

STATE OF SOUTH CAROLINA

In The Court of Appeals

APPEAL FROM DORCHESTER COUNTY

Kristi Lea Harrington, Circuit Court Judge

RECEIVED

AUG 23 2013

SC Court of Appeals

THE STATE,

RESPONDENT,

V.

LARRY TODD PERRY,

APPELLANT

RECORD ON APPEAL

CARMEN V. GANJEHSANI
Appellate Defender

South Carolina Commission on Indigent Defense
Division of Appellate Defense
PO Box 11589
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Attorneys for Respondent

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1 (October 12, 2012.)

2 (Defendant duly sworn.)

3 THE COURT: Mr. Perry, I have continued this
4 matter to allow you additional time to meet with your
5 attorney. Do you need any additional time?

6 THE DEFENDANT: No, Your Honor.

7 THE COURT: All right. I have a copy of an
8 arrest warrant indicating you have violated the terms and
9 conditions of your probationary sentence. Do you agree
10 that you have failed to report, that you failed to report
11 your address change, and that you have not been at the
12 home since August 16 of this year?

13 THE DEFENDANT: Yes, Your Honor.

14 THE COURT: I'll be happy to hear from you,
15 Ms. Williams.

16 MS. WILLIAMS: Your Honor, Mr. Perry was
17 doing quite well on probation, and he, I guess, got
18 scared when he had a probation violation hearing coming
19 up. There were some allegations that he missed some
20 counselling sessions, and so he was coming up for a
21 violation.

22 He indicates to me that he stopped going to
23 counselling because he was not able to make the payments
24 for counselling, and I do have for Your Honor some proof
25 that he has been actively looking for a job and his

1 probation fees have been suspended until he can get his
2 disability back on track.

3 He was -- he did abscond. He does not deny
4 that. He understands that's a very serious charge. He
5 has been on probation since October of 2009, and he has
6 never absconded, that I know of, and he has done fairly
7 well on probation. He is respectfully asking the Court
8 today to return back to living with his mom who is here
9 in the courtroom today. He lives with his mother, and if
10 Your Honor would consider -- could not consider that, if
11 Your Honor could consider electronic monitoring, and he
12 indicates that he would certainly get back to the
13 counselling sessions and go along with the terms of his
14 probation and not abscond again. I believe he's learned
15 his lesson on that. He's been incarcerated since the 2nd
16 of October.

17 THE COURT: All right. I have a drug report
18 that he tested positive for amphetamines and opiates in
19 June. Can you tell me about that?

20 MS. WILLIAMS: Yes, Your Honor. I have -- I
21 believe for the opiates, the probation office agrees that
22 he has valid prescriptions for those.

23 THE PROBATION AGENT: Per the treatment
24 provider, they advised he provided a prescription to
25 their office during that time --

1 THE COURT: What was the prescription?

2 THE PROBATION AGENT: It was, I believe, for
3 Adderall for the opiate.

4 THE COURT: What about the amphetamines?

5 MS. WILLIAMS: Actually, the opiates was for
6 hydrocodone, and for Percocet. He had some dental work
7 done, and I have his pharmacy records right here, Your
8 Honor. I'll pass that, if I may.

9 THE COURT: What about the amphetamine?

10 MS. WILLIAMS: The amphetamine, Your Honor,
11 before he had the test, he self-reported that he had
12 relapsed and used meth, and as a result of that, he
13 started going to these motivational recovery classes as
14 well as anger management classes, and he also continued
15 with Dr. Burke's classes and group sessions as well.

16 Although he wasn't actually seeing Dr. Burke,
17 he was seeing someone else at Summerville Behavioral
18 Health, Jerry Martin. I have also for Your Honor just a
19 chart, some calendar, just for an exhibit. It just shows
20 where -- the days he was actually attending anger
21 management and motivational recovery, if I could pass
22 those up to Your Honor.

23 THE COURT: And so just I'm clear, he was
24 supposed to report in August, so between August and
25 October he did not report; is that correct?

1 MS. WILLIAMS: Yes, ma'am.

2 THE PROBATION AGENT: Did he report to
3 probation? Is that the question, Your Honor?

4 THE COURT: Yes.

5 THE PROBATION AGENT: He was to report to
6 probation, but he also was to report here for a
7 revocation hearing in which he did not, and the bench
8 warrant was issued.

