

OFFICE OF THE PUBLIC DEFENDER

ELIZABETH FULLWOOD
Lexington Public Defender
407 W. Main St.
Lexington, SC 29072
Telephone (803) 957-8873
Fax (803) 957-1443

Eleventh Judicial Circuit
Lexington, Saluda, Edgefield,
and McCormick Counties

ROBERT M. MADSEN
Circuit Public Defender

BENNETT E. CASTO
Tri-County Public Defender
Post Office Box 1852
McCormick, SC 29835
Telephone (864) 852-9555
Fax (864) 852-9554

June 26, 2018

The Honorable Jenny Kitchings
Clerk of Court for Court of Appeals
P.O. Box 11629
Columbia, SC 29211

RECEIVED
JUL 16 2018
SC Court of Appeals

Re: The State vs. Joseph Elijah Mills
Appellate Case No. 2018-001220

Dear Ms. Kitchings:

I am writing in response to your request for the order denying Mr. Mills' motion to withdraw his guilty plea and motion to reconsider sentence.

Enclosed, please find a copy of the sentencing sheets from Joseph Mills' guilty plea. The sentencing judge presided over the hearing and orally denied the motion to withdraw the plea. There was no written order denying the motion. I did not file a motion to reconsider the sentence in this case.

Sincerely,



Sarah H. Mauldin
Attorney for the Defendant

Enclosures

cc: D. Shawn Graham, Esq.
Robert M. Dudek, Esq.
Alan McCrory Wilson, Esq.
John Benjamin Aplin, Esq.

STATE OF SOUTH CAROLINA

COUNTY OF Lexington
STATE VS.
Joseph Elijah Mills
AKA:
Race: Sex: M Age: 27
DOB:
Address:
City, State, Zip:
DL#: SID#: SC01907468

4045 c/c
IN THE COURT OF GENERAL SESSIONS

INDICTMENT/CASE#: 2017GS3201002
A/W#: 2016A3210201265
Date of Offense: 7/24/2016
S.C. Code § : 16-03-0010
CDR Code #: 0116

SENTENCE SHEET

*CDL Yes No CMV Yes No Hazmat Yes No
In disposition of the said indictment comes now the Defendant who was
TO: Murder / Murder

Convicted of or Pleads

in violation of § 16-03-0010 of the S.C. Code of Laws, bearing CDR Code # 0116
NON-VIOLENT VIOLENT SERIOUS MOST SERIOUS
Mandatory GPS §17-25-45
(CSC w/minor 1st or CSC w/minor 3rd)

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:
Solicitor SC Bar# Defendant Attorney for Defendant SC Bar#

WHEREFORE, the Defendant is committed to the State Department of Corrections, County Detention Center,
for a determinate term of 40 days/months/years or under the Youthful Offender Act not to exceed years
and/or to pay a fine of \$; provided that upon the service of days/months/years and/or payment
of \$; plus costs and assessments as applicable*; the balance is suspended with probation for

months/years and subject to South Carolina Department of Probation, Parole and Pardon Services standard conditions of
probation, which are incorporated by reference.

CONCURRENT or CONSECUTIVE to sentence on:
The Defendant is to be given credit for time served pursuant to S.C. Code §24-13-40 to be calculated and applied by the 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
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), § 14-1-211(A)(2) (DUI Surcharge), § 56-5-2995 (DUI Assessment), § 56-1-286 (DUI Breath Test), Proviso (Public Def/Probation), § 14-1-212 (Law Enforce. Funding), § 14-1-213 (Drug Court Surcharge), § 50-21-114 (BUI Breath Test Fee), § 56-5-2942(J) (Vehicle Assessment), 3% to County (if paid in installments).

TOTAL \$125
Clerk of Court/ Deputy Clerk
Court Reporter:
SCCA/217 (04/2018)

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:
RECEIVED

JUL 16 2018
SC Court of Appeals

Appointed PD or appointed other counsel,
§Proviso requires \$500 be paid to Clerk
during probation and shall be collected before
any other fees.
Presiding Judge
Judge Code:
Sentence Date: 31 7/24/2018

STATE OF SOUTH CAROLINA

4045 c/c
IN THE COURT OF GENERAL SESSIONS

COUNTY OF Lexington
STATE VS.

INDICTMENT/CASE#: 2017GS3201002

A/W#: 2016A3210201265

Date of Offense: 7/24/2016

S.C. Code § : 16-03-0010

CDR Code #: 0116

AKA: Joseph Elijah Mills

Race: _____ Sex: M Age: 27

DC _____

Address: _____

City, State, Zip: _____

DL#: SIL...

*CDL Yes No CMV Yes No Hazmat Yes No

In disposition of the said indictment comes now the Defendant who was
TO: Murder / Murder

CONVICTED OF or PLEADS

SENTENCE SHEET

in violation of § 16-03-0010 of the S.C. Code of Laws, bearing CDR Code # 0116

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

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: Cater M. [Signature] Solicitor [Signature] SC Bar# [Signature] Defendant [Signature] Attorney for Defendant [Signature] SC Bar#

WHEREFORE, the Defendant is committed to the State Department of Corrections, County Detention Center,
for a determinate term of 40 days/months/years or under the Youthful Offender Act not to exceed _____ years
and/or to pay a fine of \$ _____; provided that upon the service of _____ days/months/years and/or payment
of \$ _____; plus costs and assessments as applicable*; the balance is suspended with probation for _____

months/years and subject to South Carolina Department of Probation, Parole and Pardon Services standard conditions of
probation, which are incorporated by reference.

CONCURRENT or CONSECUTIVE to sentence on:
 The Defendant is to be given credit for time served pursuant to S.C. Code §24-13-40 to be calculated and applied by the 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
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	\$ <u>100.00</u>
§ 14-1-211(A)(2) (DUI Surcharge)	\$100	\$
§ 56-5-2995 (DUI Assessment)	\$12	\$
§ 56-1-286 (DUI Breath Test)	\$25	\$
Proviso (Public Def/Probation)	\$500	\$
§ 14-1-212 (Law Enforce. Funding)	\$25	\$ <u>25.00</u>
§ 14-1-213 (Drug Court Surcharge)	\$150	\$
§ 50-21-114 (BUI Breath Test Fee)	\$50	\$
§ 56-5-2942(J) (Vehicle Assessment)	\$40/ca	\$
3% to County (if paid in installments)		\$

TOTAL \$ 125
Clerk of Court/ Deputy Clerk [Signature]
Court Reporter: [Signature]
SCCA/217 (04/2018)

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: _____

RECEIVED
JUL 16 2018
SC Court of Appeals

Appointed PD or appointed other counsel,
§Proviso requires \$500 be paid to Clerk
during probation and shall be collected before
any other fees.
Presiding Judge [Signature]
Judge Code: 13145
Sentence Date: 5/17/17 2018

ELEVENTH CIRCUIT PUBLIC DEFENDERS OFFICE
202 East Main Street
Lexington, South Carolina 29072

Hasler

FIRST-CLASS MAIL

07/13/2018

US POSTAGE

\$000.47⁰



ZIP 29072
011E12650345

The Honorable Jenny Kitching
Clerk of Court - Court of Appeals
P.O. Box 11629
Columbia, SC 29211

RECEIVED

JUL 16 2018

SC Court of Appeals

29211\$1629 B012

