

STATE OF SOUTH CAROLINA  
IN THE SUPREME COURT

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**Jul 24 2024**

S.C. SUPREME COURT

—————  
Certiorari to Greenville County

Honorable J. Derham Cole, Circuit Court Judge

—————  
CORINA VERONICA CASTRO,

PETITIONER

V.

STATE OF SOUTH CAROLINA,

RESPONDENT

APPELLATE CASE NO. 2024-000285

—————  
APPENDIX  
—————

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STATE OF SOUTH CAROLINA  
COUNTY OF GREENVILLE

IN THE COURT OF GENERAL SESSIONS

STATE OF SOUTH CAROLINA, )  
)  
PLAINTIFF, )  
)  
)  
-VS- )  
)  
CORINA VERONICA CASTRO, )  
)  
DEFENDANT. )  
\_\_\_\_\_ )

2020-GS-23-03482, 03483, 03486

TRANSCRIPT OF RECORD

MARCH 10, 2021  
GREENVILLE, SOUTH CAROLINA  
VIA WEBEX

B E F O R E:

THE HONORABLE LETITIA H. VERDIN

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

ATTORNEY FOR PLAINTIFF:

MARCUS SMITH, ASST. SOL.

ATTORNEY FOR DEFENDANT:

KRAIG PRINGLE, ESQ.

SUSAN W. HUDGINS  
CIRCUIT COURT REPORTER

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EXHIBITS

<u>NO</u>	<u>DESCRIPTION</u>	<u>ID</u>	<u>EVIDENCE</u>
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(No Exhibits Were Presented During This Hearing)

1           **MADAM CLERK:** Your Honor, this is the case of the State  
2 versus Corina Veronica Castro, 2020-GS-23-3486, indicted for  
3 murder and possession of a weapon during the commission of a  
4 violent crime, pleading to murder.

5           2020-GS-23-3482, indicted for attempted murder and  
6 possession of a weapon during the commission of a violent  
7 crime, pleading to attempted murder.

8           And 2020-GS-23-3 ---

9           (Technological interference)

10          **MADAM COURT REPORTER:** Judge, Sandy just went out. I  
11 couldn't hear her. The third -- the third indictment I did  
12 not hear.

13          **MADAM CLERK:** 2020-GS-23-3483, indicted for attempted  
14 murder and possession of a weapon during the commission of a  
15 violent crime, pleading to attempted murder.

16          Please raise your right hand. Do you swear to tell the  
17 truth, the whole truth and nothing but the whole truth so help  
18 you God?

19          **MS. CASTRO:** Yes.

20          **THE COURT:** Ms. Castro, I'm going to have to ask you to  
21 speak up just as best as you can. We're having folks  
22 attending virtually. And for anybody, for the court reporter  
23 to be able to hear you, you're going to have to speak up as  
24 loud as you possibly can, okay?

25          Ms. Castro, you are here today to plead to attempted

1 murder. That carries up to 30 years. That is violent and  
2 most serious. Another count of attempted murder carries up to  
3 30 years, violent and most serious. And murder that carries  
4 30 years up to life. That is, of course, violent and most  
5 serious. And that is a sentence that I know your outstanding  
6 attorney has told you you must serve any sentence that you get  
7 day for day. Do you understand that?

8 **MS. CASTRO:** Yes, ma'am.

9 **THE COURT:** Okay. Let's talk about it. You might have  
10 heard some people getting a charge, pleading to a charge and  
11 going to prison and they got a ten year sentence, okay? And  
12 you may -- they may say in their mind, they may say, well,  
13 it's an 85 percent thing. You might have heard that before.  
14 So that would mean that I would serve eight and a half years  
15 in prison, right?

16 But if -- a murder charge, if you were to get, let's just  
17 say the minimum 30, you still have to serve every day of that  
18 30 years, okay? There's no -- there's no parole, there's no  
19 credit for anything. You understand that? You get credit for  
20 time you've already served, but you can't get any credit off  
21 your sentence while you're in prison. Do you understand that?

22 **MS. CASTRO:** Yes, ma'am.

23 **THE COURT:** Okay. And if you don't understand anything I  
24 say to you, I want you to do exactly that, you tell me you  
25 don't understand it. Okay.

1 Have you discussed these charges with your lawyer?

2 **MS. CASTRO:** Yes, ma'am.

3 **THE COURT:** Are you happy with what your lawyer has done  
4 for you?

5 **MS. CASTRO:** Yes, ma'am.

6 **THE COURT:** Are you under the influence of drugs or  
7 alcohol here today?

8 **MS. CASTRO:** No, ma'am.

9 **THE COURT:** Has anyone forced you to plead guilty?

10 **MS. CASTRO:** No, ma'am.

11 **THE COURT:** Has anyone promised you anything to get you  
12 to plead guilty?

13 **MS. CASTRO:** No, ma'am.

14 **THE COURT:** When you plead guilty you give up certain  
15 constitutional rights. One is your right to remain silent  
16 about these charges. Do you know that?

17 **MS. CASTRO:** Yes, ma'am.

18 **THE COURT:** You also give up your right to a jury trial.  
19 And at that trial your attorney could call witnesses for you,  
20 cross-examine witnesses against you, and the State would have  
21 to prove your guilt beyond a reasonable doubt. But when you  
22 plead guilty you give up your right to a jury trial. Do you  
23 know that?

24 **MS. CASTRO:** Yes, ma'am.

25 **THE COURT:** These sentencing sheets say that you're 22

1 years old. Is that correct?

2 **MS. CASTRO:** Twenty-three.

3 **THE COURT:** Now 23. Okay. You're 23 years old. How far  
4 did you go in school?

5 **MS. CASTRO:** I went all the way to my senior year.

6 **THE COURT:** Okay. And tell me this, what kind of work  
7 did you do?

8 **MS. CASTRO:** I worked at Wal-Mart and fast food  
9 restaurants.

10 **THE COURT:** Okay. Okay. All right. Okay. Very well.  
11 Have you ever been treated for a mental health issue?

12 **MS. CASTRO:** Yes, ma'am.

13 **THE COURT:** Tell me about that.

14 **MS. CASTRO:** When 2016 I had my daughter and both myself  
15 in a mental hospital in Marshall Pickens.

16 **THE COURT:** Okay.

17 **MS. CASTRO:** I got out, had my son in 2018 and had to go  
18 see mental health people in -- at a medical facility.

19 **THE COURT:** Tell me this, were you given a diagnosis at  
20 any point, a mental health diagnosis?

21 **MS. CASTRO:** Yes, ma'am. I had PTSD, manic bipolar  
22 depression and borderline personality disorder.

23 **THE COURT:** Okay. Do you take medication for that?

24 **MS. CASTRO:** Yes, ma'am.

25 **THE COURT:** Did you take that medication as prescribed

1 for you here today?

2 **MS. CASTRO:** I'm on different medication than I was at  
3 the hospital.

4 **THE COURT:** Okay. Are you taking your medicine like it  
5 was prescribed for you on the inside?

6 **MS. CASTRO:** Yes, ma'am.

7 **THE COURT:** And do you -- do you feel clear headed here  
8 today?

9 **MS. CASTRO:** Yes, ma'am.

10 **THE COURT:** Do you feel like you understand what's going  
11 on here today?

12 **MS. CASTRO:** Yes, ma'am.

13 **THE COURT:** Do you have any questions about what's  
14 happening today?

15 **MS. CASTRO:** No, ma'am.

16 **THE COURT:** Okay. All right. Have you ever been treated  
17 for a substance abuse issue?

18 **MS. CASTRO:** No, but I've done drugs.

19 **THE COURT:** Sure. Okay. Okay. And -- but you say  
20 you're not under the influence of anything here today?

21 **MS. CASTRO:** No, ma'am.

22 **THE COURT:** Okay. All right. Ms. Castro, I think I've  
23 gone through all the questions that I'm going to go through  
24 with you for now. I want you to listen to the facts as stated  
25 by the solicitor. And then I'll have a couple more questions

1 for you. Yes, sir, Mr. Smith.

2 **MR. SMITH:** Yes, Your Honor. It's my understanding that  
3 there are victims that are on-line that are in the virtual  
4 courtroom. I wanted to let Your Honor know that the  
5 investigator wanted to be here today, but he is serving a  
6 warrant right now.

7 **MADAM COURT REPORTER:** Judge, ---

8 **MR. SMITH:** Judge, ---

9 **MADAM COURT REPORTER:** --- I'm sorry. He's just breaking  
10 up a lot.

11 **THE COURT:** I tell you what I'm going to do, let's give  
12 this a try. How about I mute myself and then you go over  
13 there to your computer and see if you can un-mute.

14 **MR. SMITH:** Susan, can you hear me now?

15 **MADAM COURT REPORTER:** I can hear you. If you will speak  
16 slow, because of the reverberation I might can get that. And,  
17 Judge, I just want to be sure that you're also recording this,  
18 making a recording of this.

19 **THE COURT:** We will. We're just getting a lot of  
20 feedback. Would you un-mute your volume over there.

