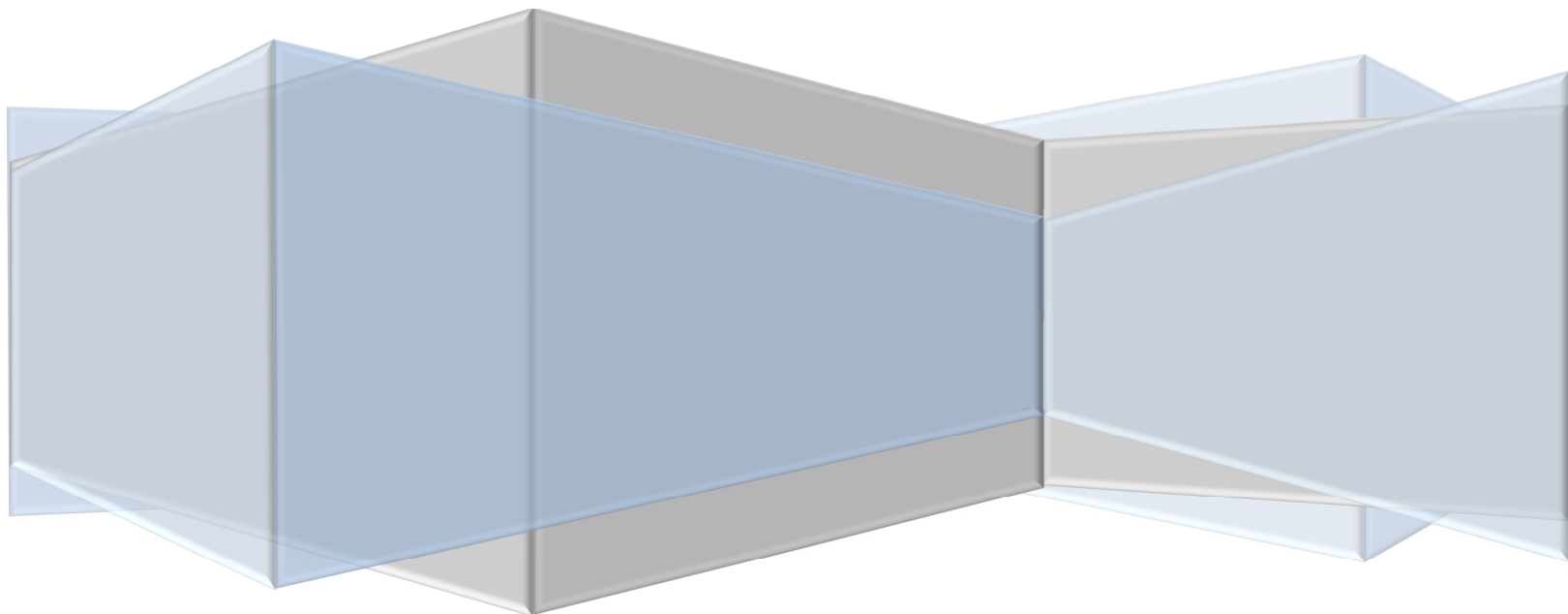


## Greenville Municipal Court



# You've Been Charged with a Misdemeanor

What Happens Now?



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## Introduction

This document provides basic information about what typically happens in cases where a person is charged with a misdemeanor criminal or traffic offense within the city limits of Greenville, South Carolina. It is not a complete description of the judicial process, the laws that apply in criminal/traffic cases, or the rights of a person accused of a crime. If you need further information or advice, you should contact an attorney. Although Court Services staff members can provide some information (such as court dates, times and fines), they cannot give you legal advice.

## What is a Misdemeanor?

Offenses can be grouped into two general categories. The most serious are felonies, the penalty for which can include long-term prison sentences. Next are misdemeanors, the penalty for which can include up to 5 years in jail. Less serious misdemeanors – heard in Greenville Municipal Court – have penalties up to 3 years and fines and costs over \$5,000.00.

