

THE STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

APPEAL FROM CHARLESTON COUNTY
Court of General Sessions

Deadra L. Jefferson, Circuit Court Judge

INDICTMENT NOS.: 2011GS1006153, 2012GS1002228, 2013GS1002782
WARRANT NOS.: K295534, I112190, 2012A1011100026

THE STATE,RESPONDENT,

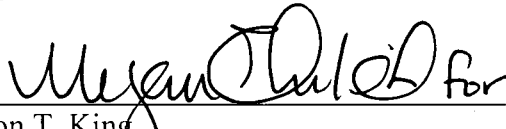
v.

CLEVELAND C. MAJOR,APPELLANT.

NOTICE OF APPEAL

Cleveland C. Major appeals his conviction and sentence in this case. The sentence was imposed by the Honorable Deadra L. Jefferson on June 17, 2013. Pursuant to Appellate Court Rule 203(d)(1)(B)(iv), the undersigned attorney can make no showing of any issues that may be reviewed upon appeal.

June 26, 2013



Jason T. King
Attorney for Appellant
O. T. Wallace County Office Building
101 Meeting Street
5th Floor
Charleston, SC 29401
(843) 958-1850

Other counsel of record are:
Emmanuel Ferguson
Assistant Solicitor
O.T. Wallace County Office Building
101 Meeting Street, 4th Floor
Charleston, SC 29401
(843) 958-1900
Attorney for Respondent

RECEIVED

JUL 01 2013

SC Court of Appeals

THE STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

APPEAL FROM CHARLESTON COUNTY
Court of General Sessions

Deadra L. Jefferson, Circuit Court Judge

INDICTMENT NOS.: 2011GS1006153, 2012GS1002228, 2013GS1002782
WARRANT NOS.: K295534, I112190, 2012A1011100026

THE STATE,RESPONDENT,

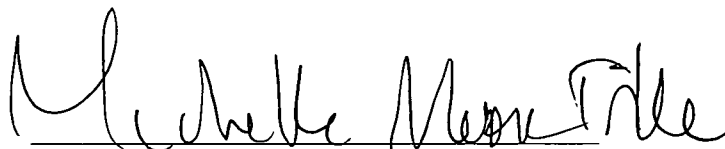
v.

CLEVELAND C. MAJOR,APPELLANT.

PROOF OF SERVICE

I certify that I have served the Notice of Appeal on Emmanuel Ferguson, Assistant Solicitor for Charleston County, by hand delivering a copy of it to the Charleston County Solicitor's Office at 101 Meeting Street, Charleston, South Carolina 29401, on June 26, 2013.

June 26, 2013



Michelle Moore Trimble
Paralegal to Jason T. King
Attorney for Appellant
O. T. Wallace County Office Building
101 Meeting Street
Fifth Floor
Charleston, SC 29401
(843) 958-1850

RECEIVED

JUL 01 2013

SC Court of Appeals

Berkeley County
219 N. Hwy. 52, Suite E
P.O. Box 1687
Moncks Corner, SC 29461
(843) 899-2777
(843) 899-2701 Fax
Cody J. Groeber
Berkeley County Public Defender

Ninth Circuit Public Defender
Berkeley & Charleston Counties

D. Ashley Pennington, Circuit Defender
publicdefender@charlestoncounty.org
(843) 958-1850

Charleston County
O.T. Wallace Building
101 Meeting Street, 5th Floor
Charleston, SC 29401-2214
(843) 958-1850
(843) 958-1860 Fax
Lorelle D. Proctor
Charleston County Public Defender

June 26, 2013

South Carolina Appellate Defense Commission
Attention -- Ms. Sharon Graham
PO Box 11589
Columbia, South Carolina 29211

Re: State of South Carolina v. Cleveland C. Major
Indictment Nos.: 2011GS1006153, 2012GS1002228, 2013GS1002782
Warrant Nos.: K295534, I112190, 2012A1011100026
Charges.: Criminal Domestic Violence – 2nd, Armed Robbery, Burglary – 2nd

Dear Ms. Graham:

I am enclosing a duplicate set of the Appeal papers, which I have forwarded to the Clerk of the South Carolina Court of Appeals concerning the above-subject defendant. This defendant was represented by our office as an indigent, pursuant to the Defense of Indigents Act, and it is requested that your office assume the appeal of this case.

