

ORIGINAL

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Spartanburg County

Honorable J. Mark Hayes, II, Circuit Court Judge

RECEIVED

AUG 04 2016

SC Court of Appeals

THE STATE,

RESPONDENT,

V.

TIMOTHY DALE CROCKETT,

APPELLANT

APPELLATE CASE NO. 2015-002298

SUPPLEMENTAL RECORD ON APPEAL

WANDA H. CARTER
Deputy Chief Appellate Defender

ALAN WILSON
Attorney General

South Carolina Commission on Indigent Defense
Division of Appellate Defense
PO Box 11589
Columbia, S.C. 29211-1589
(803) 734-1330

J. BENJAMIN APLIN
Senior Assistant Attorney Deputy General
Rembert Dennis Building
1000 Assembly Street, Room 519
Columbia, SC 29201

ATTORNEY FOR APPELLANT

ATTORNEYS FOR RESPONDENT

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INDICTMENTS AND SENTENCE SHEETS 1

CERTIFICATE OF COUNSEL7

STATE OF SOUTH CAROLINA)
COUNTY OF SPARTANBURG)

INDICTMENT

AUG 21 2014

At a Court of General Sessions, convened on _____ the
Grand Jurors of Spartanburg County present upon their oath:

PETIT LARCENY

That Defendant, Timothy Dale Crockett, did in Spartanburg County on or about February 13, 2014, feloniously take and carry away the personal goods of Cottman Transmission, valued at less than Two Thousand Dollars, described as follows: a car battery, with the intent to deprive the owner permanently of such property, in violation of §16-13-30 (A) and §16-1-57, *THE CODE OF LAWS OF SOUTH CAROLINA*, (1976), as amended.

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



ASSISTANT SOLICITOR

STATE OF SOUTH CAROLINA)
 COUNTY OF SPARTANBURG)
 STATE VS.)
 Timothy Dale Crockett)
 AKA:)
 Race: WHITE Sex: M Age: 51)
 DOB: 11-22-1963 SS#: 62-58-9325)
 Address: 495 Underwood Rd)
 City, State, Zip: Campobello, SC 29322-8199)
 DL #: 008262393 SID#:)

IN THE COURT OF GENERAL SESSIONS

INDICTMENT/CASE#: 2014GS4203727
 A/W#: 2014A4210200411
 Date of Offense: 2/13/2014
 S.C. Code §: 16-13-0030(A)
 CDR Code #: 3596

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: Petit or Simple Larceny - \$2,000 or less (Enhancement per 16-1-57) (0-10 years)

in violation of § 16-13-0030(A) of the S.C. Code of Laws, bearing CDR Code # 3596
 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. (defendant's initials)
 The plea is: Without Negotiations or Recommendation. Negotiated Sentence. Recommendation by the State.

ATTEST: MORICLE, MEGAN L. 100822 Defendant Andrew J. [Signature] 3064 Attorney for Defendant SC Bar#

WHEREFORE, the Defendant is committed to State Department of Corrections, County Detention Center.

for a determinate term of 10 months/years or under the Youthful Offender Act, not to exceed 15 years
 and/or to pay a fine of \$ 3700; provided that upon the service of 3 days/months/years and/or payment

of \$ 5; plus costs and assessments as applicable*; the balance is suspended with probation for 15 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 the State Department of Corrections. 3700

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 (Criminal 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: _____ Obtain GED

Set by SCDPPPS _____ Attend Voc. Rehab. or Job Corp. _____

Recipient: _____ May serve W/E beginning _____

*Fine: \$ _____ Substance Abuse Counseling Equal/Heard

§ 14-1-206 (Assessments 107.5 %) \$ _____ Random Drug/Alcohol testing

§ 14-1-211(A)(1) (Conv. Surcharge) \$100 \$100.00 Fine may be pd. in equal, consecutive weekly/monthly pmts. of \$ _____ beginning _____

§ 14-1-211(A)(2) (DUI Surcharge) \$100 \$ _____ \$ _____ paid to Public Defender Fund

§ 56-5-2995 (DUI Assessment) \$12 \$ _____ Other: Mental Health Eval/Heard/Archie

§ 56-1-286 (DUI Breath Test) \$25 \$ _____ ATV while in the DR.

Proviso 47.9 (Public Def/Prob) \$500 \$ _____ Appointed PD or appointed other counsel, § 47.12 requires \$500 be paid to Clerk during probation.

§ 14-1-212 (Law Enforce. Funding) \$25 \$25.00

§ 14-1-213 (Drug Court Surcharge) \$150 \$ _____

§ 50-21-114(BU) Breath Test Fee) \$50 \$ _____

§ 56-5-2942(J) (Vehicle Assessment) \$40/ea \$ _____

Proviso 90.5 (SCCA Surcharge) \$5 \$5.00

3% to County (if paid in installments) \$3.90

TOTAL: \$133.90

Clerk of Court Deputy Clerk P. Green Presiding Judge _____
 Court Reporter: _____ Judge Code: 2/30
 SCCA:217 (03 2011) Sentence Date: 9/17/15

WITNESSES

Spartanburg County Sheriff's Office

DOCKET NO.

