

ORIGINAL

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Berkeley County

Honorable Kristi Lea Harrington, Circuit Court Judge

RECEIVED
AUG 08 2018
SC Court of Appeals

THE STATE,

RESPONDENT,

V.

CANDICE BAIRD,

APPELLANT

APPELLATE CASE NO 2017-002142

RECORD ON APPEAL

TAYLOR D GILLIAM
Appellate Defender

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Attorney General

South Carolina Commission on Indigent
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ATTORNEYS FOR RESPONDENT

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1 STATE OF SOUTH CAROLINA) GENERAL SESSIONS COURT
2 COUNTY OF BERKELEY) CASE NO. 2017-GS-08-1866
3 STATE OF SOUTH)
CAROLINA,)
4 Plaintiff,) Transcript of Record
5 vs.)
6) Date: September 20, 2017
CANDICE BAIRD,)
7 Defendant.)

8 * * * * *

9
10 B E F O R E:

11 The Honorable Kristi Harrington
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21 Denise J. Lauder, RPR
22 Ninth Judicial Circuit
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A P P E A R A N C E S

REPRESENTING THE STATE OF SOUTH CAROLINA:

COZETTE McNEIL, ASSISTANT SOLICITOR

Berkeley County Solicitor's Office

300B California Avenue

Moncks Corner, SC 29461

REPRESENTING THE DEFENDANT:

DEBRA LITTLEJOHN, PUBLIC DEFENDER

Berkeley County Public Defender's Office

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Monk's Corner, SC 29464

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INDEX OF EXHIBITS

(No exhibits were offered or
marked for identification.)

1 (The following proceedings were held
2 September 20, 2017, Berkeley County General
3 Sessions Court.)

4 MS. MCNEIL: The State calls Candice
5 Baird.

6 MS. LITTLEJOHN: There's a probation
7 matter attached to this as well, Your Honor.

8 MS. MCNEIL: That's correct, Your
9 Honor.

10 CANDICE BAIRD,

11 being first duly sworn, testified as follows:

12 THE CLERK: State your full name and
13 spell your last.

14 THE DEFENDANT: Candice Cheryl Baird,
15 B-A-I-R-D.

16 THE COURT: All right. You are here to
17 plead guilty on Indictment 2017-GS-08-1866.

18 Have you contacted the victim?

19 MS. MCNEIL: Yes, Your Honor.

20 THE COURT: And this is a violent and
21 serious offense.

22 MS. LITTLEJOHN: Yes, Your Honor.

23 THE COURT: You've explained what that
24 means to your client?

25 MS. LITTLEJOHN: I have. I told her

1 it's a strike, and I explained those consequences
2 to her.

3 EXAMINATION

4 BY THE COURT:

5 Q. Ma'am, do you understand what that
6 means to you?

7 A. Yes, Your Honor.

8 Q. You have initialed the sentencing sheet
9 indicating that you waive presentment to the grand
10 jury. Do you understand that?

11 A. Yes, Your Honor.

12 Q. Do you understand the collateral
13 consequences of pleading to domestic violence?

14 A. Yes, Your Honor.

15 Q. And you're still willing to go forward
16 today?

17 A. Yes, Your Honor.

18 Q. And you are currently on probation.
19 This will violate the terms and conditions of your
20 probationary sentence?

21 MS. LITTLEJOHN: Yes, Your Honor.

22 THE COURT: And the negotiated sentence
23 is for time served on everything or just the
24 current charge?

25 MS. LITTLEJOHN: Just the current

1 charge.

2 THE COURT: Is that correct?

3 MS. MCNEIL: That is correct, Your
4 Honor.

5 BY THE COURT:

6 Q. Do you wish to handle the probation
7 matter here today?

8 A. Yes, Your Honor.

9 Q. Ma'am, you do not have to plead guilty.
10 By pleading guilty, you are giving up certain
11 rights; your right to a jury trial; your right to
12 have a jury determine your guilt beyond a
13 reasonable doubt based upon the evidence that the
14 State presents, as well as any evidence that you
15 may introduce; your right against
16 self-incrimination, your right to say nothing at
17 all; your right to confront and be confronted by
18 the witnesses against you, as well as the right to
19 call witnesses on your behalf.

