

RECEIVED

Mar 28 2022

SC Court of Appeals

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

Appeal from Anderson County

Honorable R. Lawton McIntosh, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

AARON CHARLES CLOUSE,

APPELLANT.

APPELLATE CASE NO. 2021-001079

RECORD ON APPEAL

LARA M. CAUDY
Appellate Defender

South Carolina Commission on Indigent
Defense
Division of Appellate Defense
PO Box 11589
Columbia, SC 29211-1589
(803) 734-1330

ATTORNEY FOR APPELLANT

MATTHEW C. BUCHANAN
General Counsel

South Carolina Department of Probation, Parole,
and Pardon Services
Post Office Box 207
Columbia, SC 29202

ATTORNEY FOR RESPONDENT

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DATED SEPTMEMBER 10, 20211

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1 STATE OF SOUTH CAROLINA) IN THE COURT OF GENERAL SESSIONS
2 COUNTY OF ANDERSON)
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4 STATE OF SOUTH CAROLINA,) TRANSCRIPT OF RECORD
5 PLAINTIFF,) 2015-GS-01-00332 and 2020-GS-04-00444
6 VS.)
7 AARON CHARLES CLOUSE,)
8 DEFENDANT.) SEPTEMBER 10, 2021
9 _____) ANDERSON, SOUTH CAROLINA

10

11

12 BEFORE:

13 HONORABLE LAWTON MCINTOSH, JUDGE

14

15

16 APPEARANCES:

17 MATTHEW C. BRADLEY, ESQUIRE

18 ATTORNEY FOR DEFENDANT

19

20 JERRY EDGE, PROBATION AND PAROLE AGENT

21

22 LESA D. WILLIAMS

23 CIRCUIT COURT REPORTER

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DIRECT EXAMINATION:

By the Court

4

CERTIFICATE OF TRANSCRIPTION

8

1	EXHIBITS:	Marked	Received
2	None entered		
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1 AARON CLOUSE, DEFENDANT'S WITNESS, SWORN

2 DIRECT EXAMINATION

3 BY THE COURT:

4 Q: All right, you're Aaron Charles Clouse?

5 A: Yes, sir.

6 Q: Okay. A, have you read or had read to you the report of your alleged probation violation?

7 A: Yes.

8 Q: Speak up, please, sir.

9 A: Yes, I have.

10 Q: Do you agree or disagree that you willfully violated the terms of your probation?

11 A: I agree.

12 Q: All right, let's go over a few of these allegations, just to see if you agree or disagree.

13 According to this --- report, that you have not reported since your initial intake on August

14 22nd, 2018, is that correct?

15 A: Yes, sir.

16 Q: Do you have anything to say in your defense?

17 A: I was having a rough day at that time and I was just running wild, basically. I know I was

18 doing --- plus I was, you know, really on ---. I wasn't doing ---

19 Q: What do you ---

20 A: --- what I was supposed to be doing.

21 Q: Sir?

22 A: I just wasn't doing what I was supposed to do, that's all,

23 you know.

24 Q: It said that you pled guilty of multiple charges, but it doesn't say what it was.

25 What did he plead guilty to?

1 MR. EDGE: The new charge, Your Honor, he pled guilty to distribution of
2 methamphetamines and received a new probation case, which he also violated.

3 Q: It also says you changed your residence and didn't advise your agent, is that correct?

4 A: I was staying where --- I was staying with my boss, and ---

5 Q: You moved without telling your agent, that's what the question was, right?

6 A: Yes, sir.

7 Q: And then, after your General Sessions hearing, you didn't report again, is that correct?

8 A: Yes, sir.

9 THE COURT: All right. Mr. Bradford, I'll be glad to hear from you.

10 MR. BRADFORD: May it please the court, Your Honor. He has recently paid \$2,700 on all
11 his monies to get those paid off. I believe he still only owes \$20.

12 MR. CLOUSE: I paid that.

13 MR. BRADFORD: He's paid the \$20, so it's my understanding he's paid in full now. He
14 spent quite a bit of time in jail before this sentence that he's on probation for now, because he
15 was to be held for bed space and inpatient treatment, but that was last, I believe, March, when
16 he received that sentence. And then, when Covid hit, everything shut down, there was no
17 inpatient places to go. Everywhere was closed, so he had to be released from that hold. But
18 before he went to court, he was in jail for six months, and then stayed there another two
19 months waiting for a bed space that never became available. So, he missed out on that. What
20 he need -- that was what was -- he was sentenced to, and he knew he needed it, but
21 unfortunately Covid prevented him from going to the inpatient treatment he was set to
22 receive.

