

RECEIVED

Nov 17 2023

SC Court of Appeals

STATE OF SOUTH CAROLINA

) IN THE SOUTH CAROLINA
) COURT OF APPEALS

COUNTY OF CHARLESTON

) Indictment No: 2023GS1003332
) Warrant No: 2020A1010206054
) Charge(s): Trafficking In Cocaine

STATE OF SOUTH CAROLINA

-versus-

REQUEST FOR REPRESENTATION
ON APPEAL

Emanuel Williams IV,
Defendant.

On behalf of the request of the above-named Defendant, to be represented by the South Carolina Commission of Appellate Defense, the undersigned attorney would show unto this Honorable Court that:

1. She is the attorney for the defendant-appellant in the above captioned case. The defendant-appellant was placed in custody immediately following conviction and sentence and was not available to personally sign this Request.
2. The defendant-appellant was represented by the Charleston County Public Defender's Office as an indigent, pursuant to the Defense of Indigent Act.
3. The defendant-appellant has been informed that she may request assistance from the South Carolina Commission of Appellate Defense in perfecting her appeal.
4. A timely Notice of Appeal has been filed on the defendant's-appellant behalf.
5. The defendant-appellant has been informed that nothing requires that office to pursue this appeal unless that office's Chief Attorney is satisfied that there is arguable merit to this appeal and that she cannot afford to hire an attorney.

At this time, the defendant-appellant requests the aid of the South Carolina Commission of Appellate Defense in perfecting his appeal to the South Carolina Court of Appeals.



Helen R. Dovell
Assistant Public Defender
Charleston County Public Defender

Charleston, South Carolina

Dated: 11/17, 2023.

STATE OF SOUTH CAROLINA

AFFIDAVIT

COUNTY OF CHARLESTON
CITY OF NORTH CHARLESTON

OCA: 2020031201
Det. Glaze

Personally appeared before me, a magistrate of this County, one C. Glaze who first being duly sworn, deposes and says that

EMANUEL WILLIAMS IV

did within this County and State on the 10th of November 2020, violate the criminal laws of the State of South Carolina in the following particulars:

DESCRIPTION OF OFFENSE
TRAFFICKING COCAINE
VIOLATION OF SECTION
44-53-370

The affiant states 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:

That on November 10, 2020, at approximately 1401 hours, while at 1820 Iris Street Apt. B, which is located in the City of North Charleston, County of Charleston, State of South Carolina, the defendant, **EMANUEL WILLIAMS IV**, did commit the offense of **TRAFFICKING COCAINE** in violation of section **44-53-370** of the South Carolina Code of Laws of 1976, as amended. In that the defendant did willfully and unlawfully have in his possession approximately 14 grams of a white powder like substance that field tested presumptive for Cocaine.

Facts to establish the aforesaid are that Mount Pleasant Police Department along with North Charleston Narcotics Detectives conducted a search warrant on 1820 Iris Street Apt. B in reference to an Armed Robbery. During the search warrant, Detectives located the defendant in front of the residence, in the driveway. During a search of the defendant, a clear plastic bag containing a white powder substance was located in the right front cargo pocket of the defendant's pants. The substance was seized and placed into BEST Kit #B319910 for SLED analysis

Det. Glaze, Det. Beaudoin, and Sgt Roy of the North Charleston Police Department are witnesses to prove the same. All against the form of the State Statute and against the peace and dignity of the State of South Carolina.

Sworn to and Subscribed before me
this 13 day of Nov.
2020.

[Signature]
Signature of Judge

[Signature]
(AFFIANT)

Address: 2500 City Hall Lane
N. Charleston, SC 29406
Phone: (843) 554-5700

STATE OF SOUTH CAROLINA
COUNTY OF CHARLESTON

) IN THE COURT OF GENERAL SESSIONS
) FOR THE NINTH JUDICIAL CIRCUIT
) Indictment No(s):2023GS1003332
) Warrant No(s): 2020A1010206054
)
)
)

STATE OF SOUTH CAROLINA

vs.

EMANUEL WILLIAMS, IV

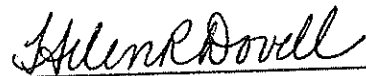
Defendant.

