

STATE OF SOUTH CAROLINA  
COUNTY OF SPARTANBURG  
STATE VS.  
Brandal Smith  
AKA:  
Race: BLACK Sex: M Age: 38  
DOB: SS#  
Address:  
City, State, Zip: Spartanburg, SC 29303  
DL#: SID#

IN THE COURT OF GENERAL SESSIONS  
25 yrs and \$100,000

INDICTMENT/CASE#: 2019GS4203347

A/W#: 2018A4210101986  
Date of Offense: 2/20/2018  
S.C. Code § : 44-53-0370(e)(3)(a)2  
CDR Code #: 0156

SENTENCE SHEET

RECEIVED

Aug 26 2021

SC Court of Appeals

\*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: TRAFFICKING IN ILLEGAL DRUGS 4-14 GRAMS 2ND OFFENSE

in violation of § 44-53-0370(e)(3)(a)2 of the S.C. Code of Laws, bearing CDR Code # 0156

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

(CSC w/minor 1st or CSC w/minor 3rd)

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.

ATTEST:

OWENS, KATRYNA BEVIS

73989  
SC Bar#

Brandal Smith  
Defendant

Schultz, E. Joshua  
Attorney for Defendant

SCB74518  
SC Bar#

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

for a determinate term of 25 days/months/years/Time-Served  Youthful Offender Act not to exceed \_\_\_\_\_ years

and/or to pay a fine of \$100,000 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. \_\_\_\_\_ days/months

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

The Defendant Shall be Released from County Detention Center.

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.

**SPECIAL CONDITIONS:**

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

**And Other Terms Listed Below:**

- Substance Abuse Counseling
  - Attend Voc. Rehab. or Job Corp
  - Mental Health Counseling
  - Sex Offender Registry pursuant to S.C. Code § 23-3-430
  - Central Registry of Child Abuse and Neglect pursuant to S.C. Code §17-25-135.
  - Other: \_\_\_\_\_
- Completion of GED
  - No Contact with \_\_\_\_\_
  - May serve W/E beginning : \_\_\_\_\_
  - Public Service Employment 0 \_\_\_\_\_ days/hours
- Random Drug/Alcohol testing
  - Domestic Violence Intervention Program

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

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

Payment Term \_\_\_\_\_  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
§56-5-2995 (DUI Assessment)	\$12
§56-1-286 (DUI Breath Test)	\$25
§14-1-212 (Law Enforce. Funding)	\$25
§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

- Appointed PD or appointed other counsel, Proviso requires \$500 be paid to Clerk during probation and shall be collected before any other fees. \$500
  - § 17-3-30(B) Unpaid Application Fee to be paid to the Public Defender Fund TBD
- TOTAL** \$ 214008.25

Clerk of Court/ Deputy Clerk: T. Camp  
 Court Reporter: Linda Motz

Presiding Judge: \_\_\_\_\_  
 Judge Code: \_\_\_\_\_  
 Sentence Date: August 25, 2021

**A CERTIFIED COPY**  
Amy W. Cox  
 CLERK OF COURT  
 SPARTANBURG COUNTY  
 BY: T. Camp D.C.  
 DATED: 8/25/21

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF SPARTANBURG )

INDICTMENT

At a Court of General Sessions, convened on FEB 20 2020, the  
Grand Jurors of Spartanburg County present upon their oath:

**TRAFFICKING IN ILLEGAL DRUGS**

That the Defendant Brandal Smith, did in Spartanburg County on February 20, 2018, knowingly sell, manufacture, deliver, purchase or bring into this State, or did provide financial assistance or did otherwise aid, abet, attempt, or conspire to sell, manufacture, deliver, purchase, or bring into this State, or did knowingly actually or constructively possess, or did knowingly attempt to actually or constructively possess (4) four grams or more, but less than (14) fourteen grams of Fentanyl, a morphine, opium, salt, isomer, or salt of an isomer thereof as described in Section 44-54-190 or 44-53-210, in violation of §44-53-370, *THE CODE OF LAWS OF SOUTH CAROLINA*, (1976), as amended.

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

  
\_\_\_\_\_  
ASSISTANT SOLICITOR

WITNESSES

Spartanburg County Sheriff's Office

*[Handwritten Signature]*

ARREST WARRANT NUMBER

2018A4210101986

DIRECT INDICTMENT

ACTION OF GRAND JURY

**TRIP RPT**

SEP 25 2020

Foreperson of Grand Jury

Date:

VERDICT

**GUILTY**  
CLERK OF COURT  
SPARTANBURG COUNTY  
AMY W. COX

Foreperson of Petit Jury

Date:

*[Handwritten Signature]*  
3/25/2021

DOCKET NO. 19-GS-42-3347

The State of South Carolina

County of Spartanburg

Barry J. Barnette, Solicitor

COURT OF GENERAL SESSIONS

SEP 28 2020

TERM

THE STATE  
vs.

