

**RECEIVED**

**Jun 24 2021**

**SC Court of Appeals**

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

---

Appeal from Greenville County

Honorable Edward W. Miller, Circuit Court Judge

---

THE STATE,

RESPONDENT,

V.

TIMOTHY WILLIAM PYLE,

APPELLANT

APPELLATE CASE NO. 2020-001484

---

RECORD ON APPEAL

---

TAYLOR D GILLIAM  
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

MATTHEW BUCHANAN  
General Counsel  
S.C.P.P.S.  
Post Office Box 207  
Columbia, SC 29202

ATTORNEY FOR APPELLANT

ATTORNEYS FOR RESPONDENT

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STATE OF SOUTH CAROLINA  
COUNTY OF GREENVILLE

IN THE COURT OF GENERAL SESSIONS

STATE OF SOUTH CAROLINA, )  
 )  
 PLAINTIFF, )  
 )  
 -VS- )  
 )  
 TIMOTHY PYLE, )  
 )  
 DEFENDANT. )  
 \_\_\_\_\_ )

2019-GS-23-07486 & 07512

TRANSCRIPT OF RECORD

OCTOBER 23, 2020  
GREENVILLE, SOUTH CAROLINA

BEFORE:

THE HONORABLE EDWARD W. MILLER

APPEARANCES:

ATTORNEY FOR PLAINTIFF:

PROBATION AGENT HOUSEHOLDER

ATTORNEY FOR DEFENDANT:

JOHN C. SHIPMAN, ESQ.

SUSAN W. HUDGINS  
CIRCUIT COURT REPORTER

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WITNESS

PAGE NO.

CERTIFICATE OF REPORTER

6



1           **THE COURT:** All right. Mr. Pyle, if you would, raise  
2 your right hand. Do you swear to tell the truth?

3           **MR. PYLE:** Yes, Your Honor.

4           **THE COURT:** Okay. You can put your hand down. Thank  
5 you. Have you had a chance to review your violation report?

6           **MR. PYLE:** Yes, Your Honor.

7           **THE COURT:** Do you admit the violations they've alleged?

8           **MR. SHIPMAN:** Your Honor, as to the shotgun charge,  
9 that's still pending. And he's pleaded not guilty to that.  
10 But he would admit to the absconding, Your Honor.

11           **THE COURT:** Do you admit to the violations they've  
12 alleged?

13           **MR. PYLE:** Not to the shotgun. I plead not guilty. But  
14 to the absconding, yes, Your Honor.

15           **THE COURT:** Okay. Do you have a legal reason that would  
16 excuse the absconding?

17           **MR. PYLE:** No, Your Honor.

18           **THE COURT:** Okay. I find him in wilful violation. What  
19 do you want to tell me?

20           **MR. SHIPMAN:** Your Honor, may it please the Court? This  
21 charge is pending in Abbeville. We just got him appointed an  
22 attorney down there. We were able to get him an application  
23 up here and send it down. I'm not sure if anybody's been  
24 appointed down there yet.

25           But they're asking for a full revocation on this. I

1 respectfully ask you to consider a time served revocation, 45  
2 days that he's been in. And if it needs to be revisited upon  
3 any kind of conviction for the shotgun charge, I think that  
4 would be the more appropriate time to revisit it, something  
5 towards -- other than the full revocation, Your Honor.

6 **THE COURT:** All right. Anything you want to tell me,  
7 agent?

8 **PROBATION AGENT:** Yes, Your Honor. I would just like to  
9 point out that I wasn't violating him for the pending charge,  
10 the firearm. I was violating him for the possession of the  
11 firearm.

12 And I just want to say that this is his third probation  
13 case. He's had at least five convictions, prior convictions.  
14 And I'd just like you to take that into consideration.

15 **THE COURT:** Okay. I'm going to revoke 18 months and  
16 terminate him.

17 **MR. SHIPMAN:** Thank you, Your Honor.

18 (Hearing Ended at 10:52 am)

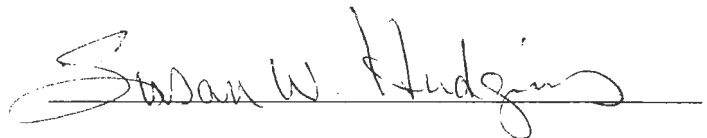
19 (End of Requested Transcript of Record)

## Certificate of Reporter

I, the undersigned, Susan W. Hudgins, Official Court Reporter for the Thirteenth Judicial Circuit of the State of South Carolina, do hereby certify that the foregoing is a true, accurate, and complete transcript of record of all the proceedings had and evidence introduced in the trial/hearing of the captioned case, relative to appeal, in the Circuit Court for Greenville County, South Carolina, on the 23rd day of October 2020.

