

STATE OF SOUTH CAROLINA)
)
COUNTY OF LANCASTER)
)
THE STATE,)
)
VS.)
)
Ramesha M. Brantley,)
)
Defendant.)
_____)

IN THE SOUTH CAROLINA
COURT OF APPEALS

STATEMENT OF APPELLANT'S COUNSEL
REGARDING REQUEST FOR APPEAL
OF GUILTY PLEA

RECEIVED

DEC 29 2020

SC Court of Appeals

Appellant's Statement of Facts

The defendant was charged in Lancaster County General Sessions Court with Homicide by Child Abuse, three counts of Unlawful Neglect of a Child, and Possession with Intent to Distribute Marijuana from an incident occurring in Lancaster County on or about November 6, 2018.

The defendant, after consultation with her attorney, agreed to enter a plea of guilty pursuant to North Carolina v. Alford to the above reference charges on December 3, 2020 with sentencing to occur at a later date. On December 17, 2020 The Honorable Brian M. Gibbons sentenced the defendant to 35 years in SCDC for Homicide by Child Abuse (2019-GS-29-2691), consecutive to 10 years for Unlawful Neglect (2019-GS-29-2692), consecutive to 10 years for Unlawful Neglect (2019-GS-29-2693), consecutive to 5 years for Unlawful Neglect (2019-GS-29-2694), and a concurrent 5 years for Possession with Intent to Distribute Marijuana (2019-GS-29-2695).

Issues on Appeal

Subsequent to her guilty plea, the defendant requested her counsel to file an appeal regarding this plea. Pursuant to Rule 203(b)(2) and(d) SCACR, defendant's counsel is filing this appeal.

At the sentencing hearing on December 17, 2020, the defendant through her undersigned counsel made a motion for alternative sentencing on the Homicide by Child Abuse charge. In that motion, the defendant requested that the court sentence the defendant to the minimum sentence of 20 years in SCDC with the service of 15 years in SCDC and the remaining 5 years on home detention pursuant to South Carolina Code of Laws §24-13-1590.

The Judge denied the defendant's motion on imposed the above referenced sentence. The defendant appeals this sentence based on the denial of the motion for alternative sentencing. A copy of that motion is attached with this statement.



William P. Frick
PO Box 637
Winnsboro SC 29180
Phone (803) 815-4074
ATTORNEY FOR APPELLANT

STATE OF SOUTH CAROLINA

COUNTY OF LANCASTER

STATE OF SOUTH CAROLINA,

vs.

Ramesha M. Brantley,

Defendant.

IN THE COURT OF GENERAL SESSIONS

MOTION FOR ALTERNATIVE SENTENCING
PURSUANT TO §24-13-1530 SC CODE OF LAWS

Warrants.

2018A2910102739, 2018A2910102740, 2018A29102741,
2018A2910102722, 2018A2910102725, 2019A2910101955,
2019A2910101956

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DEC 29 2020

SC Court of Appeals

Motion of Defendant for Alternative Sentencing

This matter comes before me by motion of the defendant represented by the Office of the Public Defender for the Sixth Judicial Circuit. The State is represented by the Solicitor's Office for the Sixth Judicial Circuit. The defendant was arrested on or about July 4, 2019 and was charged on the above-referenced warrants with Unlawful Neglect of a Child, PWID Marijuana, PWID Cocaine and Homicide by Child Abuse. The defendant entered a plea pursuant to North Carolina v. Alford on December 3, 2020 to be sentenced at a later date. At the sentencing hearing before this court on December 17, 2020, the defendant requests through her undersigned counsel for alternative sentencing pursuant to South Carolina Code of Laws §24-13-1530.

The chief concern of this motion is sentencing under the Homicide by Child Abuse statute at §16-3-85(A)(1) which carries a maximum sentence of Life and a mandatory minimum sentence of 20 years in the Department of Corrections. It is listed as a statutorily violent offense in §16-1-60 and is considered a "no parole" offense.

