

STATE OF SOUTH CAROLINA
COUNTY OF HORRY

IN THE COURT OF GENERAL SESSIONS

12 months as Day Court

INDICTMENT/CASE#: 2021GS2801558

STATE VS.

Courtney Lynn Sidun

AW#: 2021A2620600229

Date of Offense: 1/22/2021

S.C. Code § : 63-05-0070

CDR Code #: 2481

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SENTENCE SHEET **SC Court of Appeals**

AKA: _____
Race: WHITE Sex F Age: 32
DOB: [REDACTED] SS#: [REDACTED]
Address: [REDACTED]
City, State, Zip: [REDACTED]
DL#: _____ SID#: PA40859691

*CDL Yes No CMV Yes No Hazmat Yes No

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

TO: Children / Legal custodian, unlawful neglect of child or hel (0-10 year and/or a fine)

in violation of § 63-05-0070 of the S.C. Code of Laws, bearing CDR Code # 2481

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. C.A.S. (def.'s initials)

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

ATTEST:

[Signature]

102435

Martin, M. O'Bryan

SC Bar#

[Signature]

Defendant

Wilson, Kia T.
Attorney for Defendant

SCB69441

SC Bar#

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

for a determinate term of 5 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 local bond 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 § 16-25-85 (Domestic Violence) to ship, transport, possess, or receive a firearm or ammunition.

RENEE N. ELLIS
CLERK OF COURT
HORRY COUNTY
2021 NOV 28 2 38 PM '21

RENEE N. ELLIS
CLERK OF COURT
HORRY COUNTY, SC
COPIED COPY

STATE VS

Courtney Lynn Sidun

INDICTMENT/CASE#:

2021GS2801558

SPECIAL CONDITIONS:

PTUP after _____ months/years

And Other Terms Listed Below:

- Substance Abuse Counseling
- Attend Voc. Rehab. or Job Corp
- Mental Health Counseling
- Completion of GED
- No Contact with _____
- May serve W/E beginning : _____
- Random Drug/Alcohol testing
- Domestic Violence Intervention Program

Sex Offender Registry pursuant to S.C. Code § 23-3-430 Public Service Employment 0 _____ days/hours

Central Registry of Child Abuse and Neglect pursuant to S.C. Code §17-25-135.

Other: treatment court

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 Horry County
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 RENEE ELVIS
 CLERK OF COURT
 Horry County, S.C.

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 \$ 25.00 Beginning 12/8/21

- \$14-1-208 (Assessments 107.5 %)
- \$14-1-211(A)(1) (Conv. Surcharge)
- \$14-1-211(A)(2) (DUI Surcharge)
- §56-5-2985 (DUI Assessment)
- §56-1-286 (DUI Breath Test)
- \$14-1-212 (Law Enforce. Funding)
- \$14-1-213 (Drug Court Surcharge)
- §34-11-70(b)and(c), and 34-11-80(c)and(d) (Admin Fraud Check Court Costs)
- §50-21-114(BUI Breath Test Fee)
- §56-5-2942(J) (Vehicle Assessment)
- 3% to County (if paid in installments)

| | |
|--------------|------------------|
| \$100. | \$100.00 |
| \$100 | \$100.00 |
| \$12 | \$12.00 |
| \$25 | \$25.00 |
| \$25 | \$25.00 |
| \$150 | \$150.00 |
| \$41 | \$41.00 |
| \$50 | \$50.00 |
| \$40/ea | \$40.00 |
| TBD | \$3.75 |
| \$500 | \$500.00 |
| TBD | \$40.00 |
| TOTAL | \$1108.75 |

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

Clerk of Court/ Deputy Clerk: Renee Elvis
Court Reporter: Julie Kevish

Presiding Judge: _____
Judge Code: 2108
Sentence Date: 11/8/21

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SC Court of Appeals

ARREST WARRANT

2021A2620600229

STATE OF SOUTH CAROLINA

County/ Municipality of

Myrtle Beach

THE STATE 21-031109 against

Courtney Lynn Sidun

Address:

Phone: SSN

Sex: F Race: W Height: 5 I Weight: 125

DL State: SC DL #: Agency ORI #: SC0260600

DOB: Prosecuting Agency: Myrtle Beach Police Department

Prosecuting Officer: Jarrod J Mackin - S00248

Offense: Children / Legal custodian, unlawful neglect of

child or helpless person

Offense Code: 2481

Code/Ordinance Sec: 63-05-0070

This warrant is CERTIFIED FOR SERVICE in the

County/ Municipality of

The accused

is to be arrested and brought before me to be

dealt with according to the law.

