

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF Horry

STATE

VS.

Stephen D Ohara

RECEIVED

JAN 19 2024

INDICTMENT/CASE#: 2021GS2600249

AW#: 2020A2620400809

AKA: _____
Race: _____ Sex: _____ Age: _____
DOB: _____ SS#: _____
Address: _____
City, State, Zip: _____
DL#: _____ SID#: _____

Date of Offense: 11/22/2020
Stat Code § : 16-03-0010, 0020
CDR Code #: 0116

SENTENCE SHEET

*CDL Yes No CMV Yes No Hazmat Yes No

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

CONVICTED OF or PLEADS

TO: Murder (30 yrs to life)

in violation of § 16-03-0010, 0020 of the S.C. Code of Laws, bearing CDR Code # 0116

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

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

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

ATTEST:

Walter SC103036
Walter, Mary-Ellen SC Bar # Defendant

Spratlin, Martin D. SC Bar#
Attorney for Defendant

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

for a determinate term of 45 days/months/years/Time Served Youthful Offender Act not to exceed _____ years

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

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

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

The sentence shall run CONCURRENT or CONSECUTIVE to sentence on: 1/12/24

The Defendant is to be given credit for time served pursuant to S.C. Code §24-13-40 to be calculated and applied by SCDoc. 54 days/months
 To include time spent on monitored house arrest prior to trial and sentencing.
 The Defendant Shall be Released from County Detention Center.

Pursuant to 18 U.S.C. § 922 and § 16-25-30 it is unlawful for a person convicted of a violation of § 16-25-20 or § 16-25-80 (Domestic Violence) to ship, transport, possess, or receive a firearm or ammunition.

FILED
HORRY COUNTY
RENEE E. ELVIS
CLERK OF COURT
HORRY COUNTY, SC
2024 JAN 12 P 6:50

SPECIAL CONDITIONS:

PTUP after _____ months/years

And Other Terms Listed Below:

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

CERTIFIED COPY
 RENEE N. ELVIS
 CLERK OF COURT
 Horry County, SC

RESTITUTION: Deferred Def. Waives Hearing Ordered
 Total: \$ _____ plus 20% fee: _____ \$ _____
 Payment Terms: _____ Set by SCDPPPS
 Recipient: _____

FILED
 Horry County
 2021 JAN 12 P 6:50
 RENEE N. ELVIS
 CLERK OF COURT
 Horry County, SC

*Fine: Fine may be pd. in equal, consecutive weekly/monthly pmts. of \$ 25.00 Beginning 2/12/24

§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	\$
§14-1-212 (Law Enforce. Funding)	\$25	\$ 25.00
§14-1-213 (Drug Court Surcharge)	\$150	\$
§34-11-70(b)and(c), and 34-11-90(c)and(d) (Admin Fraud Check Court Costs)	\$41	\$
§50-21-114(BUI Breath Test Fee)	\$50	\$
§56-5-2942(J) (Vehicle Assessment)	\$40/ea	\$
3% to County (if paid in installments)	TBD	\$ 3.75
<input type="checkbox"/> Appointed PD or appointed other counsel, Proviso requires \$500 be paid to Clerk during probation and shall be collected before any other fees.	\$500	\$
<input checked="" type="checkbox"/> § 17-3-30(B) Unpaid Application Fee to be paid to the Public Defender Fund	TBD	\$ 40.00
TOTAL		\$ 108.75

Clerk of Court/ Deputy Clerk: Renee Elvis
 Court Reporter: Natalie Dahl

Presiding Judge: _____
 Judge Code: 2776
 Sentence Date: 1/12/24

STATE OF SOUTH CAROLINA

COUNTY OF Horry

STATE _____

VS.

Stephen D Ohara

RECEIVED

JAN 19 2024

SC Court of Appeals

INDICTMENT/CASE#: 2021GS2600250

AW#: 2020A2620400810

AKA: _____
Race: _____ Sex: _____ Age: _____
DOB: _____ SS#: _____
Address: _____
City, State, Zip: _____
DL#: _____ SID#: _____

Date of Offense: 11/22/2020
S.C. Code § : 16-23-0490
CDR Code #: 0549

SENTENCE SHEET
CERTIFIED COPY
RUSSELL N. ELIASS
CLERK OF COURT
HORRY COUNTY, SC

CONVICTED OF or PLEADS

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

TO: Possession of a Firearm During Commission of a Violent Crime

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

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

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

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

ATTEST:

[Signature]
SC103036
Walter, Mary-Ellen SC Bar # Defendant

Spratlin, Martin D. SC Bar #
Attorney for Defendant

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

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

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

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

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

The sentence shall run CONCURRENT or CONSECUTIVE to sentence on: 1/12/24

The Defendant is to be given credit for time served pursuant to S.C. Code §24-13-40 to be calculated and applied by SCDOC. 54 days/months

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

The Defendant Shall be Released from County Detention Center.

