

STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

Appeal from Greenville County

Edward W. Miller, Circuit Court Judge

RECEIVED

JAN 31 2013

S.C. Supreme Court

KEVIN KING,

PETITIONER,

V.

STATE OF SOUTH CAROLINA,

RESPONDENT

APPELLATE CASE NO. 2012-212084

APPENDIX

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ATTORNEYS FOR RESPONDENT

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STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF GREENVILLE

ORIGINAL

STATE OF SOUTH CAROLINA :

:

-vs-

:

TRANSCRIPT OF RECORD

:

KEVIN L. KING :

:

July 14, 2009

Greenville, South Carolina

B E F O R E:

HONORABLE G. EDWARD WELMAKER, Judge.

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

BARBARA TIFFIN, ESQ.

Attorney for the Plaintiff

RANDALL CHAMBERS, ESQ.

Attorney for the Defendant

MARY E. DIGIROLAMO

Court Reporter

1	<u>I N D E X</u>				
2	<u>WITNESSES</u>	<u>DIRECT</u>	<u>CROSS</u>	<u>REDIRECT</u>	<u>RECROSS</u>
3	N/A				
4					
5					
6					
7					
8					
9					
10	<u>EXHIBITS</u>	<u>MARKED</u>	<u>FILED</u>		
11	N/A				
12					
13					
14					
15					
16					
17					
18					
19					
20	CHARGE OF THE COURT	N/A			
21					
22					
23					
24					
25					

1 THE CLERK: Your Honor, this is indictment
2 2009-GS-23-4057, Kevin L. King, indicted for petty
3 larceny, pleading to the same. It is a true bill.
4 Indictment 2008-GS-23-7323, indicted for petty larceny,
5 pleading to the same. It is a wavier. Indictment
6 2009-GS-23-3179, indicted for criminal sexual conduct
7 with a minor, second degree, pleading to the same. It is
8 a wavier.

9 MR. CHAMBERS: Those were indicted, weren't they,
10 Barbara? I thought all these were indicted.

11 THE CLERK: Indictment 2009-GS-23 -4057, indicted
12 for burglary, first degree, pleading to the same. It is
13 a true bill. And there is an order of restitution.
14 Indictment 2009-GS-23-4058, indicted for safe cracking,
15 pleading to the same. It is a true bill.

16 Please raise your right hand.

17 KEVIN KING

18 Having been first duly sworn, testified as follows:

19 THE COURT: May I see the attorneys up here for just
20 a minute?

21 (A bench conference was held.)

22 THE COURT: Mr. Chambers, you represent Mr. King in
23 this matter?

24 MR. CHAMBERS: I do, Your Honor.

25 THE COURT: Have you had an opportunity to talk with

1 your client about the charges pending against him, the
2 possible punishment he faces, and his Constitutional
3 rights?

4 MR. CHAMBERS: Yes, Your Honor.

5 THE COURT: You believe he understands those
6 discussions?

7 MR. CHAMBERS: Yes, Your Honor.

8 THE COURT: Have you had an opportunity to review
9 with your client all the State's evidence?

10 MR. CHAMBERS: Yes, Your Honor.

11 THE COURT: Based upon your investigation of all the
12 facts and circumstances, do you believe the State could
13 produce sufficient evidence to convince a jury of his
14 guilt beyond a reasonable doubt?

15 MR. CHAMBERS: Yes, sir.

16 THE COURT: Do you believe if a trial were held that
17 his conviction would be most probable?

18 MR. CHAMBERS: I do, Your Honor.

19 THE COURT: Mr. King, how old are you, sir?

20 MR. KING: 29.

21 THE COURT: Are you married?

22 MR. KING: No, sir.

23 THE COURT: Do you have children?

24 MR. KING: Yes, sir.

25 THE COURT: Now many children do you have?

1 MR. KING: Two.

2 THE COURT: And how old are your children?

3 MR. KING: One is 10, and one is three months -- or
4 two months.

5 THE COURT: How far did you go in school?

6 MR. KING: I got my GED.

7 THE COURT: Where did you attend high school?

8 MR. KING: Berea High School. Berea.

9 THE COURT: Berea?

10 MR. KING: Yes, sir.

11 THE COURT: How far did you go?

12 MR. KING: To the 9th grade.

13 THE COURT: What kind of work have you done since
14 you've been out of school?

15 MR. KING: Construction.

16 THE COURT: Have you ever been treated for alcohol
17 or drug abuse?

18 MR. KING: Yes, sir.

19 THE COURT: When was the last treatment you
20 received?

21 MR. KING: In '99.

22 THE COURT: Was that in-patient or out-patient?

23 MR. KING: In-patient. In-patient.

24 THE COURT: How long were you in the facility?

25 MR. KING: Six months.

1 THE COURT: Did you complete the program?

2 MR. KING: Yes, sir.

3 THE COURT: Have you ever been treated for any
4 mental health issues?

5 MR. KING: Yes, sir.

6 THE COURT: When did you receive your last
7 treatment?

8 MR. KING: I'm currently undergoing mental health
9 now still.

10 THE COURT: Are you taking medication?

11 MR. KING: Yes, sir.

12 THE COURT: Does that medication assist you in
13 understanding what we're doing or does it interfere in
14 any way?

15 MR. KING: No, sir, it's been assisting.

16 THE COURT: You're aware of what we're here on today
17 and why we're here?

18 MR. KING: Yes, sir.

19 THE COURT: Do you have any physical, or mental, or
20 emotional problem of any kind that would affect your
21 abilities to understand what we're doing here today?

22 MR. KING: No, sir.

23 THE COURT: I have several indictments before me,
24 sir. One says on or about November the 24th, 2008, that
25 you willfully and unlawfully used explosives or tools on

1 a safe used for keeping money at 9 Viewmont Drive, here
2 in Greenville, with the intent to commit a larceny. Are
3 you here to plead guilty to that charge today?

4 MR. KING: Yes, sir.

5 THE COURT: And I also have an indictment that says
6 on or about that same date of November the 24th, 2008,
7 that you committed a burglary on the dwelling of Carol
8 Burns located at that same address, 9 Viewmont Drive in
9 Greenville, with the intent to commit a crime therein.
10 And you had two or more previous convictions of burglary.
11 You're here to plead guilty to that?

12 MR. KING: Yes, sir.

13 THE COURT: I have an indictment that says that on
14 or about -- or between December the 25th, 2007 and the
15 16th of December, 2008, you engaged in a sexual battery
16 with a minor initialed [Mi] [redacted] who was at least 14 years
17 of age but less than 16 years of age. And you did so in
18 a position of familial, or custodial, or official
19 authority coerced that victim to submit. You're here to
20 plead guilty to that criminal sexual conduct with a minor
21 in the second degree?

22 MR. KING: Yes, sir.

23 THE COURT: I also have an indictment that charges
24 you on or about the 19th of November, 2008, with taking
25 property of Judy Miller, flat screen TV, DVD player and

1 other property, constituting petty larceny. You're here
2 to plead guilty to that charge?

3 MR. KING: Yes, sir.

4 THE COURT: I have an indictment that says on or
5 about July the 16th, 2008, you took some produce, other
6 food items from Pack Mountain Produce here in Greenville
7 County. You're here to plead guilty to that charge as
8 well, petty larceny with intent to deprive them
9 permanently of the use of that product?

10 MR. KING: Yes, sir.

11 THE COURT: Solicitor, I'll be glad to hear about
12 the facts of the cases.

13 MS. TIFFIN: May it please the Court, Your Honor?
14 In regard to Mr. King, on or about November the 14th of
15 2008, the victim Carol Burns' residence located at 9
16 Viewmont Drive in Greenville County was broken into by
17 breaking the glass pane out of the back door. The items
18 stolen were two safes, an RCA stereo, a five CD player, a
19 white diamond ring, a white gold diamond dinner ring, a
20 yellow gold necklace, a DVR, a digital camera, and a JVC
21 camcorder. There was approximately \$5,000 in the safes.
22 The value of the other items was approximately \$5,000.1.
23 Records from D and D Jewelry and Pawn, located at 7736
24 Augusta Street in Greenville County, revealed that the
25 defendant pawned the JVC camcorder on December the 2nd,

1 2008. The defendant did provide a statement to law
2 enforcement after being Mirandized admitting to this
3 crime. The defendant also has two prior convictions for
4 burglary.

5 On or about November the 19th of 2008, officers
6 responded to a residence located at [REDACTED] in
7 Greenville County in reference to a burglary. Entry was
8 made by busting the glass out of the window in the back
9 door. Victim Judy Miller reported that a 32 inch flat
10 screen TV and a Magnavox DVD/CD player were stolen. The
11 value of the items was \$624. Records from American Loan
12 Exchange located at 11 West Lee Street in Taylors in
13 Greenville County, revealed that the defendant pawned the
14 flat screen TV on November the 24th of 2008. The
15 defendant admitted to the crime in his confession.

16 On or about July the 16th of 2008, the defendant
17 broke into Pack Mountain Produce located at 335 St. Mark
18 Road in Taylors in Greenville County, and stole \$85 from
19 the cash register and food items. The defendant's father
20 provided a statement that the defendant had taken a
21 blanket from his house that was located on the floor of
22 the business and filled with jars of jam. The defendant
23 was employed by the business and left the owner a note
24 admitting that he had stolen the items. The defendant
25 provided a statement admitting to the crime.

1 Between December the 25th of 2007, and December the
2 16 of 2008, this defendant engaged in consensual sexual
3 relationship with his niece, a 15 year old female. The
4 victim did become pregnant as a result and gave birth on
5 May the 28th of 2009.

6 All of these incidents did occur in Greenville
7 County. He does have a prior record. And there is a
8 recommendation.

9 THE COURT: You heard the facts recited by the
10 solicitor on each of these charges, Mr. King. Are those
11 the facts to which you're here to plead guilty today?

12 MR. KING: Yes, sir.

13 THE COURT: When you a enter a plea of guilty you
14 give up your right to have a trial by jury. The jury
15 could be empaneled. The State would have to prove each
16 and every element of all of these offenses to a jury's
17 satisfaction unanimously. And they'd have to make that
18 proof beyond a reasonable doubt. You'd be presumed
19 innocent all of the charges. You could remain silent.
20 If you wanted to put up a defense you could call
21 witnesses in your own behalf. You could challenge all
22 the State's evidence, and challenge any incriminating
23 statements you may have made. You'd have an opportunity
24 to confront the witnesses against you. You're giving up
25 these and other rights by pleading guilty, however. You

1 understand that?

2 MR. KING: Yes, sir.

3 THE COURT: And that's what you want to do?

4 MR. KING: Yes, sir.

5 THE COURT: Are you satisfied with your attorney in
6 this case?

7 MR. KING: Yes, sir.

8 THE COURT: Okay. Has he done everything for you
9 you've asked him to do?

10 MR. KING: Yes, sir.

11 THE COURT: Have you met with him as often and as
12 long as you feel necessary?

13 MR. KING: Yes, sir.

14 THE COURT: Have you understood all those
15 discussions you've had with him?

16 MR. KING: Yes, sir.

17 THE COURT: Completely satisfied with his services?

18 MR. KING: Yes, sir.

19 THE COURT: What's the State's recommendation?

20 MS. TIFFIN: Fifteen years, Your Honor, on all
21 charges to run concurrent with what he is currently
22 serving.

23 THE COURT: Mr. King, you heard the recommendation
24 from the State. Is that what you understood the
25 recommendation was going to be?

1 MR. KING: Yes, sir.

2 THE COURT: Do you realize I'm not bound by that
3 recommendation?

4 MR. KING: Yes, sir.

5 THE COURT: Do you realize how much time you could
6 receive on these various charges?

7 MR. KING: Yes, sir.

8 THE COURT: Thirty days on each of the petty
9 larcenies. You could receive up to 20 years on the
10 criminal sexual conduct. Burglary you could receive a
11 life sentence. You understand that?

12 MR. KING: Yes, sir.

13 THE COURT: And the safe cracking you could receive
14 up to 30 years?

15 MR. KING: Yes, sir.

16 THE COURT: Do you understand how much time that is
17 that you're looking at?

18 MR. KING: Yes, sir.

19 THE COURT: And you understand again, I'm not bound
20 by that recommendation?

21 MR. KING: Yes, sir.

22 THE COURT: You still want to enter your plea?

23 MR. KING: Yes, sir.

24 THE COURT: Has anybody, other than that
25 recommendation from the State that I've explained to you

1 I'm not bound by, is there any promise of any kind been
2 made to you to get you to plead guilty today?

3 MR. KING: No, sir.

4 THE COURT: Any threats been brought to bear upon
5 you by anyone to cause you to plead guilty?

6 MR. KING: No, sir.

7 THE COURT: Are you pleading guilty to these charge
8 of your own freewill?

9 MR. KING: Yes, sir.

10 THE COURT: Are you pleading guilty to these charge
11 because you are in fact guilty?

12 MR. KING: Yes, sir.

13 THE COURT: Mr. King, have you understood all the
14 questions I've asked of you?

15 MR. KING: Yes, sir.

16 THE COURT: Have you been truthful in your answers
17 to me?

18 MR. KING: Yes, sir.

19 THE COURT: The law gives you a right, if you meet
20 our appellate court rules, to appeal this proceeding
21 within 10 days. And if you can't afford a lawyer one
22 could be appointed for you. You understand that?

23 MR. KING: Yes, sir.

24 THE COURT: I find there is a substantial factual
25 basis for the plea, that it has been freely, voluntarily,

1 knowingly and intelligently made by Mr. King with the
2 advice of competent legal counsel with whom he's
3 expressed his satisfaction.

4 I will accept your plea, sir. Mr. Chambers, I'll be
5 glad to hear from you, be glad to hear from your client.

6 MR. CHAMBERS: Your Honor, being as brief as I can,
7 I would ask the Court to go along with the
8 recommendation. At first blush it would seem to be a
9 fairly light sentence, you know, given the magnitude of
10 the charges. But this gentleman has made great strides
11 over the last several months and kind of getting his life
12 in order.

13 As you see with a lot of folks in here, he had a
14 drug problem. That's what led to the robbing and
15 breaking into places, and steeling and all this stuff
16 that he was doing. But I have heard from his family
17 members who say that something has happened with him that
18 has caused him to move forward in a positive direction.

19 Had a letter that I have in the file from Senator
20 David Thomas who's had contact with him, contact with the
21 family, and believes that he has a great deal of
22 potential and can move forward and do much better, and
23 that he's gotten a handle on his drug problem. And in
24 the -- probably the overriding thing in this case is that
25 he fully cooperated with law enforcement. He confessed

1 to what he did. I mean, every single aspect of it he
2 confessed and cooperated with law enforcement.

3 The issue with the niece was there was -- you know,
4 it was a consensual relationship, as consensual as that
5 can be with somebody who's under age. She was 15 years
6 old. They do have a child together now. And -- but I
7 just want the Court to know there was no force or
8 anything involved. And certainly I don't believe that
9 she wants to see him punished any more than has been
10 called for by the State.

11 So for all those reasons, Your Honor, we'd ask you
12 to go along with the recommendation.

13 One other thing, you know, they have recommended
14 that it run concurrent with what he is serving. We
15 appeared in front of Judge Pyle on a probation revocation
16 on May 15th of 2009. He had 10 years revoked and then
17 his probation was terminated. Judge Pyle at that time
18 backdated that to his date of arrest which was December
19 16th of 2008. And we would ask the Court to do -- in
20 here to do that same thing.

21 We wanted to try to get the plea done back then.
22 We've had a little issue that we've kind of gone back and
23 forth with that we finally got resolved and that is what
24 allowed us to go forward with the plea today. Otherwise
25 I think we would have done it way back and that would

1 have taken place. But I do want to ask the Court to
2 backdate it back to December the 16th.

3 Thank you, Your Honor.

4 THE COURT: All right. Thank you, Mr. Chambers.
5 Mr. King, anything you want to tell me, sir?

6 MR. KING: I'd just like to apologize to my victims
7 and my family.

8 THE COURT: Victims been notified?

9 MS. TIFFIN: Yes, sir. There is a restitution
10 order, Your Honor, for \$7,900 for victim Carol Burns.

11 THE COURT: I presume the intent of the
12 recommendation was a probationary sentence at the end of
13 the 15?

14 MS. TIFFIN: Yes, sir.

15 THE COURT: For the restitution to be paid?

16 MR. TIFFIN: Yes, sir. We didn't ---

17 MR. CHAMBERS: That's the only way we can pay the
18 restitution, Your Honor. My client would obviously
19 rather not come out and be on probation, but I don't know
20 any other way.

21 THE COURT: Has he got \$7900 today? There's a lot
22 of restitution owed on it.

23 MR. CHAMBERS: Yes, sir.

24 THE COURT: If that's the intent. He's signed
25 wanting to pay it. I don't know how I can enforce it

1 without a probationary sentence.

2 What's the prior record, solicitor?

3 MS. TIFFIN: 1997, receiving stolen goods; 1998,
4 burglary in the second degree times eight, petty larceny,
5 grand larceny times five, receiving stolen goods, forgery
6 times five; 2000, fraud check, burglary second degree,
7 assault and battery, breach of trust.

8 THE COURT: That's what year?

9 MS. TIFFIN: 2000 was the last incident, Your Honor.

10 THE COURT: How much time has he served?

11 MS. TIFFIN: He served two days on one set of petty
12 larceny, 153 days on another set of charges, and then
13 he's been in the Department of Corrections for 57. So
14 that would be a total of 212.

15 THE COURT: But on these charges he served two days
16 and 153 days?

17 MS. TIFFIN: And 57. Oh, well, actually the 57
18 would be the probation revocation. I'm sorry, Judge.
19 You're right. I'm wrong.

20 THE COURT: In other words, I understand he's been
21 in jail since last December, but ---

22 MS. TIFFIN: You're right, 155.

23 THE COURT: On these charges?

24 MS. TIFFIN: Yes, sir.

25 THE COURT: That's December 16th?

1 MR. CHAMBERS: Yes, sir.

2 THE COURT: This is case 2009-GS-23-4059, sentence
3 of the Court is the defendant be committed to the County
4 detention center for 30 days, be given credit for his
5 time served. Case 2008-GS-23-7323, sentence is 30 days
6 to be concurrent, credit for time served 30 days. Case
7 2009-GS-23-4057, the sentence of the Court is the
8 defendant be committed to the State Department of
9 Corrections for a period of 20 years. The sentence
10 effective date to be 12/16/08, concurrent with the
11 previously imposed sentence, and credit for time served.
12 Case 2009-3179, sentence is 15 years. This is to be
13 concurrent. Effective date 12/16/08. Case 2009-4058,
14 sentence is 30 years, provided upon the service of five
15 years the balance is suspended, placed on probation for
16 five years. Condition of the probation to have any
17 substance abuse counseling, random alcohol and drug
18 testing, and pay \$7,900 in restitution. This probation
19 will be PTUP'd upon all conditions being met. The
20 restitution order is signed. Wish you the best, sir.

21 MR. CHAMBERS: Thank you, Your Honor.

22 MR. KING: Thank you, sir.

23 - - -END OF TRANSCRIPT OF RECORD- - -

24

25

C E R T I F I C A T E

I, the undersigned Mary E. DiGirolamo, Official Court Reporter for the Thirteenth 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 Court of General Sessions for Greenville County, South Carolina, on the 14th day of July, 2009.

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

October 5, 2009

Mary DiGirolamo

Mary E. DiGirolamo

Official Court Reporter

STATE OF SOUTH CAROLINA)

County of GREENVILLE)

IN THE COURT OF COMMON PLEAS

KEVIN LINDSEY KING #251185)

Full name and prison number (if any) of Applicant)

v.)

State of South Carolina)

2009-CP-23- 7572

APPLICATION FOR
POST-CONVICTION RELIEF**INSTRUCTIONS B READ CAREFULLY**

In order for this application to receive consideration by the Court, it shall be in writing (legibly handwritten or typewritten), signed by the applicant and verified (notarized), and it shall set forth in concise form the answers to each applicable question. If necessary, applicant may furnish his answer to a particular question on the reverse side of the page or on an additional page. Applicant shall make clear to which question any such continued answer refers.

Since every application must be sworn under oath, any false statement of a material fact therein may serve as the basis of prosecution and conviction for perjury. Applicants should, therefore, exercise care to assure that all answers are true and correct.

If the application is taken in forma pauperis, it shall include an affidavit (attached at the back of the form) setting forth information which establishes that applicant will be unable to pay the fees and costs of the proceedings. When the application is completed, the original shall be mailed to the Clerk of Court for the County in which the applicant was convicted.

1. Place of detention Kirkland Correctional Institution -
4344 BROAD RIVER ROAD - Columbia, S.C. 29210
2. Name and location of Court which imposed sentence Greenville Court of
General Sessions - 305 EAST NORTH STREET Greenville, S.C. 29601
3. Name(s) of co-defendant(s) (if any) NONE
4. The indictment number or numbers (if known) upon which and the offenses for which sentence was imposed:
(a) 2009 GS2304057 - First Degree Burglary

- (b) _____
- (c) _____
5. The date upon which sentence was imposed and the terms of the sentence:
- (a) July 14, 2009, I was sentenced to 15 years, it also
~~(X)~~ states that in my transcript, however the sentence
~~(X)~~ sheet say 20 years, and therefore the reason for this P.G.R.
6. Check whether a finding of guilty was made:
- (a) after a plea of guilty ✓ - I Plead Guilty
- (b) after a plea of not guilty _____
- (c) after a plea of nolo contendere _____
7. Did you appeal from the judgment of conviction or the imposition of sentence?
NO
8. If you answered Ayes@ to (7), list:
- (a) the name of each Court to which you appealed:
- i. NONE
- ii. NONE
- iii. NONE
- (b) the result in each such Court to which you appealed:
- i. NONE
- ii. NONE
- iii. NONE
- (c) the date of each such result:
- i. NONE
- ii. NONE
- iii. NONE
- (d) if known, citations of any written opinion or orders entered pursuant to such results:
- i. NONE
- ii. NONE
- iii. NONE
9. If you answered Ano@ to (7), state your reasons for not so appealing:
- (a) Because I was told by Judge Welmaker, I had -

- ~~(X)~~ 15 years, my Transcript Also says it, my Lawyer Also told
~~(X)~~ me 15 years, Therefore I did not know a mistake had been made.

