

WITNESSES

Aiken County Sheriff

Brian E Ruge

Law Enforcement Case #: 19-050202

DOCKET NO. 2020GS0201648

The State of South Carolina

County of Aiken

BSS

COURT OF GENERAL SESSIONS

ARREST WARRANT NUMBER

FILED Oct. 13 20

NOVEMBER TERM 2020

2019A0210900106

Robert J. White
C.C.P. & G.S. LFH
Lakey Frazier-Hynes
Deputy Clerk

THE STATE
VS.

Grover Lamont Miller

ACTION OF GRAND JURY

CDR #: 3413

Foreperson of Grand Jury
Date: October 29, 2020

Indictment for

VERDICT

ASSAULT AND BATTERY, SECOND
DEGREE

§ 16-3-600(D)(1)

Foreperson of Petit Jury
Date:

J. STROM THURMOND, SOLICITOR

SC Court of Appeals

OCT 19 2020

RECEIVED

A TRUE AND CORRECT COPY

Robert J. White

LFH

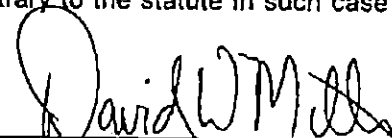
By *Lakey Frazier-Hynes* Deputy Clerk
Date: Oct. 15, 2020

STATE OF SOUTH CAROLINA)
) INDICTMENT FOR
COUNTY OF AIKEN) ASSAULT AND BATTERY, SECOND DEGREE
)
) § 16-3-600(D)(1)

At a Court of General Sessions, convened on November 2, 2020, the Grand Jurors of Aiken County present upon their oath:

That **Grover Lamont Miller** did in Aiken County on or about October 10, 2019, unlawfully injure and/or offer or attempt to injure Christine Eady with the present ability to do so, and moderate injury resulted or could have resulted to Christine Eady, all in violation of 16-3-600(D)(1) Code of Laws of South Carolina (1976), as amended.

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



J. STROM THURMOND, SOLICITOR

ARREST WARRANT

2019A0210900106

STATE OF SOUTH CAROLINA

County/ Municipality of

Aiken

THE STATE

19-050202

against

Grover Lamont Miller

Address:

Phone: SSN:

Sex: M Race: B Height: Weight:

DL State: SC DL #:

DOB: Agency ORI #: SC0020000

Prosecuting Agency: Aiken County Sheriff

Prosecuting Officer: Brian E Ruge - 6099

Offense: Assault / Assault & Battery 1st degree

Offense Code: 3412

Code/Ordinance Sec. 16-03-0600(C)(1)

This warrant is CERTIFIED FOR SERVICE in the

County/ Municipality of

The accused

is to be arrested and brought before me to be dealt with according to the law.

(L.S.)

Signature of Judge

Date:

RETURN

A copy of this arrest warrant was delivered to defendant Grover Lamont Miller on 6-8-20

Signature of Responsible Law Enforcement Officer

RETURN WARRANT TO:

General Sessions
P O Box 583
109 Park Avenue
Aiken, SC 29802

ORIGINAL

Certified True Copy of original document which is Not On File in This Office
5 copy of February 20
LPH
ORIGINAL

STATE OF SOUTH CAROLINA)
 County/ Municipality of)
Aiken)
Personally appeared before me the affiant Brian E Ruge)
being duly sworn deposes and says that defendant Grover Lamont Miller)
did within this county and state on or about 10/10/2019)
State of South Carolina (or ordinance of County/ Municipality of Aiken)
in the following particulars:

DESCRIPTION OF OFFENSE: Assault / Assault & Battery 1st degree

I further state that there is probable cause to believe that the defendant named above did commit the crime set forth and that probable cause is based on the following facts:

That on October 10, 2019 at 124 B and S Dr. Aiken County, in the city/county of Aiken, one Grover Lamont Miller did intentionally commit battery upon the victim, Christine Eady by pushing her to the floor and hold a knife to her throat and threatening to kill her and did take her keys, cellphone and cigarettes, valued at \$215.00..

Signature of Affiant

STATE OF SOUTH CAROLINA)
 County/ Municipality of)
Aiken)

Affiant's Address 420 Hampton Avenue North East

Aiken 29801-

Affiant's Telephone

ARREST WARRANT

TO ANY LAW ENFORCEMENT OFFICER OF THIS STATE OR MUNICIPALITY OR ANY CONSTABLE OF THIS COUNTY:

He appearing from the above affidavit that there are reasonable grounds to believe that

on or about 10/10/2019 defendant Grover Lamont Miller

did violate the criminal laws of the State of South Carolina (or ordinance of

County/ Municipality of Aiken) as set forth below.

DESCRIPTION OF OFFENSE: Assault / Assault & Battery 1st degree

Having found probable cause and the above affiant having sworn before me, you are empowered and directed to arrest the said defendant and bring him or her 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 Sworn to and subscribed before me

on 10/10/2019

Signature of Issuing Judge (L.S.)

