

RECEIVED

GS

NOV 24 2020

SC Court of Appeals

STATE OF SOUTH CAROLINA)
COUNTY OF AIKEN)

AFFIDAVIT OF INDIGENCY AND
APPLICATION FOR APPOINTED COUNSEL

STATE VS. Kendrick, Russell Stuart
ARREST WARRANT / TICKET & CHARGE: 2019 A02 102 01330, 2019 A02 102 01331, 2019 A02 102 01332, 2019 A02 102 01424, 6/1/19 more than 10, was in Burglary First Degree, Possession of Firearm, Possession of less than one gram of Meth.

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: Allstate Industrial

NET WAGES: \$18. an hour WEEKLY / BI WEEKLY / MONTHLY DATE OF TERMINATION: 1 year Ago

2. HOUSEHOLD MEMBER(S) EMPLOYER (if applicable): has 1st Sistr. Does not work

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: _____ AMOUNT: _____

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.

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: _____

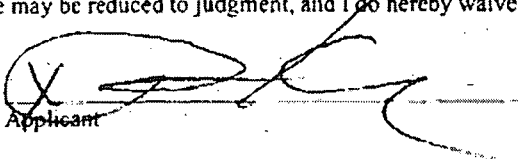
7. LIST THE TYPE OF VEHICLE(S) YOU OWN (YEAR, MAKE, MODEL): 2004 Jeep Cherokee
 PAID FOR? YES NO AMOUNT OF PAYMENT(S) \$ _____
 8. DO YOU OR HOUSEHOLD MEMBER PAY RENT OR MORTGAGE? Sister owns house outright
 9. AMOUNT OF DEBTS, LIENS, MORTGAGES, ETC.? no bills AMOUNT \$ _____

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.


 Applicant

Sworn to before me this 25th day of September, 2019.
AV Notary Public for South Carolina. My commission expires: 6/21/28

RACE: W SEX: M AGE: 48 IN JAIL OUT ON BOND
 SSN: _____ DATE OF ARREST: 09/22/19
 DATE OF BIRTH: _____ BOND AMOUNT: Denied
 ADDRESS: _____ BONDSMAN: _____
 CITY & STATE: _____ O-DEFENDANTS: _____
 TELEPHONE: no

The applicant's request for ^(Sister) counsel is hereby
 GRANTED
 DENIED


 Judge, Clerk or Deputy Clerk
 DATE: 9/25/19

ARREST WARRANT

2019A0210201330

STATE OF SOUTH CAROLINA

County/ Municipality of

Aiken

THE STATE

15-034564

against

Russel Stuart Kendrick

Address:

Phone:

Sex: M Race: W Height: 6 Weight: 198

DL State:

DL #:

DOB:

Agency ORI #: SC0020000

Prosecuting Agency: Aiken County Sheriff

Prosecuting Officer: Molly K Hahn - 5760

Offense: Larceny / Grand Larceny, value \$10,000 or more

Offense Code: 3421

Code/Ordinance Sec: 16-13-0030(B)

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 Russel Kendrick on 9/22/19

Signature of Constable/Law Enforcement Officer

RETURN WARRANT TO:

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

ORIGINAL

ORIGINAL

ORIGINAL

ORIGINAL

STATE OF SOUTH CAROLINA

County/ Municipality of

Aiken

Personally appeared before me the affiant Molly K Hahn

being duly sworn deposes and says that defendant Russel Stuart Kendrick

did within this county and state on or about 6/14/2015

State of South Carolina (or ordinance of County/ Municipality of

Aiken

in the following particulars.

DESCRIPTION OF OFFENSE: Larceny / Grand Larceny, value \$10,000 or more

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:

Upon information and belief between 6/13/2015 at approximately 1430 hours and 6/14/15 at approximately 1530 hours, the defendant Russel Stuart Kendrick, did take approximately \$80,000 in cash, checks and money orders, \$8,000 worth of jewelry and one .38 revolver valued at approximately \$450 with the intent to permanently deprive the victim, Melissa Moseley, of this incident occurring at 2509 Wagener Road, Aiken SC and being in violation of the SC Code of laws as amended.

Signature of Affiant

STATE OF SOUTH CAROLINA

County/ Municipality of

Aiken

Affiant's Address: 420 Hampton Avenue North East

Aiken, SC 29801-

Affiant's Telephone: (803)642-1763

ARREST WARRANT

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

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

on or about 6/14/2015 defendant Russel Stuart Kendrick

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: Larceny / Grand Larceny, value \$10,000 or more

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 9/20/2019

Signature of Issuing Judge: Lauren Maurice (L.S.)

