

ORIGINAL

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

Appeal from Lancaster County

Honorable Thomas A. Russo, Circuit Court Judge

RECEIVED

JAN 17 2017

SC Court of Appeals

THE STATE,

RESPONDENT

V.

SAMANTHA ROSE BILLS,

APPELLANT

APPELLATE CASE NO 2016-001813

RECORD ON APPEAL

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ATTORNEYS FOR RESPONDENT

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WITNESSES

Ealy - LPD #16-8185

DOCKET NO. 2016-GS-29-1350

The State of South Carolina

County of Lancaster

COURT OF GENERAL SESSIONS

SEPTEMBER TERM 2016

ARREST WARRANT NUMBER/DOA

2016A2920300302 (DOA-6-13-16)

THE STATE

vs.

ACTION OF GRAND JURY

Samantha Rose Bills

Foreperson of Grand Jury

Date

VERDICT

Indictment for

**Shoplifting 3rd or Subsequent
Property Crime
(Enhancement Per 16-1-57)**

Foreperson of Petit Jury

Date

SC Code § 16-13-0110 § 16-01-57

CDR Code 2877

Case Perry 5

STATE OF SOUTH CAROLINA)
)
COUNTY OF LANCASTER)

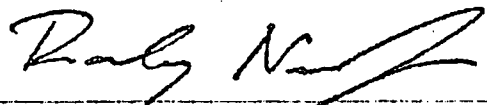
INDICTMENT

At a Court of General Sessions, convened on September 15, 2016, the Grand Jurors of Lancaster County present upon their oath:

Shoplifting 3rd or Subsequent Property Crime- (Enhancement Per 16-1-57)

That Samantha Rose Bills did in Lancaster County, South Carolina, on or about June 13, 2016, take possession of and carry away, transfer from one person to another or from one area of the store or other retail mercantile establishment to another area, or cause the same to be done, merchandise, to wit: two toothbrushes and a deodorant, valued at \$2,000.00 or less, displayed, held, stored, or offered for sale by Dollar General with the intention of depriving the merchant of the possession, use, or benefit of the merchandise without paying the full retail value, the defendant having been twice or more previously convicted of a property crime the term of imprisonment for which was contingent upon the value of the property involved, in violation of §16-13-110 and § 16-1-57 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



Randy E. Newman, Jr., SOLICITOR

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STATE OF SOUTH CAROLINA
COURT OF GENERAL SESSIONS
COUNTY OF LANCASTER
2016-GS-29-1350

State of South Carolina
vs.
Samantha Rose Bills

Lancaster, South Carolina
August 22, 2016

Before the Honorable Thomas Russo

APPEARANCES

For the State: Melissa Heimbaugh
For the Defendant: Ryan Payne

Reported by: Michael C. Watkins
Official Court Reporter

1	Guilty Plea:	3
2	Sentencing:	17
3	Certificate:	18

4

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NO EXHIBITS

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1 MS. HEIMBAUGH: Good afternoon, Your Honor. May it
2 please the Court? Standing before is you Samantha Bills
3 with her attorney, Ryan Payne. She's before you on
4 2016-GS-29-1350, a shoplifting third or subsequent offense.
5 The indictment has not been presented to the grand jury.
6 It's my understanding she wishes to plead guilty today.
7 It's also my understanding that she wishes to wrap up her
8 probation violation all at the same time.

9 THE COURT: All right. Ma'am, you are Samantha Rose
10 Bills; is that correct?

11 THE DEFENDANT: Yes, sir.

12 THE COURT: Ms. Bills, indictment 2016-GS-29-1350 is
13 an indictment for charging you with shoplifting, that being
14 a third offense or greater. That charge, ma'am, carries a
15 maximum penalty of up to ten years, do you understand that?

16 THE DEFENDANT: Yes, sir.

17 THE COURT: Understanding the nature of the charge
18 against you and the possible punishment that's associated
19 with that offense, how do you plead to that charge, guilty
20 or not guilty?

