

STATE OF SOUTH CAROLINA

COUNTY OF
STATE

Kershaw

VS.

Damar Outten

AKA:

Race:

Sex:

Age:

DOB:

2/2/80

SS#:

Address:

547 Knights Hill Road

City, State, Zip

Camden, SC 29020

DL#

SID#

IN THE COURT OF GENERAL SESSIONS

INDICTMENT/CASE#:

2005

-GS-

28

499

A/W#:

H-412491

Date of Offense:

6/8/04

S.C. Code §:

17-25-30

CDR Code #:

0 / 0 / 1 / 3

☐ CASE RESTORED

SENTENCE

☒ PLEA

☐ TRIAL

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

TO: Assault and Battery of a High and Aggravated Nature

in violation of § 17-25-30 of the S.C. Code of Laws, bearing CDR Code #

0 / 0 / 1 / 3

☒ NON-VIOLENT

☐ VIOLENT

☐ SERIOUS

☐ MOST SERIOUS

☐ 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.

ATTEST:

[Signature]

Solicitor

[Signature]

Defendant

[Signature]

Attorney for Defendant

WHEREFORE, the Defendant is committed to the ☐ State Department of Corrections, ☐ County Detention Center, for a determinate term of _____ days/months/years or ☒ under the Youthful Offender Act not to exceed 5 years

and/or to pay a fine of \$ _____; provided that upon the service of _____ days/months/years and/or payment

of \$ _____; plus costs and assessments as applicable*; the balance is suspended with probation for 30

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.

SPECIAL CONDITIONS:

☐ RESTITUTION: ☐ Heard, ☐ Waived, ☐ Ordered

Total: \$ _____ plus 20% fee: \$ _____

Payment Terms:

☐ set by SCDPPPS

Recipient: _____

*Fine:

§14-1-206 (Assessments 107.5%) \$ _____

§14-1-211(A)(1) (Conv. Surcharge) \$100 \$ 100.00

§14-1-211(A)(2) (DUI Surcharge) \$100 \$ _____

§56-5-2995 (DUI Assessment) \$12 \$ _____

§ 35.13 (Public Def/Prob) \$500 \$ _____

§73.3, 1B TP (Law Enforce. Funding) \$25 \$ 25.00

§33.7, 1B TP (Drug Court Surcharge) \$100 \$ _____

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

§56-5-2942(J) (Vehicle Assessment) \$40/ea \$ _____

3% to County (if paid in installments) \$ 3.75

TOTAL \$ 128.75

PTUP

200 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: NO CONTACT WITH VICTIM

☐ Appointed PD or appointed other counsel, §35.13 TP

Requires \$500 be paid to Clerk during probation.

PRESIDING JUDGE

Judge Code:

Sentence Date:

[Signature]
011
6/9/05

Court Reporter:

[Signature]
Clerk of Court/Deputy Clerk

STATE OF SOUTH CAROLINA

County of Kershaw
STATE VS.

AKA: Damon Outer

DOB: 02-02-1984

Race: B Sex: Male

SSN: 247-77-8338

SID#: 01536723

IN THE COURT OF GENERAL SESSIONS

INDICTMENT#:

05 -GS- 28 - 499

OW# C-28-06-058

Name of Original Offense: ABJ-AN

Conviction S.C. Code §: 17-25-30

Conviction CDR Code #: 17-25-30

Date of Original Offense: 6-8-04

Original Sentence: YOP LTC 5yrs SS 30 mths

ORDER

The above named defendant has been charged with violating the conditions of probation ordered on 6/9/05 in the Court of General Sessions of Kershaw County as set forth in the attached warrant or citation dated 9/11/06. 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 condition as provided in the affidavit) By violating conditions 7, 9 and 10

Therefore, IT IS ORDERED that:

- ☐ the suspended sentence be revoked and the above named defendant be required to serve _____ 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.
- ☐ Additional Conditions ordered by the Court:

Partial revocation of 30 days to be done on consecutive weekends beginning 9-22-06.
weekend time will satisfy PSE Hours.

All monies must be current by October 1, 2006

I so agree

- ☐ 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.

I have received copies of all orders

- ☐ The defendant has previously served _____ months/years on this sentence.
(split sentence time and/or prior partial revocation time)

This 4th day of October, 2006

Candlen, SC.

Presiding Judge

Fifth

Judicial Circuit

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 Damon K Outer Witnessed by Lynn C. Br

Signed this 11 day of September, 2006, at Candlen, SC

PROBATION CITATION

No. C-28-06-056

SOUTH CAROLINA V. Damon Outten	COUNTY: Kershaw	
	SCDC #	SID # 1536773

TO: Damon Outten

YOU ARE HEREBY NOTIFIED to appear in the above named case at the time, date and place specified below.

Place Kershaw Co. Detention Center	Room To Be Arranged
	Date and Time To Be Arranged

YOU ARE HEREBY NOTIFIED that you are charged with violating the conditions of your supervision as stated below.

Violations Charged

By violating conditions of probation 7, 9 and 10 ordered in Cause Number 05-GS-28-00499 by the Kershaw County Court of General Sessions on 6-9-05 by the Honorable Judge Barber.

YOU ARE HEREBY NOTIFIED that you have the rights listed below.


List of Rights:

You have the right at the hearing to question any person who appears as a witness against you and to have witnesses appear in your behalf. You may present evidence on your behalf. You may have an attorney represent you. If you cannot afford an attorney, an attorney will be appointed for you. You must advise the agent or the court in writing of your desire for an attorney. It is your responsibility to make arrangements for your witnesses and your attorney to appear at the hearing.

IF YOU FAIL TO APPEAR AT THE TIME, DATE AND PLACE SHOWN ABOVE, THE HEARING WILL BE HELD IN YOUR ABSENCE AND YOU MAY BE INCARCERATED.

Camden , South Carolina	Probation and Parole Agent
Date 09/11/06	Lewis Brown Agent # 499

A copy of the citation was served by the undersigned and given to the individual named therein at the time, date, and place indicated below.

Place Kershaw POP	Date and Time 9.11.06 @ 9:45 AM
	Serving Officer's Signature 

Sworn to and subscribed before me this 11 day of September, 2006

Carlene J. Glenn
Signature of Notary Public

My Commission Expires 6/21/11

STATE OF SOUTH CAROLINA

AFFIDAVIT

County of Kershaw

Personally appeared before me, Lewis Brown, who first being duly sworn, deposes and says that Damon Outten did within this County and State on the 11th day of September, 2006, violate certain conditions of release in the following particulars:

DESCRIPTION OF VIOLATION

By violating conditions of probation 7, 9 and 10 ordered in Cause Number 05-GS-28-00499 by the Kershaw County Court of General Sessions on 6-9-05 by the Honorable Judge Barber.

