

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF HORRY

STATE

VS.

BRIANA MARIE COOK

AKA:
Race: [redacted] Sex: [redacted] Age: 26
DOB: [redacted] SS# [redacted]
Address: [redacted]
City, State, Zip: [redacted]
DL#* [redacted] SID# [redacted]

RECEIVED

JUN 10 2024

SC Court of Appeals

INDICTMENT/CASE#: 2024GS2600544

A/W#: 2023A2610900030

Date of Offense: 12/27/2022

S.C. Code §: 63-05-0070

CDR Code #: 2481

SENTENCE SHEET

2 years suspended to treatment court level I

*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: Unlawful Neglect Of A Child (NMT 10 years &/or discretionary fine)

In violation of § 63-05-0070 of the S.C. Code of Laws, bearing CDR Code # 2481

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]* 106622 SC Bar # *[Signature]* Briana Marie Cook, Defendant *[Signature]* James Cullen Galmore, Attorney for Defense 8386 SC Bar # *[Signature]*

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

for a determinate term of 2 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 TC Level 1

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: 6/3/24

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. 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 § 16-25-65 (Domestic Violence) to ship, transport, possess, or receive a firearm or ammunition.

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

RESTITUTION Deferred Def. Waives Hearing Ordered

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

Payment Terms: _____ Set by SCDPPPS

Recipient: _____

*Fine:

Fine may be pd. in equal consecutive weekly/monthly pmts. of

	\$ 25.00	Beginning	7/3/24	\$ _____
§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			\$ 40.00
TOTAL				\$ 168.75

Clerk of Court/Deputy Clerk:
Court Reporter:

Prenee Elvis
Bobbi Fisher

Horry County SC
Clerk of Court
N. Elvis
Presiding Judge:
Judge Code:
Sentence Date:

Blum
2776
6/3/24 BAA



STATE OF SOUTH CAROLINA
COUNTY OF HORRY

IN THE COURT OF GENERAL SESSIONS

STATE VS.

BRIANA MARIE COOK

AKA:
Race: W Sex: F Age: 25
DOB: 03/23/1998 SS#: [REDACTED]
Address: 147 Kids Lane
City, State, Zip: [REDACTED]
DL#* 102998876 SID#

RECEIVED
JUN 10 2024
SC Court of Appeals

INDICTMENT/CASE#: 2024-GS-26-03358

A/W#: 2023A2610900031

Date of Offense: 12/27/2022

S.C. Code §: 63-05-0070

CDR Code #: 2481

SENTENCE SHEET

2 years suspended to treatment court level 1

*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: Unlawful Neglect Of A Child (NMT 10 years &/or discretionary fine)

In violation of § 63-05-0070 of the S.C. Code of Laws, bearing CDR Code # 2481

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: Blaine Massey 106622 SC Bar # Briana M. Cook 8386 SC Bar #
Blaine Massey, Solicitor Briana Marie Cook, Defendant James Cullen Galmore, Attorney for Defense

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

for a determinate term of 2 days/months/0 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 TC LEVEL 1

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: 6/3/24

The Defendant is to be given credit for time served pursuant to S.C. Code § 24-13-40 to be calculated and applied by SCDQC.
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 § 16-25-65 (Domestic Violence) to ship, transport, possess, or receive a firearm or ammunition.

SPECIAL CONDITIONS:

PTUP after _____ months/years

And Other Terms Listed Below:

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

RESTITUTION Deferred Def. Waives Hearing Ordered

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

Payment Terms: _____ Set by SCDPPPS

Recipient: _____

*Fine:

Fine may be pd. in equal consecutive weekly/monthly pmts. of

\$ 25.00 Beginning 7/3/24

§14-1-206 (Assessments 107.5%)		\$	
§14-1-211 (A)(1)(Conv. Surcharge)	\$100	\$	<u>100.00</u>
§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	\$	<u>25.00</u>
§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	\$	<u>3.75</u>
<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		\$	<u>128.75</u>

Clerk of Court/Deputy Clerk:
Court Reporter:

Renee Elvis
Bobbi Fisher

Presiding Judge:
Judge Code:
Sentence Date:

[Signature]
2726
6/3/24

Horry County SC
Clerk of Court
Renee Elvis

ARREST WARRANT

2023A2610900030

STATE OF SOUTH CAROLINA

[X] County/ [] Municipality of

Horry

THE STATE against

2023800140

Briana Marie Cook

Address: 147 Kids Lane

Phone: SSN 636-03-5348

Sex: Race: W Height: Weight: 160

State: SC DL #: 102996676

DOB: 3/23/1998 Agency ORI #: SC0260400

Prosecuting Agency: Horry County Police Department

Prosecuting Officer: Michael Conti - S00297

Offense: Children / Unlawfully place a child at risk of or cause harm or willfully abandon the child