)
)
)
) **MOTION TO SUPPRESS DRUGS &
) MENTION OF \$785.00**
)
)
)

TO: NINA SAVAS, ESQ., ASST. SOLICITOR, NINTH JUDICIAL CIRCUIT

Emanuel Williams, through his undersigned counsel, moves this honorable court to suppress admission of suspected cocaine and mention of \$785.00 found incident to an unlawful arrest in violation of the Fourth and Fourteenth Amendments to the United States Constitution and Article One, Section Ten of the South Carolina Constitution.

AND IT IS RESPECTFULLY SUBMITTED this 6th of November, 2023 at Charleston, South Carolina.



Helen R. Dovell
Attorney for Emanuel Williams, IV

FILED
2023 NOV - 7 AM 7:55
JULIE J. ARMSTRONG
CLERK OF COURT
BY MSS

STATE OF SOUTH CAROLINA
COUNTY OF CHARLESTON

) IN THE COURT OF GENERAL SESSIONS
) FOR THE NINTH JUDICIAL CIRCUIT
) Indictment No(s):2023GS1003332
) Warrant No(s): 2020A1010206054
)
)
)

STATE OF SOUTH CAROLINA

vs.

EMANUEL WILLIAMS, IV

Defendant.

)
) **DEFENDANT'S PROPOSED PRETRIAL**
) **MOTIONS**
)
)
)
)
)
)

1. Motion to Suppress Drugs and Mention of \$765.00
2. Motion to Suppress or Alternatively Exclude Baggies, Scale, Pyrex Cups, Whisk under Rules 401, 402, 403, 404(b) SCRE
3. Motion in Limine to Exclude Body Camera Footage of Emanuel Williams
4. Motion for Lesser Included Charges
5. Motion to Sequester Witnesses

Respectfully submitted,

November 6 2023
Charleston, SC

Helen R. Dovell
Helen R. Dovell
Attorney for Emanuel Williams

FILED
2023 NOV -7 AM 7:55
JULIE J. ARMSTRONG
CLERK OF COURT
RY _____

STATE OF SOUTH CAROLINA
COUNTY OF CHARLESTON

) IN THE COURT OF GENERAL SESSIONS
) FOR THE NINTH JUDICIAL CIRCUIT
) Indictment No(s):2023GS1003332
) Warrant No(s): 2020A1010206054
)
)
)

STATE OF SOUTH CAROLINA

vs.

EMANUEL WILLIAMS, IV

Defendant.

)
)
) **MOTION TO SUPPRESS OR EXCLUDE**
) **EVIDENCE FOUND PURSUANT TO NCPD**
) **SEARCH WARRANT**
)
)
)

TO: NINA SAVAS, ESQ., ASST. SOLICITOR, NINTH JUDICIAL CIRCUIT

Emanuel Williams, through his undersigned counsel, moves this honorable court to suppress a document for Emanuel Williams, 2 pyrex cups, a whisk, a box of baggies, and a digital scale seized pursuant to a search warrant in violation of the Fourth and Fourteenth Amendments to the United States Constitution and Article One, Section Ten of the South Carolina Constitution.

Alternatively, Emanuel Williams moves the court for an order finding these items inadmissible pursuant to Rules 401, 402, 403, and 404(b), South Carolina Rules of Evidence.

AND IT IS RESPECTFULLY SUBMITTED this 6th of November, 2023 at Charleston, South Carolina.

Helen R. Dovell

Helen R. Dovell
Attorney for Emanuel Williams, IV

JULIE J. ARMSTRONG
CLERK OF COURT
RY M55

2023 NOV - 7 AM 7:55

FILED

STATE OF SOUTH CAROLINA
COUNTY OF CHARLESTON

) IN THE COURT OF GENERAL SESSIONS
) FOR THE NINTH JUDICIAL CIRCUIT
) Indictment No(s):2023GS1003332
) Warrant No(s): 2020A1010206054
)
)
)

STATE OF SOUTH CAROLINA

vs.

EMANUEL WILLIAMS,

Defendant.

)
)
) **MOTION FOR LESSER INCLUDED**
) **CHARGES TO BE GIVEN TO THE JURY**
)
)
)

TO: NINA SAVAS, ESQ., ASST. SOLICITOR, NINTH JUDICIAL CIRCUIT

Emanuel Williams, through his undersigned counsel, moves this honorable court to instruct the jury on the lesser included charges of possession with intent to distribute cocaine and possession of cocaine pursuant to SC Code Section 44-53-370.