23 When he got out, he just went back into drugs, Your Honor, instead of going into a rehab.
24 And so, he does need that. He's only 47 years old. He has two children, a five-year old and a
25 17-year old that he has weekend visitation with. He sees them regularly, supports them. He

1 pays -- he bought a place for his ex-wife and the children to stay, and then he bought himself
2 a little place to be able to be close to his children. But he started doing well. Go ahead.

3 A: I got clean on February 13th of this year. And in that time, I saved over \$5,000. I paid the
4 \$2,700 on my restitution, and I put a down payment on a house, and I've been paying it this
5 entire summer. It's --- Drive. I'm loving it. I have a good job. I'm lucky I still have a job,
6 but ---

7 THE COURT: I don't see any restitution being required on here.

8 MR. BRADFORD: Oh, no, sir, Your Honor. I think he just means his fees in general.
9 He didn't have any restitution.

10 MR. CLOUSE: --- paid everything off completely.

11 THE COURT: Tell me about him, Officer.

12 MR. EDGE: Your Honor, he was originally sentenced back in 2016, and he came back before
13 Your Honor May 18th of 2018, where you continued him on probation and tolled his time
14 until he was released. So, it has been brought before the court for a prior violation. There
15 were three issues -- or three warrants that were issued in this case. If he knew that he needed
16 the drug treatment and he was released from the detention center, he could have done that on
17 his own. There was nothing stopping him from finding somewhere to go on his own since he
18 was released because the jail had too many Covid cases or whatever happened. He's ---

19 THE COURT: You haven't seen him ---

20 MR. EDGE: Since 2018, Your Honor.

21 THE COURT: All right. Anything further?

22 MR. BRADFORD: Yes, sir, Your Honor. He -- as he was stating, his job -- he's working for
23 Ashley Automotive doing mechanic work, and been there for over two years, so he does have
24 a good job and been able to support his family. He's a high school graduate. He -- we're
25 asking Your Honor -- he's been in 99 days this time. We're asking that you would consider a

1 time served and terminate the old case that was set to end August 8th of 2021, and continue
2 him on his new case.

3 He would certainly be willing to do electronic monitoring, home incarceration to be able --
4 still be able to work and support his family and not lose everything he's built up since he did
5 get clean. As Agent Edge referred to, he could have done it on his own. He did. He got
6 clean. He tells me that this past year he's worked hard to get his family a place stable, get
7 himself a place stable, and he doesn't want to lose it, Your Honor. So, we'd ask for the
8 amount of time that he's served, again, 99 days this time around, to consider that as a time
9 served, terminate the old case, and continue his new case to let him finish that up, Your
10 Honor.

11 Q: All right, thank you, sir. I'm going to respectfully not do that. I'm going to find A has
12 willfully violated the terms of his probation. That he's failed to report from August 22nd,
13 2018 or anytime thereafter. He's pled guilty to other charges while on probation. Also, he
14 failed to report for random drug and alcohol testing, and he didn't notify his agent that he'd
15 changed his residence. So, basically, he didn't do anything he was supposed to do
16 whatsoever. I'm going to revoke him in full, and give him credit for 99 days.

17 MR. EDGE: Your Honor, for the record, the total time served on our warrants are 122 days.

18 THE COURT: 122 days?

19 MR. EDGE: Yes, sir.

20 THE COURT: Credit for 122 days. Any monies owed reduced to a civil judgment, please,
21 sir.

22 MR. EDGE: Okay. Thank you, Your Honor.

23

24

25

1 STATE OF SOUTH CAROLINA)
 2) CERTIFICATE OF REPORTER
 3 COUNTY OF ANDERSON)

4 I, THE UNDERSIGNED LESA D. WILLIAMS, OFFICIAL COURT
 5 REPORTER FOR THE TENTH JUDICIAL CIRCUIT OF THE STATE OF
 6 SOUTH CAROLINA, DO HEREBY CERTIFY THAT THE FOREGOING IS A
 7 TRUE, ACCURATE AND COMPLETE TRANSCRIPT OF ALL REQUESTED
 8 PROCEEDINGS RECORDED AND EVIDENCE INTRODUCED IN THE TRIAL OF
 9 THE CAPTIONED CASE, RELATIVE TO APPEAL, IN THE COURT OF
 10 GENERAL SESSIONS COURT, SOUTH CAROLINA, ON THE 10TH DAY OF
 11 SEPTEMBER, 2021.