If you have been charged with a misdemeanor to be heard in Greenville Municipal Court, you will have been given a citation or warrant prepared by a Greenville City Police Officer, or you were arrested and transported to jail by a Greenville City Police Officer or other law enforcement officer and seen by a City Ministerial Recorder.

The citation provides the charge description, the judicial officer, the police officer and court date and time. The arrest warrant includes the charge description and a short statement of the offense with which you are charged.

In every criminal/traffic case, there are two parties. The *complainant* is the City of Greenville, who is represented by a Greenville City Police Officer or the Assistant City Attorney. The person charged with a crime is called the *defendant*.

## I Received a Citation – What Happens Next?

If you received a citation, it states a date and time to appear at Greenville Municipal Court, 426 North Main Street, Greenville, South Carolina, 29601. The date and time on the citation is for your *initial appearance* or *bench trial*.

## If I am Arrested – What Happens?

If you are arrested, you will be brought before a Ministerial Recorder at the Greenville County Detention Center, 20 McGee Street, Greenville, South Carolina, 20601. The Ministerial Recorder will inform you of your rights, of the charges and possible penalties and set bond according to certain criteria set by state statute.

The Ministerial Recorder is a judicial officer – acting on behalf of the Municipal Judge – to review information and set bond. [S]he cannot determine guilt or innocence.

### Rights Form

A Ministerial Recorder will complete a Checklist for Magistrates and Municipal Judges which has important information about your legal rights. If you do not understand the information, tell the Ministerial Recorder what you do not understand and [s]he will explain.

### Charges and Possible Penalties

The Ministerial Recorder tells you the charge(s) and the possible penalties, and asks if you understand them. (At this point, the Ministerial Recorder is asking only if you *understand* the charges, [s]he is not asking if you admit to anything.) If you do not understand the charge or the possible penalties, tell the Ministerial Recorder what you do not understand and [s]he will explain.

### Right to Counsel

The Ministerial Recorder will inform you that you have a right to be represented by a lawyer. If you want a lawyer but cannot afford one, you can request a court-appointed lawyer. If you ask for a court-appointed lawyer, the Municipal Judge or Associate Municipal Judge will fill out a form after asking questions about your finances to make sure you qualify.

### Release from Jail

The Ministerial Recorders consider certain factors to determine what type of bond is necessary for an individual – family ties, employment, financial resources, character, mental health, length of residence in the community, record of conviction(s), and any record of failure to appear or failure to comply.

Upon submitting the appropriate discharging paperwork to the Greenville County Detention Center, your release from jail is not controlled by the Ministerial Recorder or Greenville Municipal Court. Greenville County Detention Center is responsible for the release of individuals from its facility.

**PERSONAL RECOGNIZANCE.** If a Ministerial Recorder determines you have met the state requirements, you may sign your own bond and be released after being fingerprinted and photographed by the Greenville County Detention Center.

**SURETY BOND.** If a Ministerial Recorder determines you do not meet state requirements for personal recognizance, you may be required to post a cash or surety bond. Either you or someone on your behalf will need to contact the Greenville County Detention Center at 864-467-2321 to get the bond amount or via internet: [http://app.greenvillecounty.org/inmate\\_search.htm](http://app.greenvillecounty.org/inmate_search.htm).

Bondsman services may be used for this type of bond. Either you or someone on your behalf will need to contact a bonding company or bonding representative of your choice. The bonding company or representative will file all the necessary paperwork with the Ministerial Recorder and secure your release.

**PROPERTY/ACCOMMODATIONS BOND.** A deed or property may be put up for bonding purposes by you or someone on your behalf. An attorney is generally required for assisting with this type of bond.

*NOTE: If you or someone else posts property for bond, it will be affected if you do not appear for court.*

**THIRD PARTY.** You may have someone (generally a family member) come and sign your bond and you can be released into their custody.

*NOTE: If someone signs your bond, the Court will hold him/her accountable for your appearance on the court date and time. If you do not appear, the City or State may go after any property the signator may own in the bond amount.*

## What if I want a Jury Trial?

If you want to request a jury trial, it needs to be done – in writing – before your court date and time, or you may appear and request one in the courtroom at your scheduled *initial appearance* or *bench trial* upon the judge’s instructions.

