

STATE OF SOUTH CAROLINA  
COUNTY OF GREENWOOD

STATE of SOUTH  
CAROLINA,

IN THE COURT OF GENERAL SESSIONS  
2020-GS-24-1062 TO 64; 2021-GS-24-382 TO 84;  
2021-GS-24-1230 TO 32; 2021-GS-24-1695,  
1696, 1715; 2022-GS-24-1153, 1154

-v-

NARKEVIOUS  
REID, XAYVION  
HILL, AND  
DASHAWN  
CHAZZ HURLEY,  
*Defendant.*

ORDER DENYING MOTION FOR NEW  
TRIAL AND MOTION TO RECONSIDER  
SENTENCES

**RECEIVED**

Oct 06 2022

SC Court of Appeals

Addy, J.

THIS MATTER CAME BEFORE THE COURT on Defendants' Joint Motion for a New Trial or Reconsideration of Sentences imposed. The Court has fully reviewed Defendants' Motion, the State's Response, and the Joint Reply to the State's Response.<sup>1</sup> The Court finds that a formal hearing on Defendants' Motion is unnecessary as it will not aid the Court.

Having considered the argument of counsel, reviewed the applicable law, and fully reconsidered the sentences imposed, the Court denies Defendants' Motion. The Court finds that the Defendants received a fair trial which comports with the requirements of the law, that sufficient, competent direct evidence and substantial circumstantial evidence support the convictions, and that the discretionary sentences imposed are appropriate in light of the mitigating and aggravating factors present.

Accordingly, Defendants' motion is denied.

<sup>1</sup> Defendants were convicted on August 24, 2022. The record reflects that counsel for Defendants requested that they be afforded ten (10) days to submit their formal, written motion for a new trial in lieu of arguing same immediately at the conclusion of the trial. The Court granted Defendants' request, and their Joint Motion was timely filed. The Court then invited a response from the State which was forthcoming, and Defendants' subsequently filed a Reply. Mr. Henderson supplemented the Joint Motion with information specific to Mr. Reid this morning via email which the Court reviewed, considered, and responded. Accordingly, the time limit for filing Defendants' notice of intent to appeal was stayed pending receipt of the motions and begins to run upon receipt of written notice of this Order. Rule 203(b)(2), SCACR.

IT IS SO ORDERED.



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Frank R. Addy, Jr.  
Resident Judge

September 28, 2022  
Greenwood, South Carolina

STATE OF SOUTH CAROLINA )

IN THE COURT OF GENERAL SESSIONS

COUNTY OF GREENWOOD )

STATE )

VS. )

INDICTMENT/CASE#: 2021GS24-1230

XAYVION MARQUIS HILL )

A/W#: 2020A2410200380

AKA: XAYVION MARQUIS HILL )

Date of Offense: 04/08/2020

Race: Black Sex: M Age: 20 )

S.C. Code §: 16-03-0029

DOB: 04/07/2002 SS#: \_\_\_\_\_ )

CDR Code #: 3410

Address: 14401 Highway 25 North )

City, State, Zip: Honea Path, SC 29654 )

DL#\* \_\_\_\_\_ SID# \_\_\_\_\_ )

SENTENCE SHEET

**RECEIVED**

**Oct 06 2022**

**SC Court of Appeals**

\*CDL Yes  No  CMV Yes  No  Hazmat Yes  No

In disposition of the above indictment comes now the Defendant who was

CONVICTED OF or  PLEADS

TO: Attempted Murder

In violation of § 16-03-0029 of the S.C. Code of Laws, bearing CDR Code # 3410

NON-VIOLENT  VIOLENT  SERIOUS  MOST SERIOUS  Mandatory GPS  § 17-25-45

(CSC w/minor 1<sup>st</sup> or CSC w/minor 3<sup>rd</sup>)

The charge is:  As indicted,  Lesser Included Offense,  Defendant Waives Presentment to Grand Jury. \_\_\_\_\_ (def.'s initials)

The plea is:  Without Negotiations or Recommendation,  Negotiated Sentence,  Recommendation by the State.

ATTEST:

Elizabeth P. Taylor, 71182 SC Bar # Defendant Attorney for Defendant, 79903 SC Bar #  
Assistant Solicitor

WHEREFORE, the Defendant is committed to the  State Department of Correction  County Detention Center,

for a determinate term of 10 (ten) days/months/years/Time Served  Youthful Offender Act not to exceed \_\_\_ years

and/or to pay a fine of \$\_\_\_\_; provided that upon the service of \_\_\_ days/months/years/Time Served and or payment

of \$\_\_\_\_; plus costs and assessments as applicable\*; the balance is suspended with probation for \_\_\_\_\_

months/years and subject to South Carolina Department of Probation, Parole and Pardon Services standard conditions of probation, which are incorporated by reference.

