

STATE OF SOUTH CAROLINA
COUNTY OF BERKELEY

Me
FILED

IN THE COURT OF GENERAL SESSIONS
NINTH JUDICIAL CIRCUIT

2024 FEB -1 AM 10:39

STATE OF SOUTH CAROLINA

vs.

STEPHEN MICHAEL RIVERS,

DEFENDANT.

LEAH GUTTRY DUBREE
CLERK OF COURT
BERKELEY COUNTY, SC

**STATE'S MOTION TO REOPEN DEFENDANT'S
SENTENCING AND OBJECTION TO CREDIT FOR
GPS MONITORING**

INDICTMENT 2020-GS-08-01764

The State moves this Court to re-open the sentencing hearing of Stephen Michael Rivers. The Court's decision to grant credit for monitored house arrest is prohibited by § 24-13-40. The Defendant cited and included the text of § 24-13-40 as authority for his argument in his Motion to Reconsider but provided the incomplete text of the statute; omitting the portion that expressly prohibited granting credit for monitored house arrest (see State's Exhibit One).¹

After a guilty plea on September 25, 2023 to Voluntary Manslaughter, this Court sentenced the Defendant to twenty-five (25) years suspended to eleven (11) years of active time and gave him half of the requested credit for pre-trial house arrest under GPS monitoring, which was five hundred ninety-six (596) days. The State objected to any credit being given for GPS monitoring as the Defendant had a revocation hearing and violations while on bond.

The Defendant filed a motion to reconsider this sentence on September 26, 2023, requesting the Court give the Defendant full credit for one thousand one hundred ninety-two (1,192) days of credit for monitored house arrest, and to reconsider the active sentence of twenty-five (25) years suspended to eleven (11) years. That Motion was granted. The State requests the Court reopen sentencing and deny credit for monitored house arrest pursuant to § 24-13-40 (4).

¹ Defendant omitted the following sections from his motion: § 24-13-40 (3) when the prisoner commits a subsequent crime while out on bond; or
§ 24-13-40 (4) has bond revoked on any charge prior to trial or plea.

Procedural History

On March 20, 2020, the Defendant was arrested for Murder and Possession of a Weapon During the Commission of a Violent Crime.

On March 24, 2020, Defendant was released with several conditions, including a GPS monitor, and strict house arrest (See State's Exhibit Two).

On October 29, 2020, the Defendant successfully petitioned to have the GPS monitor removed (See State's Exhibit Three).

On January 8, 2021, the State filed a Motion to Revoke Bond based on evidence of the Defendant's violations of house arrest. (See State's Exhibit Four)

On January 26, 2021, the State's motion was heard by the Honorable Judge Jennifer McCoy. At the hearing and in the motion, the State provided three instances of violations where the Defendant went to a liquor store. (See State's Exhibit Four). During the hearing, the Defense admitted to these violations and offered evidence of the Defendant's ongoing battle with alcoholism. After an opportunity for both sides to be heard, the Court found there were violations to the bond, and the Court revoked the bond in part and ordered that an ankle monitor be placed back on the Defendant. (See State's Exhibit Five).

On September 25, 2023, the Defendant pled guilty to Voluntary Manslaughter, this Court sentenced the Defendant to twenty-five (25) years suspended to eleven (11) years of active time and gave him half of the requested credit for pre-trial house arrest under GPS monitoring, which was five hundred ninety-six (596) days.

On September 26, 2023, the Defendant filed a motion to reconsider this sentence, requesting credit for all of the time the defendant spent on house arrest as well as a reconsideration of time sentenced to SCDC.²

On Sept 28, 2023 the State filed a Response to Motion to Reconsider Sentence (See State's Exhibit Six).

On January 17, 2024, the parties received an email from the Court stating that the Defendant's Motion was granted, and the Court was amending the sentence to 25 years suspended to 7 years with 5

² Previously referenced -State's Exhibit One

years of probation to follow, and credit for the 1,192 days spent on the electric monitor (See State's Exhibit Seven).

No order was filed by the Court, but an amended sentence sheet was executed and sent to the South Carolina Department of Corrections on January 31, 2024 (See State's Exhibit Eight).

Law and Analysis

South Carolina Statute § 24-13-40 was amended in June of 2023 to include two conditions that prohibit granting credit for pre-trial monitored house arrest:

§ 24-13-40 (3) when the prisoner commits a subsequent crime while out on bond; or
§ 24-13-40 (4) has bond revoked on any charge prior to trial or plea.

Both of these sections were omitted in Defendant's Motion to Reconsider (see State's Exhibit One). The Court was provided text of the Statute without the above sections. The full text of the statute reads:

SC Statute § 24-13-40, Computation of time served by prisoners:

The computation of the time served by prisoners under sentences imposed by the courts of this State must be calculated from the date of the imposition of the sentence. However, when (a) a prisoner shall have given notice of intention to appeal, (b) the commencement of the service of the sentence follows the revocation of probation, or (c) the court shall have designated a specific time for the commencement of the service of the sentence, the computation of the time served must be calculated from the date of the commencement of the service of the sentence. In every case in computing the time served by a prisoner, full credit against the sentence must be given for time served prior to trial and sentencing and may be given for any time spent under monitored house arrest. Provided, however, that credit for time served prior to trial and sentencing ***shall not be given***: (1) when the prisoner at the time he was imprisoned prior to trial was an escapee from another penal institution; (2) when the prisoner is serving a sentence for one offense and is awaiting trial and sentence for a second offense in which case he shall not receive credit for time served prior to trial in a reduction of his sentence for the second offense; (3) when the prisoner commits a subsequent crime while out on bond; or (4) ***has bond revoked on any charge prior to trial or plea. (Emphasis added).***

The State's objection to credit being given for 1,192 days on monitored house arrest are governed by section four of the above statute. Credit should not be given because the Defendant had a revocation hearing, and a revocation was granted. In the State's motion to revoke bond, the relief sought was a full revocation of bond to have the Defendant incarcerated, or in the alternative, a partial revocation to add back the GPS monitor to the Defendant. The hearing of January 26, 2021, with the Honorable Judge

Jennifer Mccoy not only made a finding on the record and in a written order of violations, but they were also admitted to freely by the Defendant. The State is asking the Court to follow the statute and not give credit for monitored house arrest based on the admitted and founded violations and partial revocation while out on bond.