20 By pleading guilty here today you give
21 up any defenses you may have to these charges. Do
22 you understand those rights?

23 A. Yes, Your Honor.

24 Q. And do you waive those rights at this
25 time?

1 A. Yes, Your Honor.

2 Q. Understanding the charge that you are
3 facing, the possible punishment, as well as the
4 consequences of this plea, how do you plead to
5 domestic violence, first degree?

6 A. Guilty.

7 Q. Are you pleading guilty because you, in
8 fact, are guilty?

9 A. No -- I mean, yes.

10 Q. Did you commit this offense?

11 A. Yes.

12 Q. You understand that you are facing a
13 potential of ten years?

14 A. Yes, Your Honor.

15 Q. And that your attorney and the State
16 have negotiated a 301-day sentence?

17 A. Yes, Your Honor.

18 Q. Have you been satisfied with the
19 services of Ms. Littlejohn?

20 A. Yes, Your Honor.

21 Q. Any complaints about the way that she
22 has handled this matter?

23 A. No, Your Honor.

24 Q. You have the right to appeal this plea
25 and the sentence I will impose, but you or your

1 attorney must do so within ten days. Do you
2 understand?

3 A. Yes, Your Honor.

4 THE COURT: Let me hear the facts.

5 MS. MCNEIL: Thank you, Your Honor.

6 This incident occurred on November 2,
7 2016. Law enforcement responded to Crystal Springs
8 Drive in Goose Creek, which is in Berkeley County,
9 in reference to a domestic assault.

10 When they arrived at the scene, they
11 met with the victim who stated that he and his
12 girlfriend had gotten into a verbal altercation,
13 that the Defendant stabbed him in the chest with a
14 knife while they were in a truck.

15 The victim stated that the Defendant
16 then jumped out of the truck and fled the scene.
17 There was an eyewitness that was also present in
18 the truck who provided a written statement. When
19 law enforcement arrived, photos were taken of the
20 injuries; the victim also provided a written
21 statement.

22 He was then transported to the hospital
23 where he received five staples for the laceration
24 that he received. The Defendant was subsequently
25 located and arrested, and the knife was located on

1 her person as well.

2 She does have a prior record to include
3 2009, FTA, theft; 2008 and '07, probation
4 violation; and 2007, worthless check times five.

5 THE COURT: Is that what you did?

6 THE DEFENDANT: Yes, Your Honor.

7 THE COURT: I find there is a
8 substantial factual basis for your plea. Your
9 decision to plead guilty has been freely,
10 voluntarily, knowingly and intelligently made.
11 You've indicated to the Court you've had the advice
12 and counsel of a competent attorney with whom you
13 told the Court you were satisfied. I hereby accept
14 your plea of guilt.

15 I'm inclined to go along with the
16 negotiation. Anything else regarding the
17 negotiation?

18 MS. LITTLEJOHN: Briefly, Your Honor.
19 I would just like to say that this is 100 percent
20 her decision. I told her I would rather wait to do
21 this, frankly, because we do not have photographs,
22 nor do we have his medical records. I just want to
23 place on the record it is 100 percent her decision
24 to do this.

25 THE COURT: Ms. Baird, are you sure you

1 want me to accept this plea?

2 THE DEFENDANT: Yes, Your Honor.

3 THE COURT: I will go along with the
4 negotiation. It's the order of the Court on
5 2017-GS-08-1866, that you be committed to the State
6 Department of Corrections for a term of 301 days.
7 I'll give you credit for 301 days.