(L.S.)

Signature of Judge

Date:

RETURN

A copy of this arrest warrant was delivered to

defendant Courtney Lynn Sidun

on 02/05/2021

B. Jenks 410/11010

Signature of Constable/Law Enforcement Officer

RETURN WARRANT TO:

General Sessions PO Box 677 1301 2nd Avenue Conway, SC 29528

ORIGINAL

ORIGINAL

ORIGINAL

ORIGINAL

STATE OF SOUTH CAROLINA

County/ Municipality of

Myrtle Beach

Personally appeared before me the affiant Jarrod J Mackin who

being duly sworn deposes and says that defendant Courtney Lynn Sidun

did within this county and state on or about 1/22/2021 violate the criminal laws of the

State of South Carolina (or ordinance of County/ Municipality of Myrtle Beach)

In the following particulars:

DESCRIPTION OF OFFENSE: Children / Legal custodian, unlawful neglect of child or helpless person

I further state that there is probable cause to believe that the defendant named above did commit the crime set forth and that probable cause is based on the following facts:

On 1/22/2021 affiant responded to Grand Strand Hospital, which is in the city limits of Myrtle Beach, in reference to a new born baby testing positive for narcotics. Upon arrival I spoke with the complainant who provided me paperwork that the victim tested positive for cocaine on 1/16/2021 just after being born. She also provided me paperwork to show the defendant, the mother, also showed a positive test. The affiant learned the defendant was staying at since on or about 10/05/2020 before the birth. Given the facts indicate the defendant placed the victim, an infant child, in unreasonable risk of harm to their health or life, there is probable cause to believe the defendant did commit the offense of Unlawful Conduct Towards A Child, a violation of SC Code of Laws 63-05-0070.

Signature of Affiant

STATE OF SOUTH CAROLINA

County/ Municipality of

Myrtle Beach

Affiant's Address 1101 Oak Street

Myrtle Beach, SC 29577-

Affiant's Telephone (843)918-1382

ARREST WARRANT

TO ANY LAW ENFORCEMENT OFFICER OF THIS STATE OR MUNICIPALITY OR ANY CONSTABLE OF THIS COUNTY:

It appearing from the above affidavit that there are reasonable grounds to believe that

on or about 1/22/2021 defendant Courtney Lynn Sidun

did violate the criminal laws of the State of South Carolina (or ordinance of

County/ Municipality of Myrtle Beach) as set forth below:

DESCRIPTION OF OFFENSE: Children / Legal custodian, unlawful neglect of child or helpless person

Having found probable cause and the above affiant having sworn before me, you are empowered and directed to arrest the said defendant and bring him or her 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

Sworn to and subscribed before me

on 1/22/2021

Signature of Issuing Judge (L.S.)

Melissa Elsbai

Signature of Issuing Judge

Melissa Elsbai

Judge Code: 8368

Judge's Address 1101 Oak Street

Myrtle Beach, SC 29577-

Judge's Telephone (843)918-1356

Issuing Court: Magistrate Municipality Circuit

ORIGINAL

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RENEE N. ELVIS CLERK OF COURT Horry County, SC

DEFERRED COPY

2021 FEB 22 AM 9:24 RENEE N. ELVIS CLERK OF COURT Horry County, SC

WITNESSES

Jarrod J Mackin Myrtle Beach Police Department

JACOB DOESINA

DOCKET NO. 2021GS2601558

The State of South Carolina

County of Horry

M. OBryan Martin

21H00919

COURT OF GENERAL SESSIONS

APRIL, 2021 TERM

ARREST WARRANT NUMBER

2021A2620600229
CDR: 2481 63-05-0070
DOA: 2/5/2021

THE STATE

vs.

