

THE SOUTH CAROLINA COURT OF APPEALS

IN THE COURT OF APPEALS

APPEAL FROM THE ADMINISTRATIVE LAW COURT

Administrative Law Judge Milton B Kimpson

AL Case No 19 - ALJ - 04 - 0296 - AP

Appellate Case No. 2020 - 001252

James Anthony Primus 252315

Appellant

v

SOUTH CAROLINA Department of Correction Respondent

RECORD ON APPEAL

James Anthony Primus 252315

Appellant Prose

MACDOUGALL Correctional Institution

1516 Old Gilliard Road

Ridgeville S.C. 29472

IMANI Diane Byas

STAFF ATTORNEY

SOUTH CAROLINA Department

of Correction

P.O. Box 21787 - 4444

Broadriver Rd

Columbia S.C. 29221 -

1787

RECEIVED

MAR 15 2021

SC Court of Appeals

INDEX

RESPONDENT RECORD

Inmate Grievance Form Step 2	1-2
Inmate Grievance Form Step 1	3-4
Inmate Request General	5
SCDC offender management system Record Audit Application	6
Display Record Audit	
Record Audit	7
conviction Summary	8
Inquiry	9
Inquiry	10
Inquiry	11
Earn work credit assignment History of EWC	12
Note Appellant 85% do not receive earn work credits	13
Earn work credit assignment History earn work credit	
Note Appellant 85% do not receive earn work credits	14
Disciplinary System Display Inmate offense History	
Sentence Sheet 97-65-18-1045	15
Note changed from plea to Trial by Dorchester County Clerk of Court and SCDC General Counsel Daniel Crook	
Sentence Sheet 97-65-18-1046	16
Note credit for jail time was not applied by SCDC	
Appellant RECORD	
original Trial Transcripts	17
A B HAW Guilty Verdict Lesser included offense	18
Note Hernandez v. State	

INDEX

INDEX

Appellant RECORD

Sentence sheet 97-GS-18-1046 19

Note Corrected Jail Time by Cheryl Graham and Daniel
Crook

Sentence sheet 97-GS-18-1044 20

Note September 2 1998 SCDC started sentence over

original Trial Transcripts 21

RECEIVED

APR 08 2019

Due 7/3/19

W

296

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS

INMATE GRIEVANCE FORM

STEP 2

BY: A. Johnson
 INMATE NAME: James Anthony Primus
 SCDC NUMBER: _____
 INSTITUTION: MacDougall
 HOUSING UNIT: Birch 2 C 13 B
 WORK ASSIGNMENT: Chapel

INMATE GRIEVANCE

DIVISION CLASSIFICATION & INMATE RECORDS
 Office Use Only
 Grievance No. MACS-0026-19
 Code: General _____
 Nelson _____
 Adj. Com. _____
 Class. ✓
 Date Received 4/8/19
 IGC Initials JY

INMATE'S REASON FOR APPEAL (state specific dissatisfaction):

The Interpretation of my sentence is not correct for reasons unknown to me my entire sentence is being interpreted as violent when the ABHAN conviction is now-violent the violent conviction is less than 8 yrs to be reclassified as And MO-1

James Anthony Primus 4-4-19
 Grievant Signature Date

REGIONAL DIRECTOR'S DECISION AND REASON:

See reverse side for final Agency response.

Keith D. [Signature] 5-29-19
 Regional Director Signature Date

I hereby acknowledge receipt of the Regional Director's response. My signature in no way indicates my acceptance of the decision.

Grievant Signature _____ Date _____

IGC Signature _____ Date _____

(SEE REVERSE SIDE FOR INSTRUCTIONS)

INSTRUCTIONS FOR COMPLETING STEP 2 GRIEVANCE FORM

1. Complete form in its entirety, writing only in the space provided for inmate use.
2. State your specific reason for further appeal. Do not submit any new issues for review.
3. Submit this completed form with your original Step 1 attached, to the Institutional Grievance Coordinator within five (5) days of your receipt of the Warden's decision. Do not write in the space provided for the Regional Director.
4. If you are not satisfied with the Regional Director's decision, you may appeal to the Deputy Director within five (5) days of your receipt of the Regional Director's decision, via the Institutional Grievance Coordinator.

Primus SCDC #252315

MacCI 0026-19

I have reviewed your concern. In your grievance you stated that calculation of your sentence exceeds the maximum time that you are supposed to be incarcerated for kidnapping. You would like your sentence to be recalculated. The Warden responded to your concern on SCDC 10-5, Step 1 Inmate Grievance Form dated 4/3/19. You were convicted of violating SC Code of Laws 44-53-375 (A), Cocaine Possession and sentenced to 1 year; 1317, Assault and Battery of High and Aggravated Nature and sentenced to 10 years and 1000, Kidnapping and sentenced to 30 years which is classified as violent and no parole. You have a mandatory service requirement of 25 years and 6 months. Your projected release date is 4/20/2028. You have 1,869 days of Earned Work Credits, and a total service time earned of 7,852 days. You are currently earning Work Credits at 3/5 and you are not currently earning Education Credits. SCDC may award inmates with credits for good behavior and participation in work/educational programs. These credits can be applied towards an inmate's sentence (s) to establish an earlier release date, unless the inmate was sentenced under the Truth-in-Sentencing statute and must serve 85% of his/her sentence without EWCs/EECs/GT accruals. Good time credits can be applied towards establishing sentence expiration date. Good Time Credits cannot be applied towards establishing parole (conditional release) eligibility. On the other hand, Work/Educational Credits can be applied towards conditional or unconditional release criteria. Once an offender is committed to SCDC, projected release dates could be negatively impacted in several ways, including if the inmate loses Good Time, fails to earn Good Time, or fails to earn Work Credits for any reason. Your projected release date is correct and you have been given credit for all the time that you deserve.

