

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Anderson County

Honorable R. Scott Sprouse, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

NATHAN GOOD,

APPELLANT

APPELLATE CASE NO 2017-002570

RECORD ON APPEAL

RECEIVED
JUL 23 2018
SC Court of Appeals

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State of South Carolina

Court of General Sessions

County of Anderson

State of South Carolina)

)

)

Transcript of Record

v.)

2014-GS-04-00672

)

2014-GS-04-00673

)

Nathan Gabriel Good,)

)

Defendant.)

December 11, 2017

Anderson, South Carolina

B E F O R E:

The Honorable Scott Sprouse, Judge.

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

Ms. Gurney, Assistant Public Defender
Attorney for the Defendant

Probation Officer

Lisa Scott

Circuit Court Reporter

I N D E XWITNESSPAGE

No Witnesses.

E X H I B I T S

<u>NO.</u>	<u>DESCRIPTION</u>	<u>ID.</u>	<u>EVD.</u>
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No Exhibits.

P R O C E E D I N G S

* * * * *

MS. ALEWINE: Nathan Good.

(The defendant was personally present, together with counsel.)

THE CLERK: If you will, please raise your right hand.

THE DEFENDANT: (Complying.)

THE CLERK: Do you swear or affirm the testimony you give this Court will be the truth, the whole truth, and nothing but the truth?

THE DEFENDANT: I do.

THE COURT: Yes, sir.

THE PROBATION OFFICER: Your Honor, I'd like to let you know that the victim in this case is here, and she would like to address the Court at the appropriate time.

This is Nathan Gabriel Good. He was sentenced on January 25, 2016, in Anderson County by yourself, Your Honor. He was sentenced to ten years; suspended to three years probation; PTUP after 18 months.

His current violations are for failing to report on May 31st of '17.

Condition number three, he confessed and tested

1 positive for marijuana on June 27, 2017, and
2 July 26, 2017.

3 Condition number six, for violating Federal,
4 State, or local law in that he was convicted of shop
5 lifting in Anderson Municipal Court on May 16, 2017.

6 He plead guilty to possession of 28 grams or
7 less of marijuana or 10 grams or less of hash,
8 first.

9 On July 5, 2017, he's behind on his intensive
10 supervision fees; \$280 in arrears.

11 He's failed to pay the \$20 drug test fee.

12 He's behind on his restitution; \$600 in
13 arrears.

14 And he failed to remain at an inpatient
15 treatment at Home of the Heart.

16 THE COURT: All right. Mr. Good, did you hear
17 the agent's statement of your alleged violation?

18 THE DEFENDANT: Yes, sir, Your Honor.

19 THE COURT: Do you admit or deny that you have
20 violated your probation as he stated?

21 THE DEFENDANT: I admit to everything he said.
22 Yes, Your Honor.

23 THE COURT: I find there's a willful violation.
24 What's the recommendation of the Department?

25 THE PROBATION OFFICER: An administrative

1 hearing was held on September 18, 2017. I have the
2 findings if you would like to see it.

3 THE COURT: Let's hear the hearing officer's
4 recommendation.

5 THE PROBATION OFFICER: The hearing officer's
6 recommendation was to revoke one year and then
7 reinstate his probation.

8 THE COURT: All right. Let me hear from
9 Ms. Gurney, and then I'm going to turn it over to
10 the victim.

11 Okay. All right. Ms. Gurney.

12 MS. GURNEY: Your Honor, as Mr. Good stated, he
13 does admit the violations. But regarding his
14 failure to report on May 31st, he has told me that
15 he had kidney stones and did contact his agent
16 regarding that.

17 He has been diagnosed with a serious autoimmune
18 condition called hemophagocytic syndrome, and I do
19 have medical records regarding that if you would
20 like to see that. It's -- it's my understanding
21 that this is a terminal illness, similar to cancer
22 but not exactly the same.

23 And also as I said, it is an autoimmune
24 disorder. So I have the diagnosis. I also have a
25 printout regarding sort of specifics of what it is,

1 and I also do have full medical records if -- if
2 you'd would like to see those.

3 He is currently working part-time. He has
4 recently obtained part-time employment, but also has
5 an open case through vocational rehab and is
6 expected to get into a 28-day rehab program in
7 January. And they're also doing job training with
8 him so that he could plan to obtain full-time
9 employment through them in order to make these
10 payments.

11 He has been out of work for over a year at this
12 point and is trying his hardest to get back into
13 work so that he can make those payments.

14 He was -- along with being unemployed, he was
15 also homeless, but has -- has worked very hard to
16 obtain housing and -- and get his life back on track
17 while also dealing with this diagnosis.

18 And his caretaker, April Good, is here and
19 she -- she would like to speak on his behalf as
20 well.

21 THE COURT: Okay. Let me -- let me hear from
22 her.

23 MS. GURNEY: And she can give you more details
24 about his illness.

25 THE COURT: Yes, ma'am. State your name for

1 the record, please.

2 THE WIFE: My name is April Good. I'm the wife
3 of Nathan Good.

4 And -- okay. This -- this hemophagocytic
5 syndrome, it's HLH for short, it affects him
6 neurologically, and that is the only reason we
7 missed that administrative hearing.

8 But over the past -- well, I was paralyzed
9 five years ago, so I haven't been able to work. And
10 just this year, I was able -- I've been able to
11 work. I obtained employment in August. And since
12 August, we've made 100 to \$200 payments a month on
13 this.

