

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

RECEIVED
OCT 23 2019
SC Court of Appeals

APPEAL FROM SPARTANBURG COUNTY
Court of General Sessions

The Honorable R. Keith Kelly, Circuit Court Judge

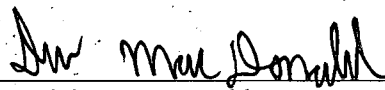
Case No(s): 2019GS4201054, 2019GS4201055, 2019GS4201056, 2019GS4201057

The State Respondent,
v.
Tammy Darlene Huitt Appellant.

EXPLANATION OF APPEAL PURSUANT TO RULE 203(d)(1)(B), SCACR

Pursuant to Rule 203(d)(1)(B), SCACR, Tammy Darlene Huitt Darlene Huitt files this explanation of his appeal of her guilty plea, conviction and sentence in this case. The sentence was imposed by The Honorable R. Keith Kelly on October 9, 2019. No issues were raised during the guilty plea; however, the client insisted upon an appeal; therefore, this appeal was filed pursuant to Weathers v. State, 319 S.C. 59, 459 S.E.2d 838 (1995), and State v. Thrift, 378 S.C. 70, 661 S.E.2d 373 (2008).

October 21, 2019



Daniel J. MacDonald
102614
Seventh Judicial Circuit Public Defender Office
366 N. Church Street, Suite 3000
Spartanburg, South Carolina 29303
(864) 596-2561
Attorney for Appellant

Other Counsel of Record:

Jennifer Jordan, Esq.
Seventh Judicial Circuit Solicitor's Office
180 Magnolia Street
Spartanburg, South Carolina 29306
Attorney for Respondent

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

RECEIVED
OCT 23 2019
SC Court of Appeals

APPEAL FROM THE SPARTANBURG COUNTY
Court of General Sessions

The Honorable R. Keith Kelly, Circuit Court Judge

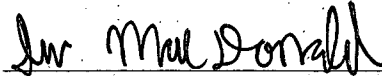
Case No(s): 2019GS4201054, 2019GS4201055, 2019GS4201056, 2019GS4201057

The State Respondent,
v.
TammyDarleneHuitt Appellant.

PROOF OF SERVICE

I certify that I served the Explanation of Appeal Pursuant to Rule 203(d)(1)(B), SCACR, on the State of South Carolina by depositing a copy of it in the United States Mail, postage prepaid, on October 21, 2019 addressed to its attorney of record, Jennifer Jordan, Esq., Assistant Circuit Solicitor, 180 Magnolia Street, Spartanburg, S.C. 29306.

October 21, 2019



Daniel J. MacDonald
102614
Seventh Judicial Circuit Public Defender Office
366 N. Church Street, Suite 3000
Spartanburg, South Carolina 29303
(864) 596-2561
Attorney for Appellant

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF SPARTANBURG

STATE VS. Tammy Darlene Huitt

AKA:

Race: WHITE Sex: F Age: 53

DOB: SS#: DL#: SID#

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: Kidnapping 0-30 years

INDICTMENT/CASE#: 2019GS4201055

A/W#: 2018A4210103346

Date of Offense: 10/29/2018

S.C. Code § : 16-03-0910

CDR Code #: 0095

RECEIVED OCT 23 2019 SC Court of Appeals

SENTENCE SHEET

CONVICTED OF or PLEADS

in violation of § 16-03-0910 of the S.C. Code of Laws, bearing CDR Code # 0095

NON-VIOLENT VIOLENT SERIOUS MOST SERIOUS Mandatory GPS(CSC §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: JORDAN, JENNIFER A SCB69423 SC Bar# Defendant Tammy Huitt MacDonald IV, Daniel J. SCB102614 SC Bar# Attorney for Defendant

WHEREFORE, the Defendant is committed to the State Department of Corrections, County Detention Center, for a determinate term of 12 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: \$

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 (Public Def/Probation) \$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, 3% to County (if paid in installments) \$375.

