



2. In Case Number 17-GS-42-4142; Trafficking in Cocaine

Not Guilty

Guilty

I certify this is decision was the unanimous decision of the jury.

*Maria P. Martin*

Foreperson  
October 19, 2018

WITNESSES

SCSO

*[Handwritten signature]*

ARREST WARRANT NUMBER

2017A4210200377

ACTION OF GRAND JURY

True Bill

*[Handwritten initials]*

Foreperson of Grand Jury

Date:

VERDICT

*[Handwritten: Guilty]*

*[Handwritten signature]*

Foreperson of Petit Jury

Date: 10/19/18

DOCKET NO. -

17-GS-42-4141

The State of South Carolina

County of Spartanburg

Barry J. Barnette, Solicitor

COURT OF GENERAL SESSIONS

AUG 21 2017

TERM

THE STATE

vs.

DANA L. MORTON

Indictment for

POSSESSION WITH INTENT TO  
DISTRIBUTE MARIJUANA

SC Code: 44-53-370

RECEIVED  
OCT 24 2018  
SC Court of Appeals



STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF SPARTANBURG
STATE VS. Dana L. Morton

INDICTMENT/CASE#: 2017GS4204141
A/W#: 2017A4210200377
Date of Offense: 2/2/2017
S.C. Code §: 44-53-0370(b)(2)
CDR Code #: 0187

AKA:
Race: B Sex: M Age: 40
DOB:
Address:
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 TO: Possession With Intent To Distribute Marijuana, 2nd offense- 0-10 years and/or \$0-10,000 [X] CONVICTED OF or [ ] PLEADS

in violation of § 44-53-0370(b)(2) of the S.C. Code of Laws, bearing CDR Code # 0187
[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, [ ] Negotiated Sentence, [ ] Recommendation by the State.
The plea is: [X] Without Negotiations or Recommendation, [ ] Defendant Waives Presentment to Grand Jury.

ATTEST: MABBS, ALLISON M (Signature) SC Bar#
Dana L. Morton (Signature) Defendant
[Signature] Attorney for Defendant SC Bar#

WHEREFORE, the Defendant is committed to the [X] State Department of Corrections, [ ] County Detention Center, for a determinate term of 10 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.

[X] CONCURRENT or [ ] CONSECUTIVE to sentence on: 10/19/18
[ ] The Defendant is to be given credit for time served pursuant to S.C. Code §24-13-40 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 Obtain GED [ ]
Attend Voc. Rehab. or Job Corp.
May serve W/E beginning
Substance Abuse Counseling [ ]
Random Drug/Alcohol testing [ ]

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 (Public Def/Probation) \$500 \$
§14-1-212 (Law Enforce. Funding) \$25 \$ 25.00
§14-1-213 (Drug Court Surcharge) \$150 \$ 150.00
§50-21-114(BUI Breath Test Fee) \$50 \$
§56-5-2942(J) (Vehicle Assessment) \$40/ea \$
3% to County (if paid in installments) \$ 8.25

Table with 3 columns: Description, Amount, Total. Includes items like §14-1-206, §14-1-211(A)(1), §14-1-211(A)(2), §56-5-2995, §56-1-286, Proviso, §14-1-212, §14-1-213, §50-21-114, §56-5-2942(J), 3% to County. Total: \$ 283.25

Fine may be pd. in equal, consecutive weekly/monthly pmts. of \$ beginning
\$ paid to Public Defender Fund
Other:
RECEIVED
OCT 24 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: 2135
Sentence Date: 10/19/18

Clerk of Court/ Deputy Clerk: KG McKinney
Court Reporter: [Signature]

WITNESSES

SCSO

*Kevin [Signature]*

ARREST WARRANT NUMBER

2017A4210200375

ACTION OF GRAND JURY

*True Bill*

*[Signature]*

Foreperson of Grand Jury

Date:

VERDICT

*Guilty*

*Michelle P. Moore*

Foreperson of Petit Jury

Date: 10/19/18

DOCKET NO. -

17-GS-42-4142

The State of South Carolina

County of Spartanburg

Barry J. Barnette, Solicitor

COURT OF GENERAL SESSIONS

AUG 21 2017

TERM

THE STATE

vs.

DANA L. MORTON

Indictment for

TRAFFICKING IN COCAINE

SC Code: 44-53-370

RECEIVED  
OCT 24 2018  
SC Court of Appeals

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF SPARTANBURG )

INDICTMENT

AUG 18 2017

At a Court of General Sessions, convened on \_\_\_\_\_, the

Grand Jurors of Spartanburg County present upon their oath:

**TRAFFICKING IN COCAINE**

That Dana L. Morton did in Spartanburg County on or about February 2, 2017, knowingly sell, manufacture, deliver, purchase or bring into this State, or did provide financial assistance or did otherwise aid, abet, attempt, or conspire to sell, manufacture, deliver, purchase, or bring into this State, or did knowingly actually or constructively possess, or did knowingly attempt to actually or constructively possess more than (100) One Hundred grams of Cocaine, a schedule II controlled substance, in violation of §44-53-370, *THE 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.

  
\_\_\_\_\_  
ASSISTANT SOLICITOR

STATE OF SOUTH CAROLINA

COUNTY OF SPARTANBURG  
STATE VS.

Dana L. Morton

AKA:

Race: B Sex: M Age: 40

DOB:

Address:

City, State, Zip:

DL#:

SID#:

\*CDL Yes  No  CMV Yes  No  Hazmat Yes  No

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

TO: Drugs / Trafficking in cocaine, 100 g or more, but less than 200 grams- 25 years and \$50,000

in violation of § 44-53-0370(e)(2)(c) of the S.C. Code of Laws, bearing CDR Code # 0280

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:

MABBS, ALLISON M

101795 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 25 days/months/years or  under the Youthful Offender Act not to exceed \_\_\_\_\_ years and/or to pay a fine of \$ 50,000.00 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: 10/19/18

The Defendant is to be given credit for time served pursuant to S.C. Code §24-13-40 to be calculated and applied by SCDOC. 60 days (six)

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

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 %)		\$ 50,000.00
§14-1-211(A)(1) (Conv. Surcharge)	\$100	\$ 53,750.00
§14-1-211(A)(2) (DUI Surcharge)	\$100	\$ 100.00
§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	\$ 25.00
§14-1-213 (Drug Court Surcharge)	\$150	\$ 150.00
§50-21-114(BUI Breath Test Fee)	\$50	\$
§56-5-2942(J) (Vehicle Assessment)	\$40/ea	\$
3% to County (if paid in installments)		\$ 3,120.75

TOTAL

\$ 107,145.75

Clerk of Court/ Deputy Clerk

Court Reporter:

SCCA/217 (04/2018)

KG McKinney

Shonda Moffitt

IN THE COURT OF GENERAL SESSIONS

INDICTMENT/CASE#: 2017GS4204142

A/W#: 2017A4210200375

Date of Offense: 2/2/2017

S.C. Code § 44-53-0370(e)(2)(c)

CDR Code #: 0280

RECEIVED

OCT 24 2018

SC Court of Appeals

SENTENCE SHEET

CONVICTED OF or  PLEADS

Presiding Judge

Judge Code: 2135

Sentence Date: 10/19/18