14 And she mentioned, we've been homeless for a
15 year. And in the past month and a half, we've got a
16 new place and our life is moving forward. I hope
17 you take this into consideration.

18 It doesn't look good, you know, from the past,
19 but in the past three or four months, it's finally
20 starting to come together. You know, we can get our
21 life together.

22 But as far as the -- the reason we haven't paid
23 through the last year, he's been waiting on
24 disability and a few other checks. So it's not like
25 we never intended to pay. All of our plans fell

1 through for the past year and that's why the
2 payments got so far behind.

3 But I've been working since August, and we've
4 kind of -- -- we've gotten it -- we're desperately
5 trying to take care of it and trying to take care of
6 what wrong he's done.

7 But I do ask that you take his health in
8 consideration because technically on paper he has
9 less than five years to live.

10 And the -- the shoplifting incident happened
11 back in February. That was right at a month or so
12 after his diagnosis and we were still, you know,
13 learning and figuring out about it. And drugs were
14 involved, and they haven't been since then.

15 But -- and as he stated, he's going in January
16 to VOC rehab. You know, VOC rehab is helping him
17 find a treatment that will -- treatment place that
18 will work with him.

19 He did try Home of the Heart, but with his
20 physical condition, he couldn't make it there. And
21 he's even tried to get into another one since then
22 when we lived in Greenwood.

23 So we -- we have been making steps and trying
24 at getting our life together more than we have in
25 the past few years. We're trying to, you know, move

1 forward in our life. As you can see, we -- we are
2 trying to pay this and get it taken care of.

3 MS. GURNEY: We do have a receipt here, Your
4 Honor.

5 THE DEFENDANT: It's my last one. I had
6 several receipts for payment.

7 THE WIFE: But we paid 5- or 600 in the past
8 just couple months, so I hope you can see that he is
9 a good candidate for probation. VOC rehab will work
10 with him to find a job where physically he can sit.

11 THE COURT: Mr. Good ---

12 THE DEFENDANT: Yes, Your Honor.

13 THE COURT: --- you've had, looks like, a
14 conviction for shoplifting ---

15 THE DEFENDANT: Yes, Your Honor.

16 THE COURT: --- from May.

17 THE DEFENDANT: Yes, Your Honor. And the
18 incident in February. Yes, Your Honor.

19 THE COURT: The incident in February and you
20 were convicted in May. And you also had two -- no,
21 wait. You had a marijuana conviction in July.

22 THE DEFENDANT: Yes, Your Honor.

23 THE COURT: Okay. So -- but that -- where --
24 what was that incident date? What was that incident
25 date?

1 THE DEFENDANT: Oh, that incident was only ten
2 days prior to that. Oh, I'm sorry. It was ten days
3 after.

4 THE COURT: Okay. So that would -- if
5 July 5th, that would've been the end of June?

6 THE DEFENDANT: Yes, Your Honor.

7 THE COURT: Okay. So you also failed two drug
8 tests with the Department at the end of one -- the
9 end of June and one at the end of July.

10 THE DEFENDANT: Yes, sir, for marijuana. Yes,
11 Your Honor.

12 THE COURT: Okay.

13 THE WIFE: Your Honor, we know marijuana is not
14 legal in this state, but he does it to treat his
15 medical condition. I'm just being honest.

16 THE COURT: When did you leave Home of the
17 Heart?

18 THE DEFENDANT: That was June -- April. The
19 end of April, I believe. June 2nd was my projected
20 release date, so two months prior to it. I'm so
21 sorry. It was the beginning of this year.

22 THE WIFE: June.

23 THE DEFENDANT: There was a lot of physical
24 labor. They were not equipped or responsible for
25 any medical conditions I have. I gave it a two-day

1 shot, and there was a lot of manual -- a lot of
2 work, physical work that my body does not do, and I
3 look able.

4 I meant to go to AIM. AIM has told me -- the
5 life coaches at AIM told me instead of going to
6 school or job placement, they recommend that I do --
7 keep trying the disability for my restitution. I'm
8 moving forward to do whatever I can to pay.
9 That's -- that's the reason I left the -- that
10 rehab. It was not -- I was not going to be able to
11 make it there physically.

12 THE COURT: Thank you.

13 THE DEFENDANT: Yes, sir.

14 THE COURT: All right. Let me hear from this
15 lady.

16 THE VICTIM: All right, sir.

17 Nathan Good stole things from me that can never
18 be replaced. My Sterling Silver place setting for
19 12, which was given to me for a wedding present; my
20 Grandfather's gold railroad pocket watch; my
21 Grandmother's gold and diamond watch; my college
22 ring; my mother's engagement ring; and my diamond
23 and gold bracelet, which was an anniversary present.
24 All of these things had great sentimental value to
25 me and can never be replaced.

1 I belong to a dinner club that always does
2 something for a needy family at Christmas. I knew
3 Nathan had four children. So in December, the year
4 he was doing yard work for me, we took up \$150 and
5 gave it to him to buy the children's Santa.

6 The next time I saw Nathan, I said, "What did
7 you get the children for Christmas?"

8 "I bought me a pair of boots and a jacket," he
9 said.