21 (Pause)

22 **MR. SMITH:** Susan, can you hear me?

23 **MADAM COURT REPORTER:** Yes, I can hear you.

24 **THE COURT:** Are you getting a lot of feedback, Susan?

25 **MADAM COURT REPORTER:** Yes.

1           **MR. SMITH:** How about now, Susan?

2           **MADAM COURT REPORTER:** I'm hearing you. If you'd just  
3 speak slow, it might work.

4           **MR. SMITH:** I'll do my best.

5           Judge, Ms. Castro has served 723 days as of today. On  
6 3/13/19 in Greenville County Jacori Ashley, age 21, and Kalo  
7 McCullough, age 27, drove up to the Dollar General off Locust  
8 Hill Road in Travelers Rest. Jacori was driving and Kalo was  
9 the passenger.

10           Jacori had been contacted by the co-defendant, Adam  
11 Byrum, and requested a ride. Jacori worked with Byrum and  
12 this co-defendant's, Corina Castro's mother, at a place called  
13 RimTyme. Jacori had given rides to Byrum in the past.

14           This night Jacori asked his friend, Kalo, to ride with  
15 him. They arrived at the Dollar General and waited for Byrum  
16 and Castro to arrive. They noticed two individuals wearing  
17 hoodies walking up to the car. They knew it was Byrum and  
18 Castro as they were on the phone talking with them.

19           When they got next to the car, Byrum stated something to  
20 Jacori, immediately pulled a gun and started shooting into the  
21 vehicle. Jacori was hit with one round that went through his  
22 mouth and nasal area as well as his shoulders. Kalo was hit  
23 with a round that went through his lung and shattered a  
24 vertebra leaving him permanently paralyzed from the chest area  
25 down. Jacori was able to speed off from the site and

1 amazingly drive to St. Francis Hospital in downtown  
2 Greenville.

3 The guns used to shoot the victims was or were a .380  
4 caliber. Four shell casings found were identified by  
5 ballistics tests as having been fired from one of the .380  
6 handguns, which were found later belonging to the defendants.  
7 Both victims have given statements that both defendant and co-  
8 defendant were the individuals there that night and that Byrum  
9 was the person that shot them.

10 On March 17, 2019, four days later, Your Honor, deputies  
11 arrived at 6077 Locust Hill Road in Travelers Rest and found a  
12 Ford F-150 partially in the roadway and partially in the  
13 entrance to a business. Inside the vehicle a deceased white  
14 male sitting in the driver's seat was found slumped over the  
15 center console with blood on the left and right sides of his  
16 head. It was determined that he had been shot in the head.  
17 Bullet holes were found on the car. And two .380 caliber  
18 shell casings were also found. The male was later identified  
19 as Jamie Dale Smith, age 32.

20 A handwritten note on a paper towel found at Smith's home  
21 was later given to investigators that stated [REDACTED] 721 7109  
22 Smokey G, Locust Hill Road, TR 29690, called 30 min, m-i-n, b  
23 I arrive. Smokey G was later identified as Adam Byrum. And  
24 the phone number was run and found to belong to Adam Byrum as  
25 well.

1           An attempt to arrest the defendants was carried out a day  
2 later on 3/18/19 a short distance from where these two  
3 incidents had occurred. Officers had to use a K-9 due to  
4 Byrum running to avoid apprehension.

5           When arrested Byrum was found in possession of one point  
6 four one (1.41) grams of methamphetamines and admitted that he  
7 had just shot meth. Both Byrum and this defendant are members  
8 of the Gangster Disciple Gang, which is part of the larger  
9 Folk Nation Gang.

10           Two females at the site of the arrest stated that Byrum  
11 was acting crazy last night and that this defendant had been  
12 vomiting when they got back. Byrum's sister was one of those  
13 girls and had stated that when Adam got home I took the guns  
14 from him because he was acting crazy.

15           This defendant, Corina Castro, gave a statement in these  
16 matters stating that she and Adam had planned to rob Jacori  
17 and that Kalo was an unintentional victim as they did not know  
18 he was going to be there. She stated that they each had .380  
19 caliber handguns, walked up to the car and Byrum fired  
20 multiple rounds into the vehicle. She also stated that they  
21 knew Smith as well.

22           As in the case before, they went to meet Smith both armed  
23 with the .380 handguns with the plan to kill and rob him. She  
24 stated that it had been her decision to handle Smith, meaning  
25 to kill him. Several other motives have been mentioned as to

1 why these particular individuals were chosen such as robbing  
2 the targets of drugs, and killing them to believing that Jamie  
3 Smith was a snitch to Jacori Ashley flirting with this  
4 defendant.

5 Judge, I have handed up to Your Honor, and I've also  
6 given Mr. Pringle a copy of what I've handed up to you. I'll  
7 call your attention to the first page where it says if I was  
8 arrested for murder, what do you think I got arrested for?  
9 And it's one of those memes.

10 The first person to respond was her mother. It said  
11 murder. And you can see the second one, murder, LOL, damn,  
12 and then somebody else responded killing a cop. You can see  
13 the other memes that were there on the next two or three  
14 pages, just all of them going to show that Ms. Castro was part  
15 of this gang.

16 That third page I put the snitches get stitches in there  
17 just because of the -- one of the possible motives for the  
18 crime for, I guess, Jamie Smith because they believed he might  
19 have been a snitch.

20 Judge, I will tell Your Honor that she has no prior  
21 record, that I am also dismissing three possession of a weapon  
22 during a violent crime charges and two conspiracy charges in  
23 exchange for these three pleas.

24 Judge, I will also say that there are victims who are on  
25 or in the virtual courtroom. And I believe they did say a few

1 things at Mr. Byrum's hearing. And I would ask Your Honor to  
2 possibly listen to them. And before I stop I would tell Your  
3 Honor, if I haven't already, that Mr. Byrum received a 50 year  
4 sentence on the murder charge and then two 30 year concurrent  
5 charges on the attempted charges.

6 **THE COURT:** All right. Ms. Castro, you heard the facts  
7 as stated by the solicitor, how do you plead, guilty or not  
8 guilty?

9 **MS. CASTRO:** Guilty.

10 **THE COURT:** I'll accept your plea as being freely and  
11 voluntarily made with the advice of extremely competent  
12 counsel with whom you say you're well satisfied. The plea  
13 does have a substantial factual basis.

14 If I understand -- if I'm understanding and remembering  
15 everything from the last plea and this plea, Ms. Castro, you  
16 said today, was not the shooter, but did at least have a part  
17 in planning it if not was the planner. And if I understood  
18 correctly, however, she did give a statement cooperating right  
19 after her arrest. Is that right?

20 **MR. SMITH:** Judge, that is correct. She was ready to  
21 testify. She did give a statement. She was the one who or  
22 she did have a part in planning it and did give the order to  
23 kill Smith.

24 **THE COURT:** Okay. Thank you very much. All right. And  
25 you say that there are victims who would like to speak. And I

1 don't know -- I see there are two folks on here. One is  
2 victim of Corina Castro, and another is victim of Castro and  
3 another is Janine Kirkman.

4 **MR. SMITH:** Janine Kirkman is the mother of one of the  
5 victims.

6 **THE COURT:** Okay.

7 **MR. SMITH:** And I'm not sure which one. There are two  
8 moms. Where it says victims, that would be one of the victims  
9 and his mother.

10 **THE COURT:** Okay.

11 **MR. SMITH:** So ---

12 **THE COURT:** Let's start with Janine Kirkman. Ma'am, is  
13 there anything you would like to say? You don't have to, but  
14 if you would like to, I certainly would -- we'll hear from  
15 you.

16 **MS. KIRKMAN:** Yes, ma'am. Thank you. As stated before,  
17 I'm a 27 year certified professional coder for Prisma Health.  
18 And this whole situation with the injury of my son has not  
19 only taken part of his life away, but also mine. I have had  
20 to take several leaves of absence from my job because I am the  
21 only caretaker for my son, who requires 24 hour care every two  
22 hours, hands-on treatment for his condition where the bullet  
23 is still lodged in his lung and where he has numerous medical  
24 conditions.

25 The whole situation that has happened with my son has

1 left my whole family devastated. It will be two years this  
2 coming Saturday, March the 13th, 2021 since this accident  
3 happened.

4 Since that time I am up every two hours, 24 hours a day  
5 having to care for my son with hands-on training. I have not  
6 had a full night sleep. I am now on some medication myself  
7 because I just -- my son has to have that kind of care. I  
8 cannot complete my job.

9 We was just mandatory that some of us have to go over to  
10 the sites we have set up for the Corona Virus to give out the  
11 antibodies and to give the injections. I was chosen, but I  
12 could not go because I have to take care of my son. There are  
13 so many opportunities -- I cannot see my grandchildren  
14 anymore.

15 My son is in constant pain. It just has really  
16 devastated my whole family. We have not been shown an ounce  
17 of mercy, an ounce of leniency.

18 When after my son was shot, he landed up in ICU fighting  
19 for his life on life support. They waited and did all this  
20 writing back and forth on social media. While my son fighting  
21 for his life in ICU, there was a three day gap before they  
22 went and then killed someone else.