The name of the Court Reporter is Susan Mia Perron and her address is Post Office Box 31865, Charleston, South Carolina 29417-1865. I have enclosed documents usually requested by your office. Documents listed but not applicable to this particular case have been marked "N/A."

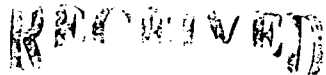
I thank you in advance for your cooperation in this matter. If you have any questions or comments concerning this matter, please do not hesitate to contact me.

Sincerely,


Jason T. King
Attorney for Appellant

Enclosure(s): As stated above

cc: Mr. Cleveland Major (without enclosures)


JUL 01 2013
SC Court of Appeals

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF Charleston
STATE VS.
Cleveland Clarence Major
AKA:
Race: BLACK Sex: M Age: 34
DOB: 08-22-1978 SS#: 247-41-4917
Address: 1473 Boston Grill Rd
City, State, Zip: Mount Pleasant, SC 29466-8951
DL#: 007686662 SID#: SC01038866

INDICTMENT/CASE#: 2012GS1002228
A/W#: 1112190
Date of Offense: 7/22/2011
S.C. Code §: 16-11-0330(A)
CDR Code #: 0139

SENTENCE SHEET

*CDL Yes No CMV Yes No Hazmat Yes No
In disposition of the said indictment comes now the Defendant who was
TO: Armed Robbery

CONVICTED OF or PLEADS

in violation of § 16-11-0330(A) of the S.C. Code of Laws, bearing CDR Code # 0139
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.
The plea is: Without Negotiations or Recommendation, Negotiated Sentence, Recommendation by the State.

ATTEST: Ferguson, Emmanuel SC Bar# 71431 Defendant
Judson T. King Attorney for Defendant SC Bar# 68630

WHEREFORE, the Defendant is committed to the State Department of Corrections, County Detention Center,
for a determinate term of 10 days/months/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: 2011-GS-10-6153; 2013-GS-10-2782
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 (Criminal
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:

Table with 3 columns: Description, Amount, Total. Includes items like § 14-1-206 (Assessments 107.5%), § 14-1-211(A)(1) (Conv. Surcharge) \$100, § 14-1-211(A)(2) (DUI Surcharge) \$100, § 56-5-2995 (DUI Assessment) \$12, § 56-1-286 (DUI Breath Test) \$25, Proviso 47.9 (Public Def/Prob) \$500, § 14-1-212 (Law Enforce. Funding) \$25, § 14-1-213 (Drug Court Surcharge) \$150, § 50-21-114 (BUI Breath Test Fee) \$50, § 56-5-2942(J) (Vehicle Assessment) \$40/ea, Proviso 90.5 (SCCJA Surcharge) \$5, 3% to County (if paid in installments) \$, TOTAL \$133.90

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 \$ beginning
\$ paid to Public Defender Fund
Other:
Appointed PD or appointed other counsel, § 47.12 requires \$500 be paid to Clerk during probation.

Clerk of Court/ Deputy Clerk: Caliel
Court Reporter: Susan Perrin
SCCA/217 (03/2011)

Presiding Judge: [Signature]
Judge Code: 2128
Sentence Date: 6/17/13

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF Charleston
STATE VS.
Cleveland Clarence Major
AKA:
Race: BLACK Sex: M Age: 34
DOB: 08-22-1978 SS#: 247-41-4917
Address: 1918 Jason Street Apt B
City, State, Zip: Charleston, SC 29406
DL#: 007686662 SID#: SC01038866

INDICTMENT/CASE#: 2013GS1002782
A/W#: 2012A1011100026
Date of Offense: 7/9/2012
S.C. Code §: 16-11-0312
CDR Code #: 0080

SENTENCE SHEET

*CDL Yes No CMV Yes No Hazmat Yes No
In disposition of the said indictment comes now the Defendant who was
TO: Burglary / Burglary (Non-Violent) - Second degree

CONVICTED OF or PLEADS

in violation of § 16-11-0312 of the S.C. Code of Laws, bearing CDR Code # 0080
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 Presentation to Grand Jury.
The plea is: Without Negotiations or Recommendation, Negotiated Sentence, Recommendation by the State.

