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OCT 13 2021

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF Aiken

SC Court of Appeals

STATE

VS.

INDICTMENT/CASE#: 2021 - GS - 02 - 00376

Kenneth Andrew Whitaker Jr

AW#: 2020A0210700138

AKA:

Date of Offense: 3/21/2020

Race: White Sex: M Age: 28

S.C. Code §: 16-03-0010; 16-03-0020

DOB: [REDACTED] SS#: [REDACTED]

CDR Code #: 0116

Address: [REDACTED]

City, State, Zip: [REDACTED]

DL# [REDACTED] SID# [REDACTED]

SENTENCE SHEET

2-30YRS.

\*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: Manslaughter / Voluntary manslaughter

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. [REDACTED] (def.'s initials)

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

ATTEST:

[Signature] 69652 [Signature] [Signature] 2773  
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 28 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.

19 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.

STATE OF SOUTH CAROLINA  
COUNTY OF AIKEN  
I, Robert J. Harte, Clerk of Court of Common Pleas and General Sessions for Aiken County, South Carolina do hereby certify that the foregoing constitutes a true and correct copy of the original documents which have been filed in my office this 11 day of October 2021  
[Signature]  
C.C.C.P. & C.S., Aiken County, S.C.  
Deputy Clerk

STATE VS. Kenneth Andrew Whitaker Jr INDICTMENT/CASE#: 2021 - GS - 02 - 00376

**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	\$ <u>100.00</u>
§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	\$ <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: Theresa D. Rowland  
 Court Reporter: DCRP

Presiding Judge: John Newman  
 Judge Code: 21210  
 Sentence Date: Sept 22, 2021

WITNESSES

North Augusta Dept. of Public Safety

Travis A Smith

Law Enforcement Case #: 20-000689

DOCKET NO. 2021GS0200376

The State of South Carolina

County of Aiken

COURT OF GENERAL SESSIONS

MAY TERM 2021

ARREST WARRANT NUMBER May 6 2021

FILED

2020A0210700138

*Robert J. Harte*  
C.C.P. & G.S.

*Richard [Signature]*  
Deputy Clerk

THE STATE  
VS.

KENNETH ANDREW WHITAKER JR

ACTION OF GRAND JURY

*True Bill*

*Rhonda Ward*

Foreperson of Grand Jury  
Date: May 6, 2021

CDR #: 0116

Indictment for

MURDER

STATE OF SOUTH CAROLINA  
COUNTY OF AIKEN

I, Robert J. Harte, Clerk of Court of Common Pleas and General Sessions for Aiken County, South Carolina do hereby certify that the foregoing constitutes a true and correct copy of the original documents which have been filed in my office this

11 day of May 2021

*Robert J. Harte*  
C.C.P. & G.S., Aiken County, S.C.

*Richard [Signature]*  
Deputy Clerk

*Guilty of Voluntary Manslaughter* § 16-03-0010; 16-03-0020

BILL WEEKS, SOLICITOR

Foreperson of Grand Jury  
Date: 9/22/2021

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SC Court of Appeals

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF AIKEN )  
 )

INDICTMENT FOR  
MURDER

§ 16-03-0010; 16-03-0020

At a Court of General Sessions, convened on May 10, 2021, the Grand Jurors of Aiken County present upon their oath:

That **KENNETH ANDREW WHITAKER JR** did in Aiken County on or about March 21, 2020, feloniously, wilfully and with malice aforethought, murder [REDACTED] by means of strangulation and beating; and the victim did die in Richmond County, Georgia as a proximate result thereof on April 4, 2020. All in violation of Section 16-3-10 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.

  
*Ashley O. Hammack*  
BILL WEEKS, SOLICITOR