8 Ms. Baird, you are currently on
9 probation so this in and of itself would be a
10 violation, but it does appear that you were served
11 with an arrest warrant indicating that you have
12 violated the terms and conditions of your probation
13 imposed upon you by Judge Goodstein for grand
14 larceny, hit and run, and failure to stop for a
15 blue light; that you've failed to report as
16 instructed, you were missing your office visits;
17 that you were staying where you weren't supposed
18 to; that you didn't notify Probation that you had
19 moved and you failed to maintain lawful employment;
20 you have not made any payment toward your
21 supervision fees, your Court fees; that you have
22 not completed your public service; that you have
23 not attended AA or NA; and you have failed to
24 attend any substance abuse counselling, and that
25 you've absconded from supervision.

1 Are those things true.

2 THE DEFENDANT: Yes, ma'am.

3 THE COURT: Ms. Littlejohn, happy to
4 hear from you regarding that.

5 Who is here for Probation?

6 PROBATION AGENT: Here, Judge.

7 MS. LITTLEJOHN: Your Honor, even
8 though she's been incarcerated 301 days, she's
9 33 years old. She will live in Goose Creek if she
10 were to go home today. That's where her
11 grandmother lives. By trade, she will lay brick.
12 She tells me she now has transportation.

13 I asked her, I said, you know, this is
14 not cool, you just bolting on your probation and
15 not doing anything. She told me that she went to
16 the great state of Tennessee, Knoxville
17 specifically, and she is a Vols fan, which is a
18 really good thing, but she went there because her
19 father passed away.

20 And I said, okay, well, I'm sorry to
21 hear that, but why didn't you come back? And just
22 like we hear on everything, I was scared.

23 THE COURT: When did her father pass
24 away?

25 THE DEFENDANT: In December.

1 THE COURT: Of?

2 THE DEFENDANT: 2015.

3 MS. LITTLEJOHN: And you see she was
4 put on there in August of that year.

5 I asked her about any drug of choice,
6 because I'm always curious about that, and it's
7 alcohol. And I noticed the AA on there. I've
8 asked her that a couple of different times
9 throughout my representation to see if it ever
10 changed, to see if there was any illegal substance.
11 Not just a legal substance being used in excess.
12 And it's always been consistently alcohol, Your
13 Honor.

14 I have since heard from her mother on
15 numerous occasions; her mother resides in
16 Tennessee. And I would just -- she's been over
17 there -- like I say, she's been locked up for a
18 good amount of time.

19 I think she would like to speak. Your
20 Honor, I'm going to ask that we continue her on
21 probation, but I want to address the alcohol.

22 THE COURT: What do you want to tell
23 me, Ms. Baird?

24 THE DEFENDANT: I just want to tell you
25 that I take full responsibility for my actions and

1 I should have went about them in a different way,
2 but this has been the worst ten months of my life
3 and I have definitely learned my lesson. If you'll
4 give me another chance, you will never see my face
5 in a courtroom again.

6 THE COURT: What were the probation
7 violations for in 2011 and 2008?

8 THE DEFENDANT: One of them was a DUI.

9 THE COURT: I show two probation
10 violations. What are they for? 2011 and 2008?

11 PROBATION AGENT: I only have the
12 record for the 2015 violation.

13 THE COURT: What were you on probation
14 for?

15 THE DEFENDANT: For -- in South
16 Carolina, I was on probation for grand larceny,
17 failure to stop for blue lights, and hit and run.

18 THE COURT: So those two probation
19 violations, what was going on in 2008?

20 THE DEFENDANT: I got a DUI charge,
21 ma'am.

22 THE COURT: Here?

23 THE DEFENDANT: No, Tennessee.

24 THE COURT: And they put you on
25 probation?

1 THE DEFENDANT: Yes, ma'am.

2 THE COURT: And you violated probation.

3 THE DEFENDANT: Yes, ma'am. And then I
4 finished it.

5 THE COURT: And then what happened in
6 2011 that you had a probation violation?

7 THE DEFENDANT: Actually, I think the
8 first one, the 2008 one was I didn't have my -- I
9 hadn't paid all my payments in full so they
10 reinstated it; and then in 2012, I got a DUI.