TOTAL \$ 12875

Clerk of Court/ Deputy Clerk T. Camp Court Reporter: P. Green

days/hours Public Service Employment

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: NO sex registry NO contact victim

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 R. Keith Kelly

Judge Code: 2165

Sentence Date: 9 October 2019

RECEIVED
OCT 23 2019
SC Court of Appeals

Form Approved by
S.C. Attorney General
April 21, 2003
SCCA 518

ARREST WARRANT

2018A4210103346 16

STATE OF SOUTH CAROLINA

County/ Municipality of

Spartanburg

179485

THE STATE against 18101530

Tammy Darlene Huitt

Address:

Sex: F Race: W Height: 5 3 Weight: 140

DL State: SC DL #: Agency ORI #: SC0420000

Prosecuting Agency: Spartanburg County Sheriff

Prosecuting Officer: Andrew G Lawson - 0777

Offense: Kidnapping / Kidnapping

Offense Code: 0095
Code/Ordinance Sec: 16-03-0910

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 the law.

(L.S.)

Signature of Judge

Date:

RETURN

A copy of this arrest warrant was delivered to defendant Tammy Huitt on 11-2-18

Signature of Constable/Law Enforcement Officer

RETURN WARRANT TO:
General Sessions
180 Magnolia Street
P O Box 3483
Spartanburg, SC 29304

ORIGINAL ORIGINAL

STATE OF SOUTH CAROLINA

County/ Municipality of

Spartanburg

AFFIDAVIT

ORIGINAL

Personally appeared before me the affiant Andrew G Lawson who being duly sworn deposes and says that defendant Tammy Darlene Huitt did within this county and state on or about 10/29/2018 violate the criminal laws of the State of South Carolina (or ordinance of County/ Municipality of Spartanburg) in the following particulars:

DESCRIPTION OF OFFENSE: Kidnapping / Kidnapping

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:

That on October 29, 2018 in the county of Spartanburg, one Tammy Darlene Huitt did unlawfully seize, confine, kidnap victim, Jamie Peck at 4580 Highway 146 N Woodruff, SC 29388 without authority of law. Warrant based upon police investigation. CTC

Signature of Clerk of Court

CLERK OF COURT
SPARTANBURG COUNTY

BY: 11-7-18 D.

STATE OF SOUTH CAROLINA

County/ Municipality of

Spartanburg

Affiant's Address 8045 Howard Street

Spartanburg, SC 29303-

Affiant's Telephone (864)503-4500

RECEIVED
NOV 08 2018

ARREST WARRANT

TO ANY LAW ENFORCEMENT OFFICER OF 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 or about 10/29/2018 defendant Tammy Darlene Huitt did violate the criminal laws of the State of South Carolina (or ordinance of County/ Municipality of Spartanburg) as set forth below:

DESCRIPTION OF OFFENSE: Kidnapping / Kidnapping

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 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 11/1/2018

Signature of Issuing Judge (L.S.)

David James Turner
Judge Code: 5079

Judge's Address Spartanburg County Judicial Center

Spartanburg, SC 29306-2335

Judge's Telephone (864)596-2564

Issuing Court: Magistrate Municipal Circuit

ORIGINAL ORIGINAL ORIGINAL ORIGINAL ORIGINAL ORIGINAL ORIGINAL

WITNESSES

SCSO

Jimmy G. Owens

ARREST WARRANT NUMBER

2018A4210103346

ACTION OF GRAND JURY

True Bill

Foreperson of Grand Jury
Date: *[Signature]*

VERDICT

Foreperson of Petit Jury
Date:

FEB 22 2019

DOCKET NO. **19-GS-42-1055**

The State of South Carolina
County of Spartanburg

Barry Barnette, Solicitor

COURT OF GENERAL SESSIONS

FEB 25 2019

TERM

THE STATE
vs.

Tammy Darlene Huitt

Indictment for
KIDNAPPING

SC Code: 16-03-910
CDR Code: 0095
Class FEL-A

2019 FEB 26 PM 2:42

RECEIVED

OCT 23 2019

SC Court of Appeals

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF SPARTANBURG

STATE VS. Tammy Darlene Huitt

AKA:

Race: WHITE Sex: F Age: 53

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: Kidnapping 0-30 years

INDICTMENT/CASE#: 2019G54201056

A/W#: 2018A4210103347

Date of Offense: 10/29/2018

S.C. Code § : 16-03-0910

CDR Code #: 0095

RECEIVED OCT 23 2019 SC Court of Appeals

SENTENCE SHEET

CONVICTED OF or PLEADS

in violation of § 16-03-0910 of the S.C. Code of Laws, bearing CDR Code # 0095

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. T.H. (defendant's initials)

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

ATTORNEYS:

JORDAN, JENNIFER A

SCB69423 SC Bar#

Tammy Huitt Defendant

MacDonald IV, Daniel J. Attorney for Defendant

SCB102614 SC Bar#

WHEREFORE, the Defendant is committed to the State Department of Corrections, County Detention Center, for a determinate term of 12 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. 342 days

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 SCDPPPS

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: NO Sex registry NO contact victim

*Fine:

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 (Public Def/Probation) \$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, 3% to County (if paid in installments) \$315.