23 Just as there was no leniency shown or no compassion  
24 shown when they ambushed my son and shot him and left him  
25 paralyzed and upheavaled my life as well, now I live my life

1 in every -- by two hour intervals. I keep a beeper on me. I  
2 can only go -- everything I do have to be within two hours and  
3 I have to go back and do something else with him.

4 I'm trying to sleep, two hours beeper go off, get up, go  
5 do something with him, go back to sleep 30 minutes, two more  
6 hours. It's just a constant cycle. This is my life now.  
7 This is my reality as of no fault of our own.

8 **THE COURT:** Ms. Kirkman, I'm sorry to ask you this, but  
9 could you slow down? We're having a hard time getting  
10 everything you're saying because we don't see you.

11 I certainly remember -- I certainly remember seeing you  
12 and your son at this last plea. And I -- my heart goes --  
13 there's nothing else I can say except my heart goes out to  
14 you. And as a mother myself, I cannot imagine what you are  
15 going through. But I did want to ask you to slow down for  
16 just a moment. Is there anything else you wanted to say?

17 **MS. KIRKMAN:** No, ma'am. I just ask that, you know, the  
18 only thing I do ask is that -- the only thing that can bring  
19 us some sort of comfort is if this defendant is given the  
20 maximum allowed as well as the co-defendant for her actions in  
21 this because we wasn't shown an ounce of mercy. We are  
22 suffering and continue to as my son is permanently paralyzed  
23 from her actions. And we just plead with the Court to give  
24 them the maximum -- give her the maximum allowed by law,  
25 please.

1           **THE COURT:** Thank you so much. Thank you.

2           There is a person who is signed on, and it just -- and it  
3 says victim of Castro as opposed to victim of Corina Castro.  
4 Could I ask the person, victim of Castro, would you like to  
5 speak?

6           **VICTIM:** No. My mom would be -- she's here to speak.

7           **THE COURT:** Okay. Could you tell me your name, please,  
8 sir, just for a moment.

9           **VICTIM:** Jacori Ashley.

10          **THE COURT:** Jacori Ashley. Okay. Thank you. All right.  
11 Thank you, sir.

12          And then there is victim of Corina Castro signed on. And  
13 would you like to speak?

14          **VICTIM:** Yes, I would.

15          **THE COURT:** Please tell me your name.

16          **VICTIM:** It's -- my name is (technological interference).

17          **THE COURT:** Could you say that again? I'm so sorry.

18          **VICTIM:** Yes. Barbara Sims Jenkins.

19          **THE COURT:** Thank you, ma'am. I'm sorry. Please go  
20 ahead.

21          **MS. JENKINS:** That's okay. But (technological  
22 interference). And I just want to reiterate what Ms. Janine  
23 said. You know, this, of course, is something that was  
24 planned by the defendants. And every day since that day, you  
25 know, our families have suffered one way or another.

1           This was unsuspected. They didn't go there with any  
2 malice or anything. So, of course, they weren't expecting  
3 anything like this to happen. And, you know, it has devastated  
4 both families. And quite naturally what Kalo is going through  
5 is extreme.

6           And the fact that, you know, she was fully involved, you  
7 know. They're saying, you know, that she didn't pull the  
8 trigger, but also (technological interference) did or not, I  
9 think they were saying that based on the evidence that they  
10 were saying that she did not.

11           But, you know, we really don't know if she did or not.  
12 But even planning it, you know, the hand of one is the hand of  
13 all. And I think she (technological interference) be, you  
14 know, punished just as justly as the other defendant was  
15 because -- and especially in planning it, I mean, that's just  
16 as bad as pulling the trigger even if she didn't.

17           And so I just ask that you would, you know, grant the  
18 full maximum sentence for her because this is something that  
19 is going to -- this is life changing for both families, for  
20 our families. And I feel like she needs to be able to  
21 understand the full (technological interference) of what she  
22 did. And the only way that we can get some sort of justice is  
23 by them getting the maximum sentence that they're allowed by  
24 law.

25           **THE COURT:** Thank you so much, ma'am. And I'm just so

1       sorry as well for what you all are going through.

2           **MS. JENKINS:** Thank you.

3           **THE COURT:** Thank you.

4           (Pause for technological interference)

5           **MADAM COURT REPORTER:** Judge, if there's anybody

6 speaking, I can't hear anybody.

7           **THE COURT:** I'm going to un-mute you.

8           **MR. PRINGLE:** Can you hear me now?

9           **MADAM COURT REPORTER:** Yes.

10          **THE COURT:** Yes.

11          **MR. PRINGLE:** I think she's nodding.

12          **THE COURT:** Yes, she can hear you.

13          **MR. PRINGLE:** As a human being, Your Honor, and I can see  
14 this is a horrible situation case for everybody involved. I'm  
15 just -- personally I'm thankful out of 25 years I've had a  
16 handful maybe of cases that kind of hit home in so many ways.  
17 It's tragic. There's really nothing that any of us can do ...

18          **THE COURT:** Go ahead. I'm sorry.

19          **MR. PRINGLE:** There's really nothing that any of us can  
20 do here to change what's happened no matter what sentence Your  
21 Honor levies against Corina this morning. It's not going to  
22 change what's happened. It's never going to make these  
23 victims whole. We've had people's lives that were ruined,  
24 altered, destroyed physically, lives lost.

25               However, I'd be remiss if I did not point out that there

1 are differences in this defendant and how she stands with  
2 regard to the context of her case as opposed to the co-  
3 defendant, who's already pled and sentenced in this case.

4 Obviously, she's extremely young, just turned 23, having  
5 no prior record as the solicitor indicated. And when you look  
6 at this case, I think it's safe to say from everyone's  
7 perspective, it just makes no sense. You look at it, there's  
8 no rational explanation for how this kind of thing could  
9 happen with these people.

10 But one thing that I think we've all seen that's  
11 developed in our society is this fascination, if you will,  
12 with gang culture, hip hop culture, you know, the whole -- the  
13 allure of video games, the movies, the music, the social  
14 media. As indicated the prosecutor handed up some examples of  
15 ---

16 **MADAM COURT REPORTER:** I'm sorry. Judge, he's breaking  
17 up.

18 **THE COURT:** Okay.

19 **MADAM COURT REPORTER:** Could you speak louder?

20 **THE COURT:** Now you try to talk as loud as you can.

21 **MR. PRINGLE:** Okay. How is that?

22 **THE COURT:** Good.

23 **MADAM COURT REPORTER:** Better.

24 **MR. PRINGLE:** Okay. You know, in trying to rationalize  
25 how this can happen, you know, the discovery that developed

1 and in meeting with Corina multiple times I've gotten to know  
2 her somewhat over that time period. And it's evident that  
3 this is a young lady whose life could have been so different.

4 And, you know, there are so many of these folks that come  
5 before Your Honor that we can say that about. I think there  
6 were some crossroads in her young life where she could have  
7 gone left or she could have gone right, and she went the way  
8 she went and became involved with the co-defendant and this  
9 whole lifestyle.

10 She's here to face the consequences. She's not trying to  
11 evade responsibility. In fact, I think it's noteworthy she  
12 wanted to be here by herself. She did not want her mother,  
13 family, other people to come here and speak on her behalf.  
14 She wanted this to be evaluated by the Court on its face and  
15 at its base level.

16 The prosecutor was right from the beginning. She did  
17 give statements about her involvement, but then continued.  
18 And more recently, I want to reiterate that she was completely  
19 willing and prepared to go forward and testify against her co-  
20 defendant, who, by the way, was the shooter.

21 She's owned up to her involvement, but, you know, there's  
22 -- we'd be remiss if we didn't distinguish her situation and  
23 her context from her co-defendant's. Again, no priors. His  
24 involvement, we would argue was much more extensive.

25 But having said that, that doesn't do much for the people

1 that we've heard from this morning. And the fact is  
2 (technological interference) regardless of what level of  
3 blameworthiness we give to Corina this morning, she's here to  
4 plead to the charges. They speak for themselves.

5 I just don't know that in fairness to all parties that it  
6 would -- that really she should be treated exactly the same as  
7 her co-defendant because there's a lot to distinguish their  
8 situation. She's certainly no babe in the woods on this thing  
9 as you can see. And she's not ever communicated that.

10 I do believe that she has had somewhat of an awakening to  
11 this process. Believe it or not, I think there was almost  
12 like an ignorance of the severity or almost a lack of  
13 appreciation for it.

14 And the only thing I can attribute that to, and I'm not a  
15 psychologist or anything, but I've been around enough to know  
16 that I just think that this girl got totally immersed in that  
17 lifestyle and that -- the allure of the gangs and whatnot.  
18 And I can't explain how they continue to pull these people in,  
19 but it's happening every day and all day.

20 Having said that, those are choices she made and that,  
21 ultimately, the reason we're here are, again, choices that she  
22 consciously made, and she's here to face up to those. I  
23 believe she has a very brief statement that she wanted to make  
24 with regard to the victims in the case.