12 I DO FURTHER CERTIFY THAT I AM NEITHER OF KIN,
 13 COUNSEL NOR INTEREST TO ANY PARTY HERETO.

14 November 15, 2021

15
 16 s/Lesa D. Williams

17 _____
 18 LESA D. WILLIAMS

19 FAMILY COURT REPORTER
 20
 21
 22
 23
 24
 25

South Carolina Department of Probation, Parole and Pardon Services

Violation Report - (Report 1106)

Personal Information					
Name:	SID:	DOB:	SCDC#:	Supervision Level:	Agent Name:
AARON CHARLES CLOUSE	02151205		02151205	Jail	0162-Jerry Edge

Sentencing Information		
Order: 2	Potential End Date: 4/10/2021	Adjusted End Date: 4/10/2021
Warrant/Citation Numbers: W-04-21-0002		
Sentence Date: 05/25/2016	County Name: ABBEVILLE	GPS Indicator:
Authority: Judge - Sprouse, R.Scott		

Indictment Number: 15-GS-01-00332	Offense Code: 3009 - Possession of less than one gram of meth, or cocaine base, 1st offense
Supervision: Probation	Sup. Begin Date: 05/25/2016 Sup. End Date: 08/08/2021
Sentence: 3YRS SS 7 DAYS (T/S) AND 5YRS PROBATION 5/18/18 GS W/ MCINTOSH; TOLL TIME SINCE INCARCERATION; RESTR MONEY ON RELEASE; EXEMPT SF ARREARS (ch) 8/1/18 - REL 8/1/18 - CASE TOLLED - NEW END DATE 8/8/2021	
Special Conditions: Fine - Fine / Fine/Costs and Assessments payable as directed by the Court. (\$803.40); RADT - RADT / Random Alcohol/Drug Testing; SAC - SAC / Substance Abuse Counseling	

Residence Summary & Address History			
Address:	Begin Date:	End Date:	Time at Residence:
██████████ D., BELTON, SC, 29627	03/17/2017		4 YR, 5 MO, 14 DY

Employment History				
Employer:	Location:	Begin Date:	End Date:	Time at Employer:
JASON COLLINS		04/24/2017		4 YR, 4 MO, 7 DY
CLOUSE LANDSCAPING		04/24/2017		4 YR, 4 MO, 7 DY

Account Information										
Account Name:	Case:	Indictment #:	Monthly Obligation:	Total Obligation:	Total Paid:	Co-Payer Paid:	Account Balance:	Pmts In Arrears:	Arrearage:	Last Payment Made:
Public Defender Fund	102	15-GS-01-00332	\$24.00	\$803.40	\$0.00	\$0.00	\$1,606.80	34	\$803.40	05/29/2018
Drug Test Fee			\$20.00	\$20.00	\$0.00	\$0.00	\$40.00	1	\$20.00	05/29/2018
Regular Supervision			\$50.00	\$1,850.00	\$1,850.00	\$0.00	\$0.00	0	\$0.00	07/28/2021

Violation History			
Violation:	Start Date:	Complete Date:	Disposition:
2018-05-15: Failure to pay monies by being in arrears.	05/15/2018	05/25/2018	Toll Time from incarceration until released from sentence now serving.
2018-05-15: Failure to refrain from violation of the law.			
2018-05-15: Failure to follow the advice and instructions of the Agent.			
2018-05-15: Failure to report as instructed.			

Current Violation(s) Summary

South Carolina Department of Probation, Parole and Pardon Services
Violation Report - (Report 1106)

Violations:	16.x
Condition:	Description:
1	I shall report in person to the SCDPPPS' office on the day of my sentencing or release, and as instructed by the Department; and I shall make complete and truthful reports to the Agent.
10	I shall follow the advice and instructions of my Agent and I agree to comply with any further conditions imposed by the Department or its' Agents.

Description:

Offender failed to report as instructed, having not reported since initial intake on 08/22/2018, thus absconding supervision. Offender failed to follow Special Conditions by failing to report for random drug/alcohol testing and failing to report for substance abuse counseling. Offender failed to refrain from violating Federal, State, and Local laws. Offender pled guilty and was convicted in General Session Court under Indictments 2020-GS-04-00444; 2020-GS-04-00094; 2002-GS-04-00095. Offender failed to work diligently at a lawful occupation, having not provided verification of employment. Offender failed to notify Agent of change in residence, evidenced by home visit conducted 09/28/2020. Offender failed to pay supervision fees, currently \$1,150.00 in arrears. Offender failed to pay the \$20.00 drug test fee and failed to pay the \$803.40 Public Defender Fund. Offender failed to follow the advice and instructions of Agent, as witnessed by the stated violations.

Such actions constitute violation of conditions 1, 2, 5, 6, 7, 9, 10, Special Conditions.

Offender failed to report as instructed, having never reported since release on 04/09/2020, thus absconding supervision. Offender failed to follow Special Conditions by failing to complete inpatient drug rehab as ordered by the Court at sentencing. Offender also failed to report for random drug/alcohol testing and failing to report for substance abuse counseling. Offender failed to work diligently at a lawful occupation, having not provided verification of employment. Offender failed to notify Agent of change in residence, evidenced by home visit conducted 09/28/2020. Offender failed to follow the advice and instructions of Agent, as witnessed by the stated violations. Offender failed to pay supervision fees, currently \$1,150.00 in arrears. Offender failed to pay the \$20.00 drug test fee and failed to pay the \$798.25 Public Defender Fund.

