

**FILED**

STATE OF SOUTH CAROLINA )  
 )  
 COUNTY OF LEXINGTON )  
 )  
 IN THE MATTER OF THE )  
 CARE AND TREATMENT OF )  
 )  
 JOHN SHELBY WELLS, )  
 Respondent. )

IN THE COURT OF COMMON PLEAS  
 ELEVENTH JUDICIAL CIRCUIT  
 CASE #: 2019-CP-32-04802

ORDER OF COMMITMENT

**RECEIVED**  
**Jun 23 2021**  
**SC Court of Appeals**

The trial of this case was held in the Lexington County Court of Common Pleas on June 1, 2021. The State withdrew its request for a jury trial, and the matter was heard by the Court. Suzanne Shaw of the Attorney General's Office represented the State and Aimee J. Zmroczek, Esquire, represented the Respondent.

As a preliminary matter, the State offered Exhibits 1 through 5 into evidence, without objection, as to the matter of competency raised in the report authored by Dr. William Burke on May 20, 2021. Ms. Zmroczek offered Dr. Burke's report in evidence as Court's Exhibit 1, without objection. Court's Exhibit 1 and State's Exhibit 5, the report authored by Dr. Rozanna Tross, dated April 24, 2021, are sealed.

For purposes of preserving the record for appeal, certain objections and representations were made concerning Respondent's willingness and/or ability to communicate with his attorney, and same are preserved as stated on the record.

The Court has made findings of fact pursuant to S.C. Code Ann. 44-48-100(b) concerning Respondent's criminal convictions for Criminal Sexual Conduct with Minors, First Degree and Lewd Act against Minors under 16. Without passing judgment on the sufficiency or appropriateness of Dr. Burke's competency report, the court has taken judicial notice of, and has found that, based on the certified copies of Respondent's criminal convictions, and the report authored by Dr. Tross, that Respondent did, in fact, commit the sexually violent offenses of which he was charged and convicted.

The Court having heard the presentation of testimonial evidence from Dr. Tross made the following findings of fact pursuant to S. C. Code Ann. Sections 44-48-90 and 44-48-100:

The State has proven beyond a reasonable doubt that Respondent, John Shelby Wells is a sexually violent predator as that term is defined in S. C. Code Ann. Section 44-48-30.

NOW, THEREFORE, IT IS ORDERED THAT:

- (a) Respondent, John Shelby Wells is committed to the Department of Mental Health for his long-term control, care and treatment;
- (b) Respondent, John Shelby Wells, is to continue to be detained at the Lexington County

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Detention Center, and then transported to the secure facility of the South Carolina Department of Mental Health. The Detention Center is to transport Respondent on such scheduled date as it coordinates with the Department of Mental Health.

AND IT IS SO ORDERED.



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EDGAR W. DICKSON  
Eleventh Judicial Circuit  
Court of Common Pleas

June 2, 2021  
Lexington, South Carolina

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