21 THE DEFENDANT: Guilty.

22 THE COURT: Mr. Payne, you represent Ms. Bills?

23 MR. PAYNE: I do, Your Honor.

24 THE COURT: Have you discussed with her the charge
25 she's before the Court on and her constitutional rights to

1 a trial?

2 MR. PAYNE: I have, Your Honor.

3 THE COURT: Have you also discussed with her the fact
4 that this charge has not been before the grand jury and her
5 rights regarding that?

6 MR. PAYNE: I have, Your Honor.

7 THE COURT: Okay. Ms. Bills, am I correct, ma'am, are
8 you 23 years of age?

9 THE DEFENDANT: Yes, sir.

10 THE COURT: What type of work do you do, ma'am, or
11 what type work have you done?

12 THE DEFENDANT: Right now I self-employed.

13 THE COURT: Doing what?

14 THE DEFENDANT: Just like anything like.

15 THE COURT: Well, if I asked you to fix the
16 transmission in my truck, can you do that?

17 THE DEFENDANT: I've done like yard work and clean up
18 houses.

19 THE COURT: Okay. All right. Are you married or
20 single?

21 THE DEFENDANT: Single.

22 THE COURT: Any children, ma'am?

23 THE DEFENDANT: Yes, sir.

24 THE COURT: How many?

25 THE DEFENDANT: Two.

1 THE COURT: And how long have you been in jail on this
2 charge?

3 THE DEFENDANT: Since June 16th. Well, I came in June
4 13th on the shoplifting, and then I made bond but I came
5 right back June 16th.

6 THE COURT: So you made bond that same day?

7 THE DEFENDANT: That Wednesday. No, that Wednesday.

8 THE COURT: And then you came back?

9 THE DEFENDANT: On the 16th.

10 THE COURT: All right. You said that was June?

11 THE DEFENDANT: Yes, sir.

12 THE COURT: Ms. Bills, when I went over the
13 constitutional rights this morning, were you present for
14 that, ma'am?

15 THE DEFENDANT: Yes, sir.

16 THE COURT: Did you understand those rights as I went
17 over them?

18 THE DEFENDANT: Yes, sir.

19 THE COURT: Do you have any question about those
20 rights or do you need any more time to discuss them with
21 Mr. Payne?

22 THE DEFENDANT: No, sir.

23 THE COURT: Do you understand by going forward with
24 your plea you give up or waive those rights and that you
25 will not have a jury trial, do you understand that?

1 THE DEFENDANT: Yes, sir.

2 THE COURT: Now, this charge -- I know you've talked
3 with Mr. Payne about it, but this charge has not been
4 before the grand jury. Do you understand you have the
5 right to require that the State put this case before the
6 grand jury for their determination as to whether or not
7 there's probable cause for this case to be in court, do you
8 understand that?

9 THE DEFENDANT: Yes, sir.

10 THE COURT: You know, the grand jury doesn't decide
11 guilt or innocence, they only decide whether there's a
12 reason or a probable cause for this case to be in court.

13 THE DEFENDANT: Yes, sir.

14 THE COURT: Okay. Now, the grand jury is made up of
15 18 people, unlike the trial jury which is made up of 12.
16 It doesn't require a unanimous decision from a grand jury
17 like it does a trial jury. A grand jury has 18 folks and
18 it takes at least 12 of the 18 to find probable cause, if
19 they do then the case is brought here into court and you
20 come into the court. If they do not find probable cause
21 then the charge is dismissed. It's indicated on the
22 sentencing sheet here that you wish to waive presentment to
23 the grand jury and have your case heard today; is that
24 correct, ma'am?

25 THE DEFENDANT: Yes, sir.

1 THE COURT: Ma'am, has anyone forced you, coerced you
2 in any way or put any pressure on you to do that, to waive
3 presentment to the grand jury?

