

STATE OF SOUTH CAROLINA  
IN THE SUPREME COURT

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S.C. SUPREME COURT

Certiorari to Horry County

Honorable H. Steven DeBerry IV, Circuit Court Judge

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RANDY ROBINSON,

PETITIONER

V.

STATE OF SOUTH CAROLINA,

RESPONDENT

APPELLATE CASE NO. 2022-001150

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APPENDIX

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STATE OF SOUTH CAROLINA ) IN THE COURT OF GENERAL SESSIONS

COUNTY OF HORRY ) 2014-GS-26-03751,03752

STATE OF SOUTH CAROLINA, )

Plaintiff, )

vs. )

RANDY GALE ROBINSON, )

Defendant. )

**Transcript of Record**

(Plea Hearing)

November 8, 2016

**B E F O R E:**

Honorable Steven H. John  
Horry County Courthouse  
Conway, South Carolina

**A P P E A R A N C E S:**

Kevin S. Brackett, Esquire  
(PRESENCE VIA CONFERENCE CALL)

**Attorney for Plaintiff**

L. Morgan Martin, Esquire  
Rosemary Parham, Esquire

**Attorney for Defendant**

**TAKEN BY:**

Dixie C. Eubank  
**Circuit Court Reporter**

**PREPARED BY:**

Kay H. Richardson  
**Circuit Court Reporter**

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I N D E X

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NOVEMBER 8, 2016Pg.

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E X H I B I T S

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No.IDEV

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(No exhibits were marked or admitted.)

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1     **(NOVEMBER 8, 2016)**

2     (REPORTER'S NOTE: Solicitor Brackett appearing by conference  
3     call by consent of all parties.)

4             THE COURT: All right, Solicitor. This is Judge John.  
5     If you would call the case, please, sir.

6             MR. BRACKETT: Yes, sir. Good afternoon, Your Honor.  
7     May it please the Court?

8             Your Honor, this is in reference to docket numbers 2014-  
9     GS-26-03751, which is a true-billed indictment, the State of  
10    South Carolina versus Randy Gale Robinson, this being an  
11    indictment for obstructing justice; and 2014-GS-26-03752, this  
12    being a true-billed indictment charging Randy Gale Robinson  
13    with the crime of murder. The Defendant is put to the bar as  
14    under these two indictments and pursuant to negotiations  
15    between the State of South Carolina and counsel for the  
16    Defense Mr. Morgan Martin of the Horry County Bar, the State  
17    of South Carolina has agreed to reduce the charge of murder to  
18    voluntary manslaughter and the State and the Defense have  
19    agreed to a sentencing range of no less than twenty-five years  
20    nor more than forty years.

21            THE COURT: All right, Solicitor, and you have  
22    communicated with the victim's family in this matter and  
23    complied with the victim's rights act. I understand we are  
24    only proceeding with qualifying the plea today; is that  
25    correct?

1           MR. BRACKETT: Yes, sir, Your Honor. I have spoken with  
2 the victim's family, they understand that this is going  
3 forward today. They've agreed to this procedure, did not want  
4 to be here for the qualification but would, of course, like to  
5 be in court when the sentencing hearing is held.

6           THE COURT: All right. Very good. And we'll discuss  
7 that before we finish but, if we do qualify the plea, it would  
8 be the Court's intention that we proceed with that Monday  
9 morning and we'll talk about the scheduling of that as to what  
10 time that would be.

11          MR. BRACKETT: Yes, sir.

12          THE COURT: All right. Madame Clerk, if you would place  
13 Mr. Robinson under oath, please.

14                               RANDY GALE ROBINSON, HAVING BEEN DULY  
15 SWORN, TESTIFIES AS FOLLOWS:

16          THE COURT: All right. Mr. Robinson, you understand that  
17 we are here to qualify your guilty plea. It's been presented  
18 to the Court that you, along with your attorney, have  
19 negotiated with the State and the State has communicated with  
20 the victim's family in this matter for a plea to voluntary  
21 manslaughter and obstruction of justice; is that correct?

22          MR. ROBINSON: Yes, sir.

23          THE COURT: You understand that to accommodate the  
24 victim's family in this matter, as well as the Solicitor, who  
25 has this case, the local Solicitor's office being recused,

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1 Solicitor Brackett is in York County. The Court is allowing  
2 him to participate electronically in the qualification of the  
3 plea but he will be present for the sentencing on Monday; you  
4 understand that?

5 MR. ROBINSON: Yes, sir.

6 THE COURT: And you have no objection to this process?

7 MR. ROBINSON: No, sir.

8 THE COURT: All right, sir.

9 All right, Mr. Robinson, give me your attention. You are  
10 coming before the Court and you are pleading guilty to the  
11 crimes of voluntary manslaughter and obstruction of justice;  
12 is that correct?

13 MR. ROBINSON: As you say.

14 THE COURT: You understand that these matters are coming  
15 before the Court as a result of negotiations. Negotiations  
16 that have been conducted among yourself, your attorney, the  
17 State and the representatives of the victim's; is that  
18 correct?

19 MR. ROBINSON: As you say.

20 THE COURT: I'd be more comfortable, Mr. Robinson, if you  
21 would ---

22 MR. ROBINSON: Yes, sir.

23 THE COURT: --- answer yes or no.

24 MR. ROBINSON: Yes. Yes.

25 THE COURT: So that would be clear upon the record that

1 you understand my questions and you are giving a clear  
2 response. Thank you.

3 Now, regarding these two pleas, you understand that the  
4 potential sentence for voluntary manslaughter is a minimum of  
5 two up to thirty years; do you understand that?

6 MR. ROBINSON: Yes.

7 THE COURT: Regarding obstruction of justice, you  
8 understand that the potential sentence there is a minimum of  
9 -- it's a zero up to ten years; you understand that?

10 MR. ROBINSON: Yes.

11 THE COURT: Now, the negotiations that have been  
12 conducted in this matter for this plea, you, your attorney,  
13 the State and the representatives of the victim have agreed to  
14 a sentencing range of a minimum sentence of twenty-five years  
15 and a maximum sentence of forty years; you understand that?

16 MR. ROBINSON: Yes, sir.

17 THE COURT: A couple of things on that, regarding a  
18 negotiated sentence, I am under no obligation to accept the  
19 negotiations. If I do not accept them, I would allow you to  
20 withdraw your pleas but you understand I am not bound to  
21 accept the negotiations; you understand that?

22 MR. ROBINSON: Yes.

23 THE COURT: All right, sir. Now, if I accept the  
24 negotiations, it's under the terms and conditions of the  
25 negotiated plea and sentence, you understand that?

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1 MR. ROBINSON: Yes, sir.

2 THE COURT: All right. Now, within that, again, the  
3 range is a minimum of twenty-five years up to a maximum of  
4 forty years. As I have explained to you, the maximum sentence  
5 for voluntary manslaughter is thirty years and for obstruction  
6 of justice is ten years. So, if the maximum range up to forty  
7 years, it would mean if the Court accepts that range that the  
8 potential exists that it would be a consecutive sentence for  
9 that would be the only way it could go up to forty years.  
10 That would be the thirty years for voluntary manslaughter and  
11 a consecutive sentence for obstruction of justice for ten  
12 years. Do you understand that?

13 MR. ROBINSON: Yes, sir.

14 THE COURT: All right, sir. Now, if at any point in time  
15 during this process, you don't understand anything, you have a  
16 question about anything, you need to indicate that to me, Mr.  
17 Robinson. You can raise your hand, you can tell your  
18 attorneys, but in some way you've got to affirmatively  
19 indicate to me you have a question or a problem. Are we in  
20 agreement there?

21 MR. ROBINSON: Yes, sir.

22 THE COURT: Very good. Understanding all these things  
23 that we have just now talked about, do you want to go forward  
24 with your two guilty pleas?

25 MR. ROBINSON: Yes, sir.

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1           THE COURT: Are you currently under the influence of any  
2 drugs or intoxicants of any kind or currently have any of that  
3 in your system?

4           MR. ROBINSON: No, sir.

5           THE COURT: Are you suffering from any kind of physical,  
6 mental, emotional problem that would keep you from  
7 understanding in any way what you are doing here today?

8           MR. ROBINSON: No, sir.

9           THE COURT: When you come before the Court and you plead  
10 guilty, you give up constitutional rights. Among those, the  
11 right to remain silent. When you speak to me, you give up  
12 that right. Do you understand that?

13          MR. ROBINSON: Yes, sir.

14          THE COURT: Other rights are the presumption of  
15 innocence, the right against self-incrimination at a trial,  
16 the State has to prove you guilty beyond a reasonable doubt.  
17 You plead guilty, you give up those rights. You understand  
18 that?

19          MR. ROBINSON: Yes, sir.

20          THE COURT: You are entitled to a jury trial, twelve men  
21 and women would be sitting in that box over there, listening  
22 to the facts and evidence presented by the State to see if  
23 there are indeed enough facts and evidence to prove you guilty  
24 beyond a reasonable doubt. You plead guilty, you give up that  
25 jury trial, you understand that?

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1 MR. ROBINSON: Yes, sir.

2 THE COURT: In that jury trial, with your attorneys, you  
3 can question the witnesses and the evidence presented by the  
4 State. If you wanted to, you could present a defense, you can  
5 testify, you can call witnesses, you can present evidence.  
6 But, when you plead guilty, you're giving up all of those  
7 rights. You understand that?

8 MR. ROBINSON: Yes, sir.

9 THE COURT: All right, sir. Now, you are coming before  
10 the Court and you are pleading guilty to the crime of  
11 voluntary manslaughter and the crime of obstruction of  
12 justice. Are you doing both of that, pleading guilty to both  
13 of those crimes, freely and voluntarily?

14 MR. ROBINSON: Yes, sir.

15 THE COURT: Of your own free will and accord?

16 MR. ROBINSON: Yes, sir.

17 THE COURT: Pleading guilty because you are indeed guilty  
18 of the crimes of voluntary manslaughter and obstruction of  
19 justice?

20 MR. ROBINSON: Yes, sir.

21 THE COURT: Did anybody promise you anything or threaten  
22 you or force you in any way to get you to plead guilty?

23 MR. ROBINSON: No.

24 THE COURT: All right, sir. Now, regarding these two  
25 charges, you understand that the obstruction of justice is the

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1 crime for which you are indicted by the Horry County Grand  
2 Jury and a true bill rendered on September 11th, 2014; you  
3 understand that?

4 MR. ROBINSON: Yes.

5 THE COURT: Regarding the charge of voluntary  
6 manslaughter, you understand this is a lesser included  
7 offense. You are actually indicted for murder by the Horry  
8 County Grand Jury on September 11th, 2014; you understand  
9 that?

10 MR. ROBINSON: Yes, sir.

11 THE COURT: Now, you have been represented in this matter  
12 by Mr. Morgan Martin and Ms. Rosemary Parham; is that correct?

13 MR. ROBINSON: Yes, sir.

14 THE COURT: Did you tell your attorneys everything you  
15 wanted to tell them regarding both of these charges?

16 MR. ROBINSON: Yes, sir.

17 THE COURT: Have you had more than sufficient time to  
18 talk to them regarding these cases?

19 MR. ROBINSON: Yes, sir.

20 THE COURT: Is there anything you need to discuss with  
21 them at this point in time before the Court considers whether  
22 or not it'll accept the guilty plea?

23 MR. ROBINSON: No, sir.

24 THE COURT: All right. You understand if you've got any  
25 questions, if there's anything that you need to discuss or

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1 anything that you have a question about, now is the time to be  
2 asking your attorneys because later on, it will be too late;  
3 you understand that?

4 MR. ROBINSON: Yes, sir.

5 THE COURT: And you are telling me you do not need any  
6 more time to talk to your attorneys; is that correct?

7 MR. ROBINSON: Yes, sir.

8 THE COURT: Are you satisfied with the representation  
9 that you have received in this matter?

10 MR. ROBINSON: Yes, sir.

11 THE COURT: Any complaints about the help or  
12 representation you have received in this matter?

13 MR. ROBINSON: No, sir.

14 THE COURT: All right. Mr. Martin, Mr. Parham, y'all  
15 have represented the interest of Mr. Randy Gale Robinson in  
16 these matters; is that correct?

17 MR. MARTIN: Yes.

18 MR. PARHAM: Yes, Your Honor.

19 THE COURT: He comes before the Court tendering his pleas  
20 of guilty to the crimes of voluntary manslaughter and  
21 obstruction of justice. Do you concur?

22 MR. PARHAM: Yes, Your Honor.

23 MR. MARTIN: Yes.

24 THE COURT: Do you believe he is coming before the Court  
25 of his own free will and accord?

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1 MR. MARTIN: Yes.

2 MS. PARHAM: Yes, Your Honor.

3 THE COURT: And have you explained to him his  
4 constitutional rights, any defenses he might have as well as  
5 the information, the evidence in the possession of the State?

6 MR. PARHAM: Yes, Your Honor.

7 MR. MARTIN: Thoroughly.

8 THE COURT: Thank you very much.

9 All right. Solicitor Brackett, if you would give the  
10 factual presentation from the State.

11 MR. BRACKETT: Yes, sir. Please the Court. Just prior  
12 to giving the factual presentation, I would just ask if the  
13 Court would consider the report from the Department of Mental  
14 Health. The Defendant was sent down at some point to have his  
15 competency evaluated. I don't believe competency has been an  
16 issue in this case. Mr. Martin certainly has always  
17 communicated that he believed that Mr. Robinson was all -- was  
18 competent at all times. But, for the record, since he was  
19 sent down, I think it would probably be prudent pursuant to  
20 *State v. Blair* if the Court would make a finding as regards to  
21 the Defendant's competency.

22 THE COURT: All right. And just to -- yes, sir -- and  
23 just to recognize that we previously had some motion hearings  
24 in this matter and it was placed on the record at that point  
25 in time -- and y'all correct me if I' wrong -- that the

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1 Defense was not challenging in any way or presenting to the  
2 Court that there was any defense in that regard or that Mr.  
3 Robinson had any deficit in any way regarding his mental  
4 capabilities, any type of illness that kept him from  
5 proceeding in these matters or preventing him from assisting  
6 in his defense and assisting his attorneys; is that correct,  
7 Mr. Martin?

8 MR. MARTIN: That is correct.

9 THE COURT: All right. Does -- Mr. Martin, do you have a  
10 copy of the findings from the ---

11 MR. MARTIN: Judge, I do not have -- I thought I had them  
12 here. Of course, we had discussed this earlier. The -- I  
13 have, again, they've made no finding as to the Defendant's  
14 capacity, criminal responsibility or the capacity to conform  
15 his conduct to the requirements of the law because he did not  
16 participate in that interview. But, we have made it clear to  
17 the Court that that is not an issue, that we are not raising  
18 that issue. We -- I did have -- Mr. Robinson was examined and  
19 that is not an issue. And we're not raising the issue of  
20 competency as well. Now, they made a finding, I think, as to  
21 competency but I don't have that before me at the present  
22 time.

23 THE COURT: All right. All right.

24 MR. BRACKETT: May it please the Court. I believe we  
25 emailed a copy of the report to your law clerk, Your Honor.

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1 If, at the conclusion of the plea, if you could perhaps -- or  
2 she can print it off and Mr. Martin can look at it and  
3 determine if that is the actual report from DMH, maybe that  
4 could just be entered as a Court's Exhibit and Your Honor can  
5 rely on that. I believe under *State v. Franklin* in  
6 determining your opinion as to his competency to ---

7 THE COURT: All right. Well, let me -- let the record  
8 reflect that I am currently looking at the competency to stand  
9 trial evaluation in an electronic forum that was conducted on  
10 Randy Gale Robinson. The date of the evaluation was September  
11 23rd, 2015, the date of the report was October 5th, 2015. It  
12 was -- the examiners were Rozanna Tross and Marsha DeRosier  
13 and in it -- that was the evaluation of the State in that  
14 matter. The -- they conducted their examination and  
15 evaluation and regarding that, that their clinical findings  
16 were that Mr. Robinson meets the -- I'm sorry -- regarding his  
17 competency to stand trial, that Mr. Robinson demonstrated a  
18 good understanding and appreciation of the nature and object  
19 of the proceedings against him. He was able to accurately  
20 describe the various participants in the proceedings, he was  
21 able to differentiate between the participants in the  
22 proceedings, he was able to accurately discuss the court  
23 process. He was able to note the differences between felonies  
24 and misdemeanors and was aware that his charge was a felony.  
25 He understood the nature of a plea bargain and various pleas

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1 that could be entered, those being guilty, not guilty, not  
2 guilty by reason of insanity and he was able to describe how  
3 he would go about deciding a plea offer with his attorney. He  
4 was also able to state the various rights he was giving up if  
5 he would take plea bargain in this matter. He understand he  
6 could choose not to testify. He knew what the evidence was,  
7 was able to discuss this in relation to his case. He was also  
8 able state the possible outcomes and sanctions against him  
9 regarding the charge. He reported that he had spoken with his  
10 attorneys and feels that he was able to communicate and work  
11 with them on the case. He reported an understanding of how to  
12 discuss the case with his attorney, understand the nature of  
13 the attorney/client privilege and was able to discuss certain  
14 courtroom procedures and processes. And, their evaluation was  
15 that Mr. Robinson demonstrated an ability to communicate with  
16 the evaluators and demonstrated thought and reason in his  
17 answers to the questions. Their impressions were that Mr.  
18 Robinson has the capacity to understand the proceedings  
19 against him and assist in his own defense and that there was  
20 no current evidence suggesting that there are any mental  
21 health symptoms impeding his ability to understand, comprehend  
22 or render assistance to the counsel. Again, that was rendered  
23 by the above-named evaluators on October 5th, 2015.

24       Regarding that then, Mr. Martin and Ms. Parham, is the  
25 Defense challenging those clinical findings or that evaluation

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1 in any way?

2 MR. MARTIN: No, sir.

3 MS. PARHAM: No, Your Honor.

4 THE COURT: Mr. Robinson, you've discussed that with your  
5 attorneys; is that correct?

6 MR. ROBINSON: Yes, sir.

7 THE COURT: And you understand that they have indicated  
8 on your behalf that you are competent to stand trial, you are  
9 competent to come forward in these proceedings, you have been  
10 able to assist them in your defense, that you have an  
11 understanding of the process, and that you are not diminished  
12 or incapacitated in any way; do you understand that?

13 MR. ROBINSON: Yes, sir.

14 THE COURT: And are you in agreement with that?

15 MR. ROBINSON: Yes, sir.

16 THE COURT: And you have told your attorneys to so state  
17 that to the Court; is that correct?

18 MR. ROBINSON: Yes, sir.

19 THE COURT: Very good.

20 Yes, Solicitor?

21 MR. BRACKETT: Very good, Your Honor. As far as the  
22 factual basis is concerned, Your Honor, the victim in this  
23 case is a lady named Angela Grace Pipkin. Your Honor, on  
24 Thursday, January 16th of 2014, Ms. Pipkin met her friend,  
25 Dominique Sessions, in Aynor asking him to provide her a ride

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1 to a friend's house in Murrells Inlet. Mr. Sessions agreed to  
2 drive Ms. Pipkin to the home of Randy Robinson, the Defendant,  
3 which is located in Murrells Inlet there in Horry County. She  
4 arrived at some point after 7:00 P.M. and remained in the  
5 house until approximately 9:30 P.M. These times we're able to  
6 establish, Your Honor, the use of cell phone records, by the  
7 phone calls that were made from her phone using cell towers or  
8 phone calls that were made from Mr. Robinson's phone because  
9 at some point in that evening, around 8:30 or 9 o'clock, her  
10 phone died, the battery expired, and she was no longer able to  
11 place phone calls from her phone and she started using the  
12 Defendant's phone. So, we were able establish her location  
13 through that. Over the next one to two hours after leaving  
14 Mr. Robinson's home at about 9:30, the Defendant and the  
15 victim were in Socastee. They were seen at a Rite Aid and two  
16 by -- two nearby convenience stores. Both of them were seen  
17 on surveillance video at the Rite Aid and Ms. Pipkin was seen  
18 on the surveillance video from the nearby convenience stores.  
19 Sometime after midnight, two more calls were made from the  
20 Defendant's cell phone. The calls were made to people that  
21 were unknown to Mr. Robinson; they were friends of Ms.  
22 Pipkin's. The calls did not go through; they didn't complete.  
23 And the cell tower records indicate that the calls were made  
24 from a location near the cell tower near Mr. Robinson's home  
25 where he did -- where the cell tower that usually is pinged

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1 when he's making a call from his home. At approximately --  
2 again, those two phone calls that are around midnight were not  
3 completed, they went to voice mail. At around 3:30 in the  
4 morning, Dominique Sessions, one of the friends that had been  
5 called around midnight called and texted back responding to  
6 the previous calls. The Defendant left a voice mail basically  
7 instructing Mr. Sessions never to call that again and sent a  
8 text to Mr. Sessions saying, and this was at about 3:30 in the  
9 morning on the 17th, saying effectively, come and get your  
10 whore, those were his exact words in the text. After being  
11 seen on the convenience store surveillance video in Socastee  
12 at around 10:00 to 10:30 P.M. on the 16th, Angela Pipkin was  
13 never seen or heard from again. In the early morning hours of  
14 Sunday -- well, let's back up one minute -- on Saturday the  
15 18th of January, the Defendant called his friend Thomas Suggs,  
16 a friend of his who lived in Darlington County on Cashua Ferry  
17 Road, about two miles from the Cashua Ferry bridge that leads  
18 into Marlboro County. He spoke with his friend, Mr. Suggs,  
19 and at some point he mentioned needing help or advice on  
20 disposing of a body. Mr. Suggs thought that he was joking at  
21 that time and did not take him seriously. In the early  
22 morning hours of Sunday, January the 19th, the next day, the  
23 Defendant called Mr. Suggs again at around 6:00 A.M. or 6:30  
24 saying that he was about thirty minutes away and asking if he  
25 could drop by. Again, cell tower records indicate that he was

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1 approximately thirty minutes away on his way from Murrells  
2 Inlet on a direct route from Murrells Inlet to Mr. Suggs'  
3 home. According to Mr. Suggs, the Defendant pulled up at the  
4 Suggs' residence and came in the house for a brief period of  
5 time. Mr. Suggs was present in the house along with Mr.  
6 Suggs' girlfriend, Miranda McKenzie. According to Mr. Suggs,  
7 the Defendant indicated that he had some hog parts in his  
8 truck and he asked for help in getting rid of them. After  
9 staying in the house for some period of time, Suggs and the  
10 Defendant left together in the Defendant's truck. They drove  
11 about one to two miles away to the Cashua Ferry bridge, which  
12 spans the Great Pee Dee River. According to Mr. Suggs, while  
13 on the bridge, he observed the Defendant start to throw things  
14 over the edge of the bridge and heard them splashing in the  
15 water below. He was pulling -- Mr. Robinson was pulling these  
16 items out of garbage bags and a large garbage can that were in  
17 the back of Mr. Robinson's truck. At one point, he turned and  
18 saw Mr. Robinson holding what appeared to be a human leg in  
19 his hands. After this, the Defendant and Mr. Suggs rode back  
20 to Mr. Suggs' house and there they burned Mr. Robinson's  
21 clothes, some other items including the garbage can and the  
22 garbage bags and then sometime shortly after that, Mr.  
23 Robinson left and returned to Murrells Inlet. Early the next  
24 morning on the 20th, Monday the 20th, at about 7:15, Mr.  
25 Robinson was seen on video at the Home Depot near his house

1 purchasing a pressure washer for just over \$300. His bank  
2 records verify that he made this purchase. Witnesses in the  
3 neighborhood, neighbors who lived near him, observed him that  
4 morning using the pressure washer to wash his driveway, the  
5 garage and his truck and they thought this was unusual. It  
6 was very cold that day.