9 THE COURT: So he did not show up for court?

10 THE PROBATION AGENT: Correct.

11 THE COURT: And he's not working,
12 Ms. Williams?

13 MS. WILLIAMS: He's not, Your Honor. I do
14 have for Your Honor a printout from June 12th, 2012 from
15 where he has -- he went on the web site to try and sign
16 up for jobs online, and I also have for Your Honor a
17 printout that shows that he has not started receiving his
18 disability yet, that social security is still pending and
19 he has not started receiving that yet, although he does
20 have skills as a plumber and has at one time worked as a
21 plumber, and he can certainly try and get out and look
22 for a job as a plumber again or something else that he
23 could do.

24 He is certainly willing to finding full
25 employment. He also has -- and he does have some health

1 problems that could limit him, and he is in need of
2 getting some back to the doctor. He has anxiety,
3 depression, some back problems, obviously his -- the
4 problems he's with his teeth, the dental problems with
5 the surgery, and he also cares for his elderly mom that
6 is, again, Your Honor, she's here today. He lives with
7 her, and she depends on him to help her with her health
8 issues as well.

9 THE COURT: You take care of your mother when
10 you're high on methamphetamines?

11 THE DEFENDANT: I only used it once.

12 THE COURT: One time and that's when they
13 tested you?

14 THE DEFENDANT: Yes. I admitted to it, and
15 they tested me.

16 THE COURT: That's the only time you used
17 methamphetamine?

18 THE DEFENDANT: Yes, ma'am, in six years. I
19 felt proud of myself. It's hard to make it on recovery.

20 THE COURT: What else do you want to tell me,
21 agent?

22 THE PROBATION AGENT: Your Honor, regarding
23 Mr. Perry, he's had issues with reporting in the past,
24 and regarding prescription information, we didn't have
25 copies of that information. At one time I believe he did

1 bring in a prescription, but it postdated the positive
2 test that he had from the alcohol and drug commission.
3 He was told to bring in a pharmacy sheet to verify that
4 he had that prescription filled before that date, which
5 we have yet to receive.

6 He has missed group on more than one
7 occasion. Mr. -- I'm sorry, Dr. Burke is here regarding
8 that, and his treatment.

9 THE COURT: All right. Ms. Williams, I don't
10 have it and I appreciate this calendar is very helpful.
11 Do you have dates where he attended in October? Or I
12 guess he's been in custody since October. What about
13 September?

14 MS. WILLIAMS: He's been absconded in
15 September and October, Your Honor. He has been -- I
16 think the star on the August -- I think it's --

17 THE COURT: On the 17th?

18 MS. WILLIAMS: Yes, ma'am. So he hasn't been
19 back since, but I do have also, Your Honor, just other
20 than the summary of the calendar, I've got some notes
21 that he made during his classes where it just shows that
22 he was actively participating and also have a history of
23 treatment, and I've highlighted the parts that show that
24 he has been attentive and active in Dr. Burke's classes,
25 and he has participated and he -- some nights he's quiet.

1 Sometimes he has not been able to come due to medical
2 issues. He actually did disclose in group his meth use,
3 so it is something that he went -- as soon as he realized
4 that he had done something -- that he had done something
5 that was not part of his treatment plan, he came in and
6 disclosed it to the probation office as well as Dr.
7 Burke, and I think that that's something that the Court
8 should take into consideration.

9 THE COURT: When did he begin probation?

10 MS. WILLIAMS: He began probation in October
11 of 2009?

12 THE PROBATION AGENT: Yes, ma'am. Back in
13 October 1, 2009.

14 THE COURT: When was the drug test that he
15 tested positive for methamphetamine?

16 MS. WILLIAMS: That was on June 4th, Your
17 Honor, and he had a procedure from Dr. Solomon and --

18 THE COURT: He disclosed in May, according to
19 your notes, that he had a relapse with the drug use.

20 MS. WILLIAMS: That's what Dr. Burke's
21 notes -- yes, ma'am, I'm sorry. Yes, ma'am.

22 THE COURT: And then the drug test is from
23 June? Am I understanding the timeline correct?

24 MS. WILLIAMS: Correct, and his procedure --

25 THE COURT: My understanding is meth doesn't

1 stay that long in your system.