10. State concisely the grounds on which you base your allegation that you are being held in custody unlawfully:

- (a) I was sentenced in Court by Judge Wel Maker to
~~(X)~~ 15 Years, however my Sentence Sheet states
~~(X)~~ 20 years, but 20 years was not my sentence, so S.C. says

11. State concisely and in the same order the facts which support each of the grounds set out in (10):

- (a) The Judge stated 15 years, my lawyer told me 15 years,
~~(X)~~ The Prosecutor said 15 years, and my Transcript also
~~(X)~~ states 15 years.

12. Prior to this application have you filed with respect to this conviction:

- (a) any petition in a State Court under South Carolina Law? NO
 (b) any petition in State or Federal Courts for habeas corpus or post-convictions relief? NO
 (c) any petition in the United States Supreme Court for certiorari other than petitions, if any, already specified in (8)? NO
 (d) any other petitions, motions or applications in this or any other Court? NO

13. If you answered Ayes@ to any part of (12), list with respect to each petition, motion or application:

(a) the specific nature thereof:

- i. NONE
 ii. NONE
 iii. NONE
 iv. NONE

(b) the name and location of the Court in which each was filed:

- i. NONE
 ii. NONE
 iii. NONE

- Continued From Question 9 -

23
pg 3

- Until, S.C.D.C. told me I had a Twenty year Sentence,
At that time I received my Sentence Sheets, and Transcript
in Formation, and seen a big mistake had been made,
my Transcript even states 15 years.

iv. NONE

(c) the disposition thereof:

i. NONE
ii. NONE
iii. NONE
iv. NONE

(d) the date of each such disposition:

i. NONE
ii. NONE
iii. NONE
iv. NONE

(e) if known, citations of any written opinions or orders entered pursuant to each such disposition:

i. NONE
ii. NONE
iii. NONE
iv. NONE

14. Has any ground set forth in (10) been previously presented to this or any other Court, State or Federal, in any petition, motion or application which you have filed?

NO, they have not.

15. If you answered "yes" to (14) identify:

(a) which grounds have been presented:

i. NONE
ii. NONE
iii. NONE

(b) the proceedings in which each ground was raised:

i. NONE
ii. NONE
iii. NONE

16. If any ground set forth in (10) has not previously been presented to any Court, State or Federal, set forth the ground and state concisely the reasons why such ground has not previously been presented:

(a) I WAS Sentenced in Court to 15 years by Judge
~~(a)~~ Welmaker, my lawyer told me I also had 15 years,
~~(a)~~ and the prosecutor told me I had 15 years, However → ?

17. Were you represented by an attorney at any time during the course of:

(a) your arraignment and plea? Yes
 (b) your trial, if any? NO
 (c) your sentencing? Yes
 (d) your appeal, if any, from the judgment of conviction or the imposition of sentence? NO
 (e) preparation, presentation or consideration of any petitions, motions or applications with respect to this conviction, which you filed? NO

18. If you answered Ayes@ to one or more parts of (17), list:

- (a) the name and address of each attorney who represented you:

i. RANDY CHAMBERS - S.C. BAR # 65302
Office of Public Defender
~~x~~ 305 EAST NORT STREET (RM 123)
Greenville, S.C. 29601

iii. _____

- (b) the proceedings at which each such attorney represented you:

i. When I plead Guilty, and at the same time I
was being Sentenced.

ii. _____

iii. _____

Continued From Question 16 -

33 days later S.C.D.C. tells me I have 20 years. I request to talk to my lawyer, he tells me, and my parents I only have 15 years, my lawyer's investigator also tells my parents "I have 15 years, that it's in my transcript, and that S.C.D.C. has made a mistake", for me to get my sentence sheets, which states 15 years. However, once I receive my sentence sheet, it states 20 years. My appeal time has run out, therefore the reason I filed this post conviction relief.

19. State clearly the relief you seek in filing this application:

I ask That my sentence be corrected, and I be sentenced to the 15 years, the Judge sentenced me to, and the 20 years on my sentence sheet be terminated, and that my sentence be

20. Are you now under sentence from any other court that you have not challenged? → continue on

NO, I'm not under sentence from any other court.

Revised 3/2003

STATE OF SOUTH CAROLINA)

County of Lexington)

VERIFICATION

I, Kevin Lindsey King #251185, being duly sworn upon my oath, depose and say that I have subscribed to the foregoing application; that I know the contents thereof; that it includes every ground known to me for vacating, setting aside or correcting the conviction and sentence attacked in this application; and that the matters and allegations therein set forth are true.

Kevin L. King #251185

SWORN to and subscribed before me this 25 day of August, 2009.

Heidi Bond (L.S.)
Notary Public

My Commission Expires November 8, 2017
My Commission Expires: _____

- Continued From Question 19

pg 6

OR IF it can not be corrected, that I be able to withdraw my plea on the First Degree Burglary, and also if deemed necessary, Any other Relief granted by the Court.

**APPLICATION TO PROCEED WITHOUT PAYMENT
OF COSTS AND AFFIDAVIT
IN SUPPORT THEREOF**

I, Kevin Lindsey King #251185, hereby apply for leave to proceed in this action without prepayment of fees or costs or security therefor. In support of my application I declare under penalty of perjury that the following facts are true:

- (1) I am the applicant in this action and I believe I am entitled to redress.
- (2) Because of my poverty I am unable to pay the costs of said proceeding or give security thereof.

Kevin L. King #251185
Applicant

SWORN or affirmed to and subscribed before me this

25 day of August, 2009.

Heidi Brooks
Notary Public

My Commission Expires: My Commission Expires November 8, 2017

STATE OF SOUTH CAROLINA
COUNTY OF GREENVILLE

Kevin Lindsey King, #251185
Applicant

V.

STATE OF SOUTH CAROLINA

IN THE COURT OF COMMON PLEAS

C.A. No. 2009-CP-23-7572

"AMENDMENT"

Comes now the Applicant, Kevin Lindsey King #251185, in Case number 2009-CP-23-7572, submits this Amendment, and hereby Amends Questions number 4, 5, 9, 10, 11, 16, and 19, - OF HIS POST CONVICTION RELIEF APPLICATION - 2009-CP-23-7572.

Pursuant to the SOUTH CAROLINA Rules of Court-STATE, and any and all Rules Concerning this matter, I hereby asks That the Following Amendments be made:

Question 4 asks "The indictment number or numbers (if known) upon which and the offenses for which sentence was imposed"

Question 4 Currently has one answer, which is: (A) 2009-GS 2304057 - First Degree Burglary. I would like to Amend Question Four, to add (b) SAFE CRACKING - 2009 GS 2304058, and also (C) Criminal Sexual Conduct - Second degree - 2009 GS 2303179. Therefore, the Answers to Question Four should now Read:

- (a) 2009 GS-2304057-First degree Burglary
- (b) 2009 GS 2304058 SAFE CRACKING
- (c) 2009 GS 2303179 Criminal Sexual Conduct - Second degree

Question 5 asks: "The date upon which Sentence was imposed and the Terms of the Sentence."

I would like the Current answer to completely be Stricken and erased From Question 5, and be replaced, and the following answer be added as the answer to Question 5 as follows: -

- (a) July 14, 2009 - First degree Burglary, 20 Years Sentence
 - (b) July 14, 2009 - Safe Cracking, 30 years provided upon Service of 5 years, with the balance Suspended to 5 years probation, and \$7,900.00 in Restitution.
 - (c) July 14, 2009 - Criminal Sexual Conduct - Second degree, 15 year Sentence.
- (a), (b), and (c) were Run Concurrent with each other, and back dated - to December 16, 2008.

Question 9 States: "If you answered No to (17), State your Reasons For not So appealing."

I would like the Current answer to completely be Stricken and erased From Question 9, and be replaced, and the following answer be added as the answer to Question 9 as follows:

- (a) Due to my ignorance of the Law
- (b) My Lawyer instructed me, that if the Judge did not go with the agreement of 15 years, I could withdraw my plea, then my Lawyer told me before I went in the Court room, that he had spoken with the Judge, and the Judge said he would let me withdraw my plea if he decided not to go with the Recommendation, I instructed my Lawyer that, if the Judge was not going with the Recommendation, then I did want him to withdraw my plea, and I would go to trial. Once in the Court room the Judge asked for and Bench Conference, after the Conference, my Lawyer told me that the Judge was going with the Recommendation. After I was sentenced, my Lawyer explained to me, I only had a 15 year Sentence, which I would have to serve 85% of the 15 years, and my Lawyer and his investigator also told my mother and Father, I only had a 15 year Sentence. - Continue answer on Page 3 -

- Continue From Question 9 Answer: → So it was once South-Carolina department of Corrections, told me I had a 20 year Sentence, and I received my Transcript, I realized my Lawyer had misled me and my Family, and had told us a lie, and in Fact I had a 20 year Sentence, that I realized that the deal my Lawyer promised and we agreed upon in order for me not to go to trial, but to plea Guilty, was not honored, and I Filed a Post Conviction Relief Application Form immediately.

(C) When South Carolina Department of Corrections told me 20 year Sentence, my mother and Father spoke with my Lawyer and his investigator, and told them what S.C.D.C. had told me, and my 10 days to appeal was about up, my Lawyer and his investigator told my mother and Father, that I did not need to appeal, that I only had 15 years, that in Fact S.C.D.C. makes mistakes all the time, for me to get my Sentence sheets, and it would be fixed to 15 years, however that was not the Case. I then Filed For Post Conviction Relief, and wrote the Judge.

Question 10 asks: "State Concisely the grounds on which you base your allegations that you are being held in Custody unlawfully:"

I would like the Current answer to completely be stricken and erased From Question 10, and be replaced, and the Following answer be added as the answer to Question 10 as Follows:

(a) I would have went to trial on these Charges, but plead Guilty on the misadvice From my Lawyer, in which he gave me misadvice on what he told me was a plea agreement, and misadvice as to the Sentence I was given,

(b) I was promised by INV. Tracey King*198, that if I gave him a Statement Concerning the Guns in the First degree Burglary, and it was true, that the First degree Burglary would be reduced to a 2nd degree Burglary (second degree Burglary).

- Continue answer to #10 on Page 4 -

Page 3 of 8 Pages

- Continue From Page 3, Question #10 answer:

- (C) My Lawyer told me that the Criminal Sexual Conduct-Second degree had been indicted, and he read me the indictment, and informed me the evidence was strong against me for them to have indicted me for it.
- (D) I received 5 years probation also on the of Safe Cracking, however my lawyer guaranteed me by pleading Guilty, and not going to trial, I would receive only 15 years 85%, once I completed 85% of 15 years, I would completely be done. My lawyer clearly misled me, and clearly gave me false advice.
- (E) Ineffective assistance Counsel, for all the reasons listed in answers (A), (B), (C) and (D) in question 10, and also by my lawyer stating "He had reviewed all the evidence in my cases, when in fact, he had not, he had not even received all the evidence, and my mental health issues were never looked into, when brought to my lawyers attention.
- (F) Also, my Transcript, had things such as sentences, answers, and words, left out, and misplaced.
- (G) And any other grounds deemed necessary by this Honorable Court.

Question 11 asks "State Concisely and in the same order the facts which support each of the grounds set out in (10)."

I would like the current answer to completely be stricken and erased from question 11; and be replaced, and the following answer be added as the answer to question 11 as follows:

- (a) On May 15, 2009, my lawyer states in court at my probation revocation hearing when these charges were brought up that "We certainly plan to go to trial, at no point are we going to enter a plea on that" that is in the transcript. I was brought to court seven weeks before July 14, 2009, were I refused to plea guilty.

- Continue Answer on Page 5 -

Page 4 of 8 pages

-Continue From Page 4, Question 11 answer: I also informed my mother and Farther and Lawyer I was going to trial, But my Lawyer Garenteed me, and my Family that if I would plead Guilty on all my Charges and not go to trial, that I would only receive 15 years at 85%, Nothing else on all Charges. He also garenteed me if the Judge would not go with our agreement, that I could withdraw my Plea. After the bench Conference was Held, my Lawyer told me the Judge agreed to the States Recomendation, and after I was Sentenceg he told me and my Family I only had a 15 year Sentence, and would only have to Serve 85% of it, the 15 years. My understanding during all negotiations, was no matter what, if I plead Guilty, I would only receive 15 years, and I would only serve 85% of the 15 years. I Also have several Documents to verify this as well.

(B) My Farther, Lindsey King was present when Inv. King told me that if I gave him a State ment, and it was true, that I did not take any Guns, that the First degree Burglary would be reduced to a Second degree Burglary. Inv. King Verified I told the truth, and told my Farther he had tried to Contact the Solicitor and my lawyer, and that he would verify he Promised me this agreement, and if he was Supleonad, he would Come to Court and verify this. My Lawyer, and his investigator was aware of this, and did nothing about it. Also, I recently discovered my Lawyer Could have got this Statement Stricken, being I was promised some thing, but my Lawyer never even looked into it. I also have documents to verify this as well.

(C) My Lawyer read a Document to me that said indictment on it, and informed me, I had been indicted. I have the Documents he read me, and also he states in the transcript when the Criminal-Sexual Conduct-Second degree was Read, "Those were indicted," weren't they Barbara?, "I thought all these were indicted." MS. Tiffen made a Comment, however her Comment For some Reason was left out.

-Continue Answers From Question #11 on Page 6- Page 5 of 8 Pages

- Continue From Page 5, question 11 answers:

(D) In the Transcript, the solicitor states 15 years on all Charges, and my lawyer promised 15 years on all Charges, then as you see in the Transcript, the solicitor and my lawyer was already in agreement, and had intentions of me receiving probation, which was clearly not part of the agreement that my lawyer promised and guaranteed me that I would receive if I plead Guilty, and did not go to trial.

(E) Due to all the Facts listed in (a), (b), (c), and (D) of question 11, and by Documents and Records I have to present at my hearing.

(F) My Testimony, and My Lawyers testimony, and what was told to my parents from my lawyer, and his investigator, and also the Transcript its self.

(G) And any other Facts that support the Grounds deemed necessary by this Honorable Court.

Question 16 asks "If any ground set fourth in (10) has not previously been presented to any Court, State or Federal, set forth the ground and state concisely the reasons why such ground has not previously been presented."

I would like the current answer to completely be stricken and erased from Question 16, and be replaced, and the following answer be added as the answer to Question 16 as follows:

(a) Every Ground in Question 10 which is labled (a), (b), (c), (d), (e), (F), and (G), has never been presented to any Court, State or Federal, and the reasons why are, my lawyer misled me and my parents to believe I only had 15 years, and had to serve 85% of the 15 years, and told me and my parents that the 10 days to appeal was not necessary, because the Department of Corrections made the mistake, that I only had a 15 year sentence.

- Continue answer on Page 7 - Page 6 of 8 Pages

- Continue From Page 6, Question 16 answer: - Therefore, I did not appeal due to my Lawyer and his investigators misleading, wrong advice, and also due to my ignorance of the Law while my lawyer misrepresented me, and I have plenty of documentation to verify this as well.

Question 19 states "State Clearly the relief you seek in Filing this application:

I would like the current answer to completely be stricken and erased From Question 19, and be replaced, and the following answer be added as the answer to Question 19 as follows:

(a) I ask that on Case(s) #2009 GS2304057-First degree Burglary, and 2009 GS2304058-Safe Cracking, and 2009 GS2303179-Criminal Sexual Conduct-Second degree, that I be able to withdraw my plea of Guilty on these cases, and these sentences be reversed and remanded to the Circuit Court For a new Trial, and also and any other relief deemed necessary by this Honorable Court.

I respectfully submit this amendment, and ask that these changes to Case Number: 2009-CP-23-7572 be made.

January 27, 2011

Respectfully Submitted,
Kevin L. King
 Kevin L. King

Kevin L. King # 251185
 K.C.I.-D-23
 4344 Broad River Road
 Columbia, S.C. 29210

STATE OF SOUTH CAROLINA }
 COUNTY OF LEXINGTON }
 }

VERIFICATION

I, Kevin Lindsey King #251185, being duly sworn upon my Oath, depose and say that I have subscribed to the following Amendment; that I know the contents thereof; that it includes every ground known to me for vacating, setting aside or correcting the conviction and sentence attacked in this Amendment; and that the matters and allegations therein set forth are true.

Kevin L. King #251185

Sworn to and subscribed before me this 27th day of -
 - January, 2011.

L. G. Cawley (L.S.)
 Notary Public

My Commission Expires: 10/18/2014

STATE OF SOUTH CAROLINA
COUNTY OF Greenville

Kevin Lindsey King #251185
Applicant,

VS.

STATE OF SOUTH CAROLINA
Respondent.

IN THE COURT OF Common Pleas
2009-CP-23-7572

AFFIDAVIT OF SERVICE BY MAIL

1. I am the Applicant in the above-captioned action,
2. Regular Communication by mail exists through out the State of South Carolina and that this is a proper Circumstance of service by mail.
3. I have this day served a copy of the Amendment in the above-captioned matter on the following person by depositing same in the United States mail, postage prepaid:

KAREN C. RATIGAN
Assistant Attorney General
P.O. Box 11549
Columbia, S.C. 29211

Dated this 27th day of January, 2011

Kevin L. King #251185
Kevin L. King #251185
Applicant

STATE OF SOUTH CAROLINA	)	IN THE COURT OF COMMON PLEAS
	)	C.A. No. 2009-CP-23-7572
COUNTY OF GREENVILLE	)	
	)	
Kevin Lindsey King,	)	
S.C.D.C. No. 251185,	)	
	)	
Applicant,	)	
	)	RETURN
v.	)	
	)	
State of South Carolina,	)	
	)	
Respondent.	)	
	)	

In response to the post-conviction relief application filed September 2, 2009, the Respondent would show this Court:

I.

The Applicant is incarcerated with the South Carolina Department of Corrections pursuant to the Greenville County Clerk of Court's orders of commitment. The Greenville County Grand Jury indicted the Applicant at the May 2009 term of General Sessions for first-degree burglary (2009-GS-23-4057), safecracking (2009-GS-23-4058), and petit larceny (2009-GS-23-4059). The Applicant also waived presentment to the grand jury on charges of petit larceny (2008-GS-23-7323) and second-degree criminal sexual conduct (CSC) with a minor (2009-GS-23-3179). Randall L. Chambers, Esquire represented the Applicant.

On July 14, 2009, the Applicant pled guilty.¹ The Honorable G. Edward Welmaker sentenced the Applicant to concurrent terms of twenty (20) years for first-degree burglary, thirty (30) years suspended on the service of five (5) years and five (5) years probation for

¹ The State not prossed indictments for two (2) counts of second-degree burglary (2008-GS-23-7324, 2009-GS-23-4056), incest (2009-GS-23-3180), and grand larceny (2009-GS-23-4060).

safecracking, thirty (30) days for each count of petit larceny, and fifteen (15) years for second-degree CSC with a minor. The Applicant did not appeal.

Attached herewith and incorporated herein by reference are the records of the Greenville County Clerk of Court regarding the subject convictions, the Applicant's records from the South Carolina Department of Corrections, and the guilty plea transcript.

II.

In his application for post-conviction relief² the Applicant alleges he is being held in custody unlawfully for the following reason:

1. "I was sentenced in Court by Judge Welmaker to 15 years, however my sentence sheet states 20 years, but 20 years was not my sentence, so S.C.D.C. says 20 – until, S.C.D.C. told me I had a Twenty year sentence, at that time I received my sentence sheets, and Transcript information, and seen a big mistake had been made, my Transcript even states 15 years."

III.

The Respondent interprets the Applicant's allegations to be that plea counsel failed to ensure he received the proper sentence. The Respondent notes the sentence for each charge that is noted in the plea transcript matches that entered on the sentencing sheet. Regardless, the Respondent submits the Applicant's attorney rendered effective assistance well within the standard of "reasonableness within professional norms" for a criminal defense attorney.

Where ineffective assistance of counsel is alleged as a ground for relief, the Applicant must prove that "counsel's conduct so undermined the proper functioning of the adversarial process that the trial cannot be relied on as having produced a just result." Strickland v.

² The only indictment the Applicant lists in the application is the first-degree burglary indictment (2009-GS-23-4057). The Respondent, therefore, assumes the Applicant's allegation is related to this indictment.

Washington, 466 U.S. 668, 686, 104 S. Ct. 2052, 2064 (1984); Butler v. State, 286 S.C. 441, 442, 334 S.E.2d 813, 814 (1985).

The proper measure of performance is whether the attorney provided representation within the range of competence required in criminal cases. The courts presume counsel “rendered adequate assistance and made all significant decisions in the exercise of reasonable professional judgment.” Strickland, 466 U.S. at 690, 104 S. Ct. at 2066. The Applicant must overcome this presumption in order to receive relief. See Cherry v. State, 300 S.C. 115, 118, 386 S.E.2d 624, 625 (1989).

A two-pronged test is used in evaluating allegations of ineffective assistance of counsel. First, the applicant must prove counsel’s performance was deficient. Under this prong, attorney performance is measured by its “reasonableness under prevailing professional norms.” Cherry v. State, 300 S.C. at 117, 386 S.E.2d at 625 (quoting Strickland, 466 U.S. at 688, 104 S. Ct. at 2065). Second, counsel’s deficient performance must have prejudiced the Applicant such that “there is a reasonable probability that, but for counsel’s unprofessional errors, the result of the proceeding would have been different.” Cherry, 300 S.C. at 117-18, 386 S.E.2d at 625. “A reasonable probability is a probability sufficient to undermine confidence in the outcome of trial.” Johnson v. State, 325 S.C. 182, 186, 480 S.E.2d 733, 735 (1997) (citing Strickland v. Washington, 466 U.S. 668, 104 S. Ct. 2052 (1984)).

The Respondent submits the Applicant cannot satisfy either requirement of the Strickland v. Washington test. However, the allegation of ineffective assistance of counsel probably raises questions of fact that cannot be conclusively refuted by the record. The Respondent requests an evidentiary hearing to fully resolve this issue. See Sharper v. State, 279 S.C. 264, 265, 305

S.E.2d 247, 248 (1983) (citing Norman v. State, 276 S.C. 278, 277 S.E.2d 707 (1981)).

IV.

The Respondent denies each allegation not expressly admitted, qualified or explained.

V.

WHEREFORE, having made its Return, the Respondent requests that a hearing be held and counsel appointed to represent the Applicant.