7 In May of -- during this time period, shortly after --  
8 after the pressure washing on the 20th, loved ones, the family  
9 of Ms. Pipkin reported to the police that she was missing, and  
10 on the 26th a formal investigation was commenced and law  
11 enforcement contacted Mr. Robinson and asked him if he had any  
12 information as to her whereabouts. Mr. Robinson claimed to law  
13 enforcement that he had not seen her, he had no information,  
14 that he had not seen her since either the end of December or  
15 early January. He gave various answers. This later turned  
16 out to be false and he later admitted that he had mislead in  
17 subsequent interviews, that he had not told the truth and that  
18 he had in fact seen her on the Thursday, the 16th, as Mr.  
19 Sessions reported when he dropped her off at his house.

20 In May of 2014, a worker working near the river of the  
21 Great Pee Dee River in Florence County, down river from where  
22 the Cashua Ferry bridge was located, saw the remains of a  
23 human torso in the brush on the banks of the river. The Pee  
24 Dee had been very high and then the water had receded and  
25 apparently left this torso among the brush. He notified

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PLEA HEARING

21

1 authorities, they recovered the torso and vertebrae. DNA was  
2 recovered from the vertebrae of the torso, sent to SLED and  
3 compared with a known DNA sample of Angela Pipkin and SLED  
4 reported that the DNA located on the torso was the DNA of  
5 Angela Pipkin. In addition, on her back -- there wasn't very  
6 much left, it was mostly bone, but there was a piece of skin  
7 which had a tattoo which the mother positively identified as  
8 being a tattoo that her daughter had.

9 Autopsy was conducted on the torso and it was revealed  
10 that -- from looking at it from the remains that were left of  
11 it, they could determine that Ms. Pipkin died a violent death  
12 and that after her death, some sort of power saw or power tool  
13 was used to separate her limbs and her head from the torso.

14 That would be the facts for the voluntary manslaughter  
15 and the obstruction of justice, Your Honor.

16 THE COURT: All right. First, based upon the Court's  
17 examination of the findings of the examiners, the Court  
18 questioning of the Defendant and his counsel, the Court adopts  
19 the findings of the examiners regarding the competency of the  
20 Defendant and his ability to participate in these proceedings  
21 and in his defense.

22 Mr. Robinson, did you hear the facts as presented by the  
23 State through Solicitor Brackett?

24 MR. ROBINSON: Every word.

25 MR. MARTIN: And, Judge, let me say for him, at this

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22

1 point in time and -- there was a lot said there. There are  
2 some things that we do not concur with, that we make it  
3 ultimately clear that we would concur with the fact that he --  
4 there is a basis for a plea of manslaughter and obstruction of  
5 justice and that he accepts that and admits to those acts.

6 THE COURT: Well, I think we need further clarification  
7 then. So, apparently, there are some facts and conclusions  
8 then that you do not agree with that Solicitor Brackett just  
9 stated; is that correct, Mr. Robinson?

10 MR. ROBINSON: Yes, sir.

11 THE COURT: And what might those be?

12 MR. MARTIN: Well, Judge, let me say, if I can, again, I  
13 think what I'm saying is there was a lot said there.

14 THE COURT: I appreciate there was a lot said and it was  
15 a factual presentation by the State of South Carolina.

16 MR. MARTIN: Right.

17 THE COURT: If Mr. Robinson does not agree with that, I  
18 need to know in the particulars in which he does not agree.

19 MR. MARTIN: Well, let me ---

20 THE COURT: The Court will not accept some blanket  
21 statement that some of it's true or some things he don't agree  
22 with.

23 MR. MARTIN: Well, my point was it was a wide ranging  
24 presentation with matters that do not impact manslaughter or  
25 that. I don't know if there is anything that we would

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23

1 disagree is not true. It's simply a matter of the conduct  
2 that he's pleading guilty to does not encompass all of the  
3 facts given by the Solicitor. That's all I'm trying to say to  
4 the Court.

5 Judge, we're ready to go forward, though.

6 THE COURT: Mr. Robinson, you were indicted for murder.  
7 The State has come forward to say that they would accept from  
8 you a plea to voluntary manslaughter. The State has made a  
9 presentation of facts that would substantiate the charge and  
10 the crime of voluntary manslaughter and obstruction of  
11 justice. Do you disagree in any shape, manner or form with  
12 the facts as presented regarding the charges of voluntary  
13 manslaughter and obstruction of justice?

14 MR. ROBINSON: No, sir.

15 THE COURT: You agree that you have committed the crimes  
16 of voluntary manslaughter and obstruction of justice?

17 MR. ROBINSON: Yes, sir.

18 THE COURT: No question or doubt in your mind to that.

19 MR. ROBINSON: No, sir.

20 THE COURT: Have you understood my questions here today?

21 MR. ROBINSON: Yes, sir.

22 THE COURT: Have all your answers to me been the truth?

23 MR. ROBINSON: Yes, sir.

24 THE COURT: Did you -- did anyone tell you what to say to  
25 the Court?

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PLEA HEARING

24

1 MR. ROBINSON: No, sir.

2 THE COURT: They're your answers, correct?

3 MR. ROBINSON: Yes, sir.

4 THE COURT: You understand you have the right to appeal  
5 your guilty plea after any sentencing within ten days of that  
6 sentencing; do you understand that?

7 MR. ROBINSON: Yes, sir.

8 THE COURT: I find there's been a substantial  
9 presentation of the facts. I find the Defendant has  
10 understood those facts, that he has agreed that he has  
11 committed the crimes of voluntary manslaughter and obstruction  
12 of justice.

13 I find the Defendant has knowingly and intelligently  
14 understood his rights and waived those rights. He has  
15 received the assistance of more than competent counsel with  
16 whom he is satisfied. Therefore, the Court accepts the guilty  
17 pleas of Randy Gale Robinson to the crimes of voluntary  
18 manslaughter and obstruction of justice.

19 We will proceed with sentencing on Monday, this coming  
20 Monday, at 2:00 P.M., at 2:00 P.M. in this courtroom at the  
21 courthouse, Monday at 2:00 P.M.

22 Any problem with that, Solicitor Brackett?

23 MR. BRACKETT: No, Your Honor. The State will be there  
24 and prepared to move forward with sentencing at that time.

25 THE COURT: Any problem with that, Mr. Martin or Ms.

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PLEA HEARING

25

1 Parham?

2 MR. MARTIN: No, sir.

3 MS. PARHAM: No, Your Honor.

4 THE COURT: All right. With that, the Defendant is  
5 committed to the custody and control of the Horry County  
6 Sheriff's Office and the J. Reuben Long Detention Center and  
7 he will be presented back to the Court on Monday.

8 What time would you want the Defendant back to the  
9 courthouse, Mr. Martin?

10 MR. MARTIN: Well, we'll obviously see him in between,  
11 but I'd say 1:30.

12 THE COURT: All right. At the very latest. I would say  
13 probably more like 1 o'clock, make sure that the Detention  
14 Center knows that he is to be back here at the courthouse by  
15 1:00 P.M. on Monday.

16 Thank you very much.

17 MR. MARTIN: Thank you, Your Honor.

18 MS. PARHAM: Thank you, Your Honor.

19 THE COURT: Thank you, Solicitor Brackett. I'll see you  
20 Monday.

21 MR. BRACKETT: Yes, sir. See you then.

22 (ADJOURNED.)

23

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C E R T I F I C A T E

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I, the undersigned, Kay H. Richardson, Official Court Reporter for the State of South Carolina, do hereby certify that the foregoing is a true, accurate and complete Transcript of Record of the hearing held in the case of State of South Carolina versus Randall Gale Robinson, held in the Court of General Sessions for Horry County, Horry County Courthouse, Conway, South Carolina, on November 8, 2016, taken by Dixie C. Eubank.

I do hereby certify that I am neither of kin, counsel, nor interest to any party hereto.

---

Kay H. Richardson

Official Court Reporter

January 12, 2017.

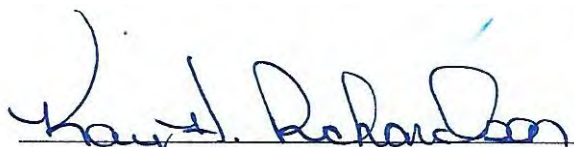
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CERTIFICATE OF COURT REPORTER

53

C E R T I F I C A T E

I, the undersigned, Kay H. Richardson, Official Court Reporter for the State of South Carolina, do hereby certify that the foregoing is a true, accurate and complete Transcript of Record of the hearing held in the case of State of South Carolina versus Randall Gale Robinson, held in the Court of General Sessions for Horry County, Horry County Courthouse, Conway, South Carolina, on November 14, 2016, taken by Dixie C. Eubank.

I do hereby certify that I am neither of kin, counsel, nor interest to any party hereto.

A handwritten signature in blue ink, reading "Kay H. Richardson", is written over a horizontal line.

Kay H. Richardson

Official Court Reporter

January 12, 2017.

STATE OF SOUTH CAROLINA ) IN THE COURT OF GENERAL SESSIONS

COUNTY OF HORRY ) 2014-GS-26-03751,03752

STATE OF SOUTH CAROLINA, )

Plaintiff, )

vs. )

RANDY GALE ROBINSON, )

Defendant. )

**Transcript of Record**  
(Sentencing)

November 14, 2016

**B E F O R E:**

Honorable Steven H. John  
Horry County Courthouse  
Conway, South Carolina

**A P P E A R A N C E S:**

Kevin S. Brackett, Esquire  
Walter William Thompson, Sr.  
**Attorneys for Plaintiff**

L. Morgan Martin, Esquire  
Rosemary Parham, Esquire  
**Attorneys for Defendant**

**TAKEN BY:**

Dixie C. Eubank  
**Circuit Court Reporter**

**PREPARED BY:**

Kay H. Richardson  
**Circuit Court Reporter**

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E X H I B I T S

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(NOVEMBER 14, 2016)

THE COURT: Go ahead, Solicitor Brackett.

BY MR. BRACKETT:

MR. BRACKETT: Good afternoon, Your Honor. May it please the Court. Your Honor, we're back on the record on indictments 2014-GS-26-03751 and 03752. These are indictments respectively charging Randy Gale Robinson with obstruction of justice and the crime of murder to which the Defendant enters pleas of guilt on November the 8th of this year, Tuesday of last week, to the charge of voluntary manslaughter and obstruction of justice pursuant to negotiations between the State and counsel for the Defendant in which the Defendant admitted his guilt on these charges and accepted to a sentence ranging between twenty-five and forty years in the discretion of the Court.

Your Honor, I was allowed to participate telephonically in conducting that plea because I am obviously some distance, being the Solicitor in York County three and a half hours away, and needed to resolve this matter if it was going to be resolved by plea quickly and I appreciate the Court and counsel indulging me in allowing me to participate in that manner.

THE COURT: Yes, sir.

COURT'S EXHIBIT NUMBER ONE

MARKED FOR IDENTIFICATION

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BY BRACKETT

4

1           MR. BRACKETT: Your Honor, one matter of housekeeping  
2 before we move into the sentencing phase, I have what's been  
3 marked as Court's Exhibit Number One, which is the report of  
4 the Department of Mental Health dated October 7th, 2015,  
5 issued by Dr. Allyson Sipes, drafted by Dr. Rozanna Tross.  
6 This is a competency evaluation. As Your Honor will recall,  
7 you conducted a Blair hearing, during the course of the plea  
8 that was taken last and we do not have a copy of that. You  
9 had an electronic copy that you reviewed at the time. I am  
10 now entering as Court's Exhibit One the report that you relied  
11 on in forming your opinion as to the Defendant's competency  
12 pursuant to *State v. Ellis Franklin*.

13           THE COURT: Mr. Martin, have you had an opportunity to  
14 look at that printed exhibit?

15           MR. MARTIN: We have, Your Honor.

16           THE COURT: And as you've indicated previously, but I  
17 would like to confirm that the Defendant does not challenge  
18 those findings in any way?

19           MR. MARTIN: He does not.

20           THE COURT: All right. Very good.

21           Yes, sir, Solicitor.

22           MR. BRACKETT: The State is prepared to move forward on  
23 the issue of sentencing and for the record, Your Honor, the  
24 State has complied with the victim's rights act. Numerous  
25 members of the Defendant -- of the victim's family and friends

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BY BRACKETT

5

1 are present in the courtroom. And, at the appropriate time,  
2 members of the family would like to address the Court on the  
3 issue of sentencing.

4 THE COURT: Very good. You may proceed, Solicitor.

5 MR. BRACKETT: Yes, sir. As I indicated last week, Your  
6 Honor, I would like to take the opportunity -- I gave a brief  
7 recitation of the facts. This is a complex investigation.  
8 It took a great deal of time on the part of the Horry County  
9 Police Department. They did an outstanding job in conducting  
10 the investigation but it's a detailed situation requiring a  
11 little more time and energy than we typically involve. And, I  
12 would like to, if the Court would indulge me, I would like to  
13 go into a little more detail than you heard last week.

14 THE COURT: You may proceed.

15 MR. BRACKETT: In addition to that, we have -- throughout  
16 the proceedings there will be photographs that have been  
17 marked as State's Exhibit One through Twenty-five and when  
18 appropriate, I will be referencing those. My investigator  
19 Mary Collins is in the courtroom and she will be putting those  
20 photographs up.

21 THE COURT: Very good.

22 MR. BRACKETT: I believe all these photographs have been  
23 provided to Mr. Martin in discovery.

24 MR. MARTIN: They have, Your Honor.

25 THE COURT: All right. So, at this point in time,

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6

1 Solicitor, did you want to move those into evidence as part of  
2 the sentencing phase?

3 MR. BRACKETT: Yes, sir, Your Honor, we would at this  
4 time move these into -- as State's Exhibits One through  
5 Twenty-five.

6 THE COURT: Any objection to that, Mr. Martin, Ms.  
7 Parham?

8 MR. MARTIN: There's no objection to the photographs,  
9 Your Honor.

10 THE COURT: All right. Very good.

11 STATE'S EXHIBIT NUMBERS ONE THROUGH TWENTY-FIVE

12 ADMITTED INTO EVIDENCE

13 THE COURT: Go ahead, Solicitor.

14 MR. BRACKETT: Thank you, Your Honor.

15 Your Honor, the facts of this case in more detail are as  
16 follows: The Defendant and the victim in this case, Ms. Angie  
17 Pipkin, Angela Grace Pipkin, at some time in October of 2013,  
18 according to what the Defendant had said, they both -- the  
19 victim had substance abuse issues and frequented various bars  
20 in the Murrells Inlet. The Defendant also had a history of  
21 substance abuse and it was -- and he was also a regular patron  
22 of bars in the Murrells Inlet. The extent of their  
23 relationship between October and December of 2013 is largely  
24 unknown. However, in December of 2013, they came to the  
25 attention of the authorities when the Defendant made a report

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BY BRACKETT

7

1 to the Horry County Police Department that the victim had  
2 taken his truck and an ATM card. On approximately December  
3 21st, had disappeared with the truck without his permission  
4 and used his ATM card to withdraw money from his bank account.  
5 Apparently, they reconciled at some point after that because  
6 again, on December 28th, the Defendant came to the police and  
7 claimed that she had taken his truck again without his  
8 permission and his ATM card and also taken some money from his  
9 account and had disappeared this time and he had no idea of  
10 her whereabouts. After the 12/28 incident, the victim left  
11 Horry County at some point and went to Charleston for  
12 approximately two weeks, and she remained there until about  
13 the 11th of January. On the 16th of January, the Defendant  
14 and the victim communicate and arranged for the victim to come  
15 to the Defendant's house, which is located in Murrells Inlet  
16 over in -- here in Horry County.

17 On that day, the victim spoke with the Defendant by  
18 telephone from her home, her mother was present during that  
19 conversation. Afterwards, the victim was taken by her  
20 grandfather, Mr. H.D. Alford, and dropped off at the IGA food  
21 store in Aynor. From there, she went and met up with a friend  
22 of hers named Dominique Sessions who agreed to drive her to  
23 the Defendant's home in Murrells Inlet. She arrived there  
24 approximately 7:30 P.M. that night. The victim's phone at  
25 that time was low on battery power. She only had a little bit

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1 of battery power left in her phone. Between 7:30 P.M. -- and  
2 I can show you, this is the Defendant's house, State's Exhibit  
3 One. Is that ---

4 THE COURT: Yes, sir.

5 MR. BRACKETT: Between 7:30 P.M. until 3:30 A.M. on  
6 January the 17th, their actions and movements are largely only  
7 known because of cell phone use, cell phone tower information,  
8 and surveillance camera footage that was obtained during the  
9 course of the investigation. It appears that she made from  
10 her phone several calls to her friends before her phone died.  
11 Sometime after about 8:30, calls to her friends started  
12 occurring on the Defendant's phone. She started using his  
13 phone to call people that she knew but were unknown to the  
14 Defendant. At some point, about 9:30, they left the home and  
15 went to Socastee. While there, they were seen on surveillance  
16 footage at the Turtle Market in Socastee, at the Rite Aid and  
17 Hess Wilco gas station. She was seen at the Hess Wilco and  
18 the Turtle Market, not the Defendant but they were both seen  
19 on surveillance footage at the Rite Aid and then the Defendant  
20 came back into the Rite Aid sometime later by himself.

21 At approximately midnight -- and let me back up. The  
22 phone calls that were made from her phone to her friends and  
23 the phone calls that were made from his phone to their friends  
24 before they left at 9:30, we can determine that those phone  
25 calls were made from Mr. Robinson's house because they used

1 the cell tower and the side of the cell tower that he  
2 typically hit on when he made calls from his home. So, we  
3 were able to determine their approximate location and it was  
4 on the side of the cell tower that would be used from his  
5 phone -- from his house. And we were actually able to  
6 determine with particularity that it was at that location  
7 because his house sits right between two towers and when you  
8 walk from one end of his house to the other, sometimes the  
9 phone call will hand off from one tower to the other, which is  
10 an usual feature of the geography and location of his house  
11 and the location of those two towers.

12 Moving forward at around midnight, two more calls were  
13 made from Mr. Robinson's phone to friends of Angie Pipkin to  
14 the friends unknown to the Defendant. Those calls were again  
15 made from Mr. Robinson's home. At 3:30 P.M. a call or text  
16 came through from Dominique Sessions, the gentleman who drove  
17 Angie Pipkin to the house. A call in which he was responding  
18 to some of the calls that Ms. Pipkin had made earlier in the  
19 evening. He had not answered any of those calls. But later  
20 on, he responded and called back and tried to reach -- on the  
21 Defendant's phone, tried to reach Angie.

22 At 3:30, approximately, in the morning of the 17th, a  
23 text was sent from Mr. Robinson's phone to Mr. Sessions,  
24 State's Exhibit Two. At 3:28 A.M. he texted, What up? And  
25 Mr. Robinson's phone texted back, Fuck off, come get your

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10

1    whore.  So, from this, we can conclude the Angie Pipkin was  
2    probably alive at 3:28.  That's the last we heard from Ms.  
3    Pipkin or that Ms. Pipkin was alive or anything of the sort.  
4    The next information we have comes from an individual named  
5    Thomas Suggs, a friend of the Defendant's.  Mr. Suggs relates  
6    that on Friday or Saturday, that Mr. Robinson called him and  
7    in the course of the conversation he asked Mr. Suggs, Do you  
8    know of a good place to get rid of a body?  Now, Mr. Suggs  
9    knew Mr. Robinson to be somewhat of a blowhard, so he assumed  
10   that he was just talking big or not being serious and so he  
11   did not take the comments seriously.