Pursuant to 18 U.S.C. § 922 and § 16-25-30 it is unlawful for a person convicted of a violation of § 16-23-0490 or § 16-23-0495 (Domestic Violence) to ship, transport, possess, or receive a firearm or ammunition.

FILED
HORRY COUNTY
2021 JAN 12 4 06:50
RUSSELL N. ELIASS
CLERK OF COURT
HORRY COUNTY, SC

SPECIAL CONDITIONS:

PTUP after _____ months/years

And Other Terms Listed Below:

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

CERTIFIED COPY
RENEE N. ELVIS
CLERK OF COURT
Horry County, SC

RESTITUTION: Deferred Def. Waives Hearing Ordered

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

Payment Terms: _____ Set by SCDPPPS

Recipient: _____

FILED
Horry County
2021 JAN 12 P 6:50
RENEE N. ELVIS
CLERK OF COURT
Horry County, SC

*Fine: Fine may be pd. in equal, consecutive weekly (monthly) pmts. of \$ 25.00 Beginning 2/12/24

§14-1-206 (Assessments 107.5 %)	\$100	\$ <u>100.00</u>
§14-1-211(A)(1) (Conv. Surcharge)	\$100	\$
§14-1-211(A)(2) (DUI Surcharge)	\$12	\$
§56-5-2995 (DUI Assessment)	\$25	\$
§56-1-286 (DUI Breath Test)	\$25	\$ <u>25.00</u>
§14-1-212 (Law Enforce. Funding)	\$150	\$
§14-1-213 (Drug Court Surcharge)	\$41	\$
§34-11-70(b)and(c), and 34-11-90(c)and(d) (Admin Fraud Check Court Costs)	\$50	\$
§50-21-114(BUI Breath Test Fee)	\$40/ea	\$
§56-5-2942(J) (Vehicle Assessment)	TBD	\$ <u>3.75</u>
3% to County (if paid in installments)	\$500	\$
<input type="checkbox"/> Appointed PD or appointed other counsel, Proviso requires \$500 be paid to Clerk during probation and shall be collected before any other fees.	TBD	\$
<input type="checkbox"/> § 17-3-30(B) Unpaid Application Fee to be paid to the Public Defender Fund	TOTAL	\$ <u>128.75</u>

Clerk of Court/ Deputy Clerk:
Court Reporter:

Renee Elvis
Natalie Dant

Presiding Judge:
Judge Code:
Sentence Date:

Belong
2776
1/12/24

COUNTY OF Horry

STATE

VS.

Stephen D Ohara

RECEIVED

JAN 19 2024
SC Court of Appeals

INDICTMENT/CASE#: 2021GS2600251

ANN#: 2020A2620400815

Date of Offense: 11/22/2020

S.C. Code § : 16-23-0410

CDR Code #: 0122

AKA: _____
Race: _____ Sex: _____ Age: _____
DOB: _____ SS#: _____
Address: _____
City, State, Zip: _____
DL#: _____ SID#: _____

SENTENCED
Horry County, SC
RESHEEN, ELVIS
CLERK OF COURT
PLEADS

*CDL Yes No CMV Yes No Hazmat Yes No

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

CONVICTED OF or PLEADS

TO: Pointing or Presenting a Firearm (0-5 years)

in violation of § 16-23-0410 of the S.C. Code of Laws, bearing CDR Code # 0122

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

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

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

ATTEST:

Walter, Mary-Ellen SC103036

SCB77061

Walter, Mary-Ellen SC Bar # Defendant

Spratlin, Martin D. SC Bar#
Attorney for Defendant

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

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

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

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

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

The sentence shall run CONCURRENT or CONSECUTIVE to sentence on: _____

1/12/24

The Defendant is to be given credit for time served pursuant to S.C. Code §24-13-40 to be calculated and applied to S.C. Code § _____ days/months

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

The Defendant Shall be Released from County Detention Center.

Pursuant to 18 U.S.C. § 922 and § 16-25-30 it is unlawful for a person convicted of a violation of § 16-23-0410 or § 16-25-30 (Domestic Violence) to ship, transport, possess, or receive a firearm or ammunition.

FILED
Horry County
RESHEEN, ELVIS
CLERK OF COURT
Horry County, SC
2024 JAN 12 6:50

SPECIAL CONDITIONS:

PTUP after _____ months/years

And Other Terms Listed Below:

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

CERTIFIED COPY
RENEE N. ELVIS
CLERK OF COURT
HORRY COUNTY, SC

RESTITUTION: Deferred Def. Waives Hearing Ordered

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

Payment Terms: _____ Set by SCDPPPS

Recipient: _____

FILED
HORRY COUNTY
2021 JAN 12 P 6:50
RENEE N. ELVIS
CLERK OF COURT
HORRY COUNTY, SC

*Fine:

Fine may be pd. in equal, consecutive weekly/monthly pmts. of	\$ 25.00	Beginning	2/12/24	\$ _____
§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		\$ _____
§14-1-212 (Law Enforce. Funding)		\$25		\$ 25.00
§14-1-213 (Drug Court Surcharge)		\$150		\$ _____
§34-11-70(b)and(c), and 34-11-90(c)and(d) (Admin Fraud Check Court Costs)		\$41		\$ _____
§50-21-114(BUI Breath Test Fee)		\$50		\$ _____
§56-5-2942(J) (Vehicle Assessment)		\$40/ea		\$ _____
3% to County (if paid in installments)		TBD		\$ 3.75
<input type="checkbox"/> Appointed PD or appointed other counsel, Proviso requires \$500 be paid to Clerk during probation and shall be collected before any other fees.		\$500		\$ _____
<input type="checkbox"/> § 17-3-30(B) Unpaid Application Fee to be paid to the Public Defender Fund		TBD		\$ _____
TOTAL				\$ 128.75

Clerk of Court/ Deputy Clerk:
Court Reporter:

Renee Elvis
Natalie Dahl

Presiding Judge:
Judge Code:
Sentence Date:

B. [Signature]
2726
1/12/24

ARREST WARRANT

2020A2620400809

STATE OF SOUTH CAROLINA

County/ Municipality of

Conway

THE STATE

2020019749

against

Stephen D Ohara

Address:

Phone: SSN:

Sex: Race: Height: Weight:

DL State: DL #:

DOB: Agency ORI #: SC0260200

Prosecuting Agency: Conway Police Department

Prosecuting Officer: James L Rhodes, Jr - S00397

Offense: Murder / Murder

Offense Code: 0116

Code/Ordinance Sec: 16-03-0010

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 Stephen D. Ohara

on 11-22-2020

C. Platt 968

Signature of Constable/Law Enforcement Officer

RETURN WARRANT TO:

General Sessions
PO Box 677
1301 2nd Avenue
Conway, SC 29528

ORIGINAL

ORIGINAL

ORIGINAL

ORIGINAL

STATE OF SOUTH CAROLINA

County/ Municipality of

Conway

Personally appeared before me the affiant James L Rhodes, Jr who

being duly sworn deposes and says that defendant Stephen D Ohara

did within this county and state on or about 11/22/2020 violate the criminal laws of the

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

In the following particulars:

DESCRIPTION OF OFFENSE: Murder / Murder

RENEE N. LEVISO
CLERK OF COURT
HORRY COUNTY, SC

AFFIDAVIT

ORIGINAL

Form Approved by
S.C. Attorney General
April 21, 2009
SCCA 518

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:

THAT ON THE ABOVE DATE AT CW'S WING AND RIB SHACK LOCATED AT 1117 RIVERTOWN BLVD IN THE CITY OF CONWAY THE DEFENDANT DID WITH MALICE AND AFORETHOUGHT FATALLY SHOOT PAUL ANTHONY MISHOE. THAT THE ACTS OF THE ACCUSED CONSTITUTE THE OFFENSE OF MURDER. **WARRANT OBTAINED FOR OFFICER T. CYR.**

Signature of Affiant

STATE OF SOUTH CAROLINA

County/ Municipality of

Conway

Affiant's Address 1600 9th Ave

Conway, SC 29526-

Affiant's Telephone (843)248-1790

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 11/22/2020 defendant Stephen D Ohara

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

County/ Municipality of Conway) as set forth below.

DESCRIPTION OF OFFENSE: Murder / Murder

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 11/22/2020

(L.S.)

Signature of Issuing Judge

Andy Edward Hendrick

Judge Code: 6136

Judge's Address Post Office Box 1428

Conway, SC 29528-1428

Judge's Telephone (843)248-1765

Issuing Court: Magistrate Municipal Circuit

ORIGINAL

ORIGINAL

ORIGINAL

BAIL set by

Judge _____
on _____

Type and Amount: _____

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: _____
Address: _____
Telephone: _____

Name: _____
Address: _____
Telephone: _____

Name: _____
Address: _____
Telephone: _____

Name: _____
Address: _____
Telephone: _____

Name: _____
Address: _____
Telephone: _____

CODEFENDANTS



CERTIFIED COPY
BENEE N. ELVIS
CLERK OF COURT
Horry County, SC

ARREST WARRANT

2020A2620400810

STATE OF SOUTH CAROLINA

County/ Municipality of

Conway

THE STATE

2020019749

against

Stephen D Ohara

Address:

Phone: SSN:

Sex: Race: Height: Weight:

DL State: DL #:

DOB: Agency ORI #: SC0260200

Prosecuting Agency: Conway Police Department

Prosecuting Officer: James L Rhodes, Jr - S00397

Offense: Weapons / Poss. weapon during violent crime, if not also sentenced to life without parole or death

Offense Code: 0549

Code/Ordinance Sec: 16-23-0490

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 Stephen D. Ohara on 11-23-2020

C. Platt 967

Signature of Constable/Law Enforcement Officer

RETURN WARRANT TO:

General Sessions PO Box 677 1301 2nd Avenue Conway, SC 29528

ORIGINAL

ORIGINAL

ORIGINAL

ORIGINAL

STATE OF SOUTH CAROLINA

County/ Municipality of

Conway

Personally appeared before me the affiant James L Rhodes, Jr who

being duly sworn deposes and says that defendant Stephen D Ohara did within this county and state on or about 11/22/2020 violate the criminal laws of the