Conclusion

For the foregoing reasons, the State contends that granting one thousand one hundred ninety-two (1,192) days of pretrial credit is prohibited by § 24-13-40, and request that the Court reopen the Defendant's sentencing hearing and deny any credit for monitored house arrest in accordance with the law.

Respectfully Submitted,



Julie Rochester
Assistant Solicitor
Ninth Judicial Circuit

STATE'S EXHIBIT ONE

STATE OF SOUTH CAROLINA)
)
COUNTY OF BERKELEY)
)
State of South Carolina,)
)
vs.)
)
Stephen Michael Rivers,)
)
Defendant.)
)
_____)

IN THE COURT OF GENERAL SESSIONS
FOR THE NINTH JUDICIAL CIRCUIT

WARRANT NOS.: 2020A0810200307 & 308

MOTION FOR RECONSIDERATION
OF SENTENCE AND COMPUTATION
OF TIME SERVED

TO: THE HONORABLE BENTLEY PRICE
Julie Rochester, Assistant Ninth Circuit Solicitor

PLEASE BE ADVISED AND TAKE NOTICE that the Defendant, Stephen Michael Rivers, through his undersigned attorney, hereby moves and requests of this Honorable Court that the sentence imposed on the Defendant, Stephen Michael Rivers, on September 25, 2023 be reconsidered.

The Defendant, Stephen Michael Rivers, pled guilty to Voluntary Manslaughter. The Court sentenced the Defendant to 25 years suspended to 11 years incarceration. The Defendant has been on house arrest to include GPS monitoring for 1,192 days (from March 25, 2020 through October 30, 2020 and from February 1, 2021 through September 25, 2023) before this guilty plea. The Court denied to give credit to the Defendant for all of the time served and only gave the Defendant credit for 596 days. The Defendant is indebted to the Court for accepting his guilty plea, but would like to request that the Defendant be given credit for the full amount of time served which totals 1,192 days.

The Defendant would move for a reconsideration of the sentence for the following reasons:

1. The Defendant is informed and believes that the Court erred in denying credit for time served on GPS monitoring and house arrest under S.C. Code Ann. 24-13-40. The statute states:

"The computation of the time served by prisoners under sentences imposed by the courts of this State must be calculated from the date of the imposition of the sentence. However, when (a) a prisoner shall have given

notice of intention to appeal, (b) the commencement of the service of the sentence follows the revocation of probation, or (c) the court shall have designated a specific time for the commencement of the service of the sentence, the

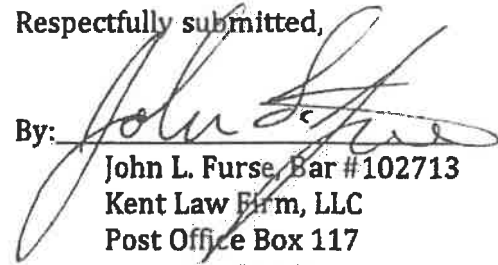
- a. computation of the time served must be calculated from the date of the commencement of the service of the sentence. In every case in computing the time served by a prisoner, full credit against the sentence must be given for time served prior to trial and sentencing, and may be given for any time spent under monitored house arrest. Provided, however, that credit for time served prior to trial and sentencing shall not be given: (1) when the prisoner at the time he was imprisoned prior to trial was an escapee from another penal institution; or (2) when the prisoner is serving a sentence for one offense and is awaiting trial and sentence for a second offense in which case he shall not receive credit for time served prior to trial in a reduction of his sentence for the second offense."
- b. HISTORY: 1962 Code Section 55-11; 1952 Code Section 55-11; 1948 (45) 1808; 1973 (58) 181; 2010 Act No. 237, Section 67, eff June 11, 2010; 2013 Act No. 34, Section 1, eff June 7, 2013.

Additionally, the Defendant requests that his sentence of 25 years suspended to 11 years incarceration be reconsidered. Given the Defendant's lack of criminal history and the nature and circumstances of the case, this sentence is incongruent with the goals of the justice system. In the interest of justice and fairness, it is appropriate for the Court to reconsider the length and terms of the sentence imposed. A more lenient sentence would not diminish the seriousness of the offense but would more accurately reflect the totality of circumstances surrounding this case. Further, the sentence imposed is excessive and disproportionate when compared to sentences impose in similar cases. A Defendant similarly situated, but with a harsher degree of culpability and violence, with a less compelling argument for mitigation, was given a more lenient sentence during the same Court term immediately after this defendant's plea.

WHEREFORE, the Defendant respectfully requests and prays that this Honorable Court allow the Defendant to receive credit for time served for 1,192 days from March 25, 2020 through October 30, 2020 and from February 1, 2021 through September 25, 2023 and also that his sentence of 11 years incarceration be reconsidered.

Respectfully submitted,

By:



John L. Furse, Bar #102713
Kent Law Firm, LLC
Post Office Box 117
Manning, SC 29102
(803) 433-5368

Manning, SC
September 26, 2023

STATE'S EXHIBIT TWO

STATE OF SOUTH CAROLINA) IN THE COURT OF GENERAL SESSIONS
COUNTY OF BERKELEY) NINTH JUDICIAL CIRCUIT

STATE OF SOUTH CAROLINA) Warrant Nos.: 2020A08102000307 - 308
)

vs.)

STEPHEN MICHAEL RIVERS,)

CONSENT BOND ORDER

Defendant)
_____)

2020 MAR 24 PM 1:17
BERKELEY COUNTY

In this matter, Defense Counsel has requested a setting of bond due to the extenuating circumstances created by the COVID-19 pandemic. The above-named defendant was arrested on March 20, 2020 for the charge(s) of MURDER and POSSESSION OF A WEAPON DURING A VIOLENT CRIME. The Defendant's bond was denied by the Honorable Brian West.

