

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Richland County

Honorable Clifton Newman, Circuit Court Judge

RECEIVED
JUN 12 2019
SC Court of Appeals

THE STATE,

RESPONDENT,

V.

STACARDO GRISSETT,

APPELLANT

APPELLATE CASE NO. 2018-001525

RECORD ON APPEAL

LARA M. CAUDY
Appellate Defender

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

ATTORNEY FOR APPELLANT

MATTHEW BUCHANAN
General Counsel

South Carolina Department of Probation,
Parole, and Pardon Services
P.O. Box 50666
Columbia, SC 29250
(803) 734-9220

ATTORNEY FOR RESPONDENT

INDEX

INDEX i

COMMUNITY SUPERVISION PROGRAM REVOCATION HEARING TRANSCRIPT
DATED MAY 18, 2018.....1

ARGUMENT BY MS. KING.....3

ARGUMENT BY MS. BRUCK.....5

COURT’S RULING REVOKING COMMUNITY SUPERVISION PROGRAM.....11

REQUEST FOR CREDIT FOR TIME SERVED11

COURT’S RULING13

REVOCATION ORDERS DATED MAY 18, 2018.....16

MOTION TO VACATE AND RECONSIDER SENTENCE (filed May 24, 2018)18

REPLY TO DEFENDANT’S MOTION TO RECONSIDER (filed June 5, 2018)21

ORDER DENYING MOTION TO RECONSIDER (filed August 7, 2018).....25

ARREST WARRANT SERVED ON NOVEMBER 1, 201726

COMMUNITY SUPERVISION PROGRAM RELEASE CERTIFICATE.....29

INDICTMENTS31

SENTENCE SHEETS37

CERTIFICATE OF COUNSEL40

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

STATE OF SOUTH CAROLINA)
COUNTY OF RICHLAND)

COURT OF GENERAL SESSIONS
2009-GS-40-01494
2009-GS-40-01495

State of South Carolina,)
Plaintiff,)
vs.)
Stacardo Grissett,)
Defendant.)

TRANSCRIPT OF RECORD

May 18, 2018
Columbia, South Carolina

B E F O R E:

THE HONORABLE CLIFTON B. NEWMAN, JUDGE.

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

OFFICE OF PROBATION, PARDON AND PAROLE
AGENT KING
Appearing for the Plaintiff

ZOE A. BRUCK, ASSISTANT PUBLIC DEFENDER
Attorney for the Defendant

DEBORAH M. McCURDY, RPR
Official Court Reporter

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

INDEX OF WITNESSES

(WHEREUPON, no witnesses were called during these proceedings.)

EXHIBITS

(WHEREUPON, no exhibits were introduced during these proceedings.)

1 hotel in Columbia. That he failed to notify his
2 agent that he had moved from that residence by
3 willful association with a person whom he had a
4 criminal record.

5 There is an incident report, Your Honor, that
6 was filed in Richland County on September 30th,
7 2017, where the offender was wanted in connection
8 with a robbery with one Andre J. Smith, who was the
9 other listed suspect. That individual, Your Honor,
10 also has a criminal record.

11 Per the incident report, Smith conspired to
12 rob the victim of his personal belongings at his
13 place of residence at [REDACTED] Two Notch Road, Lot 15.
14 Per our records, Mr. Smith has three supervision
15 cases with our department for felony drug
16 possession, distribution, and firearms. That goes
17 to show Your Honor that he has conspired with an
18 individual who he is not allowed to have contact
19 with.

20 In addition to that, Your Honor, he has got a
21 plethora of pending charges, like he is currently
22 incarcerated for offenses of: Armed robbery,
23 kidnapping, possession of a weapon during a violent
24 crime, possession of a weapon of a person convicted
25 of a violent crime, criminal conspiracy.

1 This all happened, Your Honor, roughly one
2 month after he was released on community
3 supervision. So after his release from SCDC in
4 2017, he continued to engage in these criminal
5 acts. He is also a verified gang member, Your
6 Honor. And he is associating with individuals who
7 are engaging in these acts of criminal behaviors,
8 Your Honor.

9 At this time, we are asking that his community
10 supervision be revoked. He does have a remaining
11 299 days on this CSP.

12 THE COURT: All right. Mr. Grissett, do you
13 admit or deny that you have willfully violated the
14 terms of the community supervision program?

15 THE DEFENDANT: I admit to part.

16 THE COURT: All right.

17 MS. BRUCK: Thank you, Your Honor. We can't
18 deny that Mr. Grissett did have contact with
19 individuals who did have criminal records.
20 However, we adamantly deny the charges that have
21 been brought against him.

22 And, furthermore, we deny that he failed to
23 notify his agent that he had moved out of his
24 mother's house. She is present, is in fact here.
25 She would -- would you mind standing? If Your

1 Honor wants to hear from her. She was privy to
2 that conversation that he did in fact have with his
3 agent at that appointment where he informed his
4 agent that he moved, he told them where he was
5 living, and he said that was okay.

6 Is all of that correct?

7 DEFENDANT'S MOTHER: Yes.

8 MS. BRUCK: I know that Your Honor is kind of
9 familiar with this case from his bond motion where
10 he was represented by Mr. Will Hodge.

11 So the main reason that we're asking for a
12 continuation on community supervision, he has 299
13 more days, if he is given a bond on these other
14 charges and released from custody, he will be on an
15 ankle monitor. He is extremely ill, Your Honor. I
16 know that you are aware that he was stabbed 18
17 times in 2016, Your Honor, that he was in a coma
18 for four months.

19 He -- Your Honor, I have shown this to Agent
20 King, but this is every time he has had to have his
21 catheter changed while at Alvin S. Glenn.

22 THE COURT: I missed everything you just said.

23 MS. BRUCK: This is a record of every time he
24 has had to have his catheter changed and cleaned at
25 Alvin S. Glenn. Each one is a separate incident,

1 Your Honor. This is kind of a summary of all of
2 his trips to the ER and all the difficulties that
3 he has been experiencing while at Alvin S. Glenn.
4 If Your Honor cares to take a look at it, I can
5 pass it up.

6 THE COURT: I'm familiar with some of those
7 details from prior hearings.

8 MS. BRUCK: Correct. And it is getting worse,
9 Your Honor. When I was visiting him at the jail
10 yesterday, he was actually just returning from the
11 hospital. That is confirmed by jail staff. And he
12 now has full-blown sepsis. I talked to -- Your
13 Honor, I spoke to Carrie Lavendar, who is an
14 interventional technician from over at Sumter. And
15 she confirmed that he will be getting radiation
16 treatment. And he has had numerous blood
17 transfusions while at Alvin S. Glenn because of
18 continuing infections. Soon he is definitely going
19 to have to have surgery to cut down on all of these
20 issues or else the infection is just going to
21 continue to get worse.