2 THE PROBATION AGENT: I believe it would not
3 stay in his system for more than 30 days, and that is
4 from May 3rd to June 4th. Those are two separate
5 occasions.

6 THE DEFENDANT: No, I believe it was in late
7 April I relapsed, the very end of April.

8 THE PROBATION AGENT: And he tested positive
9 on June 4th.

10 MS. WILLIAMS: He also has prescriptions for
11 Adderall, Your Honor. He doesn't have any that I've
12 given up to Your Honor, but he indicates that he takes
13 Adderall for ADD. He also -- for the hydrocodone, he had
14 a dental procedure done on June 1, 2012, and he received
15 some painkillers that could have made him test positive
16 on the June 4th test.

17 THE DEFENDANT: Somehow that date's not
18 correct, either from me or probation, because I remember
19 specifically I relapsed and I told Officer Moran that I
20 relapsed, and he proceeded to test me and then he wrote
21 me up for violation. He didn't arrest me at the time,
22 saying that if I agreed, then they would put me through
23 drug, alcohol, and anger management for 14 weeks, then
24 that would kind of --

25 THE COURT: And you started that?

1 MS. WILLIAMS: He did, Your Honor.

2 THE COURT: All right. Tell me about that.

3 MS. WILLIAMS: That's the summary on the
4 calendar that I passed up to Your Honor.

5 THE COURT: Well, I want Mr. Perry to tell me
6 about it.

7 MS. WILLIAMS: Excuse me, Your Honor.

8 THE DEFENDANT: I had 14 weeks. I finished
9 my motivational recovery, and I had one week of anger
10 management left, and that's when I didn't show up to the
11 hearing, so I didn't make my last visit, my last
12 appointment with drug and alcohol, anger management. So
13 I guess therefore I didn't get a completion of that, but
14 I attended 13 weeks.

15 THE COURT: Agent, what are you recommending?

16 THE PROBATION AGENT: The recommendation is
17 full revocation, Your Honor. The victim is here and
18 would like to be heard, and also Mr. Perry's brother is
19 here to testify about some activities that took place
20 while he was on absconded basis, and Dr. Burke is here
21 regarding his treatment and his group therapy.

22 THE COURT: All right. Ms. Williams, are you
23 prepared to hear from those individuals? Have you -- do
24 I need to hear from them?

25 MS. WILLIAMS: I don't believe that we need

1 to hear from those individuals, Your Honor. I haven't --
2 I think that the issues before the Court have been
3 discussed, and we are respectfully asking Your Honor to
4 consider electronic monitoring or returning him back to
5 his mother's home as soon as possible.

6 THE COURT: Is he able to go back into
7 treatment with Dr. Burke?

8 MS. WILLIAMS: He's been terminated from
9 treatment with Dr. Burke, Your Honor.

10 THE COURT: Ms. Williams, if that is part of
11 his probation, what are we going to do about treatment?

12 MS. WILLIAMS: Well, we can find another
13 facility. He would certainly be willing to do that, or
14 we will follow any recommendations that probation or Your
15 Honor has in whatever we can find, another physician, and
16 see if that's a better match.

17 THE PROBATION AGENT: May I, Your Honor?

18 THE COURT: You may.

19 THE PROBATION AGENT: Regarding Mr. Perry,
20 Mr. Perry has violated probation more than once. He's
21 been given several opportunities to comply with the
22 conditions of supervision. He has taken it upon himself
23 to not choose to comply with the conditions of
24 supervision. He doesn't attend treatment like he's
25 supposed to when he was supposed to be able to go, so

1 another treatment provider, I don't see how that will
2 make a whole lot of difference. He was ordered to go to
3 treatment for the drug abuse, to help with that. He did
4 not complete that. He did not only miss one appointment
5 with Dorchester Alcohol and Drug. For the anger
6 management, he attended seven out of the eight groups
7 that he was supposed to attend.