Patrick John Sullivan

Judge Code. 5035

Judge's Address

New Ellenton, SC 29809

Judge's Telephone (803)652-3609

Issuing Court Magistrate Municipal Circuit

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Form Approved by
S C Attorney General
April 21, 2003
SCCA 510

AFFIDAVIT

W. E. Gaing

Brian E Ruge who

Grover Lamont Miller

10/10/2019 violate the criminal laws of the

Aiken)

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 County/ Municipality of)
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BAIL set by

Judge Tlant
on 6/1/20
Type and Amount: \$20,000 SB
Name of Surety: _____

PRELIMINARY HEARING held by

Judge _____
on _____
Defendant Attorney: _____
Decision: _____

DISPOSITION before

Judge _____
on _____
by _____
(indicate jury trial, bench trial, plea, nol. pros., etc.)
Disposition: _____
Sentence: _____

JURORS

WITNESSES

Name: _____
Address: _____
Telephone: _____

Name: _____
Address: _____
Telephone: _____

Name: _____
Address: _____
Telephone: _____

Name: _____
Address: _____
Telephone: _____

Name: _____
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Name: _____
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Telephone: _____

Name: _____
Address: _____
Telephone: _____

Name: _____
Address: _____
Telephone: _____

CODEFENDANTS



STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF Aiken VS. STATE

Grover Lamont Miller

AKA:

Race: Black Sex: M Age: 42

DOB: SSN:

Address:

City, State, Zip:

DL#: SID#: SC00831805

*CDL Yes No CMV Yes No Hazmat Yes No

In disposition of the said indictment comes now the Defendant who was TO: Assault and Battery in the Second Degree

INDICTMENT CASE#: 2020GS03016487

A W#: 2019A010900106

Date of Offense: 10/10/2019

S.C. Code: 16-3-600(D)(1)

CDR Code: 3113

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SENTENCE SHEET

CONVICTED OF PL. ADS

in violation of 16-3-600(D)(1) of the S.C. Code of Laws, bearing CDR Code # 3113 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, Without Negotiations or Recommendation, Negotiated Sentence, Recommendation by the State

ATTEST: Brandy S. Sanderson, Solicitor, Grover Lamont Miller, Defendant, Att-ney for Defendant, SC Bar

WHEREFORE, the Defendant is committed to the State Department of Correction, County Detention Center

for a determinate term of 2 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 of imprisonment

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

CREDIT 138 DAYS. The Defendant is to be placed on the Central Registry of Child Abuse and Neglect pursuant to S.C. Code 217-25-135

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

SPECIAL CONDITIONS:

RESTITUTION: Deferred Def. Waives Hearing Ordered PTUP Total: \$ plus 20% fee: \$ days/hours Public Service Employment

Payment Terms: Set by SCDPSPS Obtain GEU Attend Voc. Rehab. or Job Corp. May serve W E beginning Substance Abuse Counseling

Recipient: Random Drug/Alcohol testing

*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 (Public Def. Probation) \$500 \$ 14-1-212 (Law Enforce. Funding) \$25 \$25.00 11-1-213 (Drug Court Surcharge) \$150 \$ 56-1-114 (DUI Breath Test Fee) \$50 \$ 56-5-2942(J) (Vehicle Assessment) \$10 ea \$

% to County (if paid in installments) \$ 3.75

TOTAL \$ 128.75

Clerk of Court/Deputy Clerk: Patricia Margo-Hyde Court Reporter: Steve LeBlanc

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: William P. Hensley Judge Code: 2050 Sentence Date: OCT. 13 2020

SCCW217 (04/2018)

A TRUE AND CORRECT COPY Robert J. Partridge Deputy Clerk

By Order of the Court Date 10/15/2020 Deputy Clerk

E Mail copy

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GS

OCT 19 2020

SC Court of Appeals

STATE OF SOUTH CAROLINA)
COUNTY OF AIKEN)

AFFIDAVIT OF INDIGENCY AND
APPLICATION FOR APPOINTED COUNSEL

STATE VS. Grover Lamont Miller

ARREST WARRANT/TICKET & CHARGE: 2019 A02 109 00106 - AdB 1st deg.
484 & 2A (x2)

1. ARE YOU PRESENTLY EMPLOYED? YES NO If yes, Please state the name and address of your employer and the amount of your salary or wages per month and/or week.

NAME: _____ ADDRESS: _____
NET WAGES: \$ _____ WEEKLY / BI-WEEKLY / MONTHLY

If No, please state the name and address of your former employer, date of termination and the amount of your salary or wages.

EMPLOYER: Been in jail last year
NET WAGES: \$ _____ WEEKLY / BI-WEEKLY / MONTHLY DATE OF TERMINATION: _____

2. HOUSEHOLD MEMBER(S) EMPLOYER (if applicable): Wife - unemployed

NET WAGES: \$ _____ WEEKLY / BI-WEEKLY / MONTHLY

3. Have you or household member(s) received within the past twelve months any money from any of the following sources?

- a. Business, Profession or Self-Employment? Yes _____ No
- b. Rent Payments, Interest or Dividends? Yes _____ No
- c. Pensions, Annuities or Life Insurance Payments? Yes _____ No
- d. Gifts or Inheritance? Yes _____ No
- e. Any Other Source (including Unemployment, Retirement, Disability and/or Food Stamps)? Yes No _____

If the answer to any question above is "Yes", please list the source of the money and the amount received within the last 12 months.