Therefore, your grievance is resolved.

You may appeal this decision under the South Carolina Administrative Procedures Act to the South Carolina Administrative Law Court. In order to appeal, you must complete the attached Notice of Appeal Form (Form) and submit it as instructed on the Form within thirty (30) days of receipt.

(72)

#0026-19

COPY

INMATE GRIEVANCE FORM

STEP 1

INMATE NAME: <u>James Anthony</u> RECEIVED	OFFICE USE ONLY
SCDC NUMBER: _____	Grievance No. <u>MacD-0026-19</u>
INSTITUTION: <u>MacDougall</u>	Code: General _____
HOUSING UNIT: <u>Magnolia</u> Unit BY: <u>2-20-19</u>	Policy _____
WORK ASSIGNMENT: <u>Chapel</u>	Disc. Hear. _____
	Class. <input checked="" type="checkbox"/>
	PREA _____
	Date Received <u>3/13/19</u>
	IGC Initials <u>JX</u>

STATEMENT OF GRIEVANCE (Indicate the date of incident, and if the grievance is a challenge to SCDC Policy, specify which policy. Include supporting documentation and attach answered RTSM or Kiosk reference number.) 3-9-2019

CP-21,09: Page 23,24 of 47 12,10-12 Kiosk # 19-0184941

The calculation of my sentence exceeds the maximum time I am to be incarcerated for kidnapping I was sentenced to the maximum sentence for kidnapping which is thirty years from July 12 1997 to April 20 2028 is thirty-one years which exceeds the maximum sentence that I received from the court of General Session Dorchester County and then I have and ten year sentence for ABHAN once the kidnapping sentence is completed what is that max-out date James Anthony Premier 3-12/19

Grievant Signature Date

ACTION REQUESTED: Recalculate my sentence for kidnapping and let me know when the kidnapping sentence is completed date and time and when would ABHAN start date

ACTION TAKEN BY IGC: PROCESSED UNPROCESSED OTHER

Francis Johnson 3/15/19
IGC Signature Date

(CONTINUE ON REVERSE SIDE)

WARDEN'S DECISION AND REASON:

Y900

Inmate James Primus 252315:

This is in response to MacD-0026-19 your concern has been reviewed. You state that you want a recalculation of your sentence for kidnapping. To know when your kidnapping sentence is completed and when would the ABHAN start date will begin. I have contacted Mrs. Chapman Classification Case Manager. She stated that your max out date is 4/20/2028, your kidnapping case will complete on 1/20/2023 and your ABHAN start date would be sometime in January immediately following the completion of the kidnapping sentence.

Therefore, your grievance is resolved.

If you disagree with this Warden's Decision (Decision), you may file an appeal by completing SCDC Inmate Grievance Form 10-5A, provided to you while serving you this Decision, and placing it in the Grievance Box at your local correctional institution within five (5) days of your receipt of this Decision.

Paul T. [Signature] 4-3-19
Warden Signature Date

I accept the Warden's decision and consider the matter closed.

I do not accept the Warden's decision and wish to appeal.

James Anthony Primus 4-4-19
Grievant Signature Date

Francis Johnson 4/4/19
IGC Signature Date

INSTRUCTIONS FOR COMPLETING STEP 1 GRIEVANCE FORM

1. An informal resolution shall be attempted prior to the filing of Step 1 by sending an Inmate Request to Staff Member (RTSM) form or Kiosk reference number to the appropriate supervisor. A copy of the answered RTSM must be attached to the grievance when the grievance is filed.
2. Complete each section in its entirety writing only in the space provided for inmate use. No additional pages will be permitted.
3. Only one (1) issue is to be addressed on each form.
4. Submit the completed form by placing it in the Grievance Box at your institution within eight (8) working days of the date on the RTSM response; policy grievances can be filed at any time. Disciplinary and Classification Review appeals must be submitted within five (5) working days of the hearing/review. Do not write in the space provided for the Warden's response.
5. If you are not satisfied with the Warden's decision, you may appeal to the appropriate responsible official within five (5) days of your receipt of the Warden's decision, by placing your Step 2 appeal form in the Grievance Box at your institution.