8 On the drug abuse, he missed three. He did
9 not complete that he was supposed to attend. He only
10 attended five.

11 THE COURT: How much time is remaining on
12 this?

13 MS. WILLIAMS: He has two years and four
14 months left on his sentence. During the time that he has
15 been absconded, we have been working with the victim
16 advocate --

17 THE COURT: Has he been revoked previously?

18 THE PROBATION AGENT: Yes, ma'am.

19 MS. WILLIAMS: He has been revoked, Your
20 Honor, but it's not been for any drug related offense,
21 and it has not been for having any contact with the
22 victim.

23 THE PROBATION AGENT: It's been for having
24 contact with other people. The first time that Mr. --
25 I'm sorry.

1 THE COURT: Anything else you wish to tell
2 me, Mr. Perry?

3 THE DEFENDANT: The appointment visits --
4 probation visits that Ms. Downs is trying to say that I
5 didn't attend and a have a good record of attending, if I
6 had written a note, I had oral surgery one time, and I
7 set there for three hours in probation office waiting to
8 be seen by Officer Moran, and I had written a note
9 because I was feeling faint. This was the very next day.

10 MS. WILLIAMS: After your procedure.

11 THE DEFENDANT: After my procedure, and I
12 wrote a note saying I would be back the next day, which I
13 did come back the next day because I was feeling ill. He
14 wrote me up for violation of nonattendance, and that
15 happened on another incident.

16 So they say I have a track record of not
17 attending. That's incorrect.

18 THE COURT: All right. Did you show up for
19 court in August?

20 THE DEFENDANT: No, ma'am, I did not.

21 THE COURT: So you didn't attend court in
22 August, correct?

23 THE DEFENDANT: That's correct.

24 THE COURT: And you indicated to me that
25 Agent Moran didn't immediately arrest you for your

1 positive drug test; is that correct?

2 THE DEFENDANT: That's correct.

3 THE COURT: Gave you some opportunities to
4 rectify that situation?

5 THE DEFENDANT: Yes.

6 THE COURT: All right. Anything further,
7 Ms. Williams?

8 MS. WILLIAMS: No, Your Honor.

9 THE COURT: I find that you have willfully
10 and substantially violated the terms and conditions of
11 your probation. Revoke in full. Order ATU. I don't
12 know that hell be there long enough to qualify.

13 Good luck to you, sir. Thank you for the
14 paperwork.

15 - - -

16 (Whereupon, the proceedings were concluded.)

17 - - -

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I, the undersigned Amanda K. Haffenden, RPR, CRR, Official Court Reporter for the Ninth 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 for Dorchester County, South Carolina, on the 10th of October 2012.

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

February 13, 2013


Circuit Court Reporter

JPG 20061103940

WITNESSES

JEFF OSBURN AND/OR

MATT CASEY

MAGWOOD, CCSO

2006025173B

ARREST WARRANT NUMBER

K149869

NOVEMBER 21, 2006

ACTION OF GRAND JURY
JULIE PERRY

Foreperson of Grand Jury
J. Perry

VERDICT

Foreperson of Petit Jury

Date:

DOCKET NO. 2007-GS-10-03092

The State of South Carolina

County of Charleston

COURT OF GENERAL SESSIONS

FEBRUARY TERM 2007

THE STATE

VS.

LARRY T. PERRY

06-6950(3)

FILED

FEB 13 2007

JULIE J. ARNOLD
CLERK, C.P. & G.S.

JMA

Indictment for

CRIMINAL SEXUAL CONDUCT, 1ST
DEGREE

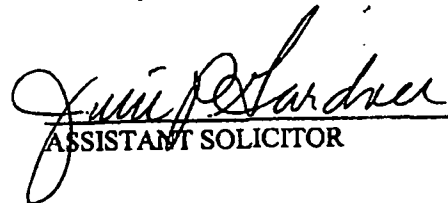
STATE OF SOUTH CAROLINA)
)
COUNTY OF CHARLESTON)

INDICTMENT FOR
CRIMINAL SEXUAL CONDUCT, 1ST DEGREE

At a Court of General Sessions, convened on February 5, 2007 the Grand Jurors of Charleston County present upon their oath:

That Larry T. Perry did in Charleston County on or about November 21, 2006 engage in sexual battery, to wit: sexual intercourse upon and with the body of the victim Donna B. Perry, without her consent. Such sexual battery was accomplished by the use of aggravated force and/or while a victim of Kidnapping and/or while a victim of Burglary 1st Degree. This is in violation of Section 16-3-651 of the South Carolina 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.