10 I said, "Nathan, that money was for the
11 children."

12 He said, "When someone gives you a gift, they
13 can do whatever they want to with it."

14 On October 13, 2017, he was scheduled for a
15 hearing and didn't show up. My grandchildren live
16 in Winston Salem, North Carolina. And I wanted to
17 go -- and they were on fall break that week and I
18 wanted to go up there and be with them, but
19 because -- because I needed to be here for the
20 hearing, I couldn't go. So my priority was at the
21 hearing, and he didn't even show up.

22 His next hearing was November 9th and this time
23 he didn't show up, but without -- but -- he did show
24 up, but without an attorney so the judge wouldn't
25 hear his case. So I was there and could've been

1 doing something else.

2 On October 29, 2017, at 11:30 in the morning at
3 Walmart's parking lot on Clemson Boulevard, as I was
4 coming out the parking lot, who do I see, but Nathan
5 Good panhandling.

6 And, again, on November the 16th in the very
7 same place, who do I see again, but Nathan
8 panhandling. You know, I had to wonder why he
9 wasn't out looking for a job instead of panhandling
10 for money.

11 I feel I'm the victim and I have no rights, and
12 he's the criminal and he has all the rights. And,
13 sir, I would appreciate it if you would ask him what
14 he did with my things. I'd really like to know how
15 he disposed of them, and I want him to go to prison.

16 THE COURT: I didn't get you to state your
17 name.

18 THE WITNESS: I'm so sorry. Carol Tatum.

19 THE COURT: Thank you, Ms. Tatum.

20 THE WITNESS: Uh-huh.

21 THE COURT: Anything further from ---

22 MS. GURNEY: Yes, sir. I just forgot to add
23 before that, Mr. Good needs a bone marrow transplant
24 as part of his treatment.

25 The agent's initial recommendation was 30 days.

1 We would ask that you -- you either accept that
2 recommendation and order him to then complete the
3 programs through VOC rehab that he is already in so
4 that he -- so that he can continue making these
5 payments.

6 As we've stated, he has worked -- he's
7 incredibly sorry, which I don't think we said before
8 for what he did, but he's also working to try to
9 make his life better and make amends for that.

10 THE COURT: Well, I reviewed all the documents
11 that have been submitted and reviewed the
12 administrative hearing report. I've heard from the
13 parties.

14 My primary concern here is -- what I have is
15 twofold. The first is, there's a significant amount
16 of restitution owed to the victim. There's also
17 multiple failed drug tests and multiple offenses
18 committed.

19 So I'm going to revoke one year. Continue on
20 probation. Restructure his money when he gets out.
21 Good luck to you.

22 MS. GURNEY: Thank you, Your Honor.

23 THE COURT: Good luck to you, ma'am.

24 (The proceedings concluded at 11:29 a.m.)

25 * * * * *

C E R T I F I C A T E O F R E P O R T E R

STATE OF SOUTH CAROLINA

COUNTY OF ANDERSON

I, the undersigned, Lisa Scott, Circuit Court Reporter for the Tenth 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 Anderson County, South Carolina, on the 11th day of December, 2017.

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

February 16, 2018

/s/Lisa Scott

Lisa Scott
Circuit Court Reporter

South Carolina Department of Probation, Parole and Pardon Services

Violation Report

Offender's Name: **NATHAN GABRIEL GOOD**State of South Carolina, County of: **ANDERSON**SID#: **01397213**

Indictment Numbers:

14-GS-04-00673, 14-GS-04-00672Date of Birth: **1979**SCDC#: **288232**

Warrant Numbers:

C-04-17-0329**Offense and Offense Code(s):**

171 - Entering or attempt to enter house or vessel without breaking with intent to steal; 3420 - Grand Larceny, value more than \$2,000, but less than \$10,000

Supervision Program: **Probation**Begin Date: **1/25/2016**End Date: **1/24/2019**Supervision Level: **Intensive**Sentencing Judge: **2752 - Sprouse, R.**Sentencing County: **ANDERSON**Sentencing Date: **1/25/2016**Location (Bold Response): **Community****Sentence:**

HOUSEBREAKING - 10 YRS SS 3 YRS PROB; PTUP AFTER 18 MONTHS

3/13/17 - GS W/ MADDOX; CONT; INT SUPV 90 DAYS; RESTR & STAGGER ACCTS W/ DACOR PD FIRST; ENTER & COMPLETE SA COUNSELING AS DIR; EXEMPT SF ARRS, GL - 5 YRS SS 3 YRS PROB; PTUP

3/13/17 - GS W/ MADDOX; CONT; INT SUPV 90 DAYS; RESTR & STAGGER ACCTS W/ DACOR PD FIRST; ENTER & COMPLETE SA COUNSELING AS DIR; EXEMPT SF ARRS

Special Conditions:

DACOR - DACOR / Department Administered Court Ordered Restitution in the amount of

\$2500; Fine - Fine / Fine/Costs and Assessments payable as directed by the Court. 14-04-673(2013A0410100957) \$133.90; 14-04-672

(2013A0410100958) \$133.90; Other1 - COOPERATE W/DSS; Other2 - PTUP AFTER 18 MONTHS; RADT - RADT / Random Alcohol/Drug

Testing; SAC - SAC / Substance Abuse Counseling

Current Address and Summary of Residence:

Type	Begin Date	End Date	Address
HOME	5/1/2017		OLD MILL RD. AT CORNER OF OLD MILL AND HWY 28 ANDERSON, SC

History Address and Summary of Residence:

Type	Begin Date	End Date	Address
HOME	1/25/2016	2/1/2016	RICHFIELD DRIVE ANDERSON, SC 29625
HOME	2/1/2016	4/29/2016	CHEROKEE CIRCLE ANDERSON, SC 29625
HOME	4/29/2016	5/13/2016	FAIRMONT DRIVE GREENVILLE, SC 29605
HOME	5/13/2016	5/13/2016	RICHFIELD DRIVE ANDERSON, SC 29625
HOME	3/13/2017	5/1/2017	NORTH LAKE DRIVE ANDERSON, SC 29625

Reporting:

The offender does report.