I do further certify that I am neither of kin, counsel, nor interest to any party hereto.

January 8, 2021

A handwritten signature in cursive script that reads "Susan W. Hudgins". The signature is written in black ink and is positioned above a horizontal line.

Circuit Court Reporter

STATE OF SOUTH CAROLINA

COUNTY OF GREENVILLE

STATE

-vs-

Timothy William Pyle

IN THE COURT OF GENERAL SESSIONS  
IND# 19 -GS- 23 - 7486 \_\_\_\_\_  
19-7512 sdp Count

STANDARD CONDITIONS OF PROBATION

1. I shall report in person to the South Carolina Department of Probation, Parole and Pardon Services= office on the day of my sentencing or release, and as instructed by the Department; and I shall make complete and truthful reports to the Agent.
2. I shall not change my residence or employment without the consent of my Agent. Further, I shall allow my Agent to visit me in my home, at my place of employment, or elsewhere, at any time.
3. I shall not use controlled substances, except when properly prescribed by a licensed physician, nor consume alcoholic beverages to excess, nor enter establishments whose primary business is the sale and drinking of alcoholic beverages. Further, I shall submit to a urinalysis, blood test or provide forensic evidence when instructed by Agents of the Department, and I agree that any of these test results may be used as evidence in any hearing for the violation of the conditions of my supervision.
4. I shall not possess or purchase any firearms or other dangerous weapons, and I shall not associate with any person who has a criminal record, or any other person whom my Agent has instructed me to avoid.
5. I shall work diligently at a lawful occupation. Further, I shall notify my Agent if I become unemployed.
6. I shall not violate any Federal, State, or Local Law, and I shall immediately contact my Agent if I am ever arrested or questioned by a law enforcement official for any reason whatsoever.
7. I shall pay a supervision fee and any other fees as determined by the Department.
8. I shall not leave the State without permission from my Agent. Further, if I am ever arrested in another state for violating these conditions, I hereby irrevocably waive all extradition rights I may otherwise have been entitled to and agree to return to South Carolina when directed by my Agent, the Court or by a warrant.
9. I shall obey all conditions of supervision set forth in this order including the payment of fines, restitution or other payments, and the service of any period of incarceration.
10. I shall follow the advice and instructions of my Agent and I agree to comply with any further conditions imposed by the Department or its Agents.
11. I agree to pay restitution and a statutory collection fee payable to the Department of Probation, Parole, and Pardon Services as directed by Agents of the Department. (20% collection fee charged)
12. Unless I was convicted of or pled guilty or nolo contendere to a Class C misdemeanor or an unclassified misdemeanor that carries a term of imprisonment of not more than one year, I shall be subject to a search or seizure, without a search warrant, based on reasonable suspicions, of my person, any vehicle I own or am driving, and any of my possessions by: (1) any probation agent employed by the Department; or (2) any other law enforcement officer.

I hereby certify that this statement of Conditions has been read and explained to the Probationer listed above and he/she has agreed to them.

I hereby certify that the Conditions above have been explained fully to me and in agreement thereto, I attach my signature:

This 9 day of July, 2020  
Carrie Wake  
Agent

[Signature]  
Offender

301 University Ridge Suite 6500, Greenville, SC 29601

Agents Address

Offenders Address

864-282-4540

Agents Phone Number

Offenders Phone Number

- REPORT ON your agent will be contacting you within a few days
- REPORT TODAY TO 301 UNIVERSITY RIDGE SUITE 6500 GREENVILLE, SC 29601 \_\_\_\_\_
- REPORT UPON RELEASE TO \_\_\_\_\_

# South Carolina Department of Probation, Parole and Pardon Services

## Violation Report - (Report 1106)

Personal Information					
Name:	SID:	DOB:	SCDC#:	Supervision Level:	Agent Name:
TIMOTHY WILLIAM PYLE				Jail	0122-Bruce Householder