11 THE COURT: And what about the 2009
12 theft?

13 THE DEFENDANT: That's -- I never had
14 that charge.

15 MS. LITTLEJOHN: Some of these belong
16 to a Holly Martin --

17 Right?

18 THE DEFENDANT: Yes, ma'am.

19 MS. LITTLEJOHN: -- is what she's
20 telling me.

21 She actually checked in under an alias
22 of -- used the name of Holly Martin, Your Honor.
23 And that's what's taken us so long also to get to
24 it, because what we have also found out during this
25 whole procedure, if somebody comes into our jail

1 under an alias, the only person in the entire
2 Berkeley County who can do anything about it is
3 Captain Schuler. He's the only one who can do any
4 paperwork to fix that.

5 THE COURT: Why did she check in under
6 an alias?

7 MS. LITTLEJOHN: I don't know why
8 people do that.

9 THE DEFENDANT: I was scared, Your
10 Honor.

11 THE COURT: How did they arrest you?
12 Does Holly Martin have some other charges?

13 MS. LITTLEJOHN: She did, didn't she?

14 THE DEFENDANT: Yes, ma'am.

15 THE COURT: So you got picked up and
16 you said you were Holly Martin, and there was a
17 warrant out for Holly Martin and you got arrested?

18 MS. LITTLEJOHN: You got arrested --
19 she got arrested for DV.

20 THE COURT: Under what name?

21 MS. LITTLEJOHN: She used the name
22 Holly Martin.

23 THE COURT: How did she get arrested
24 for a DV as Candice Baird using Holly Martin?

25 MS. LITTLEJOHN: Now, correct me if I'm

1 wrong here. We had to go back and get that warrant
2 changed to reflect Candice Baird on it. And it
3 took about six months to be able to get the --
4 administratively to get Captain Schuler to do that,
5 right?

6 MS. MCNEIL: If I may explain. She
7 gave law enforcement the wrong name the day of the
8 incident for the DV. So the charge under Holly
9 Martin was dismissed. She was then served and
10 rebooked under the correct name and correct
11 warrant, which is Candice Baird.

12 BY THE COURT:

13 Q. So you were scared because you were on
14 probation. So you weren't in Tennessee, you were
15 here?

16 A. No, ma'am. I went to Tennessee and I
17 stayed there about eight months and I came back.

18 Q. You came back, the domestic violence
19 occurred in November of 2015.

20 A. Yes, ma'am.

21 Q. You weren't scared enough to -- so then
22 you were unscared and you came back?

23 A. I came back -- I mean, I was scared
24 about coming back to the jail, you know.

25 Q. You came back to Berkeley County and

1 you were living in Goose Creek, right?

2 A. Yes. I wanted to get everything
3 straightened up. I had got a job and I had started
4 getting --

5 Q. Did you call your probation officer?

6 A. No, I didn't.

7 Q. Who is Jose Mendoza to you?

8 A. He was my fiance.

9 Q. Was he in Tennessee with you?

10 A. He went to Tennessee with me and a
11 friend.

12 Q. And then you-all came back here?

13 A. Yes.

14 Q. Where is he today?

15 A. He's -- I'm not sure where he's at
16 today. I mean, he probably is at work.

17 Q. How long had you been back in Goose
18 Creek before you were arrested?

19 A. Just a couple of months.

20 Q. Just a couple of months?

21 A. Yes.

22 Q. So this fact that your father died in
23 2015 really wasn't the bigger issue you didn't show
24 up?

25 A. I mean -- to my probation officer?

1 Q. Correct.

2 A. I had already violated.

3 Q. You decided to continue to violate, you
4 thought that would be a better idea? Is that the
5 thought process?

6 A. I mean, it was at the time, but my
7 thought process was very cloudy at that time.

8 Q. And it's better now?

9 A. Yes, ma'am.

10 Q. Why is it better now?

11 A. Because I've had a lot of time to
12 think.

13 THE COURT: What is probation
14 recommending?

15 PROBATION AGENT: The recommendation,
16 Your Honor, with the credit for time served on the
17 new charges will be that we revoke three years,
18 refer her to ATU, civil judgments on her current
19 accounts with no administrative monitoring and
20 terminate probation.

