

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF Horry
STATE VS. Ricky Tony Galloway
AKA:
Race: WHITE Sex: M Age: 53
DOB: SS#:
Address:
City, State, Zip:
DL#: SID#:

INDICTMENT/CASE#: 2019GS2604374
A/W#: 2019DI2600318
Date of Offense: 1/18/2018
S.C. Code § : 16-13-0230(A)
CDR Code #: 3423

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SENTENCE SHEET

\*CDL Yes No CMV Yes No Hazmat Yes No
In disposition of the said indictment comes now the Defendant who was CONVICTED OF or PLEADS TO: Breach / Breach of trust with fraudulent intent, value more than \$2,000 but less than \$10,000 (Up to 10 years)

in violation of § 16-13-0230(A) of the S.C. Code of Laws, bearing CDR Code # 3423
NON-VIOLENT VIOLENT SERIOUS MOST SERIOUS: Mandatory GPS(CSC) §17-25-45 w/minor 1st or 2nd 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: DeBusk, Jr., George H. SCB16182 SC Bar# Defendant Stanko, James SCB101376 SC Bar# Attorney for Defendant

WHEREFORE, the Defendant is committed to the State Department of Corrections, County Detention Center, for a determinate term of 3 1/2 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 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 (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). 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 paid in equal, consecutive weekly/monthly pmts. of \$ 25.00 beginning 4/21/2023
\$ 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:
Sentence Date: 8/1/2019

Clerk of Court/ Deputy Clerk: Renee Elviss
Court Reporter: Grace Hurley

DOCKET NO. 2018GS2604535

WITNESSES

Chris Williamson Conway Police Department

JOSH SCOTT

The State of South Carolina  
County of Horry

George H. DeBusk, Jr.  
18H03085

COURT OF GENERAL SESSIONS

JULY, 2018 TERM

ARREST WARRANT NUMBER

2018DI2600370

CDR: 3599 16-13-0180(A)

DOA: 5/30/2018

ACTION OF GRAND JURY

TRUE BILL

*Drew Losen*

Foreperson of Grand Jury

Date: JUL 25 2018

VERDICT

Foreperson of Petit Jury

Date:

THE STATE

vs.

Ricky Tony Galloway  
W/ M  
2527 Nixon Ave  
Conway, SC 29527-3122  
DOB: [REDACTED]  
SSN: 2 [REDACTED]

ATTORNEY:

Indictment for

RECEIVING STOLEN GOODS  
VALUE MORE THAN \$2000 BUT LESS THAN  
\$10,000  
THIRD OR SUBSEQUENT OFFENSE

Jimmy A. Richardson, II, Solicitor

ORIGINAL

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STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF HORRY )

INDICTMENT

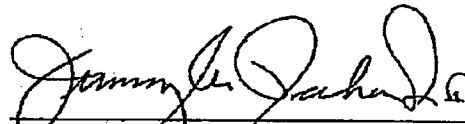
At a Court of General Sessions, convened on July 25, 2018, the Grand Jurors of Horry County present upon their oath:

**RECEIVING STOLEN GOODS**  
**VALUE MORE THAN \$2000 BUT LESS THAN \$10,000**  
**(THIRD OR SUBSEQUENT OFFENSE)**

CDR: 3599 16-13-0180(A)

That Ricky Tony Galloway did in Horry County on or about May 29, 2018, with criminal and fraudulent intent, buy, receive or possess stolen goods, chattels or other property knowing or having reason to believe the goods, chattels or property were stolen, said property having a value of more than two thousand (\$2000) dollars but less than ten thousand (\$10,000) dollars, in violation of Section 16-13-180(A), S. C. Code of Laws, 1976, as amended, such being the defendant's third or subsequent offense, in violation of Section 16-01-0057, S. C. Code of Laws, 1976, as amended.

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



JIMMY A. RICHARDSON, II  
FIFTEENTH CIRCUIT SOLICITOR

RENEE N. ELVIS  
CLERK OF COURT  
HORRY COUNTY, SC

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STATE OF SOUTH CAROLINA )  
COUNTY OF HORRY )

IN THE COURT OF GENERAL SESSIONS  
OF THE FIFTEENTH JUDICIAL CIRCUIT

STATE OF SOUTH CAROLINA )

CERTIFICATE OF REPRESENTATION  
(APPOINTING AS COUNSEL)

-VS-

RICKY GALLOWAY

DEFENDANT

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SC Court of Appeals

JAMES STANKO

RENEE N. ELYS  
CLERK OF COURT  
HORRY COUNTY, SC

2018 JUL 30 AM 8:51

FILED  
HORRY COUNTY

FILE NO: 26A18-00003185

TO: Clerk of Court of General Sessions of the Fifteenth Judicial Circuit  
Office of the Solicitor  
Appointed Counsel  
Defendant

