Failure to comply with this requirement within the prescribed time shall automatically result in the immediate temporary suspension of Respondent's license to practice nursing until such time as full compliance has been made by Respondent.
 - b. Respondent shall completely abstain from the consumption of mood altering substances, including alcohol, except as prescribed by a duly licensed practitioner for a documented legitimate medical purpose. All use of such substances is to be reported by Respondent to the Board or its designee within 48 hours of initiation. All such medical treatment and prescribing shall be reported directly to the Board in writing by the treating practitioner within ten (10) days after the date of treatment. Respondent must inform the treating practitioner of this responsibility, provide a copy of the Agreement with attachments to the treating practitioner, and ensure timely compliance. Failure to comply with any of the requirements of this paragraph shall be considered a violation of the Agreement.
 - c. Respondent shall be subject to periodic, unannounced blood and urine alcohol and/or drug analysis as desired by the Board, the purpose being to ensure that Respondent remains drug and/or alcohol-free. The cost of such blood and urine alcohol and/or drug analyses and reports will be borne by Respondent, which costs shall be paid within thirty (30) days after the date of the receipt of the invoice. Failure to make timely payment of such costs, to provide a specimen upon request, or to remain alcohol and/or drug-free shall be considered a violation of this Agreement.

- d. Respondent must have a written contract with and be an active participant in the activities of Recovering Professional Program (the Program), as approved in advance in writing by the Board, until a period of not less than five (5) years of documented sobriety and compliance with this Agreement has been satisfactorily established by Respondent and until this Agreement has been terminated as provided herein. Such contract shall specify the required frequency of attendance at support groups, or other such activities as the Program shall deem appropriate, including, but not limited to:
- (1) Assessment and treatment requirements of the Program;
 - (2) Monitoring (counseling) and aftercare activities of the Program;
 - (3) Alcoholics Anonymous (AA) and/or Narcotics Anonymous (NA);
 - (4) S.C. Nurses' Peer Assistance Program or its equivalent approved by the Board;
 - (5) Such additional therapeutic activities as deemed appropriate and necessary by the Program when incorporated into the contract.

The Program shall submit regular written reports documenting Respondent's full compliance with the terms of the contract with the Program and the Agreement.

- e. Respondent shall comply with the terms of the Agreement and all State and Federal statutes and regulations concerning the practice of nursing.
- f. Respondent's practice shall be strictly limited to a specific setting and location approved in writing in advance by the Board. Respondent must be supervised by a registered nurse (RN) who must remain on site and on shift at all times. Respondent shall not be approved to work in a home health environment or through an agency during the discipline period. Respondent shall provide a copy of the Agreement, with attachments, and disciplined license to all employers and educational institutions if pursuing additional nursing education.
- g. Respondent shall have the employer submit quarterly written reports directly to the Board or its designee for at least one (1) year from the date of employment or this Agreement, if currently employed. During the period of discipline, said reports shall be submitted on or before the tenth day after three months of practice in that setting and every third month thereafter. Said reports shall include an assessment of Respondent's professional competency and integrity, commitment to professionalism and applicable standards of practice, and adherence to the terms of the Agreement, until at least one (1) year of satisfactory compliance has been documented.
- h. Respondent shall appear and report to the Board as requested by the Board.
- i. Respondent shall promptly advise this Board in writing of any changes in address, practice, hospital privileges, professional status, or compliance with this agreement. Correspondence and copies of reports and notices mentioned herein shall be directed to:

LLR-Board of Nursing
Post Office Box 12367
Columbia SC 29211 2367

2. Pursuant to the South Carolina Freedom of Information Act, this Consent Agreement is a public document.

3. It is further understood and agreed that this Consent Agreement does not satisfy, prejudice, or stay any disciplinary action currently pending before the Board or which may be filed in the future.

4. Respondent shall cooperate with the Board, its attorneys, investigators, and other representatives in the investigation of Respondent's practice and compliance with the provisions of the Consent Agreement. Respondent may be required to furnish the Board with additional information as may be deemed necessary by the Board or its representatives. In addition to such requests, the Board in its discretion may require Respondent to submit further documentation regarding Respondent's practice, and it is Respondent's responsibility to fully comply with all reasonable request in a timely fashion. Failure to reasonably comply with such requests will be deemed a violation of the Agreement.

AND IT IS SO AGREED.

STATE BOARD OF NURSING

By: Sylvia A. Whiting, Ph.D., R.N., CS
SYLVIA A. WHITING, Ph.D., RN, CS
President of the Board

November 14, 2004

I AGREE:

Stephanie L Neet
Stephanie L Neet
RESPONDENT

11-16-04
Date

Randall T. Greene
WITNESS OR ATTORNEY

11-16-04
Date

Dwight G. Hayes
Dwight G. Hayes, Assistant General Counsel
Attorney for the Board
LLR - Office of General Counsel
Post Office Box 11329
Columbia SC 29221 1329

11/16/04
Date

E

SUBJECT: Stephanie Irene Neet
ADDRESS: [REDACTED] North Trade Street, Landrum, South Carolina 29356
COUNTY: Spartanburg
D.O.B.: [REDACTED]-74
RACE: White
SEX: Female
DL#: [REDACTED] (South Carolina)
BDC CASE: 230275
COMPLAINANT: Kaushik Kotecha, Piedmont District Director
SSN: [REDACTED]
CHARGE (S): Attempt and Conspiracy 44-53-420
D.O.A: 08-27-03
PROFESSIONAL LICENSE NUMBER AND STATE: 67076 (Registered Nurse)
WARRANT (S): H-514327
MAGISTRATE: E. H. Overcash
SID: SC01471346
FBI: 494402AC9

August 1, 2002: Clary was contacted by Kaushik Kotecha, Piedmont District Director, and asked to contact Kathy Pearson at Spartanburg Regional Medical Center, Hospital Pharmacy regarding a situation he was informed of.

Clary contacted Pearson and learned that she was informed by the charge nurse, Susan Duggar, of an incident in which a tubex of morphine was broken on the floor; however, there was no liquid present and no waste of the medication was documented. Stephanie Neet was one of the nurses working and, upon being questioned about the incident, denied any wrongdoing, stated she did not know anything about the situation and provided no explanation for what occurred. Duggar stated that Neet refused to provide a drug screen and was subsequently terminated.