Previous cases, most notably, Richardson v. State, 407 S.C. 482, state that the mandatory minimum sentence cannot be suspended under §24-21-410 because the charge of Homicide by Child Abuse carries a maximum penalty of Life. Additionally, the South Carolina Court of Appeals ruled this year in State v. Simpson, 429 S.C. 83, that sentences that are statutorily violent cannot be given home detention under §24-13-1530. However, the defendant believes those cases are distinguishable from the present case.

Application of §24-21-410

The defense concedes that under the prevailing interpretation of §24-21-410, the court cannot suspend a sentence under §16-3-85(A)(1), because it carries a maximum sentence of Life. However, the defendant in the present case is not requesting a suspension of the mandatory minimum sentence, but is requesting that upon imposition of the sentence, a portion of it be allowed to be served under home detention as defined in §24-13-1150.

The defendant believes that this is an appropriate interpretation of the statute as §24-13-40 allows for full credit toward a sentence for any time spent under monitored house arrest. This shows that the General Assembly intended for time spent on home detention to be the equivalent to time served while incarcerated in a State facility. Therefore, §24-21-410 is inapplicable in this case, as sentencing the defendant to home detention as an alternative to being housed in the South Carolina Department of Corrections is not the suspension of any part of the imposed sentence.

Application of §24-13-1150

The defendant believes that the imposition of a home detention sentence is appropriate for the conviction at bar, as the defendant is a "low risk, nonviolent adult offender" under the plain language of §24-13-1150. While the Court of Appeals ruled in State v. Simpson, 249 S.C. 83 that §24-13-1150 is not applicable to offenses listed in §16-1-60, there is no language in the Home Detention Act that plainly states that intent.

The use of the language "non-violent adult offenders" is the colloquial use of that language and not the statutory meaning of it. If that had been the intent, the General Assembly could have simply stated that home detention could not be used for sentences for offenses listed in §16-1-60, however, they did not.

Further, the statute states, "for low risk, nonviolent adult and juvenile offenders as selected by the court." This is evidence that the legislature intended for the judge hearing the case to make a determination as to whom is a "low risk, nonviolent" offender and it is not governed by a list of charges in §16-1-60 that has more to do with how much time a person serves on an imposed sentence than whether or not an offense involved actual violence.

§24-13-1590, the only part of the entire Home Detention Act that explicitly states exclusions, specifically states in its title that home detention is not available to "certain controlled substance offenders" and does not categorically exclude offenses listed in §16-1-60. The plain language of §24-13-1590 states in (1) that it applies only to "the illicit narcotic drugs or controlled substance laws of this State." Therefore, the legislature did not intend for §24-13-1590 to wholly exclude any and all offenses listed as "violent" in §16-1-60 and that the judge presiding over a case at bar has the discretion to determine whether or not the person being sentenced is a "low risk, nonviolent" offender.

Conclusion

§24-21-410 is inapplicable, as no suspension of sentence is being sought. §24-13-1590 is available to the defendant in this case as an alternate means of serving an incarcerative sentence because the plain meaning of the statute does not specifically exclude service of a sentence under §16-3-85(A)(1). Therefore, the defendant respectfully requests a sentence of the mandatory minimum sentence under §16-3-85(A)(1) allowing a portion to be served pursuant to the Home Detention Act.

Respectfully submitted,



William P. Frick
Attorney for Defendant

This 17th day of December 2020
Lancaster, South Carolina

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF Lancaster
STATE VS.

