

STATE OF SOUTH CAROLINA)
COUNTY OF BEAUFORT)

THE STATE)

vs.)

FRANCISCO ORTIZ-AGUIRRE)

DEFENDANT.)
_____)

FOURTEENTH JUDICIAL CIRCUIT
IN THE COURT OF GENERAL SESSIONS

2020 MAY 28 PM 3:39
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

Jerri Ann Roseneau - Clerk of Court
Beaufort County, SC - Carol Strobel

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,

A handwritten signature in cursive script, appearing to read "Melissa Duque for".

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.

FRANCISCO SAUL ORTIZ-AGUIRRE

AKA

Race

Hispanic

Sex

Male

Age

24

DOB

Address

DL#

SID#

INDICTMENT/CASE#

2019GS0701613

A/W#

2019A0710200237

Date of Offense

05/01/2019

S.C. Code §

16-11-312(A)

CDR Code #

0080

SENTENCE SHEET

RECEIVED

JUL 15 2020

SC Court of Appeals

*CDE Yes No CMV Yes No Hazmat Yes No

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

CONVICTED OF or

PLEA

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
(§17-25-45(a) or §17-25-45(b))

The charge is As indicated

Lesser Included Offense

Defendant Waives Presentment to Grand Jury

(det's initials)

The plea is Without Negotiations or Recommendation

Negotiated Sentence

Recommendation by the State

ATTORNEY

(Selected)

(SC Bar #) 77936

(Defendant)

(Attorney for Defendant) C. Daigle

(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 SCDPPS

Recipient

*Fine: Public Defender App. Fee	\$	40
§14-1-206 (Assessments 107.5%)	\$	
§14-1-211 (A)(1)(Conv. Surety)	\$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 (BLI Breath Test Fee)	\$50	
§56-5-2942(B) (Vehicle Assessment)	\$40/each	
3% 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 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

Clerk of Court/Deputy Clerk

Court Reporter:

Presiding Judge

Judge Code

Sentence Date

NS-SCCA-217 (04/2018)

Presiding Judge: Christina
 Judge Code: 2192
 Sentence Date: 5/13/20

Certified - A True Copy
 Jerr Ann Roseneau - Clerk of Court
 Beaufort County, SC - Carroll Stroppel

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

THE STATE

vs.

FRANCISCO SAUL ORTIZ-AGUIRRE

ARREST WARRANT NUMBER

2019A0710200237

Indictment For

Burglary, 2nd Degree (non-violent)

SC Code: 16-11-312(A)

CDR Code: 0080

ACTION OF GRAND JURY

True Bill

Defendant

Witness:

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

Foreperson of Grand Jury

Date: OCT 17 2019

VERDICT

Foreperson of Petit Jury

Date:

INDICT

STATE OF SOUTH CAROLINA)
)
COUNTY OF BEAUFORT)

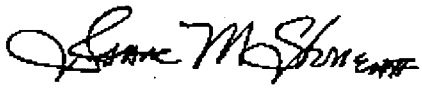
INDICTMENT
2019GS0701013

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

0-01 FA

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF Beaufort

STATE

VS.

Francisco Ortiz-Aguirre

AKA

Race: Hispanic Sex: Male Age: 24
DOB: [REDACTED]

Address: [REDACTED]
D.L.# [REDACTED] SID# [REDACTED]

INDICTMENT/CASE#: 2019GS0701011
A/W#: 2019A0710200238
Date of Offense: 05/07/2019
S.C. Code #: 16-11-312(A)
CDR Code #: 0080

SENTENCE SHEET

*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: 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

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

ATTORNEY: [Signature] 77936 [Signature] ON DUGUE 103867
(Prosecutor) (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 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 SCDPPPS

Recipient:		\$	
*Fine:		\$	
§14-1-210 (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 G1 6 (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(J) (Vehicle Assessment)	\$40/each	\$	
3% 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 pd. in equal consecutive weekly/monthly
 parts 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: 5/16/20

TOTAL \$ 128.75
Clerk of Court/Deputy Clerk [Signature]
Court Reporter [Signature]

MS-SCCA217 (04/2018)

Certified - A True Copy
Jani Ann Robinson, Clerk of Court
Beaufort County, SC
Carol Stoppel

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

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

2019A0710200238

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.

Foreperson of Grand Jury

Date: OCT 17 2019

VERDICT

Foreperson of Petit Jury

Date:

INDICT

WITNESSES

BCSO

ARREST WARRANT NUMBER

2019A0710300224

ACTION OF GRAND JURY

True Bill

[Signature]
Foreperson of Grand Jury

Date: OCT 17 2019

VERDICT

Foreperson of Petit Jury

Date:

INDICT

DOCKET NO. 2019GS0701277

The State of South Carolina

County of Beaufort

COURT OF GENERAL SESSIONS

October Term 2019

THE STATE

vs.