Clary asked Pearson to contact Duggar and request AcuDose dispensing records in order that they may be reviewed, and to contact him when they were available.

August 13, 2002: Clary tried contacting Duggar but was unable to reach her. Clary checked with Pearson for the status of the records but they were not yet available.

12-26-2005 0002

 COPY

October 25, 2002: Clary contacted Pearson to check on the status of the requested information. Pearson stated she was unsure of the status, and Clary asked her to please check on them and to contact him as soon as they were available.

March 28, 2003: Clary received a call from June Childers at Wal-Mart Pharmacy (Westgate) who asked to be contacted regarding a situation.

Clary received a call from Dennis Burdette, pharmacist at Landrum Drug Company, regarding a situation in which Neet attempted to obtain a fraudulent prescription.

April 3, 2003: Clary contacted Bob Wyatt, pharmacist at Wal-Mart Pharmacy (Westgate) and learned that on April 1, 2003 they had a situation of a fraudulent call in prescription for Stephanie Neet, and, upon contacting the alleged practitioner's office, confirmed it was not issued or authorized and was therefore fraudulent. Wyatt stated that when Neet attempted to obtain the above prescription, the local authorities were notified and were able to respond to the scene. Neet was subsequently arrested by the local authorities and Wyatt believed Neet even admitted to officers that not only had she called in this fraudulent prescription, but that she had done this before at Landrum Drug Company as well.

Clary obtained additional information from Wyatt and asked Wyatt to check for any previous prescriptions that Neet obtained and verify if there were fraudulent as well and that he would come by and investigate.

April 14, 2003: Clary went by the Spartanburg County Sheriff's Office and requested a police photo line up on Neet.

April 23, 2003: Clary went to the Spartanburg County Sheriff's Office and obtained the police photo line up on Neet.

May 14, 2003: Clary obtained a NCIC on Neet.

June 2, 2003: Kotecha was paged by Landrum Police Department, and Clary returned the call and spoke with Landrum Police Officer Kevin Turner regarding a situation.

12-28-2005 0003

COPY

Officer Turner stated that he was contacted by Landrum Drug Company pharmacist Dennis Burdette regarding a patient that was at the pharmacy attempting to obtain a fraudulent call in prescription. Officer Turner stated he was informed by Burdette that the prescription was for hydrocodone for Stephanie Neet, and that the alleged practitioner had been contacted and confirmed that the prescription was not authorized and was fraudulent. Officer Turner stated that he was en-route to the pharmacy.

Officer Turner stated that upon entering the pharmacy and being spotted, Neet immediately fled the pharmacy to the parking lot where she was pursued and detained. Officer Turner stated that Neet was impaired and was subsequently arrested for public disorderly conduct. Officer Turner stated that he obtained a statement from Burdette and wanted to notify us for charging Neet with attempting to obtain the fraudulent prescription.

Clary stated he would come by and obtain the information he had as well as Burdette's statement and the police incident report.

June 4, 2003: Clary went to the Landrum Police Department and obtained the police incident report by Officer Turner (See Police Incident Report) as well as the statement by the pharmacist (See Burdette's Voluntary Written Statement).

Clary went to Landrum Drug Company and took the fraudulent call in prescription into evidence (See Fraudulent Prescription).

Clary spoke with pharmacy technician Hailey Mullinax regarding the situation. Mullinax stated she was working the evening Neet was arrested and remembered the person that attempted to obtain the fraudulent prescription, as she was the same person that was detained and arrested by the Landrum Police Department. Upon viewing a police photo line up (See Police Photo Line Up); Mullinax identified Neet as the person that attempted to obtain the above forgery on June 2, 2003 (See Photo Identification).

July 21, 2003: Clary contacted Cheryl at Dr. Scott A. Coley's office and informed her of the fraudulent prescription that was called in for Stephanie Neet allegedly by Dr. Coley. Cheryl stated that she was aware of the situation and confirmed that the prescription was not issued or authorized and was therefore a forgery. Clary stated he would provide Cheryl with a copy of the fraudulent prescription and

asked if Dr. Coley could view it and dictate a statement verifying that it was not issued or authorized and was a forgery. Clary provided Cheryl a faxed copy of the fraudulent prescription.

July 22, 2003: Clary received the statement from Dr. Coley verifying that he did not write issue or in any other way authorize Stephanie Neet a prescription for hydrocodone on March 28, 2003 (See Statement from Practitioner).

July 29, 2003: Clary obtained one (1) warrant charging Neet with attempt to obtain a controlled substance by fraud (See Arrest Warrant).

August 18, 2003: Kotecha attempted to contact Neet, but was unsuccessful in reaching her.

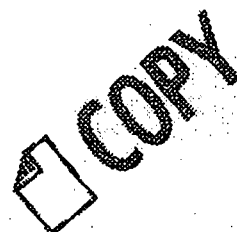
August 19, 2003: Kotecha tried again to contact Neet, but was unsuccessful in reaching her. Kotecha instructed Clary to go ahead and turn the warrant in at the Spartanburg County Warrant's Division for service.

August 27, 2003: Clary went to the Spartanburg County Warrant's Division and, upon learning that Neet was currently incarcerated, dropped off the warrant for service. Clary subsequently obtained a copy of the served warrant and booking card (See Booking Card).



Bruce E. Clary
Inspector, Piedmont District
South Carolina Department of Health and Environmental Control
Bureau of Drug Control
2600 Bull Street
Columbia, South Carolina 29201-1708
(803) 896-0636
(803) 896-0638 (fax)

12-28-2005 0005



F

STATE OF SOUTH CAROLINA)
)
 COUNTY OF SPARTANBURG)
)
 Department of Social Services,)
)
 Plaintiff,)
)
 Vs.)
)
 Stephanie [redacted] and Kenneth [redacted],)
)
 Defendants.)

IN THE FAMILY COURT
 SEVENTH JUDICIAL CIRCUIT

CASE NUMBER:
 2001-DR-42-3847

ORDER FOR REMOVAL
 [Agreement on the Merits - § 20-7-736]

In the Interests of:
 Minor Victim 1 (Born 08.27.1999))
 Minor Victim 2 (Born 05.07.0997))
 Minor children under the age of eighteen.)