ATTEST: Ferguson, Emmanuel SC Bar# 81431 Defendant
Jason T. King Attorney for Defendant SC Bar# 68630

WHEREFORE, the Defendant is committed to the State Department of Corrections, County Detention Center,
for a determinate term of 10 days/months/years 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: 2011-GS-10-6153, 2012-GS-10-2228
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 (Criminal
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:

Table with 2 columns: Description and Amount. Includes items like § 14-1-206 (Assessments 107.5%), § 14-1-211(A)(1) (Conv. Surcharge) \$100, § 14-1-211(A)(2) (DUI Surcharge) \$100, § 56-5-2995 (DUI Assessment) \$12, § 56-1-286 (DUI Breath Test) \$25, Proviso 47.9 (Public Def/Prob) \$500, § 14-1-212 (Law Enforce. Funding) \$25, § 14-1-213 (Drug Court Surcharge) \$150, § 50-21-114 (BUI Breath Test Fee) \$50, § 56-5-2942(J) (Vehicle Assessment) \$40/ea, Proviso 90.5 (SCCJA Surcharge) \$5, 3% to County (if paid in installments) \$3.90, TOTAL \$133.90

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 \$ beginning
\$ paid to Public Defender Fund

Other: Attu if available

Appointed PD or appointed other counsel, § 47.12 requires \$500 be paid to Clerk during probation.

Clerk of Court/ Deputy Clerk Callahan
Court Reporter: Susan Perrin

Presiding Judge Judge Code: 2128
Sentence Date: 06/17/13

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF Charleston
STATE VS.
Cleveland C Major

INDICTMENT/CASE#: 2011GS1006153
A/W#: K295534
Date of Offense: 5/28/2011
S.C. Code §: 16-25-0020 (B)
CDR Code #: 2672

AKA:
Race: BLACK Sex: M Age: 34
DOB: 08-22-1978 SS#: 247-41-4917
Address: 1473 Boston Grill Rd
City, State, Zip: Mount Pleasant, SC 29466-8951
DL#: 007686662 SID#: SC01038866

SENTENCE SHEET

*CDL Yes No CMV Yes No Hazmat Yes No
In disposition of the said indictment comes now the Defendant who was
TO: Criminal Domestic Violence - 2nd offense

CONVICTED OF or PLEADS

in violation of § 16-25-0020 (B) of the S.C. Code of Laws, bearing CDR Code # 2672
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 Presentation to Grand Jury.
The plea is: Without Negotiations or Recommendation, Negotiated Sentence, Recommendation by the State.

ATTEST: Ferguson, Emmanuel SC Bar# 81431
Defendant
Attorney for Defendant: Joan T. King SC Bar# 68630

WHEREFORE, the Defendant is committed to the State Department of Corrections, County Detention Center,
for a determinate term of 1 days/months/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: 2012-GS-10-2228; 2013-GS-10-2782
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 (Criminal
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

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 \$ beginning
\$ paid to Public Defender Fund
Other:
ATU if available

Recipient:

Table with 3 columns: Description, Rate, Total. Includes items like § 14-1-206 (Assessments 107.5%), § 14-1-211(A)(1) (Conv. Surcharge) \$100, § 14-1-211(A)(2) (DUI Surcharge) \$100, § 56-5-2995 (DUI Assessment) \$12, § 56-1-286 (DUI Breath Test) \$25, Proviso 47.9 (Public Def/Prob) \$500, § 14-1-212 (Law Enforce. Funding) \$25, § 14-1-213 (Drug Court Surcharge) \$150, § 50-21-114 (BUI Breath Test Fee) \$50, § 56-5-2942(J) (Vehicle Assessment) \$40/ea, Proviso 90.5 (SCCJA Surcharge) \$5, 3% to County (if paid in installments) \$3.90, TOTAL \$133.90

Appointed PD or appointed other counsel,
§ 47.12 requires \$500 be paid to Clerk
during probation.

Clerk of Court/ Deputy Clerk: Callie
Court Reporter: SSSAN Perrin
SCCA/217 (03/2011)

Presiding Judge: [Signature]
Judge Code: 2128
Sentence Date: 06/17/13

WITNESSES

Mt. Pleasant Police Department

AGENCY CASE NUMBER

2012P08606

ARREST WARRANT NUMBER

2012A1011100026

DATE OF ARREST

July 13, 2012

ACTION OF GRAND JURY

TRUE BILL

Paul Butler
Foreperson of Grand Jury
Date: MAY 7 2013

VERDICT

Foreperson of Petit Jury
Date:
INDICT

The State of South Carolina

County of Charleston

COURT OF GENERAL SESSIONS

May Term 2013

THE STATE

vs.