ASSISTANT SOLICITOR

STATE OF SOUTH CAROLINA

COUNTY OF Charleston
STATE _____

VS.
LARRY TODD PERRY

AKA: _____

Race: W Sex: M Age: 45

DOB: _____ SS#: _____

Address: _____

SUMMERVILLE, SC 294830000

DL#: _____ SID#: _____

IN THE COURT OF GENERAL SESSIONS

INDICTMENT/CASE#: 2007GS1003092

A/W#: K149869

Date of Offense: 11/21/2006

S.C. Code § : 16-03-0652

CDR Code #: 0160

SENTENCE SHEET

In disposition of the said indictment comes now the Defendant who was CONVICTED OF or PLEADS TO: Criminal Sexual Conduct - 3rd Degree

in violation of § 16-03-0654 of the S.C. Code of Laws, bearing CDR Code # 0162

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

The charge is: As Indicted, Lesser Included Offense, Defendant Waives Presentment to Grand Jury. _____ (Defendant initial)

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

ATTEST: _____ *No Contact Order with Victim.*

Julie Gardner
Gardner Cardillo, Julie

Larry Perry
Defendant

[Signature]
Attorney for Defendant 5518 SC Bar#

WHEREFORE, the Defendant is committed to the 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 5 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. *Credit since 11/21/06*
 The Defendant is to be placed on the Central Registry of Child Abuse and Neglect pursuant to S.C. Code §17-25-135.

SPECIAL CONDITIONS:

RESTITUTION: Deferred Def. Waives Hearing Ordered PTUP

Total: \$ _____ plus 20% fee: \$ _____

Payment Terms: _____

set by SCDPPPS _____

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 \$ _____

§ 35.13 (Public Def/Prob) \$500 \$ _____

§ 73.3, 1B TP (Law Enforce. Funding) \$25 \$ 25.00

§ 33.7, 1B TP (Drug Court Surcharge) \$100 \$ _____

§ 50-21-114(BUI Breath Test Fee) \$50 \$ _____

§ 56-5-2942(J) (Vehicle Assessment) \$40/ea \$ _____

3% to County (if paid in installments) \$ 3.75

§ 90.11 TP (SCCJA Surcharge) \$5 \$ 5.00

TOTAL \$ 133.75

_____ 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: _____

Recommend evaluation for SUP upon release from SCDC; continue treatment with Dr. Ward; no contact with victim or Her Family

Appointed PD or appointed other counsel, §35.13 TP Requires \$500 be paid to Clerk during probation.

Callahan
Clerk of Court/ Deputy Clerk

Court Reporter: *A. Hoffender*

PRESIDING JUDGE

Judge Code: 211347

Sentence Date: 2/5/07

JP20070607859

WITNESSES

EUGENE MAGWOOD

Charleston County Sheriff

AGENCY CASE NUMBER

2007008420B

ARREST WARRANT NUMBER

K257250

DATE OF ARREST

2007-05-31

ACTION OF GRAND JURY

TRIPLE BILL

AUG 06 2007

Foreperson of Grand Jury

Date: *On a Court*

VERDICT

Foreperson of Petit Jury

Date:

INDICT

DOCKET NO. 2007GSI009836

The State of South Carolina

County of Charleston

COURT OF GENERAL SESSIONS

August Term 2007

THE STATE

vs.

LARRY TODD PERRY

07-3449

(1)

FILED

2007 AUG -9 PM 12: 14

JULIE J. ARNSTRONG
CLERK OF COURT

[Signature]

Indictment for

Intimidating a Witness

STATE OF SOUTH CAROLINA)
)
COUNTY OF CHARLESTON)

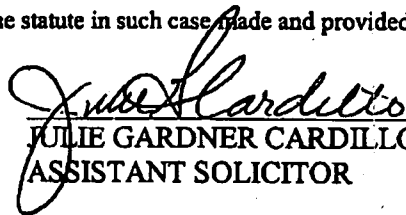
INDICTMENT

At a Court of General Sessions, convened on August 6, 2007 the Grand Jurors of Charleston County present upon their oath:

Intimidating a Witness

That in Charleston County, South Carolina, between April 20, 2007 and May 5, 2007, the Defendant, LARRY TODD PERRY, by threat or force did intimidate or impede Donna Perry, a witness, in the discharge of her duty or did impede or attempt to obstruct or impede the administration of justice in the Courts of the Ninth Judicial Circuit, all in violation of Section 16-9-340 of the South Carolina 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.