Respectfully submitted,

HENRY DARGAN McMASTER
Attorney General

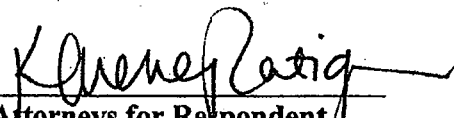
JOHN W. McINTOSH
Chief Deputy Attorney General

SALLEY W. ELLIOTT
Assistant Deputy Attorney General

KAREN C. RATIGAN
Assistant Attorney General

P.O. Box 11549
Columbia, S.C. 29211

By:


Attorneys for Respondent

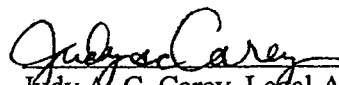
November 24, 2009

STATE OF SOUTH CAROLINA	)	
	)	IN THE COURT OF COMMON PLEAS
COUNTY OF GREENVILLE	)	
	)	
	)	2009-CP-23-7572
	)	
KEVIN LINDSEY KING, 251185	)	
	)	
Applicant,	)	
	)	
vs	)	AFFIDAVIT OF SERVICE BY MAIL
	)	
STATE OF SOUTH CAROLINA,	)	
	)	
Respondent.	)	

1. I am an employee of the Respondent in the above-captioned action.
2. Regular communication by mail exists throughout the State of South Carolina and that this is a proper circumstance of service by mail.
3. I have this day served a copy of the **Return** in the above-captioned matter on the following person by depositing same in the United States mail, postage prepaid:

**Kevin Lindsey King, 251185
Kirkland Correctional Institution
4344 Broad River Road
Columbia SC 29210**

DATED this 24th day of November, 2009.


Judy A. C. Carey, Legal Assistant
For Respondent

STATE OF SOUTH CAROLINA	)	COURT OF COMMON PLEAS
	)	
COUNTY OF GREENVILLE	)	Case No(s) : 2009CP2307572
	)	
Kevin King,	)	
	)	
Applicant,	)	
	)	
-VS-	)	TRANSCRIPT OF RECORD
	)	
State of South Carolina,	)	
	)	
Respondent.	)	

April 3, 2012
Greenville, South Carolina

B E F O R E:

HONORABLE EDWARD W. MILLER, Judge.

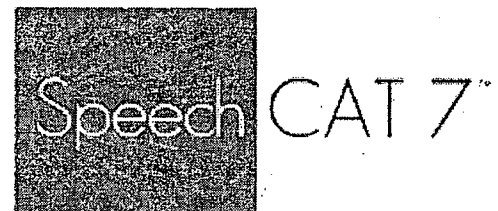
A P P E A R A N C E S:

KAREN RATIGAN, Esquire
Attorney for the State

RODNEY RICHEY, Esquire
Attorney for the Applicant

Teresa B. Johnson
Certified Verbatim Reporter
P.O. Box 2812
Greenville, S.C. 29602

Records are
taken and
produced via



I N D E X

	<u>DIRECT</u>	<u>CROSS</u>	<u>REDIRECT</u>	<u>RECROSS</u>
Motions	4			
Applicant'S witnesses:				
Kevin King				
by Mr. Richey	5			
by Ms. Ratigan		13		
Randall Chambers				
by Mr. Richey	19			
by Ms. Ratigan		21		
Lindsey King				
by Mr. Richey	27			
by Ms. Ratigan		29		
Beverly King				
by Mr. Richey	30			
by Ms. Ratigan		32		
Tracy Burkett				
by Mr. Richey	33			
Ruling of the Court	36			
Certificate of Reporter	38			

EXHIBITS PAGENO.DESCRIPTIONID EV

APPLICANT EXHIBITS

(No exhibits offered.)

RESPONDENT EXHIBITS

(No exhibits offered.)

COURT EXHIBITS

(No exhibits offered.)

P R O C E E D I N G S

(WHEREUPON, the proceedings begin on the 3rd day of April, 2012 at approximately 11:05 a.m.)

MS. RATIGAN: May it please the Court, Your Honor. This is the case of Kevin Lindsey King versus the State of South Carolina. The docket number is 2009-CP-23-7572. Mr. King was indicted for first degree Burglary, Safecracking and Petit Larceny. He also waived presentment on charges of Petit Larceny and second degree Criminal Sexual Conduct with a minor. He was represented on all these charges by Mr. Chambers.

On July 14th, 2009, Mr. King pled guilty. I would note it's mentioned on the return the State nolle prossed appears to be four indictments in exchange for that guilty plea. Judge Welmaker sentenced Mr. King to concurrent terms of 20 years for first degree Burglary, 30 years suspended on the service of five years and five years probation for Safecracking, 30 days for each of the Petit Larceny counts and 15 years for second degree CSC with a minor. Mr. King did not file an appeal. The State is ready to proceed.

THE COURT: Okay.

MR. RICHEY: We'll call Mr. King.

1 **THE CLERK:** Please place your left hand on
2 the Bible and raise your right hand.

3 **KEVIN KING**
4 having first been sworn, testifies as follows:

5 **THE CLERK:** Thank you. Please state your
6 full name for the record.

7 **THE WITNESS:** Kevin Lindsey King.

8 **THE CLERK:** Thank you. You may be seated.

9 **DIRECT EXAMINATION**

10 **BY MR. RICHEY:**

11 **Q** Mr. King, you are currently in the Department
12 of Corrections, is that correct?

13 **A** Yes, sir.

14 **Q** And where are you at? Which one?

15 **A** Kirkland Correctional Institution.

16 **Q** And what are you in jail for?

17 **A** What? The charge?

18 **Q** Yes, sir.

19 **A** First degree Burglary, Safecracking, Criminal
20 Sexual Conduct.

21 **Q** Okay. And you filed this application for post-
22 conviction relief because you feel that Mr. Chambers did
23 not effectively represent you, correct?

24 **A** Yes, sir.

25 **Q** And on this PCR, there are issues to deal with

1 the charges like the sexual -- criminal -- CSC. Are you
2 contesting that charge?

3 A Yes, sir. I'm contesting that and the first
4 degree Burglary.

5 Q All right.

6 THE COURT: What do you mean, contesting?

7 MR. RICHEY: Well, we've got charges that --
8 does he want relief on that charge. I guess that's
9 a better way to phrase it.

10 THE COURT: All right.

11 BY MR. RICHEY:

12 Q You are asking the Court to give you a new
13 trial on that charge as well as the other charge?

14 A Yes, sir. On Criminal Sexual Conduct, first
15 degree Burglary.

16 Q Okay. All right. And you believe that -- when
17 you pled, you had conversations with Mr. Chambers, is
18 that correct, about what your potential sentence would
19 be?

20 A Yes, sir. The morning I went to court, yes,
21 sir.

22 Q Did you believe that you were going to get a
23 15-year sentence on all the charges? Is that your
24 understanding?

25 A Yes, sir. He told me that if Judge Welmaker

1 wouldn't go with the 15-year recommendation, that I could
2 withdraw my plea and that I would go back to Kirkland
3 Correctional Institution and he would bring me up the
4 next month in front of another judge.

5 Q Okay. And you pled and you got more than 15
6 years on one of the charges, correct?

7 A Yes, sir.

8 Q Okay. And were there any other information or
9 any other -- anybody else tell you would receive anything
10 -- that sentence? 15 years. Was there any conversations
11 with anybody else?

12 A Uh, yes, sir. Randy Chambers told my -- no,
13 Tracy, his investigator, told my father that if I would
14 plead guilty, I'd receive 15 years because I had already
15 told him I was going to a jury trial. I got a transcript
16 from my probation hearing a month and a half before I
17 pled guilty to these 20 years that states that my
18 client's going to a jury trial. He brought me up June
19 the 23rd of 2009 and tried to get me to plea guilty on
20 these charges. I refused. I said no. I'm going to a
21 jury trial.

22 The following month, they spoke with my father.
23 When I called my father, he told me that they was
24 guaranteeing me 15 years and I needed to go ahead and
25 take it and this and that. I came to court the next day.

1 Q Okay. So it was your position if you didn't
2 get 15 years, you were going to try each one of these
3 charges, the burglary, the safecracking and the CSC? You
4 were going to have a trial on all of that?

5 A Yes, sir.

6 Q Okay.

7 A Yes, sir.

8 Q It's your position that Mr. Chambers, by his
9 representation to you, that you'd foregone a trial?

10 A Yes, sir. I got a transcript right here from a
11 month and a half before when I was come up for a
12 probation hearing. Mr. Chambers even says in this and I
13 quote -- and I got a copy here that the judge can see.
14 It says as far as the charges that are pending --

15 Q Hold on one second.

16 MR. RICHEY: Can I approach the witness, Your
17 Honor?

18 THE COURT: Yeah.

19 BY MR. RICHEY:

20 Q Go ahead. Now, the transcript said -- go
21 ahead.

22 A Okay. Uh, Mr. Chambers states in front of
23 Judge Pyle, he says, as far as the charges that are
24 pending against him, they are very serious. I have not
25 confirmed this. This is the Solicitor. My understanding

1 is the DNA tests were actually done and the child of the
2 alleged victim in this case is not my client's. He says,
3 at any rate, we certainly plan to go to trial. At no
4 point are we going to enter a plea on that. He has
5 maintained his innocence in that case.

6 Q So you have maintained that you -- that that
7 charge, because it was your lawyer's position it was not
8 your child, you were going to try the case?

9 A During this time, I had a severe mental health
10 case, in which case Senator David Thomas helped me get
11 placed on medication through my probation. I explained
12 to Mr. Chambers that I was in and out during that time.
13 I was using drugs to replace my medication and the whole
14 nine yards. I didn't really remember everything. I was
15 denying that crime, that charge. Okay.

16 So the morning that -- when he finally brought
17 me up here to plead guilty that morning when I agreed to
18 plead guilty, he comes and he talks to me that morning.
19 He reads me the indictment. He says that these charges
20 were indicted, that they had DNA evidence to prove that I
21 was the father of that child. Like I told you at the
22 time, I didn't remember none of that. So I just went
23 along with them. My lawyer's telling me DNA evidence.
24 At that time, I was going through a lot of things. I
25 didn't really remember what was going on.

1 Then, once we get in front of the judge, they
2 start reading off the indictments and all that. Then it
3 comes to a time when they say Criminal Sexual Conduct and
4 he waived it. At that time, me and Mr. Chambers started
5 having words right then. He says, and it's in the
6 transcript, he says, Barbara, I thought all those charges
7 were indicted. You told me they was indicted. So that
8 time I turned around and started kind of, not arguing,
9 but asked Mr. Chambers what's going on.

10 Judge Welmaker calls him up to the bench. They
11 have a conference and he comes back. He tells me, he
12 says, listen, you know, he's going to go with the 15-year
13 recommendation. If you plead guilty, he's going to give
14 you the 15-year recommendation.

15 I asked him again. He said they had DNA
16 evidence concerning that child anyway. He said I made a
17 mistake. At that time, I'm wondering what all is going
18 on anyway. Then after all this happens and I get back to
19 Kirkland and I see how much time I've got and I get my
20 parents to come because first they told my mama I only
21 had 15 years. That's what Randy Chambers told me when I
22 was leaving the courtroom. I was upset about the
23 probation situation. They told me if I plead guilty, it
24 would be 15 years, no probation and nothing else.

25 So when I get back, when I talk to Randy

1 Chambers -- after the court was over with, I talked to
2 Randy Chambers. He told me I have 15 years. He said
3 you'll do 85 percent of 15 years and you come home. I
4 started saying what about the probation situation? You
5 told me there wasn't going to be no probation. So he
6 tells me, he starts explaining it's PTUP, probation
7 terminated upon payment and all this and that. Right?

8 So when I get home, I call my family. And my
9 family tells me I heard you got 20 years. I said, no, I
10 didn't get 20 years. I got 15 years. So my mother called
11 Tracy, Mr. Chambers' investigator. She told my mother
12 that she had made a mistake. There was some kind of scan
13 sheet or some kind of sheet that said I have 15 years.

14 I told my mother to call Randy Chambers because
15 I only had about five or six more days to appeal this for
16 my direct appeal. My mother called Randy Chambers. He
17 told her no, that I only had 15 years. So that's why I
18 didn't appeal. About 20 days later, SCDC tells me no,
19 you've got 20 years. At that time, I wrote -- got my
20 mother to call and wrote Mr. Chambers and everything.

21 He sent me this letter right here where he was
22 looking into the -- he was investigating my case. And as
23 soon as he found out something, he would get back to me
24 on it. That's when I started asking, uh, requesting
25 information and found out that there was actually no DNA

1 test ever done on the girl in question. There was no DNA
2 test done even after he lied to me and told me DNA test
3 come back and verified it was mine. There was none ever
4 done. He never even received any information or any
5 discovery material whatsoever on the Criminal Sexual
6 Conduct. I got a statement right here from Mr. Chambers
7 and everything he had in record.

8 He never, not one time, even admitted or even
9 investigated the situation as far as my mental health
10 status. He got a letter from David Thomas telling him
11 that he could contact him anything considering my mental
12 health. He states in that same probation thing that I
13 sent you, on page 4, he says he is being treated as a
14 mental health patient. He has been diagnosed with
15 bipolar disorder and schizophrenia, all of which lead him
16 to have a drug problem, all of which lead to some of
17 these convictions. Okay. He says out of his own mouth
18 there that he felt that I had a mental health problem
19 that lead to these crimes.

20 Investigator Tracy King is the one that got me
21 put in mental health and requested it, uh, requested me
22 get an evaluation. I got a letter right here from the
23 doctor that was treating me in Greenville County
24 Detention Center who tried to get in touch with him
25 concerning my mental health. He never did call or return

1 no calls. He never returned Tracy King's call. He
2 never, not one time, would ask me to sign any kind of
3 forms whatsoever where he could investigate my mental
4 health record that he felt played a part in this. He
5 says that in his own words.

6 Q Are you currently being treated in the
7 department ---

8 A Yes, sir.

9 Q --- of mental health?

10 A Yes, sir. I been treated since I was,
11 uh, --

12 Q So you are saying had Randy Chambers done all
13 this, you would have had a different outcome? You
14 believe you would have went to trial ---

15 A Oh, yes, sir.

16 Q --- and won these case?

17 A Yes, sir. Without a doubt, I do. As of right
18 now, DNA test still has never been done.

19 Q You are saying this is not your child? Is that
20 what you're saying?

21 A Yes, sir.

22 Q Okay. Answer any questions Ms. Ratigan has for
23 you.

24 CROSS-EXAMINATION

25 BY MS. RATIGAN:

1 Q So your testimony is that when you left the
2 courthouse that day, you thought you got 15 years?

3 A Yes, sir. Yes, ma'am.

4 Q You don't recall Judge Welmaker saying on the
5 record he was sentencing 20 years for burglary?

6 A No, ma'am. What he said, what he said, and I'm
7 pretty sure that Investigator Tracy can verify this right
8 here. He didn't call out half indictment numbers. He
9 called out the whole number and the charge. On Criminal
10 Sexual Conduct, he said 20 years. She even told my
11 mother that.

12 And since then, I've wrote back and forth to
13 court reporters trying to get the copy of the transcript
14 to take to my lawyer. She said she couldn't give over no
15 tapes unless she had it ordered by a judge. My lawyer
16 wrote her a letter a couple of weeks ago requesting the
17 transcript tapes. She never did get back on it. I've got
18 letters for over three years for me writing back and
19 forth to Director Rosalyn Frierson to try to get those
20 tapes.

21 Q Slow down a bit.

22 A I'm sorry.

23 Q So what you're saying the transcript is wrong?

24 A Yes, ma'am. I'm saying that there's parts in
25 the transcript that is wrong.

1 Q And your testimony is that Mr. Chambers told
2 you if the judge didn't give you 15 years, that he would
3 withdraw the plea?

4 A Yes, that he would withdraw my plea.

5 Q Do you remember Judge Welmaker telling you that
6 day that he was not bound by that 15-year recommendation?

7 A Yes, ma'am. But at the same time, I thought if
8 he wasn't going to do it, then I could withdraw my plea.
9 When he said that he wasn't bound, then that's what I was
10 depending on. I could withdraw my plea.

11 Q The reason you didn't try and appeal is because
12 it was your understanding that Judge Welmaker gave you 15
13 years on it?

14 A Yes, ma'am. Even in the PCR I filed, if you
15 read the PCR, you can see that I thought I had 15 years.
16 I got a -- I even got a request form in here from SCDC
17 where I wrote them and told them that -- this is right
18 after I went to court -- and told them that they had made
19 a mistake, that I only had 15 years for first degree
20 burglary.

21 Q And your testimony is that you would not have
22 pled guilty to that CSC charge if you knew there was no
23 DNA test?

24 A I wouldn't have pled guilty to none of it.

25 Q So you are saying that you pled guilty to all

1 these charges just on the basis of there being a DNA
2 test?

3 A Yes, ma'am. On -- well, for everything was 15
4 years. When he told me that they had DNA evidence, I
5 thought that they did.

6 Q Even without proof that the child was yours,
7 did Mr. Chambers explain to you you could still be
8 charged with having sex with your niece?

9 A No, sir. No, ma'am. I'm sorry.

10 Q So Mr. Chambers never told you that the act of
11 having sex, whether or not the child was yours, that was
12 enough for the CSC?

13 A No, ma'am. What he told me was when we went in
14 there that morning, he read me an indictment and said
15 they got DNA evidence that this is your child and it had
16 been indicted and everything. And if I went to trial and
17 got found guilty just off finding the DNA evidence alone.

18 Q And your testimony is basically that it's only
19 on looking at all this stuff afterwards that you realized
20 you had problems with Mr. Chambers?

21 A Yes, ma'am. I mean, like I was saying in the
22 PCR, the first PCR I filed in the letters, I believed
23 what he said, the 15 years. These are dated right after
24 this happened, not recently. I honestly believed I had
25 15 years.

1 Q Now, you mentioned something on direct exam
2 about your mental health issues. Is one of your
3 allegations that Mr. Chambers did not look into that?

4 A Yes, ma'am. He never did look into it. After
5 Investigator Tracy King told him about it, after he had a
6 letter from Senator David Thomas talking about it, after
7 my mental health counselor at Greenville Detention Center
8 gave me a letter to give to him and after he admitted at
9 my probation hearing a month and a half that he felt that
10 my mental health played a part in this, he never did, not
11 one time look into it.

12 Q What -- okay. Slow down a bit. What did you
13 want him to look into specifically?

14 A The whole mental -- they was trying to get me a
15 state exam that they couldn't do at Greenville County
16 Detention Center.

17 Q So he knew that you had, uh, -- you were under
18 psychiatric care, but you wanted him to go further and
19 examination it more?

20 A Yes, ma'am. I'm not the only one that wanted
21 him to do that. The Investigator Tracy King did and my
22 mental health counselor at Greenville County Detention
23 Center. He never would return Tracy King's call or their
24 call.

25 MS. RATIGAN: That's all I have, Your Honor.

1 **MR. RICHEY:** No other questions.

2 **THE COURT:** All right. Thank you. You can
3 step down.

4 **MR. RICHEY:** Your Honor, there's a matter
5 that I brought up beforehand. I think the State and
6 I have discussed it. Investigator Tracy King in
7 this case I have under subpoena. Apparently, this
8 is spring break. He had some vacation going on.
9 The State -- my client will agree that the Court
10 will hear the testimony and once the Court hears all
11 the testimony, then you can decide whether that
12 testimony will be necessary.

13 **THE COURT:** Mr. King?

14 **MR. RICHEY:** The investigator. The State
15 originally agreed to do the deposition on the
16 record. My client said he will let you listen.

17 **MS. RATIGAN:** The case has been -- it's
18 actually one of the oldest cases in the county.
19 Caroline Horlbeck had it for a good long bit. She
20 got relieved. We've tried to schedule it. I can't
21 count how many times I brought Mr. Chambers to
22 court. The State's position is let's go ahead and
23 do all the testimony today. And at the close of the
24 case, if the Court believes that Investigator King's
25 testimony is necessary, we'll depose him at that

1 time.

2 **THE COURT:** Oh, Okay.

3 **MR. RICHEY:** We'll call Randy Chambers.

4 **THE CLERK:** Place your left hand on the
5 Bible. Raise your right hand.

6 **RANDY CHAMBERS**

7 having first been sworn, testifies as follows:

8 **THE CLERK:** Thank you. Please state your
9 full name for the record.

10 **THE WITNESS:** Randall Lee Chambers.

11 **DIRECT EXAMINATION**

12 **BY MR. RICHEY:**

13 **Q** Mr. Chambers, do you recall representing Mr.
14 King?

15 **A** I do.

16 **Q** And you heard the charges that were outlined by
17 the Attorney General. Are those the charges that you
18 represented him on?

19 **A** Best I recollect, and just to let you know, I
20 attempted to go back and look at our file, which is
21 maintained by the Public Defender's office. As part of
22 his PCR application, Mr. King requested his file. The
23 Public Defender's office gave him the file. They didn't
24 give him a copy of keep a copy. So what we had is a
25 receipt that they had turned over the file to him. I

1 wasn't able to look at our file. But yeah, as I
2 recollect, those were the charges.

3 Q Okay. And you -- you understand through all
4 this he received 15 years on some and 20 years on the
5 burglary charge. You recall that sentencing of it?

6 A I do.

7 Q And you heard the testimony. Mr. King has
8 testified that had he known that he was not going to get
9 these 15 years, he would not have pled guilty. You
10 recall that?

11 A I recall that there was going to be a
12 recommendation of 15 years. That was one of the primary
13 reasons that he decided to plead guilty. I can't say
14 that he would not have pled guilty were it not for the
15 recommendation of 15 years. But yeah, he certainly had
16 an expectation that there was going to be a
17 recommendation of 15 years and that is, in fact, what the
18 State recommended.

19 Q And he had testified that it was his position
20 that pursuant to a conversation with you if the judge
21 would not give him 15, he would be able to withdraw that
22 guilty plea?

23 A I will tell you that I don't remember the
24 conversation specifically. I will tell you that it is
25 very likely that I told him based on my experience with

1 Judge Welmaker that if he was inclined not to follow the
2 recommendation, that he would -- that it was generally
3 his practice to let the defendant withdraw their guilty
4 plea. That has been my experience with Judge Welmaker.
5 I always condition that with, you know, the judge doesn't
6 have to follow the recommendation. The judge can do
7 anything he wants to. I probably did tell him if the
8 judge was not going to follow the recommendation, that he
9 would allow him to withdraw his plea based on my
10 experience with him.

11 MR. RICHEY: No other questions, Your Honor.

12 MS. RATIGAN: A few quick questions.

13 CROSS-EXAMINATION

14 BY MS. RATIGAN:

15 Q Since the recommendation was 15 years and Mr.
16 King got 20, do you recall why neither you or Mr. King
17 would have made a withdrawal?

