

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF Horry
STATE VS. Lamont Seldon

INDICTMENT/CASE#: 2016GS2605131
A/W#: 2016A2620400763
Date of Offense: 8/29/2016
S.C. Code § : 16-11-0312
CDR Code #: 0080

AKA:
Race: BLACK Sex: M Age: 58
DOB:
Address:
City, State, Zip:
DL#: SID#: SC02071246

RECEIVED SENTENCE SHEET
APR 08 2019
SC Court of Appeals
RENEE N. ELLIOTT
CLERK OF COURT
HORRY COUNTY, SC
2019 APR 8 PM 1:46
FILED
HORRY COUNTY

*CDL Yes No CMV Yes No Hazmat Yes No
In disposition of the said indictment comes now the Defendant who was TO: Burglary, 2nd Degree, Non-Violent (0-10 Years)

in violation of § 16-11-0312 of the S.C. Code of Laws, bearing CDR Code # 0080
NON-VIOLENT VIOLENT SERIOUS MOST SERIOUS
Mandatory GPS (CSC w/minor 1st or Low Act) \$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: Helms, Christopher D. 100116 SC Bar# Defendant Stanko, James SCB101376 SC Bar#
Attorney for Defendant

WHEREFORE, the Defendant is committed to the State Department of Corrections, County Detention Center,
for a determinate term of 10 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 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 SCDOC.
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 PTUP
Total: \$ plus 20% fee: \$ days/hours Public Service Employment

Payment Terms:
Set by SCDPPPS

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 \$ 256 beginning 5-3-24
\$ paid to Public Defender Fund
Other:

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) \$ 3.75.

TOTAL \$ 126.75 + 40.00 = 166.75

Clerk of Court/ Deputy Clerk Renee Ellis
Court Reporter Kay Richerben

Appointed PD or appointed other counsel, Proviso requires \$500 be paid to Clerk during probation and shall be collected before any other fees.
Presiding Judge [Signature]
Judge Code:
Sentence Date: 4/3/19

WITNESSES

Dale Long Conway Police Department

Dale Long

DOCKET NO. 2016-GS-26- 05131

**The State of South Carolina
County of Horry**

Christopher D. Helms
16H04675

FILED
HORRY COUNTY
2016 NOV 23 AM 8:24
MELANIE HUGGINS-WARD
CLERK OF COURT

COURT OF GENERAL SESSIONS

November, 2016 TERM

DATE RECEIVED FROM
GRAND JURY

ARREST WARRANT NUMBER

2016A2620400763
CDR: 0080 16-11-0312
DOA: 8/30/2016

THE STATE

vs.

ACTION OF GRAND JURY

TRUE BILL

Lamont Seldon
B/ M
911 Forest Loop Rd
Conway, SC 29527-5020
DOB: 1960-07-18
SSN: 578926840

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[Signature]
Foreperson of Grand Jury
Date: NOV 17 2016

ATTORNEY: James Stanko

VERDICT

Indictment for

**BURGLARY
SECOND DEGREE**

CRIGINAL

RENEE N. ELVIS
CLERK OF COURT
HORRY COUNTY, SC

Jimmy A. Richardson, II, Solicitor

Foreperson of Petit Jury
Date:

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STATE OF SOUTH CAROLINA)
)
COUNTY OF HORRY)

INDICTMENT

RENEE N. EVIS
CLERK OF COURT
HORRY COUNTY, SC

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At a Court of General Sessions, convened on November 17, 2016, the Grand Jurors of Horry County present upon their oath:

BURGLARY, SECOND DEGREE
NON-VIOLENT

CDR: 0080 16-11-0312

That Lamont Seldon did in Horry County on or about August 29, 2016, enter without consent and with the intent to commit a crime therein, the dwelling of Richard Harrelson, located at 703 15th. Court Street Conway, in violation of Section 16-11-0312, 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.

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JIMMY A. RICHARDSON, II
FIFTEENTH CIRCUIT SOLICITOR

ARREST WARRANT

2016A2620400763

STATE OF SOUTH CAROLINA

County/ Municipality of

Conway

THE STATE against

2016021340

Lamont Seldon

Address: Conway, SC 29526

Phone: SSM

Sex: M Race: B Height: 5 11 Weight: 140

DL State: SC DL #:

DOB: 7/10/1972 Agency ORI #: SC0260200

Prosecuting Agency: Conway Police Department

Prosecuting Officer: Dale Long - 4857

Offense: Burglary / Burglary (After June 20, 1985) - Third degree - 1st offense

Offense Code: 0427

Code/Ordinance Sec: 16-11-0313

This warrant is CERTIFIED FOR SERVICE in the County/ Municipality of

The accused is to be arrested and brought before me to be dealt with according to the law.