4 THE DEFENDANT: No, sir.

5 THE COURT: That's been your decision?

6 THE DEFENDANT: Yes, sir.

7 THE COURT: What's the negotiations?

8 MS. HEIMBAUGH: It's time served, Your Honor.

9 THE COURT: Okay. Now, that's time served on this
10 charge. What about the probation matter?

11 AGENT SISTAR: Recommendation is a year.

12 THE COURT: Okay. Ms. Bills, do you understand that
13 the State -- I think maybe you probably need to -- I don't
14 want to waste people's time, so how about help me out
15 understanding why a third offense shoplifting is getting a
16 recommendation of time served when they're on probation and
17 they violate probation?

18 MS. HEIMBAUGH: She was in on the probation
19 violation -- 90 days is probably about right on the
20 shoplifting.

21 THE COURT: It carries ten years.

22 MS. HEIMBAUGH: I understand.

23 THE COURT: How does 90 days become about right on
24 shoplifting?

25 MS. HEIMBAUGH: This is only her third offense -- I

1 mean, it's a third or subsequent and she's not stealing
2 large amounts of stuff, she stole some tooth brushes and
3 some personal hygiene items, so based on what she stole and
4 the fact that she doesn't have a very significant record I
5 felt like 90 days was appropriate.

6 THE COURT: You couldn't ever get a job at Wal-Mart.

7 MS. HEIMBAUGH: No, sir.

8 THE COURT: You understand that the negotiations with
9 the State is a time served sentence, ma'am?

10 THE DEFENDANT: Yes, sir.

11 THE COURT: You know, that has no bearing on what the
12 Court does with regard to the probation case.

13 THE DEFENDANT: Yes, sir.

14 THE COURT: Do you understand?

15 THE DEFENDANT: Yes.

16 THE COURT: Okay. Other than the negotiation, has
17 anybody promised you anything or held out any hope of
18 reward or threatened you in any way to get you to enter
19 this plea?

20 THE DEFENDANT: No, sir.

21 THE COURT: Are you satisfied with the representation
22 and the advice that Mr. Payne has provided?

23 THE DEFENDANT: Yes, sir.

24 THE COURT: Do you have any complaints against him or
25 any member of his office?

1 THE DEFENDANT: No, sir.

2 THE COURT: As you appear before the Court today, Ms.
3 Bills, are you under the influence of any substance that
4 would affect your ability to understand what you're doing?

5 THE DEFENDANT: No, sir.

6 THE COURT: Are you pleading guilty of this charge of
7 your own free will, ma'am?

8 THE DEFENDANT: Yes, sir.

9 THE COURT: And are you guilty of this offense?

10 THE DEFENDANT: Yes, sir.

11 THE COURT: All right. I'm going to ask the solicitor
12 to give me the facts surrounding the shoplifting charge, I
13 would ask that you listen carefully and I'll get back to
14 you.

15 MS. HEIMBAUGH: Thank you, Your Honor. On June 13th
16 of this year at the Dollar General at 501 East Arch Street
17 within the city limits of Lancaster the defendant concealed
18 miscellaneous items in her purse and then passed all points
19 of purchase without paying, the items being tooth brushes
20 and deodorant valued at \$17.82. She does have two prior
21 convictions on her record to enhance this charge.

22 THE COURT: Ms. Bills, were those facts essentially
23 correct, ma'am?

24 THE DEFENDANT: Yes, sir.

25 THE COURT: All right. I find that the State has

1 provided a substantial factual basis to support the charge
2 that Ms. Bills pled guilty to, I find her decision to enter
3 this plea to have been done freely, voluntarily and
4 intelligently. She's had the advice and counsel of an
5 excellent attorney in Mr. Payne. Ms. Bills has indicated
6 she's satisfied with the representation and the advice that
7 Mr. Payne has provided, and also I discussed with her the
8 fact that she's waiving presentment to the grand jury and
9 whether or not that was a voluntarily and a freely entered
10 into decision. I don't find that there's been any coercion
11 or anything of that nature. I find that she understands
12 her rights to grand jury presentment, and that that waiver
13 was knowing and voluntary and therefore I accept the plea.
14 Mr. Payne, before I recognize you, sir, let me hear from
15 the probation department and then I'll hear from you on the
16 end of it.

