

WITNESSES

Lexington County Sheriffs Department

Sandra K. Black

Law Enforcement Case #: 18009583

SMS

ARREST WARRANT NUMBER

2018A3210200879

ACTION OF GRAND JURY

**TRUE BILL**

*M. B. Gm* 12-3-18  
Foreperson of Grand Jury  
Date:

VERDICT

Foreperson of Petit Jury  
Date:

DOCKET NO. 2018GS3203741

**The State of South Carolina**  
**County of Lexington**

COURT OF GENERAL SESSIONS

DECEMBER TERM 2018

THE STATE  
vs.

David Paul Merritt

CDR #: 2526

Indictment for

Throwing of Bodily Fluids by Prisoner on  
Correctional Facility Employees or Others

§ 24-13-0470

**S.R. Hubbard III, SOLICITOR**

**RECEIVED**  
MAR 06 2019  
SC Court of Appeals

**A TRUE COPY**  
*[Signature]*  
Lex. Co. C.C.O.P., G.S. & F.C.

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF LEXINGTON )  
 )

INDICTMENT FOR  
Throwing of Bodily Fluids by Prisoner on  
Correctional Facility Employees or Others

§ 24-13-0470

At a Court of General Sessions, convened on December 2018, the Grand Jurors of Lexington County present upon their oath:

That David Paul Merritt did in Lexington County, South Carolina, on or about May 12, 2018, while he was an inmate, detainee, a person taken into custody, or person under arrest, attempted to throw or threw body fluids, including but not limited to; urine, blood, feces, vomit, saliva, or semen, on a correctional officer, such person being Clayton Anderson, employed at the Lexington County Detention Center, in violation of §24-13-470 of the Code of Laws of South Carolina, (1976, as amended).

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

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

YACONTE  
2018.12.12

0-15 4/15

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF Lexington
STATE VS. David Paul Merritt

INDICTMENT/CASE#: 2018GS3203741
A/W#: 2018A3210200879
Date of Offense: 5/12/2018
S.C. Code § : 24-13-0470
CDR Code #: 2526

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AKA:
Race: White Sex: M Age: 48
DOB: 04-27-1970 SS#:
Address:
City, State, Zip: Swansea, SC 29160-9055
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 CONVICTED OF or PLEADS TO: Prisoners / Throwing of bodily fluids by prisoner, detainee on state corrections or local law enforcement officer, corrections empl

in violation of § 24-13-0470 of the S.C. Code of Laws, bearing CDR Code # 2526
NON-VIOLENT VIOLENT SERIOUS MOST SERIOUS Mandatory GPS §17-25-45

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

ATTEST: [Signature] Solicitor SC Bar# 103254 101354 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 7 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 the SCDOC.

Credit 136 days = jail.

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
Total: \$ plus 20% fee: \$
Payment Terms:
Set by SCDPPPS

PTUP days/hours Public Service Employment

Recipient:

Table with 3 columns: Description, Amount, Total. Includes items like § 14-1-206 (Assessments 107.5%), § 14-1-211(A)(1) (Conv. Surcharge) \$100, § 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, § 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) \$

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: \*ATU\*

Appointed PD or appointed other counsel, Proviso requires \$500 be paid to Clerk during probation and shall be collected before any other fees.

TOTAL \$125.00
Clerk of Court/ Deputy Clerk Lisa Comer
Court Reporter: B Creppon #
SCCA/217 (04/2018)

Presiding Judge [Signature]
Judge Code: 2159
Sentence Date: 2-26-19

A TRUE COPY
Lex. Co. C.C.P., G.S. & E.C.