

VOLUME II OF II

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

RECEIVED

Dec 14 2020

SC Court of Appeals

Appeal from Dillon County

Roger E. Henderson, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

TYREEK DASHAWN HAYES,

APPELLANT

APPELLATE CASE NO. 2019-001303

RECORD ON APPEAL

SUSAN B. HACKETT
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

WILLIAM M. BLITCH, JR.
Senior Assistant Deputy Attorney General
S.C. Bar No. 15608
Post Office Box 11549
Columbia, SC 29211

ATTORNEY FOR APPELLANT

ATTORNEYS FOR RESPONDENT

INDEX

INDEX	i
TRIAL TRANSCRIPT DATED JULY 23-26, 2019.....	1
OPENING STATEMENT BY MR. KOZAK	10
OPENING STATEMENT BY MR. SWILLEY	14
TESTIMONY	
CANDACE SIMPSON	
Direct Examination by Ms. Burchstead	19
Cross-Examination by Mr. Swilley.....	53
Redirect Examination by Ms. Burchstead	99
Re-Cross Examination by Mr. Swilley	104
ANN COVINGTON	
Direct Examination by Ms. Burchstead	107
Cross-Examination by Mr. Swilley.....	121
Redirect Examination by Ms. Burchstead	133
JOHNNY LESTER	
Direct Examination by Mr. Kozak.....	134
Cross-Examination by Mr. Swilley.....	141
ANIKA SELLERS-CHARLES	
Direct Examination by Mr. Kozak.....	142
Cross Examination by Mr. Swilley.....	145
LORIE TYLER	
Direct Examination by Mr. Kozak.....	152
Cross Examination by Mr. Swilley.....	178
Redirect Examination Mr. Kozak	187
BRIDGET BRYANT	
Direct Examination by Mr. Kozak.....	188
Cross Examination by Mr. Swilley.....	198
Redirect Examination by Mr. Kozak	204
Re-Cross Examination by Mr. Swilley	205
MAMDOUH MIJALLI	
Direct Examination by Ms. Burchstead	207
Cross Examination by Mr. Swilley.....	215

ANITRA CLARK-JONES

Direct Examination by Ms. Burchstead	218
Cross Examination by Mr. Swilley	226
Redirect Examination by Ms. Burchstead	232
Re-Cross Examination by Mr. Swilley	233

JASON TURNER

Direct Examination by Mr. Kozak	234
Cross Examination by Mr. Swilley	258
Redirect Examination by Mr. Kozak	272
Re-Cross Examination by Mr. Swilley	275

THOMAS DARNELL

Direct Examination by Mr. Kozak	276
Cross Examination by Mr. Swilley	294

VERONA HERRERA

Direct Examination by Mr. Kozak	298
Cross Examination by Mr. Swilley	314

SAMUEL STEWART

Direct Examination by Ms. Burchstead	318
Cross Examination by Mr. Swilley	341
Redirect Examination by Ms. Burchstead	355
Re-Cross Examination by Mr. Swilley	356

TONYA MOORE

Direct Examination by Ms. Burchstead	359
Cross Examination by Mr. Swilley	366

INFINITY RUSSELL

Direct Examination by Mr. Swilley	369
---	-----

ANDRE HAMILTON

Direct Examination by Mr. Swilley	373
Cross-Examination by Mr. Kozak	378

LACARIUS MANNING

Direct Examination by Mr. Swilley	381
Cross Examination by Mr. Kozak	386

TYREEK HAYES

Direct Examination by Mr. Swilley	388
Cross Examination by Ms. Burchstead	408
Redirect Examination by Mr. Swilley	412

CLOSING ARGUMENT BY MS. BURCHSTEAD.....414

CLOSING ARGUMENT BY MR. SWILLEY429

CLOSING ARGUMENT IN REPLY BY MS. BURCHSTEAD.....450

CHARGE ON THE LAW455

JURY QUESTIONS478

ALLEN CHARGE487

VERDICT492

SENTENCING496

STATE’S EXHIBIT #84 (PHOTO LINEUP)498

STATE’S EXHIBIT #85 (PHOTO LINEUP)499

STATE’S EXHIBIT #86 (PHOTO LINEUP)500

COURT’S EXHIBIT #1 (JURY QUESTION).....501

COURT’S EXHIBIT #2 (JURY QUESTION).....502

INDICTMENTS AND SENTENCE SHEETS.....503

CERTIFICATE OF COUNSEL515

From: Debbie Faulk
Juror 501
13

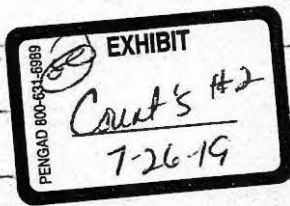
- We would like to see/read his statement
- All The Transtrips / interviews from all