22 If he is out, he will not be committing any
23 crimes, Your Honor. He will be on ankle
24 monitoring. I confirmed with Carrie Lavendar that
25 he can get his treatment while having an ankle

1 monitor. The only time it would ever possibly have
2 to be removed is if he had to have an MRI. I think
3 that was a previous concern from my -- from talking
4 with Will Hodge about his conversations with
5 probation.

6 So, Your Honor, essentially sending him to
7 SCDC I believe would possibly be a death sentence
8 for him, and he needs to be out and get quality
9 care. Sumter is an excellent hospital. He has
10 excellent people working for him there.

11 And so, for those reasons, we are asking that
12 you continue him on community supervision, let him
13 serve out those remaining 299 days.

14 I don't know if his mother wishes to address
15 the Court, but he may as well.

16 DEFENDANT'S MOTHER: I'm okay.

17 THE COURT: All right. Mr. Grissett?

18 THE DEFENDANT: How you doing? Just like, I
19 was seeing my parole officer. I never did not go
20 see him. I see him, like, I was just coming home.
21 His main concern was my address. He was like, as
22 far as this paper and everything, he wanted to make
23 sure I get my health straight first. But the new
24 charges and stuff, like I say, I got proof about
25 that if I want go to trial about that. I don't

1 even know who Andre Smith is. I never -- this man,
2 I never spoke to this man, never had a
3 conversation. Like, all this, that is new to me.
4 I ain't talked to no one like -- I will do -- I can
5 do my whole supervision as house arrest if you give
6 me a chance.

7 MS. KING: Your Honor, if I can just clarify
8 for the Court. And, also, as far as the -- I'm not
9 sure if his mother is deceiving the Court or if she
10 deceived our department, but on October 3rd of
11 2017, the agent spoke with his mother directly, and
12 she advised the department -- if I may pass this
13 forward -- that she had not seen her son, she had
14 not heard from her son, he was with a girlfriend
15 with whom she had no idea what her name was and had
16 no way to reach him.

17 And his last report was on September 21st, and
18 then he picked up these new charges and became
19 wanted two months after being released on community
20 supervision.

21 MS. BRUCK: And both of those are accurate,
22 Your Honor. She didn't know where he was living,
23 but she heard him tell his agent that he was no
24 longer living with her and report where he was
25 living.

1 THE DEFENDANT: I talked to him and I told him
2 exactly where I was at. I had that hotel room.

3 THE COURT: Well, a person on community
4 supervision is an inmate outside of the
5 institution. You are still serving time. And you
6 are placed outside of the institution into the
7 community under community supervision. The track
8 record, and Ms. King will summarize it, but you
9 were released from prison for what charge?

10 THE DEFENDANT: Strong arm, kidnapping,
11 lynching.

12 THE COURT: All that. And what happened?
13 Within?

14 MS. KING: Within one month, Your Honor.

15 THE COURT: He is what?

16 MS. KING: He has picked up new charges. He
17 is back out associating with a known gang. But he
18 has been verified through multiple agencies, Your
19 Honor, associating with individuals who he is not
20 supposed to. Had change in his residence where we
21 can't find out where he is at. And, Your Honor,
22 this all happened less than two months after being
23 released from SCDC.

24 THE COURT: Community supervision, he's an
25 inmate from the Department of Corrections in the

1 community supposedly being supervised, and it just
2 didn't work.

3 So I'm revoking his community supervision.
4 Fortunately, he doesn't have very much time. And
5 the Department of Corrections will be responsible
6 for his healthcare.

7 MS. BRUCK: So Your Honor is giving him credit
8 for time served?

9 THE COURT: Pardon?

10 MS. BRUCK: You are giving him credit for time
11 served?

12 THE COURT: He gets credit for whatever he is
13 entitled to credit for.

14 MS. KING: Are you revoking in full?

15 THE COURT: Yes, 200 and whatever --

16 MS. KING: Twenty-nine. Your Honor, if he
17 does get revoked in full and he gets a credit for
18 the 299, he will come back out on community
19 supervision again for the time that he has been
20 incarcerated. Is that --

21 THE COURT: So the maximum amount of time he
22 can get is what?

23 MS. KING: Your Honor, if he gets the --

24 THE COURT: The maximum community or to max
25 out the sentence is what?

1 MS. KING: To max out the sentence, Your
2 Honor, he would not be able to be allowed to have
3 credit for the time that he has he been in.
4 Otherwise, he will come back out on a new
5 certificate. And I think Mr. Cannon can help
6 advise.

7 THE COURT: How does that work?

8 MR. CANNON: Your Honor, if you provide him
9 with credit for time served, the Department of
10 Corrections will calculate back to when his -- when
11 he was incarcerated on the CSP warrant, which would
12 be roughly six months, so that would apply that six
13 months to the 299 days. He would therefore be
14 released ultimately six months prior to his max out
15 date, then he will have six months more of CSP to
16 do. If you were to just revoke the 299 days and
17 not provide for the time served, he would do 299
18 days and then his CSP would be done and he would be
19 out no more CSP.

20 THE COURT: So which one do you want?

21 THE DEFENDANT: I just want mental health
22 treatment, or something like that. Like, I want,
23 like -- I just did 13 years. I came home. I
24 didn't never -- I didn't get a chance to go
25 through, like, while I been in jail, I just been in

1 jail. They don't teach you trade, they don't give
2 you no help like that. Like, I just -- I wasn't
3 like -- if you give me a chance with my parole with
4 supervision, like, get mental health treatment, or
5 something like that versus me going back to prison.
6 I'm not learning anything. I came into a world I
7 didn't know nothing about. I been so lost. I been
8 gone since I was 14. I'm 28 now. I mean, going to
9 prison won't better the situation. It don't help
10 me at all. You just go through the same thing over
11 and over again, when I can get mental health
12 treatment and I can learn how to live back with my
13 mom and everything.

14 THE COURT: So between -- what are the
15 options?

16 MS. KING: Your Honor, he can either be
17 continued, where he would have 299 days left to
18 serve, but if these new charges come about, we
19 would have to address that, or he can be revoked
20 for 299 days. He will be scot-free, clean and
21 clear of supervision. Or if Your Honor gives him
22 the credit for the time that he has been in--

23 THE COURT: I am revoking the 299 days.

24 MS. KING: Thank you, Your Honor.

25 MS. BRUCK: Your Honor, were the circumstances

1 different, we would agree with that decision, but
2 respectfully, given his health conditions, I just
3 want to beg the Court's indulgence for just a brief
4 moment. He will not make that time.

