

CERTIFICATE OF TRANSMITTAL

**** Rule 3 of the South Carolina Rules of Criminal Procedure requires the transmittal of a warrant to the clerk within fifteen (15) days of defendant's arrest. The following papers pertaining to criminal proceedings were transmitted to the Clerk of Court on this date.**

To Court / County: Sumter Magistrate Court / Sumter
 ** Date Transmitted: 12/19/2014
 From Court: 43102 - Sumter Bond Court
 By:

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Curtis, Kristi Fisher
 Judge Code _____ (Name and title of transmitting official)

State vs. Defendant (Last Name, First M.)	Date Of Arrest	Warrant/Ticket Number (One Per Line)	Dismissed at Prelim.		Warrant or Ticket	Papers Being Transmitted on This Date (check only which apply)		Other (describe)*
			Yes	No		Checklist	Bond	
1 Westbrook, Stacey LeAnn	12/19/2014	2014AA4310201236		X	W	X	X	Denied Fugitive from Justice

* If abbreviations used, explain.

For use by Clerks only

The above listed documents were received on: _____ (Date)
 Copies transmitted to the Solicitor on: _____ (Date)
 _____ Clerk of Court

For use by Solicitors only

OPTIONAL:
 Date Received by Solicitor _____
 Received by _____ (Initials) _____ (Date)

ARREST WARRANT

2014A4310201236

STATE OF SOUTH CAROLINA

Sumter County/ Municipality of

Sumter

THE STATE

against

14180134

Stacey LeAnn Westbrook

Address: 208 Pear Street

Sumter, SC 29150-

Phone: (803)720-1412 SSN: 497-98-1007

Sex: F Race: W Height: 5 4 Weight: 120

DL State: DL #:

DOB: 1/11/1989 Agency ORI #: SC0430100

Prosecuting Agency: Sumter Police Department

Prosecuting Officer: Ricky Morse - 2401

Offense: Fugitive / Fug. 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

is to be arrested and brought before me to be dealt with according to the law. The accused

Signature of Judge

Date:

RETURN

A copy of this arrest warrant was delivered to defendant on 12-19-2014

Signature of Constable/Law Enforcement Officer: STACEY LEANN WESTBROOK

RETURN WARRANT TO:

Sumter Magistrate Court 190 E. Canal Street Post Office Box 1428 Sumter, SC 291511428

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STATE OF SOUTH CAROLINA

Sumter County/ Municipality of

Sumter

Personally appeared before me the affiant Ricky Morse

being duly sworn deposes and says that defendant Stacey LeAnn Westbrook

did within this county and state on or about 12/19/2014

State of South Carolina (or ordinance of Sumter County/ Municipality of Sumter in the following particulars: Sumter

DESCRIPTION OF OFFENSE: Fugitive / Fug. 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:

In that the defendant did commit the above stated offense in that she did flee from Stafford county, State of Florida to avoid prosecution for the offense of Probation Violation, WNO# 179CR09A0117201. Law enforcement received NCIC hit and confirmed, and the defendant is in SLRDC.

Signature of Affiant

STATE OF SOUTH CAROLINA Sumter County/ Municipality of

Sumter

Affiant's Address 107 East Hampton Avenue Sumter, SC 29150-

Affiant's Telephone (803)436-2790

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 Stacey LeAnn Westbrook did violate the criminal laws of the State of South Carolina (or ordinance of Sumter) as set forth below.

DESCRIPTION OF OFFENSE: Fugitive / Fug. 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 12/19/2014

Signature of Issuing Judge

Bryan Keith Griffin

Judge Code: 5043

Judge's Address 190 E. Canal Street

Judge's Telephone (803)436-2280

Issuing Court: Magistrate

Municipal

Circuit

ORIGINAL

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STATE OF SOUTH CAROLINA)
COUNTY/CITY OF SUMTER)
Stacey LeAnn Westbrook)
Name of Defendant)

CHECKLIST

TRIAL COURT:
 GENERAL SESSIONS COURT
 MAGISTRATE COURT
 MUNICIPAL COURT

CASE NUMBER/CHARGE:

2014A4310201236 Fugitive / Fug. from justice warrant, non-crim. Hold fug. max. 20 days. Gov. Ofc.

