

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

RECEIVED

Appeal from Jasper County

OCT 22

Honorable Michael G. Nettles, Circuit Court Judge

S.C. SUPREME COURT

THE STATE,

RESPONDENT,

v.

NATHANIEL WRIGHT,

APPELLANT

APPELLATE CASE NO. 2016-000272

SUPPLEMENTAL RECORD ON APPEAL

KATHRINE H. HUDGINS
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

MEGAN HARRIGAN JAMESON
Assistant Attorney General
Rembert Dennis Building
1000 Assembly Street, Room 519
Columbia, SC 29201

ATTORNEY FOR APPELLANT

ISAAC MCDUFFIE STONE, III
Solicitor, Fourteenth Judicial Circuit

ATTORNEYS FOR RESPONDENT

INDEX

INDEX.....i
SENTENCE SHEET DATED OCTOBER 14, 2014 FOR ANTWAN DRAKE..... 1
AMENDED SENTENCE SHEET DATED FEBRUARY 12, 2015 FOR ANTWAN DRAKE2
CERTIFICATE OF COUNSEL3

0-3 years and/or up to \$5000

STATE OF SOUTH CAROLINA)
 COUNTY OF Jasper)
 STATE VS.)
 Antwain Terrell Drake)
 AKA:)
 Race: B Sex: M Age: 26)
 DOB: 1987 SS#:)
 Address:)
 City, State, Zip:)
 DL#: SID#:)

IN THE COURT OF GENERAL SESSIONS

INDICTMENT/CASE#: 2014GS2700246
 A/W#: 2014A2720200089
 Date of Offense:
 S.C. Code § : 44-53-0370(d)(3)
 CDR Code #: 3011

SENTENCE SHEET

*CDL Yes No CMV Yes No Hazmat Yes No
 In disposition of the said indictment comes now the Defendant who was
 TO: Drugs / possession of cocaine, 1st offense

CONVICTED OF or PLEADS

in violation of § 44-53-0370(d)(3) of the S.C. Code of Laws, bearing CDR Code # 3011
 NON-VIOLENT VIOLENT SERIOUS MOST SERIOUS Mandatory GPS(CSC w/minor 1st or Lewd Act) §17-25-45

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: Alex Toprek 100814 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 2 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 State Department of Corrections.
 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 (Criminal 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

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:

Recipient:

*Fine:	\$
§ 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 47.9 (Public Def/Prob)	\$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(I) (Vehicle Assessment)	\$40/ea
Proviso 90.5 (SCCJA Surcharge)	\$5
3% to County (if paid in installments)	\$
TOTAL	\$

Appointed PD or appointed other counsel, § 47.12 requires \$500 be paid to Clerk during probation.

Clerk of Court/ Deputy Clerk
 Court Reporter:

Presiding Judge
 Judge Code: 2142
 Sentence Date: 10-14-14

Amended (AW)

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF _____ Insper
STATE _____ VS. _____

INDICTMENT/CASE#: 2014-65-27-0024

AKA: Antwan Drake

A/W#: 2014 A 27 20 200089

Race: B Sex: M Age: 26

Date of Offense:

DOB: _____ SS#: _____

S.C. Code §: 44-53-0370(d)(3)

Address: _____

CDR Code #: 3011

City, State, Zip: _____

DL#: _____ SID#: _____

SENTENCE SHEET

*CDL Yes No CMV Yes No Hazmat Yes No

In disposition of the said indictment comes now the Defendant who was CONVICTED OF or ~~RECEAIDS~~

TO: Drugs/ Poss of cocaine (1st offense)

in violation of § _____ of the S.C. Code of Laws, bearing CDR Code # 3011

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

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: Alex Toporek 100814 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 2 days/months/years or under the Youthful Offender Act, not to exceed 48 days/months/years and/or payment of \$ _____; plus costs and assessments as applicable*; the balance is suspended with probation for 3

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 State Department of Corrections. 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 (Criminal Domestic Violence) to ship, transport, possess, or receive a firearm or ammunition.

SPECIAL CONDITIONS:

RESTITUTION: Deferred Def. Waives Hearing Ordered 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

Payment Terms: _____ Other: Required to cooperate with police & solicitor's office in pending murder case.

Recipient: _____ *Fine: § 14-1-206 (Assessments 107.5 %) \$ 0 § 14-1-211(A)(1) (Conv. Surcharge) \$100 \$ 100.00 § 14-1-211(A)(2) (DUI Surcharge) \$100 \$ 0 § 56-5-2995 (DUI Assessment) \$12 \$ 0 § 56-1-286 (DUI Breath Test) \$25 \$ 0 Proviso 47.9 (Public Def/Prob) \$500 \$ 500.00 § 14-1-212 (Law Enforce. Funding) \$25 \$ 25.00 § 14-1-213 (Drug Court Surcharge) \$150 \$ 150.00 § 50-21-14 (DUI Breath Test Fee) \$50 \$ 0 § 56-5-2942(J) (Vehicle Assessment) \$40/ea \$ 0 Proviso 90.5 (SCCJA Surcharge) \$5 \$ 5.00 3% to County (if paid in installments) \$ 23.40


TOTAL \$ 803.40

Clerk of Court/ Deputy Clerk: _____ Court Reporter: Wanda Rowe Presiding Judge: _____ Judge Code: 2172 Sentence Date: 2-12-15

CERTIFICATE OF COUNSEL FOR APPELLANT

Counsel for appellant certifies that this Supplemental Record on Appeal contains all material proposed to be included by any of the parties and not any other material and that this Supplemental 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,



Kathrine H. Hudgins
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 May, 2017.