

From: Duque, Melissa
Sent: Thursday, July 9, 2020 12:57 PM
To: Estrada, Christy
Subject: FW: Francisco Ortiz-Aguirre
Attachments: image001.png

RECEIVED

Jul 09 2020

SC Court of Appeals

-----Original Message-----

From: Mullen, Carmen T. Law Clerk (Laura Wilkes-DAmato)
Sent: Thursday, July 9, 2020 10:29 AM
To: Duque, Melissa <melissa.duque@bcgov.net>
Cc: Samuel Bailey <sbailey@scsolicitor14.org>
Subject: Re: Francisco Ortiz-Aguirre

[EXTERNAL EMAIL] Please report any suspicious attachments, links, or requests for sensitive information to the Beaufort County IT Division at helpdesk@bcgov.net or to 843-255-7000.

Good morning,

I apologize for the delay in my response. Judge Mullen has decided she will not reduce defendant's sentence.

Laura Wilkes-D'Amato
Law Clerk
To the Honorable Carmen T. Mullen
14th Judicial Circuit
(843) 255-5070

On Jul 9, 2020, at 10:22 AM, Duque, Melissa <melissa.duque@bcgov.net> wrote:

*** EXTERNAL EMAIL: This email originated from outside the organization. Please exercise caution before clicking any links or opening attachments. ***

Starting June 1, Beaufort County is reopening some of its locations to the public with several temporary changes in the interest of preventing the spread of COVID-19. The public is still strongly encouraged to do business with us online, through email or by phone when possible. All visitors to County buildings must wear a face covering. Visit us online at https://linkprotect.cudasvc.com/url?a=https%3a%2f%2fwww.beaufortcountysc.gov&c=E,1,tb8kgrRSyML68zhWQWnV8Mkg7m3HeceDrr7aXJ7J03KxeWamGaAYq1I74OTRAnX-OtaGJtPPMejCBArlo5-miEYSySMq7Zc1eoZkLmqiZQtjIDicXdWSnxOxMd3_&typo=1<https://linkprotect.cudasvc.com/url?a=https%3a%2f%2furldefense.com%2fv3%2f__https%3a%2f%2fwww.beaufortcountysc.gov%2f__%3b%21%21JHVHxrUang%21FybXezGrTtHTY8HW3-NX7ANUWCg6JG_XeDfE3hxcRVgA6S2qqFqzNgo2VSESHpJAdw%24&c=E,1,jatBsWEMhjjrOmYa2C85Q2aIl6un1zJFapr3d33CgiOI1v5fVVKstbfd__AgyBeiSn6bsdm-GQ8EJIE3vt_k9xxaEt8rTTOL7bUPCplxv9Th2J9W_Ysiqg,,&typo=1> and review department updates at the Government dropdown menu for additional information.

Good morning Laura,

RECEIVED

Jul 09 2020

SC Court of Appeals

STATE OF SOUTH CAROLINA)
COUNTY OF BEAUFORT)

THE STATE)

vs.)

FRANCISCO ORTIZ-AGUIRRE)

DEFENDANT.)

2020 MAY 28 PM 3:39
CLERK OF COURT

FOURTEENTH JUDICIAL CIRCUIT
IN THE COURT OF GENERAL SESSIONS

INDICTMENT NO(s): 2019GS0701013,
2019GS0701014, 2019GS0701277,
2019GS0701452, 2019GS0701453,
2019GS0701454, 2019GS0701455 and
2019GS0701525

MOTION TO RECONSIDER SENTENCE

Here now comes the Defendant, by and through his undersigned attorney, and respectfully request the Court to reconsider the sentence imposed upon him, pursuant to Rule 29 of the South Carolina Rules of Criminal Procedure. Furthermore, the Defendant respectfully request the Court to set a hearing on this matter at its earliest possibly convenience.

PROCEDURAL HISTORY

The Defendant was arrested on May 16, 2019 and charged with two counts of Burglary 2nd Degree (Non-Violent). The Defendant was served additional warrants on July 19, 2019 for incidents prior to his arrest in May 2019 to include an additional (1) one count of Burglary 2nd Degree (Non-Violent), four (4) counts of Forgery, value less than \$10,000 and one (1) count of Petit Larceny, value less than \$2,000. During the May 2020 term of General Sessions Court in Beaufort County the Defendant was brought to court to be advised of a plea offer on these charges.

On May 18, 2020, the Defendant waived his right to a jury trial and pled guilty before this Court regarding the above referenced indictments. The Court sentenced the Defendant as follow to (10) ten years, concurrent with credit for time served for each of the three Burglary, 2nd Degree (Non-Violent) indictments, (5) five years, concurrent with credit for time served for each of the four Forgery, value \$10,000 or less charges, and (30) days with credit for time

Certified - A True Copy

Jerrl Ann Roseneau - Clerk of Court
Beaufort County, SC - Carroll Stroger

served on the Petit Larceny charge. These sentences were to be run concurrent.