5 THE COURT: We don't know that.

6 THE DEFENDANT: I got --

7 THE COURT: We don't know that. I don't know
8 that. That is my sentence.

9 MS. KING: Thank you, Your Honor. Your Honor,
10 can I just convert the fees and waive the
11 supervision fear arrears?

12 THE COURT: Yes.

13 MS. KING: Thank you, Your Honor.

14 (WHEREUPON, the proceedings were
15 concluded at 10:20 a.m.)

16
17
18
19
20
21
22
23
24
25 (END OF TRANSCRIPT)

ASG

Created by the South Carolina Department of Probation, Parole and Pardon Services
Community Supervision - Revocation Order

I917962

IN THE COURT OF GENERAL SESSIONS

STATE OF SOUTH CAROLINA

No. 09GS401494 2
Count

COUNTY OF RICHLAND

Community Supervision
REVOCATION ORDER

STATE
-VS-

STACARDO GRISSETT

Defendant

01863785

SID #

342817

█/1989

SCDC # or DOB

RICHLAND COUNTY
FILED
2018 MAY 21 AM 10:12
JEANETTE W. MORRIS
C.C.P. & S.S.

This matter was brought before me on the 18th day of MAY, 2018, pursuant to a (warrant/citation) charging the Defendant with violating the Defendant's Community Supervision Program and asking the Court to revoke the Defendant's community supervision. I find:

1. The terms of the Community Supervision Program are fair and reasonable;
2. The Defendant has not complied with all terms of the Community Supervision Program;
3. The Defendant has willfully violated terms of the Community Supervision Program;
4. The Defendant should not be continued in the Community Supervision Program under its current terms or under other terms and conditions;

IT IS ORDERED that the Defendant be in the custody of the South Carolina Department of Corrections for a term of

149 days _____ months _____ year (total may not exceed one (1) year).

Revoke remaining 149 days. Terminate, no credit for time served. No Admin Monitoring. Waive supervision fees.

This 18 day of MAY, 2018

[Signature]
Presiding Judge

Columbia S.C.

5th Judicial Circuit

This is to certify that I have received this order.

Offender's Signature _____

Witnessed by _____

Signed this _____ day of _____, at _____, SC

ASG

I917963

Created by the South Carolina Department of Probation, Parole and Pardon Services
Community Supervision - Revocation Order

IN THE COURT OF GENERAL SESSIONS

STATE OF SOUTH CAROLINA

No. 09GS401495 1
Count

COUNTY OF RICHLAND

Community Supervision
REVOCATION ORDER

STATE
-vs-

STACARDO GRISSETT

Defendant

01863785

SID #

342817

█/1989

SCDC # or DOB

This matter was brought before me on the 18 day of May, 2018, pursuant to a (warrant or citation) charging the Defendant with violating the Defendant's Community Supervision Program and asking the Court to revoke the Defendant's community supervision. I find:

1. The terms of the Community Supervision Program are fair and reasonable;
2. The Defendant has not complied with all terms of the Community Supervision Program;
3. The Defendant has willfully violated terms of the Community Supervision Program;
4. The Defendant should not be continued in the Community Supervision Program under its current terms or under other terms and conditions;

RICHLAND COUNTY
FILED
MAY 21 AM 10:52
JANETTE W. McBRIDE
Clerk of Court
P. & G.S.

IT IS ORDERED that the Defendant be in the custody of the South Carolina Department of Corrections for a term of 298 days _____ months _____ year (total may not exceed one (1) year).

Revoke remaining 298 days of CSP. No Admin Monitoring waive probation supervision fee + drug test fee. No credit for time served.

This 18 day of May, 2018

Presiding Judge

Columbia S.C.

5th Judicial Circuit

This is to certify that I have received this order.

Offender's Signature

Witnessed by

Signed this _____ day of _____ at _____, SC

09-1495

STATE OF SOUTH CAROLINA)
 COUNTY OF RICHLAND)
)
 The State of South Carolina,)
)
)
 vs.)
)
)
 Stacardo Grissett)
Defendant.)

IN THE COURT OF GENERAL SESSIONS
 Warrant Number: W-40-17-0389 I 917403
 Indictment Number: ~~2013GS4007241~~
 09654001495 MM

MOTION TO VACATE AND RECONSIDER
 SENTENCE

TO: THE HONORABLE CLIFTON NEWMAN, PRESIDING CIRCUIT COURT JUDGE
 CC: AGENT AMANDA KING, AGENT NIKESHA JACOBS

PLEASE TAKE NOTICE that counsel will move that this Court vacate and reconsider the sentence imposed on Mr. Stacardo Grissett on May 18, 2018.

Mr. Grissett was found in violation of the terms of his Community Supervision. The Honorable Clifton Newman revoked 298 days and ordered that Mr. Grissett not be given credit for the 198 days that he had spent in custody since the issuance of his violation warrant. Counsel respectfully requests that Mr. Grissett be given the credit that he is statutorily entitled to and limit his period of incarceration under a community supervision violation to one year as required by statute. Furthermore, counsel requests that the court consider a downward departure in sentencing due to Mr. Grissett's persisting and serious medical issues.

Pursuant to SC Code § 24-13-40 and the holding of *State v. Boggs* (388 S.C. 314, Ct. App. 2010), it is mandatory that a defendant receive credit for the time that he was held awaiting sentencing. In *Boggs*, the plea judge requested that the defendant not be given credit for time served. The South Carolina Court of Appeals overruled the lower court, stating that SC Code § 24-13-40 "mandates prisoners receive credit for the time they served prior to trial unless one of two exceptions exist, either: (1) the prisoner was an escapee or (2) the prisoner was already serving a sentence on a different offense." *Id.* at 316. Mr. Grissett is entitled to the 167 days that he spent in custody before his probation


2018 MAR 14 PM 4:49
 C. C. W. HARRIS
 C. C. & G. S.
 RICHMOND COUNTY
 FILED

was revoked as neither exception for denial of credit applies.

SC Code § 24-21-560(C)(5) states that if a prisoner is in violation of his community supervision, the court "may revoke the prisoner's community supervision and impose a sentence of *up to one year* for violation of the community supervision program" (*emphasis added*). Mr. Grissett, having already served 198 days he is statutorily entitled to receive, can only serve 167 more days in the custody of the South Carolina Department of Corrections for this revocation. Mr. Grissett's current sentence, which denies him pre-trial credit, is effectively a 496 day sentence, 130 days over the maximum revocation allowed by statute.