~~If we can't agree on 1 of Tyreek Hayes~~

What will happen if we can't agree on one
of Tyreek Hayes changes

Debbie Faulk
"43"



WITNESSES

J. Turner

Dillon Police Department

Law Enforcement Case #: 201610001
085

WAIVER OF PRESENTMENT

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

ARREST WARRANT NUMBER
2016A1720100575

ARRESTED ON: 2016-10-02

ACTION OF GRAND JURY

TRUE BILL

Loretta L. Fleisher
Grand Jury Foreperson

Date *12/8/16*

VERDICT

Petit Jury Foreperson

Date

DOCKET NUMBER:
2016-GS-17-0875

The State of South Carolina

County of Dillon

COURT OF GENERAL SESSIONS

Term:
December 2016

THE STATE

vs.

Tyreek Dashawn Hayes

INDICTMENT FOR

Murder/Attempted murder Penalty statutes
16-03-0029; **Felony Class A - eff date 6-02-**
2010

§16-03-0029

CDR Code: 3410

William B. Rogers, Jr., Solicitor

504

STATE OF SOUTH CAROLINA)

INDICTMENT FOR

COUNTY OF DILLON)

Murder attempted murder Penalty statutes 16-03-01 Felony Class A - eff date 6-02-2010

§16-03-0029

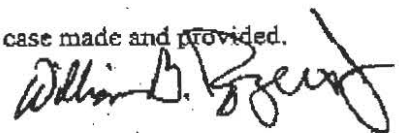
At a Court of General Sessions, convened December 8, 2016, the Grand Jurors of Dillon County present upon their oath:

ATTEMPTMURDER

CDR: 3416-3-29

That Tyreck Dashawn Hayes did in Dillon, on or about 2016-01, with specific intent to kill, attempt to kill Anna Covington with malice aforethought, either expressed or impl in violation of Section 16-3-29 of 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.



WILLIAM B. ROGERS, JR.
SOLICITOR

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF Dillon
STATE VS. Tyreek Dashawn Hayes
AKA:
Race: Sex: M Age: 25
DOB: SS#:
Address: Mcqueen St.,
City, State, Zip: Dillon, SC 29536-4741
DL#: SID#:

INDICTMENT/CASE#: 2016-GS-17-0875
A/W#: 2016A1720100575
Date of Offense: 10/1/2016
S.C. Code § : 16-03-0029
CDR Code #: 3410

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: Murder/Attempted murder Penalty statutes 16-03-0029; Felony Class A - eff date 6-02-2010 (Not More than 30)

in violation of § 16-03-0029 of the S.C. Code of Laws, bearing CDR Code # 3410
NON-VIOLENT VIOLENT SERIOUS MOST SERIOUS Mandatory GPS §17-25-45
(CSC w/minor 1st or CSC w/minor 3rd)

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:

Magee Solicitor General SC Bar# 71716 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 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: 2016-GS-17-0878, 0879 & 0877
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.
TS 1618 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

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
pmts. of \$ beginning
\$ paid to Public Defender Fund
Other:

Recipient:
*Fine:
§ 14-1-206 (Assessments 107.5 %) \$
§ 14-1-211(A)(1) (Conv. Surcharge) \$100 \$ 100.00
§ 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
§ 14-1-213 (Drug Court Surcharge) \$150 \$
§ 50-21-114 (BUI Breath Test Fec) \$50 \$
§ 56-5-2942(J) (Vehicle Assessment) \$40/ca \$
3% to County (if paid in installments) \$ 3.75
TOTAL \$ 128.75

Clerk of Court/ Deputy Clerk
Court Reporter: Lisa Carter
SCCA/217 (04/2018)

Appointed PD or appointed other counsel,
Proviso requires \$500 be paid to Clerk
during probation and shall be collected before
any other fees.
Presiding Judge
Judge Code: 2754
Sentence Date: 07/26/19

FILED
GREEN THYATT
2019 JUL 26 P 4:11
CLERK OF COURT
DILLON COUNTY

WITNESSES

J. Turner

Dillon Police Department

Law Enforcement Case #: 2016-10001
085

WAIVER OF PRESENTMENT

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

ARREST WARRANT NUMBER
2016A1720100579

ARRESTED ON: 2016-10-02

ACTION OF GRAND JURY

TRUE BILL

Coretta Ellerbe
Grand Jury Foreperson

Date

12/8/16

VERDICT

Petit Jury Foreperson

Date

DOCKET NUMBER:
2016-GS-17-0877

The State of South Carolina

County of Dillon

COURT OF GENERAL SESSIONS

Term:
December 2016

THE STATE

vs.

