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Aug 04 2021

IN THE COURT OF GENERAL SESSIONS

STATE OF SOUTH CAROLINA

COUNTY OF Dillon

SC Court of Appeals

STATE

VS.

INDICTMENT/CASE#: 2016-GS-17-0848

Ervin Stanley

A/W#: 2016A1710100095

AKA:

Date of Offense: January 29, 2016

Race: B

Sex: M

Age: 58

S.C. Code §: 16-03-0010; 16-03-0020

SS#:

CDR Code #: 0116

Address:

City, State, Zip:

DL#\*

SID#

SENTENCE SHEET

\*CDL Yes  No  CMV Yes  No  Hazmat Yes  No

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

TO: Voluntary Manslaughter (Not more than 30 years)

In violation of § 16-03-0050 of the S.C. Code of Laws, bearing CDR Code # 0217

NON-VIOLENT  VIOLENT  SERIOUS  MOST SERIOUS  Mandatory GPS  § 17-25-45

(CSC w/minor 1<sup>st</sup> or CSC w/minor 3<sup>rd</sup>)

The charge is:  As indicted,  Lesser Included Offense,  Defendant Waives Presentment to Grand Jury. (def.'s initials)

The plea is:  Without Negotiations or Recommendation,  Negotiated Sentence,  Recommendation by the State. 20 yrs.  
ATTEST:

Joel Kozak *[Signature]* 100665 *Ervin Stanley* *[Signature]* 78266  
Solicitor SC Bar # Defendant Attorney for Defendant SC Bar #

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

for a determinate term of 15 days/months/years/Time Served  Youthful Offender Act not to exceed years

and/or to pay a fine of \$\_\_\_\_; provided that upon the service of \_\_\_\_ days/months/years/Time Served 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.

The sentence shall run

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.

5 years + 137 days/months

To include time spent on monitored house arrest prior to trial and sentencing.

The Defendant Shall be Released from County Detention Center.

House arrest credit is included in the 5 years 137 days

Pursuant to 18 U.S.C. § 922 and § 16-25-30 it is unlawful for a person convicted of a violation of § 16-25-20 or § 16-25-65 (Domestic Violence) to ship, transport, possess, or receive a firearm or ammunition.

FILED  
GIVE TRIAL  
2022 JUL 20 P 2:19  
CLERK OF COURT  
DILLON COUNTY

**SPECIAL CONDITIONS:**

**PTUP** after \_\_\_\_\_ months/years

**And Other Terms Listed Below:**

- Substance Abuse Counseling       Completion of GED       Random Drug/Alcohol Testing
- Attend Voc. Rehab. Or Job Corp       No Contact with Victim       Domestic Violence Intervention Program
- Mental Health Counseling       May serve W/E beginning: \_\_\_\_\_
- Sex Offender Registry pursuant to S.C. Code § 23-3-430       Public Service Employment \_\_\_\_\_ days/hours
- Central Registry of Child Abuse and Neglect pursuant to S.C. Code § 17-25-135.
- Other: \_\_\_\_\_

**RESTITUTION:**     **Deferred**     **Def. Waives Hearing**     **Ordered**

Total \$ \_\_\_\_\_ plus 20% fee: \_\_\_\_\_ \$ \_\_\_\_\_

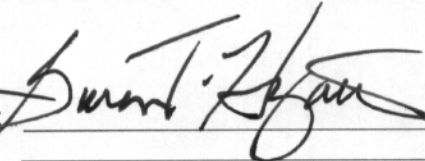
Payment Terms: \_\_\_\_\_  Set by SCDPPPS

