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SC Court of Appeals

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Greenville County

Honorable Edward W. Miller, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

DA JUAN RAYSHARD YOUNG,

APPELLANT

APPELLATE CASE NO. 2021-001349

RECORD ON APPEAL

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STATE OF SOUTH CAROLINA)	
)	COURT OF GENERAL SESSIONS
COUNTY OF GREENVILLE)	2019-GS-23-06156
)	2019-GS-23-06157
)	2019-GS-23-06158
)	2019-GS-23-06159
)	2019-GS-23-06160
)	2019-GS-23-06161
STATE OF SOUTH CAROLINA,)	2019-GS-23-06166
PLAINTIFF,)	2019-GS-23-06225
)	2019-GS-23-06227
vs.)	
)	
DA' JUAN RAYSHARD YOUNG,)	
DEFENDANT.)	TRANSCRIPT OF RECORD
_____)	

November 1, 2021
Greenville, South Carolina

ORIGINAL

B E F O R E:

THE HONORABLE EDWARD W. MILLER, JUDGE.

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

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Solicitor

CHRISTOPHER A. GRUBBS, ESQ.
Attorney for Defendant Da'Juan Rayshard Young

R. ASHER WATSON, ESQ.
Attorney for Defendant Jack Corris Foreman, III

HOLLIE M. JENKINS
Circuit Court Reporter

I N D E X

(There were no witnesses called.)

E X H I B I T S

(There were no exhibits introduced.)

P R O C E E D I N G S

1
2 THE CLERK: Your Honor, this is case number
3 2019-GS-23-6171, the State vs. Jack Corris Foreman, III,
4 indicted for kidnap -- kidnapping, pleading to the same.
5 It's a true bill.

6 2019-GS-23-6183, indicted for armed robbery and
7 possession of a weapon during the commission of a violent
8 crime, pleading to the same. They are true bills.

9 2019-GS-23-6184, indicted for attempted murder,
10 pleading to the same. It's a true bill.

11 2019-GS-23-6185, indicted for burglary first degree,
12 pleading to the same. It's a true bill.

13 2019-GS-23-6186, indicted for grand larceny, pleading
14 to the same. It's a true bill.

15 2019-GS-23-6187, indicted for armed robbery, pleading
16 to the same. It's a true bill.

17 2019-GS-23-6188, indicted for conspiracy, pleading to
18 the same. It's a true bill.

19 2019-GS-23-6189, indicted for assault and battery
20 first degree, pleading to the same. It's a true bill.

21 2019-GS-23-6226, indicted for grand larceny, pleading
22 to the same. It's a true bill.

23 And 2019-GS-23-6228, indicted for kidnapping,
24 pleading to the same. And it's a true bill.

25 The State vs. Da'Juan Rayshard Young,

1 2019-GS-23-6156, indicted for kidnapping, pleading to the
2 same. It's a true bill.

3 2019-GS-23-6161, indicted for kidnapping, pleading to
4 the same. It's a true bill.

5 2019-GS-23-6157, indicted for armed robbery and
6 possession of a weapon during the commission of a violent
7 crime, pleading to the same. It's a true bill.

8 2019-GS-23-6158, indicted for conspiracy, pleading to
9 the same. It's a true bill.

10 2019-GS-23-6160, indicted for grand larceny, pleading
11 to the same. It's a true bill.

12 2019-GS-23-6166, indicted for armed robbery, pleading
13 to the same. It's a true bill.

14 2019-GS-23-6159, indicted for assault and battery
15 first degree, pleading to the same. It's a true bill.

16 2019-GS-23-6227, indicted for burglary first degree,
17 pleading to the same. It's a true bill.

18 And 2019-GS-23-6225, indicted for attempted murder,
19 pleading to the same. And it's a true bill.

20 The State vs. Jeffrey Kevin Mullins, Jr., indictment
21 2020-GS-23-1067, indicted for grand larceny, pleading to
22 the same. It's a true bill.

23 2020-GS-23-1052, indicted for conspiracy, pleading to
24 the same. And it's a true bill.

25 2020-GS-23-1071, indicted for kidnapping, pleading to

1 the same. It's a true bill.

2 2020-GS-23-1058, indicted for grand larceny, pleading
3 to the same. It's a true bill.

4 2020-GS-23-1060, indicted for armed robbery, pleading
5 to the same. It's a true bill.

6 2020-GS-23-1059, indicted for armed robbery, pleading
7 to the same. It's a true bill.

8 2020-GS-23-1066, indicted for assault and battery
9 first degree, pleading to the same. It's a true bill.

10 2020-GS-23-1074, indicted for burglary first degree,
11 pleading to the same. It's a true bill.

12 2020-GS-23-1072, indicted for attempted murder and
13 possession of a weapon during the commission of a violent
14 crime, pleading to the same. It's a true bill.

15 And 2020-GS-23-1075 indicted for kidnapping, pleading
16 to the same. And it's a true bill.

17 Please raise your right hands the best you can.

18 WHEREUPON,

19 JACK CORRIS FOREMAN, III,

20 DA'JUAN RAYSHARD YOUNG,

21 JEFFERY KEVIN MULLINS, JR.,

22 after first having been duly sworn, testified as follows:

23 THE CLERK: Thank you.

24 THE COURT: All right. In the last 24 hours, have
25 you had any drugs, alcohol, or medication, Mr. Foreman?

1 DEFENDANT FOREMAN, III: Just blood pressure
2 medication, sir.

3 THE COURT: Okay. Mr. Young?

4 DEFENDANT YOUNG: No, sir.

5 THE COURT: Mr. Mullins?

6 DEFENDANT MULLINS: Just blood pressure medication,
7 sir.

8 THE COURT: All right. And have you ever been
9 treated for substance abuse or mental illness,
10 Mr. Foreman?

11 DEFENDANT FOREMAN, III: No, sir.

12 THE COURT: Mr. Young?

13 DEFENDANT YOUNG: No, sir.

14 THE COURT: Mr. Mullins?

15 DEFENDANT MULLINS: No, sir.

16 THE COURT: All right. Mr. Foreman, I'm going to go
17 through your indictments. The first one I'm looking at
18 alleges that you did here in Greenville County on
19 September 25, 2018, unlawfully seize, abduct, confine,
20 inveigle, decoy, or carry away Warren Willis. Kidnapping
21 carries up to 30 years in prison. It is a violent
22 offense, which impacts parole eligibility. It's, also, a
23 most serious offense. And if you get convictions for two
24 or more most serious offenses, you are eligible for life
25 in prison without parole.

1 Do you understand that?

2 DEFENDANT FOREMAN, III: Yes, sir.

3 THE COURT: The next indictment alleges you did --
4 it's a two-count indictment. Count one, armed robbery, it
5 alleges you did in Greenville County on September 25,
6 2018, while armed with a deadly weapon or alleging you
7 were, using a representation of one, you took by force or
8 intimidation money from the person or presence of Patricia
9 Ann Willis. Armed robbery carries 10 to 30 years. It is
10 a violent offense and a most serious offense.

11 Do you understand that?

12 DEFENDANT FOREMAN, III: Yes, sir.

13 THE COURT: Next one, count two, Greenville County on
14 September 25, 2018, you possessed or visibly displayed a
15 handgun during the commission of a violent crime, armed
16 robbery. And that carries five years.

17 Do you understand that?

18 DEFENDANT FOREMAN, III: Yes, sir.

19 THE COURT: Next one alleges you did in Greenville
20 County on September 25, 2018, unlawfully and with malice
21 aforethought and with the intent to kill attempt to kill
22 Patricia Ann Willis. This carries up to 30 years. And it
23 as well is violent and a most serious.

24 Do you understand?

25 DEFENDANT FOREMAN, III: Yes, sir.

1 THE COURT: Next one, Greenville County on
2 September 25, 2018, you willfully and unlawfully entered
3 the dwelling of Warren Willis here in Greenville with the
4 intent to commit a crime. The burglary was accompanied by
5 circumstances of aggravation, including nighttime hours,
6 armed with a deadly weapon, and causing physical injury to
7 a participant who was not involved in the crime. And that
8 carries 15 years to life in prison. It is, also, violent
9 and most serious.

10 Do you understand?

11 DEFENDANT FOREMAN, III: Yes, sir.

12 THE COURT: Next one, Greenville County on
13 September 25, 2018, you feloniously took and carried away
14 the personal property of Warren Willis, that is a Nissan
15 Armada. And that carries up to 10 years in prison.

16 Do you understand?

17 DEFENDANT FOREMAN, III: Yes, sir.

18 THE COURT: Next one, Greenville County on September
19 25, 2018, while armed with a deadly weapon or alleging you
20 were, you took by force or intimidation money from the
21 person or presence of Warren Willis. And, again, this is
22 10 to 30 years. It's a violent and most serious offense.

