

 ORIGINAL

STATE OF SOUTH CAROLINA

In The Court of Appeals

APPEAL FROM YORK COUNTY

John C. Hayes, III, Circuit Court Judge

20093

THE STATE,

RESPONDENT,

ANDERS

v.

RONALD SCOTT RENWRICK,

APPELLANT

No Respondent's Brief Filed

NO DEFENDANT'S BRIEF

RECORD ON APPEAL

ROBERT M. DUDEK
Chief Appellate Defender

TOMMY EVANS, JR.
Chief Legal Counsel

South Carolina Commission on Indigent Defense
Division of Appellate Defense
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Attorney for Appellant

Attorney for Respondent

RECEIVED

OCT 08 2012

SC Court of Appeals

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1 STATE OF SOUTH CAROLINA)
 2 COUNTY OF YORK) COURT OF GENERAL SESSIONS
 3) 2004-GS-26-0346
 4 State of South Carolina) TRANSCRIPT OF RECORD
 5 vs)
 6 Ronald Scott Renwick)
 7)

8 March 28, 2011
 9 Greenville, South Carolina

10 B E F O R E:

11 THE HONORABLE JOHN C. HAYES, Judge

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

13 ASHLEY ANDERSON, Esquire
 14 Public Defender

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 17 Caroline Hiskell
 18 Circuit Court Reporter
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I N D E X

(There was no exhibits or witnesses presented.)

State versus Renwick

P R O C E E D I N G S

1 THE COURT: You are Ronald Renwick.

2 DEFENDANT RENWICK: Yes, sir.

3 THE COURT: You are represented by
4 Ms. Anderson.

5 DEFENDANT RENWICK: Yes, sir.

6 THE COURT: I have an arrest warrant. It
7 looks like it was issued April 28th, 2005, that's what it
8 looks like. Can you read that?

9 SOLICITOR: I'm sorry, Your Honor, what did
10 you say?

11 THE COURT: April 28 -- I can't tell if it
12 was 2005 or 2008. I see it, it was April 2005. It was
13 served on you on March 3rd of this year. You were
14 arrested March 3rd of this year; is that correct?

15 DEFENDANT RENWICK: Yes.

16 THE COURT: Or served with this warrant.

17 DEFENDANT RENWICK: Yes.

18 THE COURT: The warrant alleges that you
19 violated the sentence that Paula Thomas imposed in Horry
20 County on 14th day of June, 2004. You received basically
21 four years suspended to two years probation; is that
22 correct?

23 DEFENDANT RENWICK: Yes.

24 THE COURT: The warrants affidavit, again,
25

State versus Renwick

1 was issued on April 2005 and at that time you filed to
2 report and not reported until February 9, 2005; is that
3 true?

4 DEFENDANT RENWICK: Yes, sir.

5 THE COURT: I find there is a substantial
6 violation. I'll be happy to hear from your attorney and
7 then from you.

8 MS. ANDERSON: Your Honor, Mr. Renwick has
9 been in jail now 26 days. Your Honor, essentially the
10 violations are what Your Honor sees. To give Your Honor a
11 little bit of background, prior -- when Mr. Renwick was in
12 jail prior to being placed on probation in 2004, he did
13 find out he was HIV positive.

14 Your Honor, he subsequently lived in
15 Charlotte and I think it was a situation where that sort
16 of took priority in Mr. Renwick's thinking and Your Honor
17 he did move up there and was under a doctor's care and
18 that's basically in terms of his health situation. He has
19 been residing in Charlotte since 2005 and he acknowledges
20 the fact that he did not report back to probation. He was
21 employed up in Charlotte in 2010.

22 That's the only information I can give Your
23 Honor by way of background that was in Mr. Renwick's
24 thinking at the time and it was his health care and his
25 health.

State versus Renwick

1 I would ask Your Honor to impose some sort of
2 partial revocation. In my discussions with the agent she
3 might not be opposed to something around two year partial
4 revocation. We would ask Your Honor to consider something
5 less than that. He has acknowledged that he has not
6 reported to probation. He was residing in Charlotte and
7 concerned about his health.

8 THE COURT: Somehow he got to Rutherford
9 County in 2010 and it looked like he was extradited from
10 there to here.

11 MS. ANDERSON: Yes, Your Honor.

12 THE COURT: And he also got some charges
13 pending in Mechlandberg County. Is that correct?

14 MS. ANDERSON: Your Honor, I wasn't aware of
15 the pending. I don't have it on the report but I don't
16 have the RAP sheet so I wasn't aware of that.