## Do I Need a Lawyer?

Only you can answer this question. You may represent yourself, or an attorney may represent you. Another person who is not a lawyer may not represent you in court. A non-lawyer who represents him or herself is expected to follow court rules and procedures the same as a lawyer. If you cannot afford an attorney, you will need to appear at your scheduled *initial appearance* or *bench trial* and request one upon the judge’s instructions.

If you want to represent yourself in court, and want more information about the law that applies in your case, you can consult with an attorney without hiring the attorney to represent you in court. You can also get more information at the Greenville County Courthouse law library and Greenville County Public Libraries. The citation or arrest warrant states the charge and statute number/city ordinance number under which you were charged. The procedures the court follows are set by rules adopted by the South Carolina Supreme Court. Both the state statutes and the supreme court rules are set forth in the South Carolina Code of Laws, which can be found at all courthouses and in most public libraries in the state. Copies of city ordinances can be found at local courthouses, local city offices, and/or local libraries.

The court rules include certain requirements as to the format of documents, such as motions, to be filed with the court. Court Services staff members can provide some information as to the format of documents to be filed with the court. The Court Services staff members do not have standardized, preprinted forms that can be completed and filed with the court in misdemeanor cases, and cannot advise you as to the information to be included in your document.

### *State Statutes*

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You can research state statutes using the following link on the internet:

<http://www.scstatehouse.gov/code/statmast.php>

### *City Ordinances*

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City ordinances can be accessed using the following link on the internet:

<http://library.municode.com/index.aspx?clientId=13105&stateId=40&stateName=South%20Carolina>

### *Court Rules*

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Court Rules for Municipal Court may be researched by clicking on the following link:

<http://www.judicial.state.sc.us/courtReg/index.cfm>

### *Municipal Court Forms*

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Forms used in municipal court may be found by clicking on the following link:

<http://www.judicial.state.sc.us/forms/searchType.cfm>

## If I Request a Jury Trial – What’s Next?

Your case will be removed from the *initial appearance* or *bench trial docket* and placed on the *pending jury trial docket*. When your case is set for a jury trial, you or your attorney will receive a notice for a *Pretrial Conference* two to four weeks before the trial. Be sure the court is informed of any address changes.

## What Happens at a Pretrial Conference?

At the pretrial conference, both parties must come prepared with the following information: a list of the names, addresses, and phone numbers of any witnesses they intend to call at trial, and a list of any exhibits they intend to offer at trial. You are required to attend the pretrial conference, even if you are represented by a lawyer.

You will have the opportunity to discuss a *plea bargain* with the prosecution. The prosecution may agree to dismiss or reduce the charge, or may agree to a particular sentence. If an agreement is reached, the parties must present their agreement to the court for the judge’s approval. The agreement is usually presented at the pretrial conference, but sometimes this is scheduled for another day. If no agreement is reached, or if the judge rejects the agreement, the case proceeds to trial.

In cases where there will be a jury trial, other pretrial issues are also addressed at the pretrial conference. The judge asks the parties if they will be filing any *pretrial motions*, and sets a deadline for the motions to be filed and heard by the court. (An example of a pretrial motion is a motion to suppress evidence, where a party filing the motion asks the court to decide prior to trial if certain evidence can be used at trial.) The judge also asks the parties if there is any discovery that has not been completed, and sets a deadline for completion of *discovery*. (Discovery is the formal procedure for the exchange of information between the parties). The judge also addresses any other issues that need to be resolved before trial.

## What Happens at a Court Trial?

A fundamental principle of our system of justice is that the defendant is presumed to be innocent. This principle has two important results. First, the prosecution has the burden to prove that the defendant is guilty, and the prosecution has this burden throughout the trial. Second, the prosecution must prove the defendant guilty beyond a reasonable doubt. A reasonable doubt is not a mere possible or imaginary doubt. It is the kind of doubt that would make an ordinary person hesitant to act in the most important affairs of his or her own life.