23 Do you understand?

24 DEFENDANT FOREMAN, III: Yes, sir.

25 THE COURT: Next one, Greenville County on September

1 25, 2018, you willfully and unlawfully combined with Mark
2 Wright, and/or Jermaine Williams, and/or Da'Juan Young,
3 and/or Jeffrey Mullins, and/or Jack Foreman, IV, for the
4 purpose of accomplishing an unlawful object or a lawful
5 object by unlawful means. That would be armed robbery
6 and/or kidnapping. And that carries five years.

7 Do you understand that?

8 DEFENDANT FOREMAN, III: Yes, sir.

9 THE COURT: Next one, Greenville County on
10 September 25, 2018, you injured or offered to injure
11 Warren Willis. And this is an assault and battery in the
12 first degree, which carries up to 10 years in prison.

13 Do you understand that?

14 DEFENDANT FOREMAN, III: Yes, sir.

15 THE COURT: Okay. The next one, Greenville County on
16 September 18, 2018, you stole from Allen's Auto Sales a
17 2005 Ford F-350 valued at more than \$10,000. And this
18 carries up to 10 years in prison; is that correct?

19 DEFENDANT FOREMAN, III: Yes, sir.

20 THE COURT: Do you understand?

21 Okay. And the next one, the last one, Greenville
22 County on September 25, 2018, you unlawfully seized
23 abducted, confined, inveigled, decoyed, or carried away
24 Patricia Willis without authority of law. Kidnapping
25 carries up to 30 years in prison. It is a violent offense

1 and a most serious offense.

2 Do you understand that?

3 DEFENDANT FOREMAN, III: Yes, sir.

4 THE COURT: All right. Mr. Young, your first one
5 alleges you did here in Greenville County on September 25,
6 2018, unlawfully seize, abduct, confine, inveigle, decoy,
7 or carry away Patricia Ann Willis without authority of
8 law. This is a kidnapping case. It carries up to
9 30 years. It is a violent offense, which impacts parole
10 eligibility. It is a most serious offense. If you get
11 convictions for two or more most serious offenses, you are
12 eligible for life in prison without parole.

13 Do you understand?

14 DEFENDANT YOUNG: Yes, sir.

15 THE COURT: Next one, Greenville County on
16 September 25, 2018, you unlawfully seized, abducted,
17 confined, inveigled, decoyed, or carry away Warren Willis
18 without authority of law. Kidnapping is up to 30 years.
19 It's violent and most serious.

20 Do you understand?

21 DEFENDANT YOUNG: Yes, sir.

22 THE COURT: Next one, Greenville County -- this is a
23 two-count indictment. Count one, Greenville County on
24 September 25, 2018, while armed with a deadly weapon or
25 alleging you were, while using a representation of one,

1 you took by force or intimidation money from the person or
2 presence of Patricia Ann Willis. This carries 10 to
3 30 years. It is a violent and most serious offense.

4 Do you understand?

5 DEFENDANT YOUNG: Yes, sir.

6 THE COURT: Count two, Greenville County on
7 September 25, 2018, you possessed or visibly displayed a
8 handgun during the commission of a violent crime, that is
9 armed robbery. This carries five years.

10 Do you understand?

11 DEFENDANT YOUNG: Yes, sir.

12 THE COURT: Next one, Greenville County on
13 September 25, 2018, you willfully and unlawfully combined
14 with Mark Wright, and/or Jermaine Williams, and/or Jeffrey
15 Mullins, and/or Jack Foreman, III, and/or Jack Foreman,
16 IV, for the purpose of accomplishing an unlawful object or
17 a lawful object by unlawful means, that is armed robbery,
18 kidnapping, and assault and battery. That carries up to
19 five years.

20 Do you understand?

21 DEFENDANT YOUNG: Yes, sir.

22 THE COURT: Next one, Greenville County on
23 September 25, 2018, you feloniously took and carried away
24 the personal property of Warren Willis, a Nissan Armada
25 great -- valued at greater than \$10,000. That carries up

1 to 10 years.

2 Do you understand?

3 DEFENDANT YOUNG: Yes, sir.

4 THE COURT: The next one, Greenville County on
5 September 25, 2018, while armed with a deadly weapon or
6 alleging you were, while using a representation of one,
7 you took by force or intimidation goods or money, that is
8 money from the person or presence of Warren Willis. That
9 carries from 10 to 30 years. It is a violent and a most
10 serious offense.

11 Do you understand?

12 DEFENDANT YOUNG: Yes, sir.

13 THE COURT: The next one, Greenville County on
14 September 25, 2018, you offered or attempted to injure
15 Warren Willis with the present ability to commit the act.
16 And it was accomplished by means likely to produce death
17 or great bodily injury or it occurred during the
18 commission of a robbery, burglary, kidnapping, or theft.
19 And that carries 10 years.

20 Do you understand?

21 DEFENDANT YOUNG: Yes, sir.

22 THE COURT: The next one, Greenville County on
23 September 25, 2018, you willfully and unlawfully entered
24 the dwelling of Warren Willis and/or Patricia Ann Willis
25 here in Greenville County without consent and with the

1 intent to commit a crime therein accompanied by
2 circumstances of aggravation, that is entering or
3 remaining during the nighttime, or you were armed with a
4 deadly weapon, or you caused physical injury to a person
5 who was not a participant in the crime. That carries 15
6 years to life. It is a violent and a most serious
7 offense.

8 Do you understand that?

9 DEFENDANT YOUNG: Yes, sir.

10 THE COURT: And the last one, Greenville County on
11 September 25, 2018, you unlawfully with malice
12 aforethought and intent to kill -- and with the intent to
13 kill, you attempted to kill Patricia Ann Willis. It
14 carries 30 years. It is a violent and a most serious
15 offense.

16 Do you understand?

17 DEFENDANT YOUNG: Yes, sir.

18 THE COURT: Mr. Mullins, your first one alleges you
19 did here in Greenville County on September 18, 2018,
20 feloniously carry away the personal property of Warren
21 Willis, a 2005 Ford F-350. This -- I believe that we have
22 consented to amend this to change the victim from Warren
23 Willis to Allen's Auto Sales.

24 Do you understand that?

25 DEFENDANT MULLINS: Yes, sir.

1 THE COURT: Okay. Do you have any objection to that?

2 DEFENDANT MULLINS: No, sir.

3 THE COURT: Okay. It's a clerical error, obviously.

4 MR. RICHEY: Because I think the Court ruled at
5 pre-trial that --

6 THE COURT: Correct. Yeah. We've had -- we had a
7 hearing.

8 And this carries up to 10 years.

9 Do you understand?

10 DEFENDANT MULLINS: Yes, sir.

11 THE COURT: Okay. Next one alleges you did in
12 Greenville County on September 25, 2018, unlawfully and
13 willfully combine with Mark Wright, and/or Da'Juan Young,
14 and/or Jermaine Williams, and/or Jack Foreman, III, and/or
15 Jack Foreman, IV, for the purpose of accomplishing an
16 unlawful object or a lawful object by unlawful means.
17 That is armed robbery and kidnapping. And that carries up
18 to five years.

19 Do you understand?

20 DEFENDANT MULLINS: Yes, sir.

21 THE COURT: Okay. The next one alleges you did in
22 Greenville County on September 25, 2018, unlawfully seize,
23 abduct, confine, inveigle, decoy, or carry away
24 Patricia -- Patricia Ann Willis. Kidnapping carries up to
25 30 years. It is a violent offense, which impacts parole

1 eligibility. It is a most serious offense. And if you
2 get convictions for two or more most serious offenses, you
3 are eligible for life in prison without parole.

4 Do you understand that?

5 DEFENDANT MULLINS: Yes, sir.

6 THE COURT: Next one, Greenville County on
7 September 25, 2018, you feloniously carried away the
8 personal property of Warren Willis and Patricia Ann
9 Willis, that is a 2015 Nissan Armada valued at greater
10 than \$10,000. And that carries 10 years.

11 Do you understand?

12 DEFENDANT MULLINS: Yes, sir.

13 THE COURT: Next one, Greenville County on September
14 25, 2018, while armed with a deadly weapon or alleging you
15 were, using a representation of one, you took by force or
16 intimidation money from the person or presence of Patricia
17 Ann Willis. Armed robbery carries 10 to 30 years. It is
18 a violent offense and a most serious offense.

19 Do you understand that?

20 DEFENDANT MULLINS: Yes, sir.

21 THE COURT: Next one, Greenville County on
22 September 25, 2018, while armed with a deadly weapon or
23 alleging you were, using a representation of one, you took
24 by force or intimidation money from the person or presence
25 of Warren Willis. And, again, armed robbery is 10 to

1 30 years. It's a violent and most serious offense.

2 Do you understand that?

3 DEFENDANT MULLINS: Yes, sir.

4 THE COURT: Next one, Greenville County on
5 September 25, 2018, you offered or attempted to injure
6 Warren Willis with the present ability to commit the act.
7 And the act was accomplished by means likely to produce
8 death or great bodily injury, or the act occurred during
9 the commission of a robbery, burglary, kidnapping, or
10 theft. And that carries 10 years.

