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SC Court of Appeals

EXHIBIT A

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STATE OF SOUTH CAROLINA)
COUNTY OF SPARTANBURG)

IN THE COURT OF GENERAL SESSIONS)
FOR THE SEVENTH JUDICIAL CIRCUIT)

SC Court of Appeals

State of South Carolina,)

NOTICE OF LIFE SENTENCE PURSUANT)
TO SECTION 17-25-45)

vs.)

Warrant No: 2022A4210102210 and 2211)

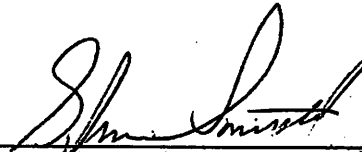
Raekwon Davante Richardson)

Defendant.)

Charge: Burglary 1st Degree and Attempted)
Armed Robbery)

To: The Defendant and his attorney, Monier Abusaft:

YOU WILL PLEASE TAKE NOTICE that pursuant to Section 17-25-45 of the South Carolina Code of Laws, 1976, as amended, the Defendant will receive a life sentence if he is convicted on any of the above listed warrants for Burglary 1st Degree (2022A4210102210) or Attempted Armed Robbery (2022A4210102211) based on his prior criminal record, including but not limited to, his prior conviction for Attempted Armed Robbery (2021-GS-18-82) and Domestic Violence 1st Degree (2019-GS-18-1639). A copy of the Defendant's NCIC and certified convictions has been provided in discovery.



Spenser H. Smith (Bar No. 101370)
Assistant Solicitor
Seventh Judicial Circuit
Spartanburg County Courthouse
180 Magnolia Street
Spartanburg, South Carolina 29306

December 9, 2022
Spartanburg, South Carolina

AMY W. COX
SPARTANBURG COUNTY
CLERK OF COURT

2022 DEC -9 AM 9:54

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STATE OF SOUTH CAROLINA
COUNTY OF SPARTANBURG

IN THE COURT OF GENERAL SESSIONS
SEVENTH JUDICIAL CIRCUIT

SC Court of Appeals

Case No.: ~~2023-CP-23-05521~~

2022 A 42 10 10 22 10, 11, 12

State of South Carolina,

**MOTION TO RECONSIDER EX PARTE
MOTION TO REQUEST A HEARING
FOR INDIGENT FUNDING**

vs.

Raekwon DaVante Richardson,

Defendant.

COMES NOW, the Defendant, Raekwon DaVante Richardson by and through his undersigned counsel, and respectfully moves this Honorable Court to reconsider Defendant's Ex Parte Motion to request a hearing for Indigent Funding for Expert and in the event the motion to be heard is not reconsidered, Defendant requests the Court to issue a formal Order with findings and conclusions of law outlining its decision. Grounds for this motion are as follows:

On June 19, 2024, Defendant submitted a Motion to Request a Hearing for Indigent Funding for Expert to the Honorable Judge R. Keith Kelly for consideration. Defendant received an email the same day denying Defendant's motion to for a hearing to be heard on the issue of eligibility of indigent funding. In response to the email, Defendant's counsel requested a formal Order. On June 20, 2024, a one-word order was filled denying Defendant's motion for a hearing.

For the forgoing reasons, Defendant respectfully request the Court reconsider its decision in denying Defendant's Ex Parte Motion to Request a Hearing for Indigent Funding and set this matter for a hearing to determine Defendant's eligibility for indigent funding. In the alternative, Defendant requests that the Court issue a formal Order with facts of findings and conclusions of law.

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2024 JUN 20 PM 4:49
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SPARTANBURG COUNTY
AMY M. COX

Respectfully submitted,

s/Monier Abusaft

Monier Abusaft, Esq.

SC Bar # 101654

Law Office of Mo Abusaft

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Attorney for the Defendant

June 20, 2024

Spartanburg, South Carolina

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SPARTANBURG COUNTY
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Jun 27 2024

STATE OF SOUTH CAROLINA
COUNTY OF SPARTANBURG

State of South Carolina,

vs.

Raekwon DaVante Richardson,

Defendant.

