

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

RECEIVED

Aug 19 2020

SC Court of Appeals

Appeal from Horry County

Honorable William H. Seals, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

MIRANDA KAY TAYLOR,

APPELLANT

APPELLATE CASE NO 2019-001267

RECORD ON APPEAL

TAYLOR D GILLIAM
Appellate Defender

ALAN WILSON
Attorney General

South Carolina Commission on Indigent
Defense
Division of Appellate Defense
PO Box 11589
Columbia, SC 29211-1589
(803) 734-1330

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S.C.P.P.S.
Post Office Box 207
Columbia, SC 29202
ATTORNEYS FOR RESPONDENT

ATTORNEY FOR APPELLANT

INDEX

INDEX i

TRANSCRIPT OF PROBATION REVOCATION HEARING HELD JULY 24, 2019.....1

ARREST WARRANTS.....6

INDICTMENT AND SENTENCING SHEET10

CERTIFICATE OF COUNSEL13

STATE OF SOUTH CAROLINA) IN THE COURT OF GENERAL SESSIONS
COUNTY OF HORRY)

The State,)
)
 Plaintiff,)
)
 vs.) 2017-GS-26-04589
)
 Miranda Taylor,)
)
 Defendant.)

The State,)
)
 Plaintiff,)
)
 vs.) 2017-GS-26-04865
)
 Louis Trujillo,)
)
 Defendant.)

Transcript of Record
July 24, 2019

B E F O R E:

Honorable William Seals
Horry County Courthouse
Conway, South Carolina

A P P E A R A N C E S:

Kia Wilson, Esquire
Attorney for Defendants

Grace L. Hurley, CVR-CM-M
Circuit Court Reporter

1 (There were no exhibits marked during the hearing.)

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State v. Taylor, Trujillo (7-24-19)

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1 (On the record, July 24, 2019.)

2 PROBATION OFFICER: Judge, we have a couple of negotiated
3 if we could do those at the same time, negotiated violation
4 hearings. If it please the Court, Your Honor.

5 THE COURT: All right.

6 PROBATION OFFICER: First we have Miranda Taylor
7 represented by Ms. Wilson on 2017-GS-26-4589. She's on for
8 possession of a stolen vehicle. She has violated her
9 probation, Your Honor. She hasn't reported as required,
10 hasn't paid her fees as required. We've come up with a
11 negotiation of an 18-month revocation and a termination
12 thereafter with Ms. Wilson, and next, Your Honor, we have Mr.
13 Louis Trujillo. He is currently on supervision for
14 shoplifting third or more, 2017-GS-26-4865. He, also, Your
15 Honor, has failed to report as required and failed to pay his
16 fees as required. We've -- we're come in with a negotiation
17 of a one-year sentence and a termination thereafter.

18 THE COURT: All right. Ms. Wilson.

19 MS. WILSON: Your Honor, on, on my -- on both of my
20 clients, and I'm just going to address them together, I've
21 discussed with them what their potential revocation sentence
22 would be for the hearing. I've spoken to probation and
23 they've graciously made recommendations for what they would be
24 willing to agree to, and my clients have both accepted those,
25 and we're asking the Court to impose those respective

State v. Taylor, Trujillo (7-24-19)

4

1 sentences of 18 months and one year for Ms. Taylor and Mr.
2 Trujillo.

3 THE COURT: All right. Will do that.

4 PROBATION OFFICER: Thank you, Judge.

5 THE COURT: Thank you.

6 (Adjourned.)

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C E R T I F I C A T E

I, the undersigned, Grace L. Hurley, Official Court Reporter for the State of South Carolina, do hereby certify that the foregoing is a true, accurate and complete hearing held in the case of The State versus Miranda Taylor and State versus Louis Trujillo held in the Court of General Sessions for Horry County, Horry County Courthouse, Conway, South Carolina, on July 24 2019.

I do hereby certify that I am neither of kin, counsel, nor interest to any party hereto.

Grace L. Hurley
Grace L. Hurley, CVR-CM-M
Official Reporter

February 19, 2020.

Form 16.1-Arrest Warrant
Form Approved by
SC Attorney General
Section 17-13-160
March 15, 1978

Probation

ARREST WARRANT

Indictment Number: 17-GS-26-04589

Warrant Number: W-26-18-0228

State Identification No. (SID) 02285896

STATE OF SOUTH CAROLINA

COUNTY OF HORRY

TO ANY LAW ENFORCEMENT OFFICER OF THIS STATE OR COUNTY OR OF THE MUNICIPALITY OF CONWAY, AND ANY CONSTABLE OF THIS MAGISTERIAL DISTRICT:

It appearing from the attached affidavit that there are reasonable grounds to believe that MIRANDA KAY TAYLOR, did on the 16 day of November, 2018 violate the criminal laws of the State of South Carolina as set forth below:

DESCRIPTION OF OFFENSE:

Offender violated conditions 1, 5, 7, 8, 9 and 10 of probation pursuant to Indictment 2017-GS-26-04589 as ordered by the Horry County Court of General Sessions in Conway, SC on 11-6-2017.
These violations are deemed willful and contrary to the conditions of supervision signed by the offender on 11-6-2017.

