

STATE OF SOUTH CAROLINA)
)
COUNTY OF GREENVILLE)

INDICTMENT FOR
THREATENING LIFE OF PUBLIC OFFICIAL

At a Court of General Sessions, convened on

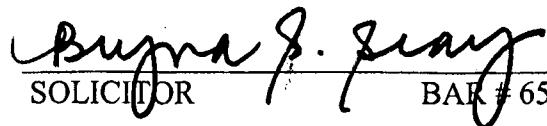
JUN 11 2019

the Grand Jurors of Greenville

County present upon their oath:

That MICHAEL ANTHONY BREYAN did in Greenville County, on or about the 31st day of May, 2018, knowingly and willfully deliver or convey to ERNEST O'BRIEN, a threat to inflict bodily harm upon or take the life of ERNEST O'BRIEN or members of his immediate family and the threat was directly related to ERNEST O'BRIEN'S professional responsibilities as a magistrate judge. This is in violation of §16-3-1040 of the South Carolina 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.


SOLICITOR BAR # 65398

WITNESSES

Jesse R Wasserman

Greenville County Sheriffs Office

5/31/2018

ARREST WARRANT NUMBER

2018A2330204800

ACTION OF GRAND JURY

[Handwritten Signature]

FOREMAN GRAND JURY

Foreperson of Grand Jury

VERDICT

Foreperson of Petit Jury

Date:

001710

DOCKET NO. 2019-GS-23-

BSS

The State of South Carolina

County of Greenville

COURT OF GENERAL SESSIONS

June TERM 2019

THE STATE

vs.

MICHAEL ANTHONY BREYAN

FILED

MAR - 8 2019

Clerk of Court
Greenville County

RECEIVED

SEP 18 2019

SC Court of Appeals

Indictment for

0541

THREATENING LIFE OF PUBLIC OFFICIAL

VIOLATION §16-03-1040

ENTERED
ACCT
LBH

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF Greenville
STATE VS.

Michael Anthony Breyan

AKA:

Race: WHITE Sex: M Age: 30

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: Threatening Life of a Public Official

INDICTMENT/CASE#: 2019GS2301710

A/W#: 2018A2330204800

Date of Offense: 5/31/2018

S.C. Code § : 16-03-1040

CDR Code #: 0541

SENTENCE SHEET

CONVICTED OF or PLEADS

in violation of § 16-03-1040 of the S.C. Code of Laws, bearing CDR Code # 0541
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.

TEST: Myra J. Gray 65398 Defendant MARTINEZ, MICHAEL 101800 SC Bar# Attorney for Defendant

WHEREFORE, the Defendant is committed to the State Department of Corrections, County Detention Center, for a determinate term of 4 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 SCDPPS

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

SEP 18 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 Paul Bukickensimer

Court Reporter Jenkins

Presiding Judge

Judge Code: 2158

Sentence Date: SEP 11 2019