

RECEIVED

Jun 21 2022

S.C. SUPREME COURT

TO APPELLATE DEFENSE:

RECEIVED

JUN 13 2022

SC Court of Appeals

I AM WRITING IN

REGARDS TO MY CONVICTION AND SENTENCE THE RECORD WOULD SHOW THAT I HAD A CO-DEFENDANT HOWEVER WE WAS SEVERALLY INDICTED, HIS INDICTMENT SHOWS THAT THE OFFENSE WAS COMMITTED IN THE NIGHT TIME. BUT IT WAS NOT PROS BECAUSE OF A LACK OF WITNESS IF THIS WAS MY CO-DEFENDANT THEN WHY WASNT MY INDICTMENT ALSO NOT PROS.?

THE OTHER ISSUE IS THAT THE POLICE INCIDENT REPORT STATES THAT THE OFFENSE TOOK PLACE IN THE MORNING. THE CRIMINAL ELEMENT IN A FIRST DEGREE BURGLARY REQUIRES THAT THE INCIDENT MUST OCCUR IN THE "NIGHT TIME". THE INDICTMENT DOES NOT CONTAIN THIS NOTICE REQUIREMENT.

THAT THIS IS AN INDICTMENT NOT A PRESENTMENT. WITH INDICTMENT IT MUST BE SUBSTANTIATED BY A JUDICIAL DETERMINATION OF PROBABLE CAUSE TO SUPPORT THE INDICTMENT HOWEVER AS EVIDENT ON THE FACT OF THE WARRANT NOT ONLY WAS IT A NON-JUDICIAL WARRANT BUT IT WAS FILED IN THE WRONG JURISDICTION "RICHMOND COUNTY" THEREFORE THE INDICTMENT WAS FRAUDULENTLY TRULY BILLED.

THE INDICTMENT WAS TRULY BILLED BEFORE THE COURT OF GENERAL SESSIONS AND THE GRAND JURY WAS CONVICTED.

I WOULD LIKE THESE ISSUES TO BE INCORPORATED
WITH WHATEVER ELSE YOU FIND THAT IS WRONG
WITH MY CASE

THANKING YOU IN ADVANCE

Ashley Pava

AIKEN

Incident Data Sheet Report

Incident ID: 15-011737

Page: 8

ORI Number: SC0020000

Printed On: 7/8/2019 14:54 (Mon)

Narrative

Created Date: 3/3/2015 11:16	By: SHFYAZZW	Date Updated: 3/3/2015 11:25	By: SHFYAZZW
Title: BURGLARY/THOMAS 6627/02-28-15			Locked: <input type="checkbox"/>

Text: R/O MET WITH VIC AT THE I/L. VIC STATED AT THE ABOVE DATES AND TIME HE WAS WORKING IN HIS SHOP WALKED OUTSIDE TOWARDS HIS RESIDENCE AND OBSERVED HIS WINDOW TO BE BROKEN, THE CURTAINS HANGING ON THE OUTSIDE OF THE WINDOW, AND WHAT APPEARED TO BE A BLOOD STAIN ON THE CURTAIN. VIC STATED THAT (LISTED ITEMS) WERE MISSING FROM HIS RESIDENCE. VIC COULD NOT PRODUCE SERIAL NUMBERS FOR (LISTED ITEMS). R/O OBSERVED THE BROKEN WINDOW WITH WHAT APPEARS TO BE A BLOOD STAIN ON THE CURTAIN. UPON ENTERING THE HOUSE R/O OBSERVED NUMEROUS PIECES OF JEWELRY IN THE FAMILY ROOM SCATTERED ACROSS THE FLOOR LEADING TO THE BROKEN WINDOW. R/O OBSERVED UPSTAIRS AND SAW THE DRAWERS TO BE OPEN AND CLOTHING AND VARIOUS PIECES OF JEWELRY TO BE SCATTERED ACROSS THE FLOOR, UPON ENTERING THE LIVING ROOM R/O OBSERVED A CABLE THAT THE VIC STATED BELONGED TO HIS LAPTOP LEADING FROM THE LIVING ROOM TO THE FAMILY ROOM TOWARDS THE BROKEN WINDOW. R/O WATCHED SURVEILLANCE FOOTAGE AND OBSERVED A SILVER IN COLOR CROSS OVER AND ENTER THE INCIDENT LOCATION AROUND THE APPROXIMATE TIME THE INCIDENT OCCURRED. THE VEHICLE HAD A GREEN IN COLOR FRONT DRIVER SIDE PANEL DISTINGUISHING ITSELF FROM OTHER VEHICLES OF THE SAME MODEL. R/O ISSUED A VICS RIGHTS FORM. VIC STATED IF A SUBJ IS LOCATED HE WISHES TO PRESS CHARGES. FORENSICS DID ARRIVE ON SCENE.