Employment Records While Under Supervision:

Employer	Dates (from -to)	Reason(s) for Leaving	Earnings
Unemploy	3/22/2016 -		
FIRST QUALITY HOME REPAIR	1/2/2016 - 9/9/2016		\$1,200.00

Financial Conditions:

	Total Amount ordered	Pay Period	Total Paid	Date Last Paid	Arrearage	Balance Due
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South Carolina Department of Probation, Parole and Pardon Services

Violation Report

Offender's Name: **NATHAN GABRIEL GOOD**

Dept. Admin. Ct. Ordered Rest.	\$3,000.00	\$0/\$150.00/M	\$0.00		\$600.00	\$3,000.00
Drug Test Fee	\$70.00	\$0/\$20.00/M	\$0.00		\$20.00	\$20.00
Intensive Supervision	\$120.00	\$0/\$20.00/W	\$0.00		\$120.00	\$120.00
Intensive Supervision	\$160.00	\$0/\$20.00/W	\$0.00		\$160.00	\$160.00
Regular Supervision	\$2,950.00	\$0/\$50.00/M	\$0.00		\$0.00	\$2,950.00
Surcharge	\$267.80	\$0/\$150.00/M	\$0.00		\$0.00	\$267.80

Prior Violation Dates	Prior Violations	Prior Violation Disposition
9/21/2016	by changing residence w/out consent. by failing to pay supervision fee/drug test fee. by failing to pay fine. by failing to pay DACOR. by failing to complete SAC. by failing to follow the advice and instruction of the agent.	GS w/ Maddox- Continue. Intensive Supervision for 90 days. Restructure and stagger accounts with restitution to be paid first, then fine. Enter and complete SAC as directed. Order satisfies all Fee arrears.

Details of the Present Violation:

Condition #1: By failing to report on 5/31/17.

Condition #3: By using controlled substances by confessing and testing positive for THC on 6/27/17 and 7/26/17.

Condition #6: By violating federal, state or local law being convicted of Shoplifting, value \$2,000 or less in Anderson Municipal Court on 5/16/17 and received a fine or jail time. The offender pled guilty to Poss. of 28G or less of marijuana or 10G or less of hash-1st offense in Anderson Municipal Court on 7/5/17 and received a fine or jail time.

Condition #7: By failing to pay intensive supervision fee being \$280 in arrears.

Condition #9: By failing to pay \$20 drug test fee.

Condition #11: By failing to pay restitution being \$600 in arrears.

Condition #10 and Special Condition: By failing to follow the advice and instruction of the agent as witnessed by the above violations and by failing to remain in treatment with Home with a Heart.

These actions constitute violation of conditions 1, 3, 6, 7, 9, 11, 10 and Special Condition of the probationary agreement.

Agent's Recommendation:

Partial revocation of 30 days. Continue on supervision. Allow time to satisfy supervision fee arrears. Restructure monies. Must attend and complete substance abuse counseling at the discretion of agent.

Agent's Justification:

The offender has failed to pay restitution, failed to pass drug tests, failed to complete treatment and has 2 new convictions.

Hearing Officer Recommendation:**Hearing Officer Justification:**


Supervisor's Signature

K. Webb

Date:

8-16-17

South Carolina Department of Probation, Parole and Pardon Services
Summary of Administrative Hearing

Probationer: Nathan Good

SID#: 01397213

Location: Anderson County Hearings Annex
Anderson, South Carolina

Date: September 18, 2017

Time: 9:49 AM

Persons in Attendance

Name	Relationship
David M. Simmons	Administrative Hearings Officer
Cal McCormick	Agent
Nathan Good	Probationer
Carol Tatham	Victim
Wanda Johnson	Victim Advocate

Hearing Officer's Findings:

I find that Nathan Good violated conditions 1, 3, 6, 7, 9, 10, 11, and additional conditions as set forth in the affidavit(s) dated August 16, 2017; such conditions having been contained in the Orders of Probation accepted by the defendant in writing on January 25, 2016, April 21, 2017 and continuation orders dated September 21, 2016.

I find that Mr. Good failed to report in person to the South Carolina Department of Probation, Parole and Pardon Services office on the day of sentencing or release, and as instructed by the Department; and make complete and truthful reports to the Agent. Mr. Good did not report to the agent on May 31, 2017 as instructed.

I find that Mr. Good failed to refrain from the use of controlled substances, consuming alcoholic beverages to excess; entering establishments whose primary business is the sale and drinking of alcoholic beverages; and submit to a urinalysis, blood test or provide forensic evidence as instructed by the Agent. Mr. Good confessed and tested positive for THC on June 27 and July 26, 2017.

I find that Mr. Good failed to refrain from the violation of Federal, State, or Local Law; and to immediately contact the Agent when arrested or questioned by a law enforcement official for any reason whatsoever. Mr. Good was convicted of Shoplifting in Anderson Municipal Court on May 16, 2017 and received the sentence of a fine or jail time. Mr. Good pled guilty to Possession

**South Carolina Department of Probation, Parole and Pardon Services
Summary of Administrative Hearing**

of Marijuana 1st in Anderson Municipal Court on July 5, 2017 and received the sentence of a fine or jail time.

