

STATE OF SOUTH CAROLINA)
COUNTY OF ANDERSON)

THE STATE OF SOUTH CAROLINA)

VS.)

DUSTIN LEE HOOPER,)

APPELLANT.)

IN THE COURT OF GENERAL SESSIONS
TENTH JUDICIAL CIRCUIT

INDICTMENT # 2017GS040365

ORDER

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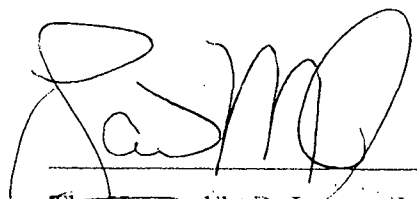
SEP 05 2019

SC Court of Appeals

The Defendant, Dustin Lee Hooper, was found guilty by a jury of his peers of Driving Under the Influence, 2nd Offense, on March 6, 2019. He has moved to remain on bond during the appellate process. The State has not objected to the Defendant's sentencing being deferred while he appeals his conviction.

Therefore, it is ORDERED, ADJUDGED AND DECREED that sentencing for Defendant, Dustin Lee Hooper, shall be deferred until his appeal has been exhausted. His sentencing shall be deferred provided he can secure a bond in the amount of \$1,500.00. The Defendant must have the bond secured by Friday March 8, 2019. It is understood that at the completion of the appellate process, he shall be brought before this Court for the purposes of sentencing. Should the Defendant choose not to go forward with his appeal, he shall be brought before this Court for the purposes of sentencing.

IT IS SO ORDERED.



~~The Honorable~~ R. Lawton McIntosh
Presiding Judge
Tenth Judicial Circuit

Anderson, South Carolina
Dated: March 8, 2019

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Richard X. Bailey
CLERK OF COURT

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STATE OF SOUTH CAROLINA)
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State of South Carolina)
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)
Plaintiff)
)
Vs.)
)
)
Dustin Lee Hooper,)
)
)
Defendant)

IN THE COURT OF GENERAL SESSIONS
FOR THE TENTH JUDICIAL CIRCUIT

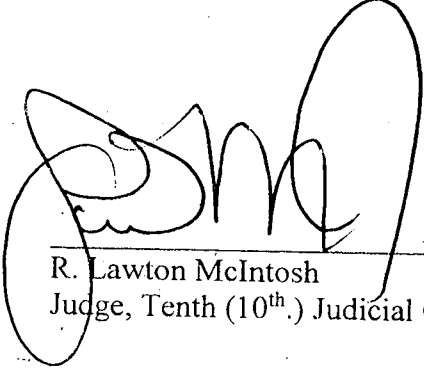
ORDER DENYING MOTION

Case Number: 2017-GS-04-0365

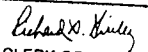
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SC Court of Appeals

The Motion to Amend, Motion to Vacate Judgment and Motion for Relief of Judgment in case number 2017-GS-04-0365 is DENIED without the necessity of a formal hearing.

Anderson, SC
August 27, 2019



R. Lawton McIntosh
Judge, Tenth (10th.) Judicial Circuit

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CLERK OF COURT

STATE OF SOUTH CAROLINA)
COUNTY OF ANDERSON)

IN THE COURT OF GENERAL SESSIONS)
TENTH JUDICIAL CIRCUIT)

THE STATE OF SOUTH CAROLINA)

VS.)

INDICTMENT # 2017-GS-04-0365)

Dustin Lee Hooper,)
DEFENDANT.)

ORDER DENYING DEFENDANT'S MOTION)
TO VACATE)

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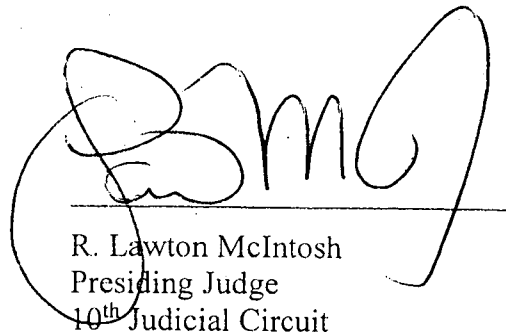
SC Court of Appeals

This matter came before the Court on August 29th, 2019 on the Defendant's Motion to Vacate the verdict in the above-referenced case. The State was represented by Stanford L. Overby, Jr. of the Tenth Circuit Solicitor's Office. The Defense was represented by Donald L. Smith, Esq. of the Anderson County Bar. The Court heard arguments and finds as follows:

1. The officer who is the "arresting officer" pursuant to S.C. Code § 56-5-2953(B) was Trooper Russell Griffin, as that term is defined in State v. Landis, 362 S.C. 97,606 S.E.2d 503 (S.C. Ct. App. 2004).
2. Trooper Griffin produced a video in compliance with S.C. Code § 56-5-2953.
3. While the Court takes note that the first deputy who conducted the traffic stop was not equipped with a camera, Trooper Griffin was the individual required to produce and did so pursuant to the statute. No affidavit was required on the part of the first deputy because Trooper Griffin was the arresting officer.

Therefore, IT IS ORDERED that Defendant's motion to vacate judgment is denied.

IT IS SO ORDERED.



R. Lawton McIntosh
Presiding Judge
10th Judicial Circuit

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Anderson, SC COC, CP/GS

August 29 2019

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AUG 30 2019

Richard S. Kelly
CLERK OF COURT