

To the SC. Court of Appeals RECEIVED Pg 1

JUL 15 2019

SC Court of Appeals

Hello my name is Joshua Marshall Hardee  
I live @ 257 Lake Dr Summerville SC 29885.  
I am 29 years old I am writing this  
to explain my grounds for an appeal  
to have this charge thrown out.  
I was threatened by the solicitor  
on my case & pretty much left with  
the only option to plea guilty or  
go to jail again that day & be charged  
further with even more offenses all  
because I was asking to get a  
fair trial & plea offer.

Detective Plowman with DCSO CID division  
interviewed me at the jail he laid 2 warrants  
in front of me (Attachments 1&2) one for  
Larceny / Petit larceny or simple \$2000.00 or  
less ~~can~~ warrant # 2018A180200122  
an it stated for theft of a cutting  
torch or welding equipment valued  
at \$750.00 I admitted to it an  
wrote a statement. next was  
for ~~the~~ Larceny / B+E Auto or tanks  
Pumps where ~~the~~ fuel is stored

It was for taking gas out of trucks I also admitted ~~of~~ wrote statements. I was given a bond of \$10,000.00 Surety & \$1,200.00 Surety.

I spent almost 2 weeks in jail before my mother posted my bond. I got out of jail & immediately found work. With my checks I purchased 1- new large cutting torch head @ \$89.99 on 2 gauges @ \$100.00 each & 20 foot hoses at \$60.00. I informed the detective we (my brother & father, and I) went to court in Dorchester County Magistrates Court for simple larc. on 08/10/2018 I offered to give the victim Al Bradham of disaster care carpet cleaners the new items to replace his very old used broken ones that my brother took & pay restitution he told the judge he thought long & hard about it and would not accept restitution I asked the judge Katrina Patton to inflict the maximum penalty she could she accepted my guilty plea & gave me time served on

Pg 3

A \$50,000 court cost I had to pay right then, & I paid it before I left the building, so then when it was time for general sessions I accepted a plea of time served but when Mr. Bradhan spoke to the court the judge said we need to renegotiate the plea for restitution my attorney said we would challenge it due to him saying in the previous court he would not accept it, when I returned for court they offered a plea for probation & restitution joint and severed of 3600.00 I looked over the receipt written by the victim not by a mechanic or estimate from a store & the majority of the amount was for the tech set, well I already plead guilty to this so why am I now accountable again after I spent the money prev. saved for this because he refused, then the garmin GPS that was never taken & never was I charged for it the det. told me there was no evidence to support this then the utility wagon was irrelevant to these proceedings & the reward check I felt I was not responsible for he offered it ~~to~~ I

I did not steal \$1000.00 dollars. Pg 4

So I told my attorney every thing  
Detective Plowman said & he also  
Put in a ~~few~~ good word to the Press.  
On my behalf along with a written  
letter from LT. Andy Martin for  
me helping them arrest ppl. The  
Solicitor said. "If you do not  
accept right now & Plead guilty  
I will pull the Plead & Charge you  
with every crime I can on the  
Surveillance videos, well what was  
I supposed to do I was terrified  
I have 3 children at home one only  
a couple months old. Then the judge  
was a friend to the victim. witch I  
wasnt told till almost the end of  
proceedings she said shed recuse herself  
if I wanted but I was scared to  
due to what Spears had threatened.  
I feel as if I was violated with  
double jeopardy, my civil rights to Challenge  
restitution & Plead guilty to stealing &  
Now Paying for stuff I never stole I was  
done very wrong here even the detective  
said so & I will seek Civil Suits.

Pgs

Im asking for justice here it's  
not fair specially I cooperated 100%  
from jump & only one that attempted  
to pay this man back. Plus the  
victim wrote his own estimate &  
he also lied several times in court.  
Im scared of the law now cause  
if they can just do what ever  
they want an force PPI to make  
legal choices That are not  
right an illigal.