Judge Code: 7406

Judge's Address: 435 Wire Road

Aiken, SC 29801-

Judge's Telephone: (803)642-2044

Issuing Court: Magistrate Municipal Circuit

ORIGINAL

ORIGINAL

ORIGINAL

AFFIDAVIT

ORIGINAL

Form Approved by State Attorney General April 21, 2003 SCCA 518

RECEIVED NOV 24 2020 SC Court of Appeals

ARREST WARRANT

2019A0210201331

STATE OF SOUTH CAROLINA

County/ Municipality of

Aiken

THE STATE

15-034564

against

Russel Stuart Kendrick

Address:

Phone: SSN:

Sex: M Race: W Height: 6-1 Weight: 198

DL State: DL #:

DOB: Agency ORI #: SC0020000

Prosecuting Agency: Aiken County Sheriff

Prosecuting Officer: Molly K Hahn - 5760

Offense: Burglary / Burglary (After June 20, 1985) - First degree

Offense Code: 0079

Code/Ordinance Sec: 16-11-0311

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 Russel Kendrick

on 9/22/19 2256

Signature of Constable/Law Enforcement Officer

RETURN WARRANT TO:

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

ORIGINAL

ORIGINAL

ORIGINAL

ORIGINAL

STATE OF SOUTH CAROLINA

County/ Municipality of

Aiken

Personally appeared before me the affiant Molly K Hahn who

being duly sworn deposes and says that defendant Russel Stuart Kendrick

did within this county and state on or about 6/14/2015 violate the criminal laws of the

State of South Carolina (or ordinance of County/ Municipality of Aiken)

in the following particulars:

DESCRIPTION OF OFFENSE: Burglary / Burglary (After June 20, 1985) - First 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:

Upon information and brief between 6/13/2015 at approximately 1430 hours and 6/14/15 at approximately 1530 hours, the defendant Russel Stuart Kendrick, did unlawfully and without consent enter the residence of the victim, Melissa Moseley, and did commit a larceny therein, while inside the residence the defendant did harm himself with a handgun. This incident occurring at 2509 Wagener Road, Aiken SC and being in violation of the SC Code of laws as amended.

Signature of Affiant

Molly K Hahn 5760

STATE OF SOUTH CAROLINA

County/ Municipality of

Aiken

Affiant's Address: 420 Hampton Avenue North East

Aiken, SC 29801-

Affiant's Telephone (803)642-1763

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SC Court of Appeals

ARREST WARRANT

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

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

on or about 6/14/2015 defendant Russel Stuart Kendrick

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: Burglary / Burglary (After June 20, 1985) - First 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 9/22/2019

Signature of Issuing Judge (L.S.)

Lauren Maurice

Judge Code 7406

Judge's Address: 435 Wire Road

Aiken, SC 29801-

Judge's Telephone (803)642-2044

Issuing Court: Magistrate Municipal Circuit

ORIGINAL

ORIGINAL

ORIGINAL

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF Aiken
STATE VS.

INDICTMENT/CASE#: 2020GS0200471

AKA: Russel Stuart Kendrick

A/W#: 20-DI02-0010

Race: White Sex: M Age: 48

Date of Offense: 6/13/2015

DOB: SS#: SID#: SC00888818

S.C. Code § : 16-13-30(B)

Address: City, State, Zip: DL#: *CDL Yes No CMV Yes No Hazmat Yes No

CDR Code #: 3421

NMT 10yrs +/or discont fine SENTENCE SHEET

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

CONVICTED OF or PLEADS

TO: Grand Larceny \$10,000 or more

in violation of § 16-13-30(B) of the S.C. Code of Laws, bearing CDR Code # 3421

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.

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

ATTEST: Solicitor 103430 SC Bar# Defendant Attorney for Defendant 79902 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: 2020 GS 02 01797

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 SCDOC. (417 days credit)

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:

Table with 3 columns: Description, Amount, Total. Includes items like Assessments 107.5%, Conv. Surcharge \$100, DUI Surcharge \$100, DUI Assessment \$12, DUI Breath Test \$25, Proviso \$500, Law Enforcement Funding \$25, Drug Court Surcharge \$150, BUI Breath Test Fee \$50, Vehicle Assessment \$40/ea, 3% to County \$3.75.

TOTAL \$ 128.75

Clerk of Court/ Deputy Clerk Paige Barnes

Court Reporter: maryann novaco

PTUP days/hours Public Service Employment

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

Robert J. Hank, Clerk of Court of Common Pleas and General Sessions for Aiken County

that the foregoing constitutes a true and correct copy of the original documents which have been filed in my office this

19 day of November 20 20

Other documents which have been filed in my office this

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: November 12, 2020

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WITNESSES

Aiken County Sheriff

Molly Isom Hahn

Law Enforcement Case #: 15-034564

JMC

ARREST WARRANT NUMBER

20-DI02-0016

FILED March 12 20 20

Robert L. White (w)
Clerk & G.S.

Katie S. Williams
Deputy Clerk

ACTION OF GRAND JURY

True

Bill

Foreperson of Grand Jury
Date: March 12, 2020

[Signature]

VERDICT

guilty

Bryan D Oake
Foreperson of Petit Jury

Date: 11/12/20

DOCKET NO. 2020GS0200471

The State of South Carolina

County of Aiken

COURT OF GENERAL SESSIONS

MARCH TERM 2020

THE STATE
vs.