Tyreek Dashawn Hayes

INDICTMENT FOR

Kidnapping / Kidnapping

§16-03-0910

CDR Code: 0095

William B. Rogers, Jr., Solicitor

STATE OF SOUTH CAROLINA)
)
COUNTY OF DILLON)

INDICTMENT FOR
Kidnapping / Kidnapping

§16-03-0910

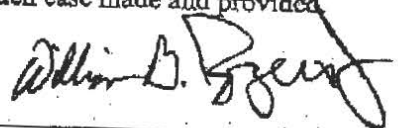
At a Court of General Sessions, convened on December 8, 2016, the Grand Jurors of Dillon County present upon their oath:

KIDNAPPING

CDR: 0095 16-03-0910

That Tyreck Dashawn Hayes did in Dillon County on or about October 1, 2016, unlawfully seize, confine, inveigle, decoy, kidnap, abduct or carry away one Candace Simpson, without authority of law, in violation of Section 16-03-0910, 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



WILLIAM B. ROGERS, JR.
SOLICITOR

STATE OF SOUTH CAROLINA

COUNTY OF Dillon
STATE VS.
Tyreek Dashawn Hayes
AKA:
Race: Sex: M Age: 25
DOB: SS#
Address: McQueen St.,
City, State, Zip: Dillon, SC 29536-4741
DL#: SID#

IN THE COURT OF GENERAL SESSIONS

INDICTMENT/CASE#: 2016-GS-17-0877
A/W#: 2016A1720100579
Date of Offense: 10/1/2016
S.C. Code §: 16-03-0910
CDR Code #: 0095

SENTENCE SHEET

*CDL Yes No CMV Yes No Hazmat Yes No
In disposition of the said indictment comes now the Defendant who was
TO: Kidnapping / Kidnapping (0-30)

CONVICTED OF or PLEADS

in violation of § 16-03-0910 of the S.C. Code of Laws, bearing CDR Code # 0095
NON-VIOLENT VIOLENT SERIOUS MOST SERIOUS
Mandatory GPS §17-25-45
(CSC w/minor 1st or CSC w/minor 3rd)

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.

Solicitor vs. AG. 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 15 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: 2016-65-17-0875, 0879 & 0878
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.
1018 TS 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 SCDPPS

PTUP
days/hours Public Service Employment
Obtain GED
Attend Voc. Rehab. or Job Co.
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:

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 (BUJ Breath Test Fee) \$50, § 56-5-2942(J) (Vehicle Assessment) \$40/ea.

3% to County (if paid in installments) \$ 3.25
TOTAL \$128.75

Clerk of Court/ Deputy Clerk
Court Reporter:
SCCA/217 (04/2018)

Appointed PD or appointed other counsel, Proviso requires \$500 be paid to Clerk during probation and shall be collected before any other fees.
Presiding Judge
Judge Code: 2754
Sentence Date: 7-26-19

FILED
GMENT HYATT
2019 JUL 26 P 4:14
CLERK OF COURT
DILLON COUNTY

WITNESSES

J. Turner

Dillon Police Department

Law Enforcement Case #: 2016-10001
085

WAIVER OF PRESENTMENT

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

ARREST WARRANT NUMBER
2016A1720100580

ARRESTED ON: 2016-10-02

ACTION OF GRAND JURY

TRUE BILL

Saretta Ellerbe
Grand Jury Foreperson

Date *12/8/16*

VERDICT

Petit Jury Foreperson

Date

DOCKET NUMBER:
2016-GS-17-0878

The State of South Carolina

County of Dillon

COURT OF GENERAL SESSIONS

Term:
December 2016

THE STATE

vs.

Tyreek Dashawn Hayes

INDICTMENT FOR

**Weapons / Poss. weapon during violent crime,
if not also sentenced to life without parole or
death**

§16-23-0490

CDR Code: 0549

William B. Rogers, Jr., Solicitor

510

STATE OF SOUTH CAROLINA)

INDICTMENT FOR

COUNTY OF DILLON)

Weapons / Poss. weapon during violent crime, if not
also sentenced to life without parole or death

§16-23-0490

At a Court of General Sessions, convened on December 8, 2016, the Grand Jurors of Dillon County present upon their oath:

POSSESSION OF A WEAPON DURING THE COMMISSION
OF A VIOLENT CRIME

CDR: 0549 16-23-0490

That Tyreek Dashawn Hayes did in Dillon County, on or about October 1, 2016, possess a firearm, or visibly display what appeared to be a firearm, or visibly displayed a knife, during the commission or attempted commission of a violent crime, in violation of Section 16-23-0490, 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.


