

 ORIGINAL

STATE OF SOUTH CAROLINA

In The Court of Appeals

APPEAL FROM LEXINGTON COUNTY

George C. James, Jr., Circuit Court Judge

RECEIVED

JUN 06 2012

SC Court of Appeals

RESPONDENT,

THE STATE,

V.

ISSAC MCDANIEL,

APPELLANT

RECORD ON APPEAL

WANDA H. CARTER
Deputy Chief Appellate Defender

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

Attorney for Appellant

J. BENJAMIN APLIN
Chief Legal Counsel

South Carolina Department of
Probation, Parole & Pardon Services
PO Box 50666
Columbia, SC 29250
(803) 734-9220

Attorney for Respondent

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1 State of South Carolina Court of General Sessions
2 County of Lexington

3
4
5 State)
6)
7 v.) Transcript of Record
8 Issac McDaniel) 07-GS-32-0836
9 Defendant.)

10
11 October 21, 2011
12 Lexington, South Carolina

13 B E F O R E:

14 The Honorable George C. James, Jr., Judge.
15

16 A P P E A R A N C E S:

17 Department of Probation, Pardon and Parole Services
18 For the State.

19 Elizabeth C. Fullwood, Assist. Public Defender
20 Attorney for the Defendant

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22
23
24 Stacy L. Sheppard, RPR
25 Circuit Court Reporter

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I N D E X

WITNESSES DIRECT CROSS REDIRECT RECROSS

(There were no witnesses.)

E X H I B I T S

1	E X H I B I T S		
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1 (The following proceedings were held on
2 October 21, 2011.)

3 ISSAC MCDANIEL,

4 having been duly sworn, testified as follows:

5 **THE COURT:** All right. Your name is Issac
6 McDaniel?

7 **DEFENDANT:** Yes, sir.

8 **THE COURT:** All right. Mr. McDaniel, you're
9 here today because the department claims you're in
10 violation of certain parts of your supervision. You
11 were put on probation by Judge Barber April of 2007
12 for unlawful neglect of a child. Have you been
13 served with a citation and the warrant in this case?

14 **DEFENDANT:** Yes, sir.

15 **THE COURT:** Have you had --

16 **DEFENDANT:** I've gotten a warrant, yes.

17 **THE COURT:** How about the citation?

18 **DEFENDANT:** What's a citation look like?

19 **MS. FULLWOOD:** It's this piece of paper.

20 **DEFENDANT:** I'm assuming Mr. Lake brought it to
21 me in jail.

22 **THE COURT:** The citation is dated October 6th
23 of this year. Looks like it was served on -- excuse
24 me -- it's dated February of last year. It looks
25 like it was served on you October 6th of this year.

1 I'm just trying to make sure that you're here
2 properly and I have jurisdiction.

3 Did the victim want to be here?

4 **PROBATION AGENT:** The victim's a minor in this
5 case, Judge. That minor victim stays with
6 Mr. McDaniel's mother in Texas.

7 **THE COURT:** Okay. And you're Mr. Lake?

8 **PROBATION AGENT:** Yes, sir.

9 (Pause.)

10 **MS. FULLWOOD:** I'm just showing him the
11 citation, Your Honor.

12 **THE COURT:** Okay. You've been served with
13 everything, sir?

14 **DEFENDANT:** Yes.

15 **THE COURT:** You have ten days to appeal. Do
16 you understand that?

17 **DEFENDANT:** Okay.

18 **THE COURT:** And you understand that you have
19 the right to testify and offer other evidence today
20 as well?

21 **DEFENDANT:** Okay.

22 **THE COURT:** All right. The violation is what,
23 sir?

24 **PROBATION AGENT:** Please the Court, Your Honor.
25 Mr. McDaniel was transferred to the State of Texas

1 and all of the violations of probation occurred in
2 Texas. If Your Honor would like to review the Texas
3 agent's violation report.

4 **THE COURT:** Is it as stated in the warrant?

5 **PROBATION AGENT:** It is as stated in the
6 warrant and the citation served. The primary
7 violations are several serious convictions in Texas,
8 the use of drugs, failing to report.

9 **THE COURT:** He's been convicted of more crimes
10 in Texas since he was on supervision?

11 **MS. FULLWOOD:** That's correct, Your Honor.

12 **THE COURT:** Does he admit he's in violation of
13 his probation?

14 **MS. FULLWOOD:** He does, Your Honor.

15 **THE COURT:** All right. Your recommendation is
16 a revocation?