Thank you for your time

Joshua M. Hardee

287 lake dr

Summerville SC 29985

843-532-5045

Jhardee89@gmail.com

**2018A1810200120**  
STATE OF SOUTH CAROLINA

County/  Municipality of  
**Dorchester**

THE STATE  
against

**Marshall Hardee**

Address: \_\_\_\_\_

Phone: \_\_\_\_\_ SSN: \_\_\_\_\_  
Sex: **M** Race: **W** Height: **5 10** Weight: **235**  
DL State: \_\_\_\_\_ DL #: **004853923**  
DOB: \_\_\_\_\_ Agency ORI #: **SC0180000**  
Prosecuting Agency: **Dorchester County Sheriff**  
Prosecuting Officer: **Robert S Plowman - 100137**  
Offense: **Larceny / Petit or Simple Larceny - \$2,000 or less**

Offense Code: **3419**  
Code/Ordinance Sec: **16-13-0030(A)**

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

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 **Marshall Hardee** on **6/30/18 @ 220 Hodge Rd**

*Det. R.S.P. #80*  
Signature of Court Law Enforcement Officer

RETURN WARRANT TO:  
Summerville Magistrate  
212 Deming Way, Box 10  
Summerville, SC 29483

AFFIDAVIT ORIGINAL

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

County/  Municipality of  
**Dorchester**

Personally appeared before me the affiant **Robert S Plowman** being duly sworn deposes and says that defendant **Marshall Hardee** did within this county and state on or about **6/26/2018** violate the criminal laws of the State of South Carolina (or ordinance of  County/  Municipality of **Dorchester**) in the following particulars:

DESCRIPTION OF OFFENSE: **Larceny / Petit or Simple Larceny - \$2,000 or less**

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:

On June 26, 2018, while at 405 C Hwy 78 (Disaster Care Cleaning) within the county of the aforesaid the defendant, Marshall Hardee did commit the offense of Petit Larceny in violation of 16-13-0030 in the South Carolina code of laws. In that he did willfully, unlawfully and intentionally assist his sons, Brandon Hardee and Joshua Hardee in the act of taking of a welding torch machine that was located on the property and belonging to the business of Disaster Care Cleaning. The estimated value of the item was \$750.00. Facts to prove the same a verbal statement from Marshall Hardee under Miranda admitting that he knew about the item before driving away, video footage of the incident and a written statement from Thomas Davis, manager of the business not giving anyone permission to take the item from the property. 18006863

Signature of Affiant *R.S.P. #80*

STATE OF SOUTH CAROLINA  
 County/  Municipality of  
**Dorchester**

Affiant's Address **212 Deming Way**  
**Summerville, SC 29483**  
Affiant's Telephone \_\_\_\_\_

ARREST WARRANT

TO ANY LAW ENFORCEMENT OFFICER OF THIS STATE OR MUNICIPALITY OR ANY CONSTABLE OF THIS COUNTY:  
It appearing from the above affidavit that there are reasonable grounds to believe that on or about **6/26/2018** defendant **Marshall Hardee** did violate the criminal laws of the State of South Carolina (or ordinance of  County/  Municipality of **Dorchester**) as set forth below:

DESCRIPTION OF OFFENSE: **Larceny / Petit or Simple Larceny - \$2,000 or less**

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 **6/30/2018**

Signature of Issuing Judge *Katrina Lynn Patton* (L.S.)  
Katrina Lynn Patton  
Judge Code: **7174**

Judge's Address **5200 East Jim Bilton Blvd.**  
**St. George, SC 29477-8020**  
Judge's Telephone **(843)563-0130**

Issuing Court:  Magistrate  Municipal  Circuit

ARREST WARRANT

**2018A1810200121**  
STATE OF SOUTH CAROLINA

County/  Municipality of  
**Dorchester**

THE STATE  
against

**Joshua Marshall Hardee**

Address: \_\_\_\_\_

Phone: \_\_\_\_\_ SSN: \_\_\_\_\_  
Sex: **M** Race: **W** Height: **5** Weight: **220**  
DL State: \_\_\_\_\_ DL #: **100686527**  
DOB: \_\_\_\_\_ Agency ORI #: **SC0180000**  
Prosecuting Agency: **Dorchester County Sheriff**  
Prosecuting Officer: **Robert S Plowman - 100137**  
Offense: **Larceny / Breaking into motor vehicle or tanks, pumps, where fuel, lubricants stored**

Offense Code: **0258**  
Code/Ordinance Sec: **16-13-0160(A) (1) (2) (3)**

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

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 **Joshua M. Hardee** on **7/3/18 @ 220 Hodge Rd**