After considering the circumstances of this matter and based on other recent bonds set in similar circumstances, the Ninth Circuit Solicitor's Office and counsel for Defendant, Shaun C. Kent, hereby agree to the following modifications:

- 1) Defendant's bond is set at \$75,000 to be posted with a reasonable surety.
- 2) The Defendant is to be released only through GPS monitoring.
- 3) The Defendant is required to reside at 102 Pelican Lane, Ladson, SC.
- 4) The Defendant shall have a curfew from 8:00 p.m. to 8:00 a.m.
- 5) The Defendant is only allowed to leave his residence to attend work, church or the grocery store.
- 6) After six months of no violations of the GPS requirements, the Defendant may petition the Court to have this requirement removed.
- 7) The Defendant shall not violate any State or Federal laws.

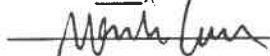
These conditions shall remain in place until further order of this court.

It is so Ordered.



Presiding Judge of the Ninth Judicial Circuit

March 24, 2020

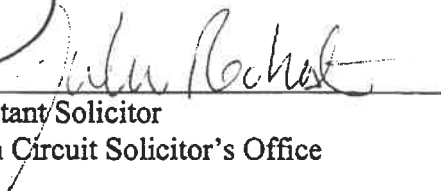
 SC

cc: Sol.

By Consent:



Shaun C. Kent
Attorney for Defendant



Assistant Solicitor
Ninth Circuit Solicitor's Office

BAIL PROCEEDING
FORM II

CERTIFIED TRUE COPY

STATE OF SOUTH CAROLINA
COUNTY OF Berkeley

IN THE General Sessions

STATE OF SOUTH CAROLINA

ORDER SPECIFYING METHODS AND CONDITIONS OF RELEASE

v.

Rivers, Stephen Michael
NAME OF DEFENDANTOffense Charged: Murder / Murder-12020A08102003081

At a bail proceeding conducted by the undersigned judge, for the defendant named above, it was determined by the court (check one or both):

- ☒ The release of the defendant on recognizance will not reasonably assure his appearance as required.
- ☒ The release of the defendant on recognizance will result in an unreasonable danger to the community.

This determination was based upon the following findings of fact:

Nature of Circumstances of Offense; Must Notify Court Immediately of Change of Address

[Considerations: Nature and Circumstances of the offense charged, the defendant's family ties, employment, financial resources, character and mental condition, the length of his residence in the community, his record of convictions, and any record of flight to avoid prosecution or failure to appear at other court proceedings.]

THEREFORE, IT IS HEREBY ORDERED:

- That the above named defendant be released from custody on the condition that he will personally appear before the designated court at the place, date and time required to answer the charge made against him and do what shall be ordered by the court and not depart the State without the permission of the court and be of good behavior.
- That the above named defendant be released from custody provided as follows (check all that apply):

CASH IN LIEU OF BOND

☐ The defendant, acknowledges himself to be indebted to the State of South Carolina in the sum of \$ _____ to secure his release from custody. Should the defendant fail to comply with all terms and conditions of this Order, this sum of money is subject to being forfeited to the State.

CASH PERCENTAGE IN LIEU OF BOND

☐ The defendant, acknowledging himself to be indebted to the State of South Carolina in the full amount of \$ _____, his release to be obtained by payment to the court of _____ % (not to exceed 10%) of the full amount of the bond, deposits \$ _____ to secure his release from custody. Should the defendant fail to perform the conditions of this Order, the full amount shall be levied on his real and personal property for the use of the state.

APPEARANCE RECOGNIZANCE WITH SURETY

☒ The defendant will provide good and sufficient surety approved by the court, in the form hereinafter set forth in this Order, acknowledging an indebtedness to the State in the amount of \$ 75,000.00.

3. That the defendant shall appear at (check one):

☒ the term of COURT OF GENERAL SESSIONS beginning on April 17, 2020 at 2:30 o'clock, P.M.
at General Sessions - 300 B California Avenue/PO Box 219/Moncks Corner, SC 29461 / (843) 719-4400
and remain there throughout that term of court. If no disposition is made during that term, the defendant shall appear and remain throughout each succeeding term of court until final disposition is made of his case, unless otherwise ordered by the court.

☐ the session of ☐ MAGISTRATE COURT ☐ MUNICIPAL COURT beginning on _____ at _____ o'clock, _____
at _____

If no final disposition is made during that session, the defendant shall appear at such other times and places as ordered by the court.

Bond Amount(s): \$75,000.00 (CS) or \$75,000.00 (SB)

INITIALS OF DEFENDANT _____

4. That the defendant will notify the court promptly if he changes his address from the one contained in this order and he will comply with those conditions described hereinafter in the Order.

SIGNATURE OF JUDGE _____

DATE _____

ORIGINAL AND ONE COPY OF THIS FORM ARE TO BE COMPLETED IN EVERY BAIL PROCEEDING IN WHICH IT IS USED

SCCA/511A (Revised 3/2012)

Original Copy For The Trial Court - Copy For The Defendant

ACKNOWLEDGEMENT BY DEFENDANT

I understand that if I violate any condition of this Order, a warrant for my arrest will be issued.

I understand and have been informed that I have a right and obligation to be present at trial and should I fail to attend the court, the trial will proceed in my absence.

It has been explained to me that if I fail to appear before the court as required, a warrant for my arrest will be issued.

102 Pelican Lane

ADDRESS

Ladson, SC 29456

CITY/STATE/ZIP

250-73-2561

SOCIAL SECURITY NUMBER

TELEPHONE

007589716 (SC)

DRIVER'S LICENSE OR ID NUMBER

SIGNATURE OF DEFENDANT

DATE

ATTORNEY REPRESENTING ACCUSED (IF KNOWN)

SPECIAL CONDITIONS OF RELEASE

- a. ☐ Placement in custody. The defendant is placed in the custody of:

NAME OF PERSON OR ORGANIZATION

ADDRESS

CITY/STATE

ZIP

TELEPHONE

who agrees (1) to supervise the defendant as set forth by the court, (2) to use every effort to assure the appearance of the defendant at all scheduled hearings before the court, and (3) to notify the court immediately in the event the defendant violates any conditions of his release or disappears.

