

RECEIVED

JUN 19 2019

SC Court of Appeals

STATE OF SOUTH CAROLINA)
)
COUNTY OF SUMTER)

AMENDED INDICTMENT FOR

ASSAULT AND BATTERY IN THE FIRST DEGREE (X4);
DISCHARGING A FIREARM INTO A DWELLING

At a Court of General Sessions, convened on May 2, 2019 the Grand Jurors of SUMTER County present upon their oath:

COUNT ONE – ASSAULT AND BATTERY IN THE FIRST DEGREE

That **Donald Ray Richburg** did in **Sumter** on or about **June 17, 2018**, violate §16-3-600(C)(1), South Carolina Code of Laws, 1976, as amended, in that he did unlawfully offer or attempt to injure another person, to wit: Barry Brinson and great bodily injury to Barry Brinson resulted or the act was accomplished by means likely to produce death or great bodily injury.

COUNT TWO – ASSAULT AND BATTERY IN THE FIRST DEGREE

That **Donald Ray Richburg** did in **Sumter** on or about **June 17, 2018**, violate §16-3-600(C)(1), South Carolina Code of Laws, 1976, as amended, in that he did unlawfully offer or attempt to injure another person, to wit: Evelyn Brinson and great bodily injury to Evelyn Brinson resulted or the act was accomplished by means likely to produce death or great bodily injury.

COUNT THREE – ASSAULT AND BATTERY IN THE FIRST DEGREE

That **Donald Ray Richburg** did in **Sumter** on or about **June 17, 2018**, violate §16-3-600(C)(1), South Carolina Code of Laws, 1976, as amended, in that he did unlawfully offer or attempt to injure another person, to wit: Jeremy “Ty” Brinson and great bodily injury to Jeremy “Ty” Brinson resulted or the act was accomplished by means likely to produce death or great bodily injury.

COUNT FOUR – ASSAULT AND BATTERY IN THE FIRST DEGREE

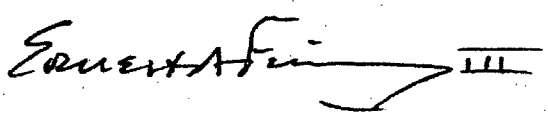
That **Donald Ray Richburg** did in **Sumter** on or about **June 17, 2018**, violate §16-3-600(C)(1), South Carolina Code of Laws, 1976, as amended, in that he did unlawfully offer or attempt to injure another person, to wit: Summer Holliday and great bodily injury to Summer Holliday resulted or the act was accomplished by means likely to produce death or great bodily injury.

COUNT FIVE – DISCHARGING A FIREARM INTO A DWELLING

That **Donald Ray Richburg** did in **Sumter** on or about **June 17, 2018**, violate §16-23-440, South Carolina Code of Laws, 1976, as amended, in that he did unlawfully discharge a firearm at or into a dwelling house, other building, structure, or enclosure regularly occupied by persons, to wit; 435 Holloway Street, Sumter, SC, which belongs to the Brinson family.

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

Solicitor



WITNESSES

Randall K. Stewart
Sumter County Sheriff

ARREST WARRANT NUMBER

2018A4310100684 2018A4310100685
2018A4310100686 2018A4310100687

DIRECT PRESENTMENT

ACTION OF GRAND JURY

Foreperson of Grand Jury
Date:

VERDICT

Foreperson of Petit Jury
Date:

**AMENDED INDICTMENT
DOCKET NO. 2018-GS-43-0945**

The State of South Carolina

County of SUMTER

COURT OF GENERAL SESSIONS

MAY TERM 2018

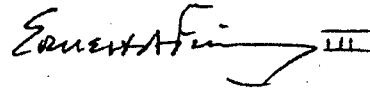
THE STATE

vs.

DONALD RAY RICHBURG

Indictment for

**ASSAULT AND BATTERY IN THE FIRST DEGREE
(X4);
DISCHARGING A FIREARM INTO A DWELLING**



ERNEST A. FINNEY, III, SOLICITOR

COUNTY OF _____
STATE _____

VS.

Donald Ray Richburg

10
CERTIFIED TRUE COPY
OF ORIGINAL FILING

INDICTMENT/CASE#: 2018-GS-43-0945

0-10
0-10
not more
\$1,000

AKA:

Race: White Sex: M Age: 28 Date of Offense: 6/17/2018

DOB: [REDACTED] SS#: [REDACTED] Clerk of Court \$ 16-23-0440(A)

Address: [REDACTED] City, State, Zip: [REDACTED] SUMNER COUNTY Code # 0052

DL#: [REDACTED] SID#: [REDACTED]

*CDL Yes No CMV Yes No Hazmat Yes No

In disposition of the said indictment comes now the Defendant who was TO: Weapons / Discharging firearms into a dwelling

CONVICTED OF or PLEADS

SENTENCE SHEET

in violation of § 16-23-0440(A) of the S.C. Code of Laws, bearing CDR Code # 0052
 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: [Signature] 746316 SCB102009
Brown, Tyler SC Bar# Defendant Bridges, Jason Edward 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 SCDOC [Signature]
 The Defendant is to be placed on the Central Registry of Child Abuse and Neglect pursuant to S.C. Code §17-25-135.