This certifies that the above captioned Defendant is eligible for the services of the Public Defender, such determination having been made on, 26th day of July, 2018, regarding the charge(s) of:

2018A2620400426 RSG / Receiving stolen goods, value more than \$2,000 but less than \$10,000

The Defendant's Counsel is **James Stanko**. The office of the Public Defender requests on the Defendant's behalf any and all evidence in the possession of you and or your agents pursuant to S.C. Criminal Practice Rule 5, and Brady v. Maryland 373 U.S. 383 (1963). The formal Motion for Discovery is attached.



CONWAY, SC

DATED: July 26, 2018

HORRY COUNTY, SC  
CLERK OF COURT  
RENEE N. ELYS

ORRIE E. WEST  
FIFTEENTH CIRCUIT  
PUBLIC DEFENDER

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STATE OF SOUTH CAROLINA)  
COUNTY OF HORRY )  
)

IN THE COURT OF GENERAL SESSION  
OF THE FIFTEENTH JUDICIAL CIRCUIT

STATE OF SOUTH CAROLINA)  
)  
-VS- )  
)

NOTICE AND MOTION FOR PRODUCTION  
OF SPECIFIC EVIDENCE AND  
DISCLOSURE OF WITNESSES

RICKY T. GALLOWAY  
DEFENDANT )  
)

**RECEIVED**  
AUG 29 2019  
SC Court of Appeals

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HORRY COUNTY  
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RENEE N. ELYS  
CLERK OF COURT  
HORRY COUNTY, SC

FILE NO: 26A18-00003185

TO: SOLICITOR FOR THE FIFTEENTH JUDICIAL CIRCUIT

YOU WILL PLEASE TAKE NOTICE that unless the prosecution responds to the Defendant's request for disclosure within 30 days, or within such time as may be ordered by the Court, Counsel for the Defendant will move this Court for an Order compelling that the State:

1. Make available for Defendant any and all written and oral statements by the Defendant which are, or may come to be, in the possession of the State.
2. Make available for purposes of inspection, and copying, any and all police reports relating to the investigation and circumstances surrounding the crime which the Defendant is charged with, including any and all statements taken from witnesses and the Defendant.
3. Make available to the Defendant all tangible objects obtained during the investigation of this case, including, but not limited to:
  - (a) All tangible objects obtained from the scene of the crime; and
  - (b) All tangible objects obtained from the State's witnesses in this case
  - (c) All tangible objects the State intends to introduce into evidence at Trial which are relevant to the offense charged.
4. Make available any witnesses known to the State who have knowledge of facts which might be favorable to the Defendant.
5. Make available any promises made or actions taken by the State which caused or might have caused any witnesses for the State to testify on behalf of the State.
6. Make available any inconsistent statements made by witnesses for the State or any statements made by witnesses for the State which tend to exculpate the Defendants or to negate participation by the Defendants in the alleged crime.
7. Make available to the Defendant all results of laboratory tests, scientific tests, or physical examinations conducted in connection with this case, including but not limited to:
  - (a) Analysis of handwriting
  - (b) Photographs secured of the scene of the crime
  - (c) Comparison of fingerprints
8. Make available any facts which tend to exculpate the Defendant.

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9. Make available any and all scientific or medical, psychiatric, legal or other information, reports or records which might tend to reflect on the credibility or competence of any of prospective witnesses for the State.

10. Make available to the Defendant the names and addresses of all persons who have knowledge of this case or who have been interviewed by the investigating officers in connection with this case.

11. Make available to the Defendant, the SLED, FBI, and local arrest and conviction records of all persons, including the Defendant, named in connection with this proceeding.

12. Make any chemist, analyst, and all persons within the chain of custody appear in Court for the purpose of personally testifying. Attorney for the Defense thus objects to the introduction of any chemist's or analyst's report pursuant to Rule 6, S.C. Rules of Criminal Procedure.

