

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF _____
STATE _____

INDICTMENT/CASE # _____ - GS- _____ - _____

V.

AW# _____

AKA: _____

Date of Offense: _____

RACE: _____ SEX: _____ AGE: _____

S.C. Code §: _____

DOB: _____ SSN: _____

CDR Code #: _____

ADDRESS: _____

CONDITIONAL DISCHARGE

(§44-53-450, SC Code)

CITY, STATE, ZIP: _____

DL: _____ SID# _____

- Defendant was assessed \$350.00 CD Fee
- Defendant indigent \$350.00 CD Fee reduced to \$ _____
- Defendant indigent \$350.00 CD Fee waived
- Defendant Represented by PD/Appointed Counsel and assessed \$500 PD fee

The charge is: As Indicted, Defendant Waives Presentment to Grand Jury _____ (defendant's initials)

OFFENSE: _____, as set forth in (check applicable statute) §44-53-370(c) §44-53-370 (d)(1) §44-53-370 (d)(2) §44-53-370 (d)(3) §44-53-370 (d)(4) §44-53-375(A) of the South Carolina Code of Laws, bearing CDR Code # _____. This Court finds that this offense qualifies for a conditional discharge because: (1) the Defendant has not previously been convicted of any offense under this article or any offense under any State or Federal statute relating to marijuana or stimulant, depressant or hallucinogenic drugs, and (2) the current offense is possession of a controlled substance under either Sections 44-53-370(c) and (d), or Section 44-53-375 (A), SC Code.

WHEREFORE, the Court, without entering a judgment of guilt and with the consent of the Defendant, hereby defers further proceedings and places the Defendant on probation for a period of _____ days/months/years, under the supervision of the South Carolina Department of Probation, Parole and Pardon Services and its Agents, subject to the provisions of the laws of South Carolina, and subject to the Department's standard conditions of probation, which are incorporated by reference, and any other conditions set for below.

ADDITIONAL CONDITIONS: _____

Upon fulfillment of the terms and conditions, including payment, unless reduced or waived, of the \$350 fee provided in Section 44-53-450(C), the Court shall discharge the Defendant and dismiss the proceedings against him. Upon violation of a term or condition, the Court may enter an adjudication of guilt and proceed as otherwise provided by law.

The conditions of probation begin today. The Sheriff or other law enforcement officer who has custody of the Defendant is hereby ordered to deliver said Defendant to the Probation Office of this county, or if the Defendant is under bond, then such bond shall remain in full force until the Defendant reports to the Probation Office. It is further ordered that the Clerk of Court file this Order in his or her office and forthwith provide a copy to the county office of the Department.

Clerk of Court/Deputy Clerk: _____

Presiding Judge: _____

Judge Code: _____

Court Reporter: _____

Proceeding Date: _____

The Defendant is advised that upon violation of a term or condition of this probation, the Court may enter an adjudication of guilt and proceed as otherwise provided by law. The Defendant shall be subject to arrest upon the order of the Court, or upon a warrant issued by the probation agent pursuant to §24-21-450, SC Code, or alternatively may be served with a citation issued by the probation agent pursuant to §24-21-300, SC Code.

By signing below, the Defendant certifies that he has read, or had read to him, this Conditional Discharge Order and the conditions set out herein. He further agrees to comply with each condition during the period of probation, and consents to a Conditional Discharge under §44-53-450, SC Code. He certifies that he has never had a drug charge dismissed or discharged via conditional discharge.

Solicitor

SC Bar #

Defendant

Attorney for Defendant

SC Bar #