The Affiant states that there is probable cause to believe the defendant named committed the violations set forth and that such probable cause is based on the following facts:

Failed to follow the advice and instructions of his agent in that Damon Outten failed to pay supervision fees being \$85 in arrears at the issuance of process having not made a payment since 8-14-06; Failed to pay surcharge being \$25 in arrears having not made a payment since 4-18-06; Failed to complete court ordered Public Service, being dropped from the Kershaw County Landfill work site for failure to work; Such actions constitute willful violations of conditions 7, 9, and 10 of subject's original Order of Probation.

Sworn to and subscribed

before me this 11 day of

September, 2006
Carlene G. Rem
Signature of Notary Public

Lewis C. Brown
Affiant

My Commission Expires: 6/21/11

STATE OF SOUTH CAROLINA

COUNTY OF KERSHAW

STATE OF SOUTH CAROLINA

v.

Damon O'Neal
Defendant.

IN THE COURT OF GENERAL SESSIONS

Fifth JUDICIAL CIRCUIT

Case No. 05-GS-28-499

WAIVER OF NOTICE AND HEARING

☐ Administrative Hearing

☐ Final Hearing

The above named Defendant after having read the Warrant or Citation issued September 11, 2006 and being duly informed hereby waives notice of a hearing and waives his or her right to appear before the Court or Hearing Officer in the case identified above with the understanding that the Court or Hearing Officer will proceed to issue an Order deciding the matters identified on the Warrant or Citation above referred to.

X Damon K O'Neal 9-11-06
DEFENDANT DATE

Louis C. Brown
WITNESS

AGENCY KER		DATE/TIME OF ARREST 10/27/2006 05:48 Hrs.		BOOKING REPORT		BOOKING NUMBER 2006-3866			
PERSONAL DATA	DEFENDANT NAME (LAST, FIRST, MIDDLE) OUTTEN, DAMON KENNETH					RACE B	SEX M	DATE OF BIRTH 02/02/1984	DOCKET NUMBER 3566
	AGE 22	ETH. N	HEIGHT 511	WEIGHT 180	HAIR BLK	EYES BRO	SS# 247-7718338	VISIBLE SCARS AND MARKS TATTOO on UPPER LEFT ARM; CROSS: <i>Cher</i> 33	
	ADDRESS (NUMBER AND STREET) 547 KNIGHTSHILL RD			CITY, STATE, ZIP CODE CAMDEN, SC 29020			RESIDENT J	PHONE NUMBER 803-425-4525	
	ALIAS <i>None</i>			PLACE OF BIRTH SOUT CAROLINA USA			DRIVERS LICENSE NUMBER 011263774		STATE SC
	EMPLOYER OR OCCUPATION PALMETTO LAWN CARE		NEXT OF KIN CATHRINE ROBINSON			ADDRESS (CITY AND STATE) 718 FAIR STREET CAMDEN SC29020			
	BOOKING OFFICER'S NAME JENKINS, WILLIAM			NUMBER 362	ARRESTING OFFICER FITZGERALD		AGENCY KER	NUMBER	
	ARRESTEE ARMED <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO WEAPON TYPE: <input type="checkbox"/> SEMI-AUTO <input type="checkbox"/> FULL-AUTO <input type="checkbox"/> ON VIEW ARREST <input type="checkbox"/> SUMMONED <input checked="" type="checkbox"/> CUSTODY								
	JUVENILE DISPOSITION: 1. <input type="checkbox"/> HANDLED, RELEASED 2. <input type="checkbox"/> REFERRED TO OTHER AUTHORITY J - This Jurisdiction. S - State. O - Out of State U - Unknown.								
	ADDITIONAL CASE NUMBERS						MORE IN REMARKS <input type="checkbox"/>		
	IF HOLDING FOR ANOTHER AGENCY, CIRCLE CHARGE - A, B, C								
CHARGE I.D.		A		B		C			
CHARGE		GENERAL SESSIONS SENT							
STATUTE		009301							
BOND AMOUNT		\$ 0		Warrent# BW00002117					
BOND TYPE		Case# 2006 -0							
RET. DATE		00/00/000							
SENTENCE		DAYS	AMOUNT	DAYS	AMOUNT	DAYS	AMOUNT		
TIME SERVED		12-23-06							
GOOD TIME									
BALANCE									
PAID									
RECEIPT NUMBER									
RELEASE DATE 00/00/000		TIME 00:00	RELEASING OFFICER NUMBER (362) <i>Cpl J</i>			AGENCY RELEASED TO			
SIGNATURE OF RECEIVING OFFICIAL <i>X</i> <i>[Signature]</i> LIST ANY REMARKS BELOW									
REMARKS: <i>NCI c-clear</i> <i>prints -> not needed</i> <i>picture -> yes</i>									
DEFENDANT'S PERSONAL PROPERTY RECEIPT				TOTAL CASH AT TIME OF ARREST <i>> 0</i>					
QTY	ITEM			QTY	ITEM				
I HEREBY STATE THAT THE PROPERTY LISTED ABOVE CONSTITUTES ALL CLAIMS TO PROPERTY ON MY PERSON AT THE TIME OF MY ARREST.									
<i>X</i> <i>[Signature]</i> DEFENDANT'S SIGNATURE AT TIME OF ARREST				<i>[Signature]</i> OFFICER					
I HEREBY STATE, ON THE DATE OF MY RELEASE, THAT THE ABOVE LISTED PROPERTY WAS RETURNED TO ME, IN SATISFACTION OF ALL CLAIMS TO PROPERTY ON MY PERSON AT THE TIME OF MY ARREST.									
<i>X</i> DEFENDANT'S SIGNATURE AT TIME OF RELEASE				<i>[Signature]</i> OFFICER					

NORTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

INDICTMENT#:

VS.

FILED FOR

06 OCT 12

25 -GS- 78 - 499
WORD-28-06-058

Name of Original Offense:

ABILAN

Correctional SC Code §:

17-25-30

Correctional SC Code §:

17-25-30 13

Date of Original Offense:

6-1-11

Original Sentence:

5 years, 2 months

Sex:

Male

JOYCE HODGSON
CLERK OF COURT
KERSHAW COUNTY

C2-02-1987

N: 217-77-8338

SID#: 01536773

The above named defendant has been charged with violating the Court of General Sessions of Kershaw County, South Carolina. After hearing the evidence and being duly sworn, the Court finds that the above named defendant has violated the following conditions of probation (attach affidavit):

By violation of conditions 7 & 8

Therefore, IT IS ORDERED that:

- ☐ the suspended sentence be revoked and the above named defendant be sentenced to the remainder of the original sentence, and/or pay \$ _____;
- ☐ the suspended sentence be revoked and the above named defendant be sentenced to the original sentence and/or pay \$ _____; thereupon to be imprisoned for the term 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 set forth therein and not inconsistent with this order;
- ☐ probation is reduced to time served under supervision and the defendant is discharged;
- ☐ Additional Conditions ordered by the Court:

Probation is continued for 12 months.

All conditions of probation are to be followed.

- ☐ The defendant is given credit for pre-arrestation hearing, orientation, and applied by the SC Department of Corrections.
- ☐ The defendant has previously served _____ months/years of this sentence (split sentence time and/or prior partial revocation time).

is 14 day of October, 2006 at Candlen SC.

are hereby advised that under the law the Court may at any time revoke or modify any condition of this probation, impose any level of supervision, 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 all or part of the original sentence imposed.