DATE OF HEARING:
PRESIDING JUDGE:
COURT REPORTER:
PLAINTIFF'S ATTORNEY:
DEFENDANT S. [redacted]'S ATTORNEY:
DEFENDANT K. [redacted]'S ATTORNEY:
GUARDIAN AD LITEM:
ATTORNEY FOR G.A.L.

MONDAY, JUNE 10, 2002
JAMES F. FRALEY, JR.
EDITH KIMBRELL
KENNETH P. SHABEL
WILLIAM MAYER
J. BENJAMIN STEVENS
PEGGY GILLILAND
SCOTT KATROSCH

FILED
 CLERK OF COURT
 JAMES HANCOCK COUNTY
 2002 JUN 20 AM 8:45
 MARK HAMMOND

This matter comes before me as a Merits Hearing pursuant to a Complaint for Removal filed by the Plaintiff on November 20, 2001. Including the appearances listed above, Barbara Moore and Kim Suber were also present representing the Department of Social Services. All Defendants have been previously served with the Summons, Complaint, Notice of Right to Counsel, and Notice of today's hearing.

At the call of the case, the attorney for the Plaintiff announced that the parties had reached an agreement in this case. After hearing the agreement, the Court questioned the parties and the Guardian ad Litem regarding the agreement.

Based upon an examination of the file and the pleadings, and upon a review of the evidence presented at the hearing, I hereby make the following:

FINDINGS OF FACT

1. I find that this Court has jurisdiction over the parties and the subject matter of this action.
2. I find that the minor children entered into the Plaintiff's custody on November 19, 2001.

[Handwritten signatures and initials]

3. I find that the Defendant Stephanie [REDACTED] stipulates, without admission, to findings by a preponderance of the evidence that the minor children are abused or neglected children as defined by law, and that the minor children were physically neglected by the Defendant Stephanie [REDACTED].

4. I find that returning the minor children to the home of the Defendant Stephanie [REDACTED] would be contrary to the welfare and best interests of the minor children. I find that doing so would place the minor children at an unreasonable risk of harm affecting the life, health, safety, and mental well-being of the minor children. I further find that the minor children cannot be reasonably protected from this unreasonable risk of harm without being removed from the home.

5. Based upon the Plaintiff's Court Information Sheet, which is filed with the Court and is incorporated into this Order by this Paragraph, I find that the Plaintiff has made reasonable efforts to prevent separation and removal in this action.

6. I find that the Defendant Kenneth [REDACTED] shall be granted legal and physical custody of the minor children.

7. I find that the Defendants Stephanie [REDACTED] and Kenneth [REDACTED] have agreed to submit to the following treatment plan:

- a) The Defendant Stephanie [REDACTED] shall be allowed supervised visits with the minor children ^{Minor Victim 2} and ^{Minor Victim 1}. Visits shall be held every other weekend starting on Friday, Saturday, and Sunday mornings at 8:00 a.m. and ending at 8:00 p.m. and will be supervised by the maternal grandparents, Mr. and Ms. Havko. Kenneth [REDACTED] shall not be allowed to supervise any visitation between Ms. [REDACTED] and the minor children. Kenneth [REDACTED] will transport the minor children to the home of ^{maternal grandparents} and not get out of the car.
- b) The Defendant Stephanie [REDACTED] shall obtain an assessment at the Spartanburg Alcohol and Drug Abuse Counsel and complete any and all recommended treatment resulting from that assessment.
- c) The Defendant Stephanie [REDACTED] shall refrain from using illegal drugs or abusing legal drugs and alcohol.
- d) The Defendant Stephanie [REDACTED] shall submit to random drug and alcohol screens at the request of the Department of Social Services, and a failure to do so shall constitute a positive test and may subject the Defendant Stephanie [REDACTED] to being held in contempt of court.
- e) The Defendant Stephanie [REDACTED] shall participate in counseling to address Domestic Violence Issues and shall continue until released by her therapist.

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MARK HANMOND

- f) The Defendants Stephanie [REDACTED] and Kenneth [REDACTED] shall secure and maintain appropriate housing to include running water, heat, stove, refrigerator, operational plumbing and secure doors.
- g) The Defendants Stephanie [REDACTED] and Kenneth [REDACTED] shall enroll in, attend participate in and successfully complete parenting classes and be able to demonstrate a minimum level of understanding of the material and be able to apply it in the care of the minor children ^{Minor Victim 2} and ^{Minor Victim 1}.
- h) Should his parenting class instructor recommend so, the Defendant Kenneth [REDACTED] shall attend and successfully complete additional Anger Management Counseling.
- i) The Defendants Stephanie [REDACTED] and Kenneth [REDACTED] shall obtain and demonstrate skills necessary for budgeting and handling their financial affairs, including keeping all rent and bills current.
- j) The Defendants Stephanie [REDACTED] and Kenneth [REDACTED] shall make suitable arrangements for child care for the minor child with the advice and consent of the Department of Social Services.
- k) The Defendants Stephanie [REDACTED] and Kenneth [REDACTED] shall obtain and maintain gainful employment of at least twenty (20) hours per week within thirty (30) days.
- l) The Defendant Stephanie [REDACTED] shall remain in therapy with Kathy Murphy until released by Ms. Murphy.
- m) The Defendant Stephanie [REDACTED] shall be required to comply with any and all recommendations of her treating physicians, therapists, and counselors.
- n) The Defendant Kenneth [REDACTED] shall refrain from the use of corporal punishment on the minor children.
- o) The Defendant Stephanie [REDACTED] shall provide support for the minor child by paying child support in the amount of Fifty Dollars (\$50.00) per week plus the 3% administrative fee for a total payment of Fifty-One Dollars and Fifty Cents (\$51.50) beginning the first Friday after the order is signed, payable through the Spartanburg County Clerk of Court and to be mailed directly to Kenneth [REDACTED] at [REDACTED] N. Trade Avenue, Landrum, South Carolina 29356. This amount is without prejudice to either Defendant in any private action for custody and child support.
- p) This agreement shall supercede all prior orders of this Court.

