

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Lexington County

Honorable Walton J. McLeod, IV, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

MICHAEL THOMAS DYER,

APPELLANT.

APPELLATE CASE NO. 2021-000680

RECORD ON APPEAL

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ATTORNEYS FOR RESPONDENT

RECEIVED
Dec 31 2021
SC Court of Appeals

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THE FOLLOWING EXHIBITS ARE ON FILE WITH THIS COURT:

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Not assigned 3/22/21
WITNESSES *Josh Shumpert*
Deputy Clerk

South Congaree Police Department

Josh Shumpert

Law Enforcement Case #: 202000185

AEW

ARREST WARRANT NUMBER

21-STR-00016

ACTION OF GRAND JURY

J M [Signature]
Foreperson of Grand Jury
Date: 3/22/21

VERDICT

[Faint illegible text]

Foreperson of Petit Jury
Date:

DOCKET NO. 2021GS3200823

The State of South Carolina
County of Lexington

COURT OF GENERAL SESSIONS

March TERM 2021

THE STATE

vs.

Michael Thomas Dyer

CDR #: 0379

Indictment for

Sexual Exploitation of a Minor - First Degree

§ 16-15-0395(A)

S.R. Hubbard III, SOLICITOR

STATE OF SOUTH CAROLINA)	INDICTMENT FOR
)	Sexual Exploitation of a Minor - First Degree
COUNTY OF LEXINGTON)	
)	§ 16-15-0395(A)

At a Court of General Sessions, convened on March 2021, the Grand Jurors of Lexington County present upon their oath:

That **Michael Thomas Dyer** did in Lexington County, South Carolina, between January 1, 2020 and July 5, 2020 commit the crime of Sexual Exploitation of a Minor – First Degree, to wit: the defendant, knowing the content of the material, did knowingly use, employ, induce, coerce, encourage or facilitate a minor, Minor 1 (date of birth [REDACTED]/2011), to engage in or assist others to engage in sexual activity and/or appear in a state of sexually explicit nudity as defined by Section 16-15-375(5) and (6) of South Carolina Code of Laws, including, but not limited to a photograph, filename ending in ad034f, of the victim kneeling, with her knees spread and her buttocks in the air, on a grey and navy striped bed spread. She is wearing what appears to be grey underwear, pulled down to her knees and her genitals and rectal area are clearly visible and the victim's genitals are being touched by what appears to be three adult fingers, in violation of § 16-15-395, 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

Deanna... 3/22/21
WITNESSES *Hope Smith*
Deputy Clerk

South Congaree Police Department

Josh Shumpert

Law Enforcement Case #: 202000185

AEW

ARREST WARRANT NUMBER

21-STR-00017

ACTION OF GRAND JURY

J.M. [Signature]
Foreperson of Grand Jury
Date: 3/22/21

VERDICT

Foreperson of Petit Jury
Date:

DOCKET NO. 2021GS3200824

The State of South Carolina
County of Lexington

COURT OF GENERAL SESSIONS

March TERM 2021

THE STATE

vs.

Michael Thomas Dyer

CDR #: 0379

Indictment for

Sexual Exploitation of a Minor - First Degree

§ 16-15-0395(A)

S.R. Hubbard III, SOLICITOR

STATE OF SOUTH CAROLINA)	INDICTMENT FOR
)	Sexual Exploitation of a Minor - First Degree
COUNTY OF LEXINGTON)	
)	§ 16-15-0395(A)

At a Court of General Sessions, convened on March 2021, the Grand Jurors of Lexington County present upon their oath:

That **Michael Thomas Dyer** did in Lexington County, South Carolina, between January 1, 2020 and July 5, 2020 commit the crime of Sexual Exploitation of a Minor – First Degree, to wit: the defendant, knowing the content of the material, did knowingly use, employ, induce, coerce, encourage or facilitate a minor, **Minor 1**(date of birth **██████**/2011), to engage in or assist others to engage in sexual activity and/or appear in a state of sexually explicit nudity as defined by Section 16-15-375(5) and (6) of South Carolina Code of Laws, including, but not limited to a photograph, filename ending in bcaf5, of the victim, who is nude from the waist down. Her legs are spread and her genitals are clearly exposed. The child's labia is being spread and held open by the victim's hands and two adult fingers are touching the victim's genitals, in violation of § 16-15-395, 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

Det. assigned 3/22/21
WITNESSES *Howe Smith*
Spate Clerk
South Congaree Police Department
Josh Shumpert
Law Enforcement Case #: 202000185

DOCKET NO. 2021GS3200825

The State of South Carolina
County of Lexington

COURT OF GENERAL SESSIONS

March TERM 2021

THE STATE

vs.

Michael Thomas Dyer

CDR #: 0379

Indictment for

Sexual Exploitation of a Minor - First
Degree

§ 16-15-0395(A)

S.R. Hubbard III, SOLICITOR

AEW
ARREST WARRANT NUMBER
21-STR-00012

ACTION OF GRAND JURY

[Signature]
Foreperson of Grand Jury
Date: 3/22/21
VERDICT

Foreperson of Petit Jury
Date:

STATE OF SOUTH CAROLINA)	INDICTMENT FOR
)	Sexual Exploitation of a Minor - First Degree
COUNTY OF LEXINGTON)	
)	§ 16-15-0395(A)

At a Court of General Sessions, convened on March 2021, the Grand Jurors of Lexington County present upon their oath:

That **Michael Thomas Dyer** did in Lexington County, South Carolina, between January 1, 2020 and July 5, 2020 commit the crime of Sexual Exploitation of a Minor – First Degree, to wit: the defendant, knowing the content of the material, did knowingly use, employ, induce, coerce, encourage or facilitate a minor, Minor 1 (date of birth [REDACTED]/2011), to engage in or assist others to engage in sexual activity and/or appear in a state of sexually explicit nudity as defined by Section 16-15-375(5) and (6) of South Carolina Code of Laws, including, but not limited to a photograph, filename ending in 725803, of the victim's genitals. The victim is nude from the waist down and her legs are spread. The victim's labia is being spread and held open by the victim's hands, in violation of § 16-15-395, 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

South Congaree Police Department

Daniel R Alonzo

Law Enforcement Case #: 202000185

AEW

ARREST WARRANT NUMBER

2020A3220800119

ACTION OF GRAND JURY

TRUE BILL

[Signature]
Foreperson of Grand Jury
Date: *May 11, 2021*

VERDICT

Foreperson of Petit Jury
Date:

DOCKET NO. 2021GS3200856A

The State of South Carolina

County of Lexington

COURT OF GENERAL SESSIONS

May TERM 2021

THE STATE

vs.

Michael Thomas Dyer

CDR #: 0379

Amended Indictment for

Sexual Exploitation of a Minor - First Degree

§ 16-15-0395(A)

S.R. Hubbard III, SOLICITOR

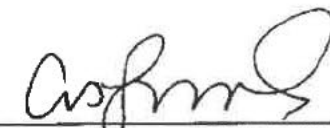
STATE OF SOUTH CAROLINA)
)
 COUNTY OF LEXINGTON)
)

INDICTMENT FOR
 Sexual Exploitation of a Minor - First Degree
 § 16-15-0395(A)

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

That **Michael Thomas Dyer** did in Lexington County, South Carolina, between January 1, 2020 and July 5, 2020 commit the crime of Sexual Exploitation of a Minor – First Degree, to wit: the defendant, knowing the content of the material, did knowingly use, employ, induce, coerce, encourage or facilitate a minor, Minor 1 (date of birth [REDACTED]/2011), to engage in or assist others to engage in sexual activity and/or appear in a state of sexually explicit nudity as defined by Section 16-15-375(5) and (6) of South Carolina Code of Laws, including, but not limited to a photograph, filename ending in b7280d9, of the victim laying on her back on a grey and navy striped bedspread, wearing what appears to be a red shirt or dress that is pushed up above her waist. The victim is nude from the waist down and her legs are spread, clearly exposing her genitals, in violation of § 16-15-395, 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

Det. arrested 3/22/21

WITNESSES *Hope Field*
Deputy Clerk
South Congaree Police Department

Josh Shumpert

Law Enforcement Case #: 202000185

AEW

ARREST WARRANT NUMBER

2020A3220800116

ACTION OF GRAND JURY

[Signature]
Foreperson of Grand Jury
Date: 3/22/21

VERDICT

TRUE BILL

Foreperson of Petit Jury
Date:

DOCKET NO. 2020GS3202382

The State of South Carolina
County of Lexington

COURT OF GENERAL SESSIONS

March: TERM 2021

THE STATE

vs.

Michael Thomas Dyer

CDR #: 0385

Indictment for

Criminal Sexual Conduct with a Minor -
First Degree

§ 16-03-0655(A)(1)

S.R. Hubbard III, SOLICITOR

STATE OF SOUTH CAROLINA)
)
COUNTY OF LEXINGTON)
)

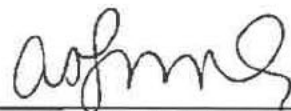
INDICTMENT FOR
Criminal Sexual Conduct with a Minor - First
Degree

§ 16-03-0655(A)(1)

At a Court of General Sessions, convened on *March 2021*, the Grand Jurors of Lexington County present upon their oath:

That **Michael Thomas Dyer** (date of birth [REDACTED] 1972), did in Lexington County, South Carolina between January 1, 2020 and July 5, 2020, commit the offense of Criminal Sexual Conduct with a Minor – First Degree by engaging in a sexual battery – as defined by Section 16-3-651(h) of South Carolina Code of Laws, 1976, as amended – with a minor who was less than eleven years of age, to wit: digitally penetrating the genitals of ^{Minor 1} (date of birth [REDACTED]/2011), in violation of Section 16-3-655(1), 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.



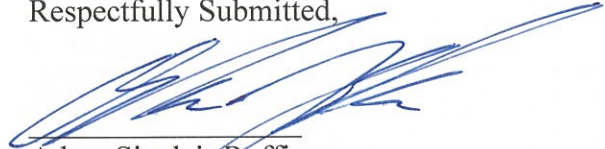
ASSISTANT SOLICITOR

CERTIFICATE OF COUNSEL FOR APPELLANT

Counsel for appellant certifies that this Record on Appeal contains all material proposed to be included by any of the parties and not any other material and that this Record on Appeal complies to the best of my ability with the April 15, 2014 order from the South Carolina Supreme Court entitled "Revised Order Concerning Personal Identifying Information and Other Sensitive Information in Appellate Court Filings."

RECEIVED**Dec 31 2021****SC Court of Appeals**

Respectfully Submitted,



Adam Sinclair Ruffin
Appellate Defender

South Carolina Commission on Indigent Defense
Division of Appellate Defense
PO Box 11589
Columbia, S.C. 29211-1589

ATTORNEY FOR APPELLANT

This 31st day of December, 2021