25 **THE COURT:** All right. And Ms. Castro, if you would like

1 to say something, I'm going to ask you if you would take off  
2 your mask, and if you would speak up as loud as you can into  
3 that microphone. You don't have to yell, but just very loudly  
4 like your attorney.

5 **MS. CASTRO:** I stand here today to give my apology to the  
6 victims and the people it affected. I'm not expecting your  
7 forgiveness. I just want you to know I'm sincerely sorry.

8 I am nothing like I used to be at that time. I was under  
9 the influence of drugs and not in my right mind. I want it  
10 known that if I could do it over, I would change everything.  
11 Once again, I want you to know how truly sorry I am for the  
12 actions and those that I've hurt.

13 **THE COURT:** Thank you, ma'am. All right.

14 **MS. KIRKMAN:** Your Honor. I'm sorry, Your Honor. This  
15 is Janine Kirkman.

16 **THE COURT:** Yes, ma'am.

17 **MS. KIRKMAN:** I'm sorry. I have to ---

18 **THE COURT:** Yes, ma'am.

19 **MS. KIRKMAN:** I have to just say something in response to  
20 that. I feel that this defendant is saying all this stuff, of  
21 course, because she don't want to get the full sentencing.

22 **THE COURT:** I understand.

23 **MS. KIRKMAN:** And if Marc -- and also she's saying she  
24 has changed, we have correspondence that Marc gave during the  
25 other trial saying that the correspondence between her and her

1 mother, the things -- the statements she made was -- the  
2 things that she's capable of doing without any remorse or  
3 feeling anything ---

4 **THE COURT:** Okay. Thank you. Thank you, Ms. Kirkman. I  
5 appreciate it. Thank you.

6 **MS. KIRKMAN:** Yes, ma'am.

7 **THE COURT:** All right. Mr. Smith.

8 **MR. SMITH:** Judge, I just have one or a few things. One  
9 ---

10 **THE COURT:** Have you un-muted?

11 **MR. SMITH:** Okay. Judge, I just have one or a couple of  
12 things to say in response. Ms. Kirkman did mention something  
13 just a second ago, but it was actually Adam Byrum who had said  
14 those things. It wasn't Ms. Castro.

15 But, Judge, also you had asked me about the jail days.  
16 And it was 723 that she has there.

17 And, Judge, I would just want to leave you with one other  
18 observation that's been made here today, if you don't mind. I  
19 know she has said that she's changed and that that's not who  
20 she is anymore, but yet she stands before you today wearing  
21 her orange jumpsuit, her jail issued slippers with the six  
22 point Folk Nation stars drawn on the slippers. And I know  
23 they don't hand them out that way, but that's what she's  
24 wearing today. And she's got the Folk Nation sign on her  
25 slippers. I don't know how much she's changed.

1           **THE COURT:** Thank you, Mr. Smith. Well, anything else,  
2 Mr. Pringle?

3           **MR. PRINGLE:** Just I've got a response to that.

4           **THE COURT:** Could you speak into the mike? I'm sorry.

5           **MR. PRINGLE:** In response to the prosecutor's comments.  
6 Again, we're not trying to shade anything that's in front of  
7 Your Honor. You can see the correspondence. And she's owned  
8 up to that.

9           But I would just reiterate if there ever was a situation  
10 that wasn't just black and white, it might be this. And  
11 there's -- it's a complex kind of, I guess, forces at work. I  
12 mean, I think there's room for some contriteness and there's  
13 room for regret and remorse within the scope of all of this  
14 other communication that's gone on. I think some of those  
15 communications have motivations that have nothing to do with  
16 her real state of mind.

17           **THE COURT:** All right.

18           **MR. PRINGLE:** So, yeah, I don't think it's truly black  
19 and white. I don't think the fact that she maybe still  
20 identifies with one or more of these groups would preclude her  
21 from being able to reflect on her actions and the time she's  
22 spent in jail has allowed her to reflect on it as well. I  
23 think there's some room for remorse there. Thank you.

24           **THE COURT:** Well, I appreciate it, Mr. Pringle, and  
25 appreciate the outstanding job of both attorneys in this case.

1           You know, I take into consideration the heinousness of  
2 the crime. Of course, this couldn't be more heinous, Ms.  
3 Castro. It just could not be more heinous.

4           I do take into account the fact that it was Mr. Bynum  
5 [sic] who actually pulled the trigger. But I also take into  
6 account that you were at least involved and ultimately gave an  
7 order that a person be killed. And I cannot ignore that.

8           I do take into account the fact that you not only gave a  
9 statement in this case, but were willing to cooperate and that  
10 Mr. Bynum -- that Mr. Bynum -- they were able to build a case  
11 against him because of that. And I do take that into  
12 consideration.

13           I take into consideration what these victims have gone  
14 through. And this is just beyond the pale. I mean, we just  
15 can't even imagine what they've gone through.

16           I do take into account as well that you have no prior  
17 record. And I take into account your age at the time. I do  
18 have to take those things into account. And I take all those  
19 things into account.

20           I'm going to give you -- I'm going to give you some  
21 credit largely because you cooperated and because I want  
22 people to know that when you cooperate that there is some  
23 reward, but unfortunately the heinousness of this particular  
24 crime prevents me from doing everything that I think you would  
25 hope that I would -- that I hope -- that I think you are here

1 hoping I will do.

2 On the attempted murders, both of those are -- sentence  
3 of the Court is 30 years, credit for -- credit for three  
4 hundred and, excuse me, 723 days. Then concurrent to that,  
5 sentence of the Court on murder is 43 years, credit for 723  
6 days.

7 To all the victims, the victims' family who are on this  
8 call, I appreciate your being here. And I wish you the best  
9 of luck. Thank you.

10 (Hearing Ended at 11:59 am)

11 (End of Requested Transcript of Record)

## Certificate of Reporter

I, the undersigned, Susan W. Hudgins, 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 to the best of my ability of all the proceedings had and evidence introduced in the trial/hearing of the captioned case, relative to appeal, in the Circuit Court for Greenville County, South Carolina, on the 10th day of March 2021.

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

December 28, 2021

s/Susan W. Hudgins

---

Circuit Court Reporter

FORM 5

STATE OF SOUTH CAROLINA )  
 )  
 County of Greenville )  
 )  
Corina Veronica Castro 354506 )  
 Full name and prison number (if any) of Applicant )

IN THE COURT OF COMMON PLEAS

2021-CP-23- 05253

v.

State of South Carolina )  
 )  
 )  
 )  
 )  
 )

APPLICATION FOR  
POST-CONVICTION RELIEF

FILED  
 CLERK OF COURT  
 PAUL B. WICKENS  
 GREENVILLE  
 2021 OCT 29 PM 1:30

INSTRUCTIONS - READ CAREFULLY

In order for this application to receive consideration by the Court, it shall be in writing (legibly handwritten or typewritten), signed by the applicant and verified (notarized), and it shall set forth in concise form the answers to each applicable question. If necessary, applicant may furnish his answer to a particular question on the reverse side of the page or on an additional page. Applicant shall make clear to which question any such continued answer refers.

Since every application must be sworn under oath, any false statement of a material fact therein may serve as the basis of prosecution and conviction for perjury. Applicants should, therefore, exercise care to assure that all answers are true and correct.

If the application is taken in forma pauperis, it shall include an affidavit (attached at the back of the form) setting forth information which establishes that applicant will be unable to pay the fees and costs of the proceedings. When the application is completed, the original shall be mailed to the Clerk of Court for the County in which the applicant was convicted.

1. Place of detention Greenville County Detention Center

---

2. Name and location of Court which imposed sentence Greenville General Sessions  
Greenville County Courthouse

---

3. Name(s) of co-defendant(s) (if any) Adam Byrum

---

4. The indictment number or numbers (if known) upon which and the offenses for which sentence was imposed:
  - (a) 2019A2330202574 Attempted murder
  - (b) 2019A2330202573 Attempted murder

(c) 2019A2330202577 Criminal Conspiracy (more on back)

5. The date upon which sentence was imposed and the terms of the sentence:

(a) March 10, 2021 45 years murder

(b) March 10, 2021 30 years attempted murder

(c) March 10, 2021 30 years attempted murder

6. Check whether a finding of guilty was made:

(a) after a plea of guilty ✓

(b) after a plea of not guilty \_\_\_\_\_

(c) after a plea of nolo contendere \_\_\_\_\_

7. Did you appeal from the judgment of conviction or the imposition of sentence?

No

8. If you answered "yes" to (7), list:

(a) the name of each Court to which you appealed:

i. \_\_\_\_\_

ii. \_\_\_\_\_

iii. \_\_\_\_\_

(b) the result in each such Court to which you appealed:

i. \_\_\_\_\_

ii. \_\_\_\_\_

iii. \_\_\_\_\_

(c) the date of each such result:

i. \_\_\_\_\_

ii. \_\_\_\_\_

iii. \_\_\_\_\_

(d) if known, citations of any written opinion or orders entered pursuant to such results:

i. \_\_\_\_\_

ii. \_\_\_\_\_

iii. \_\_\_\_\_

9. If you answered "no" to (7), state your reasons for not so appealing:

(a) Attorney did not file an appeal

(b) \_\_\_\_\_

(c) \_\_\_\_\_

10. State concisely the grounds on which you base your allegation that you are being held in custody unlawfully:

(a) Ineffective assistance of counsel

(b) Under the influence of drugs when statement was made

(c) Officer made multiple mistakes

11. State concisely and in the same order the facts which support each of the grounds set out in (10):

(a) Attorney told me my plea deal would be for less time

(b) I was high on meth when I made my statement

(c) Officer called me "Smith" and said a shooting happened on 3-13-19

12. Prior to this application have you filed with respect to this conviction:

(a) any petition in a State Court under South Carolina Law? No

(b) any petition in State or Federal Courts for habeas corpus or post-convictions relief? No

