

ARREST WARRANT

2019A4120100001

STATE OF SOUTH CAROLINA

County/ Municipality of

Saluda

THE STATE

190100011T

against

Johnny Tyler Padgett

Address:

Phone: SSN:

Sex: M Race: B Height: 6 Weight: 170

DL State: DL #:

DOB: Agency ORI #: SC0410100

Prosecuting Agency: Saluda Police Department

Prosecuting Officer: Jacquelyn E Roberson - S00149

Offense: Traffic / Failure to stop for a blue light, no injury or death - 1st offense

Offense Code: 0065

Code/Ordinance Sec: 56-05-0750(B)(1)

This warrant is CERTIFIED FOR SERVICE in the

County/ Municipality of

The accused

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

(L.S.)

Signature of Judge

Date:

RETURN

A copy of this arrest warrant was delivered to

defendant Johnny Tyler Padgett

on 1-10-2019

Signature of Constable/Law Enforcement Officer

RETURN WARRANT TO:

General Sessions
100 East Church Street, Suite 6
Saluda, SC 29138

ORIGINAL

ORIGINAL

STATE OF SOUTH CAROLINA

County/ Municipality of

Saluda

Personally appeared before me the affiant Jacquelyn E Roberson

being duly sworn deposes and says that defendant Johnny Tyler Padgett

did within this county and state on or about 1/9/2019

violate the criminal laws of the

State of South Carolina (or ordinance of County/ Municipality of Saluda

in the following particulars:

DESCRIPTION OF OFFENSE: Traffic / Failure to stop for a blue light, no injury or death - 1st offense

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

SEE ATTACHED AFFIDAVIT:

Handwritten signature: E + HIG #1

Handwritten signature: J. D. DeLoach

Signature of Affiant

STATE OF SOUTH CAROLINA

County/ Municipality of

Saluda

Affiant's Address 101 S Jefferson St Saluda, SC 29138-

Affiant's Telephone

RECEIVED

MAY 31 2019

ARREST WARRANT

SC Court of Appeals

TO ANY LAW ENFORCEMENT OFFICER OF THIS STATE OR MUNICIPALITY OR ANY CONSTABLE OF THIS COUNTY:

It appearing from the above affidavit that there are reasonable grounds to believe that

on or about 1/9/2019 defendant Johnny Tyler Padgett

did violate the criminal laws of the State of South Carolina (or ordinance of

County/ Municipality of Saluda

) as set forth below:

DESCRIPTION OF OFFENSE: Traffic / Failure to stop for a blue light, no injury or death - 1st offense

Having found probable cause and the above affiant having sworn before me, you are empowered and directed to arrest the said defendant and bring him or her before me forthwith to be dealt with according to law. A copy of this Arrest Warrant shall be delivered to the defendant at the time of its execution, or as soon thereafter as is practicable

Sworn to and subscribed before me

on 1/10/2019

Signature of Issuing Judge: William Frank Partridge Jr. Judge Code: 6952 5801

Judge's Address 100 South Jefferson Street Saluda, SC 29138-

Judge's Telephone (864)445-3522

Issuing Court: Magistrate Municipal Circuit

ORIGINAL

ORIGINAL

ORIGINAL

Vertical stamp: 2019 MAY 22 PM 1:09

AFFIDAVIT

(STATE OF SOUTH CAROLINA)
(COUNTY OF SALUDA)
(MUNICIPALITY OF SALUDA)