GROUNDS FOR RECONSIDERATION

Defendant submits that it is common practice in both state and federal court to give some consideration to defendants, regardless of the charges or prior criminal history, for their willingness to accept responsibility for their actions by entering an unconditional plea of guilty. In fact, the federal system has found such acceptance of responsibility to be so important that it has memorialized such in the sentencing commissions' policy, which is defined in the Federal Sentencing Guidelines. This policy mandates that defendants are to receive certain levels of reduction in their sentence, referred to as downward departures, for their acceptance of responsibility as demonstrated by their unconditional plea of guilty to a charge.

While State courts have not traditionally recognized a written policy or any other codification of the idea of acceptance of responsibility, it has been common practice in many criminal courts for judges to give consideration to defendants when they plead guilty and forgo putting the State and tax payers through the expense of a trial.

In the case at hand, the defendant took it upon himself to accept responsibility for his actions by entering an unconditional guilty plea. The Defendant submits that had this acceptance been properly considered, it would have resulted in a less than maximum sentence.

CONCLUSION

Based on the above factors the Defendant respectfully requests that the Court reconsider the sentence imposed in this matter,

Respectfully submitted,



Melissa Duque
Assistant Public Defender
Beaufort County Public Defender's Office
P. O. Box 525
Beaufort, SC 29901
Telephone: (843) 255-5811

May 28, 2020
Beaufort, South Carolina

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

C-10YEA

COUNTY OF Beaufort

STATE

VS.

INDICTMENT/CASE#

2019GS0711013

FRANCISCO SAUL ORTIZ-AGUIRRE

AAW#:

2019A0710200237

AKA

Date of Offense:

05/01/2019

Race Hispanic

Sex Male

Age 24

S.C. Code §:

16-11-312(A)

DOB

SS#:

CDR Code #:

0080

Address: 704 SHADY GLEN LANE, Bluffton, SC 29910

DL#

SID#

SENTENCE SHEET

RECEIVED

Jul 09 2020

SC Court of Appeals

*CDL Yes No CMV Yes No Hazmat Yes No

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

CONVICTED OF or

PLEAS

TO: Burglary (Non-Violent) - Second degree

In violation of § 16-11-312(A)

of the S.C.

Code of Laws, bearing CDR Code # 0080

NON-VIOLENT

VIOLENT

SERIOUS

MOST SERIOUS

MANDATORY GPS §17-25-45

(20' w/minor 1' or 250' w/minor 2')

The charge is As indicated

Lesser Included Offense

Defendant Waives Presentment to Grand Jury

(def's initials)

The plea is Without Negotiations or Recommendation

Negotiated Sentence

Recommendation by the State

ATTORNEY

(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 10 day/months/years

under the Youthful Offender Act not to exceed _____ years

and/or to pay a fine of \$ _____ provided that upon the service of _____ day/months/years and or payment of \$ _____

plus costs and assessments as applicable; the balance is suspended with probation for _____ month/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 the State Department of Corrections

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 (Criminal 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 SCDPPMS

Recipient

*Fine:

§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 61.6 (Public Def/Prob)

§14-1-212 (Law Enforcement Funding)

§14-1-213 (Drug Court Surcharge)

§50-21-114 (BLI Breath Test Fee)

§56-5-2942(J) (Vehicle Assessment)

3% to County (if paid in installments)

\$ 40

\$ 100

\$ 100

\$ 12

\$ 25

\$ 500

\$ 25

\$ 150

\$ 50

\$ 140/each

\$ 375

Obtain GED

Attend Voc. Rehab. Or Job Corp

May serve W/E beginning

Substance Abuse Counseling

Random Drug/Alcohol Testing

Time may be pd in equal consecutive weeks/months

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.

TOTAL

Clerk of Court/Deputy Clerk

Court Reporter:

W-SCCA-217 (04/2018)

Carroll Stoppel 16875
Mona Manley

Presiding Judge:

Judge Code

Sentence Date

Christine
2192
5/13/20

Certified - A True Copy

Jeri Ann Pleschou - Clerk of Court
Beaufort County, SC - Carroll Stoppel

WITNESSES

BCSO

DOCKET NO. 2019GS0701013

The State of South Carolina
County of Beaufort

After being fully advised as to my legal rights, I hereby waive presentment to the Grand Jury.

Defendant

COURT OF GENERAL SESSIONS

October Term 2019

hereby appear in my own proper person and plead guilty to the within indictment or to

ARREST WARRANT NUMBER

2019A0710200237

THE STATE

vs.

FRANCISCO SAUL ORTIZ-AGUIRRE

RECEIVED

Jul 09 2020

SC Court of Appeals

ACTION OF GRAND JURY

True Bill

Indictment For

Burglary, 2nd Degree (non-violent)

SC Code: 16-11-312(A)

CDR Code: 0080

Defendant

Witness:

C.C.C. PLS. and G.S.

