

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

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APPEAL FROM ORANGEBURG COUNTY  
The Honorable Maite Murphy, Circuit Court Judge

Case No: 2019GS38-1450

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The State ..... Respondent

vs.

Dametri Dale..... Appellant

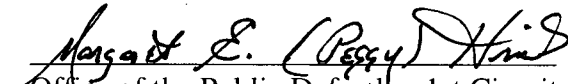
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**EXPLANATION OF APPEAL**

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Dametri Dale appeals his guilty plea and sentence in the aforementioned cases. I do not know of any legal basis for this appeal. After his guilty plea, Mr. Dale expressed his desire to appeal his sentence.

October 01, 2019

  
Office of the Public Defender, 1st Circuit

Peggy Hinds  
Deputy Public Defender  
P.O. Box 1112  
Orangeburg, SC 29116-1112  
(803)531-7090  
Attorney for Appellant

Office of the Solicitor, 1st Circuit  
Ted Lupton  
Assistant Solicitor  
P.O. Box 1525  
Orangeburg, SC 29115  
(803) 533-6252  
Attorney for Respondent

**RECEIVED**

OCT 08 2019

SC Court of Appeals

ARREST WARRANT  
2019A3821000107

STATE OF SOUTH CAROLINA  
 County/  Municipality of  
SANTEE

THE STATE  
against

DAMETRI ORVIL DALE

Phone: \_\_\_\_\_ SSN: \_\_\_\_\_  
Sex: M Race: B Height: 5-10 Weight: 240  
DL State: FL DL#: \_\_\_\_\_  
Agency OR#: SC0381100  
Prosecuting Agency: SANTEE POLICE DEPARTMENT  
Prosecuting Officer: LT R. NULL  
Offense: IDENTITY FRAUD TO AVOID DETECTION  
BY LAW ENFORCEME Offense Code: 3208  
Code/Ordinance Sec. 16-13-0510(C)

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

The accused  
is to be arrested and brought before me to be  
dealt with according to law.

\_\_\_\_\_  
Signature of Judge (L.S.)

Date: \_\_\_\_\_  
Date Time

RETURN

A copy of this arrest warrant was delivered to  
defendant DAMETRI ORVIL DALE

on 5-28-2019

\_\_\_\_\_  
Signature of Constable/Law Enforcement Officer

RETURN WARRANT TO:  
SANTEE MUNICIPAL COURT  
117 DAZZY CIRCLE  
P. O. BOX 1220  
SANTEE, SC 29142

ATTEST: TRUE COPY  
Winnaja B Clark  
CLERK OF COURT  
ORANGEBURG COUNTY, SC

STATE OF SOUTH CAROLINA  
 County/  Municipality of  
SANTEE

AFFIDAVIT

Form Approved by  
S.C. Attorney General  
April 21, 2003  
SCCA 016

Personally appeared before me the affiant LT. RILEY NULL who  
being duly sworn deposes and says that defendant DAMETRI ORVIL DALE  
did within this county and state on 05/27/2019 to 05/27/2019 violate the criminal laws of the  
State of South Carolina (or ordinance of  County/  Municipality of SANTEE)

in the following particulars:

DESCRIPTION OF OFFENSE: 16-13-0510(C) / IDENTITY FRAUD TO AVOID DETECTION BY LAW  
ENFORCEME

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:

THIS INCIDENT OCCURRED ON 05/27/2019 AROUND 1940HRS ON I-95 SOUTHBOUND 98MM WHICH IS IN THE TOWN LIMITS OF SANTEE, COUNTY  
OF ORANGEBURG, AND STATE OF SOUTH CAROLINA. THE DEFENDANT, DAMETRI O. DALE, DID COMMIT THE OFFENSE OF IDENTITY FRAUD  
TO AVOID DETECTION BY LAW ENFORCEMENT (16-13-0510(C)). ON THIS INCIDENT, THE DEFENDANT WAS THE DRIVER OF A VEHICLE  
STOPPED BY LAW ENFORCEMENT FOR A LAWFUL REASON. DURING THE COURSE OF THE STOP, THE DEFENDANT PROVIDED A NAME AND  
DATE OF BIRTH OF HIS TWIN BROTHER (DAMETRIUS DALE) AND A PICTURE OF HIS BROTHER'S FL DRIVER'S LICENSE AND REPRESENTED IT  
AS HIS OWN IDENTITY. HE WAS ISSUED CITATIONS AND BOOKED INTO JAIL UNDER THE WRONG NAME. HIS BROTHER CONTACTED LAW  
ENFORCEMENT AFTER THE ENCOUNTER AND PROVIDED HIS TRUE NAME WHICH REVEALED HE HAD A SUSPENDED DRIVER'S LICENSE IN FL

OCT 08 2019

SC Court of Appeals

Signature of Affiant

Affiant's Address 121 DAZZY CIRCLE / PO BOX 1220  
SANTEE SC 29142  
Affiant's Telephone 803-854-2438

ARREST WARRANT

TO ANY LAW ENFORCEMENT OFFICER IN 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 05/27/2019 defendant DAMETRI ORVIL DALE

did violate the criminal laws of the State of South Carolina (or ordinance of

County/  Municipality of SANTEE) as set forth below:

DESCRIPTION OF OFFENSE: ID / IDENTITY FRAUD TO OBTAIN EMPLOYMENT OR AVOID DETECTION  
BY LAW ENFORCEMENT

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 the 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 05/28/2019 11:30am  
Date Time  
Chasity Sanders Avinger (S.)  
CHASITY SANDERS AVINGER

Judge Code: 8220

Judge's Address PO BOX 1220 / 117 DAZZY CIRCLE  
SANTEE SC 29142

Judge's Telephone 803-854-2438

Issuing Court:  Magistrate  Municipal  Circuit

Case: 2019-0681

ORIGINAL

**DEFENSE OF INDIGENT RECEIVED**

**APPOINTMENT SHEET** OCT 08 2019

IN THE COURT OF GENERAL SESSIONS SC Court of Appeals

STATE OF S.C. VS. Dametri Dale

THE ABOVE DEFENDANT, AFTER APPLYING UNDER INDIGENT STATUS HAS BEEN FOUND TO QUALIFY FOR A PUBLIC DEFENDER.