Offense Code: 2481

Code/Ordinance Sec: 63-05-0070

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 Briana Marie Cook on 3/16/23

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

[X] County/ [] Municipality of

Horry

Personally appeared before me the affiant Michael Conti

being duly sworn deposes and says that defendant Briana Marie Cook

did within this county and state on or about 12/27/2022

State of South Carolina (or ordinance of [X] County/ [] Municipality of Horry

in the following particulars:

DESCRIPTION OF OFFENSE: Children / Unlawfully place a child at risk of or cause harm or willfully abandon the child

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:

On 12/20/2022 a drug raid was conducted by Horry County Narcotics Officers at a residence located at 147 Kids Lane. The raid was conducted after a controlled buy from the residence. The residence is located in the Longs section of Horry County. During the raid methamphetamine was found inside the residence. Inside the residence the defendant was staying with her two children. The Department of Social Services was called and started a safety plan for the children. Part of their safety plan was to have the children and the defendant drug tested. The drug results showed that both children and the defendant tested positive for amphetamine, methamphetamine, marijuana, and THC. Methamphetamine was the drug located inside the home during the raid. Based on the children being in the custody of the defendant and drug test results, there is probable cause to believe that the defendant did commit the crime of unlawful conduct toward a child, S.C. Code of Laws 63-5-70.

Signature of Affiant

STATE OF SOUTH CAROLINA

[X] County/ [] Municipality of

Horry

Affiant's Address 2560 North Main Street Conway, SC 29526-

Affiant's Telephone

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 12/27/2022 defendant Briana Marie Cook

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

[X] County/ [] Municipality of Horry) as set forth below:

DESCRIPTION OF OFFENSE: Children / Unlawfully place a child at risk of or cause harm or willfully abandon the child

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 3/15/2023

Signature of Issuing Judge Christopher John Arakas (Magistrate) Judge's Address 1201 21st Avenue North Myrtle Beach, SC 29577-

Judge's Telephone ((843)-915- x 5145

Judge Code: 5080

Issuing Court: [X] Magistrate [] Municipal [] Circuit

ORIGINAL

ORIGINAL

ORIGINAL

ORIGINAL

ORIGINAL

ORIGINAL

ORIGINAL

ORIGINAL

Form Approved by S.C. Attorney General April 21, 2003 SCCA 618

AFFIDAVIT

RECEIVED JUN 10 2024 SC Court of Appeals

ARREST WARRANT

2023A2610900031

STATE OF SOUTH CAROLINA

County/ Municipality of

Horry

THE STATE
against

2023800140

Briana Marie Cook

Address: 147 Kids Lane
Longs, SC 29568

Phone: SSN: 656-02-5348

Sex: F Race: W Height: 5 Weight: 160

State: SC DL #: 102996676

DOB: 3/23/1998 Agency ORI #: SC0260400

Prosecuting Agency: Horry County Police Department

Prosecuting Officer: Michael Conti - S00297

Offense: Children / Unlawfully place a child at risk of or
cause harm or willfully abandon the child

Offense Code: 2481

Code/Ordinance Sec: 63-05-0070

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 Briana Marie Cook
on 3/11/23

Hemingway
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

Horry

Personally appeared before me the affiant Michael Conti

being duly sworn deposes and says that defendant Briana Marie Cook

did within this county and state on or about 12/27/2022

State of South Carolina (or ordinance of County/ Municipality of Horry

in the following particulars:

DESCRIPTION OF OFFENSE: Children / Unlawfully place a child at risk of or cause harm or willfully abandon the child

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:

On 12/20/2022 a drug raid was conducted by Horry County Narcotics Officers at a residence located at 147 Kids Lane. The raid was
conducted after a controlled buy from the residence. The residence is located in the Longs section of Horry County. During the raid
methamphetamine was found inside the residence. Inside the residence the defendant was staying with her two children. The
Department of Social Services was called and started a safety plan for the children. Part of their safety plan was to have the children
and the defendant drug tested. The drug results showed that both children and the defendant tested positive for amphetamine,
methamphetamine, marijuana, and THC. Methamphetamine was the drug located inside the home during the raid. Based on the
children being in the custody of the defendant and drug test results, there is probable cause to believe that the defendant did commit
the crime of unlawful conduct toward a child, S.C. Code of Laws 63-5-70.