21 THE COURT: What's so special about
22 three years? Judge Goodstein sentenced her to
23 seven, not three. What does Probation know that
24 Judge Goodstein doesn't?

25 PROBATION AGENT: I do not know, Your

1 Honor. That was just the recommendation from the
2 supervising agent in Beaufort.

3 THE COURT: Anything else I need to
4 know, Ms. Littlejohn?

5 MS. LITTLEJOHN: Your Honor, I
6 think when she says her judgment was cloudy, I
7 think she was talking about the alcohol.

8 THE DEFENDANT: Yes.

9 MS. LITTLEJOHN: Somehow or another
10 she's going to have to address the alcohol issue at
11 some point or the other.

12 THE COURT: Looks like she's had the
13 opportunity in 2008. She's smart enough to get
14 herself back and forth from Tennessee, smart enough
15 to use a fake name. Can't be too cloudy.

16 MS. LITTLEJOHN: I think using a fake
17 name is a little cloudy myself.

18 THE COURT: I think it's pretty smart
19 knowing she had a warrant out for her arrest.

20 THE DEFENDANT: I was under the
21 influence, ma'am.

22 THE COURT: Who is Holly Martin to you?

23 THE DEFENDANT: She is one of my
24 friends.

25 THE COURT: Does she know you used her

1 name?

2 THE DEFENDANT: She don't. Not at this
3 time.

4 THE COURT: I don't find you a suitable
5 candidate for probation. I find that you've
6 willfully violated the terms and conditions of your
7 probationary sentence. I'll revoke in full. Judge
8 Goodstein determined what the appropriate sentence
9 at the time she sentenced.

10 You'll get credit for 301 days,
11 terminate probation, no administrative monitoring,
12 refer all civil judgment, all fees, fines, and
13 costs.

14 Good luck to you, ma'am.

15 MS. LITTLEJOHN: Does that include the
16 ATU program, Your Honor?

17 THE COURT: ATU, if she's there long
18 enough.

19 MS. LITTLEJOHN: Thank you, Your Honor.

20 (These proceedings were concluded at
21 3:11 p.m.)

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25

1 CERTIFICATE OF REPORTER

2

3 I, Carol Denise Lauder, Registered
4 Professional Reporter and Notary Public for the
5 State of South Carolina at Large, do hereby certify
6 that the foregoing transcript is a true, accurate,
7 and complete record.

8 I further certify that I am neither related
9 to nor counsel for any party to the cause pending
10 or interested in the events thereof.

11 Witness my hand, I have hereunto affixed my
12 official seal this 16th day of January, 2018, at
13 Charleston, Charleston County, South Carolina.

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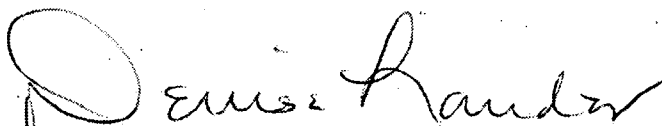
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Carol Denise Lauder
Registered Professional
Reporter, CP

CM/0334471
WITNESSES

Berkeley County Sheriff's Office

AGENCY CASE NUMBER
2016-11089532

ARREST WARRANT NUMBER

2017A0810400154

DATE OF ARREST

09/14/2017

ACTION OF GRAND JURY

Foreperson of Grand Jury

Date:

VERDICT

Foreperson of Petit Jury

Date:

DOCKET NO. 2017-GS-08-01866

The State of South Carolina
County of Berkeley

COURT OF GENERAL SESSIONS
SEPTEMBER TERM 2017

THE STATE

VS.