[Signature]

Foreperson of Grand Jury

Date: OCT 17 2019

VERDICT

Foreperson of Petit Jury

Date:
INDICT

STATE OF SOUTH CAROLINA)
)
COUNTY OF BEAUFORT)

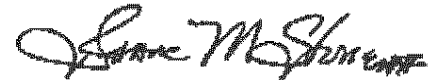
INDICTMENT
2019GS0701013

At a Court of General Sessions, convened on October 17, 2019, the Grand Jurors of Beaufort County present upon their oath:

Burglary, 2nd Degree (non-violent)

That in Beaufort County, South Carolina, on or about May 1, 2019, the Defendant, FRANCISCO SAUL ORTIZ-AGUIRRE, did enter into a dwelling without consent and with intent to commit a crime therein, all in violation of Section 16-11-312(A), et al. of the Codes of Law of South Carolina.

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



Solicitor

True Bill

0-31 FA

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF Beaufort

STATE

INDICTMENT/CASE#: 2019CS070101

VS.

A/W#: 2019A0710200238

Francisco Ortiz-Aguirre

Date of Offense: 05/07/2019

AKA

Race: Hispanic Sex: Male Age: 34

SC Code §: 16-11-312(A)

DOB

141 Shadowbrook Lane Apt B12, Ridgeland, SC 29936, Jasper

CDR Code #: 0080

Address: County

DL#

SID#

SENTENCE SHEET

*CDL Yes No CMV Yes No Hazard Yes No

In disposition of the said indictment comes now the Defendant who was CONVICTED OF or PLEADS

TO: Burglary (Non-Violent) - Second degree

In violation of § 16-11-312(A) of the S.C. Code of Laws, bearing CDR Code # 0080

20 NON-VIOLENT VIOLENT SERIOUS MOST SERIOUS MANDATORY GPS §17-25-45 (17% minimum 1" or 2" minimum 2")

The charge is As indicted Lesser Included Offense Defendant Waives Presentment to Grand Jury (Def's initials) Without Negotiations or Recommendation Negotiated Sentence Recommendation by the State

ATTORNEY: [Signatures] 77936 [Signature] [Signature] 103267 (SC Bar #)

WHEREFORE, the Defendant is committed to the 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 \$ 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 in 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 the State Department of Corrections. 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 (Criminal Domestic Violence) to ship, transport, possess, or receive a firearm or ammunition.

SPECIAL CONDITIONS:

RESTITUTION: Deferred Def. Waives Hearing Ordered P.T.I.P. 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

Recipient: *Fees table with columns for Fee, Amount, and Total. Includes items like §14-1-210 (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 61.6 (Public Def/Prob) \$500, §14-1-212 (Law Enforce. Funding) \$25, §14-1-213 (Drug Court Surcharge) \$150, §50-21-114 (BLI Breath Test Fee) \$50, §56-5-2942(J) (Vehicle Assessment) \$40/each, 10% to County (if paid in installments) \$375.

TOTAL \$ 1287.50

Clerk of Court/Deputy Clerk [Signature] Court Reporter [Signature]

NP:SCCA/217 (04/30/18)

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: [Signature] Judge Code: 2142 Sentence Date: 5/12/20

Certified - A True Copy [Signature] Clerk of Court Beaufort County, SC [Signature]



WITNESSES

BCSO

DOCKET NO. 2019GS0701014

The State of South Carolina
County of Beaufort

After being fully advised as to my legal rights, I hereby waive presentment to the Grand Jury.

Defendant

COURT OF GENERAL SESSIONS

October Term 2019

I hereby appear in my own proper person and plead guilty to the within indictment or to

ARREST WARRANT NUMBER

2019A0710200238

THE STATE

vs.

Francisco Ortiz Aguirre

RECEIVED

Jul 09 2020

SC Court of Appeals

ACTION OF GRAND JURY

True Bill

Indictment For

Burglary, 2nd Degree (non-violent)

SC Code: 16-11-312(A)

CDR Code: 0080

Defendant

Foreperson of Grand Jury

Date: OCT 17 2019

Witness:

VERDICT

C.C.C. PLS. and G.S.

Foreperson of Petit Jury

Date:

INDICT

STATE OF SOUTH CAROLINA)
)
COUNTY OF BEAUFORT)

INDICTMENT
2019GS0701014

At a Court of General Sessions, convened on October 17, 2019, the Grand Jurors of Beaufort County present upon their oath:

Burglary, 2nd Degree (non-violent)

That in Beaufort County, South Carolina, on or about May 7, 2019, the Defendant, Francisco Ortiz Aguirre, did enter into a dwelling without consent and with intent to commit a crime therein, all in violation of Section 16-11-312(A), et al. of the Codes of Law of South Carolina.