Such actions constitute violation of conditions 1, 2, 5, 7, 9, 10, Special Conditions.

Offender failed to report as instructed, failing to appear for General Sessions revocation hearing on 01/04/2021. Offender failed to follow the advice and instructions of Agent, as witnessed by the stated violations.

Such actions constitute violation of conditions 1, 10.

The Agent's Recommended Response(s) Summary:**Responses:**

Full Revocation. Terminate supervision.

Justification:

Offender last reported to Office 08/22/2018, which was his initial intake date. Offender missed scheduled report on 11/20/2018, 02/12/2019, 02/27/2019. During this time, Offender failed to provide proof of employment, failed to pay on any fees, failed to report for random drug/alcohol testing and failed to report for referral to substance abuse counseling. On 03/03/2020, Offender pled guilty in General Sessions Court on 03/03/2020 to Dist./PWID meth, 1st, FTC Fraud, and Fall to Stop for Blue Light, which directly violate his original probation case. Offender was ordered in Court on 03/03/2020 to complete inpatient drug rehab. Offender was released from Anderson County Detention Center 04/09/2020 and failed to make contact with Office. Offender has provided no proof of any such drug treatment. Home visit conducted 09/28/2020 revealed Offender has not lived at residence on file since his release from jail. Offender, while on probation, received three new General Session convictions and has shown no effort to complete either case. Offender has not made contact with Office since August of 2018 and has absconded supervision for over two years. In addition to these violations, Offender failed to appear in GS Court for revocation hearing on 01/04/2021 and a bench warrant was issued. Due to these facts and violations, the State recommends revocation.

Approved By: Benjy L. Partain, 8/31/2021

End Of Violation Report

South Carolina Department of Probation, Parole and Pardon Services
Violation Report - (Report 1106)

Personal Information

Name:	SID:	DOB:	SCDC#:	Supervision Level:	Agent Name:
AARON CHARLES CLOUSE	02151205		02151205	Jail	0162-Jerry Edge

Sentencing Information

Order: 5	Potential End Date: 4/10/2021	Adjusted End Date: 4/10/2021
Warrant/Citation Numbers: W-04-21-0001		
Sentence Date: 03/03/2020	County Name: ANDERSON	GPS Indicator:
Authority: Judge - Sprouse, R.Scott		

Indictment Number: 20-GS-04-00444	Offense Code: 3198 - Distribution, etc. of methamphetamine, 1st (Excludes manufacturing meth; see CDR Code 3776)
--	---

Supervision: Probation	Sup. Begin Date: 03/03/2020	Sup. End Date: 03/02/2023
Sentence: 5 YRS SS 3 YRS PROB. 149 DAYS CTS		
Special Conditions: Fine - Fine/Costs and Assessments payable as directed by the Court. 2019A0410201188 \$ 798.25; Other1 - INPT DRUG REHABILITATION PROGRAM. HOLD UNTIL BED AVAILABLE.; RADT - Random Alcohol/Drug Testing; SAC - Substance Abuse Counseling		

Residence Summary & Address History

Address:	Begin Date:	End Date:	Time at Residence:
	03/17/2017		4 YR, 5 MO, 14 DY

Employment History

Employer:	Location:	Begin Date:	End Date:	Time at Employer:
JASON COLLINS		04/24/2017		4 YR, 4 MO, 7 DY
CLOUSE LANDSCAPING		04/24/2017		4 YR, 4 MO, 7 DY

Account Information

Account Name:	Case:	Indictment #:	Monthly Obligation:	Total Obligation:	Total Paid:	Co-Payer Paid:	Account Balance:	Pmts in Arrears:	Arrears @:	Last Payment Made:
Public Defender Fund	105	20-GS-04-00444	\$23.00	\$798.25	\$798.25	\$0.00	\$0.00	0	\$0.00	07/23/2021
Drug Test Fee			\$20.00	\$20.00	\$0.00	\$0.00	\$20.00	1	\$20.00	
Regular Supervision			\$50.00	\$1,850.00	\$1,850.00	\$0.00	\$0.00	0	\$0.00	07/28/2021

Violation History

Violation:	Start Date:	Complete Date:	Disposition:

Current Violation(s) Summary

Violations:	16x
Condition:	Description:
7	I shall report in person to the SCDPPPS' office on the day of my sentencing or release, and as instructed by the Department; and I shall make complete and truthful reports to the Agent.