*Det. R.S.P. #80*  
Signature of Court Law Enforcement Officer

RETURN WARRANT TO:  
General Sessions  
5200 E. Jim Bilton Blvd.  
St. George, SC 29477

AFFIDAVIT ORIGINAL

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

County/  Municipality of  
**Dorchester**

Personally appeared before me the affiant **Robert S Plowman** being duly sworn deposes and says that defendant **Joshua Marshall Hardee** did within this county and state on or about **6/26/2018** violate the criminal laws of the State of South Carolina (or ordinance of  County/  Municipality of **Dorchester**) in the following particulars:

DESCRIPTION OF OFFENSE: **Larceny / Breaking into motor vehicle or tanks, pumps, where fuel, lubricants stored**

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:

On June 26, 2018, while at 405 C Hwy 78 (Disaster Care Cleaning) within the county of the aforesaid the defendant, Joshua Hardee did commit the offense of Motor Vehicle Break and Enter in violation of 16-13-0160 (a)(2) in the South Carolina code of laws. In that he did willfully, unlawfully and intentionally assist his brother Brandon Hardee in the act of taking removing fuel from several trucks that were located on the property and belonging to the business of Disaster Care Cleaning. The estimated value of the fuel is estimated at \$270.00. Facts to prove the same are, a written and verbal statement from Brandon Hardee under Miranda admitting the taking of the fuel, video footage of the incident, and a written statement from Thomas Davis, manager of Disaster Care not giving anyone permission to remove the fuel from the trucks. 18006863

Signature of Affiant *R.S.P. #80*

STATE OF SOUTH CAROLINA  
 County/  Municipality of  
**Dorchester**

Affiant's Address **212 Deming Way**  
**Summerville, SC 29483**  
Affiant's Telephone \_\_\_\_\_

ARREST WARRANT

TO ANY LAW ENFORCEMENT OFFICER OF THIS STATE OR MUNICIPALITY OR ANY CONSTABLE OF THIS COUNTY:  
It appearing from the above affidavit that there are reasonable grounds to believe that on or about **6/26/2018** defendant **Joshua Marshall Hardee** did violate the criminal laws of the State of South Carolina (or ordinance of  County/  Municipality of **Dorchester**) as set forth below:

DESCRIPTION OF OFFENSE: **Larceny / Breaking into motor vehicle or tanks, pumps, where fuel, lubricants stored**

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 **6/30/2018**

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Katrina Lynn Patton  
Judge Code: **7174**

Judge's Address **5200 East Jim Bilton Blvd.**  
**St. George, SC 29477-8020**  
Judge's Telephone **(843)563-0130**

Issuing Court:  Magistrate  Municipal  Circuit

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# Thoroughbred Welding Gas To Go — Oxygen Welding Gas Cylinder, Size 4, 125 Cu. Ft., Empty, Model# OXY4-B

Item# 1632191

New — [Write a Review](#)



Only **\$329.99**

- #4 size
- Empty
- Provides approx. 2 hr. burn time matched with same size acetylene cylinder using a #0 (1/2in.) cutting tip on oxyacetylene cutting torch
- ISO Certified, DOT acceptable

Ship it | [See Shipping Options](#)

## Product Summary

Never pay lease or rent charges again! Brand new industrial-grade welding gas cylinder has never been filled. Refillable and exchangeable. Provides approx 2 hr. burn time when matched with the same size acetylene cylinder, using an oxyacetylene cutting torch.

## What's Included

(1) Empty oxygen welding gas cylinder

## Features + Benefits

- #4 size
- Empty
- Provides approx. 2 hr. burn time matched with same size acetylene cylinder using a #0 (1/2in.) cutting tip on oxyacetylene cutting torch
- ISO Certified, DOT acceptable

## Key Specs

Item#	1632191	DOT Approved	ISO Certified, DOT acceptable
Brand	<u>Thoroughbred</u>	Compatible With	Oxygen
Manufacturer's Warranty	12 months parts / 12 months labor	Diameter (in.)	7
Ship Weight	81.0 lbs	Dimensions L x W x H (in.)	7 x 7 x 43
Product Type	Cylinder	Valve Type	CGA 540 male
Capacity (cu. ft.)	125		