12           Sunday, January 19th, at about 6 o'clock in the morning,  
13   thereabouts, a phone call was made from Mr. Robinson's phone  
14   to Mr. Suggs' phone and this time the phone call is on a tower  
15   that is approximately thirty minutes away from where Mr.  
16   Suggs' home is in the County of Darlington.  He asks if he can  
17   come by that morning.  And this is 6:00 or 7 o'clock in the  
18   morning.  Mr. Suggs agrees and the Defendant stops by his  
19   house in his pickup truck, which is State's Exhibit Eight.  In  
20   the back of the pickup truck is a large plastic garbage can  
21   and number of plastic garbage bags.  This is the home of Mr.  
22   Suggs, Exhibit Nine.  He comes into the home -- Mr. Suggs had  
23   been drinking with his girlfriend, Miranda McKenzie, who is  
24   also present in the home.  They'd been drinking most of the  
25   night and were inebriated.  Mr. Suggs says that the Defendant

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BY BRACKETT

11

1 told him that he had a hog cut up and that it was illegal to  
2 dispose of it and he needed help getting rid of it and could  
3 he please come with him and show him a place where he could  
4 dump this hog carcass. Mr. Suggs said he agreed to go with  
5 him, got into Mr. Robinson's truck and they drove about a mile  
6 and a half from Mr. Suggs' house down the road, turned left  
7 out of Mr. Suggs' house, go down to Cashua Ferry Road to the  
8 Cashua Ferry bridge, State's Exhibit Ten. This is a bridge  
9 that spans the Great Pee Dee River, and as you can see from  
10 the photograph, it's little blurry, it's taken from a  
11 helicopter, it was taken at approximately the same time, right  
12 around that -- early of 2014. There had been a great deal of  
13 rainfall at that time in the low country and throughout the  
14 state and the Great Pee Dees -- the river was swollen, it is  
15 swollen up over its banks and into the trees. The river was  
16 moving rapidly. They arrived at the bridge over the Great Pee  
17 Dee River and, according to Mr. Suggs, Mr. Robinson stopped  
18 the truck on the bridge, it was early morning and misting,  
19 there was a lot of fog on the water. And he says Mr. Robinson  
20 reached into the back of the pickup truck -- he stood off  
21 across, away from the pickup truck but he looked back and  
22 observed Mr. Robinson pulling pieces of a human being that had  
23 been dismembered from the garbage can in the back of the truck  
24 and from garbage bags and throwing them off the bridge and he  
25 could hear the splashes echoing under the bridge as the body

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12

1 parts hit the water. He, of course, says he was intoxicated  
2 and he didn't quite know what to do. He went back to his home  
3 with Mr. Robinson. When they arrived there, according to  
4 Miranda McKenzie, the Defendant had blood on him. They took  
5 their clothes off, burned the clothes, the plastic garbage can  
6 and the plastic garbage bags in a burn pile behind Mr. Suggs'  
7 house. State's Exhibit Eleven. Shortly after that, Mr.  
8 Robinson left.

9       While there, though, one fact, Mr. Robinson related to  
10 Mr. Suggs, recalled that they had taken a martial arts class  
11 together when they were younger. They had been friends in  
12 Florence when they were younger and that when they were  
13 teenagers, young men, they had taken a martial arts class  
14 together. And Mr. Robinson related to Mr. Suggs how they had  
15 learned that a punch to the throat would disable someone and  
16 allow you to gain the advantage on them and overcome them.

17       Mr. Suggs, not to his credit, did not call law  
18 enforcement. He did not call the police. He sat on that  
19 information. He indicates that he was afraid that he would  
20 get himself into trouble and he didn't know what to do.

21       The next morning at about 7:15 A.M., law enforcement was  
22 able to uncover a video of Mr. Robinson at the Home Depot near  
23 his home in Murrells Inlet. He was there purchasing a 2700  
24 PSI Home Life pressure washer at 7:15 in the morning. The  
25 video surveillance showed him there, showed him holding the

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BY BRACKETT

13

1 box. Records from the store indicate that it was purchased at  
2 that register at that time and corresponding bank records  
3 indicate that a purchase was made by Mr. Robinson at that time  
4 for that amount.

5 Neighbors of Mr. Robinson indicate that they saw him out  
6 there at his home in the morning pressure washing his truck,  
7 his driveway and his garage. They indicated that they thought  
8 that was very unusual, they did not see Mr. Robinson doing  
9 work around his home very often and in particular it struck  
10 them as odd because it was extremely cold.

11 On January 22nd, Gail Pipkin, Angela Pipkin's mother  
12 reports to the police that she's missing. As I indicated at  
13 the outset, Angela Pipkin had a troubled past, she had  
14 substance abuse issues but the one thing that she had always  
15 been faithful, she always checked in with her mother and  
16 particularly she checked in with her two kids on a regular  
17 basis. She rarely went for more than a day without calling to  
18 find out how they were doing and to let them know that she was  
19 okay. They had not heard from her for several days. They  
20 became very concerned and reported her disappearance to law  
21 enforcement.

22 On January 26th, Detective Martin of the Horry County  
23 Police Department spoke with the Defendant on the phone, they  
24 had learned that the last place that she had been going to was  
25 his house from the family. They were able to contact him on

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BY BRACKETT

14

1 the telephone. Mr. Robinson indicated to Detective Martin  
2 that he had not seen the victim since December. He had no  
3 idea where she was and that he had not seen her since the  
4 December incidents involving the theft of his truck and the  
5 money from his bank account.

6 A search of the Defendant's home revealed nothing except  
7 that they found his home to be immaculate. It was in  
8 excellent condition. One thing of interest, State's Exhibit  
9 Twelve, this is a photograph of the interior of the garage.  
10 You can see there's a table and two chairs and there's a  
11 little carpet or something on the floor there, apparently a  
12 dog sleeping there. Directly behind the table that the dog is  
13 sleeping in front of is the Home Life pressure washer that was  
14 purchased and the box is still sitting right there by the  
15 garage door.

16 The Defendant was interviewed at his home. He again, in  
17 the interview at his home which lasted about two hours and  
18 forty-five minutes, he again denied having seen her since  
19 December, did not know of her whereabouts. And when he was  
20 confronted with proof that she had been to his house, that a  
21 witness had dropped her off at the house on the 16th and that  
22 phone records indicated that she had been there, he indicated,  
23 he admitted that he had been misled the investigators when he  
24 spoke to them earlier and that he had done so out of concern  
25 because he wanted to protect Angela Pipkin.

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15

1           From the end of January through February 7th, law  
2 enforcement spoke with the Defendant several times, attempted  
3 to interview him and to conduct a polygraph examination; those  
4 were unsuccessful. On February the 10th, the Defendant was at  
5 the Wildhorse Saloon on 707 here in Horry County. He was  
6 drinking. He stayed until the bar closed. And at one point,  
7 he was one of the only people in there or the only customer  
8 left in there. There were two employees that were in the  
9 Jessie and Megan. They indicate that he was acting bizarrely,  
10 that he was saying things that were making them nervous. He  
11 pulled a knife out at one point and placed it on the bar. He  
12 talked about how you would kill somebody and if you wanted to  
13 kill somebody the best way to do it was to punch them in the  
14 throat. They would be disabled and easily overcome. They  
15 were very concerned. Ultimately, they were able to usher him  
16 out saying the bar has to close, we have to go home. He left  
17 peacefully but they were so concerned because his behavior was  
18 so bizarre that they called the police the next day who came  
19 out, took a statement from them and recovered the surveillance  
20 video from there. I show you State's Exhibits Three. In the  
21 center with the hat on and his arm extended is the Defendant  
22 Randy Robinson. On the left is Jesse Borum, who was an  
23 employee of the bar. He is in the process -- these stills  
24 were selected particularly -- we interviewed Mr. Borum and  
25 discussed with him exactly what was said and he reviewed the

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1 video and these stills are what -- he says these stills were  
2 taken when Mr. Robinson was showing and demonstrating with his  
3 hands how you would strike someone in the throat. State's  
4 Exhibit Four, State's Exhibit Five, Six and Seven. In Seven,  
5 you can see the bartender Meagan Tahiri in the bottom right-  
6 hand corner. She verified that Mr. Robinson's behavior was  
7 bizarre and that it disturbed them tremendously to hear him  
8 discuss things such as how you would go about killing someone.

9 On February 27th, the police sought and obtained a  
10 warrant for obstruction of justice. The Defendant was  
11 arrested and interviewed. No significant information was  
12 gleaned from that interview. Eventually, the interview was  
13 terminated. That arrest did however receive some news  
14 coverage and in Darlington County, member of Thomas Suggs'  
15 family were at a party with Mr. Suggs. Mr. Suggs was  
16 intoxicated and he told his family that he had something that  
17 had been bothering him, had been weighing on his conscious and  
18 he didn't know what to do about it and he needed help, he  
19 wanted to discuss it with somebody. And he ultimately told  
20 his family that Randy Robinson had come to his house and that  
21 he had witnessed him disposing of the body off the Cashua  
22 Ferry bridge road. Family members called law enforcement and  
23 Horry County Police detectives went to Mr. Suggs' home and  
24 interviewed him where, after assuring him he would not be  
25 charged for his role in that, in the disposal of the body if

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17

1 he would just lead them to where it was. He ultimately told  
2 them all about the events that transpired on the 19th of  
3 January when Mr. Robinson came to his home with the body in  
4 the back of his truck and throwing it off the bridge.

5 On March the 6th, DNR attempted to search the river area  
6 around the bridge with negative results. Miranda McKenzie  
7 gave a statement verifying that Robinson had come over but she  
8 had stayed in the house then entire time. She was not able to  
9 verify the events that took place at the bridge. She did not  
10 go to the bridge but she did observe that something was being  
11 burned in the backyard.

12 On March the 6th, the Defendant was charged with the  
13 murder of Angela Pipkin. On March the 7th, with the arrest of  
14 Mr. Robinson made public, one Angelina D'Amato called law  
15 enforcement. She told them that the Defendant had been coming  
16 to her restaurant where she was a waitress for some time and  
17 that he had basically been flirting with her and coming onto  
18 her and that he came on a regular basis with a friend of his  
19 and they sat there. And at one point in time, she said this  
20 individual that she now knew from seeing the press that that  
21 individual was Randy Robinson. She said at some point in  
22 time, that man gave her a ring and she was concerned could  
23 this ring possibly have anything to do with the case. She  
24 turned the ring over to law enforcement. Law enforcement  
25 showed the ring to victim's mother, Gail Pipkin, who

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18

1 positively identified the ring as having belonged to Angela  
2 Pipkin and she told them that the ring had been given to Ms.  
3 Pipkin by a friend of theirs, a mutual friend named Martha  
4 Dew. Law enforcement then went and found Ms. Dew, showed her  
5 the ring and she identified it as the ring that she had given  
6 to Angela Pipkin.

7 From March through May, several more fruitless searches  
8 of the river were conducted by law enforcement in an attempt  
9 to find any trace of Ms. Pipkin's remains. They were  
10 unsuccessful.

11 And on May the 14th, a road worker, because the river had  
12 started to subside at this point and leaving debris on the  
13 banks as it did, a road worker clearing some of that debris  
14 located the skeletal remains of a human torso on the banks of  
15 the Great Pee Dee, approximately twenty miles downriver from  
16 the Cashua Ferry bridge. And to talk about that in a little  
17 more detail and the subsequent investigation, I'll turn it  
18 over to Deputy Solicitor Mr. Willy Thompson.

19 MR. THOMPSON: May it please the Court, Your Honor?

20 THE COURT: Yes, sir, Mr. Thompson.

21 BY MR. THOMPSON:

22 MR. THOMPSON: As Solicitor Brackett was saying and I'll  
23 show the Court the first exhibit, State's Exhibit Thirteen,  
24 this worker who was helping clear out some of the brush had  
25 gone way up on the banks up into the woods. The river had

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1 been quite swollen for some time. However, in May it had  
2 receded and had gone back down within its banks. That first  
3 picture kind of shows you a Where's Waldo scenario. It's hard  
4 to see where these bones would be. It was actually for this  
5 person to spot them. And they came rather close to them  
6 before they could figure them out. If we'll go to the next  
7 exhibit, Exhibit Fourteen, you can see a little bit closer I  
8 the middle. And then Exhibit Fifteen, you can then make out  
9 very clearly that there is a set of ribcages there.  
10 Basically, this was the torso of Angie Pipkin that they  
11 discovered, without arms, without legs and without a head.  
12 The torso was only the bones that were left and what they  
13 called a cape of skin still attached to it, kind of rolled  
14 around and then twisted around itself. As they looked at  
15 this, it was intertwined within the brush, you can sticks and  
16 other things through the bones themselves. And if we'll go to  
17 the next photograph, State's Exhibit Sixteen, that'll show you  
18 when they started to retrieve the bones and laid it out on red  
19 piece of plastic that gives you kind of a better view of the  
20 fact that you can see the pelvis bone there, the spinal column  
21 going up, the chest bone, the ribs going up as well as  
22 displaced but still there, and the clavicle and some of the  
23 shoulder blades at that spot as well. And you can see as it  
24 goes down the side of that photograph. What they call the  
25 cape of skin it just looks like a dark brown intertwined

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20

1 almost material that goes down the side of the bones that, if  
2 we go to the next exhibit, State's Exhibit Seventeen, will  
3 show you that as they started to unwind that, it ended up  
4 actually being into Ms. Pipkins' skin and a portion of the  
5 skin was still hydrated enough that they could unwind it and  
6 show what was a tattoo. Initially, as I observed this  
7 picture, I thought maybe it was an undergarment or a t-shirt  
8 but then as I realized looking at it closer on State's Exhibit  
9 Eighteen, you can see closely that it was an identifiable  
10 tattoo that she had had. And, unfortunately, this was the  
11 tattoo that her mother had to look at to see, to help identify  
12 these remains, initially. Of course, the remains were  
13 ultimately tested and on May 20th of 2014, SLED had been able  
14 to gather enough DNA from the bones that they were able to put  
15 in CODIS and a CODIS hit matching them to Angie Pipkin and her  
16 remains so that we were able to confirm that and it was later  
17 confirmed in further testing that was collected from the  
18 victim's family, they collected the victim's hairbrush and  
19 toothbrush in order to get a more reliable DNA standard, and  
20 were able to match and put Angela Pipkin and prove that it was  
21 her remains that they discovered.

22 One other thing I would point out and that is during the  
23 autopsy itself, some of the skin had actually dehydrated to  
24 the point that they considered it almost mummified. They were  
25 able to rehydrate that skin and as well find another tattoo,

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21

1 one of a butterfly. I do not have that picture. However,  
2 they found that and it was another identifying tattoo as  
3 another tattoo that Angela Pipkin had on her person when she  
4 was killed.

5 Now, if we look into the autopsy itself, Judge, the  
6 State's Exhibit Nineteen gives you some close ups. This is  
7 one of the femur bones where it would connect into the pelvis  
8 and gives you an idea of exactly how this was cut clean  
9 through. As you can look at the edge of the bones and I have  
10 pictures of each of the extremities that were removed that  
11 it's a clean cut, almost as if you went to a butcher and saw  
12 just a clean cut when you went to pick up meat at the store,  
13 that's how clean these bones were cut. In addition to that,  
14 Your Honor, as we go to the next photograph, Exhibit Twenty,  
15 which I believe is one of the other sides of the other leg.  
16 And as you look at that, I believe it's the left femur on  
17 Exhibit Twenty and I believe it's also -- that's also a  
18 picture, I believe it's Exhibit Twenty-one on a different  
19 angle that shows it's a little longer than it appears in the  
20 first picture. But, if you look at that, you can see in the  
21 cut on that, the best way to describe it is everyone, pretty  
22 much every adult at some point has used some sort of saw to  
23 cut either a limb or some other piece of wood. And as you get  
24 down to that end of that cut, it splinters often times and  
25 leave a small lip on that cut. And as you can look in State's

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22

1 Exhibit Number Twenty-one, you see that on that particular  
2 bone that as it got towards the end of it, it kind of  
3 splintered out, the cut. Also, State's Exhibit Number Twenty-  
4 two, you can see that's between the clavicles. You can see  
5 that is the top of the spinal column. And State's Exhibit  
6 Twenty-three, that will show you, Judge that the head was  
7 cleanly cut off of the body. That is an extremely clean cut.  
8 From the pathologist, they opined that it was likely a power  
9 tool of some sort that was used to make the cuts. However, it  
10 could've been, I believe, still a handheld saw but they  
11 believe it was likely a power tool that was used to do that  
12 because of the cleanness of the cuts. And then we'll go as  
13 well to the -- one of the arms, I believe in State's Exhibit  
14 Number Twenty-four that shows you as well the splintered  
15 effect at the end of the -- end of the bone where it was being  
16 cut into. In addition, the Coroner who helped recover the  
17 body noted that on the end of one of the sections of bone,  
18 they saw what appeared to be a charring area, kind of like a  
19 blade that was having trouble cutting and may have burned in  
20 the spot of the bone itself.

21       Unfortunately, this was very devastating to find for the  
22 family, finally confirming that without a doubt, Angela Pipkin  
23 had been killed. But, also, it confirmed a number of other  
24 things. At that point, it confirmed a lot of what Thomas  
25 Suggs had said that they had dropped this body off the bridge

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BY THOMPSON

23

1 into the Great -- into the Big Pee Dee River. This was  
2 downstream from that. This was a good distance downstream,  
3 about twenty miles or so as the river goes winding and bending  
4 but that is a powerful river and a large river and it was  
5 quite swollen at the time and it certainly confirms what Mr.  
6 Suggs had told the police that had happened.

7 In addition, Your Honor, I would point out that one of  
8 the other witnesses the State would've called was a man by the  
9 name of Walter Lynde. Mr. Lynde was incarcerated with the  
10 Defendant in the detention center in Horry County prior to --  
11 while he was awaiting trial. At one point, he actually spent  
12 some time in the same cell block, not the same cell but the  
13 same cell block, and talked to Mr. Lynde over a period of  
14 time, numerous times. And Mr. Lynde would tell little pieces  
15 of what had happened or what had occurred. And, one of the  
16 things we always have to do as far as the State is kind of  
17 judge whether these people are believable that people in the  
18 jail. He had a number of facts that were very key to his  
19 believability. He was able to tell us that the Defendant had  
20 told him a number of things that no one outside of the inside  
21 investigation would know, none of the public would know,  
22 hadn't been printed in the paper or hadn't been talked about  
23 on the news. These are things only the Defendant would know  
24 or people completely involved within the case in law  
25 enforcement would know and had not been released to the

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24

1 public. Some of those things included, he was talking about  
2 the fact the motivation behind this is that she had taken his  
3 truck twice according to him, and that the second time that he  
4 had it, as he had said to him specifically, I'd had it at that  
5 point. He talked about how much he cleaned the truck itself.  
6 He talked about using bleach, going to a car wash, and as well  
7 cleaning it for two days and that we won't find a speck of  
8 evidence in that truck. And that's absolutely correct. That  
9 truck was completely cleaned out to the point that we didn't  
10 even find the Defendant's DNA within the truck. That truck  
11 was cleaned out completely from the bed to the inside of the  
12 truck so there was nothing, no evidence. The inside of the  
13 truck had some clutter and things, nothing as far as evidence  
14 from the back of the truck in particular where the body parts  
15 would've been indicated anything regarding DNA.

16 In addition, Your Honor, he talked about how the  
17 Defendant had told him he had gotten a brand new pressure  
18 washer, that he had used that pressure washer to clean off his  
19 driveway and probably had to run it across his driveway three  
20 or four times in order to clean it. And once again, as Mr.  
21 Brackett had said, independent witnesses had already told the  
22 officers and they had found out about this at this point in  
23 time and proven that he had bought a pressure washer and  
24 that's something no one else would've known. Then he went on  
25 to describe that there was a witness, though the Defendant

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BY THOMPSON

25

1 didn't tell him his name, but there was a witness that was a  
2 key witness and that without him we would have nothing. And  
3 that that witness lived near the river and that if you go from  
4 the river, he's the one -- he's the first house on the one  
5 side of the bridge. And that's absolutely true. That's how  
6 the Defendant -- that's how Mr. Suggs' house was. He talked  
7 about the fact that that man owned a Mustang, a Harley and  
8 Ford truck, all of which Mr. Suggs' owns. They mentioned that  
9 the Defendant -- that Mr. Suggs was divorced and that he'd  
10 gotten the house in the divorce, which was also true,  
11 something that I think no one, unless they talked to the  
12 Defendant himself, would know. Because certainly, Mr. Lynde  
13 did not know so they had no idea who he was. So, the  
14 information that he was giving him was something that was very  
15 independent of what anyone else would've known unless they had  
16 talked with the Defendant or law enforcement. He mentioned  
17 that the whole case hinged on him and while he didn't say that  
18 he wanted to kill him, he said that he needed to take care of  
19 him and those were the terms that he would use when he talked  
20 to Mr. Lynde.