South Carolina Department of Probation, Parole and Pardon Services
Violation Report - (Report 1106)

Condition:	Description:
10	I shall follow the advice and instructions of my Agent and I agree to comply with any further conditions imposed by the Department or its Agents.

Description:
See prior 1106.

The Agent's Recommended Response(s) Summary

Responses:
See prior 1106.

Justification:
See prior 1106.

Approved By: Benjy L. Partain, 8/31/2021

End Of Violation Report

STATE OF SOUTH CAROLINA

County of ANDERSON
 STATE VS
AARON CHARLES CLOUSE
 AKA:
 Race: W Sex: M
 DOB:
 SSN:
 SID#: 02151205

21 SEP 10 PM 12:36:03
 Alder 500, SC CDC, CP 165

IN THE COURT OF GENERAL SESSIONS

Indictment Number:
15 - GS - 01 - 0332
 Probation CW#: W-04-20-0573; W-04-21-0002
 Name of Original Offense: POSS. METHAMPHETAMINE
 Original A/W#: 2015A0110200041
 Date of Original Offense: 07/08/2015
 Conviction S.C. Code §: 44-53-0375
 Conviction CDR Code #: 3 1 0 1 0 1 9
 Original Sentence: 3 YRS SS 7 DAYS CTS AND 6 YRS PROBATION

ORDER

The above named defendant has been charged with violating the conditions of probation ordered on 05 / 25 / 2016 in the Court of General Sessions of ABBEVILLE County, and/or the additional conditions ordered by the Court in probation continuation order(s) issued on 05/18/2018, as set forth in the attached warrant(s) or citation(s) dated 10/05/2020. After hearing the evidence and being duly advised, in the (presence/absence) of the defendant, I find that the above named defendant has violated the following condition(s) of probation: *(List by number or indicate special conditions as provided in the affidavit)*
1, 2, 5, 6, 7, 9, 10, SPECIAL CONDITIONS

Therefore, IT IS ORDERED that:

- the suspended sentence be revoked and the above named defendant be required to serve 3 months/years the remainder of the original sentence, and/or pay \$ _____.
- the suspended sentence be revoked and the above named defendant be required to serve _____ months/years of the original sentence and/or pay \$ _____; thereupon to be reinstated on probation, subject to the conditions set forth in the attached order and not inconsistent with this order.
- the above named defendant is continued on probation as provided for in the original sentence, subject to the conditions set forth therein and not inconsistent with this order.
- probation is reduced to time served under supervision and the defendant is discharged from supervision on this date.
- the above named defendant is placed on electronic monitoring pursuant to §23-3-540 (mandatory if convicted of first or third degree criminal sexual conduct with a minor or lewd act, discretionary if convicted of any other applicable sex offense against a minor).
- Financial Obligations: Order satisfies:
 - Department fees (arrearage)
 - Fines and other fees (arrearage/balance)
 - Restitution (and 20%) (arrearage / balance)
 Civil judgment:
 - Department fees
 - Fines and other fees
 - Restitution (and 20%)
- Additional Conditions ordered by the Court:

- The defendant is given credit for pre-revocation hearing detention time on current probation violation to be calculated and applied by the SC Department of Corrections.
- The defendant is to be given credit for pretrial detention time served (N/A if defendant has served prior SDC time).
- The defendant has served 7 days/months/years of prior revocations and/or initial SDC time.
- The defendant was previously placed on active electronic monitoring pursuant to §23-3-540.

This 10 day of Sept, 2021
 ANDERSON SC

[Signature]
 Presiding Judge
 TENTH
 Judicial Circuit

RECEIVED
 SEP 22 2021
 SC COURT OF APPEALS

You are hereby advised that under the law the Court may at any time revoke or modify any condition of this probation; impose any lawful conditions it deems proper; or extend your period of probation not to exceed five (5) years. At any time within the period of your probation, the Court may require you to serve any part of the original sentence imposed.

This is to certify that I have read, or have had read to me, the order and the conditions set out therein. I agree to comply with such conditions and the conditions of my attached probation order during the period of my probation. I have received a copy of this Court's order and all attachments.

Offender's Signature _____
 Signed this _____ day of _____ at _____
 Day Month Year

Witnessed by _____
 City Anderson, SC
 CLERK OF COURT

A TRUE COPY
 SEP 20 2021
 SC

STATE OF SOUTH CAROLINA

County of ANDERSON
 STATE VS
AARON CHARLES CLOUSE
 AKA:
 Race: W Sex: M
 DOB:
 SSN:
 SID#: 02151205

21 SEP 10 PM 2:35:57
 Anderson SC CJC, CP/CS

IN THE COURT OF GENERAL SESSIONS

Indictment Number:
 20 - GS - 04 - 00444
 Probation CIV#s: W-04-20-0574; W-04-21-0001
 Name of Original Offense: FWID METH, 1st
 Original A/W#: 2019A0410201188
 Date of Original Offense: 10/07/2019
 Conviction S.C. Code §: 44-53-375(B)
 Conviction CDR Code #: 3 / 1 / 9 / 8
 Original Sentence: 5 YRS SS 14 DAYS CTS AND 3 YRS PROBATION