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- q) The Defendants Stephanie [REDACTED] and Kenneth [REDACTED] shall cooperate with the Plaintiff in its administration of treatment and services, including but not limited to attending conferences; responding to agency correspondence; updating changes in address, telephone number and place of employment at all times; and keeping agency personnel abreast of the current status of household composition.
- r) The Defendants shall sign all necessary releases to grant the Plaintiff access to all information contained in any criminal, medical, educational, social security, mental health, alcohol and drug or any other public or private treatment providers of both parents, perpetrators and the minor children.
- s) Failure by any Defendant to provide such ongoing information and notification may result in default judgment rendered against the Defendant where their non-appearance is the result of their failure to comply with this notification requirement.
- t) Finally, this case shall be reviewed within three (3) months from the date of this Order, and a failure on the part of the Defendants to complete their treatment plan may result in an Order terminating their parental rights.

8. I find that the agreed-upon treatment plan is compliant with Section 20-7-764(B) of the Code of Laws of South Carolina Annotated. I find it to be fair, equitable, reasonable, and in the best interests of the minor children. I find that all parties understand the agreement and the treatment plan, and the consequences if any party fails to comply with the agreement and treatment plan.

9. I find that the Plaintiff has waived its right to collect the one hundred dollar (\$100.00) fee to which it is otherwise entitled pursuant to Section 20-7-1440 of the Code of Laws of South Carolina Annotated.

10. I find that the recommendations of the Guardian ad Litem are consistent with the findings of this Court. I find that the attorney for the Guardian ad Litem is entitled to a reasonable fee.

11. I find that the attorney for the Guardian ad Litem and the appointed attorneys for the Defendants shall be relieved of any further obligations in this case.

CONCLUSIONS OF LAW

Based upon these findings of fact, IT IS THEREFORE ORDERED, ADJUDGED AND DECREED:

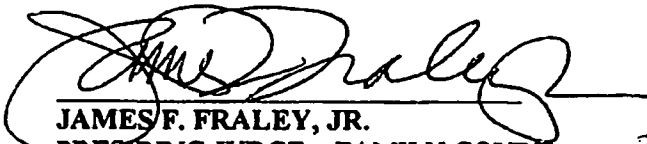
- (a) That the Defendant Kenneth [REDACTED] is awarded legal and physical custody of the minor children.

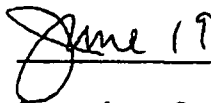
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CLERK OF COURT
HAMILTON COUNTY
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- (b) That the treatment plan in this case, as outlined by Paragraph Seven (7) of the findings of fact, become the enforceable order of this Court, with all parties being bound to its terms;
- (c) That the Plaintiff is barred from claiming the (\$100.00) fee to which it is otherwise entitled in this case;
- (d) That the attorney for the Guardian ad Litem be paid a fee of \$50.00 by the South Carolina Guardian Ad Litem Program, subject to availability of funds; and
- (e) That the attorney for the Guardian ad Litem and the appointed attorneys for the Defendants shall be relieved of any further obligations in this case.

AND IT IS SO ORDERED.


 JAMES F. FRALEY, JR.
 PRESIDING JUDGE - FAMILY COURT
 SEVENTH JUDICIAL CIRCUIT


 _____, 2002
 Spartanburg, South Carolina

FILED
 CLERK OF COURT
 SPARTANBURG COUNTY
 2002 JUN 20 AM 8:45
 MARY HARRISON

ATTENTION: This Court has now Ordered a Treatment/Placement Plan. If you fail to comply with the plan, you could lose your rights as a parent.

STATE OF SOUTH CAROLINA)
)
COUNTY OF SPARTANBURG)

IN THE FAMILY COURT
SEVENTH JUDICIAL CIRCUIT

Department of Social Services,)
)
Plaintiff,)

vs.)

COMPLAINT FOR REMOVAL
[§ 20-7-736]

Kenneth [redacted] and Stephanie [redacted],)
)
Defendants.)

2003-DR-42-_____

In the interests of:)

Minor Victim 3, born 05.01.91)

Minor Victim 2, born 05.07.97)

Minor Victim 1, born 08.27.99)

Minor children under the age of eighteen)
(18) years.)

Plaintiff, South Carolina Department of Social Services (SCDSS), alleges as follows:

1. The minor children are less than eighteen (18) years of age and reside in Spartanburg County at the following address: [redacted] N. Trade St., Landrum, South Carolina 29356.

2. The name, address, and relationship of the Defendants to the minor children is as follows:

<u>Name</u>	<u>Address</u>	<u>Relationship</u>
Kenneth [redacted]	[redacted] N. Trade St. Landrum, South Carolina 29356	Father of ^{Minor Victim 2} and ^{Minor Victim 1}
Stephanie [redacted]	[redacted] N. Trade St. Landrum, South Carolina 29356	Mother

3. The minor children were abused and/or neglected as defined by S.C. Code Ann. §20-7-490 in that the minor children were harmed or threatened with harm when the Defendants, Kenneth [REDACTED] and Stephanie [REDACTED], while responsible for the minor children's welfare, did or allowed the following:

On August 26, 2003, six (6) year old ^{Minor Victim 2} went to a neighbor's home and told the neighbor that he was locked out of his house across the street. The child said he had left the house while his mother was asleep in an upstairs bedroom and the door had locked behind him. The neighbor did not know the child and took him to another neighbor, who also did not know the child. The second neighbor contacted Landrum police.

Police went the child's residence and knocked on the door for approximately five minutes. Stephanie [REDACTED] came to the front door and was advised to go to the rear door of the residence to speak with the Police Chief. When asked if she knew where her children were, Ms. [REDACTED] stated that they were both supposed to be upstairs taking a nap with her. Ms. [REDACTED] was then advised that ^{Minor Victim 2} was across the street at a neighbor's house. Police conducted a protective sweep of the home to locate the other children. ^{Minor Victim 1}, age four (4) years, was found upstairs in her bedroom. Ms. [REDACTED] advised police that her oldest child ^{Minor Victim 3}, age twelve (12) years, was staying with her parents, maternal grandparents, in Campobello.

Police noted that the condition of the home was dangerous and unsafe for children. There was spoiled food and knives within the children's reach.