17 **PROBATION AGENT:** Yes, Your Honor. We're
18 recommending a full revocation. And, Your Honor, as
19 stated in the justification, the -- basically, what
20 amounts to a criminal domestic violence conviction
21 was rather egregious. If Your Honor would like to
22 review that incident report and the pictures of that
23 victim, we have it here for you.

24 **THE COURT:** And that was in Texas?

25 **PROBATION AGENT:** Correct, sir.

1 **THE COURT:** You can hand it up.

2 All right. He served -- he was sentenced to
3 five years, suspended upon two and a half years and
4 three years probation.

5 **MS. FULLWOOD:** That's right.

6 **THE COURT:** Were you convicted of whatever the
7 State's description of the crime of criminal
8 domestic violence is concerned in Texas?

9 **DEFENDANT:** Yes, sir.

10 **THE COURT:** All right. Is there anything you
11 want to tell me?

12 **DEFENDANT:** I don't know what I need to say. I
13 mean, I've been incarcerated for a couple of years
14 already in the State of Texas on a firearms charge.
15 I've been extradited here to Lexington County. I
16 don't know what else I need to say.

17 **THE COURT:** All right. Yes, ma'am,
18 Ms. Fullwood.

19 **MS. FULLWOOD:** Your Honor, Mr. McDaniel has
20 been continuously incarcerated since September 28th,
21 2009, on that firearms charge. I talked to Mr. Lake
22 and South Carolina served or transmitted its
23 detainer or hold on Mr. McDaniel on October 19,
24 2009.

25 He tells me that that hold or detainer resulted

1 in him having to do day-for-day time in the State of
2 Texas because he did not have access to programs
3 that would allow him to get good time or work
4 credits or any other types of credits. In that case
5 and in light of the fact that he has been in jail
6 for two years now already, we would ask that Your
7 Honor give him credit for the time he has been
8 incarcerated since October 19, 2009, and consider
9 perhaps giving him time served because he has, in
10 essence, served a 30-month sentence.

11 His desire is to return to the State of Texas,
12 that's where he's from. At this point, he has no
13 ties to the State of South Carolina. And if Your
14 Honor chose that option, he would be out of the
15 state probably within 24 hours.

16 **THE COURT:** Anything else y'all want to tell
17 me?

18 **MS. FULLWOOD:** That's all, Your Honor.

19 **THE COURT:** What's the department's position on
20 this?

21 **PROBATION AGENT:** We object to that, Your
22 Honor. Your Honor, he was convicted of both -- he
23 got 90 days on that CDV crime and a two-year
24 sentence on that weapons charge, both serious
25 offenses on probation.

1 Judge, it was simply a detainer we filed when
2 we issued the warrant.

3 On the issue of credit for time served, I will
4 say, Your Honor, that the prisoner transport
5 services did pick him up when he maxed out that
6 offense on 9/28/2011. And he did not arrive in the
7 Lexington County Jail until either October 5th or
8 October the 6th. It took them a while to extradite
9 him. So if there's a credit for time served issue,
10 we wouldn't object for him getting credit for time
11 served since 9/28 of '11.

12 **THE COURT:** All right. Anything else?

13 **MS. FULLWOOD:** I would just refer the Court to
14 the case of State v. Dozier. While it's not
15 directly on point, it talks about how when a
16 person's in the extradition process and they're
17 served with the extradition warrant in one state,
18 they are entitled to the time they spent
19 incarcerated fighting the extradition warrant until,
20 you know, they come to court in the state that's
21 seeking their presence.

22 Here, he was in prison with a hold from the
23 State of South Carolina and it affected the terms of
24 his incarceration, the length of the sentence he
25 had. And I think, as a matter of fairness, he

1 should be able to get credit for the time since we
2 put the hold on him.

3 **THE COURT:** Okay. I do find that Mr. McDaniel
4 is aware of the nature of these proceedings and is
5 represented by competent counsel. I am going to
6 revoke 20 months. He'll get credit from September
7 the 28th.

8 And I just -- I agree with you that that case
9 -- the holding in that case is not applicable. This
10 is giving him a little bit of benefit by not
11 revoking him in full, but I'm -- I don't think it's
12 appropriate for him to claim the protection of his
13 remarkable criminal record to escape his sentence
14 here in South Carolina, all right.

15 **MS. FULLWOOD:** Thank you, Your Honor.

16 **PROBATION AGENT:** Thank you, Judge.