17 THE COURT: I'll tell you. There is drug
18 paraphernalia, driving while license revoked, fictitious
19 information to officer, fictitious operation of car or
20 tag. It doesn't seem he was too concerned about his
21 health. He continues to violate the law. I guess I'm not
22 buying that's a reason for him to serve time because he
23 continues to violate the law.

24 Anything you want to say, Mr. Renwick?

25 DEFENDANT RENWICK: No.

State versus Renwick

1 THE COURT: I terminate the probation and
2 have you serve the time.

3 MS. ANDERSON: Credit for time served?

4 THE COURT: Credit for time served on this
5 charge and not on the North Carolina charge.

6 MS. ANDERSON: It would be since the warrant
7 was served.

8 THE COURT: Yes.

9 MS. ANDERSON: Thank you, Your Honor.

10 ---END OF TRANSCRIPT RECORD---

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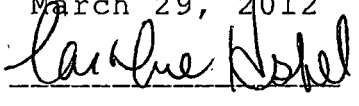
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State versus Renwick

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I, the undersigned Caroline Hiskell, Official Court Reporter for the Thirteenth 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 evidence introduced in the trial of the captioned case, relative to appeal, in the Circuit Court of Greenville County, South Carolina on the 28th day of March, 2011.

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

March 29, 2012

Caroline Hiskell

WILLIAMS/MBPD
WITNESSES

DOCKET NO. 2004-GS-26-346

RESTORED

6/18/04
12/2/03
BW

THE STATE OF SOUTH CAROLINA

COUNTY OF Horry
71750 SCG

COURT OF GENERAL SESSIONS

JANUARY TERM 2004

THE STATE

vs.

FTA
4-23-04

ARREST WARRANT NO.

G-283157
CDR: 2427 16-13-0010(B)(2)

RONALD SCOTT RENWRICK B/M

CAYCE SC 29033

DOB:

SSN:

CDR:

DOA: 09/10/2003

ACTION OF GRAND JURY

TRUE BILL JAN 22 2004

Clayton Brown
Foreman of Grand Jury

ATTORNEY: W. ED CHRISCO

VERDICT

INDICTMENT FOR:
FORGERY

ORIGINAL

Foreman of Petit Jury Date:

J. GREGORY HEMBREE, SOLICITOR

WILLIAMS/MBPD
WITNESSES

DOCKET NO. 2004-GS-26- 347

RESTORED 6/8/04
12/12/03
BW

THE STATE OF SOUTH CAROLINA
COUNTY OF HORRY
71750 SCG

COURT OF GENERAL SESSIONS
JANUARY TERM 2004

THE STATE

vs.

ARREST WARRANT NO. _____

RONALD SCOTT RENWRICK B/M

FIA 3-04
4/20/04

G-283168
CDR: 242716-13-0010(B)(2)

CAYCE SC 29033
DOB:
SSN:

CDR:
DOA: 09/10/2003

ACTION OF GRAND JURY

TRUE BILL

Dawn Brown JAN 22 2004
Foreman of Grand Jury

ATTORNEY: W. ED CHRISCO

VERDICT

INDICTMENT FOR:
FORGERY

ORIGINAL

Foreman of Petit Jury Date: _____

J. GREGORY HEMBREE, SOLICITOR

STATE OF SOUTH CAROLINA)
)
COUNTY OF HORRY)

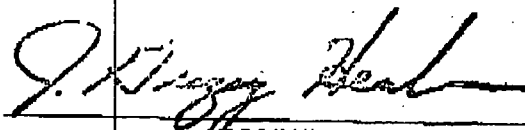
INDICTMENT FOR:
FORGERY

At a Court of General Sessions, convened on January 22, 2004, the Grand Jurors of Horry County present upon their oath:

FORGERY
CDR: 2427 16-13-0010(B)(2)

That RONALD SCOTT RENWRICK did in Horry County on or about September 9, 2003, with intent to defraud, falsely make, forge, or counterfeit, or cause or procure to be falsely made, forged or counterfeited, or utter and publish as true any false, forged or counterfeited writing or instrument of writing, or did willingly act or assist in any of the foregoing, where the amount of the forgery was less than five thousand dollars, to wit: the defendant did present check #1393 to Belk Department Store, located at 2501 North Kings Highway, Myrtle Beach, South Carolina, in the amount of \$220.50 on the account of Dewayne Lundy, in violation of Section 16-13-10(B)(2), S. C. Code of Laws, 1976, as amended.

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



SOLICITOR

WILLIAMS/MBPD
WITNESSES

DOCKET NO. 2004-GS-26- 348

THE STATE OF SOUTH CAROLINA

RESTORED 6/18/04
12/2/03
BW

COUNTY OF Horry
11750 SCG

COURT OF GENERAL SESSIONS

JANUARY TERM 2004

THE STATE

vs.