11 Do you understand?

12 DEFENDANT MULLINS: Yes, sir.

13 THE COURT: Next one, Greenville County on
14 September 25, 2018, you willfully and unlawfully entered
15 the dwelling of Warren Willis and Patricia Ann Willis in
16 Greenville County without consent and with the intent to
17 commit a crime therein. The burglary was accompanied by
18 circumstances of aggravation. That is the entering and
19 remaining occurred during the nighttime hours armed with a
20 deadly weapon and caused physical injury to a person who
21 was not a participant in the crime. And that carries 15
22 to -- years to life in prison. It is a violent offense
23 and a most serious offense.

24 Do you understand that?

25 DEFENDANT MULLINS: Yes, sir.

1 THE COURT: All right. And the next indictment is a
2 two-count indictment. Count one alleges you did in
3 Greenville County on September 25, 2018, unlawfully and
4 with malice aforethought with the intent to kill attempted
5 to kill Patricia Ann Willis. This carries up to 30 years.
6 It is a violent offense and a most serious offense.

7 Do you understand that?

8 DEFENDANT MULLINS: Yes, sir.

9 THE COURT: Count two alleges you did in Greenville
10 County on September 25, 2018, possess or visibly display a
11 handgun and/or a knife during the commission of a violent
12 crime. That is attempted murder. And that carries five
13 years.

14 Do you understand that?

15 DEFENDANT MULLINS: Yes, sir.

16 THE COURT: And the last one alleges you did here in
17 Greenville County on September 25, 2018, unlawfully seize,
18 abduct, confine, inveigle, decoy, or carry away Warren
19 Willis without the authority of law. And kidnapping
20 carries up to 30 years in prison. It is violent and most
21 serious.

22 Do you understand that?

23 DEFENDANT MULLINS: Yes, sir.

24 THE COURT: Okay. Understanding the nature of the
25 charges against you and the maximum possible punishment,

1 how do you want to plead, Mr. Foreman?

2 DEFENDANT FOREMAN, III: I plead guilty, sir.

3 THE COURT: All right. Mr. Young?

4 DEFENDANT YOUNG: Guilty.

5 THE COURT: Mr. Mullins?

6 DEFENDANT MULLINS: Guilty.

7 THE COURT: Is that your free and voluntary decision,
8 Mr. Foreman?

9 DEFENDANT FOREMAN, III: Yes, sir.

10 THE COURT: Mr. Young?

11 DEFENDANT YOUNG: Yes, sir.

12 THE COURT: Mr. Mullins?

13 DEFENDANT MULLINS: Yes, sir.

14 THE COURT: Do you understand you have an absolute
15 right to a trial by jury where you would be presumed
16 innocent, unless and until the State could prove you
17 guilty beyond any reasonable doubt of each and every
18 element of each offense that you are charged with? You
19 would have the right to confront and cross-examine the
20 witnesses and the evidence put up against you by the
21 State. You would have the right to use the subpoena power
22 of the State to compel in court all relevant and competent
23 evidence in your own defense, or you can remain silent.
24 Your silence cannot be held against you. And you can
25 never be compelled to incriminate yourself.

1 Do you understand all those rights, Mr. Foreman?

2 DEFENDANT FOREMAN, III: Yes, sir.

3 THE COURT: Mr. Young?

4 DEFENDANT YOUNG: Yes, sir.

5 THE COURT: Mr. Mullins?

6 DEFENDANT MULLINS: Yes, sir.

7 THE COURT: Are you guilty, Mr. Foreman?

8 DEFENDANT FOREMAN, III: Yes, sir.

9 THE COURT: Mr. Young?

10 DEFENDANT YOUNG: Yes, sir.

11 THE COURT: Mr. Mullins?

12 DEFENDANT MULLINS: Yes, sir.

13 THE COURT: Are you totally and completely satisfied
14 with the representation of your attorney, Mr. Foreman?

15 DEFENDANT FOREMAN, III: Yes, sir.

16 THE COURT: Mr. Young?

17 DEFENDANT YOUNG: Yes, sir.

18 THE COURT: Mr. Mullins?

19 DEFENDANT MULLINS: Yes, sir.

20 THE COURT: Do you have any complaints you want to
21 make about the way you've been treated in this case,
22 Mr. Foreman?

23 DEFENDANT FOREMAN, III: No, sir.

24 THE COURT: Mr. Young?

25 DEFENDANT YOUNG: No, sir.

1 THE COURT: Mr. Mullins?

2 DEFENDANT MULLINS: No, sir.

3 THE COURT: And have you had a full opportunity to
4 review the evidence that the State has against you,
5 Mr. Foreman?

6 DEFENDANT FOREMAN, III: Yes, sir.

7 THE COURT: Mr. Young?

8 DEFENDANT YOUNG: Yes, sir.

9 THE COURT: Mr. Mullins?

10 DEFENDANT MULLINS: Yes, sir.

11 THE COURT: All right. Please listen while they --
12 the State tells us about the facts.

13 MR. WILKINS: Thank you, Your Honor.

14 May it please the Court.

15 On or about September 16th, 2018 -- and I'm -- when I
16 refer to the Defendants, Your Honor, I'm referring to Jack
17 Foreman, III, Da'Juan Young, and Jeff Mullins. And when I
18 refer to co-conspirators, I'm referring to Jack Foreman,
19 III, Jack Forman, IV, Da'Juan Young, Jeff Mullins,
20 Jermaine Williams, and Mark Wright.

21 On or about September 6 -- 16th, 2018, Jack Foreman
22 III, Jack Foreman, IV, Da'Juan Young, and Jeff Mullins
23 arrive in Greenville. And they were staying at a location
24 on [REDACTED] Woodvine Way, a house owned by Kenyatta Foster.
25 Also living at that house were Ronald Edmonds and Frank

1 Quin Starks.

2 On about September 18th, 2018, the Defendants, Jack
3 Foreman, III, Jack Foreman, IV, Jeff Mullins, and Da'Juan
4 Young did go to Allen's Auto Sales located in Greenville
5 County on Poinsett Highway where they did steal a -- a
6 F-350 truck worth over \$10,000. And they did stash that
7 truck up in the north Greenville area near Travelers Rest,
8 actually, close to ■ Marsha Court located in Greenville
9 County.

10 On about 2000 -- September 25th, 2018, Jack Foreman,
11 III, Da'Juan Young, and Jeffery Mullins did meet with
12 co-conspirators, Jermaine Williams, Mark Wright, and Jack
13 Foreman, IV, in north Greenville in -- around the
14 Travelers Rest area of Greenville County. They did enter
15 into that stolen F-350 and drive to Landrum located --
16 located -- the Willis number five store located in
17 Landrum, South Carolina, in Greenville County.

18 Upon there, they -- Jack Foreman, III, Jack Foreman,
19 IV, Jermaine Williams, Jeff Mullins, and Da'Juan Young did
20 hide in a location near Willis four -- Willis store number
21 five and waited for Mr. Willis to come outside. Upon his
22 arrival outside near his car, they did approach Mr. Willis
23 and did assault him with Jack Foreman, III, and Da'Juan
24 Young having -- having pistols.

25 They did beat Mr. Willis, strike him with those

1 pistols and take his 38-caliber Smith and Wesson revolver
2 from him. The Defendants then tied him with zip ties
3 behind his back and put him in his own Nissan Armada.

4 They then got in the Nissan Armada and drove to a --
5 a short time away on Howard Road to where that stolen
6 F-350 was located. And Mark Wright was inside the car.
7 There, they switched out of the F-350 and all got into the
8 Nissan Armada owned by Mr. Willis. The Nissan Armada is
9 worth more than \$10,000.

10 Upon putting -- everyone entering into the Nissan
11 Armada, they drove to ■ Sweetgum Road, which is a house
12 owned by Ann and Warren Willis. That drive is
13 approximately 20 minutes, or so. And during that time,
14 they were forcibly beating Mr. Willis asking him where the
15 money was and continuously striking him in the head and
16 body during that time with weapons and fists.

17 Upon arriving to ■ Sweetgum Road, which is located
18 in Greenville County, they used the garage door opener to
19 enter into the garage with the Nissan Armada and shut the
20 garage door behind them. They exited the Nissan Armada
21 and removed Mr. Willis from the garage.

22 They then continued to beat Mr. Willis asking him
23 where the money was in the garage as evidenced by the fact
24 that there were dentures laying there, also, as -- and a
25 pool of blood.

1 The Defendants, along with their co-conspirators, did
2 enter the house unlawfully. And they -- they approached
3 Ann Willis, who was then sleeping in her bed. She was
4 removed from her bed forcefully and was then beaten and
5 stricken asking where the money was as well. In addition,
6 they were ransacking the house looking for money, and
7 other objects.