Sentencing Information			
Order: 3	Potential End Date: 10/2/2021	Adjusted End Date: 5/29/2022	
Warrant/Citation Numbers: W-23-20-0943			
Sentence Date: 07/09/2020	County Name: GREENVILLE	GPS Indicator:	
Authority: Judge - Miller, Edward			

Indictment Number: 19-G5-23-07486	Offense Code: 3016 - Possession of less than one gram of methamphetamine or cocaine base, 3rd or sub.
-----------------------------------	---

Supervision: Probation	Sup. Begin Date: 07/09/2020	Sup. End Date: 07/08/2022
Sentence: POSS OF METHAMPHETAMINE, 3RD OFFENSE; 5YRS SUSPENDED WITH 2YRS PROBATION, CTS 2DYS(PBT)		
Special Conditions: Other1 - APPOINTED PD OR APPOINTED OTHER COUNSEL, PROVISIO REQUIRES \$500 BE PAID TO CLERK DURING PROBATION AND SHALL BE COLLECTED BEFORE ANY OTHER FEES.; RADT - Random Alcohol/Drug Testing; SAC - Substance Abuse Counseling		

Indictment Number: 19-G5-23-07512	Offense Code: 2464 - Hit and run, att. vehicle, duties of driver involved in accident, property damage
-----------------------------------	--

Supervision: Probation	Sup. Begin Date: 07/09/2020	Sup. End Date: 07/08/2022
Sentence: TRAFFIC/HIT AND RUN, DUTIES OF DRIVER; 1YR SDP, CTS 2DYS		
Special Conditions:		

Residence Summary & Address History			
Address:	Begin Date:	End Date:	Time at Residence:
RD, PELZER, SC, 29669	10/24/2019		0 YR, 11 MO, 16 DY

Employment History				
Employer:	Location:	Begin Date:	End Date:	Time at Employer:
SELF EMPLOYED		07/09/2020		0 YR, 2 MO, 29 DY

Account Information								
Account Name:	Case:	Indictment #:	Monthly Obligation:	Total Obligation:	Account Balance:	Payments in Arrears:	Arrearage:	Last Payment Made:
Regular Supervision			\$50.00	\$1,200.00	\$1,200.00	2	\$100.00	
Surcharge	104	19-G5-23-07512	\$10.00	\$25.75	\$25.75	2	\$20.00	
Surcharge	103	19-G5-23-07486	\$15.00	\$283.25	\$283.25	2	\$30.00	
Public Defender Fund	103	19-G5-23-07486	\$25.00	\$515.00	\$515.00	2	\$50.00	
Drug Test Fee			\$20.00	\$20.00	\$20.00	1	\$20.00	

Violation History			
Violation:	Start Date:	Complete Date:	Disposition:

Current Violation(s) Summary

**South Carolina Department of Probation, Parole and Pardon Services**  
**Violation Report - (Report 1106)**

<b>Violations:</b>	16.x
<b>Condition:</b>	<b>Description:</b>
2	I shall not change my residence or employment without the consent of my agent. Further, I shall allow my Agent to visit me in my home, at my place of employment, or elsewhere at any time.
4	I shall not possess or purchase any firearms or other dangerous weapons, and I shall not associate with any person who has a criminal record, or any other person whom my Agent has instructed me to avoid.
7	I shall pay a supervision fee as determined by the Department.
9	I shall obey all conditions of supervision set forth in this order including the payment of fines, restitution or other payments, and the service of any period of Incarceration.
10	I shall follow the advice and instructions of my Agent and I agree to comply with any further conditions imposed by the Department or its' Agents.

**Description:**

By being in possession of a firearm as evidenced by his arrest for being in possession of a sawed off shot gun 2020A0120200093 and Felon in possession of a firearm 2020A0120200094 by the Calhoun Falls Police Department. By failing to notify Agent of his current address in that he has moved to 409 Tate St. Calhoun Falls, SC with out permission from his Agent. By failing to pay Supervision fee being \$100 in arrears, By failing to pay Surcharge by being \$50 in arrears, B failing to pay PDF being \$50 in arrears.  
 Such actions constitute violation of conditions 2, 4, 7, 9, 10.

**The Agent's Recommended Response(s) Summary**

**Responses:**  
 Revocation. Order satisfies fines and fees.

**Justification:**  
 Mr. Pyle is not a good candidate for probation. He has been difficult to supervise in his short time and was in possession of a weapon.

