

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

Appeal from Dorchester County

Honorable Maite Murphy, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

JOSEPH GOODRICH,

APPELLANT

APPELLATE CASE NO. 2018-000725

RECORD ON APPEAL

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SC Court of Appeals

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STATE OF SOUTH CAROLINA COURT OF GENERAL SESSIONS
COUNTY OF DORCHESTER CASE NO.
2016-GS-18-01433
2017-GS-18-01289

STATE OF SOUTH)
CAROLINA,)
PLAINTIFF,) TRANSCRIPT OF RECORD
VS.)
APRIL 9, 2018
ST. GEORGE, SC
JOSEPH GOODRICH,)
DEFENDANT.)

B E F O R E:
HONORABLE MAITE MURPHY, JUDGE.

A P P E A R A N C E S:
JOHN KORNEGAY, ESQUIRE
Attorney for the Defendant

* * * * *

Ruth C. Weese, RDR
Official Court Reporter
Ninth Judicial Circuit

1 Condition two, failure to change
2 address without consent of agent. Per home visit
3 conducted on 9-1-2017 it was noted that Mr.
4 Goodrich did not reside at the provided address.
5 The agent conducting the home visit then spoke with
6 the homeowner who indicated Mr. Goodrich had lived
7 at that residence from February up until two weeks
8 ago -- excuse me -- two weeks before his arrest.
9 Condition ten, failure to follow the advice and
10 instructions of agent. Both oral and written
11 instructions were given, yet Mr. Goodrich failed to
12 comply. And also failure to pay restitution
13 indicating that no payments have been made towards
14 his accounts.

15 In addition, Your Honor, an
16 administrative hearing was conducted at the
17 detention center back on March 12, 2018, at which
18 time it is now the State's position to recommend
19 revocation in full with civil judgments.

20 THE COURT: Mr. Kornegay, what's your
21 position as to whether your client willfully
22 violated the terms and conditions of his probation?

23 MR. KORNEGAY: It's willful, Your
24 Honor. Thank you, Your Honor.

25 Your Honor, may it please the court,

1 Your Honor, we are asking for you to
2 consider the time that he has served, 50 days in
3 the Dorchester County Jail, and to consider a
4 partial revocation and allow him to continue on
5 probation.

6 THE COURT: Anything further from you?

7 PROBATION OFFICER BENNETT: Nothing,
8 Your Honor.

9 THE COURT: Mr. Goodrich, I do find
10 that this is a willful violation of the terms and
11 conditions of your probation. Mr. Kornegay, he
12 hasn't done anything he was supposed to. He has
13 blatantly violated every single term and condition
14 of his probation so I think it is appropriate to
15 revoke for the full revocation. You will get
16 credit for the time that you have served.

17 MR. KORNEGAY: Thank you, Your Honor.

18 (These proceedings were concluded at
19 10:54 a.m., April 9, 2018, Dorchester County, South
20 Carolina.)
21
22
23
24
25

STATE OF SOUTH CAROLINA

County of Dorchester

STATE VS.
Joseph Goodrich

AKA: _____
Race: W Sex: M

DOB: _____

SSN: _____

SID# _____

IN THE COURT OF GENERAL SESSIONS

Indictment Number: _____

16 - GS- 18 - 01433
Probation C/W#s: W-18-17-0098

Name of Original Offense: DV 2nd
Original A/W#: 2016A1820500689
Date of Original Offense: 8/2/16
Conviction S.C. Code §: 16-25-20(C)
Conviction CDR Code #: 3 / 8 / 1 / 2
Original Sentence: 3 yrs SS 3 yrs prob

ORDER

The above named defendant has been charged with violating the conditions of probation ordered on 8 / 8 / 17 in the Court of General Sessions of Dorchester County, and/or the additional conditions ordered by the Court in probation continuation order(s) issued on _____, as set forth in the attached warrant(s) or citation(s) dated 9/27/17. 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)

1, 2, 10

Therefore, IT IS ORDERED that:

- ☒ the suspended sentence be revoked and the above named defendant be required to serve 3 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 electronic monitoring pursuant to §23-3-540 (mandatory if convicted of first or third 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) Civil judgment: ☐ Department fees
☐ Fines and other fees (arrearage / balance) ☒ Fines and other fees
☐ Restitution (and 20%) (arrearage / balance) ☐ Restitution (and 20%)

☒ Additional Conditions ordered by the Court:

Terminate balance of probation
Exempt SF arrears

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- ☒ The defendant is given credit for pre-arrest detention time on current probation violation to be calculated and applied by the SC Department of Corrections.
- ☐ The defendant is to be given credit for pretrial detention time served (N/A if defendant has served prior SCDC time).
- ☐ The defendant has served _____ days/months/years of prior revocations and/or initial SCDC time.
- ☐ The defendant was previously placed on active electronic monitoring pursuant to §23-3-540.