IN THE COURT OF GENERAL SESSIONS
SEVENTH JUDICIAL CIRCUIT

Case No.: ~~2023-CP-23-05521~~

2022 A 42 1010 2210, 11, 12

**EX PARTE MOTION TO REQUEST A
HEARING FOR INDIGENT FUNDING
FOR EXPERT**

COMES NOW, the Defendant, Raekwon DaVante Richardson by and through his undersigned counsel, and respectfully moves this Honorable Court for an Ex Parte Hearing to consider and approve indigent funding in this matter. The grounds for this motion are as follows:

1. The Defendant is charged with Burglary 1st and Attempted Armed Robbery.
2. On December 9, 2022, Defendant received Notice of Life Sentence if convicted of said charges.
3. Defendant is currently indigent. He has been incarcerated for over a year which has resulted in his inability to earn income or access financial resources.
4. Due to the gravity of the charges, and the complexity of scientific evidence, all of which necessitate defense-related expenses, to include the retaining of expert witnesses. Without such funding, the Defendant will be unable to effectively prepare and present a defense in his case, thereby prejudicing Defendant's right to a fair trial.
5. Defendant has requested funding from the Indigent Fund; however, Defendant was denied this request and was informed by the SC Commission on Indigent Funding that a hearing was needed to resolve the matter as evidenced by the email chain as attached as Exhibit A.

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SPARTANBURG COUNTY
SOUTH CAROLINA

6. Defendant further requests that the Commission on Indigent Funding, or an authorized representative, be present at the hearing.

For the forgoing reasons, Defendant respectfully request the Court set this matter for a hearing to determine Defendant's eligibility for indigent funding and for a Notice of Hearing be sent to the Commission on Indigent Funding to be present at such hearing.

Respectfully submitted,

s/Monier Abusaft
Monier Abusaft, Esq.
SC Bar # 101654
Law Office of Mo Abusaft
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(864) 208-9281
mo@moabusoft.com
Attorney for the Defendant

June 19, 2024
Spartanburg, South Carolina

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AMY W. COX



Luchana Smith <lsmith@moabusoft.com>

Fwd: Monier Abusoft

1 message

Monier Abusoft <mo@moabusoft.com>
To: Luchana Smith <lsmith@moabusoft.com>

Mon, Jun 17, 2024 at 3:25 PM

Add to motion.

----- Forwarded message -----

From: Young, Hervery <hyoung@sccid.sc.gov>
Date: Mon, Jun 17, 2024, 2:49 PM
Subject: Re: Monier Abusoft
To: White, Shamaine <slwhite@sccid.sc.gov>, Monier Abusoft <mo@moabusoft.com>

Attorney Abusoft

I am in receipt of your inquiry on the Raekwon Richards case. Please be advised that SCCID will oppose any funding authorization in cases where counsel has been retained. We do not believe the General Assembly has provide us authority to spend Defense of Indigent Funds in cases where counsel has been retained and Rule 602 does not allow any reimbursement in such cases. We will ask to be heard by the Court on any such funding requests.

Hervery B. O. Young
Deputy Director & General Counsel
SC Commission on Indigent Defense
Post Office Box 11433
Columbia, South Carolina 29211
P: (803) 734-1343
E: hyoung@sccid.sc.gov

From: White, Shamaine <slwhite@sccid.sc.gov>
Sent: Monday, June 17, 2024 2:15 PM
To: Young, Hervery <hyoung@sccid.sc.gov>
Subject: Monier Abusoft

I spoke with Attorney Abusoft, he was privately obtained to represent a Raekwon Richards on the following charges in Spartanburg County by his family :

- Burglary
- Weapons / Poss. weapon during violent crime, if not also sentenced to life without parole or death
- Robbery / Attempted armed, or allegedly armed, robbery.

Mr. Richards has now been incarcerated for since 11/9/2022, therefore he is now considered to be indigent. He is need for DNA expert and dog-bite expert for the trial schedule. Will SCCID cover the cost of the experts since he falls under being indigent?

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SPARTANBURG COUNTY
AMY M. COX

Shay L.C. White

Capital Billing Division

South Carolina Commission on Indigent Defense

1330 Lady Street, Suite 401

Columbia, SC 29201

Phone: (803) 734-0818

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