**Approved By: Tyler Chase, 10/8/2020**

**End Of Violation Report**

Form 16.1- Arrest Warrant  
Form Approved by  
SC Attorney General  
Section 17-13-160  
March 15, 1978

Probation

**ARREST WARRANT**

Indictment Number: 19-GS-23-07486, 19-GS-23-07512

Warrant Number: W-23-20-0943.

State identification No. (SID) 02085129

**STATE OF SOUTH CAROLINA**

COUNTY OF GREENVILLE

TO ANY LAW ENFORCEMENT OFFICER OF THIS STATE OR COUNTY OR OF THE MUNICIPALITY OF GREENVILLE, AND ANY CONSTABLE OF THIS MAGISTERIAL DISTRICT;

It appearing from the attached affidavit that there are reasonable grounds to believe that TIMOTHY WILLIAM PYLE, did on the 9 day of September, 2020 violate the criminal laws of the State of South Carolina as set forth below:

**DESCRIPTION OF OFFENSE:**

The offender has violated conditions 2, 4, 7, 9, 10 of the standard Department conditions associated with Section 24-21-430. The offender has also violated special conditions imposed by the General Sessions Court per order dated July 09, 2020. This warrant or citation is issued pursuant to section 24-21-450 or 300.

Now, therefore, you are empowered and directed to arrest the said defendant and bring TIMOTHY WILLIAM PYLE 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. Done at GREENVILLE, S. C. this 9 day of September, 2020.

*Daeshawn Scott*  
Signature of Probation and Parole Agent

(L.S.)

County of GREENVILLE

**STATE OF SOUTH CAROLINA**

**AFFIDAVIT**

Personally appeared before me, one Daeshawn Scott, who, first being duly sworn, deposes and says that TIMOTHY WILLIAM PYLE did within this County and State on the 9 day of September, 2020, violate the criminal laws of the State of South Carolina in the following particulars:

**DESCRIPTION OF OFFENSE:**

The offender has violated conditions 2, 4, 7, 9, 10 of the standard Department conditions associated with Section 24-21-430. The offender has also violated special conditions imposed by the General Sessions Court per order dated July 09, 2020. This warrant or citation is issued pursuant to section 24-21-450 or 300.

The affiant states that there is probable cause to believe that the defendant named above did commit the crime(s) set forth, and that such probable cause is based on the following facts:

By being in possession of a firearm as evidenced by his arrest for being in possession of a sawed off shot gun 2020A0120200093 and Felon in possession of a firearm 2020A0120200094 by the Calhoun Falls Police Department. By failing to notify Agent of his current address in that he has moved to 409 Tate St. Calhoun Falls, SC with out permission from his Agent. By failing to pay Supervision fee being \$100 in arrears, By failing to pay Surcharge by being \$50 in arrears, B failing to pay PDF being \$50 in arrears. Such actions constitute violation of conditions 2, 4, 7, 9, 10.

Sworn to and Subscribed before me  
this 9 day of September, 2020.

*Daeshawn Scott*  
Affiant

*[Signature]*  
Signature of Notary Public  
03/21/2022  
My Commission Expires

(L.S.)

Address: SUITE 6500  
301 UNIVERSITY RIDGE  
GREENVILLE, SC 29601  
(864) 282-4540

RETURN

STATE OF SOUTH CAROLINA

COUNTY OF

GREENVILLE

THE STATE

against

TIMOTHY WILLIAM PYLE

ARREST WARRANT

Offense: Violation of Conditions of Probation Supervision

Offense Section: 24-21-450

Date: 9/9/2020

Officer and Agency: SC Department of Probation, Parole and Pardon Services

Daeshawn Scott

Disposition

Sentence

Co-Defendants

INFORMATION ON DEFENDANT

Name: TIMOTHY WILLIAM PYLE

Address: [REDACTED] RD  
PELZER, SC 29669

Phone: [REDACTED]

Sex: Male Race: White Height: 511

Weight: 140 Birth date: [REDACTED]

Social Security Number: [REDACTED]

INFORMATION ON WITNESSES

Name

Address

Phone

Name

Address

Phone

Name

Address

Phone

Name

Address

Phone

PRELIMINARY HEARING held by

Magistrate

on

with

Attorney for the Defendant.