Additionally, counsel requests that this Court consider a lesser sentence for Mr. Grissett due to his serious medical issues that developed as a result of being stabbed eighteen times while incarcerated at SCDC. Mr. Grissett was receiving excellent medical care at Sumter Tuomey hospital while he was released on community supervision or transported there by the jail. Mr. Grissett needs extensive medical care including blood transfusions, radiology, daily monitoring and will eventually need surgery to rebuild his bladder. All of these necessary medical procedures will be easier, less costly and less dangerous if Mr. Grissett is not incarcerated.

THEREFORE, the Defendant respectfully requests that this Court reconsider the sentence imposed on Mr. Grissett:



Zoe Bruck
Assistant Public Defender

Richland County Public Defender's Office
P.O. Box 192
Columbia, South Carolina 29202
(803) 765-2592

Columbia, South Carolina

This 24 day of May, 2018.

STATE OF SOUTH CAROLINA)

COUNTY OF RICHLAND)

The State of South Carolina,)

vs.)

Stacardo Grissett,
Defendant.)

IN THE COURT OF GENERAL SESSIONS

Warrant Number: W-40-17-0389

Indictment Number: 2013GS4007241

CERTIFICATE OF SERVICE

I certify that on this date I served the Motion to Vacate and Reconsider Sentence in this case on The State of South Carolina by delivering a copy of this motion to the State's attorneys of record by delivering said copy to their office located at The Office of the Solicitor, Fifth Judicial Circuit, Richland County Judicial Center, Third Floor, 1701 Main Street, Columbia, South Carolina 29201, and leaving it with his clerk or other person of authority at said office.



Marybeth McDonnell
Paralegal
Richland County Public Defender's Office
P.O. Box 192
Columbia, South Carolina 29202
(803) 765-2592

2018 MAY 24 PM 4:09
FILED
RICHLAND COUNTY

Columbia, South Carolina

This 24 day of May, 2018.

exception to the right to receive pretrial credit. "Provided, however, that credit for time served prior to trial and sentencing shall not be given: (1) when the prisoner at the time he was imprisoned prior to trial was an escapee from another penal institution; or (2) when the prisoner is serving a sentence for one offense and is awaiting trial and sentence for a second offense in which case he shall not receive credit for time served prior to trial in a reduction of his sentence for the second offense."

Furthermore, the CSP statute also explicitly states that the inmate is not entitled to earn credits that would reduce the sentence. S.C. Code 24-21-560(C). "A prisoner who is incarcerated for revocation of the community supervision program is not eligible to earn any type of credits which would reduce the sentence for violation of the community supervision program."

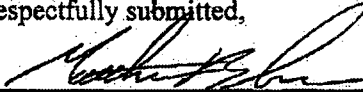
CSP is not like Probation. The supervision is limited to the suspended portion of the sentence or the remaining fifteen percent of a defendant's sentence after serving 85 percent at the Department of Corrections. See State v. Picklesimer, 388 S.C. 264, 695 S.E.2d 845 (2010). Consequently, when an inmate begins a term of CSP, the Department calculates the number of days of the program. Each day the inmate is not absconded reduces that number, whether the inmate is incarcerated or in the community. For example, if the inmate has 100 days remaining on CSP, that inmate will be finished with his supervision after 100 days, no matter if it was while serving a 100-day revocation or remaining in the community for 100 days. If, however, the inmate is given a 100-day revocation and is given 40 days of pre-sentence time, that inmate would serve 60 days and would therefore have to serve 40 more days in the community.

In the case at bar, to apply pre-sentence credit is to undo this Court's intent in its sentence. At the hearing, the Court was informed that the Defendant had 298 days left on CSP. The Court's intent was for the Defendant to serve the remaining time in prison – 298 days, which

is less than a year. If the pre-sentence credit is applied to the Defendant's sentence, he would not be finished with his CSP upon release. He would, in effect, be released with 167 days earlier than the Court intended, and with that same amount of days of CSP that must be completed.

The court cannot terminate CSP. *See State v. Scott*, 351 S.C. 584, 571 S.E.2d 700 (2002). Therefore, this Court cannot sentence the Defendant to incarceration for the remainder of his CSP while he also receives credit for the pre-sentence detention. To do so and terminate CSP at the same time would amount to double credit

Respectfully submitted,



Matthew C. Buchanan
General Counsel

South Carolina Department of
Probation, Parole, and Pardon Services
P.O. Box 50666
Columbia, South Carolina 29250
(803) 734-9220

Columbia, South Carolina,
June 4, 2018

STATE OF SOUTH CAROLINA) IN THE COURT OF GENERAL SESSIONS
COUNTY OF RICHLAND) Fifth Judicial Circuit

Warrant Number: W-40-17-0389
Indictment Number: 09-GS-40-01495

The State,)
v.)
Stacardo Grissett,)
Defendant:)

CERTIFICATE OF SERVICE

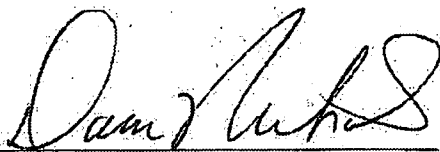
2018 JUN -5 AM 11:45
FILED
RICHLAND COUNTY
JEANETTE W. MCBRIDE
C.C.P. & S.S.

I, Dawn Nichols, Executive Assistant with the South Carolina Department of Probation, Parole and Pardon Services, hereby certify that this 4th day of June, 2018, I served the following documents:

- 1. Reply to Defendant's Motion to Reconsider; and
- 2. Certificate of Service.

by first class mail, postage prepaid as follows.

Zoe Bruck, Assistant Public Defender
Richland County Public Defender's Office
P.O. Box 192
Columbia, SC 29202



Dawn Nichols
Executive Assistant
South Carolina Department of Probation, Parole and Pardon Services
P.O. Box 50666
Columbia, South Carolina 29250
(803) 734-9220

RECEIVED

SEP 07 2018

SC Court of Appeals

STATE OF SOUTH CAROLINA)
 COUNTY OF RICHLAND)
 State of South Carolina)
 v.)
 Stacardo Grissett)
 Defendant)

) IN THE COURT OF GENERAL SESSIONS
) FIFTH JUDICIAL CIRCUIT
) Warrant No. W40170389
) Indictment No. 2013GS4007241

) ORDER DENYING
) MOTION TO RECONSIDER SENTENCE

This matter comes before the Court upon Motion to Reconsider Sentence filed by Defendant on May 24, 2018. Having fully considered Defendant's request, the Court finds that the sentence imposed is not improper nor excessive under the circumstances.

The Court therefore finds that the Motion to Reconsider Sentence should be DENIED AND IT IS SO ORDERED.


 Clifton Newman
 Presiding Judge

August 7, 2018
 Columbia, South Carolina

FILED
 2018 AUG - 7 PM 12:59
 JENNIFER W. MORRIS
 CLERK, C.P. & C.S.