I find that Mr. Good failed to pay supervision fee and other fees as determined by the Department. Mr. Good was \$280.00 in arrears on supervision fee as of the date of the Administrative Hearing.

I find that Mr. Good failed to pay fines, restitution or other payments, and the service of any period of incarceration. Mr. Good was in arrears \$600.00 and \$80.00 on restitution, \$26.00 on public defender fund, and \$20.00 on drug test fee as of the date of the Administrative Hearing.

I find that Mr. Good failed to follow the advice and instructions of the agent; and comply with any further conditions imposed by the Department or its Agents. Mr. Good failed to remain in treatment at Home with the Heart for substance abuse as directed.

I find that the aforementioned violations constitute a willful failure to follow the advice and instructions of the supervising agent. I base these findings on the evidence and testimony presented at the Administrative Hearing.

Hearing Officer's Conclusions:

I conclude that Mr. Good failed to report as instructed to the agent. Mr. Good has received two new convictions since the onset of supervision. Mr. Good continues to test positive for controlled substances. Mr. Good did not pay his court ordered financial obligations as directed and is in arrears. Mr. Good has proven by his actions that he is not making a concerted effort and is not a good candidate for continued supervision at this time despite the agent's efforts. Mr. Good should be incarcerated for the continued violations.

Recommendation of the State:

14-GS-04-00673, 14-GS-04-00672 and 16-GS-04-01198, 16-GS-04-01002

REVOKE ONE YEAR, REINSTATE PROBATION

Respectfully Submitted,

David M. Simmons, CHO

Administrative Hearings Officer

South Carolina Department of Probation, Parole and Pardon Services
Summary of Administrative Hearing

22
STATE OF SOUTH CAROLINA
County of Anderson

STATE VS.

AKA: Nathan Good

Race: W Sex: M

DOB: [REDACTED] 1979

SSN: [REDACTED]

SID# 01397213

A TRUE COPY

DEC 15 2017

IN THE COURT OF GENERAL SESSIONS

Indictment Number:

14 - GS - 04 - 00672

Richard S. Kiser
ANDERSON CLERK OF COURT Probation C/W#s: C-04-17-0329

Name of Original Offense: Grand Larceny

Original A/W#: 2013 A0410100958

Date of Original Offense: 6/9/13

Conviction S.C. Code §: 16-13-30 (B)

Conviction CDR Code #: 3 1 4 7 2 1 0

Original Sentence: 5 yrs ss 3 yrs prob, PTUP

ORDER

The above named defendant has been charged with violating the conditions of probation ordered on 1/25/16 in the Court of General Sessions of Anderson County, and/or the additional conditions ordered by the Court in probation continuation order(s) issued on 3/13/17, as set forth in the attached warrant(s) or citation(s) dated 8/16/17. After hearing the evidence and being duly advised, in the (presence/absence) of the defendant, I find that the above named defendant has violated the following condition(s) of probation: (List by number or indicate special conditions as provided in the affidavit)

1, 3, 6, 7, 9, 11, 10, Special Condition

Therefore, IT IS ORDERED that:

- ☐ the suspended sentence be revoked and the above named defendant be required to serve _____ months/years, the remainder of the original sentence, and/or pay \$ _____.
- ☒ the suspended sentence be revoked and the above named defendant be required to serve 1 months years of the original sentence and/or pay \$ _____; thereupon to be reinstated on probation, subject to the conditions set forth in the attached order and not inconsistent with this order.
- ☐ the above named defendant is continued on probation as provided for in the original sentence, subject to the conditions set forth therein and not inconsistent with this order.
- ☐ probation is reduced to time served under supervision and the defendant is discharged from supervision on this date.
- ☐ the above named defendant is placed on electronic monitoring pursuant to §23-3-540 (mandatory if convicted of first or third degree criminal sexual conduct with a minor or lewd act, discretionary if convicted of any other applicable sex offense against a minor).
- ☒ Financial Obligations: Order satisfies: ☒ Department fees (arrearage) Civil judgment: ☐ Department fees
☒ Fines and other fees (arrearage / balance) ☐ Fines and other fees
☒ Restitution (and 20%) (arrearage / balance) ☐ Restitution (and 20%)

☒ Additional Conditions ordered by the Court:

Revoke One year. Reinstate Probation. Restructure fines and restitution upon release. Time satisfies Department fee arrears.

- ☐ The defendant is given credit for pre-revocation hearing detention time on current probation violation to be calculated and applied by the SC Department of Corrections.
- ☐ The defendant is to be given credit for pretrial detention time served (N/A if defendant has served prior SCDC time).
- ☐ The defendant has served _____ days/months/years of prior revocations and/or initial SCDC time.
- ☐ The defendant was previously placed on active electronic monitoring pursuant to §23-3-540.

This 11 day of December, 2017,
Anderson, SC

[Signature]
Presiding Judge

10th Judicial Circuit

You are hereby advised that under the law the Court may at any time revoke or modify any condition of this probation; impose any lawful conditions it deems proper; or extend your period of probation not to exceed five (5) years. At any time within the period of your probation, the Court may require you to serve any part of the original sentence imposed.