21 He also mentioned that in the garage, there were two  
22 chairs with an ashtray in the middle. I believe in State's  
23 Exhibit Twelve that Mr. Brackett has shown you earlier and  
24 that's exactly what's in his garage, two chairs and there's a  
25 table with an ashtray right in the middle. That's where the

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BY THOMPSON

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1 Defendant would smoke. And he said it occurred in the garage,  
2 that he used a tarp that's also something that Mr. Suggs had  
3 been told by the Defendant at the time that he had used a tarp  
4 when he had performed the act of dismembering the body. He  
5 described the lady who was taking care of the Defendant's  
6 house at the time the Defendant was in jail. He described her  
7 to a T as well. He also talked about a battery-powered  
8 Sawzall that the Defendant had talked to him about and said  
9 that they'll never find. This would be a large hand tool that  
10 could be used to possibly cut up a body. And that while he  
11 never said he cut up the body, he made -- with the comments he  
12 made about the Sawzall, Mr. Lynde assumed that he had cut up  
13 the body and then dumped it somewhere near the river because  
14 -- or in the river because of the comments he had made about  
15 the river and about Mr. Suggs, who had not named to Mr. Lynde.

16 When he said that -- when he told Mr. Lynde how he  
17 actually killed her, he said that he hit her a little too hard  
18 and he said that he had hit her in the head and hit her a  
19 little too hard, that it was in his garage and he used a tarp.  
20 But a number of other things that are very disturbing that he  
21 told Mr. Lynde was numerous times he would say things to the  
22 effect of, this bitch had to pay, and this girl was a piece of  
23 -- and he used an expletive, and that she deserved it and that  
24 she got what was coming to her. And those were the type of  
25 statements that Walter Lynde said the Defendant made often

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BY THOMPSON

27

1 times when he talked to him about what had happened. And I  
2 understand, Your Honor, that he is jailhouse informant and  
3 certainly anything a jailhouse informant says should be taken  
4 with a grain of salt. However, there are a number of things  
5 that he said that are extremely believable and I think there  
6 is a lot of truth to what Mr. Lynde would've testified to and  
7 having spoken with him I believe that the Defendant had talked  
8 to him at length about some of the things that had happened  
9 that had occurred and there's independent evidence to prove a  
10 number of those things.

11 And before I handed it back over to Mr. Brackett, I would  
12 simply say to the Court, in looking at the evidence of the  
13 actual bones that were found and seeing the work that would've  
14 gone into dismembering Angie Pipkin, this was something that  
15 the disposal of the body in this case is nearly as egregious  
16 as the killing of Angie Pipkin because it's so disrespectful  
17 in the way that it's done. Her family would never see her  
18 again after the 16th of January, 2014 except remains that no  
19 family should have to see. And so I would point out to the  
20 Court that that's particularly egregious. We have many times  
21 where we have a Defendant kill someone but it is very rare  
22 that we have someone mutilate them, dismember them and go to  
23 the lengths to hide the dismembered body. Even today,  
24 somewhere there along the banks of the Great Pee Dee or within  
25 the Big Pee Dee River, all her extremities probably still

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BY THOMPSON

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1 remain and will probably never be found. So, the family has  
2 to sit back and ever wonder if there's ever a discovery of a  
3 bone or something else along the Pee Dee River, is it gonna be  
4 something again that's Angie that they have to worry about.  
5 So, I would point out to the Court just the egregiousness of  
6 what the Defendant did there at that particular time and the  
7 sheer work it would take to do it would be rather tremendous.  
8 It's a great undertaking to dismember a body. It's not  
9 something that's done easily but he did it and he was able to  
10 clean up very well after it. So, much so that the -- that law  
11 enforcement, despite all the testing they did found nothing of  
12 the remains of Angie Pipkin within his house or within his  
13 truck, which we know is where she died and what she was hauled  
14 in to be taken to the river.

15 And I'll pass it back over to Solicitor Brackett.

16 MR. BRACKETT: Your Honor, at this time, the State would  
17 like the Court to hear from the family of Angela Pipkin.  
18 There are several members of the family that would like to  
19 address the Court as to sentencing including young Grace  
20 Pipkin, who is not present in the courtroom at this time. We  
21 -- she's nine years old and in deference to her tender years  
22 and the things we have been discussing, we thought it was  
23 prudent that she remain outside the courtroom. So, at the  
24 appropriate time, we'll need to bring her in.

25 THE COURT: All right, sir. If you would like to call

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STATEMENT BY REBECCA COLLINS

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1    them forward, we'd be glad to hear from them, sir.

2           MR. BRACKETT:   First, we would ask Ms. Rebecca Collins to  
3    come forward.

4           THE COURT:   All right.

5           If you would just identify yourself for the Court, ma'am,  
6    then I'll be glad to hear from you, ma'am.

7    STATEMENT BY REBECCA COLLINS:

8           MR. COLLINS:   My name is Rebecca Collins.   Angela Grace  
9    Pipkin was my first cousin.   Angie was close from the day she  
10   was a baby till the day she was taken from us.   Our Angie was  
11   a good person that wouldn't hurt anyone.   She was our  
12   peacemaker.   Just being around her could help -- you couldn't  
13   help but put a smile on your face.   She was beautiful inside  
14   and out.   My heart hurts every day.   I think about I'll never  
15   see that smile again or have those arms wrapped around me with  
16   a bug hug and that big smile on her face.   I always felt like  
17   I had to protect my baby cousin and I felt I let her down on  
18   January the 17th, 2014.   I remember the day my grandmother  
19   called and asked if I'd seen Angie.   I knew -- I knew it was  
20   the last time I'd ever see her or hear from her.   As I sat  
21   beside that river during the searches many emotions went  
22   through me praying that they would find her and so all this  
23   would be over and praying at the same time she was still alive  
24   somewhere.   Those were the worst times.   I'm standing here  
25   today to ask you for justice for Angie and please pass down

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STATEMENT BY REBECCA COLLINS

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1 the maximum sentence of forty years today. On January 17th,  
2 someone very special was taken from this world way too soon.  
3 She was a mother, a daughter, a sister, a granddaughter, a  
4 niece, a cousin and a friend to many. The past almost three  
5 years have been years of tears for my family. We are here  
6 today to just ask for justice for my baby cousin Angela Grace  
7 Pipkin and that justice would be the maximum sentence of forty  
8 years. Thank you for your time, sir.

9 THE COURT: Thank you, ma'am.

10 MR. BRACKETT: Your Honor, next I would ask Gail Pipkin,  
11 who is Angela's mother and Taylor Pipkin, Angela's eldest  
12 daughter to come forward.

13 THE COURT: Please.

14 MR. BRACKETT: And Grace is with us as well.

15 Your Honor, they have provided me with a number  
16 photographs.

17 THE COURT: I would be glad to -- yes, sir. Just show  
18 those to Mr. Martin and then I will be glad to look at them.

19 Hold on one second, please, ma'am. Thank you.

20 MR. MARTIN: No objection.

21 MR. BRACKETT: We would not seek to introduce these.  
22 We'd like to return these to the family but for simply showing  
23 you who she was in life. As I said, to give you some idea of  
24 her ---

25 THE COURT: Thank you.

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STATEMENT BY GAIL PIPKIN

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1           Yes, ma'am. If you'd just state your name and then I'll  
2 be glad to hear from you, ma'am.

3           MS. GAIL PIPKIN: My name is Gail Pipkin.

4           THE COURT: Yes, ma'am.

5           STATEMENT BY GAIL PIPKIN:

6           MS. GAIL PIPKIN: I'm Angela Grace Pipkin's mother. My  
7 name is Gail -- I said -- I will never forget the day Angie  
8 was born, [REDACTED], 1981. She was beautiful and a perfect  
9 little baby girl. As she grew, I could tell she was going to  
10 be something special. Angie loved to sing and dance. She was  
11 very talented. Angie's personality was outgoing. She loved  
12 people and tried to make sure they were happy by cutting up or  
13 doing something silly, you know, just so they'd be happy.  
14 Angie loved her brother Josh, her baby brother. She helped me  
15 out quite a bit with him when he got paralyzed back in 2012  
16 and she helped me out quite a bit with him.

17           She has two daughters, Taylor, her eldest, and Grace is  
18 the youngest. And they were her heartstrings. You know, she  
19 loved them with all her heart. But she had a problem, she had  
20 a problem with addiction and she felt so guilty trying, you  
21 know, because she just couldn't seem to get off of what was  
22 her, you know, the addiction, her drug of choice. And she  
23 volunteered to go to get help and she just kept trying to get  
24 off the, you know, the pills and stuff. But, it didn't stop  
25 her from loving her children and her family.

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STATEMENT BY GAIL PIPKIN

32

1           And she was always the peacemaker for our family, you  
2 know like if we had gatherings or something and somebody  
3 didn't want -- was upset with somebody else, Angie was the one  
4 that made sure they'd go to the gathering. She was always  
5 there to make sure, like I said earlier, that people were  
6 happy. That what she was really concerned about.

7           And on January 17th, 2014, Angie was murdered by the  
8 Defendant. Words cannot express the pain and anguish our  
9 family and friends have endured since this senseless act  
10 occurred. I will never forget on the 16th in the early  
11 afternoon, she was talking to the Defendant. I was in the  
12 house in the room with her when she was talking. She had the  
13 phone on speaker, speaker phone. He was telling her, you can  
14 come on back over, you can come back over to the house, I'll  
15 drop all the charges that he had on her, I'll drop the  
16 charges, you can just come back over, we'll talk about it and,  
17 you know, see what we can do. Angie was scared to death of  
18 Mr. Robinson. She was scared of him because of what -- I know  
19 you can't use that now but what had occurred before all this  
20 other stuff had happened, the things that he had done to her.  
21 And I begged her not to go, both of her children begged her  
22 not to go. But she said she had to go because didn't want to  
23 go to jail. She was -- he promised her that they would -- he  
24 would take the charges up and that everything would be okay,  
25 they would make it be okay or he would. Okay.

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STATEMENT BY GAIL PIPKIN

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1           The loss of a daughter is beyond words. There will be no  
2 more long talks, birthday parties with her children, holiday  
3 celebrations, the laughter and hugs, guidance and advice that  
4 her children need from her. The sense of security and those  
5 opportunities to say I love you are gone. Our family is  
6 forever broken forever.

7           To say the least, the financial effect on the family has  
8 been devastating also. It's really been hard.

9           And, I've got this last thing I want to say, compassion  
10 is a word commonly used for and by defendants. However, I ask  
11 how much compassion the Defendant considered when the decision  
12 was made to murder Angie and dismember her body and throw her  
13 in the river like she was trash. Angie was missing for four  
14 months, a little more than four months. I have no idea what  
15 my daughter had to endure. It wasn't -- it was my -- it is my  
16 request that the forty-year maximum sentence be imposed. I  
17 beg Your Honor.

18           THE COURT: Thank you, ma'am.

19           MS. GAIL PIPKIN: And on behalf of myself and the family  
20 of Angela Grace Pipkin, I wish to express my sincere gratitude  
21 for your allowing me the opportunity to speak.

22           THE COURT: Yes, ma'am.

23           MS. GAIL PIPKIN: Thank you.

24           STATEMENT BY TAYLOR PIPKIN:

25           MS. TAYLOR PIPKIN: Your Honor, my name is Taylor Pipkin.

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STATEMENT BY TAYLOR PIPKIN

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1 As it was explained before, I am the eldest daughter of Angela  
2 Pipkin. She was my best friend, my number one friend and the  
3 only person who never judged me. She loved me  
4 unconditionally. I was present in Jacksonville, Florida when  
5 I spoke to her for the last time before Randy Robinson  
6 dismembered and murdered my mom. She explained to me that she  
7 was leaving to go to Randy's again because he was threatening  
8 her with charges with the police and everything that he said  
9 that he could take care of it. Like I said, I spoke to her  
10 over the phone, I wasn't present at that time, I had just left  
11 to go back for Christmas break. She explained to me that she  
12 was leaving in these circumstances and I, you know, I just, I  
13 begged her, no, you can't go because of everything that she  
14 had went through previously with him.

15 My mom was the most beautiful, sweet and loving person  
16 that ever walked the face of this earth. She would do  
17 anything for anybody. Like even a complete stranger because  
18 she knew all of the heartaches and all the circumstances that  
19 a lot of other people went through and all she wanted to do  
20 was help. Everybody that lives here in Horry County, anybody  
21 that knew her could tell you how amazing she was, how  
22 wonderful a person she was, how big of a heart she had. And  
23 as it was expressed earlier, Gracie is just nine years old,  
24 that's her youngest daughter. We will never have the chance  
25 to have her see her go through middle school, to see my

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STATEMENT BY GRACE PIPKIN

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1 graduate from college, to see us get married or have any  
2 children. That's when a mother is supposed to be there for  
3 you. She was a beloved daughter, a beloved mother, cousin,  
4 family member and she was taken away too soon from all of us.  
5 So I request and I ask on behalf of myself and on behalf of my  
6 family that he get the maximum sentence of forty years because  
7 this is injustice and all we want to do is just make this  
8 right for our mother.

9 THE COURT: Thank you, ma'am.

10 MS. TAYLOR PIPKIN: Thank you.

11 STATEMENT BY GRACE PIPKIN:

12 MS. GRACE PIPKIN: My name is Gracie Pipkin.

13 THE COURT: Yes, ma'am.

14 MS. GRACE PIPKIN: Angela Pipkin was my mom. She was  
15 taken from me on January 17th, 2014. A piece of my heart is  
16 broken because I will ever get to see her smile, feel her arms  
17 wrap around me and get her sweet kisses anymore. She will  
18 never get to see me grow up and I won't get to ask her  
19 questions or not get answers from her. The day I found out  
20 what happened to my momma was on my birthday, [REDACTED] 2014.  
21 It was the worst day of my life. I miss and love my mom so  
22 much. It hurts me that I will never get to see her again.  
23 I'm asking for justice for my mom, Angie. Please give forty  
24 years, the maximum that you can give. Thank you for your  
25 time.

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BY BRACKETT

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1 THE COURT: Thank you.

2 MS. GAIL PIPKIN: Thank you, sir.

3 THE COURT: Yes, ma'am.

4 BY MR. BRACKETT:

5 MR. BRACKETT: Your Honor, I have a few more matters  
6 before I turn it over to the Defense.

7 THE COURT: Yes, sir.

8 MR. BRACKETT: I would like to relate to the Court the  
9 record of Mr. Robinson.

10 THE COURT: Please.

11 MR. BRACKETT: His first conviction, he has an arrest  
12 from '85 but there -- for criminal domestic violence but there  
13 is no disposition on that. We could not located a  
14 disposition. I will come back to that in just a minute.

15 In 1987, he had conviction for disorderly conduct; 1995,  
16 contributing to the delinquency of a minor; 1998, driving  
17 under the influence; 2001, open container and driving under  
18 the influence; 2003, driving under the influence; 2004, he was  
19 charged with criminal domestic violence of a high and  
20 aggravated nature, however he pled guilty to criminal domestic  
21 violence third or subsequent. We only could find one prior  
22 conviction and that must be -- there must be something out  
23 there that did not come up on the NCIC because he was -- he  
24 was clearly sentenced to two years suspended with one year  
25 probation, so the Court could not have imposed such a sentence

1 without there being two priors; breach of the peace in 2007;  
2 possession of cocaine in 2009; and then the charges that he  
3 stands before you now on.

4       Your Honor, there's one other issue that I did not share  
5 with you yet, one other fact. On January the 11th of 2014,  
6 the Defendant was called by a friend of his, Maria Leonard.  
7 Ms. Leonard was wanting some help. Mr. Robinson, apparently  
8 his trade was as a plumber. Ms. Leonard knew him and  
9 indicated that she had a plumbing problem for a house that she  
10 had in Florence and would she -- would he be able to help her  
11 with that. So, on the 11th, they rode together to Florence  
12 and he repaired the pipe that was broken, leaking water or  
13 some such thing in her home in Florence. While in the car  
14 driving from Murrells Inlet to Florence and back, Ms. Leonard  
15 indicated to law enforcement on March the 8th, after he was  
16 arrested and charged and it became public knowledge that he  
17 had been charged with Ms. Pipkin's murder, she told the police  
18 on March the 8th that on the trip to and from Florence, Mr.  
19 Robinson was constantly mentioning this Pipkin woman and how  
20 upset he was with her for having taken his truck and taking  
21 his money, that, you know, he couldn't let that stand. He was  
22 very upset with her and, at one point, she related to police  
23 that he indicated that in the course of talking about the  
24 Heather Elvis case, somehow that came up on the conversation,  
25 it was also prominent in the public eye at the time and the

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BY BRACKETT

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1 discussion about Heather Elvis came up in the car. And in  
2 context of his anger towards Angie Pipkin, he related to Marie  
3 Leonard that he would find her and cut her up and distribute  
4 her body in pieces where it would never be found. She thought  
5 again that he was a blowhard and that he was running off at  
6 the mouth and blowing off steam and did not take him seriously  
7 until she learned that he had been arrested for her murder.  
8 So, he talked five days prior to having her in his house and  
9 killing her, he told Maria Leonard that that's what he was  
10 going to do.

11 I think, Your Honor, that the Defendant had a vision that  
12 he would share his life with Angie Pipkin, that Angie Pipkin  
13 would love him and he would give himself to her and share all  
14 that he had and they would live together happily ever after.  
15 She did not want that life. She did not want to share her  
16 life with this man. And, I think when he was -- when she  
17 spurned him and his offer of affection, it enraged him,  
18 coupled with the fact that she had taken his money and his  
19 truck and he lost it. His infatuation turned to hatred. If  
20 he couldn't have her, no one could. I find it so terribly,  
21 terribly offensive to me, as a prosecutor, that he would use  
22 the threat of criminal prosecution to lure her to his house on  
23 the 16th. That he would tell her if you want this matter  
24 resolved, I'm holding these charges, charges that didn't  
25 belong to him, charges that didn't even exist, but the threat

1 of criminal prosecution to force her, compel her to go where  
2 she did not want to go.

3 I've worked on this case since May. I was assigned the  
4 case on a conflict basis, as Your Honor is aware, and I've  
5 worked closely with this family. I crafted a negotiation that  
6 was designed to accomplish two things, to avoid traumatizing  
7 this family any more than they already have been. This is  
8 horrifying. What he has done to them is unspeakable and I've  
9 lived with their grief since May. I know how much they hurt.  
10 So, I wanted to avoid traumatizing them any further and I knew  
11 that a trial would do just that. But it was equally repugnant  
12 to me that this man should ever walk free among decent people  
13 again for what he did. So, I crafted a sentence that would  
14 create the opportunity for them to avoid a trial and give Your  
15 Honor every day you need to keep this man in jail until he  
16 dies and a sentence that will accomplish that is a forty-year  
17 sentence. I respectfully request this Court show him no more  
18 mercy than I already have and impose the full sentence under  
19 the negotiation. Thank you.

20 THE COURT: Thank you, sir.

21 Before I turn to you, Mr. Martin, I want to take moment  
22 to look at the photographs supplied by the victim's family.

23 (REPORTER'S NOTE: Court reviews photographs submitted.)

24 THE COURT: All right. Ms. Parham, I'll be glad to hear  
25 from you.

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BY PARHAM

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1 BY MS. PARHAM:

2 MS. PARHAM: Thank you, Your Honor.

3 Thank you, Your Honor.

4 THE COURT: Yes, ma'am.

5 MS. PARHAM: As the State mentioned, there are a number  
6 of videos in this case and they're very telling, Your Honor.  
7 One of those videos is a video of Randy taking Angie to the  
8 Rite Aid where he buys her that phone charger that she needed  
9 because her phone was running out of battery and he bought her  
10 also batteries and a massager. You know, the State would have  
11 you believe that he lured her to his house so that he would  
12 kill her and that's just not true. He loved Angie even after  
13 she stole his truck and his money. He was still willing to  
14 take her to the Rite Aid and buy these items that she needed  
15 and that's exactly what he did. And after they left the Rite  
16 Aid, she asked to be dropped off in yet another drug area and  
17 he dropped her off there. He told police he dropped her off  
18 there. And then there's a second video of Rite Aid around 10  
19 o'clock and the receipt, Your Honor, we just passed up as one  
20 of our exhibits, that receipt and there's a video of Randy  
21 Robinson coming back in the Rite Aid by himself. She left  
22 those items in the car when he dropped her off and he goes  
23 back into Rite Aid and returns those items. And then Randy  
24 Robinson goes home. Now, it's undisputed that at some point  
25 later that night, after Randy returned those items at Rite Aid

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BY PARHAM

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1 and that's why he's by himself on that video because he  
2 dropped her off. And that's why she's by herself on the other  
3 videos that the State mentioned from that night, the Turtle  
4 Mart and the Hess Mart is because that was after they  
5 separated. But it's undisputed that at some point later that  
6 night, she shows back up at his house in the wee hours of the  
7 morning. How she got there, we don't know. How she got  
8 there, Randy Robinson doesn't know. And then as you've heard  
9 from the State, there are these cell phone records and there  
10 is text from Mr. Robinson to Mr. Sessions saying come get her.  
11 But, Your Honor, one of the most important pieces of evidence  
12 in this case for the Defense is Randy Robinson's phone record.  
13 And you have it before Your Honor and it's the first two lines  
14 of the AT&T phone record. And what that shows is that after  
15 Randy Robinson texted Dominique Sessions and asked him to get  
16 her, those first two phone calls, one at 3:43 A.M. and the  
17 second one at 3:45 A.M. are to the Horry County Police  
18 Department. Now, why is that important? Well, the reason  
19 it's important, Your Honor, is because it shows that Mr.  
20 Robinson did not have the intent to do harm that night. He  
21 called the Police Department twice after he called Mr.  
22 Sessions. You know, they would have you believe that he's  
23 this cold-hearted killer that lures her there to kill her,  
24 that's not true. He took her out to Rite Aid to buy things  
25 she needed. She left him. He returned those items and then

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BY PARHAM

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1 when she comes back to his house whatever happened prompted  
2 him to call the police. And, Your Honor, we submit to the  
3 Court that he called the police probably asking them to come  
4 get her or asking them for help.