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

Defender's Signature: _____ Witnessed by: _____

signed this 11 day of September, 2006 at Candlen SC.

ORDER FOR BENCH WARRANT

BW 2117

STATE OF SOUTH CAROLINA)
COUNTY OF KERSHAW)

IN THE COURT OF GENERAL SESSIONS

06 NOV 30 PM 12:53

THE STATE,)

JULIE P. GILLO
CLERK OF COURT
KERSHAW COUNTY, S.C.

VS.)

Indicted for: **05-GS-28-499**

Violation Of Probation

Damon Outten
DEFENDANT

It appears to the Court, that **Damon Outten**, under Order to serve on the Kershaw County Detention Center Weekend Participation Program, did fail to comply with the Rules and Acknowledgments, to appear and complete ordered weekend service of the imposed sentence; whereupon, on motion of Crystal Rufus-Robinson, Kershaw County Detention Center, it is ordered that a bench warrant be forthwith issued and executed to compel the Defendant, **Brian Everhart**, to appear at the Kershaw County Detention Center, to serve **15 consecutive weekends**. **Defendant is in violation of the Kershaw County Weekend Participation Program. He was sentenced 10/04/06 to serve 30 days. Brian Everhart has participated 10 days. He has not reported since 10/29/06. He has violated the provisions to participate in this program by not adhering to our rules and regulations of the program.**

It is further ordered that this Defendant shall be arrested immediately and placed in confinement at the Kershaw County Detention Center, Camden, South Carolina, and shall not be released therefrom except upon Order of this Court or completion of sentence imposed. Any duly appointed law enforcement officer of the State of South Carolina, Kershaw County or Camden, South Carolina, shall have the authority to arrest the Defendant upon sight, wherever he may be found, and to pursue the Defendant into any house, home or other building into which the Defendant may flee or in which he may conceal himself and arrest the Defendant. Any such duly appointed law enforcement officer shall have the further right to enter and search any house, home or other building, in which there is reason to believe that the Defendant may be concealing himself and to arrest the Defendant if he is found therein.

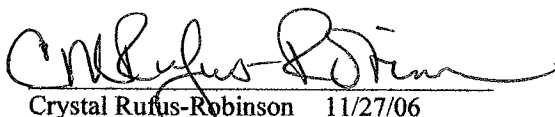
AND IT SO ORDERED.

Nov 30, 2006


PRESIDING JUDGE

FIFTH JUDICIAL CIRCUIT

I SO MOVE:


Crystal Rufus-Robinson 11/27/06

Kershaw County Detention Center

STATE OF SOUTH CAROLINA

VS.

OUTTEN, DAMON

SOUTH CAROLINA

: KERSHAW COUNTY

f : GENERAL SESSIONS

IND #: 2005GS2800499

BENCH WARRANT-# BW00002117

CHARGED WITH: H412491

ASSAULT / ASSAULT AND BATTERY

To all the Sheriffs, Deputy Sheriffs, Constables, and Other Peace Officers of the State:

WHEREAS, at the term of the aforestated Court OCTOBER 04, 2006it was among other things ordered by Judge KINARD, J ERNEST JR that a Bench
Warrant should be issued for the arrest of OUTTEN, DAMONFOR FAILURE TO COMPLY WITH PROBATION VIOLATION ORDER DATED 10-4-06. THEDEFENDANT WAS TO SERVE 15 CONSECUTIVE WEEKENDS AND PARTICIPATED 10 DAYS.ATTEST: I have, Correct & Certified
Copy of Original on File in this
CourtJayce McDaniel
Clerk of Court Kershaw County

It is, therefore, ordered that you make diligent search for the above named
and take him/her to the county jail/detention facility where he/she will be
safely held until he/she may be brought before this Court, or otherwise
discharged by due course of law.

It is further ordered that the county jail/detention facility notify the
clerk of court immediately, during the normal operating hours of the office of
the clerk of court, that the above named is in custody.

WITNESS, the Clerk of Court for the County of _____
on the 30 day of NOVEMBER, 2006.

KERSHAW COUNTY

Clerk of Court

Janet C. Hasty
DEPUTY CLERK OF COURT
By: Deputy Clerk

BENCH WARRANT #: BW00002117

STATE OF SOUTH CAROLINA
COUNTY : KERSHAW COUNTY

COURT : GENERAL SESSIONS

STATE OF SOUTH CAROLINA

VS.

OUTTEN, DAMON

B E N C H W A R R A N T

DATE ISSUED: 11/30/2006

HOME ADDRESS:

547 KNIGHTSHILL RD
CAMDEN, SC 29020

BUSINESS ADDRESS:

DEFENDANT DESCRIPTION:
Race.: B Sex.: M
Birth date: 02/02/1984
Height: 5'11" Weight: 180
Eyes: BRN Hair: BLK
Soc. Sec. #: 247778338
License #: 011263774
Lic-State: SC

DATE SERVED

SERVED BY

- OR -

DATE RETURNED

REASON FOR RETURN

AGENCY

2005GS2800499

DEPUTY CLERK OF COURT

FILE FOR RECORD

05 NOV 29 PM 3: 00

STATE OF SOUTH CAROLINA

COUNTY OF KERSHAW
JOYCE F. DONALD
CLERK OF COURT
KERSHAW COUNTY, S.C.

PROBATION

ARREST WARRANT

Indictment Number 05-GS-28-499

Warrant Number W-28-05-166

State Identification No. (SID) 1536773

TO ANY LAW ENFORCEMENT OFFICER OF THIS STATE OR COUNTY OR OF THE MUNICIPALITY OF CAMDEN, AND ANY CONSTABLE OF THIS MAGISTERIAL DISTRICT:

It appearing from the attached affidavit that there are reasonable grounds to believe that DAMON OUTTEN, did on the 10th day of November, 2005, violate the criminal laws of the State of South Carolina as set forth below:

DESCRIPTION OF OFFENSE:

By violating conditions 7,9,10 & special conditions ordered in cause number 05-GS-28-499 by the Kershaw County Court of General Sessions.

Now, therefore, you are empowered and directed to arrest the said defendant and bring DAMON OUTTEN before me forthwith to be dealt with according to law. A copy of this Arrest Warrant shall be delivered to the defendant at the time of its execution, or as soon thereafter as is practicable.

Done at CAMDEN, S. C. this

10th day of November, 2005

Cryphel Boyd (L.S.)
Signature of Probation and Parole Agent

County of KERSHAW

STATE OF SOUTH CAROLINA

AFFIDAVIT

Personally appeared before me, one CRYSTAL BOYD, who, first being duly sworn, deposes and says that DAMON OUTTEN did within this County and State on the 10th day of November, 2005, violate the criminal laws of the State of South Carolina in the following particulars:

DESCRIPTION OF OFFENSE:

By violating conditions 7,9,10 & special conditions ordered in cause number 05-GS-28-499 by the Kershaw County Court of General Sessions.