17 **THE COURT:** He'll get credit for that, roughly
18 the last month on that 20 months and probation will
19 be terminated.

20 (Court's Exhibit Number 1, probation
21 document, marked for identification purposes.)

22

23

END OF PROCEEDINGS

24

25

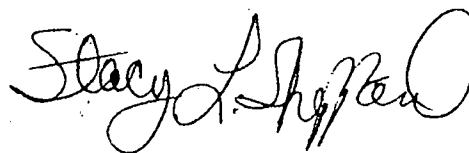
C E R T I F I C A T E

STATE OF SOUTH CAROLINA
COUNTY OF LEXINGTON

I, the undersigned, Stacy L. Sheppard, Circuit Court Reporter for the Eleventh Judicial Circuit of the State of South Carolina, do hereby certify that the foregoing is a true, accurate and complete transcript of record of all the proceedings had and the evidence introduced in the hearing of the captioned cause, relative to appeal in the Criminal Court for Lexington County, South Carolina, on the 21st of October, 2011.

I do further certify that I am neither of kin, counsel, nor interest to any party hereto.

December 17, 2011



Stacy L. Sheppard, RPR
Circuit Court Reporter

Offender's Name: ISAAC LYLE MCDANIEL
State of South Carolina, County of: LEXINGTON
SID#:

Warrant#: C-47-10-0118, W-47-09-0216
Date of Birth:
SCDC#: 00322110

Indictment Numbers:
07-GS-32-00836

Offense and Offense Code:
2481 - Legal custodian, unlawful neglect of
child or helpless person

Supervision Program: Probation Begin Date: 4/1/2008 End Date: 3/31/2011
Supervision Level: High Supervision

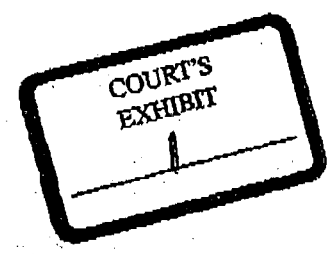
Sentencing Judge: 110 - Barber, III, James Sentencing County: LEXINGTON
Sentencing Date: 4/19/2007
Location (Bold Response): Jail

Sentence:

5 years, suspended upon 30 months and 3 years probation.

Special Conditions:

- *Substance-abuse counseling.
- *Anger-management treatment.
- *Must comply with all DSS requirements and treatment plan.
- *Random drug screens.
- *Court fine.



Current Address and Summary of Residence:

861 INTERSTATE HWY 45 NORTH, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, HUNTSVILLE, TX 77340, WALKER, USA,
LUMBERTON, TX 77657, HARDIN, USA, : 160 E.
CHANCE CUT OFF ROAD, HARDIN COUNTY JAIL, LUMBERTON, TX 77657, HARDIN, USA.

Mr. McDaniel lives in Texas. Supervision of his probation case was formally transferred to the Texas probation authorities, in 08/2008.

Reporting:

Mr. McDaniel is charged with failure to report to the Texas Agent in 11/2008 & 12/2008.

Employment Records While Under Supervision:

Employer	Dates (from -to)	Reason(s) for Leaving	Earnings
ALLCO LTD.	10/23/2008 -		\$0.00
	4/8/2008 - 10/22/2008		\$0.00

Mr. McDaniel is charged with failure to maintain gainful employment while in Texas.

Financial Conditions:

Total Amount ordered	Pay Period	Total Paid	Date Last Paid	Arrearage	Balance Due

Prior Violation Dates	Prior Violations	Prior Violation Disposition

Offender's Name: **ISAAC LYLE MCDANIEL**

8/14/2008	Failure to pay fines and fees.	1182 (in-house document) issued; Restructure accounts.
7/12/2008	"Probable Cause" VOP warrant issued, per CDV incident-reports dated 05/26/08 & 06/09/08, respectively.	NO VIOLATION; warrant withdrawn before service, due to no formal charges filed (via LCSD).