SIGNATURE OF CUSTODIAN (IF APPROVED)

DATE

- b. ☒ Restrictions on Travel, Association or Residence. The defendant will comply with each of the following conditions:

Must reside at 102 Pelican Lane, Ladson, SC.

- c. ☐ Part-time Release. The defendant will be released from custody from

TIME

o'clock,

AM/PM

to

TIME

o'clock,

AM/PM

on

DATE(S)

on condition that he return to the custody of

NAME OF PERSON OR ORGANIZATION

at

LOCATION

as designated.

- d. ☐ Other conditions. The defendant will comply with the following other conditions of release:

No contact with victim's family, directly or indirectly; GPS monitoring; curfew 8PM to 8AM; only may leave to attend work, church or grocery store

APPEARANCE RECOGNIZANCE WITH SURETY

On the 24th day of March, 2020, personally appeared before the undersigned judge the surety named below who acknowledged himself indebted to the State of South Carolina, in the sum of \$ 75,000.00, such sum to be levied on his real and personal property for the use of the State, should named defendant fail in performing the conditions of this Order.

The surety, being duly sworn, says that he is a resident and free holder within the State and is worth the sum acknowledged and underwritten herein, over all his debts and liabilities, and exclusive of property exempt from execution.

Bennett Bail Bonds/Nicholas Bennett

(843) 899-9355

NAME OF SURETY BONDSMAN COMPANY

TELEPHONE

125 B West Main Street

ADDRESS OF SURETY BONDSMAN

Moncks Corner, SC 29461

CITY/STATE/ZIP

Palmetto Surety Corporation

NAME OF INSURANCE COMPANY

109 River Landing Drive, Suite 200

ADDRESS OF INSURANCE COMPANY

Charleston, SC 29472

CITY/STATE/ZIP

SIGNATURE OF SURETY BONDSMAN

SIGNATURE OF JUDGE

DATE

3-24-2020

CERTIFIED TRUE COPY

Form Approved by S.C. Attorney General

Section 17-15-40

March 21, 2012

SCCA/511A (Revised 3/2012)

STATE'S EXHIBIT THREE

FILED

OCT 29 2020

STATE OF SOUTH CAROLINA
COUNTY OF BERKELEY

IN THE COURT OF GENERAL SESSIONS
NINTH JUDICIAL CIRCUIT

CASE NO.
LEAH GUERRY DUPREE
CLERK OF COURT
BERKELEY COUNTY, SC

STATE OF SOUTH CAROLINA

Warrant Nos.: 2020A08102000307 - 308

vs.

STEPHEN MICHAEL RIVERS,

AMENDED BOND ORDER

Defendant

This matter comes before me by way of motion of the Defendant to have his bond modified pursuant to the Bond Order of March 24, 2020. The above-named Defendant was arrested on March 20, 2020 for the charges of Murder and Possession of a Weapon During a Violent Crime. On March 24, 2020 the Defendant was granted a bond before The Honorable Roger Young with the following conditions:

- 1) Defendant's bond is set at \$75,000 to be posted with a reasonable surety.
- 2) The Defendant is to be released only through GPS monitoring.
- 3) The Defendant is required to reside at 102 Pelican Lane, Ladson, SC.
- 4) The Defendant shall have a curfew from 8:00 p.m. to 8:00 a.m.
- 5) The Defendant is only allowed to leave his residence to attend work, church or the grocery store.
- 6) After six months of no violations of the GPS requirements, the Defendant may petition the Court to have this requirement removed.
- 7) The Defendant shall not violate any State or Federal laws.

Present at today's hearing was the State of South Carolina represented by Assistant Solicitor Kamila Sas as well as the victim's sister, Holly Watkins. The Defendant was present along with his attorneys, Shaun C. Kent and Mason West. Defense counsel requested that Paragraph 6 above be removed since the Defendant has had no violations of GPS requirements since placed upon him. Additionally, defense counsel requested that Paragraph 4 above also be modified so that the Defendant could properly attend his current construction job.

FINDINGS

I find that the Defendant has not been in violation of the restrictions placed upon him on March 24, 2020. I further find it is appropriate for the Defendant's bond to be modified and remove the restriction of GPS monitoring. What's more, the Defendant's bond shall be modified so that he can attend work at a more reasonable time. This time, however, shall not extend beyond 7:00 a.m. - 7:00 p.m. However, I also feel it is necessary that if the Defendant is reported by ANYONE for violation of his house arrest (unless

RMD ①

1

he is visiting his lawyer, seeking medical treatment, attending work or a place of worship) the Solicitor may immediately request a Bench Warrant. I also find that even though the Defendant is legally entitled to possess a weapon, he shall not during the pendency of this action possess any firearm whatsoever. I further find that any violation of State or local laws shall be a violation of his bond and the Solicitor may immediately request a Bench Warrant.

THEREFORE the original Order is now amended to reflect the following conditions:

- 1) Defendant's bond is set at \$75,000 to be posted with a reasonable surety.
- 2) The Defendant is released from GPS monitoring.
- 3) The Defendant is required to reside at 102 Pelican Lane, Ladson, SC.
- 4) The Defendant shall have a curfew from 7:00 p.m. to 7:00 a.m.
- 5) The Defendant is only allowed to leave his residence to attend work, church, doctor visits, the grocery store or visit his attorney. The Defendant shall be allowed to visit his mother's residence at 3483 McLeod Mill Road, Johns Island, South Carolina 29455. So long as by completing this visitation he is not in violation of the above-mentioned requirements of his earlier set bond. If anyone reports a violation of Defendant's house arrest, the Solicitor may immediately request a Bench Warrant.
- 6) The Defendant shall not violate any State or Federal laws. If the Defendant violates any State or Federal laws, the Solicitor may immediately request a Bench Warrant.

IT IS SO ORDERED.