Inmate Request - General

Today's Date: 3/13/19 13:54

Name: PRIMUS, JAMES A
Booking #: 252315
Permanent #: 252315

Reference #: 19-01184941

Date Requested: 03/09/19 12:59

Request Type: Classification

Requested By: Kiosk

Request Details: MRS.Chapman my max-out date is 4-20-28 and my sentence for kidnaping is thirty- years and from the start of my incarceration in 1997 to 2028 is thirty-one years now i do understand that i have and consecutive ten years which is non- violent and i only start that sentence once the thirty year sentence is completed now back to the kidnaping sentence it is only 85 per cent at this calculation i am at and 100 per cent for the kidnaping conviction i would appreciate and c orrection

Disposition: Complete

Officer:

Disposition Date: 03/11/19 14:33

Request Responses

Date	Author	Note
03/11/19 14:44	c036772	You are earning credits at a level 3 instead of 2 due to your sentence length. Once you get to 8 years or less you should begin earning on a level 2. This may have some affect on your maxout date.

2:52:48 Monday, July 15, 2019

ROAI200D
ROAI200M
OMROAUDA

SCDC OFFENDER MANAGEMENT SYSTEM
RECORD AUDIT APPLICATION
DISPLAY RECORD AUDIT

07/15/19
C056427

SCDC#: /
NAME.: PRIMUS, JAMES A

CURR STATUS.: INCARCERATED
CURR LOC....: MACDOUGALL
CURR CUSTODY: MI2

AUDIT TYPE: 06 HAYES

AUDIT DATE: 04/04/17

UPDATED BY: SCOTT, CHERYL

DATE: 05/23/17

RECORD AUDIT DISPLAYED...
CLEAR:SUMMARY

ENTER:DISPLAY NOTES

PF8:FORWARD

2:52:59 Monday, July 15, 2019

ROAI200D
ROAI200M
OMROAUDA

SCDC OFFENDER MANAGEMENT SYSTEM
RECORD AUDIT APPLICATION
DISPLAY RECORD AUDIT

07/15/19
C056427

SCDC#: 5
NAME.: PRIMUS, JAMES A

CURR STATUS.: INCARCERATED
CURR LOC....: MACDOUGALL
CURR CUSTODY: MI2

AUDIT TYPE: 01 RECORDS AUDIT

AUDIT DATE: 09/26/98

UPDATED BY: JOHNSON, BERNICE

DATE: 09/26/98

RECORD AUDIT DISPLAYED...
CLEAR:SUMMARY

ENTER:DISPLAY NOTES

PF8:FORWARD

CMTI100D
OMCOMITA

SCDC OFFENDER MANAGEMENT SYSTEM
COMMITMENT APPLICATION
CONVICTION SUMMARY

07/15/19
C056427

SCDC# > 252315

PRIMUS, JAMES A

OFFENDER TYPE: ADULT-STRAIGHT SENTENCE

CURR LOC: MACDOUGA

SCDC CLASSIFICATION...: VIOLENT

NUM	CONVICTION OFFENSE	INCARC	SENT	SENT	SENT	CONV	VIO
		YRS	MO	DYS	DATE	START	PROJ COMP STAT IND
S00003	COCAINE POSSESS	001	00	000	09/01/98	09/06/97	04/19/1998 SER N N
* S00002	ASSLT&BATTERY-HIGH&AG	010	00	000	09/01/98	07/15/97	04/20/2028 ACT N N
S00001	KIDNAPPING	030	00	000	09/01/98	07/15/97	01/07/2023 ACT V V

PAGE: 0001

MAKE A SELECTION AND PRESS <ENTER>...

PF3-ADD PF4-MODIFY/REVOKE PF6-DISPLAY CONSEC PF9-DETAIN PF12-SUMREPT

CMTI200D

SCDC OFFENDER MANAGEMENT SYSTEM

07/16/19

OMCOMITA

COMMITMENT APPLICATION

C052640

SCDC #:

INQUIRY

CURR LOC: MACDOUGA

PRIMUS, JAMES A

NONCONFORM SENT: N RTRN TO COURT: N

OFFENDER TYPE: ADULT-STRAIGHT SENTENCE

CONVICTION NUM: S00003 INDICT NUM: 97-18-1044 WARRANT NUM: F418891

DATE SENTENCED.: 09/01/1998 JUDGE LAST.: BROWN FI: L

STATUTE: 44-53-375(A) CDR CODE.: 0100 GPS IND: N

OFFENSE: 3532 COCAINE POSSESS OFFENSE DATE: 07/17/1997

CHARACT: F FACILITATION OF COUNTS: 01 OFFENSE CNTY: 18 DORCHESTER

PLEA...: G GUILTY TYPE OF COURT....: 01 GENERAL SESSIO

TYPE SENTENCE... : S ADULT-STRAIGHT SCDC JURIS DATE...: 09/01/1998

TOTAL SENTENCE...: 001 00 000 MAND SERV REQMT...: 000 00 000

INCARC SENTENCE...: 001 00 000 PAROLE FACTOR....: 1 1/4 SENT. REQ.

