

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

 ORIGINAL

Appeal from Calhoun County

Honorable Diane Schafer Goodstein, Circuit Court Judge

RECEIVED
SEP 06 2018
SC Court of Appeals

THE STATE,

RESPONDENT,

V.

DERRICK NELSON STONE,

APPELLANT

APPELLATE CASE NO. 2017-002016

RECORD ON APPEAL

ROBERT M. DUDEK
Chief Appellate Defender

ALAN WILSON
Attorney General

South Carolina Commission on Indigent
Defense
Division of Appellate Defense
PO Box 11589
Columbia, SC 29211-1589
(803) 734-1330

MATTHEW BUCHANAN
General Counsel
South Carolina Department of Probation,
Parole and Pardon Services
Post Office Box 50666
Columbia, SC 29250

ATTORNEY FOR APPELLANT

ATTORNEYS FOR RESPONDENT

INDEX

INDEX i

PROBATION REVOCATION HEARING TRANSCRIPT (SEPTEMBER 19, 2017)1

PROBATION VIOLATION ARREST WARRANT (MARCH 21, 2017).....17

PROBATION REVOCATION ORDER (SEPTEMBER 29, 2017)20

CERTIFICATE OF COUNSEL21

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25

I N D E X

PROBATION REVOCATION

WITNESS/DESCRIPTION

PAGE NO.

EXHIBITS:

NO EXHIBITS WERE MARKED TO THIS PROCEEDING

Certificate of Court Reporter 16

State v Stone

9/19/17

3

1 AGENT WRIGHT: This is Derrick Stone.

2 MR. BANKS: Your Honor, before Mr. Wright actually
3 gets started, we would like to ask that you continue this
4 for a couple of reasons.

5 THE COURT: Okay. All right.

6 MR. BANKS: For one, my client had a heat stroke.
7 He can't even remember when it was. He can't tell me when
8 that was. I assume that was in this past summer. He can't
9 remember because he had the heat stroke. He's had
10 difficulty remembering a lot of the charges in his
11 paperwork. I've only had a chance to meet with him
12 yesterday. He doesn't live in Calhoun County anymore. I
13 think he lives towards Georgetown or somewhere like that.
14 And it's been difficult communicating with Mr. Stone. So
15 because of his heat stroke, I haven't been able to --
16 normally, I could sit down with him and say did you do this
17 or whatever on the 15th? Yes, no. He can't remember that
18 either. It's almost to the point where effectively he's
19 been unable to assist his counsel in representing him. With
20 that in mind, I was able to get some assistance from some of
21 his support back there. And just for instance, yesterday I
22 find out that one of the charges in his papers says that he
23 made some 3:00 a.m. phone call to somebody he wasn't
24 supposed to call on his probation. And he says he didn't
25 do. Both of these folks back here say it didn't happen.

1 And they tell me, they all tell me that the person who is
2 said to have said it did happen would actually come to court
3 if we had enough to get them here,, they'd say it didn't
4 happen. That she was angry or offended or something like
5 that and said that to get him in trouble. That's just one
6 of the things that he's charged with. And, may I approach?
7 There's some other discrepancies that I know about that I
8 can address. But I think I need more time (a), based on his
9 heat stroke. And some of these things I have found that we
10 could definitely make some headway and --

11 THE COURT: Has he had any contact with Shauna
12 Shuler?

13 DEFENDANT STONE: Ms. Shuler, if that's the
14 victim, yes. Yes, ma'am.

15 THE COURT: Yes.

16 MR. BANKS: Your Honor, if I may?

17 THE COURT: Uh-huh. (Affirmative response.)

18 AGENT WRIGHT: Ms. Shuler is --

19 (Defendant Stone was duly sworn.)

20 MR. BANKS: Your Honor, if I may? Ms. Shuler is
21 not a victim, per se. She is a co-defendant, an uncharged
22 co-defendant.