INDICTMENT/CASE#: 2019GS2902691

AKA: Ramesha Monet Brantley

A/W#: 2019A2910101955

Race: BLACK Sex: F Age: 24

Date of Offense: 11/6/2018

DOB: SS#: J

16-03-0085(A)(1)(B)(1)

Address:

CDR Code #: 2356

City, State, Zip: Lancaster, SC 29720-6234

DEC 29 2020

DL#: SID#:

SENTENCE SHEET

SC Court of Appeals

*CDL Yes No CMV Yes No Hazmat Yes No

In disposition of the said indictment comes now the Defendant who was TO: Murder / Homicide by child abuse (20Y to Life)

CONVICTED OF or PLEADS

in violation of 16-03-0085(A)(1)(B)(1) of the S.C. Code of Laws, bearing CDR Code # 2356

NON-VIOLENT VIOLENT SERIOUS MOST SERIOUS Mandatory GPS(CSC w/minor 1st or Lewd Act) 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: Campbell, Luck SC Bar# 13009 Defendant Brantley, Ramesha M. Frick, William J. Attorney for Defendant SC Bar# 69739

WHEREFORE, the Defendant is committed to the State Department of Corrections, County Detention Center, for a determinate term of 35 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: all other indictments. 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. 535 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:

Table with 3 columns: Description, Amount, Total. Includes items like Assessments, Conv. Surcharge, DUI Surcharge, etc.

TOTAL \$ 128.75

Clerk of Court/ Deputy Clerk Court Reporter: SCCA/217 (07/2016)

Appointed PD or appointed other counsel, Proviso 61.6 requires \$500 be paid to Clerk during probation and shall be collected before any other fees. Presiding Judge Judge Code: Sentence Date: 12/2/20 12/17/20

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF Lancaster
STATE VS.

INDICTMENT/CASE#: 2019GS2902693

AKA: Ramesha Monet Brantley

A/W#: 2018A2910102741

Race: BLACK Sex: F Age: 24

Date of Offense: 11/6/2018

DOB: SS#: 5

S.C. Code 63-05-0070

Address: [Redacted]

City, State, Zip: Lancaster, SC 29720-6234

DL#: SID#:

*CDL Yes No CMV Yes No Hazmat Yes No

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

TO: Children / Legal custodian, unlawful neglect of child or helpless person

DEC 29 2020 SENTENCE SHEET

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SC Court of Appeals

NC U. Appeal

in violation of 63-05-0070 of the S.C. Code of Laws, bearing CDR Code # 2481
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.
The plea is: Without Negotiations or Recommendation, Negotiated Sentence, Recommendation by the State.

ATTEST: Campbell Luck 13009 SC Bar# Ramesha Brantley Defendant Frick, William Attorney for Defendant 650739 SC Bar#

WHEREFORE, the Defendant is committed to the State Department of Corrections, County Detention Center,
for a determinate term of 10 months 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: 1965292691
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. 535 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:

Table with 2 columns: Description and Amount. 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 61.6 (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)

TOTAL \$ 128.25

Clerk of Court/ Deputy Clerk: [Signature]
Court Reporter: [Signature]
SCCA/217 (07/2016)

Appointed PD or appointed other counsel, Proviso 61.6 requires \$500 be paid to Clerk during probation and shall be collected before any other fees.
Presiding Judge: [Signature]
Judge Code: 2/68
Sentence Date: 12/17/20 / 12/31/20
sentence plea

COUNTY OF Lancaster
STATE VS.
Ramesha Monet Brantley

INDICTMENT/CASE#: 2019GS2902692
A/W#: 2018A2910102739
Date of Offense: 11/6/2018
S.C. Code § : 63-05-0070

AKA:
Race: BLACK Sex: F Age: 24
DOB: SS#
Address:
City, State, Zip: Lancaster, SC 29720-6234
DL#: SID#

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*CDL Yes No CMV Yes No Hazmat Yes No
In disposition of the said indictment comes now the Defendant who is CONVICTED OF or PLEADS
TO: Children / Legal custodian, unlawful neglect of child or helpless person

in violation of § 63-05-0070 of the S.C. Code of Laws, bearing CDR Code # 2481
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.
The plea is: Without Negotiations or Recommendation, Negotiated Sentence, Recommendation by the State.