This is to certify that I have read, or have had read to me, the order and the conditions set out therein. I agree to comply with such conditions and the conditions of my attached probation order during the period of my probation. I have received a copy of this Court's order and all attachments.

Offender's Signature

Witnessed by

Signed this 11 day of Dec., 2017
Day Month Year

Anderson SC
City

STATE OF SOUTH CAROLINA

County of Anderson

STATE VS.

A TRUE COPY

DEC 15 2017

IN THE COURT OF GENERAL SESSIONS

23

Indictment Number:

14 GS- 04 00673

Probation C/W#s: C-04-17-0329

AKA: Nathan GoodRace: WSex: MDOB: 1979SSN: [REDACTED]SID#: 01397213Name of Original Offense: Entering or attempt to enter house or vessel without bankOriginal A/WH: 2013A0410100957Date of Original Offense: 6/9/13Conviction S.C. Code §: 16-13-0170Conviction CDR Code #: 0 1 1 1 7 1 1Original Sentence: 10 yrs ss 3yrs prob, PTUP after 18 months

ORDER

The above named defendant has been charged with violating the conditions of probation ordered on 1/25/16 in the Court of General Sessions of Anderson County, and/or the additional conditions ordered by the Court in probation continuation order(s) issued on 3/13/17, as set forth in the attached warrant(s) or citation(s) dated 8/16/17. After hearing the evidence and being duly advised, in the (presence/absence) of the defendant, I find that the above named defendant has violated the following condition(s) of probation: (List by number or indicate special conditions as provided in the affidavit)

1, 3, 6, 7, 9, 11, 10, Special Condition

Therefore, IT IS ORDERED that:

- ☐ the suspended sentence be revoked and the above named defendant be required to serve _____ months/years, the remainder of the original sentence, and/or pay \$ _____
- ☒ the suspended sentence be revoked and the above named defendant be required to serve 1 months/years of the original sentence and/or pay \$ _____; thereupon to be reinstated on probation, subject to the conditions set forth in the attached order and not inconsistent with this order.
- ☐ the above named defendant is continued on probation as provided for in the original sentence, subject to the conditions set forth therein and not inconsistent with this order.
- ☐ probation is reduced to time served under supervision and the defendant is discharged from supervision on this date.
- ☐ the above named defendant is placed on electronic monitoring pursuant to §23-3-540 (mandatory if convicted of first or third degree criminal sexual conduct with a minor or lewd act, discretionary if convicted of any other applicable sex offense against a minor).
- ☒ Financial Obligations: Order satisfies: ☒ Department fees (arrearage) Civil judgment: ☐ Department fees
☒ Fines and other fees (arrearage / balance) ☐ Fines and other fees
☒ Restitution (and 20%) (arrearage / balance) ☐ Restitution (and 20%)

☒ Additional Conditions ordered by the Court:

Revoke 1 year. Reinstate Probation. Restructure fines and Restitution. Time satisfies Department fee arrears.

- ☐ The defendant is given credit for pre-arrest hearing detention time on current probation violation to be calculated and applied by the SC Department of Corrections.
- ☐ The defendant is to be given credit for pretrial detention time served (N/A if defendant has served prior SCDC time).
- ☐ The defendant has served _____ days/months/years of prior revocations and/or initial SCDC time.
- ☐ The defendant was previously placed on active electronic monitoring pursuant to §23-3-540.

This 11 day of December, 2017

SC

Presiding Judge

10th

Judicial Circuit

You are hereby advised that under the law the Court may at any time revoke or modify any condition of this probation; impose any lawful conditions it deems proper; or extend your period of probation not to exceed five (5) years. At any time within the period of your probation, the Court may require you to serve any part of the original sentence imposed.

This is to certify that I have read, or have had read to me, the order and the conditions set out therein. I agree to comply with such conditions and the conditions of my attached probation order during the period of my probation. I have received a copy of this Court's order and all attachments.

Offender's Signature

Witnessed by

Signed this 11 day of Dec, 2017 at Anderson SC

Day

Month

Year

City

WITNESSES

M Ritter, Anderson Co. Sheriff's Office

DOCKET NO. 2014GS04 00672

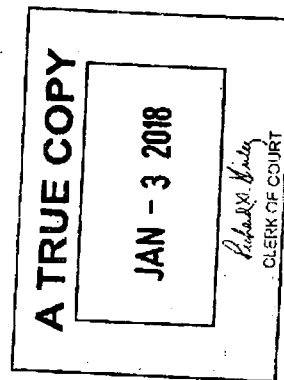
The State of South Carolina

County of Anderson

COURT OF GENERAL SESSIONS

APR 22 2014

Term



ARREST WARRANT NUMBER

2013A0410100958

THE STATE

vs.