8 They removed Ann Willis from her bed and took her to
9 a location where her husband, Warren Willis, was located
10 where they threatened to -- to do things to her while
11 beating her if they didn't tell them where the money was.
12 They continued to do that until she told them that she did
13 have some money.

14 And they removed her from that room and moved her to
15 a -- a room located in the house a good ways away from
16 where Warren Willis was located. Again, Your Honor, they
17 were both zip tied with their hands behind their back.

18 In the room with Ms. Willis, the Defendants, Jack
19 Foreman, III, and Da'Juan Young, did locate after
20 Mrs. Willis told them a large sum of money, over a hundred
21 thousand dollars. And they removed that money, along with
22 a number of Louis Vuitton bags.

23 Before they left, co-defendant Da'Juan Young did take
24 the 38 Smith and Wesson -- Wesson pistol, put a pillow
25 over Ms. Willis' body and fired the gun twice in an

1 attempt to kill her.

2 The Defendants left the location at Sweetgum, the
3 Willis house, in the Nissan Armada and drove to a location
4 at ■ Marsha Court where they met with all the
5 co-defendants, Da'Juan Young, Jack Foreman, III, Jack
6 Foreman, IV, Jeff Mullins, Jermaine Williams, and Mark
7 Wright, where they used a money counter to count out the
8 money that they had stolen from the Willis house.

9 They then left that location, got back into their car
10 that was stashed at a location behind Williams Pit Stop
11 and left the area. They also -- the Defendants, also,
12 told co-conspirators, Jermaine Williams and Mark Wright,
13 to burn the Armada, which they did.

14 Upon leaving the location -- the stash location in a
15 Chevy Malibu, they returned back to Woodvine Way where
16 they left a gun, a Ruger nine-millimeter gun, as well as
17 Mr. Willis' 38 -- 38 revolver there.

18 Your Honor, the State would present that -- that
19 items located in relation to this did have the Defendants
20 DNA on them. There was a camo mask located where the
21 Armada had been burned. And it would have the DNA of Mark
22 Wright. It would have the DNA of Warren Willis. It would
23 have the -- and Jermaine Williams.

24 There was a glove located at the stash -- at the
25 location behind William Pit Stop where their silver Chevy

1 Malibu had been stashed. And DNA would show that the --
2 there was a glove collected from there. And it had the
3 DNA of Jack Foreman, III, as well as Da'Juan Young.

4 The black Ruger weapon referred to that was stashed
5 at Woodvine Way would have the DNA of Warren Willis, as
6 well as Jack Foreman, III. It would have the DNA of
7 Da'Juan Young as well.

8 And then, finally, the 38 Special Smith and Wesson
9 that was owned by Warren Willis would have the DNA of
10 Warren Willis on it and Jack Foreman, III, on it as well.

11 And, finally, Your Honor, the Defendants, other than
12 Da'Juan Young, had cell phones in their hands. And cell
13 phone information would correspond to the locations at the
14 same times of stealing the car, the F-350, the kidnapping
15 at the Willis number five store, their presence at [REDACTED]
16 Sweetgum Drive, the Willis residence, as well as [REDACTED] Marsha
17 Court where they split up the money, and then returning
18 back to Woodvine Way, and leaving to go return back to
19 Florida -- Pahokee, Florida.

20 And those are the facts that would be presented, Your
21 Honor.

22 THE COURT: All right. Thank you very much.

23 Mr. Foreman, do you agree with -- that the facts as
24 related by the Solicitor would be substantially true and
25 correct?

1 DEFENDANT FOREMAN, III: Yes, sir.

2 THE COURT: And Mr. Foreman -- excuse me, Mr. Young?

3 DEFENDANT YOUNG: Yes, sir.

4 THE COURT: And Mr. Mullins?

5 DEFENDANT MULLINS: Yes, sir.

6 THE COURT: Okay. Well, I will accept the pleas as
7 being freely, voluntarily, and intelligently made with the
8 advice of very competent attorneys with whom they state
9 they're well satisfied. And there is a substantial,
10 factual basis for the plea.

11 All right. Do you have criminal histories on these
12 persons?

13 MR. WILKINS: Your Honor, if we could, I would
14 recommend maybe we address the jury downstairs, allow us
15 some time to get the criminal histories.

16 And I know Jack Foreman, IV, is now -- should be on
17 his way or is here at --

18 THE COURTROOM DEPUTY. He's here.

19 MR. WILKINS: -- at the courthouse so that we could
20 reconvene in 10, 15, 20 minutes, or whatever and then have
21 sentencing, if that's okay with Your Honor.

22 THE COURT: All right. We'll do sentencing in 20
23 minutes. And I'll go address the jury.

24 (WHEREUPON, a break was taken.)

25 THE COURT: Mr. Haley, what? What have you got?

1 MR. HALEY: Your Honor, if it please the Court.

2 On behalf of Jack Foreman, IV, we would, at this
3 point, make a motion for the Court to allow us a brief
4 continuance of the sentencing. We entered a plea this
5 morning with the understanding that our sentencing was
6 going to be deferred, based upon the anticipated length of
7 the case.

8 We have some anticipated mitigating evidence that's
9 not available today. And we didn't have it prepared for
10 today. We've just been notified -- notified within the
11 last 10 minutes that the change -- the posture of the
12 trial changed. And we think at this point --

13 MR. WILKINS: We would oppose that, Your Honor. It's
14 a plea off the trial docket. We're ready for sentencing.

15 THE COURT: What is it you --

16 MR. HALEY: Your Honor, we was going to bring in
17 another witness to testify on his behalf.

18 THE COURT: Let's just go ahead and get it done.

19 Do you want to do them individually?

20 MR. WILKINS: Your Honor, I'd like to do all four so
21 that the victims, you know, just have to live it -- live
22 it one time and can speak one time. And if you wanted to,
23 we could -- we can do one, two, three, four. And then you
24 can start to your right, Your Honor. And once they're
25 sentenced, they can take them out that way. And you can

1 move down the line to next one.

2 THE COURT: All right.

3 MR. WILKINS: That seems reasonable to me.

4 So -- yeah. So Jack Foreman, IV, will be right here.
5 He'll be first over here. And then we'll have daddy next
6 to him.

7 THE COURTROOM DEPUTY: He wants him right here.

8 MR. WILKINS: Okay. Starting on -- okay. So then
9 we'll have Jeff Mullins next.

10 MR. RICHEY: So you're going to start down there?

11 MR. WILKINS: I'm going to start down there and move
12 this way.

13 MR. RICHEY: Okay.

14 MR. WILKINS: Just because they're closer to the
15 door.

16 And then I'll have Da'Juan Young and then Jack
17 Foreman, III.

18 THE COURT: All right. While they're coming out,
19 will you give me their jail days, please?

20 I've got 1,008 on Foreman, IV.

21 MR. WILKINS: All right. Let's see. Foreman, IV,
22 I've got 1,026 days.

23 THE COURT: On the fourth?

24 MR. WILKINS: That's what I've got, yes, sir. 1,026
25 days.

1 THE COURT: You told me 1,080 this morning.

2 MR. WILKINS: I meant 1,026, or I misspoke, or --
3 Your Honor, I'm having to use glasses these days and it
4 very well could have been I didn't have my glasses on.

5 THE COURT: Okay.

6 MR. WILKINS: All right. So we've got -- then we
7 have Jeffrey Mullins is going to be 648 days.

8 Da'Juan Young is going to be 975 days.

9 And then Foreman, III, 975 days.

10 THE COURT: Okay. Do you have criminal histories on
11 these gentlemen?

12 MR. WILKINS: Yes, Your Honor.

13 May it please the Court.

14 I'm starting with Jack Foreman, III, in 2002, he has
15 PWI [sic] marijuana; in 2004, he has a harassing
16 victim/witness; in 2006, he has a grand theft auto; 2006,
17 he has a driving while license suspended; in 2007, he has
18 a robbery; and then in 2017, fleeing or attempting to
19 elude; 2017, carrying a concealed weapon; in 2018, DUI.

20 THE COURT: Okay.

21 MR. WILKINS: And, Your Honor, these are all in
22 Florida.

23 THE COURT: Okay.

24 MR. WILKINS: And then as to Da'Juan Young, there's
25 no record. Mr. Young is 22 years old. And there is no

1 record of any convictions.

2 THE COURT: All right.

3 MR. WILKINS: To Mr. Mullins, it's going to be quite
4 lengthy. 2002, grand theft of motor vehicle; 2002, grand
5 theft of motor vehicle; 2004, driving while license
6 suspended; 2003, batter of law enforcement; 2003, grand
7 theft motor vehicle; 2004, theft; 2004, battery; 2005,
8 providing false ID to law enforcement; 2007, criminal
9 mischief; 2007, trespass on school grounds; 2009, grand
10 theft auto; 2008, possession of a firearm; 2009, domestic
11 battery; 2009, possession of cocaine; 2009, DUS; 2010,
12 resisting officer without violence; 2019, high speed
13 fleeing; 2019, DUS; and 2019, third degree grand theft
14 auto; and another 2019 grand theft auto.