^{Minor Victim 2} and ^{Minor Victim 1} were placed into emergency protective custody. ^{Minor Victim 3} was located at Mabry Junior High School and also placed into emergency protective custody.

Kenneth and Stephanie [REDACTED] were arrested and charged with child neglect.

4. The minor children were taken into emergency protective custody pursuant to S.C. Code Ann. §20-7-610 on August 26, 2003.

5. On information and belief, the harm stated above and other factors alleged below indicate that the minor children are at an unreasonable risk of harm. It would be contrary to the welfare of the minor children to remain in or be returned to the custody of Defendants, Kenneth [REDACTED] and Stephanie [REDACTED]. The minor children cannot be protected adequately at this time from further harm in the custody of the Defendants.

6. The minor children's physical and/or mental condition was and/or is as follows:

The minor children, Minor Victim 3, Minor Victim 2 and Minor Victim 1, appear to have no physical or mental problems.

7. The harm the minor children are likely to suffer as a result of removal from custody of the Defendants, Kenneth [REDACTED] and Stephanie [REDACTED], is as follows:

The minor children may suffer from separation anxiety.

8. The following steps will be taken to minimize any harm that may result from the removal of the minor children:

The minor children, Minor Victim 3, Minor Victim 2 and Minor Victim 1, will be placed in a licensed facility where their physical, emotional, medical and educational needs will be met. The minor children will be allowed to have supervised visitation with appropriate family members.

9. The Plaintiff has made reasonable efforts to prevent or eliminate the need for the removal of the minor children from the custody of the Defendants or has been unable to offer such services.

10. The Defendants are not in agreement with the placement of the minor children in

as being in the best interests of the minor children and that DSS be designated as the children's personal representative as set out in the Health Insurance Portability and Accountability Act (HIPAA) regulations;

(B) The Court approve the Plaintiff's Treatment/Placement Plan;

(C) The Defendants, Kenneth [REDACTED] and Stephanie [REDACTED], be required to pay the Court-ordered amount of child support through the Clerk of Court to SCDSS;

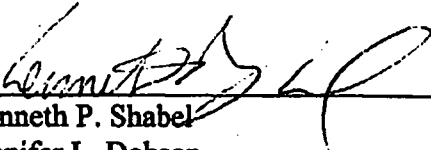
(D) The Defendants cooperate with Plaintiff to make appropriate plans for the minor children and to notify Plaintiff promptly of any change of condition and/or address;

(E) Plaintiff be granted full and complete access to all criminal, professional, school, medical, and other records of the minor children and of the Defendants as may be necessary, including an Order that the Defendants execute necessary releases for such records when required by providers;

(F) The Defendants, Kenneth [REDACTED] and Stephanie [REDACTED], pay the \$100.00 fee required by S.C. Code Ann. §20-7-1440;

(G) The Court order that the names of the Defendants, Kenneth [REDACTED] and Stephanie [REDACTED], be placed in Central Registry of Child Abuse and Neglect; and

(H) For any and all further relief that the Court deems necessary and proper.


Kenneth P. Shabel
Jennifer L. Dobson
Attorneys for Plaintiff
P.O. Box 3548
Spartanburg, SC 29304
Telephone: (864) 596-3001, ext. 3086
Fax: (864) 596-2337

August 27, 2003
Spartanburg, South Carolina.

AT THE MERITS HEARING, THE COURT MAY ORDER A TREATMENT/PLACEMENT PLAN. IF YOU FAIL TO COMPLY WITH THE PLAN, YOU COULD LOSE YOUR RIGHTS AS A PARENT.

ALL INTERESTED PARTIES ARE ADVISED THAT AT THE MERITS HEARING, THE COURT MAY ORDER A TREATMENT/PLACEMENT PLAN. IF YOU OBJECT TO THE PLAN OR TO ANY RECOMMENDATIONS CONCERNING THE PLAN OR THE COURT'S ORDER, YOU MUST STATE YOUR OBJECTION AT THE HEARING TO THE JUDGE.

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STATE OF SOUTH CAROLINA)
) IN THE COURT OF GENERAL SESSIONS
COUNTY OF SPARTANBURG)

The State,) TRANSCRIPT OF RECORD
) 2013-GS-42-5124 thru -5139,
-vs-) -5145,-5146,-5147
)
Stephanie Irene Greene,)
) July 22, 2014
Defendant.) Spartanburg, South Carolina

B E F O R E:

HONORABLE R. KEITH KELLY, JUDGE

A P P E A R A N C E S:

BARRY JOE BARNETTE, ESQUIRE
Attorney for the State

C. RAUCH WISE, ESQUIRE
Attorney for the Defendant

Margaret A. Woods
Circuit Court Reporter

ORIGINAL

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EXHIBITS

<u>NO.</u>	<u>DESCRIPTION</u>	<u>ID.</u>	<u>EV.</u>
S-1	Packet	4	
S-2	Copy of Indictment Number 2011-42-5758	4	

1 (Packet marked State's Exhibit No. 1 for identification
2 and copy of Indictment Number 2011-GS-42-5758 marked State's
3 Exhibit No. 2 for identification.)

4 MR. BARNETTE: May it please the Court, Your Honor.

5 THE COURT: Yes.

6 MR. BARNETTE: The ca -- this the case of State vs.
7 Stephanie Irene Greene, Your Honor, she's pleading under
8 *Alford* to the following indictment, Your Honor, I believe
9 there's 19 of 'em but, uh, well it's 19, she's pleading to
10 Count Two on each one.