18 A No, I mean, I don't know that I would have made
19 a motion to withdraw. If I remember correctly, the judge
20 just went through with the sentencing and didn't give us
21 the opportunity to do that. I will tell you that I --
22 you know, there were several charges. And I was writing
23 down what the sentence was. I wrote down 15 years for
24 everything. I apparently didn't pick up on the fact when
25 I was in court and didn't find out until later that the

1 judge had sentenced him to 20 years on one of the
2 charges.

3 He's correct. When we walked out, he asked me
4 what he got. And again, this is just going from my
5 memory. I believe I told him he got 15 years. When I
6 found out later, I think from a conversation with my
7 investigator at the Public Defender's Office, Tracy, that
8 he had got 20 years on one of the charges, I went back
9 and checked. And that -- apparently what Judge
10 Welmaker's done is he had exercised his discretion and
11 gave him 20 years, I think, on the burglary charge.

12 I went -- we even went, because Tracy and I
13 talked about it, went back to Judge Welmaker and asked
14 Judge Welmaker if that was a mistake, if that's what he
15 meant to do. And he indicated that is, in fact, what he
16 meant to do, he didn't follow the recommendation, and he
17 intended to give the 20-year sentence. So I did follow
18 up because he had -- Kevin King had written me a letter
19 at some point. I told him I was going to investigate it
20 and that's what I did.

21 Q But you had advised Mr. King the judge was not
22 bound to the 15-year recommendation?

23 A Yeah. That's part of the judge's inquiry. He
24 told him that as well. I think at one point -- and
25 again, I wasn't able to look at my file so I don't

1 remember what I wrote. But I think in one of the letters
2 I wrote back to him, I finally indicated to him that it
3 was a legal sentence, what the judge had given him was a
4 legal sentence.

5 Q And you testified on direct that the 15-year
6 recommendation was just one of the reasons that he
7 decided to plea guilty?

8 A Yeah.

9 Q And you were aware that Mr. King was on some
10 psychiatric medication?

11 A Yeah, he was, uh, -- my recollection was that I
12 got the information about that from him. One of the
13 things that I always talk to people about when I go over
14 to the jail is I ask them if they have any physical or
15 mental health issues. Then, whatever they tell me, I
16 write down. It seems to me that he had indicated to me I
17 think he said he had bipolar and some other things and he
18 had been on medication for it. I did raise that. I
19 remember looking at the transcript at the probation
20 hearing. I raised that just in mitigation when I was
21 talking to Judge Pyle to try to get a good result for
22 Kevin King at the probation hearing.

23 One thing that I -- I was talking to Tracy
24 before I came up here to testify. It seems to me -- and
25 I can't verify this again because I don't have the file

1 -- that we actually asked for at one point and made a
2 motion for a competency evaluation to be done and that
3 that was declined by the judge. I can't swear to that.
4 That's what I remember.

5 I will say this. I mean, in my discussions with
6 Mr. King -- and I think it's evident today -- I never had
7 any concerns about his competency. He clearly always
8 understood the process and what was going on. I don't
9 know anything about his mental health issues that I think
10 would have risen to the level of a defense. What I -- my
11 intent in bringing that up in the probation hearing was I
12 see a lot of people who end up with criminal charges who
13 have mental health backgrounds. To me, that's a
14 mitigating factor and is one that I will very often raise
15 at a hearing like that.

16 Q Do you recall whether the State ever did a DNA
17 test on the child?

18 A I don't believe they ever did. Again, I
19 remember -- during the course of my representation, Mr.
20 King filed, I believe, two grievances against me. I
21 attempted to get off of the case because it was clear
22 that he didn't want me to represent him. My motion to be
23 relieved as his counsel was denied and I continued with
24 that representation and did the best that I could.

25 I believe that when I spoke to Judge Pyle and

1 told him that was based on something that I thought that
2 the prosecutor told me that they had DNA evidence. When
3 I told the judge that they had done DNA evidence and it
4 showed that Mr. King wasn't the father, that was wrong.
5 I don't remember any further discussion about DNA
6 evidence.

7 I knew that -- I do know that there was
8 discussion that the alleged victim in this case had
9 actually had the child and that the child was Mr. King's,
10 but I didn't see any DNA evidence that -- I mean, it's
11 possible that I would have said now that the child's been
12 born, they can do DNA evidence and it would prove
13 conclusively. But I don't know if that was ever done or
14 not.

15 Q Did you explain to Mr. King that regardless to
16 whether the child was his that the State could still
17 pursue a CSC charge just for having intercourse with the
18 victim?

19 A I don't know if I said exactly those words.
20 But listen, when I represent somebody, I pursue all of
21 the options. I will just tell you I have never, in
22 practicing law for 23 years, forced anybody to plead
23 guilty to anything. I think that I can probably safely
24 say that I try more cases in Greenville County than any
25 other defense counsel that I know of. I wish I didn't

1 try as many as I do.

2 MS. RATIGAN: That's all I have, Your Honor.

3 THE COURT: Any redirect?

4 MR. RICHEY: None, Your Honor.

5 THE COURT: When did they start sending the
6 original file to the inmate?

7 THE WITNESS: I couldn't tell you, Your
8 Honor. I don't have any control over that. That's
9 something that we do internally at the Public
10 Defender's Office. That's what Tracy told me just a
11 few minutes ago and told me before when I had asked
12 about the file.

13 THE COURT: Send your work product and
14 everything to the inmate?

15 THE WITNESS: Whatever's in there, I assume
16 that's what goes to them, Your Honor. I don't --
17 again, that's not my call.

18 THE COURT: Okay. Well, that's something
19 that needs to be addressed.

20 MR. RICHEY: We'd call Mr. Lindsey King.

21 THE COURT: All right.

22 THE WITNESS: Your Honor, may I be excused?

23 MS. RATIGAN: I have no objection to that,
24 Your Honor.

25 THE COURT: We like having you up here, Mr.

1 Chambers, but yeah, you can go as long as Mr. Richey
2 doesn't object.

3 MR. RICHEY: I don't have -- I have no
4 objection.

5 THE COURT: Okay. All right.

6 THE CLERK: Please place your left hand on
7 the Bible and raise your right hand.

8 LINDSEY KING

9 having first been sworn, testifies as follows:

10 THE CLERK: Please state your full name for
11 the record.

12 THE WITNESS: Lindsey Carl King.

13 THE CLERK: Thank you. You may be seated.

14 DIRECT EXAMINATION

15 BY MR. RICHEY:

16 Q Sir, would you state your name please.

17 A Lindsey Carl King.

18 Q Now, Mr. King, uh, do you know Mr. King that's
19 here for this case today?

20 A Yes.

21 Q And how do you know him?

22 A He's my son.

23 Q And you were involved in this case to some
24 degree, correct?

25 A Well, yeah.

1 Q You got some information. Was it your belief
2 that your son was going to receive a single 15-year
3 sentence?

4 A I was told that if I could talk to him into
5 pleading guilty, that he would get 15 years.

6 Q And who were you told that by?

7 A Tracy.

8 Q And did you later find out that -- did you
9 later find out that that wasn't true?

10 A Yeah, I found out later after he got sentenced
11 to 25 years. But he had been telling me over the phone
12 that he was going to take a jury trial or whatever. But
13 she had called me at home and told me that it was going
14 to court the very next morning and that he was going to
15 be calling me and for me to tell him to take this plea
16 deal or he was going to get a lot of time. I told him.
17 She said he'd only listen to you. So I told him, I said
18 take the plea deal or you going to really be in trouble.
19 So that's what happened. The rest is history, I guess.

20 Q Okay. And that was told to you prior to him
21 pleading?

22 A That was the day before he went to court.

23 Q And that would be one combination of all
24 charges?

25 A Right.

1 Q One sentence on all the charges?

2 A Right.

3 Q Okay. Thank you. Answer any questions the
4 Attorney General has for you.

5 **CROSS-EXAMINATION**

6 **BY MS. RATIGAN:**

7 Q Did your son ever tell you why he decided to
8 plead guilty? Was it just this 15-year recommendation?

9 A That's exactly what he told me.

10 Q Did he ever tell you that he was pleading
11 guilty because the DNA test showed that the baby was his?

12 A No, ma'am. He never said that.

13 **MS. RATIGAN:** That's all I have, Your Honor.

14 **THE WITNESS:** Can I add one thing to that?

15 **BY MS. RATIGAN:**

16 Q That's fine.

17 A The baby is his regardless of whether he denies
18 it or not.

19 **MS. RATIGAN:** I have nothing.

20 **THE COURT:** How do you know that?

21 **THE WITNESS:** How do I know that?

22 **THE COURT:** Yeah.

23 **THE WITNESS:** I know what all happened at
24 that time. And it kind of tees me off that he sits
25 there and says that about the DNA. We raising the

1 child now. I know for a -- I bet my last breath on
2 that.

3 THE COURT: Okay. You don't have any DNA
4 evidence?

5 THE WITNESS: No, I don't need it.

6 MR. RICHEY: Okay. We call Ms. Beverly King.

7 THE CLERK: Please place your left hand on
8 the Bible and raise your right hand.

9 BEVERLY KING

10 having first been sworn, testifies as follows:

11 THE CLERK: Thank you. Please state your
12 name for the record.

13 THE WITNESS: Beverly Elaine King.

14 THE CLERK: Thank you. You may be seated.

15 DIRECT EXAMINATION

16 BY MR. RICHEY:

17 Q Mrs. King, do you know Kevin King?

18 A I do.

19 Q And how do you know him?

20 A I gave birth to him.

21 Q Okay. So he's your son?

22 A Yes.

23 Q You know why we are here, correct?

24 A Yes.

25 Q About the sentence. And do you have any

1 information about him receiving a 15-year sentence?

2 **A** Yes. I knew about if he pleaded guilty, he was
3 supposed to get 15 years. So Tracy called me on the day
4 they went to court. She told me that he got 20 years.
5 When he called that night and I told him, you know, you
6 got 20 years, I'm sorry you got 20 years. He said, no, I
7 got 15. So I called her back and spoke with her. And
8 she said let me check the judge's scan sheet or signature
9 sheet, whatever it is. Then she told me he got 15 years.
10 I said okay.

11 So then it comes up in the computer that he got
12 20 years. So I called her back. I said, look, you told
13 me he got 15 years. By then, it was like 15 or 20 days
14 later. I said you told me he got 15 years, but the
15 computer says 20. So she said let me recheck it. So she
16 looked at it again. She said that he did get 20 years.

17 So then I called Randy Chambers and I said you
18 told him he got 15 years but the computer says 20. I
19 said, can you do -- can't you change it? He said no, he
20 can't do anything about it, that I could come down to the
21 courthouse and pay some money and get some kind of papers
22 and try to get it changed.

23 **Q** You didn't have anything to do with the
24 decision-making process to plead or not plead?

25 **A** No.

1 Q Okay. Thank you. Answer any questions Ms.
2 Ratigan has.

3 **CROSS-EXAMINATION**

4 **BY MS. RATIGAN:**

5 Q So Tracy called you on the day of the plea and
6 said it was 20?

7 A The day of -- he went to court.

8 Q And --

9 A She said she thought I would want to know.

10 Q And so did your son ever tell you he was
11 pleading guilty because of that 15-year recommendation?

12 A Yes, ma'am. He did.

13 Q Did he ever tell you he was pleading guilty
14 because there was a DNA test that showed that the baby
15 was his?

16 A No.

17 **MS. RATIGAN:** That's all I have, Your Honor.

18 **MR. RICHEY:** No other questions.

19 **THE COURT:** Okay.

20 **MR. RICHEY:** Call Ms. Tracy Burkett.

21 **THE CLERK:** Please place your left hand on
22 the Bible and raise your right hand.

23 **TRACY BURKETT**

24 having first been sworn, testifies as follows:

25 **THE CLERK:** Thank you. Please state your

1 full name for the record.

2 THE WITNESS: Tracy Burkett.

3 THE CLERK: Thank you. You may be seated.

4 DIRECT EXAMINATION

5 BY MR. RICHEY:

6 Q Ma'am, where are you employed?

7 A At the Greenville County Public Defender's
8 Office.

9 Q And what do you do there?

10 A I'm an investigator.

11 Q And you recall this case of Kevin King?

12 A Yes.

13 Q And you've heard testimony today from Mr.
14 King's father and mother that they allege that you call
15 them and told him he was going to get a 15-year sentence.

16 A Yes.

17 Q Do you recall that?

18 A Yes.

19 Q And is that what you said?

20 A When -- I didn't speak to his father as much as
21 I did his mother. He called me and says how much time is
22 he looking. I said, well, according to Mr. Chambers,
23 he's looking at a lot of time because of his charges, but
24 they were offering 15 years. And he asked me if I
25 thought he should take. I said, you know, I mean, it's a

1 good recommendation for 15 compared to what he's looking
2 at. And he asked me if I thought he should get his son
3 to take it. We can't force anybody to take anything. So
4 Kevin come to court the next day. He pled guilty and
5 thought that he was getting 15 years.

6 Q Did you assure him -- did you assure his daddy
7 that he was going to get 15 if he took it? Did you tell
8 him in those kind of words if he take it he's going to
9 get 15 years?

10 A No, I told him that they were offering 15, but
11 the judge could do what he wanted.

12 Q Do you believe there's any way he could
13 conceive that was what you meant?

14 A I mean, I always make it clear that it's not a
15 guarantee. It's just what the State offers.

16 Q Thank you. Answer any questions the State has
17 for you.

18 MS. RATIGAN: I have no questions for this
19 witness, Your Honor.

20 THE COURT: All right. Thanks.

21 MR. RICHEY: That's all, Your Honor.

22 THE COURT: Anything from the State?

23 MS. RATIGAN: Your Honor, we just rest on the
24 record and the testimony.

25 THE COURT: I don't see any reason why -- who

1 was the witness you are talking about?

2 **MR. RICHEY:** The police officer. It would be
3 his testimony that he promised him sort of the same
4 thing. He promised 15 years. There was some
5 burglaries out there.

6 **MR. FIELD:** He told me if I gave a statement,
7 first degree would be dropped to a second degree.

8 **MR. RICHEY:** The officer testified that if he
9 gave a statement admitting to the charges, that the
10 burglary first would be dropped to a second. That's
11 the crux of it.

12 **THE COURT:** Well, okay. Do you acknowledge
13 that that would be the testimony of this witness,
14 Ms. Ratigan?

15 **MS. RATIGAN:** I haven't spoken to this
16 witness. But if Mr. Richey, as an officer of the
17 court, says that's what they discussed, I won't
18 dispute it.

19 **THE COURT:** You talked to him?

20 **MR. RICHEY:** No, I subpoenaed him.

21 **THE COURT:** Okay.

22 **MR. RICHEY:** Your Honor, his father was a
23 witness to that conversation. I think his father --
24 I could ask his father a couple of questions if the
25 court would want.

1 **THE COURT:** I don't, uh, -- police officer's
2 not -- he has no authority to do that.

3 **MS. RATIGAN:** Judge, can you give me one
4 second?

5 **THE COURT:** Yeah.

6 (WHEREUPON, there is a pause.)

7 **MS. RATIGAN:** If the Court does need further
8 testimony from Mr. King or his father or Ms.
9 Burkett, there may be some light that could be shed
10 on that issue in terms of keeping the record open if
11 Your Honor would like.

12 **THE COURT:** I don't see any reason to keep
13 the record open. The record is plain on its face.
14 Mr. King was under oath. There's no issue as to his
15 competence and ability to understand what was going
16 on at the plea. The judge was clear on the record
17 that he could give him anything under the law. He
18 did not -- wasn't required to follow the
19 recommendation. That's what he did in his
20 discretion.

21 Sometimes people hear what they want to hear.
22 I think this may be one of those cases. But the
23 record is clear on all of these issues. I don't
24 find that the applicant has carried his burden of
25 proof. I'm going to deny his application.

1 (WHEREUPON, the proceedings conclude at
2 approximately 11:45 a.m.)
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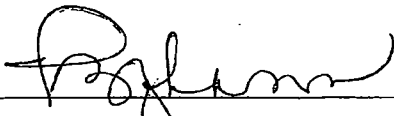
CERTIFICATE

38

STATE OF SOUTH CAROLINA)
)
COUNTY OF GREENVILLE)

I, the undersigned, Teresa B. Johnson, Official Court Reporter for the Thirteenth 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 Court of Common Pleas for Greenville, South Carolina, on this 27th day of August, 2012.

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



Teresa B. Johnson

Circuit Court Reporter

STATE OF SOUTH CAROLINA
 COUNTY OF GREENVILLE
 IN THE COURT OF COMMON PLEAS

JUDGMENT IN A CIVIL CASE

CASE NO: 2009CP2307572

FILED - CLERK OF COURT
 GREENVILLE CO. S.C.
 2012 MAY -8 PM 3:10

Kevin Lindsey King vs. South Carolina State Of

CHECK ONE:

- ☐ **JURY VERDICT.** This action came before the court for a trial by jury. The issues have been tried and a verdict rendered.
- ☐ **DECISION BY THE COURT.** This action came to trial or hearing before the court. The issues have been tried or heard and a decision rendered.
- ☐ **ACTION DISMISSED (CHECK REASON):** ☐ Rule 12(b), SCRPC; ☐ Rule 41(a), SCRPC (Vol. Nonsuit); ☐ Rule 43(k), SCRPC (Settled); ☐ Other: _____
- ☐ **ACTION STRICKEN (CHECK REASON):** ☐ Rule 40(j) SCRPC; ☐ Bankruptcy: ☐ Binding arbitration, subject to right to restore to confirm, vacate or modify arbitration award; ☐ Other: _____
- ☐ **DISPOSITION OF APPEAL TO THE CIRCUIT COURT (CHECK APPLICABLE BOX):**
☐ Affirmed; ☐ Reversed; ☐ Remanded; ☐ Other: _____

NOTE: ATTORNEYS ARE RESPONSIBLE FOR NOTIFYING LOWER COURT, TRIBUNAL, OR ADMINISTRATIVE AGENCY OF THE CIRCUIT COURT RULING IN THIS APPEAL.

IT IS ORDERED AND ADJUDGED: ☐ See attached order; ☐ Statement of Judgment by the Court:

Dated at Greenville, South Carolina, this 8th day of May, 2012.

Court Reporter:

PRESIDING JUDGE: ~~G. Edward Wolmaker~~ Edward Miller

This judgment was entered on the 8th day of May, 2012, and a copy mailed first class this 8th day of May, 2012, to attorneys of record or to parties (when appearing pro se) as follows:

Rodney Wade Richey Richey & Richey, PA P.O.
 Box 10916 Greenville, SC 296030916

ATTORNEY(S) FOR THE PLAINTIFF(S)

Karen Christine Ratigan Attorney Generals Office
 Po Box 11549 Columbia, SC 29211

ATTORNEY(S) FOR THE DEFENDANT(S)

Paul B. Wickensimer Greenville County Clerk Of Court
 - Clerk of Court

STATE OF SOUTH CAROLINA	)	IN THE COURT OF COMMON PLEAS
	)	C.A. No. 2009-CP-23-7572
COUNTY OF GREENVILLE	)	
	)	
Kevin Lindsey King,	)	
S.C.D.C. No. 251185,	)	
	)	
Applicant,	)	
	)	ORDER OF DISMISSAL
v.	)	
	)	
State of South Carolina,	)	
	)	
Respondent.	)	

2012 MAY -8 PM 3:16
FILED-CLERK OF COURT
GREENVILLE CO. S.C.
2012 MAY 8 PM 3:16

This matter comes before the Court by way of an application for post-conviction relief (PCR) filed September 2, 2009. The Respondent made its return on November 24, 2009. An evidentiary hearing into the matter was convened on April 3, 2012 at the Greenville County Courthouse. The Applicant was present at the hearing and represented by Rodney W. Richey, Esquire. Karen C. Ratigan, Esquire of the South Carolina Office of the Attorney General represented the Respondent.

The Applicant testified on his own behalf at the PCR hearing. Also testifying were Lindsey King, Beverly King, Investigator Tracy Burkett, and the Applicant's plea counsel, Randall L. Chambers, Esquire. The Court had before it the transcript of the plea hearing, the records of the Greenville County Clerk of Court, the Applicant's records from the South Carolina Department of Corrections, the application for post-conviction relief, and the Respondent's return.

PROCEDURAL HISTORY

The Applicant is confined in the South Carolina Department of Corrections pursuant to orders of commitment from the Greenville County Clerk of Court. The Applicant was indicted

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EY

at the May 2009 term of the Greenville County Grand Jury for first-degree burglary (2009-GS-23-4057), safecracking (2009-GS-23-4058), and petit larceny (2009-GS-23-4059). The Applicant also waived presentment to the Grand Jury on charges of petit larceny (2008-GS-23-7323) and second-degree criminal sexual conduct (CSC) with a minor (2009-GS-23-3179). He was represented by Randall L. Chambers, Esquire.

On July 14, 2009, the Applicant pled guilty.¹ The Honorable G. Edward Welmaker sentenced the Applicant to concurrent terms of twenty (20) years for first-degree burglary, thirty (30) years suspended on the service of five (5) years and five (5) years probation for safecracking, thirty (30) days for each count of petit larceny, and fifteen (15) years for second-degree CSC with a minor. The Applicant did not appeal.

ALLEGATIONS

In his application, the Applicant alleges he is being held in custody unlawfully for the following reasons:

1. "I was sentenced in Court by Judge Welmaker to 15 years, however my sentence sheet states 20 years, but 20 years was not my sentence, so S.C.D.C. says 20 – until, S.C.D.C. told me I had a Twenty year sentence, at that time I received my sentence sheets, and Transcript information, and seen a big mistake had been made, my Transcript even states 15 years."

In a pro se document captioned "Amendment" and dated January 27, 2011, the Applicant makes the following additional allegations:

1. Ineffective assistance of counsel:
 - a. Misadvised the Applicant about the plea agreement and sentence.
 - b. Misadvised the Applicant that the second-degree CSC with a minor charge had been indicted.
 - c. Misadvised the Applicant that he would receive a fifteen (15) year sentence for safecracking.

¹ This Court notes the State not crossed indictments for two (2) counts of second-degree burglary (2008-GS-23-7324, 2009-GS-23-4056), incest (2009-GS-23-3180), and grand larceny (2009-GS-23-4060).

- d. Failed to review the evidence and the Applicant's mental health issues.
- 2. Investigator promised that if the Applicant gave a "statement concerning the Guns in the First degree burglary, and it was true, that the First degree burglary would be reduced to a 2nd degree burglary."
- 3. Errors in the guilty plea transcript.

