

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

Appeal from York County

John C. Hayes, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

CLIFFORD DEAN CANFIELD,

APPELLANT

APPELLATE CASE NO 2016-002574

RECORD ON APPEAL

RECEIVED
JUL 10 2018
SC Court of Appeals

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ATTORNEYS FOR RESPONDENT

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1 STATE OF SOUTH CAROLINA)
 2 COUNTY OF YORK) COURT OF GENERAL SESSIONS
 No. 2014 GS 46 0379; 0381

3
 4 STATE OF SOUTH CAROLINA)
 5)
 6 versus) TRANSCRIPT OF RECORD
 7)
 8 CLIFFORD DEAN CANFIELD)
 9 Defendant)

York, South Carolina
 March 14, 2014

13 B E F O R E :
 14 HONORABLE WILLIAM H. SEALS, Judge Presiding

15 A P P E A R A N C E S :
 16 For the State: B. PLEMING, Esq.
 Assistant Solicitor
 17 For the Defendant: G. DUNN, Esq.
 18 Probation Officer: D. BURGER
 19 Reporter Present: PHYLLIS CAMPO
 20

21
 22 HARRIET P. BENNETT
 Reporter, S. C. Court Administration
 23 46 Regency Oaks Drive
 Summerville, S.C. 29485
 24
 25

1 (The within matter came before the Court for hearing
2 on March 14, 2014)

3 (The Defendant was placed under oath by the Clerk
4 for purposes of this hearing)

5 SOLICITOR: Your Honor, before you is Clifford Dean
6 Canfield with his attorney, Geoffrey Dunn.

7 He is pleading under Alford to manufacturing metham-
8 phetamines, first offense, which carries up to fifteen
9 years and is a violent offense.

10 Also, he is pleading under Alford to manufacturing
11 methamphetamines in proximity of a park. That carries up
12 to two years and is a serious offense.

13 Your Honor, we have agreed on behalf of the State to
14 allow the Defendant to enter a plea to the lesser offense
15 of possession.

16 THE COURT: Mr. Canfield, you are pleading guilty
17 pursuant to North Carolina versus Alford to manufacturing
18 methamphetamines which carries up to fifteen years in prison.
19 Is that correct?

20 DEFENDANT: Yes, Your Honor.

21 THE COURT: And you are also pleading guilty pursuant
22 to Alford to manufacturing meth in proximity of a park.
23 Is that correct?

24 DEFENDANT: Yes, sir.

25 THE COURT: You could have a jury trial where the

1 State would have to prove your guilt?

2 DEFENDANT: My lawyer has explained all of that to
3 me, sir.

4 THE COURT: And if you had a trial your lawyer could
5 cross examine and confront all of the State's witnesses
6 and you would have the right to remain silent?

7 DEFENDANT: Yes, sir.

8 THE COURT: And you could take the stand and testify
9 before a jury if you were to choose to do that. Do you
10 understand that?

11 DEFENDANT: Yes, sir.

12 THE COURT: Do you want to give up your right to a
13 trial and plead today?

14 DEFENDANT: Yes, sir, I do.

15 THE COURT: Are you satisfied with your lawyer?

16 DEFENDANT: Very much so, yes, sir.

17 THE COURT: And other than the negotiation stated
18 has anybody promised you anything to get you to plead
19 guilty?

20 DEFENDANT: No, sir.

21 THE COURT: Anybody threatened you or forced you to
22 plead guilty?

23 DEFENDANT: Not at all, sir.

24 THE COURT: Are you under the influence of any drugs
25 or alcohol at this time?

1 DEFENDANT: No, sir.

2 THE COURT: All right, Solicitor.

3 SOLICITOR: Your Honor, the facts happened between
4 the dates of March first of 2013 and May 29th of 2013.

5 Mr. Canfield, along with his girlfriend at the time,
6 in conjunction with others, manufactured methamphetamines.
7 On May 29th of 2013 after receiving complaints received,
8 they approached the house and Jennifer Christian, the
9 girlfriend, gave them written consent to search to house.

10 Upon approaching that residence, they found a lot of
11 evidence showing that meth was being manufactured.

12 There were approximately fifteen separate meth bot-
13 tles and the officers found at least one pot used to make
14 the meth. They found the general cold medicine boxes of
15 matter that are used in the manufacture.

16 There were a lot of evidence there of items used in
17 the manufacture. Ms. Christian told officers that Mr.
18 Canfield with other individuals were making meth. There
19 was no question from the evidence and from what Ms.
20 Christian stated to the officers and what they found that
21 meth was being manufactured at that location.

22 THE COURT: All right, Mr. Dunn.

23 MR. DUNN: If it please the Court, Your Honor, I was
24 retained by Mr. Canfield, Your Honor, and I have explained
25 to him all the procedural matter and Mr. Canfield does

1 understand all of his constitutional rights which he is
2 waiving today.

3 He very much appreciates the recommendation that was
4 made. I believe Mr. Canfield would tell Your Honor that
5 he realizes that he got himself into this condition. He
6 wants to be completely shed of those actions in his life.
7 He is clean now and he wants to remain clean.

8 He wants to benefit from the program that probation
9 could provide for him. He had a very small part along
10 with two others. He freely admits what he has done and
11 wishes to put it all behind him. He has a good bit of
12 support to help him do that.