The affiant states that there is probable cause to believe that the defendant named above did commit the crime(s) set forth, and that such probable cause is based on the following facts:

Failed to pay supervision fees, in arrears \$70 with a balance of \$1,110; Failed to obey all conditions of supervision as stated in the court order including the payment of fines. Mr. Outten has failed to attend his PSE work site. He was terminated from the work site for failing to show. He is in arrears 130 hours with a balance of 186 hours left to complete. Mr. Outten also failed to pay court ordered fines. In arrears \$20 with a balance of \$128.75.

Failed to follow advice and instructions of Agent. Mr. Outten is currently attending Solutions Substance Abuse Counseling with Scott Carpenter per a positive drug test; he is in arrears \$155 on his counseling fees and only attended three NA/AA meetings and is responsible for attending 20. Such actions constitute violations of conditions 7,9,10 & special conditions of the original probation order.

Sworn to and Subscribed before me
this 10 day of November, 2005

Cryphel Boyd
Affiant

Carlene G. Glenn (L.S.)
Signature of Notary Public

Address:

703 Lafayette Ave.
Camden, SC

6/21/11
My Commission Expires

(Form Continues on Back)

AGENCY

KER

DATE/TIME OF ARREST

11/28/2005 17:38 Hrs.

BOOKING REPORT

BOOKING NUMBER

2005-48500

DOCKET NUMBER

DEFENDANT NAME (LAST, FIRST, MIDDLE)

OUTTEN, DAMON

AGE

21

ETH.

N

HEIGHT

511

WEIGHT

180

HAIR

BLK

EYES

BRO

SS#

247-77-8338

RACE
BSEX
MDATE OF BIRTH
02/02/1984

VISIBLE SCARS AND MARKS

none

NCIC

ID NUMBER

310

ADDRESS (NUMBER AND STREET)

547 KNIGHTSHILL RD

CITY, STATE, ZIP CODE

CAMDEN, SC 29020

RESIDENT

J

PHONE NUMBER

803-425-4525

ALIAS

none

PLACE OF BIRTH

CAMDEN US

DRIVERS LICENSE NUMBER

011263774

STATE

SC

EMPLOYER OR OCCUPATION

PALMETTO LAWN CARE

NEXT OF KIN

CATHRINE ROBINSON

ADDRESS (CITY AND STATE)

718 FAIR STREET
CAMDEN

SC29020

BOOKING OFFICER'S NAME

GRAHAM, CHENE

NUMBER

310

ARRESTING OFFICER

GRAHAM, CHENE

AGENCY

KER

NUMBER

ARRESTEE ARMED ☐ YES ☒ NO WEAPON TYPE:☐ SEMI-AUTO☐ FULL-AUTO☒ ON VIEW ARREST☐ SUMMONED☐ CUSTODYJUVENILE DISPOSITION 1. ☐ HANDLED, RELEASED 2. ☐ REFERRED TO OTHER AUTHORITY

J - This Jurisdiction.

S - State.

O - Out of State

U - Unknown

ADDITIONAL CASE NUMBERS

2005005182

MORE IN REMARKS

☐

IF HOLDING FOR ANOTHER AGENCY, CIRCLE CHARGE - A, B, C

CHARGE I.D.

A

B

C

CHARGE

VIOLATION PROBATION

STATUTE

24-21-0450

BOND AMOUNT

\$ 0

Warrent# W-28-05-166

BOND TYPE

Case# 0-0

RET. DATE

00/00/000

DAYS

AMOUNT

DAYS

AMOUNT

DAYS

AMOUNT

SENTENCE

TIME SERVED

GOOD TIME

BALANCE

PAID

RECEIPT NUMBER

RELEASE DATE

11/28/05

TIME

0820

RELEASING OFFICER NUMBER

100-000000

3330

AGENCY RELEASED TO

SIGNATURE OF RECEIVING OFFICIAL X

REMARKS

Picture: yes
Prints: none needed
NCIC: Clear

LIST ANY REMARKS BELOW

DEFENDANT'S PERSONAL PROPERTY RECEIPT

TOTAL CASH AT TIME OF ARREST >

\$ 0.00

QTY

ITEM

QTY

ITEM

0 BELT

0 CAP

0 COMB

0 DENIM JEANS

0 KEYS

0 LIGHTER

0 TSHIRT

0 TENNIS SHOES

I HEREBY STATE THAT THE PROPERTY LISTED ABOVE CONSTITUTES ALL CLAIMS TO PROPERTY ON MY PERSON AT THE TIME OF MY ARREST.

x Damon Outten

DEFENDANT'S SIGNATURE AT TIME OF ARREST

Graham

OFFICER

I HEREBY STATE, ON THE DATE OF MY RELEASE, THAT THE ABOVE LISTED PROPERTY WAS RETURNED TO ME, IN SATISFACTION OF ALL CLAIMS TO PROPERTY ON MY PERSON AT THE TIME OF MY ARREST.

x Damon Outten

DEFENDANT'S SIGNATURE AT TIME OF RELEASE

James M. Graham

OFFICER

W-28-05-166

STATE OF SOUTH CAROLINA
COUNTY OF Richland
STATE OF SOUTH CAROLINA

Ticket or Warrant No.: _____
IN THE () COURT OF GENERAL SESSIONS
() MAGISTRATE'S COURT
() MUNICIPAL COURT OF _____

Name of Defendant

ORDER SPECIFYING METHODS AND CONDITIONS OF RELEASE
(Bail Proceeding Form 2)

Offense Charged: Violator of Probation

At a bail proceeding conducted by 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:

[Considerations: Nature and circumstances of the offense charged, the accused'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 one):

CASH IN LIEU OF BOND

- ☐ The defendant, acknowledging himself to be indebted to the State of South Carolina, deposits \$ _____ 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 acknowledges himself to be indebted to the State of South Carolina in the sum of \$ _____, his release to be obtained by payment to the court of _____ (%) of this bond in cash, this amount being \$ _____. The defendant will be obligated to the State in the full amount of \$ _____, such sum to be levied on his real and personal property for the use of the State, should he fail to perform the conditions of this Order.

APPEARANCE RECOGNIZANCE WITH SURETY

- ☒ The defendant will provide good and sufficient surety approved in the court, in the form set forth on the reverse side, acknowledging an indebtedness to the State in the amount of \$ 5000.00.

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

- ☒ the term of the court of general sessions beginning on [Date:] 11/29/05 at [Time:] 9:00 o'clock, 12 M., at [Place:] Court of General Sessions 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/municipal (circle one) court beginning on [Date:] _____ at [Time:] _____ o'clock, _____ M., at [Place:] _____. If no final disposition is made during that session, the defendant shall appear at such other times and places as ordered by the court.

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 on the reverse side, which are marked.