RUSSEL STUART KENDRICK

CDR #: 3421

Indictment for

GRAND LARCENY

§ 16-13-30(B)

J. STROM THURMOND, SOLICITOR

RECEIVED

NOV 24 2020

SC Court of Appeals

STATE OF SOUTH CAROLINA)
)
COUNTY OF AIKEN)
)

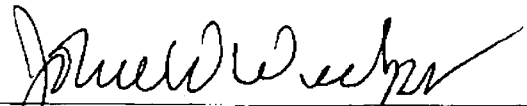
INDICTMENT FOR
GRAND LARCENY

§ 16-13-30(B)

At a Court of General Sessions, convened on March 16, 2020, the Grand Jurors of Aiken County present upon their oath:

That **RUSSEL STUART KENDRICK**, along with another, did in Aiken County on or between the dates of June 13, 2015, and June 14, 2015, feloniously take and carry away jewelry, U.S. Currency and/or, a hand gun valued at Ten Thousand Dollars or more and belonging to Melissa Moseley with intent to deprive the owner permanently of such property. All in violation of §16-13-30, 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

STATE OF SOUTH CAROLINA

COUNTY OF Aiken
STATE VS. Russel Stuart Kendrick

AKA:
Race: White Sex: M Age: 48
DOB: SS#
Address:
City, State, Zip:
DL#: SID#: SC00888818
*CDL Yes No CMV Yes No Hazmat Yes No

IN THE COURT OF GENERAL SESSIONS

INDICTMENT/CASE#: 2020GS0201797
A/W#: 20-DI02-0040
Date of Offense: 6/13/2015
S.C. Code § : 16-11-0312(A)
CDR Code #: 0080

NMT 10yrs

SENTENCE SHEET

In disposition of the said indictment comes now the Defendant who was TO: Burglary / Burglary (Non - Violent) (After June 20, 1985) - Second degree

CONVICTED OF or PLEADS

in violation of § 16-11-0312(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 Presentation to Grand Jury.
The plea is: Without Negotiations or Recommendation, Negotiated Sentence, Recommendation by the State.

ATTEST:
Solicitor 103430 SC Bar#
Defendant
Attorney for Defendant 79902 SC Bar#

WHEREFORE, the Defendant is committed to the State Department of Corrections, County Detention Center,
for a determinate term of 10 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: 2020GS0200471
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 SCDoc. (417 days credit)
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:

Table with 3 columns: Description, Amount, Total. Includes items like § 14-1-206 (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 (Public Def/Probation) \$500, § 14-1-212 (Law Enforce. Funding) \$25, § 14-1-213 (Drug Court Surcharge) \$150, § 50-21-114 (BUI Breath Test Fee) \$50, § 56-5-2942(J) (Vehicle Assessment) \$40/ea, 3% to County (if paid in installments) \$3.75, TOTAL \$128.75

Clerk of Court/ Deputy Clerk: Katoya Frazer-Hynes
Court Reporter: Mary Ann Nevers
SCCA/217 (04/2018)

RECEIVED NOV 24 2020 SC Court of Appeals
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
I, Robert J. Harte, Clerk of Court for the General Sessions for Aiken County, South Carolina do hereby certify Other: the foregoing constitutes a true and correct copy of the original documents which have been filed in my office this 19 November 20
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: J. Nevers
Judge Code: 2127
Sentence Date: November 12, 2020

WITNESSES

Aiken County Sheriff

Molly Isom Hahn

Law Enforcement Case #: 15-034564

JMC

ARREST WARRANT NUMBER

20-DI02-0040

FILED October 8 2020

Robert J. White
C.C.P. & G.S. (w)
Katie S. Williams
Deputy Clerk

ACTION OF GRAND JURY

True Bill

Foreperson of Grand Jury
Date: October 8, 2020

for A. C. [Signature]

VERDICT

guilty

Bryan D. Ashe
Foreperson of Petit Jury
Date: 11/12/20

DOCKET NO. 2020GS0201797

The State of South Carolina

County of Aiken

COURT OF GENERAL SESSIONS

OCTOBER TERM 2020

THE STATE

vs.

RUSSEL STUART KENDRICK

CDR #: 0080

Indictment for

BURGLARY SECOND DEGREE
(NON-VIOLENT)

§ 16-11-0312(A)

J. STROM THURMOND, SOLICITOR

RECEIVED

NOV 24 2020

SC Court of Appeals

STATE OF SOUTH CAROLINA)
)
COUNTY OF AIKEN)
)

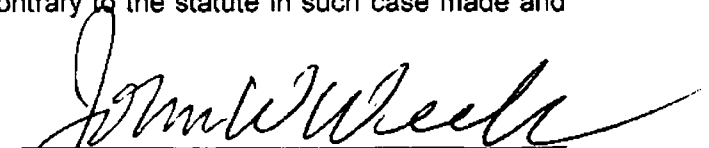
INDICTMENT FOR
BURGLARY SECOND DEGREE
(NON-VIOLENT)

§ 16-11-0312(A)

At a Court of General Sessions, convened on October 12, 2020, the Grand Jurors of Aiken County present upon their oath:

That **RUSSEL STUART KENDRICK**, along with another, did in Aiken County on or between June 13, 2015 and June 14, 2015, wilfully and unlawfully enter the dwelling of Melissa Moseley located at 2509 Wagener Road, without consent and with the intent to commit a crime therein. All in violation of §16-11-312(A) of the 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