13 He has step-children that he wants to take care of
14 and he has a fiance who is present in the Courtroom. He
15 -- again he realizes that what could have resulted and it
16 is clear to him that he should not be here.

17 He wants to benefit from this program through proba-
18 tion if the Court takes the recommendation. I just think
19 that he can become a productive member of society one day.

20 THE COURT: All right, it is the sentence of the
21 Court that he be sentenced to ten years, suspended to
22 three years probation.

23 Special condition of his probation is random drug
24 and alcohol testing.

25 Good luck to you.

1 MR. DUNN: Thank you very much, Your Honor.

2 SOLICITOR: Thank you.

3 -----END OF REQUESTED TRANSCRIPT OF RECORD-----

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CERTIFICATE

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I, HARRIET P. BENNETT, Court Reporter for South Carolina Court Administration, hereby certify that the foregoing Transcript was prepared from the records of Phyllis Campo to the best of my ability, having been heard in the Court of General Sessions for York County on March 14, 2014.

FURTHER, I certify that I am neither of kin nor counsel to any party to this matter, nor do I have any interest in the same.

Harriet P. Bennett

May 8, 2018

State of South Carolina.,)
)
)
County of York.)

In the Court of General
Sessions for York
Case No.: 2016-GS-46-04642

State of South Carolina.,)
)
Plaintiff.,)
)
-vs-)
)
Clifford Dean Canfield.,)
)
Defendant.)

Transcript of Record

December 15, 2016
York, South Carolina

B E F O R E:

The Honorable John C. Hayes, III., Judge.

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

Mr. Thomas Blaine Fleming
Sixteenth Circuit Solicitor's Office
118
1675-1A York Hwy.
York, SC 29745
blaine.pleming@yorkcountygov.com
(803) 818-6669
Attorney for the Plaintiff

Mr. Geoffry Mark Dunn
Law Offices of Geoffry M. Dunn, LLC
PO Box 1029
Rock Hill, SC 29731
geoffdunn@comporium.net
(803) 327-3866
Attorney for the Defendant

Wanda S. Nelson, CVR-M
Circuit Court Reporter
Sixteenth Judicial Circuit
Union and York Counties
To the Honorable Daniel D. Hall

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I-N-D-E-X

E-X-A-M-I-N-A-T-I-O-N

WITNESS

BY:

PAGE NO.

No witnesses were called.

Court Reporter's Certificate Page P.15

I-N-D-E-X

E-X-H-I-B-I-T-S

<u>NO.</u>	<u>DESCRIPTION</u>	<u>ID</u>	<u>EVD.</u>
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No Exhibits were received into the record.

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1 (COURT IN SESSION IN THE MATTER OF STATE VERSUS
2 CLIFFORD DEAN CAN FIELD THURSDAY, DECEMBER 15, 2016 AT
3 12:02 P.M.)

4 SOLICITOR PLEMING: Please bring Clifford Canfield
5 from the holding cell.

6 (DEFENDANT CLIFFORD CANFIELD, WHITE MALE, ENTERS THE
7 COURTROOM.)

8 SOLICITOR PLEMING: Thank you, your Honor. May it
9 please the Court.

10 THE COURT: Yes, sir.

11 SOLICITOR PLEMING: Your Honor, the next case before
12 the Court is a plea in the matter of the State versus
13 Clifford -- the *State versus Clifford Dean Canfield*. He's
14 represented by Geoffrey Dunn, he is appointed on this case.

15 Mr. Canfield is currently incarcerated and has been
16 since August 15th. He's currently on probation and this
17 plea will constitute a violation of that probation. He's
18 pleading guilty on Indictment 2016-GS-46-04642 waiving
19 presentment to the Grand Jury on that Indictment. And
20 pleading guilty as charged to manufacturing meth second
21 offense.

22 The State's recommendation is a time served sentence
23 to run concurrent with the sentence he receives for
24 violating his probation.

25 THE COURT: How does a time served sentence run

1 concurrent with anything because a time served sentence
2 isn't running?

3 MR. DUNN: He's supposed to be pleading to a first
4 offense.

5 SOLICITOR PLEMING: That's correct, your Honor.

6 MR. DUNN: That's why we're here.

7 THE COURT: How old are you, Mr. Canfield?

8 MR. CANFIELD: 36, your Honor.

9 THE COURT: You represented by Mr. Dunn?

10 MR. CANFIELD: Yes, sir.

11 THE COURT: You satisfied with his service?

12 MR. CANFIELD: Yes, sir, I am.

13 THE COURT: I have in front of me an indictment that
14 has not been before the Grand Jury of York County charging
15 you with a violation of the law in that you manufactured
16 methamphetamine. Do you wish to have this charge reviewed
17 by the Grand Jury or do you wish to give that right up?

18 MR. CANFIELD: I give that right up, sir.

19 THE COURT: He's indicated by his initials and
20 signature he's waiving presentment.

21 What does this carry?

22 SOLICITOR PLEMING: It carries --

23 MR. DUNN: It's a first offense.

24 SOLICITOR PLEMING: First offense. Zero to fifteen.

25 THE COURT: It carries up to fifteen years in jail.

1 It is a violent offense. A violent offense is the type of
2 offense which if in your life time you receive three -- I'm
3 sorry, if you actually served time on this you would not be
4 eligible for certain programs that violent -- that non-
5 violent offenders are allowed to participate in. But it
6 also means that if you serve any time you have to serve at
7 least one third of your sentence. It is a felony.