ATTEST: Campbell, Luck 13009 SC Bar#
Ramesha Brantley Defendant
Frick, William Attorney for Defendant
SCB69739 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: 1465292693
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. 535 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:

Table with columns for Recipient, *Fine, and amounts. 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 61.6 (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)

TOTAL \$ 128.75

Clerk of Court/ Deputy Clerk: M. D. [Signature]
Court Reporter: [Signature]
SCCA/217 (07/2016)

Appointed PD or appointed other counsel, Proviso 61.6 requires \$500 be paid to Clerk during probation and shall be collected before any other fees.
Presiding Judge: [Signature]
Judge Code:
Sentence Date: 12/31/20

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF Lancaster
STATE VS.

INDICTMENT/CASE#: 2019GS2902694

Ramesha Monet Brantley

A/W#: 2018A2910102740

AKA:

Date of Offense: 11/6/2018

Race: BLACK Sex: F Age: 24

S.C. Code § : 63-05-0070

DOB: SS#:

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Address:

DEC 29 2020 SENTENCE SHEET

City, State, Zip: Lancaster, SC 29720-6234

DL#: SID#:

*CDL Yes No CMV Yes No Hazmat Yes No

In disposition of the said indictment comes now the Defendant who was SC Court of Appeals or PLEADS TO: Children / Legal custodian, unlawful neglect of child or helpless person

in violation of § 63-05-0070 of the S.C. Code of Laws, bearing CDR Code # 2481

NON-VIOLENT VIOLENT SERIOUS MOST SERIOUS Mandatory GPS(CSC w/minor 1st or Lewd Act) §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: Campbell, Luck 13009 SC Bar# Ramesha Brantley Frick, William 68739 SCB69739 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: 19, 65, 29, 2694. 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. 535 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 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:

Table with columns for Fine, Description, Amount, and Total. Includes items like Assessments 107.5%, Conv. Surcharge, DUI Surcharge, etc.

TOTAL \$ 128.75

Clerk of Court/ Deputy Clerk Court Reporter: SCCA/217 (07/2016)

Appointed PD or appointed other counsel, Proviso 61.6 requires \$500 be paid to Clerk during probation and shall be collected before any other fees. Presiding Judge Judge Code: Sentence Date: 12/17/20 1/17/3/20

STATE OF SOUTH CAROLINA

COUNTY OF Lancaster
STATE VS.

AKA: Ramesha Monet Brantley

Race: BLACK Sex: F Age: 24

DOB: SS#:

Address:

City, State, Zip: Lancaster, SC 29720-6234

DL#: SID#:

*CDL Yes No CMV Yes No Hazmat Yes No

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

TO: Drugs / Manuf., poss. of other sub. in Sch. I, II, III or flunitrazepam or analogue, w.i.t.d. - 1st offense

in violation of § 44-53-0370(b)(2) of the S.C. Code of Laws, bearing CDR Code # 0186

NON-VIOLENT VIOLENT SERIOUS MOST SERIOUS

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: Campbell, Luck SC Bar# 13009

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. 535 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 \$

§ 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 \$

§ 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) \$

TOTAL \$ 283.25

Clerk of Court/ Deputy Clerk: Court Reporter: SCCA/217 (07/2016)

IN THE COURT OF GENERAL SESSIONS

INDICTMENT/CASE#: 2019GS2902695

A/W#: 2018A2910102722

Date of Offense: 11/6/2018

S.C. Code § 44-53-0370(b)(2)

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DEC 29 2020 SENTENCE SHEET

SC Court of Appeals

NC v. Alford

CONVICTED OF or PLEADS

in violation of § 44-53-0370(b)(2) of the S.C. Code of Laws, bearing CDR Code # 0186

NON-VIOLENT VIOLENT SERIOUS MOST SERIOUS

Mandatory GPS(CSC w/minor 1st or Lewd Act) § 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: Frick, William J. SC Bar# 66739

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

for a determinate term of 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 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 \$

§ 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 \$

§ 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) \$

TOTAL \$ 283.25

Clerk of Court/ Deputy Clerk: Court Reporter: SCCA/217 (07/2016)

Presiding Judge: Judge Code: Sentence Date: 12/23/20