15-GS-42-4027

The State of South Carolina

County of Spartanburg

Barry J. Barnette, Solicitor

COURT OF GENERAL SESSIONS

AUG 24 2015

TERM

WARRANT NUMBER

2015A4210700111

THE STATE

vs.

ACTION OF GRAND JURY

Timothy Dale Crockett

Foreperson of Grand Jury

Date:

**Indictment for
ASSAULT AND BATTERY
2nd DEGREE**

VERDICT

SC Code: 16-3-600 (D)(1)

CDR Code: 3413

Class: MIS/A

Foreperson of Petit Jury

Date:

STATE OF SOUTH CAROLINA)
)
COUNTY OF SPARTANBURG)

INDICTMENT

AUG 21 2015

At a Court of General Sessions, convened on _____ the
Grand Jurors of Spartanburg County present upon their oath:

ASSAULT AND BATTERY 2nd DEGREE

That the Defendant, Timothy Dale Crockett, did in Spartanburg County on or about the date of August 11, 2015, commit an assault and battery on the victim, Jane Copeland, unlawfully injure the victim, or did offer or attempt to injure the victim with the present ability to do so and, moderate bodily injury to the victim resulted or moderate bodily injury to the victim could have resulted; to wit: grab the victim by her hair, and/or twist the victim's neck, and/or shove the victim against the wall, in violation of §16-3-600 (D)(1), of *THE CODE OF LAWS OF SOUTH CAROLINA*, (1976, as amended.)

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


ASSISTANT SOLICITOR *Megan Mawde*

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF SPARTANBURG
STATE VS.

AKA: Timothy Dale Crockett

Race: Sex: M Age: 51

DOB: 11-22-1963 SS#: 62-58-9325

Address: 117 Flynn Rd

City, State, Zip: Landrum, SC 29356-9796

DL#: 008262393 SID#:

*CDI, Yes No CMV Yes No Hazmat Yes No

In disposition of the said indictment comes now the Defendant who was

TO: Assault Assault & Battery 2nd degree

INDICTMENT/CASE#: 2015-GS-42-4027

A/W#: 2015A4210700111

Date of Offense: 8/11/2015

S.C. Code §: 16-03-0600(D)(1)

CDR Code #: 3413

SENTENCE SHEET

CONVICTED OF or PLEADS

in violation of 16-03-0600(D)(1) of the S.C. Code of Laws, bearing CDR Code # 3413
NON-VIOLENT VIOLENT SERIOUS MOST SERIOUS

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: MORICIE, MEGAN L. SC Bar# 100022 Defendant Timothy Dale Crockett Attorney for Defendant SC Bar# 1207

WHEREFORE, the Defendant is committed to the State Department of Corrections, County Detention Center, for a determinate term of 3 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 the State Department of Corrections.
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 (Criminal 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: \$
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 47.9 (Public Def/Prob) \$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, Proviso 90.5 (SCCJA Surcharge) \$5, 3% to County (if paid in installments) \$3.90, TOTAL \$133.90

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: ATFU vehicle on the lot

Appointed PD or appointed other counsel, 47.12 requires \$500 be paid to Clerk during probation.

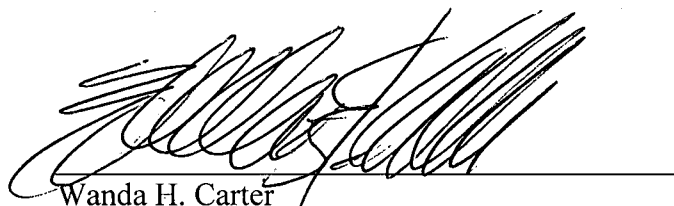
Clerk of Court Deputy Clerk
Court Reporter: P. Green
SCCA-217 (03/2011)

Presiding Judge
Judge Code: 2172
Sentence Date: 9/17/15

CERTIFICATE OF COUNSEL FOR APPELLANT

Counsel for appellant certifies that this Record on Appeal contains all material proposed to be included by any of the parties and not any other material and that this Record on Appeal complies to the best of my ability with the April 15, 2014 order from South Carolina Supreme Court entitled "Revised Order Concerning Personal Identifying Information and Other Sensitive Information in Appellate Court Filings."

Respectfully submitted,



Wanda H. Carter
Deputy Chief Appellate Defender

South Carolina Commission on Indigent Defense
Division of Appellate Defense
PO Box 11589
Columbia, S.C. 29211-1589

ATTORNEY FOR APPELLANT

This 4th day of August, 2016.

RECEIVED

AUG 04 2016

SC Court of Appeals