## *Bench Trial – Initial Appearance*

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In a bench trial, the City of Greenville – generally the Greenville City Police Officer – prosecutes the case and you defend the case – unless you have a lawyer. The presiding judge hears the evidence and decides if you are guilty or not guilty.

**OPENING STATEMENT.** The judge will make an opening statement on his/her way to the bench. During this statement you will hear instructions on requesting a continuance or jury trial and what to do if you need a court appointed lawyer.

**CASE CALL.** The courtroom clerk will call each defendant by name. If you are not present when your case is called, you will be subject to being tried in your absence. This may result in a bench warrant being issued for your arrest or your driver’s license being suspended. It is important to be at Greenville Municipal Court fifteen (15) minutes before your court time.

You will be asked to come to the podium at the left. If you need a continuance or would like to consult with a lawyer, tell the judge before you answer guilty or not guilty.

**ARRAIGNMENT.** The courtroom clerk will inform you of your charge and ask you if you plead guilty or not guilty. If you plead guilty, you are admitting that you committed the offense with which you are charged. You are also giving up your right to a trial and your right to remain silent. If you are not sure whether you want to plead guilty or not guilty, you can ask the judge to reschedule your case for another day so you can talk to a lawyer first. You can also plead not guilty and proceed with the trial.

Whether you plead guilty or not guilty, the judge will hear from both sides to determine sentencing or guilt/innocence. If you plead not guilty, both sides will be sworn to tell the truth.

**PROSECUTION.** Because the prosecution has the burden of proof, it goes first. The Greenville City Police officer will present its case by summarizing the facts and answering any questions the judge may have. If there are witnesses, the judge will also hear from them. **DO NOT** interrupt the judge or any of the other parties. You will have an opportunity to state your case and ask questions.

**DEFENSE.** At this time, the judge will ask to hear from you. You may provide any information you deem necessary, including but not limited to: testimony, pictures, maps, witnesses, etc.

**SUBPOENAS.** *What if there is a witness I need to have testify at trial, and I want to make sure the witness shows up at the trial?*

You can ask the clerk of court to issue a subpoena at least 10 days prior to trial, which orders the witness to appear at the trial. The subpoena must be delivered (*served*) to the witness, and a *return of service* (a statement by the person delivering the subpoena that service was completed) must be filed with Greenville Municipal Court. You may want to make arrangements to have a process server serve the subpoena to the witness. (There is a fee for service of process). If the witness fails to appear, the court can hold the witness in contempt and sentence the witness to fines and/or jail time.



**VERDICT/DISPOSITION.** After the judge hears the facts/evidence from both sides, [s]he decides if you are guilty or not guilty. The decision may be made directly, or if the judge needs more time to think about the case, [s]he may take it *under advisement*.

If the judge finds you guilty, [s]he determines sentence.

### *Jury Trial*

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In a jury trial, six community members are called to be the jury; they hear the evidence and decide if you are guilty.

**JURY.** The trial begins with jury selection. About 100 potential jurors are summoned to court. The judge begins by asking the potential jurors questions to make sure that none has previous knowledge of the parties, or any beliefs about the issues in the case that might cause a juror to be biased for or against either party. The prosecution, and then the defense, may also ask questions.

Each party may challenge a potential juror. If either party believes a juror might be biased, the party can challenge the juror for cause, and the judge decides whether to excuse the juror. Each party also has six preemptory challenges. A preemptory challenge allows a party to have a juror excused without stating any reason. Juror's names are drawn at random, and the first six jurors who are not challenged and excused are the jury.

The court prepares jury instructions that describe to the jury what is going to happen and what the jury is to do. The court discusses with both parties of the instructions before they are given to the jury, and asks if either party has objections to the instructions. The judge hears the objections and decides whether to make any changes to the instructions while the jury is outside the courtroom.

**OPENING STATEMENT.** Because the prosecution has the burden of proof, it goes first. The prosecutor may make an *opening statement*, in which the prosecution summarizes the evidence it is going to present. The defense may then make an opening statement, in which the defense summarizes the evidence it is going to present. The defense may wait to make its opening statement after the prosecution has finished presenting its evidence. (The *defense* refers to you, and if you are represented by an attorney, to the defendant's attorney.)