15 THE COURT: Okay.

16 MR. WILKINS: And then Jack Foreman, IV, there's no
17 record.

18 THE COURT: All right. Anything you want to tell me?

19 MR. WILKINS: All right. Your Honor, may it please
20 the Court.

21 Your Honor, you have heard the factual scenarios on
22 each of these four Defendants that have pled guilty before
23 you. Your Honor, it is the State's position that Jack
24 Foreman, III, is referred to by one of the other
25 co-conspirators as the CEO.

1 And his business was finding targets and robbing them
2 just like he did in this case. And they would travel from
3 Florida, Your Honor. They would do it from out of state
4 to make it much more difficult to locate and determine
5 who, actually, did the crime.

6 Your Honor, in this crime -- in this -- in this case,
7 you heard Jack Foreman, III, he surveilled the Willis
8 store months before the actual robbery. They attempted to
9 do it on two or three separate occasions. They put
10 trackers on the car so they could know his whereabouts,
11 where his home was. And then they lied in wait as he came
12 out of one of his stores and kidnapped him, put zip ties
13 around his back, and beat him senselessly for well over an
14 hour.

15 But then, Your Honor, they did the most violating
16 thing that you can do to a couple is they violated the
17 barriers of their home where they should be safe and
18 secure. And they did that through kidnapping, using their
19 own garage door opener to -- to go into their house, and
20 then used threats, intimidation, violence on the two
21 victims in this case, Warren and Ann Willis, to try to get
22 them to tell them where some money was and, ultimately,
23 did obtain a large amount of money.

24 But, Your Honor, they beat Warren Willis so bad that
25 you couldn't recognize him after he was located. Ann

1 Willis was located with no clothes on and two gunshots to
2 her abdomen. And she had been shot by Da'Juan Young with
3 Warren Willis' own gun inside of their home.

4 Your Honor, the legislature makes burg first 15 years
5 to life without parole. And they did that for a reason.
6 Because burg first is a violation where somebody should be
7 safe and secure inside their home. And these four
8 individuals violated every sense of that.

9 And as a result, Your Honor, the State is asking for
10 life sentences for each and every one of these
11 individuals, that they spend the rest of their life inside
12 the Department of Corrections in South Carolina.

13 Thank you, Your Honor.

14 THE COURT: Okay. Is there any victim input?

15 MR. WILKINS: I think Frank Eppes is speaking on
16 behalf of the victims, Your Honor.

17 THE COURT: All right.

18 MR. EPPES: Your Honor, the Willis family is here
19 behind me. They have other family members that wanted to
20 be here. Because of the quick nature of this, they
21 weren't able to.

22 They're family friends. I've known them a long time.

23 And, Judge, they, first, asked me to thank
24 Investigator Picone, the sheriff's department, the
25 solicitor's office, and the EMS people because they really

1 feel like the fact that they're here today is a miracle.

2 Judge, Ms. Willis was -- was shot and left for dead.
3 And as another judge once said to me, attempted murder
4 just sometimes means you're not a very good shot. And
5 this group of people came in and tracked them like --
6 frankly, like animals for several months, came into their
7 home.

8 Ms. Willis still doesn't have skin to cover her
9 entire abdomen. For two years, Mr. Willis had to help her
10 change her colostomy bag. And I understand he got to be a
11 pretty good nurse.

12 But these three years of their life -- they're in
13 their 70s. These three years of their life, they were
14 supposed to be winding down and enjoying time with their
15 grandchildren. And, instead, Ms. Willis has spent four
16 months entirely in the hospital, often because of COVID
17 not being able to see her own family, worried about
18 everything they were up to.

19 Judge, this good family says that they trust your
20 judgment. They trust the process. And they ask that you
21 sentence in accordance with what you think is fair in the
22 law.

23 And, Judge, I'd just like to make sure they don't
24 want to add anything else.

25 THE COURT: Sure.

1 (Pause.)

2 MR. EPPES: Thank you, Your Honor.

3 THE COURT: All right. Mr. Watson.

4 MR. WATSON: Thank you, Your Honor.

5 May it please the Court.

6 Before you is Mr. Jack Corris Foreman, III. He's
7 41 years old from Pahokee, Florida. He's spent 975 days
8 in jail, as you understand. He's a high school graduate.
9 He's been working his entire adult life, at first, doing
10 jobs for other people as a mobile detailer and quickly
11 started his own business and has been doing that since --

12 You were about 20?

13 DEFENDANT FOREMAN, III: Yeah.

14 MR. WATSON: He has family here who support him and
15 love him dearly. He's a strong provider. He loves the
16 ones who love him.

17 If they wouldn't mind standing, just to be
18 recognized, if they're here. If you wish to speak, you
19 may.

20 (WHEREUPON, there was no response.)

21 MR. WATSON: That's okay. You can be seated, if you
22 don't want to.

23 This is something that Mr. Foreman has done is --
24 that is just unconscionable and unthinkable. And he's
25 here facing that and ready to take it on the chin. He

1 knows what's coming to him and is something that he asks
2 to be fair and just, but he knows that it's going to be
3 substantial.

4 It's something that seriously in the interactions
5 that I've had with him and my firm has had with him that
6 we just don't see someone like this doing a thing like
7 this. But it is and it happened. And he's here to
8 acknowledge that. And we just ask for the mercy of the
9 Court.

10 Earlier, there was, as I understand it, a global
11 offer of 45 years is my understanding.

12 MR. WILKINS: That was our initial offer, Your Honor.

13 MR. WATSON: We think that that was something that
14 was intended to bring us where we are here today. But we
15 still think that even 45 is heavy handed. We know that
16 the minimum in this case is substantial for what is -- the
17 crime that has been committed. And we just ask for the
18 mercy of the Court, Your Honor.

19 THE COURT: All right. Anything you want to tell me?

20 DEFENDANT FOREMAN, III: Yes, Your Honor. I would
21 like to tell you that I apologize to the victim. I'm
22 sorry for what they had to go through.

23 MR. WATSON: You can take your mask down.

24 DEFENDANT FOREMAN, III: I apologize. I apologize to
25 the victim for what they have had to go through. And I

1 will accept my punishment.

2 THE COURT: Okay. Burglary, 60 years. Kidnapping,
3 30 years. Strong -- or armed robbery, 30 years.
4 Possession of a weapon during a violent crime, five years.
5 Attempted murder, 30 years. Grand larceny, 10 years.
6 Armed robbery, 30 years. Criminal conspiracy, five years.
7 Assault and battery first degree, 10 years. Grand
8 larceny, 10 years. Kidnapping, 30 years.

9 All right. Tell me about Young.

10 MR. GRUBBS: Thank you, Your Honor.

11 May it please the Court.

12 Mr. Young is 24 years old. He was born and raised in
13 Florida. And his family is here, also, his mother and
14 sister, his mother Daisy, his sister Courtney. He has two
15 other siblings as well and -- one younger, one older. He
16 has two children, a three-year-old whose name is [REDACTED], a
17 two-year-old whose name is [REDACTED] [phonetic].

18 As you heard earlier, Your Honor, he has no record.
19 And Mr. Young really stayed out of trouble for most of his
20 life. And he was a high school athlete and a football
21 star. He was -- he was doing really well for himself.

22 And, unfortunately, that career got shortened when he
23 was hanging out at a house and somebody came up and just
24 started shooting and hit him in the leg and ended his
25 football career. It hit him in his main artery. He

1 almost died. He has a tube in his leg to this day. That
2 happened in eleventh grade when he was 16 years old.

3 After that, he became pretty depressed. He dropped
4 out of school. But prior to the incidents of
5 September 25th, 2018, he was trying to finish his diploma.
6 He had planned to go back to school to be a mechanic. He
7 was doing some -- some online classes there.

8 His biological father is in prison. He was raised by
9 his mother and stepfather.

10 It was difficult for him to work because a lot of the
11 jobs that were fitting -- befitting of his educational
12 level he couldn't do because of the -- the injury that he
13 sustained.

14 His child's mother, Kenyara [phonetic], says he's a
15 good person, that he helps others. He's loyal. They were
16 together eight years. And, unfortunately, that loyalty is
17 kind of what got him into this situation. Kenyara said to
18 us that the only thing he ever really thought about was
19 his involvement with this -- with this group. And we know
20 the old saying about you lie down with dogs and you get
21 fleas.

22 There was the 45-year offer that Mr. Watson responded
23 to. And we would echo the fact that that's a -- a plea
24 offer that we feel was designed to get us here to trial.
25 And there's a lot of reasons why I think Mr. Young didn't

1 exactly hop on that 45-year offer. One is that he was 21
2 when arrested. He was young. He was immature.

3 Some of the worst evidence only came out a month
4 before trial. Some latent fingerprints that had sat on a
5 potato chip bag, but hadn't tested his prints until
6 September 27th of 2021. That started to bring him around.
7 We talked last week. He was getting even closer to
8 accepting responsibility. He had said he would do 25.