R. Markley Dennis Jr.
R. Markley Dennis Jr., Presiding Judge
Ninth Judicial Circuit

October 21, 2020
Moncks Corner, SC.

MD (2)

STATE'S EXHIBIT FOUR

STATE OF SOUTH CAROLINA
COUNTY OF BERKELEY

IN THE COURT OF GENERAL SESSIONS
NINTH JUDICIAL CIRCUIT

2021 JAN -8 AM 11:14

STATE OF SOUTH CAROLINA

**MOTION FOR BOND REVOCATION
OR MODIFICATION**

vs.

STEPHEN MICHAEL RIVERS,

DEFENDANT.

LEAN GUERRY DUPREE
CLERK OF COURT
BERKELEY COUNTY, SC

Arrest Warrant #2020A0810200307

Arrest Warrant #2020A0810200308

Indictment #2020-GS-08-01763

Indictment #2020-GS-08-01764

TO: E. MASON WEST, ATTORNEY FOR STEPHEN MICHAEL RIVERS


Please take notice that on January 25, 2021, or as soon thereafter as this matter can be heard, the State in the above-entitled case will move before the Presiding Judge of the Court of General Sessions for a bond revocation.

The motion is based upon the following:

1. Defendant in the above captioned matter was charged with Possession Of A Weapon During The Commission Of A Violent Crime and Murder on March 20, 2020. He was released from incarceration on March 24, 2020, upon posting a \$75,000 Dollar bond. A condition of the Defendant's bond was that he be of "good behavior." (A copy of said bond is attached hereto as Exhibit One.)
2. The conditions of his release were "No contact with victim's family directly or indirectly; GPS monitoring; curfew 8pm to 8am at 102 Pelican Lane; only may attend work, church, his attorney or grocery store."
3. On June 23, 2020 upon Defendant's motion, he petitioned and was granted to be allowed to visit his parents at 3483 McLeod Mill Road Johns Island, SC 29455 (A copy of amended bond order is attached hereto as Exhibit Two).

4. On October 29, 2020 upon Defendant's motion, he petitioned and was granted the removal of his GPS device. In addition to amending the curfew from 7am to 7pm, Judge Dennis added this condition: "I feel it is necessary that if the Defendant is reported by ANYONE for violation of his house arrest (unless he is visiting his lawyer, seeking medical treatment, attending work for a place of worship) the Solicitor may immediately request a Bench Warrant." (A copy of the Amended Bond Order is attached as Exhibit Three).
5. The State was informed by the sister of the victim on December 21, 2020 that the Defendant was violating his bond conditions. Ms. Watkins hired a private investigator to follow Mr. Rivers and observed him on at least 3 occasions over the span of one week violating his bond order by shopping at the SNJ Liquor store, which is not permitted in the existing order. (A copy of the report is attached as Exhibit Four).
6. The State did not exercise its option to seek a bench warrant before this hearing and we are asking for revocation of this Defendant's bond, or in the alternative, the resumption of his GPS monitoring until trial.

Respectfully Submitted,


Julie Rochester
Assistant Solicitor
Ninth Judicial Circuit

Moncks Corner, South Carolina
January 8, 2021

Gold Shield Investigations
Les T. Klvana NYPD Detective (Ret.)
426 Blue Dragonfly Drive Charleston, SC 29414
Cell: (843) 822-3508
Email: goldshieldpi@comcast.net
Website: goldshieldpi.net

Confidential Investigative Report

CAC
FILED
2021 JAN -8 AM 11:16
CLERK OF COURT
BERKELEY COUNTY, SC

Client's Attorney: [REDACTED]
Subject: Stephen Rivers

Date: 12/19/2020
Assignment: Surveillance
Investigator: Les T. Klvana

Summary of Investigation

Assignment Details: Client, [REDACTED], requested surveillance be conducted on Stephen Rivers in order to determine if he violates a court ordered Bond.

Pertinent Information:

[REDACTED] informed me that Stephen Rivers allegedly murdered her brother and is released from being incarcerated on a court issued Bond. Stephen Rivers resides at 102 Pelican Street Ladson, SC. Stephen drives a red BMW that he keeps parked in his garage and a maroon Chevy pickup SC tag 2664-LP. Client emailed me a photo of Stephen who is 41yrs old.

Investigative/Surveillance Activity:

Wednesday December 9, 2020

3:05 p.m. I was present in the vicinity of Stephen Rivers residence, 102 Pelican Street Ladson. Stephen's Chevy pickup truck was parked in his driveway.

5:58 p.m. Stephen came out of his house, entered his Chevy and drove from the area.

6:03 p.m. Stephen arrived at SNJ Liquor Store 4520 Ladson Road Summerville, SC.

Stephen parked in the front curbside and went inside the liquor store.

6:08 p.m. Stephen came out of the liquor store carrying a bag, entered his Chevy and drove from the area.

6:14 p.m. Stephen arrived back at his residence and went inside.

7:30 p.m. Surveillance discontinued.

Friday December 12, 2020

3:00 p.m. I was present in the vicinity of Stephen's residence. Stephen's Chevy truck was in his driveway.

3:45 p.m. Stephen left in his Chevy.

3:53 p.m. Stephen arrived at SNJ Liquor, parked curbside and went inside.

3:55 p.m. Stephen left the liquor store carrying a bag, entered his Chevy and drove home.

Wednesday December 16, 2020

3:00 p.m. I was present in the parking lot viewing SNJ Liquors.

5:36 p.m. I observed a red BMW SC tag KDB-274 park curbside in front of the liquor store. I observed Stephen exit the BMW and go into the liquor store.

5:38 p.m. Stephen came out of the liquor store carrying a bag, entered his BMW and drove home.

I conducted a License Plate Inquiry on the BMW SC tag KDB-274 which came back registered to Stephen Rivers.

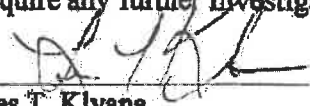
On other surveillance dates I followed Stephen to 3483 McLeod Mill Road Johns Island which is his parent's house.

Client Communication: Investigator has been in phone contact with client.