WILLIAM B. ROGERS, JR.
SOLICITOR

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF Dillon
STATE VS.
Tyreek Dashawn Hayes
AKA:
Race: Sex: M Age: 25
DOB: SS#
Address: Mcqueen St.,
City, State, Zip: Dillon, SC 29536-4741
DL#: SID#

INDICTMENT/CASE#: 2016-GS-17-0878
A/W#: 2016A1720100580
Date of Offense: 10/1/2016
S.C. Code § : 16-23-0490
CDR Code #: 0549

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: Weapons / Poss. weapon during violent crime, if not also sentenced to life without parole or death (5 years)

in violation of § 16-23-0490 of the S.C. Code of Laws, bearing CDR Code # 0549
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.

Walter A. G. 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: 2016-65-17-0879, 0877, 0875
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.

TS 1018 Day 5
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 PTUP
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) \$ 3.25

TOTAL \$ 128.25

Clerk of Court/ Deputy Clerk
Court Reporter:
SCCA217 (04/2018)

2016 JUL 26 P 4:11
FILED
GEMETHYATT
CLERK OF COURT
BILLY COUNT
days/hours Public Service/ Employment
Obtain GED
Attend Voc. Rehab. or Job Co
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.
Presiding Judge
Judge Code: 2759
Sentence Date: 07/26/19

WITNESSES

J. Turner

Dillon Police Department

Law Enforcement Case #: 2016-10001
085

WAIVER OF PRESENTMENT

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

ARREST WARRANT NUMBER
2016A1720100581

ARRESTED ON: 2016-10-02

ACTION OF GRAND JURY

TRUE BILL

Sheretta E. Cleve
Grand Jury Foreperson

Date: 12/8/16

VERDICT

Petit Jury Foreperson

Date:

DOCKET NUMBER:

2016-GS-17-0879

The State of South Carolina

County of Dillon

COURT OF GENERAL SESSIONS

Term:
December 2016

THE STATE

vs.

Tyreek Dashawn Hayes

INDICTMENT FOR

Murder/Attempted murder Penalty statutes
16-03-0029; Felony Class A - eff date 6-02-
2010

§16-03-0029

CDR Code: 3410

William B. Rogers, Jr., Solicitor

STATE OF SOUTH CAROLINA)

INDICTMENT FOR

COUNTY OF DILLON)

Murder/Attempted murder Penalty statutes 16-03-0029; Felony Class A - eff date 6-02-2010

§16-03-0029

At a Court of General Sessions, convened on December 8, 2016, the Grand Jurors of Dillon County present upon their oath:

ATTEMPTED MURDER

CDR: 3410, 16-3-29

That Tyreck Dashawn Hayes did in Dillon, on or about 2016-10-01, with specific intent to kill, attempt to kill Candace Simpson with malice aforethought, either expressed or implied, in violation of Section 16-3-29 of 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.


WILLIAM B. ROGERS, JR.
SOLICITOR

STATE OF SOUTH CAROLINA

COUNTY OF Dillon
STATE VS.
Tyreek Dashawn Hayes
AKA:
Race: Sex: M Age: 25
DOB: SS#:
Address: Mcqueen St.,
City, State, Zip: Dillon, SC 29536-4741
DL#: SID#:

IN THE COURT OF GENERAL SESSIONS

INDICTMENT/CASE#: 2016-GS-17-0879
A/W#: 2016A1720100581
Date of Offense: 10/1/2016
S.C. Code §: 16-03-0029
CDR Code #: 3410

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: Murder/Attempted murder Penalty statutes 16-03-0029; Felony Class A - eff date 6-02-2010 (Not more than 30)

in violation of § 16-03-0029 of the S.C. Code of Laws, bearing CDR Code # 3410
NON-VIOLENT VIOLENT SERIOUS MOST SERIOUS
Mandatory GPS §17-25-45
(CSC w/minor 1st or CSC w/minor 3rd)

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:

Magistrate Solicitor General 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 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: 2016-65-17-0877, 0875 & 0878
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.
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/ca, 3% to County (if paid in installments) \$ 3.75.

TOTAL \$ 128.75
Clerk of Court/ Deputy Clerk
Court Reporter:
SCCA/217 (04/2018)

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
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: 07/29/19

FILED
GENTHYATT
2019 JUL 26 P 4:42
CLERK OF COURT
DILLON COUNTY

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,

RECEIVED

Dec 14 2020

SC Court of Appeals

s/Susan B. Hackett

Susan B. Hackett
Appellate Defender

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

ATTORNEY FOR APPELLANT

This 14th day of December, 2020.