

CERTIFIED COPY

STATE OF SOUTH CAROLINA ) ) COUNTIES OF HORRY ) AND GEORGETOWN, )	)	)	IN THE COURT OF GENERAL SESSIONS FOR THE FIFTEENTH JUDICIAL CIRCUIT DIFFERENTIATED CASE MANAGEMENT AND TRIAL SCHEDULING ADMINISTRATIVE ORDER
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CLERK OF COURT )  
)

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Pursuant to the authority vested in this Court by the Honorable Chief Justice Jean Toal of the South Carolina Supreme Court, the following Differentiated Case Management and Trial Scheduling Administrative Order is hereby adopted for the Horry and Georgetown County General Sessions Court.

This Court hereby declares and orders that all General Sessions cases arising after January 1, 2014, will be processed through the Court under the principles of the system known as Differentiated Case Management. In accordance with the requirements of this system, the following rules are hereby adopted.

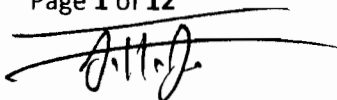
The Court hereby directs that in each General Sessions case arising before the various Magistrates and Municipal Courts of these Counties, the following shall be done:

I. WARRANTS

- A. All General Sessions warrants must be signed by the investigating, arresting, or other law enforcement officer responsible for the case. General Sessions warrants signed by private individuals will not be signed by the Magistrate or Municipal Court Judges, and if they are signed and issued they will be subject to immediate dismissal without prejudice by the Solicitor.

II. BOND HEARING

- A. General sessions bond hearings at J. Reuben Long Detention Center shall be held on the days and times set by the Chief Magistrate in accordance with the policies and procedures adopted by the South Carolina Court Administration. In addition to their statutory duties, the victim/witness advocates on duty at J. Reuben Long Detention Center shall, prior to bond court, provide to the presiding Magistrate Judge a packet for each General Sessions case consisting of the incident report, warrant/ticket, and defendant's criminal history.
- B. The Magistrate or Municipal Judge shall serve the defendant with a Notice of Mandatory Court Appearances (see attached) at the time of the bond hearing. The dates for both appearances shall appear on this one page form near the top for ease of understanding. The defendant's attendance at the initial appearance hearing and

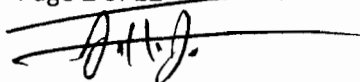


docket appearance hearing shall be made a condition of the defendant's bond by noting such in Section III of a Personal Recognizance Bond Form or Section D of a Surety Bond Form. The dates of the initial appearance hearing and the docket appearance hearing shall be assigned in accordance with the schedule prepared and supplied by the Solicitor's Office.

- C. During the course of the bond hearing, the Magistrate or Municipal Judge shall inform the defendant in writing and orally of his or her right to a Preliminary Hearing. Should a hearing be desired, it will be scheduled at that time by the Court in accordance with current practice.
- D. At the conclusion of their bond hearing, all General Sessions defendants shall be screened by the Magistrate or Municipal Judge to determine if they qualify for appointment of counsel. Such screening will be done in a manner as prescribed by the Clerk of Court. Should the Court determine that the defendant qualifies for court appointed counsel, the Judge shall assign the appropriate Public Defender's Office to represent the defendant. The Magistrates and Municipal Judges shall maintain a record of defendants who qualify for court appointed counsel and shall notify the Public Defender's office, in writing or by email, of their appointment at the conclusion of each day's bond hearings. In addition, the Magistrates and Municipal Judges shall forward copies of the defendant's application form, warrants, incident report, and Notice of Mandatory Appearance form to the Solicitor's Office and the Public Defender's Office for all cases in which the court has appointed the Public Defender as expeditiously as possible.
- E. Magistrates and Municipal Judges shall transmit warrants to the Clerk of Court within fifteen (15) days as required by Rule 3(a) of the *South Carolina Rules of Criminal Procedure*.

### III. CASE TRACKING

- A. The Solicitor shall utilize an automated differentiated case management system capable of tracking the assigned prosecutor, date of arrest, bond hearing, indictment, initial appearance, docket appearance, and whether any plea offer was made and if such offer was accepted or rejected. This system will also track the contact information for the defendant and the defendant's attorney and can be accessed or electronically provided to the Clerk of Court when appropriate.
- B. Prior to the Initial Appearance, all cases will be subject to evaluation against a three hundred sixty-five (365) day disposition benchmark. It is the objective of all parties to have eighty percent (80%) of Track 1 cases concluded on or before their target disposition dates.
  - 1. Track One: The standard disposition timetable for cases shall be under Track One which projects a final disposition of 1 year from date of arrest. Should the disposition date fall on a non-court week, it will be extended until the end of the next term of Court.