23 THE COURT: Okay.

24 MR. BANKS: His probation stems from a attempted
25 murder for hire.

State v Stone

9/19/17

5

1 THE COURT: Okay.

2 MR. BANKS: He was -- his girlfriend was, at the
3 time, married to the actual victim who she basically -- the
4 allegations on her behalf that he's attempted to hire an
5 individual who ended up cooperating with law enforcement to
6 murder his, at the time, girlfriend's husband. And that's
7 what he pled guilty to over in Orangeburg. So she is a
8 uncharged co-defendant not a victim. And I think probation
9 has her listed as a victim, but she's an uncharged co-
10 defendant.

11 THE COURT: Okay. All right. Well, has he had
12 contact with her or with the victim?

13 DEFENDANT STONE: They've told me that I've not
14 been charged with contact with the victim.

15 THE COURT: Okay. All right.

16 What do you maintain that he has not done that he
17 should have done?

18 AGENT WRIGHT: Well, Mr. Stone actually absconded
19 from supervision. He absconded from supervision.

20 THE COURT: Oh, he has absconded. Okay.

21 AGENT WRIGHT: He absconded

22 THE COURT: Okay.

23 AGENT WRIGHT: He's gotten into trouble several
24 times since he's been on probation.

25 THE COURT: You mean he had interactions with law

1 enforcement.

2 AGENT WRIGHT: Yes, ma'am.

3 THE COURT: Okay.

4 AGENT WRIGHT: Matter of fact, he has a case
5 pending right now with the Calhoun County Sheriff's Office.

6 DEFENDANT STONE: May I say something.

7 THE COURT: Hold on. Okay.

8 AGENT WRIGHT: And he has a conviction with the
9 Magistrate Court.

10 MR. BANKS: No, he does not.

11 DEFENDANT STONE: That was thrown out.

12 MR. BANKS: (Addressing defendant) Be quiet.

13 DEFENDANT STONE: Oh, okay.

14 MR. BANKS: Your Honor, I was involved in the
15 Magistrate's Court case. I can tell you about that.

16 THE COURT: Okay. Okay. Go ahead and tell me
17 about it.

18 MR. BANKS: That particular case was a case that
19 Ted and I pled down to Magistrate's Court. We had some -- I
20 think it was a -- I went down pled him guilty but it was
21 wiped from the books because I'd made a mistake that needed
22 correcting. So that, that conviction has been vacated.

23 MR. LUPTON: Your Honor, if it's been vacated we
24 will be back in general sessions, however, my understanding
25 is that he has been charged subsequent to going on probation

State v Stone

9/19/17

7

1 with a possession of stolen vehicle and has been convicted
2 of that as well.

3 MR. BANKS: And that's the one I know nothing
4 about. That's a different county and that's the one he
5 can't even remember.

6 MR. LUPTON: And, Your Honor, every time he comes
7 to Court, he has some medical condition that requires a
8 continuance.

9 AGENT WRIGHT: I'm looking at February the 15th,
10 2017 conviction, possession of a stolen vehicle.

11 THE COURT: And that's that other county?

12 AGENT WRIGHT: That was done in --

13 MR. BANKS: I think it's Orangeburg.

14 THE COURT: Okay.

15 AGENT WRIGHT: Actually, that was the one in the
16 Magistrate.

17 MR. BANKS: The possession of a stolen vehicle.

18 AGENT WRIGHT: Right.

19 MR. LUPTON: Showing Judge Lake. As well as, Your
20 Honor, the absconding. The sheriff's department was
21 actively looking for him and he was running from active
22 warrants.

23 THE COURT: Okay. So, in response -- I'm not
24 going to continue it. And the reason is is that I've got
25 Mr. Lupton is telling me that this is a continuing issue,

1 that he has medical conditions that he needs continuances.
2 You could have brought medical records.

3 MR. BANKS: A couple of times he was wrapped up
4 with oozing spider bites and --

5 THE COURT: I'm going to hear it today.

6 AGENT WRIGHT: Oh, okay.

7 THE COURT: Yeah. He's unable to go forward
8 because of a heat stroke that occurred months ago. He needs
9 to bring me medical records. And the fact that he's in
10 Georgetown and supposed to be living here and he just showed
11 up yesterday to see you, he could have -- he could have --
12 You know, I have issues with things I'm supposed to do and
13 he's got things he needs to do. And that's something he
14 should have done was get to your office and get prepared for
15 something that mattered to him. So I'm not going to grant
16 any continuances. No continuance.