9 And then, of course, this morning with the decision
10 to plea from Mr. Foreman, IV, certainly, that sort of was
11 the last straw to get him over the hump, knowing that his
12 friend and his co-defendant would be testifying against him.

13 Judge, Mr. Young but for all of this -- but for all
14 of this, I think he'd be still doing well today. But
15 he's -- but he's not. He made terrible decisions. His
16 role in this he accepts responsibility for.

17 We would ask the Court to consider a sentence of
18 30 years based on his lack of record, which, of course, is
19 the maximum of attempted murder, the maximum of armed
20 robbery, and double the minimum of a burglary in the first
21 degree.

22 By the time he is finished with that sentence, in all
23 likelihood, his mother will have passed away, his children
24 will have grown up. Maybe they'll have grandchildren --
25 maybe he'll have grandchildren that he would miss the

1 birth of. He would be missing the best years of his life.
2 And he accepts that as a punishment for his involvement in
3 these crimes.

4 And, Judge, we ask for the Court's mercy and to give
5 him an opportunity to, at one point, see the outside of
6 prison walls.

7 THE COURT: What do you want to tell me?

8 DEFENDANT YOUNG: I just want to say I'm sorry for
9 the victims. And I wish it would have -- I wish it would
10 have never happened to them and happen to nobody else. I
11 wish I could take back everything.

12 THE COURT: I don't know the age of Ms. Willis, but
13 she's, certainly, a mature lady. And you shot her in the
14 stomach. I'll just say I -- I hadn't said anything, but
15 this is one of the most horrific crimes that I've seen
16 over my career. It was premeditated, well planned, and
17 brutal.

18 60 years on the burglary. 30 on the kidnapping. 30
19 on the kidnapping. Five on the possession of a weapon
20 during a violent crime. 30 on armed robbery. Five on
21 criminal conspiracy. 10 on grand larceny. 30 on the
22 armed robbery. 10 on assault and battery first degree.
23 30 on attempted murder.

24 Good luck.

25 *****END OF TRANSCRIPT OF RECORD*****

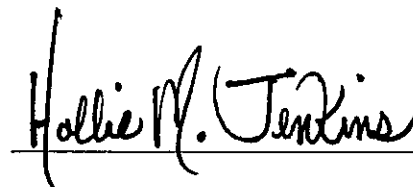
CERTIFICATE OF REPORTER

STATE OF SOUTH CAROLINA)
COUNTY OF GREENVILLE)

I, HOLLIE JENKINS, Official Court Reporter for the Thirteenth Judicial Circuit of the State of South Carolina, do hereby certify that the foregoing is a true, accurate, and complete Transcript of Record of the proceedings had and the evidence introduced in the captioned case, relative to appeal, in the Court of General Sessions for Greenville County, South Carolina, on the 1st day of November, 2021.

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

January 3, 2022



Hollie M. Jenkins, Court Reporter

21 NOV 10 PM 4:02
Paul Mckenzie@ccs.ccl.sc

THE STATE OF SOUTH CAROLINA)
COUNTY OF GREENVILLE)

THE STATE)

IN THE COURT OF GENERAL SESSIONS
THIRTEENTH JUDICIAL CIRCUIT
Warrant/Indictment Nos.: 2018A2330211203;
2018A2330211204; 2018A2330211205;
2018A2330211206; 2018A2330211207;
2018A2330211208; 2018A2330211209;
2018A2330211211; 2018A2330211212;
2018A2330211213

v.)

DAJUAN RAYSHARD YOUNG,)
DEFENDANT.)

**MOTION TO RECONSIDER
GUILTY PLEA SENTENCE**

19-6225

COMES NOW the defendant, **Dajuan Rayshard Young**, by and through his undersigned counsel, and, pursuant to Rule 29 of the S.C. Rules of Criminal Procedure, respectfully moves this Honorable Court to Reconsider the Order of imposing the following sentence on Mr. Young:

The following is submitted in support of Mr. Young's Motion:

1. Mr. Young was arrested on March 1, 2019 for Assault / Attempted Murder; Burglary / Burglary (after June 20, 1985) - First Degree; Assault / Assault & Battery 1st Degree; Robbery / Armed Robbery, Robbery While Armed Or Allegedly Armed With A Deadly Weapon (2 Counts); Larceny / Grand Larceny, Value \$10,000 Or More; Conspiracy / Criminal Conspiracy, Common Law Conspiracy Defined; Arson / Arson - Third Degree; Kidnapping / Kidnapping (2 Counts); Weapons / Poss. Weapon During Violent Crime, If Not Also Sentenced To Life Without Parole Or Death.

2. The Public Defender's Office was appointed to represent Mr. Young on

March 05, 2019;

3. Mr. Young was scheduled for trial on November 1, 2021.

4. The day of trial, all Defendants, including Mr. Young pled guilty to all charges still pending.

5. Mr. Young received the following sentences on November 1, 2021 after entering a guilty plea to the following charges: Attempted Murder - 30 years; Burglary First Degree - 60 years; Assault & Batter First Degree - 10 years; Armed Robbery (2 counts) - 30 years each; Grand Larceny \$10,000 or more - 10 years; Conspiracy - 5 years; Kidnapping (2 counts) - 30 years each; Possession of a weapon During a Violent Crime - 5 years.

6. Mr. Young asserts that certain facts that would tend to lessen his culpability were not placed on the record at the time of his plea, and wishes those facts to be brought to the court's attention by and through this motion.

7. Although the factual allegations presented by the State conclude Mr. Young shot Mrs. Willis the morning of September 25, 2018, only Jack Foreman III's DNA was found on the weapon used to shoot her.

8. While the State was in possession of a great deal of evidence that showed the length of time and amount of planning that Mark Wright, Jermaine Williams, and Jack Foreman III put into the execution of this crime, there is no evidence that Mr. Young took part in any of the planning stages of this crime.

9. Mr. Young reiterates to the court that prior to his plea, he had no criminal record. Meanwhile, Jack Foreman III (who also received a sentence of 60 years) had an

extensive and lengthy criminal record, yet was sentenced the same as Mr. Young.

WHEREFORE, for the foregoing reasons, Mr. Young prays that this Court:

- (1) Reduce the sentence imposed on November 1, 2021 in light of the additional information provided that Mr. Young argues lessens his culpability; or
- (2) Order whatever the Court deems just and proper.

Respectfully submitted,

GREENVILLE COUNTY PUBLIC DEFENDER

By: 

Chris Grubbs, Esq.

Bar No. 81411

Attorney for Defendant

305 E. North Street, Suite 123

Greenville, SC 29601

(864) 467-8522

Greenville, SC

Date: November 10, 2021

THE STATE OF SOUTH CAROLINA)
COUNTY OF GREENVILLE)

THE STATE)

IN THE COURT OF GENERAL SESSIONS
THIRTEENTH JUDICIAL CIRCUIT
Warrant/Indictment Nos.: 2018A2330211203;
2018A2330211204; 2018A2330211205;
2018A2330211206; 2018A2330211207;
2018A2330211208; 2018A2330211209;
2018A2330211211; 2018A2330211212;
2018A2330211213

21 NOV 10 PM 4:02
Paul Wickensimer COC GUL SC

v.)

DAJUAN RAYSHARD YOUNG,)

DEFENDANT.)

**MOTION TO RECONSIDER
GUILTY PLEA SENTENCE**

DENIED

21 NOV 12 PM 3:35
Paul Wickensimer COC GUL SC

BY: *[Signature]* DATE: NOV 12 2021

COMES NOW the defendant, **Dajuan Rayshard Young**, by and through his undersigned counsel, and, pursuant to Rule 29 of the S.C. Rules of Criminal Procedure, respectfully moves this Honorable Court to Reconsider the Order of imposing the following sentence on Mr. Young:

The following is submitted in support of Mr. Young's Motion:

- Mr. Young was arrested on March 1, 2019 for Assault / Attempted Murder; Burglary / Burglary (after June 20, 1985) - First Degree; Assault / Assault & Battery 1st Degree; Robbery / Armed Robbery, Robbery While Armed Or Allegedly Armed With A Deadly Weapon (2 Counts); Larceny / Grand Larceny, Value \$10,000 Or More; Conspiracy / Criminal Conspiracy, Common Law Conspiracy Defined; Arson / Arson - Third Degree; Kidnapping / Kidnapping (2 Counts); Weapons / Poss. Weapon

During Violent Crime, If Not Also Sentenced To Life Without Parole Or Death;

301100 S.01101105

11101010 11111 The Public Defender's Office was appointed to represent Mr. Young on

2021 NOV 10 PM 4:36

WITNESSES

David D Picone

Greenville County Sheriffs Office

3/1/2019

ARREST WARRANT NUMBER

2018A2330211204

ACTION OF GRAND JURY

TRUE BILL

FOREMAN GRAND JURY

Foreperson of Grand Jury

VERDICT

Foreperson of Petit Jury

Date:

DOCKET NO. 2019-GS-23-^{BJM} 006227

The State of South Carolina

County of Greenville

COURT OF GENERAL SESSIONS

August TERM 2019

THE STATE

vs.