(L.S.)

Signature of Judge

Date:

RETURN

A copy of this arrest warrant was delivered to defendant Lamont Seldon on 8/30/16 @ 1106

Supv. C.K. C-937

Signature of Constable/Law Enforcement Officer

RETURN WARRANT TO:

General Sessions PO Box 677 1301 2nd Avenue Conway, SC 29528

ORIGINAL

ORIGINAL

STATE OF SOUTH CAROLINA

County/ Municipality of

Conway

AFFIDAVIT

ORIGINAL

Form Approved by S.C. Attorney General April 21, 2003 SCCA 518

Personally appeared before me the affiant Dale Long being duly sworn deposes and says that defendant Lamont Seldon

did within this county and state on or about 8/29/2016

State of South Carolina (or ordinance of County/ Municipality of Conway violate the criminal laws of the in the following particulars:

DESCRIPTION OF OFFENSE: Burglary / Burglary (After June 20, 1985) - Third degree - 1st offense

I further state that there is probable cause to believe that the defendant named above did commit the crime set forth and that probable cause is based on the following facts:

THAT ON THE ABOVE DATE DURING THE DAYTIME HOURS THE DEFENDANT DID UNLAWFULLY ENTER A VACANT DWELLING AT 703 15TH COURT STREET IN THE CITY OF CONWAY WITH THE INTENT TO COMMIT A CRIME. THAT THE ACTS OF THE ACCUSED CONSTITUTE THE OFFENSE OF BURLARY 3RD DEGREE. **WARRANT OBTAINED FOR OFFICER WILLIAM ADAMS**

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Dale Long

STATE OF SOUTH CAROLINA

County/ Municipality of

Conway

Affiant's Address 200 Laurel Street Conway, SC 29526-

Affiant's Telephone

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ARREST WARRANT

TO ANY LAW ENFORCEMENT OFFICER OF THIS STATE OR MUNICIPALITY OR ANY CONSTABLE OF THIS COUNTY: It appearing from the above affidavit that there are reasonable grounds to believe that

on or about 8/29/2016 defendant Lamont Seldon

did violate the criminal laws of the State of South Carolina (or ordinance of County/ Municipality of Conway

DESCRIPTION OF OFFENSE: Burglary / Burglary (After June 20, 1985) - Third degree - 1st offense

Having found probable cause and the above affiant having sworn before me, you are empowered and directed to arrest the said defendant and bring him or her 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 Sworn to and subscribed before me

on 8/30/2016

Jane A. Mackey

Signature of Issuing Judge

Jane A. Mackey

Judge Code: 6184

Judge's Address Post Office Box 1428 Conway, SC 29528-1428

Judge's Telephone (843)248-1765

Issuing Court: Magistrate Municipal Circuit

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STATE OF SOUTH CAROLINA)
COUNTY OF HORRY)

IN THE COURT OF GENERAL SESSIONS
OF THE FIFTEENTH JUDICIAL CIRCUIT

STATE OF SOUTH CAROLINA)

CERTIFICATE OF REPRESENTATION
(APPOINTING AS COUNSEL)

-VS-

LAMONT SELDON)

JAMES STANKO

DEFENDANT)

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SC Court of Appeals

2016 OCT 31 PM 3:35

FILE NO: 26A16-00004067

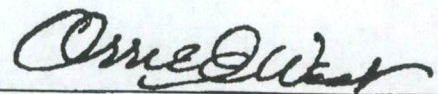
TO: Clerk of Court of General Sessions of the Fifteenth Judicial Circuit
Office of the Solicitor
Appointed Counsel
Defendant

This certifies that the above captioned Defendant is eligible for the services of the Public Defender, such determination having been made on, 25th day of October, 2016, regarding the charge(s) of:

2016A2620400763 Burglary / Burglary (After June 20, 1985) - Third degree - 1st offense

2016A2620400807 Larceny / Breaking into motor vehicle or tanks, pumps, where fuel, lubricants stored

The Defendant's Counsel is **James Stanko**. The office of the Public Defender requests on the Defendant's behalf any and all evidence in the possession of you and or your agents pursuant to S.C. Criminal Practice Rule 5, and Brady v. Maryland 373 U.S. 383 (1963). The formal Motion for Discovery is attached.



