

WITNESSES

1. SENTENCE MADE

Spartanburg County Sheriff's Office

COMPUTER

3. CARD PULLED

4. INDEXED

5. CHECKED WARRANTS

6. CHECKED SIGNATURE

7. ASSESSMENT AND FINE CARD MADE

COMPUTER

9. TRAFFIC VIOLATION COPY

ARREST WARRANT NUMBER

2017A4210103523

2017A4210103524

ACTION OF GRAND JURY

AE

True Bill

Foreperson of Grand Jury

Date:

OCT 27 2017

VERDICT

Count 1: guilty
Count 2: guilty

Foreperson of Petit Jury

Date:

Barry J. Jones
8/22/18

DOCKET NO.

17-GS-42-5579

The State of South Carolina

County of Spartanburg

Barry J. Barnette, Solicitor

COURT OF GENERAL SESSIONS

OCT 30 2017

TERM

THE STATE

v.

LANCE ANTONIO BREWTON

Indictment for

MURDER (Count 1)

SC Code 16-03-0010, 0020

CDR Code 116

Class FEL-EXM

POSSESSION OF FIREARM
DURING COMMISSION OF A VIOLENT

CRIME (Count 2)

SC Code: 16-23-490

CDR Code: 549

Class FEL/F

RECEIVED

AUG 27 2018

SC Court of Appeals

FILED
CLERK OF COURT
SPARTANBURG COUNTY

2017 NOV -2 AM 11:42

M. HOPE BLACKLEY

STATE OF SOUTH CAROLINA)
)
COUNTY OF SPARTANBURG)

INDICTMENT

SEP 27 2017

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

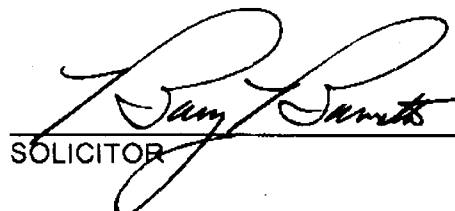
COUNT ONE - MURDER

That the Defendant, Lance Antonio Brewton, did in Spartanburg County on or about September 25, 2017, feloniously, willfully, and with malice aforethought, kill one Natalie Rae Niemitalo, by shooting her with a firearm, and the victim died as a proximate result thereof, all in violation of Section 16-3-0010, 0020, Code of Laws of South Carolina, (1976, as amended).

**COUNT TWO - POSSESSION OF FIREARM DURING COMMISSION
OF A VIOLENT CRIME**

That the Defendant, Lance Antonio Brewton, did in Spartanburg County on or about September 25, 2017, visibly display a firearm during the commission or attempted commission of a violent crime, to-wit: Murder, in violation of Code §16-23-490, *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.


SOLICITOR

STATE OF SOUTH CAROLINA

COUNTY OF SPARTANBURG
STATE VS.
Lance Antonio Brewton
AKA:
Race: BLACK Sex: M Age: 39
DOB:
Address:
City, State, Zip:
DL#: SID#: 124

IN THE COURT OF GENERAL SESSIONS COMPLIANCE

INDICTMENT/CASE#: 2017GS4205579
A/W#: 2017A4210103523
Date of Offense: 9/25/2017
S.C. Code § 16-03-0010; 16-03-0020
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- Count One (1)

CONVICTED OF or PLEADS

in violation of § 16-03-0010; 16-03-0020 of the S.C. Code of Laws, bearing CDR Code # 0116
NON-VIOLENT VIOLENT SERIOUS MOST SERIOUS
Mandatory GPS(CSC) \$17-25-45 w/minor 1st or Lewd Act

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.

TEST: BARNETTE, BARRY SCB13039 SC Bar# Defendant James Brewton M. Duff Abusaff, Monier Attorney for Defendant SCB101654 SC Bar# 328

WHEREFORE, the Defendant is committed to the State Department of Corrections, County Detention Center, for a determinate term of life 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 SCDOD.

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: \$ days/hours Public Service Employment

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 (Public Def./Probation) \$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, 3% to County (if paid in installments) \$3.75. TOTAL: \$128.75

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, Proviso requires \$500 be paid to Clerk during probation and shall be collected before any other fees.

Clerk of Court/ Deputy Clerk C. Pool
Court Reporter: L. Morris

Presiding Judge
Judge Code: 2053
Sentence Date: 8/22/2018

RECEIVED AUG 27 2018 SC Court of Appeals

STATE OF SOUTH CAROLINA

COUNTY OF SPARTANBURG
STATE VS. Lance Antonio Brewton

AKA:

Race: BLACK Age: 39

DOB: [redacted]

Address: [redacted]

City, State, Zip: [redacted]

DL#: [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: Weapons / Possession of weapon during violent crime, if not also sentenced to life without parole or death- Count Two (2)

in violation of § 16-23-0490 of the S.C. Code of Laws, bearing CDR Code # 0549

[X] NON-VIOLENT [] VIOLENT [] 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. (defendant's initials)

The plea is: [X] Without Negotiations or Recommendation, [] Negotiated Sentence, [] Recommendation by the State.

TESTED BY: [Signature] BARNETTE, BARRY

SCB13039 SC Bar#

[Signature] Defendant

Abusafi, Monier Attorney for Defendant SCB101654 Bar# 328

WHEREFORE, the Defendant is committed to the [X] State Department of Corrections, [] County Detention Center, for a determinate term of 5 days/months/years or [] under the Youthful Offender Act not to exceed [] years and/or to pay a fine of \$ [] ; provided that upon the service of [] 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 §24-23-40 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: \$ [] days/hours Public Service Employment

Payment Terms: []

[] Set by SCDPPPS []

Recipient: []

Table with 3 columns: Description, Amount, Total. Includes items like Assessments, Surcharges, and Probation fees.

Clerk of Court/ Deputy Clerk [Signature]

Court Reporter: [Signature]

IN THE COURT OF GENERAL SESSIONS

COMPUTER

INDICTMENT/CASE#: 2017GS4205579A

A/W#: 2017A4210103524

Date of Offense: 9/25/2017

S.C. Code § 16-23-0490

CDR Code #: 0549

SENTENCE SHEET

[X] CONVICTED OF or [] PLEADS

Presiding Judge [Signature] Judge Code: 2053 Sentence Date: 8/22/2018

RECEIVED AUG 27 2018 SC Court of Appeals