ARREST WARRANT NO.

RONALD SCOTT RENWRICK B/M

G-283159
CDR: 2427 16-13-0010(B)(2)

CAYCE SC 29033

CDR:

DOB:

DOA: 09/10/2003

SSN:

ACTION OF GRAND JURY

TRUE BILL

Clayton Brown JAN 22 2004
Foreman of Grand Jury

ATTORNEY: W. ED CHRISCO

VERDICT

INDICTMENT FOR:
FORGERY

ORIGINAL

Foreman of Petit Jury Date:

J. GREGORY HEMBREE, SOLICITOR

177A
4-23-04

001 137-0011 03-73 FROM: HUNTER CLERK CLKR1 0435150001 P.10/11 To: 803 734 1397

STATE OF SOUTH CAROLINA)
)
COUNTY OF HORRY)

INDICTMENT FOR:
FORGERY

At a Court of General Sessions, convened on January 22, 2004, the Grand Jurors of Horry County present upon their oath:

FORGERY
CDR: 2427 16-13-0010(B)(2)

That RONALD SCOTT RENWRICK did in Horry County on or about August 28, 2003, with intent to defraud, falsely make, forge, or counterfeit, or cause or procure to be falsely made, forged or counterfeited, or utter and publish as true any false, forged or counterfeited writing or instrument of writing, or did willingly act or assist in any of the foregoing, where the amount of the forgery was less than five thousand dollars, to wit: the defendant did present check #244 to Belk Department Store, located at 2501 North Kings Highway, Myrtle Beach, South Carolina, in the amount of \$225.70 on the account of Dewayne Lundy, in violation of Section 16-13-10(B)(2), S. C. Code of Laws, 1976, as amended.

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



SOLICITOR

STATE OF SOUTH CAROLINA
COUNTY OF York

Probation
ARREST WARRANT

Indictment Number 2004-GS-10-3522
Warrant Number W-46-05-040
State Identification No. (SID) 1361276

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

It appearing from the attached affidavit that there are reasonable grounds to believe that Ronald Scott Renwick, did on the 28th day of April, 2005 violate the criminal laws of the State of South Carolina as set forth below:

DESCRIPTION OF OFFENSE:

Probation violation pursuant to sections 24-21-430 and 24-21-450.

Now, therefore, you are empowered and directed to arrest the said defendant and bring Ronald Scott Renwick 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 York, S. C. this 28th day of April, 2005.

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

County of York
STATE OF SOUTH CAROLINA

AFFIDAVIT

Personally appeared before me, one Glenn Sparrow, who, first being duly sworn, deposes and says that Ronald Scott Renwick did within this County and State on the 28th day of April, 2005, violate the criminal laws of the State of South Carolina in the following particulars:

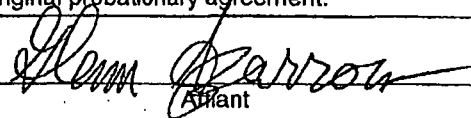
DESCRIPTION OF OFFENSE:

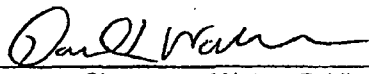
Violation of probation concurrent to sections 24-21-430 and 24-21-450 in that the defendant herein named has violated the terms of his probationary sentence as imposed by Judge Hughston at the 5-11-2004 term of General Sessions Court holden in Charleston Co., Charleston, SC.

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:

Failure to report to the probation office as instructed, having last reported on 2-9-2005; failure to pay restitution as ordered, being in arrears \$814.42 at issuance of warrant; failure to pay court ordered fine, having paid none; failure to pay supervision fees as instructed. Such actions constitute the failure to follow the advice and instructions of the supervising agent and are violations of sections 1,7,9,10 and 11 of the original probationary agreement.

Sworn to and Subscribed before me this 28th day of April, 2005.


Affiant

 (L.S.)
Signature of Notary Public

Address:

11-12-2012
My Commission Expires

(Form Continues on Back)

RETURN

Constable or Law Enforcement Officer

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

[Handwritten Signature]

on the 3 day of March, 11

[Handwritten Signature]
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 dealt with according to law.

Signature of Judge (L.S.)