11 THE COURT: Count Two.

12 MR. BARNETTE: Count One will be dismissed after the
13 plea, Your Honor. There is 19 other indictments with two
14 counts on 'em, Your Honor, that we'll be dismissing and it's
15 not because of, uh, the State thinks there's no validity to
16 any a these charges, whatever, she is presently serving a
17 20-year sentence on a indictment, it's Indictment Number
18 11-GS-42-5758, Your Honor, and we decided, I talked to
19 Mr. Wise here, this is a compromise, he had an issue of one of
20 the doctors, both of 'em testified at the trial, we feel like
21 that we could prove it but to move these cases and move for
22 judica -- judic, uh, for the economy of it, Your Honor,
23 judicial economy in this case. The indictment, Your Honor, is
24 13-GS-42-5127, 13-GS-42-5128, 13-GS-42-5129, 13-GS-42-5130,
25 13-GS-42-5131, 13-GS-42-5132, 13-GS-42-5133, 13-GS-42-5134,

1 13-GS-42-5135, 13-GS-42-5136, 13-GS-42-5137, 13-GS-42-5138,
2 13-GS-42-1539 [sic], 13-GS-42-5145, 13-GS-42-5146,
3 13-GS-42-5147, 13-GS-42-5126, 13-GS-42-5125, 13-GS-42-5124,
4 Your Honor, and she is pleadin' under *Alford* to Count Two of
5 these indictments, Your Honor, and those are the obtaining
6 prescription by withholding material information, Your Honor,
7 basically what we call the "doctor shopping statute" ---

8 THE COURT: Okay.

9 MR. BARNETTE: --- in this case, Your Honor, they carry
10 from 0 to 2 years. The recommendation, Your Honor, is a
11 2-year sentence on all the charges to run concurrent with her
12 present sentence that she is serving on, I do have a copy of
13 the indictment if you need to see it, Your Honor, I may make
14 this just a exhibit, Your Honor, 11-GS-42-5758, Your Honor,
15 which she received a 20-year sentence on Count One which is
16 homicide by child abuse, Count Two she received a 5-year
17 sentence on the involuntary manslaughter and Count Three
18 unlawful conduct towards a child she received a 10-year
19 sentence all run current [sic], Your Honor, she was found
20 guilty by a jury at that time fronta Judge Cole, she was
21 sentenced on April 4th of this year 2014, Your Honor. And,
22 Your Honor, what I've done, and I've showed this to Mr. Wise
23 in discovery, Count 0 -- I mean, uh, I'll be making this part
24 a the facts case State Exhibit 1 is actually the agent, DHEC
25 agent in this case, Agent Kotecha was, uh, it's his report

1 make that part a the evidence in this case and just for State
2 Exhibit 2 I'll just make copy of the indictment ---

3 THE COURT: Alright.

4 MR. BARNETTE: --- for the counts there. May I approach
5 bench, Your Honor?

6 THE COURT: Certainly.

7 (Whereupon, counsel handed the documents to the Court.)

8 THE COURT: Will you swear her, please.

9 THE CLERK: Ma'am, please raise your right hand.

10 STEPHANIE IRENE GREENE,
11 having been first duly sworn, testified as follows:

12 EXAMINATION BY THE COURT:

13 Q. Ma'am, you are Stephanie Greene?

14 A. Yes, Your Honor.

15 Q. Ms. Greene, you're represented by Mr. Wise in these
16 matters?

17 A. Yes, Your Honor.

18 Q. You're in custody, have you taken any prescription
19 medication, drugs or alcohol, any substance that affects your
20 reasoning and thinking ability?

21 A. No, Your Honor.

22 Q. Alright. On Indictment 2013-5147 the State alleges in
23 Count Two that you did in County of Spartanburg, State of
24 South Carolina on or about December 29, 2010 knowingly or
25 intentionally acquire or obtain possession of a prescription

1 of Hydrocodone, a Schedule III controlled substance and m --
2 uh, from a medical doctor licensed in South Carolina by
3 withholding information from the doctor and that you were
4 obtaining a controlled substance of like therapeutic use in a
5 concurrent time period from another practitioner all in
6 violation of state law, that matter has been true billed by
7 the grand jury, uh, it's my understanding it's non-violent by
8 definition and carries with it up to 2 years, there is a
9 recommendation from the State of a 2-year sentence to run
10 concurrent with all other indictments as and well as your
11 current SCDOC sentence, do you understand that?

12 A. Yes, sir.

13 Q. Okay. On Indictment 2013-5146, State alleges in Count
14 Two that you did in the County of Spartanburg, State of South
15 Carolina on or about December 1 of 2010 knowingly or
16 intentionally acquire or obtain possession of a prescription
17 for Hydrocodone from a medical doctor licensed in South
18 Carolina by withholding information from that physician and
19 that you were obtaining a controlled substance of like
20 therapeutic use in a concurrent time period from another
21 physician all in violation of state law, that matter has been
22 true billed by the grand jury, it's non-violent by definition,
23 it carries the same possible sentence and there's the same
24 recommendation, did you understand that?

25 A. Yes, Your Honor.

1 MR. WISE: Your Honor, all the indictments are the exact
2 same except for the date.

3 THE COURT: Except for the date.

4 MR. WISE: Except for the date and we've gone over those,
5 uh, not only prior to today but months ago in preparation for
6 the prior trial, ---

7 THE COURT: Okay.

8 MR. WISE: --- so we can put on the record that she's
9 very familiar with the allegation of all the indictments and
10 re -- understands that they're all identically the same except
11 for the the date over a period of about, what, 6 months, 4
12 months, somethin' like that.

13 THE COURT: Okay. Do you waive reading of the each
14 indictment?

15 MR. WISE: We would waive reading of each of 'em, ---

16 THE COURT: Okay.

17 MR. WISE: --- we would -- we have read them more than
18 once.

19 THE COURT: I'm sure you have, Mr. Wise.

20 EXAMINATION BY THE COURT:

21 Q. Ma'am, having waived reading of each indictment this
22 morning, there's some rights you have to waive and give up to
23 plead guilty to each indictment: you have a right to a trial
24 by jury on each of these offenses, do you waive and give up
25 your right as to each and every indictment?

1 A. Yes, Your Honor.

2 Q. You also have a right to remain silent as to each and
3 every indictment, do you waive and give up that right as
4 well?

5 A. Yes, Your Honor.

6 Q. Ma'am, you have a right to call any witness you choose
7 that could testify for you and confront any witness through
8 your lawyer by cross-examination who would testify against you
9 on each of these charge, do you waive and give up that right?

10 A. Yes, Your Honor.

11 Q. Understanding what I have told you about each of these
12 indictments and the possible penalty you having waived the
13 reading of each one of these, do you in fact offer up the plea
14 under the *Alford* case?

15 A. Yes, Your Honor.

16 Q. Do you believe that in the event that the solicitor went
17 forward with these cases that he would be able to convict you
18 on these offenses?