17 Now, so the question then needs to be whether or not
18 he's guilty of failing to follow the terms and conditions of
19 his probation. You believe he has absconded over what
20 period of time.

21 AGENT WRIGHT: He absconded February 2017, the
22 3rd. Yes. February.

23 THE COURT: Just the month of February?

24 AGENT WRIGHT: February up until now.

25 THE COURT: Oh, okay.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

AGENT WRIGHT: Yes, ma'am.

THE COURT: All right. How about after process was served on him, did he start showing up then?

AGENT WRIGHT: No, ma'am. He showed up once.

THE COURT: Okay. So it's been once since February that he showed up to probation?

AGENT WRIGHT: Yes, ma'am.

THE COURT: All right. And he's been rearrested?

AGENT WRIGHT: Yes, ma'am.

THE COURT: And then you said contact with law enforcement?

AGENT WRIGHT: Yes, ma'am.

THE COURT: Did he report those contacts with law enforcement?

AGENT WRIGHT: Not until after I got that information from law enforcement, that he --

THE COURT: That doesn't count.

AGENT WRIGHT: That doesn't count.

THE COURT: Okay. And so -- and he's been convicted of possession of a stolen vehicle?

AGENT WRIGHT: Yes.

THE COURT: And has he been convicted of anything else?

AGENT WRIGHT: No, ma'am.

THE COURT: Okay. But he's been arrested for more

1 than just that; is that right?

2 AGENT WRIGHT: Yes.

3 THE COURT: What's he been arrested for?

4 AGENT WRIGHT: He's been arrested for a stolen
5 trailer. And that was in -- that was, I think in March --
6 June.

7 THE COURT: For what now, arrested for?

8 AGENT WRIGHT: A stolen trailer.

9 THE COURT: Oh, okay.

10 AGENT WRIGHT: And that was in -- that was June
11 the 11th, 2017.

12 THE COURT: Okay.

13 MR. LUPTON: Your Honor, he's also been arrested
14 in March of 2017 for petit larceny and a separate possession
15 of a stolen vehicle.

16 THE COURT: Okay.

17 MR. LUPTON: That I'm processing.

18 THE COURT: Aside from whatever - that's right?

19 AGENT WRIGHT: Yes.

20 THE COURT: Okay.

21 Okay. So what is your client's position regarding
22 whether or not he has willfully failed all the terms and
23 conditions of his probation?

24 What is your position regarding whether or not you have
25 willfully failed to follow the terms and conditions of your

State v Stone

9/19/17

11

1 probation, Mr. Stone?

2 DEFENDANT STONE: I'm sorry. I didn't understand
3 it.

4 THE COURT: You didn't understand it.

5 What is your position regarding whether or not you have
6 failed to follow the terms and conditions of your probation.

7 DEFENDANT STONE: Okay. The first thing, she was
8 convicted --

9 THE COURT: Did you get convicted of a crime?

10 DEFENDANT STONE: Yes, ma'am.

11 THE COURT: Okay. Did you show up every time you
12 were supposed to for your probation meetings?

13 DEFENDANT STONE: No, ma'am.

14 THE COURT: Okay. You have willfully failed to
15 follow the terms and conditions of your probation, sir.
16 I'll hear from you on mitigation. What do you want to tell
17 me?

18 DEFENDANT STONE: I got on probation, I was
19 showing up. I got sick. I got spider bites really bad. My
20 mother passed away and I was the baby boy. I was a mama's
21 boy. I took care of my mama until the day she died. I did
22 mess up some there. I did not -- I just withdraw from
23 everybody, including my fiancé. I been doing a lot better.
24 Like right now I'm having to help take care of -- trying to
25 help take care of my father. My little girl from my ex-