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

Solicitor

True Bill

0-301 EA

STATE OF SOUTH CAROLINA

COUNTY OF Beaufort
STATE

IN THE COURT OF GENERAL SESSIONS

VS
Francisco Ortiz-Aguirre
AKA
Race Hispanic Sex: Male Age: 24
DOB: [REDACTED] SS#: [REDACTED]
Address: 141 Shadowbrook Lane Apt B12, Ridgeland, SC 29936, Jasper
DL# SID#

INDICTMENT/CASE# 2019CS0701277
A/W# 2019A0710300224
Date of Offense 05/07/2019
S.C. Code §. 16-13-30(A)
CDR Code #: 3419

RECEIVED
Jul 09 2020
SC Court of Appeals

*CDL Yes No CMV Yes No Hazard Yes No

SENTENCE SHEET

In disposition of the said indictment comes now the Defendant who was
YO: Petit or Simple Larceny - \$2,000 or less

CONVICTED OF or PLEADS

In violation of § 16-13-30(A)

of the S.C. Code of Laws, bearing CDR Code # 3419

NON-VIOLENT VIOLENT SERIOUS

MOST SERIOUS MANDATORY GPS §17-25-45
0.50" or more 1" or 1.50" or minor 2"

The charge is: As indicted, Lesser Included Offense,
The plea is: Without Negotiations or Recommendation, Defendant Waives Presentation to Grand Jury (Def's initials)
 Negotiated Sentence, Recommendation by the State

ATTEST
[Signature] 77936 [Signature] [Signature] 103067
(Notary) (Defendant) (Attorney for Defendant) (NC Bar #)

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 _____ day/months/years and or payment of \$ _____
plus costs and assessments as applicable; the balance is suspended with probation for _____ month/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 the State Department of Corrections
 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 (Criminal Domestic Violence) to
ship, transport, possess, or receive a firearm or ammunition.

SPECIAL CONDITIONS:

RESITUTION: Deferred Def. Waives Hearing Ordered PTUP

Total \$ _____ plus 20% fee. \$ _____ days/hours Public Service Employment

Payment Terms _____

Set by SCDPPPS

Receipt#	Description	Amount	Total
*Fine		\$	
§14-1-206 (Assessments 107.5%)		\$	
§14-1-211 (A)(1)(Conv. Surcharge)	\$100	\$	100
§14-1-211 (A)(2)(DLJ Surcharge)	\$100	\$	200
§56-5-299S (DLJ Assessment)	\$12	\$	212
§56-1-286 (DLJ Breath Test)	\$25	\$	237
Proviso 61.6 (Public Def/Prob)	\$500	\$	737
§14-1-212 (Law Enforce Funding)	\$25	\$	762
§14-1-213 (Drug Court Surcharge)	\$130	\$	892
§50-21-114 (BLI Breath Test Fee)	\$50	\$	942
§56-5-2942(J) (Vehicle Assessment)	\$4/Week	\$	942
3% to County if paid in installments		\$	1287.5

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: _____

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

TOTAL \$ 1287.5
Clerk of Court/Deputy Clerk [Signature]
Court Reporter: [Signature]
MBNCC 5/217 (M/2018)

Presiding Judge [Signature]
Judge Code: 2192
Sentence Date: 5/12/20

Certified - A True Copy
Lani Ann Rosebau - Clerk of Court
Beaufort County, SC - Carroll

WITNESSES

BCSO

DOCKET NO. 2019GS0701277

The State of South Carolina
County of Beaufort

After being fully advised as to my legal rights, I hereby waive presentment to the Grand Jury.

Defendant

COURT OF GENERAL SESSIONS

October Term 2019

I hereby appear in my own proper person and plead guilty to the within indictment or to

THE STATE

vs.

Francisco Ortiz Aguirre

ARREST WARRANT NUMBER

2019A0710300224

ACTION OF GRAND JURY

True Bill

Indictment For
Larceny, Value \$2,000 or Less

SC Code: 16-13-30(A)

CDR Code: 3419

Defendant

Foreperson of Grand Jury

Date: OCT 9 / 2019

RECEIVED

Jul 09 2020

SC Court of Appeals

Witness:

VERDICT

C.C.C. PLS. and G.S.

Foreperson of Petit Jury

Date:
INDICT

STATE OF SOUTH CAROLINA)
)
COUNTY OF BEAUFORT)

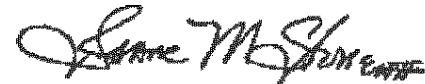
INDICTMENT
2019GS0701277

At a Court of General Sessions, convened on October 17, 2019, the Grand Jurors of Beaufort County present upon their oath:

Larceny, Value \$2,000 or Less

That in Beaufort County, South Carolina, on or about May 7, 2019, the Defendant, Francisco Ortiz Aguirre, did, take and carry away property of Carol Malcolm with the intent to deprive the owner of such property, which was valued at the time of the offense at two thousand dollars or less, all in violation of Section 16-13-30(A), et al. of the Codes of Law of South Carolina.