PROBATION SENT...: 000 00 000 PAROLE SERV REQMT: 000 00 000

HIP SENT.....: 000 00 000 HAYES CRED: 00000

RESTITUTION REQMT: N AMT: .00 JAIL CRED: 00360 EXTRA CRED: 00000

CONVICTION STATUS: SR SERVED SENT START DATE: 09/06/1997 DOM.IND:

CONSECUTIVE IND...: N SPOUSE ABUSE: STATUTE CLASSIFICATION...: NON-VIOLENT

DNA OFFENSE IND...: N EEC ELIG: Y SCDC CLASSIFICATION.....: NON-VIOLENT

SEX REG: N PRED OFF: N LAST UPDATE: C STREATER DATE: 06/29/15

NO PAROLE: NOT APPLIC CREATED BY.: R SPAIN DATE: 09/03/98

PF8-NEXT CONVICTION

PF9-DETAIN

PF4-RESTITUTION PAID(FA ONLY)

CMTI200D SCDC OFFENDER MANAGEMENT SYSTEM 07/16/19
 OMCOMITA COMMITMENT APPLICATION C052640
 SCDC #: INQUIRY CURR LOC: MACDOUGA
 PRIMUS, JAMES A NONCONFORM SENT: N RTRN TO COURT: N
 OFFENDER TYPE: ADULT-STRAIGHT SENTENCE
 CONVICTION NUM: S00002 INDICT NUM: 97-18-1045 WARRANT NUM: E091998
 DATE SENTENCED...: 09/01/1998 JUDGE LAST...: BROWN FI: L
 STATUTE: CDR CODE.: 0013 GPS IND: N
 OFFENSE: 1317 ASSLT&BATTERY-HIGH&AGG NAT OFFENSE DATE: 07/13/1997
 CHARACT: F FACILITATION OF COUNTS: 01 OFFENSE CNTY: 18 DORCHESTER
 PLEA...: N NOT GUILTY TYPE OF COURT....: 01 GENERAL SESSIO
 TYPE SENTENCE... : S ADULT-STRAIGHT SCDC JURIS DATE...: 07/15/1997
 TOTAL SENTENCE...: 010 00 000 MAND SERV REQMT...: 000 00 000
 INCARC SENTENCE...: 010 00 000 PAROLE FACTOR....: 1 1/4 SENT. REQ.
 PROBATION SENT...: 000 00 000 PAROLE SERV REQMT: 000 00 000
 HIP SENT.....: 000 00 000 HAYES CRED: 00000
 RESTITUTION REQMT: N AMT: .00 JAIL CRED: 00000 EXTRA CRED: 00000
 CONVICTION STATUS: AC ACTIVE SENT START DATE: 07/15/1997 DOM.IND:
 CONSECUTIVE IND...: Y SPOUSE ABUSE: STATUTE CLASSIFICATION...: NON-VIOLENT
 DNA OFFENSE IND...: Y EEC ELIG: Y SCDC CLASSIFICATION.....: NON-VIOLENT
 SEX REG: N PRED OFF: N LAST UPDATE: M STOBBE DATE: 10/03/17
 NO PAROLE: NOT APPLIC CREATED BY.: R SPAIN DATE: 09/03/98

PF8-NEXT CONVICTION PF9-DETAIN PF4-RESTITUTION PAID(FA ONLY)

CMTI200D SCDC OFFENDER MANAGEMENT SYSTEM 07/16/19
 OMCOMITA COMMITMENT APPLICATION C052640
 SCDC #: INQUIRY CURR LOC: MACDOUGA
 PRIMUS, JAMES A NONCONFORM SENT: N RTRN TO COURT: N
 OFFENDER TYPE: ADULT-STRAIGHT SENTENCE
 CONVICTION NUM: S00001 INDICT NUM: 97-18-1046 WARRANT NUM: E091999
 DATE SENTENCED.: 09/01/1998 JUDGE LAST.: BROWN FI: L
 STATUTE: CDR CODE.: 0095 GPS IND: N
 OFFENSE: 1000 KIDNAPPING OFFENSE DATE: 07/13/1997
 CHARACT: F FACILITATION OF COUNTS: 01 OFFENSE CNTY: 18 DORCHESTER
 PLEA...: G GUILTY TYPE OF COURT....: 01 GENERAL SESSIO
 TYPE SENTENCE... : S ADULT-STRAIGHT SCDC JURIS DATE...: 07/15/1997
 TOTAL SENTENCE...: 030 00 000 MAND SERV REQMT...: 025 06 000
 INCARC SENTENCE...: 030 00 000 PAROLE FACTOR....: 2 1/3 SENT. REQ.
 PROBATION SENT...: 000 00 000 PAROLE SERV REQMT: 999 99 999
 HIP SENT.....: 000 00 000 HAYES CRED: 00000
 RESTITUTION REQMT: N AMT: .00 JAIL CRED: 00000 EXTRA CRED: 00000
 CONVICTION STATUS: AC ACTIVE SENT START DATE: 07/15/1997 DOM.IND: Y
 CONSECUTIVE IND...: N SPOUSE ABUSE: STATUTE CLASSIFICATION...: VIOLENT
 DNA OFFENSE IND...: Y EEC ELIG: Y SCDC CLASSIFICATION.....: VIOLENT
 SEX REG: Y PRED OFF: N LAST UPDATE: M STOBBE DATE: 10/03/17
 NO PAROLE: NO PAROLE CREATED BY.: R SPAIN DATE: 09/03/98