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2. Track Two: The following cases shall be exempt from the three hundred sixty-five (365) day benchmark. These case types include only the following categories:
  - i. Death penalty and those involving loss of life;
  - ii. Those in which DNA evidence is material;
  - iii. Those which, pursuant to court order, have engaged the South Carolina Department of Mental Health for the purpose of determining competency and/or criminal responsibility; and
  - iv. Those which have multiple co-defendants or unusually complex logistical or factual issues.
- C. Cases may be moved from Track 1 to Track 2 after the Initial Appearance if the Court orders a Department of Mental Health evaluation or if further forensic testing becomes necessary.
- D. Once a defendant's case is assigned to Track 2, all other cases pending, or that may become pending against that defendant, will be assigned to this track.
- E. If the defendant fails to appear and a bench warrant is issued, the time limits contained in this order are tolled from the date of the failure to appear until the defendant is returned to custody or the bench warrant is lifted.
- F. Trials *in absentia* continue to be appropriate pursuant to the trial judge's finding of proper notice given.

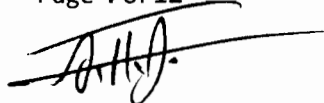
#### IV. DISCOVERY

- A. All law enforcement agencies shall provide copies of General Sessions case reports, together with all witness statements, video and audio tapes, photographs, diagrams, and any other material included in the law enforcement case file to the Solicitor's Office within thirty (30) days of the arrest of the defendant. If the case file remains incomplete thirty days after arrest, law enforcement shall provide the Solicitor's Office that portion of the report that is complete, together with a listing of those items for which law enforcement is waiting. Law enforcement's failure to provide the Solicitor's Office the complete case file as set forth in this administrative order may result in the offending law enforcement agency being held in contempt of this court and/or the case being dismissed with leave to re-indict. All motions for contempt shall be heard only by the Chief Administrative Judge.
- B. The Solicitor's Office shall prepare a defense discovery packet on all General Sessions cases on or before the defendant's initial appearance date. Further, the Solicitor's Office shall provide the defense discovery packet, on or before the initial appearance date, to any attorney that has filed a general letter of representation along with the appropriate discovery request with the Solicitor's Office.
- C. The Solicitor's Office shall prepare a written plea offer for every General Sessions case and provide it on or before the defendant's initial appearance date to any

attorney that has filed a general letter of representation with the Solicitor's Office. As a matter of practice, the written plea offer shall at a minimum contain a listing of the charges contemplated by the offer, the terms of the offer, and the expiration date of the offer. Plea offers shall generally expire on the date of the defendant's docket appearance date. The Solicitor shall provide an adequate amount of time in the terms of the plea offer for counsel and the defendant to review, discuss, and respond to the offer prior to the expiration date.

V. REMANDED FOR ADDITIONAL INVESTIGATION

- A. If the assigned prosecutor determines, within ninety (90) days of the date of arrest, that insufficient evidence exists to present a case to the Grand Jury, he or she shall remand the warrant(s) back to the investigating agency for further investigation.
- B. Upon remand, the assigned prosecutor shall provide written notification to the defendant, victim(s) if applicable, and the investigating agency of the change in status of the warrant. The investigating agency shall have ninety (90) days from the date of remand to conduct such additional investigation as requested and as it deems appropriate and shall present any additional evidence to the assigned prosecutor for consideration.
- C. Upon providing notice of remand for further investigation, the Solicitor's Office shall remove the warrant(s) from the assigned prosecutor's pending cases list and shall classify them separately as remanded for further investigation.
- D. Once the investigating agency has concluded its additional investigation, it shall present its evidence to the assigned prosecutor, who will then determine if sufficient evidence exists to present the case to the Grand Jury or otherwise advance the prosecution.
- E. Should the investigating agency fail to present sufficient evidence to the assigned prosecutor within ninety (90) days of the date of remand, the Solicitor's Office shall administratively dismiss the warrant(s) without prejudice and shall notify the victim(s) if applicable and the investigating agency.
- F. Should the assigned prosecutor determine that sufficient evidence exists to advance the prosecution of the case, he/she shall restore the warrant(s) back to his/her pending case list so that he/she may take the steps necessary to move the case toward disposition. The assigned prosecutor may request that a remanded warrant be restored at any time prior to the warrant's administrative dismissal.
- G. Upon notice of a remand for further investigation, the Solicitor and defense counsel shall confer regarding the bond status of the defendant and the defendant may petition the Court for review of the amount and conditions of his/her bond.
- H. Nothing in this section shall be construed as limiting the state's authority to directly present criminal cases to the Grand Jury for indictment.

