

ARREST WARRANT

2014A3610100694

STATE OF SOUTH CAROLINA

☒ County/ ☐ Municipality of

Newberry

14-12103

THE STATE

against

Shannon Joseph Smith

Address: 19489 BB Road

Hasty, CO 81044-

Phone: 719456-1657 SSN: 521-25-1211

Sex: M Race: W Height: 5 9 Weight: 160

DL State: DL #:

DOB: 5/16/1970 Agency ORI #: SC0360000

Prosecuting Agency: Newberry County Sheriff

Prosecuting Officer: Stephen Bradley Epps - 199

Offense: Fugitive / Fugitive from justice warrant, non-crim.

Hold fug. max. 20 days. Gov. Ofc.

Offense Code: 3135

Code/Ordinance Sec: 17-09-0010

This warrant is CERTIFIED FOR SERVICE in the

☐ County/ ☐ Municipality of

The accused

is to be arrested and brought before me to be

dealt with according to the law.

(L.S.)

Signature of Judge

RETURN

A copy of this arrest warrant was delivered to

defendant

on 12/20/14

Shannon J. Smith

Signature of Constable/Law Enforcement Officer

RETURN WARRANT TO:

General Sessions

1226 College Street

PO Drawer 10

Newberry, SC 29108

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STATE OF SOUTH CAROLINA

☒ County/ ☐ Municipality of

Newberry

Personally appeared before me the affiant

being duly sworn deposes and says that defendant

did within this county and state on or about

State of South Carolina (or ordinance of

in the following particulars:

12/19/2014

County/ ☒ Municipality of

Newberry

Shannon Joseph Smith

violate the criminal laws of the

DESCRIPTION OF OFFENSE: Fugitive / Fugitive from justice warrant, non-crim. Hold fug. max. 20 days. Gov. Ofc.

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:

"Fugitive from Justice"/17-09-0010: That on or about 12/19/2014, one (1) Shannon Joseph Smith, did commit the offense of

"Fugitive from Justice"/17-09-0010, in that he failed to comply, fled, or is fleeing from any law enforcement officer to avoid

prosecution or imprisonment for a crime or offense.

That on or about 12/19/2014, it was discovered and determined that the defendant (Shannon Joseph Smith) did commit the offense

of "Fugitive from Justice". Smith, a subject wanted out of the state of Colorado, was in possession of the stolen vehicle reported

stolen out of the state of Colorado on or about 11/18/2014 at 420 S.C. Highway 395, Newberry, S.C., in the jurisdiction of the

Newberry County Sheriff's Office. This information was discovered and confirmed on December 19, 2014. This offense occurred in

Newberry County, and is a violation of the S.C. Code of Laws, 1976 as amended.

Signature of Affiant

STATE OF SOUTH CAROLINA

☒ County/ ☐ Municipality of

Newberry

Affiant's Address

550 Wilson Road

Newberry, SC 29108-

Affiant's Telephone

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

on or about 12/19/2014

defendant

Shannon Joseph Smith

did violate the criminal laws of the State of South Carolina (or ordinance of

Newberry

) as set forth below:

DESCRIPTION OF OFFENSE: Fugitive / Fugitive from justice warrant, non-crim. Hold fug. max. 20 days. Gov. Ofc.

Having found probable cause and the above affiant having sworn before me, 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

Sworn to and subscribed before me

on 12/20/2014

Signature of Issuing Judge

Richard Charles Lail

Judge Code: 5024

Issuing Court: ☒ Magistrate ☐ Municipal ☐ Circuit

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AFFIDAVIT

who

NEWBERRY COUNTY***Fugitive of Justice*****SURETY, CASH, PERCENTAGE BOND (Bond Form II)
Fugitive Warrant Hearing**

COUNTY/MUNICIPALITY: COUNTY		TODAY'S DATE December 20, 2014	
TRIAL COURT: MAGISTRATE COURT OF		COURT: NEWBERRY	
DEFENDANT'S NAME AND ADDRESS Name: Shannon Joseph Smith Address: 19489 Bb Road City, State Zip: Hasty, Colorado 81044		SSN: 521-52-1211 DATE OF BIRTH: 5/16/1970 DRIVER'S LICENSE NO: TELEPHONE: (719) 456-1657	
DEFENDANT ATTY:		JUDGE: Rick Lail	BOND AMOUNT
CRIMINAL CHARGING DOCUMENT NUMBER(S): 2014A3610100694	CHARGE(S): Fugitive from Justice		
	STATE OF:	LAW ENFORCEMENT AGENCY:	
	FINDINGS OF FACT: Nature of the offense		
	RESTRICTIONS ON TRAVEL, ASSOCIATION OR RESIDENCE:		
	OTHER CONDITIONS: Must appear in court		

**BAIL PROCEEDING
FORM II**

STATE OF SOUTH CAROLINA

MAGISTRATE COURT OF NEWBERRY

COUNTY OF NEWBERRY

STATE OF SOUTH CAROLINA

ORDER SPECIFYING METHODS AND CONDITIONS OF RELEASE

v.

Shannon Joseph Smith
NAME OF DEFENDANT

Offense Charged: Fugitive from Justice

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 the offense

[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:

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 _____.

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

- ☒ the term of _____ COURT OF GENERAL SESSIONS beginning on _____ at _____ o'clock, _____, at _____ 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 OF _____ 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.

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: Rick Lail

December 20, 2014
DATE

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.

19489 Bb Road

ADDRESS

Hasty, Colorado 81044

CITY/STATE/ZIP

521-52-1211

SOCIAL SECURITY NUMBER

(719) 456-1657

TELEPHONE

DRIVER'S LICENSE OR ID NUMBER

SIGNATURE OF DEFENDANT: Shannon Joseph Smith

December 20, 2014

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:

c. ☐ Part-time Release. The defendant will be released from custody from _____ o'clock, _____ to _____ o'clock, _____

TIME

AM/PM

TIME

AM/PM

on _____ on condition that he return to the custody of _____

DATE(S)

NAME OF PERSON OR ORGANIZATION

at _____ as designated.

LOCATION

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

APPEARANCE RECOGNIZANCE WITH SURETY

On the _____ day of _____, _____, personally appeared before the undersigned judge the surety named below who acknowledged himself indebted to the State of South Carolina, in the sum of _____, 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.

NAME OF SURETY BONDSMAN

TELEPHONE

SIGNATURE OF SURETY BONDSMAN

ADDRESS OF SURETY BONDSMAN

CITY/STATE/ZIP

SIGNATURE OF JUDGE

NAME OF INSURANCE COMPANY

DATE

ADDRESS OF INSURANCE COMPANY

CITY/STATE/ZIP