PF8-NEXT CONVICTION PF9-DETAIN PF4-RESTITUTION PAID(FA ONLY)

EWC100D
 EWC100M
 OMEWCA
 SCDC #>

SCDC OFFENDER MANAGEMENT SYSTEM
 EARNED WORK CREDIT ASSIGNMENT
 HISTORY OF EWC ASSIGNMENTS

07/16/19
 C060177

PRIMUS, JAMES A
 OFFENDER TYPE: ADULT-STRAIGHT SENTENCE
 ASSIGNMENT...: 8005 CHAPEL

CURR LOC.....: MACDOUGALL
 CURR CUST/SEC: MI2
 CUSTODY LIMITATIONS...: Y

JOB DESCRIPTION	START DATE	END DATE	TERMINATION REASON	JOB LVL	EWC DYS	F/P	TOT EWC
CUSTODIAL WORKER	04/26/16			3	5	F	0.000
CUSTODIAL WORKER	04/16/13	04/20/16	INSTIT TRANSFER	3	5	F	262.142
HORTICULTURE TRAINEE	01/31/13	04/15/13	DISCIPLINARY/LO	3	5	F	17.857
CUSTODIAL WORKER	12/09/10	01/30/13	INMATE REQUEST	3	5	F	186.666
LAUNDRY HELPER	09/28/10	12/08/10	INMATE REQUEST	3	5	F	17.142
CUSTODIAL WORKER	07/01/10	09/27/10	PROMOTION	3	5	F	21.190
WARDKEEPER	03/27/09	06/29/10	INSTIT TRANSFER	3	5	F	109.523
MATERIAL HANDLING EQ	01/31/08	03/24/09	INSTIT TRANSFER	3	5	F	99.761
BAKER	10/18/07	01/30/08	INMATE REQUEST	3	5	F	25.000
FOOD SERVICE AIDE	08/14/07	10/17/07	LATERAL TRANSFE	3	5	F	15.476
MACHINE OPERATOR	01/16/07	08/13/07	INMATE REQUEST	3	5	F	50.000
FOOD SERVICE AIDE	10/31/06	01/15/07	INMATE REQUEST	3	5	F	18.333

PAGE.> 0001

PF3:ASSIGN EWC PF4:MODIFY EWC PF5:TERMINATE EWC PF6:HDQS ADD EWC

EWCI100D SDCDC OFFENDER MANAGEMENT SYSTEM 07/16/19
 EWCI100M EARNED WORK CREDIT ASSIGNMENT C060177
 OMEWCA HISTORY OF EWC ASSIGNMENTS
 SDCDC #> 2 CURR LOC.....: MACDOUGALL
 PRIMUS, JAMES A CURR CUST/SEC: MI2
 OFFENDER TYPE: ADULT-STRAIGHT SENTENCE CUSTODY LIMITATIONS...: Y
 ASSIGNMENT....: 8005 CHAPEL

JOB DESCRIPTION	START DATE	END DATE	TERMINATION REASON	JOB LVL	DYS	EWC F/P	TOT EWC
GENERAL WORKER	10/14/06	10/30/06	INMATE REQUEST	3	5	F	4.047
MECHANIC HELPER	10/04/06	10/12/06	INSTIT TRANSFER	3	5	F	2.142
MECHANIC HELPER	06/22/06	10/03/06	INSTIT TRANSFER	3	5	F	24.761
MECHANIC HELPER	08/06/04	06/21/06	INSTIT TRANSFER	3	5	F	163.095
MECHANIC HELPER	04/30/04	08/03/04	COURT	3	5	F	22.857
MECHANIC HELPER	01/14/04	04/29/04	INSTIT TRANSFER	3	5	F	25.476
MECHANIC HELPER	03/12/03	01/08/04	INSTIT TRANSFER	3	5	F	72.142
CUSTODIAN HELPER	11/12/02	03/11/03	INMATE REQUEST	3	5	F	28.571
HORTICULTURE TRAINEE	07/17/01	11/05/02	INSTIT TRANSFER	3	5	F	113.571
SHIPP & RECEIVING CLE	10/06/00	04/22/01	PLACED IN ST/SP	3	5	F	47.380
LANDSCAPE LABORER	09/25/99	10/05/00	INMATE REQUEST	3	5	F	89.761
CUSTODIAL WORKER	04/01/99	09/24/99	INMATE REQUEST	3	5	F	42.142

PAGE.> 0002

PF3:ASSIGN EWC PF4:MODIFY EWC PF5:TERMINATE EWC PF6:HDQS ADD EWC

DISI100D

SCDC OFFENDER MANAGEMENT SYSTEM
DISCIPLINARY SYSTEM

07/16/19
C052640

SCDC ID:

DISPLAY INMATE OFFENSE HISTORY

PRIMUS, JAMES A

CURR LOC: MACDOUGALL

OFFENDER TYPE: ADULT-STRAIGHT

PURCHASED TV
SERIOUS MENTAL ILLNESS: N

CASE#	OFFENSE DESCRIPTION	TYPE ACTION	OFFENSE DATE	HEARING DATE	NET GT LOST	DHO DECISION	OFF LVL
00007	DISRESPECT	ADMINIST	04/08/13	04/16/13	00000	CONVICTED	3
00005	INTERFERING WITH COUN	ADMINIST	06/01/06	/ /	00000	CONVICTED	3
00004	OUT OF PLACE	OTHER AC	12/27/02	/ /	00000	CLOSED	3
00003	REFUSING TO WORK	OTHER AC	10/08/01	/ /	00000	CLOSED	3
00002	REFUSING OR FAILING O	MINOR DI	09/21/01	09/28/01	00000	CONVICTED	3
00001	FIGHTING WITHOUT A WE	MAJOR DI	04/21/01	04/30/01	00000	CONVICTED	3

END OF LIST

PAGE 0001

SELECT A RECORD AND PRESS <ENTER> TO DISPLAY OR <PF04> TO MODIFY
PF4-MODIFY PF6-DISMISSED/NOT GUILTY PF11-QUIT PF10-MAIN MENU

#252315
Stoabe

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF DORCHESTER

CERTIFIED COPY 97-GS-18-1045
INDICTMENT/CASE #:

STATE VS. 2014 JUN 11 AM 11:37

James A. Primm
AKA: _____
Race: _____ Sex: _____
DOB: _____ Age: _____
SSN: _____
DL#: _____
SID#: _____
CLERK OF COURT
DORCHESTER COUNTY

A/W#: E. 091778
Date of Offense: 7-13-97
S.C. CODE §: 16-3-652
CDR Code #: 13

SENTENCE
~~HOUSE~~ TRIAL 6-11-14

In disposition of the said indictment comes now the Defendant who was CONVICTED OF or PLEADS TO: Assault & Battery of a High and Aggravated Nature
In violation of § _____ of the S.C. Code of Laws, bearing CDR Code # 13

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:

Margaret + Mrs. Grace
Solicitor

Defendant

Attorney for Defendant

WHEREFORE, the Defendant is committed to the State Department of Corrections, County Detention Center, or Under Youthful Offender Act for a term of 10 days/months/years and/or to pay a fine of \$ _____; provided the sentence be suspended upon the service of _____ days/months/years and/or payment of \$ _____ plus costs and assessments as applicable*; the balance suspended with probation for _____ months/years.

CONCURRENT or CONSECUTIVE to sentence on: 97-GS-18-1046

SPECIAL CONDITIONS:

- RESTITUTION Heard, Waived, Ordered
- Total: \$ _____
- Pay Terms: _____
- Recipient: _____
- FTUP
- _____ days/hours Public Service Employment
- Obtain GED
- Attend Voc Rehab. or Job Corps
- May serve W/E beginning _____
- Substance Abuse Counseling
- Random Drug/Alcohol Testing
- Fine may be pd. in equal, consecutive weekly/monthly pmts. of \$ _____ beginning _____
- Other: Credit for jail time since July 15, 1997
- Other: _____

*Fine _____ \$
 §14-1-206 - Assessments 100% _____ \$
 §14-1-211 - Surcharge _____ \$ 100.00
 (Exceptions: See §14-1-211)
 §56-5-2995 (DUT) _____ \$
 TOTAL _____ \$ 100.00

Deal E. Stange
Clerk of Court/Deputy Clerk
Court Reporter: R. Keil

PRESIDING JUDGE
Sentence Date: 9-1-98
Judge Code: 090 SCCA/217 (12/97)

STATE OF SOUTH CAROLINA
COUNTY OF DORCHESTER

IN THE COURT OF GENERAL SESSIONS

97 INDICTMENT/CASE #:
-GS- 1046

STATE VS.

James H. Parnis

AKA _____

Race: _____ Sex: _____

DOB: _____ Age: _____

SSN: _____

DL#: _____

SID#: _____

A/W#: E091999

Date of Offense: 7-13-97

S.C. CODE §: 16-3-910

CDR Code #:

		95
--	--	----

SENTENCE

PLEA TRIAL

In disposition of the said indictment comes now the Defendant who was CONVICTED OF or PLEADS TO: kidnapping

in violation of § _____ of the S.C. Code of Laws, bearing CDR Code #

		95
--	--	----

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:

Michael H. Dowd
Solicitor

Defendant

William Runyon
Attorney for Defendant

WHEREFORE, the Defendant is committed to the State Department of Corrections, County Detention Center, or Under Youthful Offender Act for a term of 30 days/months/years and/or to pay a fine of \$ _____; provided the sentence be suspended upon the service of _____ days/months/years and/or payment of \$ _____ plus costs and assessments as applicable*; the balance suspended with probation for _____ months/years.