5 This case is a tragic situation, no question about it.  
6 Your Honor, when drugs and alcohol and emotions are mixed  
7 together, unfortunately horrible things happen. And you can  
8 see from that record, Your Honor, that after the two phone  
9 calls to the Horry County Police Department, the next phone  
10 call is someone calling his phone but the third and -- excuse  
11 me -- fourth and fifth lines of that phone record are his  
12 first calls to Mr. Suggs. And you can see his cell phone  
13 record is replete with references to him calling Mr. Suggs.  
14 His first call was at 9:09 o'clock in the morning.

15 Mr. Suggs has never told the truth about what happened  
16 from that day on. He never came forward to police; the police  
17 had to go find him. The State gave immunity to someone who  
18 didn't tell him the truth, his stories changed repeatedly and  
19 he's never told them the truth. Miranda McKenzie, his  
20 girlfriend, never told the truth about what happened. We get  
21 some clue of what happened from Mary Driver and Mary Driver is  
22 Miranda McKenzie's best -- Miranda McKenzie's best friend from  
23 high school is Mary Driver. And Mary Driver has known Miranda  
24 McKenzie from early childhood and she called the SLED Fusion  
25 Unit because she was concerned about something Miranda

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BY PARHAM

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1 McKenzie told her and that is that she was scared of Thomas  
2 Suggs and that when Thomas Suggs came in with Mr. Robinson  
3 that Mr. Suggs was covered in blood as well and that Mr. Suggs  
4 burned his clothes in a burn pile. And there's a text from  
5 Miranda McKenzie to Mary Driver saying I think he did it. And  
6 there's conversations about Miranda McKenzie being scared of  
7 Mr. Suggs and Mr. Suggs has a much lengthier criminal history  
8 than Mr. Robinson.

9       So, you know, what happened that night, it -- it's  
10 inexcusable and horrible, Your Honor, but what Mr. Robinson  
11 pled guilty to is manslaughter and the reason he pled guilty  
12 to manslaughter, Your Honor, is because that is what he is  
13 guilty of.

14       Randy turns fifty years old in March. He has never  
15 served jail time before. You can tell from the South Carolina  
16 Department of Mental Health record that he does have a history  
17 of drug abuse and alcohol abuse. And you can also tell from  
18 that record, Your Honor, that he began drinking again after  
19 his parents died in 2010 and 2011. Also, in that report it's  
20 documented that he has psoriasis of the liver and  
21 pancreatitis, you know, his health is poor, Your Honor. But  
22 Mr. Robinson pled guilty before Your Honor to manslaughter  
23 because that is what he is guilty of, Your Honor. And he  
24 saved the family and everyone the agony of going through this  
25 case as a trial. And I know that Mr. Martin and our client

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BY MARTIN

1 would like to address you.

2 THE COURT: Mr. Martin?

3 BY MR. MARTIN:

4 MR. MARTIN: Your Honor, if it please the Court ---

5 THE COURT: Go ahead, Mr. Martin.

6 MR. MARTIN: Again, as I've listened to the Solicitor and  
7 the Assistant Solicitor and Ms. Parham tell you about what  
8 this case is about. Obviously, I have many thoughts as I  
9 think about what they say and the Solicitor and his staff have  
10 done an excellent job in the preparation of the case and I  
11 think in the handling of the final resolution of this case.  
12 Obviously, they've got many facts to work off of. They've got  
13 some supposition and things that they surmised from those  
14 facts that I don't think are accurate and I think that -- I  
15 know that they're putting their best foot forward because they  
16 want you to give Mr. Robinson the maximum sentence.

17 But I do think that there are some things that I would  
18 again highlight and some of them were mentioned by Ms. Parham  
19 that they're out to proposition that a sentence of twenty-five  
20 years instead of anything more, or forty, would be appropriate  
21 in this particular case. First of all, it starts here, Judge.  
22 The Solicitor, Mr. Brackett, says that he doesn't want you to  
23 show Randy any mercy, that he's already shown him mercy. Let  
24 me say to you, the Solicitor is too good a prosecutor to let  
25 mercy interfere with his judgment in connection with this

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BY MARTIN

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1 case. This is a case with a lot of moving parts to it, some  
2 strong parts to it, some not so strong parts to it. But what  
3 is important, and I've been representing Randy for  
4 approximately two years now and I've had many conversations  
5 with him, is that he did in fact agree to enter a plea of  
6 guilty to voluntary manslaughter and to obstruction of justice  
7 with all other charges being dismissed because that is in fact  
8 what he believes that he's guilty of as he and I discuss the  
9 elements of murder, of voluntary manslaughter, of  
10 dismemberment, and of obstruction. Those are the facts that  
11 -- if you look at all the facts in this case, those are the  
12 elements that if you look at all of the facts in this cases,  
13 inevitably lead you back to the conclusion that no matter how  
14 tragic and how sad all of this is for everybody, everybody, it  
15 is a predictable tale in many ways. And as Mr. Parham told  
16 you, it's clear in this case that there came a time that night  
17 when Ms. Pipkin did come over to Randy's house. They'd been  
18 talking back and forth all day. Of course, she had been to  
19 his house on many occasions and I would differ with the State  
20 on a couple of things. First of all, say she was afraid of  
21 him; facts don't bear that out. That he lured her over there  
22 with the promise to drop charges; facts don't bear that out.  
23 They say and the evidence does show that she got to his home  
24 about 7 o'clock that night, and from 7:00 till between 9:30  
25 and 10:00, as he said probably at his house. Had he lured her

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BY MARTIN

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1 there to take her life, that was the opportunity to do that.  
2 Why would you lure someone there to take their life and then  
3 go with them to Rite Aid where everybody in the world now  
4 knows every move you make is videotaped, and buy some items  
5 for her, your card, so that the whole world would then know  
6 she was there; it doesn't make sense. What it means is is  
7 that she went there, frankly, of her own free will and accord  
8 and wasn't afraid and he was of no danger to her. They left  
9 there and went to Rite Aid, bought some things. And then as  
10 the police know from his statements them later on, they left  
11 there, went over to one of the convenience stores, she came  
12 back to the vehicle -- excuse me, one of the fast food  
13 restaurants and when she came -- parked and she got out, when  
14 she came back to the vehicle and they started to leave, that  
15 he told the police at that time she had drugs and an argument  
16 ensued between them and, whatever he was, he didn't like her  
17 having drugs. And that they parted ways, that he let her out  
18 and she got out. He then went back to Rite Aid, and I don't  
19 know if you have -- whether we handed up to you or not but  
20 there is -- you'll have the receipt there where he took back  
21 what had been purchased for her at Rite Aid and got a \$52  
22 credit for it at 10:05 P.M. He then told the police that he  
23 went to the Wildhorse Bar and for the next couple of hours  
24 drank, drank heavily and don't know exactly how he got back  
25 home. There is in that timeframe, again, video of Ms. Pipkin

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BY MARTIN

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1 at one of the convenience stores there, I think about 10:15 or  
2 10:20 where she alone enters that convenience store as seen on  
3 the surveillance camera and gone. All of that to say, Judge,  
4 is that it's clear that they had separated, they had parted  
5 ways. They were not together, whether it was his desire or  
6 her desire. But she went back to his house, I think that's  
7 pretty clear, too. Her friend Dominique Sessions who had  
8 brought her there, I'm assuming she could've got up with him,  
9 there was another young lady she was talking to about meeting  
10 somewhere or going somewhere. But for whatever reasons, for  
11 reasons satisfactory to itself, it does appear that Ms. Pipkin  
12 went back to Randy's home probably shortly after midnight. I  
13 think that they said 12:30 there were some phone calls from  
14 his phone, I believe he says from his house to friends of  
15 hers. So, it is -- I think that, you know, this is a bad, bad  
16 situation all the way around. This -- Ms. Pipkin's family has  
17 suffered immeasurably. I cannot imagine, I cannot imagine  
18 what they've gone through. But you do have to examine, I  
19 believe as the Court and I know that's what this Judge wants  
20 to do, just what are the facts and really where are we here.  
21 And I do think in this situation that the Solicitor says  
22 enraged, that he was mad about the fact that she had taken his  
23 car or taken his money and that kind of -- and he probably was  
24 at some point in time mad about that, people get mad about  
25 those kind of things. People over those kinds of things. The

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BY MARTIN

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1 Solicitor says, and I agree with him, Randy wanted to help  
2 Angie. He needed help hisself. Maybe in his idealistic mind  
3 there was something they could do for each other. But  
4 sometimes people just can't help each other. But on this  
5 night, anger, he hit her, trouble happened, she died. All of  
6 that is consistent with the offense of voluntary manslaughter,  
7 not murder, not murder. Those calls to the police department  
8 -- and of course, there was no answering machine there, Judge,  
9 that was the South Strand Precinct, a certain number that I  
10 think Randy had the number for. All indications are, he  
11 placed those calls. Why would he place a call to the Horry  
12 County Police Department, two calls at 3:45 and 3:43, I  
13 believe was the time, if this was a sinister plot to murder  
14 Angela Pipkin. I think that a real true examination of the  
15 facts indicates that it wasn't that. That it was something  
16 that happened, anger, provocation, one thing leads to another  
17 and a horribly tragic outcome. And then there's a situation,  
18 as often the case where nobody knows what to do. But what we  
19 do know, is that the police didn't answer the phone and  
20 something happened. Then he called Thomas Suggs and I  
21 believe, I don't want to get into all that but Mr. Pipkin, Mr.  
22 Chatfield and everybody here from the Horry County Police  
23 Department knows Thomas Suggs hadn't told them yet the truth,  
24 anywhere close to the truth about his role in what he did and  
25 didn't do. But that's for them on a different time or maybe

1 they've given him immunity but they know that he's never told  
2 the truth about what happened there.

3 But, I do think, Judge, in this instance here and in my  
4 conversations with Randy and he pled guilty to what he's  
5 guilty of. The speculation of other things, frankly don't  
6 play into what we are doing here in the courtroom, no room for  
7 the speculation. And I would ask the Court to consider giving  
8 Randy the twenty-five year sentence in this matter because, as  
9 you know well, Your Honor, that the maximum penalty for  
10 manslaughter is thirty years and you have to serve eighty-five  
11 percent of that. I do believe that Randy Robinson has earned  
12 from the Court a consideration of that sentence because,  
13 number one, he pled guilty to what he's guilty of; number two,  
14 when that opportunity was afforded him from the Solicitor's  
15 office, he didn't hesitate to do that, he did it, and he did  
16 it in a fashion that, number one, did save the Pipkin family,  
17 I believe, many days and hours of additional emotional turmoil  
18 and pain. And Lord knows, they have suffered enough.  
19 Secondly, it saved the Court of South Carolina many days in  
20 the courtroom and as well it, it gave a guaranteed outcome.  
21 And the only way you have a guaranteed outcome is by way of  
22 plea; trials don't get you a guaranteed outcome, in many ways,  
23 the ability for the State of South Carolina to sentence him  
24 for what he is in fact guilty of. He's never been in prison  
25 before. He's fifty years old, forty-nine years old, forty-

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BY MARTIN

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1 seven when this occurred. And Your Honor knows as well as I  
2 do, that people don't wait till they're forty-seven or forty-  
3 eight years old to become murderers, for lack of a better  
4 word. This is just a horribly tragic set of circumstances  
5 with two lives that were possessed by many demons, frankly,  
6 and it is a mixture that on this night led to tragic  
7 consequences, the untimely death of a beautiful young woman  
8 and essentially Randy Robinson, who though he has some limited  
9 criminal record, is the kind of fellow who was a benefit to  
10 society as opposed to a detriment to it. And we believe that  
11 those reasons are the ones that entitle him, at least for your  
12 consideration, of some sentence -- he will be in jail for a  
13 long, long time under any sentence you give him. Chances are,  
14 he won't -- he may not get out of jail. But if he does, it  
15 would simply be long enough for the Court for him to not be a  
16 continued burden on the State of South Carolina, certainly not  
17 in the time where he'd be any danger to anybody. So, we would  
18 respectfully ask the Court to consider giving him the sentence  
19 of twenty-five years.

20 THE COURT: Thank you, sir. You indicated that Mr.  
21 Robinson may wish to address the Court; is that correct?

22 MR. ROBINSON: Yes, sir.

23 MR. MARTIN: Yes, Your Honor.

24 THE COURT: I'll be glad to hear from you.

25 STATEMENT BY MR. ROBINSON:

State v. Robinson - 2014-GS-26-03751,03752  
STATEMENT BY ROBINSON

51

1           MR. ROBINSON: First, I would like to just apologize for  
2 all the circumstances that led up to this. I do have to say  
3 that there was a lot of feelings there for Angela. I cared a  
4 lot for her. That drug charge that the Solicitor brung up,  
5 yes, it happened. Somebody gave me some cocaine. I was in a  
6 bad way and they said, well, this will lift you up. I got  
7 caught with it. They took my truck, everything. I'm  
8 definitely against drugs. That was just a fluke. Alcoholic,  
9 yes, sir, drink like a fish. I'll tell anybody. I quit, quit  
10 for ten years, picked it back up, drank, drank, drank, drank.  
11 Doctor diagnosed me with it again. That's when I met Angela.  
12 And it just -- somehow I picked it back up again, my bad.

13           I wish I could hit rewind and go back but I can't. I  
14 deeply regret everything that happened and just like to have  
15 the mercy of the Court. Thank you.

16           THE COURT: Thank you.

17           Anything further, Mr. Martin?

18           MR. MARTIN: No, sir.

19           THE COURT: Ms. Parham?

20           MS. PARHAM: No, sir.

21           THE COURT: Anything else, Solicitor?

22           MR. BRACKETT: No, Your Honor.

23           THE COURT: Thank you.

24           SENTENCE OF THE COURT:

25           THE COURT: 2014-GS-26-3752, State of South Carolina,

State v. Robinson - 2014-GS-26-03751,03752  
SENTENCE OF THE COURT

52

1 County of Horry versus Randy Gale Robinson regarding voluntary  
2 manslaughter. This matter came before the Court based upon  
3 negotiations conducted by the State of South Carolina,  
4 victim's family, Defense counsel and the Defendant. The Court  
5 accepted the guilty plea of the Defendant to the crimes of  
6 voluntary manslaughter and obstruction of justice. Based only  
7 on the facts and not on any conjecture, speculation or surmise  
8 by the Court and based only on the crime of voluntary  
9 manslaughter and the crime of obstruction of justice to which  
10 the Defendant has pled guilty, the Court finds the sentence to  
11 be in this matter, the Defendant is committed to the State  
12 Department of Corrections for a determinate term of thirty  
13 years. He's given credit for any time that he has already  
14 served.

15 2014-GS-26-3751, the crime of obstruction of justice, the  
16 Defendant is committed to the State Department of Corrections  
17 for a determinate term of ten years, consecutive to 2014-GS-  
18 26-3752, again, the Defendant given credit for any time he has  
19 served.

20 This matter is now ended.

21 MR. BRACKETT: Thank you, Your Honor.

22 MR. MARTIN: Thank you, Your Honor.

23 MS. PARHAM: Thank you, Your Honor.

24 (ADJOURNED.)

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25C E R T I F I C A T E

I, the undersigned, Kay H. Richardson, Official Court Reporter for the State of South Carolina, do hereby certify that the foregoing is a true, accurate and complete Transcript of Record of the hearing held in the case of State of South Carolina versus Randall Gale Robinson, held in the Court of General Sessions for Horry County, Horry County Courthouse, Conway, South Carolina, on November 14, 2016, taken by Dixie C. Eubank.

I do hereby certify that I am neither of kin, counsel, nor interest to any party hereto.

---

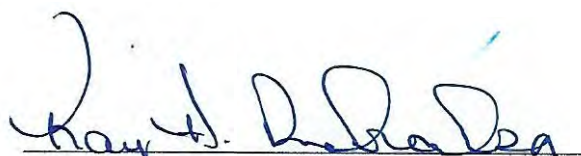
Kay H. Richardson  
Official Court Reporter

January 12, 2017.

C E R T I F I C A T E

I, the undersigned, Kay H. Richardson, Official Court Reporter for the State of South Carolina, do hereby certify that the foregoing is a true, accurate and complete Transcript of Record of the hearing held in the case of State of South Carolina versus Randall Gale Robinson, held in the Court of General Sessions for Horry County, Horry County Courthouse, Conway, South Carolina, on November 8, 2016, taken by Dixie C. Eubank.

I do hereby certify that I am neither of kin, counsel, nor interest to any party hereto.

A handwritten signature in blue ink, appearing to read "Kay H. Richardson", is written over a horizontal line.

Kay H. Richardson

Official Court Reporter

January 12, 2017.

**WITNESSES**

Brian Wilson Horry County Police Department

DOCKET NO. 2014-GS-26- 03752

**The State of South Carolina**

**County of Horry**

Scott R. Hixson

14H00980

**COURT OF GENERAL SESSIONS**

**SEPTEMBER, 2014 TERM**

**ARREST WARRANT NUMBER**

2014A2610700263

CDR: 0116 16-03-0010, 0020

DOA: 3/7/2014

**THE STATE**

**VS.**

**ACTION OF GRAND JURY**

**TRUE BILL**

Randy Gale Robinson

W/ M

Sullivan Drive

Murrells Inlet, SC

DOB: [REDACTED]

SSN: [REDACTED]

**ATTORNEY: L. Morgan Martin**

**Indictment for**

**MURDER**

**Jimmy A. Richardson, II, Solicitor**

Foreperson of Grand Jury

Date: SEP 11 2014

**VERDICT**

Foreperson of Petit Jury

Date:

FILED  
HORRY COUNTY

2014 SEP 15 PM 1:55

MELANIE HARRIS-WARE  
CLERK OF COURT

DATE RECEIVED FROM

GRAND JURY

**ORIGINAL**

STATE OF SOUTH CAROLINA )  
 )  
 COUNTY OF HORRY )

# INDICTMENT

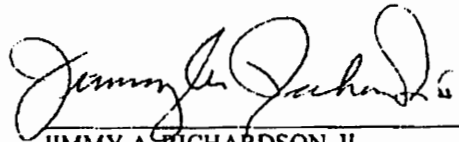
At a Court of General Sessions, convened on September 11, 2014, the Grand Jurors of Horry County present upon their oath:

## MURDER

CDR: 0116 16-03-0010,0020

That Randy Gale Robinson did in Horry County, on or about January 17, 2014, willfully, feloniously, and intentionally kill the victim, Angela Pipkin, with malice aforethought, either express or implied, by means of striking the victim about her person, and the victim did die as a proximate result thereof on or about on or about January 17, 2014 in Horry County, in violation of Section 16-03-0010, S. C. Code of Laws, 1976, as amended.

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



JIMMY A. RICHARDSON, II  
 FIFTEENTH CIRCUIT SOLICITOR

FILED  
 2016 NOV 14 PM 4:29  
 COURT DATE  
 PLED GUILTY/TRIAL

**WITNESSES**

\* Michael Kathman Horry County Police Department

DOCKET NO. 2014-GS-26- 03751

**The State of South Carolina**  
**County of Horry**

Scott R. Hixson

14H00980

**COURT OF GENERAL SESSIONS**

**SEPTEMBER, 2014 TERM**

**ARREST WARRANT NUMBER**

2014A2610700212

CDR: 0118 , 17-25-0030

DOA: 2/28/2014

**ACTION OF GRAND JURY**

**TRUE BILL**

Foreperson of Grand Jury

Date: SEP 11 2014

**VERDICT**

Foreperson of Petit Jury

Date:

Randy Gale Robinson

W/ M

Sullivan Drive

Murrells Inlet, SC

DOB:

SSN:

**ATTORNEY: L. Morgan Martin**

**Indictment for**

**Obstructing Justice**

**Jimmy A. Richardson, II, Solicitor**

**ORIGINAL**

FILED  
HORRY COUNTY

2014 SEP 15 PM 1:55

MELANIE B. BARKER  
CLERK OF COURT

DATE RECEIVED FROM

GRAND JURY

STATE OF SOUTH CAROLINA )  
 )  
 COUNTY OF HORRY )

# INDICTMENT

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

## OBSTRUCTION OF JUSTICE

CDR: 0118 C/L, 17-25-0030

That Randy Gale Robinson did in Horry County on or about January 26, 2014, intentionally do an act which prevented, obstructed, impeded, or hindered the administration of justice, to wit: defendant provided false, misleading, and/or inaccurate information regarding the disappearance of Angela Grace Pipkin and his activities during the evening of January 16, 2014, in violation of the Common Law offense of Obstruction of Justice.

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

2016 NOV 14 PM 4:29

COURT DATE

COURT DATE  
 PLED GUILTY/TRIAL



JIMMY A. RICHARDSON, II  
 FIFTEENTH CIRCUIT SOLICITOR

86  
STATE OF SOUTH CAROLINA

COUNTY OF Horry  
STATE VS.  
Randy Gale Robinson

AKA: \_\_\_\_\_  
Race: WHITE Sex: M Age: 49  
DOB: [REDACTED] SS#: [REDACTED]  
Address: Sullivan Drive  
City, State, Zip: Murrells Inlet, SC  
DL#: \_\_\_\_\_ SID#: \_\_\_\_\_

\*CDL Yes ☐ No ☐ CMV Yes ☐ No ☐ Hazmat Yes ☐ No ☐  
In disposition of the said indictment comes now the Defendant who was  
TO: Voluntary Manslaughter 2-30 yrs

in violation of § 16-03-0050 of the S.C. Code of Laws, bearing CDR Code # 0217  
☐ NON-VIOLENT ☒ VIOLENT ☐ SERIOUS ☒ MOST SERIOUS ☐ Mandatory GPS(CSC w/minor 1st or Lewd Act) ☐ §17-25-45

The charge is: ☐ As Indicted, ☒ Lesser Included Offense, ☐ Defendant Waives Presentment to Grand Jury. (defendant's initials)  
The plea is: ☐ Without Negotiations or Recommendation, ☒ Negotiated Sentence, ☐ Recommendation by the State.  
ATTEST: \_\_\_\_\_

Conflict Cases, .