Recipient: \_\_\_\_\_

**\*Fine:**

Fine may be pd. in equal consecutive weekly/monthly pmts. of	\$ _____	Beginning	_____	\$ _____
§14-1-206 (Assessments 107.5%)				\$ _____
§14-1-211 (A)(1)(Conv. Surcharge)			\$100	\$ _____
§14-1-211 (A)(2)(DUI Surcharge)			\$100	\$ <u>100.00</u>
§56-5-2995 (DUI Assessment)			\$12	\$ _____
§56-1-286 (DUI Breath Test)			\$25	\$ _____
§14-1-212 (Law Enforce. Funding)			\$25	\$ <u>25.00</u>
§14-1-213 (Drug Court Surcharge)			\$150	\$ _____
§34-11-70(b)and(c), and 34-11-90(c)and(d) (Admin Fraud Check Court Costs)			\$41	\$ _____
§50-21-114 (BUI Breath Test Fee)			\$50	\$ _____
§56-5-2942(J) (Vehicle Assessment)			\$40/ea	\$ _____
3% to County (if paid in installments)			TBD	\$ <u>3.75</u>
<input type="checkbox"/> Appointed PD or appointed other counsel, Proviso requires \$500 be paid to Clerk during probation and shall be collected before any other fees			\$500	\$ _____
<input type="checkbox"/> § 17-3-30(B) Unpaid Application Fee to be paid to the Public Defender Fund			TBD	\$ _____
			<b>TOTAL</b>	\$ <u>128.75</u>

Clerk of Court/Deputy Clerk: \_\_\_\_\_  
Court Reporter: \_\_\_\_\_



Presiding Judge: \_\_\_\_\_  
Judge Code: \_\_\_\_\_  
Sentence Date: \_\_\_\_\_

2048  
July 20, 2021

STATE OF SOUTH CAROLINA )  
 )  
 )  
COUNTY OF DILLON )

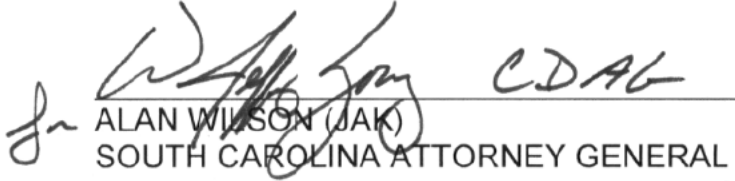
IN THE COURT OF GENERAL SESSIONS  
  
AMENDED INDICTMENT

At a Court of General Sessions, convened on November 5, 2020, the Grand Jurors of Dillon County present upon their oath:

MURDER

That Ervin Stanley did in Dillon County, on or about January 28, 2016, willfully, feloniously, and intentionally kill the victim, [REDACTED] with malice aforethought, either express or implied, by means of shooting, and the victim did die as a proximate result thereof on or about January 28, 2016 in Dillon County, in violation of Section 16-03-0010, S.C. Code of Laws, 1976, as amended.

Against the peace and dignity of the State, and contrary to the statute in such case made and provided.

  
ALAN WILSON (JAK)  
SOUTH CAROLINA ATTORNEY GENERAL

**WITNESSES**

Allan Rogers, Dillon County Sheriff

DOCKET NO. 2016-GS-17-0848

**The State of South Carolina**

County of Dillon

After being fully advised as to my legal rights, I hereby waive presentment to the Grand Jury.

Defendant

**COURT OF GENERAL SESSIONS**

TERM 2020

hereby appear in my own proper person and plead guilty to the within indictment or to

**ARREST WARRANT NUMBER**

2016A1710100095

THE STATE

vs.

Defendant

**ACTION OF GRAND JURY**

Ervin Stanley

Witness:

**TRUE BILL**

*Henry* 11/5/26

DEFENDANT

C.C.C. PLS. AND G.S.

Foreperson of Grand Jury

Date:

**VERDICT**

Amended Indictment for

Murder

SC Code: 16-03-0010; 16-03-0020

CDR Code: 0116

**RECEIVED**

Aug 04 2021

SC Court of Appeals

Foreperson of Petit Jury

Date:

Kyle M. Hobbs, Esq.  
Founding Partner

Trevor R. Threet, Esq.  
Managing Partner



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South Carolina Court of Appeals

**SENT VIA EMAIL: [ctappfilings@sccourts.org](mailto:ctappfilings@sccourts.org)**

Re: Notice of Appeal (Supplement of Lower Court Order)  
State v. Ervin Stanley  
2016-GS-17-0848

August 4, 2021

Clerk of Court,

Please see the attached Lower Court's Order (sentencing sheet) for the matter of the State v. Ervin Stanley. This document is being supplemented to the Court upon the request of Court. Please do not hesitate to contact me with any questions or concerns in this regard.

Respectfully submitted,

/s/ Kyle M. Hobbs, Esq.