Francisco Ortiz Aguirre

Indictment For

Larceny, Value \$2,000 or Less

SC Code: 18-13-30(A)

CDR Code: 3419

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 BEAUFORT)

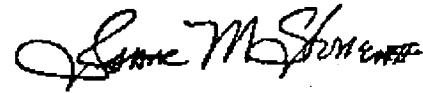
INDICTMENT
2019GS0701014

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 FA

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF Beaufort

STATE

VS

Francisco Ortiz-Aguirre

AKA

Race

Hispanic

Sex

Male

Age

24

DOB

[Redacted]

Address

[Redacted]

DL#

SID#

INDICTMENT/CASE#

2019GS07001277

A/W#

2019A0710300224

Date of Offense

05/07/2019

S.C. Code §

16-13-30(A)

CDR Code #

3419

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: Petit or Simple Larceny - \$2,000 or less

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 w/minor 1" or 1.50 w/minor 2")

The charge is: As indicted,

Lesser Included Offense,

Defendant Waives Presentation to Grand Jury

(def's initials)

Without Negotiations or Recommendation,

Negotiated Sentence.

Recommendation by the State

ATTEST:

(Signature)

[Signature]

(SC Bar #) 77936

(Defendant)

[Signature]

(Attorney for Defendant)

(SC Bar #) 103067

WHEREFORE, the Defendant is committed to the

State Department of Corrections

[Signature]

(SC Bar #)

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 _____ 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:

RESITUTION: Deferred Def. Waives Hearing Ordered PTUP _____

Total \$ _____ plus 20% fee \$ _____

_____ days/hours Public Service Employment

Payment Terms _____

Set by SCDPPPS

Receipt:

*Fine	\$	
§14-1-206 (Assessments 107.5%)	\$	
§14-1-211 (A)(1) (Conv. Surcharge)	\$100	\$ 100
§14-1-211 (A)(2) (DUI Surcharge)	\$100	\$
§56-5-299S (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	\$
§56-5-2942(J) (Vehicle Assessment)	\$40/each	\$
3% 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 _____
- Line may be pd in equal consecutive weekly/monthly
- pen 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

\$ 12875

Clerk of Court/Deputy Clerk

Court Reporter:

[Signatures]

MB:SCCA/217 (04/2018)

Presiding Judge

Judge Code:

Sentence Date:

[Signatures and Date: 5/16/20]

Certified - A True Cop

Jam Ann Roseaneau - Clerk of Court
Beaufort County, SC - Carroll

STATE OF SOUTH CAROLINA)
)
COUNTY OF BEAUFORT)

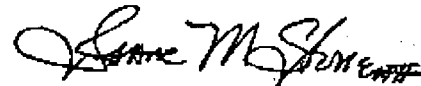
INDICTMENT
2019GS0701277

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

Time Bill

STATE OF SOUTH CAROLINA

COUNTY OF Beaufort
STATE

IN THE COURT OF GENERAL SESSIONS

O-54EA

VS

FRANCISCO SAUL ORTIZ-AGUIRRE

INDICTMENT/CASE#

2019GS0701452

AKA

A/W#

2019A0710300354

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

[Redacted]

CDR Code #

3436

ID#

[Redacted]

SID#

[Redacted]

SENTENCE SHEET

*CDI: Yes No CMV Yes No Hazmat Yes No

In disposition of the said indictment comes how 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
(S.C. §17-25-45 or C.S. §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 Recommendations

Negotiated Sentence

Recommendation by the State

ATTEST:

Notary

77936

(SC Bar #)

C. Duque

103867

(Attorney for Defendant)

(SC 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 §17-25-135.

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 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)(Com. Surcharge)	\$100	\$
§14-1-211 (A)(2)(DUI Surcharge)	\$100	\$ 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	\$
§56-5-2942(J) (Vehicle Assessment)	\$10/each	\$
3% to County (if paid in installments)		\$ 375

TOTAL

\$ 12875

Clerk of Court/Deputy Clerk
Court Reporter

Carroll Stroppel
Mona-Monroy

- 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 weeks/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.

Presiding Judge:

Judge Code:

Sentence Date:

[Signature]
2142
5/18/26

Certified - A True Copy

Jerri Ann Roseau - Clerk of Court
Beaufort County, SC - Carroll Stroppel

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

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

THE STATE

vs.