State of South Carolina (or ordinance of County/ Municipality of Conway) in the following particulars:

DESCRIPTION OF OFFENSE: Weapons / Poss. weapon during violent crime, if not also sentenced to life without parole or death

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:

THAT ON THE ABOVE DATE AT CW'S WING AND RIB SHACK LOCATED AT 1117 RIVERTOWN BLVD IN THE CITY OF CONWAY THE DEFENDANT DID WITH MALICE AND AFORETHOUGHT FATALY SHOOT PAUL ANTHONY MISHOE. THAT THE ACTS OF THE ACCUSED CONSTITUTE THE OFFENSE O POSSESSION OF A WEAPON DURING THE COMMISSION OF A VIOLENT CRIME. **WARRANT OBTAINED FOR OFFICER T. CYR.**

Signature of Affiant

STATE OF SOUTH CAROLINA

County/ Municipality of

Conway

Affiant's Address: 1600 9Th Ave Conway, SC 29526 Affiant's Telephone: (843)248-1790

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 11/22/2020 defendant Stephen D Ohara

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

County/ Municipality of Conway) as set forth below:

DESCRIPTION OF OFFENSE: Weapons / Poss. weapon during violent crime, if not also sentenced to life without parole or death

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 practicable.

Sworn to and subscribed before me on 11/23/2020

Signature of Issuing Judge

Andy Edward Hendrick

Judge Code: 6136

(L.S.)

Judge's Address: Post Office Box 1428 Conway, SC 29528-1428

Judge's Telephone: (843)248-1765

Issuing Court: Magistrate Municipal Circuit

ORIGINAL

ORIGINAL

ORIGINAL

AFFIDAVIT

ORIGINAL

Form Approved by S.C. Attorney General April 21, 2003 SCCA 518

FILED 2020 DEC 15 AM 9:40 CLERK OF COURT

BAIL set by

WITNESSES



CERTIFIED COPY
RENEE N. ELVIS
CLERK OF COURT
Horry County, SC

Judge _____
on _____
Type and Amount: _____
Name of Surety: _____

Name: _____
Address: _____
Telephone: _____

PRELIMINARY HEARING held by

Judge _____
on _____
Defendant Attorney: _____

Name: _____
Address: _____
Telephone: _____

Decision: _____

Name: _____
Address: _____
Telephone: _____

DISPOSITION before

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

Name: _____
Address: _____
Telephone: _____

Disposition: _____
Sentence: _____

Name: _____
Address: _____
Telephone: _____

JURORS

Name: _____
Address: _____
Telephone: _____

Name: _____
Address: _____
Telephone: _____

Name: _____
Address: _____
Telephone: _____

CODEFENDANTS

ARREST WARRANT

2020A2620400815

STATE OF SOUTH CAROLINA

County/ Municipality of

Conway

THE STATE

2020019749

against

Stephen D Ohara

Address:

Phone:

SSN:

Sex:

Race:

Height:

Weight:

DL State:

DL #:

DOB:

Agency ORI #: SC0260200

Prosecuting Agency:

Conway Police Department

Prosecuting Officer:

James L Rhodes, Jr - S00397

Offense: Weapons / Pointing and presenting firearms at a

person

Offense Code:

0122

Code/Ordinance Sec:

16-23-0410

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

Stephen D. Ohara

on

11.23.2020

C. Platt 968

Signature of Constable/Law Enforcement Officer

RETURN WARRANT TO:

General Sessions

PO Box 677

1301 2nd Avenue

Conway, SC 29528

ORIGINAL

ORIGINAL

ORIGINAL

ORIGINAL

ORIGINAL

ORIGINAL

ORIGINAL

STATE OF SOUTH CAROLINA

County/

Municipality of

Conway

Personally appeared before me the affiant James L Rhodes, Jr

being duly sworn deposes and says that defendant Stephen D Ohara

did within this county and state on or about 11/22/2020

violate the criminal laws of the

State of South Carolina, (or ordinance of

County/

Municipality of

Conway

In the following particulars:

DESCRIPTION OF OFFENSE: Weapons / Pointing and presenting firearms at a person

CLERK OF COURT HURRY COUNTY, SC

CLERK OF COURT HURRY COUNTY, SC

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:

THAT ON THE ABOVE DATE AT CW'S WING AND RIB SHACK LOCATED AT 1117 RIVERTOWN BLVD IN THE CITY OF CONWAY THE DEFENDANT DID PRESENT A HANDGUN AND DID POINT IT AT THE VICTIM AND MAKE THREATS CAUSING HIM TO FEAR FOR HIS SAFETY. THAT THE ACTS OF THE ACCUSED CONSTITUTE THE OFFENSE OF POINTING AND PRESENTING A FIREARM AT A PERSON. **WARRANT OBTAINED FOR OFFICER T. CYR.**

Signature of Affiant

STATE OF SOUTH CAROLINA

County/

Municipality of

Conway

Affiant's Address: 1600 9Th Ave...