CHECKLIST FOR MAGISTRATE AND MUNICIPAL JUDGES

DIRECTIONS: Magistrate and Municipal Court Judges must use this checklist for **ALL GENERAL SESSIONS** and for **ALL MAGISTRATE AND MUNICIPAL COURT CASES IN WHICH BOND HAS BEEN SET BY A JUDGE**. Magistrates and municipal judges must also use the Checklist on those non-bailable GENERAL SESSIONS OFFENSES IN WHICH THEY ARE CONDUCTING FIRST APPEARANCES. The judge shall 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. **Defendant must be provided a completed copy of this form.**

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) because:
 - charge carries a penalty of life or death; or
 - defendant charged with violent offense while bonded out on violent offense
2. For cases in which bond was 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. Failure to appear in connection with a felony, or while awaiting sentence after conviction, additional charge has penalty of not more than \$5,000 or imprisonment for not more than 5 years, or both. Failure to appear in connection with a charge for a misdemeanor for which the maximum possible sentence is at least one year, additional charge has penalty of not more than \$1,000 or imprisonment for not more than one year, or both. Failure to appear in court as required on any charge not specified above will result in the issuance of a warrant for defendant's arrest, as well as loss of any posted bond.
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, in all criminal domestic violence 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. Defendant was informed orally and provided a copy of this form advising him of his right to obtain court appointed counsel if indigent (must meet federal poverty guidelines) and instructions on how to obtain court appointed counsel. In order to apply for court appointed counsel, defendant is required to appear before

Sumter County Public Defender's Office located at **215 North Harvin St, Sumter SC 29150, Room#151**

for indigency screening. Defendant is responsible for a statutory fee of **\$40.00** for indigency screening.

6. In all criminal domestic violence cases and any case where defendant is subject to an Order of Protection or Restraining Order, defendant signed and was provided a document explaining that entering the grounds or property of a domestic violence shelter in which the person's household member resides constitutes an additional misdemeanor charge and, if in possession of a dangerous weapon, an additional felony charge.
7. If the charges that have been brought against you are discharged, dismissed, or nolle prossed or if you are found not guilty, you may have your record expunged.

2014-12-19

First Appearance or Bond Hearing Date


JUDGE'S SIGNATURE

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.

208 Pear Street

ADDRESS

Sumter, SC 29150

CITY/STATE/ZIP

497-98-1007

SOCIAL SECURITY NUMBER

(803) 720-1412

TELEPHONE

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: _____

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: _____
NO BOND DUE TO CHARGE.

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 COMPANY 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

BAIL PROCEEDING FORM II

STATE OF SOUTH CAROLINA COUNTY OF Sumter

IN THE Sumter Magistrate Court

STATE OF SOUTH CAROLINA

ORDER SPECIFYING METHODS AND CONDITIONS OF RELEASE

Westbrook, Stacey LeAnn

NAME OF DEFENDANT

Offense Charged: Fugitive / Fug. from justice warrant, non-crim. Hold fug. max. 20 days. Gov. Ofc.-[2014A4310201236]

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:

- 1. 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.
2. 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 \$.

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.
[X] the session of MAGISTRATE COURT MUNICIPAL COURT beginning on January 08, 2014 at 9:00 o' clock, AM, at Sumter Magistrate Court - 190 E. Canal Street/Post Office Box 1428/Sumter, SC 291511428 / (803) 436-2280. 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): \$0.00 (0) NO BOND DUE TO CHARGE.

INITIALS OF DEFENDANT

SW

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

[Handwritten Signature]

DATE

12-19-14