

WITNESSES

Yolanda Williams
Newberry Police Department

WARRANT NUMBER

2018A3620200317

TRUE BILL

Wade Dunbar

Foreman of the Grand Jury

Date: 2/22/19

VERDICT

Foreman

THE STATE OF SOUTH CAROLINA

COUNTY OF NEWBERRY

COURT OF GENERAL SESSIONS

February Term, 2019
Indictment # 2019-GS-36-00086

THE STATE

vs.

JOHN HENRY DAVENPORT, JR.

INDICTMENT FOR

Domestic Violence, 1st Degree
SC Code: § 16-25-0020(B)

CDR: 3811

I hereby waive presentment to the Grand Jury.

Defendant

Witness:

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SC Court of Appeals

THE STATE OF SOUTH CAROLINA

COUNTY OF NEWBERRY

INDICTMENT FOR

**Domestic Violence, 1st Degree
§16-25-0020(B)**

At a Court of General Sessions, convened on the 22nd day of February, 2019, the Grand Jurors of Newberry County present upon their oath:

The defendant, John Henry Davenport Jr., on or about October 18, 2018 in Newberry County, South Carolina, did cause physical harm or injury to Latorya Sherrelle Morris, a household member, or did offer or attempt to cause physical harm or injury to said household member with apparent present ability under circumstances reasonably creating fear of imminent peril. In addition the defendant has two or more prior convictions for domestic violence within ten years of the current offense. All in violation of 16-25-0020(B), Code of Laws of South Carolina (1976, as amended).

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



Taylor Daniel
Assistant Solicitor

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SC Court of Appeals

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF NEWBERRY

STATE VS.

JOHN HENRY DAVENPORT, JR.

AKA: John Davenport

Race: Black Sex: M Age: 39

DOB: [redacted] SS#: [redacted] 87

Address: [redacted]

City, State, Zip: [redacted]

DL# [redacted] SID# SC01190265

INDICTMENT/CASE#: 2019GS36-00086
A/W: 2018A3620200317
Date of Offense: 10/18/2018
S.C. Code #: 16-25-0020(B)
CDR Code #: 3811

SENTENCE SHEET

0-10 yrs

*CDL Yes [] No [] CMV Yes [] No [] Hazmat Yes [] No []

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

[X] CONVICTED OF or [] PLEADS

TO: Domestic Violence, 1st Degree

In violation of § 16-25-0020(B) of the S.C. Code of Laws, bearing CDR Code # 3811

[] NON-VIOLENT [X] VIOLENT [X] SERIOUS [] MOST SERIOUS [] Mandatory GPS [] §17-25-45

(CSC w/minor 1* or CSC w/minor 3rd)

The charge is: [X] As indicted, [] Lesser Included Offense, [] Defendant Waives Presentment to Grand Jury, [] (def.'s initials)

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

ATTEST:

Taylor Daniel, Assistant Solicitor 100588 SC Bar # [redacted] Defendant [redacted] Attorney for Defendant [redacted] SC Bar # [redacted]

WHEREFORE, the Defendant is committed to the [X] State Department of Corrections [] County Detention Center, for a determinate term of 10 days/months/years or [] under the Youthful Offender Act not to exceed [] years and/or to pay a fine of \$ [redacted]; provided that upon the service of [redacted] days/months/years and or payment of \$ [redacted]; plus costs and assessments as applicable*; the balance is suspended with probation for [redacted] months/years and subject to South Carolina Department of Probation, Parole and Pardon Service standard conditions of probation, which are incorporated by reference.

[] CONCURRENT or [] CONSECUTIVE to sentence on: [redacted]

[X] 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. 2 days

[] The Defendant is to be placed on 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 [redacted] days/hours Public Service Employment

Total: \$ [redacted] plus 20% fee: [redacted] \$ [redacted] Obtain GED []

Payment Terms: [redacted] Attend Voc. Rehab. Or Job Corp. [redacted]

[] Set by SCDPPPS [redacted] May serve W/E beginning [redacted]

Recipient: [redacted] Substance Abuse Counseling [redacted]

*Fine: [redacted] \$ [redacted] Random Drug/Alcohol Testing []

§14-1-206 (Assessments 107.5%) \$ [redacted] Fine may be pd. in equal consecutive weekly/monthly

§14-1-211 (A)(1)(Conv. Surcharge) \$100 \$10000 pmts. of \$ [redacted] Beginning [redacted]

§14-1-211 (A)(2)(DUI Surcharge) \$100 \$ [redacted] \$ [redacted] Paid to Public Defender Fund

§14-1-212 (Law Enforce. Funding) \$25 \$2500 Other: - Argue Management of Allegations to Violence - ATU

§14-1-213 (Drug Court Surcharge) \$150 \$ [redacted] [] Appointed PD or appointed other counsel, Proviso requires \$500 be paid to Clerk during probation and shall be collected before any other fees.

§50-21-114 (BUI Breath Test Fee) \$50 \$ [redacted] Presiding Judge: [redacted]

§56-5-2942(J) (Vehicle Assessment) \$40/ea \$ [redacted] Judge Code: 2160

3% to County (if paid in installments) \$ [redacted] \$375 Sentence Date: 1-23-2020

TOTAL \$128.25 Clerk of Court/Deputy Clerk: Beverly J. Bohren Court Reporter: Sharon Imboden

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