Signature of Affiant

STATE OF SOUTH CAROLINA

County/ Municipality of

Horry

Affiant's Address 2560 North Main Street
Conway, SC 29526-

Affiant's Telephone

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 12/27/2022 defendant Briana Marie Cook

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

County/ Municipality of Horry) as set forth below:

DESCRIPTION OF OFFENSE: Children / Unlawfully place a child at risk of or cause harm or willfully abandon the child

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 3/15/2023

Signature of Issuing Judge
Christopher John Arakas (Magistrate)

Judge Code: 5080

Judge's Address 1201 21st Avenue North
Myrtle Beach, SC 29577-

Judge's Telephone ((843)-915-x-5145

Issuing Court: Magistrate Municipal Circuit

ORIGINAL

ORIGINAL

ORIGINAL

ORIGINAL

Form Approved by
S.C. Attorney General
April 21, 2003
SCCA 618

AFFIDAVIT

RECEIVED
JUN 10 2024
S.C. Court of Appeals

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-

BRIANA COOK

JAMES C. GALMORE

DEFENDANT)

RECEIVED

JUN 10 2024

SC Court of Appeals

FILE NO: 26A23-00001673

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

HORRY COUNTY
MAY 18 A 8:22
KENE 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, 2nd day of May, 2023, regarding the charge(s) of:

2023A2610900030 Children / Legal custodian, unlawful neglect of child or helpless person

2023A2610900031 Children / Legal custodian, unlawful neglect of child or helpless person

The Defendant's Counsel is **James C. Galmore**. 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: May 17, 2023

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

STATE OF SOUTH CAROLINA)
COUNTY OF HORRY)
)

IN THE COURT OF GENERAL SESSION
OF THE FIFTEENTH JUDICIAL CIRCUIT

STATE OF SOUTH CAROLINA)
-VS-)
)

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

RECEIVED

JUN 10 2024

SC Court of Appeals

BRIANA M COOK
DEFENDANT)
)

FILE NO: 26A23-00001673

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.

HORRY COUNTY
RENEE N. ELLIOTT
CLERK OF COURT
2023 JUN 11 AM 8:33

HORRY COUNTY
RENEE N. ELLIOTT
CLERK OF COURT
CERTIFIED COPY

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 use 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;

HORRY COUNTY
2023 MAY 18 AM 8:32
RENEE LIVING
CLERK OF COURT
HORRY 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 2nd 342, 96 S. Ct. 2392 1976, State vs Mixon, 274 S.E. 2nd 406 (1981), City of Rock Hill vs Suchenski, 374 S.C. 12, 646 S.E. 2d 879 (2003). 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.

COUNTY CLERK
 HONORABLE
 JUDGE
 JAMES
 N. ELVIS
 COUNTY COURT
 CONWAY, SC
 MAY 18 8:32 AM

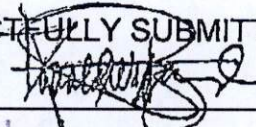
ADDITIONALLY, DEFENDANT REQUESTS A SPEEDY TRIAL:

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: May 17, 2023

CERTIFIED COPY
 JAMES N. ELVIS
 COUNTY CLERK
 HONORABLE
 JUDGE
 COUNTY COURT
 CONWAY, SC

STATE OF SOUTH CAROLINA)
COUNTY OF Horry)
)

STATE OF SOUTH CAROLINA)
)
-VS-)

BRIANA COOK

DEFENDANT)
_____)

RULE 203 (B) (iv)
WRITTEN EXPLANATION OF
NO
BASIS FOR APPEAL

RECEIVED
JUN 10 2024
SC Court of Appeals

PERSONALLY appeared before me James C. Galmore, who being duly sworn,
deposes and says :

1. I represented the above named defendant before The Honorable B. Alex Hyman on June 3, 2024 at which time the defendant enter a guilty plea to his/her pending charges.
2. No issues of law or fact, were raised before the Judge at that time that could be the basis for an Appeal in this matter.
3. The defendant requested this appeal be filed based on the language used by the plea judge informing the client he has the right to appeal his guilty plea within ten (10) days.
4. I informed defendant that there were no issues to appeal.
5. Defendant requested the Appeal be filed.

Sworn to and Subscribed before me
_____ day of June, 2024

[Signature]
Notary Public for South Carolina
My Commission expires: 03/11/2031

[Signature]
Signature of Attorney for Defendant
JAMES C. GALMORE
Print name of Attorney for Defendant