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This Court has had the opportunity to review the record in its entirety and has heard the testimony and arguments presented at the PCR hearing. This Court has further had the opportunity to observe each witness who testified at the hearing, and to closely pass upon their credibility. This Court has weighed the testimony accordingly.

Set forth below are the relevant findings of fact and conclusions of law as required by S.C. Code Ann. § 17-27-80 (2003).

Ineffective Assistance of Counsel

The Applicant alleges he received ineffective assistance of counsel. In a PCR action, "[t]he burden of proof is on the applicant to prove his allegations by a preponderance of the evidence." Frasier v. State, 351 S.C. 385, 389, 570 S.E.2d 172, 174 (2002).

For an applicant to be granted PCR as a result of ineffective assistance of counsel, he must show both: (1) that his counsel failed to render reasonably effective assistance under prevailing professional norms, and (2) that he was prejudiced by his counsel's ineffective performance. See Strickland v. Washington, 466 U.S. 668, 104 S. Ct. 2052 (1984); Porter v. State, 368 S.C. 378, 383, 629 S.E.2d 353, 356 (2006). When there has been a guilty plea, the applicant must prove that counsel's representation was below the standard of reasonableness and that, but for counsel's unprofessional errors, there is a reasonable probability that he would not have pled guilty and would have insisted on going to trial. Hill v. Lockhart, 474 U.S. 52, 58-59,

106 S. Ct. 366, 370 (1985); Roscoe v. State, 345 S.C. 16, 20, 546 S.E.2d 417, 419 (2001).

The Applicant stated plea counsel failed to investigate his psychiatric issues. The Applicant stated his father told him to plead guilty because an investigator (Tracy) said he would receive fifteen (15) years. The Applicant stated plea counsel told him the State had performed a DNA test that showed he was the father of his niece's child. The Applicant stated the only reason he pled guilty was because of the DNA test. The Applicant stated he later found out no such test was done. The Applicant stated plea counsel told him that if the plea court did not levy a fifteen (15) year sentence, he would withdraw the guilty plea. The Applicant stated the plea transcript was wrong because the judge sentenced him to fifteen (15) years, not twenty (20).

Lindsey King and Beverly King, the Applicant's parents, stated Tracy told them the Applicant would receive fifteen (15) years if he pled guilty. The Kings stated the Applicant never told him that he pled guilty because the DNA test showed he fathered the child.

Investigator Tracy Burkett of the Greenville County Public Defender's Office confirmed the State made a fifteen (15) year plea offer. Burkett stated she told the Applicant's father this was a good offer. Burkett stated she never said this was a guarantee and that she always makes this point clear.

Plea counsel testified the Applicant had informed him that he was taking psychiatric medication. Plea counsel testified he believed he asked the trial court for an evaluation, but the request was declined. Plea counsel testified that, regardless, he had no concerns about the Applicant's competency. Plea counsel testified he did not believe a DNA test was ever performed in this case. Plea counsel testified that, if he misspoke on this point, it was due to incorrect information from the State at the time. Plea counsel testified the State's fifteen (15) year recommendation was the primary reason the Applicant decided to plead guilty. Plea

counsel testified he explained to the Applicant that the plea judge was not bound by the State's recommendation. Plea counsel testified he initially believed he heard the plea judge levy a fifteen (15) year sentence but later verified it was a twenty (20) year sentence and that this was what was intended by the plea judge.

Regarding the Applicant's claims of ineffective assistance of counsel, this Court finds the Applicant has failed to meet his burden of proof. This Court finds the Applicant's testimony is not credible, while also finding plea counsel's testimony is credible. This Court further finds plea counsel adequately conferred with the Applicant, conducted a proper investigation, and was thoroughly competent in his representation.

The Applicant admitted to the plea judge that he was guilty and that the answers he provided the court were truthful. (Plea transcript, p.13). The Applicant also told the plea judge that he understood the trial rights he was waiving in pleading guilty and was satisfied with counsel. (Plea transcript, pp.10-11).

This Court finds the Applicant failed to meet his burden of proving plea counsel should have investigated his psychiatric history. This Court notes both the Applicant and plea counsel testified that plea counsel had been informed of the Applicant's psychiatric history. This Court further notes plea counsel's testimony that he believes he requested a competency evaluation, but that it was denied. The Applicant has failed to produce any evidence – such as medical records or an expert witness – to support his allegation that plea counsel was deficient in not investigating his psychiatric history. See Dempsey v. State, 363 S.C. 365, 370, 610 S.E.2d 812, 815 (2005) (finding that, as the applicant failed to have an expert testify at the evidentiary hearing, “any finding of prejudice is merely speculative”); Jackson v. State, 329 S.C. 345, 495 S.E.2d 768 (1998) (finding the failure to conduct an independent investigation does not

constitute ineffective assistance of counsel when the allegation is supported only by mere speculation as to the result). Regardless, this Court finds credible plea counsel's testimony that he did not perceive there to be any issues with the Applicant's competency.

This Court finds the Applicant failed to meet his burden of proving plea counsel misadvised him about the DNA evidence. The Applicant stated plea counsel told him the State had DNA evidence that he was the father of his niece's child and that was the only reason he pled guilty to these charges. The Applicant's parents, however, testified the Applicant never stated this was the reason he chose to plead guilty. Further, plea counsel testified the primary reason the Applicant decided to enter a guilty plea was because of the fifteen (15) year recommendation. This Court finds the Applicant's testimony on this matter is not credible.

This Court finds the Applicant failed to meet his burden of proving plea counsel misadvised him about the recommendation and sentence. The State made a recommendation for a fifteen (15) year concurrent sentence for all charges. (Plea transcript, p.11). Plea counsel testified he explained to the Applicant that the plea judge was not bound to that recommendation. The plea judge also advised the Applicant of such. (Plea transcript, p.12). See Brooks v. State, 325 S.C. 269, 272, 481 S.E.2d 712, 713 (1997) ("A court is not required to accept a plea agreement reached by the State and the defendant."). The Applicant told the plea judge he understood, was advised of the maximum sentence he could receive, and that he was guilty. (Plea transcript, pp.12-13). The plea judge then levied a total sentence of twenty (20) years. (Plea transcript, p.18). While the Applicant and plea counsel may have believed they heard the judge announce a fifteen (15) year sentence, it is clear from the transcript – which has been certified by the court reporter – that the plea judge levied a twenty (20) year sentence for first-degree burglary. See Stalk v. State, 375 S.C. 289, 300, 652 S.E.2d 402, 407 (Ct. App. 2007)

(finding the Applicant's allegation was refuted by the guilty plea transcript). This is also very clear on the sentencing sheet. Plea counsel even asked the plea judge if a twenty (20) year sentence was his intention and the judge stated it was. This Court finds the Applicant entered a voluntary guilty plea and was properly informed of: (1) the recommendation, (2) that the judge was not bound to accept it, and (3) the final sentence he received. See Pittman v. State, 337 S.C. 597, 599, 524 S.E.2d 623, 624 (1999) (finding that, before a defendant can enter a guilty plea, he "must be aware of the nature and crucial elements of the offense, the maximum and any mandatory minimum penalty, and the nature of the constitutional rights being waived").

Accordingly, this Court finds the Applicant has failed to prove the first prong of the Strickland test – that plea counsel failed to render reasonably effective assistance under prevailing professional norms. The Applicant failed to present specific and compelling evidence that plea counsel committed either errors or omissions in his representation of the Applicant. This Court also finds the Applicant has failed to prove the second prong of Strickland – that he was prejudiced by plea counsel's performance.

This Court concludes the Applicant has not met his burden of proving counsel failed to render reasonably effective assistance. See Frasier v. State, 351 S.C. at 389, 570 S.E.2d at 174.

All Other Allegations

As to any and all allegations that were raised in the application or at the hearing in this matter and not specifically addressed in this Order, this Court finds the Applicant failed to present any evidence regarding such allegations. Accordingly, this Court finds the Applicant waived such allegations and failed to meet his burden of proof regarding them. Therefore, they are hereby denied and dismissed.

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CONCLUSION

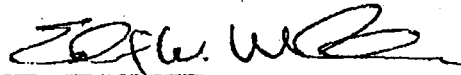
Based on all the foregoing, this Court finds and concludes the Applicant has not established any constitutional violations or deprivations before or during his guilty plea and sentencing proceedings. Counsel was not deficient in any manner and the Applicant was not prejudiced by counsel's representation. Therefore, this PCR application must be denied and dismissed with prejudice.

This Court advises the Applicant that he must file a notice of intent to appeal within thirty (30) days from the receipt of this Order if he wants to secure appropriate appellate review. His attention is also directed to Rules 203, 206, and 243 of the South Carolina Appellate Court Rules for the appropriate procedures to follow after notice of intent to appeal has been timely filed.

IT IS THEREFORE ORDERED:

1. That the application for post-conviction relief be denied and dismissed with prejudice; and
2. That the Applicant be remanded to the custody of the Respondent.

AND IT IS SO ORDERED this 30 day of April, 2012.



Edward W. Miller
Presiding Judge
Thirteenth Judicial Circuit

James C. [Signature], South Carolina.

MARY E. DIGIROLAMO

Official Court Reporter

P.O. Box 171
Reidville, SC 29375

Office: (864) 467-8415
MDiGirolamo@sccourts.org

June 22, 2010

Mr. Kevin L. King, #251185
K.C.I - D-23
4344 Broad River Road
Columbia, SC 29210

RE: Case No. 2009-GS-23-4057, 4058, 31279

Dear Mr. King:

I have reviewed the record in the above mentioned case. The record as transcribed is complete and accurate. Until I hear something from the Court as to this matter there is nothing else that can be done.

Sincerely,

Mary E. DiGirolamo
Official Court Reporter.

WITNESSES

G Morgan

Greenville County Sheriffs Office

7/22/2008

ARREST WARRANT NUMBER

1367432

ACTION OF GRAND JURY

Foreperson of Grand Jury

VERDICT

Foreperson of Petit Jury

Date:

DOCKET NO. 2008-GS-23-

BHT

The State of South Carolina

007323

County of Greenville

COURT OF GENERAL SESSIONS

TERM 2008

THE STATE

vs.

KEVIN L KING

Indictment for

PETIT LARCENY

VIOLATION § 16-13-0030

0480

STATE OF SOUTH CAROLINA)
)
COUNTY OF GREENVILLE)

INDICTMENT FOR
PETIT LARCENY

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

the Grand Jurors of Greenville

That KEVIN L KING did in Greenville County, on or about the 16th day of July, 2008, feloniously take and carry away the personal property of PACK MOUNTAIN PRODUCE, to wit: U.S. Currency, a basket of peaches, a set of scales, 3 half hoops of cheese and packaged ham, with a total value of less than One Thousand Dollars (\$1,000.00) with 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.

SOLICITOR

WITNESSES

Ty Bracken

Greenville County Sheriffs Office

1/26/2009

ARREST WARRANT NUMBER

1477347

ACTION OF GRAND JURY

Foreperson of Grand Jury

VERDICT

Foreperson of Petit Jury

Date:-

DOCKET NO. 2009-GS-23-

BSQ

The State of South Carolina

County of Greenville

COURT OF GENERAL SESSIONS

TERM 2009

THE STATE

VS.

KEVIN LINDSEY KING

Indictment for

0397

CRIMINAL SEXUAL CONDUCT WITH A MINOR
2ND DEGREE (14-15)

VIOLATION § 16-03-0655(B)(2)

STATE OF SOUTH CAROLINA)
COUNTY OF GREENVILLE)

INDICTMENT FOR
CRIMINAL SEXUAL CONDUCT WITH A MINOR 2ND DEGREE
(14-15)

At a Court of General Sessions, convened on

the Grand Jurors of Greenville:

County present upon their oath:

That KEVIN LINDSEY KING did in Greenville County, between the 25th day of December, 2007 and 16th day of December, 2008, engage in sexual battery with _____, who was at least fourteen years of age but who was less than sixteen years of age, and that he did so in a position of familial, custodial, or official authority to coerce the victim to submit, and/or he was older than the victim. This is in violation of § 16-3-655(B)(2) [formerly 16-3-655(3)] 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.

Bryant B. Gray
SOLICITOR

WITNESSES

Alvin King

Greenville County Sheriffs Office

12/16/2008

ARREST WARRANT NUMBER

1368608

ACTION OF GRAND JURY

TRUE BILL

FOREMAN GRAND JURY

Foreperson of Grand Jury

VERDICT

Foreperson of Petit Jury

Date:

DOCKET NO. 2009-GS-23-004057

BHT

The State of South Carolina

County of Greenville

COURT OF GENERAL SESSIONS

May

TERM 2009

THE STATE

VS.

KEVIN L KING

Indictment for

0079

BURGLARY FIRST DEGREE

VIOLATION § 16-11-0311

STATE OF SOUTH CAROLINA)
)
COUNTY OF GREENVILLE)

INDICTMENT FOR
BURGLARY FIRST DEGREE

At a Court of General Sessions, convened on: **MAY 12 2009** the Grand Jurors of Greenville

County present upon their oath:

That KEVIN L KING did in Greenville County, on or about the 24th day of November, 2008, willfully and unlawfully enter the dwelling of CARROLL BURNS located at _____, Greenville, South Carolina, without consent and with the intent to commit a crime therein and the defendant has two or more prior convictions for Burglary. This is in violation of §16-11-311 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.


SOLICITOR

WITNESSES

Alvin King

Greenville County Sheriffs Office

12/16/2008

ARREST WARRANT NUMBER

1368610

ACTION OF GRAND JURY
TRUE BILL

FOREMAN GRAND JURY

Foreperson of Grand Jury

VERDICT

Foreperson of Petit Jury

Date:

DOCKET NO. 2009-GS-23-

BHT

004050

The State of South Carolina

County of Greenville

COURT OF GENERAL SESSIONS

May

TERM 2009

THE STATE

vs.

KEVIN L KING

Indictment for

0141

SAFECRACKING

VIOLATION § 16-11-0390

STATE OF SOUTH CAROLINA)
)
COUNTY OF GREENVILLE)

INDICTMENT FOR
SAFE CRACKING

At a Court of General Sessions, convened on **MAY 12 2009** the Grand Jurors of Greenville
County present upon their oath:

That KEVIN L KING did in Greenville County, on or about the 24th day of November, 2008, willfully and
unlawfully use explosives, tools, or other implements on or about a safe used for keeping money or other
valuables located at , Greenville, with the intent to commit a larceny or any other crime. This
is in violation of §16-11-390 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.


SOLICITOR

WITNESSES

Alvin King

Greenville County Sheriffs Office

12/16/2008

ARREST WARRANT NUMBER

1368612

ACTION OF GRAND JURY
TRUE BILL

FOREMAN GRAND JURY

Foreperson of Grand Jury

VERDICT

Foreperson of Petit Jury

Date:

DOCKET NO. 2009-GS-23-

BHT

The State of South Carolina

County of Greenville

COURT OF GENERAL SESSIONS

May

TERM 2009

THE STATE

vs.

KEVIN L KING

Indictment for

PETIT LARCENY

VIOLATION § 16-13-0030

004059

0480

STATE OF SOUTH CAROLINA)
)
COUNTY OF GREENVILLE)

INDICTMENT FOR
PETIT LARCENY

At a Court of General Sessions, convened on **MAY 12 2009** the Grand Jurors of Greenville
County present upon their oath:

That KEVIN L KING did in Greenville County, on or about the 19th day of November, 2008, feloniously take
and carry away the personal property of JUDY MILLER, to wit: a Sanyo 32 inch flat screen television and a
Magnovox DVD player with a total value of less than One Thousand Dollars (\$1,000.00) with 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.


SOLICITOR

IN THE COURT OF GENERAL SESSIONS

STATE OF SOUTH CAROLINA

COUNTY OF Greenville
STATE VS.
Kevin L King

AKA:

Race W Sex: M Age: 29

DOB: SS#:

Address:

GREENVILLE, SC 29609

DL# SID#:

In disposition of the said indictment comes now the Defendant who was
TO: Larceny / Petit or Simple Larceny

INDICTMENT/CASE#: 2008GS2307323

ARW#: 1367432

Date of Offense: 7/16/2008

S.C. Code §: 16-13-0030(A)

CDR Code #: 0480

SENTENCE SHEET

☐ CONVICTED OF or ☒ PLEADSin violation of § 16-13-0030(A) of the S.C. Code of Laws, bearing CDR Code # 0480
☒ NON-VIOLENT ☐ VIOLENT ☐ SERIOUS ☐ MOST SERIOUS ☐ Mandatory GPS(CSC w/minor 1st or 2nd Offense) ☐ §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:

Tiffin, Barbara Heape

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 30 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 formonths/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. 30☐ 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: \$ plus 20% fee: \$

Payment Terms:

☐ Set by SCDPPPS

Recipient:

*Fine:

§ 14-1-206 (Assessments 107.5%)

§ 14-1-211(A)(1) (Conv. Surcharge)

§ 14-1-211(A)(2) (DUI Surcharge)

§ 5-5-2995 (DUI Assessment)

§ 5-1-286 (DUI Breath Test)

§ 4-1-12 (Public Def Prob)

§ 1-1-212 (Law Enforce. Funding)

§ 1-1-213 (Drug Court Surcharge)

§ 5-21-114 (BUI Breath Test Fee)

§ 5-5-2942(J) (Vehicle Assessment)

§ 9-1-7 (SCCJA Surcharge)

3% to County (if paid in installments)

TO AL

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:

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

PRESIDING JUDGE

Judge Code: 2

Sentence Date: 7-14-09

Clerk of Court/ Deputy Clerk

Court Reporter:

SCCA/217 (06/20/09)

10-2

HWP LASERJET FAX

07/14/09 12:47PM

STATE OF SOUTH CAROLINA

COUNTY OF Greenville
STATE VS.
Kevin Lindsey King
AKA:
Race: W Sex: M Age: 29
DOB: SS#:
Address: TRAVELERS REST, SC 29690
DUI#: SID#:

IN THE COURT GENERAL SESSIONS

INDICTMENT/CASE#: 2009GS2303179
A/W#: 1477347
Date of Offense: 12/25/2007
S.C. Code §: 16-03-0655(C)
CDR Code #: 0397

SENTENCE SHEET

In disposition of the said indictment comes now the Defendant who was ☐ CONVICTED OF or ☐ PLEADS
TO: Sex: Criminal sexual conduct with minor - victim under 16 yrs of age Second degree

in violation of § 16-03-0655(C) of the S.C. Code of Laws, bearing CDR Code # 0397
☐ NON-VIOLENT ☒ VIOLENT ☐ SERIOUS ☒ MOST SERIOUS ☐ Mandatory GPS(CSC w/minor 1st or 2nd 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.

ARREST: Seay, Bryna 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 15 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 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: \$ plus 20% fee: \$

Payment Terms:

☐ set by SCDPPPS

Recipient:

*Fine:	\$
§ 16-1-206 (Assessments 107.5 %)	\$
§ 16-1-211(A)(1) (Conv. Surcharge)	\$100 \$ <u>100</u>
§ 16-1-211(A)(2) (DUI Surcharge)	\$100 \$
§ 56-5-2995 (DUI Assessment)	\$12 \$
§ 56-1-286 (DUI Breath Test)	\$25 \$
§ 17-12 (Public Def/Prob)	\$500 \$
§ 11-1-212 (Law Enforcement Funding)	\$25 \$ <u>25</u>
§ 11-1-213 (Drug Court Surcharge)	\$100 \$
§ 56-1-114 (BUI Breath Test Fee)	\$50 \$
§ 56-5-2912(J) (Vehicle Assessment)	\$40/ea \$
§ 17-1-217 (SCCJA Surcharge)	\$5 \$ <u>5</u>
3% to County (if paid in installments)	\$
TOTAL	\$

Clerk of Court/ Deputy Clerk Rene B. Wicker

Court Reporter: M. Dugdale

SC-CA/17 (06/2009)

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:

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

PRESIDING JUDGE

Judge Code: 21-1-317

Sentence Date: 7-14-09

STATE OF SOUTH CAROLINA

COUNTY OF Greenville
 STATE VS.
Kevin L King

AKA: _____

Race W Sex: M Age: 29

DOB: _____ SS#: _____

Address: _____

Greenville, SC 29609

DL#: _____ SID#: _____

In disposition of the said indictment comes now the Defendant who was
 TO: Burglary / Burglary (After June 20, 1985) - First degree

IN THE COURT OF GENERAL SESSIONS

INDICTMENT/CASE#: 2009GS2304057A/W#: 1368608Date of Offense: 11/24/2008S.C. Code §: 16-11-0311CDR Code #: 0079

SENTENCE SHEET

☐ CONVICTED OF or ☒ PLEADS

in violation of § 16-11-0311 of the S.C. Code of Laws, bearing CDR Code # 0079
☐ 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's initials)The plea is: ☐ Without Negotiations or Recommendation, ☐ Negotiated Sentence, ☒ Recommendation by the State.