(c) any petition in the United States Supreme Court for certiorari other than petitions, if any, already specified in (8)? No

(d) any other petitions, motions or applications in this or any other Court? No

13. If you answered "yes" to any part of (12), list with respect to each petition, motion or application:

(a) the specific nature thereof:

i. \_\_\_\_\_

ii. \_\_\_\_\_

iii. \_\_\_\_\_

iv. \_\_\_\_\_

(b) the name and location of the Court in which each was filed:

i. \_\_\_\_\_

ii. \_\_\_\_\_

iii. \_\_\_\_\_

iv. \_\_\_\_\_

(c) the disposition thereof:

- i. \_\_\_\_\_
- ii. \_\_\_\_\_
- iii. \_\_\_\_\_
- iv. \_\_\_\_\_

(d) the date of each such disposition:

- i. \_\_\_\_\_
- ii. \_\_\_\_\_
- iii. \_\_\_\_\_
- iv. \_\_\_\_\_

(e) if known, citations of any written opinions or orders entered pursuant to each such disposition:

- i. \_\_\_\_\_
- ii. \_\_\_\_\_
- iii. \_\_\_\_\_
- iv. \_\_\_\_\_

14. Has any ground set forth in (10) been previously presented to this or any other Court, State or Federal, in any petition, motion or application which you have filed?

No

15. If you answered "yes" to (14) identify:

(a) which grounds have been presented:

- i. \_\_\_\_\_
- ii. \_\_\_\_\_
- iii. \_\_\_\_\_

(b) the proceedings in which each ground was raised:

- i. \_\_\_\_\_
- ii. \_\_\_\_\_
- iii. \_\_\_\_\_

16. If any ground set forth in (10) has not previously been presented to any Court, State or Federal, set forth the ground and state concisely the reasons why such ground has not previously been presented:

- (a) I did not do an appeal
- (b) \_\_\_\_\_
- (c) \_\_\_\_\_

17. Were you represented by an attorney at any time during the course of:

- (a) your arraignment and plea? Yes
- (b) your trial, if any? \_\_\_\_\_
- (c) your sentencing? Yes
- (d) your appeal, if any, from the judgment of conviction or the imposition of sentence? \_\_\_\_\_
- (e) preparation, presentation or consideration of any petitions, motions or applications with respect to this conviction, which you filed?  
\_\_\_\_\_

18. If you answered "yes" to one or more parts of (17), list:

- (a) the name and address of each attorney who represented you:
  - i. Kraig A Pringle  
522 North Church Street Greenville, S.C. 29601
  - ii. \_\_\_\_\_
  - iii. \_\_\_\_\_
- (b) the proceedings at which each such attorney represented you:
  - i. Plea and sentencing
  - ii. \_\_\_\_\_
  - iii. \_\_\_\_\_

19. State clearly the relief you seek in filing this application:

A lesser sentence

20. Are you now under sentence from any other court that you have not challenged?

No

STATE OF SOUTH CAROLINA )  
County of Greenville )

VERIFICATION

I, Corina Veronica Castro, being duly sworn upon my oath, depose and say that I have subscribed to the foregoing application; that I know the contents thereof; that it includes every ground known to me for vacating, setting aside or correcting the conviction and sentence attacked in this application; and that the matters and allegations therein set forth are true.

Corina Castro

SWORN to and subscribed before me this 5 day of October 2021.

Camelia Y. Hines (L.S.)  
Notary Public

My Commission Expires: 10/10/24

**APPLICATION TO PROCEED WITHOUT PAYMENT  
OF COSTS AND AFFIDAVIT  
IN SUPPORT THEREOF**

I, Corina Veronica Castro, hereby apply for leave to proceed in this action without prepayment of fees or costs or security therefor. In support of my application I declare under penalty of perjury that the following facts are true:

- (1) I am the applicant in this action and I believe I am entitled to redress.
- (2) Because of my poverty I am unable to pay the costs of said proceeding or give security thereof.

Corina Castro  
Applicant

SWORN or affirmed to and subscribed before me this  
12 day of October 2007

Salvadora Y. Hwang  
Notary Public

My Commission Expires: 11/16/2011

STATE OF SOUTH CAROLINA	)	IN THE COURT OF COMMON PLEAS
COUNTY OF GREENVILLE	)	FOR THE THIRTEENTH JUDICIAL CIRCUIT
	)	
Corina Veronica Castro, #384806,	)	Case No.: 2021-CP-23-05253
	)	
Applicant,	)	
	)	
v.	)	<b>RETURN AND PARTIAL MOTION</b>
	)	<b>FOR SUMMARY DISMISSAL</b>
State of South Carolina,	)	
	)	
Respondent.	)	

---

The State of South Carolina (“Respondent”), making its return to the application for post-conviction relief filed by Corina Veronica Castro (“Applicant”) on October 29, 2021, would respectfully show this Court:

I. Procedural History

Applicant is presently imprisoned in the South Carolina Department of Corrections. During its July of 2020 term, the Greenville County Grand Jury indicted Applicant for murder (2020-GS-23-003486), two counts of attempted murder (2020-GS-23-003482; -003483), two counts of conspiracy (2020-GS-23-003487; -003481), and three counts of possession of a weapon during the commission of a violent crime (2020-GS-23-003486; -003482; -003483). On March 10, 2021, Applicant appeared before the Honorable Letitia H. Verdin and pleaded guilty as indicted to murder (2020-GS-23-003486) and two counts of attempted murder (2020-GS-23-03482; -003483). Applicant was represented by Kraig Alan Pringle (“plea counsel”), Esquire. Assistant Solicitor Marcus Lynn Smith of the Thirteenth Circuit Solicitor’s Office represented the State. At the guilty plea hearing, the solicitor presented the following recitation of facts that the State would seek to prove if Applicant proceeded to trial:

On 3/13/19 in Greenville County Jacori Ashley, age 21, and Kalo McCullough, age 27, drove up to the Dollar General off Locust Hill Road in Travelers Rest. Jacori was driving and Kalo was the passenger.

Jacori had been contacted by the co-defendant, Adam Byrum, and requested a ride. Jacori worked with Byrum and this co-defendant's, [Applicant's] mother, at a place called RimTyme. Jacori had given rides to Byrum in the past.

This night Jacori asked his friend, Kalo, to ride with him. They arrived at the Dollar General and waited for Byrum and Castro to arrive. They noticed two individuals wearing hoodies walking up to the car. They knew it was Byrum and Castro as they were on the phone talking with them.

When they got next to the car, Byrum stated something to Jacori, immediately pulled a gun and started shooting into the vehicle. Jacori was hit with one round that went through his mouth and nasal area as well as his shoulders. Kalo was hit with a round that went through his lung and shattered a vertebra leaving him permanently paralyzed from the chest area down. Jacori was able to speed off from the site and amazingly drive to St. Francis Hospital in downtown Greenville.

The guns used to shoot the victims was or were a .380 caliber. Four shell casings found were identified by ballistics tests as having been fired from one of the .380 handguns, which were found later belonging to the defendants. Both victims have given statements that both [Applicant] and co-defendant were the individuals there that night and that Byrum was the person that shot them.

On March 17, 2019, four days later, Your Honor, deputies arrived at [and address on] Locust Hill Road in Travelers Rest and found a Ford F-150 partially in the roadway and partially in the entrance to a business. Inside the vehicle a deceased white male sitting in the driver's seat was found slumped over the center console with blood on the left and right sides of his head. It was determined that he had been shot in the head. Bullet holes were found on the car. And two .380 caliber shell casings were also found. The male was later determined as Jamie Dale Smith, age 32.

A handwritten note on a paper towel found at Smith's home was later given to investigators that stated [REDACTED] 721 7109 Smokey G, Locust Hill Road, TR 29690, called 30 min, m-i-n, b I arrive. Smokey G was later identified as Adam Byrum. And the phone number was run and found to belong to Adam Byrum as well.

An attempt to arrest the defendants was carried out a day later on 3/18/19 a short distance from where these two incidents had occurred. Officers had to use a K-9 due to Byrum running to avoid apprehension.

When arrested Byrum was found in possession of [1.41] grams of methamphetamines and admitted that he had just shot meth. Both Byrum and [Applicant] are members of the Gangster Disciple Gang, which is part

of the larger Folk Nation Gang.