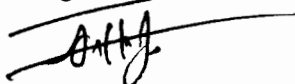
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## VI. INDICTMENTS

- A. All General Sessions cases to be presented for indictment shall be presented to the appropriate Grand Jury within ninety (90) days of the case being transmitted by the Clerk of Court to the Solicitor's Office and in accordance with the *South Carolina Rules of Criminal Procedure*.
- B. This Court recognizes that certain cases may not be prepared to go to the Grand Jury within ninety (90) days due to their nature and may grant an extension in those instances.
- C. In accordance with South Carolina law, no preliminary hearings will be held on indicted cases.

## VII. INITIAL APPEARANCE

- A. The Initial Appearance will be held as set forth in the schedule prepared and supplied by the Solicitor's Office, but no sooner than sixty (60) days from the date of arrest. Roll call will be conducted as necessary to ensure attendance. The Clerk of Court is authorized to issue bench warrants based on a written list generated by the Solicitor for those defendants who fail to appear and who have not been excused by the Solicitor's Office or the Chief Administrative Judge for General Sessions Court.
- B. There shall be no continuances of Initial Appearances.
- C. Defendants may be excused in writing from Initial Appearance if all matters to be addressed during Initial Appearance have been addressed by the prosecution and defense prior to the hearing. Email confirmation between the Attorney of record and the Solicitor's Office will satisfy the writing requirement.
- D. The issue of legal representation shall be addressed at the Initial Appearance.
  - 1. Unrepresented defendants may apply for a Public Defender at the initial appearance. Applications will be taken by the Clerk of Court and, if approved, will be assigned that day.
  - 2. The Clerk of Court will screen the defendant for indigence pursuant to State law.
  - 3. If a defendant qualifies for a Public Defender, but has retained private counsel prior to the Initial Appearance date, then that attorney must file a general notice of representation with the Clerk of Court and serve a copy on the Solicitor. The Public Defender shall be relieved of representation at that time.
  - 4. If a defendant did not qualify for a Public Defender and private counsel has been retained, then a letter of representation from such private counsel must be received by the Solicitor's Office on or before the initial appearance.
  - 5. Defendants who remain unrepresented must appear for their Docket Appearance and remain in Court throughout that term until the issue of representation has been addressed on the record before the court. The defendant will be warned of the dangers of acting *pro se* at that time. These defendants may be required to

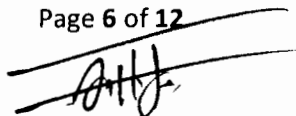


appear for each successive term of Court as required by their bond until their case is disposed.

6. In all cases where the defendant is represented by the Public Defender, the Solicitor's Office and the Public Defender shall assess the case at the initial appearance for possible conflicts of interest and resolve those readily identifiable conflicts on that date. The Clerk shall, upon Affidavit of Conflict, appoint the next attorney from the conflict list and advise the defendant as to the identity of his/her attorney. The newly appointed counsel shall be notified by the Public Defender's Office and appointed counsel shall notify the State Office of Indigent Defense in accordance with their policies and procedures.
- E. Issues of competency shall be addressed at the Initial Appearance. When appropriate, the State or defense counsel shall move for a competency evaluation. In the alternative, the State and defense may request a hearing to determine if a competency evaluation is necessary. All established procedures for a competency evaluation shall be followed by the State and defense counsel.
- F. In all cases where it is feasible to do so, the defendant and the State shall enter into negotiations concerning pleas and scheduling at Initial Appearance.
  1. In order to be prepared to respond to the State's plea offer in a timely manner, defense counsel shall meet in person with their client prior to the Docket Appearance for the purpose of discussing the State's plea offer and other necessary matters relating to the defendant's case.
  2. The Public Defender shall use the Initial Appearance hearing to schedule appointments for this purpose.