The sentence shall run

CONCURRENT or  CONSECUTIVE to sentence on: \_\_\_\_\_

The Defendant is to be given credit for time served pursuant to S.C. Code § 24-13-40 to be calculated and applied by SCDOC.

866 days/months (616 in jail, 250 on house arrest)  
 To include time spent on monitored house arrest prior to trial and sentencing.

The Defendant Shall be Released from County Detention Center.

Pursuant to 18 U.S.C. § 922 and § 16-25-30 it is unlawful for a person convicted of a violation of § 16-25-20 or § 16-25-65 (Domestic Violence) to ship, transport, possess, or receive a firearm or ammunition.

STATE VS. XAYVION MARQUIS HILL

INDICTMENT/CASE#: 2021GS24-1230

**SPECIAL CONDITIONS:**

**PTUP** after \_\_\_\_\_ months/years

**And Other Terms Listed Below:**

- Substance Abuse Counseling       Completion of GED       Random Drug/Alcohol Testing
- Attend Voc. Rehab. Or Job Corp       No Contact with Victim       Domestic Violence Intervention Program
- Mental Health Counseling       May serve W/E beginning: \_\_\_\_\_
- Sex Offender Registry pursuant to S.C. Code § 23-3-430       Public Service Employment \_\_\_\_\_ days/hours
- Central Registry of Child Abuse and Neglect pursuant to S.C. Code § 17-25-135.
- Other: \_\_\_\_\_

**RESTITUTION**     **Deferred**     **Def. Waives Hearing**     **Ordered**

Total \$ \_\_\_\_\_ plus 20% fee: \_\_\_\_\_ \$ \_\_\_\_\_

Payment Terms: \_\_\_\_\_  Set by SCDPPPS

Recipient: \_\_\_\_\_

*Fine:	\$	Beginning	\$
Fine may be pd. in equal consecutive weekly/monthly pmts. of	\$	_____	_____
§14-1-206 (Assessments 107.5%)	\$		\$
§14-1-211 (A)(1)(Conv. Surcharge)	\$100		\$ 100
§14-1-211 (A)(2)(DUI Surcharge)	\$100		\$
§56-5-2995 (DUI Assessment)	\$12		\$
§56-1-286 (DUI Breath Test)	\$25		\$
§14-1-212 (Law Enforce. Funding)	\$25		\$ 25
§14-1-213 (Drug Court Surcharge)	\$150		\$
§34-11-70(b)and(c), and 34-11-90(c)and(d) (Admin Fraud Check Court Costs)	\$41		\$
§50-21-114 (BUI Breath Test Fee)	\$50		\$
§56-5-2942(J) (Vehicle Assessment)	\$40/ea		\$
3% to County (if paid in installments)	TBD		\$ 3.75
<input type="checkbox"/> Appointed PD or appointed other counsel, Proviso requires \$500 be paid to Clerk during probation and shall be collected before any other fees	\$500		\$
<input type="checkbox"/> § 17-3-30(B) Unpaid Application Fee to be paid to the Public Defender Fund	TBD		\$

TOTAL \$ 128.75

Clerk of Court/Deputy Clerk:  
Court Reporter:  
SCCA/217 (07/2021)

Christy Copard  
TARA SLOTT

Presiding Judge:  
Judge Code:  
Sentence Date:

Fallick  
259  
8/24/2022

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF GREENWOOD

STATE

INDICTMENT/CASE#: 2021GS24-1231

VS.

XAYVION MARQUIS HILL

AKA: XAYVION MARQUIS HILL

Race: Black Sex: M Age: 20

DOB: 04/07/2002 SS#:

Address: 14401 Highway 25 North

City, State, Zip: Honea Path, SC 29654

DL#\* SID#

A/W#: 2020A2410200381

Date of Offense: 04/08/2020

S.C. Code #: 16-23-0490

CDR Code #: 0549

SENTENCE SHEET

RECEIVED

Oct 06 2022

SC Court of Appeals

\*CDL Yes  No  CMV Yes  No  Hazmat Yes  No

In disposition of the above indictment comes now the Defendant who was

CONVICTED OF or  PLEADS

TO: Possession Of A Weapon During The Commission Of A Violent Crime

In violation of § 16-23-0490 of the S.C. Code of Laws, bearing CDR Code # 0549

NON-VIOLENT  VIOLENT  SERIOUS  MOST SERIOUS  Mandatory GPS  § 17-25-45

(CSC w/minor 1<sup>st</sup> or CSC w/minor 3<sup>rd</sup>)

The charge is:  As indicted,  Lesser Included Offense,  Defendant Waives Presentment to Grand Jury. (def.'s initials)

The plea is:  Without Negotiations or Recommendation,  Negotiated Sentence,  Recommendation by the State.