Pursuant to 18 U.S.C Section 922, it is unlawful for a person convicted of a violation of Section 16-25-20 or 16-25-65 (Domestic Violence) to ship, transport, possess, or receive a firearm or ammunition.

SPECIAL CONDITIONS:

RESTITUTION: Deferred Def. Waives Hearing Ordered PTUP _____

Total: \$ _____ plus 20% fee: \$ _____ days/hours Public Service Employment

Payment Terms: _____

Set by SCDPPPS _____

Recipient: _____

*Fine:		\$
§14-1-206 (Assessments 107.5 %)		\$
§14-1-211(A)(1) (Conv. Surcharge)	\$100	\$100.00
§14-1-211(A)(2) (DUI Surcharge)	\$100	\$
§56-5-2995 (DUI Assessment)	\$12	\$
§56-1-286 (DUI Breath Test)	\$25	\$
Proviso (Public Def/Probation)	\$500	\$
§14-1-212 (Law Enforce. Funding)	\$25	\$ 25.00
§14-1-213 (Drug Court Surcharge)	\$150	\$
§50-21-114(BUI Breath Test Fee)	\$50	\$
§56-5-2942(J) (Vehicle Assessment)	\$40/ea	\$
3% to County (if paid in installments)		\$ 3.75
TOTAL		\$128.75

Obtain GED
Attend Voc. Rehab. or Job Corp. _____
May serve W/E beginning JUN 19 2019
Substance Abuse Counseling
Random Drug/Alcohol testing SC Court of Appeals
Fine may be pd. in equal, consecutive weekly/monthly pmts. of \$ _____ beginning _____
\$ _____ paid to Public Defender Fund

Other: _____

Appointed PD or appointed other counsel, Proviso requires \$500 be paid to Clerk during probation and shall be collected before any other fees.

Clerk of Court/ Deputy Clerk James C. Campbell
Court Reporter: Ch. monitor

Presiding Judge [Signature]
Judge Code: 2759
Sentence Date: 6/12/19

COUNTY OF _____
STATE _____

Su
VS.

2015

Donald Ray Richburg

AKA: _____

Race: White Sex: M Age: 28

DOB: _____ SS#: _____

Address: _____

City, State, Zip: _____

DL#: _____ SID#: _____

*CDL Yes No CMV Yes No Hazmat Yes No

In disposition of the said indictment comes now the Defendant who was
TO: Assault / Assault & Battery 1st degree

INDICTMENT/CASE#: 2018-GS-43-0945
A/W#: 2018A4310100684
Date of Offense: 6/17/2018
S.C. Code § : 16-03-0029
CDR Code #: 3410

SENTENCE SHEET

CONVICTED OF or PLEADS

in violation of § 16-03-0600 (C) (1) of the S.C. Code of Laws, bearing CDR Code # 3412
 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: _____ SCB102009
Brown, Tyler SC Bar# _____ Defendant Bridges, Jason Edward 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 SCDO ²⁸⁹

The Defendant is to be placed on the Central Registry of Child Abuse and Neglect pursuant to S.C. Code §17-25-135. ^{djr}

Pursuant to 18 U.S.C Section 922, it is unlawful for a person convicted of a violation of Section 16-25-20 or 16-25-65 (Domestic
Violence) to ship, transport, possess, or receive a firearm or ammunition.

SPECIAL CONDITIONS:

RESTITUTION: Deferred Def. Waives Hearing Ordered PTUP _____

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

Payment Terms: _____

Set by SCDPPPS _____

Recipient: _____

*Fine:		\$
§14-1-206 (Assessments 107.5 %)		\$
§14-1-211(A)(1) (Conv. Surcharge)	\$100	\$100.00
§14-1-211(A)(2) (DUI Surcharge)	\$100	\$
§56-5-2995 (DUI Assessment)	\$12	\$
§56-1-286 (DUI Breath Test)	\$25	\$
Proviso (Public Def/Probation)	\$500	\$
§14-1-212 (Law Enforce. Funding)	\$25	\$ 25.00
§14-1-213 (Drug Court Surcharge)	\$150	\$
§50-21-114(BUI Breath Test Fee)	\$50	\$
§56-5-2942(J) (Vehicle Assessment)	\$40/ea	\$
3% to County (if paid in installments)		\$ 3.75
TOTAL		\$128.75

_____ days/hours Public Service Employment

Obtain GED

Attend Voc. Rehab. or Job Corp. _____

May serve W/E beginning JUN 19 2019

Substance Abuse Counseling

Random Drug/Alcohol testing SC Court of Appeals

Fine may be pd. in equal, consecutive weekly/monthly
pmts. of \$ _____ beginning _____

\$ _____ paid to Public Defender Fund

Other: _____

Appointed PD or appointed other counsel,
Proviso requires \$500 be paid to Clerk
during probation and shall be collected before
any other fees.

