

ORIGINAL

STATE OF SOUTH CAROLINA

In The Court of Appeals

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FEB 19 2015

SC Court of Appeals

APPEAL FROM BEAUFORT COUNTY

Kristi Lea Harrington, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

GERALD BARRETT,

APPELLANT

APPELLATE CASE NO. 2013-002158

SUPPLEMENTAL RECORD ON APPEAL

DAVID ALEXANDER
Appellate Defender

ALAN WILSON
Attorney General

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

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Assistant Attorney General
Office of the Attorney General
PO Box 11549
Columbia, SC 29211

Attorney for Appellant

ISSAC MCDUFFIE STONE, III
Solicitor, Fourteenth Judicial Circuit
Post Office Box 2226
Beaufort, SC 29901
(803) 943-3580

Attorneys for Respondent

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INDICTMENTS 2012-GS-07-0631, 2012-GS-07-0632, 2013-GS-07-0631, 2013-GS-07-0632
AND 2013-GS-07-06331

CERTIFICATE OF COUNSEL.....11

WITNESSES

J. Adams, BCSO

ARREST WARRANT NUMBER

2012A0710300041

ACTION OF GRAND JURY

True Bill

Melissa Beare
Foreperson of Grand Jury

Date: **AUG 28 2012**

VERDICT

Foreperson of Petit Jury

Date:

INDICT

DOCKET NO. 2012GS0701631

The State of South Carolina

County of Beaufort

COURT OF GENERAL SESSIONS

August Term 2012

THE STATE

vs.

Gerald Barrett Jr

Indictment for

**Criminal sexual conduct with minor - victim 11
to 14 years of age - Second Degree**

SC Code: 16-03-0655(2)
CDR Code:0396

After being fully advised as to my legal rights, I hereby waive presentment to the Grand Jury.

Defendant

I _____
Hereby appear in my own proper person and plead guilty to the within indictment or to

Defendant

Witness:

C.C.C. PLS. and G.S.

STATE OF SOUTH CAROLINA)
)
COUNTY OF BEAUFORT)

INDICTMENT
2012GS0701631

At a Court of General Sessions, convened on August 23, 2012, the Grand Jurors of Beaufort County present upon their oath:

Criminal sexual conduct with minor - victim 11 to 14 years of age – 2nd Degree

That in Beaufort County, South Carolina, March 19, 2012, the Defendant, Gerald Barrett Jr, did commit a sexual battery upon a minor who was fourteen (14) years of age or less but who was at least eleven (11) years of age, to wit: sexual intercourse upon Minor , date of birth , in violation of Section 16-3-655(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

3

WITNESSES

J. Adams, BCSO

ARREST WARRANT NUMBER

2012A0710300042

ACTION OF GRAND JURY

True Bill

Melinda Beer
Foreperson of Grand Jury
Date: **AUG 23 2012**

VERDICT

Foreperson of Petit Jury
Date:
INDICT

DOCKET NO. 2012GS0701632

The State of South Carolina

County of Beaufort

COURT OF GENERAL SESSIONS

August Term 2012

THE STATE

vs.

Gerald Barrett Jr

Indictment for

Kidnapping / Kidnapping

SC Code: 16-03-0910
CDR Code:0095

After being fully advised as to my legal rights, I hereby waive presentment to the Grand Jury.

Defendant

I
Hereby appear in my own proper person and plead guilty to the within indictment or to

Defendant

Witness:

C.C.C. PLS. and G.S.

STATE OF SOUTH CAROLINA)
)
COUNTY OF BEAUFORT)

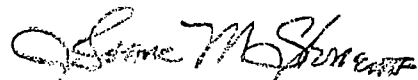
INDICTMENT
2012GS0701632

At a Court of General Sessions, convened on August 23, 2012, the Grand Jurors of Beaufort County present upon their oath:

Kidnapping / Kidnapping

That in Beaufort County, South Carolina, on or about March 19, 2012, the Defendant, Gerald Barrett Jr, unlawfully did seize, confine, inveigle, decoy, kidnap, abduct or carry away the victim, Minor , without authority of law; all in violation of Section 16-3-910 of the Code of Laws of South Carolina, (1976, as amended)

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



Solicitor

5

WITNESSES

J. Adams, BCSO

ARREST WARRANT NUMBER

2012A0710300041

ACTION OF GRAND JURY

Bob C
Foreperson of Grand Jury

MAR 28 2013

VERDICT

True Bill

Foreperson of Petit Jury

Date:

INDICT

DOCKET NO. 2012GS0701631

The State of South Carolina

County of Beaufort

COURT OF GENERAL SESSIONS

March Term 2013

THE STATE

vs.

Gerald Barrett Jr

Amended Indictment for

**Criminal sexual conduct with minor - victim 11
to 14 years of age - Second Degree**

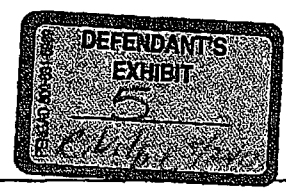
SC Code: 16-03-0655(2)

CDR Code:0396

After being fully advised as to my legal rights, I hereby waive presentment to the Grand Jury.

Defendant

I
Hereby appear in my own proper person and plead guilty to the within indictment or to



Defendant

Witness:

C.C.C. PLS. and G.S.