CANDICE BAIRD
W/F DOB: [REDACTED]

Indictment for

DOMESTIC VIOLENCE FIRST DEGREE

SC Code: § 16-25-20(A) and (B)
CDR Code: 3811

STATE OF SOUTH CAROLINA

INDICTMENT

COUNTY OF BERKELEY

At a Court of General Sessions, convened September 27, 2017, the Grand Jurors of Berkeley County present upon their oath:

DOMESTIC VIOLENCE FIRST DEGREE

That in Berkeley County, South Carolina, on or about November 24, 2016, the Defendant, Candice Baird, did cause physical harm or injury to Jose Fidencio Mendoza, a household member, or did offer or attempt to cause physical harm or injury to said household member with apparent present ability under circumstances reasonably creating fear of imminent peril. That, in addition, the act resulted in great bodily injury to the household member or the act was accomplished by means likely to result in great bodily injury to the household member. This is in violation of Section 16-25-20 (A) and (B) of the South Carolina Code of Laws (1976) as amended.

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



COZETTE O. MCNEIL
ASSISTANT SOLICITOR

STATE OF SOUTH CAROLINA

COUNTY OF BERKELEY
STATE VS.CANDICE BAIRD

AKA:

Race: White Non-Latino/CaucasianSex: FDOB: [REDACTED]SSN: [REDACTED]Address: [REDACTED]City, State, Zip: Goose Creek, SC 29445DL# [REDACTED]SID# [REDACTED]*CDL Yes ☐ No ☐ CMV Yes ☐ No ☐ Hazmat Yes ☐ No ☐

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

TO: Domestic Violence First DegreeIn violation of § 16-25-20(A) and (B) of the S.C. Code of Laws, bearing CDR Code # 3811☐ NON-VIOLENT☒ VIOLENT☒ SERIOUS☐ MOST SERIOUS☐ Mandatory GPS☐ §17-25-45(CSC w/minor 1st or Lewd Act)

The charge is:

☐ As indicted,☒ Lesser Included Offense,☒ Defendant Waives Presentment to Grand JuryYCS (def.'s initials)

The plea is:

☐ Without Negotiations or Recommendation,☒ Negotiated Sentence,☐ Recommendation by the State.

ATTEST:

[Signature] 101442
Cozette O. McNeil, Assistant Solicitor SC Bar #Candice Baird
Defendant[Signature] 14323
Attorney for Defendant SC Bar #WHEREFORE, the Defendant is committed to the ☒ State Department of Corrections ☐ County Detention Center,for a determinate term of 301 days or 301 days under the Youthful Offender Act not to exceed 301 yearsand/or to pay a fine of \$ [REDACTED]; provided that upon the service of 301 days days/months/years and or paymentof \$ [REDACTED]; plus costs and assessments as applicable*; the balance is suspended with probation for 301 days months/years and subject to South Carolina Department of Probation, Parole and Pardon Service 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. 301 days☐ The Defendant is to be placed on 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: \$ _____

_____ days/hours Public Service Employment

Payment Terms: _____

Obtain GED ☐☐ Set by SCDPPPS _____

Recipient: _____

*Fine: _____ \$ _____

§14-1-206 (Assessments 107.5%) \$ _____

§14-1-211 (A)(1)(Conv. Surcharge) \$100 \$ 100.00

§14-1-211 (A)(2)(DUI Surcharge) \$100 \$ _____

§56-5-2995 (DUI Assessment) \$12 \$ _____

§56-1-286 (DUI Breath Test) \$25 \$ _____

Proviso 61.6 (Public Def/Prob) \$500 \$ _____

§14-1-212 (Law Enforce. Funding) \$25 \$ 25.00

§14-1-213 (Drug Court Surcharge) \$150 \$ _____

§50-21-114 (BUI Breath Test Fee) \$50 \$ _____

§56-5-2942(J) (Vehicle Assessment) \$40/ea \$ _____

3% to County (if paid in installments) \$ 3.75TOTAL \$ 128.75Clerk of Court/Deputy Clerk: K. MillsCourt Reporter: Denise Lander