TOTAL

\$ 128 75

Clerk of Court/ Deputy Clerk

Court Reporter:

T. Camp P. Green

Presiding Judge

Judge Code:

Sentence Date:

R. Keith Kelly 12/15 9 October 2019

RECEIVED
 OCT 23 2019
 SC Court of Appeals

ARREST WARRANT

2018A4210103347 ¹⁶

STATE OF SOUTH CAROLINA

County/ Municipality of
 Spartanburg

179486

THE STATE 18101530
 against

Tammy Darlene Huitt

Address:

Phone: _____ SSN: _____

Sex: F Race: W Height: 5 3 Weight: 140

DL State: SC DL #: _____

DOB: _____ Agency ORI #: SC0420000

Prosecuting Agency: Spartanburg County Sheriff

Prosecuting Officer: Andrew G Lawson - 0777

Offense: Kidnapping / Kidnapping

Offense Code: 0095

Code/Ordinance Sec: 16-03-0910

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 the law.

(L.S.)

Signature of Judge _____

Date _____

RETURN

A copy of this arrest warrant was delivered to
 defendant Huitt, Tammy
 on 11-2-18

S. A. (8-52)
 Signature of Constable/Law Enforcement Officer

RETURN WARRANT TO:

General Sessions
 180 Magnolia Street
 P O Box 3483
 Spartanburg, SC 29304

ORIGINAL

ORIGINAL

ORIGINAL

ORIGINAL

ORIGINAL

ORIGINAL

ORIGINAL

STATE OF SOUTH CAROLINA)
 County/ Municipality of)
 Spartanburg)

AFFIDAVIT ORIGINAL Form Approved by S.C. Attorney General April 21, 2003 SCCA 516

Personally appeared before me the affiant Andrew G Lawson who
 being duly sworn deposes and says that defendant: Tammy Darlene Huitt
 did within this county and state on or about 10/29/2018 violate the criminal laws of the
 State of South Carolina (or ordinance of Spartanburg County/ Spartanburg Municipality of _____)
 in the following particulars:
 DESCRIPTION OF OFFENSE: Kidnapping / Kidnapping

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:

That on October 29, 2018 in the county of Spartanburg, one Tammy Darlene Huitt did unlawfully seize, confine, kidnap victim, Tammy Waddell at 4580 Highway 146 N Woodruff, SC 29388 without authority of law. Warrant based upon police investigation. CTC

McDane
 CLERK OF COURT
 SPARTANBURG COUNTY
 BY: 11-7-18 DC
 SIGNED: _____
 Signature of Affiant

STATE OF SOUTH CAROLINA)
 County/ Municipality of)
 Spartanburg)

Affiant's Address: 8045 Howard Street
Spartanburg, SC 29303-

Affiant's Telephone: (864)503-4500

RECEIVED
 NOV 08 2018
 BY: ad

ARREST WARRANT

TO ANY LAW ENFORCEMENT OFFICER OF 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 or about 10/29/2018 defendant Tammy Darlene Huitt
 did violate the criminal laws of the State of South Carolina (or ordinance of
 County/ Municipality of Spartanburg) as set forth below.