**PROSECUTION CASE-IN-CHIEF.** The prosecution then begins calling witnesses. Each witness is sworn to tell the truth, and takes a seat in the witness stand. The prosecution asks questions of the witness (called *direct examination*); the defense may then ask questions of the witness (called *cross examination*); the prosecution may next ask questions to clarify matters that the witness testified to on cross-examination (called *redirect examination*); and the defense may then ask questions to clarify matters that the witness testified to on redirect examination (called *recross examination*). The judge may also ask questions of a witness.

After the last prosecution witness testifies, the prosecutor says that the prosecution rests. After the prosecution rests, the defense is entitled to present evidence, but is not required to do so.

**DEFENSE CASE.** If the defense chooses to present evidence, the defense may then makes its opening statement, if it did not do so after the prosecution’s opening statement. The defense begins calling its witnesses. Each witness is sworn to tell the truth and takes a seat in the witness stand. The defense asks questions of the witness (called direct examination); the prosecution may then ask questions of the witness (called cross examination); followed by redirect and recross examination.

You are entitled to testify as a witness if you choose to do so. Because you have the right to remain silent, you cannot be required to testify. The judge cannot use your decision not to testify as evidence that you are guilty. If you choose to testify, then you have waived your right to remain silent; the prosecutor can ask questions (cross examine) the defendant, and the judge can also question the defendant, the same as any other witness.

**PROSECUTION REBUTTAL CASE.** After the last defense witness testifies (after the *defense rests*), the prosecution may call *rebuttal* witnesses. Rebuttal witnesses are witnesses called to present testimony that answers (or rebuts) the defense’s evidence. Rebuttal witnesses are questioned in the same manner as other prosecution witnesses.

**EVIDENCE.** Evidence can be either witness testimony or *exhibits*. Exhibits are physical items such as photographs, documents, or other things. If a party (the prosecution and/or the defense) has an exhibit it wants to offer as evidence, the party must first call a witness who can identify the exhibit. (For example, if a party wants to offer a photograph, the party must call the person who took the photo, or someone else who can testify that the photo is an accurate picture of the objects shown in the photo.) Once the exhibit is properly identified, the party offering the exhibit asks the court to admit the exhibit into evidence. The other party may object if there is a reason why the exhibit should not be allowed. The judge decides if the exhibit will be allowed. If the exhibit is not allowed, then it is not part of the evidence, and it cannot be considered in deciding the case.

While one party asks questions of a witness, the other party may object either to the question or to the witness’ answer if there is a reason why the question or answer should not be allowed. The South Carolina Supreme Court has adopted rules, called the South Carolina Rules of Evidence, which the judge must apply in determining if the judge will allow a question, a witness’ answer, or an exhibit.

**CLOSING ARGUMENTS.** After the last rebuttal witness testifies, the prosecutor again says that the prosecution rests. Prosecution may then present its *closing argument*, in which the prosecution reviews the evidence and describes how the evidence proves its case. The defense may then present its closing argument, in which the defense reviews the evidence and describes how it fails to prove the prosecution’s case. After the defense’s closing argument, the prosecution may make a final closing argument.

**VERDICT.** After closing arguments, the jury decides if the defendant is guilty or not guilty. If the jury finds the defendant guilty, the judge determines sentence.

## What happens if I plead Guilty or am found Guilty?

If you plead guilty or are found guilty, the judge must next determine the penalty (also called the sentence). The court may decide the sentence at the time you plead guilty or are found guilty, or may schedule sentencing for another day.

At sentencing, the prosecution may make a recommendation about the sentence. You or your attorney may make a recommendation, and you may make a statement on your own behalf. The judge decides the sentence, and it is written on the court's copy of the citation or arrest warrant.

In determining your sentence, the court considers three factors: accountability (punishment), skill development (to help avoid future offenses), and community protection. The judge imposes a sentence that the court determines is appropriate to the defendant and to the circumstances, in light of these three factors.