BRANDAL SMITH

Indictment for

TRAFFICKING IN ILLEGAL DRUGS

SC Code: 44-53-0370  
CDR: 2361

A CERTIFIED COPY

*[Handwritten Signature]*

CLERK OF COURT  
SPARTANBURG COUNTY  
AMY W. COX

FILED  
9/25/21

STATE OF SOUTH CAROLINA )  
COUNTY OF SPARTANBURG )  
STATE )  
VS. )  
Brandal Smith )  
AKA: )  
Race: BLACK Sex: M Age: 38 )  
DOB: [REDACTED] SS# [REDACTED] )  
Address: [REDACTED] )  
City, State, Zip: Spartanburg, SC 29303 )  
DL#: [REDACTED] SID#: [REDACTED] )

IN THE COURT OF GENERAL SESSIONS  
*Up to 10 yrs w/ or up to \$10,000*

INDICTMENT/CASE#: 2019GS4203346  
A/W#: 2018A4210101987  
Date of Offense: 2/20/2018  
S.C. Code § : 44-53-0445(A)  
CDR Code #: 0107

SENTENCE SHEET



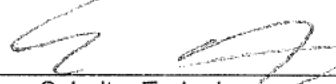
\*CDL Yes  No  CMV Yes  No  Hazmat Yes  No

In disposition of the above indictment comes now the Defendant who was  CONVICTED OF or  PLEADS  
TO: DISTRIBUTION OF ILLEGAL DRUGS WITHIN 1/2 MILE OF SCHOOL  
in violation of § 44-53-0445(A) of the S.C. Code of Laws, bearing CDR Code # 0107

NON-VIOLENT  VIOLENT  SERIOUS  MOST SERIOUS  Mandatory GPS  §17-25-45  
( CSC w/minor 1st or CSC w/minor 3rd )

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.

ATTEST:  
 OWENS, KATRYNA BEVIS  
 73989 SC Bar# Defendant  
 Schultz, E. Joshua SC Bar#  
Attorney for Defendant

WHEREFORE, the Defendant is committed to the  State Department of Corrections  County Detention Center,  
for a determinate term of 10 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.  
\_\_\_\_\_ days/months  
 To include time spent on monitored house arrest prior to trial and sentencing.  
 The Defendant Shall be Released from County Detention Center.

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.

**SPECIAL CONDITIONS:**

- PTUP** after \_\_\_\_\_ months/years  
**And Other Terms Listed Below:**
- Substance Abuse Counseling
  - Attend Voc. Rehab. or Job Corp
  - Mental Health Counseling
  - Sex Offender Registry pursuant to S.C. Code § 23-3-430
  - Central Registry of Child Abuse and Neglect pursuant to S.C. Code §17-25-135.
  - Other: \_\_\_\_\_
- Completion of GED
  - No Contact with \_\_\_\_\_
  - May serve W/E beginning : \_\_\_\_\_
  - Public Service Employment 0 \_\_\_\_\_ days/hours
- Random Drug/Alcohol testing
  - Domestic Violence Intervention Program

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

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

Payment Term \_\_\_\_\_  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
§56-5-2995 (DUI Assessment)	\$12
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§14-1-212 (Law Enforce. Funding)	\$25
§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
<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>	<b>\$ 283.25</b>

Clerk of Court/ Deputy Clerk: T. Camp

Court Reporter: Linda Wilson

Presiding Judge: \_\_\_\_\_  
 Judge Code: \_\_\_\_\_  
 Sentence Date: August 25, 2021

**A CERTIFIED COPY**  
Amy W. Cox  
 CLERK OF COURT  
 SPARTANBURG COUNTY  
 BY: T. Camp D.C.  
 DATED 8-25-21

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF SPARTANBURG )

INDICTMENT

At a Court of General Sessions, convened on SEP 23 2020, the  
Grand Jurors of Spartanburg County present upon their oath:

**DISTRIBUTION OF FENTANYL WITHIN ONE-HALF MILE**

That Brandal Smith, did in Spartanburg County on or about February 20, 2018, distribute, sell, purchase, manufacture, or unlawfully possess with intent to distribute, a quantity of Fentanyl, a schedule II controlled substance, while in, on, or within a one-half mile radius of the grounds of a public playground or park; public or private elementary, middle or secondary school; a public vocational or trade school or a technical educational center; or a public or private college or university, to wit: Cleveland Park, located at 121 N. Cleveland Park Drive, Spartanburg, SC, under provisions of § 44-53-445 of *THE CODE OF LAWS OF SOUTH CAROLINA*, (1976), as amended, such possession not having been authorized by law.

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

  
\_\_\_\_\_  
ASSISTANT SOLICITOR

WITNESSES

Spartanburg County Sheriff's Office

*[Handwritten Signature]*

DOCKET NO. -

19-GS-42-3346

The State of South Carolina

County of

Barry J. Barnette, Solicitor

COURT OF GENERAL SESSIONS

SEP 28 2020

TERM

ARREST WARRANT NUMBER

2018AA4210101987

AMENDED INDICTMENT

ACTION OF GRAND JURY

Brandal Smith

*[Handwritten Stamp]*

SEP 25 2020

Foreperson of Grand Jury

VERDICT

CLERK OF COURT  
SPARTANBURG COUNTY  
AMY W. COX

Indictment for

DISTRIBUTION OF FENTANYL WITHIN  
ONE-HALF MILE  
SC Code: 44-53-445

A CERTIFIED COPY

*[Handwritten Signature]*

CLERK OF COURT

SPARTANBURG COUNTY  
D.C.

BY: *[Handwritten Signature]*  
DATED: 8/25/20

Foreperson of Petit Jury

Date:

*[Handwritten Signature]*

8/25/2021