13. Make available to the Defendant all video and audio recordings and/or notarized affidavits made pursuant to South Carolina Code § 56-5-2953 and any other applicable South Carolina Statute or regulation, including but not limited to:

- (a) Police and booking reports;
- (b) Police logs;
- (c) Alcohol influence reports;
- (d) Accident reports
- (e) Reports dealing with defendant's refusal to submit to testing;
- (f) Notes taken from any recording by Law Enforcement regarding conversations with potential prosecution witnesses
- (g) Any notes taken by Law Enforcement with regards to this case which the officer intends to rely on, or make us of, at trial.
- (h) The names of the officers or other witnesses who were with the Defendant within one hour of the arrest who had the opportunity to observe the appearance and behavior of the Defendant, to include the identity of any officer present at the scene of arrest.
- (i) The time and place where the Defendant was given the Miranda warning and the name of the officer who advised him/her of the same.
- (j) Any reports made by any laboratory or hospital concerning any examination made of any physical (urine, blood, etc.), photographic, or written evidence related to the Defendant's case.
- (k) The records of analysis and the results of any chemical, urine, or breathalyzer tests administered to the Defendant.

14. Make available to the Defendant following information regarding the person(s) who administered the Defendant's chemical/breathalyzer tests:

- (a) The person's name and the name of his/her employer;
- (b) The date of his/her original certification to give chemical/breathalyzer tests and the grade he/she received on the exam;
- (c) The date of his/her most recent certification to give said tests; And his/her compliance with statutes and regulations providing for standards of training for person(s) administering such tests.

15. If the Defendant's blood alcohol concentration was determined on the basis of a test involving the use of any machine, provide the following information:

- (a) The type of machine used and the make, model, and serial number of particular machine;

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JERRY A. COLE

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- (b) The manufacturer and the date of manufacture of the machine;
- (c) The owner's manual and the instruction manual;
- (d) The software program used in said machine;
- (e) The date of purchase by the agency owning the machine;
- (f) The location of machine;
- (g) The number of prior tests conducted on the machine;
- (h) All maintenance information for the last two years, including all repairs done and all calibrations made on the machine;
- (i) The results of all tests performed in the thirty (30) days prior to the date of the Defendant's arrests, including any tests in which the machine malfunctioned;
- (j) Any checklist to be used by the operator of the machine, either before, during, or after the admission of a test.

This information is requested pursuant to Rule 5 of the South Carolina Rules of Criminal Procedure. This information is further requested pursuant to Brady vs Maryland, 373 U.S. 383, 10 L. Ed. 2d 215, 83 S. Ct. 1194 (1963), U.S. vs Agurs, 427 U.S. 97, 49 L Ed 2nd 342, 96 S. Ct. 2392 1976, State vs Mixon 274 S.E. 2nd 406 (1981), City of Rock Hill vs Suchenski, 374 S.C. 12, 646 S.E.2d 879 (2007).

Further this information is requested on the grounds that it is essential to insure the Defendant's right to a fair trial, right to confrontation of witnesses, the right to effective Counsel and due process of law guaranteed by the South Carolina Constitution, and the United States Constitution.

WHEREFORE, Defendant prays:

- (a) That the Solicitor be Ordered to produce all information described herein and allow the Defendant the right to examine, inspect, copy and photograph, such materials and information at a specific time and place to be fixed by the Court.
- (b) That the information be provided no later than 30 days from the date of this request, as reflected by the Clerk of Court's time-stamp appearing on the face of this Document.
- (c) That the Court enter an Order requiring the Solicitor's Office to make continuing disclosure of all matters requested herein up to and during the Trial of the charges against the Defendant.

RESPECTFULLY SUBMITTED,



ORRIE E. WEST  
FIFTEENTH CIRCUIT  
PUBLIC DEFENDER

DATED: July 26, 2018  
CONWAY, SOUTH CAROLINA

RENEE M. ELVIS  
CLERK OF COURT  
HORRY COUNTY, SC

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STATE OF SOUTH CAROLINA )  
COUNTY OF Horry )

STATE OF SOUTH CAROLINA )

-VS-

RICKY GALLOWAY

DEFENDANT )  
\_\_\_\_\_ )

RULE 203 (B) (iv)  
WRITTEN EXPLANATION OF  
NO  
BASIS FOR APPEAL

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PERSONALLY appeared before me James Stanko, who being duly sworn

deposes and says :

1. I represented the above named defendant before The Honorable Paul Burch on August 20, 2019 at

which time the defendant enter a guilty plea to his/her pending charges.

2. No issues of law or fact, were raised before the Judge at that time that could be the basis for an Appeal in this matter.

3. The defendant requested this appeal be filed based on the language used by the plea judge informing the client he has the right to appeal his guilty plea within ten (10) days.

4. I informed defendant that there were no issues to appeal.

5. Defendant requested the Appeal be filed.

Sworn to and Subscribed before me  
27th day of August, 2019

Charles Y. Watson

Notary Public for South Carolina  
My Commission expires: 10/23/28

[Signature]

Signature of Attorney for Defendant

JAMES D. STANKO

Print name of Attorney for Defendant

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