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



Solicitor

Bill Stone

O-54EA

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF Beaufort
STATE

VS

FRANCISCO SAUL ORTIZ-AGUIRRE

INDICTMENT CASE# 2019GS0701452

AKA:

A/W# 2019AB710300354

Race: Hispanic Sex: Male Age: 24

Date of Offense: 05/01/2019

DOB: [REDACTED] SS#: [REDACTED]

S.C. Code §: 16-13-10(A)(1)

Address: 129 Starshine Circle, Bluffton, SC 29910, Beaufort County

CDR Code #: 3436

DL# [REDACTED] SID# [REDACTED]

SENTENCE SHEET

RECEIVED

Jul 09 2020

SC Court of Appeals

*CDI: Yes No CMV Yes No Hazmat Yes No

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

CONVICTED OF or

PLEADS

TO, Forgery, value less than \$10,000

In violation of § 16-13-10(A)(1)

of the S.C. Code of Laws, hearing CDR Code # 3436

NON-VIOLENT VIOLENT SERIOUS MOST SERIOUS

MANDATORY GPS §17-25-45

The charge is As charged.

Lesser Included Offense.

Defendant Waives Presentation to Grand Jury

The plea is Without Negotiations or Recommendations.

Negotiated Sentence.

Recommendation by the State.

ATTORNEY:

[Signature]

77936

[Signature]

CRDUCG

103867

WHEREFORE, the Defendant is committed to the State Department of Corrections

(Attorney for Defendant)

County Detention Center,

for a determinate term of 5 day/s/month/s/year/s or

under the Youthful Offender Act not to exceed years

and/or to pay a fine of \$ provided that upon the service of day/s/month/s/year/s and or payment of \$

plus costs and assessments as applicable; the balance is suspended with probation for month/s/year/s 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 the State Department of Corrections.

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 (Criminal Domestic Violence) to ship, transport, possess, or receive a firearm or ammunition.

SPECIAL CONDITIONS:

RESTITUTION: Deferred Def. Waives Hearing Ordered FTIP

Total: \$ plus 30% 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 installments of \$

Repayment \$ Paid to Public Defender Fund

Other:

Receipt:

*Fine:

§14-1-206 (Assessments 107.5%) \$

§14-1-211 (A)(1)(Comm. 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/Prob) \$500 \$

§14-1-212 (Law Enforce. Funding) \$25 \$ 25

§14-1-213 (Drug Court Surcharge) \$150 \$

§50-21-114 (BUI Breath Test Fee) \$50 \$

§56-5-2941(j) (Vehicle Assessment) \$10/cash \$

3% to County (if paid in installments) \$ 37.5

TOTAL \$ 1287.5

Clerk of Court/Deputy Clerk
Court Reporter:

[Signatures]

Presiding Judge:

Judge Code:

Sentence Date:

[Signatures and Dates]

Certified - A True Copy

Jeri Ann Roseman, Clerk of Court
Beaufort County, SC - Carroll Stoppel

WITNESSES

BCSO

DOCKET NO. 2019GS0701452

The State of South Carolina

County of Beaufort

After being fully advised as to my legal rights, I hereby waive presentment to the Grand Jury.

Defendant

COURT OF GENERAL SESSIONS

October Term 2019

I hereby appear in my own proper person and plead guilty to the within indictment or to

ARREST WARRANT NUMBER

2019A0710300354

THE STATE

vs.

FRANCISCO SAUL ORTIZ-AGUIRRE

ACTION OF GRAND JURY

True Bill

Indictment For

Forgery, Value Less than \$10,000

SC Code: 16-13-10(A)(1), 16-13-10(B)(2)

CDR Code: 3436

RECEIVED

Jul 09 2020

SC Court of Appeals

Foreperson of Grand Jury

Date:

7/7/2019

Defendant

VERDICT

Witness:

Foreperson of Petit Jury

Date:

INDICT

C.C.C. PLS. and G.S.

STATE OF SOUTH CAROLINA)
)
COUNTY OF BEAUFORT)

INDICTMENT
2019GS0701452

At a Court of General Sessions, convened on October 17, 2019, the Grand Jurors of Beaufort County present upon their oath:

Forgery, Value Less than \$10,000

That in Beaufort County, South Carolina, on or about May 1, 2019, the Defendant, FRANCISCO SAUL ORTIZ-AGUIRRE, did falsely make, forge or counterfeit, or cause or procure to be falsely made, forged or counterfeited, or wilfully act or assist in the false making, forging, or counterfeiting of a writing or instrument of writing and the amount of the forgery was less than ten thousand dollars, all in violation of Section 16-13-10(A)(1), 16-13-10(B)(2), et al. of the Codes of Law of South Carolina.

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



Solicitor

True Bill

0-54 EA

STATE OF SOUTH CAROLINA
COUNTY OF Beaufort
STATE
VS.
FRANCISCO SAUL ORTIZ-AGUIRRE
AKA
Race: Hispanic Sex: Male Age: 24
DOB: [REDACTED] SS#
Address: 129 Sunshine Circle Bluffton, SC 29910, Beaufort County
DL# * SID#

) IN THE COURT OF GENERAL SESSIONS
)
)
) INDICTMENT/CASE#: 2019CS0711453
) A/W#: 2019A0710300555
) Date of Offense: 05/03/2019
) S.C. Code § 16-13-10(A)(1)
) CDR Code # 3436
) SENTENCE SHEET