CLEVELAND CLARENCE MAJOR
DOB: 1978-08-22
B/M

Indictment for
Burglary, 2nd Degree

FILED

5/24/2013 11:40:32 AM
JULIE J. ARMSTRONG
CLERK OF COURT

STATE OF SOUTH CAROLINA)
)
COUNTY OF CHARLESTON)

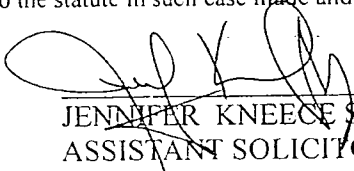
INDICTMENT

At a Court of General Sessions, convened on May 6, 2013 the Grand Jurors of Charleston County present upon their oath:

Burglary, 2nd Degree

That in Charleston County, on or about July 9, 2012, the Defendant, CLEVELAND CLARENCE MAJOR, did enter the Golden Bowl Restaurant, located at 2700 Hwy 17N, Suite 109, Mount Pleasant, South Carolina, without the consent of the owner, in the nighttime, and with the intent to commit a crime therein in violation of Section 16-11-312(b) of the South Carolina 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.



JENNIFER KNEECE SHEALY
ASSISTANT SOLICITOR

ARREST WARRANT

2012A1011100026

STATE OF SOUTH CAROLINA

County/ Municipality of

Charleston

THE STATE of 1918 B Jason St. against N. Chas. SC.

Cleveland Clarence Major

Address: 1473 Boston Grill Rd - parents Mount Pleasant, SC 29466-8951

Phone: SSN: 247-41-4917 Sex: M Race: B Height: 5 11 Weight: 180 DL State: SC DL #: 007686662 DOB: 8/27/1978 Agency ORI #: SC0100300

Prosecuting Agency: Mt. Pleasant Police Department Prosecuting Officer: Officer Smentana - 0409 Offense: Burglary / Burglary (Non - Violent) (After June 20, 1985) - Second degree

Offense Code: 0080 Code/Ordinance Sec: 16-11-0312

This warrant is CERTIFIED FOR SERVICE in the County/ Municipality of The accused is to be arrested and brought before me to be dealt with according to the law.

(L.S.)

Signature of Judge

Date:

RETURN

A copy of this arrest warrant was delivered to defendant: Cleveland Major on 7/13/2012

Signature of Constable/Law Enforcement Officer

RETURN WARRANT TO:

East Cooper Magistrate 1189 Sweetgrass Bskt Pkwy #300 P. O. Box 584 Mount Pleasant, SC 29466

ORIGINAL

ORIGINAL

STATE OF SOUTH CAROLINA

County/ Municipality of

Charleston

Personally appeared before me the affiant Officer Smentana who

being duly sworn deposes and says that defendant Cleveland Clarence Major did within this county and state on or about 7/9/2012 violate the criminal laws of the State of South Carolina (or ordinance of County/ Municipality of Charleston) in the following particulars:

DESCRIPTION OF OFFENSE: Burglary / Burglary (Non - Violent) (After June 20, 1985) - Second degree

I further state that there is probable cause to believe that the defendant named above did commit the crime set forth and that probable cause is based on the following facts:

****See Affidavit****

Signature of Affiant

STATE OF SOUTH CAROLINA

County/ Municipality of

Charleston

Affiant's Address 100 Ann Edwards Lane Mount Pleasant, SC 29464- Affiant's Telephone (843)884-4176

ARREST WARRANT

TO ANY LAW ENFORCEMENT OFFICER OF THIS STATE OR MUNICIPALITY OR ANY CONSTABLE OF THIS COUNTY:

It appearing from the above affidavit that there are reasonable grounds to believe that

on or about 7/9/2012 defendant Cleveland Clarence Major did violate the criminal laws of the State of South Carolina (or ordinance of County/ Municipality of Charleston) as set forth below.