CONCURRENT or CONSECUTIVE to sentence on: _____

SPECIAL CONDITIONS:

RESTITUTION Heard, Waived, Ordered

Total: \$ _____

Pay Terms: _____

Recipient: _____

- PTUP
- _____ days/hours Public Service Employment
- Obtain GED
- Attend Voc Rehab. or Job Corps
- May serve W/E beginning _____
- Substance Abuse Counseling
- Random Drug/Alcohol Testing
- Fine may be pd. in equal, consecutive weekly/monthly pmts. of \$ _____ beginning _____
- Other: credit for jail time
- Other: credit for 15, 1998

*Fine..... \$ _____
 §14-1-206 - Assessments 100%..... \$ _____
 §14-1-211 - Surcharge..... \$ 100.00
 (Exceptions: See §14-1-211)
 §56-5-2095 (DUI)..... \$ _____
 TOTAL..... \$ 100.00

Judith E. Thoreau
Clerk of Court/Deputy Clerk

Court Reporter: Keel

PRESIDING JUDGE

Sentence Date: 09-1-98

Judge Code:

0	0	0
---	---	---

SCCA/217 (12/97)

1 THE COURT: All right. Appears to be in
2 order. You may publish it.

3 THE CLERK: Indictment number
4 97-GS-18-1045, the State of South Carolina versus
5 James Anthony Primus indicted for criminal sexual
6 conduct first degree. Verdict: Guilty of assault
7 and battery of a high and aggravated nature.

8 Indictment number 97-GS-18-1046, the State of
9 South Carolina versus James Anthony Primus, indicted
10 for kidnapping. Verdict: Guilty.

11 Indictment number 97-GS-18-1043, the State of
12 South Carolina versus James Anthony Primus indicted

13 ~~for burglary in the second degree. Verdict: Not~~
14 guilty of burglary. Signed by Samuel Joyner, Jr.

15 If this is your verdict, would you please all
16 raise your right hand?

17 (All jurors raise their right hand.)

18 THE COURT: Appears to be in order.
19 Anything further from the State?

20 MS. MCDONALD: Nothing from the State,
21 your Honor.

22 THE COURT: Defense?

23 MR. RUNYON: Waive polling, Judge.

24 THE COURT: You waive it?

25 MR. RUNYON: We waive polling, yes, sir.

RECORDED
WITNESSES
2015 DEC 15 PM 4:16
CHERYL SWANHAM
CLERK OF COURT
DORCHESTER COUNTY

DOCKET #: 15-00000-0443
THE STATE OF SOUTH CAROLINA
County of Dorchester

COURT OF GENERAL SESSIONS
Term: September, 1997

THE STATE
DORCHESTER COUNTY
CHERYL SWANHAM
CLERK OF COURT
2015 NOV 30 PM 2:41
RECORDED

ARREST WARRANT #:

ED91998

INDICTMENT FOR

Arrested on July 15, 1997

ACTION OF GRAND JURY

TRUE BILL

By: _____
Date: _____

Foreman: DeVilge 7/18/97
Grand Jury

VERDICT

- Not Guilty of Criminal Sexual Conduct
- Guilty of Criminal Sexual Conduct in the First Degree
- Guilty of Criminal Sexual Conduct in the Second Degree
- Guilty of Assault and Battery of a High and Aggravated nature

STATE OF SOUTH CAROLINA

COUNTY OF DORCHESTER

IN THE COURT OF GENERAL SESSIONS

#252315
Stoore

CERTIFIED COPY 97-GS-18-1045
INDICTMENT/CASE #:

STATE VS.

2014 JUN 11 AM 11:37

James A. Primm
AKA _____
Race: _____ Sex: _____
DOB: _____ Age: _____
SSN: _____
DL#: _____
SID#: _____

CLERK OF COURT
DORCHESTER COUNTY

A/W#: E091778
Date of Offense: 7-13-97
S.C. CODE §: 16-3-652
CDR Code #: 113

SENTENCE ~~With~~ TRIAL 6-11-14

In disposition of the said indictment comes now the Defendant who was CONVICTED OF or PLEADS

TO: Battery of a High and Aggravated Nature
In violation of § _____ of the S.C. Code of Laws, bearing CDR Code # 113

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:

[Signature]
Solicitor

Defendant

Attorney for Defendant

WHEREFORE, the Defendant is committed to the State Department of Corrections, County Detention Center,
or Under Youthful Offender Act for a term of 10 days/months/years and/or to pay a fine of \$ _____;
provided the sentence be suspended upon the service of _____ days/months/years and/or payment of \$ _____
plus costs and assessments as applicable*; the balance suspended with probation for _____
months/years.

CONCURRENT or CONSECUTIVE to sentence on: 97-GS-18-1046

SPECIAL CONDITIONS:

RESTITUTION Heard, Waived, Ordered

Total: \$ _____

Pay Terms: _____

Recipient: _____

- PTUP
- _____ days/hours Public Service Employment
- Obtain GED
- Attend Voc Rehab. or Job Corps
- May serve W/E beginning _____
- Substance Abuse Counseling
- Random Drug/Alcohol Testing
- Fine may be pd. in equal, consecutive weekly/monthly pmts. of \$ _____ beginning _____
- Other: credit for jail time
- Other: credit for jail time

*Fine	\$ _____
§14-1-206 - Assessments 100%	\$ _____
§14-1-211 - Surcharge	\$ <u>100.00</u>
(Exemptions: See §14-1-211)	
§56-5-2995 (DUI)	\$ _____
TOTAL	\$ <u>100.00</u>

[Signature]
Clerk of Court/Deputy Clerk
Court Reporter: *[Signature]*

PRESIDING JUDGE
Sentence Date: 9-1-98

Judge Code: 090

SCCA217 (12/97)

STATE OF SOUTH CAROLINA

COUNTY OF DORCHESTER

STATE VS.