SC Bar#

Defendant

Attorney for Defendant

SC Bar#

WHEREFORE, the Defendant is committed to the ☒ State Department of Corrections, ☐ County Detention Center,  
for a determinate term of 30 years or ☐ under the Youthful Offender Act not to exceed \_\_\_\_\_ years  
and/or to pay a fine of \$ \_\_\_\_\_; provided that upon the service of \_\_\_\_\_ days/months/years 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.

☐ 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 the State Department of Corrections.

☐ The Defendant is to be placed on the Central Registry of Child Abuse and Neglect pursuant to S.C. Code §17-25-135.

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

#### SPECIAL CONDITIONS:

☐ RESTITUTION: ☐ Deferred ☐ Def. Waives Hearing ☐ Ordered

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

Payment Terms: \_\_\_\_\_

☐ Set by SCDPPPS \_\_\_\_\_

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

\*Fine: \$ \_\_\_\_\_  
§ 14-1-206 (Assessments 107.5 %) \$ \_\_\_\_\_  
§ 14-1-211(A)(1) (Conv. Surcharge) \$100 \$ 100.00  
§ 14-1-211(A)(2) (DUI Surcharge) \$100 \$ \_\_\_\_\_  
§ 56-5-2995 (DUI Assessment) \$12 \$ \_\_\_\_\_  
§ 56-1-286 (DUI Breath Test) \$25 \$ \_\_\_\_\_  
Proviso 61.6 (Public Def/Probation) \$500 \$ \_\_\_\_\_  
§ 14-1-212 (Law Enforce. Funding) \$25 \$ 25.00  
§ 14-1-213 (Drug Court Surcharge) \$150 \$ \_\_\_\_\_  
§ 50-21-114 (BUI Breath Test Fee) \$50 \$ \_\_\_\_\_  
§ 56-5-2942(J) (Vehicle Assessment) \$40/ea \$ \_\_\_\_\_  
3% to County (if paid in installments) \$ 3.75

TOTAL

\$ 128.75

Clerk of Court/ Deputy Clerk

Court Reporter: Doree Eubank

SCCA/217 (07/2016)

#### IN THE COURT OF GENERAL SESSIONS

INDICTMENT/CASE#: 2014GS2603752

A/W#: 2014A2610700263

Date of Offense: 1/17/2014

S.C. Code § : 16-03-0010, 0020

CDR Code #: 0116

#### SENTENCE SHEET

☐ CONVICTED OF or ☒ PLEADS

PTUP

\_\_\_\_\_ days/hours Public Service Employment

Obtain GED ☐

Attend Voc. Rehab. or Job Corp. \_\_\_\_\_

May serve W/E beginning \_\_\_\_\_

Substance Abuse Counseling \_\_\_\_\_

Random Drug/Alcohol testing ☐

Fine may be pd. in equal, consecutive weekly/monthly  
pmts. of \$ 25.00 beginning 12/14/2014

\$ \_\_\_\_\_ paid to Public Defender Fund

Other: \_\_\_\_\_

☐ Appointed PD or appointed other counsel,  
Proviso 61.6 requires \$500 be paid to Clerk  
during probation and shall be collected before  
any other fees.

Presiding Judge

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

Sentence Date: 11/14/16

## STATE OF SOUTH CAROLINA

## IN THE COURT OF GENERAL SESSIONS

COUNTY OF Horry  
 STATE VS.  
Randy Gale Robinson  
 AKA: \_\_\_\_\_  
 Race: WHITE Sex: M Age: 49  
 DOB: [REDACTED] SS#: [REDACTED]  
 Address: Sullivan Drive  
 City, State, Zip: Murrells Inlet, SC  
 DL#: \_\_\_\_\_ SID#: \_\_\_\_\_

INDICTMENT/CASE#: 2014GS2603751  
 A/W#: 2014A2610700212  
 Date of Offense: 1/26/2014  
 S.C. Code § : 17-25-0030  
 CDR Code #: 0118

## SENTENCE SHEET

\*CDL Yes ☐ No ☐ CMV Yes ☐ No ☐ Hazmat Yes ☐ No ☐  
 In disposition of the said indictment comes now the Defendant who was  
 TO: Obstruction of Justice 0-10 yrs

☐ CONVICTED OF or ☒ PLEADS

in violation of § 17-25-0030 of the S.C. Code of Laws, bearing CDR Code # 0118  
☒ NON-VIOLENT ☐ VIOLENT ☐ SERIOUS ☐ MOST SERIOUS ☐ Mandatory GPS(CSC ☐ §17-25-45  
 w/minor 1st or Lewd Act)

The charge is: ☒ As Indicted, ☐ Lesser Included Offense, ☐ Defendant Waives Presentment to Grand Jury. (defendant's initials)  
 The plea is: ☐ Without Negotiations or Recommendation, ☒ Negotiated Sentence, ☐ Recommendation by the State.

ATTEST: \_\_\_\_\_  
 Conflict Cases, \_\_\_\_\_ SC Bar# \_\_\_\_\_  
 Defendant \_\_\_\_\_ Attorney for Defendant \_\_\_\_\_ SC Bar# 3627  
17032

WHEREFORE, the Defendant is committed to the ☒ State Department of Corrections, ☐ County Detention Center,  
 for a determinate term of 10 years or ☐ under the Youthful Offender Act not to exceed \_\_\_\_\_ years  
 and/or to pay a fine of \$ \_\_\_\_\_; provided that upon the service of \_\_\_\_\_ days/months/years 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.

☐ CONCURRENT or ☒ CONSECUTIVE to sentence on: 2014-65-26-3752  
☒ The Defendant is to be given credit for time served pursuant to S.C. Code § 24-13-40 to be calculated and applied by the State Department of Corrections.

☐ The Defendant is to be placed on the Central Registry of Child Abuse and Neglect pursuant to S.C. Code §17-25-10.  
 Pursuant to 18 U.S.C Section 922, it is unlawful for a person convicted of a violation of Section 16-25-20 or 16-25-65 (Domestic Violence) to ship, transport, possess, or receive a firearm or ammunition.

## SPECIAL CONDITIONS:

☐ RESTITUTION: ☐ Deferred ☐ Def. Waives Hearing ☐ Ordered PTUP

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

Payment Terms: \_\_\_\_\_

☐ Set by SCDPPPS \_\_\_\_\_

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

\*Fine: \$ \_\_\_\_\_  
 § 14-1-206 (Assessments 107.5 %) \$ \_\_\_\_\_  
 § 14-1-211(A)(1) (Conv. Surcharge) \$100 \$ 100.00  
 § 14-1-211(A)(2) (DUI Surcharge) \$100 \$ \_\_\_\_\_  
 § 56-5-2995 (DUI Assessment) \$12 \$ \_\_\_\_\_  
 § 56-1-286 (DUI Breath Test) \$25 \$ \_\_\_\_\_  
 Proviso 61.6 (Public Def/Probation) \$500 \$ \_\_\_\_\_  
 § 14-1-212 (Law Enforce. Funding) \$25 \$ 25.00  
 § 14-1-213 (Drug Court Surcharge) \$150 \$ \_\_\_\_\_  
 § 50-21-114 (BUI Breath Test Fee) \$50 \$ \_\_\_\_\_  
 § 56-5-2942(J) (Vehicle Assessment) \$40/ea \$ \_\_\_\_\_  
 3% to County (if paid in installments) \$ 3.75

TOTAL \$ 128.75

Clerk of Court/ Deputy Clerk \_\_\_\_\_  
 Court Reporter: Diane Eubank  
 SCCA/217 (07/2016)

\_\_\_\_\_ days/hours Public Service Employment

Obtain GED ☐

Attend Voc. Rehab. or Job Corp. \_\_\_\_\_

May serve W/E beginning \_\_\_\_\_

Substance Abuse Counseling ☐

Random Drug/Alcohol testing ☐

Fine may be pd. in equal, consecutive weekly/monthly pmts. of \$ 25.00 beginning 12/17/2014

\$ \_\_\_\_\_ paid to Public Defender Fund

Other: \_\_\_\_\_

☐ Appointed PD or appointed other counsel, Proviso 61.6 requires \$500 be paid to Clerk during probation and shall be collected before any other fees.

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

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

Sentence Date: 11/14/16

## FORM 5

STATE OF SOUTH CAROLINA )

COUNTY OF HORRY )

RANDY GALE ROBINSON #370498 )  
Full name and prison number (if any) of Applicant. )

v. )

State of South Carolina )

IN THE COURT OF COMMON PLEAS

20 3324  
APPLICATION FOR

POST-CONVICTION RELIEF

**INSTRUCTIONS - READ CAREFULLY**

In order for this application to receive consideration by the Court, it shall be in writing (legibly handwritten or typewritten), signed by the applicant and verified (notarized), and it shall set forth in concise form the answers to each applicable question. If necessary, applicant may furnish his answer to a particular question on the reverse side of the page or on an additional page. Applicant shall make clear to which question any such continued answer refers.

Since every application must be sworn under oath, any false statement of a material fact therein may serve as the basis of prosecution and conviction for perjury. Applicants should, therefore, exercise care to assure that all answers are true and correct.

If the application is taken in forma pauperis, it shall include an affidavit (attached at the back of the form) setting forth information which establishes that applicant will be unable to pay the fees and costs of the proceedings. When the application is completed, the original shall be mailed to the Clerk of Court for the County in which the applicant was convicted.

1. Place of detention Kirkland Correctional Inst., 4344 Broad River Road, Columbia, SC 29210
2. Name and location of Court which imposed sentence Horry County Court of General Sessions, 1301 2nd Ave, Conway, SC 29526
3. Name(s) of co-defendant(s) (if any) none
4. The indictment number or numbers (if known) upon which and the offenses for which sentence was imposed:
  - (a) 2014-GS-26-03752 - Voluntary Manslaughter
  - (b) 2014-GS-26-03751 - Obstructing Justice
  - (c) \_\_\_\_\_
5. The date upon which sentence was imposed and the terms of the sentence:

- (a) November 14, 2016 - Thirty (30) years
- (b) November 14, 2016 - Ten (10) years consecutive
- (c) \_\_\_\_\_
6. Check whether a finding of guilty was made:
- (a) after a plea of guilty X
- (b) after a plea of not guilty \_\_\_\_\_
- (c) after a plea of nolo contendere \_\_\_\_\_
7. Did you appeal from the judgment of conviction or the imposition of sentence?  
No
8. If you answered "yes" to (7), list:
- (a) the name of each Court to which you appealed:
- i. \_\_\_\_\_
- ii. \_\_\_\_\_
- iii. \_\_\_\_\_
- (b) the result in each such Court to which you appealed:
- i. \_\_\_\_\_
- ii. \_\_\_\_\_
- iii. \_\_\_\_\_
- (c) the date of each such result:
- i. \_\_\_\_\_
- ii. \_\_\_\_\_
- iii. \_\_\_\_\_
- (d) if known, citations of any written opinion or orders entered pursuant to such results:
- i. \_\_\_\_\_
- ii. \_\_\_\_\_
- iii. \_\_\_\_\_
9. If you answered "no" to (7), state your reasons for not so appealing:
- (a) \_\_\_\_\_
- (b) \_\_\_\_\_
- (c) \_\_\_\_\_
10. State concisely the grounds on which you base your allegation that you are being held in

custody unlawfully:

(a) Belated Direct Appeal

(b) \_\_\_\_\_

(c) \_\_\_\_\_

11. State concisely and in the same order the facts which support each of the grounds set out in (10):

(a) Requested counsel file a direct appeal and one was not filed.

(b) \_\_\_\_\_

(c) \_\_\_\_\_

12. Prior to this application have you filed with respect to this conviction:

(a) any petition in a State Court under South Carolina Law? \_\_\_\_\_

(b) any petition in State or Federal Courts for habeas corpus or post-convictions relief? \_\_\_\_\_

(c) any petition in the United States Supreme Court for certiorari other than petitions, if any, already specified in (8)? \_\_\_\_\_

(d) any other petitions, motions or applications in this or any other Court? \_\_\_\_\_

13. If you answered "yes" to any part of (12), list with respect to each petition, motion or application:

(a) the specific nature thereof:

i. \_\_\_\_\_

ii. \_\_\_\_\_

iii. \_\_\_\_\_

iv. \_\_\_\_\_

(b) the name and location of the Court in which each was filed:

i. \_\_\_\_\_

ii. \_\_\_\_\_

iii. \_\_\_\_\_

iv. \_\_\_\_\_

(c) the disposition thereof:

i. \_\_\_\_\_

ii. \_\_\_\_\_

iii. \_\_\_\_\_

iv. \_\_\_\_\_

(d) the date of each such disposition:

i. \_\_\_\_\_

ii. \_\_\_\_\_

iii. \_\_\_\_\_

iv. \_\_\_\_\_

(e) if known, citations of any written opinions or orders entered pursuant to each such disposition:

i. \_\_\_\_\_

ii. \_\_\_\_\_

iii. \_\_\_\_\_

iv. \_\_\_\_\_

14. Has any ground set forth in (10) been previously presented to this or any other Court, State or Federal, in any petition, motion or application which you have filed?

no

15. If you answered "yes" to (14) identify:

(a) which grounds have been presented:

i. \_\_\_\_\_

ii. \_\_\_\_\_

iii. \_\_\_\_\_

(b) the proceedings in which each ground was raised:

i. \_\_\_\_\_

ii. \_\_\_\_\_

iii. \_\_\_\_\_

16. If any ground set forth in (10) has not previously been presented to any Court, State or Federal, set forth the ground and state concisely the reasons why such ground has not previously been presented:

(a) \_\_\_\_\_

(b) \_\_\_\_\_

(c) \_\_\_\_\_

17. Were you represented by an attorney at any time during the course of:

(a) your arraignment and plea? yes

- (b) your trial, if any? \_\_\_\_\_
- (c) your sentencing? yes
- (d) your appeal, if any, from the judgment of conviction or the imposition of sentence? \_\_\_\_\_
- (e) preparation, presentation or consideration of any petitions, motions or applications with respect to this conviction, which you filed? \_\_\_\_\_

18. If you answered "yes" to one or more parts of (17), list:

- (a) the name and address of each attorney who represented you:
  - i. Morgan Martin, Esq., 1121 Third Ave., Conway, SC 29526
  - ii. \_\_\_\_\_
  - iii. \_\_\_\_\_
- (b) the proceedings at which each such attorney represented you:
  - i. plea and sentencing
  - ii. \_\_\_\_\_
  - iii. \_\_\_\_\_

19. State clearly the relief you seek in filing this application:

Belated Direct Appeal

20. Are you now under sentence from any other court that you have not challenged?  
no

STATE OF SOUTH CAROLINA )

20

3324

County of Richland )

VERIFICATION

I, Randy G. Robinson, being duly sworn upon my oath, depose and say that I have subscribed to the foregoing application; that I know the contents thereof; that it includes every ground known to me for vacating, setting aside or correcting the conviction and sentence attacked in this application; and that the matters and allegations therein set forth are true.

Randy G. Robinson #3704975

SWORN to and subscribed before me this 20<sup>th</sup>  
day of May, 2020.

Beth A. Mangold (L.S.)  
Notary Public

BETH A. MANGOLD  
Notary Public, State of South Carolina  
My Commission Expires 8/10/2028

My Commission Expires: \_\_\_\_\_

FILED  
HONORARY  
2020 JUN - 1 P 1:29  
REBECCA ELMIS  
CLERK OF COURT  
HONORARY COUNTY CLERK

**APPLICATION TO PROCEED WITHOUT PAYMENT  
OF COSTS AND AFFIDAVIT  
IN SUPPORT THEREOF**

20

3324

I, Randy G. Robinson, hereby apply for leave to proceed in this action without prepayment of fees or costs or security therefor. In support of my application I declare under penalty of perjury that the following facts are true:

- (1) I am the applicant in this action and I believe I am entitled to redress.
- (2) Because of my poverty I am unable to pay the costs of said proceeding or give security thereof.

Randy G. Robinson #372498  
Applicant

SWORN or affirmed to and subscribed before me this  
20<sup>th</sup> day of May, 2020.

Beth A. Mangold  
Notary Public

My Commission Expires: BETH A. MANGOLD  
Notary Public, State of South Carolina  
My Commission Expires 8/10/2026

FILED  
HONORARY  
2020 JUN -1 P 1:29  
RENEE H. ELVIS  
CLERK OF COURT  
HONORARY COUNTY, SC

STATE OF SOUTH CAROLINA  
COUNTY OF HORRY

Randy Robinson, #370498,  
Applicant,

v.

State of South Carolina,  
Respondent.

IN THE COURT OF COMMON PLEAS  
FOR THE FIFTEENTH JUDICIAL CIRCUIT

Case No.: 2020-CP-26-03324

**RETURN AND PARTIAL  
MOTION TO DISMISS**

NOW COMES Respondent, making its return and partial motion to dismiss the post-conviction relief (hereafter “PCR”) application filed on June 1, 2020, by Randy Robinson (hereafter “Applicant”). Respondent respectfully offers the following in support of its return:

**I. Procedural History**

Applicant is presently confined in the South Carolina Department of Corrections pursuant to orders of commitment from the Horry County Clerk of Court. During its September 2014 term, the Horry County Grand Jury indicted Applicant for obstruction of justice (2014-GS-26-03751) and murder (2014-GS-26-03752). Applicant was represented by L Morgan Martin and Rosemary Parham, Esquires. Kevin S. Brackett, Esquire, of the Fifteenth Circuit Solicitor’s Office prosecuted the case. On November 8, 2016, Applicant appeared before the Honorable Steven H. John, circuit court judge, and pled guilty pursuant to plea negotiations, consisting of dropping the murder charge down to voluntary manslaughter with a sentencing range between twenty-five and forty years’ imprisonment. On November 14, 2016, Judge John sentenced Applicant to thirty years’ imprisonment for voluntary manslaughter and ten years for obstruction of justice, sentences running consecutively. Applicant did not pursue a direct appeal.

## **II. Statement of Facts**

On January 16, 2014, the victim, Angela Pipkin, met her friend, Dominique Sessions, to get a ride to Applicant's house. (Tr. 16-17). Several hours later, Applicant called his friend, Thomas Suggs, and stated he needed help disposing of a body. (Tr. 18). The next day, Applicant called Suggs again, asking if he could drop by Suggs' home. (Tr. 18-19). Applicant stated he had "hog parts" in his trunk and asked for help getting rid of them. (Tr. 19). They went down to the river and Applicant started throwing things out of garbage bags into the river. (Tr. 19). At one point, Suggs' saw what appeared to be a human leg. (Tr. 19). The men rode back to Suggs' house, where Applicant burned his clothes, the garbage can, and garbage bags. (Tr. 19). Shortly thereafter, Pipkin was reported missing. (Tr. 20).

In May of 2014, a worker working down by the river located the remains of a human torso in the brush of the banks of the river. (Tr. 20). The body was identified as Pipkin's and the autopsy showed she died a violent death and was sawed up with a power tool used to separate her limbs from her head and torso. (Tr. 21).

## **III. Current Action before the Court**

In his PCR application, Applicant, though Counsel, alleges he is detained unlawfully for the following reasons (excerpts verbatim):

1. Belated Direct Appeal
  - a. Requested counsel file a direct appeal and one was not filed.

Attached to and incorporated herein are Applicant's Horry County Clerk of Court Records, Applicant's South Carolina Department of Corrections Records, the plea transcript, and the current PCR application. Respondent reserves the right to amend this return upon receipt of additional relevant information.

**IV. All Allegations Beyond White Relief Should be Barred by the Statute of Limitations**

Respondent submits this application should be summarily dismissed for failure to comply with the filing procedures of the Uniform Post-Conviction Procedure Act. S.C. Code Ann. § 17-27-10 to -160. Specifically, the Act requires as follows:

An application for relief . . . must be filed within one year after the entry of a judgment of conviction or within one year after the sending of the remittitur to the lower court from an appeal or the filing of the final decision on appeal, whichever is later.

S.C. Code Ann. § 17-27-45(A).

The South Carolina Supreme Court has held the statute of limitations applies to all applications filed after July 1, 1996. *Peloquin v. State*, 321 S.C. 468, 469 S.E.2d 606 (1996). A motion for summary judgment may be used to raise the statute of limitations defense. *McDonnell v. Consolidated School District of Aiken*, 315 S.C. 487, 445 S.E.2d 638 (1994). In addition, S.C. Code Ann. § 17-27-70(c) authorizes this Court to “grant a motion by either party for summary disposition of [an] application when it appears from the pleadings . . . that there is no genuine issue of material fact and the moving party is entitled to judgment as a matter of law.”

Applicant pled to the charges on November 8, 2016 and did not pursue a direct appeal. Thus, the application was due by November 9, 2017. The application was filed on June 1, 2020; after the filing period expired. Thus, the application should be summarily dismissed for failure to file within the time mandated by Uniform Post-Conviction Procedure Act, particularly because the Applicant has failed to allege any ground entitling him to equitable tolling. *See Pelzer v. State*, 378 S.C. 516, 521, 662 S.E.2d 618, 619-20 (Ct. App. 2008) (holding equitable tolling is available where (1) extraordinary circumstances prevented the plaintiff from filing despite his due diligence; (2) the plaintiff actively pursued his or her judicial remedies by filing a defective

pleading during the statutory period or the claimant has been induced or tricked by the defendant's misconduct into allowing the filing deadline to pass; and (3) the plaintiff, despite all due diligence, is unable to obtain vital information bearing on the existence of his or her claim).