17 AGENT SISTAR: Your Honor, Ms. Bills is on probation
18 for a drug charge, she was sentenced back in September of
19 2015. Her special conditions was to complete substance
20 abuse counseling. She's been referred on four different
21 occasions. She was brought before Judge Gibbons in June of
22 this year and he ordered for her to go into a long term
23 treatment facility at the time, she agreed and as of maybe
24 a month ago she said she didn't want to go, she would
25 rather just do her time.

1 THE COURT: All right. Mr. Payne?

2 MR. PAYNE: Thank you, Your Honor. May it please the
3 Court?

4 THE COURT: Yes, sir.

5 MR. PAYNE: If I may, I would like to just divide the
6 two charges up and talk about the shoplifting first and
7 then the probation violation. I believe the shoplifting
8 happened before the actual probation violation, I'm not
9 sure if that makes any difference in the Court's decision.

10 THE COURT: Sure. It means that this plea is not a
11 violation of her probation.

12 MR. PAYNE: I'm not -- I got this case last week so
13 I'm not exactly familiar with the timeline, but I
14 believe --

15 THE COURT: Well, I think you're wrong. The only
16 reason I say that is this probation began September of 2015
17 so this plea would be a violation of probation. But
18 anyway, go ahead.

19 MR. PAYNE: But if the Court is inclined to accept the
20 negotiated sentence and just deal with the issue of the
21 probation violation I won't spend too much time on the
22 shoplifting. I will say I met Ms. Bills last week, we
23 talked about her case and the probation violation because
24 that's the most significant time that's hanging over her
25 head. And in all fairness to the Court I was --

1 THE COURT: You know that's not true, she's facing ten
2 years on the shoplifting case.

3 MR. PAYNE: I was going along with if the Court
4 accepts --

5 THE COURT: The negotiations?

6 MR. PAYNE: Yes, sir, I apologize.

7 THE COURT: I've got you. Go ahead.

8 MR. PAYNE: I remember Ms. Bills, I was the law clerk
9 for the sentencing judge when she came back up here in
10 June, and during that hearing there was a lot of excuse
11 making go on her part. Just in my time talking with her
12 now it seems like she doesn't want to make excuses anymore.
13 She knows that she has violated her probation and I think
14 she wants to get this all taken care of today, wrap it up
15 so that she can begin to be more active in her children's
16 lives, to be a good parent for them. I'm not trying to
17 make any excuses for her, I would just ask the Court to
18 consider a 90 day revocation. I know that may seem like a
19 long shot and it probably is. Ms. Bills' parents were here
20 earlier and the reason they're not here for this afternoon
21 session of the court is they had to go pick up and care for
22 her two children, so I'm sure they would speak on her
23 behalf if they were here. But I think given those
24 considerations and the amount of time that she's served
25 now, 90 days would be a fair sentence. But I think Ms.

1 Bills understands that there are consequences for her
2 actions, and today she's taking the first step to
3 rectifying her issues in the past.

4 THE COURT: Anything further, Ms. Bills?

5 THE DEFENDANT: No, sir.

6 THE COURT: You really want to make your life better
7 for your kids?

8 THE DEFENDANT: Yes, sir, I do.

9 THE COURT: Your decision doesn't seem to indicate
10 that.

11 THE DEFENDANT: Are you talking about the previous
12 things I've done?

13 THE COURT: No, ma'am. I'm talking about literally a
14 couple of months ago Judge Gibbons told you if you went and
15 got treatment for your addiction then he would leave you on
16 probation and let you get help for your addiction, and you
17 basically decided you would rather just do your time and go
18 back out.

19 THE DEFENDANT: It's not that I didn't want to go but
20 it is the wait at the county, just sitting there waiting
21 and waiting for a bed. I was going to be --

22 THE COURT: You would rather wait in the department of
23 corrections?

24 THE DEFENDANT: No. But I can go out after I get done
25 and go out and go to counseling on my own and go to

1 meetings and stuff.