SCCA/217 (07/2016)

penalty: 0-10 yrs

IN THE COURT OF GENERAL SESSIONS

INDICTMENT/CASE#: 2017-GS-08-01866A/W: 2017A0810400154Date of Offense: 11/24/2016S.C. Code §: 16-25-65(A)CDR Code #: 3811

SENTENCE SHEET

☐ CONVICTED OF or☒ PLEADS

301 days

FILED

Attend Voc. Rehab. Or Job Corp. SEP 20 2017

May serve W/E beginning _____

Substance Abuse Counseling ☒ CASE NO. [REDACTED]Random Drug/Alcohol Testing ☐ MARY P. BROWN CLERK OF COURT

Fine may be pd. in equal consecutive weekly/monthly

pmts. of \$ _____ Beginning _____

\$ _____ Paid to Public Defender Fund

Other: _____

☐ Appointed PD or Appointed other counsel,

§17-12 requires \$500 be paid to Clerk

during probation

Presiding Judge: [Signature]Judge Code: 21Sentence Date: 9/20/17

KMM

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

County of ~~Beaufort~~ BERKELEY
STATE VS.Candice Baird

AKA:

Race: WSex: FDOB: [REDACTED]SSN: [REDACTED]SID#: [REDACTED]RECEIVED
OCT 17 2017
SC Court of Appeals

Indictment Number:

2015 -GS- 07 - 758Probation C/W#s: W-07-15-0050Name of Original Offense: Hit and RunOriginal A/W#: H154954Date of Original Offense: 5/8/15Conviction S.C. Code §: 56-05-1220Conviction CDR Code #: 2 / 4 / 6 / 4Original Sentence: 1yr SS 30 months Probation

ORDER CTS 3.5 Months

The above named defendant has been charged with violating the conditions of probation ordered on 8/27/15 in the Court of General Sessions of Beaufort County, and/or the additional conditions ordered by the Court in probation continuation orders(s) issued on [REDACTED], as set forth in the attached warrant(s) or citation(s) dated 10/26/15. 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, 2, 5, 6, 7, 9, 10, 11 and Special Conditions

Therefore, IT IS ORDERED that:

- ☒ the suspended sentence be revoked and the above named defendant be required to serve 1 months/years the remainder of the original sentence, and/or pay \$ [REDACTED].
- ☐ the suspended sentence be revoked and the above named defendant be required to serve 3 months/years of the original sentence and/or pay \$ [REDACTED]; thereupon to be reinstated on probation, subject to the conditions set forth in the attached order and not inconsistent with this order.
- ☐ 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) Civil judgment: ☒ Department fees
☐ Fines and other fees (arrearage/balance) ☒ Fines and other fees
☐ Restitution (and 20%) (arrearage/balance) ☒ Restitution (and 20%)

- ☒ Additional Conditions ordered by the Court:

REVOKE IN FULL (1 YEAR) AND TERMINATE PROBATION. NO AM. CIVIL JUDGMENTS FOR ALL FINES AND FEES.

- ☒ 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 [REDACTED] 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 20 day of SEPTEMBER, 2017.Mark's Corner, SCResiding Judge [Signature]Judicial Circuit 912

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

Witnessed by

Signed this _____ day of _____, _____, at _____

Day

Month

Year

City

SC

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

County of BERKELEY
STATE VS.

