

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF Chester

INDICTMENT/CASE#: 2021GS12364

STATE

VS.

A/W#: 2021A1210100217

Kenneth Tyrone Wherry

Date of Offense: 2/27/2021

AKA:

S.C. Code §: 16-03-0010; 16-03-0020

Race: BLACK Sex: M Age: 47

CDR Code #: 0116

DOB: [REDACTED] SS#: [REDACTED]

Address: [REDACTED]

City, State, Zip: [REDACTED]

DL#: [REDACTED] SID#: [REDACTED]

**RECEIVED**

SENTENCE SHEET

APR 12 2022

**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: Murder / Murder

in violation of § 16-03-0010; 16-03-00 of the S.C. Code of Laws, bearing CDR Code # 0116

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:

[Signature] 12123  
Lively, Candice SC Bar # \_\_\_\_\_ Defendant

SCB100816

Boulevard, Kay  
Attorney for Defendant SC Bar# \_\_\_\_\_

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

for a determinate term of 45 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       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 0 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<sup>00</sup></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<sup>00</sup></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>4.95</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	\$ <u>40<sup>00</sup></u>
	<b>TOTAL</b>	\$ <u>169.95</u>

Clerk of Court/ Deputy Clerk: \_\_\_\_\_  
 Court Reporter: \_\_\_\_\_

Presiding Judge: [Signature]  
 Judge Code: 2048  
 Sentence Date: April 7, 2022

WITNESSES

T. Crockett (CCSD)

*M. Dean*

The State of South Carolina

County of Chester

CLERK OF COURT  
CHESTER CO S.C.

2021 MAY 26 PM 3: 17

FILED

COURT OF GENERAL SESSIONS

MAY TERM 2021

ARREST WARRANT NUMBER/DOA

2021A1210100217 (DOA- 02/28/2021)

THE STATE  
vs.

Kenneth Tyrone Wherry

ACTION OF GRAND JURY

TRUE BILL

*Leslie Smith*  
Foreperson of Grand Jury  
Date: 5/25/2021

VERDICT

*Guilty*

Indictment for  
Murder

SC Code: §16-3-10  
CDR Code: 0116  
Class: Felony, EXM

*Amily Lee*  
Foreperson of Petit Jury  
Date: 4/7/22

RECEIVED  
APR 12 2022  
SC Court of Appeals

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF CHESTER )

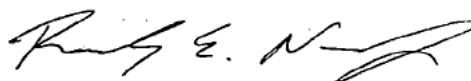
INDICTMENT

At a Court of General Sessions, convened on May 25, 2021, the Grand Jurors of Chester County present upon their oath:

**MURDER**

That Kenneth Tyrone Wherry did in Chester County on or about February 27, 2021, feloniously, willfully and with malice aforethought kill and murder [REDACTED] [REDACTED] by means of shooting him and that the said victim did die as a proximate result thereof, in violation of the common law of South Carolina and §16-3-10, *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.



Randy E. Newman, Jr., SOLICITOR

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF Chester

STATE

VS.

INDICTMENT/CASE#: 2021GS12449

Kenneth Tyrone Wherry

A/W#: 2021A1210100228

AKA: \_\_\_\_\_ Date of Offense: 2/27/2021

Race: BLACK Sex: M Age: 47 S.C. Code §: 16-23-0490

DOB: [REDACTED] SS#: [REDACTED] CDR Code #: 0549

Address: [REDACTED]

City, State, Zip: [REDACTED]

DL#: [REDACTED] SID#: \_\_\_\_\_

**RECEIVED**

SENTENCE SHEET

APR 12 2022

\*CDL Yes  No  CMV Yes  No  Hazmat Yes  No  **SC Court of Appeals**

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

TO: Weapons / Poss. weapon during violent crime, if not also sentenced to life without parole or death

in violation of § 16-23-0490 of the S.C. Code of Laws, bearing CDR Code # 0549

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:

*[Signature]*  
12/23

SCB100816

Lively, Candice SC Bar # \_\_\_\_\_ Defendant

Boulware, Kay SC Bar# \_\_\_\_\_  
Attorney for Defendant

WHEREFORE, the Defendant is committed to the  State Department of Correction,  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 \_\_\_\_\_ 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       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 0 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:		\$ _____	Beginning _____	\$ _____
Fine may be pd. in equal, consecutive weekly/monthly pmnts. of	\$ _____			
§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: \_\_\_\_\_  
 Court Reporter: \_\_\_\_\_

Presiding Judge: *[Signature]*  
 Judge Code: 2048  
 Sentence Date: April 7, 2022

✓  
WITNESSES

T. S. Crockett (CCSD)

/ M. Dean

ARREST WARRANT NUMBER/DOA

2021A1210100228 (DOA-03/03/2021)

ACTION OF GRAND JURY

**TRUE BILL**

*Lesley Smith*  
Foreperson of Grand Jury  
Date: 6/29/2021

VERDICT

*Guilty*

*Emily Lee*  
Foreperson of Petit Jury  
Date: 4-17-22

DOCKET NO. 2021-GS-12-449

**The State of South Carolina**  
County of Chester

COURT OF GENERAL SESSIONS

JUNE TERM 2021

THE STATE  
vs.

Kenneth Tyronne Wherry

Indictment for

**Possession or Display of Firearm or  
Knife During Commission of a Violent  
Crime**

SC Code: § 16-23-490  
CDR Code: 0549  
Class: Felony, F

CLERK OF COURT  
COUNTY OF CHESTER  
2021 JUN 29 PM 4:48

FILED

**RECEIVED**  
APR 12 2022  
SC Court of Appeals

STATE OF SOUTH CAROLINA )  
  )  
COUNTY OF CHESTER         )

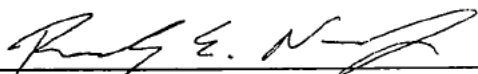
INDICTMENT

At a Court of General Sessions, convened on June 29, 2021, the Grand Jurors of Chester County present upon their oath:

**POSSESSION OR DISPLAY OF FIREARM OR KNIFE DURING COMMISSION OF A  
VIOLENT CRIME**

That Kenneth Tyrone Wherry did in Chester County on or about February 27, 2021, possess or visibly display a firearm or knife, to wit: handgun during his/her commission of a violent crime, to wit: murder of [REDACTED] in violation of §16-23-490, *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.

  
\_\_\_\_\_  
Randy E. Newman, Jr., SOLICITOR

333 ✓