ATTEST:

Tiffin, Barbara Heape

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 20 days/months/year 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 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: \$ _____ plus 20% fee: \$ _____

Payment Terms: _____

☐ Set by SCDPPPS _____

Recipient: _____

*Fees: \$ _____

§ 14-1-206 (Assessments 107.5 %) \$ _____

§ 14-1-211(A)(1) (Conv. Surcharge) \$100 \$ 100

§ 14-1-211(A)(2) (DUI Surcharge) \$100 \$ _____

§ 56-5-2995 (DUI Assessment) \$12 \$ _____

§ 56-1-286 (DUI Breath Test) \$25 \$ _____

§ 47-12 (Public Def Prob) \$500 \$ _____

§ 17-1-212 (Law Enforce. Funding) \$25 \$ 25

§ 17-1-213 (Drug Court Surcharge) \$100 \$ _____

§ 56-1-114 (BUI Breath Test Fee) \$50 \$ _____

§ 56-5-2942(I) (Vehicle Assessment) \$40/en \$ _____

§ 9-1-7 (SCCJA Surcharge) \$5 \$ 5

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

TOTAL \$ _____

Clerk of Court/Deputy Clerk Paul B. WickensCourt Reporter: D. Quatro

SCCA/217 (06/2009)

PRESIDING JUDGE

Judge Code: 21-1-13-17Sentence Date: 7-14-09

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF Greenville
 STATE VS.
Kevin L King
 AKA: _____
 Race: W Sex: M Age: 29
 DOB: SS#: _____
 Address: GREENVILLE, SC 29609
 DI #: SID#: _____

INDICTMENT/CASE#: 2009GS2304058
 A/W#: 1368610
 Date of Offense: 11/24/2008
 S.C. Code §: 16-11-0390
 CDR Code #: 0141

SENTENCE SHEET

In disposition of the said indictment comes now the Defendant who was ☐ CONVICTED OF or ☒ PLEADS
 TO: Safecracking

in violation of § 16-11-0390 of the S.C. Code of Laws, bearing CDR Code # 0141
☒ 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:

Tiffin, Barbara Heape

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 30 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: 7-14-09 12-16-08
☒ 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

Total: \$ 79.00 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

§ 14-1-211(A)(2) (DUI Surcharge) \$100 \$ _____

§ 56-5-2995 (DUI Assessment) \$12 \$ _____

§ 56-1-286 (DUI Breath Test) \$25 \$ _____

§ 35-13 (Public Def/Prob) \$500 \$ _____

§ 73-3, 1B TP (Law Enforce. Funding) \$25 \$ 25

§ 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) \$ _____

§ 90-11 TP (SCCA Surcharge) \$5 \$ 5

TOTAL \$ _____

Paul B. Weathers

Clerk of Court/ Deputy Clerk

Court Reporter: M. Nigam

Probation hearing... release from sentence rec. this date to include SCCA/217 (03/2009)

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 07/14/09
 \$ _____ paid to Public Defender Fund
 Other: _____

PRESIDING JUDGE

Judge Code: 2111317

Sentence Date: 7-14-09

STATE OF SOUTH CAROLINA

COUNTY OF Greenville
 STATE VS.
Kevin L King
 AKA _____
 Race W Sex: M Age: 29
 DOB: _____ SS#: _____
 Address: _____
GREENVILLE, SC 29609
 ID# _____ SID#: _____

IN THE COURT OF GENERAL SESSIONS

INDICTMENT/CASE#: 2009GS2304059
 A/W#: 1368612
 Date of Offense: 11/19/2008
 S.C. Code § 16-13-0030(A)
 CDR Code #: 0480

SENTENCE SHEET

☐ CONVICTED OF or ☒ PLEADS

In disposition of the said indictment comes now the Defendant who was
 TO: Larceny / Petit or Simple Larceny

in violation of § 16-13-0030(A) of the S.C. Code of Laws, bearing CDR Code # 0480
☒ 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's initials)

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

ATTEST:

Tiffin, Barbara Heape

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 30 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 State Department of Corrections. 30 days

☐ 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

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

Payment Terms: _____

☐ Set by SCDPPPS _____

Recipient: _____

*Fees: \$ _____

§ 14-1-206 (Assessments 107.5%) \$ _____

§ 14-1-211(A)(1) (Conv. Surcharge) \$100 \$ 100

§ 14-1-211(A)(2) (DUI Surcharge) \$100 \$ _____

§ 56-5-2995 (DUI Assessment) \$12 \$ _____

§ 56-1-286 (DUI Breath Test) \$25 \$ _____

§ 17-12 (Public Def Prob) \$500 \$ _____

§ 17-1-212 (Law Enforce. Funding) \$25 \$ _____

§ 17-1-213 (Drug Court Surcharge) \$100 \$ 25

§ 17-1-214 (DUI Breath Test Fee) \$50 \$ _____

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

§ 9-17 (SCCJA Surcharge) \$5 \$ 5

3rd to County (if paid in installments) \$ _____

TOTAL \$ _____

Clerk of Court/ Deputy Clerk

Paul B. Wickens

Court Reporter:

M. DiGirolamo

SCCA/217 (06/2009)

p.03

PRESIDING JUDGE

Judge Code: 21-1-13-17

Sentence Date: 7-14-09

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

Down

Created by the South Carolina Department of Probation, Parole and Pardon Services

STATE OF SOUTH CAROLINA

County of Greenville
STATE VS.AKA: Kevin L King
Race: W Sex: M
DOB: _____
SSN: _____
SID#: 01115002

IN THE COURT OF GENERAL SESSIONS

98-23-7576
INDICTMENT#: _____
Probation C/W#: _____
W-23-08-3227 + W-23-09-0228
Name of Original Offense: Burglary 2nd
Original AWW#: UNKNOWN
Date of Original Offense: UNKNOWN
Conviction S.C. Code §: 16-11-0312
Conviction CDR Code #: 010 / 810
Original Sentence: 15 yrs sdg

ORDER

The above named defendant has been charged with violating the conditions of probation ordered on 7/16/98 in the Court of General Sessions of Greenville County, and/or the additional conditions ordered by the Court in probation continuation order(s) issued on 11-17-00 + 12-14-07, as set forth in the attached warrant(s) or citation(s) dated 11-26-08 + 2-27-09. 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, 2, 3, 6, 7, 9 & 10

Therefore, IT IS ORDERED that:

- ☒ the suspended sentence be revoked and the above named defendant be required to serve 10 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 _____ 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 active electronic monitoring pursuant to §23-3-540 (mandatory if convicted of first degree criminal sexual conduct with a minor or lewd act, discretionary if convicted of any other applicable sex offense against a minor).

☒ Additional Conditions ordered by the Court:terminate probation
time satisfied fines☒ 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 has previously served 0 months/years on this sentence.
(split sentence time and/or prior partial revocation time)☐ The defendant was previously placed on active electronic monitoring pursuant to §23-3-540.This 15 day of May 2009
Greenville SCVictor C. Kyle
Presiding Judge 13th 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 _____ day of _____, 2009, at _____ SC
Day Month Year City

Dorn

Created by the South Carolina Department of Probation, Parole and Pardon Services

STATE OF SOUTH CAROLINA

County of Greenville
STATE VS.AKA: Kevin L. King
Race: W Sex: M
DOB:
SSN:
SID#: 01115002

IN THE COURT OF GENERAL SESSIONS

INDICTMENT#: 98 GS 23 - 7577
Probation C/W#s: W-23-0-3227 + W-23-09-0228
Name of Original Offense: GL
Original AWW#: Unknown
Date of Original Offense: 16-13-0030
Conviction S.C. Code §: 0141718
Conviction CDR Code #: 30 days sdg
Original Sentence: 30 days sdg

ORDER

The above named defendant has been charged with violating the conditions of probation ordered on 7/16/98 in the Court of General Sessions of Greenville County, and/or the additional conditions ordered by the Court in probation continuation order(s) issued on 11-17-02 + 12-14-07, as set forth in the attached warrant(s) or citation(s) dated 11-26-08. 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, 2, 3, 6, 7, 9 & 10

Therefore, IT IS ORDERED that:

- ☒ the suspended sentence be revoked and the above named defendant be required to serve 30 days 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 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 active electronic monitoring pursuant to §23-3-540 (mandatory if convicted of first degree criminal sexual conduct with a minor or lewd act, discretionary if convicted of any other applicable sex offense against a minor).

☒ Additional Conditions ordered by the Court:

terminate probation
time satisfied fines

☒ The defendant is given credit for pre-arrest detention time on current probation violation to be calculated and applied by the SC Department of Corrections.☒ The defendant has previously served 0 months/years on this sentence.
(split sentence time added prior partial revocation time)☐ The defendant was previously placed on active electronic monitoring pursuant to §23-3-540.This 15 day of May, 2009
Greenville, SCPresiding Judge
Victor Ryle Jr. 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 day of , at SC

Don

Created by the South Carolina Department of Probation, Parole and Pardon Services

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

County of Greenville
STATE VS.AKA: Kevin L. King
Race: W Sex: M
DOB: _____
SSN: _____
SID#: 0115002INDICTMENT#: 98 -GS- 23 - 7578
Probation C/W#: W-23-08-3227 + W-23-09-0228
Name of Original Offense: Burglary 2nd
Original A/W#: UNKNOWN
Date of Original Offense: UNKNOWN
Conviction S.C. Code §: 16-11-0312
Conviction CDR Code #: 0101810
Original Sentence: 15 yrs soly

ORDER

The above named defendant has been charged with violating the conditions of probation ordered on 7/16/98 in the Court of General Sessions of Greenville County, and/or the additional conditions ordered by the Court in probation continuation orders(s) issued on 11-17-00 + 12-14-07, as set forth in the attached warrant(s) or citation(s) dated 11-26-08 + 2-27-09. 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, 2, 3, 6, 7, 9 & 10

Therefore, IT IS ORDERED that:

- ☒ the suspended sentence be revoked and the above named defendant be required to serve 10 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 _____ 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 active electronic monitoring pursuant to §23-3-540 (mandatory if convicted of first degree criminal sexual conduct with a minor or lewd act, discretionary if convicted of any other applicable sex offense against a minor).

Additional Conditions ordered by the Court:

terminate probation
time satisfies fines

☒ The defendant is given credit for pre-arrest detention time on current probation violation to be calculated and applied by the SC Department of Corrections.

☒ The defendant has previously served 0 months/years on this sentence.
(split sentence time and/or prior partial revocation time)

☐ The defendant was previously placed on active electronic monitoring pursuant to §23-3-540.

This 15 day of May 2009
Greenville SC

Victor C. Hyle Presiding Judge
13th 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 _____ day of _____, _____ at _____ SC

Dpm

Created by the South Carolina Department of Probation, Parole and Pardon Services

STATE OF SOUTH CAROLINA

County of Greenville
STATE VS.

AKA: Kevin L. King
Race: W Sex: M
DOB: _____
SSN: _____
SID#: 0115002

IN THE COURT OF GENERAL SESSIONS

INDICTMENT#: 98 GS 23 7580
Probation C/W#s: W-23-08-3227 + W-23-08-0228
Name of Original Offense: Burglary 2nd
Original AWW#: UNKNOWN
Date of Original Offense: UNKNOWN
Conviction S.C. Code #: 16-11-0312
Conviction CDR Code #: 0101810
Original Sentence: 15 yrs 8dp

ORDER

The above named defendant has been charged with violating the conditions of probation ordered on 7/16/98 in the Court of General Sessions of Greenville County, and/or the additional conditions ordered by the Court in probation continuation order(s) issued on 11-17-00 + 12-14-07, as set forth in the attached warrant(s) or citation(s) dated 11-26-08 2-22-09. 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)
4, 2, 5, 6, 7, 9 & 10

Therefore, IT IS ORDERED that:

- ☒ the suspended sentence be revoked and the above named defendant be required to serve 10 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 _____ 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 active electronic monitoring pursuant to §23-3-540 (mandatory if convicted of first degree criminal sexual conduct with a minor or lewd act, discretionary if convicted of any other applicable sex offense against a minor).

X Additional Conditions ordered by the Court:
terminate probation
fine outlives fine.

- ☒ The defendant is given credit for pre-arrestation hearing detention time on current probation violation to be calculated and applied by the SC Department of Corrections.
- ☒ The defendant has previously served 10 months/years on this sentence.
(split sentence time and/or prior partial revocation time)
- ☐ The defendant was previously placed on active electronic monitoring pursuant to §23-3-540.

This 15 day of May 2009
Greenville SC

Victor C. Kyle
Presiding Judge
13 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 _____ day of _____ at _____ SC

Dom

Created by the South Carolina Department of Probation, Parole and Pardon Services

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

County of Greenville
STATE VS.AKA: Kevin L King
Race: W Sex: M
DOB: _____
SSN: _____
SID#: 01115002INDICTMENT#: 98-08-23-7581
Probation C/W#: W-23-08-3227 + W-23-09-0228Name of Original Offense: Forgery
Original A/W#: _____
Date of Original Offense: UNKNOWN
Conviction S.C. Code §: 16-13-6010
Conviction CDR Code #: B1 41 819
Original Sentence: Sys sdp

ORDER

The above named defendant has been charged with violating the conditions of probation ordered on 7/16/98 in the Court of General Sessions of Greenville County, and/or the additional conditions ordered by the Court in probation continuation orders(s) issued on 11-17-00 + 12-14-07 as set forth in the attached warrant(s) or citation(s) dated 11-26-08 + 12-27-08. 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)

Therefore, IT IS ORDERED that:

☒ the suspended sentence be revoked and the above named defendant be required to serve 5 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 _____ 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 active electronic monitoring pursuant to §23-3-540 (mandatory if convicted of first degree criminal sexual conduct with a minor or lewd act, discretionary if convicted of any other applicable sex offense against a minor).

☒ Additional Conditions ordered by the Court:

terminate probation
fine satisfies fines

☒ 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 has previously served 0 months/years on this sentence.
(split sentence time and/or prior partial revocation time)

☐ The defendant was previously placed on active electronic monitoring pursuant to §23-3-540.

This 15 day of May 2009
Greenville, SC

Victor D. Rife
Residing Judge
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 _____ day of _____, at _____ SC
Day Month Year City

Dorn

Created by the South Carolina Department of Probation, Parole and Pardon Services
STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

County of Greenville
STATE VS.

AKA: Kevin L. King
Race: W Sex: M
DOB: _____
SSN: _____
SID#: 01115002

INDICTMENT#: 98 GS-23-7582
Probation C/W#s: W-23-08-3227 + W-23-08-0228
Name of Original Offense: Burglary 2nd
Original AWW: Unknown
Date of Original Offense: Unknown
Conviction S.C. Code §: 16-11-0312
Conviction CDR Code #: 01 01 810
Original Sentence: 15 yrs sdg

ORDER

The above named defendant has been charged with violating the conditions of probation ordered on 7/16/98 in the Court of General Sessions of Greenville County, and/or the additional conditions ordered by the Court in probation continuation order(s) issued on 11-11-00 + 12-14-07 as set forth in the attached warrant(s) or citation(s) dated 11-26-08 + 1-27-09. 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, 2, 3, 6, 7, 9 & 10

Therefore, IT IS ORDERED that:

- ☒ the suspended sentence be revoked and the above named defendant be required to serve 10 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 _____ 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 active electronic monitoring pursuant to §23-3-540 (mandatory if convicted of first degree criminal sexual conduct with a minor or lewd act, discretionary if convicted of any other applicable sex offense against a minor).

☒ Additional Conditions ordered by the Court:

terminate probation
fine satisfies fines

☒ 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 has previously served 0 months/years on this sentence.
(split sentence time and/or prior partial revocation time)

☐ The defendant was previously placed on active electronic monitoring pursuant to §23-3-540.

This 15 day of May, 2009
Greenville, SC

Victor Pyle Jr
Presiding Judge
Circuit 13th 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 _____ day of _____, at _____ SC

Dom

Created by the South Carolina Department of Probation, Parole and Pardon Services

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

County of Greenville
STATE VS.AKA: Keum King
Race: W Sex: M
DOB: _____
SSN: _____
SID#: 01115002INDICTMENT#: 98 GS 23-7583
Probation C/W#: W-23-08-3227 & W-23-09-6228
Name of Original Offense: Larceny
Original A/W#: Unknown
Date of Original Offense: _____
Conviction S.C. Code #: H-16-13-0030
Conviction CDR Code #: 0141718
Original Sentence: 5 yrs sdg

ORDER

The above named defendant has been charged with violating the conditions of probation ordered on 11/16/98 in the Court of General Sessions of Greenville County, and/or the additional conditions ordered by the Court in probation continuation orders(s) issued on 2-27-09, as set forth in the attached warrant(s) or citation(s) dated 11-26-08. 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, 2, 3, 6, 7, 9 & 10

Therefore, IT IS ORDERED that:

- ☒ the suspended sentence be revoked and the above named defendant be required to serve 5 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 _____ 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 active electronic monitoring pursuant to §23-3-540 (mandatory if convicted of first degree criminal sexual conduct with a minor or lewd act, discretionary if convicted of any other applicable sex offense against a minor).
- ☒ Additional Conditions ordered by the Court:
terminate probation
time satisfied fines
- ☒ 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 has previously served 0 months/years on this sentence.
(split sentence time and/or prior partial revocation time)
- ☐ The defendant was previously placed on active electronic monitoring pursuant to §23-3-540.

This 15 day of May 2009
Greenville SCPresiding Judge
Cluck Byle Jr 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 _____ day of _____, at _____ SC

Dark

Created by the South Carolina Department of Probation, Parole and Pardon Services

STATE OF SOUTH CAROLINA

County of Greenville
STATE VS.

Kevin L King
AKA:
Race: W Sex: M
DOB: _____
SSN: _____
SID#: 01115002

IN THE COURT OF GENERAL SESSIONS

INDICTMENT#: 98 GS 23 - 7584
Probation C/W#: W-23-08-3227 + W-23-09-0228
Name of Original Offense: Burglary 2nd
Original A/W#: UNKNOWN
Date of Original Offense: UNKNOWN
Conviction S.C. Code #: 16-11-0312
Conviction CDR Code #: 01 01 810
Original Sentence: 15 yrs sdv

ORDER

The above named defendant has been charged with violating the conditions of probation ordered on 7/16/98 in the Court of General Sessions of Greenville County, and/or the additional conditions ordered by the Court in probation continuation order(s) issued on 11-17-00 & 12-14-07, as set forth in the attached warrant(s) or citation(s) dated 11-26-08 & 2-27-09. 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, 2, 3, 6, 7, 9 & 10

Therefore, IT IS ORDERED that:

- ☒ the suspended sentence be revoked and the above named defendant be required to serve 10 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 _____ 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 active electronic monitoring pursuant to §23-3-540 (mandatory if convicted of first degree criminal sexual conduct with a minor or lewd act, discretionary if convicted of any other applicable sex offense against a minor).

☒ Additional Conditions ordered by the Court:
terminate probation
time satisfied months

- ☒ The defendant is given credit for pre-arrest detention time on current probation violation to be calculated and applied by the SC Department of Corrections.
- ☒ The defendant has previously served 0 months/years on this sentence.
(split sentence time and/or prior partial revocation time)
- ☐ The defendant was previously placed on active electronic monitoring pursuant to §23-3-540.

This 15 day of May, 2009
Greenville, SC

Victor Pyle
Presiding Judge
13th 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 _____ day of _____, at _____, SC

DPA

Created by the South Carolina Department of Probation, Parole and Pardon Services

STATE OF SOUTH CAROLINA

County of Greenville

STATE VS.

AKA: Kevin L KingRace: W Sex: M

DOB: _____

SSN: _____

SID#: 0111002

IN THE COURT OF GENERAL SESSIONS

INDICTMENT#:

98 GS7585Probation C/W#: W-23-88-3227 dW-23-88-0228Name of Original Offense: LarcenyOriginal A/W#: UnknownDate of Original Offense: UnknownConviction S.C. Code §: 16-13-0630Conviction CDR Code #: 0141718Original Sentence: 5 yrs 30 days

ORDER

The above named defendant has been charged with violating the conditions of probation ordered on 11/16/98 in the Court of General Sessions of Greenville County, and/or the additional conditions ordered by the Court in probation continuation orders(s) issued on 11-17-00 & 12-14-02, as set forth in the attached warrant(s) or citation(s) dated 11-26-08 & 2-27-09. 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, 2, 5, 6, 7, 9 & 10

Therefore, IT IS ORDERED that:

☒ the suspended sentence be revoked and the above named defendant be required to serve 5 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 _____ 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 active electronic monitoring pursuant to §23-3-540 (mandatory if convicted of first degree criminal sexual conduct with a minor or lewd act, discretionary if convicted of any other applicable sex offense against a minor).

☒ Additional Conditions ordered by the Court:

terminate probation
if unsatisfactory fines

☒ The defendant is given credit for pre-arrestation hearing detention time on current probation violation to be calculated and applied by the SC Department of Corrections.

☒ The defendant has previously served 0 months/years on this sentence.
(split sentence time and/or prior partial revocation time)

☐ The defendant was previously placed on active electronic monitoring pursuant to §23-3-540.

This 15 day of May, 2009.
Greenville SC

Victor C. Hyle
Presiding Judge
13th 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 _____ day of _____, _____ at _____ SC

Dom

Created by the South Carolina Department of Probation, Parole and Pardon Services

STATE OF SOUTH CAROLINA

County of Greenville
STATE VS.

AKA:

Race: W Sex: M

DOB: _____

SSN: _____

SID#: 01115002

IN THE COURT OF GENERAL SESSIONS

98-08-23 INDICTMENT#: 7586

Probation C/W#s:

W-23-08-3227 & W-23-08-0229Name of Original Offense: Burglary 2nd

Original A/W#:

Date of Original Offense:

Conviction S.C. Code §: 16-11-0312Conviction CDR Code #: 0101810Original Sentence: 15 yrs sdg

ORDER

The above named defendant has been charged with violating the conditions of probation ordered on 7/16/08 in the Court of General Sessions of Greenville County, and/or the additional conditions ordered by the Court in probation continuation order(s) issued on 11-17-08 12-7-07, as set forth in the attached warrant(s) or citation(s) dated 11-26-08 2-27-09. 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, 2, 3, 6, 7, 9 & 10

Therefore, IT IS ORDERED that:

- ☒ the suspended sentence be revoked and the above named defendant be required to serve 10 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 _____ 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 active electronic monitoring pursuant to §23-3-540 (mandatory if convicted of first degree criminal sexual conduct with a minor or lewd act, discretionary if convicted of any other applicable sex offense against a minor).

☒ Additional Conditions ordered by the Court:

terminate probation
times satisfies fines

- ☒ 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 has previously served 0 months/years on this sentence.
(split sentence time and/or prior partial revocation time)

- ☐ The defendant was previously placed on active electronic monitoring pursuant to §23-3-540.

This 15 day of May 2009
Greenville SC

Victor Ryle Jr
Presiding Judge
Circuit 135 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 _____ day of _____ at _____ SC
Day Month Year City

Fnn398117

Dom

Created by the South Carolina Department of Probation, Parole and Pardon Services

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

County of Greenville
STATE VS.

98 GS- 23 - 7588
 INDICTMENT#:
 Probation C/W#s: W-23-08-3227 + W-23-09-0228
 Name of Original Offense: Burglary 2nd
 Original A/W#: Unknown
 Date of Original Offense: 11-11-03
 Conviction S.C. Code #: 16-11-0312
 Conviction CDR Code #: 0 10 18 10
 Original Sentence: 15 yrs susp 5 yrs prob

AKA: Kevin L. Kiny
 Race: W Sex: M
 DOB: _____
 SSN: _____
 SID#: 0115002

ORDER

The above named defendant has been charged with violating the conditions of probation ordered on 12/16/98 in the Court of General Sessions of Greenville County, and/or the additional conditions ordered by the Court in probation continuation order(s) issued on 11-17-00, 12-14-07, as set forth in the attached warrant(s) or citation(s) dated 11-26-08 + 2-27-09. 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 of indicate special conditions as provided in the affidavit)
1, 2, 5, 6, 7, 9 & 10

Therefore, IT IS ORDERED that:

- ☒ the suspended sentence be revoked and the above named defendant be required to serve 10 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 _____ 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 active electronic monitoring pursuant to §23-3-540 (mandatory if convicted of first degree criminal sexual conduct with a minor or lewd act, discretionary if convicted of any other applicable sex offense against a minor).
- ☒ Additional Conditions ordered by the Court:
— terminate probation
— time satisfies fines

☒ The defendant is given credit for pre-arrest detention time on current probation violation to be calculated and applied by the SC Department of Corrections.