AND IT IS RESPECTFULLY SUBMITTED this 16th of November, 2023
at Charleston, South Carolina.



Helen R. Dovell
Attorney for Emanuel Williams

FILED
2023 NOV - 7 AM 7:55
JULIE J. ARMSTRONG
CLERK OF COURT
RY MS

STATE OF SOUTH CAROLINA
COUNTY OF CHARLESTON

) IN THE COURT OF GENERAL SESSIONS
) FOR THE NINTH JUDICIAL CIRCUIT
) Indictment No(s):2023GS1003332
) Warrant No(s): 2020A1010206054
)
)
)

STATE OF SOUTH CAROLINA

vs.

EMANUEL WILLIAMS,

Defendant.

) **MOTION *IN LIMINE* TO EXCLUDE**
) **BODYCAM FOOTAGE**
)
)
)
)

TO: NINA SAVAS, ESQ., ASST. SOLICITOR, NINTH JUDICIAL CIRCUIT

Emanuel Williams, through his undersigned counsel, moves this honorable court to exclude bodycam footage of the search of his person and the reading of *Miranda* warnings during his arrest pursuant to Rules 401, 402, 403, and 404(b), South Carolina Rules of Evidence.

AND IT IS RESPECTFULLY SUBMITTED this 6th of November, 2023
at Charleston, South Carolina.

Helen R. Dovell
Helen R. Dovell
Attorney for Emanuel Williams

FILED
2023 NOV -7 AM 7:55
JULIE J. ARMSTRONG
CLERK OF COURT
BY MSS

STATE OF SOUTH CAROLINA

) IN THE COURT OF GENERAL SESSIONS

) FOR THE NINTH JUDICIAL CIRCUIT

COUNTY OF CHARLESTON

) Indictment No(s):

) Warrant No(s): W10210063;
2020A1010206054; 2020A1011100088;
2020A1011100089; 2019A1010200827

STATE OF SOUTH CAROLINA

vs.

(Reassignment of Public Defender
Representation)

Emanuel Williams IV

) REQUEST PURSUANT TO SC RULES
) OF CRIMINAL PROCEDURE - RULE 506

Defendant

The Defendant respectfully requests that the Solicitor produce or otherwise make available to the Defense all documents, tangible objects, reports of examinations and tests, witness statements, physical evidence and any other information subject to disclosure pursuant to Rule 5 of the South Carolina Rules of Criminal Procedure.

The Defendant further requests the Solicitor to produce all evidence, including any police recordings, favorable to the Defendant, subject to disclosure pursuant to Brady v. Maryland, 373 U.S. 83 (1963) and its progeny.

This request is a continuing request for all such discoverable information as it becomes known to the Solicitor or any Prosecution Agents.

The Defendant hereby asserts his Fifth and Sixth Amendment rights to remain silent and does not wish to be questioned in the absence of counsel, pursuant to Montejo v. Louisiana, 129 S.Ct. 2079(2009), and Edwards v. Arizona, 451 U.S. 477 (1981). This shall serve as notice to any law enforcement personnel as well as anyone working with the Solicitor's Office.

Furthermore, pursuant to Rule 6 of the South Carolina Rules of Criminal Procedure, Defendant objects to the introduction of a chemist's or analyst's report without such person being personally present at trial. Defendant also requests the appearance in Court of persons within the chain of custody of all physical evidence.

Respectfully Submitted,

Helen R. Dovell
Bar #: 72094
Attorney for Defendant

Charleston, South Carolina

Dated: 1/4/2023

CERTIFICATE OF SERVICE

I hereby certify that this Rule 5 Motion was served on the Solicitor for the Ninth Judicial Circuit on 1-5-23

FILED
JULIE R. PROCTOR
CLERK OF COURT
023 JAN 11 AM 8:59

Motion to Suppress whisk, pyrex cups, scale, baggies, GPM (NCPD SW)

Exhibit	Admitted	Not Admitted	Basis
19 NCPD SW	✓		
12 photo of GPM PC	✓		
11 NCPD chain of custody form	✓		
20 Photo microwave	✓		
14 security log	✓		
15 security log	✓		