IT IS THEREFORE ORDERED THAT

(CIRCLE ONE OF THE FOLLOWING)

PEGGY HINDS

R. DOUGLAS MELLARD

BRIAN C. KIEL

BREEN R. STEVEN

JASON B. TURNBLAD

2019 AUG -2 AM 8:50  
CLERK OF COURT  
ORANGEBURG COUNTY, SC

IS HEREBY APPOINTED TO REPRESENT SAID DEFENDANT THIS

2<sup>nd</sup> DAY OF August, 2019

Winnif B Clark

CLERK OF COURT

CHARGES(S): 2019A3821000107

APPOINTMENT MADE IN PERSON / IN JAIL (CIRCLE ONE)

\$40.00 FEE PAID / DUE (CIRCLE ONE)

ATTEST: TRUE COPY  
FIRST APPEARANCE DATE: \_\_\_\_\_

Winnif B Clark  
CLERK OF COURT  
ORANGEBURG COUNTY, SC

ATTEST: TRUE COPY  
Winnif B Clark  
CLERK OF COURT  
ORANGEBURG COUNTY, SC

200

COUNTY OF Orangeburg
STATE VS.

Dametri Orvil Dale

AKA:

Race: BLACK Sex: M Age: 21

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: Identity Fraud to Evade Law Enforcement

INDICTMENT/CASE#: 2019GS38-1450

A/W#: 2019A3821000107

Date of Offense: 5/27/2019

S.C. Code §: 16-13-515(a)

CDR Code #: 3208

SENTENCE SHEET

CONVICTED OF or PLEADS

in violation of § 16-13-515(a) of the S.C. Code of Laws, bearing CDR Code # 3208

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

The charge is: As Indicted, Lesser Included Offense, Defendant Waives Presentment to Grand Jury

The plea is: Without Negotiations or Recommendation, Negotiated Sentence, Recommendation by the State

ATTEST: Lupton, Ted Defendant Hinds, Margaret Elizabeth Attorney for Defendant

WHEREFORE, the Defendant is committed to the State Department of Corrections, County Detention Center, for a determinate term of 30 days/months/years or under the Youthful Offender Act not to exceed years and/or to pay a fine of \$ 200; 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 16-25-55(Damages for 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), §14-1-211(A)(2) (DUI Surcharge), §56-5-2995 (DUI Assessment), §56-1-286 (DUI Breath Test), Proviso (Public Def/Probation), §14-1-212 (Law Enforce. Funding), §14-1-213 (Drug Court Surcharge), §50-21-114 (BUI Breath Test Fee), §56-5-2942(J) (Vehicle Assessment), 3% to County (if paid in installments).

TOTAL \$ 556.20

Clerk of Court/ Deputy Clerk V.G. ... Katherine ... COURT REPORTER

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: May have 90 days to pay fine

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: 2100 Sentence Date: 9/30/19

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Court of Appeals

ATTEST: TRUE COPY V.G. ... CLERK OF COURT ORANGEBURG COUNTY, SC

**WITNESSES**

Logan R Null

Santee Police Department

**ARREST WARRANT NUMBER**

2019A3821000107

Arrested: May 28, 2019

**ACTION OF GRAND JURY  
TRUE BILL**

*[Signature]*

AUG 07 2019

Foreperson of Grand Jury

Date: August 7, 2019

**VERDICT**

Foreperson of Petit Jury

Date:

DOCKET NO. 2019GS38-1450

**The State of South Carolina**

County of ORANGEBURG

**COURT OF GENERAL SESSIONS**

August 12, 2019 TERM

**THE STATE**

vs.

Dametri Orvil Dale

**Indictment for**

IDENTITY FRAUD TO AVOID  
DETECTION BY LAW

SC Code: 16-13-510 (C)

After being fully advised as to my legal rights, I hereby waive presentment to the Grand Jury.

Defendant

I hereby appear in my own proper person and plead guilty to the within indictment or to

Defendant

Witness:

C.C.C. PLS. AND G.S.

ATTEST: TRUE COPY  
*Winnip B Clark*  
CLERK OF COURT  
ORANGEBURG COUNTY, SC

**RECEIVED**

OCT 08 2019

SC Court of Appeals

FILED FOR RECORD  
WINNIP B. CLARK  
2019 AUG - 7 AM 11:14  
CLERK OF COURT  
ORANGEBURG, SC

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF ORANGEBURG )

INDICTMENT  
2019GS38-1450

At a Court of General Sessions, convened on August 7, 2019 the Grand Jurors of Orangeburg County present upon their oath:

**IDENTITY FRAUD TO AVOID DETECTION BY LAW**

That in Orangeburg County on or about May 27, 2019 the Defendant, Dametri Orvil Dale, knowingly and unlawfully did use the Personal Identifying Information, as defined in Section 16-13-510(D), Code of Laws of South Carolina, as amended, of another individual for the purpose of avoiding detection by law, thereby violating Section 16-13-510 (C) of the South Carolina Code of Laws, as amended.

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OCT 08 2019

SC Court of Appeals

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

  
Ted Lupton, Solicitor