

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF Horry VS. STATE

Abel Dewayne Gause

AKA:

Race: BLACK Sex: M Age: 44

DOB:

Address:

City, State, Zip

DL#: SID#:

\*CDL Yes No CMV Yes No Hazmat Yes No

In disposition of the said indictment comes now the Defendant who was TO: PWID Heroin, 3rd offense (10-30 years and/or up to \$50,000)

in violation of § 44-53-0370(b)(1) of the S.C. Code of Laws, bearing CDR Code # 0185 [X] NON-VIOLENT [ ] VIOLENT [X] SERIOUS [ ] MOST SERIOUS [ ] Mandatory GPS(CSC w/minor 1st or Lewd Act) \$17-25-45

The charge is: [X] 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: Martin M, George Henry SC101799 SC Bar# Defendant Stanko, James Attorney for Defendant SCB101376 SC Bar#

WHEREFORE, the Defendant is committed to the [X] 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 X years and/or to pay a fine of \$ 50,000.00; provided that upon the service of X days/months/years and/or payment of \$ X; plus costs and assessments as applicable\*; the balance is suspended with probation for X 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:

[X] The Defendant is to be given credit for time served pursuant to S.C. Code §24-13-40 to be calculated and applied by SCDOC. [ ] The Defendant is to be placed on the Central Registry of Child Abuse and Neglect pursuant to S.C. Code §17-25-135. Pursuant to 18 U.S.C Section 922, it is unlawful for a person convicted of a violation of Section 16-25-20 or 16-25-65 (Domestic Violence) to ship, transport, possess, or receive a firearm or ammunition.

SPECIAL CONDITIONS: [ ] RESTITUTION: [ ] Deferred [ ] Def. Waives Hearing [ ] Ordered PTUP

Total: \$ plus 20% fee: \$

Payment Terms: [ ] Set by SCDPPPS

Recipient:

Table with 3 columns: Description, Amount, Total. Includes items like \*Fine: \$50,000.00, §14-1-206 (Assessments 107.5 %) \$53,450.00, §14-1-211(A)(1) (Conv. Surcharge) \$100 \$100.00, §14-1-211(A)(2) (DUI Surcharge) \$100 \$, §56-5-2995 (DUI Assessment) \$12 \$, §56-1-286 (DUI Breath Test) \$25 \$, Proviso (Public Def/Probation) \$500 \$, §14-1-212 (Law Enforce. Funding) \$25 \$25.00, §14-1-213 (Drug Court Surcharge) \$150 \$150.00, §50-21-114(BUI Breath Test Fee) \$50 \$, §56-5-2942(J) (Vehicle Assessment) \$40/ea \$, 3% to County (if paid in installments) \$3,180.75

TOTAL \$107,145.75 + \$40.00 = \$107,185.75

Clerk of Court/ Deputy Clerk Renee Elvis Court Reporter: Grace Hurley

INDICTMENT/CASE#: 2017GS2603047 A/W#: 2017A2610200936 Date of Offense: 3/28/2017 S.C. Code § : 44-53-0370(b)(1) CDR Code #: 0185

SENTENCE SHEET

[X] CONVICTED OF or [ ] PLEADS

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SC Court of Appeals

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 \$ 25.00 beginning 8-18-2018 \$ paid to Public Defender Fund Other:

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

Presiding Judge Marjannett Culberson Judge Code: 2148 Sentence Date: July 18, 2018

55

CERTIFIED COPY

2018 JUL 18 11:17 AM

WITNESSES

Ashley B Hardee Horry County Police Department

*Jackie Witherspoon*

The State of South Carolina  
County of Horry

George Henry Martin, III  
17H02073

COURT OF GENERAL SESSIONS

June, 2017 TERM

ARRÊST WARRANT NUMBER

2017A2610200936

CDR: 0185 44-53-0370(b)(1)

DOA: 3/29/2017

THE STATE

vs.

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SC Court of Appeals

ACTION OF GRAND JURY

TRUE BILL

Abel Dewayne Gause  
B/ M

Longs. SC 2956R-7337  
DOB: 1  
SSN: 1

ATTORNEY: James Stanko

Indictment for

POSSESSION WITH INTENT TO DISTRIBUTE  
HEROIN

Jimmy A. Richardson, II, Solicitor

*Mike Carroll*

Foreperson of Grand Jury

JUN 22 2017

Date:

VERDICT

Foreperson of Petit Jury

Date:

RENEE N. ELMSTEEN, CLERK OF COURT  
HORRY COUNTY, SOUTH CAROLINA

2018 JUL 19 PM 3: 43

FILED  
CERTIFIED HORRY COUNTY

ORIGINAL

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF HORRY )

INDICTMENT

RENEE N. ELVIS  
CLERK OF COURT  
HORRY COUNTY, SC

CERTIFIED COPY

At a Court of General Sessions, convened on June 22, 2017, the Grand Jurors of Horry County present upon their oath:

POSSESSION WITH INTENT TO DISTRIBUTE HEROIN

CDR: 0185 44-53-0370(b)(1)


That Abel Dewayne Gause did in Horry County on or about March 28, 2017, possess with intent to distribute, dispense or deliver, or did aid, abet, attempt or conspire to distribute, dispense, or deliver a quantity of Heroin, a Schedule I controlled substance under the provisions of Section 44-53-110, et. seq., S. C. Code of Laws, 1976, as amended, such possession not having been authorized by law, in violation of Section 44-53-0370(b)(1), S. C. Code of Laws, 1976, as amended.