8 Do you understand the charge and the potential
9 penalty?

10 MR. CANFIELD: Yes, sir, your Honor.

11 THE COURT: The charge actually as set forth in the
12 indictment is that on or about July 20th of this year you
13 did manufacture or attempt to conspire to manufacture
14 methamphetamine in violation of the laws of this state.

15 How do you plead?

16 MR. CANFIELD: Guilty, your Honor.

17 THE COURT: And I'm still a little confused on the
18 recommendation. Can you tell me again?

19 SOLICITOR PLEMING: It's a time served recommendation,
20 your Honor.

21 THE COURT: Other than a time served recommendation
22 has anyone made any other promise, or threats, to cause you
23 to enter today your plea of guilt to this charge?

24 MR. CANFIELD: No, sir, your Honor.

25 THE COURT: Are you today under the influence of

1 anything that would cause you to be intoxicated?

2 MR. CANFIELD: No, sir, your Honor.

3 THE COURT: Are you entering your plea today freely
4 and voluntarily?

5 MR. CANFIELD: Yes, sir.

6 THE COURT: All right. How long you been in jail?

7 MR. CANFIELD: A hundred and nineteen days, your
8 Honor.

9 THE COURT: You have a right to a trial by a jury on
10 this charge and you are presumed innocent of this charge
11 until such time as the State is able to prove, if it can,
12 your guilt beyond a reasonable doubt. As to the charge you
13 have the right to remain silent, the right to confront
14 witnesses against you, and you have the right to have your
15 witnesses made to come to court to testify for you.

16 Do you understand you have these rights?

17 MR. CANFIELD: Yes, sir, I do.

18 THE COURT: Do you have any questions about them?

19 MR. CANFIELD: No, sir, I do not.

20 THE COURT: I advise you that by entering a plea of
21 guilt you're giving up these rights and you're also giving
22 up any defense to the charge. Do you understand that?

23 MR. CANFIELD: Yes, sir, your Honor.

24 THE COURT: Knowing all those things I ask again, how
25 do you plead to this charge?

1 MR. CANFIELD: Guilty, your Honor.

2 THE COURT: All right. You have plead guilty and
3 before I -- Well, tell me the facts.

4 SOLICITOR PLEMING: Your Honor, on July 12th, 2016
5 Agent Berger or Burger of the Public -- excuse me,
6 Probation Pardon and Parole who was the Defendant's
7 probation agent went to 3489 Carrie Estates Road, which was
8 the Defendant's address, with a warrant for his arrest and
9 while there could smell a strong chemical odor coming from
10 the residence.

11 Mr. Canfield was at the time on probation for
12 manufacturing methamphetamine. On July 20th eight days
13 later members of the DEU and Probation Pardon and Parole
14 went to the residence and knocked on the door. No one
15 answered and Investigator Harrelson could see marijuana on
16 a table inside the residence in plain view.

17 A search warrant was then obtained for the residence
18 and executed that afternoon. Inside officers located Ryan
19 Neal Carpenter who was in a bedroom asleep at the time.
20 During a sweep of the residence they also located a one-pot
21 methamphetamine lab with an igloo cooler with a chemical
22 using -- commonly used in the manufacture of
23 methamphetamine as well as an HCL generator in the back
24 bedroom.

25 York County Emergency Management responded due to the

1 hazardous materials and in the back of the residence they
2 also located a burn barrel. Harrelson then saw inside the
3 burn barrel a burnt container of Coleman camping fuel which
4 is the common ingredient in the manufacture of
5 methamphetamine.

6 In the residence were three empty Coleman camping fuel
7 containers as well.

8 They also located a respirator and hazmat suit inside
9 the house. They also located approximately 124 grams of
10 liquid methamphetamine.

11 Mr. Carpenter, the co-defendant, later stated that he
12 had been buying boxes of pseudophed for Mr. Canfield over
13 the past four to five months. Mr. Canfield was paying him
14 with meth. Pseudophed logs showed both defendant's had
15 been purchasing pseudophed prior to the search.

16 Mr. Canfield upon his arrest denied making meth. He
17 acknowledged to the officers however that he knew Mr.
18 Carpenter had been making meth and stated that he was quote
19 just as guilty as the other guy.

20 His prior criminal history: He has a 2000 for simple
21 possession of marijuana. A 2014 conviction for
22 manufacturing meth which is the charge for which he's
23 currently on probation, and 2015 DUS. And just for
24 clarification, your Honor, the recommendation is intended
25 to pertain only to his sentence on this charge. As far as

1 the probation matter the State would consider that separate
2 and would -- I believe that he does certainly receive a
3 separate penalty for violating probation.

4 THE COURT: Do you agree with those facts, Mr.
5 Canfield?

6 MR. CANFIELD: All except for one, your Honor. I
7 admit that I have a problem with drugs but I do not plead
8 guilty to the cooking part. That was my co-defendant's
9 part in the process. I do admit that I have a problem and
10 I'm asking your mercy for help.