Signature of Judge

Date

ACKNOWLEDGEMENT BY DEFENDANT

I understand that if I violate any condition of this Order, including any conditions included on the reverse side 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, an additional criminal charge will be instituted against me. If the failure to appear is in connection with a felony charge, or while awaiting sentence, or pending appeal or certiorari after conviction, the penalty is a fine of not more than \$5,000 or imprisonment for not more than five years, or both; if I fail to appear in connection with a misdemeanor charge, the penalty is a fine of not more than \$1,000 or imprisonment for not more than one year, or both.

I acknowledge the receipt of a copy of this Order and understand the conditions of my release and the penalties applicable to me in the event I violate any condition of the Order or fail to appear as required.

Address

547 Knights Hill Rd
Camden, SC 29020
City/State/Zip

247-77-8330 / 932-5241
Social Security Number/Telephone No.

Signature of Defendant

11/29/05
Date

Attorney Representing Accused (If known)

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

Original copy for the Trial Court - Copy for the Defendant

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 in accordance with conditions 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 Appointed) _____ Date _____

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

c. ☐ Part-time Release. The defendant will be released from custody from _____ o'clock, _____ M. to _____ o'clock, _____ M. on _____ on condition that he return to the custody of _____ at _____ as designated.

d. ☒ Other Conditions. The defendant will comply with the following other conditions of release:

Report to Probation Office immediately upon release to meet with Agent
Not to violate any terms of Criminal
Pay bond fee \$500

APPEARANCE RECOGNIZANCE WITH SURETY

On the 29 day of Nov, 2005, personally appeared before the undersigned judge the surety named below who acknowledged himself indebted to the State of South Carolina, in the sum of \$ 500, such sum to be levied on his real and personal property for the use of the State, if the within named defendant shall 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.

Name of Surety (Printed or Typed) _____

Address of Surety _____

City/State/Zip _____

Signature of Surety _____

Signature of Judge _____

Date _____

Ouffer

Name of Defendant

W-28-05-166

Warrant/Ticket Nos.

County/Municipality of

Charges:

Viol Police

Trial Court:

☒ General Sessions

☐ Magistrate

☐ Municipal Court

CHECKLIST FOR MAGISTRATES AND MUNICIPAL JUDGES

DIRECTIONS: Magistrates and municipal court judges must use this checklist for **ALL GENERAL SESSIONS CASES** and for **ALL MAGISTRATE AND MUNICIPAL COURT CASES IN WHICH BOND HAS BEEN SET BY A JUDGE**. The judge should attach this checklist to the charging document (arrest warrant or uniform traffic ticket) when the defendant first appears before a judge for a bond hearing or first appearance, and complete the appropriate sections.

☒ BAIL PROCEEDING

☐ FIRST APPEARANCE (Non-Bailable Offenses)

1. Form used at bail proceeding

☒ a. Bond Form I (personal recognizance)

☒ b. Bond Form II (surety, cash, percentage)

☐ c. None (Non-Bailable Offense)

2. For cases in which bond is set, defendant was informed:

☒ a. Warrant for arrest will be issued for violation of any condition of bail bond order.

☒ b. His right and obligation to be present at trial and that trial will proceed in his absence if he fails to attend.

☒ c. Failure to appear in court as required will result in institution of additional criminal charges. For failure to appear in connection with a felony, additional charge has penalty of fine of not more than \$5,000 or imprisonment for not more than five (5) years, or both. For failure to appear in connection with a misdemeanor, additional charge has penalty of fine of not more than \$1,000 or imprisonment for not more than one (1) year, or both.

3. For cases to be tried in Court of General Sessions, defendant was informed of right to preliminary hearing if requested within ten (10) days:

☒ a. Orally

☒ b. In writing

[NOTE: Defendant must be informed of right both orally and in writing]

☒ 4. Defendant was informed of the right to trial by jury.

5. In all general sessions cases and in all magistrate or municipal cases in which a prison sentence is likely to be imposed, defendant was informed of the following:

☒ a. Charges against defendant and nature of the charges.

☒ b. Right to counsel and right to court-appointed counsel if financially unable to employ counsel

☒ c. [(Optional: Local procedures may require judge to refer defendants to indigency screener. If so, note referral here) Required to appear before _____ on _____, 20____ for appointment of counsel.]

Appearance or
Hearing Date:

11/29/05

Judge's Signature

ACKNOWLEDGMENT OF DEFENDANT

I understand that I have the right to be present at my trial on the charge(s) for which I have been arrested, and that the trial will proceed in my absence should I fail to attend court.

Date: 11-29-05

Signature: Ramon Ertler

NOTIFICATION BY JUDGE

By signature below, I hereby affirm that this court informed the defendant,

_____, that (s)he has the right to be present at the trial on the charge(s) for which named defendant has been arrested, and that the trial will proceed in the defendant's absence should the defendant fail to attend court. I further affirm that said defendant voluntarily refused to execute the **ACKNOWLEDGMENT OF DEFENDANT**.

Date: _____

Signature: _____
Judge

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF Kershaw
STATE VS.

INDICTMENT/CASE#:

2005 -GS- 25 - 499AKA: Damon O'Han
Race: B Sex: M Age:
DOB: 2/2/84 SS#:
Address: 547 Knights Hill Road
City, State, Zip: Camden, SC 29020
DL# SID# A/W#: H-412451
Date of Offense: 11/8/04
S.C. Code §: 17-25-30
CDR Code #: 010113
☐ CASE RESTORED
SENTENCE
☐ PLEA ☐ TRIALIn disposition of the said indictment comes now the Defendant who was ☐ CONVICTED OF or ☐ PLEADSTO: Assault and Battery of a Higher Aggravated Nature
in violation of § 17-25-30 of the S.C. Code of Laws, bearing CDR Code # 010113☒ NON-VIOLENT ☐ VIOLENT ☐ SERIOUS ☐ MOST SERIOUS ☐ 17-25-45The 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.

ATTEST:

Solicitor

Defendant

Attorney for Defendant

WHEREFORE, the Defendant is committed to the ☐ State Department of Corrections, ☐ County Detention Center,
for a determinate term of days/months/years or ☒ under the Youthful Offender Act not to exceed 5 years
and/or to pay a fine of \$; provided that upon the service of days/months/years and/or paymentof \$; plus costs and assessments as applicable*; the balance is suspended with probation for 30months/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.

SPECIAL CONDITIONS:

☐ RESTITUTION: ☐ Heard, ☐ Waived, ☐ OrderedTotal: \$ plus 20% fee: \$ Payment Terms: ☐ set by SCDPPPS Recipient: *Fine: \$ §14-1-206 (Assessments 107.5%) \$ §14-1-211(A)(1) (Conv. Surcharge) \$100 \$ 100.00§14-1-211(A)(2) (DUI Surcharge) \$100 \$ §56-5-2995 (DUI Assessment) \$12 \$ § 35.13 (Public Def/Prob) \$500 \$ §73.3, 1B TP (Law Enforce. Funding) \$25 \$ 25.00§33.7, 1B TP (Drug Court Surcharge) \$100 \$ §50-21-114(BUI Breath Test Fee) \$50 \$ §56-5-2942(J) (Vehicle Assessment) \$40/ea \$ 3% to County (if paid in installments) \$ 3.75TOTAL \$ 128.75

PTUP

200 days/hours Public Service EmploymentObtain 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 FundOther: NO CONTACT WITH VICTIM☐ Appointed PD or appointed other counsel, §35.13 TP
Requires \$500 be paid to Clerk during probation.