Decision

BAIL

Date Set

Magistrate

Amount

Surety

Constable or Law Enforcement Officer

A copy of this Arrest Warrant was delivered by me to the following defendant:

on the 10 day of Sept. 2020.

Constable or Law Enforcement Officer

This Warrant is certified for service in [County of warrant Certification] County. The accused is to be arrested and brought before me to dealt with according to law.

(L.S.)

Signature of Judge

AKA Timothy Ryle  
Race: White Sex: Male  
DOB: [REDACTED]  
SSN: [REDACTED]  
SID#: [REDACTED]

**JAIL** W10798.25  
IN THE COURT OF GENERAL SESSIONS  
Indictment Number:  
19 -GS- 23 - 07486  
Probation C/W#s: W-23-20-0493  
Name of Original Offense: Pos. A/Mch 30 off  
Original A/W#: 2019 A 23 0203137  
Date of Original Offense: 4/6/19  
Conviction S.C. Code #: 44-53-0375(a)  
Conviction CDR Code #: 3 1 0 1 1 6  
Original Sentence: Ess Sys Susp 2yrs prob  
2 days CTS

**ORDER**

The above named defendant has been charged with violating the conditions of probation ordered on 7/9/20 in the Court of General Sessions of Greenville County, and/or the additional conditions ordered by the Court in probation continuation order(s) issued on \_\_\_\_\_ as set forth in the attached ~~warrant(s)~~ or ~~motion(s)~~ dated 9-9-20. After hearing the evidence and being duly advised, in the ~~presence~~ absence of the defendant, I find that the above named defendant has violated the following condition(s) of probation: (List by number or indicate special conditions as provided in the affidavit)  
2, 4, 7, 9 & 10

**Therefore, IT IS ORDERED that:**

- the suspended sentence be revoked and the above named defendant be required to serve 18 months/years, the remainder of the original sentence, and/or pay \$ \_\_\_\_\_
- the suspended sentence be revoked and the above named defendant be required to serve \_\_\_\_\_ months/years of the original sentence and/or pay \$ \_\_\_\_\_ thereupon to be reinstated on probation, subject to the conditions set forth in the attached order and not inconsistent with this order.
- the above named defendant is continued on probation as provided for in the original sentence, subject to the conditions set forth therein and not inconsistent with this order.
- probation is reduced to time served under supervision and the defendant is discharged from supervision on this date.
- the above named defendant is placed on electronic monitoring pursuant to §23-5-540 (mandatory if convicted of first or third degree criminal sexual conduct with a minor or lewd act, discretionary if convicted of any other applicable sex offense against a minor).
- Financial Obligations: Order satisfies:
 

<input checked="" type="checkbox"/> Department fees (arrearage)	<input type="checkbox"/> Civil judgment
<input checked="" type="checkbox"/> Fines and other fees (arrearage <u>balance</u> )	<input type="checkbox"/> Fines and other fees
<input type="checkbox"/> Restitution (and 20%) (arrearage / balance)	<input type="checkbox"/> Restitution (and 20%)
- Additional Conditions ordered by the Court:

- The defendant is given credit for pre-revocation hearing detention time on current probation violation to be calculated and applied by the SC Department of Corrections.
- The defendant is to be given credit for pretrial detention time served (N/A if defendant has served prior SCDC time)
- The defendant has served \_\_\_\_\_ days/months/years of prior revocations and/or initial SCDC time.
- The defendant was previously placed on active electronic monitoring pursuant to §23-5-540.

This 23<sup>rd</sup> day of October, 2020  
Greenville, SC

[Signature]  
Presiding Judge  
Hon. Edward W. Miller  
134  
Judicial Circuit

You are hereby advised that under the law the Court may at any time revoke or modify any condition of this probation, impose any lawful conditions it deems proper, or extend your period of probation not to exceed five (5) years. At any time within the period of your probation, the Court may require you to serve any part of the original sentence imposed.