RECEIVED

Jul 09 2020

SC Court of Appeals

*CDL Yes No CMV Yes No Hazmat Yes No
In disposition of the said indictment comes now the Defendant who was CONVICTED OF or PLEADS
TO: Forgery, value less than \$10,000
In violation of § 16-13-10(A)(1) of the S.C. Code of Laws, bearing CDR Code # 3436

NON-VIOLENT VIOLENT SERIOUS MOST SERIOUS MANDATORY GPS §17-25-45
(75% minimum 1st or 50% minimum 3rd)

the charge is: As Indicted Lesser Included Offense Defendant Waives Presentment to Grand Jury (del's initials)
The plea is: With/Without Negotiation or Recommendation Negotiated Sentence Recommendation by the State

ATTORNEY: [Signature] 77936 [Signature] [Signature] 103867
(Defender) (S.C. Bar #) (Defendant) (Attorney for Defendant) (S.C. Bar #)

WHEREFORE, the Defendant is committed to the State Department of Corrections County Detention Center,
for a determinate term of 5 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 the State Department of Corrections
 The Defendant is to be placed on Central Registry of Child Abuse and Neglect pursuant to S.C. Code §17-25-134.

Pursuant to 18 U.S.C. Section 922, it is unlawful for a person convicted of a violation of Section 16-25-28 or 16-25-65 (Criminal 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

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 616 (Public Def/Prob) \$500 \$ _____
§14-1-213 (Law Enforce. Funding) \$25 \$ 25
§14-1-215 (Drug Court Surcharge) \$150 \$ _____
§50-21-114 (BUI Breath Test Fee) \$50 \$ _____
§56-5-2942(J) (Vehicle Assessment) \$40/veach \$ _____
3% to County (if paid in installments) \$ 375

Obtain GED
 Attend Voc Rehab. Or Job Corp. _____
 May serve W/ beginning _____
 Substance Abuse Counseling _____
 Random Drug/Alcohol Testing _____
Fine may be pd in equal consecutive weekly/monthly
payments 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
Presiding Judge: [Signature]
Judge Code: 2142
Sentence Date: 5/18/20

TOTAL \$ 12875
Clerk of Court/Deputy Clerk: [Signature]
Court Reporter: [Signature]

MP-SC-217 (04/2018)

Certified - A True Copy
Jani Ann Rosemeau - Clerk of Court
Beaufort County, SC - Camell Stoppel

WITNESSES

BCSO

DOCKET NO. 2019G50701453

The State of South Carolina

County of Beaufort

After being fully advised as to my legal rights, I hereby waive presentment to the Grand Jury.

Defendant

COURT OF GENERAL SESSIONS

October Term 2019

I hereby appear in my own proper person and plead guilty to the within indictment or to

ARREST WARRANT NUMBER

2019A0710300355

THE STATE

vs.

FRANCISCO SAUL ORTIZ-AGUIRRE

ACTION OF GRAND JURY

True Bill

Indictment For

Forgery, Value Less than \$10,000

SC Code: 16-13-10(A)(1), 16-13-10(B)(2)

CDR Code: 3436

RECEIVED

Jul 09 2020

SC Court of Appeals

Foreperson of Grand Jury

Date:

Defendant

VERDICT

Witness:

Foreperson of Petit Jury

Date:

INDICT

C.C.C. PLS. and G.S.

STATE OF SOUTH CAROLINA)
)
COUNTY OF BEAUFORT)

INDICTMENT
2018GS0701453

At a Court of General Sessions, convened on October 17, 2019, the Grand Jurors of Beaufort County present upon their oath:

Forgery, Value Less than \$10,000

That in Beaufort County, South Carolina, on or about May 3, 2019, the Defendant, FRANCISCO SAUL ORTIZ-AGUIRRE, did falsely make, forge or counterfeit, or cause or procure to be falsely made, forged or counterfeited, or wilfully act or assist in the false making, forging, or counterfeiting of a writing or instrument of writing and the amount of the forgery was less than ten thousand dollars, all in violation of Section 16-13-10(A)(1), 16-13-10(B)(2), et al. of the Codes of Law of South Carolina.

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



Solicitor
Bill Evers

WITNESSES

BCSO

DOCKET NO. 2019GS0701454

The State of South Carolina
County of Beaufort

After being fully advised as to my legal rights, I hereby waive presentment to the Grand Jury.

Defendant

COURT OF GENERAL SESSIONS

October Term 2019

I _____
hereby appear in my own proper person and plead guilty to the within indictment or to

ARREST WARRANT NUMBER

2019A0710300356

THE STATE

vs.

Francisco Saul Ortiz-Aguirre

ACTION OF GRAND JURY

True Bill

Indictment For

Forgery, Value less than \$10,000

SC Code: 16-13-10(A)(1), 16-13-10(B)(2)

CDR Code: 3436

Defendant

Foreperson of Grand Jury

Date: OCT 17 2019

Witness:

VERDICT

RECEIVED

Jul 09 2020

SC Court of Appeals

C.C.C. PLS. and G.S.