ARREST WARRANT

2016A0210200433

STATE OF SOUTH CAROLINA

County/ Municipality of

Aiken

THE STATE 15011737

against

Ashley Tavelle Prior

Address:

Phone: SSN:

Sex: M Race: W Height: 5 7 Weight: 180

DL State: SC DL#:

DOB: Agency ORI #: SC0020000

Prosecuting Agency: Aiken County Sheriff

Prosecuting Officer: Inv. Greg Savell - 4976

Offense: Burglary / Burglary (After June 20, 1985) - First degree

Offense Code: 0079

Code/Ordinance Sec: 16-11-0311

This warrant is CERTIFIED FOR SERVICE in the County/ Municipality of

The accused

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

(L.S.)

Signature of Judge

Date:

RETURN

A copy of this arrest warrant was delivered to defendant Ashley Prior on 6/20/17

Signature of Constable/Law Enforcement Officer

RETURN WARRANT TO:

General Sessions P O Box 583 109 Park Avenue Aiken, SC 29802

DEFENDANT COPY DEFENDANT COPY DEFENDANT COPY DEFENDANT COPY DEFENDANT COPY DEFENDANT COPY DEFENDANT COPY

STATE OF SOUTH CAROLINA

County/ Municipality of

Aiken

Personally appeared before me the affiant Inv. Greg Savell

being duly sworn deposes and says that defendant Ashley Tavelle Prior

did within this county and state on or about 2/28/2015

violate the criminal laws of the

State of South Carolina (or ordinance of County/ Municipality of Aiken)

in the following particulars:

DESCRIPTION OF OFFENSE: Burglary / Burglary (After June 20, 1985) - First degree

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:

On February 28, 2015 at approx 0930 hours Ashley Prior accompanied by another did forcefully enter the residence located at 1279 Richardson Lake Rd. in Aiken Aiken County, SC in order to steal guns, jewelry and cash from within, without consent or permission. The value of the stolen property is estimated at approx \$3,000. Prior has admitted to this offense and DNA from within the residence confirms Prior's participation in this incident.

Signature of Affiant

STATE OF SOUTH CAROLINA

County/ Municipality of

Aiken

Affiant's Address 420 Hampton Avenue North East

Aiken, SC 29801-

Affiant's Telephone (803)642-1763

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 2/28/2015 defendant Ashley Tavelle Prior

did violate the criminal laws of the State of South Carolina (or ordinance of

County/ Municipality of Aiken

), as set forth below:

DESCRIPTION OF OFFENSE: Burglary / Burglary (After June 20, 1985) - First degree

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 3/17/2016

Signature of Issuing Judge

Melanie J Dubose

Judge Code: 7264

Judge's Address 435 Wire Road

Aiken, SC 29801-

Judge's Telephone (803)-64-2-20 x 44

Issuing Court: Magistrate Municipal Circuit

WITNESSES

Aiken County Sheriff's Office

Inv. Greg Savell

Law Enforcement Case #: 15-011737

JWW

ARREST WARRANT NUMBER

2016A0210200430

FILED Sept. 8 2016
Liz Hodard
C.C.P. & G.S.
Thomas Higgins
Deputy Clerk

ACTION OF GRAND JURY

True Bill

[Signature]
Foreperson of Grand Jury
Date: September 8, 2016

VERDICT

Foreperson of Petit Jury
Date:

DOCKET NO. 2016GS0201777

The State of South Carolina
County of Aiken

COURT OF GENERAL SESSIONS

SEPTEMBER TERM 2016

THE STATE
vs.