Details of the Present Violation:

W-47-09-216 (issued 10/02/2009):

Mr. McDaniel has violated his Probation by failing to report as instructed to the TX supervising authorities having failed to report in November and December of 2008; By failing to obtain/maintain gainful employment, having provided no employment information or verification to the supervising authorities since 4/19/07; By failing to comply with SC DSS condition having failed to attend/complete Anger Management counseling as originally ordered; By using/being in possession of illegal substances as admitted to by Mr. McDaniel in a narrative documented on 9/28/09 by Sour Lake, TX PD official where he admitted to trading a weapon for crack cocaine; By failing to refrain from violating any Federal, State or Local law, there being probable cause to believe that Mr. McDaniel has committed the offense of Assault Class A Family Violence as evidenced by warrant W#5-2009-00472 issued on 3/26/09 by the Lumberton (TX) PD and Incident Report dated the same including photographic evidence citing severe physical force used on the complainant of the offense. Mr. McDaniel has additionally violated his Probation by failing to refrain from violating any Federal, State or Local law having been arrested by the Sour Lake PD, TX on 9/28/09 for (M) Theft of Service and (F) Unlawful Possession of Firearm by Felon. Mr. McDaniel has further violated his Probation by being in possession of guns on or about 9/27/09 as evidenced by his arrest for and by his own admission that he stole from his father a 7mm Remington Rifle with a Leupold Scope, a .22CAL. Marlin Semi Automatic Rifle and a .22CAL Revolver Pistol from the father's gun cabinet.

C-47-10-118 (issued 02/22/2010):

Mr. McDaniel has violated his Probation by failing to refrain from violating any Federal, State or Local law, having been arrested on 3/26/09 by the Lumberton (TX) PD for (M) Assault Class A Family Violence having been subsequently convicted of Assault Causes Bodily Injury Family Member -13990031 in the County Court of Hardin TX on 1/21/2010 receiving a sentence of 90D & \$210.00; having been arrested by the Sour Lake PD, TX on 9/28/09 for (M) Theft of Service and (F) Unlawful Possession of Firearm by Felon having been subsequently convicted in the District Court of Hardin TX on 1/21/10 of (F) Unlawful Poss. of a Firearm by a Felon receiving a sentence of 2yrs. cts 115D & \$650.00 fees.

Agent's Recommendation:

Full revocation of 30 months.

Agent's Justification:

On 12/18/06, Isaac McDaniel repeatedly and recklessly beat his 9 year old son with a fishing pole and with a belt. The boy was beaten around his back, buttocks, sides, and legs. The minor victim sustained severe bruising of these areas of his body. For this action the offender received a split-sentence; he served a 30-month prison sentence (from 05/2007 to 04/2008) before being released to probation.

Mr. McDaniel's violent actions have continued under supervision. He was convicted of "Assault Class A Family Violence," after a 03/2009 incident in which he brutally beat an adult female victim about the head and face.

[[**Photographs of the victims injuries should be reviewed by the Court; this evidence clearly illustrates the severe nature of injuries inflicted by Mr. McDaniel upon the victim**]]

Additionally, Mr. McDaniel has been convicted of the possession of several guns while under supervision. As evidenced by police & court records, Mr. McDaniel stole a 1.7mm rifle, a .22 caliber rifle, and a .22 caliber pistol.

Mr. McDaniel has also been charged while under supervision with failure to report, the use of crack cocaine, failure to maintain a job, and failure to complete anger-management counseling.

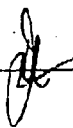
The actions of this offender are criminal and repeat. Mr. McDaniel deserves to spend the balance of his suspended sentence in SCDC.

Daniel J. Lake

Agent Supervisor

Date: 10/11/2011

Supervisor's Signature



Date: 10/11/11

PROBATION CITATION

No. C-47-10-0118

SOUTH CAROLINA V. ISAAC LYLE MCDANIEL	COUNTY: LEXINGTON	
	SCDC # 00322110	SID #

TO: ISAAC LYLE MCDANIEL

YOU ARE HEREBY NOTIFIED to appear in the above named case at the time, date and place specified below.

Place CALL OF COURT	Room TO BE DETERMINED
	Date and Time CALL OF COURT

YOU ARE HEREBY NOTIFIED that you are charged with violating the conditions of your supervision as stated below.

Violations Charged

Violation of Probation pursuant to Section 24-21-450.

YOU ARE HEREBY NOTIFIED that you have the rights listed below.

List of Rights:

You have the right at the hearing to question any person who appears as a witness against you and to have witnesses appear in your behalf. You may present evidence on your behalf. You may have an attorney represent you. If you cannot afford an attorney, an attorney will be appointed for you. You must advise the agent or the court in writing of your desire for an attorney. It is your responsibility to make arrangements for your witnesses and your attorney to appear at the hearing.

IF YOU FAIL TO APPEAR AT THE TIME, DATE AND PLACE SHOWN ABOVE, THE HEARING WILL BE HELD IN YOUR ABSENCE AND YOU MAY BE INCARCERATED.