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

  
\_\_\_\_\_  
JIMMY A. RICHARDSON, II  
FIFTEENTH CIRCUIT SOLICITOR

RENEE N. ELVIS  
CLERK OF COURT  
HORRY COUNTY, SC

2018 JUL 19 PM 3:43

FILED  
HORRY COUNTY

ARREST WARRANT

2017A2610200936

STATE OF SOUTH CAROLINA

[X] County/ [ ] Municipality of

Horry

THE STATE

17027397

against

Abel Dewayne Gause

Address:

Longs, SC 29568-7337

Phone: ( ) SSN: \_\_\_\_\_

Sex: M Race: B Height: 5 6 Weight: 165

DL State: SC DL #: \_\_\_\_\_

DOB: \_\_\_\_\_ Agency ORI #: SC0260400

Prosecuting Agency: Horry County Police Department

Prosecuting Officer: Ashley B Hardee - S00204

Offense: Drugs / MDP, Narcotic drugs in Sch. I(b) & (c), LSD, and Sched. II - 1st offense

Offense Code: 0183

Code/Ordinance Sec: 44-53-0370(b)(1)

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 the law.

(L.S.)

Signature of Judge

Date:

RETURN

A copy of this arrest warrant was delivered to defendant on \_\_\_\_\_

Signature of Constable/Law Enforcement Officer

RETURN WARRANT TO:

General Sessions PO Box 677 1301 2nd Avenue Conway, SC 29528

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STATE OF SOUTH CAROLINA

[X] County/ [ ] Municipality of

Horry

Personally appeared before me the affiant Ashley B Hardee who being duly sworn deposes and says that defendant Abel Dewayne Gause did within this county and state on or about 3/28/2017 violate the criminal laws of the State of South Carolina (or ordinance of [X] County) in the following particulars:

DESCRIPTION OF OFFENSE: Drugs / MDP, Narcotic drugs in Sch. I(b) & (c), LSD, and Sched. II - 1st offense

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:

On March 28th, 2017, within the Longs section of Horry County Officer Rabon initiated a traffic stop on a vehicle with a tag that did not match the vehicle it was displayed on. During the course of the stop the defendant, Abel D Gause, could not provide proof of insurance for the vehicle so the vehicle was to be towed. During an inventory of the vehicle a Morton salt shaker was discovered, which was found to have a false bottom. Contained inside were 12 paper slips containing a white powdery substance. The substance did field test positive for the presence of heroin. Also discovered in the vehicle in close proximity to the substance was a black scale. Given the facts of this case there is probable cause to believe the defendant violated SC Code of law 44-53-370(b)(1) - Possession with the intent to distribute heroin. r/o B. Rabon; CN17027397

Signature of Affiant

STATE OF SOUTH CAROLINA

[X] County/ [ ] Municipality of

Horry

Affiant's Address 2560 North Main Street Conway, SC 29526- Affiant's Telephone

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 or about 3/28/2017 defendant Abel Dewayne Gause did violate the criminal laws of the State of South Carolina (or ordinance of [X] County/ [ ] Municipality of Horry) as set forth below:

DESCRIPTION OF OFFENSE: Drugs / MDP, Narcotic drugs in Sch. I(b) & (c), LSD, and Sched. II - 1st offense

Having found probable cause and the above affiant having sworn before me, 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 Sworn to and subscribed before me on 3/29/2017

Signature of Issuing Judge Aaron C. Butler (L.S.)

Judge's Address J. Ruben Long Detention Center Conway, SC 29526-1077 Judge's Telephone (843)365-9222

Issuing Court: [X] Magistrate [ ] Municipal [ ] Circuit

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AFFIDAVIT

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Form Approved by S.C. Attorney General April 21, 2003 SCCA 518

CLERK OF COURT HORRY COUNTY, SC

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BAIL set by

Judge Adam Burke  
on 3/29/2017  
Type and Amount: 10,000.00  
Name of Surety: \_\_\_\_\_

PRELIMINARY HEARING held by

Judge \_\_\_\_\_  
on \_\_\_\_\_  
Defendant Attorney: \_\_\_\_\_  
Decision: \_\_\_\_\_

DISPOSITION before

Judge \_\_\_\_\_  
on \_\_\_\_\_  
by \_\_\_\_\_  
(indicate jury trial, bench trial, plea, nol. pros., etc.)  
Disposition: \_\_\_\_\_  
Sentence: \_\_\_\_\_

JURORS

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

WITNESSES

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
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CODEFENDANTS

\_\_\_\_\_  
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JUL 23 2018

SC Court of Appeals

RENEE N. ELVIS  
CLERK OF COURT  
Horry County, SC

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