James R. Ramirez

Sex: [redacted] Clerk of Court DORCHESTER COUNTY

[redacted] [redacted] [redacted] [redacted] [redacted]

CERTIFIED COPY
2000 MAR 13 PM 5:00

IN THE COURT OF GENERAL SESSIONS

INDICTMENT/CASE #: 97-GS-18-1046

A/W#: E091999

Date of Offense: 7-13-97

S.C. CODE §: 16-3-910

CDR Code #: 95

SENTENCE

PLEA TRIAL

CONVICTED OF or PLEADS

Disposition of the said indictment comes now the Defendant who was

kidnapping

violation of § _____ of the S.C. Code of Laws, bearing CDR Code #

95

NON-VIOLENT VIOLENT SERIOUS MOST SERIOUS

Charge is: As Indicted, Lesser Included Offense, Defendant Waives Presentment to Grand Jury.

Plea is: Without Negotiations or Recommendation Negotiated Sentence Recommendation by the State

EST:

Open Bail Deal

Defendant

William Ramirez
Attorney for Defendant

HEREFORE, the Defendant is committed to the State Department of Corrections, County Detention Center, Under Youthful Offender Act for a term of 30 days/months/years and/or to pay a fine of \$ _____.

Ordered the sentence be suspended upon the service of _____ days/months/years and/or payment of _____ plus costs and assessments as applicable*; the balance suspended with probation for _____ days/months/years.

CONCURRENT or CONSECUTIVE to sentence on:

SPECIAL CONDITIONS:

RESTITUTION Heard, Waived, Ordered

Total: \$ _____

Pay Terms: _____

Recipient: _____

- PTUP
- _____ days/hours Public Service Employment
- Obtain GED
- Attend Voc Rehab. or Job Corps
- May serve W/E beginning _____
- Substance Abuse Counseling
- Random Drug/Alcohol Testing
- Fine may be pd. in equal, consecutive weekly/monthly pmts. of \$ _____ beginning _____

06 - Assessments 100% \$ _____

11 - Surcharge \$ 100.00

05 - Sec §14-1-211 \$ _____

095 (DUT) \$ 100.00

Deal S. Thorsen

Court/Deputy Clerk

Reporter: Keel

Other: Debit for bail bond

Other: James Ramirez 15, 1998

PRESIDING JUDGE

Sentence Date: 09-1-98

Judge Code: 0001

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

MR. RUNYON: Thank you very much, your

honor.

THE COURT: Get credit for the jail

time.

MR. RUNYON: Thank you very much.

- - - ooo - - -

COUNTY OF DORCHESTER

STATE VS.

JAMES ANTHONY PRIMUS

AKA:
Race: B Sex: M
JOB: 6-10-59 Age:
SSN: 248-12-6872
DL#:
IID#:

IN THE COURT OF GENERAL SESSIONS

INDICTMENT/CASE #:

97-GS-18-1044

AW#: F418891

Date of Offense: 7-17-97

S.C. CODE §: 44-53-375(A)

CDR Code #: 100

SENTENCE

PLEA TRIAL

Disposition of the said indictment comes now the Defendant who was CONVICTED OF or PLEADS

to: POSSESSION OF CRACK COCAINE

violation of § 44-53-375(A) of the S.C. Code of Laws, bearing CDR Code #

1100

NON-VIOLENT VIOLENT SERIOUS MOST SERIOUS

The charge is: As Indicted, Lesser Included Offense, Defendant Waives Presentment to Grand Jury

he plea is: Without Negotiations or Recommendation Negotiated Sentence

Recommendation by the State

TEST:

Prosecutor

Defendant

Attorney for Defendant

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

Under Youthful Offender Act for a term of 90 days/months/years and/or to pay a fine of \$

provided the sentence be suspended upon the service of days/months/years and/or payment of

plus costs and assessments as applicable*; the balance suspended with probation for

months/years.

CONCURRENT or to this being served credit for one year

CONSECUTIVE to sentence on:

SPECIAL CONDITIONS:

RESTITUTION Heard, Waived, Ordered PTUP

Total: \$

Pay Terms:

Recipient:

- days/hours Public Service Employment
Obtain GED
Attend Voc Rehab. or Job Corps
May serve W/E beginning
Substance Abuse Counseling
Random Drug/Alcohol Testing
Fine may be pd. in equal, consecutive weekly/monthly pmts. of \$ beginning
Other:
Other:

1-206 - Assessments (10%)
1-211 - Surcharge
Options: See §14-1-211
5-2995 (DUI)
Al

Clerk of Court/Deputy Clerk

Reporter:

PRESIDING JUDGE

Sentence Date: 9-1-98

Judge Code: 0100

SCCA-217 (12-97)

CERTIFICATE OF Counsel Appellant
Appellant certifies that this Record on Appeal
Contains all material proposed to be included
by any of the parties and not any other material

Date

March 11 2021

James Anthony Primus 252315
James Anthony Primus Pro Se
MacDougal Correctional Institution
1516 Old Gilliard Road
Ridgeville S.C. 29492