Conway, SC 29526-

Affiant's Telephone (843)248-1790

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 11/22/2020

defendant Stephen D Ohara

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

County/

Municipality of

Conway

) as set forth below:

DESCRIPTION OF OFFENSE: Weapons / Pointing and presenting firearms at a person

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 11/23/2020

Judge's Address Post Office Box 1428

Conway, SC 29528-1428

Judge's Telephone (843)248-1765

Signature of Issuing Judge

Andy Edward Hendrick

Judge Code: 6136

Issuing Court:

Magistrate

Municipal

Circuit

BAIL set by

Judge _____
on _____

Type and Amount: _____

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: _____

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Name: _____

Address: _____

Telephone: _____

CODEFENDANTS



CERTIFIED COPY
RENEE N. ELVIS
CLERK OF COURT
Horry County, SC

WITNESSES

James L Rhodes Jr Conway Police Department

Jeffrey Jordan
Allan Huggins
Dale Long

The State of South Carolina
County of Horry

Mary-Ellen Walter 20H05741

COURT OF GENERAL SESSIONS

FEBRUARY, 2021 TERM

ARREST WARRANT NUMBER

2020A2620400810
CDR: 0549 16-23-0490
DOA: 11/23/2020

ACTION OF GRAND JURY

TRUE BILL

MAR 25 2021

Con Smith
Foreperson of Grand Jury
Date:

VERDICT

Foreperson of Petit Jury
Date:

THE STATE

vs.

Stephen D Ohara
W/ M

DOB: [REDACTED]
SSN: [REDACTED]

ATTORNEY:

Indictment for

POSSESSION OF A WEAPON DURING A
VIOLENT CRIME

Jimmy A. Richardson, II, Solicitor

DATE RECEIVED FROM
GRAND JURY

FILED
HORRY COUNTY
2021 MAR 30 A 9:17
RENEE N. ELVIS
CLERK OF COURT
HORRY COUNTY, SC

ORIGINAL

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RENEE N. ELVIS
CLERK OF COURT
HORRY COUNTY, SC

RECEIVED

JAN 19 2024
SC Court of Appeals

STATE OF SOUTH CAROLINA)
)
COUNTY OF HORRY)

INDICTMENT

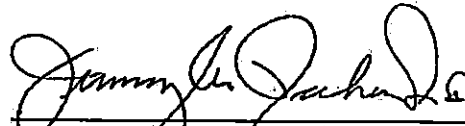
At a Court of General Sessions, convened on FEBRUARY 17, 2021, the Grand Jurors of Horry County present upon their oath:

POSSESSION OF A WEAPON DURING THE COMMISSION
OF A VIOLENT CRIME

CDR: 0549 16-23-0490

That Stephen D Ohara did, in Horry County, on or about November 22, 2020, possess a firearm, or visibly display what appeared to be a firearm, or visibly displayed a knife, during the commission or attempted commission of a violent crime, in violation of Section 16-23-0490, 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

CERTIFIED COPY
RENEE N. ELVIS
CLERK OF COURT
HORRY COUNTY, SC

WITNESSES

James L. Rhodes Jr Conway Police Department

Jeffrey Jordan
Allan Huggins
Dale Long

The State of South Carolina
County of Horry

Mary-ElLEN Walter 20H05741

COURT OF GENERAL SESSIONS

FEBRUARY, 2021 TERM

ARREST WARRANT NUMBER

2020A2620400815
CDR: 0122 16-23-0410
DOA: 11/23/2020

THE STATE

vs.

Stephen D Ohara
W/M

[REDACTED]
DOB: [REDACTED]
SSN: [REDACTED]

FILED
HORRY COUNTY
2021 MAR 30 A 9 17
RENEE N. ELVIS
CLERK OF COURT
HORRY COUNTY, SC
DATE RECEIVED FROM
GRAND JURY

ACTION OF GRAND JURY

TRUE BILL

MAR 25 2021

[Signature]
Foreperson of Grand Jury
Date:

ATTORNEY:

Indictment for

POINTING & PRESENTING A FIREARM

Jimmy A. Richardson, II, Solicitor

VERDICT

Foreperson of Petit Jury
Date:

ORIGINAL

CERTIFIED COPY
RENEE N. ELVIS
CLERK OF COURT
HORRY COUNTY, SC

RECEIVED

JAN 19 2024

SC Court of Appeals

STATE OF SOUTH CAROLINA)
)
COUNTY OF HORRY)

INDICTMENT

At a Court of General Sessions, convened on FEBRUARY 17, 2021, the Grand Jurors of Horry County present upon their oath:

POINTING / PRESENTING A FIREARM

CDR: 0122 16-23-0410

That Stephen D Ohara did, in Horry County on or about November 22, 2020, point or present a loaded or unloaded firearm, to wit: handgun, at one Paul Anthony Mishoe, in violation of Section 16-23-0410, 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