**V. Allegation that Applicant is Entitled to Belated Appellate Review Pursuant to *White*<sup>1</sup>**

Applicant alleges he was denied his right to a direct appeal based on ineffective assistance of plea counsel. The one-year limitations period to file a PCR petition does not apply where the defendant alleges he was denied a direct appeal due to ineffective assistance of counsel. *Wilson v. State*, 348 S.C. 215, 218, 559 S.E.2d 581, 582-83 (2002).

Applicant claims he was denied effective assistance of counsel because his plea counsel did not inform him of his option to appeal from a guilty plea. That said, in *White v. State*, our Supreme Court held that even if the post-conviction relief court found the applicant never voluntarily and intelligently abandoned his appeal, the court has no jurisdiction over granting a belated appeal. *Id.* at 119, 108 S.E.2d at 39-40. However, where an applicant establishes in a PCR hearing that he was unconstitutionally deprived of his statutory right to a direct appeal, upon an appeal of the PCR decision, our Supreme Court will review the trial record and pass upon all issues properly raised and argued as if the direct appeal was perfected. *Id.*

Applicant cannot meet his burden in showing entitlement to a belated appeal pursuant to *White*. However, because this allegation presumably raises questions of fact not conclusively refuted by the record, Respondent requests an evidentiary hearing solely on this issue. If the Applicant prevails on his ineffective assistance of counsel for failure to file an appeal allegation and establishes he did not timely file this current application because of ineffective assistance of

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<sup>1</sup> *White v. State*, 263 S.C. 110, 119, 108 S.E.2d 35, 39 (1974).

counsel, Respondent requests an evidentiary hearing to address the remaining issues raised in the PCR application. *See Toney v. State*, Op. No. 2019-MO-006 (S.C. filed February 6, 2019) (where a PCR applicant has established he did not knowingly and voluntarily waive his right to a direct appeal, the applicant is entitled to a full evidentiary hearing on the merits of his application).

If this Court finds the Applicant was denied his right to a direct appeal, Respondent maintains that Applicant's remaining allegations of ineffective assistance of counsel lack merit. In a PCR action, Applicant bears the burden of proving the allegations in his application. *Butler v. State*, 286 S.C. 441, 334 S.E.2d 813 (1985). Where the application alleges ineffective assistance of counsel as a ground for relief, the applicant must prove "counsel's conduct so undermined the proper functioning of the adversarial process that [it] cannot be relied upon as having produced a just result." *Strickland v. Washington*, 466 U.S. 668 (1984); *Butler*, 286 S.C. at 442, 334 S.E.2d at 814.

The two-pronged test outlined in *Strickland v. Washington* governs ineffective assistance of counsel claims. 466 U.S. 668 (1984). First, the applicant must prove that counsel's performance was deficient. *Id.*; *Cherry v. State*, 300 S.C. 115, 117, 386 S.E.2d 624, 625 (1989). The court determines deficiency of an attorney's performance by its "reasonableness under prevailing professional norms." *Cherry*, 300 S.C. at 117, 386 S.E.2d at 625 (quoting *Strickland*, 466 U.S. at 690). The proper measure of performance is if the attorney provided representation within the range of competence required in criminal cases. *Butler*, 286 S.C. at 442, 334 S.E.2d at 814. "Counsel is strongly presumed to have rendered adequate assistance and made all significant decisions in the exercise of reasonable professional judgment." *Id.* (citing *Strickland*, 466 U.S. at 690). The applicant must overcome this presumption to receive relief. *Cherry*, 300 S.C. at 118, 386 S.E.2d at 625.

Second, counsel's deficient performance must have prejudiced the applicant so that "there is a reasonable probability that, but for counsel's unprofessional errors, the result of the proceeding would have been different." *Cherry*, 300 S.C. at 117-18, 386 S.E.2d at 625. Respondent contends Applicant cannot meet his burden; however, the ineffective assistance of counsel allegations probably raise questions of fact the record does not conclusively refute. Accordingly, if this Court find Applicant was denied his right to a direct appeal and is entitled to equitable tolling of the statute of limitations, Respondent requests an evidentiary hearing to fully resolve this issue. *Sharper v. State*, 279 S.C. 264, 305 S.E.2d 247 (1983).

#### **VI. Other Allegations Denied**

Each and every other allegation in Applicant's PCR application not explicitly admitted, qualified, or explain in this return is hereby denied by Respondent.

[conclusion and signature line on following page]

## VII. Conclusion

WHEREFORE, Respondent requests an evidentiary hearing be held solely on the claim of ineffective assistance of counsel in failing to file an appeal. Should this Court find the Applicant failed to establish he did not knowingly and voluntarily waive his right to appeal, Respondent requests all other allegations raised or potentially raised in Applicant's application be dismissed as barred by the statute of limitations. In the alternative, if this Court find Applicant did not knowingly and voluntarily waive his right to a direct appeal and is entitled to equitable tolling of the statute of limitations, Respondent requests an evidentiary hearing regarding Applicant's allegations of ineffective assistance of counsel.

Respectfully submitted,

ALAN WILSON  
Attorney General

W. JEFFREY YOUNG  
Chief Deputy Attorney General

MEGAN HARRIGAN JAMESON  
Senior Assistant Deputy Attorney General

CHELSEY F. MARTO  
Assistant Attorney General

By:/s Chelsey F. Marto  
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Post Office Box 11549  
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Telephone: (803) 734-0386

March 4, 2021

STATE OF SOUTH CAROLINA ) IN THE COURT OF COMMON PLEAS

COUNTY OF HORRY ) 2020-CP-26-03324

|                          |   |                      |
|--------------------------|---|----------------------|
| Randy Robinson,          | ) |                      |
|                          | ) |                      |
| Plaintiff,               | ) | Transcript of Record |
|                          | ) |                      |
| vs.                      | ) |                      |
|                          | ) | MAY 31, 2022         |
| State of South Carolina, | ) |                      |
|                          | ) |                      |
| Defendant.               | ) |                      |
|                          | ) |                      |

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**B E F O R E:**

Honorable H. Steven DeBerry, IV  
Horry County Courthouse  
Conway, South Carolina

**A P P E A R A N C E S:**

Tommy A. Thomas, Esquire  
**Attorney for Plaintiff**

Chelsey F. Marto, Esquire  
**Attorney for State**

Sallie Beth Todd  
**Circuit Court Reporter**

Robinson vs State

2

2020-CP-26-03324

1

I N D E X

2

| <u>WITNESS</u> | <u>DIRECT</u> | <u>CROSS</u> | <u>REDIRECT</u> | <u>RECROSS</u> |
|----------------|---------------|--------------|-----------------|----------------|
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3

**RANDY ROBINSON**

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By Mr. Thomas 4 13

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By Ms. Marto 11

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**MORGAN MARTIN**

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By Ms. Marto 14

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By Mr. Thomas 17

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**ROSE MARY PARHAM**

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By Ms. Marto 19

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Certificate of Court Reporter..... 24

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E X H I B I T S

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(THERE WERE NO EXHIBITS MARKED DURING THIS HEARING.)

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1           **THE COURT:** All right. Ms. Marto.

2           **MS. MARTO:** Good morning, Your Honor. May it please the  
3 Court?

4           **THE COURT:** Sure.

5           **MS. MARTO:** We are here today in the case of Randy  
6 Robinson versus the State of South Carolina, docket number  
7 2020-CP-26-03324. He is presently confined in the South  
8 Carolina Department of Corrections. During a September 2014  
9 term he was indicted by the Horry County Grand Jury for  
10 Obstruction of Justice and Murder. He was represented by Mr.  
11 L. Morgan Martin and Rose Mary Parham, and Kevin Brackett of  
12 the 15<sup>th</sup> Circuit Solicitor's Office prosecuted the case.

13           On November 8<sup>th</sup>, 2016 he appeared before Honorable Steven  
14 H. John and plead guilty pursuant to plea negotiations  
15 consisting of dropping the murder down to a voluntary  
16 manslaughter charge with a sentencing range of 25 and 40  
17 years. And then on November 14<sup>th</sup>, 2016 he was sentenced to 30  
18 years imprisonment for Voluntary Manslaughter, ten years for  
19 Obstruction of Justice, sentences running consecutively. He  
20 did not pursue a direct appeal.

21           He then filed this post-conviction relief application  
22 June 1<sup>st</sup>, 2020, and a return and partial motion to dismiss was  
23 made March 4<sup>th</sup>, 2021. The state made a return and partial  
24 motion to dismiss claiming that all claims be on the  
25 allegation of failure to file notice of appeal for a direct

1 appeal were procedurally barred as untimely. And it is my  
2 understanding that the only allegation we're proceeding  
3 forward with today is whether or not applicant is entitled to  
4 a belated direct appeal pursuant to White vs State. What that  
5 I'll turn it over to Mr. Thomas.

6 **THE COURT:** All right.

7 **MR. THOMAS:** Your Honor, if it'd please the Court.

8 That is correct. We are proceeding today with the  
9 request for a belated direct appeal.

10 And, Your Honor, if it'd also please the Court, we would  
11 call Mr. Robinson to the stand.

12 **THE COURT:** Sure.

13 **THE CLERK:** Raise your right hand, place your left hand  
14 on the Bible.

15 **RANDY ROBINSON, HAVING BEEN**

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16 **FIRST DULY SWORN, TESTIFIED AS FOLLOWS:**

17 **THE CLERK:** Just state your first and last name for the  
18 court reporter, please.

19 **MR. ROBINSON:** Randy Robinson.

20 **MR. THOMAS:** Your Honor, if it'd please the Court.

21 **THE COURT:** Yes, sir.

22 **DIRECT EXAMINATION OF MR. ROBINSON BY MR. THOMAS:**

23 Q: Mr. Robinson, you are currently incarcerated?

24 A: Yes, sir.

25 Q: In the South Carolina Department of Corrections?

1 A: Yes, sir.

2 Q: And what type of sentence are you serving?

3 A: Thirty years for Voluntary Manslaughter, ten years for

4 Obstruction of Justice, running consecutive.

5 Q: And those are running consecutive?

6 A: Yes, sir.

7 Q: So you have a total sentence of how much?

8 A: Forty years.

9 Q: And what is your max out date?

10 A: December 10<sup>th</sup>, 2044.

11 Q: All right, sir. And how old are you now?

12 A: Fifty-five.

13 Q: So we're talking about ---

14 A: Seventy-seven.

15 Q: Sir?

16 A: I'll be seventy-seven.

17 Q: You'll be seventy-seven. All right, sir. And that's of

18 course your 30 years is day for day?

19 A: Yes, sir.

20 Q: All right, sir.

21 A: Pretty much.

22 Q: All right, sir. Now you had appointed counsel or

23 retained counsel?

24 A: Sir?

25 Q: Did you have -- did you hire an attorney?

1 A: Yes, sir.

2 Q: And who did you hire?

3 A: Morgan Martin.

4 Q: All right, sir. You actually had two attorneys?

5 A: Rose Mary Parham was -- there was allegations that a

6 fellow inmate in the county was saying that I was conspiring

7 to do something else, and she was there for that case. But

8 Mr. Martin handled the whole case by himself.

9 Q: All right, sir. Now when you did -- you entered into a

10 plea?

11 A: Yes, sir.

12 Q: Rather than a trial?

13 A: Yes, sir.

14 Q: And you -- who represented you at that plea?

15 A: Mr. Martin and Ms. Parham.

---

16 Q: Okay. Both were there?

17 A: I sat between them.

18 Q: All right. Now you and I talked about this. You kind of

19 had a calculation in your mind in regards to plea versus

20 trial?

21 A: Yes, sir.

22 Q: And can you go through that for us, how you did that?

23 A: I just calculated for the max that either one of them

24 could carry and come up with that. And all of a sudden

25 everybody was saying well there will be additional charges

1 added. I said what do you mean? They said well they brung up  
2 about a weapons charge, the conspiracy, and the desecration of  
3 human remains. I said well damn, you know, them things added  
4 up pretty high.

5 Q: Yes, sir.

6 A: So I was, for lack of better terms, taking the lesser of  
7 the evils.

8 Q: Okay. But when you and I talked about you had numbers,  
9 you figured or you were hoping for what on a plea?

10 A: At the very least not for them to be run consecutive,  
11 concurrent. And still with that, that's I think it was like  
12 24 and a half years even that way.

13 Q: All right. Twenty-four and a half versus what?

14 A: It's 31 and a half now.

15 Q: Thirty-one and a half to max out?

16 A: Yes, sir.

17 Q: Okay. So in determining whether or not to go to trial or  
18 accept the plea, you were expecting what?

19 A: Not real sure. I don't know whether it was to save the  
20 grief of the whole incident.

21 Q: Yes, sir.

22 A: And definitely not to have that full time.

23 Q: All right. So you were not expecting the ten to be run  
24 consecutive to the 30?

25 A: No, sir.

1 Q: To give you a total of 40 years?

2 A: No, sir.

3 Q: And did you consider that 40 years to be a life sentence  
4 for you?

5 A: Yes, sir.

6 Q: And why do you think it's a life -- would feel like it's  
7 a life sentence?

8 A: Health reasons. I don't even know that I'll see to '44.

9 Q: Right. Are you having health problems now?

10 A: Yes, sir. I go to MUSC a couple of times a year.

11 Q: Okay. Let me ask you this, how did you prepare for this  
12 plea with your attorney, with Mr. Morgan?

13 A: We had discussed it. We just wasn't real sure how, for  
14 lack of better terms, to see how the ball was going to bounce.  
15 We didn't know which way it was going to go. Had ideas, but

16 you can never be a guarantee.

17 Q: Right. Right. In all of this, at some point in time you  
18 would have taken it trial rather than entering into a plea?

19 A: Hindsight is 20/20. Like I said, I'd never been in this  
20 predicament, and it was just overwhelming.

21 Q: First time in trouble?

22 A: I'm no angel by no far cry, but for that magnitude, yes,  
23 sir.

24 Q: Okay. All right. Now we're talking about basically your  
25 request for a belated appeal, a direct appeal. You did not

1 have a direct appeal?

2 A: No, sir.

3 Q: And you didn't file a post-conviction within the one  
4 year?

5 A: No, sir.

6 Q: Okay. But you're asking the Court to grant you a direct  
7 appeal today?

8 A: Yes, sir.

9 Q: Okay. And did you -- do you remember the Judge telling  
10 you at the sentencing that you had the right to appeal?

11 A: Yes, sir.

12 Q: Okay. And based upon that, did you talk to your defense  
13 counsel about that?

14 A: I spoke to Mr. Martin after the trial when we went into  
15 the little room there. I was actually under the assumption  
16 that I would be hearing from them. In fact, I think Ms.  
17 Parham had told me, you know, we'll see you soon. I said well  
18 -- I just kind of left it at that. And then I landed in the  
19 hornet's nest when I got to prison itself and it's a life  
20 changing experience, I can promise you that part.

21 Q: So you were in shock in regards to the 40 year sentence?

22 A: Even though I was somewhat prepared, when it was handed  
23 down, I felt my knees buckle.

24 Q: Okay. Now you remember the Judge advising you that you  
25 had the right to appeal that hearing, that decision, that

1 sentence?

2 A: Yes, sir.

3 Q: And in your calculation, I think you just testified that  
4 that in essence was a life sentence for you?

5 A: Yes, sir.

6 Q: Okay. And that was the reason why you wanted to appeal  
7 that?

8 A: Yes, sir. Like I said, I'll be a lucky camper if I see  
9 2044.

10 Q: Okay. And defense counsel came back and saw you after  
11 this plea?

12 A: Yes, sir. It was a brief session.

13 Q: Okay. And did you have a discussion with Mr. Martin  
14 about appealing it?

15 A: It was, like I said, it was a good blur then. I think it  
16 was suggested. I was still, you know, taken back from the  
17 actual verdict itself.

18 Q: Right. But that's something that you wanted to do.

19 A: Yes, sir. I still don't know which way it would go.

20 Q: All right. Mr. Robinson, we've talked about this, I know  
21 you've been with the pandemic and everything you've been  
22 waiting a long time ---

23 A: Yes, sir.

24 Q: --- to get into court. Is there anything else that you  
25 would like to bring to the attention of the Court?

1 A: Other than the fact of what I'd been doing the whole  
2 time, I've been up at -- incarcerated, it's nothing but good.  
3 Now I'm working in the infirmary.

4 Q: Yes, sir.

5 A: I live there. That's just -- I don't want to see that.  
6 I don't want to wind up there.

7 Q: In the infirmary?

8 A: Yes, sir. It's like another shot at life.

9 Q: Yes, sir. And you haven't had the opportunity to appeal  
10 or file your post-conviction?

11 A: No, sir. It's -- I actually got in trouble one time when  
12 I asked one of the counselors for some help on another matter.  
13 I was told I should have just went to the law library. I said  
14 well if I knew the law that well, I never would have needed an  
15 attorney to begin with.

16 Q: Yes, sir.

17 A: I mean that just -- but it amazed me that when I did turn  
18 to help, I got shot down.

19 **MR. THOMAS:** Your Honor, I have no further questions.

20 **THE COURT:** All right. Ms. Marto.

21 **MS. MARTO:** Yes, Your Honor.

22 **CROSS EXAMINATION OF MR. ROBINSON BY MS. MARTO:**

23 Q: Good morning, sir.

24 A: Good morning.

25 Q: Now did you ever specifically tell your attorney that you

1 wanted an appeal or did you just kind of assume they'd do it  
2 without you asking?

3 A: I want to say assume.

4 Q: You asked them?

5 A: I said I want say assume because I thought that we would  
6 try to get something better.

7 Q: Okay. So you just assumed they'd do it on their own?

8 A: No, ma'am. Like I said, I'm almost direct positive Ms.  
9 Parham said I'll see you soon, and I took that as I'll see.

10 Q: And you plead to a range of between 25 and 40 years on  
11 the voluntary manslaughter charge alone, correct?

12 A: That was I think a combination of them.

13 Q: Okay.

14 A: If I remember the paperwork.

15 Q: But you knew that you could face up to 40 years in  
16 prison, correct?

17 A: I never thought we'd see that day.

18 Q: But you knew that's what you were pleading to, correct?  
19 That was stated?

20 A: Yes.

21 Q: Okay. And the only reason why you would file an appeal  
22 on this case is because you want less time, right?

23 A: Please.

24 **MS. MARTO:** No further questions, Your Honor.

25 **THE COURT:** All right. Mr. Thomas.

1           **MR. THOMAS:** Just one or two.

2           **REDIRECT EXAMINATION OF MR. ROBINSON BY MR. THOMAS:**

3           Q: Randy, when you saw defense counsel after the plea, was  
4 he surprised, not surprised, or what was his reaction to the  
5 40 years?

6           A: I don't remember ---

7           Q: You don't remember.

8           A: --- verbatim what he said. It was like, it was a blur  
9 for me in that.

10          Q: Right. But you were obviously upset with what you felt  
11 like was a life sentence?

12          A: Yes, sir.

13          Q: And you took it from Mr. Martin that I'll see you soon  
14 was that he was going to help you.

15          A: Well he never said that, Ms. Parham said that.

16          Q: Okay.

17          A: You know with both of them being counsel, I guess I just  
18 took it as a joint.

19          Q: Right. And you assumed that that was going to be an  
20 appeal?

21          A: Yes, sir. Some kind of assistance, help.

22          Q: Okay.

23           **MR. THOMAS:** No further questions, Your Honor.

24           **THE COURT:** All right.

25           **MS. MARTO:** No questions, Your Honor.

25 A: Well trial is always on the table, I think. We discussed

1 the trial, possible pleas, the evidence against him. So we  
2 discussed it all, but ultimately thought that the plea was the  
3 best of a difficult set of choices.

4 Q: And that plea came with certain negotiations, correct?

5 A: Yes.

6 Q: Was there a negotiation concerning pleading to a  
7 different charge or a certain sentence?

8 A: Well, yes, because he pled to Voluntary Manslaughter as  
9 opposed to Murder. And at the time, again, this was in 2016  
10 so it's been five or six years ago. And you know I can't  
11 recall every word that Randy and I discussed at that time, but  
12 we spent a lot of time discussing his case and what was best  
13 to do with it. Along with Ms. Parham, who got involved after I  
14 did, if my memory serves me correct. But they had a strong  
15 case against Randy in this instance, and you know I'm thinking  
16 the thought process was if you can get out of murder down to  
17 manslaughter it opens a few doors that may otherwise be closed  
18 with murder in terms of when he could get out. And there was  
19 -- I think the second charge was desecration of human remains,  
20 and so the hope was, I think, that if we could get the plea  
21 from a 25 to 40-year range that we could -- maybe Judge John  
22 would give us 25 or 30 years and not run it consecutive and  
23 that kind of thing. But obviously, I made it clear to Randy,  
24 as I would to anybody, you never know what a Judge is going  
25 do. And that these are bad facts, but hey, you know this is a

1 chance if you're convicted of murder and the Judge gives you

2 45 or 50 years which you'll never max out on, that's worse.

3 So I think that we discussed it all, we decided this was best,

4 we got that opportunity and we took the plea.

5 Q: And he was aware he could be sentenced up to 40 years, is

6 that your understanding?

7 A: Say that again.

8 Q: Is it your understanding that he knew he could be

9 sentenced up to 40 years?