This is to certify that I have read, or have had read to me, the order and the conditions set forth therein. I agree to comply with such conditions and the conditions of my attachment to this order during the period of my probation. I have received a copy of this Court's order and all attachments.  
Defender's Signature \_\_\_\_\_  
Witnessed by [Signature]  
\_\_\_\_\_  
Greenville, SC

122

JAIL

STATE OF SOUTH CAROLINA  
 County of Greenville  
 STATE VS  
 AKA: Timothy Peyle  
 Race: White Sex: Male  
 DOB: [REDACTED]  
 SSN: [REDACTED]  
 SID#: [REDACTED]

IN THE COURT OF GENERAL SESSIONS  
 Indictment Number:  
19 - GS 23 - 07512  
 Probation C/W#s: W-23-20-0943  
 Name of Original Offense: Hit + Run  
 Original A/W#: 2019 1096020942  
 Date of Original Offense: 5-1-2019  
 Conviction S.C. Code #: 56-05-1220  
 Conviction CDR Code #: 2 / 4 / 6 / 4  
 Original Sentence: 1yr SDP 2days CIS

ORDER

The above named defendant has been charged with violating the conditions of probation ordered on 7 / 9 / 20 in the Court of General Sessions of Greenville County, and/or the additional conditions ordered by the Court in probation continuation orders(s) issued on \_\_\_\_\_, as set forth in the attached warrant(s) or subpoenas dated 7-9-2020. After hearing the evidence and being duly advised, in the presence (absence) of the defendant, I find that the above named defendant has violated the following condition(s) of probation: (List by number or indicate special conditions as provided in the affidavit)  
2, 4, 7, 9 & 10

Therefore, IT IS ORDERED that:

- the suspended sentence be revoked and the above named defendant be required to serve 18 months (years), the remainder of the original sentence, and/or pay \$ \_\_\_\_\_
- the suspended sentence be revoked and the above named defendant be required to serve \_\_\_\_\_ months/years of the original sentence and/or pay \$ \_\_\_\_\_; hereupon to be reinstated on probation, subject to the conditions set forth in the attached order and not inconsistent with this order.
- the above named defendant is continued on probation as provided for in the original sentence, subject to the conditions set forth therein and not inconsistent with this order.
- probation is reduced to time served under supervision and the defendant is discharged from supervision on this date.
- the above named defendant is placed on electronic monitoring pursuant to §23-3-540 (mandatory if convicted of first or third degree criminal sexual conduct with a minor or lewd act, discretionary if convicted of any other applicable sex offense against a minor).
- Financial Obligations Order satisfies:
 

<input checked="" type="checkbox"/> Department fees (arresting)	<input type="checkbox"/> Civil judgment	<input type="checkbox"/> Department fees
<input checked="" type="checkbox"/> Fines and other fees (arresting balance)		<input type="checkbox"/> Fines and other fees
<input type="checkbox"/> Restitution (and 20%) (arresting balance)		<input type="checkbox"/> Restitution (and 20%)
- Additional Conditions ordered by the Court

- The defendant is given credit for pre-arrest/pre-arrest bearing detention time on current probation violation to be calculated and applied by the SC Department of Corrections.
- The defendant is to be given credit for pretrial detention time served (N/A if defendant has served prior SCDC time).
- The defendant has served \_\_\_\_\_ days/months/years of prior revocations and/or initial SCDC time.
- The defendant was previously placed on active electronic monitoring pursuant to §23-3-540.

This 27<sup>th</sup> day of October, 2020  
Greenville SC

[Signature]  
 Presiding Judge  
Hon. Edward W. Miller  
 Judicial Circuit

You are hereby advised that under the law the Court may at any time revoke or modify any condition of this probation; impose any lawful conditions, if such a proper or extend your period of probation not to exceed five (5) years; At any time within the period of your probation, the Court may require you to serve any part of the original sentence imposed.

This is to certify that I have read, or have had read to me, the order and the conditions set out therein. I agree to comply with such conditions and the conditions of my attached probation order during the period of my probation. I have received a copy of this Court's order and all attachments.

Defender's Signature  
 Signed this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_  
 Day Month Year

Witnessed by [Signature]  
Greenville SC

**WITNESSES**

Matthew C Smith

Greenville County Sheriffs Office

4/6/2019

**ARREST WARRANT NUMBER**

2019A2330203137

**ACTION OF GRAND JURY**

*Foreperson of Grand Jury*

**VERDICT**

*Foreperson of Petit Jury*

*Date:*

DOCKET NO. 2019-GS-23-

JLK

007486

**The State of South Carolina**

**County of Greenville**

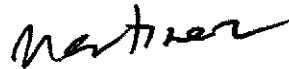
**COURT OF GENERAL SESSIONS**

**TERM 2019**

**THE STATE**

**vs.**

**TIMOTHY WILLIAM PYLE**



Indictment for

3016

**POSSESSION OF METHAMPHETAMINE**

VIOLATION § 44-53-0375

**FILED**

**SEP 27 2019**

**Clerk of Court  
Greenville County**

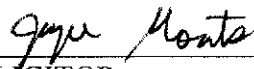
STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF GREENVILLE )