11 THE COURT: Well you're charged with aiding,
12 attempting or conspiring.

13 MR. CANFIELD: Yes, sir, your Honor.

14 THE COURT: Not just necessarily cooking. And the
15 facts that you are agreeing to indicate to me that you were
16 involved in procuring ingredients, pseudopheds, which is a
17 part of the -- something's that required for the
18 manufacture of methamphetamine. You admitted to that.

19 MR. CANFIELD: ,Yes, sir, your Honor.

20 THE COURT: ,I accept your plea. You're also charged
21 with violating your probationary sentence. You were
22 arrested on that charge back in August, August 16th of this
23 year. That charge is one that Judge Seals imposed on the
24 14th day of March of 2014 for distribution of
25 methamphetamine and doing that within one half mile of a

1 school or a park. You received a sentence of ten years
2 suspended to three years probation. Is that correct?

3 MR. CANFIELD: Yes, sir, your Honor.

4 THE COURT: The violation is alleged to be that you
5 picked up this charge to which you are now pleading guilty.
6 And that is correct, correct?

7 MR. CANFIELD: Yes, sir, Your Honor.

8 THE COURT: I find that is a substantial violation.

9 I'll be glad to hear from your attorney. The
10 recommendation of the probation office is that I entirely
11 revoke your probation. I'll be glad to hear from your
12 attorney.

13 MR. DUNN: If it may please the Court, your Honor.

14 Your Honor, I have been appointed to represent Mr.
15 Canfield on these, on the arrest part, on the new charges.
16 I've -- I agreed to represent him further on the probation
17 violation since it arises out of the same -- the incidents.

18 As he stated he's been in jail for a hundred and
19 twenty-two days. Your Honor, he has never not admitted --
20 He has always admitted to me from the very beginning that
21 he has a drug problem. He has never denied that he was a
22 part of the process that as the facts were read. The only
23 thing that he's ever disputed as far as the facts go really
24 is that he was the cook. He has always maintained that his
25 co-defendant was the one who was actually cooking. He was

1 just helping procure and get the ingredients.

2 The house that these things were located in was
3 actually where Mr. Canfield had been residing. The date
4 that the agents had gone up to issue the arrest warrant and
5 they found the meth lab he had actually at that point had
6 moved up to Charlotte. At the time he was working was
7 staying at a house owned by his boss and was house sitting
8 up in that area. It very well may have created another set
9 of problems for him not telling his agent where he was and
10 we admit that.

11 THE COURT: He's not charged with that.

12 MR. DUNN: He's not charged with it but it is an
13 admission. And I say all of that to say, your Honor, that
14 at the end of the day what Mr. Canfield's problem is is
15 he's got a drug problem. I mean the charges sound bad and
16 he certainly has a lot of time hanging over his head. He's
17 been the first one to admit to me that he's got a drug
18 problem and has ask for help for the drugs and would like
19 drug treatment of some kind.

20 I would ask the Court to consider instead of revoking
21 his probation in full that he place Mr. -- or excuse me,
22 that you place Mr. Canfield in drug treatment and then
23 continue him on probation once he gets out of that
24 inpatient treatment facility.

25 As I said he was working at the time that he got

1 arrested. He was trying to get his life back together. He
2 promised he has a bad habit and he was delving in that
3 habit and that's why he was buying the pseudoephedrine for
4 his co-defendant to make. He was not selling this stuff to
5 other people and he wasn't engaged in that part of the
6 process and the meth that was being made at the house was
7 for his consumption and his co-defendant's consumption.
8 And we would ask that instead of treating this as a drug
9 dealer's case that you consider it more of a drug addict
10 case and give him the help that he needs, give him the
11 tools so he can help himself when he gets out.

12 He's been clean for a hundred and twenty-two days or
13 more. Quite frankly he looks good and he sounds good.
14 Every time I talk to him he looks better and sounds better
15 than he did the last time I seen him because he's been that
16 much longer off of the drugs.

17 And the only thing he's ever ask me, your Honor, is
18 just that he could somehow get drug treatment. I told him I
19 would certainly ask the Court for that for him.

20 THE COURT: Probation have a position other than
21 what's on the form?

22 AGENT SWAN: No, sir.

23 THE COURT: All right. Mr. Canfield, anything you
24 want to say?

25 MR. CAN FIELD: Just that I ask mercy, your Honor, and

-14-

1 for you to give me the tools that I need to better myself
2 and to stay clean. I know I been down the wrong path and I
3 believe I've seen the light and never want to return down
4 that path again.

5 THE COURT: All right. On the current charge the
6 sentence is time served. On the probation I'm gonna revoke
7 five years of your probation and recommend you receive
8 treatment through the Addiction Treatment Unit while you're
9 incarcerated. And when you have served that time you will
10 continue to be on probation up through a full five years
11 from March 14th, 2014, with substance abuse counseling and
12 random drug and alcohol testing. I hope you get straight.

13 MR. CANFIELD: Thank you, your Honor.

14 SOLICITOR PLEMING: Thank you, your Honor.

15 MR. DUNN: Thank you, your Honor.

16 (DEFENDANT CLIFFORD CANFIELD EXITS COURTROOM.)

17 - END OF TRANSCRIPT OF RECORD -
18
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CERTIFICATE OF REPORTER

State of South Carolina)

County of York)

I, Wanda Nelson, Official Court Reporter for the Sixteenth Judicial Circuit for the State of South Carolina, do hereby certify that the foregoing is a true, accurate and complete Transcript of Record of the proceedings had and evidence introduced in the trial of the captioned case, relative to appeal, in the Court of General Sessions for York County, South Carolina, on 15th day of December 2016.