Nathan Gabriel Good

ACTION OF GRAND JURY
TRUE BILL

APR 22 2014

Foreperson

Foreperson of Grand Jury
Date:

AGM

Indictment for

VERDICT

Larceny/Grand Larceny, value more than \$2,000
but less than \$10,000SC Code: 16-13-30(B)
CDR Code: 3420Foreperson of Petit Jury
Date:

STATE OF SOUTH CAROLINA)
)
 COUNTY OF Anderson)

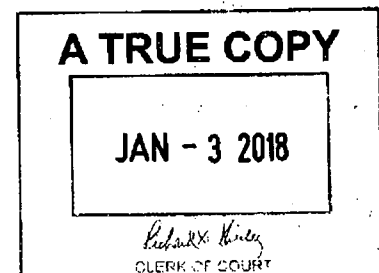
INDICTMENT

APR 22 2014

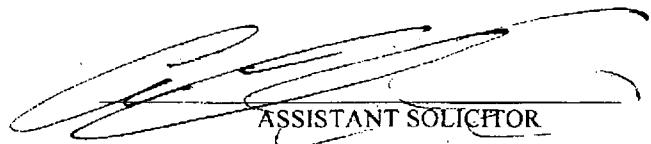
At a Court of General Sessions, convened on _____, the Grand Jurors of Anderson County present upon their oath:

Larceny/Grand Larceny, value more than \$2,000 but less than \$10,000

That Nathan Gabriel Good did in Anderson County, on or between June 6, 2013 and June 16, 2013, feloniously take and carry away the personal property of Carol Tatum, to wit: a Sterling Silver serving set, an ipod and a gold pocket watch, with a total value of more than (\$2,000) Two Thousand Dollars but less than (\$10,000) Ten Thousand Dollars, with the intent to deprive the owner permanently of such property. This is in violation of 16-13-30 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

COPIES OF _____ Anderson
STATE VS.
Nathan Gabriel Good
AKA:
Race: W Sex: M Age: 34
DOB: -1979 SS#
Address: Dixon Rd
City, State, Zip: Anderson, SC 29625-5202
DL#: SID#: SC01397213

*CDL Yes ☐ No ☐ CMV Yes ☐ No ☐ Hazmat Yes ☐ No ☐

In disposition of the said indictment comes now the Defendant who was
TO: Larceny / Grand Larceny, value more than \$2,000 but less than \$10,000

IN THE COURT OF GENERAL SESSIONS

INDICTMENT/CASE#: 2014GSD400672
A/W#: 2013A0410100958
Date of Offense: 6/9/2013
S.C. Code § : 16-13-30(B)
CDR Code #: 3420

SENTENCE SHEET

in violation of § 16-13-30(B) of the S.C. Code of Laws, bearing CDR Code # 3420
☒ NON-VIOLENT ☐ VIOLENT ☐ SERIOUS ☐ MOST SERIOUS ☐ Mandatory GPS(CSC w/minor 1st or Lewd Act) ☐ §17-25-45

The charge is: ☒ As Indicted, ☐ Lesser Included Offense, ☐ Defendant Waives Presentment to Grand Jury. (defendant's initials)
The plea is: ☐ Without Negotiations or Recommendation, ☐ Negotiated Sentence, ☒ Recommendation by the State.

ATTEST: 100692
McLain, Austin 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 5 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 3

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: 2004-6504 0073
☐ 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.

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 (Criminal Domestic Violence) to ship, transport, possess, or receive a firearm or ammunition.

SPECIAL CONDITIONS:

☒ RESTITUTION: ☐ Deferred ☐ Def. Waives Hearing ☐ Ordered PTUP after 18 months
Total: \$ plus 20% fee: \$
Payment Terms:
☐ Set by SCDPPPS

Recipient: see attached Order

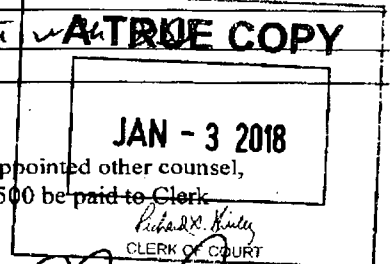
*Fine:
§ 14-1-206 (Assessments 107.5 %) \$
§ 14-1-211(A)(1) (Conv. Surcharge) \$100 \$100.00
§ 14-1-211(A)(2) (DUI Surcharge) \$100 \$
§ 56-5-2995 (DUI Assessment) \$12 \$
§ 56-1-286 (DUI Breath Test) \$25 \$
Proviso 47.9 (Public Def/Prob) \$500 \$
§ 14-1-212 (Law Enforce. Funding) \$25 \$25.00
§ 14-1-213 (Drug Court Surcharge) \$150 \$
§ 50-21-114 (BUI Breath Test Fee) \$50 \$
§ 56-5-2942(J) (Vehicle Assessment) \$40/ea \$
Proviso 90.5 (SCCJA Surcharge) \$5 \$5.00
3% to County (if paid in installments) \$390.00
TOTAL \$138.90

Clerk of Court/Deputy Clerk Richard A. Huiley
Court Reporter: D. Thommes
SCCA/217 (03/2011)

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: 100 pmts

☐ Appointed PD or appointed other counsel, § 47.12 requires \$500 be paid to Clerk during probation.

Presiding Judge Judge Code: 2752
Sentence Date: 1-25-16



WITNESSES

M Ritter, Anderson Co. Sheriff's Office

DOCKET NO. 20 14GS04 00673

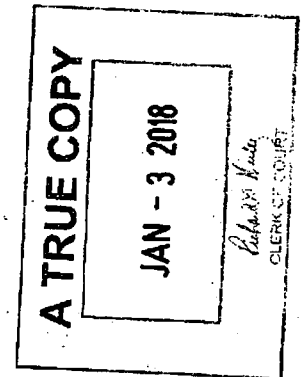
The State of South Carolina

County of Anderson

COURT OF GENERAL SESSIONS

APR 22 2014

Term



ARREST WARRANT NUMBER

2013A0410100957

THE STATE

vs.