DA'JUAN RAYSHARD YOUNG

Indictment for

0079

BURGLARY FIRST DEGREE

VIOLATION § 16-11-0311

ENTERED
ACCT

STATE OF SOUTH CAROLINA)
)
COUNTY OF GREENVILLE)


INDICTMENT FOR
BURGLARY FIRST DEGREE

At a Court of General Sessions, convened on
County present upon their oath:

AUG 20 2019 the Grand Jurors of Greenville

That DA'JUAN RAYSHARD YOUNG did in Greenville County, on or about the 25th day of September, 2018, willfully and unlawfully enter the dwelling of WARREN WILLIS and/or PATRICIA ANN WILLIS located at 31 Sweetgum Rd. Greenville, South Carolina, without consent and with the intent to commit a crime therein, and the burglary was accompanied by circumstances of aggravation, to wit: the entering or remaining occurred during the nighttime hours, and/or the defendant was armed with a deadly weapon, and/or the defendant did cause physical injury to a person who was not a participant in the crime. This is in violation of §16-11-0311 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.

 For BJM 11605
SOLICITOR BAR # 101814

47

A Grimsby

WITNESSES

David D Picone

Greenville County Sheriffs Office

3/1/2019

ARREST WARRANT NUMBER
2018A2330211212

ACTION OF GRAND JURY

TRUE BILL



FOREMAN GRAND JURY

Foreperson of Grand Jury

VERDICT

Foreperson of Petit Jury
Date:

ENTERED
ACCT

DOCKET NO. 2019-GS-23-
BJM

006156

The State of South Carolina

County of Greenville

COURT OF GENERAL SESSIONS

August

TERM 2019

THE STATE

vs.

DA'JUAN RAYSHARD YOUNG

0095

Indictment for

KIDNAPPING

VIOLATION § 16-03-0910

ENTERED
ACCT *JP*

RECEIVED

NOV 17 2021

SC Court of Appeals

A. Grimstad

WITNESSES

David D Picone

Greenville County Sheriffs Office

3/1/2019

ARREST WARRANT NUMBER

2018A2330211207 / 2018A2330211213

ACTION OF GRAND JURY

TRUE BILL

FOREMAN GRAND JURY

Foreperson of Grand Jury

VERDICT

VIOLATION § 16-11-0330 AND §16-23-0490

Foreperson of Petit Jury

Date:

DOCKET NO. 2019-GS-23-
BJM

006157

The State of South Carolina

County of Greenville

COURT OF GENERAL SESSIONS

August TERM 2019

THE STATE

vs.

DA'JUAN RAYSHARD YOUNG

Indictment for

0139 / 0549

ARMED ROBBERY AND POSSESSION OF A
WEAPON DURING THE COMMISSION OF A
VIOLENT CRIME

VIOLATION § 16-11-0330 AND §16-23-0490

ENTERED

ACCT

RECEIVED

NOV 17 2021

SC Court of Appeals

STATE OF SOUTH CAROLINA)
)
COUNTY OF GREENVILLE)

INDICTMENT FOR
**ARMED ROBBERY AND POSSESSION OF A WEAPON
DURING THE COMMISSION OF A VIOLENT CRIME**

AUG 20 2018

At a Court of General Sessions, convened on

the Grand Jurors of Greenville

County present upon their oath:

COUNT ONE

ARMED ROBBERY

That DA'JUAN RAYSHARD YOUNG did in Greenville County, on or about the 25th day of September, 2018, 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 any object which a person present during the commission of the robbery would reasonably believe to be a deadly weapon, take by means of force or intimidation, goods or monies described as: money from the person or presence of Patricia Ann Willis. This is in violation of §16-11-0330 of the South Carolina Code of Laws (1976) as amended.

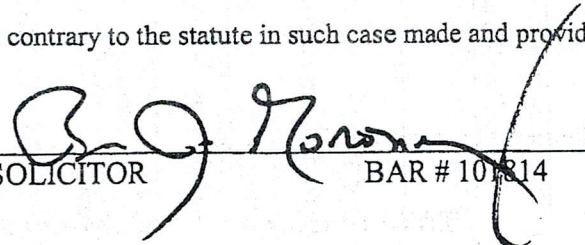
COUNT TWO

POSSESSION OF A WEAPON DURING THE COMMISSION OF A VIOLENT CRIME

That DA'JUAN RAYSHARD YOUNG did in Greenville County, on or about the 25th day of September, 2018, possess or visibly display a handgun during the commission or attempted commission of a violent crime, to wit: Armed Robbery. This is in violation of §16-23-0490 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.

SOLICITOR


BAR # 101814

AGREIMSTAD

WITNESSES

David D Picone

Greenville County Sheriffs Office

3/1/2019

ARREST WARRANT NUMBER
2018A2330211209

ACTION OF GRAND JURY

TRUE BILL

FOREMAN GRAND JURY

Foreperson of Grand Jury

VERDICT

Foreperson of Petit Jury
Date:

ENTERED
ACCT

DOCKET NO. 2019-GS-23-
BJM

006158

The State of South Carolina

County of Greenville

COURT OF GENERAL SESSIONS

August TERM 2019

THE STATE

vs.

DA'JUAN RAYSHARD YOUNG

Indictment for

0049

CONSPIRACY

VIOLATION § 16-17-0410

ENTERED
ACCT

RECEIVED

NOV 17 2021

SC Court of Appeals

STATE OF SOUTH CAROLINA)
)
COUNTY OF GREENVILLE)

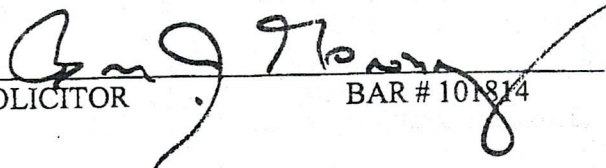
INDICTMENT FOR
CONSPIRACY

At a Court of General Sessions, convened on **AUG 20 2019** the Grand Jurors of Greenville

County present upon their oath:

That DA'JUAN RAYSHARD YOUNG did in Greenville County, on or about the 25th day of September, 2018, willfully and unlawfully combined with Mark Wright, and/or Jermaine Williams, and/or Jeffery Mullins, and/or Jack Foreman, III, and/or Jack Foreman, IV, for the purpose of accomplishing an unlawful object or a lawful object by unlawful means, to wit: Armed Robbery, Kidnapping, and Assault And Battery. This is in violation of §16-17-0410 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.


SOLICITOR BAR # 101814

53

A. Grimstad

WITNESSES

David D Picone

Greenville County Sheriffs Office

3/1/2019

ARREST WARRANT NUMBER

2018A2330211205

ACTION OF GRAND JURY

TRUE BILL



FOREMAN GRAND JURY

Foreperson of Grand Jury

VERDICT

Foreperson of Petit Jury

Date:

ENTERED ACCT [Handwritten initials]

DOCKET NO. 2019-GS-23-
BJM

006159

The State of South Carolina

County of Greenville

COURT OF GENERAL SESSIONS

August TERM 2019

THE STATE

vs.

DA'JUAN RAYSHARD YOUNG

Indictment for

3412

ASSAULT AND BATTERY 1ST DEGREE

VIOLATION § 16-03-0600

ENTERED ACCT [Handwritten initials]

RECEIVED

NOV 17 2021

SC Court of Appeals

STATE OF SOUTH CAROLINA)
)
COUNTY OF GREENVILLE)

INDICTMENT FOR
ASSAULT AND BATTERY 1ST DEGREE

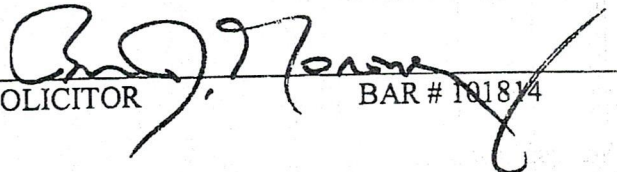
At a Court of General Sessions, convened on
County present upon their oath:

AUG 20 2019

the Grand Jurors of Greenville

That DA'JUAN RAYSHARD YOUNG did in Greenville County, on or about the 25th day of September, 2018, offer or attempt to injure Warren Willis with the present ability to commit the act, and the act was accomplished by means likely to produce death or great bodily injury, or the act occurred during the commission of a robbery, burglary, kidnapping or theft. This is in violation of §16-03-0600 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.