DESCRIPTION OF OFFENSE: Kidnapping / Kidnapping

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 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 11/1/2018)

David James Turner (L.S.))
 Signature of Issuing Judge)
 David James Turner)
 Judge Code: 5079)

Judge's Address: Spartanburg County Judicial Center
Spartanburg, SC 29306-2335

Judge's Telephone: (864)596-2564

Issuing Court: Magistrate Municipal Circuit

ORIGINAL

ORIGINAL

ORIGINAL

STATE OF SOUTH CAROLINA)
)
COUNTY OF SPARTANBURG)

INDICTMENT

At a Court of General Sessions, convened on FEB 22 2019, the
Grand Jurors of Spartanburg County present upon their oath:

KIDNAPPING

The Defendant, Tammy Darlene Huitt, did in Spartanburg County on or about
October 29, 2018, unlawfully seize, confine, inveigle, decoy, kidnap, abduct or carry
away the victim, Tammy Waddell, without authority of law, all in violation of Section 16-
3-910, 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

RECEIVED
OCT 23 2019
SC Court of Appeals

WITNESSES

SCSO

Jimmy G. Owens

ARREST WARRANT NUMBER

2018A4210103347

ACTION OF GRAND JURY

True Bill

Foreperson of Grand Jury
Date: *[Signature]*

VERDICT

Foreperson of Petit Jury
Date: FEB 22 2019

DOCKET NO. **19-GS-42-1056**

The State of South Carolina

County of Spartanburg

Barry Barnette, Solicitor

COURT OF GENERAL SESSIONS

FEB 25 2019

TERM

**THE STATE
vs.**

Tammy Darlene Huitt

Indictment for

KIDNAPPING

SC Code: 16-03-910
CDR Code: 0095
Class FEL-A

SPARTANBURG COUNTY
2019 FEB 26 PM 2:42

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF SPARTANBURG
STATE VS.
Tammy Darlene Huitt

INDICTMENT/CASE#: 2018GS1201057
A/W#: 2018A4210103352
Date of Offense: 10/29/2018
S.C. Code § : 16-03-0600(E)
CDR Code #: 3414

RECEIVED
OCT 23 2019
SC Court of Appeals

SENTENCE SHEET

AKA:
Race: WHITE Sex: F Age: 53
DOB: SS#:
Address:
City, State, Zip:
DL#: SID#:
*CDL Yes No CMV Yes No Hazmat Yes No

CONVICTED OF or PLEADS

In disposition of the said indictment comes now the Defendant who was TO: Assault & Battery 3rd degree 0-30 days

in violation of § 16-03-0600(E)(1) of the S.C. Code of Laws, bearing CDR Code # 3414
NON-VIOLENT VIOLENT SERIOUS MOST SERIOUS Mandatory GPS(CSC) §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: JORDAN, JENNIFER A SCB69423 SC Bar# Defendant
MacDonald IV, Daniel J. SCB102614 SC Bar# 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 \$; provided that upon the service of 342 days 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. 342 days
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 SCDPPPS Obtain GED
Attend Voc. Rehab. or Job Corp.

Recipient: Substance Abuse Counseling
Random Drug/Alcohol testing

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 (Public Def/Probation) \$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, 3% to County (if paid in installments) \$3.75, TOTAL \$128.75

Fine may be pd. in equal, consecutive weekly/monthly
pmts. of \$ beginning
\$ paid to Public Defender Fund

Other:

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 T. Camp
Court Reporter: P Green

Presiding Judge A. Keith Kelly
Judge Code: 2465
Sentence Date: 9 October 2019

RECEIVED
OCT 23 2019
SC Court of Appeals

ARREST WARRANT

2018A4210103352 16

STATE OF SOUTH CAROLINA

County/ Municipality of

Spartanburg

THE STATE 18101630

against

Tammy Darlene Huitt

Address:

Phone: SSN:

Sex: F Race: W Height: 5 3 Weight: 140

DL State: SC DL #:

DOB: Agency ORI #: SC0420000

Prosecuting Agency: Spartanburg County Sheriff

Prosecuting Officer: Andrew G Lawson - 0777

Offense: Assault / Assault & Battery 3rd degree

Offense Code: 3414

Code/Ordinance Sec: 16-03-0600(E)(1)

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

is to be arrested and brought before me to be dealt with according to the law

(L.S.)

Signature of Judge

Date:

RETURN

A copy of this arrest warrant was delivered to defendant on Tammy Huitt 11-2-18

S.A. (8-52)
Signature of Constable/Law Enforcement Officer

RETURN WARRANT TO:

General Sessions-
180 Magnolia Street
P O Box 3483
Spartanburg, SC 29304

mag.