SOURCE: Food stamps AMOUNT: 600⁰⁰

4. LIST BY NAME, AGE AND RELATIONSHIP TO YOU, ANY PERSONS WHO ARE DEPENDENT UPON YOU FOR SUPPORT. INDICATE BESIDE EACH HOW MUCH YOU CONTRIBUTE TOWARD THEIR SUPPORT.

Has (12) kids, 5 of them live with him
NAME: _____ AGE: _____ RELATIONSHIP: _____ AMOUNT \$ _____
NAME: _____ AGE: _____ RELATIONSHIP: _____ AMOUNT \$ _____
NAME: _____ AGE: _____ RELATIONSHIP: _____ AMOUNT \$ _____

5. DO YOU HAVE CASH, OR DO YOU HAVE ANY MONEY IN A CHECKING OR SAVINGS ACCOUNT
CASH: \$ _____ CHECKING: \$ _____ SAVINGS: \$ _____

6. DO YOU OWN ANY REAL ESTATE, STOCKS, BONDS, NOTES OR OTHER VALUABLE PROPERTY, EXCLUDING ORDINARY HOUSEHOLD FURNISHINGS AND CLOTHING? YES _____ NO

PLEASE SPECIFY: _____

7. LIST THE TYPE OF VEHICLE(S) YOU OWN (YEAR, MAKE, MODEL): N/A
 PAID FOR? YES NO AMOUNT OF PAYMENT(S) \$
 8. DO YOU OR HOUSEHOLD MEMBER PAY RENT OR MORTGAGE? N/A
 9. AMOUNT OF DEBTS, LIENS, MORTGAGES, ETC.?
NO bills AMOUNT \$

I do solemnly swear that the information reported by me for this application for counsel does contain a true and full account of all my real and personal estate, debts, credits and effects whatsoever without exception, which I or any person in trust for me have or at the time of my possession had, or am, or was in any way respect, entitled to, in possession, remainder or reversion, and that I have not at any time since charges were made against me or before, directly or indirectly sold, leased, assigned, or otherwise disposed of any property, or made over in trust for myself or otherwise, other than mentioned herein.

I understand that the appointment of counsel creates a claim against the assets and estate of the person who is provided counsel or the parents or legal guardians of a juvenile in the amount equal to the costs of representation less the amount paid to appointed counsel, the public defender office and/or the Commission on Indigent Defense. I understand such claim shall be filed in the Office of the Clerk of Court where I, my child, or ward are assigned counsel, but that the filing of a claim shall not constitute a lien against my real or personal property unless, in the discretion of the Court, part or all of such a claim is reduced to judgment by appropriate Order of the Court, after serving me with at least thirty (30) days notice that judgment will be entered.

I understand that pursuant to §17-3-30(b), I am required to pay a non-refundable \$40.00 application fee to the Public Defender's Office for public defender services or other appointed counsel.

I am financially unable to employ counsel and request that counsel be assigned to represent me. I understand that I am entitled to at least 30 days notice before a claim against me may be reduced to judgment, and I do hereby waive the right to such notice.

Could not sign due to COVID-19
 Applicant

Sworn to before me this 11th day of June, 2020.

AV Notary Public for South Carolina. My commission expires: 6/21/28

RACE: B SEX: M AGE: 47
 SSN:
 DATE OF BIRTH:
 ADDRESS:
 CITY & STATE:
 TELEPHONE:

IN JAIL OUT ON BOND
 DATE OF ARREST: 6/8/2020
 BOND AMOUNT: 20k
 BONDSMAN:
 CO-DEFENDANTS: N/A

The applicant's request for counsel is hereby

e GRANTED
 _____ DENIED

[Signature]
 Judge, Clerk or Deputy Clerk
 DATE: 6/12/20

STATE OF SOUTH CAROLINA)
)
)
vs.)
)
)
Grover Lamont Miller)
Appellant.)
_____)


STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS
Warrant #: 2019 A02 109 00106
Indictment #: 2020 GS 02 01648

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RULE 203(d)(1)(B)(iv) EXPLANATION

Pursuant to Rule 203(d)(1)(B)(iv), the undersigned asserts that he does not have a good faith basis to believe that any issues are properly before the Court of Appeals, and the undersigned did not object to the sentence or file a motion to reconsider the sentence. Therefore, the undersigned has filed the appeal on behalf of the Appellant because the Sixth Amendment requires counsel to follow the Appellant's request. See *Frazer v. South Carolina*, 430 F.3d 696, 706 (4th Cir. 2005) ("A defendant has a right to pursue a direct appeal, even if frivolous, which counsel must assist as 'an active advocate on behalf of his client.'" (quoting *Anders v. California*, 386 U.S. 738, 744 (1967))).

Respectfully submitted,



Suzanne Hayes
Aiken County Public Defender
Post Office Drawer 2247
Aiken, SC 29802
(803) 642-1732

Aiken, South Carolina
October 15, 2020