Recommendations: Consult with attorney.

Case Status: Closed at this time.

Thank you very much for the opportunity to be of service. Should you have any questions or require any further investigation, please contact our office at (843) 822-3508.


Les T. Kivana
Private Investigator
License # 2485

Sworn to and before me
This 21 day of December 2020


Notary Public for South Carolina
My Commission Expires

MICHAEL N. BOWERS
Notary Public-State of South Carolina
My Commission Expires
February 06, 2030

STATE'S EXHIBIT FIVE

STATE OF SOUTH CAROLINA)
COUNTY OF BERKELEY)

IN THE COURT OF GENERAL SESSIONS
NINTH JUDICIAL CIRCUIT

FILED

STATE OF SOUTH CAROLINA)

Warrant Nos.: 2020A08102000307 - 308

JAN 26 2021

VE.)

CASE NO.
LEAH GUERRY DUPREE
CLERK OF COURT
BERKELEY COUNTY, SC

STEPHEN MICHAEL RIVERS,)

AMENDED BOND ORDER

Defendant)
_____)

This matter comes before me upon the Motion of the State of South Carolina to have the above named Defendant's bond revoked or in the alternative, to have his bond modified. Specifically, to have the Defendant returned back to a GPS ankle monitor. A zoom bond revocation hearing was held on January 26, 2021. Present at the hearing was the Defendant, his attorneys, Shaun Kent and Mason West; the victim's sister Holly Watkins; and the State of South Carolina represented by Julie Rochester.

By way of background the Defendant was arrested March 2, 2020 for the charges of Murder and Possession of a Weapon During a Violent Crime. On March 24, 2020 the Defendant was granted a bond before The Honorable Roger Young with the following conditions:

- 1) Defendant's bond is set at \$75,000 to be posted with a reasonable surety.
- 2) The Defendant is to be released only through GPS monitoring.
- 3) The Defendant is required to reside at 102 Pelican Lane, Ladson, SC.
- 4) The Defendant shall have a curfew from 8:00 p.m. to 8:00 a.m.
- 5) The Defendant is only allowed to leave his residence to attend work, church or the grocery store.
- 6) After six months of no violations of the GPS requirements, the Defendant may petition the Court to have this requirement removed.
- 7) The Defendant shall not violate any State or Federal laws.

Thereafter, on October 29, 2020 the Defendant petitioned the Court to have the restrictions of GPS ankle monitor removed stating that it had been six months and he had had no violations. The Honorable Markley Dennis removed the ankle monitor with the following restrictions:

- 1) Defendant's bond is set at \$75,000 to be posted with a reasonable surety.
- 2) The Defendant is released from GPS monitoring.
- 3) The Defendant is required to reside at 102 Pelican Lane, Ladson, SC.
- 4) The Defendant shall have a curfew from 7:00 p.m. to 7:00 a.m.
- 5) The Defendant is only allowed to leave his residence to attend work, church, doctor visits, the grocery store or visit his attorney. The Defendant shall be allowed to visit his mother's residence

BM/1

at 3483 McLeod Mill Road, Johns Island, South Carolina 29455. So long as by completing this visitation he is not in violation of the above-mentioned requirements of his earlier set bond. If anyone reports a violation of Defendant's house arrest, the Solicitor may immediately request a Bench Warrant.

- 6) The Defendant shall not violate any State or Federal laws. If the Defendant violates any State or Federal laws, the Solicitor may immediately request a Bench Warrant.

During today's hearing the State of South Carolina put forth information that while out on bond the Defendant violated condition 5 of the Honorable Markley Dennis's Order by going to a liquor store on three separate occasions. Defendant acknowledged that each of these were a violation of the conditions of his bond. In his defense Mr. Rivers provided the Court with information on his alcoholism and with difficulties in independently controlling his problem. What's more, the defense provided information from his doctors showing that Mr. Rivers was receiving regular shots to combat his addiction.

FINDINGS

I find that the Defendant is in violation of his bond. Although the violations are minor, they are violations nonetheless. Based upon the nature of the violations, however, a full revocation does not appear to be necessary. The Defendant can be properly maintained through the re-introduction of a GPS ankle monitoring device for a period of ninety (90) days. After that ninety (90) days the Defendant may petition the court to have the ankle monitor removed so long as he has no additional violations of the condition of his bond.

ORDER

THEREFORE the original Order is now amended to reflect the following conditions:

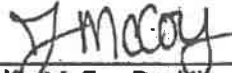
- 1) Defendant's bond is set at \$75,000 to be posted with a reasonable surety.
- 2) The Defendant shall have GPS monitoring for a period of ninety (90) days. Thereafter the Defendant may petition the Court to have the monitor removed so long as there are no violations of the condition of his bond. The Solicitor's Office may consent to this removal without the necessity of a hearing.
- 3) The Defendant is required to reside at 102 Pelican Lane, Ladson, SC.
- 4) The Defendant shall have a curfew from 7:00 p.m. to 7:00 a.m.
- 5) The Defendant is only allowed to leave his residence to attend work, church, doctor visits, the grocery store or visit his attorney. The Defendant shall be allowed to visit his mother's residence.

BM/2

at 3483 McLeod Mill Road, Johns Island, South Carolina 29455. So long as by completing this visitation he is not in violation of the above-mentioned requirements of his earlier set bond.

- 6) The Defendant shall not violate any State or Federal laws. If the Defendant violates any State or Federal laws, the Solicitor may immediately request a Bench Warrant.

IT IS SO ORDERED.



Jennifer McCoy, Presiding Judge
Ninth Judicial Circuit

January 26, 2021
Moncks Corner, SC

STATE'S EXHIBIT SIX

STATE OF SOUTH CAROLINA
COUNTY OF BERKELEY

STATE OF SOUTH CAROLINA

vs.

STEPHEN MICHAEL RIVERS,
DEFENDANT.