ORDER

The above named defendant has been charged with violating the conditions of probation ordered on 03 / 03 / 2020 in the Court of General Sessions of ANDERSON County, and/or the additional conditions ordered by the Court in probation continuation order(s) issued on _____, as set forth in the attached warrant(s) or citation(s) dated 10/05/2020. After hearing the evidence and being duly advised, in the (presence/absence) of the defendant, I find that the above named defendant has violated the following condition(s) of probation: (List by number or indicate special conditions as provided in the affidavit)
1, 2, 5, 7, 9, 10, SPECIAL CONDITIONS

Therefore, IT IS ORDERED that:

- the suspended sentence be revoked and the above named defendant be required to serve 5 months/years, the remainder of the original sentence, and/or pay \$ _____.
- the suspended sentence be revoked and the above named defendant be required to serve _____ months/years of the original sentence and/or pay \$ _____; thereupon to be reinstated on probation, subject to the conditions set forth in the attached order and not inconsistent with this order.
- the above named defendant is continued on probation as provided for in the original sentence, subject to the conditions set forth therein and not inconsistent with this order.
- probation is reduced to time served under supervision and the defendant is discharged from supervision on this date.
- the above named defendant is placed on electronic monitoring pursuant to §23-3-540 (mandatory if convicted of first or third degree criminal sexual conduct with a minor or lewd act, discretionary if convicted of any other applicable sex offense against a minor).
- Financial Obligations: Order satisfies:
 - Department fees (arrears)
 - Fines and other fees (arrears / balance)
 - Restitution (and 20%) (arrears / balance)
 Civil judgment:
 - Department fees
 - Fines and other fees
 - Restitution (and 20%)
- Additional Conditions ordered by the Court:

- The defendant is given credit for pre-arrest hearing detention time on current probation violation to be calculated and applied by the SC Department of Corrections.
- The defendant is to be given credit for pretrial detention time served (N/A if defendant has served prior SCDC time).
- The defendant has served 14 days/months/years of prior revocations and/or initial SCDC time.
- The defendant was previously placed on active electronic monitoring pursuant to §23-3-540.

This 10 day of Sept, 2021
ANDERSON, SC

[Signature]
 Presiding Judge
 TENTH Judicial Circuit

RECEIVED
 SEP 22 2021
 SC Court of Appeals

You are hereby advised that under the law the Court may at any time revoke or modify any condition of this probation; impose any lawful conditions it deems proper; or extend your period of probation not to exceed five (5) years. At any time within the period of your probation, the Court may require you to serve any part of the original sentence imposed.

This is to certify that I have read, or have had read to me, the order and the conditions set out therein. I agree to comply with such conditions and the conditions of my attached probation order during the period of my probation. I have received a copy of this Court's order and all attachments.

Offender's Signature

Witnessed by

Signed this _____ day of _____ at _____
 Day Month Year

A TRUE COPY
 SEP 20 2021
 SC
[Signature]
 Clerk of Court

WITNESSES

J. S. Hines
Abbeville County Sheriff

THE STATE OF SOUTH CAROLINA

COUNTY OF ABBEVILLE

COURT OF GENERAL SESSIONS

October Term, 2015
Indictment # 15GS01-0332

WARRANT NUMBER

2015A0110200041

THE STATE

vs.
Aaron Charles Clouse

TRUE BILL

Daniel Brown

Foreman of the Grand Jury

Date: OCT 23 2015

VERDICT

INDICTMENT FOR

**POSSESSION OF METHAMPHETAMINE
WITH INTENT TO DISTRIBUTE**

§44-53-0375

CDR: 3198

Foreman

THE STATE OF SOUTH CAROLINA

COUNTY OF ABBEVILLE

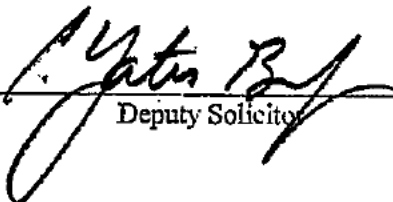
INDICTMENT FOR

POSSESSION OF METHAMPHETAMINE
WITH INTENT TO DISTRIBUTE
§44-53-0375

At a Court of General Sessions, convened on the 23rd day of October, 2015, the Grand Jurors of Abbeville County present upon their oath:

That Aaron Charles Clouse, on or about July 8, 2015, in Abbeville County, willfully, unlawfully, and knowingly possess with intent to distribute, dispense, deliver, and/or otherwise aid, abet, attempt, or conspire to possess with the intent to distribute, dispense, or deliver methamphetamine, in violation of the provisions of Section 44-53-375 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 cases made and provided.