Two females at the site of the arrest stated that Byrum was acting crazy last night and that [Applicant] had been vomiting when they got back. Byrum's sister was one of those girls and had stated that when Adam got home I took the guns from him because he was acting crazy.

[Applicant] gave a statement in these matters stating that she and Adam had planned to rob Jacori and that Kalo was an unintentional victim as they did not know he was going to be there. She stated that they each had .380 caliber handguns, walked up to the car and Byrum fired multiple rounds into the vehicle. She also stated that they knew Smith as well.

As in the case before, they went to meet Smith both armed with the .380 handguns with the plan to kill and rob him. She stated that it had been her decision to handle Smith, meaning to kill him. Several other motives have been mentioned as to why these particular individuals were chosen such as robbing the targets of drugs, and killing them to believing that Jamie Smith was a snitch to Jacori Ashley flirting with [Applicant].

Plea Tran. 10-13. Judge Verdin sentenced Applicant to imprisonment for thirty years for each count of attempted murder and for forty-three years for murder, with each count running concurrently, and with credit for time served. Plea Tran. 27-28. In accordance with the plea agreement, the solicitor dismissed the remaining charges. Plea Tran. 13.

Applicant did not appeal her convictions or sentences.

## II. Current Application

In her application for post-conviction relief, Applicant argues that she is entitled to relief based upon multiple claims, which Respondent interprets as follows: (1) plea counsel was constitutionally ineffective for advising Applicant that the plea agreement was for less time; (2) Applicant was intoxicated on methamphetamine when she gave a statement to law enforcement officers; and (3) a law enforcement officer made multiple mistakes. Applicant prays that the Court would grant relief to her by way of reducing her sentence.

Attached to this return and incorporated herein by reference are the records of the Greenville County Clerk of Court regarding Applicant's convictions and sentences, the records of

the Greenville County Clerk of Court regarding the charges dismissed in accordance with Applicant's plea agreement, the transcript from Applicant's guilty plea hearing, and Applicant's records from the South Carolina Department of Corrections. Respondent reserves the right to amend this return upon receipt of any relevant materials.

### III. Motion to Dismiss Some Claims Raised

Pursuant to S.C. Code Ann. § 17-27-70(c), this Court may summarily dispose of an application if there is no genuine issue of material fact in the "pleadings, depositions and admissions and agreements of fact" and the movant is entitled to judgment as a matter of law. The summary dismissal of an application for post-conviction relief without a hearing is appropriate only when it is apparent on the fact of the application that a hearing is not needed for the development of a factual record and the applicant is not entitled to relief. Mose v. State, 420 S.C. 500, 505, 803 S.E.2d 718, 720 (2017) (citing Leamon v. State, 363 S.C. 432, 611 S.E.2d 494 (2005)). The Court, in considering the motion for summary dismissal without the holding of an evidentiary hearing, must assume the facts presented by Applicant as true and view them in the light most favorable to Applicant. Robertson v. State, 418 S.C. 505, 519, 795 S.E.2d 29, 36 (2016) (citing McCoy v. State, 401 S.C. 363, 737 S.E.2d 623 (2013)).

Applicant raises a claim that she was intoxicated on methamphetamine when she gave a statement to law enforcement officers and that a law enforcement officer made multiple mistakes. "Few principles of South Carolina criminal law are as ingrained as the notion that a knowing, voluntary, and intelligent guilty plea 'constitutes a waiver of nonjurisdictional defects and claims of violations of constitutional rights.'" State v. Sims, 423 S.C. 397, 400, 814 S.E.2d 632, 633 (2018) (quoting State v. Rice, 401 S.C. 330, 737 S.E.2d 485 (2013)). "A guilty plea represents a break in the chain of events which has preceded it in the criminal process. When a criminal defendant has solemnly admitted in open court that he is in fact guilty of the offense with which

he is charged, he may not thereafter raise independent claims relating to the deprivation of constitutional rights that occurred prior to the entry of the guilty plea. He may only attack the voluntary and intelligent character of the plea . . . .” Rice, at 332, 737 S.E.2d at 486 (quoting Tollett v. Henderson, 411 U.S. 258 (1973)). A guilty plea “conclusively disposes of all prior issues including independent claims of deprivations of constitutional rights.” Vogel v. City of Myrtle Beach, 291 S.C. 229, 231, 353 S.E.2d 137, 138 (1987). “A plea of guilty and the ensuing conviction comprehend all of the factual and legal elements necessary to sustain a binding, final judgment of guilty and a lawful sentence.” State v. Tucker, 376 S.C. 412, 418, 656 S.E.2d 403, 406 (Ct. App. 2008) (quoting United States v. Broce Constr. Co., Inc., 488 U.S. 563 (1989)). Even if Applicant’s factual allegations with regard to these two claims are true, she waived her right to challenge her convictions thereupon when she pleaded guilty. Applicant affirmed to Judge Verdin that she understood her trial rights and wished to waive them by pleading guilty. Plea Tran. 6. After listening to the solicitor’s recitation of facts, Applicant affirmed that she wished to plead guilty. Plea Tran. 10-14. As a matter of law, this Court should dismiss these two claims with prejudice.

#### IV. Response to Applicant’s Remaining Claim

Applicant, like all other defendants, has a right to the assistance of effective counsel as provided by the Sixth Amendment to the United States Constitution. Strickland v. Washington, 466 U.S. 668 (1984); Lomax v. State, 379 S.C. 93, 665 S.E.2d 164 (2008). Applicant has the burden of proving the allegations in his post-conviction relief action, and when alleging that counsel was constitutionally ineffective, he must prove that “counsel’s conduct so undermined the proper functioning of the adversarial process that it cannot be relied upon as having produced a just result.” Strickland, at 686. In evaluating allegations of ineffective assistance of counsel, the reviewing court applies the two-pronged test outlined in Strickland. First, Applicant must prove that counsel’s performance was deficient. Cherry v. State, 300 S.C. 115, 117, 386 S.E.2d 624, 625

(1989). Under this prong, the court measures an attorney's performance by its "reasonableness under prevailing professional norms." Cherry, at 117, 386 S.E.2d at 625 (quoting Strickland, at 690). The proper measure of performance is whether the attorney provided representation within the range of competence required in criminal cases. Butler v. State, 286 S.C. 441, 442, 334 S.E.2d 813, 814 (1985). "Counsel is strongly presumed to have rendered adequate assistance and made all significant decisions in the exercise of reasonable professional judgment." Id. (citing Strickland, 466 U.S. at 690). Applicant must overcome this presumption to receive relief. Cherry, 300 S.C. at 118, 386 S.E.2d at 625. Second, counsel's deficient performance must have prejudiced Applicant such that "there is a reasonable probability that, but for counsel's unprofessional errors, the result of the proceeding would have been different." Cherry, 300 S.C. at 117-18, 386 S.E.2d at 625. With respect to plea counsel, Applicant must show that there is a reasonable probability that, but for counsel's alleged errors, she would not have pleaded guilty and would have insisted on going to trial. Hill v. Lockhart, 474 U.S. 52 (1985). A defendant who pleads guilty on the advice of counsel may collaterally attack the plea only by showing: (1) counsel was deficient and (2) there is a reasonable probability that but for counsel's errors, the defendant would not have pleaded guilty and would have insisted on going to trial. Roscoe v. State, 345 S.C. 16, 546 S.E.2d 417 (2001). The "prejudice prong ordinarily requires more than simply a defendant's assertion that but for counsel's deficient performance he would not have pled but would have gone to trial." Stalk v. State, 383 S.C. 559, 563, 681 S.E.2d 592, 595 (2009).

The standards do not establish mechanical rules; the ultimate focus of inquiry must be on the fundamental fairness of the proceeding whose result is being challenged. A court need not first determine whether counsel's performance was deficient before examining the prejudice suffered by the defendant as a result of the alleged deficiencies. If it is easier to dispose of an ineffectiveness claim on the ground of lack of sufficient prejudice, that course should be followed. Strickland, at

670. Moreover, Strickland does not require a finding of ineffectiveness merely for deviation from some rigid rule of representation. Rather, Strickland requires the post-conviction relief applicant to prove “counsel made errors so serious that counsel was not functioning as the ‘counsel’ guaranteed the defendant by the Sixth Amendment.” Id. at 697. Therefore, the function of the post-conviction relief court is to determine if “in light of all the circumstances, the identified acts or omissions were outside the wide range of professional competent assistance” required of a criminal defense attorney. Id. at 690.