1 wife, you know, she's got breast cancer and all. I'm trying
2 to do a lot and I just got -- I don't know, I can't remember
3 -- I just got some of my paperworks. I mean, I'm just -- I
4 went every time. I go to his office -- I didn't talk to him
5 but three times. Sometimes, he's not very nice and he just
6 don't take time to listen. You know, -- And that's not
7 right. But, you know, I have been trying, you know. All of
8 that's paid except the six hundred and something dollars he
9 told me I had to pay in Orangeburg. You know, I'm just
10 dealing with life. And I wish I had time to finish getting
11 my paperwork together and, you know, could have showed -- a
12 lot of these charges I didn't even do, the possession of
13 stolen vehicle or whatever was not even found on my land. I
14 mean, I don't have a -- Like I said, I was going through a
15 lot. Like my mom passed away. My dad tried to commit
16 suicide. Now he's sick and my little girl's mama's sick.
17 My fiancé, -- we're dealing with life. I was trying to --
18 with Shauna Shuler. I haven contacted her and my fiancé and
19 my niece, Erica, because, you know, they were with Shauna
20 said that, said things she is the one that called in because
21 I used to date her. She's the one that called in. Shauna's
22 willing to come to court, but she's got to be -- y'all have
23 to send the papers telling her so she can get off her job.

24 THE COURT: I don't have to do anything.

25 DEFENDANT STONE: No, I'm just talking about the

State v Stone

9/19/17

13

1 job-wise, where she don't lose her job.

2 THE COURT: I don't have to do anything, sir.

3 DEFENDANT STONE: Yes, ma'am.

4 THE COURT: Right.

5 DEFENDANT STONE: But, you know, this -- it looks
6 bad. It sounds bad, but I'm been trying --

7 THE COURT: Yeah. I know.

8 DEFENDANT STONE: -- contact. And I didn't show
9 up for probation basically every time. But, I mean, I've
10 been there not specifically.

11 THE COURT: Okay.

12 MR. BANKS: Can I add a few more?

13 THE COURT: Sure.

14 MR. BANKS: Judge, his dad actually -- his mother
15 died. His dad is in extremely bad health and he's actually
16 moved in with Derrick, I believe, a year ago now. They
17 moved in with their parents. His dad's had to move in with
18 Derrick to be cared for. Derrick works, has a job currently
19 with a tree services. He's due to be married in two months,
20 less than two months. I do have some medical records here.
21 It looks like --

22 (Off record discussion)

23 THE COURT: Okay.

24 DEFENDANT STONE: The safe where I keep all my
25 court papers had a combination and I still can't remember it

1 but I got a lot court papers in there. I'm going to have to
2 get somebody to open it, I guess.

3 THE COURT: Okay.

4 MR. BANKS: Your Honor, strangely, he tells me
5 that Judge Lake who was the Magistrate involved in some of
6 this or all of this, the Magistrate's Court stuff, he tells
7 me that Judge Lake has actually recommended that he move. I
8 don't think that absolves not letting Mr. Wright know about
9 it, but that's what he tells me. He didn't just move to
10 avoid whatever. Judge Lake gave him that advice.

11 THE COURT: I don't believe that Judge Lake for a
12 moment told your client to violate the terms of his
13 probation.

14 MR. BANKS: Oh, no. No, I don't think he -- he
15 probably wasn't aware. He also -- Derrick says he actually
16 went to the office to discuss the meeting with whoever was
17 there. The secretary was there. He doesn't recall who that
18 was who was there. And he's paid up on his probation.

19 THE COURT: Okay. Yeah. He's willfully failed to
20 follow the terms and conditions of his probation and I find
21 that he has absconded. I find that he has had interaction
22 with law enforcement. I find that he has been convicted and
23 has been charged with new crimes and that he is not a
24 candidate for probation and I'm going to revoke it.

25 Thank you. And credit for time served.

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25

MR. LUPTON: Thank Your Honor.

MR. BANKS: Thank you, Your Honor.


(This proceeding was concluded.)

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

C-E-R-T-I-F-I-C-A-T-E

I, THE UNDERSIGNED HILDA M. JORDAN, CVR-M, OFFICIAL COURT REPORTER FOR THE FIRST JUDICIAL CIRCUIT OF THE STATE OF SOUTH CAROLINA, DO HEREBY CERTIFY THAT THE FOREGOING IS A TRUE, ACCURATE AND COMPLETE TRANSCRIPT OF RECORD OF THE PROCEEDING IN THE CAPTIONED CAUSE, IN THE COURT OF GENERAL SESSIONS FOR CALHOUN COUNTY, SOUTH CAROLINA, ON THE 19 DAY OF SEPTEMBER, 2017.