COLUMBIA, South Carolina	Probation and Parole Agent
Date FEBRUARY 22, 2010	<i>[Signature]</i> Agent # 528 DEON WILFORM

A copy of the citation was served by the undersigned and given to the individual named therein at the time, date, and place indicated below.

Place <i>Lexington Jail</i>	Date and Time <i>10/6/11 445pm</i>
	Serving Officer's Signature <i>[Signature]</i>

Sworn to and subscribed before me this 6 day of October 2011

Clare J. McDaniel
Signature of Notary Public

My Commission Expires May 29, 2018

STATE OF SOUTH CAROLINA

AFFIDAVIT

County of LEXINGTON

Personally appeared before me, DEON WILFORM, who first being duly sworn, deposes and says that ISAAC LYLE MCDANIEL did within this County and State on the 22ND day of FEBRUARY, 2010, violate certain conditions of release in the following particulars:

DESCRIPTION OF VIOLATION

Probation violation concurrent to Section 24-21-430 in that the defendant has violated the conditions of his Probation sentence as imposed by Judge Barber at the April 19th, 2007 term of General Sessions Court holden in Lexington County, Lexington, South Carolina and the Rules of the Interstate Compact for Adult Offender Supervision.

The Affiant states that there is probable cause to believe the defendant named committed the violations set forth and that such probable cause is based on the following facts:

Mr. McDaniel has violated his Probation by failing to refrain from violating any Federal, State or Local law, having been arrested on 3/26/09 by the Lumberton (TX) PD for (M) Assault Class A Family Violence having been subsequently convicted of Assault Causes Bodily Injury Family Member -13990031 in the County Court of Hardin TX on 1/21/2010 receiving a sentence of 90D & \$210.00; having been arrested by the Sour Lake PD, TX on 9/28/09 for (M) Theft of Service and (F) Unlawful Possession of Firearm by Felon having been subsequently convicted in the District Court of Hardin TX on 1/21/10 of (F) Unlawful Poss. of a Firearm by a Felon receiving a sentence of 2yrs. cts 115D & \$650.00 fees. These actions constitute a willful failure to follow the advice and instructions of the supervising authorities. The above actions constitute willful violations of Probation conditions numbered 6 and 10 of the original Probation order dated 4/19/07 and the Application for Interstate Compact Services signed by Mr. McDaniel on 6/26/08.

Sworn to and subscribed

before me this 22ND day of FEBRUARY, 2010

[Signature]
Signature of Notary Public

[Signature]
Affiant
DEON WILFORM

My Commission Expires: July 23, 2018

Form Approved by
SC Attorney General
Section 7-13-160
March 15, 1978

**PROBATION
ARREST WARRANT**

**STATE OF SOUTH CAROLINA
COUNTY OF LEXINGTON**

Indictment Number 07-GS-32-00836
Warrant Number W-47-09-0216
State Identification No. (SID)

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

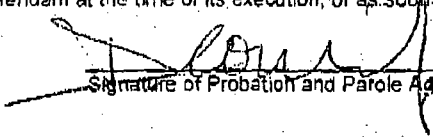
It appearing from the attached affidavit that there are reasonable grounds to believe that ISAAC LYLE MCDANIEL, did on the 2nd day of October, 2009 violate the criminal laws of the State of South Carolina as set forth below:

DESCRIPTION OF OFFENSE:

Violation of Probation pursuant to Section 24-21-450.

Now, therefore, you are empowered and directed to arrest the said defendant and bring ISAAC LYLE MCDANIEL 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 COLUMBIA, S. C. this 2nd day of October, 2009.


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

**County of LEXINGTON
STATE OF SOUTH CAROLINA**

AFFIDAVIT

Personally appeared before me, one DEON WILFORM, who, first being duly sworn, deposes and says that ISAAC LYLE MCDANIEL did within this County and State on the 2nd day of October, 2009, violate the criminal laws of the State of South Carolina in the following particulars:

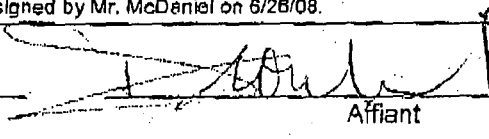
DESCRIPTION OF OFFENSE:


Probation violation concurrent to Section 24-21-430 in that the defendant has violated the conditions of his Probation sentence as imposed by Judge Barber at the April 19th, 2007 term of General Sessions Court holden in Lexington County, Lexington, South Carolina and the Rules of the Interstate Compact for Adult Offender Supervision.