ORRIE E. WEST
FIFTEENTH CIRCUIT
PUBLIC DEFENDER

CONWAY, SC
DATED: October 25, 2016

STATE OF SOUTH CAROLINA)
COUNTY OF HORRY)
)

IN THE COURT OF GENERAL SESSION
OF THE FIFTEENTH JUDICIAL CIRCUIT

STATE OF SOUTH CAROLINA)
)

NOTICE AND MOTION FOR PRODUCTION
OF SPECIFIC EVIDENCE AND
DISCLOSURE OF WITNESSES

-VS-)
)

LAMONT SELDON)
)

DEFENDANT)
)

FILE NO: 26A16-00004067

TO: SOLICITOR FOR THE FIFTEENTH JUDICIAL CIRCUIT

YOU WILL PLEASE TAKE NOTICE that unless the prosecution responds to the Defendant's request for disclosure within 30 days, or within such time as may be ordered by the Court, Counsel for the Defendant will move this Court for an Order compelling that the State:

1. Make available for Defendant any and all written and oral statements by the Defendant which are, or may come to be, in the possession of the State.
2. Make available for purposes of inspection, and copying, any and all police reports relating to the investigation and circumstances surrounding the crime which the Defendant is charged with, including any and all statements taken from witnesses and the Defendant.
3. Make available to the Defendant all tangible objects obtained during the investigation of this case, including, but not limited to:
 - (a) All tangible objects obtained from the scene of the crime; and
 - (b) All tangible objects obtained from the State's witnesses in this case
 - (c) All tangible objects the State intends to introduce into evidence at Trial which are relevant to the offense charged.
4. Make available any witnesses known to the State who have knowledge of facts which might be favorable to the Defendant.
5. Make available any promises made or actions taken by the State which caused or might have caused any witnesses for the State to testify on behalf of the State.
6. Make available any inconsistent statements made by witnesses for the State or any statements made by witnesses for the State which tend to exculpate the Defendants or to negate participation by the Defendants in the alleged crime.
7. Make available to the Defendant all results of laboratory tests, scientific tests, or physical examinations conducted in connection with this case, including but not limited to:
 - (a) Analysis of handwriting
 - (b) Photographs secured of the scene of the crime
 - (c) Comparison of fingerprints
8. Make available any facts which tend to exculpate the Defendant.

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HORRY COUNTY SC

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9. Make available any and all scientific or medical, psychiatric, legal or other information, reports or records which might tend to reflect on the credibility or competence of any of prospective witnesses for the State.

10. Make available to the Defendant the names and addresses of all persons who have knowledge of this case or who have been interviewed by the investigating officers in connection with this case.

11. Make available to the Defendant, the SLED, FBI, and local arrest and conviction records of all persons, including the Defendant, named in connection with this proceeding.

12. Make any chemist, analyst, and all persons within the chain of custody appear in Court for the purpose of personally testifying. Attorney for the Defense thus objects to the introduction of any chemist's or analyst's report pursuant to Rule 6, S.C. Rules of Criminal Procedure.

13. Make available to the Defendant all video and audio recordings, and/or notarized affidavits made pursuant to South Carolina Code § 56-5-2953 and any other applicable South Carolina Statute or regulation, including but not limited to:

- (a) Police and booking reports;
- (b) Police logs;
- (c) Alcohol influence reports;
- (d) Accident reports
- (e) Reports dealing with defendant's refusal to submit to testing;
- (f) Notes taken from any recording by Law Enforcement regarding conversations with potential prosecution witnesses
- (g) Any notes taken by Law Enforcement with regards to this case which the officer intends to rely on, or make us of, at trial.
- (h) The names of the officers or other witnesses who were with the Defendant within one hour of the arrest who had the opportunity to observe the appearance and behavior of the Defendant, to include the identity of any officer present at the scene of arrest.
- (i) The time and place where the Defendant was given the Miranda warning and the name of the officer who advised him/her of the same.
- (j) Any reports made by any laboratory or hospital concerning any examination made of any physical (urine, blood, etc.), photographic, or written evidence related to the Defendant's case.
- (k) The records of analysis and the results of any chemical, urine, or breathalyzer tests administered to the Defendant.

14. Make available to the Defendant following information regarding the person(s) who administered the Defendant's chemical/breathalyzer tests:

- (a) The person's name and the name of his/her employer;
- (b) The date of his/her original certification to give chemical/breathalyzer tests and the grade he/she received on the exam;
- (c) The date of his/her most recent certification to give said tests; And his/her compliance with statutes and regulations providing for standards of training for person(s) administering such tests.