ORIGINAL

ORIGINAL

ORIGINAL

ORIGINAL

ORIGINAL

ORIGINAL

ORIGINAL

STATE OF SOUTH CAROLINA

County/ Municipality of

Spartanburg

AFFIDAVIT

ORIGINAL

Form Approved by
S.C. Attorney General
April 21, 2003
SCCA 518

Personally appeared before me the affiant Andrew G Lawson who being duly sworn deposes and says that defendant Tammy Darlene Huitt did within this county and state on or about 10/29/2018 violate the criminal laws of the State of South Carolina (or ordinance of Spartanburg) in the following particulars: NOV 13 AM 8:50

DESCRIPTION OF OFFENSE: Assault / Assault & Battery 3rd degree

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

That on October 29, 2018, in the county of Spartanburg, one Tammy Darlene Huitt did intentionally commit battery upon victim, Jamie Peck by holding her arms and hands and pushing her against the counter. Warrant based upon police investigation. CTC

RECEIVED
NOV 13 2018
BY: ad
CLERK OF COURT
SPARTANBURG COUNTY
Signature: [Signature]

STATE OF SOUTH CAROLINA

County/ Municipality of

Spartanburg

Affiant's Address 8045 Howard Street
Spartanburg, SC 29303-
Affiant's Telephone (864)503-4500

ARREST WARRANT

TO ANY LAW ENFORCEMENT OFFICER OF 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 or about 10/29/2018 defendant Tammy Darlene Huitt

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

County/ Municipality of Spartanburg) as set forth below.

DESCRIPTION OF OFFENSE: Assault / Assault & Battery 3rd degree

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 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 11/2/2018

[Signature] (L.S.)

Signature of Issuing Judge
David James Turner

Judge Code: 5079

Judge's Address Spartanburg County Judicial Center

Spartanburg, SC 29306-2335

Judge's Telephone (864)596-2564

Issuing Court Magistrate Municipal Circuit

ORIGINAL

ORIGINAL

ORIGINAL

STATE OF SOUTH CAROLINA)
)
COUNTY OF SPARTANBURG)

INDICTMENT

FEB 22 2019

At a Court of General Sessions, convened on _____, the

Grand Jurors of Spartanburg County present upon their oath:

ASSAULT AND BATTERY 3rd Degree

That the Defendant, Tammy Darlene Huitt did in Spartanburg County on or about
~~October 29, 2018, commit an assault and battery on the victim Jamie Peek, by~~
unlawfully injuring the victim, or by offering or attempting to injure the victim with the
present ability to do so, in violation of §16-3-600(E)(1), *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

RECEIVED
OCT 23 2019
SC Court of Appeals

SPARTANBURG COUNTY
2019 FEB 26 PM 2:42

DOCKET NO. **19-GS-42-1057**

The State of South Carolina
County of Spartanburg
Barry Barnette, Solicitor

COURT OF GENERAL SESSIONS

FEB 25 2019 TERM

THE STATE
vs.

Tammy Darlene Huitt

Indictment for
ASSAULT AND BATTERY 3rd Degree
SC Code: 16-3-600(E)(1)
CDR Code: 3414
Class MIS/U

WITNESSES

SCSO

Jimmy W. Davis

WARRANT NUMBER

2018A4210103352

ACTION OF GRAND JURY

True Bill

Foreperson of Grand Jury
Date: *[Signature]*

VERDICT

Foreperson of Petit Jury
Date: FEB 22 2019

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF SPARTANBURG
STATE VS.

Tammy Darlene Huit

INDICTMENT/CASE#: 2019GS4201054

A/W#: 2018A4210103353

Date of Offense: 10/29/2018

S.C. Code § : 16-13-0110(A)

CDR Code #: 0528

RECEIVED

OCT 23 2019

SC Court of Appeals

SENTENCE SHEET

AKA:

Race: WHITE Sex: F Age: 53

DOB: SS#: SID#:

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: Shoplifting, value \$2,000 or less 0-30 days

CONVICTED OF or PLEADS

in violation of § 16-13-0110(A) of the S.C. Code of Laws, bearing CDR Code # 0528
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: JORDAN, JENNIFER A SC Bar# SCB69423 Defendant Tammy Huit SC Bar# Attorney for Defendant Daniel J. MacDonald IV, Daniel J. SC Bar# SCB102614

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 \$; provided that upon the service of time served 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. 342 days

