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STATE OF SOUTH CAROLINA

FEB 11 2019

IN THE COURT OF GENERAL SESSIONS

COUNTY OF Spartanburg

SC Court of Appeals

STATE

INDICTMENT/CASE#: 2016-GS-42-4448

VS.

Brandon Wayne Palmer

AW#: 2015A4210104203

AKA:

Date of Offense: 8/1/2011

Race: W Sex: M Age: 30

S.C. Code §: 16-3-655(A)

DOB:

CDR Code #: 0385

Address:

City, State, Zip: Duncan, SC 29334

DL#

SID#

*CDL Yes No CMV Yes No Hazmat Yes No

SENTENCE SHEET

Alford

CONVICTED OF or PLEADS

In disposition of the said indictment comes now the Defendant who was TO: Criminal Sexual Conduct with a Minor Third Degree (0-15 years)

In violation of § 16-3-655(C) of the S.C. Code of Laws, bearing CDR Code # 3661

NON-VIOLENT VIOLENT SERIOUS MOST SERIOUS Mandatory GPS §17-25-45 (CSC w/minor 1st or CSC w/minor 3rd)

The charge is: As indicted, Lesser Included Offense, Defendant Waives Presentment to Grand Jury. X (def.'s initials)

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

ATTEST:

Anna Paul Abel

100017

R. Paul Palmer

[Signature]

68596

Assistant Attorney General

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 12 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 SCDOC

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:

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: Set offender Registration

no contact with victim

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: 0132

Sentence Date 1/25/19

*Fine.		\$	
§14-1-206 (Assessments 107.5%)		\$	
§14-1-211 (A)(1)(Conv. Surcharge)	\$100	\$	<u>100.00</u>
§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	\$	<u>25.00</u>
§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)		\$	<u>3.75</u>
TOTAL		\$	<u>128.75</u>

Clerk of Court/Deputy Clerk
Court Reporter: P. Green

C. Pool

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM SPARTANBURG COUNTY
Court of General Sessions

The Honorable Mark J. Hayes II, Circuit Court Judge

Case No(s): 2016GS4204448

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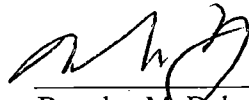
SC Court of Appeals

The State Respondent,
v.
Brandon Wayne Palmer Appellant.
.....

EXPLANATION OF APPEAL PURSUANT TO RULE 203(d)(1)(B), SCACR

Pursuant to Rule 203(d)(1)(B), SCACR, Brandon Wayne Palmer files this explanation of his appeal of his guilty plea, conviction and sentence in this case. The sentence was imposed by the Honorable Mark J. Hayes II on January 28th, 2019. No issues were raised during the guilty plea; however, the client insisted upon an appeal; therefore, this appeal was filed pursuant to Weathers v. State, 319 S.C. 59, 459 S.E.2d 838 (1995), and State v. Thrift, 378 S.C. 70, 661 S.E.2d 373 (2008).

February 07, 2019



Brendan M. Delaney
68596
Seventh Judicial Circuit Public Defender Office
366 N. Church Street, Suite 3000
Spartanburg, South Carolina 29303
(864) 596-2561
Attorney for Appellant

Other Counsel of Record:
Kinli Bare Abee, Esq.
Attorney General Office
PO Box 11549
Columbia, South Carolina 29211

Attorney for Respondent

STATE OF SOUTH CAROLINA)
)
COUNTY OF SPARTANBURG)

INDICTMENT

AUG 19 2016

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

CRIMINAL SEXUAL CONDUCT WITH A MINOR, FIRST DEGREE

That Brandon Palmer, did in Spartanburg County, between August 1, 2011 and December 29, 2013, commit the crime of Criminal Sexual Conduct with a minor, in that the defendant did commit a sexual battery upon the minor victim, _____ who was under eleven (11) years of age at the time of the said incident. Said incident occurred in Spartanburg County, South Carolina, in violation of §16-03-655 (1), *CODE OF LAWS OF SOUTH CAROLINA*, (1976, as amended).

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SC Court of Appeals

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



ASSISTANT SOLICITOR

WITNESSES **Computer**

1. SENTENCES MADE

2. REPORT ENDED

3. CARD PULLED
Spartanburg County Sheriff's Office

INDEXED

4. CHECKED WARRANTS

5. CHECKED BONDS

6. ASSESSMENT AND FINE CARD MADE

7. TRAFFIC VIOLATION

Computer

ARREST WARRANT NUMBER

2015A4210104203

ACTION OF GRAND JURY

AUG 19 2015

True Bill

Foreperson of Grand Jury
Date:

VERDICT

Foreperson of Petit Jury
Date:

DOCKET NO. -

16-GS-42-4448

The State of South Carolina

County of Spartanburg

Barry J. Barnette, Solicitor

COURT OF GENERAL SESSIONS

AUG 22 2016

TERM

THE STATE

vs.

Brandon Palmer

Indictment for

**CRIMINAL SEXUAL CONDUCT
W/MINOR, FIRST DEGREE**

SC Code: 16-03-0655(1)
CDR Code: 0385
Class FEL-C(V)

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SC Court of Appeals

FILED
CLERK OF COURT
SPARTANBURG COUNTY
2016 AUG 25 AM 9:37
M. HOPE BLACKLEY

cwe