## Compare with Most Popular Gas Cylinders

### Currently Viewing

Item# 1632191

Item# 1632221

Item# 1632141

Item# 1632211

Item# 163241



**NORTHERN**  
TOOL + EQUIPMENT

NorthernTool.com | 1-800-221-0516 | Available Online Only

# Thoroughbred Welding Gas To Go — Acetylene Welding Gas Cylinder, Size 3, 75 Cu. Ft., Empty, Model# ACE3-B

Item# 1632141 1 Review



Only \$269.99

- #3 size
- Provides approx. 1 1/2 hr. burn time matched with same size oxygen cylinder using a #0 (1/2in.) cutting tip on oxyacetylene cutting torch
- ISO Certified, DOT acceptable

Ship it | [See Shipping Options](#) | [Need help unloading this item?](#)

## Product Summary

With the Thoroughbred Welding Gas To Go acetylene welding gas cylinder you'll never pay lease or rent charges again! Brand new industrial-grade welding gas cylinder has never been filled. Refillable and exchangeable. Provides approx 1 1/2 hr. burn time when matched with the same size oxygen cylinder, using an oxyacetylene cutting torch.

### What's Included

(1) Empty Acetylene welding gas cylinder

## Features + Benefits

- #3 size
- Provides approx. 1 1/2 hr. burn time matched with same size oxygen cylinder using a #0 (1/2in.) cutting tip on oxyacetylene cutting torch
- ISO Certified, DOT acceptable

## Key Specs

Item#	1632141	DOT Approved	ISO Certified, DOT acceptable
Brand	Thoroughbred	Compatible With	Acetylene
Manufacturer's Warranty	12 months parts / 12 months labor	Diameter (in.)	7
Ship Weight	50.0 lbs	Dimensions L x W x H (in.)	7 x 7 x 31
Product Type	Cylinder	Valve Type	CGA 510 female
Capacity (cu. ft.)	75		

## Compare with Most Popular Gas Cylinders

Currently Viewing

Item# 1632221

Item# 1632141

Item# 1632211

Item# 163241

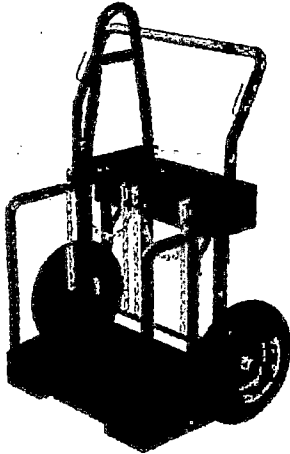
Item# 163243


**NORTHERN**  
 TOOL + EQUIPMENT

NorthernTool.com | 1-800-221-0516 | Available Online Only

## Northern Industrial Welders Cylinder Torch Cart with Fork Pockets - 440-Lb. Capacity, Foam-Filled Wheels, Powder-Coat Finish

Item# 25479 ☆☆☆☆☆ 18 Reviews


**Only \$449.99**

- Holds cylinders up to 11in. dia.
- Dual-slotted base can be picked up with a forklift
- Remains very well balanced, even when transporting heavy loads
- Built-in eyehook lets you hang it from a crane for added security on the jobsite
- Large 15in. flat-free tires make it simple to move on any terrain

 Ship it | [See Shipping Options](#) ⓘ [Need help unloading this item?](#)

### Product Summary

The Northern Industrial Welders Cylinder Torch Cart with Fork Pockets is the easy way to transport cylinders up to 11in. dia. The unique design allows the cart to be pushed by hand, or, because of its dual-slotted base, the unit can even be moved with a forklift!

#### What's Included

(1) Heavy-duty cylinder cart

### Features + Benefits

- Holds cylinders up to 11in. dia.
- Dual-slotted base can be picked up with a forklift
- Remains very well balanced, even when transporting heavy loads
- Built-in eyehook lets you hang it from a crane for added security on the jobsite
- Large 15in. flat-free tires make it simple to move on any terrain
- Large 24in.L x 8in.W x 6in.H tool box is incorporated into the frame

### Key Specs

Item#	25479	Dimensions L x W x H (in.)	37 x 24 x 55
Brand	<a href="#">Northern Industrial Welders</a>	Material Type	Steel
Manufacturer's Warranty	6 months parts / 3 months labor	Tire Size (in.)	15
Ship Weight	223.0 lbs	Tire Type	Flat-free
Product Type	Cart	Assembly Required	Yes
Capacity (lbs.)	440		
Compatible With	Welding and cutting torches with tanks		