Deputy Solicitor

WITNESSES

Belton Police Dept.
Jordan A Smith

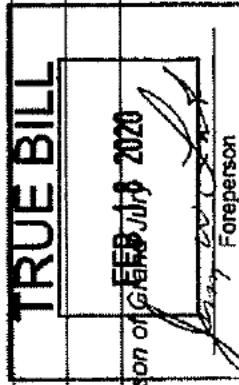
The State of South Carolina
County of Anderson

ARREST WARRANT NUMBER

2019A0410201188

COURT OF GENERAL SESSIONS
FEB 18 2020, TERM

ACTION OF GRAND JURY



Foreperson of Grand Jury
Date:

COMMITMENT

THE STATE

VS.

AARON CHARLES CLOUSE

VERDICT

INDICTMENT FOR

**POSSESSION WITH INTENT TO
DISTRIBUTE METHAMPHETAMINE**

SC Code: § 44-53-375(B)
CDR Code: 3198

Foreperson of Grand Jury
Date:

STATE OF SOUTH CAROLINA
COUNTY OF ANDERSON

INDICTMENT

At a Court of General Sessions, convened on FEB 18 2020, the
Grand Jurors of Anderson County present upon their oath:

POSSESSION WITH INTENT TO DISTRIBUTE METHAMPHETAMINE

The defendant, Aaron Charles Clouse, did on or about October 7, 2019, in Anderson County, South Carolina, distribute, dispense, deliver, purchase, or otherwise aid, abet, attempt, or conspire to distribute, dispense, deliver, or purchase, or possess with the intent to distribute, dispense, deliver, or purchase Methamphetamine, a Schedule II controlled substance under provisions of Section 44-53-110, et seq., Code of Laws of South Carolina (1976), as amended. All in violation of 44-53-375(B) 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.



MARY G. HOLAHAN
ASSISTANT SOLICITOR

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF Abbeville
STATE VS. Aaron Charles Clouse
AKA:
Race: CAUCASIAN Sex: M Age: 40
DOB: SS#:
Address:
City, State, Zip:
DL#: SID#:

INDICTMENT/CASE#: 15GS01-0337
A/W#: 2015A0110200041
Date of Offense: 7/8/2015
S.C. Code §: 44-53-0375
CDR Code #: 3198
RECEIVED SEP 22 2021 SC Court of Appeals

*CDL Yes No CMV Yes No Hazmat Yes No
In disposition of the said indictment comes now the Defendant who was TO: Possession Methamphetamine: 0-3 years

SENTENCE SHEET
CONVICTED OF of HEADS

in violation of § 44-53-0375 of the S.C. Code of Laws, bearing CDR Code # 3009
NON-VIOLENT VIOLENT SERIOUS MOST SERIOUS
Mandatory GPS(CSC w/minor 1st or Lewd Act) §17-25-45

The charge is: As Indicted, Lesser Included Offense, Defendant Waives Presentment to Grand Jury.
The plea is: Without Negotiations or Recommendation, Negotiated Sentence, Recommendation by the State.

ATTY: Brown, C. Yates SC Bar# 78607 Defendant Attorney for Defendant Young, J. SC Bar# 100394

WHEREFORE, the Defendant is committed to the State Department of Corrections, County Detention Center,
for a determinate term of 3 days/months/years or under the Youthful Offender Act not to exceed years
and/or to pay a fine of \$ 7; provided that upon the service of 7 days/months/years and/or payment
of \$ 5; plus costs and assessments as applicable*; the balance is suspended with probation for 5

months/years and subject to South Carolina Department of Probation, Parole and Pardon Services standard conditions of
probation, which are incorporated by reference.

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 the State Department of Corrections. 7 Days T/S
The Defendant is to be placed on the Central Registry of Child Abuse and Neglect pursuant to S.C. Code §17-25-135.

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

SPECIAL CONDITIONS:

RESTITUTION: Deferred Def. Waives Hearing Ordered
Total: \$ plus 20% fee: \$
Payment Terms:
Set by SCDPPPS

PTUP
days/hours Public Service Employment
Obtain GED
Attend Voc. Rehab. or Job Corp.
May serve W/E beginning
Substance Abuse Counseling
Random Drug/Alcohol testing
Fine may be pd. in equal, consecutive weekly/monthly
pmts. of \$ beginning
\$ paid to Public Defender Fund
Other:

Table with 3 columns: Description, Amount, Total. Includes items like § 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, Proviso 47.9 (Public Def/Prob) \$500, § 14-1-212 (Law Enforce. Funding) \$25, § 14-1-213 (Drug Court Surcharge) \$150, § 50-21-114 (BUI Breath Test Fee) \$50, § 56-5-2942(J) (Vehicle Assessment) \$40/ea, Proviso 90.5 (SCCA Surcharge) \$5, 3% to County (if paid in installments) \$213.40, TOTAL \$803.40

TRUE COPY
BY Shandaal Boggs
ABBEVILLE COUNTY CLERK OF COURT

Appointed PD or appointed other counsel,
§ 47.12 requires \$500 be paid to Clerk
during probation.

