

STATE OF SOUTH CAROLINA

10-30  
IN THE COURT OF GENERAL SESSIONS

COUNTY OF Richland  
STATE VS.

INDICTMENT/CASE#: 2019GS4007852  
A/W#: 2018A4010500231  
Date of Offense: 12/6/2017  
S.C. Code § : 16-03-0652  
CDR Code #: 0160

Kashawn Aurellius Shell

AKA: \_\_\_\_\_  
Race: BLACK Sex: M Age: 24

DOB: \_\_\_\_\_ SS#: \_\_\_\_\_  
Address: \_\_\_\_\_  
City, State, Zip: \_\_\_\_\_

DL#: \_\_\_\_\_ SID#: \_\_\_\_\_  
\*CDL Yes  No  CMV Yes  No  Hazmat Yes  No

SENTENCE SHEET

CONVICTED OF or  PLEADS

In disposition of the said indictment comes now the Defendant who was  
TO: Sex / Criminal sexual conduct - First degree

in violation of § 16-03-0652 of the S.C. Code of Laws, bearing CDR Code # 0160  
 NON-VIOLENT  VIOLENT  SERIOUS  MOST SERIOUS  Mandatory GPS  §17-25-45  
(CSC w/minor 1st or CSC w/minor 3rd)

The charge is:  As Indicted,  Lesser Included Offense,  Defendant Waives Presentment to Grand Jury. K.S. (defendant's initials)  
The plea is:  Without Negotiations or Recommendation,  Negotiated Sentence,  Recommendation by the State.

ATTEST: Bethany Miles 78212 Kashawn Shell 77193  
Solicitor SC Bar# Defendant Attorney for Defendant SC Bar#

WHEREFORE, the Defendant is committed to the  State Department of Corrections,  County Detention Center,  
for a determinate term of 18 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: 19-65-40-7853, 18-65-32-1634, 1633  
 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 SCDOC. Credit 709 days = 2 years.

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: \_\_\_\_\_

*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 (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)		\$

TOTAL \$125

Clerk of Court/ Deputy Clerk R. Sen Conner 100

Court Reporter: Shirley Johnson

\_\_\_\_\_ days/hours Public Service Employment

Obtain GED

Attend Voc. Rehab. or Job Corp. NOV 26 2019

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: Mental health treatment.

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 2159 Fulbright  
Judge Code: 2159  
Sentence Date: 11-20-19

STATE OF SOUTH CAROLINA

COUNTY OF Richland
STATE VS. Kashawn Aurellius Shell
AKA:
Race: BLACK Sex: M Age: 24
DOB: SS#:
Address:
City, State, Zip:
DL#: SID#:
\*CDL Yes No CMV Yes No Hazmat Yes No

IN THE COURT OF GENERAL SESSIONS

INDICTMENT/CASE#: 2019GS4007853
A/W#: 2018A4010500233
Date of Offense: 12/6/2017
S.C. Code §: 16-11-0330(A)
CDR Code #: 0139

SENTENCE SHEET

In disposition of the said indictment comes now the Defendant who was TO: Robbery / Armed Robbery, robbery while armed or allegedly armed with a deadly weapon

in violation of § 16-11-0330(A) of the S.C. Code of Laws, bearing CDR Code # 0139
NON-VIOLENT VIOLENT SERIOUS MOST SERIOUS
Mandatory GPS §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: Bethany Miles Solicitor, 78212 SC Bar#, Kashawn Shell Defendant, Attorney for Defendant, 77193 SC Bar#

WHEREFORE, the Defendant is committed to the State Department of Corrections, County Detention Center, for a determinate term of 18 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: 19-65-40-7852, 18-65-32-1634, 1633
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 SCDOP. Credit 709 days - jail.

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 2 columns: Description and Amount. 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)

TOTAL \$ 125

Clerk of Court/ Deputy Clerk Lisa Conner
Court Reporter: Steve Lablanc
SCCA/217 (04/2018)

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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: Mental Health Treatment

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: 2187
Sentence Date: 11-20-19

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

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APPEAL FROM RICHLAND COUNTY  
Court of General Sessions

Frank R. Addy, Jr., Circuit Court Judge

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Indictment Nos.: 2019GS4007852 and 2019gs4007853

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State of South Carolina,

Respondent,

v.

Kashawn Aurellius Shell,

Appellant.

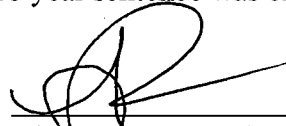
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**STATEMENT OF BASIS FOR APPEAL FROM  
GUILTY PLEA PURSUANT TO RULE 203(d)(1)(B)**

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Pursuant to South Carolina Appellate Court Rule 203(d)(1)(B), Due to Appellant's intellectual disability, Appellant's family feels that the 18 year sentence was excessive.

November 26, 2019



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aimee@ajzlawfirm.com  
Attorney for Appellant

Other Counsel of Record:  
Bethany Miles  
Assistant Solicitor, Fifth Judicial District  
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Columbia, SC 29201  
Attorney for Respondent  
(803)576-1800

**RECEIVED**  
NOV 26 2019  
SC Court of Appeals

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

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APPEAL FROM RICHLAND COUNTY  
Court of General Sessions

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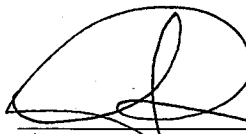
PROOF OF SERVICE

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I certify that I have served the STATEMENT OF BASIS FOR APPEAL FROM GUILTY PLEA PURSUANT TO RULE 203(d)(1)(B) on Bethany Miles by depositing a copy of it in the United States Mail, postage prepaid, on November 26, 2019, addressed to her office at:

PO Box 192  
Columbia, SC 29201

November 26, 2019



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Attorney for Appellant

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NOV 26 2019  
SC Court of Appeals