Now, therefore, you are empowered and directed to arrest the said defendant and bring MIRANDA KAY TAYLOR before me forthwith to be dealt with according to law. A copy of this Arrest Warrant shall be delivered to the defendant at the time of its execution, or as soon thereafter as is practicable. Done at CONWAY, S. C. this 16 day of November, 2018.

Melanie D Smith (L.S.)
Signature of Probation and Parole Agent

County of HORRY

STATE OF SOUTH CAROLINA

AFFIDAVIT

Personally appeared before me, one Melanie D Smith, who, first being duly sworn, deposes and says that MIRANDA KAY TAYLOR did within this County and State on the 16 day of November, 2018, violate the criminal laws of the State of South Carolina in the following particulars:

DESCRIPTION OF OFFENSE:

Offender violated conditions 1, 5, 7, 8, 9 and 10 of probation pursuant to Indictment 2017-GS-26-04589 as ordered by the Horry County Court of General Sessions in Conway, SC on 11-6-2017.
These violations are deemed willful and contrary to the conditions of supervision signed by the offender on 11-6-2017.

The affiant states that there is probable cause to believe that the defendant named above did commit the crime(s) set forth, and that such probable cause is based on the following facts:

- 1) Failure to report as instructed. Offender last reported on 7-18-18.
- 5) Failure to work diligently at a lawful occupation.
- 7) Failure to pay supervision fee; currently in arrears \$600.00. Failure to pay drug test fee; currently in arrears \$20.00.
- 8) Failure to notify agent before leaving South Carolina. Offender is incarcerated in Stokes County, NC, without notifying Agent.
- 9) Failure to pay court fee; currently in arrears \$300.00 with a balance of \$683.75.
- 10) Failure to follow the advice and instructions of the agent.

Sworn to and Subscribed before me
this 16 day of November, 2018.

Melanie D Smith
Affiant

[Signature] (L.S.)
Signature of Notary Public

Address: P.O. BOX 1736
CONWAY, 29528

[Signature]
My Commission Expires

(843) 381-0373

RETURN

STATE OF SOUTH CAROLINA
COUNTY OF
HOBBS

INFORMATION ON DEFENDANT

Name MIRANDA KAY TAYLOR
Address GARDENIA LANE
CONWAY, SC 29526

THE STATE
against

MIRANDA KAY TAYLOR

Constable or Law Enforcement Officer

A copy of this Arrest Warrant was delivered by me to the following defendant:

Miranda Kay Taylor

ARREST WARRANT

Offense: Violation of Conditions of Probation Supervision

Offense Section: 24-21-450

Date: 11/16/2018

on the 17 day of June, 2019

Officer and Agency: SC Department of Probation,
Parole and Pardon Services

Constable or Law Enforcement Officer

Melanie D Smith

This Warrant is certified for service in [County of warrant Certification] County. The accused is to be arrested and brought before me to deal with according to law.

(L.S.)

Signature of Judge

PRELIMINARY HEARING held by

Magistrate _____
on _____
with _____

Attorney for the Defendant.

Decision

BAIL

Date Set

Magistrate

Amount

Surety

Form 16.1-Arrest Warrant
Form Approved by
SC Attorney General
Section 17-13-160
March 15, 1978

Probation

2017A2610201619

ARREST WARRANT

Indictment Number: 17-GS-26-04589

Warrant Number: W-26-18-0228

State Identification No. (SID) 02285896

STATE OF SOUTH CAROLINA

COUNTY OF HORRY

TO ANY LAW ENFORCEMENT OFFICER OF THIS STATE OR COUNTY OR OF THE MUNICIPALITY OF CONWAY, AND ANY CONSTABLE OF THIS MAGISTERIAL DISTRICT:

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Now, therefore, you are empowered and directed to arrest the said defendant and bring MIRANDA KAY TAYLOR before me forthwith to be dealt with according to law. A copy of this Arrest Warrant shall be delivered to the defendant at the time of its execution, or as soon thereafter as is practicable. Done at CONWAY, S. C. this 16 day of November, 2018.