GRADY LAFONE OWENBY

10/27/16 Whee please due
to witness re delirity and
death of witness

CDR #: 0079

Indictment for

BURGLARY - FIRST DEGREE

§ 16-11-0311

J. STROM THURMOND, SOLICITOR

[Signature]

STATE OF SOUTH CAROLINA)
)
COUNTY OF AIKEN)
)

INDICTMENT FOR
BURGLARY - FIRST DEGREE
§ 16-11-0311

At a Court of General Sessions, convened on September 12, 2016, the Grand Jurors of Aiken County present upon their oath:

That GRADY LAFONE OWENBY did in Aiken County, South Carolina, on or about February 28, 2015, wilfully and unlawfully enter the dwelling of [REDACTED] located at 1279 Richardson Lake Road, Aiken, South Carolina, without consent and with the intent to commit a crime therein and the defendant entered or remained in the nighttime, all in violation of §16-11-311, Code of Laws of South Carolina (1976), as amended.

Against the peace and dignity of the State, and contrary to the statute in such case made and provided.



J. STROM THURMOND, SOLICITOR

WITNESSES

Aiken County Sheriff

Greg Savell

Law Enforcement Case #: 15-011737

HMD

ARREST WARRANT NUMBER

FILED August 2, 18

18-DI02-0039

Robert S. White
C.C.P. & G.S. LS#4
Lakya Ingram-Harris
Deputy Clerk

ACTION OF GRAND JURY

True Bill

[Signature]

Foreperson of Grand Jury

Date: August 2, 2018

VERDICT

Foreperson of Petit Jury

Date:

DOCKET NO. 2018GS0201898

The State of South Carolina

County of Aiken

COURT OF GENERAL SESSIONS

AUGUST TERM 2018

THE STATE

vs.

ASHLEY TAVELLE PRIOR

CDR #: 0079

Indictment for

BURGLARY FIRST DEGREE

§ 16-11-0311

J. STROM THURMOND, SOLICITOR

STATE OF SOUTH CAROLINA)
)
COUNTY OF AIKEN)
)

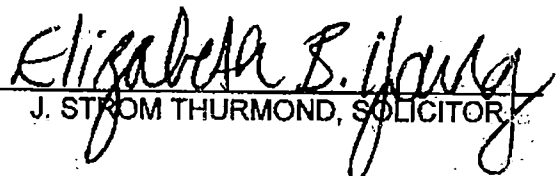
INDICTMENT FOR
BURGLARY FIRST DEGREE

§ 16-11-0311

At a Court of General Sessions, convened on August 6, 2018, the Grand Jurors of Aiken County present upon their oath:

That **ASHLEY TAVELLE PRIOR** did in Aiken County on or about February 28, 2015, wilfully and unlawfully enter the dwelling of [REDACTED] located at 1279 Richardsons Lake Road, without consent and with the intent to commit a crime therein, and the defendant has a prior record of two or more convictions for burglary or housebreaking or a combination of both, all in violation of §16-11-311, Code of Laws of South Carolina (1976), as amended.

Against the peace and dignity of the State, and contrary to the statute in such case made and provided.


J. STROM THURMOND, SOLICITOR

HSHLEY PRIOR 290973
Kirkland Correctional Inst
4344 Broad River Rd
Columbia SC 29210
Unit F 2 B Side 163

COLUMBIA SC 290
JUN 13 2022 PM 3:1



RECEIVED

JUN 13 2022

SC Court of Appeals

To

SOUTH CAROLINA OFFICE OF APPELLATE DEFENSE
P.O. Box 11629

Columbia SC 29211

29211-162929