DESCRIPTION OF OFFENSE: Burglary / Burglary (Non - Violent) (After June 20, 1985) - Second degree

Having found probable cause and the above affiant having sworn before me, you are empowered and directed to arrest the said defendant and bring him or her before me forthwith to be dealt with according to law. A copy of this Arrest Warrant shall be delivered to the defendant at the time of its execution, or as soon thereafter as is practicable Sworn to and subscribed before me

Signature of Issuing Judge Thomas E Lynn Judge Code: 7103

(L.S.)

Judge's Address 1189 Sweetgrass Basket Pkwy, Suite 300 Mount Pleasant, SC 29465 Judge's Telephone (843)856-1205

Issuing Court: Magistrate Municipat Circuit

ORIGINAL

ORIGINAL

ORIGINAL

ORIGINAL

ORIGINAL

Form Approved by S.C. Attorney General April 21, 2003 SCCA 516 ORIGINAL

AFFIDAVIT

BAIL set by

WITNESSES

Judge Baldwin
on 7-14-12
Type and Amount 50,000
Name of Surety: (Signature)

Name: _____
Address: _____
Telephone: _____
Name: _____
Address: _____
Telephone: _____

PRELIMINARY HEARING held by

Judge _____
on _____
Defendant Attorney: _____
Decision: _____

Name: _____
Address: _____
Telephone: _____
Name: _____
Address: _____
Telephone: _____

DISPOSITION before

Judge _____
on _____
by _____
(indicate jury trial, bench trial, plea, nol. pros., etc.)
Disposition: _____
Sentence: _____

Name: _____
Address: _____
Telephone: _____
Name: _____
Address: _____
Telephone: _____

JURORS

Name: _____
Address: _____
Telephone: _____
Name: _____
Address: _____
Telephone: _____

CODEFENDANTS



2012 JUL 18 AM 11:47
JULIE J ARMSTRONG
CLERK OF COURT

FILED

STATE OF SOUTH CAROLINA
COUNTY OF CHARLESTON

OCA 2012-P-08606
AFFIDAVIT

Personally appeared before me, a Magistrate of this County, one MATTHEW SMETANA
(affiant)
who, first being duly sworn, deposes and says that Cleveland Clarence Major did,
(defendant)

within the town of Mount Pleasant, County of Charleston, State of South Carolina, on or about
the dates of July 9, 2012 violate the criminal laws of the State of South Carolina, namely,
BURGLARY 2ND DEGREE at the following location, 2700 Hwy 17N, Suite 109 in Violation
of Section, 16-11-312 of the South Carolina Code of Laws of 1976, as amended.

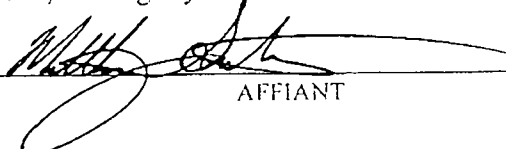
The Affiant states that there is probable cause to believe that the Defendant named above did
commit the crime(s) set forth and that such probable cause is based on the following facts:

On July 9, 2012 officers of the Mount Pleasant Police responded to the Golden Bowl Restaurant
located at 2700 Hwy 17N in the Town of Mount Pleasant for a report of burglary alarm
activation. Upon arrival officers found a broken glass door. Video surveillance of the burglary
was obtained showing the suspect break the glass and enter the business and can be seen going
through the drawers under the counter and the register. The subject had his shirt wrapped around
his head but his face was still visible and did not have a shirt covering his body.

A still photo from the surveillance cameras was shown to a witness to be named later who has
known the defendant for at least four years and has intimate knowledge of the defendant. The
witness signed on the photograph identifying the defendant and also how they know him and for
how long.

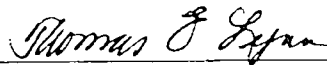
The defendant did enter the business during the night time hours attempting to commit a crime
once within.

All of the above is believed to be true based on the investigation of Det. Smetana and statements
given by the witness and is against the law, peace, and dignity of the State of South Carolina.


AFFIANT

Sworn to and Subscribed before me
This 12th day of July
2012.