Indictment Number:

2015-GS-07-00759

Probation C/W#s: W-07-15-0050AKA: CANDICE BARRORace: WSex: FDOB: [REDACTED]SSN: [REDACTED]SID#: [REDACTED]Name of Original Offense: FALLING TO STOP FOR BLUE LIGHTSOriginal A/W#: 80397GCDate of Original Offense: 5/8/2015Conviction S.C. Code §: 56-05-0750(B)(1)Conviction CDR Code #: 010615Original Sentence: 3 YRS SS UPON 90 DAYS AND 30**ORDER** MTHS PROBATION

The above named defendant has been charged with violating the conditions of probation ordered on 8/27/15 in the Court of General Sessions of BERKELEY County, and/or the additional conditions ordered by the Court in probation continuation orders(s) issued on 10/26/15, as set forth in the attached warrant(s) or citation(s) dated 10/26/15. 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, 2, 5, 6, 7, 9, 10, 11 AND SPECIAL CONDITIONS

Therefore, IT IS ORDERED that:

- ☒ the suspended sentence be revoked and the above named defendant be required to serve 3 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 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.
- ☐ 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) Civil judgment: ☒ Department fees
☐ Fines and other fees (arrearage/balance) ☒ Fines and other fees
☐ Restitution (and 20%) (arrearage/balance) ☒ Restitution (and 20%)

☒ Additional Conditions ordered by the Court:

REVOKE IN FULL AND TERMINATE PROBATION. NO AM. CIVIL JUDGMENTS
FOR ALL FINES AND FEES.

☒ 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 20 day of SEPTEMBER, 2017.MONCKS CORNER, SC

Presiding Judge

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

Witnessed by

Signed this day of , at MONCKS CORNER SC

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

County of BERKELEY
STATE VS.Indictment Number:
2015 -GS- 07 - 00757
Probation C/W #: W-07-15-0050AKA: CANDICE BAZZO
Race: W Sex: F
DOB: [REDACTED]
SSN: [REDACTED]
SID#: [REDACTED]RECEIVED
OCT 17 2017
SC Court of AppealsName of Original Offense: GRAND LARCENY
Original A/W #: 2015A0720600085
Date of Original Offense: 5/8/2015
Conviction S.C. Code §: 16-13-0030(b)
Conviction CDR Code #: 3 1 4 1 2 1 1
Original Sentence: 7 YRS SS UPON 30 MTHS PROBATION

ORDER

The above named defendant has been charged with violating the conditions of probation ordered on 8/17/15 in the Court of General Sessions of BEAUFORT County, and/or the additional conditions ordered by the Court in probation continuation orders(s) issued on 10/2/15, as set forth in the attached warrant(s) or citation(s) dated 10/2/15. 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, 2, 5, 6, 7, 9, 10, 11 AND SPECIAL CONDITIONS

Therefore, IT IS ORDERED that:

- ☒ the suspended sentence be revoked and the above named defendant be required to serve 7 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 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.
- ☐ 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) Civil judgment: ☐ Department fees
☐ Fines and other fees (arrearage/balance) ☐ Fines and other fees
☐ Restitution (and 20%) (arrearage/balance) ☐ Restitution (and 20%)

- ☒ Additional Conditions ordered by the Court:

REVOKE IN FULL AND TERMINATE PROBATION. NO AM. CIVIL JUDGMENTS FOR ALL FINES AND FEES

- ☒ 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 20 day of SEPTEMBER, 2017
MONCK'S CORNER, SC

[Signature]
Presiding Judge

[Signature]
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

Witnessed by

Signed this day of , at MONCK'S CORNER SC
Day Month Year City

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,



Taylor D Gilliam
Appellate Defender

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

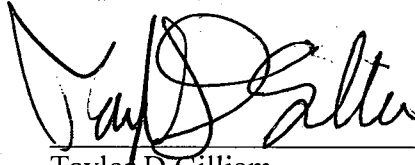
ATTORNEY FOR APPELLANT

This 8th day of August, 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,



Taylor D Gilliam
Appellate Defender

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

ATTORNEY FOR APPELLANT

This 8th day of August, 2018.

RECEIVED
AUG 08 2018
SC Court of Appeals