#### VIII. DOCKET APPEARANCE AND ROLL CALL

- A. Roll Call shall be held prior to the terms of General Sessions Court in order to efficiently schedule court business before the appropriate presiding judge.
  1. The Docket Appearance will be held along with Roll Call as set forth in the schedule prepared and supplied by the Solicitor's Office.
  2. Both the Final Trial Roster and the Roll Call roster shall be prepared and published at least ten (10) business days prior to the term of Court and will be posted in the Courthouse and provided to the Chief Public Defender, the Chief Judge for Administrative Purposes(CJAP) for General Sessions Court, and any private counsel of record.
  3. Roll Call will include those defendants whose cases have been directly presented to the Grand Jury and/or whose Docket Appearance dates have passed without their cases being disposed.
  4. Defendants and defense counsel are required to appear for Docket Appearance and Roll Call. The Defendant must remain until excused by the court or the Solicitor's Office. If defense counsel must leave before the defendant is excused, he/she shall make sure some attorney can speak officially for the counsel and the defendant. The Clerk of Court is authorized to issue bench warrants for those

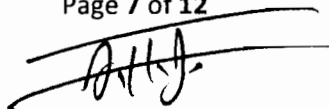
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defendants who fail to appear for Docket Appearance or Roll Call and also for those defendants that fail to remain until excused by the Solicitor's Office based upon a written list prepared by the Solicitor's Office. A copy of the list shall be provided to all counsel of record. No defendant shall be subject to this Roll Call prior to his/her docket appearance date.

5. During this appearance, the parties shall engage in final plea negotiations unless an arraignment is necessary. The CJAP shall be notified in writing of such request for an arraignment within fifteen (15) days. In those cases where a plea agreement or other disposition is reached, the parties shall prepare the necessary paperwork, obtain the necessary signatures, and/or schedule the plea as needed to dispose of the case.
6. Plea offers shall expire at the end of the business day on the Docket Appearance date and in general will not be extended. The Solicitor shall provide an adequate amount of time in the terms of the plea offer for counsel and the defendant to review, discuss, and respond to the offer prior to the expiration date.
7. In those cases where plea negotiations are not successful, the defendant must affirmatively express his/her intent to reject the State's final plea offer. This may be accomplished in the following two ways:
  - a. A written rejection of plea offer form signed by the defendant and defendant's counsel; or
  - b. An arraignment hearing on the record before the presiding judge.

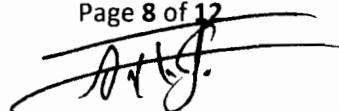
#### IX. GENERAL SESSIONS COURT PRACTICE

- A. During a term of General Sessions Court, all assigned Solicitors, Public Defenders, and private counsel shall be present in the designated courtroom no later than 9:00 a.m. for the morning session of court in order to prepare for the Presiding Judge to take the bench at 9:30 a.m. Participants in the afternoon session shall be present at 1:30 p.m. for the afternoon session of court in order to prepare for the Presiding Judge to take the bench at 2:00 p.m. unless ordered otherwise by the Presiding Judge.
- B. During the term of trial court, cases shall generally be called in the order published. Furthermore, the court shall oversee the calling of cases and the most effective use of the Presiding Judge's court time.
- C. Motions for continuance for cases projected from the priority trial docket and requests for orders of protection shall be served upon the Chief Administrative Judge for General Sessions Court or his designee and upon the opposing counsel no later than the Thursday by 10:00 a.m. of the week prior to the commencement of the court term.
- D. The Court will endeavor to hear and rule on the motions for continuance and requests for orders of protection before the commencement of the term of court after proper notice to the Court in writing.
- E. Nothing in this order shall be construed by this Court or any other Court as a reason for a case to be judicially dismissed. This order is intended to be strictly administrative in nature.