Clerk of Court/ Deputy Clerk: Emily Y. ...
Court Reporter: ...
SCCA/217 (03/2011)

Presiding Judge: [Signature]
Judge Code: 2772
Sentence Date: 5-25-16

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF ANDERSON
STATE VS.

AARON CHARLES CLOUSE

INDICTMENT/CASE#: 2020650400444
AW#: 2019AC410201188
Date of Offense: 10/07/2019
S.C. Code §: 44-53-375(B)
CDR Code #: 3198



AKA:
Race: White Sex: M Age: 44
DOB:
Address:
City, State, Zip:
DL# SID# SC02151205

SENTENCE SHEET

e-mon until
end @ rehab
553 prob.
in-patient treat.

*CDL Yes No CMV Yes No Hazmat Yes No

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

TO: DisUPWID Meth 1st (0-15)
In violation of § 44-53-375(B) of the S.C. Code of Laws, bearing CDR Code # 3198

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:

Mary G. Holahan 101752
Mary G. Holahan, Assistant Solicitor SC Bar #

Defendant

Attorney for Defendant 77943
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 or under the Youthful Offender Act not to exceed 189 years
and/or to pay a fine of \$ 150.00; provided that upon the service of 189 days/months/years and or payment
of \$ 150.00; plus costs and assessments as applicable*; the balance is suspended with probation for 3
months/years and subject to South Carolina Department of Probation, Parole and Pardon Service standard conditions of probation, which
are incorporated by reference.

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 SC
Department of Corrections 149 Days TIS

The Defendant is to be placed on Central Registry of Child Abuse and Neglect pursuant to S.C. Code §17-25-135.
RSS

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

SPECIAL CONDITIONS:

RESTITUTION: Deferred Def. Waives Hearing Ordered: PTUP
Total: \$ 150.00 days/hours Public Service Employment

Payment Terms: Obtain GED

Set by SCDPPPS: Attend Voc. Rehab. Or Job Corp. SEP 20 2021

Recipient: May serve WVE beginning

*Fine: Richard S. Miller Clerk of Court
Substance Abuse Counseling

§14-1-206 (Assessments 107.0%) \$ 500.00
Random Drug/Alcohol Testing

§14-1-211 (A)(1)(Conv. Surcharge) \$100 \$ 100.00
Fine may be pd. in equal consecutive weekly/monthly

§14-1-211 (A)(2)(DUI Surcharge) \$100 \$ 100.00
prmts. of \$ 100.00 Beginning

§56-5-2995 (DUI Assessment) \$12 \$
\$ Paid to Public Defender Fund

§56-1-286 (DUI Breath Test) \$25 \$
Other: inpatient drug rehab. intake program.

Proviso (Public Def/Prob) \$500 \$ 500.00
Hold until bed available.

§14-1-212 (Law Enforce. Funding) \$25 \$ 25.00
RSS

§14-1-213 (Drug Court Surcharge) \$160 \$ 150.00

§50-21-114 (BUI Breath Test Fee) \$50 \$

§56-5-2842(J) (Vehicle Assessment) \$40/ea \$

3% to County (if paid in installments) \$ 23.25
798.25

TOTAL \$ 798.25

Appointed PD or appointed other counsel,
Proviso requires \$500 be paid to Clerk

Clerk of Court/Deputy Clerk: Richard S. Miller Presiding Judge:

Court Reporter: H. Jenkins Judge Code: 2053

SCCA/217 (04/2018) Sentence Date: 3/3/2020



SEP 22 2021

SC Court of Appeals

CERTIFICATE OF COUNSEL FOR APPELLANT

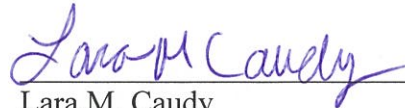
Counsel for appellant certifies that this Record on Appeal contains all material proposed to be included by any of the parties and not any other material and that this Record on Appeal complies to the best of my ability with the April 15, 2014 order from the South Carolina Supreme Court entitled “Revised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

Respectfully Submitted,

RECEIVED

Mar 28 2022

SC Court of Appeals



Lara M. Caudy
Appellate Defender

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

ATTORNEY FOR APPELLANT

This 28th day of March, 2022.