Form 16.1- Arrest Warrant
Form Approved by
SC Attorney General
Section 17-13-160
March 15, 1978

STATE OF SOUTH CAROLINA

COUNTY OF RICHLAND

Community Supervision

ARREST WARRANT

Indictment Number 09-GS-40-01495, 09-GS-40-01494

Warrant Number W-40-17-0389

State Identification No. (SID) 01863785

TO ANY LAW ENFORCEMENT OFFICER OF THIS STATE OR COUNTY OR OF THE MUNICIPALITY OF RICHLAND, AND ANY CONSTABLE OF THIS MAGISTERIAL DISTRICT:

It appearing from the attached affidavit that there are reasonable grounds to believe that STACARDO GRISSETT, did on the 3 day of October, 2017 violate the criminal laws of the State of South Carolina as set forth below:

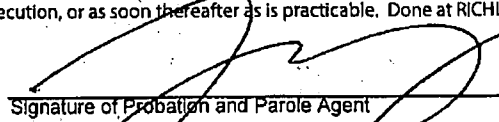
DESCRIPTION OF OFFENSE:

Violation of Community Supervision In that Stacardo Grissett violated conditions 2,4,6,7 and 10 of his South Carolina Department of Corrections Community Supervision Release Certificate dated 08/01/2017.

Now, therefore, you are empowered and directed to arrest the said defendant and bring STACARDO GRISSETT 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. Done at RICHLAND, S.C. this 3 day of October, 2017.

County of **RICHLAND**

STATE OF SOUTH CAROLINA



Signature of Probation and Parole Agent (L.S.)

AFFIDAVIT

Personally appeared before me, one John Zachary Allen, who, first being duly sworn, deposes and says that STACARDO GRISSETT did within this County and State on the 3 day of October, 2017, violate the criminal laws of the State of South Carolina in the following particulars:

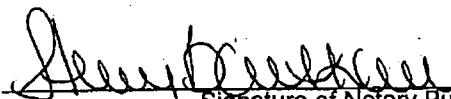
DESCRIPTION OF OFFENSE:

Violation of Community Supervision In that Stacardo Grissett violated conditions 2,4,6,7 and 10 of his South Carolina Department of Corrections Community Supervision Release Certificate dated 08/01/2017.

The affiant states that there is probable cause to believe that the defendant named above did commit the crime(s) set forth, and that such probable cause is based on the following facts:

Stacardo Grissett failed to follow the advice and instructions of his agent by the following; by changing address without permission per a conversation with his mother on 10/03/2017 she advised he has not stayed at his listed residence with her of [redacted] Westmoore Dr Columbia SC 29223 since 9/21/17. She advised he has been staying from hotel to hotel in Columbia. Offender failed to notify agent he had moved from his residence; by willful association with a person whom has a criminal record. Per an incident report filed by the Richland County Sheriff's Department on 9/30/2017 offender is wanted in connection to a robbery where one Andre J Smith (DOB [redacted]/84) is the other listed suspect. Per incident report offender and Smith conspired to rob the victim of his personal belongings at Smith's place of residence of [redacted] Two Notch Rd Lot [redacted] Columbia SC 29223. Per our records Mr. Smith has three supervision cases with our department for felony drug possession/distribution;

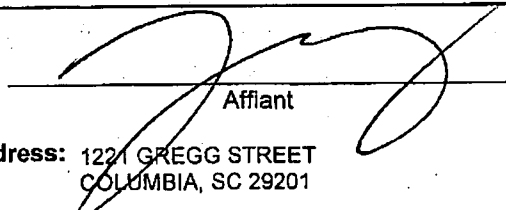
Sworn to and Subscribed before me
this 3 day of October, 2017.



Signature of Notary Public (L.S.)



My Commission Expires



Affiant
Address: 1221 GREGG STREET
COLUMBIA, SC 29201

(803) 734-6320

RETURN

Constable or Law Enforcement Officer

A copy of this Arrest Warrant was delivered by me to the following defendant:

STACARDO GRISSETT

on the 1ST day of Nov. 2017.

[Signature]
Constable or Law Enforcement Officer

This Warrant is certified for service in [County of warrant Certification] County. The accused is to be arrested and brought before me to deal with according to law.

Signature of Judge (L.S.)

STATE OF SOUTH CAROLINA
COUNTY OF
RICHLAND

THE STATE
against

STACARDO GRISSETT

ARREST WARRANT

Offense: Violation of Conditions of Community Supervision Supervision

Offense Section: 24-21-560

Date: 10/3/2017

Officer and Agency: SC Department of Probation, Parole and Pardon Services

John Zachary Allen

Disposition _____

Sentence _____

Co-Defendants _____

INFORMATION ON DEFENDANT

Name STACARDO GRISSETT
Address WESTMORE DRIVE
COLUMBIA, SC 29223
Phone (803) 446-7480
Sex Male Race Black Height 510
Weight 172 Birth date 9/13/1989
Social Security Number _____

INFORMATION ON WITNESSES

Name _____
Address _____
Phone _____

Name _____
Address _____
Phone _____

Name _____
Address _____
Phone _____

Name _____
Address _____
Phone _____

PRELIMINARY HEARING held by

Magistrate _____
on _____,
with _____,
Attorney for the Defendant.

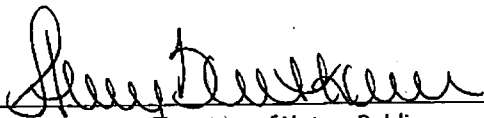
Decision BAIL

Date Set _____
Magistrate _____
Amount _____
Surety _____

Addendum

by possession of a firearm per an incident report and affidavits filed by the Richland County Sheriff's Department on 9/30/2017 there is probable cause to believe offender was in possession of a black in color handgun he possessed during the commission of a robbery on 09/30/2017; by violation of Federal, State or Local laws, without conviction, there is probable cause to believe offender committed the criminal offenses of Armed Robbery, Kidnapping, Possession of Weapon during violent crime, Possession of weapon by person convicted of a violent felony and Criminal Conspiracy during his active period of supervision. This is based on an incident report and affidavits submitted by the Richland County Sheriff's Department on 9/30/2017; by failing to pay supervision fees (\$100 arrearage/\$950 balance) and drug test fee (\$20 arrearage/balance) at the issuance of process; Such actions are a willful violation of conditions 2,4,6,7 and 10 of his CSP release certificated dated 8/1/2017.