I do further certify that I am neither of kin, counsel, nor interest to any party hereto.

Wanda S. Nelson
 Wanda S. Nelson, CVR-M
 Certified Verbatim Reporter,
 Official Circuit Court Reporter,
 Notary Public, in and for
 The State of South Carolina,

My Commission Expires: 1/21/2021

DATE: April 5, 2018

Form 16.1- Arrest Warrant
Form Approved by
SC Attorney General
Section 17-13-160
March 15, 1978

STATE OF SOUTH CAROLINA
COUNTY OF YORK

Probation
ARREST WARRANT

Indictment Number 14-GS-46-00379, 14-GS-46-00381
Warrant Number W-46-16-0228
State Identification No. (SID) 01253951

TO ANY LAW ENFORCEMENT OFFICER OF THIS STATE OR COUNTY OR OF THE MUNICIPALITY OF ROCK HILL, AND ANY CONSTABLE OF THIS MAGISTERIAL DISTRICT:

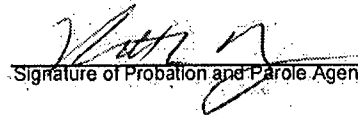
It appearing from the attached affidavit that there are reasonable grounds to believe that CLIFFORD DEAN CANFIELD, did on the 15 day of July, 2016 violate the criminal laws of the State of South Carolina as set forth below:

DESCRIPTION OF OFFENSE:

Probation violation pursuant to Section 24-21-450 in that the Defendant violated the conditions of his/her probation sentence as imposed by Judge William Seals at the 3/14/2014 term of General Sessions Court holden in York County, York, South Carolina.

Now, therefore, you are empowered and directed to arrest the said defendant and bring CLIFFORD DEAN CANFIELD 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. Done at ROCK HILL, S. C. this 15 day of July, 2016.

County of YORK



(L.S.)
Signature of Probation and Parole Agent

STATE OF SOUTH CAROLINA

AFFIDAVIT

Personally appeared before me, one Nathan R Burger, who, first being duly sworn, deposes and says that CLIFFORD DEAN CANFIELD did within this County and State on the 15 day of July, 2016, violate the criminal laws of the State of South Carolina in the following particulars:


DESCRIPTION OF OFFENSE:

Probation violation pursuant to Section 24-21-450 in that the Defendant violated the conditions of his/her probation sentence as imposed by Judge William Seals at the 3/14/2014 term of General Sessions Court holden in York County, York, South Carolina.

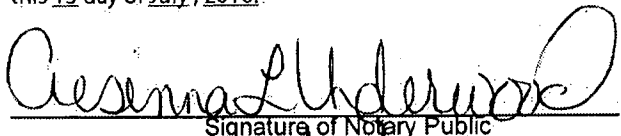
The affiant states that there is probable cause to believe that the defendant named above did commit the crime(s) set forth, and that such probable cause is based on the following facts:

Subject failed to follow the advice and instructions of his agent by failing to report as directed on 3/17/2016, 3/24/2016 as directed by phone conversation on 3/21/2016, 5/24/2016 as instructed by letter sent on 5-18-16, 7/6/2016 as instructed by door tag left on 7/5/2016 during home visit, and again on 7/13/2016 as instructed by door tag left on 7/12/2016 during home visit; failing to report for Financial Roll Call on 2-29-16 and 6-30-16; failing to pay Supervision fees, being \$50 in arrears at time of warrant; Such actions constitute a willful violation of sections 1, 7, 9, and 10 conditions of the original probationary agreement.

Sworn to and Subscribed before me
this 15 day of July, 2016.



Affiant



(L.S.)
Signature of Notary Public

Address: 1070 HECKLE BLVD.
SUITE 201, BOX 14
ROCK HILL, SC 29732
YORK
USA
(803) 909-7282

9/27/17
My Commission Expires

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

County of York
STATE VS.

FILED-REC'D

Indictment Number: 2014-GS-46-00379
Probation CW#s: W-46-16-0228
3:09

Clifford Canfield 2017 JAN -4 P

AKA: _____
Race: W Sex: M
DOB: _____
SSN: _____
SID#: 01253951

Name of Original Offense: Misconduct with meth 1st
Original A/W#: D1 2014 1746 102 00633
Date of Original Offense: 5/29/13
Conviction S.C. Code §: 44-53-0375 (B)(2)
Conviction CDR Code #: 3 1 1 1 9 18
Original Sentence: 10 yrs but is 3 yrs probation

ORDER

The above named defendant has been charged with violating the conditions of probation ordered on 3/14/14 in the Court of General Sessions of York County, and/or the additional conditions ordered by the Court in probation continuation orders(s) issued on _____, as set forth in the attached warrant(s) or citation(s) dated 7/15/16. After hearing the evidence and being duly advised, in the (presence/absence) of the defendant, I find that the above named defendant has violated the following condition(s) of probation: (List by number or indicate special conditions as provided in the affidavit)
7, 9, 10 ordered

Therefore, IT IS ORDERED that:

~~the suspended sentence be revoked and the above named defendant be required to serve 5 months/years, the remainder of the original sentence, and/or pay \$ _____.~~

the suspended sentence be revoked and the above named defendant be required to serve 5 months/years of the original sentence and/or pay \$ _____; thereupon to be reinstated on probation, subject to the conditions set forth in the attached order and not inconsistent with this order. **Extend probation to full 5 years**

the above named defendant is continued on probation as provided for in the original sentence, subject to the conditions set forth therein and not inconsistent with this order.

probation is reduced to time served under supervision and the defendant is discharged from supervision on this date.

the above named defendant is placed on active electronic monitoring pursuant to §23-3-540 (mandatory if convicted of first degree criminal sexual conduct with a minor or lewd act, discretionary if convicted of any other applicable sex offense against a minor).