I DO FURTHER CERTIFY THAT I AM NEITHER OF KIN, COUNSEL, NOR INTEREST IN ANY PARTY HERETO.



Hilda M. Jordan, CVR-M

January 8, 2018

Form 16.1 - Arrest Warrant
Form Approved by
SC Attorney General
Section 17-13-160
March 16, 1978

STATE OF SOUTH CAROLINA
COUNTY OF CALHOUN

Probation
ARREST WARRANT

Indictment Number 15-GS-38-01606

Warrant Number W-09-17-0002

State Identification No. (SID) 01659936


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

It appearing from the attached affidavit that there are reasonable grounds to believe that DERRICK NELSON STONE, did on the 21 day of March, 2017 violate the criminal laws of the State of South Carolina as set forth below:

DESCRIPTION OF OFFENSE:

Derrick Nelson Stone has violated conditions 1, 2, 4, 6, 7, 9, and 10 and special conditions of probation imposed on 28 March 2016 by the Hon. James Barber, III in Orangeburg County Court of General Sessions when sentenced in cause number 2015-GS-38-01606.

Now, therefore, you are empowered and directed to arrest the said defendant and bring DERRICK NELSON STONE 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 SAINT MATTHEWS, S. C. this 21 day of March, 2017.


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

County of CALHOUN

STATE OF SOUTH CAROLINA

AFFIDAVIT

Personally appeared before me, one Kenneth Anthony Wright, who, first being duly sworn, deposes and says that DERRICK NELSON STONE did within this County and State on the 21 day of March, 2017, violate the criminal laws of the State of South Carolina in the following particulars:

DESCRIPTION OF OFFENSE:

Derrick Nelson Stone has violated conditions: 1, 2, 4, 6, 7, 9, and 10 and special conditions of probation imposed on 28 March 2016 by the Hon. James Barber, III in Orangeburg County Court of General Sessions when sentenced in cause number 2015-GS-38-01606.


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:

Derrick Stone violated standard conditions of probation when he failed to report on a monthly basis as directed by his supervising agent. He failed to make office visits for the month of February and March 2017;

Mr. Stone absconded from supervision when he change her residence without the consent or knowledge of his agent. His whereabouts as of this day of this affidavit is unknown. This fact was made known when agent conducted a home visit and was told by a family member that Mr. Stone was on the run from Calhoun County Sheriff Office and he no longer lived at the residence on record;

Sworn to and Subscribed before me
this 21 day of March, 2017.


Affiant


Signature of Notary Public (L.S.)

Address: 120 MILL STREET
SAINT MATTHEWS, SC 29135

Nov. 25, 2024
My Commission Expires

(803) 874-2537

Addendum

Mr. Stone failed to refrain from contacting the victim of this case. According to victim Mr. Stone made contact with her on 26 Jan 2017 at 3:00 AM by telephone;

Mr. Stone failed to refrain from violating Federal, state and local laws when convicted for possession, conceal, sell or dispose of stolen vehicle, value \$2000.00 or less on 15 Feb 2017 and Petit Larceny on 3 Feb 2017 in the Magistrate Court in Calhoun County. He failed fail to inform his agent of arrests and convictions. Mr. Stone has pending new charges and is a fugitive from Calhoun County Sheriff Office for the offense of Possession of Stolen Property and Petit Larceny;

Mr. Stone failed to pay his probation supervision fees by being eleven payments or \$550.00 in arrears as of 20 Mar 2017, nor has he paid SCDPPPS \$20.00 drug test fee;

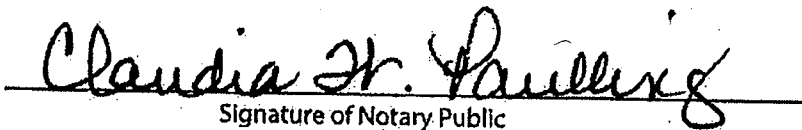
Mr. Stone failed to pay any monies towards his imposed Court Order Fine on cause number 2015-GS-38-01606. He owes a balance of \$648.90;

Such actions constitute his willful failure to follow the advice and instructions of his supervising agent.