Melanie Smith (L.S.)
Signature of Probation and Parole Agent

County of **HORRY**

STATE OF SOUTH CAROLINA

AFFIDAVIT

Personally appeared before me, one Melanie D Smith, who, first being duly sworn, deposes and says that MIRANDA KAY TAYLOR did within this County and State on the 16 day of November, 2018, violate the criminal laws of the State of South Carolina in the following particulars:

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The affiant states that there is probable cause to believe that the defendant named above did commit the crime(s) set forth, and that such probable cause is based on the following facts:

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- 8) Failure to notify agent before leaving South Carolina. Offender is incarcerated in Stokes County, NC, without notifying Agent.
- 9) Failure to pay court fee; currently in arrears \$300.00 with a balance of \$683.75.
- 10) Failure to follow the advice and instructions of the agent.

FILED
2019 JUN 20 PM 3:52
RENEE N. ELVIS
CLERK OF COURT
HORRY COUNTY, SC

Sworn to and Subscribed before me
this 16 day of November, 2018.

Melanie Smith
Affiant

[Signature] (L.S.)
Signature of Notary Public

Address: P.O. BOX 1736
CONWAY, 29528

[Signature]
My Commission Expires

(843) 381-0373

RETURN

STATE OF SOUTH CAROLINA
COUNTY OF Horry

320 W. US HWY 17

Constable or Law Enforcement Officer

A copy of this Arrest Warrant was delivered by me to the following defendant:

Miranda Kay Taylor

on the 17 day of June, 2019
[Signature]
Constable or Law Enforcement Officer

THE STATE
against

MIRANDA KAY TAYLOR

ARREST WARRANT

Offense: Violation of Conditions of Probation Supervision

Offense Section: 24-21-450

Date: 11/16/2018

Officer and Agency: SC Department of Probation,
Parole and Pardon Services

Melanie D Smith

This Warrant is certified for service in [County of warrant Certification] County. The accused is to be arrested and brought before me to deal with according to law.

Signature of Judge _____ (L.S.)

Disposition _____

Sentence _____

Co-Defendants _____

INFORMATION ON DEFENDANT

Name MIRANDA KAY TAYLOR
Address GARDENIA LANE
CONWAY, SC 29526

Phone _____
Sex Female Race White Height 506
Weight 160
Social Security Number _____

INFORMATION ON WITNESSES

Name _____
Address _____
Phone _____

Name _____
Address _____
Phone _____

Name _____
Address _____
Phone _____

Name _____
Address _____
Phone _____

PRELIMINARY HEARING held by

Magistrate _____
on _____
with _____

Attorney for the Defendant

Decision _____

Date Set 6/17/2019
Magistrate *[Signature]*
Amount 2152.61
Surety

BAIL

C DOCKET NO. 2017-GS-26- 04589

FILED
HORRY COUNTY

2017 SEP 18 AM 10:08

RENEE H. ELVIS
CLERK OF COURT
HORRY COUNTY, SC
DATE RECEIVED FROM
GRAND JURY

The State of South Carolina
County of Horry

D. Tyler Bratton 17H03367

COURT OF GENERAL SESSIONS

September, 2017 TERM

THE STATE

vs.

Miranda Kay Taylor
W/ F



ATTORNEY: Kia T. Wilson

Indictment for

POSSESSION STOLEN
VEHICLE

Jimmy A. Richardson, II, Solicitor

WITNESSES

Heather M Adkins Horry County Police
Department

Tina Vaughn

ARREST WARRANT NUMBER

2017A2610201619

CDR: 3467 16-21-0080

DOA: 5/31/2017

ACTION OF GRAND JURY

TRUE BILL

Bill Hobb

Foreperson of Grand Jury

SEP 13 2017

Date:

VERDICT

Foreperson of Petit Jury

Date:

ORIGINAL

STATE OF SOUTH CAROLINA)
)
COUNTY OF HORRY)

INDICTMENT

At a Court of General Sessions, convened on September 2017, the Grand Jurors of Horry County present upon their oath:


(INCIDENT DATE 6/1/2010 OR AFTER)

POSSESSION STOLEN VEHICLE
(VALUE \$2000 BUT LESS THAN \$10,000)

CDR: 3467 16-21-0080

That Miranda Kay Taylor did in Horry County on or about May 27, 2017 while not being entitled to possession of the below-mentioned vehicle, receive, possess, conceal, sell or dispose of a 2002 Harley Davidson Softtail knowing it to be stolen or converted under circumstances constituting a crime, where the value of the vehicle was more than two thousand (\$2000.00) dollars but less than ten thousand (\$10,000.00) dollars or more, in violation of Section 16-21-0080, S. C. Code of Laws, 1976, as amended.

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



JIMMY A. RICHARDSON, II
FIFTEENTH CIRCUIT SOLICITOR

COUNTY OF Horry
STATE VS.