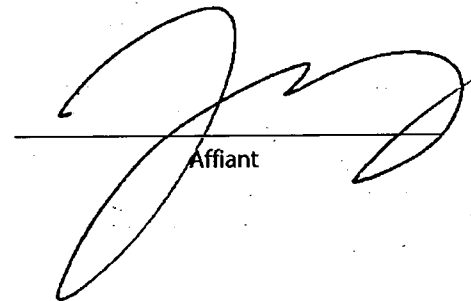
Sworn to and Subscribed before me
this 03 day of October, 2017.



Signature of Notary Public



My Commission Expires



Affiant



COMMUNITY SUPERVISION PROGRAM CERTIFICATE

Know all men by these presents:

It having been made to appear to the satisfaction of the SOUTH CAROLINA DEPARTMENT OF PROBATION PAROLE AND PARDON SERVICES that the offender mentioned below who was convicted of the offense(s) indicated below on said date(s) and in said county(ies) meets the requirements for Community Supervision Program as provided for in §24-21-560 of the South Carolina Code of Laws 1976, as amended.

It is therefore ORDERED that the said prisoner enter the Community Supervision Program at the end of his or her active sentence under supervision subject to the specific conditions listed below until the expiration of this Community Supervision Program as indicated below.

This release shall not prevent the delivery of the prisoner to authorities of the Federal Government or any state otherwise entitled to his or her custody.

In witness whereof, this Certificate bearing the approval of the South Carolina Department of Probation, Parole and Pardon Services is issued on the date below.

By Order of: South Carolina Department of Probation, Parole and Pardon Services

By: [Signature] Director of Parole Board Support Services

Offender/Prisoner's Name: GRISSETT, STACARDO
Supervision Beginning Date: August 1, 2017
State Identification # (SID): 01863785
SC Dept. of Corrections # (SCDC): 00342817
Supervision Ending Date: February 11, 2019

Table with 8 columns: Offense(s), CDR, Indictment # (s), Conviction Date(s), County of Conviction(s), Incarceration Termination Date, Restitution Ordered (\$), Probation to Follow. Rows include Lynching - Second degree and Kidnapping.

CONDITIONS OF SUPERVISION

Violation of any of these conditions may result in the immediate revocation of supervision.

- 1. I shall report in person to the South Carolina Department of Probation, Parole and Pardon Services' office on the day of my release or not later than 8:30 AM on the next business day...
2. I shall not change my residence or employment without the consent of my Agent...
3. I shall not use controlled substances...
4. I shall not possess or purchase any firearms, knives, or dangerous weapons...
5. I shall work diligently at a lawful occupation...
6. I shall not violate any Federal, State, or local laws...
7. I shall pay a supervision fee as determined by the Department...
8. I shall not leave the State without permission from my Agent...
9. I shall obey all conditions of supervision set forth in this order...
10. I shall follow the advice and instructions of my Agent...
11. Unless I was convicted of or pled guilty or nolo contendere to a Class C misdemeanor or an unclassified misdemeanor...

ADDITIONAL CONDITIONS:

- 04 Must have no contact with the Victim and/or Victim's family for duration of supervision.
23 Supervision end date on Indictment# 09-GS-40-1494 is 10/14/2008.

I hereby certify that the conditions listed above have been read and explained fully to me and in agreement thereto, I attach my signature.

[Signature] Stacardo Grissett
Offender Signature Address: WESTMOORE DR., COLUMBIA, SC 29223, RICHLAND, USA

[Signature] 7/24/17
Date

I hereby certify that this Statement of Conditions has been read and explained to the offender and he/she has agreed to them.

[Signature]
Witness Signature

[Signature] 7/24/17
Date

A person required to register under this program shall be required to register bi-annually or quarterly for life, depending upon his/her classification pursuant to Title 1 of the Federal Adam Walsh Child Protection and Safety Act of 2006 (Pub. L. 109-248), the Sex Offender Registration and Notification Act (SORNA). "Bi-annually" means each year during the month on his birthday and again during the sixth month following his birth month.

A person determined by a court to be a sexually violent predator is required to verify registration and be photographed every ninety (90) days by the Sheriff's Office in the county in which he resides unless he is committed to the custody of the State, whereby verification is held in abeyance until his release.

A person required to register under this program who changes his address within the same county must send written notice of a change of address to the Sheriff within three (3) business days of establishing a new residence. A person who changes his permanent or temporary address into another county in this State must both register with the Sheriff in the new county and send written notice of the change of address to the Sheriff in the new county and the previous county within three (3) business days of establishing a new residence. A person who changes his address to a new state must send written notice of a change of address to the Sheriff with whom the person last registered within three (3) business days of establishing a new residence. "Temporary address" or "residence" means the location of the person's home or other place where the person habitually lives or resides, or where the person lives or resides for a period of ten (10) or more consecutive days. "Habitually lives or resides" means locations at which the person lives with some regularity.

A person required to register under this program who moves to South Carolina from another State, establishes residence, acquires real property, becomes employed, or begins attending, enrolls at, volunteers at, interns at, or begins carrying on a vocation at any public or private school within a county in this State, must register in each county where the residence, property, employment, or the private or public school is located within three (3) business days of acquiring the property, beginning employment, or attending, enrolling at, volunteering at, interning at, or carrying on a vocation at the school.

A person required to register under this program and who is employed by, attends, is enrolled at, volunteers at, interns at, or carries on a vocation at any public or private school must provide written notice to the Sheriff within three (3) business days of each change in attendance, enrollment, volunteer status, intern status, employment, or vocational status at any public or private school in this State.

A person required to register under this article is prohibited from living in campus student housing at a public institution of higher learning supported in whole or in part by the State.

Failure to register or provide notification as required, or knowingly and willfully giving false information when registering, is punishable by imprisonment for:

- (1) not more than 365 days and/or a fine of not more than \$1,000, for a first offense;
- (2) a mandatory period of 365 days, no part of which shall be suspended or probation granted, for a second offense; or
- (3) a mandatory period of 5 years imprisonment, 3 years of which shall not be suspended nor probation granted, for a third or subsequent offense.

I, (Print Offender's Name) Stacardo Gnissett, understand that if I was convicted of any sex offense listed in Section 23-3-430 of the Code of Laws of South Carolina, I must abide by the registry conditions set forth in Title 23, Chapter 3, Article 7, and described above. I have received notice of these requirements both orally and in writing.

Stacardo Gnissett
Offender's Signature

7/24/17
Date

SID #

B James
Print Witness' Name

[Signature]
Witness Signature

Original - Offender File

Copy - Offender

WITNESSES

1 (S) Inv. William Gonzalez, RCSD

DOCKET NO. 2009-GS-40-1493

**The State of South Carolina
County of Richland**

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

Defendant

COURT OF GENERAL SESSIONS

APRIL TERM 2009

42

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

Defendant

Witness:

C.C.C. PLS. AND G.S.