2 THE COURT: You know you won't.

3 THE DEFENDANT: I'm going to try it this time. I've
4 never wanted it, I was never ready for it. I mean, I'm
5 tired of my life-style I've been living, I was getting fed
6 up with it before, and it seemed like whenever I made up my
7 mind to do better is whenever everything caught up with me
8 and I got locked up.

9 MS. HEIMBAUGH: Your Honor, may I address you just
10 briefly on that one as well? Ms. Bills was a witness for
11 me in a trial about a month ago. When I went to go talk to
12 her at the detention center about testifying, I'll agree
13 with Mr. Payne, she said she wants to just move on, she
14 said, "I'm tired of this, I just want to be done with
15 everything." I do truly think she's trying to get this
16 done as quickly as possible, so it's behind her out of her
17 way, that was my understanding.

18 THE COURT: Here is the problem folks, it ain't behind
19 her.

20 MS. HEIMBAUGH: I understand.

21 THE COURT: Jail is behind her, but then she's going
22 to go out there and she's going to get back into the drug
23 habit and you're going to see her again, you're going to
24 prosecute her again, so what good are we doing? We're
25 fooling ourselves. Do we care at all about the people who

1 come through this court?

2 MS. HEIMBAUGH: I do, Your Honor. I'm a cynical one
3 and I really do believe Ms. Bills is -- she's tired of it
4 and she wants to get it behind her and start fresh.

5 THE COURT: You're going to help her do that.

6 MS. HEIMBAUGH: If I could I would.

7 THE COURT: Really? Because I don't think that's your
8 task as a prosecutor.

9 MS. HEIMBAUGH: No, sir, I don't believe it is.

10 THE COURT: But that's what you're doing.

11 MS. HEIMBAUGH: I am just letting you know of my
12 understanding of her from speaking with her as my witness.

13 THE COURT: I understand. She would be thrilled to
14 death if I would take Mr. Payne's suggestion and give her
15 90 days, give her credit for time served and send her home
16 but that's not happening. Ma'am, other than the probation
17 office and me I don't know that anyone else in this
18 courtroom cares about your kids, but I do and I'm not going
19 to turn you loose on them as long as you're an addict.
20 Now, I can't do anything about it once you've done your
21 time. But you know as well as I do, you have no intention
22 of getting help for your addiction because it was offered
23 to you by Judge Gibbons and you turned it down.

24 THE DEFENDANT: That was my idea actually, I brought
25 up the long term.

1 THE COURT: Right, and he gave it to you. And then as
2 soon as you got out from in front of him -- not as soon as,
3 I don't know when it was, but at some point you decided,
4 "I'm not going to sit here and waste my time, I'm not
5 going."

6 THE DEFENDANT: No, it wasn't that. It was the
7 situation at the jailhouse, it's over-crowded, it's --

8 THE COURT: I agree.

9 THE DEFENDANT: I mean, it's a lot of stuff at the
10 jailhouse and that's why, it's people are making our time
11 miserable out there.

12 THE COURT: I understand ma'am, I do. I haven't been
13 there so I can't say that I completely can walk in your
14 shoes. But here is what you're doing, you're trading that
15 in to go to the department of corrections, is it better in
16 the department of corrections? Maybe it is, I don't know.
17 But my point is you still need help and you're not going to
18 get it on your own and these people are offering it and
19 you're throwing it away because you're tired of whatever is
20 going on at the detention center.

21 THE DEFENDANT: I do want help but I can go out to
22 Keystone. I was already calling on Keystone before I came
23 to court and go there and do a outpatient center. I've
24 been to rehab before, it's about --

25 THE COURT: How good did it work?

1 THE DEFENDANT: It works if you want it, and when I
2 went I didn't want it, I wasn't ready, that was four years
3 ago. I'm ready now and I've been thinking if I put as much
4 effort in it as I did in chasing my high as I do staying
5 sober I can do it. I've had 15 months clean, I've had nine
6 months clean. I've had clean periods.