## X. TRIAL CASE PREPARATION AND DOCKET DEVELOPMENT

- A. Unless a plea agreement is reached, the defendant shall reject the state's final plea offer in writing or on the record in an arraignment before the presiding judge as cited above.
- B. The Solicitor shall have the initial responsibility for preparing and designating when a case is ready for trial. Thereafter, the Solicitor shall place the case on one of two dockets:
  1. General Trial Docket: This docket shall include all cases deemed ready for trial which are less than eighteen (18) months old and which do not fall under any scheduling mechanism.
    - a. At least ten (10) cases in this category shall appear on the Proposed Trial Roster each month. Trial notices on General Docket cases shall be published by the Clerk of Court ten (10) days prior to the term of Court based on the information from the Solicitor's Office.
    - b. Cases may be moved from the General Docket to the Priority Docket, but only after written ten (10) days notice to the defense counsel, based on the following criteria:
      - i. Age of the case;
      - ii. Jail status of defendant;
      - iii. Availability of witnesses;
      - iv. Defense attorney orders of protection;
      - v. Case complexity including co-defendants or multiple pending charges; and
      - vi. Special circumstances, including public safety.
    - c. A defendant can file a motion for a speedy trial at any time and can be placed on either the General Docket or Priority Docket by the CJAP, or his designee, depending on the age of the case.
  2. Priority Trial Docket: This docket shall include all cases which are more than eighteen (18) months old or those cases already operating under a scheduling mechanism, regardless of age.
    - a. Appropriate scheduling mechanisms include:
      - i. A formal letter from the Solicitor to the defendant and counsel filed with the Clerk of Court setting forth a specific projected trial dates, subject to change by the CJAP;
      - ii. Written agreement between the parties setting forth a trial date, subject to change by the CJAP;
      - iii. Arraignment findings before the presiding judge on the record and reduced to writing in which a specific trial date was ordered, subject to change by the CJAP;
      - iv. Consent scheduling orders submitted to the CJAP setting forth a disposition schedule including status conference dates leading up to a projected trial date; and

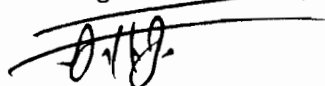
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- v. Status conferences before the CJAP, or his designee, during a term of General Sessions Non Jury Court to address concerns and develop a disposition schedule as cited above.
- b. Three cases from the Priority Docket should be projected for a date certain each term of court.
  - i. Two serious trials that could consume a five day term of court, and one further case shall be scheduled as a backup.
  - ii. General Docket cases will back up Priority Docket cases.
  - iii. This is designed to minimize the impact to victims and witnesses in serious cases when their expectations are heightened in preparation of the trial and then, due to the constraints of time, their case cannot be reached and must be rescheduled.
- c. The Solicitor shall utilize the Six Month General Sessions Court Schedule as provided by Court Administration and combine this with the CJAPGS trial judge assignments and non-jury terms of court to create a draft Six Month Projected Trial Schedule in consultation with the CJAP.
- d. Three potential date certain trial slots will be allocated for Priority Docket cases for each term of trial court. These slots will be filled as the cases become prepared with the defendant's name, the attorneys' names and a brief description of the scheduling mechanism utilized to place it in that projected trial slot.
- e. This evolving scheduling tool shall be provided to the CJAP and to the presiding judge for non-jury terms to offer up-to-date supporting information to resolve continuances or other conflicts in trial court scheduling with multiple trial judges.
- f. These Six Month Projected Trial Schedules are an administrative tool for planning only and shall not confer to a defendant a right to trial on any particular date.

## XI. NON-JURY TERMS OF COURT

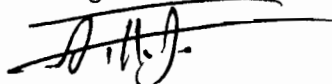
- A. Court Administration shall designate certain terms of Court during the year as non-jury terms. During said terms, the Court shall hear substantive motions from cases set for a date certain as well as other filed motions, guilty pleas, and other Court business.
- B. Priority shall be given to pre-trial matters on Priority Docket trials projected to be heard during the next term of court. These shall be scheduled beginning on the Monday of non-jury terms as far as practical.
- C. Status conferences on projected trials for future terms of Court shall also be scheduled beginning on Monday to assure these Priority Docket trials will be resolved on or before their projected date.