The sentence must be within the minimum or maximum limits set by statute. All misdemeanor offenses are punishable by fines, court costs, alternative sentencing programs, and/or jail. Some misdemeanors are also punishable by driver's license suspension. If the offense resulted in injury to another person, or damage to another person's property, you may be required to make restitution (explained further below). If your sentence includes fines, court costs, and/or restitution, the sentence will state the specific amount. If your sentence includes alternative sentencing or jail, your sentence will state it.

### *Fines/Fees/Court Costs*

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Fines/Fees/Court Costs ARE DUE AT THE TIME OF SENTENCING. If you are unable to pay the fines at sentencing, you may be subject to jail. You can ask the court to allow you to do community service instead of paying fines, which the court will approve in some circumstances.

### *Community Service*

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The judge sets a deadline to complete the community service hours, and you are given instructions where to report to make arrangements. Community service must be completed through a court-assigned/approved community service organization.

You will be provided an orientation date and other requirements. Failing to show on your orientation day or failing to complete requirements will subject you to a bench warrant for failure to comply.

### *Alcohol & Drug Abuse Counseling*

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The judge may sentence you to an alcohol and drug abuse program – generally lasting twelve weeks if you comply with all of the program requirements according to their specific schedule. There are fees involved. Amounts depend on programs assigned.

You will be provided an orientation date and other requirements. Failing to show on your orientation day or failing to complete requirements will subject you to a bench warrant for failure to comply.

### ***Criminal Domestic Violence Program***

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If you are charged with Criminal Domestic Violence, the judge may sentence you to participate and complete the 26-week program approved by the Department of Social Services (DSS). There are fees associated with this program.

You will be provided an orientation date and other requirements. Failing to show on your orientation day or failing to complete requirements will subject you to a bench warrant for failure to comply.

### ***Pre-Trial Intervention***

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Pre-Trial Intervention (PTI) is a diversion program for first offenders offered by the Thirteenth Circuit Solicitor's Office. If the judge sentences you to PTI, you will be required to do community service work, receive educational/counseling services, pay restitution, and have not have a criminal record. There are fees associated with application, participation and destruction of arrest records.

You will be provided an orientation date and other requirements. Failing to show on your orientation day or failing to complete requirements will subject you to a bench warrant for failure to comply.

### ***Alcohol Education Program***

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This program pertains to first time offenders with alcohol violations in Greenville Municipal Court. If you are sentenced to this program, you will be required to attend an 8-hour alcohol education class, Alive at 25 class, 20 hours of community service and cannot partake of alcohol. There are fees associated with participation, alcohol education class, Alive at 25 class, alcohol screen and destruction of arrest record.

You will be provided an orientation date and other requirements. Failing to show on your orientation day or failing to complete requirements will subject you to a bench warrant for failure to comply.

### ***General Supervision or House Arrest***

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If you are sentenced to this program, you will be required to report to the agency upon their specific requirements for General Supervision (i.e., alcohol/drug screening, community service work, etc.) or House Arrest (e.g., ankle bracelet, GPS tracking, etc.). There are fees associated with this program.

You will be provided an orientation date and other requirements. Failing to show on your orientation day or failing to complete requirements will subject you to a bench warrant for failure to comply.

### *Restitution*

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Restitution is the amount you must pay to the victim of your crime, to cover the victim's costs for treatment for an injury, or to repair or replace property damaged by you. Restitution is due at the time of sentencing.

### *Jail*

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Jail time begins at sentencing and continues until the sentence is fully served.

### *Driver's License Suspension*

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There are some offenses for which the statute provides that the court will or may suspend your driver's license if you plead guilty or if you are found guilty. In some instances, suspensions begins at sentencing; in some instances, the suspension begins when a current period of suspension has passed.

If your sentence includes a driver's license suspension, the court may require you to surrender your license to the court at sentencing.

You may be able to apply for a provisional license through the South Carolina Department of Motor Vehicles. Do not drive until you have a provisional license in your possession; once you have it, drive only during the times and for the purposes agreed upon with the DMV.