INDICTMENT FOR  
POSSESSION OF METHAMPHETAMINE

At a Court of General Sessions, convened on \_\_\_\_\_ the Grand Jurors of Greenville  
County present upon their oath:

That TIMOTHY WILLIAM PYLE did in Greenville County, on or about the 6th day of April, 2019, willfully and  
unlawfully have in his possession a quantity of Methamphetamine (Crank), a schedule II controlled substance.  
This is in violation of §44-53-0375 of the South Carolina 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.

  
\_\_\_\_\_  
SOLICITOR BAR # 65331

1170697

COUNTY OF Greenville )  
STATE VS. )  
Timothy William Pyle )  
AKA: )  
Race: WHITE Sex: M Age: 38 )  
DOB: [REDACTED] SS#: [REDACTED] )  
Address: [REDACTED] RD. )  
City, State, Zip: Pelzer, SC 29669 )  
DL#: [REDACTED] SID#: [REDACTED] )

INDICTMENT/CASE#: 2019GS2307486  
A/W#: 2019A2330203137  
Date of Offense: 4/6/2019  
S.C. Code § : 44-53-0375(a)  
CDR Code #: 3016

SENTENCE SHEET

10 yrs  
plus \$12,500

\*CDL Yes  No  CMV Yes  No  Hazmat Yes  No   
In disposition of the said indictment comes now the Defendant who was  
TO: POSS OF METHAMPHETAMINE, 3RD OFF

CONVICTED OF or  PLEADS

in violation of § 44-53-0375(a) of the S.C. Code of Laws, bearing CDR Code # 3016  
 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. TWP (defendant's initials)  
The plea is:  Without Negotiations or Recommendation,  Negotiated Sentence,  Recommendation by the State.

ATTEST: Joyce K. Monts 65331 SC Bar# [Signature] Defendant [Signature] MARTINEZ, MICHAEL 101800 SC Bar#  
Attorney for Defendant

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 90 days/months/years and/or payment  
of \$ \_\_\_\_\_; plus costs and assessments as applicable\*; the balance is suspended with probation for 2 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 SCDOC. 20 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 \_\_\_\_\_

Total: \$ \_\_\_\_\_ plus 20% fee: \$ \_\_\_\_\_ days/hours Public Service Employment

Payment Terms: \_\_\_\_\_  
 Set by SCDPPPS \_\_\_\_\_

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	\$ 500.00
\$14-1-212 (Law Enforce. Funding)	\$25	\$ 25.00
\$14-1-213 (Drug Court Surcharge)	\$150	\$ 150.00
\$50-21-114(BUI Breath Test Fee)	\$50	\$
\$56-5-2942(J) (Vehicle Assessment)	\$40/ea	\$
3% to County (if paid in installments)		\$ 23.25

TOTAL \$ 798.25

Clerk of Court/ Deputy Clerk Paul B. Wislizenin  
Court Reporter: Judgis

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 [Signature]  
Judge Code: 2130  
Sentence Date: 7-9-20

ENTERED ACCT

Prob begins today

**WITNESSES**

Matthew Strange

Greenville Police Department

5/1/2019

**ARREST WARRANT NUMBER**  
20191090020942

**ACTION OF GRAND JURY**

*Foreperson of Grand Jury*

**VERDICT**

*Foreperson of Petit Jury*  
*Date:*

DOCKET NO. 2019-GS-23-  
JLK

007512

**The State of South Carolina**

**County of Greenville**

**COURT OF GENERAL SESSIONS**

**TERM 2019**

**THE STATE**

**vs.**

**TIMOTHY WILLIAM PYLE**

Indictment for

2464

**LEAVING THE SCENE OF AN ACCIDENT  
WITH PROPERTY DAMAGE**

VIOLATION § 56-05-1220

**FILED**

**SEP 27 2019**

**Clerk of Court  
Greenville County**

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF GREENVILLE )

INDICTMENT FOR  
LEAVING THE SCENE OF AN ACCIDENT  
WITH PROPERTY DAMAGE

At a Court of General Sessions, convened on

the Grand Jurors of Greenville

County present upon their oath:

That TIMOTHY WILLIAM PYLE did in Greenville County, on or about the 1st day of May, 2019, drive a vehicle which was involved in an accident resulting in damage to an attended vehicle and thereafter did leave the scene of the accident without fulfilling the requirements of §56-05-1230. This is in violation of §56-05-1220 of the South Carolina 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.