15. If the Defendant's blood alcohol concentration was determined on the basis of a test involving the use of any machine, provide the following information:

- (a) The type of machine used and the make, model, and serial number of particular machine;

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SPRINGFIELD COUNTY

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- (b) The manufacturer and the date of manufacture of the machine;
- (c) The owner's manual and the instruction manual;
- (d) The software program used in said machine;
- (e) The date of purchase by the agency owning the machine;
- (f) The location of machine;
- (g) The number of prior tests conducted on the machine;
- (h) All maintenance information for the last two years, including all repairs done and all calibrations made on the machine;
- (i) The results of all tests performed in the thirty (30) days prior to the date of the Defendant's arrests, including any tests in which the machine malfunctioned;
- (j) Any checklist to be used by the operator of the machine, either before, during, or after the admission of a test.

This information is requested pursuant to Rule 5 of the South Carolina Rules of Criminal Procedure. This information is further requested pursuant to Brady vs Maryland, 373 U.S. 383, 10 L. Ed. 2d 215, 83 S. Ct. 1194 (1963), U.S. vs Agurs, 427 U.S. 97, 49 L Ed 2nd 342, 96 S. Ct. 2392 1976, State vs Mixon, 274 S.E. 2nd 406 (1981), City of Rock Hill vs Suchenski, 374 S.C. 12, 646 S.E.2d 379 (2007). Further this information is requested on the grounds that it is essential to insure the Defendant's right to a fair trial, right to confrontation of witnesses, the right to effective Counsel and due process of law guaranteed by the South Carolina Constitution, and the United States Constitution.

WHEREFORE, Defendant prays:

- (a) That the Solicitor be Ordered to produce all information described herein and allow the Defendant the right to examine, inspect, copy and photograph, such materials and information at a specific time and place to be fixed by the Court.
- (b) That the information be provided no later than 30 days from the date of this request, as reflected by the Clerk of Court's time-stamp appearing on the face of this Document.
- (c) That the Court enter an Order requiring the Solicitor's Office to make continuing disclosure of all matters requested herein up to and during the Trial of the charges against the Defendant.

RESPECTFULLY SUBMITTED,



ORRIE E. WEST
 FIFTEENTH CIRCUIT
 PUBLIC DEFENDER

DATED: October 25, 2016
 CONWAY, SOUTH CAROLINA

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 2016 OCT 25
 JENNIFER SELVINS
 CLERK OF COURT
 HORRY COUNTY, SC

STATE OF SOUTH CAROLINA
COUNTY OF HORRY

IN THE COURT OF GENERAL SESSIONS
FIFTEENTH JUDICIAL CIRCUIT
2016-GS-26-05131

RENEE N. ELYS
CLERK OF COURT
HORRY COUNTY, SC

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STATE OF SOUTH CAROLINA,

v.

LAMONT SELDON,
Defendant.

VERDICT FORM

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I. BURGLARY SECOND DEGREE

On the charge of Burglary Second Degree, we, the Jury, by unanimous consent find the Defendant (Check only one of the following boxes):

Not Guilty

OR

Guilty.

RENEE N. ELYS
CLERK OF COURT
HORRY COUNTY, SC

2019 APR -4 PM 1:46

FILED
HORRY COUNTY

April 3, 2019
Conway, South Carolina


FOREPERSON'S SIGNATURE

NOTE:

ONCE YOU REACH A VERDICT ON THE CHARGE OF BURGLARY SECOND DEGREE, PLEASE KNOCK ON THE DOOR AND NOTIFY THE BAILIFF THAT YOU HAVE REACHED A VERDICT.

STATE OF SOUTH CAROLINA)
COUNTY OF Horry)

STATE OF SOUTH CAROLINA)

-VS-

LAMONT SELDON

DEFENDANT)

RULE 203 (B)(1)
WRITTEN EXPLANATION OF
NO
BASIS FOR APPEAL

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PERSONALLY appeared before me James Stanko, who being duly sworn,
deposes and says :

1. I represented the above named defendant before Steven H. John on April 3, 2019 at which time the defendant was convicted at trial to his/her pending charges.
2. No issues of law or fact, were raised before the Judge at that time that could be the basis for an Appeal in this matter.
3. The defendant requested this appeal be filed based on the language used by the trial judge informing the client he has the right to appeal his guilty verdict within ten (10) days.
4. I informed defendant that there were no issues to appeal.
5. Defendant requested the Appeal be filed.

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Horry County
2019 APR -4 PM 1:46
RENEE N. ELVIS
CLERK OF COURT
Horry County, SC

Sworn to and Subscribed before me
4th day of April, 2019

Wanda B. Dixon
Notary Public for South Carolina
My Commission expires: 10/26/2021

[Signature]
Signature of Attorney for Defendant
JAMES D. STANKO
Print name of Attorney for Defendant