“A guilty plea is a solemn, judicial admission of the truth of the charges against an individual; thus, a criminal inmate’s right to contest the validity of such a plea is usually, but not invariably, foreclosed.” Dalton v. State, 376 S.C. 130, 137, 654 S.E.2d 870, 874 (S.C. Ct. App. 2007) (citing Blackledge v. Allison, 431 U.S. 63, 74 (1977)). “Indeed, where a thorough colloquy is conducted, courts must exercise caution in setting aside the guilty plea.” Garren v. State, 423 S.C. 1, 12, 813 S.E.2d 704, 712 (2018); see Jamison, at 469-71, 765 S.E.2d at 129-30 (observing that “guilty plea[s] must be treated as final in the vast majority of cases” and instructing that caution must be exercised so as not to “undermine the solemn nature of a guilty plea and the finality that generally attaches to a guilty plea”). The South Carolina Supreme Court has instructed that:

The longstanding test for determining the validity of a guilty plea is whether the plea represents a voluntary and intelligent choice among the alternative courses of action open to the defendant. To find a guilty plea is voluntarily and knowingly entered into, the record must establish the defendant had a full understanding of the consequences of his plea and the charges against him.

State v. Inman, 395 S.C. 539, 556, 720 S.E.2d 31, 40 (2011) (internal quotations and citations omitted). “[A] guilty plea constitutes a waiver of nonjurisdictional defects and claims of violations of constitutional rights.” Jamison, at 468, 765 S.E.2d at 129 (citations omitted).

Applicant raises a claim that plea counsel was constitutionally ineffective for advising Applicant that the plea agreement was for less time. Respondent submits that Applicant likely

cannot show that she is entitled to post-conviction relief on these claims in light of the strong deference given to defense attorneys in post-conviction relief actions, but requests an evidentiary hearing in order to address the questions of fact raised that the record may not conclusively refute. See Sharper v. State, 279 S.C. 264, 265, 305 S.E.2d 247, 248 (1983) (holding that an evidentiary hearing is required when an application for post-conviction relief alleges specific instances of ineffectiveness that are not conclusively refuted by the record) (citing Norman v. State, 276 S.C. 278, 277 S.E.2d 707 (1981)).

#### V. Denial of All Other Claims

Each and every allegation contained within the application not expressly admitted, qualified, or explained in this return is hereby denied.

#### VI. Future Amendments and the Discovery Process

Applicant must specify any claims that she intends to raise at the post-conviction relief evidentiary hearing. All claims should be made well in advance of the evidentiary hearing. Respondent reserves the right to request that any amendments withheld until the last minute be stricken because of undue prejudice to Respondent pursuant to Love v. State, 428 S.C. 231, 238-39, 834 S.E.2d 196, 199-200 (2019), or, alternatively, Respondent will move for a continuance in the matter. See Love, at 245, 834 S.E.2d at 203 (Kittredge, J., dissent) (“If, however, the proposed amendment . . . would truly prejudice the State, the better course of action would be to continue the matter and thus remove any possibility of prejudice resulting from the belated amendments.”).

Pursuant to S.C. Code Ann. § 17-27-150(a) (2008), an applicant in a non-capital post-conviction relief action may invoke discovery under the South Carolina Rules of Civil Procedure only if granted leave to do so by a court upon a showing of good cause. If Applicant attempts to invoke discovery powers without first obtaining leave to do so by a court upon a showing of good cause, Respondent will oppose those attempts.

## VII. Conclusion

**WHEREFORE**, Respondent requests that the Court dismiss summarily the claims marked for dismissal in this return and then convene an evidentiary hearing on the remaining claim.

Respectfully submitted,

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Attorney General

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Chief Deputy Attorney General

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Senior Assistant Deputy Attorney General

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By:   
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January 24, 2022

STATE OF SOUTH CAROLINA )  
 )  
 COUNTY OF GREENVILLE )  
 )  
 )  
 Corina Castro, #384806 )  
 )  
 Applicant, )  
 )  
 vs )  
 )  
 State of South Carolina, )  
 )  
 Respondent, )  
 \_\_\_\_\_ )

IN THE COURT OF COMMON PLEAS


2021-CP-23-05253

CERTIFICATE OF SERVICE BY MAIL

1. I am an employee of the Respondent in the above-captioned action.
2. Regular communication by mail exists throughout the State of South Carolina and that this is a proper circumstance of service by mail.
3. I have this day served a copy of the Return and Partial Motion for Summary Dismissal in the above-captioned matter on the following person by depositing same in the United States mail, postage prepaid:

**Susannah C. Ross, Esquire**  
**Ross & Enderlin, PA**  
**330 East Coffee St.**  
**Greenville, SC 29601**

DATED this the 24<sup>th</sup> day of January, 2021.

  
 \_\_\_\_\_  
 Jennifer Jennison, Administrative Coordinator  
 For Respondent

STATE OF SOUTH CAROLINA	)	COURT OF COMMON PLEAS
	)	2021-CP-23-05253
COUNTY OF GREENVILLE	)	
	)	
	)	
	)	
CORINA CASTRO,	)	
APPLICANT,	)	
	)	
vs.	)	TRANSCRIPT OF RECORD
	)	
STATE OF SOUTH CAROLINA,	)	
RESPONDENT.	)	
_____	)	

July 25 and 26, 2023  
Greenville, South Carolina

B E F O R E:

THE HONORABLE J. DERHAM COLE, JUDGE

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

SCARLET BELL MOORE, ESQ.  
Attorney for the Applicant

MELODY JANE BROWN, ESQ.  
Attorney for the Respondent

CHERYL A. SMITH  
Circuit Court Reporter

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(RW) - Denotes Defense Witness

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EXHIBITS

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1 assistance of counsel. And I have discussed that with my  
2 client.

3 THE COURT: Any objection to the amendment?

4 MS. BROWN: No, sir, Your Honor.

5 THE COURT: You may proceed.

6 MS. MOORE: Judge, I call my client, Ms. Castro.

7 THE CLERK: Ms. Castro, please place your left hand  
8 on the Bible and raise your right hand.

9 WHEREUPON,

10 CORINA CASTRO

11 After having been duly sworn, testified as follows:

12 THE CLERK: Please state your full name for the  
13 record.

14 THE WITNESS: Corina Veronica Castro.

15 THE CLERK: Thank you. You may have a seat.

16 MS. MOORE: May it please the Court.

17 THE COURT: Yes, ma'am.

18 MS. MOORE: Thank you.

19 DIRECT EXAMINATION

20 BY MS. MOORE:

21 Q Ms. Castro, you're currently incarcerated; is that  
22 right?

23 A Yes, ma'am.

24 Q And on or about March 10, 2021, you appeared in front  
25 of Judge Leticia Verdin and pled guilty to three offenses;

1 is that right?

2 A Yes, ma'am.

3 Q What did you plead guilty to?

4 A Murder and two attempted murder.

5 Q Okay. And the judge sentenced you 43 years on the  
6 murder; is that right?

7 A 45.

8 Q A total of 45?

9 A For the murder and 30 for each of the attempted  
10 murders.

11 Q Okay. And those were to run concurrently; is that  
12 right?

13 A Yes, ma'am.

14 Q Okay. And who were you represented by during the  
15 course of those proceedings?

16 A Kraig Pringle.

17 Q Okay. And was Mr. Pringle appointed to represent you  
18 at the outset of the case?

19 A What do you mean?

20 Q Well, did you hire Mr. Pringle or was he appointed?

21 A He was a pro bono lawyer.

22 Q Okay. And do you recall when you were arrested?

23 A March 19, 2019.

24 Q Okay. So basically, almost two years to the day that  
25 you pled guilty; is that right?

1 A Yes, ma'am.

2 Q And following March 19, 2021, did you ever bond out  
3 on these charges?

4 A No, ma'am.

5 Q Okay. Now, how soon after March 19 -- excuse me --  
6 March of '19 were you able to speak -- make first contact  
7 with Mr. Pringle?

8 A At first I was given a female lawyer that I do not  
9 recall the name of, but she was the same lawyer as my  
10 codefendant. So I had to wait on a new lawyer, and I  
11 don't recall how long that was.

12 Q Okay. No problem. But at some point during the  
13 course of this case, you did, in fact, meet with  
14 Mr. Pringle; is that right?

15 A Yes, ma'am.

16 Q And do you recall how many times you actually met  
17 with Mr. Pringle?

18 A I do not.

19 Q Okay. Was it more than one?

20 A Yes, ma'am.

21 Q Was it more than five?

22 A I don't think so.

23 Q Okay. Now, when you had an opportunity to make  
24 contact with Mr. Pringle, were you still incarcerated?

25 A Yes, ma'am.

1 Q Okay. Were you incarcerated the entire time that you  
2 were waiting to be adjudicated at trial?

3 A Yes, ma'am.

4 Q So you never bonded out, right?

5 A No, ma'am. I never got a bond.

6 Q Okay. Now, during the course of this case, you  
7 stated that you met with Mr. Pringle multiple times. Did  
8 he discuss with you what we call the discovery that was  
9 given to him by the State?

10 A The motion of discovery?

11 Q Yes.

12 A Yes, ma'am.

13 Q Okay. And do you recall, did he come to the jail and  
14 go over this paperwork with you? How did that occur?

15 A He gave me the paperwork.

16 Q Okay. And so were there any videos that needed to be  
17 shown?

18 A I was not shown any videos.

19 Q Okay. And were you ever shown any pictures?

20 A I was not shown no pictures. The only pictures that  
21 I was shown were the ones in my motion which was my mug  
22 shot.