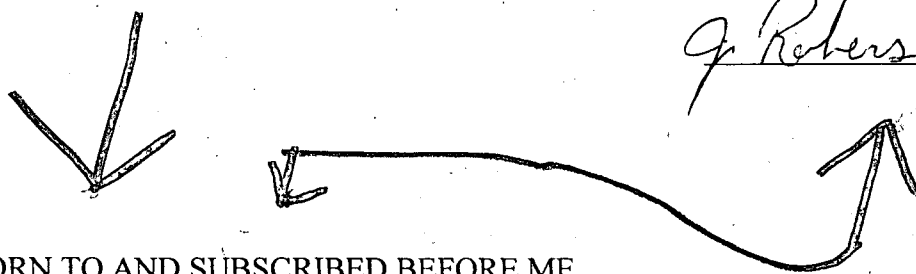
Case# 190100011-T

PERSONALLY APPEARED BEFORE ME, OFFICER J. ROBERSON, WHO BEING DULY SWORN, STATES UNDER OATH THAT THE DEFENDANT, JOHNNY TYLER PADDGETT (DOB 07/06/1956)(A.K.A. JOHNNY CULBREATH), DID ON 01/09/2019, AT APPROXIMATELY 1919 HRS., FAIL TO STOP WHEN BEING SIGNALLED BY LAW ENFORCEMENT WITH BLUE LIGHTS AND SIREN. THIS INCIDENT BEGAN AT THE INTERSECTION OF BOUKNIGHT FERRY AND HIGHLAND AVENUE, WITH THE DEFENDANT TURNING ONTO BOUKNIGHT FERRY AND LEADING LAW ENFORCEMENT TO JUNIPER DRIVE, BACK TO HIGHWAY 178, TURNING THROUGH YARDS TO END UP ON BOUKNIGHT FERRY AGAIN, DOWN TO HARE STREET AND UP HARE STREET TO HIGHWAY 378, THEN TURNING ON HIGHWAY 378 AND BACK DOWN TO WATERS AVENUE, AND FINALLY BACK ONTO BOUKNIGHT FERRY, STOPPING AT BOUKNIGHT FERRY AND ROSENWALD STREET, ALL WITHIN THE TOWN OF SALUDA SOUTH CAROLINA. THIS IS IN VIOLATION OF SECTION 56-5-750 OF THE SOUTH CAROLINA CODE OF LAWS 1976 AS AMENDED.

56-5-750
FAIL TO STOP FOR BLUE LIGHTS

*Should
Dismiss
Denied*

J. Roberson



SWORN TO AND SUBSCRIBED BEFORE ME

THIS 10 DAY OF Jan, 2019

*JTP
2/015/020*

STATE OF SOUTH CAROLINA)
)
COUNTY OF SALUDA)
)

INDICTMENT FOR
Failure to Stop for Blue Light
§ 56-05-0750(B)(1)

At a Court of General Sessions, convened on February 2019, the Grand Jurors of Saluda County present upon their oath:

That **Johnny Tyler Padgett** did in Saluda County, South Carolina on or about January 9, 2019, willfully, knowingly and unlawfully fail to stop a motor vehicle, while driving said motor vehicle on a road, street or highway of this State when Jacquelyn Roberson, a law enforcement officer with the Saluda Town Police Department, signaled and sounded her siren and/or turned on her flashing blue light, and no great bodily injury or death resulted from said failure to stop, in violation of § 56-5-750 (B) (1), Code of Laws of South Carolina, 1976, as amended.

g+h.06.1
(2)

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


ASSISTANT SOLICITOR

WITNESSES

Saluda Town Police Department

Jacquelyn E Roberson

Law Enforcement Case #: 190100011T

BME

ARREST WARRANT NUMBER

2019A4120100001 ✓

ACTION OF GRAND JURY

TRUE BILL

Tracy D. Price
Foreperson of Grand Jury
Date:

VERDICT

Foreperson of Petit Jury
Date:

RECEIVED
MAY 31 2019
SC Court of Appeals

DOCKET NO. 2019GS4100058

The State of South Carolina

County of Saluda

COURT OF GENERAL SESSIONS

FEBRUARY TERM 2019

THE STATE
vs.

Johnny Tyler Padgett

CDR #: 0065

Indictment for

Failure to Stop for Blue Light

§ 56-05-0750(B)(1)

S.R. Hubbard III, SOLICITOR

Et H. b. t. ②

*① not
① rect
indictment*

*Saluda Court
Defendant
Et H. b. t.*

*Padgett motion
to quash
and dismiss
indictment
was denied
5/22/2019
5/23/2019*