Presiding Judge _____

Judge Code: 27596

Sentence Date: 6/12/19

Clerk of Court/ Deputy Clerk James C. Campbell
Court Reporter: Ct. monitor

305

COUNTY OF _____ STATE _____

Su VS.

Donald Ray Richburg

AKA: _____

Race: White Sex: M Age: 28

DOB: _____ SS#: _____

Address: _____

City, State, Zip: _____

DL#: _____ SID#: _____

*CDL Yes No CMV Yes No Hazmat Yes No

In disposition of the said indictment comes now the Defendant who was TO: Assault / Assault & Battery 1st degree

INDICTMENT/CASE#: 2018-GS-43-0945
A/W#: 2018A4310100685
Date of Offense: 6/17/2018
S.C. Code § : 16-03-0029
CDR Code #: 3410

SENTENCE SHEET

CONVICTED OF or PLEADS

in violation of § 16-03-0600 (C)(1) of the S.C. Code of Laws, bearing CDR Code # 3412
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: Brown, Tyler Defendant Bridges, Jason Edward Attorney for Defendant SCB102009 SC Bar#

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 SCDOC
The Defendant is to be placed on the Central Registry of Child Abuse and Neglect pursuant to S.C. Code §17-25-135.

Pursuant to 18 U.S.C Section 922, it is unlawful for a person convicted of a violation of Section 16-25-20 or 16-25-65 (Domestic Violence) to ship, transport, possess, or receive a firearm or ammunition.

SPECIAL CONDITIONS:

RESTITUTION: Deferred Def. Waives Hearing Ordered PTUP

Total: \$ plus 20% fee: \$ days/hours Public Service Employment

Payment Terms: _____

Set by SCDPPPS _____

Recipient: _____

Table with 2 columns: Description and Amount. Includes items like §14-1-206 (Assessments 107.5%), §14-1-211(A)(1) (Conv. Surcharge) \$100, §14-1-211(A)(2) (DUI Surcharge) \$100, §56-5-2995 (DUI Assessment) \$12, §56-1-286 (DUI Breath Test) \$25, Proviso (Public Def/Probation) \$500, §14-1-212 (Law Enforce. Funding) \$25, §14-1-213 (Drug Court Surcharge) \$150, §50-21-114(BUI Breath Test Fee) \$50, §56-5-2942(J) (Vehicle Assessment) \$40/ea, 3% to County (if paid in installments) \$3.75, TOTAL \$128.75

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

RECEIVED

Other: JUN 19 2019

SC Court of Appeals

Appointed PD or appointed other counsel, Proviso requires \$500 be paid to Clerk during probation and shall be collected before any other fees.

Clerk of Court/ Deputy Clerk James C. Campbell
Court Reporter: Ct. monitor

Presiding Judge
Judge Code: 2759
Sentence Date: 6/12/19

4065

COUNTY OF _____ STATE _____ VS. _____

Donald Ray Richburg

AKA: _____

Race: White Sex: M Age: 28

DOB: _____ SS#: _____

Address: _____

City, State, Zip: _____

DL#: _____ SID#: _____

*CDL Yes No CMV Yes No Hazmat Yes No

In disposition of the said indictment comes now the Defendant who was TO: Assault / Assault & Battery 1st degree

INDICTMENT/CASE#: 2018-GS-43-0945

A/W#: 2018A4310100686

Date of Offense: 6/17/2018

S.C. Code § : 16-03-0029

CDR Code #: 3410

SENTENCE SHEET

CONVICTED OF or PLEADS

in violation of § 16-03-0600 (C) (1) of the S.C. Code of Laws, bearing CDR Code # 3412

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: [Signature] 78316 SC Bar# _____ Defendant [Signature] Bridges, Jason Edward 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 SCDOC 239

The Defendant is to be placed on the Central Registry of Child Abuse and Neglect pursuant to S.C. Code §17-25-135. dyr

Pursuant to 18 U.S.C Section 922, it is unlawful for a person convicted of a violation of Section 16-25-20 or 16-25-65 (Domestic Violence) to ship, transport, possess, or receive a firearm or ammunition.