IN THE COURT OF GENERAL SESSIONS
NINTH JUDICIAL CIRCUIT

**STATE'S RESPONSE TO DEFENDANT'S
MOTION TO RECONSIDER SENTENCE**

Indictment #2020GS0801764

FILED
2023 SEP 28 PM 2:18
CLERK OF COURT
BERKELEY COUNTY

For its reply, the State asserts that the guilty plea entered in the above-mentioned case was proper. The test established by *Boykin v. Alabama*, 395 U.S. 238, 89 S.Ct. 1709, 23 L.Ed.2d 274 (1969) is whether the record establishes that a guilty plea was voluntarily and understandingly made. In order for a defendant to knowingly and voluntarily plead guilty, he must have a full understanding of the consequences of his plea. *State v. Hazel*, 275 S.C. 392, 271 S.E.2d 602 (1980). He must also have an understanding of the charges against him. *State v. Lambert*, 266 S.C. 574, 225 S.E.2d 340 (1976).

The State asserts that the guilty plea entered in the above-mentioned case was voluntary, the Defendant expressed to the court that he understood the nature of the charges and the punishment that could be imposed, and a factual basis was established for the plea.

The Defendant entered his plea on September 25, 2023 to Voluntary Manslaughter, without negotiations or recommendations. The defendant had ample time to consider his guilty plea; he was originally extended the offer to which he plead on March 1, 2021. The Defendant has been represented by counsel during the entirety of his pending charges and has had exhaustive opportunities to discuss the evidence and facts. The Court heard a Stand Your Ground Hearing on May 9, 2023, and the Order denying immunity was issued by the Court on

June 1, 2023. Defendant pled guilty to the reduced charge of Voluntary Manslaughter, having been indicted for Murder and Possession of a Weapon During the Commission of a Violent Crime on October 7, 2020. Part of his plea was the State dismissing the weapons charge and allowing a plea to the lesser included charge of Manslaughter. The plea was straight up, allowing each side to advocate for a sentence of their own choosing. The State requested 20 years of incarceration. The Defense asked for a 3-year sentence and also to receive credit for 1,192 days spent mostly on GPS and house arrest with exceptions to his movements. If the Court would have granted the Defense's request it would have in effect given this Defendant a "time served" sentence. The Court heard extensive testimony from both the Defendant and the State during the Plea. The Court heard victim impact statements given by the Victim's sisters and the Victim's father, and heard from the Defendant himself.

ISSUES

The Court heard and considered the previous violation by the Defendant while on bond before it made its ruling as to credit for time served. The Defense asserts that the Court "erred in denying credit for time served on GPS monitoring and house arrest under 24-13-40." The State disagrees. The statute provides that while pretrial detention credit must be given for time served by a prisoner (while in a jail facility), credit *may be given* for any time spent under monitored house arrest (emphasis added). This is clear that it is discretionary whether credit for monitored house arrest shall be given and could be denied in its entirety. The State objected to any credit being given, considering the prior violation by this Defendant while on bond. The State filed a bond revocation which was heard and denied, but the Court found that GPS should be reimposed in lieu of revocation. The State also objected to credit for time on GPS, as the conditions of the Defendant's release were not analogous to a detention facility. He was allowed to have a curfew,

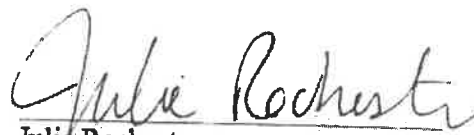
go to work, visit his mother at her home on the water, go to the store, and have freedom of access that prisoners would never be afforded. The Court found in its sound judgement a compromise and gave half credit: 596 days.

The Defense requests that the sentence imposed, 25 years suspended to 11 years incarceration, be reconsidered. The Defense asserts that the sentence imposed is "excessive and disproportionate when compared to sentences imposed in similar cases. A Defendant similarly situated, but with a harsher degree of culpability and violence, with a less compelling argument for mitigation, was given a more lenient sentence during the same Court term immediately after this defendant's plea." The State disagrees. The case to which Defense alludes is the State v. Jaylin Smalls. The undersigned Assistant Solicitor has the benefit of not only being the assigned prosecutor in Mr. Rivers' case, but also assisting the State in Mr. Smalls' Stand Your Ground hearing, which was also before this Court. Defense's assertion that these two cases are somehow similarly situated is incorrect. The similarities end at the charge to which they plead. To say that Mr. Smalls had a harsher degree of culpability and violence and with a less compelling argument for mitigation would be inaccurate. Defense counsel in this case was not privy to the evidence and Stand Your Ground hearing and is mislead about the less compelling argument for mitigation. It is impossible to compare cases and facts to try to elicit some formula or matrix by which the Court should be led. The Court rightly considers all of the facts, hears all of the evidence, and makes a decision. In the case of State v. Rivers, the Court fully heard from all parties and gave a fair and just sentence; much less than the State requested and more than the time served request of the Defense.

CONCLUSION

For the foregoing reasons, the State contends that the request for reconsideration is without merit. Wherefore the State respectfully requests the Court deny the Defendant's motion for reconsideration, without scheduling a hearing.

Respectfully Submitted,

A handwritten signature in cursive script, reading "Julie Rochester", written over a horizontal line.

Julie Rochester
Assistant Solicitor
Ninth Judicial Circuit

Moncks Corner, South Carolina
September 28, 2023

STATE'S EXHIBIT SEVEN

Anne M. Williams

From: Price, Bentley Law Clerk (Morgan Hill) <bpricelc@sccourts.org>
Sent: Wednesday, January 31, 2024 2:18 PM
To: Anne M. Williams; bpricelc; Mason West; Meghan Gilmer; shaun@shaunkentlaw.com; jack; debbie; Summer; Julie Rochester
Cc: bpricesc
Subject: Re: State v. Stephen Rivers

CAUTION: This email originated outside of Charleston County. Do not click links or open attachments from unknown senders or suspicious emails. If you are not sure, please contact IT helpdesk.

Ms. Williams,

No, but our office recently learned that the proper way to amend sentencing is to amend the sentencing sheet itself. I apologize for the confusion.