19 A. Yes, Your Honor.

20 Q. Isn't it true that you are receiving a beneficial result
21 by being allowed to plead under the *Alford* case?

22 A. Yes, Your Honor.

23 Q. Do you understand that the Court is gonna treat your plea
24 under the *Alford* case the same as if you raised your hand and
25 said I did it?

1 A. Yes, Your Honor.

2 Q. Okay, gonna treat it as a guilty plea.

3 A. Okay.

4 Q. Okay. Ma'am, Mr. Wise been representing you for some
5 period of time here, sounds like a long period of time as a
6 matter of fact, have you, have you spoken with him as much as
7 you need to?

8 A. Yes, Your Honor.

9 Q. Do you need me to give ya any time whatsoever to ask him
10 another question?

11 A. No, sir.

12 Q. Do you need to look at your file any further?

13 A. No, no, sir.

14 Q. Are you completely satisfied with your, with your
15 lawyer?

16 A. Yes, sir.

17 Q. Has he answered everything, every question you need
18 answered?

19 A. Yes, sir.

20 Q. Okay. Is it your decision to enter an *Alford* plea and
21 not your lawyer's decision?

22 A. Yes, sir.

23 Q. Now he can give ya legal advice but the decision has to
24 be yours, ---

25 A. Yes.

1 Q. --- you understand that?

2 A. Yes, Your Honor.

3 Q. Okay. Ma'am, you have ten days from today's date to file
4 an appeal of the -- of your pleas or the sentences of the
5 Court but you have to file it in writing with the clerk of
6 court here in Spartanburg, you understand that?

7 A. Yes, sir.

8 Q. Alright, please listen to the solicitor.

9 MR. BARNETTE: Okay, thank Your Honor. And the State
10 before State Exhibit 1 consists of 210 pages, Your Honor, uh,
11 it contains all the facts in the case. These all occurred in
12 Spartanburg County, Your Honor, just give you a brief synopsis
13 a what happened, Your Honor. Basically February 2011
14 Investigator Kotecha with the, uh, DHEC was contacted by our
15 office, Your Honor, 'bout an infant death involving the death
16 of the baby of the defendant in this case, Your Honor, Alexis
17 Greene. Uh, basic through investigation they found that that
18 she'd been seein' two doctors: Dr. Kovacs and
19 Dr. Kooistra, Your Honor, uh, she had seen 'em the same time.
20 He went and talked to both doctors, Your Honor, they both said
21 that they did not know the other one was giving the other one
22 drugs, uh, both all controlled substances, Your Honor, they
23 didn't have knowledge of that, Your Honor. Basically at that
24 time he charged her with obtaining drugs by fraud. In looking
25 at the case indictment we add a count which is the doctor

1 shopping 'cause obviously the material information needs to be
2 given to both in this case, Your Honor. Dr. Kooistra which
3 the contracts contain this information State Exhibit 1, Your
4 Honor, actually had her sign a contract sayin' that if, uh,
5 basically if she had seen another doctor she would notify that
6 doctor and let her know they're same controlled substances.
7 There's no question Dr. Kooistra did not know in this
8 situation. We went through the trial, at the trial, Your
9 Honor, we tried to introduce these cases along with the cases,
10 went to trial, uh, Mr. Wise made a motion to sever, Judge Cole
11 severed these charges from there, he just afraid for the
12 prejudicial effect was more prejudicial and probative of that
13 case, Your Honor, that's the reason why these charges left
14 open in this case. Basically in lookin' at it, Your Honor,
15 they have a problem with Dr. Kovacs, they brought it up at
16 trial that supposedly she may a had knowledge from some
17 paperwork that she'd done, uh, we would allege that that she
18 did -- that she did not tell Dr. Kovacs, course they will tell
19 ya a different position with that so that's the reason why we
20 agreed to the *Alford* plea. In cases -- this case is on
21 appeal, Your Honor, involvin' the homicidal child abuse, the
22 involuntary manslaughter, unlawful neglect and obviously if we
23 had a trial we would bring this evidence back forward at that
24 time 'cause we think like the evidence would be there but to
25 me just for judicial economy we've agreed to this plea in this

1 situation but the dates are on the indictment, Your Honor.
2 The dates was the dates that she got the drugs from
3 Dr. Kooistra in this case and obviously and one thing to let
4 you know Dr. Kooistra she was pregnant with her another child
5 before this, had actually taken the medica -- would not give
6 her narcotic drugs such as these so if she woulda known she
7 would not gave her the drugs and I won't go in the details of
8 the whole case and everything, it was provided at trial and
9 I'd also add the trial, uh, anything that was presented in
10 evidence a that as part a the facts a this case too because
11 obviously we tried this case, spent four days tryin' it from
12 that standpoint.

13 THE COURT: Alright. Ma'am, did you hear what the
14 solicitor told me?

15 THE DEFENDANT: Yes, sir, Your Honor.

16 THE COURT: Alright, is that true?

17 THE DEFENDANT: Yes, Your Honor.

18 THE COURT: Okay, Court accepts all pleas on each
19 indictment as being freely, intelligently, voluntarily given,
20 sound advice of an excellent lawyer with whom this court knows
21 well. Mr. Wise.

22 MR. WISE: Your Honor, the other -- I'll I'll make first
23 mention the other thing they're gonna dismiss a CDV which is
24 down in the lower court and we probly gonna have Randy Greene
25 who is her husband who's still with her through all this he

1 has never pushed this CDV so he would acquiesce in havin' that
2 dismissed in the lower court too.