SPECIAL CONDITIONS:

RESTITUTION: Deferred Def. Waives Hearing Ordered PTUP

Total: \$ _____ plus 20% fee: \$ _____ days/hours Public Service Employment

Payment Terms: _____

Set by SCDPPPS _____

Recipient: _____

*Fine:		\$
§14-1-206 (Assessments 107.5 %)		\$
§14-1-211(A)(1) (Conv. Surcharge)	\$100	\$ 100.00
§14-1-211(A)(2) (DUI Surcharge)	\$100	\$
§56-5-2995 (DUI Assessment)	\$12	\$
§56-1-286 (DUI Breath Test)	\$25	\$
Proviso (Public Def/Probation)	\$500	\$
§14-1-212 (Law Enforce. Funding)	\$25	\$ 25.00
§14-1-213 (Drug Court Surcharge)	\$150	\$
§50-21-114(BUI Breath Test Fee)	\$50	\$
§56-5-2942(J) (Vehicle Assessment)	\$40/ea	\$
3% to County (if paid in installments)		\$ 3.75
TOTAL		\$ 128.75

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: _____

RECEIVED

JUN 19 2019

Appointed PD or appointed other counsel Proviso requires \$500 be paid to Clerk during probation and shall be collected before any other fees.

Presiding Judge [Signature]

Judge Code: 275976

Sentence Date: 6/17/19

Clerk of Court/ Deputy Clerk James C. Campbell
Court Reporter: G. monitor

5085

COUNTY OF _____ STATE _____ VS. _____

Donald Ray Richburg

AKA: _____

Race: White Sex: M Age: 28

DOB: _____ SS#: _____

Address: _____ City, State, Zip: _____

DL#: _____ SID#: _____

*CDL Yes [] No [] CMV Yes [] No [] Hazmat Yes [] No []

In disposition of the said indictment comes now the Defendant who was TO: Assault / Assault & Battery 1st degree

INDICTMENT/CASE#: 2018-GS-43-0945

A/W#: 2018A4310100687

Date of Offense: 6/17/2018

S.C. Code § : 16-03-0029

CDR Code #: 3410

SENTENCE SHEET

[X] CONVICTED OF or [] PLEADS

in violation of § 16-03-0600 (C) (1) of the S.C. Code of Laws, bearing CDR Code # 3412

[X] NON-VIOLENT [] VIOLENT [] SERIOUS [] MOST SERIOUS [] Mandatory GPS(CSC w/minor 1st or Lewd Act) [] §17-25-45

The charge is: [X] As Indicted, [] Lesser Included Offense, [] Defendant Waives Presentment to Grand Jury. (defendant's initials)

The plea is: [X] Without Negotiations or Recommendation, [] Negotiated Sentence, [] Recommendation by the State.

ATTEST: [Signature] 746316 Defendant Bridges, Jason Edward Attorney for Defendant SCB102009 SC Bar#

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.

[X] CONCURRENT or [] CONSECUTIVE to sentence on: _____

[X] The Defendant is to be given credit for time served pursuant to S.C. Code §24-13-40 to be calculated and applied by SCDOC

[] The Defendant is to be placed on the Central Registry of Child Abuse and Neglect pursuant to S.C. Code §17-25-135.

Pursuant to 18 U.S.C Section 922, it is unlawful for a person convicted of a violation of Section 16-25-20 or 16-25-65 (Domestic Violence) to ship, transport, possess, or receive a firearm or ammunition.

SPECIAL CONDITIONS:

[] RESTITUTION: [] Deferred [] Def. Waives Hearing [] Ordered PTUP _____

Total: \$ _____ plus 20% fee: \$ _____ days/hours Public Service Employment

Payment Terms: _____

[] Set by SCDPPPS _____

Recipient: _____

*Fine:		\$
§14-1-206 (Assessments 107.5 %)		\$
§14-1-211(A)(1) (Conv. Surcharge)	\$100	\$ 100.00
§14-1-211(A)(2) (DUI Surcharge)	\$100	\$
§56-5-2995 (DUI Assessment)	\$12	\$
§56-1-286 (DUI Breath Test)	\$25	\$
Proviso (Public Def/Probation)	\$500	\$
§14-1-212 (Law Enforce. Funding)	\$25	\$ 25.00
§14-1-213 (Drug Court Surcharge)	\$150	\$
§50-21-114(BUI Breath Test Fee)	\$50	\$
§56-5-2942(J) (Vehicle Assessment)	\$40/ea	\$
3% to County (if paid in installments)		\$ 3.75
TOTAL		\$ 128.75

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: _____

RECEIVED

JUN 19 2019

[] Appointed PD or appointed other counsel, Proviso requires \$500 be paid to Clerk of Court of Appeals during probation and shall be collected before any other fees.

Clerk of Court/ Deputy Clerk James C. Campbell Court Reporter: Ct. Monitor

Presiding Judge [Signature] Judge Code: 27597 Sentence Date: 6/12/19