PRESIDING JUDGE

Judge Code: 010113Sentence Date: 6/9/05

Clerk of Court/ Deputy Clerk

Court Reporter: Reanne A. Rutledge

STATE OF SOUTH CAROLINA)

IN THE COURT OF GENERAL SESSIONS

COUNTY OF Kershaw
STATE VS.)

INDICTMENT/CASE#:

AKA: _____
Race: _____ Sex: _____ Age: _____
DOB: _____ SS#: _____
Address: _____
City, State, Zip _____
DL# _____ SID# _____

-GS- _____
A/W#: _____
Date of Offense: _____
S.C. Code §: _____
CDR Code #: _____ / _____ / _____
☐ CASE RESTORED
SENTENCE
☐ PLEA ☐ TRIAL

In disposition of the said indictment comes now the Defendant who was ☐ CONVICTED OF or ☐ PLEADS
TO: _____

in violation of § _____ of the S.C. Code of Laws, bearing CDR Code # _____ / _____ / _____
☐ NON-VIOLENT ☐ VIOLENT ☐ SERIOUS ☐ MOST SERIOUS ☐ 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.
ATTEST: _____

Solicitor

Defendant

Attorney for Defendant

WHEREFORE, the Defendant is committed to the ☐ State Department of Corrections, ☐ County Detention Center,
for a determinate term of _____ days/months/years or ☒ under the Youthful Offender Act not to exceed _____ years
and/or to pay a fine of \$ _____; provided that upon the service of _____ days/months/years 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.
☐ 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.

SPECIAL CONDITIONS:

☐ RESTITUTION: ☐ Heard, ☐ Waived, ☐ 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: _____

Recipient: _____
*Fine: \$ _____
\$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 \$ _____
\$ 35.13 (Public Def/Prob) \$500 \$ _____
\$73.3, 1B TP (Law Enforce. Funding) \$25 \$ _____
\$33.7, 1B TP (Drug Court Surcharge) \$100 \$ _____
\$50-21-114(BUI Breath Test Fee) \$50 \$ _____
\$56-5-2942(J) (Vehicle Assessment) \$40/ea \$ _____
3% to County (if paid in installments) \$ _____
TOTAL \$ _____

☐ Appointed PD or appointed other counsel, \$35.13 TP
Requires \$500 be paid to Clerk during probation.

PRESIDING JUDGE _____

Judge Code: _____ / _____ / _____
Sentence Date: _____

Clerk of Court/ Deputy Clerk

Court Reporter: _____

STATE OF SOUTH CAROLINA)
)
COUNTY OF KERSHAW)

INDICTMENT

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

ASSAULT AND BATTERY OF A HIGH AND AGGRAVATED NATURE

That Damon Outten did in Kershaw County on or about April 8, 2004, commit an assault and battery upon the victim, Mac Willetts, constituting an unlawful act of violent injury to the person of the said victim, accompanied by circumstances of aggravation, to wit: the defendant ran the victim over with an all terrain vehicle breaking the victim's leg, all in violation of the Common Law of South Carolina.

Against the peace and dignity of the State, and contrary to the statute in such case made and provided.



WARREN B. GIESE, SOLICITOR

After being fully advised as to my legal rights, I hereby waive presentment to the Grand Jury.

Damon Outten

Defendant

Damon

Damon Outten

I hereby appear in my own proper person and plead guilty to the within indictment or to

Damon Outten

Defendant

Witness:

C.C.C. PLS. AND G.S.

DOCKET NO. 2005-GS-28-0499

The State of South Carolina

County of Kershaw

COURT OF GENERAL SESSIONS

JUNE TERM 2005

THE STATE
vs.

DAMON OUTTEN

Indictment for

**ASSAULT AND BATTERY
OF A HIGH AND
AGGRAVATED NATURE**

SC Code: 17-25-30 C/L

CDR Code: 0013

Class MIS/UNC

WITNESSES

Rick Bailey, KCSD

ARREST WARRANT NUMBER

H-412491

ACTION OF GRAND JURY

Foreperson of Grand Jury

Date:

VERDICT

Foreperson of Petit Jury

Date:

ARREST WARRANT

H-412491

STATE OF SOUTH CAROLINA

County/ Municipality of
Kershaw

04 APR 15 PM 12:44

THE STATE
against

Damon Outten
Address: 547 Knightshill Rd
Camden SC 29020
Phone: 803 425 4525 SSN: 247 778338
Sex: M Race: B Height: 511 Weight: 180
DL State: SC DL #: 011263774
DOB: 2-2-84 Agency ORI#:
Prosecuting Agency: Kershaw County Sheriff's Off.
Prosecuting Officer: INV. Rick Bailey
Offense: Assault + Battery with intent to kill
Offense Code:
Code/Ordinance Sec.
This warrant is CERTIFIED FOR SERVICE in the
County/ Municipality of
is to be arrested and brought before me to be
dealt with according to law.
The accused
Signature of Judge
Date:
(L.S.)

RETURN

A copy of this arrest warrant was delivered to
defendant Damon Outten
on 4-9-04
Signature of Constable/Law Enforcement Officer

RETURN WARRANT TO:

STATE OF SOUTH CAROLINA

County/ Municipality of
Kershaw

Personally appeared before me the affiant

being duly sworn deposes and says that defendant

within this county and state on 04-08-2004

State of South Carolina (or ordinance of

in the following particulars:

DESCRIPTION OF OFFENSE: Assault + Battery with intent to kill

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

That on 4-8-04 The Defendant Damon Outten did with malice
Aforethought and with the to kill, commit a BATTERY on
J. Mac Willets By running over him several times with an
All Terrain Vehicle. Said incident Took Place in Camden,
Kershaw County, South Carolina. witness and Statement To
prove the same.

Sworn to and subscribed before me
on

Signature of Affiant

Affiant's Address

Signature of Issuing Judge

STATE OF SOUTH CAROLINA

County/ Municipality of
Kershaw

ARREST WARRANT

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

It appearing from the above affidavit that there are reasonable grounds to believe that
defendant Damon Outten
did violate the criminal laws of the State of South Carolina (or ordinance of

County/ Municipality of Kershaw

as set forth below:

DESCRIPTION OF OFFENSE: Assault + Battery with intent to kill

Now, therefore, you are empowered and directed to arrest the said defendant and bring him or her before
me forthwith to be dealt with according to law. A copy of this Arrest Warrant shall be delivered to the
defendant at the time of its execution, or as soon thereafter as is practicable.