  
SOLICITOR

BAR # 65331

STATE OF SOUTH CAROLINA )  
 COUNTY OF Greenville )  
 STATE VS. )  
 Timothy William Pyle )  
 AKA: )  
 Race: WHITE Sex: M Age: 38 )  
 DOB: [REDACTED] SS#: [REDACTED] )  
 Address: [REDACTED] Road )  
 City, State, Zip: Pelzer, SC 29669 )  
 DL#: [REDACTED] SID#: )  
 \*CDL Yes  No  CMV Yes  No  Hazmat Yes  No

IN THE COURT OF GENERAL SESSIONS  
 INDICTMENT/CASE#: 2019GS2307512  
 A/W#: 20191090020942  
 Date of Offense: 5/1/2019  
 S.C. Code § : 56-05-1220  
 CDR Code #: 2464

SENTENCE SHEET

14r

In disposition of the said indictment comes now the Defendant who was  CONVICTED OF or  PLEADS TO: Traffic / Hit And Run, Duties Of Driver

in violation of § 56-05-1220 of the S.C. Code of Laws, bearing CDR Code # 2464  
 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 Presentation to Grand Jury. (defendant's initials) TWT  
 The plea is:  Without Negotiations or Recommendation,  Negotiated Sentence,  Recommendation by the State.

ATTEST: Joyce K. Monts 65331 [Signature] Michael Martinez 101800  
 Monts, Joyce K. SC Bar# [REDACTED] Defendant MARTINEZ, MICHAEL SC Bar# [REDACTED]  
 Attorney for Defendant

WHEREFORE, the Defendant is committed to the  State Department of Corrections,  County Detention Center, for a determinate term of 1 ~~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 SCDOC. 2 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 \_\_\_\_\_  
 Total: \$ \_\_\_\_\_ plus 20% fee: \$ \_\_\_\_\_ days/hours Public Service Employment

Payment Terms: \_\_\_\_\_  
 Sct 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 (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 Fee)	\$50	\$	
§56-5-2942(J) (Vehicle Assessment)	\$40/ea	\$	
3% to County (if paid in installments)		\$	.75
<b>TOTAL</b>		\$	<b>25.75</b>

Obtain GED   
 Attend Voc. Rehab. or Job Corp. \_\_\_\_\_  
 May serve W/F 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.

Clerk of Court/Deputy Clerk Paul B. Wiersma  
 Court Reporter: Hudgin

Presiding Judge [Signature]  
 Judge Code: 2130  
 Sentence Date: 7-9-20

Jun 24 2021

## CERTIFICATE OF COUNSEL FOR APPELLANT

SC Court of Appeals

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,

s/ Taylor D. Gilliam

Taylor D Gilliam

Appellate Defender

South Carolina Commission on Indigent Defense

Division of Appellate Defense

PO Box 11589

Columbia, SC 29211-1589

ATTORNEY FOR APPELLANT

This 24<sup>th</sup> day of June, 2021.

**RECEIVED**

**Jun 24 2021**

**SC Court of Appeals**

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

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Appeal from Greenville County

Honorable Edward W. Miller, Circuit Court Judge

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THE STATE,

RESPONDENT,

V.

TIMOTHY WILLIAM PYLE,

APPELLANT

APPELLATE CASE NO. 2020-001484

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CERTIFICATE OF SERVICE

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Pursuant to the Supreme Court's Order "RE: Operation of the Appellate Courts During the Coronavirus Emergency," dated March 20, 2020, the undersigned hereby certifies a true copy of the Record on Appeal has been served upon Matthew Buchanan, Esquire, at the opposing counsel's primary e-mail address as listed in the Attorney Information System (AIS), this 24<sup>th</sup> day of June, 2021.

s/ Taylor D. Gilliam

Taylor D Gilliam  
Appellate Defender

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