SOLICITOR BAR # 101814

A. GRIMSTAD

WITNESSES

David D Picone

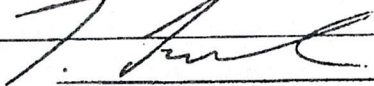
Greenville County Sheriffs Office

3/1/2019

ARREST WARRANT NUMBER
2018A2330211208

ACTION OF GRAND JURY

TRUE BILL



FOREMAN GRAND JURY

Foreperson of Grand Jury

VERDICT

Foreperson of Petit Jury
Date:

ENTERED
ACCT

DOCKET NO. 2019-GS-23-006160

BJM

The State of South Carolina

County of Greenville

COURT OF GENERAL SESSIONS

August TERM 2019

THE STATE

vs.

DA'JUAN RAYSHARD YOUNG

Indictment for

3421

GRAND LARCENY

VIOLATION § 16-13-0030

ENTERED
ACCT

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NOV 17 2021

SC Court of Appeals

STATE OF SOUTH CAROLINA)
)
COUNTY OF GREENVILLE)

INDICTMENT FOR
GRAND LARCENY

At a Court of General Sessions, convened on

AUG 20 2019

the Grand Jurors of Greenville

County present upon their oath:

That DA'JUAN RAYSHARD YOUNG did in Greenville County, on or about the 25th day of September, 2018, feloniously take and carry away the personal property of WARREN WILLIS to wit: a Nissan Armada, with a total value of more than Ten Thousand Dollars with the intent to deprive the owner permanently of such property. This is in violation of §16-13-0030 of the South Carolina Code of Laws (1976) as amended.

STATE OF SOUTH CAROLINA)
)
COUNTY OF GREENVILLE)

At a Court of General Sessions, convened on

AUG 20 2019

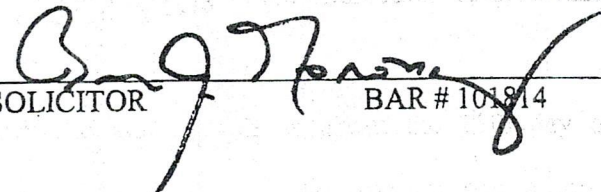
the Grand Jurors of Greenville

County present upon their oath:

That DA'JUAN RAYSHARD YOUNG did in Greenville County, on or about the 25th day of September, 2018, feloniously take and carry away the personal property of WARREN WILLIS to wit: a Nissan Armada, with a total value of more than Ten Thousand Dollars with the intent to deprive the owner permanently of such property. This is in violation of §16-13-0030 of the South Carolina Code of Laws (1976) as amended.

STATE OF SOUTH CAROLINA)
)
COUNTY OF GREENVILLE)

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


SOLICITOR BAR # 101814

57

AGrimstad

WITNESSES

David D Picone

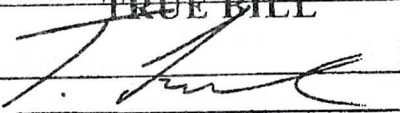
Greenville County Sheriffs Office

3/1/2019

ARREST WARRANT NUMBER
2018A2330211211

ACTION OF GRAND JURY

TRUE BILL



FOREMAN GRAND JURY

Foreperson of Grand Jury

VERDICT

Foreperson of Petit Jury
Date:

NOV 23

DOCKET NO. 2019-GS-23-
BJM

006161

The State of South Carolina

County of Greenville

COURT OF GENERAL SESSIONS

August TERM 2019

THE STATE

vs.

DA'JUAN RAYSHARD YOUNG

0095

Indictment for

KIDNAPPING

VIOLATION § 16-03-0910

ENTERED
ACCT *23*

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NOV 17 2021

SC Court of Appeals

59

A. Greimstad

WITNESSES

David D Picone

Greenville County Sheriffs Office

3/1/2019

ARREST WARRANT NUMBER

2018A2330211206

ACTION OF GRAND JURY

TRUE BILL

FOREMAN GRAND JURY

Foreperson of Grand Jury

VERDICT

Foreperson of Petit Jury

Date:

ENTERED ACCT

DOCKET NO. 2019-GS-23-

BJM

006166

The State of South Carolina

County of Greenville

COURT OF GENERAL SESSIONS

August

TERM 2019

THE STATE

vs.

DA'JUAN RAYSHARD YOUNG

Indictment for

0139

ARMED ROBBERY

VIOLATION § 16-11-0330

ENTERED ACCT

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NOV 17 2019

SC Court of Appeals

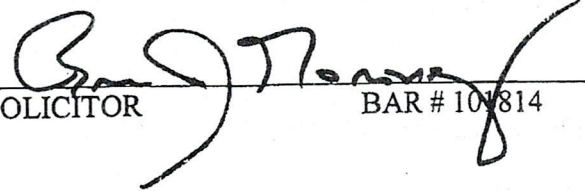
STATE OF SOUTH CAROLINA)
)
COUNTY OF GREENVILLE)

INDICTMENT FOR
ARMED ROBBERY

At a Court of General Sessions, convened on **AUG 20 2019** the Grand Jurors of Greenville County present upon their oath:

That DA'JUAN RAYSHARD YOUNG did in Greenville County, on or about the 25th day of September, 2018, 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 any object which a person present during the commission of the robbery would reasonably believe to be a deadly weapon, take by means of force or intimidation, goods or monies described as: money from the person or presence of Warren Willis. This is in violation of §16-11-0330 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.


SOLICITOR BAR # 107814

61

WITNESSES

David D Picone

Greenville County Sheriffs Office

3/1/2019

ARREST WARRANT NUMBER
2018A2330211203

ACTION OF GRAND JURY

TRUE BILL



FOREMAN GRAND JURY

Foreperson of Grand Jury

VERDICT

Foreperson of Petit Jury
Date:

DOCKET NO. 2019-GS-23-
BJM

006225

The State of South Carolina

County of Greenville

COURT OF GENERAL SESSIONS

August TERM 2019

THE STATE

vs.

DA'JUAN RAYSHARD YOUNG

Indictment for

3410

ATTEMPTED MURDER

VIOLATION § 16-03-0029

ENTERED
ACCT

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NOV 17 2021

SC Court of Appeals

STATE OF SOUTH CAROLINA)
)
COUNTY OF GREENVILLE)


INDICTMENT FOR
ATTEMPTED MURDER

At a Court of General Sessions, convened on **AUG 20 2019** the Grand Jurors of Greenville

County present upon their oath:

That DA'JUAN RAYSHARD YOUNG did in Greenville County, on or about the 25th day of September, 2018, unlawfully, with malice aforethought, and with the intent to kill, attempt to kill Patricia Ann Willis. This is in violation of § 16-03-0029 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.



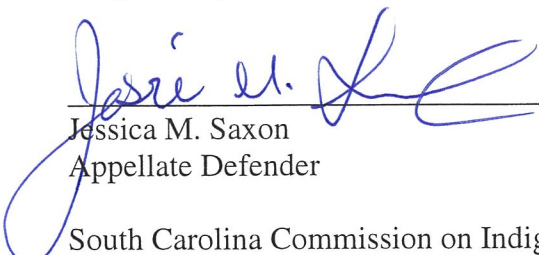
SOLICITOR *for DSM 11605* BAR # 101814

CERTIFICATE OF COUNSEL FOR APPELLANT

Counsel for appellant certifies that this Record on Appeal contains all material proposed to be included by any of the parties and not any other material and that this Record on Appeal complies to the best of my ability with the April 15, 2014 order from the South Carolina Supreme Court entitled "Revised Order Concerning Personal Identifying Information and Other Sensitive Information in Appellate Court Filings."

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Jul 06 2022
SC Court of Appeals

Respectfully Submitted,



Jessica M. Saxon
Appellate Defender

South Carolina Commission on Indigent Defense
Division of Appellate Defense
PO Box 11589
Columbia, SC 29211-1589

ATTORNEY FOR APPELLANT

This 6th day of July, 2022.

RECEIVED

Jul 06 2022

SC Court of Appeals

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Greenville County

Honorable Edward W. Miller, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

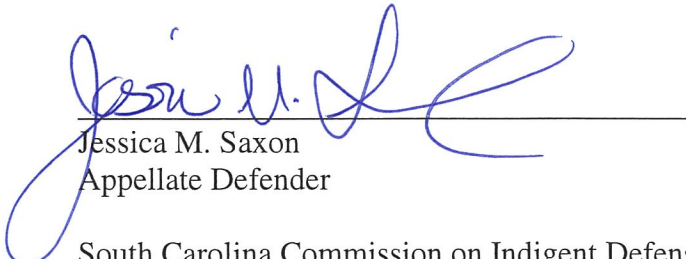
DA JUAN RAYSHARD YOUNG,

APPELLANT

APPELLATE CASE NO. 2021-001349

CERTIFICATE OF SERVICE

I certify that a copy of the Record on Appeal in the above-referenced case has been served upon William M. Blich, Jr., Esquire, at the primary email address listed within the Attorney Information System (AIS), this 6th day of July, 2022.



Jessica M. Saxon
Appellate Defender

South Carolina Commission on Indigent Defense
Division of Appellate Defense
PO Box 11589
Columbia, S.C. 29211-1589

ATTORNEY FOR APPELLANT