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: 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:

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 \$ 128.75

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 D. Camp
Court Reporter: P Green

Presiding Judge R. Keith Kelly
Judge Code: 2165
Sentence Date: 9 October 2019

RECEIVED
OCT 23 2019
SC Court of Appeals

ARREST WARRANT

2018A4210103353 16

STATE OF SOUTH CAROLINA

County/ Municipality of
Spartanburg 179484

THE STATE 18101530
against

Tammy Darlene Huit

Address:

Phone: SSN:
Sex: F Race: W Height: 5 3 Weight: 140
DL State: SC DL #:
DOB Agency ORI #: SC0420000
Prosecuting Agency: Spartanburg County Sheriff
Prosecuting Officer: Andrew G Lawson - 0777
Offense: Shoplifting / Shoplifting, value \$2,000 or less

Offense Code: 0528
Code/Ordinance Sec: 16-13-0110(A)

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 the law.

(L.S.)

Signature of Judge

Date:

RETURN

A copy of this arrest warrant was delivered to
defendant Tammy Huit
on 11-2-18

S.M. (8-52)
Signature of Constable/Law Enforcement Officer

RETURN WARRANT TO:

General Sessions
180 Magnolia Street
P O Box 3483
Spartanburg, SC 29304

ORIGINAL

ORIGINAL

ORIGINAL

ORIGINAL

STATE OF SOUTH CAROLINA

County/ Municipality of
Spartanburg

JAN AFFIDAVIT

ORIGINAL

Form Approved by
S.C. Attorney General
April 21, 2003
SCCA 518

Personally appeared before me the affiant Andrew G Lawson, who
being duly sworn deposes and says that defendant Tammy Darlene Huit
did within this county and state on or about 10/29/2018 violate the criminal laws of the
State of South Carolina (or ordinance of County/ Municipality of
Spartanburg)
in the following particulars.

DESCRIPTION OF OFFENSE: Shoplifting / Shoplifting, value \$2,000 or less

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

That on October 29, 2018 in the city/county of Spartanburg, one Tammy Darlene Huit did take possession of and/or carry away a
bottle of lighter fluid valued at \$2,000 or less, merchandise of Dollar General, located at 4580 Hwy 146 N Woodruff, SC 29388
with the intention of depriving the merchant of the possession of such merchandise without paying the full retail value. Warrant
based upon police investigation. CTC

RECEIVED
NOV 13 2018
BY: Signature of Affiant

Mr. Hope Blackley
CLERK OF COURT
SPARTANBURG COUNTY
11-13-18

STATE OF SOUTH CAROLINA

County/ Municipality of
Spartanburg

Affiant's Address 8045 Howard Street
Spartanburg, SC 29303-
Affiant's Telephone (864)503-4500

ARREST WARRANT

TO ANY LAW ENFORCEMENT OFFICER OF 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 or about 10/29/2018 defendant Tammy Darlene Huit
did violate the criminal laws of the State of South Carolina (or ordinance of
 County/ Municipality of Spartanburg) as set forth below

DESCRIPTION OF OFFENSE: Shoplifting / Shoplifting, value \$2,000 or less

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 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 11/1/2018

Signature of Issuing Judge (L.S.)
David James Turner
Judge Code: 5079

Judge's Address: Spartanburg County Judicial Center
Spartanburg, SC 29306-2335
Judge's Telephone: (864)596-2564

Issuing Court: Magistrate Municipal Circuit

ORIGINAL

ORIGINAL

ORIGINAL

RECEIVED

OCT 23 2019

SC Court of Appeals

2019 FEB 26 PM 2:42

WITNESSES

SCSO

Jimmy W. Davis

ARREST WARRANT NUMBER
2018A4210103353

ACTION OF GRAND JURY

True Bill

Foreperson of Grand Jury
Date: *[Signature]*

VERDICT

Foreperson of Petit Jury
Date:

FEB 22 2019

DOCKET NO. **19-GS-42-1054**

The State of South Carolina
County of Spartanburg
Barry J. Barnette, Solicitor

COURT OF GENERAL SESSIONS
FEB 25 2019
TERM

THE STATE
vs.

Tammy Darlene Huitt

Indictment for
SHOPLIFTING

SC Code: 16-13-110 (A)
CDR Code: 528
Class MISU