Courtney Lynn Sidun
W/ F

[REDACTED]
[REDACTED]
DOB: [REDACTED]
SSN: [REDACTED]

ATTORNEY:

Indictment for

UNLAWFUL CONDUCT TOWARDS A
CHILD

Jimmy A. Richardson, II, Solicitor

ACTION OF GRAND JURY

TRUE BILL

[Signature]
Foreperson of Grand Jury
Date: APR 2 1 2021

VERDICT

Foreperson of Petit Jury
Date:

RENEE N. ELVIS
CLERK OF COURT
HORRY COUNTY, SC

CERTIFIED COPY

ORIGINAL

DATE RECEIVED FROM
GRAND JURY

RENEE N. ELVIS
CLERK OF COURT
HORRY COUNTY, SC

2021 APR 22 P 2:58

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HORRY COUNTY

SC Court of Appeals

NOV 22 2021

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STATE OF SOUTH CAROLINA)
)
COUNTY OF HORRY)

INDICTMENT

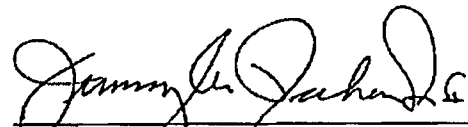
At a Court of General Sessions, convened on April 21, 2021, the Grand Jurors of Horry County present upon their oath:

UNLAWFUL CONDUCT TOWARDS A CHILD

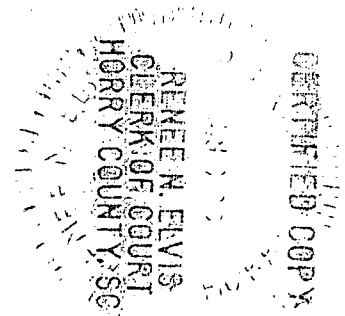
CDR: 2481 63-5-0070

That Courtney Lynn Sidun did in Horry County on or about January 22, 2021, while having charge or custody, or being the parent or guardian, or being responsible for the welfare of the minor newborn child, Baby Sidun, place the child at unreasonable risk of harm affecting the child's life, physical or mental health, or safety; or did unlawfully or maliciously cause or cause to be done bodily harm to the child so that the life or health of the child was endangered or was likely to be endangered; or did willfully abandon the child, in violation of Section 63-5-70, 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.



JIMMY A. RICHARDSON, II
FIFTEENTH CIRCUIT SOLICITOR



STATE OF SOUTH CAROLINA)
COUNTY OF HORRY)

IN THE COURT OF GENERAL SESSIONS
OF THE FIFTEENTH JUDICIAL CIRCUIT

STATE OF SOUTH CAROLINA)

CERTIFICATE OF REPRESENTATION
(APPOINTING AS COUNSEL)

-VS-

COURTNEY SIDUN)

KIA WILSON

DEFENDANT)

FILE NO: 26A21-00001012

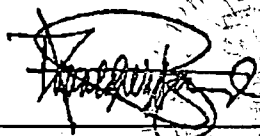
TO: Clerk of Court of General Sessions of the Fifteenth Judicial Circuit
Office of the Solicitor
Appointed Counsel
Defendant

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HORRY COUNTY
2021 MAR 30 P 4:08
RENEE N. ELVIS
CLERK OF COURT
HORRY COUNTY, SC

This certifies that the above captioned Defendant is eligible for the services of the Public Defender, such determination having been made on, 22nd day of March, 2021, regarding the charge(s) of:

2021A2620600229 Children / Legal custodian, unlawful neglect of child or helpless person

The Defendant's Counsel is **Kia Wilson**. The office of the Public Defender requests on the Defendant's behalf any and all evidence in the possession of you and or your agents pursuant to S.C. Criminal Practice Rule 5, and Brady v. Maryland 373 U.S. 383 (1963). The formal Motion for Discovery is attached.