ATTEST:

Elizabeth P. Taylor, Assistant Solicitor

71182 SC Bar # Defendant

Attorney for Defendant

79903 SC Bar #

WHEREFORE, the Defendant is committed to the  State Department of Correction  County Detention Center,

for a determinate term of 5 days/months/years/Time Served  Youthful Offender Act not to exceed \_\_\_ years

and/or to pay a fine of \$\_\_\_; provided that upon the service of \_\_\_ days/months/years/Time Served and or payment

of \$\_\_\_; plus costs and assessments as applicable\*; the balance is suspended with probation for \_\_\_

months/years and subject to South Carolina Department of Probation, Parole and Pardon Services standard conditions of probation, which are incorporated by reference.

The sentence shall run

CONCURRENT or  CONSECUTIVE to sentence on: \_\_\_\_\_

The Defendant is to be given credit for time served pursuant to S.C. Code § 24-13-40 to be calculated and applied by SCDOC.

806 (days/months) (616 in jail, 250 on house arrest)

To include time spent on monitored house arrest prior to trial and sentencing.  The Defendant Shall be Released from County Detention Center.

Pursuant to 18 U.S.C. § 922 and § 16-25-30 it is unlawful for a person convicted of a violation of § 16-25-20 or § 16-25-65 (Domestic Violence) to ship, transport, possess, or receive a firearm or ammunition.

SPECIAL CONDITIONS:

PTUP after \_\_\_\_\_ months/years

And Other Terms Listed Below:

- Substance Abuse Counseling
- Attend Voc. Rehab. Or Job Corp
- Mental Health Counseling
- Sex Offender Registry pursuant to S.C. Code § 23-3-430
- Central Registry of Child Abuse and Neglect pursuant to S.C. Code § 17-25-135.
- Other: \_\_\_\_\_
- Completion of GED
- No Contact with Victim
- May serve W/E beginning: \_\_\_\_\_
- Public Service Employment \_\_\_\_\_ days/hours
- Random Drug/Alcohol Testing
- Domestic Violence Intervention Program

RESTITUTION  Deferred  Def. Waives Hearing  Ordered

Total \$ \_\_\_\_\_ plus 20% fee: \_\_\_\_\_ \$ \_\_\_\_\_

Payment Terms: \_\_\_\_\_  Set by SCDPPPS

Recipient: \_\_\_\_\_

*Fine:		\$
Fine may be pd. in equal consecutive weekly/monthly pmts. of	\$ _____ Beginning	_____
§14-1-206 (Assessments 107.5%)		\$ _____
§14-1-211 (A)(1)(Conv. Surcharge)	\$100	\$ <u>100</u>
§14-1-211 (A)(2)(DUI Surcharge)	\$100	\$ _____
§56-5-2995 (DUI Assessment)	\$12	\$ _____
§56-1-286 (DUI Breath Test)	\$25	\$ _____
§14-1-212 (Law Enforce. Funding)	\$25	\$ <u>25</u>
§14-1-213 (Drug Court Surcharge)	\$150	\$ _____
§34-11-70(b)and(c), and 34-11-90(c)and(d) (Admin Fraud Check Court Costs)	\$41	\$ _____
§50-21-114 (BUI Breath Test Fee)	\$50	\$ _____
§56-5-2942(J) (Vehicle Assessment)	\$40/ea	\$ _____
3% to County (if paid in installments)	TBD	\$ <u>3.75</u>
<input type="checkbox"/> Appointed PD or appointed other counsel, Proviso requires \$500 be paid to Clerk during probation and shall be collected before any other fees	\$500	\$ _____
<input type="checkbox"/> § 17-3-30(B) Unpaid Application Fee to be paid to the Public Defender Fund	TBD	\$ _____
<b>TOTAL</b>		\$ <u>128.75</u>

Clerk of Court/Deputy Clerk:  
Court Reporter:  
SCCA/217 (07/2021)

*Christy Garland*  
*T Scott*

Presiding Judge:  
Judge Code:  
Sentence Date:

*Fisher, J. D.*  
*2159*  
*8-24-22*

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF GREENWOOD

STATE

INDICTMENT/CASE#: 2021GS24-1232

VS.