100 Ann Edwards Ln.
Mt. Pleasant, SC 29464
884-4176


Signature of Judge

WITNESSES

The State of South Carolina

County of Charleston

Mt. Pleasant Police Department

COURT OF GENERAL SESSIONS

April Term 2012

FILED

4/30/2012 8:45:43 AM
JULIE J. ARMSTRONG
CLERK OF COURT

AGENCY CASE NUMBER

2011P09029

ARREST WARRANT NUMBER

112190

DATE OF ARREST

August 2, 2011

THE STATE

vs.

CLEVELAND CLARENCE MAJOR

DOB: 1978-08-22

B/M

ACTION OF GRAND JURY

TRUE BILL

Indictment for

Armed Robbery

Foreperson of Grand Jury

Date: APR 30 2012

VERDICT

Foreperson of Petit Jury

Date:

INDICT

STATE OF SOUTH CAROLINA)
)
COUNTY OF CHARLESTON)

INDICTMENT

At a Court of General Sessions, convened on April 9, 2012 the Grand Jurors of Charleston County present upon their oath:

Armed Robbery

That on or about July 22, 2011, in Charleston County, South Carolina, the Defendant, CLEVELAND CLARENCE MAJOR, while at 2161-C Hwy 17 North, Mount Pleasant, South Carolina, by use of force, threats or intimidation and while armed with a deadly weapon, or while alleging, either by action or words, he was armed while using a representation of a deadly weapon or other object which a person present during the commission of the robbery reasonably believed to be a deadly weapon, did take and carry away goods and/or monies from the person or immediate presence of Desmonde Ellington with the intent to permanently deprive the victim of possession thereof, in violation of Section 16-11-330(A) of the South Carolina 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.


JENNIFER KNEECE SHEALY
ASSISTANT SOLICITOR

ARREST WARRANT

1-112190

STATE OF SOUTH CAROLINA

County/ Municipality of

Town of Mount Pleasant

2011-P-05029 THE STATE against

Cleveland Clarence Major

Address 1473 BOSTON GRILL RD Mt Pleasant, SC 29464-

Phone SSN 247-41-4917 Sex M Race B Height 5 9 Weight 175 DL # 007686662 DOB 8/22/1978 Agency ORI # SC0100300 Prosecuting Agency Mount Pleasant Police Department Prosecuting Officer Justin Hembree Offense Armed Robbery

Offense Code 16-11-0330 Code/Ordinance Sec 16-11-0330

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

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

Signature of Judge (L.S.)

Date

RETURN

A copy of this arrest warrant was delivered to defendant Cleveland Major on 08/22/11 @ 19:35

Signature of Law Enforcement Officer

RETURN WARRANT TO:

Mt. Pleasant Municipal Court 100 Ann Edwards Lane P. O. Box 457 Mt. Pleasant, SC 29464

STATE OF SOUTH CAROLINA

County/ Municipality of

Town of Mount Pleasant

Personally appeared before me the affiant Justin Hembree who being duly sworn deposes and says that defendant Cleveland Clarence Major did within this county and state on 07/22/2011 violate the criminal laws of the State of South Carolina (or ordinance of County/ Municipality of Town of Mount Pleasant) in the following particulars

DESCRIPTION OF OFFENSE: Armed Robbery

I further state that there is probable cause to believe that the defendant named above did commit the crime set forth and that probable cause is based on the following facts

See Attached Affidavit

Signature of Affiant

STATE OF SOUTH CAROLINA County/ Municipality of Town of Mount Pleasant

Affiant's Address 100 Ann Edwards Lane Mount Pleasant, SC 29464- Affiant's Telephone (843)884-4176

Signature of Issuing Judge

ARREST WARRANT

TO ANY LAW ENFORCEMENT OFFICER OF THIS STATE OR MUNICIPALITY OR ANY CONSTABLE OF THIS COUNTY:

It appearing from the above affidavit that there are reasonable grounds to believe that

on 07/22/2011 defendant Cleveland Clarence Major

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

County/ Municipality of Town of Mount Pleasant) as set forth below

DESCRIPTION OF OFFENSE: Armed Robbery

Having found probable cause and the above affiant having sworn before me, you are empowered and directed to arrest the said defendant and bring him or her before me forthwith to be dealt with according to law. A copy of this Arrest Warrant shall be delivered to the defendant at the time of its execution, or as soon thereafter as is practicable

Sworn to and subscribed before me

on 08/02/2011

Signature of Issuing Judge (L.S.)