Miranda Kay Taylor

AKA:

Race: WHITE Sex: F Age: 33

DOB: [REDACTED] SS#: [REDACTED]

Address: Gardenia Lane

City, State, Zip: Conway, SC 29526

DL#: [REDACTED] SID#: [REDACTED]

*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: Vehicle / Poss., conceal, sell., or dispose of stolen vehicle, value more than \$2,000 but less than \$10,000 (0-5 yrs)

in violation of § 16-21-0080 of the S.C. Code of Laws, bearing CDR Code # 3467

NON-VIOLENT VIOLENT SERIOUS MOST SERIOUS Mandatory GPS(CSC §17-25-45 w/minor 1st or Lewd Act)

The charge is: As Indicted, Lesser Included Offense, Defendant Waives Presentment to Grand Jury. (defendant's initials)

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

ATTEST: J. D. Tyler 100909 Miranda Kay Taylor Kira J. Wilson 69491
Bratton, D. Tyler 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 3 days/months/years or under the Youthful Offender Act not to exceed _____ years and/or to pay a fine of \$ _____; provided that upon the service of _____ days/months/years and/or payment of \$ _____; plus costs and assessments as applicable*; the balance is suspended with probation for 3

months/years and subject to South Carolina Department of Probation, Parole and Pardon Services standard conditions of probation, which are incorporated by reference.

CONCURRENT or CONSECUTIVE to sentence on:

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. 101 days

The Defendant is to be placed on the Central Registry of Child Abuse and Neglect pursuant to S.C. Code §17-25-135.

Pursuant to 18 U.S.C Section 922, it is unlawful for a person convicted of a violation of Section 16-25-20 or 16-25-65 (Domestic Violence) to ship, transport, possess, or receive a firearm or ammunition.

SPECIAL CONDITIONS:

RESTITUTION: Deferred Def. Waives Hearing Ordered

Total: \$ _____ plus 20% fee: \$ _____

Payment Terms: _____

Set by SCDPPPS _____

Recipient: _____

*Fine:

§ 14-1-206 (Assessments 107.5 %)	\$	
§ 14-1-211(A)(1) (Conv. Surcharge)	\$100	\$ 100.00
§ 14-1-211(A)(2) (DUI Surcharge)	\$100	\$
§ 56-5-2995 (DUI Assessment)	\$12	\$
§ 56-1-286 (DUI Breath Test)	\$25	\$
Proviso 61.6 (Public Def/Probation)	\$500	\$ 500.00
§ 14-1-212 (Law Enforce. Funding)	\$25	\$ 25.00
§ 14-1-213 (Drug Court Surcharge)	\$150	\$
§ 50-21-114(BUI Breath Test Fee)	\$50	\$
§ 56-5-2942(J) (Vehicle Assessment)	\$40/ca	\$
3% to County (if paid in installments)		\$ 18.75

TOTAL

\$643.75 + 40.00 = 683.75

Clerk of Court/ Deputy Clerk

Court Reporter:

SCCA/217 (07/2016)

Renee N. Elvis
Natalie Dahl

INDICTMENT/CASE#: 2017GS2604589

A/W#: 2017A2610201619

Date of Offense: 5/27/2017

S.C. Code § : 16-21-0080

CDR Code #: 3467

SENTENCE SHEET

CONVICTED OF or PLEADS

TO: Vehicle / Poss., conceal, sell., or dispose of stolen vehicle, value more than \$2,000 but less than \$10,000 (0-5 yrs)

in violation of § 16-21-0080 of the S.C. Code of Laws, bearing CDR Code # 3467

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§ 14-1-212 (Law Enforce. Funding)	\$25	\$ 25.00
§ 14-1-213 (Drug Court Surcharge)	\$150	\$
§ 50-21-114(BUI Breath Test Fee)	\$50	\$
§ 56-5-2942(J) (Vehicle Assessment)	\$40/ca	\$
3% to County (if paid in installments)		\$ 18.75

TOTAL

\$683.75 + 40.00 = 723.75

Presiding Judge

Judge Code:

Sentence Date:

[Signature]
2152
11-6-17

FILED
Horry County
NOV - 6 2017
RENEE N. ELVIS
CLERK OF COURT

CERTIFICATE OF COUNSEL FOR APPELLANT

Counsel for appellant certifies that this Record on Appeal contains all material proposed to be included by any of the parties and not any other material and that this Record on Appeal complies to the best of my ability with the April 15, 2014 order from the South Carolina Supreme Court entitled “Revised Order Concerning Personal Identifying Information and Other Sensitive Information in Appellate Court Filings.”

Respectfully Submitted,

s/Taylor D. Gilliam
Taylor D Gilliam
Appellate Defender

RECEIVED

Aug 19 2020

SC Court of Appeals

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

ATTORNEY FOR APPELLANT

This 19th day of August, 2020.