### Compare with Most Popular Torch Carts

Item# 1632152

Item# 34391

#### Currently Viewing

Item# 25479

Item# 57229

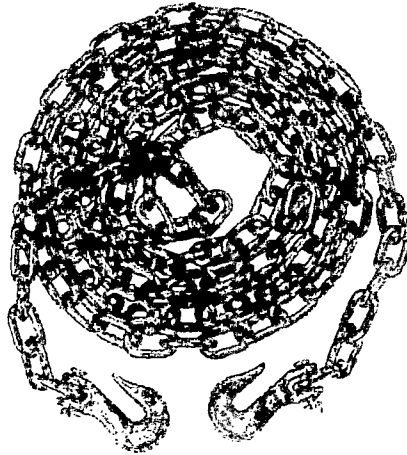
Item# 58702



NorthernTool.com | 1-800-221-0516 | Call Your Local Store To Confirm Availability

# KingChain 5/16in. x 14ft. Grade 70 (G70) Transport Tow Chain with 5/16in. Clevis Grab Hooks (x2) — 4700 Lbs. Safe Work Load

Item# 28417 ☆☆☆☆ 3 Reviews



Reg. \$62.99  
**Sale \$49.99** *Order today to guarantee this price*  
Save \$13.00

- Chromate gold finish adds medium corrosion resistance
- Includes a clevis grab hook on each end for easy hookups

Ship it | [See Shipping Options](#) Buy it in a Store | [Check Store Stock](#)

## Product Summary

The KingChain 5/16in. x 14ft. Grade 70 (G70) Transport Tow Chain with 5/16in. Clevis Grab Hooks is a rugged 5/16in. high-performance, High Test Grade 70, high-carbon steel chain designed specifically for towing. The lightweight chain offers superior strength-to-weight ratio. 4700-lb. max. working load.

### What's Included

(1) 5/16in. x 14ft. tow chain

## Features + Benefits

- Chromate gold finish adds medium corrosion resistance
- Includes a clevis grab hook on each end for easy hookups

## Key Specs

Item#	28417	Working Load (lbs.)	4,700
Brand	<a href="#">Mibro</a>	Dimensions: L (ft.) x W (in.)	14 x 5/16
Ship Weight	14.0 lbs		

## Compare with Most Popular Tow Chains, Ropes + Straps

Item# 28415



[MIBRO High-Strength Tow Chain — 3/8in. x 20ft., Model# 427490](#)

☆☆☆☆☆ (7)

Only \$72.99

Item# 322825



[Smart Straps Heavy-Duty Recovery Tow Strap with Loop Ends — 30ft. L x 4in. W, 10,000-Lb.](#)

☆☆☆☆☆ (4)

Only \$72.99

Item# 170935



[GRIP Heavy-Duty Tow Strap — 30ft., 20,000-Lb. Capacity.](#)

☆☆☆☆☆ (22)

Reg. \$59.99  
Sale \$29.99

Save \$30.00

### Currently Viewing

Item# 28417



[KingChain 5/16in. x 14ft. Grade 70 \(G70\) Transport Tow Chain with 5/16in. Clevis Grab Hooks \(x2\) —](#)

☆☆☆☆☆ (3)

Reg. \$62.99  
Sale \$49.99

Save \$13.00

Item# 20865



[B/A Pear Link with 5/16in. Grab hooks — 4700-Lb. Safe Working Load, 2ft. L x 8in. W, Model# N711-8E](#)

☆☆☆☆☆ (3)

Only \$19.99



NorthernTool.com | 1-800-221-0516 | Available Online Only

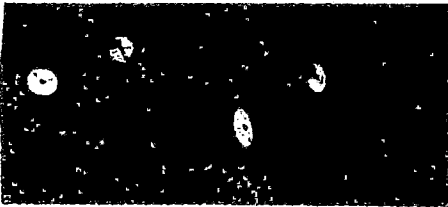
# Farm Tuff Utility Wagon — 1,200-Lb. Capacity, Model# 04282

Item# 125750 ☆☆☆☆☆ 4 Reviews

Only \$409.99

- Rear trailer hitch allows for easy attachment of additional wagons or carts
- Some assembly required

Ship It | [See Shipping Options](#)



## Product Summary

4-wheel steer utility wagon easily hitches to an ATV or garden tractor. Build the wagon you need. This chassis can support a 4ft. x 8ft. deck. Outside tire to outside tire measures 4 feet. Length can be adjusted from 74in. to 78in.