RONALD W. HAZZARD
FIFTEENTH CIRCUIT
PUBLIC DEFENDER

CONWAY, SC
DATED: March 22, 2021

RENEE N. ELVIS
CLERK OF COURT
HORRY COUNTY, SC
CERTIFIED COPY

STATE OF SOUTH CAROLINA)
COUNTY OF HORRY)

IN THE COURT OF GENERAL SESSION
OF THE FIFTEENTH JUDICIAL CIRCUIT

STATE OF SOUTH CAROLINA)

NOTICE AND MOTION FOR PRODUCTION
OF SPECIFIC EVIDENCE AND
DISCLOSURE OF WITNESSES

-VS-

COURTNEY SIDUN

DEFENDANT)

FILE NO: 26A21-00001012

TO: SOLICITOR FOR THE FIFTEENTH JUDICIAL CIRCUIT

YOU WILL PLEASE TAKE NOTICE that unless the prosecution responds to the Defendant's request for disclosure within 30 days, or within such time as may be ordered by the Court, Counsel for the Defendant will move this Court for an Order compelling that the State:

1. Make available for Defendant any and all written and oral statements by the Defendant which are, or may come to be, in the possession of the State.
2. Make available for purposes of inspection, and copying, any and all police reports relating to the investigation and circumstances surrounding the crime which the Defendant is charged with, including any and all statements taken from witnesses and the Defendant.
3. Make available to the Defendant all tangible objects obtained during the investigation of this case, including, but not limited to:
 - (a) All tangible objects obtained from the scene of the crime; and
 - (b) All tangible objects obtained from the State's witnesses in this case
 - (c) All tangible objects the State intends to introduce into evidence at Trial which are relevant to the offense charged.
4. Make available any witnesses known to the State who have knowledge of facts which might be favorable to the Defendant.
5. Make available any promises made or actions taken by the State which caused or might have caused any witnesses for the State to testify on behalf of the State.
6. Make available any inconsistent statements made by witnesses for the State or any statements made by witnesses for the State which tend to exculpate the Defendants or to negate participation by the Defendants in the alleged crime.
7. Make available to the Defendant all results of laboratory tests, scientific tests, or physical examinations conducted in connection with this case, including but not limited to:
 - (a) Analysis of handwriting
 - (b) Photographs secured of the scene of the crime
 - (c) Comparison of fingerprints
8. Make available any facts which tend to exculpate the Defendant.

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CLERK OF COURT
HORRY COUNTY SC

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2021 MAR 20 P 11 28
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CLERK OF COURT
HORRY COUNTY SC
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9. Make available any and all scientific or medical, psychiatric, legal or other information, reports or records which might tend to reflect on the credibility or competence of any of prospective witnesses for the State.

10. Make available to the Defendant the names and addresses of all persons who have knowledge of this case or who have been interviewed by the investigating officers in connection with this case.

11. Make available to the Defendant, the SLED, FBI, and local arrest and conviction records of all persons, including the Defendant, named in connection with this proceeding.

12. Make any chemist, analyst, and all persons within the chain of custody appear in Court for the purpose of personally testifying. Attorney for the Defense thus objects to the introduction of any chemist's or analyst's report pursuant to Rule 6, S.C. Rules of Criminal Procedure.

13. Make available to the Defendant all video and audio recordings and/or notarized affidavits made pursuant to South Carolina Code § 56-5-2953 and any other applicable South Carolina Statute or regulation, including but not limited to:

- (a) Police and booking reports;
- (b) Police logs;
- (c) Alcohol influence reports;
- (d) Accident reports
- (e) Reports dealing with defendant's refusal to submit to testing
- (f) Notes taken from any recording by Law Enforcement regarding conversations with potential prosecution witnesses
- (g) Any notes taken by Law Enforcement with regards to this case which the officer intends to rely on, or make us of, at trial.
- (h) The names of the officers or other witnesses who were with the Defendant within one hour of the arrest who had the opportunity to observe the appearance and behavior of the Defendant, to include the identity of any officer present at the scene of arrest.
- (i) The time and place where the Defendant was given the Miranda warning and the name of the officer who advised him/her of the same.
- (j) Any reports made by any laboratory or hospital concerning any examination made of any physical (urine, blood, etc.), photographic, or written evidence related to the Defendant's case.
- (k) The records of analysis and the results of any chemical urine, or breathalyzer tests administered to the Defendant.

14. Make available to the Defendant following information regarding the person(s) who administered the Defendant's chemical/breathalyzer tests:

- (a) The person's name and the name of his/her employer;
- (b) The date of his/her original certification to give chemical/breathalyzer tests and the grade he/she received on the exam;
- (c) The date of his/her most recent certification to give said tests; And his/her compliance with statutes and regulations providing for standards of training for person(s) administering such tests.