Judge Code 006

Judge's Address 100 Ann Edwards Lane Mt Pleasant, SC 29464-

Judge's Telephone (843)884-6796

Issuing Court Magistrate Municipal Circuit

ORIGINAL

Form Approved by S.C. Attorney General April 21, 2003 SCCA 515

AFFIDAVIT

CALL set by

Judge

Conrad

on

8-3-11

Type and amount

20,000 -

Name of Surety

PRELIMINARY HEARING held by

Judge

on

Defendant Attorney

Decision

DISPOSITION before

Judge

on

by (indicate jury trial, bench trial, plea, nol. pros., etc.)

Disposition

Sentence

JURORS

WITNESSES

Name

Address

Telephone

Name

Address

Telephone

Name

Address

Telephone

Name

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Telephone

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CODEFENDANTS

BY

JULIE J. MASTRONG
CLERK OF COURT
2011 AUG - 4 PM 2:41

PD

STATE OF SOUTH CAROLINA
COUNTY OF CHARLESTON

OCA # 2011-P-09029
AFFIDAVIT

Personally appeared before me, a Municipal Judge, one DETECTIVE SGT. HEMBREE
(Affiant)
who, first being duly sworn, deposes and says that CLEVELAND CLARENCE MAJOR did,
(Defendant)
within the Town of Mount Pleasant, County of Charleston, State of South Carolina, on or about
JULY 22, 2011 violate the criminal laws of the State of South Carolina, namely,
ARMED ROBBERY at the following location 2161 C HWY 17 NORTH, MT. PLEASANT,
SC (PIZZA HUT) in Violation of SECTION 16-11-330 of the South Carolina Code of Laws, as
amended 1976.

The Affiant states that there is probable cause to believe that the Defendant named above did
commit the crime(s) set forth and that such probable cause is based on the following facts:

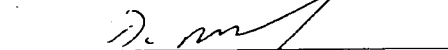
On July 22, 2011 at 2340 hrs Officers of the Mt. Pleasant Police Department responded to the
Pizza Hut located at 2161 C HWY 17 North, Mt. Pleasant, SC in reference to an armed robbery
that had just occurred. It was reported that two black males brandishing handguns entered the
business and demanded money. In that the males were given approximately \$150.00 prior to
fleeing the business.

In that on August 2, 2011 co-defendant, Kenneth Murray, gave Det. Hembree a post-Miranda
confession admitting to his involvement in the armed robbery at the Pizza Hut and also
implicated the defendant, Cleveland Clarence Major, as being the other individual involved in
the robbery. In that the codefendant gave specific and corroborating information relative to the
robbery.

All of the above is believed to be true based on the investigation of Sgt. Hembree and Officers of
the Mount Pleasant Police Department. All of the above is against the law, peace, and dignity of
the State of South Carolina.


AFFIANT

Sworn to and Subscribed before me
This 2 day of August 2011


Signature of Judge

100 Ann Edwards Ln.
Mt. Pleasant, SC 29464
(843) 884-4176

WITNESSES

L Ambrose
Charleston City Police Department

The State of South Carolina
County of Charleston

AGENCY CASE NUMBER

1108800

COURT OF GENERAL SESSIONS

October Term 2011

ARREST WARRANT NUMBER

K295534

THE STATE

vs.

DATE OF ARREST

June 1, 2011

CLEVELAND C MAJOR
DOB: 1978-08-22
B/M

ACTION OF GRAND JURY

TRUE BILL

Indictment for

Criminal Domestic Violence, 2nd Or
Subsequent

[Signature]
Foreperson of Grand Jury OCT 03 2011
Date:

VERDICT

Foreperson of Petit Jury

Date:

INDICT.DOT

Charleston Police Department

STATE OF SOUTH CAROLINA

COUNTY OF CHARLESTON

AFFIDAVIT

Personally appear before me, a magistrate of this county one, Det. L. Ambrose, who first being duly sworn deposed and says that, Cleveland Major, did within this county and state on the 28 May 2011 violate the criminal laws of the State of South Carolina in the following particular:

DESCRIPTION OF OFFENSE

Criminal Domestic Violence (2nd offense) 16-25-20

The affiant states there is probable cause to believe that the defendant named did commit the crime set forth and that such probable cause is based on the following facts:

On 28 May 2011, between 1745 and 2055 hours, while at 1551 Sam Rittenberg Blvd., Apt. 113 (in the city and county of Charleston), the defendant Cleveland Major did knowingly, willingly, and unlawfully violate CDV. The defendant and victim (Pauline Heyward, B/F, DOB: 4/20/84) have a 2 y/o daughter in common. The defendant was visiting the victim. They got into a verbal altercation, and the victim asked the defendant to leave. She took some of his clothes out of the closet and put them on the bed so he could take them with him. While the victim was standing facing the closet, the defendant put his hands around her neck and started choking her from behind (three times). He pushed her onto the bed and said he would kill her. The victim was able to push herself off the bed. She fell on the floor, and the defendant then pushed her head onto the carpet. She incurred a scratch on the back of her neck.

The defendant was previously convicted of CDV on 7/1/02 in North Charleston, SC. The above statements are true and believable based on the victim's verbal and written statements.

SWORN TO AND SUBSCRIBED BEFORE ME

THIS 31st DAY OF May, 2011

[Signature of Judge] SIGNATURE OF JUDGE

(L.S.) 2011 MAY 24 PM 8:09

[Signature of Affiant]

AFFIANT 180 Lockwood Blvd. Charleston, SC 29403 843-577-7434

COMPLAINT #: 1108800 WARRANT# K-295534 CPD Form OT3

Berkeley County
219 N. Hwy. 52, Suite E
P.O. Box 1687
Moncks Corner, SC 29461
(843) 899-2777
(843) 899-2701 Fax
Cody J. Groeber
Berkeley County Public Defender

Ninth Circuit Public Defender

Berkeley & Charleston Counties

D. Ashley Pennington, Circuit Defender
publicdefender@charlestoncounty.org
(843) 958-1850

Charleston County
O.T. Wallace Building
101 Meeting Street, 5th Floor
Charleston, SC 29401-2214
(843) 958-1850
(843) 958-1860 Fax
Lorelle D. Proctor
Charleston County Public Defender

June 26, 2013

The Honorable Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
Post Office Box 11629
Columbia, South Carolina 29211

Berk
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Re: State of South Carolina v. Cleveland C. Major
Indictment Nos.: 2011GS1006153, 2012GS1002228, 2013GS1002782
Warrant Nos.: K295534, I112190, 2012A1011100026
Charges.: Criminal Domestic Violence – 2nd, Armed Robbery, Burglary – 2nd

Dear Ms. Kitchings:

I am enclosing for filing the Notice of Intent to Appeal in the above-referenced case, together with appropriate Proof of Service upon the Circuit Solicitor and Proof of Filing with the local Clerk of Court. I represented Mr. Hall pursuant to the Defense of Indigents Act. By copy of this letter, I am forwarding a duplicate set of these documents to the South Carolina Commission of Appellate Defense.

Upon the filing of these documents, I would appreciate your returning the file-stamped copies of the respective documents to me in the enclosed, self-addressed envelope.

I thank you in advance for your cooperation in this matter. If you have any questions or comments concerning this matter, please do not hesitate to contact me.

Berk
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(843
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Sincerely,

Jason T. King
Attorney for Appellant

Enclosure(s): As stated above

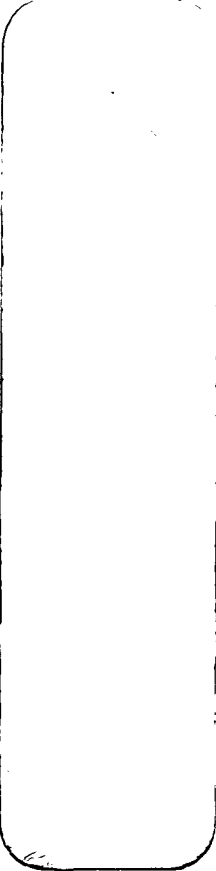
cc: South Carolina Commission of Appellate Defense (with enclosures)
Mr. Cleveland Major (with enclosures)

Berk
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CHARLESTON COUNTY PUBLIC DEFENDER

O.T. WALLACE COUNTY OFFICE BLDG.
101 MEETING STREET, 5TH FLOOR
CHARLESTON, SC 29401-2214

A



RECEIVED

JUL 03 2013

SC Court of Appeals