FRANCISCO SAUL ORTIZ-AGUIRRE

ARREST WARRANT NUMBER

2019A0710300354

Indictment For

Forgery, Value Less than \$10,000

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

CDR Code: 3436

ACTION OF GRAND JURY

True Bill

Foreperson of Grand Jury

Date: 10/7/2019

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

IN THE COURT OF GENERAL SESSIONS

COUNTY OF Beaufort

STATE

INDICTMENT/CASE#

2019GS0701453

VS.

FRANCISCO SAUL ORTIZ-AGUIRRE

A/W#

2019A071030MS55

AKA

Date of Offense

05/03/2019

Race: Hispanic

Sex: Male

Age: 24

S.C. Code §

16-13-10(A)(1)

DOB: [REDACTED]

SS#

CDR Code#

3436

Address

DL#

SID#

SENTENCE SHEET

*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 (S.C. w/minor 1st or 2nd w/minor 3rd)

The charge is: As indicted Lesser Included Offense Defendant Waives Presentment to Grand Jury (def's initials) Negotiated Sentence Recommendation by the State

ATTORNEY:

[Signature] 77936 *[Signature]* *[Signature]* 103867
(Prosecutor) (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 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 §17-25-135.

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 SCDPPPS Obtain GED Attend Voc Rehab. Or Job Corp. _____

Recipient:		
*Fine:		\$ _____
§14-1-206 (Assessments 107.5%)		\$ _____
§14-1-211 (A)(1)(Conv. Surcharge)	\$100	\$ <u>100</u>
§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	\$ <u>25</u>
§14-1-213 (Drug Court Surcharge)	\$150	\$ _____
§50-21-114 (BUI Breath Test Fee)	\$50	\$ _____
§56-5-2942(J) (Vehicle Assessment)	\$40/each	\$ _____
3% to County (if paid in installments)		\$ <u>375</u>

May serve W/E beginning _____
 Substance Abuse Counseling _____
 Random Drug/Alcohol Testing _____
Fine may be pd in equal consecutive weekly/monthly
parts of \$ _____ Beginning _____
\$ _____ Paid to Public Defender fund

TOTAL \$ 12875

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

Presiding Judge: *[Signature]*
Judge Code: 2142
Sentence Date: 5/18/20

NP-SC/A/217 (04/2018)

Certified - A True Copy
[Signature]
Jeri Ann Rosebeau - Clerk of Court
Beaufort County, SC - Carol Stroppal

WITNESSES

BCSO

DOCKET NO. 2019GS0701453

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 SAUL ORTIZ-AGUIRRE

ARREST WARRANT NUMBER

2019A0710300355

Indictment For

Forgery, Value Less than \$10,000

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

CDR Code: 3436

Defendant

ACTION OF GRAND JURY

True Bill

Witness:

Foreperson of Grand Jury

Date:

VERDICT

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

Foreperson of Petit Jury

Date:

INDICT

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 Torres

O-54 EA

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF Beaufort

STATE

INDICTMENT/CASE#

2019GS0701454

VS.

Francisco Saul Ortiz-Aguirre

AW#

2019A0710300356

AKA

Date of Offense

05/01/2019

Race Hispanic

Sex: Male

Age 24

S.C. Code §

16-13-10(A)(1)

DOB

CDR Code #

3436

Address

DE#

SID#

SENTENCE SHEET

*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 (30 w/minor or 45 w/minor)

The charge is As Indicted, Lesser Included Offense.

Lesser Included Offense.

Defendant Waives Presentation to Grand Jury.

(Def's initials)

The plea is Without Negotiation or Recommendation.

Negotiated Sentence.

Recommendation by the State

ATTEST

[Signature]
(Clerk)

7936
(SC Bar #)

[Signature]
(Defendant)

[Signature]
(Attorney for Defendant)

103867
(SC 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 3 years and/or to pay a fine of \$ provided that upon the service of 5 days/months/years and/or payment of \$ plus costs and assessments as applicable*: the balance is suspended with probation for 12 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 FTIP

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	\$
§14-1-212 (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/each	\$
5% to County (if paid in installments)		\$ 30

- Obtain GED
- Attend Voc. Rehab. Or Job Corp
- May serve W/E beginning
- Substance Abuse Counseling
- Random Drug/Alcohol Testing
- Fine may be pt. in equal consecutive weeks/monthly
- pts. 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: 2172
Sentence Date: 5/18/20

TOTAL \$ 1285
Clerk of Court/Deputy Clerk *[Signature]*
Court Reporter *[Signature]*

MP-SCCA/217 (04/2018)

Certified - A True Copy
[Signature]
Jeni Ann Rosehead - Clerk of Court
Beaufort County, SC - Carroll Stoppel

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

THE STATE

vs.