XAYVION MARQUIS HILL

A/W#: 2020A2410200382

AKA: XAYVION MARQUIS HILL

Date of Offense: 04/08/2020

Race: Black Sex: M Age: 20

S.C. Code §: 16-17-0410

DOB: 04/07/2002 SS#:

CDR Code #: 0049

Address: 14401 Highway 25 North

City, State, Zip: Honea Path, SC 29654

DL#\* SID#

SENTENCE SHEET

RECEIVED

Oct 06 2022

SC Court of Appeals

\*CDL Yes  No  CMV Yes  No  Hazmat Yes  No

In disposition of the above indictment comes now the Defendant who was

CONVICTED OF or  PLEADS

TO: Criminal Conspiracy

In violation of § 16-17-0410 of the S.C. Code of Laws, bearing CDR Code # 0049

NON-VIOLENT  VIOLENT  SERIOUS  MOST SERIOUS  Mandatory GPS  § 17-25-45 (CSC w/minor 1<sup>st</sup> or CSC w/minor 3<sup>rd</sup>)

The charge is:  As indicted,  Lesser Included Offense,  Defendant Waives Presentment to Grand Jury. (def.'s initials)

The plea is:  Without Negotiations or Recommendation,  Negotiated Sentence,  Recommendation by the State.

ATTEST:

Elizabeth P. Taylor 71182 SC Bar # Defendant Assistant Solicitor Attorney for Defendant 79903 SC Bar #

WHEREFORE, the Defendant is committed to the  State Department of Correction  County Detention Center,

for a determinate term of 5 days/months/years/Time Served  Youthful Offender Act not to exceed \_\_\_ years

and/or to pay a fine of \$\_\_\_; provided that upon the service of \_\_\_ days/months/years/Time Served and or payment

of \$\_\_\_; plus costs and assessments as applicable\*; the balance is suspended with probation for \_\_\_

months/years and subject to South Carolina Department of Probation, Parole and Pardon Services standard conditions of probation, which are incorporated by reference.

The sentence shall run

CONCURRENT or  CONSECUTIVE to sentence on: \_\_\_\_\_

The Defendant is to be given credit for time served pursuant to S.C. Code § 24-13-40 to be calculated and applied by SCDOC.

81 days (616 in jail, 230 on house arrest)

To include time spent on monitored house arrest prior to trial and sentencing.

The Defendant Shall be Released from County Detention Center.

Pursuant to 18 U.S.C. § 922 and § 16-25-30 it is unlawful for a person convicted of a violation of § 16-25-20 or § 16-25-65 (Domestic Violence) to ship, transport, possess, or receive a firearm or ammunition.

**SPECIAL CONDITIONS:**

**PTUP** after \_\_\_\_\_ months/years

**And Other Terms Listed Below:**

- Substance Abuse Counseling       Completion of GED       Random Drug/Alcohol Testing
- Attend Voc. Rehab. Or Job Corp       No Contact with Victim       Domestic Violence Intervention Program
- Mental Health Counseling       May serve W/E beginning: \_\_\_\_\_
- Sex Offender Registry pursuant to S.C. Code § 23-3-430       Public Service Employment \_\_\_\_\_ days/hours
- Central Registry of Child Abuse and Neglect pursuant to S.C. Code § 17-25-135.
- Other: \_\_\_\_\_

**RESTITUTION**     **Deferred**     **Def. Waives Hearing**     **Ordered**

Total \$ \_\_\_\_\_ plus 20% fee: \_\_\_\_\_ \$ \_\_\_\_\_

Payment Terms: \_\_\_\_\_  Set by SCDPPPS

Recipient: \_\_\_\_\_

*Fine:		\$ _____
Fine may be pd. in equal consecutive weekly/monthly pmts. of	\$ _____ Beginning	_____
§14-1-206 (Assessments 107.5%)		\$ _____
§14-1-211 (A)(1)(Conv. Surcharge)	\$100	\$ <u>100</u>
§14-1-211 (A)(2)(DUI Surcharge)	\$100	\$ _____
§56-5-2995 (DUI Assessment)	\$12	\$ _____
§56-1-286 (DUI Breath Test)	\$25	\$ _____
§14-1-212 (Law Enforce. Funding)	\$25	\$ <u>25</u>
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§56-5-2942(J) (Vehicle Assessment)	\$40/ea	\$ _____
3% to County (if paid in installments)	TBD	\$ <u>3.75</u>
<input type="checkbox"/> Appointed PD or appointed other counsel, Proviso requires \$500 be paid to Clerk during probation and shall be collected before any other fees	\$500	\$ _____
<input type="checkbox"/> § 17-3-30(B) Unpaid Application Fee to be paid to the Public Defender Fund	TBD	\$ _____

**TOTAL** \$ 128.75

*[Signature]*

Judge Code: 21591

Sentence Date: 8-24-22

Clerk of Court/Deputy Clerk: *Chester Cepelano*

Court Reporter: *T Scott*

SCCA/217 (07/2021)

Presiding Judge: \_\_\_\_\_

Judge Code: \_\_\_\_\_

Sentence Date: \_\_\_\_\_