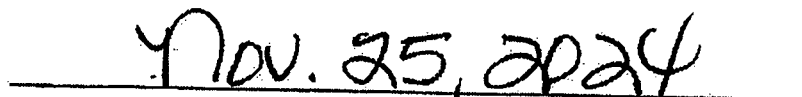
Sworn to and Subscribed before me
this 21 day of March, 2017.



Affiant



Signature of Notary Public



My Commission Expires

RETURN

STATE OF SOUTH CAROLINA

COUNTY OF

CALHOUN

THE STATE

against

DERRICK NELSON STONE

INFORMATION ON DEFENDANT

Name DERRICK NELSON STONE

Address SAINT MATTHEWS, SC 29135

Phone

Sex Male Race White Height 602

Weight 210 Birth date

Social Security Number

INFORMATION ON WITNESSES

Name

Address

Phone

Name

Address

Phone

Name

Address

Phone

Name

Address

Phone

PRELIMINARY HEARING held by

Magistrate on

with

Attorney for the Defendant.

Decision

BAIL

Date Set

Magistrate

Amount

Surety

Constable or Law Enforcement Officer

A copy of this Arrest Warrant was delivered by me to the following defendant:

DERRICK N. STONE

on the 24 day of March, 2017

[Signature]

Constable or Law Enforcement Officer

ARREST WARRANT

Offense: Violation of Conditions of Probation Supervision

Offense Section: 24-21-450

Date: 3/21/2017

Officer and Agency: SC Department of Probation, Parole and Pardon Services

Kenneth Anthony Wright

Disposition

Sentence (L.S.)

Co-Defendants

This Warrant is certified for service in [County of warrant Certification] County. The accused is to be arrested and brought before me to deal with according to law.

Signature of Judge

STATE OF SOUTH CAROLINA
County of Calhoun

STATE VS.

Derrick Stone

AKA: _____

Race: W Sex: M

DOB: _____

SSN: _____

SID# _____

IN THE COURT OF GENERAL SESSIONS

Indictment Number:

15 - GS - 38 - 1606
Probation C/W#s: _____

W-09-17-0002

Name of Original Offense: Solicitation to Commit

Original A/W#: 2015A3810700759

Date of Original Offense: 7/29/15

Conviction S.C. Code §: 17-25-30

Conviction CDR Code #: 01719LS

Original Sentence: 2 yrs 25 fine served

1 yr. Probation

ORDER

The above named defendant has been charged with violating the conditions of probation ordered on 3/28/16 in the Court of General Sessions of Orangeburg County, and/or the additional conditions ordered by the Court in probation continuation order(s) issued on 5/23/17, as set forth in the attached warrant(s) or citation(s) dated _____. 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, 3, 4, 6, 7-10

Therefore, IT IS ORDERED that:

- the suspended sentence be revoked and the above named defendant be required to serve 2 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 electronic monitoring pursuant to §23-3-540 (mandatory if convicted of first or third 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:

RECEIVED

SEP 29 2017

SC Court of Appeals

- 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 is to be given credit for pretrial detention time served (N/A if defendant has served prior SCDC time).
- The defendant has served _____ days/months/years of prior revocations and/or initial SCDC time.
- The defendant was previously placed on active electronic monitoring pursuant to §23-3-540.

This 19 day of September, 2017
St. Matthews, SC

[Signature]
Presiding Judge
Diane Goodstein
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 [Signature]

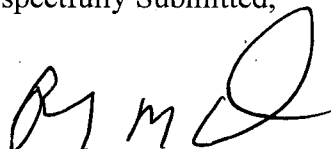
Witnessed by [Signature]

Signed this 19 day of SEPTEMBER 2017 at St. Matthews SC

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. Dudek
Chief Appellate Defender

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

ATTORNEY FOR APPELLANT

This 6th day of September, 2018.

RECEIVED
SEP 06 2018
SC Court of Appeals