STATE OF SOUTH CAROLINA)
)
COUNTY OF BEAUFORT)

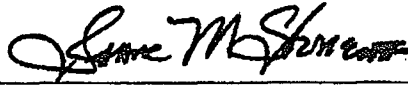
INDICTMENT
2012GS0701631

At a Court of General Sessions, convened on March 28, 2013, the Grand Jurors of Beaufort County present upon their oath:

Criminal sexual conduct with minor - victim 11 to 14 years of age – 2nd Degree

That in Beaufort County, South Carolina, between the dates of March 11 and March 19, 2012, the Defendant, Gerald Barrett Jr, did commit a sexual battery upon a minor who was fourteen (14) years of age or less but who was at least eleven (11) years of age, to wit: sexual intercourse upon Minor _____, date of birth _____, in violation of Section 16-3-655(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

WITNESSES

J. Adams, BCSO

ARREST WARRANT NUMBER

2012A0710300042

ACTION OF GRAND JURY

Ball C

Foreperson of Grand Jury
Date: **MAR 28 2013**

VERDICT

True Bill

Foreperson of Petit Jury
Date:

INDICT

DOCKET NO. 2012GS0701632

The State of South Carolina

County of Beaufort

COURT OF GENERAL SESSIONS

March Term 2013

THE STATE

vs.

Gerald Barrett Jr

Amended Indictment for

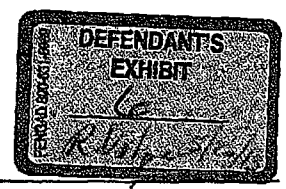
Kidnapping / Kidnapping

SC Code: 16-03-0910
CDR Code:0095

After being fully advised as to my legal rights, I hereby waive presentment to the Grand Jury.

Defendant

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Defendant

Witness:

C.C.C. PLS. and G.S.

STATE OF SOUTH CAROLINA)
)
COUNTY OF BEAUFORT)

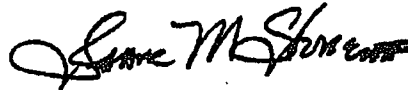
INDICTMENT
2012GS0701632

At a Court of General Sessions, convened on March 28, 2013, the Grand Jurors of Beaufort County present upon their oath:

Kidnapping / Kidnapping

That in Beaufort County, South Carolina, between the dates of March 11 and March 19, 2012, the Defendant, Gerald Barrett Jr, unlawfully did seize, confine, inveigle, decoy, kidnap, abduct or carry away the victim, Minor , without authority of law; all in violation of Section 16-3-910 of the Code of Laws of South Carolina, (1976, as amended)

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



Solicitor

WITNESSES

J. Adams, BCSO

ARREST WARRANT NUMBER

2012A0710300043

ACTION OF GRAND JURY

R.D.
Foreperson of Grand Jury
Date: **MAR 28 2013**

VERDICT

True Bill

Foreperson of Petit Jury
Date:
INDICT

DOCKET NO. 2012GS0701633

The State of South Carolina
County of Beaufort

COURT OF GENERAL SESSIONS

March Term 2013

THE STATE

vs.

Gerald Barrett Jr

Amended Indictment for

**Lewd Act, committing or attempting lewd act
upon child under 16**

SC Code: 16-15-0140
CDR Code:2468

After being fully advised as to my legal rights, I hereby waive presentment to the Grand Jury.

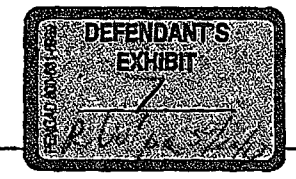
Defendant

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Defendant

Witness:

C.C.C. PLS. and G.S.



STATE OF SOUTH CAROLINA)
)
COUNTY OF BEAUFORT)

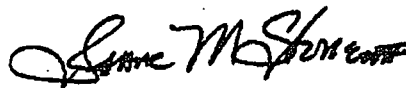
INDICTMENT
2012GS0701633

At a Court of General Sessions, convened on March 28, 2013, the Grand Jurors of Beaufort County present upon their oath:

Lewd Act, committing or attempting lewd act upon child under 16

That in Beaufort County, South Carolina, between the dates of March 11 and March 19, 2012, the Defendant, Gerald Barrett Jr, 1990-01-14, a person over fourteen years of age, willfully and lewdly did commit or attempt to commit a lewd or lascivious act upon the body, or any part or member thereof, of a child under the age of sixteen (16) years, to wit: Minor _____, date of birth _____, with the intent of arousing, appealing to, or gratifying the lust or passions or sexual desires of himself or of said child, in violation of Section 16-15-140, 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

CERTIFICATE OF COUNSEL FOR APPELLANT

Counsel for appellant certifies that this Supplemental 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."

February 19th, 2015



David Alexander
Appellate Defender

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

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SC Court of Appeals

ATTORNEY FOR APPELLANT

JAL

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

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SC Court of Appeals

Appeal from Beaufort County

Kristi Lea Harrington, Circuit Court Judge

THE STATE,

RESPONDENT,

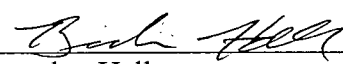
V.

GERALD BARRETT,

APPELLANT


CERTIFICATE OF SERVICE

I certify that a true copy of the Supplemental Record on Appeal in the above referenced case has been served upon William M. Blich, Jr., Esquire, at Rembert Dennis Building, 1000 Assembly Street, Room 519, Columbia, SC 29201, this 19th day of February, 2015.



Brandon Hall
Administrative Specialist

SUBSCRIBED AND SWORN TO before me
this 19th day of February, 2015.

 (L.S.)

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