Financial Obligations: Order satisfies: Department fees (arrearage) Fines and other fees (arrearage/balance) Restitution (and 20%) (arrearage/balance) Civil judgment: Department fees Fines and other fees Restitution (and 20%)

Additional Conditions ordered by the Court:

ATU recommended

The defendant is given credit for pre-revocation hearing detention time on current probation violation to be calculated and applied by the SC Department of Corrections.

The defendant has previously served _____ months/years on this sentence. (split sentence time and/or prior partial revocation time)

The defendant was previously placed on active electronic monitoring pursuant to §23-3-540.

This 15th day of December, 2016
York, SC

John H. Hays
Presiding Judge 16th Judicial Circuit

You are hereby advised that under the law the Court may at any time revoke or modify any condition of this probation; impose any lawful conditions it deems proper; or extend your period of probation not to exceed five (5) years. At any time within the period of your probation, the Court may require you to serve any part of the original sentence imposed.

This is to certify that I have read, or have had read to me, the order and the conditions set out therein. I agree to comply with such conditions and the conditions of my attached probation order during the period of my probation. I have received a copy of this Court's order and all attachments.

Offender's Signature Unable to Sign
Signed this 15th day of December, 2016, at _____

Witnessed by [Signature]
_____ City York SC

County of York
STATE VS.

Indictment Number: 2014-GS-46-00381
Probation C/W #s: W-46-16-0228

AKA: Clifford Canfield
Race: W Sex: M
DOB: _____
SSN: _____
SID#: 01253951

Name of Original Offense: Misc MTA within Park
Original A/W #: D12013A4610200641
Date of Original Offense: 5/29/13
Conviction S.C. Code §: 44-53-0445 (B)(1)
Conviction CDR Code #: 0111017
Original Sentence: 10 yrs, 6m, 3yrs
ORDER

The above named defendant has been charged with violating the conditions of probation ordered on 3/19/13 in the Court of General Sessions of York County; and/or the additional conditions ordered by the Court in probation continuation order(s) issued on _____, as set forth in the attached warrant(s) or citation(s) dated 7/5/16. After hearing the evidence and being duly advised, in the (presence/absence) of the defendant, I find that the above named defendant has violated the following condition(s) of probation: (List by number or indicate special conditions as provided in the affidavit)
1, 7, 10 conditions

Therefore, IT IS ORDERED that:

- the suspended sentence be revoked and the above named defendant be required to serve _____ months/years, the remainder of the original sentence, and/or pay \$ _____.
- the suspended sentence be revoked and the above named defendant be required to serve 5 months/years of the original sentence and/or pay \$ _____; thereupon to be reinstated on probation, subject to the conditions set forth in the attached order and not inconsistent with this order Extend probation to full 5 years.
- the above named defendant is continued on probation as provided for in the original sentence, subject to the conditions set forth therein and not inconsistent with this order.
- probation is reduced to time served under supervision and the defendant is discharged from supervision on this date.
- the above named defendant is placed on active electronic monitoring pursuant to §23-3-540 (mandatory if convicted of first degree criminal sexual conduct with a minor or lewd act; discretionary if convicted of any other applicable sex offense against a minor).
- Financial Obligations: Order satisfies:
 - Department fees (arrearage)
 - Fines and other fees (arrearage/balance)
 - Restitution (and 20%) (arrearage/balance)
 Civil judgment:
 - Department fees
 - Fines and other fees
 - Restitution (and 20%)
- Additional Conditions ordered by the Court:

ATU recommended

- The defendant is given credit for pre-revocation hearing detention time on current probation violation to be calculated and applied by the SC Department of Corrections.
- The defendant has previously served _____ months/years on this sentence.
(split sentence time and/or prior partial revocation time)
- The defendant was previously placed on active electronic monitoring pursuant to §23-3-540.

This 15th day of December, 2016
York, SC

[Signature]
Presiding Judge
16th Judicial Circuit

You are hereby advised that under the law the Court may at any time revoke or modify any condition of this probation; impose any lawful conditions it deems proper; or extend your period of probation not to exceed five (5) years. At any time within the period of your probation, the Court may require you to serve any part of the original sentence imposed.

This is to certify that I have read, or have had read to me, the order and the conditions set out therein. I agree to comply with such conditions and the conditions of my attached probation order during the period of my probation. I have received a copy of this Court's order and all attachments.

Offender's Signature: Unable to sign
Signed this 15th day of December, 2016, at _____
Day Month Year

Witnessed by: [Signature]
_____ City _____ SC

After being fully advised as to my legal rights, I hereby waive presentment to the Grand Jury.