ARREST WARRANT NUMBER

1917961

**THE STATE
vs.**

STACARDO GRISSETT

ACTION OF GRAND JURY

TRUE BILL

William Gonzalez

Foreperson of Grand Jury
Date:

APR 15 2009

VERDICT

Indictment for

**ROBBERY/C/L ROBBERY, STRONG
ARM**

SC Code: 16-11-325

CDR Code: 0137

Class FEL-D

Foreperson of Petit Jury
Date:

CESTIFIED TRUE COPY
OF ORIGINAL FILED,
C.C.C. PLS. AND G.S.
RICHLAND COUNTY
SOUTH CAROLINA

WITNESSES

✓(S) Inv. William Gonzalez, RCSD

ARREST WARRANT NUMBER

1917962

ACTION OF GRAND JURY

TRUE BILL

Heaven Ramsey
Foreperson of Grand Jury
Date: APR 15 2009

VERDICT

Foreperson of Petit Jury
Date:

DOCKET NO. 2009-GS-40-1494

The State of South Carolina
County of Richland

COURT OF GENERAL SESSIONS

APRIL TERM 2009

42

THE STATE
vs.

STACARDO GRISSETT

Indictment for
KIDNAPPING

SC Code: 16-3-910
CDR Code: 0095
Class FEL/A(V)

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

Defendant

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

Defendant

Witness:

C.C.C. PLS. AND G.S.

CERTIFIED TRUE COPY
OF ORIGINAL FILED,
APR 15 2009
C.C.C.P.&G.
RICHLAND COUNTY
SOUTH CAROLINA

WITNESSES

✓(S) Inv. William Gonzalez, RCSD

ARREST WARRANT NUMBER

1917963

ACTION OF GRAND JURY

TRUE BILL

[Signature]

Foreperson of Grand Jury

Date:

APR 15 2009

VERDICT

Foreperson of Petit Jury

Date:

DOCKET NO. 2009-GS-40-1495

The State of South Carolina

County of Richland

COURT OF GENERAL SESSIONS

APRIL TERM 2009

42

THE STATE

vs.

STACARDO GRISSETT

Indictment for

LYNCHING - 2nd DEGREE

SC Code: 16-3-220

CDR Code: 313

Class FEL-C

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

Defendant

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

Defendant

Witness:

C.C.C. PLS. AND G.S.

EMERSON
OF COURSE
C.C.C. P.G.S.
RICHLAND COUNTY
SOUTH CAROLINA

COUNTY OF Richland
 STATE VS.
Stacardo Grissett
 AKA: _____
 Race: B Sex: M Age: 20
 DOB: [REDACTED] SS#: _____
 Address: WESTMORE DRIVE
 City, State, Zip: COLUMBIA, SC 29223
 DL#: _____ SID#: _____

INDICTMENT/CASE#: 2009GS401493
 A/W#: 1917961
 Date of Offense: 2/5/2009
 S.C. Code §: 16-11-0325
 CDR Code #: 0137

SENTENCE SHEET

*CDL Yes No CMV Yes No Hazmat Yes No
 In disposition of the said indictment comes now the Defendant who was
 TO: Robbery / Common law robbery, strong arm robbery

CONVICTED OF or PLEADS

in violation of § 16-11-0325 of the S.C. Code of Laws, bearing CDR Code # 0137
 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 pleas: Without Negotiations or Recommendation, Negotiated Sentence, Recommendation by the State.

ATTEST: [Signature] 79034 SC Bar# _____ Defendant
[Signature] 72015 SC Bar# _____ Attorney for Defendant

WHEREFORE, the Defendant is committed to the State Department of Corrections, County Detention Center,
 for a determinate term of 10 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 _____

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: _____

Recipient: _____
 *Fine:

§ 14-1-206 (Assessments 107.5 %)		\$
§ 14-1-211(A)(1) (Conv. Surcharge)	\$100	\$
§ 14-1-211(A)(2) (DUI Surcharge)	\$100	\$
§ 56-5-2995 (DUI Assessment)	\$12	\$
§ 56-1-286 (DUI Breath Test)	\$25	\$
Proviso 47.9 (Public Def/Prob)	\$500	\$
§ 14-1-212 (Law Enforce. Funding)	\$25	\$
§ 14-1-213 (Drug Court Surcharge)	\$150	\$
§ 50-21-114(BUI Breath Test Fee)	\$50	\$
§ 56-5-2942(J) (Vehicle Assessment)	\$40/ea	\$
Proviso 90.5 (SCCJA Surcharge)	\$5	\$
§ 44-53-450(C) (Conditional Discharge)	\$350	\$
3% to County (if paid in installments)		\$
TOTAL		\$

Condition Discharge, § 44-53-450(C) requires
 \$350 be paid to the Clerk prior to case disposition
 Appointed PD or appointed other counsel
 § 47.12 requires \$500 be paid to Clerk
 during probation.

Clerk of Court/ Deputy Clerk Jeanette W. McBride
 Court Reporter: K. Holmes
 SCCA/217 (06/2010)

Presiding Judge _____
 Judge Code: 206 RICHLAND COUNTY
 Sentence Date: 9-16-15 SOUTH CAROLINA

FILED TRUE COPY
 OF ORIGINAL FILED

COUNTY OF Richland
 STATE VS.
Stacardo Grissett
 AKA:
 Race: B Sex: M Age: 20
 DOB: [REDACTED] SS#: [REDACTED]
 Address: WESTMORE DRIVE
 City, State, Zip: COLUMBIA, SC 29223
 DL#: [REDACTED] SID#: [REDACTED]

INDICTMENT/CASE#: 2009GS401494
 A/W#: 1917962
 Date of Offense: 2/5/2009
 S.C. Code § : 16-03-0910
 CDR Code #: 0095

SENTENCE SHEET

*CDL Yes No CMV Yes No Hazmat Yes No
 In disposition of the said indictment comes now the Defendant who was
 TO: Kidnapping / Kidnapping

CONVICTED OF or PLEADS

in violation of § 16-03-0910 of the S.C. Code of Laws, bearing CDR Code # 0095
 NON-VIOLENT VIOLENT SERIOUS MOST SERIOUS Mandatory GPS(CSC w/minor 1st or Lewd Act) §17-25-45

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

ATTEST: [Signature] 740341 x [Signature] x [Signature] 72019
Campbell, Luck SC Bar# [REDACTED] Defendant Tynika Claxton Attorney for Defendant SC Bar# [REDACTED]
L. Eden Henrich