STATE OF SOUTH CAROLINA
COUNTY OF

York

THE STATE
against

Ronald Scott Renwick

ARREST WARRANT

Offense: Violation of Probation

Offense Section: 24-21-430

Date: 4-28-2005

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

Glenn Sparrow

Disposition _____

Sentence _____

Co-Defendants _____

INFORMATION ON DEFENDANT

Name Ronald Scott Renwick

Address _____

York

Phone _____

Sex M Race B Height 601

Weight 160 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 _____

STATE OF SOUTH CAROLINA
COUNTY OF YORK

Probation
ARREST WARRANT

Indictment Number 04-GS-26-346;347;348
Warrant Number W-46-05-039
State Identification No. (SID) 1361276

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

It appearing from the attached affidavit that there are reasonable grounds to believe that Ronald Scott Renwick, did on the 28th day of April, 2005 violate the criminal laws of the State of South Carolina as set forth below:

DESCRIPTION OF OFFENSE:

Probation violation pursuant to sections 24-21-430 and 24-21-450.

Now, therefore, you are empowered and directed to arrest the said defendant and bring Ronald Scott Renwick 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 York, S. C. this 28th day of April, 2005.

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

County of YORK
STATE OF SOUTH CAROLINA

AFFIDAVIT

Personally appeared before me, one Glenn Sparrow, who, first being duly sworn, deposes and says that Ronald Scott Renwick did within this County and State on the 28th day of April, 2005, violate the criminal laws of the State of South Carolina in the following particulars:

DESCRIPTION OF OFFENSE:

Violation of probation concurrent to sections 24-21-430 and 24-21-450 in that the defendant herein named has violated the terms of his probationary sentences as imposed by Judge Thomas at the 6-14-04 term of General Sessions Court holden in Horry Co., Conway, SC.

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:

Failure to report to the probation office as instructed, having last reported on 2-9-2005; failure to pay restitution as ordered, having paid only \$58.42, being in arrears \$441.58 at issuance of warrant; failure to pay court ordered fine, having paid none; failure to pay supervision fees as instructed. Such actions constitute the failure to follow the advice and instructions of the supervising agent and are violations of sections 1,7,9,10 and 11 of the original probationary agreement.

Sworn to and Subscribed before me this 28th day of April, 2005.

Glenn Sparrow
Affiant

[Signature] (L.S.)
Signature of Notary Public

Address:

11-12-2012
My Commission Expires

(Form Continues on Back)

RETURN

Constable or Law Enforcement Officer

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

[Signature]

on the 3 day of March, 2005
[Signature]
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 dealt with according to law.

Signature of Judge (L.S.)

STATE OF SOUTH CAROLINA
COUNTY OF
York
THE STATE
against

Ronald Scott Renwick

ARREST WARRANT

Offense: Violation of Probation

Offense Section: 24-21-430

Date: 4-28-2005

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

Glenn Sparrow

Disposition _____

Sentence _____

Co-Defendants _____

INFORMATION ON DEFENDANT

Name Ronald Scott Renwick
Address _____
York
Phone _____
Sex M Race B Height 601
Weight 160 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 _____

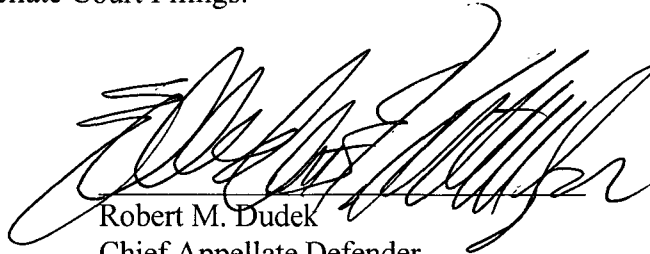
Surety _____

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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."

October 8th, 2012



Robert M. Dudek
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

L
STATE OF SOUTH CAROLINA

 ORIGINAL

IN THE COURT OF APPEALS

Appeal from York County

John C. Hayes, III, Circuit Court Judge

THE STATE,

RESPONDENT,

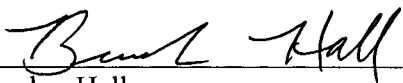
V.

RONALD SCOTT RENWRICK,

APPELLANT

CERTIFICATE OF SERVICE

I certify that a true copy of the Record on Appeal in the above referenced case has been served upon Tommy Evans, Jr., Esquire, at the South Carolina Department of Probation, Parole & Pardon Services, PO Box 50666, Columbia, SC 29250, and on Ronald Scott Renwick at 1251 Singletary Lane, York, SC 29745, this 8th day of October, 2012.



Brandon Hall
Administrative Specialist

SUBSCRIBED AND SWORN TO before me
this 8th day of October, 2012.



(L.S.)
Notary Public for South Carolina

My Commission Expires: October 2, 2013.

RECEIVED

OCT 08 2012

SC Court of Appeals