WITNESSES

DEU/Rainier

The State of South Carolina
County of York

Defendant

Clifford Canfield
hereby appear in my own proper person and plead guilty to the within indictment or to

sg

ARREST WARRANT NUMBER

Direct Indictment re:
2013A4610200633

COURT OF GENERAL SESSIONS

February 20, Term 2014

Manu. meth 1st.
Cliff Canfield
Defendant

THE STATE

vs.

Witness:
Laura Bonfield Court
C.C.C. PLS. AND G.S. Specialist

ACTION OF GRAND JURY

CLIFFORD DEAN CANFIELD

TRUE BILL

Rebecca W. Neaves
Foreperson of Grand Jury
Date: 2/20/14

VERDICT

Indictment for
MANUFACTURE OF METHAMPHETAMINE

SC Code: 44-53-375(B)(1)
CDR Code: 3199

Foreperson of Petit Jury
Date:

STATE OF SOUTH CAROLINA)
COUNTY OF YORK)

INDICTMENT

At a Court of General Sessions, convened on February 20, 2014, the Grand Jurors of York County present upon their oath:

MANUFACTURE OF METHAMPHETAMINE

Between the dates of March 1, 2013 and May 29, 2013, the Defendant, Clifford Dean Canfield, did manufacture, distribute, dispense, deliver, purchase, or otherwise aid, abet, attempt, or conspire to manufacture, distribute, dispense, deliver, or purchase, or possess with intent to distribute, dispense, or deliver methamphetamine, in violation of the provisions of Section 44-53-370. Said incident occurred in York County, South Carolina all in violation of Section 44-53-375 of 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

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

33 DS

COUNTY OF York
STATE VS.
Clifford Dean Canfield
AKA:
Race: Sex: M Age: 33
DOB: SS#:

INDICTMENT/CASE#: 2014GS4600379
A/W#: DI2013A4610200633
Date of Offense: 5/29/2013
S.C. Code §: 44-53-0375 (B) (2)
CDR Code #: 3199

Address:
City, State, Zip: Rock Hill, SC 29732
DL#: SID#: SC01253951

ORIGINAL

*CDL Yes No CMV Yes No Hazmat Yes No
In disposition of the said indictment comes now the Defendant who was
TO: Manufacturing Methamphetamine, 1st offense (0-15 years and/or \$0-25,000)
in violation of § 44-53-0375 (B) (1) of the S.C. Code of Laws, bearing CDR Code # 3198
NON-VIOLENT VIOLENT SERIOUS MOST SERIOUS Mandatory GPS(CSC) §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: Matthew W. Shelton, Matthew W. SC Bar# 74785 Defendant
Clifford Dean Canfield, Defendant Attorney for Defendant
Della Della SC Bar# 75081

WHEREFORE, the Defendant is committed to the State Department of Corrections, County Detention Center,
for a determinate term of 10 1/2 days/months/years or under the Youthful Offender Act not to exceed years
and/or to pay a fine of \$; provided that upon the service of days/months/years and/or payment
of \$; plus costs and assessments as applicable*; the balance is suspended with probation for 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: today
The Defendant is to be given credit for time served pursuant to S.C. Code § 24-13-40 to be calculated and applied
by the State Department of Corrections.
The Defendant is to be placed on the Central Registry of Child Abuse and Neglect pursuant to S.C. Code § 17-25-135.

Pursuant to 18 U.S.C Section 922, it is unlawful for a person convicted of a violation of Section 16-25-20 or 16-25-65 (Criminal
Domestic Violence) to ship, transport, possess, or receive a firearm or ammunition.

SPECIAL CONDITIONS:

RESTITUTION: Deferred Def. Waives Hearing Ordered PTUP
Total: \$ plus 20% fee: \$
days/hours Public Service Employment

Payment Terms:
Set by SCDPPPS

Recipient:

Table with 2 columns: Description and Amount. Includes items like § 14-1-206 (Assessments 107.5%), § 14-1-211(A)(1) (Conv. Surcharge) \$100, § 14-1-211(A)(2) (DUI Surcharge) \$100, § 56-5-2995 (DUI Assessment) \$12, § 56-1-286 (DUI Breath Test) \$25, Proviso 47.9 (Public Def/Prob) \$500, § 14-1-212 (Law Enforce. Funding) \$25, § 14-1-213 (Drug Court Surcharge) \$150, § 50-21-114 (BUI Breath Test Fee) \$50, § 56-5-2942(J) (Vehicle Assessment) \$40/ea, Proviso 90.5 (SCCA Surcharge) \$5, 3% to County (if paid in installments) \$, TOTAL \$ 280.