15. If the Defendant's blood alcohol concentration was determined on the basis of a test involving the use of any machine, provide the following information:

- (a) The type of machine used and the make, model, and serial number of particular machine;

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- (b) The manufacturer and the date of manufacture of the machine;
- (c) The owner's manual and the instruction manual;
- (d) The software program used in said machine;
- (e) The date of purchase by the agency owning the machine;
- (f) The location of machine;
- (g) The number of prior tests conducted on the machine;
- (h) All maintenance information for the last two years, including all repairs done and all calibrations made on the machine;
- (i) The results of all tests performed in the thirty (30) days prior to the date of the Defendant's arrests, including any tests in which the machine malfunctioned;
- (j) Any checklist to be used by the operator of the machine, either before, during, or after the admission of a test.

This information is requested pursuant to Rule 5 of the South Carolina Rules of Criminal Procedure. This information is further requested pursuant to Brady vs Maryland, 373 U.S. 383, 10 L. Ed. 2d 215, 83 S. Ct. 1194 (1963), U.S. vs Agurs, 427 U.S. 97, 49 L Ed 2nd 342, 96 S. Ct. 2392 1976, State vs Mixon 274 S.E. 2nd 406 (1981), City of Rock Hill vs Suchenski, 374 S.C. 12, 646 S.E.2d 879 (2007). Further this information is requested on the grounds that it is essential to insure the Defendant's right to a fair trial, right to confrontation of witnesses, the right to effective Counsel and due process of law guaranteed by the South Carolina Constitution and the United States Constitution.

ADDITIONALLY DEFENDANT REQUESTS A SPEEDY TRIAL:

The Defendant requests and asserts his / her right to a speedy trial in General Sessions Court in this County pursuant to the United States and the South Carolina Constitutions and under the relevant South Carolina Code of Laws

WHEREFORE, Defendant prays:

- (a) That the Solicitor be Ordered to produce all information described herein and allow the Defendant the right to examine, inspect, copy and photograph, such materials and information at a specific time and place to be fixed by the Court.
- (b) That the information be provided no later than 30 days from the date of this request, as reflected by the Clerk of Court's time-stamp appearing on the face of this Document.
- (c) That the Court enter an Order requiring the Solicitor's Office to make continuing disclosure of all matters requested herein up to and during the Trial of the charges against the Defendant.

RESPECTFULLY SUBMITTED,

RONALD W. HAZZARD
FIFTEENTH CIRCUIT
PUBLIC DEFENDER

CONWAY, SOUTH CAROLINA
DATED: March 22, 2021

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 COUNTY
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 N. ELVIS
 COUNTY, SC

REPRODUCED COPY

STATE OF SOUTH CAROLINA)
COUNTY OF HORRY)
STATE OF SOUTH CAROLINA)
-VS-)

RULE 203 (B) (iv)
WRITTEN EXPLANATION OF
NO
BASIS FOR APPEAL

COURTNEY SIDUN)
DEFENDANT)
_____)

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NOV 22 2021

SC Court of Appeals

PERSONALLY appeared before me Kia Wilson, who being duly sworn,
deposes and says :

1. I represented the above named defendant before THE HONORABLE BRIAN GIBBONS on November 8, 2021 at which time the defendant enter a guilty plea to his/her pending charges.
2. No issues of law or fact, were raised before the Judge at that time that could be the basis for an Appeal in this matter.
3. The defendant requested this appeal be filed based on the language used by the plea judge informing the client he has the right to appeal his guilty plea within ten (10) days.
4. I informed defendant that there were no issues to appeal.
5. Defendant requested the Appeal be filed.

RENEE N. ELVIS
CLERK OF COURT
HORRY COUNTY, SC
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Sworn to and Subscribed before me
17 day of November, 2021

Notary Public for South Carolina
My Commission expires: 03/March 2031

J. Eric Fox
Signature of Attorney for Defendant
J. Eric Fox
Print name of Attorney for Defendant

NOTARY PUBLIC
STATE OF SOUTH CAROLINA
KIA WILSON
11/13/21