Nathan Gabriel Good

ACTION OF GRAND JURY

TRUE BILL

APR 22 2014

[Signature]

AGM

Indictment for

**Housebreaking / Entering or attempt to enter
house or vessel without breaking with intent to
steal**

SC Code: 16-13-0170
CDR Code: 0171

VERDICT

Foreperson of Grand Jury
Date:

Foreperson of Petit Jury
Date:

STATE OF SOUTH CAROLINA)
COUNTY OF Anderson)

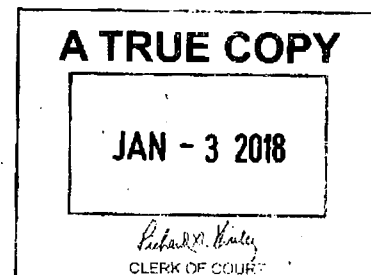
INDICTMENT

APR 22 2014

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

**Housebreaking / Entering or attempt to enter house or vessel without
breaking with intent to steal**

That Nathan Gabriel Good did in Anderson County, on or between June 6, 2013 and June 16, 2013, willfully and unlawfully attempt to enter the dwelling of Carol Tatum located at [REDACTED], in Anderson County, without consent and with intent to commit a crime therein. This is in violation of 16-13-170 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
STATE

Anderson

VS.

Nathan Gabriel Good

AKA:

Race: W Sex: M Age: 34

DOB: [REDACTED] 1979 SS#: [REDACTED]

Address: [REDACTED] Dixon Rd

City, State, Zip: Anderson, SC 29625-5202

DL#: [REDACTED] SID#: SC01397213

*CDL Yes ☐ No ☐ CMV Yes ☐ No ☐ Hazmat Yes ☐ No ☐

In disposition of the said indictment comes now the Defendant who was

TO: Housebreaking / Entering or attempt to enter house or vessel without breaking with intent to steal 0-10

in violation of § 16-13-0170 of the S.C. Code of Laws, bearing CDR Code # 0171

☒ NON-VIOLENT ☐ VIOLENT ☐ SERIOUS ☐ MOST SERIOUS ☐ Mandatory GPS(CSC w/minor 1st or Lewd Act) ☐ §17-25-45The charge is: ☒ As Indicted, ☐ Lesser Included Offense, ☐ Defendant Waives Presentment to Grand Jury. (defendant's initials)The plea is: ☐ Without Negotiations or Recommendation, ☐ Negotiated Sentence, ☒ Recommendation by the State.

ATTEST:

100692

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 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 3

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.

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 (Criminal Domestic Violence) to ship, transport, possess, or receive a firearm or ammunition.

SPECIAL CONDITIONS:

☒ RESTITUTION: ☐ Deferred ☐ Def. Waives Hearing ☐ Ordered

Total: \$ 2500 plus 20% fee: \$

Payment Terms:

☐ Set by SCDPPPS

Recipient: see attached order

*Fine:	\$
§ 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 47.9 (Public Def/Prob)	\$500
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§ 14-1-213 (Drug Court Surcharge)	\$150
§ 50-21-114 (BUI Breath Test Fee)	\$50
§ 56-5-2942(J) (Vehicle Assessment)	\$40/ea
Proviso 90.5 (SCCA Surcharge)	\$5
3% to County (if paid in installments)	\$3.90
TOTAL	\$133.90

Clerk of Court/ Deputy Clerk

Court Reporter:

SCCA/217 (03/2011)

IN THE COURT OF GENERAL SESSIONS

INDICTMENT/CASE#: 2014GS0400673

A/W#: 2013A0410100957

Date of Offense: 6/9/2013

S.C. Code § : 16-13-0170

CDR Code #: 0171

SENTENCE SHEET

☐ CONVICTED OF or ☒ PLEADS10 s
3 y
P.T.
18The charge is: ☒ As Indicted, ☐ Lesser Included Offense, ☐ Defendant Waives Presentment to Grand Jury. (defendant's initials)The plea is: ☐ Without Negotiations or Recommendation, ☐ Negotiated Sentence, ☒ Recommendation by the State.

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Attorney for Defendant

SC Bar#

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3% to County (if paid in installments)	\$3.90
TOTAL	\$133.90

Clerk of Court/ Deputy Clerk

Court Reporter:

SCCA/217 (03/2011)

PTUP

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:

compliance with DSS

A TRUE COPY

☐ Appointed PD or appointed other counsel § 47.12 requires \$500 be paid to Clerk during probation.

Presiding Judge

Judge Code:

Sentence Date:

JAN 3 2018
Richard A. Bailey
CLERK OF COURT
2752
1-25-16

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 April 15, 2014 order from the South Carolina Supreme Court entitled "Revised Order Concerning Personal Identifying Information and Other Sensitive Information in Appellate Court Filings."

Respectfully Submitted,



Kathrine H. Hudgins
Appellate Defender

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

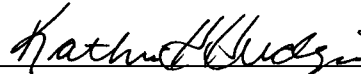
ATTORNEY FOR APPELLANT

This 23rd day of July, 2018.

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 April 15, 2014 order from the South Carolina Supreme Court entitled "Revised Order Concerning Personal Identifying Information and Other Sensitive Information in Appellate Court Filings."

Respectfully Submitted,


Kathrine H. Hudgins
Appellate Defender

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

ATTORNEY FOR APPELLANT

This 23rd day of July, 2018.

RECEIVED
JUL 23 2018
SC Court of Appeals