

STATE OF SOUTH CAROLINA)

COUNTY OF RICHLAND)

State of South Carolina,)

v.)

Louis T. Anderson,)

Defendant(s).)

IN THE COURT OF GENERAL SESSIONS
FOR THE FIFTH JUDICIAL CIRCUIT

Indictment No(s): 93-GS-40-6990
93-GS-40-6991
93-GS-40-6992

CONSENT ORDER

JANETTE W. MCGRATH
Clerk of Court

2009 APR 30 AM 9:26

RICHLAND COUNTY
FILED

This matter comes before the Court as a result of Defendant's guilty pleas to indictment numbers 1993-GS-40-6990, 1993-GS-40-6991, and 1993-GS-40-6992 for kidnapping.

FINDINGS OF FACT

On December 16, 1993, prior to the enactment of the South Carolina Sexual Offender Registry, Defendant pled guilty in Richland County to three (3) counts (1993-GS-40-6990, 1993-GS-40-6991, 1993-GS-40-6992) of Kidnapping (S.C. Code Ann. § 16-3-910 (1976)). Luck Campbell, of the Fifth Circuit Solicitor's Office, prosecuted the case. The kidnapping charges to which Defendant pled guilty to did not include a criminal sexual offense or an attempted criminal sexual offense. Defendant received a sentence of thirty (30) years on each count to be served concurrently. Subsequently, in 1994, the South Carolina General Assembly enacted the Sex Offender Registry (S.C. Code Ann. § 23-3-430).

On January 5, 2009, Defendant was released from the South Carolina Department of Corrections. Upon Defendant's release, he was required to register as a sex offender under S.C. Code Ann. § 23-3-430(C)(15) because he had pled guilty to kidnapping and a finding had not been made on the record that the "offense did not include a criminal sexual offense or an attempted criminal sexual offense." S.C. Code Ann. § 23-3-430(C)(15). A finding that Defendant's kidnapping convictions did not include a criminal sexual offense was not made on the record, because, at the time of Defendant's guilty pleas, the Sex Offender Registry was not in existence. Defendant is currently registered as a sex offender in Richland County.

CONCLUSIONS OF LAW

Section 23-3-340(C) of the South Carolina Code of Laws states, in part, that a person who has been convicted of, pled guilty or nolo contendere to, or been adjudicated delinquent any of the following offenses shall be referred to as an offender: ... (15) kidnapping (Section 16-3-910) of a person eighteen years of age or older **except when the court makes a finding on the record that the offense did not include a criminal sexual offense or an attempted criminal sexual offense.**

JEANETTE W. MCBRIDE
C.C.P. & G.S.

2009 APR 30 AM 9:26

RICHLAND COUNTY
FILED

S.C. Code Ann § 23-3-430(C)(15) (2007) (emphasis added).

THEREFORE, IT IS ORDERED, ADJUDGED AND DECREED WITH THE STATE'S CONSENT THAT:

1. Defendant's convictions for kidnapping under indictments 1993-GS-40-6990, 1993-GS-40-6991, and 1993-GS-40-6992 did not involve a criminal sexual offense or an attempted sexual offense.
2. Defendant shall be removed from the South Carolina Sex Offender Registry.
3. The South Carolina Law Enforcement Division (SLED), South Carolina Department of Probation, Parole and Pardon Services, Richland County Sheriff's Department and any other appropriate police agency should modify their records accordingly.

AND IT IS SO ORDERED.


The Honorable J. Michelle Childs
Chief Administrative Judge
Fifth Judicial Circuit

Columbia, South Carolina

Dated: 4-29-09

ATTEST
JEANETTE W. MCBRIDE
C.C.P. & G.S.

I SO MOVE:



PAIGE B. GEORGE

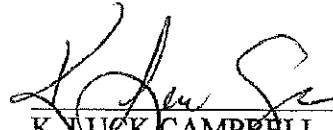
Attorney for the Defendant

1419 Bull Street

Columbia, South Carolina 29201

(803) 400-1219

I CONSENT:



K. LUCK CAMPBELL

Assistant Solicitor

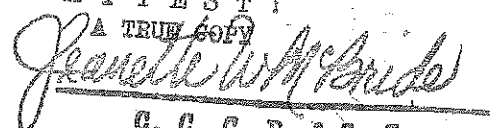
Fifth Judicial Circuit

1701 Main Street

3rd Floor

Columbia, South Carolina 29201

(803) 576-1800

A T T E S T :
A TRUE COPY

C. C. C. P. & G. S.