Thank you,
Morgan

Get Outlook for

iOS<[https://urldefense.com/v3/__https://aka.ms/oOukef__;!!FyuN5H5wA9FHaKde!7EN8QtFOU2THRnLNYy2_s3KyO61HCjwej1-qhe06QLtFdWBPYlyDHOo8EuBacPy3MDBjnJkO6OIXQeSx790xx3fu\\$](https://urldefense.com/v3/__https://aka.ms/oOukef__;!!FyuN5H5wA9FHaKde!7EN8QtFOU2THRnLNYy2_s3KyO61HCjwej1-qhe06QLtFdWBPYlyDHOo8EuBacPy3MDBjnJkO6OIXQeSx790xx3fu$)>

From: Anne M. Williams <williamsa@scsolicitor9.org>

Sent: Wednesday, January 31, 2024 2:01:41 PM

To: bpricelc <bpricelc@sccourts.org>; Mason West <mason@westlawfirmssc.com>; Meghan Gilmer <meghan@scvan.org>; shaun@shaunkentlaw.com <shaun@shaunkentlaw.com>; jack <jack@shaunkentlaw.com>; debbie <debbie@shaunkentlaw.com>; Summer <summer@shaunkentlaw.com>; Julie Rochester <rochesterj@SCsolicitor9.org>

Cc: bpricesc <bpricesc@sccourts.org>

Subject: RE: State v. Stephen Rivers

*** EXTERNAL EMAIL: This email originated from outside the organization. Please exercise caution before clicking any links or opening attachments. ***

We have not seen an Order. Was one submitted?

-----Original Message-----

From: Price, Bentley Law Clerk (Morgan Hill) <bpricelc@sccourts.org>

Sent: Wednesday, January 31, 2024 2:00 PM

To: Mason West <mason@westlawfirmssc.com>; Meghan Gilmer <meghan@scvan.org>; shaun@shaunkentlaw.com; jack <jack@shaunkentlaw.com>; debbie <debbie@shaunkentlaw.com>; Summer <summer@shaunkentlaw.com>; Julie Rochester <rochesterj@SCsolicitor9.org>; Anne M. Williams <williamsa@scsolicitor9.org>

Cc: bpricesc <bpricesc@sccourts.org>

Subject: Re: State v. Stephen Rivers

CAUTION: This email originated outside of Charleston County. Do not click links or open attachments from unknown senders or suspicious emails. If you are not sure, please contact IT helpdesk.

Good afternoon,

SCDC will not accept an order to amend sentencing, so Mr. River's original sentencing sheet has been amended in accordance with Judge Price's ruling. No written order is needed.

Thank you,
Morgan

From: Price, Bentley Law Clerk (Morgan Hill) <bpricelc@sccourts.org>
Sent: Wednesday, January 17, 2024 4:12:05 PM
To: Mason West <mason@westlawfirmssc.com>; Meghan Gilmer <meghan@scvan.org>; shaun@shaunkentlaw.com <shaun@shaunkentlaw.com>; jack <jack@shaunkentlaw.com>; debbie <debbie@shaunkentlaw.com>; Summer <summer@shaunkentlaw.com>; Julie Rochester <rochesterj@SCsolicitor9.org>; Anne M. Williams <williamsa@scsolicitor9.org>
Cc: Price, Bentley Secretary (Tamara Walters) <bpricesc@sccourts.org>
Subject: State v. Stephen Rivers

Good afternoon,

After careful consideration of the issues presented in the State v. Stephen Rivers Motion to Reconsider Sentencing heard on October 17, 2023, Judge Price has granted the motion and imposed the following sentence:

- * 25 years suspended to 7 years with 5 years of probation to follow;
- * Credit for the 1,192 days spent on the electric monitor.

Please prepare a short Order for signature.

Thank you,

Morgan Hill
Law Clerk
The Honorable Bentley Price
100 Broad Street, Suite 432
Charleston, South Carolina 29401
Phone: (843) 958-4450
Fax: (843) 958-5095

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attachment. If you have received this message in error, please contact the sender immediately and delete all copies of the message and any attachments.

## STATE'S EXHIBIT EIGHT

Amended B.P. 1/31/2024  
FILED

2-30

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF BERKELEY

SEP 25 2023

STATE

VS.

CASE NO. 110  
LEAH GERRY DUMREE  
CLERK OF COURT  
BERKELEY COUNTY, SC

INDICTMENT/CASE#: 2020-GS-08-01764

STEPHEN MICHAEL RIVERS

AKA: Stephen M Rivers, Stephen Michael Rivers

Race: White Sex: M Age: 44

DOB: 02/10/1979 SS#: 250-73-2561

Address: 102 Pelican Lane

City, State,

Zip: Ladson, SC 29456

DL#: 007599716 SID# SC01840818

\*CDL Yes ☐ No ☐ CMV Yes ☐ No ☐ Hazmat Yes ☐ No ☐

A/W#: 2020A0810200308

Date of Offense: 03/20/2020

S.C. Code §: 16-03-0010

CDR Code #: 0116

SENTENCE SHEET

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

TO: 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. (def.'s initials)

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

ATTEST:

Julia Rochester 29314

Julia Rochester, Assistant  
Solicitor

SC Bar #

Stephen M. Rivers

Defendant

E. M. Rivers

Attorney for Defendant

100788

SC Bar #

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

for a determinate term of 25 months B.P. ~~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 7 months B.P. ~~days/months/years~~ Time Served and or payment  
of \$       ; plus costs and assessments as applicable\*; the balance is suspended with probation for 5 months B.P.

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 SCDOR

12 months B.P. ~~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 § 16-25-61 (Domestic Violence) to ship, transport, possess, or receive a firearm or ammunition.

SPECIAL CONDITIONS:

12

STATE STEPHEN  
VS. MICHAEL RIVERS

INDICTMENT/CASE#: 2020-GS-08-01764

☐ 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</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</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>                                                                                                                                                            | <b>\$ <u>128.75</u></b> |

Clerk of Court/Deputy Clerk: J Hill  
Court Reporter: Vespre Torres

Presiding Judge: \_\_\_\_\_  
Judge Code: 2746  
Sentence Date: 9/25/23