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,
§ 47.12 requires \$500 be paid to Clerk
during probation:

Clerk of Court/ Deputy Clerk: David Hamilton
Court Reporter: Phyllis Camps
SCCA/217 (03/2011)

Presiding Judge: [Signature]
Judge Code: 2154
Sentence Date: 3-14-14

STATE OF SOUTH CAROLINA)
COUNTY OF YORK)

INDICTMENT

At a Court of General Sessions, convened on February 20, 2014, the Grand Jurors of York County present upon their oath:

MANUFACTURE OF METHAMPHETAMINE
IN PROXIMITY OF A PARK

Between the dates of March 1, 2013 and May 29, 2013, the Defendant, Clifford Dean Canfield, did, with knowledge that he was within a one half mile radius of the grounds of Oakwood Acres Park, distribute, sell, purchase, manufacture, or unlawfully possess with intent to distribute methamphetamine, a controlled substance, within a one-half mile radius of the grounds of Oakwood Acres Park, a public or private elementary, middle or secondary school; a public playground or park; a public vocational or trade school or technical educational center; or a public or private college or university located in York County, South Carolina. Said incident occurred in York County, South Carolina all in violation of Section 44-53-445 of 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

COUNTY OF York
STATE VS.
Clifford Dean Canfield
AKA:
Race: Sex: M Age: 33
DOB: SS#:
Address:
City, State, Zip: Rock Hill, SC 29732
DL#: SID#: SC01253951

INDICTMENT/CASE#: 2014GS4600381
A/W#: DI2013A4610200641
Date of Offense: 5/29/2013
S.C. Code §: 44-53-0445(B)(1)
CDR Code #: 0107

SENTENCE SHEET

ORIGINAL

*CDL Yes No CMV Yes No Hazmat Yes No
In disposition of the said indictment comes now the Defendant who was
TO: Manufacturing Methamphetamine within Proximity of a Park (Oakwood Acres Park)

CONVICTED OF LEADS

0-10 years and/or \$0-10,000

in violation of § 44-53-0445(B)(1) of the S.C. Code of Laws, bearing CDR Code # 0107
NON-VIOLENT VIOLENT SERIOUS MOST SERIOUS
Mandatory GPS(CSC) §17-25-45 w/minor 1st or Levd Act

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

ATTEST:
Shelton, Matthew W Defendant
74785 Defendant
Attorney for Defendant
15081 SC Bar#

WHEREFORE, the Defendant is committed to the State Department of Corrections, County Detention Center,
for a determinate term of 10 days/months/years or under the Youthful Offender Act not to exceed years
and/or to pay a fine of \$; provided that upon the service of days/months/years and/or payment
of \$; plus costs and assessments as applicable*; the balance is suspended with probation for 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: today
The Defendant is to be given credit for time served pursuant to S.C. Code § 24-13-40 to be calculated and applied
by the State Department of Corrections.
The Defendant is to be placed on the Central Registry of Child Abuse and Neglect pursuant to S.C. Code §17-25-135.

Pursuant to 18 U.S.C Section 922, it is unlawful for a person convicted of a violation of Section 16-25-20 or 16-25-65 (Criminal
Domestic Violence) to ship, transport, possess, or receive a firearm or ammunition.

SPECIAL CONDITIONS:

RESTITUTION: Deferred Def. Waives Hearing Ordered PTUP
Total: \$ plus 20% fee: \$
Payment Terms:
Set by SCDPPPS

Recipient:

Table with 3 columns: Description, Amount, Total. Includes items like § 14-1-206 (Assessments 107.5%), § 14-1-211(A)(1) (Conv. Surcharge) \$100, § 14-1-211(A)(2) (DUI Surcharge) \$100, § 56-5-2995 (DUI Assessment) \$12, § 56-1-286 (DUI Breath Test) \$25, Proviso 47.9 (Public Def/Prob) \$500, § 14-1-212 (Law Enforce. Funding) \$25, § 14-1-213 (Drug Court Surcharge) \$150, § 50-21-114 (DUI Breath Test Fee) \$50, § 56-5-2942(J) (Vehicle Assessment) \$40/ea, Proviso 90.5 (SCCJA Surcharge) \$5, 3% to County (if paid in installments), TOTAL \$280.

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,
§ 47.12 requires \$500 be paid to Clerk
during probation.

Presiding Judge
Judge Code: 2157
Sentence Date: 3-14-13

Clerk of Court/Deputy Clerk: David Hamilton
Court Reporter: Phyllis Campo
SCCA/217 (03/2011)

CERTIFICATE OF COUNSEL FOR APPELLANT

Counsel for appellant certifies that this Record on Appeal contains all material proposed to be included by any of the parties and not any other material and that this Record on Appeal complies to the best of my ability with the April 15, 2014 order from the South Carolina Supreme Court entitled "Revised Order Concerning Personal Identifying Information and Other Sensitive Information in Appellate Court Filings."

Respectfully Submitted,

Robert M. Pachak

Robert M. Pachak
Appellate Defender

South Carolina Commission on Indigent Defense
Division of Appellate Defense
PO Box 11589
Columbia, S.C. 29211-1589

ATTORNEY FOR APPELLANT

This 10th day of July, 2018.

CERTIFICATE OF COUNSEL FOR APPELLANT

Counsel for appellant certifies that this Record on Appeal contains all material proposed to be included by any of the parties and not any other material and that this Record on Appeal complies to the best of my ability with the April 15, 2014 order from the South Carolina Supreme Court entitled "Revised Order Concerning Personal Identifying Information and Other Sensitive Information in Appellate Court Filings."

Respectfully Submitted,

Robert M. Pachak

Robert M. Pachak
Appellate Defender

South Carolina Commission on Indigent Defense
Division of Appellate Defense
PO Box 11589
Columbia, S.C. 29211-1589

ATTORNEY FOR APPELLANT

This 10th day of July, 2018.

RECEIVED

JUL 10 2018

SC Court of Appeals