1. Such conferences should identify cases that may be disposed by guilty pleas, cases where continuances may be sought, or cases where discovery or other issues may require the Court's attention.
  2. Addressing such issues at status conferences should allow enough time to remedy a situation or to prepare the back-up Priority Docket or other trial cases to replace any case disposed of or continued.
- D. Once the status conferences for future terms of court are resolved, the court shall undertake the substantive motions on cases set to be heard at the next term of court as time allows. Hearings in subsequent cases may be rescheduled for a day and time certain later in the same non-jury term.
- E. Motions filed with the Clerk of Court and served on the opposing side concerning cases not on the trial roster shall be scheduled for the morning session of Court on the assigned Solicitor's team court business day or during any other term of general sessions plea court as set by the CJAP or other presiding Judge.
- F. After motions and status conferences, the remainder of the non-jury term shall be dedicated to guilty pleas, probation revocations, and general Court business in order to dedicate more judicial resources to trials when a jury pool is available.

## XII. SCHEDULING OF TRIALS

- A. The 15<sup>th</sup> Judicial Circuit has a large population of part-time residents, transients, and seasonal tourists who become victims and material witnesses and then leave the jurisdiction while the case is still pending. The expense of securing attendance of such victims and witnesses on a date certain for trial is the responsibility of the Solicitor. This order acknowledges this issue and addresses the necessity for enhanced judicial supervision to ensure the efficient, cost effective, and timely management of the trial docket.
- B. The Solicitor shall assemble cases from the two dockets into a Proposed Trial Roster for a specific term of court before the assigned presiding judge in the form of a numbered list. The Solicitor shall take into consideration the readiness and availability of defense counsel if that particular defense counsel has more than one (1) case on the docket.
- C. The Priority Docket cases will be listed first followed by the General Docket cases.
- D. This Proposed Trial Roster will consist of at least three Priority Docket cases combined with at least ten (10) cases from the General Docket.
- E. The cases will be ordered to reflect victim and witness availability. During the term of trial court, the cases shall generally be called in the order as published.
- F. The Solicitor shall provide the CJAP with this Proposed Trial Roster for review and final approval. This Proposed Trial Roster may be accepted by the Court as submitted or modified by the CJAP and returned to the Solicitor.

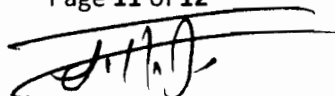
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- G. Upon approval by the CJAP, this becomes the Final Trial Roster and the Clerk of Court shall publish it in a conspicuous place in the Courthouse for public viewing.
- H. Trial notices on Priority Docket cases shall already have been communicated to the defendant through the scheduling mechanism utilized, and shall be repeated in the Final Trial Roster published by the Clerk of Court ten (10) days prior to the term of Court.
- I. Once a case has been placed on a Final Trial roster, it will be carried over to the next available term of court or projected to a specific term of court until it is disposed. Those cases will be joined by new cases submitted by the Solicitor for the upcoming terms of court. The trial rosters are for notice and planning only and shall not confer to a defendant a right to trial on any particular date.

### XIII. TRIAL DOCKET MANAGEMENT AND JUDICIAL SUPERVISION

#### A. Cases shall be managed and supervised as follows:

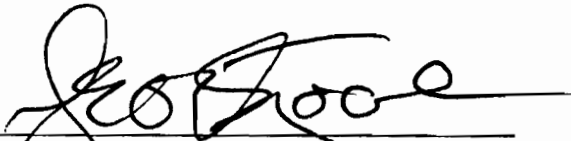
1. Date of arrest to one (1) year: these cases shall be under the sole jurisdiction of the Solicitor and may be placed on the General Docket at the Solicitor's discretion, unless placed on Priority Docket with a projected date certain.
2. One (1) year but less than eighteen (18) months: these cases shall remain under the jurisdiction of the Solicitor and may be placed on the General Docket at the Solicitor's discretion, but they shall be reviewed by the Solicitor and a scheduling mechanism employed prior to the case reaching eighteen (18) months old.
3. Eighteen (18) months or more: these cases shall be reviewed and supervised by the CJAP as follows:
  - i. The Solicitor shall forward a status report and a Six Month Projected Trial Roster on cases in this category to the CJAP for review. The reports shall be updated and submitted quarterly.
  - ii. The report should outline any unique concerns and whether there is a written scheduling mechanism in place. If none are in place, the Solicitor should include proposed scheduling mechanisms and a disposition timetable. Upon completing the review of this report, the CJAP may:
    - a. Be satisfied with the scheduling mechanisms in place;
    - b. Request additional information from the Solicitor; or
    - c. Mandate the use of additional scheduling mechanisms on the case, such as hearings during a term of Non-jury General Sessions Court in order to develop an appropriate scheduling order.
  - iii. The CJAP shall use the Six Month Projected Trial and Non-Jury Schedule to develop an appropriate disposition plan.
  - iv. These cases will remain under judicial supervision of the CJAP as cited above until they are disposed of.