☒ The defendant has previously served 5 yrs 56 days months/years on this sentence.
 (split sentence time and/or prior partial revocation time)

☐ The defendant was previously placed on active electronic monitoring pursuant to §23-3-540.

This 15 day of May, 2009
Greenville SC

C. Victor Ryle Jr.
 Presiding Judge
C. Victor Ryle Jr. 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 _____ day of _____, at _____ SC
 Day Month Year City

Don

Created by the South Carolina Department of Probation, Parole and Pardon Services
STATE OF SOUTH CAROLINA

County of Greenville
STATE VS.

AKA: Kevin L. King
Race: W Sex: M
DOB: /
SSN: /
SID#: 01115002

IN THE COURT OF GENERAL SESSIONS

INDICTMENT#: 98 GS 23 7589
Probation C/W#: W-23-08-3227 & W-23-09-0228
Name of Original Offense: BSG
Original A/W#: Unknown
Date of Original Offense: 16-13-0180
Conviction S.C. Code §: 01 511 1 3
Conviction CDR Code #: Sys sdg
Original Sentence: ORDER

The above named defendant has been charged with violating the conditions of probation ordered on 7/16/98 in the Court of General Sessions of Greenville County, and/or the additional conditions ordered by the Court in probation continuation orders(s) issued on 11-17-00 & 12-14-07, as set forth in the attached warrant(s) or citation(s) dated 11-26-08 & 2-27-09. 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, 2, 3, 6, 7, 9 & 10

Therefore, IT IS ORDERED that:

- ☒ the suspended sentence be revoked and the above named defendant be required to serve 5 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 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 active electronic monitoring pursuant to §23-3-540 (mandatory if convicted of first degree criminal sexual conduct with a minor or lewd act, discretionary if convicted of any other applicable sex offense against a minor).
- ☒ Additional Conditions ordered by the Court:
- terminate probation
- time satisfies fines

- ☒ The defendant is given credit for pre-arrestation hearing detention time on current probation violation to be calculated and applied by the SC Department of Corrections.
- ☐ The defendant has previously served 0 months/years on this sentence.
(split sentence time and/or prior partial revocation time)
- ☐ The defendant was previously placed on active electronic monitoring pursuant to §23-3-540.

This 15 day of May 2009
Greenville SC

Clifford Pyle Jr
Presiding Judge
Circuit Court 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 day of at SC

Dorn

Created by the South Carolina Department of Probation, Parole and Pardon Services

STATE OF SOUTH CAROLINA

County of Greenville
STATE VS.AKA: Kevin I King
Race: W Sex: M
DOB: _____
SSN: _____
SID#: 61115002

IN THE COURT OF GENERAL SESSIONS

INDICTMENT#:

99 GS 34 - 6591Probation C/W#s: W-23-08-3226 + W-23-09-0227
Name of Original Offense: GL
Original AWW#: 7436587
Date of Original Offense: 4-9-98
Conviction S.C. Code §: 16-13-30
Conviction CDR Code #: 0141718
Original Sentence: 10 yrs susp 3 yrs prob

ORDER

The above named defendant has been charged with violating the conditions of probation ordered on 5/6/99 in the Court of General Sessions of Dickens County, and/or the additional conditions ordered by the Court in probation continuation order(s) issued on 2-27-00, 11-17-00 + 12-14-00 as set forth in the attached warrant(s) or citation(s) dated 11-24-08 + 2-27-09. 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 number of indicate special conditions as provided in the affidavit)
1, 2, 5, 6, 7, 9 + 10

Therefore, IT IS ORDERED that:

- ☒ the suspended sentence be revoked and the above named defendant be required to serve 5 yrs + 209 days 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 _____ 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 active electronic monitoring pursuant to §23-3-540 (mandatory if convicted of first degree criminal sexual conduct with a minor or lewd act, discretionary if convicted of any other applicable sex offense against a minor).
- ☒ Additional Conditions ordered by the Court:
- terminate probation
- fine satisfies fines

☒ 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 has previously served 5 yrs 56 days months/years on this sentence.
(split sentence time and/or prior partial revocation time)

☐ The defendant was previously placed on active electronic monitoring pursuant to §23-3-540

This 15 day of May, 2009
Greenville SCPresiding Judge: Cliff Ryle Jr 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 _____ day of _____, at _____ SC
Day Month Year City

Dom
Created by the South Carolina Department of Probation, Parole and Pardon Services
STATE OF SOUTH CAROLINA

County of Greenville
STATE VS.

Kevin L King
AKA:
Race: W Sex: M
DOB: _____
SSN: _____
SID#: 0115002

IN THE COURT OF GENERAL SESSIONS

INDICTMENT#:

00 -GS- 23 - 8953
Probation C/W#s: _____
W-23-08-3228 + U-23-09-0226
Name of Original Offense: Burglary 2nd
Original AWW#: 6504345
Date of Original Offense: 6-10-00
Conviction S.C. Code §: 16-11-0312
Conviction CDR Code #: 0101810
Original Sentence: 15 yrs supervision 5 yrs + 3 yrs prob

ORDER

The above named defendant has been charged with violating the conditions of probation ordered on 5/19/01 in the Court of General Sessions of Greenville County, and/or the additional conditions ordered by the Court in probation continuation orders(s) issued on 12-7-07, as set forth in the attached warrant(s) or citation(s) dated 11-26-08 + 2-27-09. 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, 2, 3, 4, 7, 9 FIO

Therefore, IT IS ORDERED that:

- ☒ the suspended sentence be revoked and the above named defendant be required to serve 7 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 _____ 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 active electronic monitoring pursuant to §23-3-540 (mandatory if convicted of first degree criminal sexual conduct with a minor or lewd act, discretionary if convicted of any other applicable sex offense against a minor).
- ☒ Additional Conditions ordered by the Court:
terminate probation
unsatisfies all monetary obligations.

☒ 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 has previously served 8 months/years on this sentence.
(split sentence time and/or prior partial revocation time)

☐ The defendant was previously placed on active electronic monitoring pursuant to §23-3-540.

This 15 day of May, 2009
Greenville, SC

Clifford B. Bell
Presiding Judge
Clifford B. Bell Jr. 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 _____ day of _____, _____ at _____, SC

Don

Created by the South Carolina Department of Probation, Parole and Pardon Services

STATE OF SOUTH CAROLINA

County of Greenville

STATE VS.

Kevin L King

AKA:

Race: W Sex: M

DOB:

SSN:

SID#: 01115002

IN THE COURT OF GENERAL SESSIONS

INDICTMENT#:

60 GS 23 - 8954

Probation C/Ws:

W23-08-3228 + W23-08-0226Name of Original Offense: PctHarreryOriginal AWW#: G5 04346Date of Original Offense: 06-10-00Conviction S.C. Code §: 16-13-30Conviction CDR Code #: 21, 31, 6, 7Original Sentence: 10 yrs Hp cc to sent 5-14-01

ORDER

The above named defendant has been charged with violating the conditions of probation ordered on 5/14/01 in the Court of General Sessions of Greenville County, and/or the additional conditions ordered by the Court in probation continuation order(s) issued on 12-14-07, as set forth in the attached warrant(s) or citation(s) dated 11-26-08 + 2-27-09. 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, 2, 3, 6, 7, 9, 10

Therefore, IT IS ORDERED that:

☒ the suspended sentence be revoked and the above named defendant be required to serve 10 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 _____ 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 active electronic monitoring pursuant to §23-3-540 (mandatory if convicted of first degree criminal sexual conduct with a minor or lewd act, discretionary if convicted of any other applicable sex offense against a minor).

☒ Additional Conditions ordered by the Court:

- terminate probation- time satisfies fine

☒ The defendant is given credit for pre-arrest detention time on current probation violation to be calculated and applied by the SC Department of Corrections.

☐ The defendant has previously served 0 months/years on this sentence.
(split sentence time and/or prior partial revocation time)

☐ The defendant was previously placed on active electronic monitoring pursuant to §23-3-540.

This 15 day of May, 2009
Greenville, SC

Clifford Pyle Jr
Presiding Judge, 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 _____ day of _____, _____ at _____, SC

Dorn

Created by the South Carolina Department of Probation, Parole and Pardon Services

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

County of Greenville
STATE VS.AKA: Kevin L King
Race: W Sex: M
DOB: _____
SSN: _____
SID#: 01115002INDICTMENT#: DD GS 23 - 11465
Probation C/W#: W-23-08-3228 + W-23-09-0226
Name of Original Offense: BoTW71
Original AWW#: 6443247
Date of Original Offense: 9-2-00
Conviction S.C. Code §: 16-13-230
Conviction CDR Code #: 0141210
Original Sentence: 10 yrs sdg cc to sent
ORDER 5-14-01

The above named defendant has been charged with violating the conditions of probation ordered on 5/14/01 in the Court of General Sessions of Greenville County, and/or the additional conditions ordered by the Court in probation continuation order(s) issued on 12-14-07 as set forth in the attached warrant(s) or citation(s) dated 11-26-08. 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, 2, 5, 6, 7, 9 & 10

Therefore, IT IS ORDERED that:

- ☒ the suspended sentence be revoked and the above named defendant be required to serve 10 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 _____ 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 active electronic monitoring pursuant to §23-3-540 (mandatory if convicted of first degree criminal sexual conduct with a minor or lowd act, discretionary if convicted of any other applicable sex offense against a minor).
- ☒ Additional Conditions ordered by the Court:
terminate probation
time satisfies monetary obligations

☒ 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 has previously served 0 months/years on this sentence.
(split sentence time and/or prior partial revocation time)
- ☐ The defendant was previously placed on active electronic monitoring pursuant to §23-3-540.

This 15 day of May 2009
Greenville SCClifford R. King
Presiding Judge
Clifford R. King Jr. 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 _____ day of _____, _____ at _____ SC

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS

RECORD SUMMARY REPORT DATED 11/03/10

C0239

KING, KEVIN LINDSEY FBI # 737678EB7 SID# SC01115002 SCDC # 251185

OFFENDER TYPE.: ADULT-STRAIGHT SENTENCE

INSTITUTION ...: KIRKLAND CORR INST

DORM.....: D0023A

SECURITY/CUST.: 3 PROTECTIVE CUSTODY-STATEWRA...:W SEX...:M

CURR INCARC SENT...: 20 YRS 0 MOS 0 DYS

PROJ MAXOUT DATE: 12/12/2025

CENTRAL MONITORING.: YES SEPREQ

PROJ PAROLE DATE: 00/00/0000

SOCIAL SECURITY #....

EWC JOB...: WARDKEEPER

EDUC PGM.: NO CURR EDUC PROGRAM

CURRENT PROGRAM...: NO CURRENT PROGRAM

EWC LEVEL: 7F5 EEC LEVEL:

AGE...: 30 DATE OF BIRTH...:

ASSIGNMENT...: WARD KEEPER WARD #3

PREVIOUS NUMBERS:

Y00251185

CURRENT OFFENSES	SENTENCE			COUNTY	SENTENCE			CATEGORY
	YRS	MOS	DYS		START	U/NV		
PETIT LARCENY	0	0	30	GREENVILLE	6/14/20	9 N	1	
PETIT LARCENY	0	0	30	GREENVILLE	6/14/20	9 N	1	
GRAND LARCENY	0	0	30	GREENVILLE	12/19/20	8 N	2	
LARCENY	5	0	0	GREENVILLE	12/19/20	8 N	2	
GRAND LARCENY	4	0	309	PICKENS	12/19/20	8 N	2	
BREACH OF TRUST/FRAUD IN	10	0	0	GREENVILLE	12/19/20	8 N	2	
BURGLARY-2ND DEG/NON-VIO	10	0	0	GREENVILLE	12/19/20	8 N	3	
FORGERY	5	0	0	GREENVILLE	12/19/20	8 N	2	
RECEIVE STOLEN PROPERTY	5	0	0	GREENVILLE	12/19/20	8 N	2	
PETIT LARCENY	10	0	0	GREENVILLE	12/19/20	8 N	1	
BURGLARY-2ND DEG/NON-VIO	7	0	0	GREENVILLE	12/19/20	8 N	3	
BURGLARY-2ND DEG/NON-VIO	9	0	300	GREENVILLE	12/19/20	8 N	3	
CRIM SEX COND. W/MINOR(2N	15	0	0	GREENVILLE	12/16/20	8 U	4	
BURGLARY-1ST DEGREE	20	0	0	GREENVILLE	12/16/20	8 U	4	
BRG-SAFE-VAULT	5	0	0	GREENVILLE	12/16/20	8 N	3	
BREACH OF TRUST/FRAUD IN	0	0	0	GREENVILLE	5/14/20	1 N	2	
PETIT LARCENY	0	0	0	GREENVILLE	5/14/20	1 N	1	
BURGLARY-2ND DEG/NON-VIO	8	0	0	GREENVILLE	5/14/20	1 N	3	
GRAND LARCENY	5	0	0	PICKENS	9/22/20	0 N	2	
BURGLARY-2ND DEG/NON-VIO	5	0	0	GREENVILLE	9/22/20	0 N	3	

PREVIOUS SCDC OFFENSES(COMPLETE)	SENTENCE			COUNTY	SENTENCE			CATEGORY
	YRS	MOS	DYS		START	U/NV		
FRAUD INSUFF FUNDS CHECK	0	0	1	GREENVILLE	1/18/20	4 N	1	
FRAUD INSUFF FUNDS CHECK	0	0	30	GREENVILLE	9/18/20	3 N	1	
ASSAULT & BATTERY	0	0	0	GREENVILLE	10/ 1/20	2 N	3	
PETIT LARCENY	0	0	30	GREENVILLE	6/11/20	1 N	1	
ASSAULT & BATTERY	0	0	30	GREENVILLE	6/11/20	1 N	3	
CONTEMPT OF COURT	0	0	30	GREENVILLE	6/11/20	1 N	1	
FRAUD INSUFF FUNDS CHECK	0	0	30	GREENVILLE	4/ 2/20	1 N	1	

PRIOR COMMITMENTS OVER 90 DAYS:

NO PRIOR COMMITMENTS OVER 90 DAYS

DETAINEES (HOLD,WANTED,NOTIFY):

NO DETAINEES

ESCAPES:

7/ 2/ 3 OTHER ESCAPE RELATED CODE NOT IN TABLE

8/23/ 1 ESCAPE CLASS I

CRIMINAL CHARGES:

NO CRIMINAL CHARGES HISTORY

ASSAULTIVE DISCIPLINARIES:

7/26/ 5 POSSESSION OF A WEAPON NOT GUILTY MAJOR

4/ 6/ 3 POSSESSION OF A WEAPON CONVICTED MAJOR

9/13/ 2 POSSESSION OF A WEAPON OTHER

5/ 2/ 2 POSSESSION OF A WEAPON CONVICTED MAJOR

WEAPON

KING, KEVIN LINDSEY FBI # 737678E87 STD# SC01115002 SCDC # 251185 (CONTINUED)

3/31/ 2 POSSESSION OF A WEAPON DROPPED MAJOR
NON-ASSAULTIVE DISCIPLINARIES:

4/14/ 6	FALSE STATEMENT TO HARM	CONVICTED	ADMIN
1/19/ 6	POSS. OR/ATTEMPT TO POSS	DROPPED	MAJOR
1/ 6/ 6	POSS. OR/ATTEMPT TO POSS	DROPPED	CHARG
7/26/ 5	GAMBLING AND LOAN SHARKI	DROPPED	MAJOR
12/ 7/ 4	DAMAGE, DESTROY, PROP. VALU	CONVICTED	ADMIN
7/29/ 4	USE, POSS NARC, MARIJ, UNAU	DROPPED	CHARG
4/21/ 4	REFUSING OR FAILING OBEY	CONVICTED	MAJOR
3/21/ 4	POSSESSION OF CONTRABAND	DROPPED	CHARG
7/21/ 3	REFUSING OR FAILING OBEY		OTHER
3/30/ 3	REFUSING OR FAILING OBEY	CONVICTED	MAJOR
2/28/ 3	USE, POSS NARC, MARIJ, UNAU	DROPPED	MAJOR
2/27/ 3	USE, POSS NARC, MARIJ, UNAU	CONVICTED	MAJOR
2/24/ 3	USE, POSS NARC, MARIJ, UNAU	DROPPED	MAJOR
8/27/ 2	DAMAGE, DESTROY, PROP. VALU	DROPPED	MAJOR
8/20/ 2	REFUSING OR FAILING OBEY	CONVICTED	MINOR
4/ 6/ 2	USE, POSS NARC, MARIJ, UNAU	CONVICTED	MAJOR
3/28/ 2	EVADING A SECURITY DEVIC	CONVICTED	MAJOR
8/23/ 1	CLASS I ESCAPE	CONVICTED	MAJOR
5/25/ 1	POSSESSION OF CONTRABAND		OTHER
5/ 8/ 1	DAMAGE, DESTROY, PROP. VALU	CONVICTED	MAJOR
4/ 4/ 1	GAMBLING AND LOAN SHARKI	CONVICTED	MAJOR
3/28/ 1	USE, POSS NARC, MARIJ, UNAU	CONVICTED	MAJOR
3/28/ 1	USE, POSS NARC, MARIJ, UNAU		OTHER
3/19/ 1	USE, POSS NARC, MARIJ, UNAU	CONVICTED	MAJOR
10/15/ 0	REFUSING TO WORK		OTHER
8/30/99	USE, POSS NARC, MARIJ, UNAU	CONVICTED	MAJOR
10/ 5/98	INCITING/CREATING A DIST	DROPPED	MAJOR

HISTORY OF MOVEMENTS:

9/ 4/10	KIRKLAND	INCARCERATED	ADMINISTRATIVE
9/ 3/10	PALMETTO RCHLAN	AUTH ABSENCE (AWL)	MEDICAL
7/14/ 9	KIRKLAND	INCARCERATED	RETURN FROM COURT
7/14/ 9	GREENVILLE CO	AUTH ABSENCE (AWL)	TO COURT
6/23/ 9	KIRKLAND	INCARCERATED	RETURN FROM COURT
6/23/ 9	GREENVILLE CO	AUTH ABSENCE (AWL)	TO COURT
5/18/ 9	KIRKLAND	INCARCERATED	RAE PROCESSING
5/18/ 9	PERRY	INCARCERATED	PROBATION VIOLATOR
11/ 1/ 6	GREENVILLE CO	PROBATION	RELEASED TO PROBATION
10/26/ 6	GREENVILLE CO	AUTH ABSENCE (AWL)	TO COURT
10/24/ 6	KIRKLAND	INCARCERATED	ADMINISTRATIVE
10/23/ 6	LEE	INCARCERATED	ADMINISTRATIVE
10/23/ 6	SUMTER CO	AUTH ABSENCE (AWL)	MEDICAL
10/19/ 6	LEE	INCARCERATED	MEDICAL
2/22/ 6	KIRKLAND	INCARCERATED	ADMINISTRATIVE
2/22/ 6	BROAD RTVER	INCARCERATED	COURT/PAROLE HEARING VIA
2/15/ 6	KIRKLAND	INCARCERATED	ADMINISTRATIVE
5/ 2/ 5	BROAD RIVER	INCARCERATED	ADMINISTRATIVE
9/21/ 4	PERRY	INCARCERATED	RETURN FROM COURT
9/21/ 4	GREENVILLE CO	AUTH ABSENCE (AWL)	TO COURT
6/ 9/ 4	PERRY	INCARCERATED	ADMINISTRATIVE
6/ 3/ 4	LEE	INCARCERATED	ADMINISTRATIVE
2/23/ 4	MCCORMICK	INCARCERATED	ADMINISTRATIVE
9/18/ 3	LEE	INCARCERATED	ADMINISTRATIVE
9/18/ 3	LIFBER	INCARCERATED	GS/MAG. COURT @ SCDC.
4/22/ 3	LEE	INCARCERATED	ADMINISTRATIVE
3/27/ 3	PERRY	INCARCERATED	RETURN FROM COURT
3/27/ 3	GREENVILLE CO	AUTH ABSENCE (AWL)	TO COURT
11/13/ 2	PERRY	INCARCERATED	ADMINISTRATIVE
6/27/ 2	ALLENDAL	INCARCERATED	ADMINISTRATIVE

KING, KEVIN LINDSEY FBI # 737678EB7 SID# SC01115002 SCDC # 251185 (CONTINUED)

6/21/ 1	EVANS	INCARCERATED	ADMINISTRATIVE
6/11/ 1	KIRKLAND	INCARCERATED	YOA CONVERSION
6/11/ 1	KIRKLAND	INCARCERATED	ADMINISTRATIVE
5/14/ 1	TURBEVILLE	INCARCERATED	RETURN FROM COURT
5/14/ 1	GREENVILLE CO	AUTH ABSENCE (AWL)	TO COURT
4/16/ 1	TURBEVILLE	INCARCERATED	RETURN FROM COURT
4/16/ 1	GREENVILLE CO	AUTH ABSENCE (AWL)	TO COURT
12/29/ 0	TURBEVILLE	INCARCERATED	DRUG ADDICTION UNIT
12/11/ 0	WATEREE RIVER	INCARCERATED	RETURN FROM COURT
12/11/ 0	ANDERSON CO	AUTH ABSENCE (AWL)	TO COURT
11/22/ 0	WATEREE RIVER	INCARCERATED	RETURN FROM COURT
11/14/ 0	GREENVILLE CO	AUTH ABSENCE (AWL)	TO COURT
10/ 6/ 0	WATEREE RIVER	INCARCERATED	ADMINISTRATIVE
9/26/ 0	KIRKLAND	INCARCERATED	R&E PROCESSING
9/26/ 0	PERRY	INCARCERATED	YOA PAROLE VIOLATOR
9/22/ 0	GREENVILLE CO	AUTH ABSENCE (AWL)	LOCKUP-FRM EPA,SF,PAR,PRB
9/19/ 0	UNK	DEAD TIME	WARRANT ISSUED
1/31/ 0	GREENVILLE CO	YOA PAROLE - CONDITI	PAROLE BOARD ACTION
5/13/99	TURBEVILLE	INCARCERATED	RETURN FROM COURT
5/13/99	PICKENS CO	AUTH ABSENCE (AWL)	TO COURT
5/ 7/99	TURBEVILLE	INCARCERATED	RETURN FROM COURT
5/ 3/99	PICKENS CO	AUTH ABSENCE (AWL)	TO COURT
10/29/98	TURBEVILLE	INCARCERATED	ADMINISTRATIVE
10/15/98	LEE	INCARCERATED	RETURN FROM COURT
10/ 9/98	HORRY CO	AUTH ABSENCE (AWL)	TO COURT
8/14/98	LEE	INCARCERATED	ADMINISTRATIVE
7/17/98	KIRKLAND	INCARCERATED	R&E PROCESSING
7/17/98	PERRY	INCARCERATED	NEW ADMISSION