This 9th day of April 2018
St George SC

Marti King
Presiding Judge
First Judicial Circuit

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 therein, 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: Joseph Goodrich Witnessed by: Bless-Nichelle Jones
Signed this 9th day of April 2018 St George SC

WITNESSES

Neil White

Summerville Police Department

16-070056

ARREST WARRANT NUMBER

2016A1820500689

Arrested: August 3, 2016

ACTION OF GRAND JURY

Foreperson of Grand Jury
Date: August 31 2017

VERDICT

Foreperson of Petit Jury
Date:

DOCKET NO. 2016GS18-1433

The State of South Carolina
County of DORCHESTER

COURT OF GENERAL SESSIONS

August 7 2017 TERM

THE STATE

vs.

Joseph Goodrich

Indictment for

Domestic Violence--2nd Degree

SC Code: 16-25-20(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.

WITNESSES

Christopher E Cooper

Summerville Police Department
17-008461

ARREST WARRANT NUMBER
2017A1820500379

Arrested: June 28, 2017

ACTION OF GRAND JURY

Foreperson of Grand Jury
Date: August 31 2017

VERDICT

Foreperson of Petit Jury
Date:

DOCKET NO. 2017GS18-1289

The State of South Carolina
County of DORCHESTER

COURT OF GENERAL SESSIONS

August 7 2017 TERM

THE STATE
vs.

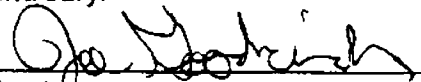
Joseph Goodrich

Indictment for

Forgery, value less than \$10,000

SC Code: 16-13-0010(A)

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.

STATE OF SOUTH CAROLINA

COUNTY OF Dorchester
STATE VS.
Joseph Goodrich

AKA:
Race: WHITE Sex: Age: 38
DOB: SS#:
Address:
City, State, Zip: Summerville, SC 29483
DL#: SID#:

*CDL Yes ☐ No ☐ CMV Yes ☐ No ☐ Hazmat Yes ☐ No ☐

In disposition of the said indictment comes now the Defendant who was
TO: Domestic Violence--2nd Degree

IN THE COURT OF GENERAL SESSIONS

13

INDICTMENT/CASE#: 2016GS18-1433
A/W#: 2016A1820500689
Date of Offense: 8/2/2016
S.C. Code §: 16-25-20(C)
CDR Code #: 3812

SENTENCE SHEET

in violation of § 16-25-20(C) of the S.C. Code of Laws, bearing CDR Code # 3812
☐ 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. J6 (defendant's initials)
The plea is: ☐ Without Negotiations or Recommendation, ☐ Negotiated Sentence, ☐ Recommendation by the State.

ATTEST: Michael Spears 102370 SC Bar# Defendant Joseph Goodrich 102294 SC Bar# Attorney for Defendant

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 3

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: 8-8-17
☒ 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. 45 days

☐ 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

Total: \$ plus 20% fee: \$

Payment Terms:

☐ Set by SCDPPPS

Recipient:

*Fine: \$
§ 14-1-206 (Assessments 107.5 %) \$
§ 14-1-211(A)(1) (Conv. Surcharge) \$100 \$ 100
§ 14-1-211(A)(2) (DUI Surcharge) \$100 \$
§ 56-5-2995 (DUI Assessment) \$12 \$
§ 56-1-286 (DUI Breath Test) \$25 \$
Proviso 61.6 (Public Def/Probation) \$500 \$
§ 14-1-212 (Law Enforce. Funding) \$25 \$ 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

Clerk of Court/ Deputy Clerk: Cheryl Graham

Court Reporter: Heather Landry

SCCA/217 (07/2016)

PTUP

 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: Must Successfully
Complete Code. It just has
enrolled in the program y 10
day. Must have NO contact

☐ Appointed PD or appointed other counsel,
Proviso 61.6 requires \$500 be paid to Clerk
during probation and shall be collected before
any other fees.

Presiding Judge: Diane S. Givens

Judge Code: 2112

Sentence Date: 8-8-2017

with victim UNTIL each case has been. & let him know attending

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,



Victor R Seeger
Appellate Defender

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

ATTORNEY FOR APPELLANT

This 21st day of November, 2018.

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