There are other offenses for which statutes provide for the SC Department of Public Safety to suspend driver's licenses. For example, the DPS may suspend a driver's license when a person has lost all of his/her "points" due to traffic offenses. For more information about suspension of driver's licenses by the SCDPS, you may call the SCDPS or your local department of motor vehicles.

## **What happens if I don't show up when I am supposed to?**

If you do not appear for your initial appearance (the date and time on your citation, or Bond I or Bond II form, you may be charged with an additional offense, commonly known as *Failure to Appear* (FTA). An FTA is a misdemeanor, punishable by up to 30 days in jail and/or a fine up to \$500.00, plus court costs. If you are charged with an FTA, the court is likely to issue a warrant for your arrest.

If you fail to appear for any other proceedings by the court after your initial appearance (e.g., continuance, Pretrial Conference, Jury Trial, etc.), the court is likely to issue a warrant for your arrest. You will be required to show good cause why the court should not hold you in contempt. If you are held in contempt, you may be required to pay additional fines and/or serve additional time in jail.

If you cannot appear at the scheduled time for an initial appearance, contact the officer or your attorney as soon as possible. If the officer chooses to reschedule your case or your attorney contacts the court ahead of time and if you have a *good* reason, the court may reschedule your case. If you do not contact the court ahead of time, the court will require compelling reasons before it excuses a failure to appear.

## South Carolina Uniform Traffic Ticket Example

**Form 0-408**  
Rev. 10/06

**STATE OF SOUTH CAROLINA**  
**UNIFORM TRAFFIC TICKET**

CITY OR COUNTY OF \_\_\_\_\_ VERSUS  
FIRST NAME \_\_\_\_\_ MIDDLE NAME \_\_\_\_\_ LAST NAME \_\_\_\_\_

STREET AND NO. \_\_\_\_\_ CITY \_\_\_\_\_ STATE \_\_\_\_\_ ZIP CODE \_\_\_\_\_

STATE LICENSED \_\_\_\_\_ DRIVER'S LICENSE NO. \_\_\_\_\_ CDL  YES  NO DRIL LIC. CLASS \_\_\_\_\_

VEH. LIC. NO. \_\_\_\_\_ STATE \_\_\_\_\_ MAKE OF VEH. YEAR \_\_\_\_\_ COM. VEH.  AUTO  HPSR VEH.  COMB.   
HAZ. MT.  MOPEL  MTRCYCL.  OTHER \_\_\_\_\_

**YOU ARE SUMMONED TO APPEAR BEFORE THE TRIAL OFFICER**

NAME OF TRIAL OFFICER \_\_\_\_\_ STREET AND NO. \_\_\_\_\_

DATE OF TRIAL \_\_\_\_\_ TIME OF TRIAL \_\_\_\_\_ CITY \_\_\_\_\_ STATE \_\_\_\_\_ ZIP CODE \_\_\_\_\_

VIOLATION - COURT APPEARANCE REQUIRED: YES NO \_\_\_\_\_ VIOLATION SECTION NO. \_\_\_\_\_

OWNER OF VEHICLE \_\_\_\_\_ DATE OF ARREST \_\_\_\_\_

ADDRESS OF OWNER \_\_\_\_\_ DATE OF VIOLATION \_\_\_\_\_

BAIL DEPOSITED \_\_\_\_\_ NAME OF ARRESTING OFFICER \_\_\_\_\_ RANK \_\_\_\_\_

**PRESENT THIS SUMMONS TO THE TRIAL OFFICER SHOWN ABOVE**

Be sure you understand from the arresting officer the exact time and before whom you are to appear. IF THIS TICKET IS WRITTEN FOR A TRAFFIC VIOLATION AND YOU FORFEIT BAIL, PLEAD GUILTY OR NOLO CONTENDERE, OR ARE CONVICTED AFTER A TRIAL, THIS VIOLATION WILL BE PLACED AGAINST YOUR DRIVING RECORD, OR FORWARDED TO YOUR HOME STATE. FAILURE TO COMPLY WITH THE TERMS OF THIS SUMMONS MAY RESULT IN THE SUSPENSION OF YOUR DRIVERS LICENSE BY YOUR HOME STATE. YOU ARE REQUIRED BY LAW TO APPEAR IN COURT FOR CERTAIN OFFENSES.