HISTORY OF EARNED WORK CREDIT ASSIGNMENTS:

JOB DESCRIPTION	START DATE	END DATE	TERMINATION REASON	JOB LVL
WARDKEEPER	06/12/09	0/ 0/ 0		7F5
WARDKEEPER	03/27/06	10/24/ 6	INSTIT TRANSFER	7F5
WARDKEEPER	03/01/06	3/ 1/ 6	PLACED IN ST/SP CUSTODY	7F5
WARDKEEPER ASSISTANT	12/22/05	1/19/ 6	PLACED IN ST/SP CUSTODY	3F5
FOOD SERVICE AIDE	06/21/05	7/26/ 5	PLACED IN ST/SP CUSTODY	3F7
FOOD SERVICE AIDE	05/03/05	5/24/ 5	PLACED IN ST/SP CUSTODY	3F7
CUSTODIAN HELPER	02/24/04	3/20/ 4	PLACED IN ST/SP CUSTODY	5F5
GENERAL WORKER	11/10/03	1/12/ 4	PLACED IN ST/SP CUSTODY	5F5
GENERAL WORKER	04/30/03	7/ 2/ 3	PLACED IN ST/SP CUSTODY	7F5
FOOD SERVICE AIDE	04/01/03	4/ 6/ 3	PLACED IN ST/SP CUSTODY	7F5
FOOD SERVICE AIDE	11/18/02	3/31/ 3	CUSTODY REVIEW	5F5
CUSTODIAL WORKER	07/03/02	9/20/ 2	PLACED IN ST/SP CUSTODY	5F5
CUSTODIAL WORKER	04/16/02	5/ 6/ 2	PLACED IN ST/SP CUSTODY	7F5
CUSTODIAL WORKER	08/21/01	8/23/ 1	PLACED IN ST/SP CUSTODY	7F5
WARDKEEPER ASSISTANT	05/18/01	6/11/ 1	INSTIT TRANSFER	3F5
WARDKEEPER ASSISTANT	03/29/01	4/ 4/ 1	PLACED IN ST/SP CUSTODY	2F5
ELECTRICIAN HELPER	01/05/01	3/28/ 1	INMATE REQUEST	2F5
ELECTRICIAN HELPER	01/04/01	1/ 4/ 1	MI ELIGIBLE FOR LEVEL 2	3F5
FARM WORKER	10/17/00	11/22/ 0	PLACED IN ST/SP CUSTODY	2F5

HISTORY OF EARNED EDUCATION CREDITS:

EEC DESCRIPTION	START DATE	END DATE	TERMINATION REASON
BONUS 4-7 HRS/WK	12/27/02	2/27/ 3	INMATE REQUEST
BONUS 15 OR MORE	08/21/01	8/23/ 1	PLACED IN ST/SP CUSTODY
LVL 7 - FULL TIME(NO EWC)	06/22/01	8/20/ 1	LATERAL TRANSFER
LVL 3 - FULL TIME(NO EWC)	11/02/99	12/30/99	PLACED IN ST/SP CUSTODY
LVL 3 - FULL TIME(NO EWC)	06/15/99	11/ 1/99	CUSTODY REVIEW
LVL 3 - FULL TIME(NO EWC)	05/11/99	6/10/99	PLACED IN ST/SP CUSTODY
LVL 3 - FULL TIME(NO EWC)	11/10/98	5/ 3/99	COURT

KING, KEVIN LINDSEY FBI # 737678ER7 ST# SC01115002 SCDC # 251185 (CONTINUED)
LVL 3 - FULL TIME(NO EWC) 08/21/98 10/ 9/98 COURT
***** END OF REPORT *****

CMTI330D SCDC OFFENDER MANAGEMENT SYSTEM 10/01/09
 OMCOMITA RELEASE DATE SCREEN C023981
 SCDC# > 251185 LOC: KIRKLAND
 KING, KEVIN LINDSEY SCDC CLASSIFICATION... VIOLENT
 OFFENDER TYPE...: ADULT-STRAIGHT SENTENCE SEXUAL REGISTRY... Y
 SEXUAL PREDATOR...: PENDING
 DNA STATUS...: COMPLETED
 GPS REQUIREMENT...: N
 PREA DECISION...:
 CURRENT SENTENCE: 020-00-000 CONSECUTIVE SENTENCE ...: N
 020-00-000 CURRENT SENT START DATE: 12/16/2008
 PROJECTED COMPLETION DATES
 MAXOUT DATE: 12/12/2025 CURRENT EWC ..: 7 F 5
 YOA SIX YEAR DATE: / / CURRENT EEC ..: NOT CURRENTLY EARNING EEC
 INITIAL PAROLE DATE: 00/00/0000 NEXT PAROLE HEARING DATE: 00/00/0000

 TOTAL GT DAYS EARNED: 000000 LABOR CREW/WORK PROG DATE: 99/99/9999
 TOTAL EARNED WORK CREDITS ...: 000029 LABOR CREW DISQ REASON:
 TOTAL EDUCATION CREDITS: 000000 CURRENT OR PRIOR SEX CONDUCT CONVICT
 TOTAL EXTRA EARNED CREDITS ..: 000
 TOTAL SERVICE TIME EARNED ...: 000285

PFKEYS: 5: HISTORY OF DATE CHANGES
 4- 1 Sess-1 167.7.50.33 SCDC1317 3/11

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS

RECORD SUMMARY REPORT DATED 10/01/09

C0239

KING, KEVIN LINDSEY FBI # 737678EB7 SID# SC01115002 SCDC # 251185

OFFENDER TYPE.: ADULT-STRAIGHT SENTENCE

INSTITUTION ... KIRKLAND CORR INST

DORM.....: D0010A

SECURITY/CUST.: 3

PROTECTIVE CUSTODY-STATEW

RACE....:W SEX....:M

CURR INCARC SENT...: 20 YRS 0 MOS 0 DYS

PROJ MAXOUT DATE: 12/12/2025

CENTRAL MONITORING.: YES SEPREQ

PROJ PAROLE DATE: 00/00/0000

SOCIAL SECURITY #....

EWC JOB...: WARDKEEPER

EDUC PGM.: NO CURR EDUC PROGRAM

CURRENT PROGRAM...: NO CURRENT PROGRAM

EWC LEVEL: 7F5 EEC LEVEL:

AGE...: 29 DATE OF BIRTH...:

ASSIGNMENT...: WARD KEEPER WARD #3

PREVIOUS NUMBERS:

Y00251185

CURRENT OFFENSES	SENTENCE			COUNTY	SENTENCE			U/V	CATEGORY
	YRS	MOS	DYS		START				
PETIT LARCENY	0	0	30	GREENVILLE	6/14/20	9	N		1
PETIT LARCENY	0	0	30	GREENVILLE	6/14/20	9	N		1
GRAND LARCENY	0	0	30	GREENVILLE	12/19/20	8	N		2
LARCENY	5	0	0	GREENVILLE	12/19/20	8	N		2
GRAND LARCENY	4	0	309	PICKENS	12/19/20	8	N		2
BREACH OF TRUST/FRAUD IN	10	0	0	GREENVILLE	12/19/20	8	N		2
BURGLARY-2ND DEG/NON-VIO	10	0	0	GREENVILLE	12/19/20	8	N		3
FORGERY	5	0	0	GREENVILLE	12/19/20	8	N		2
RECEIVE STOLEN PROPERTY	5	0	0	GREENVILLE	12/19/20	8	N		2
PETIT LARCENY	10	0	0	GREENVILLE	12/19/20	8	N		1
BURGLARY-2ND DEG/NON-VIO	7	0	0	GREENVILLE	12/19/20	8	N		3
BURGLARY-2ND DEG/NON-VIO	9	0	300	GREENVILLE	12/19/20	8	N		3
CRIM SEX COND. W/MINOR(2N	15	0	0	GREENVILLE	12/16/20	8	V		4
BURGLARY-1ST DEGREE	20	0	0	GREENVILLE	12/16/20	8	V		4
BRG-SAFE-VAULT	5	0	0	GREENVILLE	12/16/20	8	N		3
BREACH OF TRUST/FRAUD IN	0	0	0	GREENVILLE	5/14/20	1	N		2
PETIT LARCENY	0	0	0	GREENVILLE	5/14/20	1	N		1
BURGLARY-2ND DEG/NON-VIO	8	0	0	GREENVILLE	5/14/20	1	N		3
GRAND LARCENY	5	0	0	PICKENS	9/22/20	0	N		2
BURGLARY-2ND DEG/NON-VIO	5	0	0	GREENVILLE	9/22/20	0	N		3

PREVIOUS SCDC OFFENSES (COMPLETE)	SENTENCE			COUNTY	SENTENCE			U/V	CATEGORY
	YRS	MOS	DYS		START				
FRAUD INSUFF FUNDS CHECK	0	0	1	GREENVILLE	1/18/20	4	N		1
FRAUD INSUFF FUNDS CHECK	0	0	30	GREENVILLE	9/18/20	3	N		1
ASSAULT & BATTERY	0	0	0	GREENVILLE	10/ 1/20	2	N		3
PETIT LARCENY	0	0	30	GREENVILLE	6/11/20	1	N		1
ASSAULT & BATTERY	0	0	30	GREENVILLE	6/11/20	1	N		3
CONTEMPT OF COURT	0	0	30	GREENVILLE	6/11/20	1	N		1
FRAUD INSUFF FUNDS CHECK	0	0	30	GREENVILLE	4/ 2/20	1	N		1

PRIOR COMMITMENTS OVER 90 DAYS:

NO PRIOR COMMITMENTS OVER 90 DAYS

DETAINERS (HOLD, WANTED, NOTIFY):

CONTEMPT OF COURT

HOLD

PRESTIDING JUDGE

CATEG: 1

NO DETAINEES

ESCAPES:

7/ 2/ 3

OTHER ESCAPE RELATED CODE NOT IN TABLE

8/23/ 1

ESCAPE

CLASS I

CRIMINAL CHARGES:

NO CRIMINAL CHARGES HISTORY

ASSAULTIVE DISCIPLINARIES:

7/26/ 5 POSSESSION OF A WEAPON

NOT GUILTY MAJOR

4/ 6/ 3 POSSESSION OF A WEAPON

CONVICTED MAJOR

9/13/ 2 POSSESSION OF A WEAPON

OTHER

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5/ 2/ 2	POSSESSION OF A WEAPON	CONVICTED	MAJOR	WEAPON
3/31/ 2	POSSESSION OF A WEAPON	DROPPED	MAJOR	

NON-ASSAULTIVE DISCIPLINARIES:

4/14/ 6	FALSE STATEMENT TO HARM	CONVICTED	ADMIN
1/19/ 6	POSS. OR/ATTEMPT TO POSS	DROPPED	MAJOR
1/ 6/ 6	POSS. OR/ATTEMPT TO POSS	DROPPED	CHARG
7/26/ 5	GAMBLING AND LOAN SHARKI	DROPPED	MAJOR
12/ 7/ 4	DAMAGE, DESTROY, PROP. VALU	CONVICTED	ADMIN
7/29/ 4	USE, POSS NARC, MARIJ, UNAU	DROPPED	CHARG
4/21/ 4	REFUSING OR FAILING OBEY	CONVICTED	MAJOR
3/21/ 4	POSSESSION OF CONTRABAND	DROPPED	CHARG
7/21/ 3	REFUSING OR FAILING OBEY		OTHER
3/30/ 3	REFUSING OR FAILING OBEY	CONVICTED	MAJOR
2/28/ 3	USE, POSS NARC, MARIJ, UNAU	DROPPED	MAJOR
2/27/ 3	USE, POSS NARC, MARIJ, UNAU	CONVICTED	MAJOR
2/24/ 3	USE, POSS NARC, MARIJ, UNAU	DROPPED	MAJOR
8/27/ 2	DAMAGE, DESTROY, PROP. VALU	DROPPED	MAJOR
8/20/ 2	REFUSING OR FAILING OBEY	CONVICTED	MINOR
4/ 6/ 2	USE, POSS NARC, MARIJ, UNAU	CONVICTED	MAJOR
3/28/ 2	EVADING A SECURITY DEVIC	CONVICTED	MAJOR
8/23/ 1	CLASS I ESCAPE	CONVICTED	MAJOR
5/25/ 1	POSSESSION OF CONTRABAND		OTHER
5/ 8/ 1	DAMAGE, DESTROY, PROP. VALU	CONVICTED	MAJOR
4/ 4/ 1	GAMBLING AND LOAN SHARKI	CONVICTED	MAJOR
3/28/ 1	USE, POSS NARC, MARIJ, UNAU	CONVICTED	MAJOR
3/28/ 1	USE, POSS NARC, MARIJ, UNAU		OTHER
3/19/ 1	USE, POSS NARC, MARIJ, UNAU	CONVICTED	MAJOR
10/15/ 0	REFUSING TO WORK		OTHER
8/30/99	USE, POSS NARC, MARIJ, UNAU	CONVICTED	MAJOR
10/ 5/98	INCITING/CREATING A DIST	DROPPED	MAJOR

HISTORY OF MOVEMENTS:

7/14/ 9	KIRKLAND	INCARCERATED	RETURN FROM COURT
7/14/ 9	GREENVILLE CO	AUTH ABSENCE (AWL)	TO COURT
6/23/ 9	KIRKLAND	INCARCERATED	RETURN FROM COURT
6/23/ 9	GREENVILLE CO	AUTH ABSENCE (AWL)	TO COURT
5/18/ 9	KIRKLAND	INCARCERATED	R&E PROCESSING
5/18/ 9	PERRY	INCARCERATED	PROBATION VIOLATOR
11/ 1/ 6	GREENVILLE CO	PROBATION	RELEASED TO PROBATION
10/26/ 6	GREENVILLE CO	AUTH ABSENCE (AWL)	TO COURT
10/24/ 6	KIRKLAND	INCARCERATED	ADMINISTRATIVE
10/23/ 6	LEE	INCARCERATED	ADMINISTRATIVE
10/23/ 6	SUMTER CO	AUTH ABSENCE (AWL)	MEDICAL
10/19/ 6	LEE	INCARCERATED	MEDICAL
2/22/ 6	KIRKLAND	INCARCERATED	ADMINISTRATIVE
2/22/ 6	BROAD RIVER	INCARCERATED	COURT/PAROLE HEARING VIA
2/15/ 6	KIRKLAND	INCARCERATED	ADMINISTRATIVE
5/ 2/ 5	BROAD RIVER	INCARCERATED	ADMINISTRATIVE
9/21/ 4	PERRY	INCARCERATED	RETURN FROM COURT
9/21/ 4	GREENVILLE CO	AUTH ABSENCE (AWL)	TO COURT
6/ 9/ 4	PERRY	INCARCERATED	ADMINISTRATIVE
6/ 3/ 4	LEE	INCARCERATED	ADMINISTRATIVE
2/23/ 4	MCCORMICK	INCARCERATED	ADMINISTRATIVE
9/18/ 3	LEE	INCARCERATED	ADMINISTRATIVE
9/18/ 3	LIEBER	INCARCERATED	GS/MAG. COURT @ SCDC.
4/22/ 3	LEE	INCARCERATED	ADMINISTRATIVE
3/27/ 3	PERRY	INCARCERATED	RETURN FROM COURT
3/27/ 3	GREENVILLE CO	AUTH ABSENCE (AWL)	TO COURT
11/13/ 2	PERRY	INCARCERATED	ADMINISTRATIVE
6/27/ 2	ALLEDALE	INCARCERATED	ADMINISTRATIVE
6/21/ 1	EVANS	INCARCERATED	ADMINISTRATIVE

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6/11/ 1	KIRKLAND	INCARCERATED	YOA CONVERSION
6/11/ 1	KIRKLAND	INCARCERATED	ADMINISTRATIVE
5/14/ 1	TURBEVILLE	INCARCERATED	RETURN FROM COURT
5/14/ 1	GREENVILLE CO	AUTH ABSENCE (AWL)	TO COURT
4/16/ 1	TURBEVILLE	INCARCERATED	RETURN FROM COURT
4/16/ 1	GREENVILLE CO	AUTH ABSENCE (AWL)	TO COURT
12/29/ 0	TURBEVILLE	INCARCERATED	DRUG ADDICTION UNIT
12/11/ 0	WATEREE RIVER	INCARCERATED	RETURN FROM COURT
12/11/ 0	ANDERSON CO	AUTH ABSENCE (AWL)	TO COURT
11/22/ 0	WATEREE RIVER	INCARCERATED	RETURN FROM COURT
11/14/ 0	GREENVILLE CO	AUTH ABSENCE (AWL)	TO COURT
10/ 6/ 0	WATEREE RIVER	INCARCERATED	ADMINISTRATIVE
9/26/ 0	KIRKLAND	INCARCERATED	R&E PROCESSING
9/26/ 0	PERRY	INCARCERATED	YOA PAROLE VIOLATOR
9/22/ 0	GREENVILLE CO	AUTH ABSENCE (AWL)	LOCKUP-FRM EPA,SF,PAR,PRB
9/19/ 0	UNK	DEAD TIME	WARRANT ISSUED
1/31/ 0	GREENVILLE CO	YOA PAROLE - CONDITI	PAROLE BOARD ACTION
5/13/99	TURBEVILLE	INCARCERATED	RETURN FROM COURT
5/13/99	PICKENS CO	AUTH ABSENCE (AWL)	TO COURT
5/ 7/99	TURBEVILLE	INCARCERATED	RETURN FROM COURT
5/ 3/99	PICKENS CO	AUTH ABSENCE (AWL)	TO COURT
10/29/98	TURBEVILLE	INCARCERATED	ADMINISTRATIVE
10/15/98	LEE	INCARCERATED	RETURN FROM COURT
10/ 9/98	HORRY CO	AUTH ABSENCE (AWL)	TO COURT
8/14/98	LEE	INCARCERATED	ADMINISTRATIVE
7/17/98	KIRKLAND	INCARCERATED	R&E PROCESSING
7/17/98	PERRY	INCARCERATED	NEW ADMISSION

HISTORY OF EARNED WORK CREDIT ASSIGNMENTS:

JOB DESCRIPTION	START DATE	END DATE	TERMINATION REASON	JOB LVL
WARDKEEPER	06/12/09	0/ 0/ 0		7F5
WARDKEEPER	03/27/06	10/24/ 6	INSTIT TRANSFER	7F5
WARDKEEPER	03/01/06	3/ 1/ 6	PLACED IN ST/SP CUSTODY	7F5
WARDKEEPER ASSISTANT	12/22/05	1/19/ 6	PLACED IN ST/SP CUSTODY	3F5
FOOD SERVICE AIDE	06/21/05	7/26/ 5	PLACED IN ST/SP CUSTODY	3F7
FOOD SERVICE AIDE	05/03/05	5/24/ 5	PLACED IN ST/SP CUSTODY	3F7
CUSTODIAN HELPER	02/24/04	3/20/ 4	PLACED IN ST/SP CUSTODY	5F5
GENERAL WORKER	11/10/03	1/12/ 4	PLACED IN ST/SP CUSTODY	5F5
GENERAL WORKER	04/30/03	7/ 2/ 3	PLACED IN ST/SP CUSTODY	7F5
FOOD SERVICE AIDE	04/01/03	4/ 6/ 3	PLACED IN ST/SP CUSTODY	7F5
FOOD SERVICE AIDE	11/18/02	3/31/ 3	CUSTODY REVIEW	5F5
CUSTODIAL WORKER	07/03/02	9/20/ 2	PLACED IN ST/SP CUSTODY	5F5
CUSTODIAL WORKER	04/16/02	5/ 6/ 2	PLACED IN ST/SP CUSTODY	7F5
CUSTODIAL WORKER	08/21/01	8/23/ 1	PLACED IN ST/SP CUSTODY	7F5
WARDKEEPER ASSISTANT	05/18/01	6/11/ 1	INSTIT TRANSFER	3F5
WARDKEEPER ASSISTANT	03/29/01	4/ 4/ 1	PLACED IN ST/SP CUSTODY	2F5
ELECTRICIAN HELPER	01/05/01	3/28/ 1	INMATE REQUEST	2F5
ELECTRICIAN HELPER	01/04/01	1/ 4/ 1	MI ELIGIBLE FOR LEVEL 2	3F5
FARM WORKER	10/17/00	11/22/ 0	PLACED IN ST/SP CUSTODY	2F5

HISTORY OF EARNED EDUCATION CREDITS:

EEC DESCRIPTION	START DATE	END DATE	TERMINATION REASON
BONUS 4-7 HRS/WK	12/27/02	2/27/ 3	INMATE REQUEST
BONUS 15 OR MORE	08/21/01	8/23/ 1	PLACED IN ST/SP CUSTODY
LVL 7 - FULL TIME(NO EWC)	06/22/01	8/20/ 1	LATERAL TRANSFER
LVL 3 - FULL TIME(NO EWC)	11/02/99	12/30/99	PLACED IN ST/SP CUSTODY
LVL 3 - FULL TIME(NO EWC)	06/15/99	11/ 1/99	CUSTODY REVIEW
LVL 3 - FULL TIME(NO EWC)	05/11/99	6/10/99	PLACED IN ST/SP CUSTODY
LVL 3 - FULL TIME(NO EWC)	11/10/98	5/ 3/99	COURT
LVL 3 - FULL TIME(NO EWC)	08/21/98	10/ 9/98	COURT

KING, KEVIN LINDSEY FBI # 737678EB7 SID# SC01115002 SCDC # 251185 (CONTINUED)
***** END OF REPORT *****