7 THE COURT: On indictment 2016-GS-29-1350, sentence of
8 the Court is that you be committed to the county detention
9 center for a period of 67 days, give you credit for the 67
10 days you have served. As for the probation violation I do
11 find that it's a willful violation of the terms and
12 conditions of the probation through this plea as well as
13 refusing to comply with Judge Gibbons' order, and for that
14 I'm going to revoke it in full. Convert any monies owed to
15 a civil judge judgment.

16 (End of the hearing.)

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PROBATION CITATION

No. C-29-16-0091

SOUTH CAROLINA V. SAMANTHA ROSE BILLS	COUNTY: LANCASTER	
	SCDC #	SID # 02048686

TO: SAMANTHA ROSE BILLS

YOU ARE HEREBY NOTIFIED to appear in the above named case at the time, date and place specified below.

Place Lancaster County Courthouse	Room Court Room A
	Date and Time 8/22/2016 9:00 AM

YOU ARE HEREBY NOTIFIED that you are charged with violating the conditions of your supervision as stated below.

<p>Violations Charged By violating conditions 10 and special conditions of cause number 15-GS-29-01030 as ordered in the Lancaster County Court of General Sessions by the Honorable Judge Brain Gibbons on 09/10/15 and continuation order dated 06/16/16.</p>
--

YOU ARE HEREBY NOTIFIED that you have the rights listed below.

<p>List of Rights: You have the right at the hearing to question any person who appears as a witness against you and to have witnesses appear on your behalf. You may present evidence on your behalf. You may have an attorney represent you. If you cannot afford an attorney, an attorney will be appointed for you. You must advise the agent or the court in writing of your desire for an attorney. It is your responsibility to make arrangements for your witnesses and your attorney to appear at the hearing.</p>
--

IF YOU FAIL TO APPEAR AT THE TIME, DATE AND PLACE SHOWN ABOVE, THE HEARING WILL BE HELD IN YOUR ABSENCE AND YOU MAY BE INCARCERATED.

LANCASTER , South Carolina	Probation and Parole Agent Jessica Macon	Agent # 0913
Date 7/21/2016	<i>Jessica Macon</i>	

A copy of the citation was served by the undersigned and given to the individual named therein at the time, date, and place indicated below.

Place <i>Lancaster Cty Detention Center</i>	Date and Time <i>8/10/16 at 1:50 pm</i>
	Serving Officer's Signature <i>Jim Williams</i>

Sworn to and subscribed before me this 10th day of August, 2016

Cheryl Z. Walters
Signature of Notary Public

My Commission Expires 3/28/2021

STATE OF SOUTH CAROLINA

AFFIDAVIT

County of LANCASTER

Personally appeared before me, Jessica Macon, who first being duly sworn, deposes and says that SAMANTHA ROSE BILLS did within this county and State on the 21 day of July, 2016, violate certain conditions of release in the following particulars:

DESCRIPTION OF VIOLATION

By violating conditions 10 and special conditions of cause number 15-GS-29-01030 as ordered in the Lancaster County Court of General Sessions by the Honorable Judge Brain Gibbons on 09/10/15 and continuation order dated 06/16/16.

The Affiant states that there is probable cause to believe the defendant named committed the violations set forth and that such probable cause is based on the following facts:

Samantha Bills has failed to follow the advice and instructions of her Agent in that she has failed to comply with Judge Gibbons' court order dated June 16, 2016 to successfully complete long term treatment at Miracle Hill Treatment Center in that she is now refusing to go.

Sworn to and subscribed
before me this 21 day of
July, 2016

Jessica Macon
Affiant

James Williams
Signature of Notary Public

My Commission Expires: 11/16/2022

STATE

CAROLINA

IN THE COURT OF GENERAL SESSIONS

County of LANCASTER
STATE VS.