CERTIFIED COPY
RENEE N. ELVIS
CLERK OF COURT
HORRY COUNTY, SC

The State of South Carolina
County of Horry

Mary-Ellen Walter 20H05741

COURT OF GENERAL SESSIONS

FEBRUARY, 2021 TERM

WITNESSES

Taylor J Cyr Conway Police Department

Jeffrey Jordan
Allan Huggins
Dale Long

ARREST WARRANT NUMBER

2020A2620400809
CDR: 0116 16-03-0010, 0020
DOA: 11/23/2020

ACTION OF GRAND JURY

TRUE BILL

MAR 25 2021

[Signature]
Foreperson of Grand Jury
Date:

VERDICT

Foreperson of Petit Jury
Date:

THE STATE

vs.

Stephen D Ohara
W/M
DOB: [REDACTED]
SSN: [REDACTED]

ATTORNEY:

Indictment for
MURDER

Jimmy A. Richardson, II, Solicitor

ORIGINAL

DATE RECEIVED FROM
GRAND JURY

RENEE H. ELVIS
CLERK OF COURT
HORRY COUNTY, SC

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HORRY COUNTY

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CLERK OF COURT
HORRY COUNTY, SC

RECEIVED

JAN 19 2024

SC Court of Appeals

STATE OF SOUTH CAROLINA)
)
COUNTY OF HORRY)

INDICTMENT

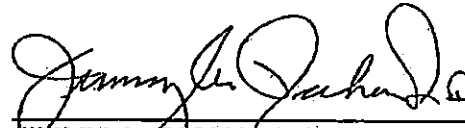
At a Court of General Sessions, convened on FEBRUARY 17, 2021, the Grand Jurors of Horry County present upon their oath:

MURDER

CDR: 0116 16-03-0010,0020

That Stephen D Ohara did, in Horry County, on or about November 22, 2020, willfully, feloniously, and intentionally kill the victim, Paul Anthony Mishoe, with malice aforethought, either express or implied, by shooting the victim, and the victim did die as a proximate result thereof on or about November 22, 2020, 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

CERTIFIED COPY
RENEE N. ELVIS
CLERK OF COURT
HORRY COUNTY, SC

STATE OF SOUTH CAROLINA)
COUNTY OF HORRY)

IN THE COURT OF GENERAL SESSIONS
OF THE FIFTEENTH JUDICIAL CIRCUIT

STATE OF SOUTH CAROLINA)

AMENDED

CERTIFICATE OF REPRESENTATION
(APPOINTING AS COUNSEL)

-VS-

STEPHEN O'HARA

MARTIN SPRATLIN

DEFENDANT)

FILE NO: 26A23-00000731

TO: Clerk of Court of General Sessions of the Fifteenth Judicial Circuit
Office of the Solicitor
Appointed Counsel
Defendant

FILED
HORRY COUNTY
2023 JUL 14 P 12:18
RENEE ELMIS
CLERK OF COURT
HORRY COUNTY, SC

This certifies that the above captioned Defendant is eligible for the services of the Public Defender, such determination having been made on, 21st day of February, 2023, regarding the charge(s) of:

- 2020A2620400809 Murder / Murder
- 2020A2620400810 Weapons / Poss. weapon during violent crime, if not also sentenced to life without parole or death
- 2020A2620400815 Weapons / Pointing and presenting firearms at a person
- 2020A2620400826 Weapons / Unlawful consumption of alcohol while carrying concealed weapon

The Defendant's Counsel is **Martin Spratlin**. The office of the Public Defender requests on the Defendant's behalf any and all evidence in the possession of you and or your agents pursuant to S.C. Criminal Practice Rule 5, and Brady v. Maryland 373 U.S. 383 (1963). The formal Motion for Discovery is attached.

RONALD W. HAZZARD
FIFTEENTH CIRCUIT
PUBLIC DEFENDER

CONWAY, SC

DATED: July 13, 2023

CERTIFIED
RENEE ELMIS
CLERK OF COURT
HORRY COUNTY, SC

STATE OF SOUTH CAROLINA)
COUNTY OF HORRY)

IN THE COURT OF GENERAL SESSIONS
OF THE FIFTEENTH JUDICIAL CIRCUIT

STATE OF SOUTH CAROLINA)

CERTIFICATE OF REPRESENTATION
(APPOINTING AS COUNSEL)

-VS-

STEPHEN O'HARA

MARTIN SPRATLIN

DEFENDANT)

FILE NO: 26A23-00000731

TO: Clerk of Court of General Sessions of the Fifteenth Judicial Circuit
Office of the Solicitor
Appointed Counsel
Defendant

FILED
HORRY COUNTY
2023 MAR 14 A 11:28
RENEE N. ELVIS
CLERK OF COURT
HORRY COUNTY, SC

This certifies that the above captioned Defendant is eligible for the services of the Public Defender, such determination having been made on, 21st day of February, 2023, regarding the charge(s) of:

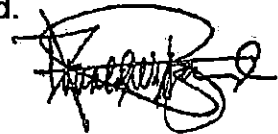
2020A2620400809 Murder / Murder

2020A2620400810 Weapons / Poss. weapon during violent crime, if not also sentenced to life without parole or death

CERTIFIED COPY
RENEE N. ELVIS
CLERK OF COURT
HORRY COUNTY, SC

2020A2620400815 Weapons / Pointing and presenting firearms at a person

The Defendant's Counsel is **Martin Spratlin**. The office of the Public Defender requests on the Defendant's behalf any and all evidence in the possession of you and or your agents pursuant to S.C. Criminal Practice Rule 5, and Brady v. Maryland 373 U.S. 383 (1963). The formal Motion for Discovery is attached.