Foreperson of Petit Jury

Date:

INDICT

STATE OF SOUTH CAROLINA)
)
COUNTY OF BEAUFORT)

INDICTMENT
2019GS0701454

At a Court of General Sessions, convened on October 17, 2019, the Grand Jurors of Beaufort County present upon their oath:

Forgery, Value Less than \$10,000

That in Beaufort County, South Carolina, on or about May 1, 2019, the Defendant, Francisco Saul Ortiz-Aguirre, did falsely make, forge or counterfeit, or cause or procure to be falsely made, forged or counterfeited, or wilfully act or assist in the false making, forging, or counterfeiting of a writing or instrument of writing and the amount of the forgery was less than ten thousand dollars, all in violation of Section 16-13-10(A)(1), 16-13-10(B)(2), et al. of the Codes of Law of South Carolina.

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



Solicitor

True Bill

0-54 EA

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF Beaufort

STATE

INDICTMENT/CASE#

2019GS1701455

VS

Francisco Saul Ortiz-Aguirre

A/W#:

2019A071030/SS7

AKA:

Date of Offense:

05/07/2019

Race: Hispanic Sex: Male Age: 24

S.C. Code §:

16-13-10(A)(1)

DOB: [REDACTED] SS#:

CDR Code #:

3436

Address: 129 Starshine Circle, Bluffton, SC 29910, Beaufort County

DL# SID#

SENTENCE SHEET

RECEIVED

Jul 09 2020

*CDL Yes No CMV Yes No Hazmat Yes No

In disposition of the said indictment comes now the Defendant who was CONVICTED OF or

PLEADS SC Court of Appeals

TO Forgery, value less than \$10,000

In violation of § 16-13-10(A)(1)

of the S.C. Code of Laws, bearing CDR Code # 3436

NON-VIOLENT VIOLENT SERIOUS

MOST SERIOUS

MANDATORY GPS §17-25-45

The charge is: As indicted

Lesser Included Offense.

Defendant Waives Presentation to Grand Jury

(Def's Initials)

The plea is: Without Negotiations or Recommendation,

Negotiated Sentence.

Recommendation by the State.

ATTEST:

(Solicitor)

77936 (S.C. Bar #)

(Defendant)

(Attorney for Defendant)

103867 (S.C. Bar #)

WHEREFORE the Defendant is committed to the State Department of Corrections

County Detention Center,

for a determinate term of 6 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 the State Department of Corrections

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 (Criminal Domestic Violence) to ship, transport, possess, or receive a firearm or ammunition.

SPECIAL CONDITIONS:

RESTITUTION: Deferred Def. Waives Hearing Ordered PTLIP _____

Total: \$ _____ plus 20% fee: \$ _____ day/hours Public Service Employment

Payment Terms: _____

Set by SCPPPS

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

payments of \$ _____ beginning _____

\$ _____ Paid to Public Defender Fund

Other: _____

Appointed PD or appointed other counsel.

Proviso requires \$500 to be paid to Clerk during probation and shall be collected before any other fees.

Receipts:

*Fine	\$
§14-E-206 (Assessments 107.5%)	\$
§14-I-211 (A)(1)(Com. Surcharge)	\$100
§14-I-211 (A)(2)(DUI Surcharge)	\$ 100
§56-5-2995 (DUI Assessment)	\$100
§56-1-286 (DUI Breath Test)	\$25
Proviso 61.6 (Public Def/Prob)	\$500
§14-I-212 (Law Enforce. Funding)	\$25
§14-I-213 (Drug Court Surcharge)	\$150
§50-21-114 (BLI Breath Test Fee)	\$50
§56-5-2942(j) (Vehicle Assessment)	\$40/each
2% to County (if paid in installments)	\$ 375

TOTAL

Clerk of Court/Deputy Clerk
Court Reporter

Carlynn 12875
Mina Manly

Presiding Judge:

Judge Code

Sentence Date

[Signature]
2142
6/16/20

MS-937A-217 (04/2018)

Certified - A True Copy

Jeri Ann Roseberry - Clerk of Court
Beaufort County, SC - Carol Stoppel

WITNESSES

BCSO

DOCKET NO. 2019GS0701455

The State of South Carolina
County of Beaufort

After being fully advised as to my legal rights, I hereby waive presentment to the Grand Jury.

Defendant

COURT OF GENERAL SESSIONS

October Term 2019

hereby appear in my own proper person and plead guilty to the within indictment or to

ARREST WARRANT NUMBER

2019A07103C0357

THE STATE

vs.

Francisco Saul Ortiz-Aguirre

ACTION OF GRAND JURY

True Bill

Indictment For

Forgery, Value Less than \$10,000

SC Code: 16-13-10(A)(1), 16-13-10(B)(2)

CDR Code: 3436

Defendant

Foreperson of Grand Jury

Date: OCT 27 2019

RECEIVED

Jul 09 2020

Witness:

VERDICT

SC Court of Appeals

C.C.C. PLS. and G.S.