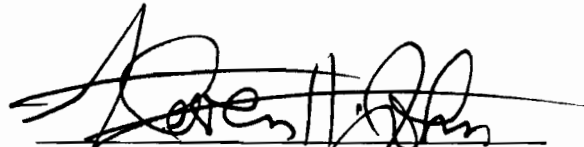
Therefore, it is

**ORDERED** that this Administrative Order shall go into effect immediately upon the signing by the undersigned. This Order shall remain in effect unless rescinded by the Chief Justice of the South Carolina Supreme Court and the Chief Administrative Judge for General Sessions of the Fifteenth Judicial Circuit or other Order of the South Carolina Supreme Court.

**IT IS SO ORDERED.**



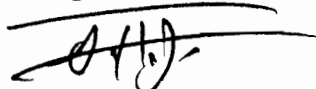
Honorable Jean H. Toal  
Chief Justice  
South Carolina Supreme Court



Honorable Steven H. John  
Chief Administrative Judge,  
General Sessions  
Fifteenth Judicial Circuit

January 6, 2014  
Columbia, South Carolina

1/6, 2014  
Conway, South Carolina



STATE OF SOUTH CAROLINA )  
COUNTY/CITY OF HORRY )  
STATE OF SOUTH CAROLINA )  
VS )  
DEFENDANT )  
\_\_\_\_\_ )

IN THE COURT OF GENERAL SESSIONS

**NOTICE OF DATES AND TIMES OF GENERAL SESSIONS**

**INITIAL AND DOCKET APPEARANCES**

**FOR DEFENDANTS**

2014 JAN -8 AM 8:22

**INITIAL APPEARANCE FRIDAY: 1:00 P.M. ON**

**DOCKET APPEARANCE FRIDAY: 8:30 A.M. ON**

**Warrant Numbers:**

Your Initial and Docket Appearances are at the Horry County Judicial Center (New Courthouse) which is located at 1301 Second Avenue, Conway, South Carolina. The dates and times of your Appearances CANNOT be changed.

YOU MUST BE PRESENT AT THE INITIAL APPEARANCE AND THE DOCKET APPEARANCE. IF YOU FAIL TO APPEAR FOR EITHER APPEARANCE AT THE ABOVE STATED DATE AND TIME, YOUR BOND WILL BE TAKEN FROM YOU (REVOKED) AND YOU WILL BE PLACED IN JAIL UNTIL THE TRIAL OF YOUR CASE, WHICH COULD TAKE MANY MONTHS. YOU WILL NOT BE GRANTED A NEW BOND IF YOU FAIL TO APPEAR.

\_\_\_ You have been APPROVED for an attorney from the Public Defender's Office. You should contact the Public Defender Office as soon as possible at the following address and telephone number: Horry County Public Defender's Office, 203 Laurel Street, Conway, South Carolina (843-915-5385).

\_\_\_ Although you have applied for an attorney from the Public Defender's Office, you were REJECTED by the Court for appointment of a Public Defender attorney. You MUST hire your own attorney before your Initial Appearance date, if you wish to be represented by an attorney. You must have your attorney contact the Solicitor who is prosecuting your case before the Initial Appearance date.

If you want to have a Preliminary (probable cause) Hearing in your case, you must request one in writing. This request must be made within 10 Days from today's date. Once you have made a request for a Preliminary Hearing, one will be scheduled and you will be notified of the date and time of your Preliminary Hearing.

As stated above, you must be present at BOTH the Initial Appearance and the Docket Appearance or a Bench Warrant will be issued for you. YOU MUST REMAIN AT THE INITIAL APPEARANCE AND THE DOCKET APPEARANCE UNTIL YOU HAVE BEEN EXCUSED (OR GIVEN PERMISSION TO LEAVE) BY THE SOLICITOR OR UNLESS OTHERWISE ORDERED BY A JUDGE.

I have read this form or have had it read to me. I understand these instructions and I have been given a copy of this form.

\_\_\_\_\_  
Defendant's Signature

\_\_\_\_\_  
Judge's Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date