Francisco Saul Ortiz-Aguirre

ARREST WARRANT NUMBER

2019A0710300356

Indictment For

Forgery, Value less than \$10,000

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

CDR Code: 3436

ACTION OF GRAND JURY

True Bill

Defendant

Witness:

[Signature]
Foreperson of Grand Jury

Date: OCT 17 2019

VERDICT

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

Foreperson of Petit Jury

Date:
INDICT.

STATE OF SOUTH CAROLINA)

COUNTY OF BEAUFORT)

INDICTMENT

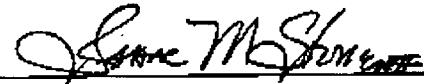
2019GS0701454

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#

2019GS0701455

VS

Francisco Saul Ortiz-Aguirre

A/W#

2019A0710300357

AKA:

Date of Offense:

05/07/2019

Race: Hispanic

Sex: Male

Age: 24

S.C. Code §:

16-13-10(A)(1)

DOB:

SS#:

CDR Code #:

3436

Address:

DL#

SID#

SENTENCE SHEET

*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

The charge is: As indicted

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

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

5 days/months/years

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 DPPPS

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:

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

\$

§56-5-2925 (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 (BLI Breath Test Fee)

\$50

\$

§56-5-2942(a) (Vehicle Assessment)

\$40/each

\$

3% to County (if paid in installments)

\$

315

TOTAL

Handwritten signature and amount \$128.75

Clerk of Court/Deputy Clerk

Court Reporter

MS-SC-CA-219-04/2018

Presiding Judge

Judge Code

Sentence Date

Handwritten signature and date 2/14/20

Certified - A True Copy

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

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

THE STATE

vs.

Francisco Saul Ortiz-Aguirre

ARREST WARRANT NUMBER

2019A0710300357

Indictment For

Forgery, Value Less than \$10,000

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

CDR Code: 3436

Defendant

Witness:

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

ACTION OF GRAND JURY

True Bill

Foreperson of Grand Jury

Date: OCT 17 2019

VERDICT

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

VS

FRANCISCO SAUL ORTIZ-AGUIRRE

AKA:

Race: Hispanic Sex: Male Age: 24

DOB: [REDACTED]

Address:

DL# SID#

INDICTMENT/CASE#

2019GS0701525

A/W#

2019A0710300389

Date of Offense

05/01/2019 05/01/2019

S.C. Code §

16-11-312(A)

CDR Code #

0080

SENTENCE SHEET

*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: 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

The charge is As indicated, 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
[Signature] 7936 [Signature] [Signature] 103867
(Notary) (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 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 DPPPS Obtain GED

Recipient: _____ Attend Voc. Rehab. Or Job Comp. _____

*Fine: _____ May serve W/E beginning _____

§14-1-206 (Assessments 107.5%) \$ _____ Substance Abuse Counseling _____

§14-1-211 (A)(1)(Conv. Surcharge) \$100 \$ 100 Random Drug/Alcohol Testing _____

§14-1-211 (A)(2)(DUI Surcharge) \$100 \$ _____

§56-5-299.5 (DUI Assessment) \$12 \$ _____

§56-1-286 (DUI Breath Test) \$25 \$ _____

Proviso §16 (Public Def/Prob) \$500 \$ _____

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

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

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

§56-5-294.2(J) (Vehicle Assessment) \$40/each \$ _____

3% to County (if paid in installments) \$ 375

TOTAL \$ 12875

Clerk of Court/Deputy Clerk: Carroll Stoppel
Court Reporter: Mona Murray

Presiding Judge: _____
Judge Code: 2142
Sentence Date: 5/13/20

MP-SC-AV217 (4/2018)
Certified - A True Copy
Jerri Ann Rosaneau - Clerk of Court
Beaufort County, SC - Carroll Stoppel

BCSO

WITNESSES
[Signature]

DOCKET NO. 2019GS0701525

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

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

Witness:

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

[Signature]

Foreperson of Grand Jury

Date: NOV 13 2019

VERDICT

Foreperson of Petit Jury

Date:

INDICT

STATE OF SOUTH CAROLINA)
)
COUNTY OF BEAUFORT)

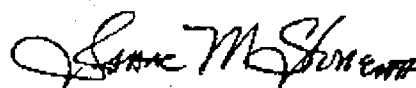
INDICTMENT
2019GS0701525

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. Stewart