WHEREFORE, the Defendant is committed to the State Department of Corrections, County Detention Center,
 for a determinate term of 8 days/months/years or under the Youthful Offender Act not to exceed [REDACTED] years
 and/or to pay a fine of \$ [REDACTED]; provided that upon the service of [REDACTED] days/months/years and/or payment
 of \$ [REDACTED]; plus costs and assessments as applicable*; the balance is suspended with probation for [REDACTED]

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 PTUP [REDACTED]
 Total: \$ [REDACTED] plus 20% fee: \$ [REDACTED]
 Payment Terms: [REDACTED]
 Set by SCDPPPS [REDACTED]

[REDACTED] days/hours Public Service Employment
 Obtain GED
 Attend Voc. Rehab. or Job Corp. [REDACTED]
 May serve W/E beginning [REDACTED]
 Substance Abuse Counseling:
 Random Drug/Alcohol testing
 Fine may be pd. in equal, consecutive weekly/monthly pmts. of \$ [REDACTED] beginning [REDACTED]
 \$ [REDACTED] paid to Public Defender Fund
 Other: [REDACTED]

Recipient: [REDACTED]
 *Fine:

§ 14-1-206 (Assessments 107.5 %)		\$
§ 14-1-211(A)(1) (Conv. Surcharge)	\$100	\$
§ 14-1-211(A)(2) (DUI Surcharge)	\$100	\$
§ 56-5-2995 (DUI Assessment)	\$12	\$
§ 56-1-286 (DUI Breath Test)	\$25	\$
Proviso 47.9 (Public Def/Prob)	\$500	\$
§ 14-1-212 (Law Enforce. Funding)	\$25	\$
§ 14-1-213 (Drug Court Surcharge)	\$150	\$
§ 50-21-114(BUI Breath Test Fee)	\$50	\$
§ 56-5-2942(J) (Vehicle Assessment)	\$40/ea	\$
Proviso 90.5 (SCJA Surcharge)	\$5	\$
§ 44-53-450(C) (Conditional Discharge)	\$350	\$
3% to County (if paid in installments)		\$
TOTAL		\$

Condition Discharge, § 44-53-450(C) requires \$350 be paid to the Clerk prior to case disposition
 Appointed PD or appointed [REDACTED] § 47.12 requires \$500 be paid to Clerk during probation.

Clerk of Court/ Deputy Clerk Cecilia W. McBride
 Court Reporter: C. Holmes
 SCCA/217 (06/2010)

Presiding Judge: [Signature]
 Judge Code: 286 SOUTH CAROLINA
 Sentence Date: 9-16-10

ORIGINAL FILED

COUNTY OF Richland
STATE VS. Stacardo Grissett
AKA:
Race: B Sex: M Age: 20
DOB: SS#:
Address: WESTMORE DRIVE
City, State, Zip: COLUMBIA, SC 29223
DL#: SID#:

INDICTMENT/CASE#: 2009GS401495
A/W#: I917963
Date of Offense: 2/5/2009
S.C. Code §: 16-03-0220
CDR Code #: 0313

SENTENCE SHEET

*CDL Yes No CMV Yes No Hazmat Yes No
In disposition of the said indictment comes now the Defendant who was
TO: Lynching / Lynching - Second degree

CONVICTED OF or PLEADS

in violation of § 16-03-0220 of the S.C. Code of Laws, bearing CDR Code # 0313
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.
The plea is: Without Negotiations or Recommendation, Negotiated Sentence, Recommendation by the State.

ATTEST: Campbell, Luck SC Bar# 74024 Defendant
Eden Henix SC Bar# 72015 Attorney for Defendant

WHEREFORE, the Defendant is committed to the State Department of Corrections, County Detention Center,
for a determinate term of 10 days/months/years or under the Youthful Offender Act not to exceed years
and/or to pay a fine of \$; provided that upon the service of days/months/years and/or payment
of \$; plus costs and assessments as applicable*; the balance is suspended with probation for

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

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:

Table with 3 columns: Description, Amount, Total. Includes items like § 14-1-206 (Assessments 107.5%), § 14-1-211(A)(1) (Conv. Surcharge) \$100, § 14-1-211(A)(2) (DUI Surcharge) \$100, § 56-5-2995 (DUI Assessment) \$12, § 56-1-286 (DUI Breath Test) \$25, Proviso 47.9 (Public Def/Prob) \$500, § 14-1-212 (Law Enforce. Funding) \$25, § 14-1-213 (Drug Court Surcharge) \$150, § 50-21-114 (BUI Breath Test Fee) \$50, § 56-5-2942(J) (Vehicle Assessment) \$40/ea, Proviso 90.5 (SCCJA Surcharge) \$5, § 44-53-450(C) (Conditional Discharge) \$350, 3% to County (if paid in installments), TOTAL.

Condition Discharge, § 44-53-450(C) requires \$350 be paid to the Clerk prior to case disposition
Appointed PD or appointed other supervised TRUE COPY ORIGINAL FILED
§ 47.12 requires \$500 be paid to Clerk during probation.

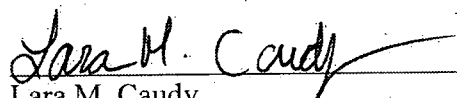
Clerk of Court/ Deputy Clerk: Jeannette W. McBride vs
Court Reporter: K. Holmes
SCCA/217 (06/2010)

Presiding Judge: [Signature]
Judge Code: 2009
Sentence Date: 9-16-10 SOUTH CAROLINA

CERTIFICATE OF COUNSEL FOR APPELLANT

Counsel for appellant certifies that this Record on Appeal contains all material proposed to be included by any of the parties and not any other material and that this Record on Appeal complies to the best of my ability with the April 15, 2014 order from the South Carolina Supreme Court entitled "Revised Order Concerning Personal Identifying Information and Other Sensitive Information in Appellate Court Filings."

Respectfully Submitted,


Lara M. Caudy
Appellate Defender

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

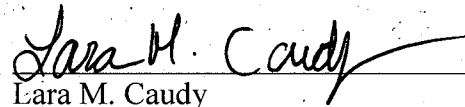
ATTORNEY FOR APPELLANT

This 12th day of June, 2019.

CERTIFICATE OF COUNSEL FOR APPELLANT

Counsel for appellant certifies that this Record on Appeal contains all material proposed to be included by any of the parties and not any other material, and that this Record on Appeal complies to the best of my ability with the April 15, 2014 order from the South Carolina Supreme Court entitled "Revised Order Concerning Personal Identifying Information and Other Sensitive Information in Appellate Court Filings."

Respectfully Submitted,



Lara M. Caudy
Appellate Defender

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

ATTORNEY FOR APPELLANT

This 12th day of June, 2019.

RECEIVED
JUN 12 2019
SC Court of Appeals