OFFICE OF CLERK OF COURT - GS-
FOR LANCASTER COUNTY

Indictment Number: 29-1030

Case #s: C-29-16-0064 *revised 8/10/16*

AKA: SAMANTHA BILLS S-72-16
Race: W Sex: F
DOB: [REDACTED]
SSN: [REDACTED]
SID#: 02048686

Name of Original Offense: POSS of NARC IN Sch I (B)(C) LS
Original A/W #: 2015A 2910100877 & Sch II 1st OFFER
Date of Original Offense: 8/4/2015
Conviction S.C. Code #: 44-53-0370(C)
Conviction CDR Code #: 011716
Original Sentence: 1 YR SS 1 YR probation

ORDER

The above named defendant has been charged with violating the conditions of probation ordered on 9/10/15 in the Court of General Sessions of LANCASTER County, and/or the additional conditions ordered by the Court in probation continuation order(s) issued on 5/24/16 ~~6/16/16~~, as set forth in the attached warrant(s) or citation(s) dated 5/24/16. After hearing the evidence and being duly advised, in the (presence/absence) of the defendant, I find that the above named defendant has violated the following condition(s) of probation: (List by number or indicate special conditions as provided in the affidavit)

3, 5, 7, 9, 10 & Special Conditions

Therefore, IT IS ORDERED that:

the suspended sentence be revoked and the above named defendant be required to serve 1 months/years the remainder of the original sentence, and/or pay \$

the suspended sentence be revoked and the above named defendant be required to serve months/years of the original sentence and/or pay \$; thereupon to be reinstated on probation, subject to the conditions set forth in the attached order and not inconsistent with this order.

the above named defendant is continued on probation as provided for in the original sentence, subject to the conditions set forth therein and not inconsistent with this order.

probation is reduced to time served under supervision and the defendant is discharged from supervision on this date.

the above named defendant is placed on active electronic monitoring pursuant to §23-3-540 (mandatory if convicted of first degree criminal sexual conduct with a minor or lewd act, discretionary if convicted of any other applicable sex offense against a minor).

Financial Obligations: Order satisfies: Department fees (arrearage) Fines and other fees (arrearage/balance) Restitution (and 20%) (arrearage/balance) Civil judgment: Department fees Fines and other fees Restitution (and 20%)

Additional Conditions ordered by the Court: Terminate Probation

The defendant is given credit for pre-revocation hearing detention time on current probation violation to be calculated and applied by the SC Department of Corrections. Since 8/10/16

The defendant has previously served months/years on this sentence. (split sentence time and/or prior partial revocation time)

The defendant was previously placed on active electronic monitoring pursuant to §23-3-540.

This 22 day of August, 2016
LANCASTER

Presiding Judge Sixth Judicial Circuit Russo

CERTIFIED TO BE A TRUE COPY

You are hereby advised that under the law the Court may at any time revoke or modify any condition of this probation; impose any lawful conditions it deems proper; or extend your period of probation not to exceed five (5) years. At any time within the period of your probation, the Court may require you to serve any part of the original sentence imposed.

This is to certify that I have read, or have had read to me, the order and the conditions set out herein. I agree to comply with such conditions and the conditions of my attached probation order during the period of my probation. I have received a copy of this Court's order and all attachments.

Offender's Signature

Witnessed by

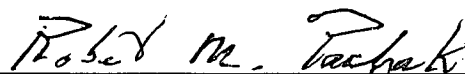
JEFF HAMMOND
CLERK OF COMMON PLEAS
AND GENERAL SESSIONS COURT
LANCASTER COUNTY, S.C.

Signed this day of Month Year City SC

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 the South Carolina Supreme Court entitled "Revised Order Concerning Personal Identifying Information and Other Sensitive Information in Appellate Court Filings."

Respectfully Submitted,

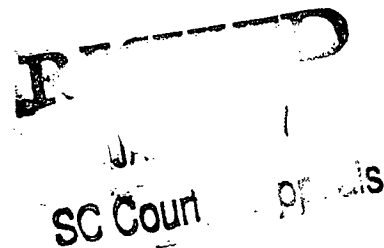


Robert M. Pachak
Appellate Defender

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

ATTORNEY FOR APPELLANT

This 17th day of January, 2017.



SC Court of Appeals

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