10 A: Oh, sure he knew he could be, yeah.

11 Q: And after the plea, did you discuss his right to appeal

12 with him?

13 A: Not that I recall. Again, I'll say it, I talked to you

14 about this, and I talked to Mr. Thompson (sic). It has been

15 that period of time. And we did talk with Randy, my

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16 recollection is, in one of the rooms outside the courthouse --

17 the courtroom once the plea. And of course, we were hoping

18 we'd get a better sentence, we didn't. But I do not recall

19 any discussion about appealing the sentence. I do believe

20 that had Randy directed me to appeal the sentence, even though

21 I'm not sure what that would have accomplished, I would have

22 done it. So I do not recall having been asked to do that.

23 Q: How long have you been practicing criminal defense?

24 A: How long have I been?

25 Q: Yes.

1 A: Do you want to know how old I am? Is that what you're  
2 asking?

3 Q: That's not what I'm looking for, sir.

4 A: Well 40 years probably, close to it.

5 Q: And in 40 years it's been your general practice to file a  
6 notice of appeal when they request it.

7 Q: Well if anybody's requested me to, and I will say here,  
8 I'm not sure what you can appeal if a sentence is within the  
9 prescribed sentencing range, okay. So, yeah, generally I  
10 would talk with any client and attempt to carry out their  
11 wishes in regards to how they wanted to proceed with their  
12 case, whether it was to file an appeal or whatever.

13 MS. MARTO: No further questions, Your Honor.

14 THE COURT: All right. Mr. Thomas.

15 MR. THOMAS: Your Honor, just one or two.

16 CROSS EXAMINATION OF MR. MARTIN BY MR. THOMAS:

17 Q: Good morning.

18 A: Good morning.

19 Q: So is it your practice normally after a plea like that  
20 you go back and talk to your client?

21 A: Yes.

22 Q: Yeah, I do too. So it wouldn't -- and I think you  
23 testified to that, that you went back to speak with him after  
24 the imposition of the sentence.

25 A: That is my recollection.

1 Q: Okay. And were you surprised by the 40?

2 A: Well not really. Even though I was really hopeful that  
3 my eloquence could get Judge John to give us a better sentence  
4 than that.

5 Q: Yes, sir.

6 A: So I was disappointed it wasn't a little better, but I  
7 can't say I was surprised. This case has got some interesting  
8 facts to it.

9 Q: Okay. And you say that you just, you don't remember  
10 whether or not the appeal was discussed?

11 A: I do not recall the appeal being discussed. Now again,  
12 since I'm under oath and trying to be careful, you know I know  
13 that I'm careful enough that if I had a client that said I  
14 want you to file an appeal in this case, I'd have gotten  
15 myself over to the office and have filed it before sunset

16 before I didn't do something I should have done. That's my  
17 thought. But you know I do not recall that conversation. I  
18 do not ask -- remember Randy asking me to file the appeal, so  
19 I can only tell you that I don't think he did, and I think I  
20 did not do it because I was not asked to do it.

21 Q: Okay.

22 **MR. THOMAS:** I have no further questions, Your Honor.

23 **THE COURT:** All right, sir.

24 **MS. MARTO:** No further questions, Your Honor.

25 **THE COURT:** All right. Mr. Martin, you can step down.

1 Thank you.

2 Ms. Marto.

3 **MS. MARTO:** Yes, Your Honor. The state would like to  
4 call Rose Mary Parham to the stand, please.

5 **THE CLERK:** Raise your right hand, place your left.

6 **ROSE MARY PARHAM, HAVING BEEN**  
7 **FIRST DULY SWORN, TESTIFIED AS FOLLOWS:**

8 **THE CLERK:** State your first and last name, please.

9 **MS. PARHAM:** Rose Mary Parham. Hi.

10 **THE COURT:** Good morning.

11 **DIRECT EXAMINATION OF MS. PARHAM BY MS. MARTO:**

12 Q: Good morning, ma'am.

13 A: Good morning.

14 Q: So you were second chair on this case, correct?

15 A: I was.

16 Q: Okay. And were you present during plea negotiations?

17 A: I was.

18 Q: And it was your understanding he was pleading to the  
19 range as previously discussed between 25 and 40 years,  
20 correct?

21 A: That's right.

22 Q: Okay. And so from your understanding, did Mr. Robinson  
23 understand he could face up to 40 years?

24 A: He did.

25 Q: After the plea, did he and y'all have a conversation

1 about what had just happened?

2 A: We did.

3 Q: And during that conversation, did y'all discuss the right  
4 to an appeal, do you recall?

5 A: I don't recall ever hearing anything about an appeal from  
6 us or from him.

7 Q: Okay. So you don't recall him specifically asking you to  
8 file an appeal?

9 A: No.

10 Q: Now do you recall telling him that you would see him  
11 soon?

12 A: I don't recall that. I could have said that because we  
13 met with him a lot at the jail. You know I remember speaking  
14 with him with Morgan after the sentencing, but I think that's  
15 the last time we did see him. I don't think we saw him again

16 at the jail.

17 Q: So if you said that, did you mean for that to convey to  
18 him that you'd be filing an appeal?

19 A: No. We don't file appeals unless they're asked of us.  
20 But like Morgan, I was disappointed that he received 40 years  
21 and would want to do anything we could to help him.

22 Q: And do you think a direct appeal would have been fruitful  
23 in this case?

24 A: No. Guilty pleas are not overturned on appeal.

25 Q: Okay.

1           **MS. MARTO:** No further questions, Your Honor.

2           **THE COURT:** All right. Mr. Thomas.

3           **MR. THOMAS:** Your Honor, I beg the Court's indulgence.

4           **THE COURT:** Sure.

5           **MR. THOMAS:** I don't have any questions, Your Honor.

6           **THE COURT:** All right.

7           **MS. PARHAM:** Thank you.

8           **THE COURT:** Thank you, Ms. Parham, for being here.

9           **MS. MARTO:** No further witnesses, Your Honor.

10          **THE COURT:** All right. All right. I'll be happy to hear  
11 from you in closing.

12          **MR. THOMAS:** Your Honor, if it'd please the Court.

13               We would ask the Court to grant the belated direct  
14 appeal. I think that there is sufficient evidence to indicate  
15 that Mr. Robinson thought that this case was going to be  
16 appealed, especially in light of the statement I'll see you  
17 soon. He really hasn't had a bit of the apple. I reviewed  
18 his case for him. There's just nothing, unfortunately, there  
19 may be meritorious issues in regards to post-conviction, but I  
20 think Mr. Robinson would have a difficult time getting around  
21 the statute of limitations and he was late on that.

22               I think what happened is that, as I see with a number of  
23 inmates, they come into the Department of Corrections, it's  
24 such a traumatic experience that, one, they either don't know  
25 they can file a post-conviction or, two, they don't know they

1 can have an appeal. And the time just goes by, and it takes a  
2 while to acclimate and finally get to the point to where I  
3 have issues that I might want to raise before the Court. And  
4 I think that's what happened to Mr. Robinson is that, you  
5 know, it just took a while. And unfortunately he is untimely  
6 for post-conviction, which only leaves for him the possibility  
7 of the belated direct appeal, which is up to the discretion of  
8 the Court as to whether to grant or not.

9 He hasn't had a bite at the apple. It's not like he's  
10 had successive post-convictions. And we would just ask the  
11 Court to consider that for us, Your Honor.

12 **THE COURT:** Okay. Ms. Marto.

13 **MS. MARTO:** Yes, Your Honor. May it please the Court?

14 The only issue that is ripe today that isn't procedurally  
15 barred is the belated appeal issue. And I think both counsels

16 credibly testified that they didn't receive an indication from  
17 Mr. Robinson one way or the other whether he wanted to appeal.  
18 And they both testified that even if he did appeal that it  
19 wouldn't have been fruitful given the fact that it was a plea.  
20 The only thing that he was seeking to appeal was the sentence  
21 that was already within the course of the negotiations. He  
22 might not be happy with the sentence, but it was still within  
23 the range as negotiated between the parties. And so we would  
24 just request that you deny relief in this case.

25 **THE COURT:** All right. And based on the testimony and

1 the evidence that's been entered here this morning, I am going  
2 to deny this request for a belated appeal. Mr. Robinson  
3 testified himself that he just assumed that an appeal would be  
4 filed on his behalf. Certainly, both of his attorneys appear  
5 here and seem very credible. And the Court believes that they  
6 would have filed an appeal had they been asked to do so. So  
7 based on the testimony here this morning I'm going to deny  
8 your request.

9 Thank you for being here.

10 **MR. THOMAS:** Thank you, Your Honor.

11 **MS. MARTO:** Thank you, Your Honor.

12 (END OF HEARING)

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Robinson vs State

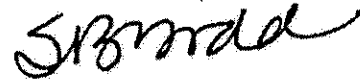
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2020-CP-26-03324

## C E R T I F I C A T E

I, the undersigned, Sallie Beth Todd, Official Court Reporter for the State of South Carolina, do hereby certify that the foregoing is a true, accurate and complete transcript of the Transcript of Record of the hearing held in the interest of Randy Robinson versus State of South Carolina in the Court of Common Pleas for Horry County, Horry County Courthouse, Conway, South Carolina, on May 31, 2022.

I do hereby certify that I am neither of kin, counsel, nor interest to any party hereto.



Sallie Beth Todd, CVR

Official Reporter

October 17, 2022.

STATE OF SOUTH CAROLINA )  
COUNTY OF HORRY )

IN THE COURT OF COMMON PLEAS  
FOR THE FIFTEENTH JUDICIAL CIRCUIT

Randy Robinson, #370498,  
Applicant,

Case No.: 2020-CP-26-03324

v.

**ORDER OF DISMISSAL**

State of South Carolina,  
Respondent.

FILED  
HORRY COUNTY  
2022 AUG 10 P 1:42  
RENEE N. ELY  
CLERK OF COURT  
HORRY COUNTY SC

This matter comes before this Court by way of Applicant's post-conviction relief application filed June 1, 2020. Respondent made its return on March 4, 2021, requesting an evidentiary hearing be convened. An evidentiary hearing was held on May 31, 2022, at the Horry County Courthouse. Tommy A. Thomas, Esquire, represented Applicant. Assistant Attorney General Chelsey F. Marto represented Respondent.

Applicant testified on his own behalf at the evidentiary hearing. Counsels L. Morgan Martin and Rose Mary Parham, Esquires, also testified. After reviewing all records and evidence before this Court, this Court finds Applicant cannot meet his requisite burden of proof of establishing he is entitled to post-conviction relief and denies and dismisses this application with prejudice. Findings of fact and conclusions of law are set forth below.

#### Procedural History

Applicant is presently confined in the South Carolina Department of Corrections pursuant to orders of commitment from the Horry County Clerk of Court. During its September 2014 term, the Horry County Grand Jury indicted Applicant for obstruction of justice (2014-GS-26-03751) and murder (2014-GS-26-03752). Applicant was represented by L. Morgan Martin and Rosemary Parham, Esquires. Kevin S. Brackett, Esquire, of the Fifteenth Circuit Solicitor's Office prosecuted the case. On November 8, 2016, Applicant appeared before the Honorable

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Steven H. John, circuit court judge, and pled guilty pursuant to plea negotiations, consisting of dropping the murder charge down to voluntary manslaughter with a sentencing range between twenty-five- and forty-years' imprisonment. On November 14, 2016, Judge John sentenced Applicant to thirty years' imprisonment for voluntary manslaughter and ten years for obstruction of justice, sentences running consecutively. Applicant did not pursue a direct appeal.

### Summary of Relevant Facts

On January 16, 2014, the victim, Angela Pipkin, met her friend, Dominique Sessions, to get a ride to Applicant's house. (Plea Tr. 16-17). Several hours later, Applicant called his friend Thomas Suggs, and stated he needed help disposing of a body. (Plea Tr. 18). The next day, Applicant called Suggs again, asking if he could drop by Suggs' home. (Plea Tr. 18-19). Applicant stated he had "hog parts" in his trunk and asked for help getting rid of them. (Plea Tr. 19). They went down to the river and Applicant started throwing things out of garbage bags into the river. (Plea Tr. 19). At one point, Suggs' saw what appeared to be a human leg. (Plea Tr. 19). The men rode back to Suggs' house, where Applicant burned his clothes, the garbage can, and garbage bags. (Plea Tr. 19). Shortly thereafter, Pipkin was reported missing. (Plea Tr. 20).

In May of 2014, a worker working down by the river located the remains of a human torso in the brush of the banks of the river. (Plea Tr. 20). The body was identified as Pipkin's and the autopsy showed she died a violent death and was sawed up with a power tool used to separate her limbs from her head and torso. (Plea Tr. 21).

### Current Action Before this Court

In his current PCR application, Applicant alleges he is being held in custody unlawfully because of ineffective assistance of counsel in that:

1. Belated Direct Appeal
  - a. Requested counsel file a direct appeal and one was not filed.

At the PCR hearing, Applicant proceeded forward on the above allegation. Any and all other potential allegations are deemed waived and abandoned and, accordingly, will not be addressed in this order.

**Summary of the Testimony**

***Applicant Testimony***

Applicant stated he was sentenced to thirty years' imprisonment, which he must serve day for day. Applicant stated that Counsel Martin handled the case largely by himself, but Counsel Parham was brought on due to an allegation a fellow inmate made that he was conspiring to commit another crime. He stated he pled while represented by Counsels Martin and Parham. He stated he calculated the maximum sentences on all charges but decided to plead because he thought it was the "lesser of two evils." Applicant stated he was hoping for concurrent, not consecutive sentences. He stated he wanted a lesser sentence and thought he would receive one by pleading. He stated that he effectively received a life sentence because of his health issues and age.

Concerning preparation for the plea, he stated he discussed the plea with Counsels and stated he was not given any guarantees concerning sentencing. He stated that, in retrospect, he would have proceeded to trial. He stated that he did not receive a direct appeal or file his PCR application on time. He stated he wanted a direct appeal. Applicant stated he spoke to Counsels after the plea and was under the assumption he would hear from Counsels. He stated that Counsel Parham stated that she would see him soon. He stated he was somewhat prepared for the forty-year sentence, but that he was not expecting such a stiff sentence. He stated he remembered being advised by the Judge about his right to appeal. He stated he wanted to appeal because he effectively received a life sentence. He stated he did not recall discussing the right to appeal with

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Counsel, but stated he thought it was suggested. Applicant requested the Court grant relief so he can have another shot at life.

On cross-examination, Applicant stated that he assumed Counsels would file a notice of appeal on his behalf without him specifically requesting they do so. He stated he took Counsel Parham saying that she would see him soon as confirmation that they would file an appeal. He stated he pled to a range of twenty-five to forty years' imprisonment but did not think he would have to serve a full forty. He stated he was requesting an appeal so he could serve less time.

On re-direct, Applicant stated that he did not remember how Counsels reacted to a forty-year sentence being imposed, but that he was upset because he was effectively sentenced to a forty-year sentence. Applicant stated that he thought Counsels confirmed that he could file an appeal when they said they would see him soon.

*Counsel Martin Testimony*

Counsel Martin testified he represented Applicant from the inception of the case. He stated that trial was always on the table, but a plea was the best option available. He stated he pled to voluntary manslaughter instead of murder. He stated that they spent a lot of time discussing the case, the differences in sentencing ranges regarding murder and voluntary manslaughter. He stated he told Applicant if he pled, he could potentially only serve twenty-five to forty years, but if he was convicted of murder then he would never max out. He stated Applicant pled knowing he could be sentenced to up to forty years' imprisonment. He stated he did not recall discussing Applicant's right to plead with him. He stated they hoped for a better sentence but did not get it. He stated that if Applicant requested a plea, he would have filed a notice of appeal. He stated it is his general practice to file an appeal upon request, but that he was not sure what could be appealed from a plea where the sentence imposed is within the range

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agreed upon through negotiations.

On cross-examination, Counsel Martin testified that it is his general practice to talk to his client after sentencing. He stated he was not surprised by the forty years imposed. He stated that he hoped his eloquence in mitigation could have secured a better sentence, but that the facts of the case were too bad. He stated that he did not remember whether an appeal was discussed, but that if one was requested, he would have filed the notice of appeal.

***Counsel Parham Testimony***

Counsel Parham testified that she was second chair in this case and was present during plea negotiations. She stated that Applicant pled to a range of twenty-five to forty years and understood he could face up to forty years imprisonment. She stated they discussed the sentence after it was imposed. She stated she did not recall Counsel asking for an appeal, nor did she recall telling Applicant she would see him soon. She stated she did not think she gave Applicant any indication that she was going to file an appeal. She stated she was disappointed in the sentence imposed. She stated she did not think an appeal would be fruitful in this case.

**Findings of Fact and Conclusions of Law**

This Court has had the opportunity to review the record in its entirety and has heard the testimony and arguments presented at the PCR hearing. Before this Court are the Horry County Clerk of Court Records, Applicant's South Carolina Department of Corrections Records, the plea and sentencing transcripts, and this PCR action's records. This Court has further had the opportunity to observe each witness who testified at the hearing, and to closely pass upon their credibility. This Court has weighed the testimony accordingly. Set forth below are the relevant findings of fact and conclusion of law as required by South Carolina Code Annotated Section 17-27-80 (2003).

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HORRY COUNTY, SC

**All Allegations Beyond *White* Relief are Barred by the Statute of Limitations**

This Court finds that all claims brought beyond the claim for a belated appeal pursuant to *White* are barred for untimeliness under the Uniform Post-Conviction Procedure Act. S.C. Code Ann. § 17-27-10 to -160. Specifically, the Act requires as follows:

An application for relief . . . must be filed within one year after the entry of a judgment of conviction or within one year after the sending of the remittitur to the lower court from an appeal or the filing of the final decision on appeal, whichever is later.

S.C. Code Ann. § 17-27-45(A).

The South Carolina Supreme Court has held the statute of limitations to applications filed after July 1, 1996. *Peloquin v. State*, 321 S.C. 468, 469 S.E.2d 606 (1996). A motion for summary judgment may be used to raise the statute of limitations defense. *McDonnell v. Consolidated School District of Aiken*, 315 S.C. 487, 445 S.E.2d 638 (1994). In addition, S.C. Code Ann. § 17-27-70(c) authorizes this Court to “grant a motion by either party for summary disposition of [an] application when it appears from the pleadings . . . that there is no genuine issue of material fact and the moving party is entitled to judgment as a matter of law.”

Applicant pled to the charges on November 8, 2016 and did not pursue a direct appeal. Thus, the application was due by November 9, 2017. The application was filed on June 1, 2020; after the filing period expired. Thus, all cognizable PCR claims beyond the *White* relief issue are procedurally barred for untimeliness.

**White Relief Issue**

Applicant alleges he was denied his right to a direct appeal based on ineffective assistance of plea counsel. The one-year limitations period to file a PCR petition does not apply where the defendant alleges, he was denied a direct appeal due to ineffective assistance of counsel. *Wilson v. State*, 348 S.C. 215, 218, 559 S.E.2d 581, 582-83 (2002).

Applicant claims he was denied effective assistance of counsel because he effectively assumed Counsel would file a notice of appeal even without Applicant explicitly requesting he do so. However, in *White v. State*, our Supreme Court held that even if the post-conviction relief court found the applicant never voluntarily and intelligently abandoned his appeal, the court has no jurisdiction over granting a belated appeal. *Id.* at 119, 108 S.E.2d at 39-40. However, where an applicant establishes in a PCR hearing that he was unconstitutionally deprived of his statutory right to a direct appeal, upon an appeal of the PCR decision, our Supreme Court will review the trial record and pass upon all issues properly raised and argued as if the direct appeal was perfected. *Id.*

Here, Applicant was not unconstitutionally deprived of his right to a direct appeal. At the plea hearing, Applicant was informed he had ten days to appeal. (Plea Tr. 24). Both Counsels credibly testified that they did not recall Applicant requesting an appeal and that they would have filed a notice of appeal if requested to do so. Counsels credibly testified that because Applicant entered an otherwise valid plea and was sentenced within the negotiated range, they did not think Applicant would be successful on appeal. Accordingly, this Court finds Applicant was aware of his right to appeal and seemingly waived that right by letting the deadline lapse. Thus, relief is denied in this case.

### Conclusion

Based on all the foregoing, this Court finds and concludes that Applicant has not established any constitutional violations or deprivations that would require this Court to grant his application. Therefore, this PCR application must be denied and dismissed with prejudice.

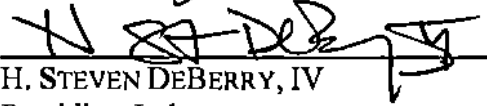
This Court notifies the Applicant that he must file and serve a notice of appeal within thirty days of receipt by counsel of the judgment entry's written notice to secure appropriate

appellate review. *See* Rule 203, SCACR. Pursuant to *Austin v. State*, 305 S.C. 453, 409 S.E.2d 395 (1991), an Applicant has the right to appellate counsel's assistance in seeking review of the denial of PCR. Rule 71.1(g), SCRCP provides that if the Applicant wishes to seek appellate review, PCR counsel must serve and file a notice of appeal on Applicant's behalf. Your attention is directed to South Carolina Appellate Court Rule 243 for appropriate appellate procedures.

**IT IS THEREFORE ORDERED:**

1. The PCR application be denied and dismissed with prejudice; and
2. Applicant be remanded to the custody of Respondent.

AND IT IS SO ORDERED this 8<sup>th</sup> day of August, 2022.

  
 H. STEVEN DEBERRY, IV  
 Presiding Judge  
 Fifteenth Judicial Circuit

Florence, South Carolina.

RENEE N. ELYS  
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