**SEE IMPORTANT INFORMATION ON THE REVERSE SIDE OF THIS TICKET VIOLATOR'S COPY**

COUNTY \_\_\_\_\_ NUMBER \_\_\_\_\_

BADGE \_\_\_\_\_ DISTRICT \_\_\_\_\_

DAY \_\_\_\_\_ MONTH \_\_\_\_\_ YEAR \_\_\_\_\_

TIME OF VIOLATION \_\_\_\_\_ WEATHER \_\_\_\_\_

DISTANCE IN FEET FROM INTERSECTION OF \_\_\_\_\_ AND \_\_\_\_\_

MILES \_\_\_\_\_ N E S W  
1 2 3 4

HWY NO. \_\_\_\_\_ CITY \_\_\_\_\_

Lat \_\_\_\_\_ Long \_\_\_\_\_

OFFENSE CODE \_\_\_\_\_ B.A. LEVEL \_\_\_\_\_

**53751 EJ**

DOCKET NO. \_\_\_\_\_

**This is the name of the Municipal Judge**

**This is the date and time for your initial appearance**

**This is the description of your charge**

**This is the state statute or city ordinance number matching your charge**

**This is the name of the officer who issued the ticket to you**

**This is the ticket number you need when contacting the officer or the court**

# Bond I Form Example

Charge descriptions and state statute or city ordinances numbers will appear here

Your ticket or warrant number(s) will appear here

Your initial appearance court date, time and location is here

\_\_\_\_\_ CRIMINAL CHARGING DOCUMENT NO.

**BAIL PROCEEDING  
FORM I**

STATE OF SOUTH CAROLINA IN THE COURT OF \_\_\_\_\_  
 COUNTY OF \_\_\_\_\_ ORDER SPECIFYING METHODS AND CONDITIONS OF RELEASE

STATE OF SOUTH CAROLINA  
v.  
NAME OF DEFENDANT

Offense Charged: \_\_\_\_\_

**IT IS HEREBY ORDERED**

**I**

That the above named defendant be released from custody on his own recognizance without surety 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 permission of the court and be of good behavior.

**II**

That the above named defendant be released from custody upon a recognizance without surety executed by him.

Appearance Recognizance Without Surety

On the \_\_\_\_\_ day of \_\_\_\_\_, personally appeared before the undersigned judge the defendant named above who acknowledged himself indebted to the State of South Carolina, in the sum of \_\_\_\_\_ dollars, to be levied on his real and personal property for the use of the State, if the defendant shall fail in performing the conditions of the Order.

**III**

That the defendant will notify the court promptly if he changes his address from the one contained in this Order and will comply with the following other conditions of release: \_\_\_\_\_

**IV**

That the defendant shall appear at (check one):

the term of \_\_\_\_\_ COURT OF GENERAL SESSIONS beginning on \_\_\_\_\_ at \_\_\_\_\_ o'clock, \_\_\_\_\_ M., 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/Municipal Court of \_\_\_\_\_ beginning on \_\_\_\_\_ at \_\_\_\_\_ o'clock, \_\_\_\_\_ M., 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.

**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.

\_\_\_\_\_  
ATTORNEY REPRESENTING ACCUSED (IF KNOWN)

\_\_\_\_\_  
SIGNATURE OF DEFENDANT

\_\_\_\_\_  
ADDRESS

\_\_\_\_\_  
SIGNATURE OF JUDGE

\_\_\_\_\_  
CITY/STATE/ZIP

\_\_\_\_\_  
TELEPHONE

\_\_\_\_\_  
DATE

\_\_\_\_\_  
SOCIAL SECURITY NUMBER

\_\_\_\_\_  
DRIVER'S LICENSE OR ID NUMBER

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