3 MR. BARNETTE: And, Your Honor, if I can just have him
4 put on the record Mr. Greene that he wants the CDV dismi
5 [sic], that's my understanding 'cause we actually had a bond
6 revocation motion ---

7 MR. WISE: Right.

8 MR. BARNETTE: --- is what I told Judge Cole about it,
9 just for the record if he can just stand up and say ---

10 THE COURT: Mr. Greene.

11 MR. GREENE: Yes, Your Honor.

12 THE COURT: Uh, uh, tell us about that, you are agreeing
13 to dismiss the CDV?

14 MR. GREENE: I I would like the CDV dismissed, Your
15 Honor.

16 THE COURT: Okay, that's your decision to do that?

17 MR. GREENE: It's my decision absolutely.

18 THE COURT: Nobody talked you into that or forced you or
19 threatened.

20 MR. GREENE: None, whatsoever.

21 THE COURT: Okay. Anything, Solicitor?

22 MR. BARNETTE: No, sir, and we'll dismiss it once that,
23 once these ---

24 MR. WISE: Right, ---

25 MR. BARNETTE: --- charges ---

1 MR. WISE: --- he did not push it originally but it be
2 better for for them to. . .Your Honor, it's a reasonable
3 disposition, as I mentioned to you earlier the credibility of
4 these doctors was one of the issues involving previous trial,
5 the jury convicted her, I think based upon that there is a
6 reasonable probability that, uh, were they to go forward
7 particularly the one with Kooistra but that would be a
8 reasonable chance of being convicted, I probly disagree with
9 Mr. Barnette a little bit on the other doctor, I think we had
10 some pretty good proof that that she knew but, uh, those are
11 gone anyway so the ones with Dr. Kooistra there is a
12 reasonable probability the jury would, uh, believe her
13 testimony and it's based upon our prior experience and I think
14 this is a proper disposition of, uh, these charges.

15 THE COURT: Alright, very good.

16 MR. WISE: Thank you.

17 THE COURT: Ma'am, anything you'd like to say?

18 THE DEFENDANT: No, Your Honor.

19 THE COURT: Okay, well certainly the Court's gonna go
20 along with the, with the, uh, deal that you got there, okay.
21 It will take a few ---

22 THE DEFENDANT: Yes, sir.

23 THE COURT: --- minutes fill out the paperwork and you
24 don't have to be here for that, uh, yeah, you do. 2013-5147
25 you're confined to the State Department of Correction for a

1 period of 2 years, that is concurrent with your current SCDOC
2 sentence and all other indictments; 2013-5146 you are confined
3 to the State Department of Correction for a period of 2 years,
4 that is concurrent with your SCDOC sentence and all other
5 indictments; 2013-5145 you're confined to State Department of
6 Correction for a period of 2 years, that's concurrent with
7 your current SCDOC sentence and all other indictments;
8 2013-5139 you're confined to State Department of Correction
9 for a period of 2 years, that's concurrent with your current
10 sentence and all other indictments; 2013-5138 you're confined
11 to State Department of Correction for a period of 2 years ,
12 concurrent sentence and all other indictments; 2013-5137
13 confined to State Department of Correction for a period of 2
14 years, that's concurrent with your current sentence and all
15 other indictments; 2013-5136 confined to the State Department
16 a Correction period of 2 years, it's concurrent with your
17 current sentence and all other indictments; 2013-5135 confined
18 to State Department a Correction for a period of 2 years, it's
19 concurrent with your current sentence and all other
20 indictments; 2013-5134 confined to State Department a
21 Correction period of 2 years, it's concurrent with your
22 current sentence and all other indictments; 2013-5133 confined
23 to State Department of Correction for a period of 2 years,
24 it's concurrent with you current sentence and all other
25 indictments, 2013-5132 confined to State Department a

1 Correction for a period of 2 years, it's concurrent with your
2 current sentence and all other indictments; 2013-5131 confined
3 to State Department a Correction for a period of 2 years, it's
4 concurrent with your current sentence and all other
5 indictments; 2013-5130 confined to State Department a
6 Correction for a period a 2 years, it's concurrent with your
7 current sentence and all other indictments; 2013-5129 confined
8 to State Department a Correction period of 2 years, it's
9 concurrent with your current sentence and all other
10 indictments; 2013-5128 confined to State Department a
11 Correction period a 2 years, it's concurrent with your current
12 sentence and all other indictments; 2013-5127 confined to
13 State Department a Correction a period of 2 years, it's
14 concurrent with your current sentence and all other
15 indictments; 2013-5126 confined to State Department a
16 Correction period of 2 years, it's concurrent with your
17 current sentence and all other indictments; 2013-5125
18 sentenced to the Department a Correction period of 2 years,
19 it's concurrent with your current sentence and all other
20 indictments and lastly; 2013-5124 committed to the State
21 Department a Correction period of 2 years, concurrent with
22 your current sentence and all other indictments. Good luck,
23 ma'am.

24 MR. WISE: Your Honor, just one thing to tack on the
25 record. She has some pretty substantial jail time in this

1 case also, how long were you in jail before you got released
2 on bond?

3 THE DEFENDANT: Twenty-five days.

4 MR. WISE: Twenty-five days of jail time on on original
5 arrest on these charges.

6 THE COURT: I'll check the box, give you credit for time
7 served on this, uh, 25 days?

8 MR. WISE: Yes, sir.

9 THE DEFENDANT: Yes, sir.

10 THE COURT: I'll put that on the sentencing sheet, that's
11 on each and every indictment.

12 MR. WISE: Right, and then they start concurrent with
13 time back in March, it should.

14 THE COURT: Do I need to write that on ---

15 MR. WISE: I don't think so.

16 MR. BARNETTE: I think the DOC should cal -- should ---

17 MR. WISE: Right.

18 MR. BARNETTE: --- calculate that.

19 MR. WISE: If they don't we'll let you know.

20 THE COURT: Alright.

21 MR. WISE: Thank you.

22 MR. BARNETTE: Thank Your Honor.

23 THE COURT: Thank you. Thank you, Mr. Wise.

24 MR. WISE: Thank you, thank you very much.

25 THE COURT: Yes, sir.

CERTIFICATE OF REPORTER

1
2
3 I, Margaret A. Woods, Court Reporter in and for the State
4 of South Carolina at Large, hereby certify that I reported the
5 preceding case on July 22, 2014 at the time and place
6 heretofore set forth; and that the foregoing pages numbered
7 from 4 through 18, inclusive, constitute a true and accurate
8 transcription of my stenographic notes of the said proceeding.

9 I further certify that I am neither attorney nor counsel
10 for, nor related to or employed by any of the parties
11 connected to the action, nor am I financially interested in
12 the action.

13 September 19, 2014

14
15 Margaret A. Woods

16 Margaret A. Woods, Court Reporter
17 in and for the State of South Carolina at Large.
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