Judge's Address

Signature of Issuing Judge

Judge Code:

Judge's Telephone

Issuing Court:

Municipal

Circuit

ORIGINAL

AFFIDAVIT

INV. Rick Bailey

Damon Outten

04-08-2004

County/ Municipality of Kershaw

Assault + Battery with intent to kill

BAIL set by

R-5

Judge

on 4-10-84

Type and Amount: \$2,000.00

Name of Surety: _____

PRELIMINARY HEARING held by

Judge _____

on _____

Defense Attorney: _____

Decision: _____

DISPOSITION before

Judge _____

on _____

by _____

(Indicate jury trial, bench trial, plea not pros., etc.)

Disposition: _____

Sentence: _____

JURORS

CODEFENDANTS

WITNESSES

Name: _____

Address: _____

Telephone: _____

Name: _____

Address: _____

Telephone: _____

Name: _____

Address: _____

Telephone: _____

Name: _____

Address: _____

Telephone: _____

Name: _____

Address: _____

Telephone: _____

Name: _____

Address: _____

Telephone: _____

Name: _____

Address: _____

Telephone: _____

Name: _____

Address: _____

Telephone: _____

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 in accordance with conditions 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 Appointed) _____

Date _____

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

c. ☐ Part-time Release. The defendant will be released from custody from _____ o'clock, _____ M. to _____ o'clock, _____ M. on _____ on condition that he return to the custody of _____ at _____ as designated.

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

No contact w/ victim nor go on to his property
for 7 weeks from date of bonding to contact

APPEARANCE RECOGNIZANCE WITH SURETY

On the 10 day of April, 2004, personally appeared before the undersigned judge the surety named below who acknowledged himself indebted to the State of South Carolina, in the sum of \$50,000 such sum to be levied on his real and personal property for the use of the State, if the within named defendant shall 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.

Name of Surety (Printed or Typed) _____

Signature of Surety _____

Address of Surety _____

Signature of Judge _____

City/State/Zip _____

Date 4/10/04

STATE OF SOUTH CAROLINA
COUNTY OF Greenville
STATE OF SOUTH CAROLINA

Ticket or Warrant No.: H-412491
IN THE X COURT OF GENERAL SESSIONS
() MAGISTRATE'S COURT
() MUNICIPAL COURT OF

Name of Defendant Damon Kenneth Outten

ORDER SPECIFYING METHODS AND CONDITIONS OF RELEASE
(Bail Proceeding Form 2)

Offense Charged: Assault & Battery with a Deadly Weapon

At a bail proceeding conducted by 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 & severity of offense

[Considerations: Nature and circumstances of the offense charged, the accused'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 one):

CASH IN LIEU OF BOND

- ☐ The defendant, acknowledging himself to be indebted to the State of South Carolina, deposits \$_____ 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 acknowledges himself to be indebted to the State of South Carolina in the sum of \$_____, his release to be obtained by payment to the court of _____ (%) of this bond in cash, this amount being \$_____. The defendant will be obligated to the State in the full amount of \$_____, such sum to be levied on his real and personal property for the use of the State, should he fail to perform the conditions of this Order.

APPEARANCE RECOGNIZANCE WITH SURETY

- ☒ The defendant will provide good and sufficient surety approved in the court, in the form set forth on the reverse side, acknowledging an indebtedness to the State in the amount of \$ 50,000.

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

☒ the term of the court of general sessions beginning on [Date:] 5-11-04 at [Time:] 9:00 o'clock, 11 A.M., at [Place:] Court House

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/municipal (circle one) court beginning on [Date:] _____ at [Time:] _____ o'clock, _____ M., at [Place:] _____. If no final disposition is made during that session, the defendant shall appear at such other times and places as ordered by the court.

Initials of Defendant DO

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 on the reverse side, which are marked.

[Signature]
Signature of Judge

4-10-04
Date

ACKNOWLEDGEMENT BY DEFENDANT

I understand that if I violate any condition of this Order, including any conditions included on the reverse side 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, an additional criminal charge will be instituted against me. If the failure to appear is in connection with a felony charge, or while awaiting sentence, or pending appeal or certiorari after conviction, the penalty is a fine of not more than \$5,000 or imprisonment for not more than five years, or both; if I fail to appear in connection with a misdemeanor charge, the penalty is a fine of not more than \$1,000 or imprisonment for not more than one year, or both.

I acknowledge the receipt of a copy of this Order and understand the conditions of my release and the penalties applicable to me in the event I violate any condition of the Order or fail to appear as required.

Address _____

Damon Outten
Signature of Defendant

City/State/Zip _____

4-10-04
Date

Social Security Number/Telephone No. _____

Attorney Representing Accused (If known) _____

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

Original copy for the Trial Court - Copy for the Defendant

AGENCY I.D.
SC0280000

DATE/TIME OF ARREST
04/09/04
OUTTEN DAMON

BOOKING REPORT
Kershaw County
Sheriff's Department

CASE NUMBER

DEFENDANT NAME (LAST, FIRST, MIDDLE)

OUTTEN DAMON KENNETH

RACE

SEX

DATE OF BIRTH

DOCKET NUMBER

B

M

02/02/84

42775

AGE

ETH

HEIGHT

WEIGHT

HAIR

EYES

SOCIAL SECURITY NUMBER

VISIBLE SCARS AND MARKS

NCK

ID NUMBER

20

N

511

180

BLK

BRN

247-77-8338

1 TATOO ON LEFT ARM CLEAR

CLEAR

ADDRESS (NUMBER AND STREET)

CITY

STATE

ZIP CODE

RESIDENT

PHONE NUMBER

547 KNIGHTSHILL RD.

CAMDEN

SC

29020

J S O U

803-425-4525

ALIAS

PLACE OF BIRTH

DRIVERS LICENSE NUMBER

STATE

NONE

SOUTH CAROLINA

011263774

SC

EMPLOYER OR OCCUPATION

NEXT OF KIN

ADDRESS (CITY AND STATE)

UNEMPLOYED

MARY OUTTEN (MOTHER)

SAME

BOOKING OFFICER'S NAME

NUMBER

ARRESTING OFFICER

AGENCY

NUMBER

B. MCCRAY

350

RICK BAILEY

ARRESTEE ARMED

☐ YES ☒ NO

WEAPON TYPE:

☐ SEMI-AUTO

☐ FULL-AUTO

☒ ON VIEW-ARREST

☐ SUMMONED

☐ CUSTODY

JUVENILE DISPOSITION:

1. ☐

HANDLED, RELEASED

2. ☐

REFERRED TO OTHER AUTHORITY

☒ This Jurisdiction

S - State

☐ Out of State

☐ Unknown

ADDITIONAL CASE NUMBERS

MORE IN REMARKS ☐

IF HOLDING FOR ANOTHER AGENCY, CIRCLE CHARGE - A, B, C

CHARGE I.D.