CONWAY, SC
DATED: February 23, 2023

RONALD W. HAZZARD
FIFTEENTH CIRCUIT
PUBLIC DEFENDER

STATE OF SOUTH CAROLINA)
COUNTY OF HORRY)

IN THE COURT OF GENERAL SESSION
OF THE FIFTEENTH JUDICIAL CIRCUIT

STATE OF SOUTH CAROLINA)

NOTICE AND MOTION FOR PRODUCTION
OF SPECIFIC EVIDENCE AND
DISCLOSURE OF WITNESSES

-VS-

STEPHEN D O'HARA

DEFENDANT)

FILE NO: 26A23-0000073

TO: SOLICITOR FOR THE FIFTEENTH JUDICIAL CIRCUIT

YOU WILL PLEASE TAKE NOTICE that unless the prosecution responds to the Defendant's request for disclosure within 30 days, or within such time as may be ordered by the Court, Counsel for the Defendant will move this Court for an Order compelling that the State:

1. Make available for Defendant any and all written and oral statements by the Defendant which are, or may come to be, in the possession of the State.
2. Make available for purposes of inspection, and copying, any and all police reports relating to the investigation and circumstances surrounding the crime which the Defendant is charged with, including any and all statements taken from witnesses and the Defendant.
3. Make available to the Defendant all tangible objects obtained during the investigation of this case, including, but not limited to:
 - (a) All tangible objects obtained from the scene of the crime; and
 - (b) All tangible objects obtained from the State's witnesses in this case
 - (c) All tangible objects the State intends to introduce into evidence at Trial which are relevant to the offense charged.
4. Make available any witnesses known to the State who have knowledge of facts which might be favorable to the Defendant.
5. Make available any promises made or actions taken by the State which caused or might have caused any witnesses for the State to testify on behalf of the State.
6. Make available any inconsistent statements made by witnesses for the State or any statements made by witnesses for the State which tend to exculpate the Defendants or to negate participation by the Defendants in the alleged crime.
7. Make available to the Defendant all results of laboratory tests, scientific tests, or physical examinations conducted in connection with this case, including but not limited to:
 - (a) Analysis of handwriting
 - (b) Photographs secured of the scene of the crime
 - (c) Comparison of fingerprints
 - (d) DNA analysis
8. Make available any facts which tend to exculpate the Defendant.

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HORRY COUNTY
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RENEE M. ELLIOTT
CLERK OF COURT
HORRY COUNTY, SC
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CLERK OF COURT
HORRY COUNTY, SC

9. Make available any and all scientific or medical, psychiatric, legal or other information, reports or records which might tend to reflect on the credibility or competence of any of prospective witnesses for the State.

10. Make available to the Defendant the names and addresses of all persons who have knowledge of this case or who have been interviewed by the investigating officers in connection with this case.

11. Make available to the Defendant, the SLED, FBI, and local arrest and conviction records of all persons, including the Defendant, named in connection with this proceeding.

12. Make any chemist, analyst, and all persons within the chain of custody appear in Court for the purpose of personally testifying. Attorney for the Defense thus objects to the introduction of any chemist's or analyst's report pursuant to Rule 6, S.C. Rules of Criminal Procedure.

13. Make available to the Defendant all video and audio recordings and/or notarized affidavits made pursuant to South Carolina Code § 56-5-2953 and any other applicable South Carolina Statute or regulation, including but not limited to:

- (a) Police and booking reports;
- (b) Police logs;
- (c) Alcohol influence reports;
- (d) Accident reports
- (e) Reports dealing with defendant's refusal to submit to testing;
- (f) Notes taken from any recording by Law Enforcement regarding conversations with potential prosecution witnesses
- (g) Any notes taken by Law Enforcement with regards to this case which the officer intends to rely on, or make us of, at trial.
- (h) The names of the officers or other witnesses who were with the Defendant within one hour of the arrest who had the opportunity to observe the appearance and behavior of the Defendant, to include the identity of any officer present at the scene of arrest.
- (i) The time and place where the Defendant was given the Miranda warning and the name of the officer who advised him/her of the same.
- (j) Any reports made by any laboratory or hospital concerning any examination made of any physical (urine, blood, etc.), photographic, or written evidence related to the Defendant's case.
- (k) The records of analysis and the results of any chemical, urine, or breathalyzer tests administered to the Defendant.