Foreperson of Petit Jury

Date:

INDICT

STATE OF SOUTH CAROLINA)
)
COUNTY OF BEAUFORT)

INDICTMENT
2019GS0701455

At a Court of General Sessions, convened on October 17, 2019, the Grand Jurors of Beaufort County present upon their oath:

Forgery, Value Less than \$10,000

That in Beaufort County, South Carolina, on or about May 7, 2019, the Defendant, Francisco Saul Ortiz-Aguirre, did falsely make, forge or counterfeit, or cause or procure to be falsely made, forged or counterfeited, or wilfully act or assist in the false making, forging, or counterfeiting of a writing or instrument of writing and the amount of the forgery was less than ten thousand dollars, all in violation of Section 16-13-10(A)(1), 16-13-10(B)(2), et al. of the Codes of Law of South Carolina.

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



Solicitor

True Bill

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

0-104 EA

COUNTY OF Beaufort

STATE

INDICTMENT/CASE#

2019GS0701525

VS

A/W#

2019A0710301889

FRANCISCO SALL ORTIZ-AGUIRRE

Date of Offense

05/01/2019 05/01/2019

AKA:

Race: Hispanic Sex: Male Age: 24

S.C. Code §

16-11-312(A)

DOB: [REDACTED] SSN: [REDACTED]

CJR Code #

0080

Address 129 Starshine Circle, Bluffton, SC 29910, Beaufort County

DL# SID#

SENTENCE SHEET

Jul 09 2020

SC Court of Appeals

*CDL Yes No CMV Yes No Hazmat Yes No

In disposition of the said indictment comes now the Defendant who was CONVICTED OF or PLEAS

TO: Burglary (Non-Violent) - Second degree

In violation of § 16-11-312(A) of the S.C. Code of Laws, bearing CJR Code # 0080

Re NON-VIOLENT VIOLENT SERIOUS MOST SERIOUS MANDATORY GPS §17-25-15

The charge is As indicated, Lowest Included Offense, Defendant Waives Presentation to Grand Jury (Def's initials) Negotiated Sentence, Recommendation by the State.

ATTEST

Subscribed: [Signature] (SC Bar #) 7936 Defendant: [Signature] Attorney for Defendant: [Signature] (SC Bar #) 103867

WHEREFORE the Defendant is committed to the 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 \$ _____ 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 the State Department of Corrections.

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 (Criminal 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 SC DPPP

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 §16 (Public Def/Prob)	\$500	\$
§14-1-212 (Law Enforce. Funding)	\$25	\$ 25
§14-1-213 (Drug Court Surcharge)	\$150	\$
§50-21-114 (BLI Breath Test Fee)	\$50	\$
§56-5-2942(2) (Vehicle Assessment)	\$40/each	\$
7% to County (if paid in installments)	\$	\$ 375

- Obtain GED
- Attend Voc Rehab. Or Job Corp. _____
- May serve W/E beginning _____
- Substance Abuse Counseling _____
- Random Drug/Alcohol Testing _____
- Fine may be paid in equal consecutive weeks/monthly _____
- parts of \$ _____ Beginning _____
- \$ _____ Paid to Public Defender Fund _____
- Other: Ice Hold _____

TOTAL

\$ 12875

Clerk of Court/Deputy Clerk: [Signature]

Court Reporter: [Signature]

SEP-SC-16/217 (4/2018)

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: [Signature]
Judge Code: 2142
Sentence Date: 5/13/20

Certified - A True Copy

Jeri Ann Rosenblu - Clerk of Court
Beaufort County, SC - Carol Stoppel

WITNESSES
BCSO *[Signature]*

DOCKET NO. 2019GS0701525

After being fully advised as to my legal rights, I hereby waive presentment to the Grand Jury.

The State of South Carolina

County of Beaufort

Defendant

COURT OF GENERAL SESSIONS

November Term 2019

I hereby appear in my own proper person and plead guilty to the within indictment or to

ARREST WARRANT NUMBER

2019A0710300389

THE STATE

vs.

FRANCISCO SAUL ORTIZ-AGUIRRE

ACTION OF GRAND JURY

True Bill

Indictment For

Burglary, 2nd Degree (Non-Violent)

SC Code: 16-11-312(A)

CDR Code: 0080

Defendant

[Signature]
Foreperson of Grand Jury

Date: JUL 11 2019

RECEIVED

Jul 09 2020

Witness:

VERDICT

SC Court of Appeals

C.C.C. PLS. and G.S.

Foreperson of Petit Jury

Date:

INDICT

STATE OF SOUTH CAROLINA)
)
COUNTY OF BEAUFORT)

INDICTMENT
2019GS0701525

At a Court of General Sessions, convened on November 14, 2019, the Grand Jurors of Beaufort County present upon their oath:

Burglary, 2nd Degree (Non-Violent)

That in Beaufort County, South Carolina, on or about May 1, 2019 through May 1, 2019, the Defendant, FRANCISCO SAUL ORTIZ-AGUIRRE, did enter into a dwelling without consent and with intent to commit a crime therein, all in violation of Section 16-11-312(A), et al. of the Codes of Law of South Carolina.

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



Solicitor

Eric M. Stone