H- 412491

A

B

C

CHARGE

ASSAULT AND BATTERY WITH INTENT TO KILL

STATUTE

GENERAL SESSION

BOND AMOUNT

50,000 C/S

BOND TYPE

RET. DATE

DISPOSITION

DAYS

AMOUNT

DAYS

AMOUNT

DAYS

AMOUNT

SENTENCE

TIME SERVED

GOOD TIME

BALANCE

PAID

RECEIPT NUMBER

RELEASE DATE

TIME

RELEASING OFFICER

NUMBER

AGENCY RELEASED TO

04/10/04

500PM

B. MCCRAY

RE

SIGNATURE OF RECEIVING OFFICIAL X

LIST ANY REMARKS BELOW

REMARKS:

PICTURE TAKEN

yes

CITY CHECK

YES

NO

FINGER PRINTS TAKEN

yes

HIT

YES

NO

COMPUTER CHECK

N/A

HOLD

YES

NO

NCK CHECK

clear

DEFENDANTS PERSONAL PROPERTY RECEIPT

TOTAL CASH AT TIME OF ARREST

\$

QUANTITY

ITEM

QUANTITY

ITEM

Bin # 118

I HEREBY STATE THAT THE PROPERTY LISTED ABOVE CONSTITUTES ALL CLAIMS TO PROPERTY ON MY PERSON AT THE TIME OF MY ARREST.

X

Damon Outten

04/09/04

DEFENDANT'S SIGNATURE AT TIME OF ARREST

OFFICER

I HEREBY STATE, ON THE DATE OF MY RELEASE, THAT THE ABOVE LISTED PROPERTY WAS RETURNED TO ME, IN SATISFACTION OF ALL CLAIMS TO PROPERTY ON MY PERSON AT THE TIME OF MY ARREST.

No

42775

X

Damon Outten

POWER AMOUNT
\$100,000.00

POWER OF ATTORNEY
PALMETTO SURETY CORPORATION
990 Lake Hunter Circle, Mt. Pleasant, SC 29464

PS100 000231

KNOW ALL MEN BY THESE PRESENTS, that PALMETTO SURETY CORPORATION, a corporation duly authorized and existing under the laws of the State of South Carolina, does constitute and appoint the below named agent its true and lawful Attorney-In-Fact for it and in its name, place and stead, to execute, and deliver for and on its behalf, as surety, a bail bond only.

Authority of such Attorney-In-Fact is limited to appearance bonds. No authority is provided herein for the execution of surety immigration bonds or to guarantee alimony payments, fines, wage law claims or other payments of any kind on behalf of below named defendant. The named agent is appointed only to execute the bond consistent with the terms of this power of attorney. The agent is not authorized to act as agent for receipt of service of process in any criminal or civil action.

This power is void if altered or erased or used in any combination with other powers of attorney of this company or any other company to obtain the release of the defendant named below or to satisfy any bond requirement in excess of the stated face amount of this power. This power can only be used once. The obligation of the company shall not exceed the sum of

ONE HUNDRED THOUSAND (\$100,000.00) DOLLARS

and provided this Power-Of-Attorney is filed with the bond and retained as a part of the court records. The said Attorney-In-Fact is hereby authorized to insert in this Power-Of-Attorney the name of the person on whose behalf this bond was given.

IN WITNESS WHEREOF, PALMETTO SURETY CORPORATION has caused these presents to be signed by its duly authorized officer, proper for the purpose and its corporate seal to be hereunto affixed this

10 day of April 2004

Bond Amount \$ 50,000.00 Appearance Date C/L
Defendant: Damon Dutton
Court IS
Case # _____
Case # _____
Case # _____
County Lexington City Camden State SC Zip _____
Offense Attempted BIK (with 4 wheels) IVP
Offense _____ IVP
Executing Agent Danna Davis IVP

EXPIRES 12-31-04



PALMETTO SURETY CORPORATION

[Signature]
Chief Executive Officer

04 APR 15 PM 12:44
RECEIVED
CLERK OF COURT
JUDICIAL BRANCH
SOUTH CAROLINA

Offen

Name of Defendant

14-412491

Warrant/Ticket Nos.

County/Municipality of

Kersh

Charges:

AKIK

Trial Court:

- ☒ General Sessions
☐ Magistrate
☐ Municipal Court

CHECKLIST FOR MAGISTRATES AND MUNICIPAL JUDGES

DIRECTIONS: Magistrates and municipal court judges must use this checklist for **ALL GENERAL SESSIONS CASES** and for **ALL MAGISTRATE AND MUNICIPAL COURT CASES IN WHICH BOND HAS BEEN SET BY A JUDGE**. The judge should attach this checklist to the charging document (arrest warrant or uniform traffic ticket) when the defendant first appears before a judge for a bond hearing or first appearance, and complete the appropriate sections.

- ☒ BAIL PROCEEDING
☐ FIRST APPEARANCE (Non-Bailable Offenses)

1. Form used at bail proceeding
 - ☐ a. Bond Form I (personal recognizance)
 - ☒ b. Bond Form II (surety, cash, percentage)
 - ☐ c. None (Non-Bailable Offense)
2. For cases in which bond is set, defendant was informed:
 - ☒ a. Warrant for arrest will be issued for violation of any condition of bail bond order.
 - ☒ b. His right and obligation to be present at trial and that trial will proceed in his absence if he fails to attend.
 - ☒ c. Failure to appear in court as required will result in institution of additional criminal charges. For failure to appear in connection with a felony, additional charge has penalty of fine of not more than \$5,000 or imprisonment for not more than five (5) years, or both. For failure to appear in connection with a misdemeanor, additional charge has penalty of fine of not more than \$1,000 or imprisonment for not more than one (1) year, or both.
3. For cases to be tried in Court of General Sessions, defendant was informed of right to preliminary hearing if requested within ten (10) days:
 - ☒ a. Orally
 - ☒ b. In writing[NOTE: Defendant must be informed of right both orally and in writing]
- ☒ 4. Defendant was informed of the right to trial by jury.
5. In all general sessions cases and in all magistrate or municipal cases in which a prison sentence is likely to be imposed, defendant was informed of the following:
 - ☒ a. Charges against defendant and nature of the charges.
 - ☒ b. Right to counsel and right to court-appointed counsel if financially unable to employ counsel
 - ☐ c. [(Optional: Local procedures may require judge to refer defendants to indigency screener. If so, note referral here) Required to appear before _____ on _____, 20____ for appointment of counsel.]

Appearance or
Hearing Date:

4/10/04

Judge's Signature

[Signature]

ACKNOWLEDGEMENT OF DEFENDANT

I understand that I have the right to be present at my trial on the charge(s) for which I have been arrested, and that the trial will proceed in my absence should I fail to attend the court.

DATE: 4-10-64 SIGNATURE: Ramon Outten

CLERK OF COURT
KERN COUNTY, S.C.

APR 15 PM 2:44

NOTIFICATION BY JUDGE

By signature below, I hereby affirm that this court informed the defendant, _____, that (s)he has the right to be present at the trial on the charge(s) for which named defendant has been arrested, and that the trial will proceed in the defendants absence should the defendant fail to attend the court. I further affirm that said defendant voluntarily refused to excute the ACKNOWLEDGEMENT OF DEFENDANT.

DATE: _____ SIGNATURE _____
JUDGE