14. Make available to the Defendant following information regarding the person(s) who administered the Defendant's chemical/breathalyzer tests:

- (a) The person's name and the name of his/her employer;
- (b) The date of his/her original certification to give chemical/breathalyzer tests and the grade he/she received on the exam;
- (c) The date of his/her most recent certification to give said tests; And his/her compliance with statutes and regulations providing for standards of training for person(s) administering such tests.

15. If the Defendant's blood alcohol concentration was determined on the basis of a test involving the use of any machine, provide the following information:

- (a) The type of machine used and the make, model, and serial number of particular machine;

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HENRY COUNTY, SC

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CLERK OF COURT
HENRY COUNTY, SC

- (b) The manufacturer and the date of manufacture of the machine;
- (c) The owner's manual and the instruction manual;
- (d) The software program used in said machine;
- (e) The date of purchase by the agency owning the machine;
- (f) The location of machine;
- (g) The number of prior tests conducted on the machine;
- (h) All maintenance information for the last two years, including all repairs done and all calibrations made on the machine;
- (i) The results of all tests performed in the thirty (30) days prior to the date of the Defendant's arrests, including any tests in which the machine malfunctioned;
- (j) Any checklist to be used by the operator of the machine, either before, during, or after the admission of a test.

This information is requested pursuant to Rule 5 of the South Carolina Rules of Criminal Procedure. This information is further requested pursuant to Brady vs Maryland, 373 U.S. 383, 10 L. Ed. 2d 215, 83 S. Ct. 1194 (1963), U.S. vs Agurs, 427 U.S. 97, 49 L. Ed. 2d 342, 96 S. Ct. 2392 1976, State vs Mixon 274 S.C. 2nd 406 (1981), City of Rock Hill vs Suchenski, 374 S.C. 12, 646 S.E. 2d 879 (2007). Further this information is requested on the grounds that it is essential to insure the Defendant's right to a fair trial, right to confrontation of witnesses, the right to effective Counsel and due process of law guaranteed by the South Carolina Constitution, and the United States Constitution.

ADDITIONALLY, DEFENDANT REQUESTS A SPEEDY TRIAL:

The Defendant requests and asserts his / her right to a speedy trial in General Sessions Court in this County pursuant to the 6th Amendment to the United States Constitution, as well as Article I, Section 14 of the South Carolina Constitution, and under relevant case law.

WHEREFORE, Defendant prays:

- (a) That the Solicitor be Ordered to produce all information described herein and allow the Defendant the right to examine, inspect, copy and photograph, such materials and information at a specific time and place to be fixed by the Court.
- (b) That the information be provided no later than 30 days from the date of this request, as reflected by the Clerk of Court's time-stamp appearing on the face of this Document.
- (c) That the Court enter an Order requiring the Solicitor's Office to make continuing disclosure of all matters requested herein up to and during the Trial of the charges against the Defendant.

RESPECTFULLY SUBMITTED,



RONALD W. HAZZARD
FIFTEENTH CIRCUIT
PUBLIC DEFENDER

CONWAY, SOUTH CAROLINA
DATED: February 23, 2023

2023 MAR 1 10 58 AM
 HORROR COUNTY, SC
 CLERK OF COURT
 RENE ELLIOTT
 CERTIFIED COPY

STATE OF SOUTH CAROLINA) IN THE COURT OF GENERAL SESSIONS
)
 COUNTY OF HORRY) INDICTMENT NUMBER: 2021GS2600249-51
)
 STATE OF SOUTH CAROLINA)
)
 PLAINTIFF.)
)
 VS.)
)
 STEPHEN D OHARA)
)
 DEFENDANT.)

RECEIVED
 VERDICT FORM
 JAN 19 2024
 SC Court of Appeals

1. As to the charge of MURDER, we, the jury, unanimously find the defendant:

GUILTY (Circle one) NOT GUILTY

If you found the defendant NOT GUILTY of murder, you may consider the lesser-included charge of voluntary manslaughter.

2. As to the charge of VOLUNTARY MANSLAUGHTER, we, the jury, unanimously find the defendant:

GUILTY (Circle one) NOT GUILTY

3. As to the charge of POINTING OR PRESENTING A FIREARM, we, the jury, unanimously find the defendant:

GUILTY (Circle one) NOT GUILTY

If you have found the defendant GUILTY of either murder or voluntary manslaughter, then continue to question four.

4. As to the charge of POSSESSING A FIREARM DURING THE COMMISSION OF A VIOLENT CRIME, we, the jury, unanimously find the defendant:

GUILTY (Circle one) NOT GUILTY

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 RENEEN N. ELVIS
 CLERK OF COURT
 HORRY COUNTY, SC
 2024 JAN 12 P 6:50
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2024 JAN 12 P 6:50
RENEE N. ELVIS
CLERK OF COURT
HORRY COUNTY, SC

CERTIFIED COPY
RENEE N. ELVIS
CLERK OF COURT
HORRY COUNTY, SC

01/12/2024
Date

Foreperson