JULIE GARDNER CARDILLO
ASSISTANT SOLICITOR

STATE OF SOUTH CAROLINA)
 COUNTY OF Charleston)
 STATE VS.)
LARRY TODD PERRY)
 AKA: _____)
 Race: W Sex: M Age: 45)
 DOB: _____ SS#: _____)
 Address: SUMMERVILLE, SC 294830000)
 DL#: _____ SID#: _____)

IN THE COURT OF GENERAL SESSIONS

INDICTMENT/CASE#: 2007GS1009836
 A/W#: K257250
 Date of Offense: 4/20/2007 - 5/5/2007
 S.C. Code § : 16-09-0340
 CDR Code #: 2451

SENTENCE SHEET

In disposition of the said indictment comes now the Defendant who was CONVICTED OF or PLEADS TO: Courts / Intimidation of court officials, jurors, or witness

in violation of § 16-09-0340 of the S.C. Code of Laws, bearing CDR Code # 2451
 NON-VIOLENT VIOLENT SERIOUS MOST SERIOUS Mandatory GPS(CSC §17-25-45 w/minor 1st or Lewd Act)

The charge is: As Indicted, Lesser Included Offense, Defendant Waives Presentment to Grand Jury. _____ (Defendant initial)
 The plea is: Without Negotiations or Recommendation, Negotiated Sentence, Recommendation by the State.

ATTEST: Julie Cardillo [Signature] [Signature] [Signature]
 Gardner Cardillo, Julie Defendant Attorney for Defendant SC Bar# 5518
No contact order with victim.

WHEREFORE, the Defendant is committed to the 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 5 days/months/years and/or payment of \$ _____; plus costs and assessments as applicable*; the balance is suspended with probation for 5 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.

SPECIAL CONDITIONS:

RESTITUTION: Deferred Def. Waives Hearing Ordered PTUP _____
 Total: \$ _____ plus 20% fee: \$ _____
 Payment Terms: _____
 set by SCDPPPS _____

Recipient: _____		
*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	\$ _____
§ 35.13 (Public Def/Prob)	\$500	\$ _____
§ 73.3, 1B TP (Law Enforce. Funding)	\$25	\$ <u>25.00</u>
§ 33.7, 1B TP (Drug Court Surcharge)	\$100	\$ _____
§ 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>
§ 90.11 TP (SCCJA Surcharge)	\$5	\$ <u>5.00</u>
TOTAL		\$ <u>133.75</u>

_____ 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: See 2007GS103092 conditions

Appointed PD or appointed other counsel §35.13 TP
 Requires \$500 be paid to Clerk during probation.

Callahan
 Clerk of Court/ Deputy Clerk
 Court Reporter: A. Hoffenden

PRESIDING JUDGE _____
 Judge Code: _____
 Sentence Date: 2/5/07 SCCA/217 (07/2008)

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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."

23rd of August, 2013,



Carmen V. Ganjehsani
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

RECEIVED
AUG 23 2013
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ORIGINAL

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

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AUG 23 2013
SC Court of Appeals

Appeal from Dorchester County
Kristi Lea Harrington, Circuit Court Judge

THE STATE,

RESPONDENT,

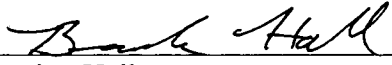
V.

LARRY TODD PERRY,

APPELLANT

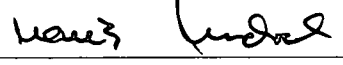
CERTIFICATE OF SERVICE

I certify that a true copy of the Record on Appeal in the above referenced case has been served upon Matthew Buchanan, Esquire, at South Carolina Department of Probation, Parole & Pardon Services, PO Box 50666, Columbia, SC 29250, , this 23rd day of August, 2013.



Brandon Hall
Administrative Specialist

SUBSCRIBED AND SWORN TO before me
This 23rd day of August, 2013.

 (L.S.)

Notary Public for South Carolina
My Commission Expires: July 3, 2023.