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:

Mr. McDaniel has violated his Probation by failing to report as instructed to the TX supervising authorities having failed to report in November and December of 2008; By failing to obtain/maintain gainful employment, having provided no employment information or verification to the supervising authorities since 4/19/07; By failing to comply with SC DSS condition having failed to attend/complete Anger Management counseling as originally ordered; By using/being in possession of illegal substances as admitted to by Mr. McDaniel in a narrative documented on 9/28/09 by Sour Lake, TX PD officials where he admitted to trading a weapon for crack cocaine; By failing to refrain from violating any Federal, State or Local law, there being probable cause to believe that Mr. McDaniel has committed the offense of Assault Class A Family Violence as evidenced by warrant W#5-200-00472 issued on 3/28/09 by the Lumberton (TX) PD and Incident Report dated the same including photographic evidence citing severe physical force used on the complainant of the offense. Mr. McDaniel has additionally violated his Probation by failing to refrain from violating any Federal, State or Local law having been arrested by the Sour Lake PD, TX on 9/28/09 for (M) Theft of Service and (F) Unlawful Possession of Firearm by Felon. Mr. McDaniel has further violated his Probation by being in possession of guns on or about 9/27/09 as evidenced by his arrest for and by his own admission that he stole from his father a 7mm Remington Rifle with a Leupold Scope, a .22CAL Marlin Semi Automatic Rifle and a .22CAL Revolver Pistol from the father's gun cabinet. These actions constitute a willful failure to follow the advice and instructions of the supervising authorities. The above actions constitute willful violations of Probation conditions numbered 1, 4, 5, 6, and 10 of the original Probation order dated 4/19/07 and the Application for Interstate Compact Services signed by Mr. McDaniel on 6/26/08.

Sworn to and Subscribed before me
this 2nd day of October, 2009


Affiant


Signature of Notary Public (L.S.)

Address: SCDPPS Interstate Compact Services
2221 Devine Street, Suite 600
PO Box 50666
Columbia, SC 29250
Business: 803-734-9326
24HRS: 800-263-7191

July 23, 2018
My Commission Expires

RETURN

STATE OF SOUTH CAROLINA
COUNTY OF
LEXINGTON

THE STATE
against

ISAAC LYLE MCDANIEL

ARREST WARRANT

Offense: Violation of PROBATION

Offense Section: 24-21-450 & 24-21-430

Date: OCTOBER 2, 2009

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

DEON WILFORM

Disposition

Sentence

Co-Defendants

INFORMATION ON DEFENDANT

Name ISAAC LYLE MCDANIEL
Address
Sour Lake, TX
Phone
Sex MALE Race WHITE Height 601
Weight 227 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:

ISAAC LYLE MCDANIEL

on the _____ day of _____

Constable or Law Enforcement Officer

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.

(L.S.)

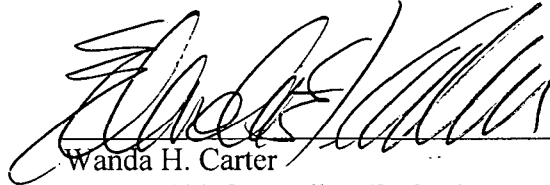
Signature of Judge

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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 August 13, 2007, order from the South Carolina Supreme Court entitled "Interim Guidance Regarding Personal Data Identifiers and Other Sensitive Information in Appellate Court Filings."

June 6th, 2012



Wanda H. Carter

Deputy Chief Appellate Defender

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

ATTORNEY FOR APPELLANT

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

ORIGINAL

Appeal from Lexington County
George C. James, Jr., Circuit Court Judge

RECEIVED
JUN 06 2012
SC Court of Appeals

THE STATE,

RESPONDENT,

V.

ISSAC MCDANIEL,

APPELLANT

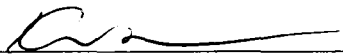
CERTIFICATE OF SERVICE

I certify that a true copy of the Record on Appeal in the above referenced case has been served upon J. Benjamin Aplin, Esquire, at the South Carolina Department of Probation, Parole & Pardon Services, PO Box 50666, Columbia, SC 29250, and Issac McDaniel #332110 at Kirkland Correctional Institution, this 6th day of June, 2012.



Emily Bryson
Administrative Specialist

SUBSCRIBED AND SWORN TO before me
this 6th day of June, 2012.

 (L.S.)
Notary Public for South Carolina

My Commission Expires: October 2, 2013.