## What's Included

(1) Wagon

## Features + Benefits

- Rear trailer hitch allows for easy attachment of additional wagons or carts
- Some assembly required

## Key Specs

Item#	125750
Brand	Farm-Tuff
Manufacturer's Warranty	12 months parts / 12 months labor
Ship Weight	131.0 lbs
Load Capacity (lbs.)	1,200

Frame Material	Steel
Hitch Type	Rear
Wheel Size (in.)	8

## Compare with Most Popular Farm Utility Trailers

Item# 143319



[Farm-Tuff Utility Dump Trailer/Wagon — 4,000-Lb. Capacity, Model# DT-4000](#)

☆☆☆☆☆ (3)

Item# 143312



[Farm-Tuff Utility Trailer — 4,000-Lb. Capacity, Model# 04037](#)

☆☆☆☆☆ (2)

### Currently Viewing

Item# 125750



[Farm Tuff Utility Wagon — 1,200-Lb. Capacity, Model# 04282](#)

☆☆☆☆☆ (4)

Item# 125415



[Farm-Tuff Utility Trailer — 2,200-Lb. Capacity, Model# 03813](#)

☆☆☆☆☆ (55)

Item# 125416



[Metal Deck For Garden Wagon Item#s 125415 and 03813, Model# 04014](#)

☆☆☆☆☆ (1)

Best Buy > Car Electronics & GPS > GPS Navigation & Accessories > Portable GPS

Share [Print](#)

### Let's make sure it fits your car

Year	Make	Model	Trim	Select Vehicle
------	------	-------	------	----------------

## Garmin - Drive 51 LM 5" GPS with Lifetime Map Updates - Black

# \$129.99

Model: 010-01678-0B SKU: 5715643

4.4 (2,138 Customers) ▼ 358 Answered Questions

### Protect your product (177)

#### Standard Protection Plans

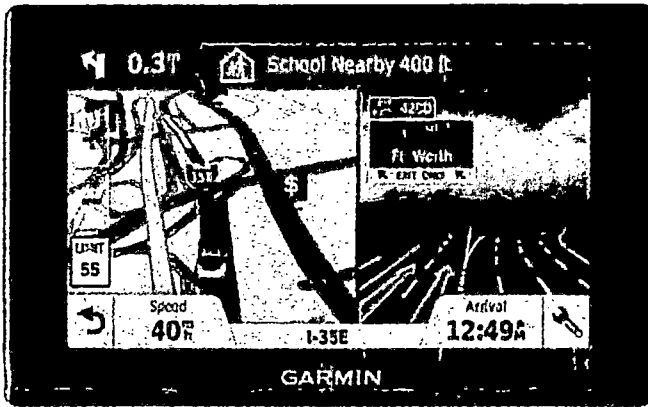
- |                    |                    |
|--------------------|--------------------|
| 2 Years<br>\$19.99 | 3 Years<br>\$32.99 |
|--------------------|--------------------|

#### Accidental Damage from Handling Plans

- |                   |                    |                    |                     |
|-------------------|--------------------|--------------------|---------------------|
| 1 Year<br>\$14.99 | 2 Years<br>\$34.99 | 3 Years<br>\$49.99 | No plan<br>selected |
|-------------------|--------------------|--------------------|---------------------|

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Compare  Save

### Upgrade for \$40

See what you get with an upgraded model.

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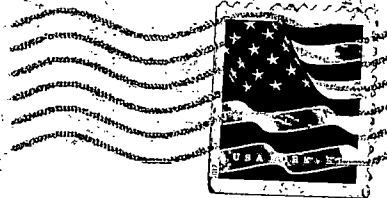
Garmin Drive Series

Joshua M. Hardee # 2018-GS-18-1127

311 Turtle Point Rd  
Summerville SC 29485

CHARLESTON SC 294

13 JUL 2019 PM 3 L



South Carolina Court of Appeals

P.O. Box 11629  
Columbia SC, 29211

**RECEIVED**

JUL 15 2019

SC Court of Appeals

29211-152929