23 Q Okay. Now, during the course of your review of the  
24 discovery with Mr. Pringle, did you learn that the State  
25 had obviously received a statement given by you?

1 A Yes, ma'am.

2 Q Okay. Now, do you recall giving that statement to  
3 law enforcement?

4 A I do, but I was under the influence of drugs at that  
5 moment.

6 Q Okay. And where did this interview for this  
7 statement take place?

8 A Somewhere in Greenville County somewhere.

9 Q Okay. Now, were you in the detention center when the  
10 statement was given?

11 A No.

12 Q Okay. Were you incarcerated or detained at the time  
13 you gave the statement?

14 A I was handcuffed. I do recall that.

15 Q Okay. So do you recall any of the circumstances  
16 around which you gave that statement?

17 A They had just arrested me and took me somewhere in  
18 Greenville near the jail. And I spoke with them.

19 Q Okay. Now, I mean, are you certain that you were  
20 arrested at the time?

21 A They asked if I was with my codefendant, and I said  
22 yes.

23 Q Okay. And did anyone at that time read you your  
24 Miranda rights, for example, to notify you of your right  
25 to remain silent, that anything you say can be used

1 against you, those kinds of things?

2 A I don't remember.

3 Q Okay. And you said you were arrested. You had cuffs  
4 on you, correct?

5 A Yes, ma'am.

6 Q And then when you were detained, right?

7 A Yes, ma'am.

8 Q Okay. And did anybody -- at any time did any  
9 officers inform you of your right to counsel?

10 A I think so.

11 Q You think so. But you testified that you were under  
12 the influence of drugs at this time; is that right?

13 A Yes, ma'am.

14 Q And what drugs were you under the influence of?

15 A Meth and cocaine.

16 Q Okay. And so do you recall whose idea was it to give  
17 a statement regarding what the officers were  
18 investigating? Do you recall?

19 A They were asking so many questions, and I just  
20 started talking.

21 Q Okay. But you just don't recall any, as we say,  
22 Miranda warnings notifying you of your right to remain  
23 silent, that anything you say will be used against you,  
24 that you have a right to counsel, those types of things.  
25 You don't have any recollection of that?

1 A I don't remember. I was out of my mind.

2 Q Okay. Now, when you reviewed the statement with  
3 Mr. Pringle -- well, did Mr. Pringle review the contents  
4 of your statement with you?

5 A I think I recall him telling me about it, but I had  
6 to go through my motion myself.

7 Q Okay. Was the statement written? Was it a  
8 written ---

9 A No. It was -- I think it was recorded because there  
10 was a camera in there.

11 Q Okay. And did you ever see a recording of your  
12 statement?

13 A I did not.

14 Q Okay. And did you have the occasion to see a police  
15 report where there was a reference to your statement?

16 A Yes, ma'am.

17 Q Okay. And so are you familiar with the contents of  
18 the statement of what you said? Do you recall that?

19 A I've read my motion.

20 Q Okay. And what does your motion say that you said?

21 A I don't think my motion said anything about -- my  
22 motion pretty much said mostly about the murder charge in  
23 my statement more than the attempted murders.

24 Q Okay. And from your mind, do you make statements in  
25 the -- well, do you make -- in your statement, do you

1 basically implicate yourself in the murders and/or the  
2 attempted murders? Like for example, in your statement,  
3 do you give law enforcement information basically against  
4 yourself that could incriminate yourself?

5 A Well, what they don't put in my motion is that I  
6 tried taking the blame for myself trying to say that I did  
7 it all myself. But they kept saying that there was no way  
8 that I did it all myself. So I changed my story into  
9 saying that I did not do it myself.

10 Q Okay. But certainly, I mean, you make admissions  
11 that subsequently law enforcement uses against you in this  
12 statement; is that right?

13 A Yes, ma'am.

14 Q And that you believe that at that time you were under  
15 the influence of these drugs that you've testified to,  
16 correct?

17 A Yes, ma'am.

18 Q Now, did you have the occasion to discuss this with  
19 Mr. Pringle, the fact that you say you were under the  
20 influence of drugs when you made this incriminating  
21 statement? Did you have a chance to talk with Mr. Pringle  
22 about that?

23 A I did. And I don't recall it bringing -- him  
24 bringing it up to when I was being sentenced.

25 Q Okay. Did you discuss with Mr. Pringle the

1 possibility of a motion to suppress your statement?

2 A I don't recall.

3 Q Okay. And so obviously, you understand I just told  
4 the Court that on March 10, 2021, you entered a guilty  
5 plea before Judge Leticia Verdin, correct?

6 A Yes, ma'am.

7 Q And so you did not proceed to trial, right?

8 A Yes, ma'am.

9 Q Okay. And why is that? Why did you take that plea?

10 A Because I was told that was pretty much the only plea  
11 I was going to be given.

12 Q Okay. And so did you discuss with Mr. Pringle the  
13 possibility of proceeding to trial in this case?

14 A I was told that I shouldn't.

15 Q Tell me why. Why were you told that you shouldn't go  
16 to trial?

17 A Because it would be a very bad outcome.

18 Q Okay. And what does that mean?

19 A I'd probably get life.

20 Q Life in prison. Okay.

21 And your testimony is that you got 45 years; is that  
22 right?

23 A Run concurrent. Yes, ma'am.

24 Q Run concurrent with the other, the two 30s; is that  
25 right?

1 A (No verbal answer.)

2 Q Okay. And that's certainly less than life, right?

3 A Yes, ma'am.

4 Q Did you have the occasion to talk with Mr. Pringle  
5 about if you went to trial, what the evidence would be  
6 against you at trial? Did you have any discussion with  
7 Mr. Pringle about that?

8 A I don't think so.

9 Q Do you have any recollection of that?

10 A I don't think we ever discussed that.

11 Q Okay. Now, you also allege in your PCR complaint  
12 that you say, you made reference to it, "The attorney told  
13 me my plea deal would be for less time." Do you recall  
14 writing that in your complaint?

15 A Yes, ma'am.

16 Q And why did you write that?

17 A Because I was told that it would be around a less  
18 amount of time than what my charges would carry.

19 Q Okay. So do you have a specific number that you were  
20 told that you would get? I mean, I guess, you know, long  
21 story short, you're here asking for relief from the Court  
22 because you seem to be surprised and upset that you got  
23 45 years, plus 30, plus 30 concurrent, right?

24 A Yes, ma'am.

25 Q And explain that to the Court. Why are you upset

1 about that?

2 A Because at first I think I was told that I'd get  
3 around ten years. And then when I came into court, he  
4 said I'll try to get you 30 years. So when the judge hit  
5 me with a total of 105 years, I was stunned and said  
6 nothing at all when I was sentenced.

7 Q Okay. But it was, again, they're concurrent, right?

8 A But I didn't know that at the time.

9 Q Okay, okay. But you say that your attorney told you  
10 that he would try to get you 30. That was your testimony,  
11 right?

12 A Yes, ma'am.

13 Q Okay. And so it seems like you knew that you would  
14 at least get 30 if you entered the plea. Is that a fair  
15 statement?

16 A Yes, ma'am.

17 Q Okay. And have you had an opportunity to review  
18 Judge Verdin's guilty plea soliloquy, as we say, like the  
19 transcript of the guilty plea?

20 A What do you mean?

21 Q Okay. Well, you understand that Judge Verdin, when  
22 you pled guilty in front of Judge Verdin, did Judge Verdin  
23 not inform you of what the possible penalties might be if  
24 you pled guilty? Do you recall that?

25 A I don't recall.

1 Q You don't recall that. Okay.

2 But certainly, on that day when you pled in front of  
3 Judge Verdin, you wanted to plead guilty; is that right?

4 A Yes, ma'am. Which I felt like that's the only option  
5 I had.

6 Q Okay. And if you could just elaborate on that. Why  
7 did you think that was the only option that you had? Was  
8 that because of the communication that you had had with  
9 Mr. Pringle?

10 A Yes, ma'am.

11 Q Okay. And that was going over the discovery; is that  
12 right?

13 A Yes, ma'am.

14 Q And did you talk to Mr. Pringle about basically how  
15 much evidence the State had against you to proceed to a  
16 trial?

17 A I don't think we really went around what evidence  
18 they had, because really, the only evidence they had was  
19 my statement.

20 Q Okay. Were you also concerned that your codefendants  
21 might testify against you?

22 A I was not concerned about that at all.

23 Q Okay. And so your decision -- but your testimony is  
24 that you pled guilty because you thought it potentially  
25 could get much worse at a trial, right?

1 A From what he said.

2 Q And that's what Mr. Pringle said, right?

3 A Yes, ma'am.

4 Q Just one more time, was there anything about what  
5 Mr. Pringle said that led you to believe that it could get  
6 worse for you if you went to trial?

7 A That taking a plea deal was my only option.

8 Q Okay. Now, again, I think you testified to that  
9 there was no discussion with Mr. Pringle about, you know,  
10 filing a motion to suppress the statement, right?

11 A Yes, ma'am.

12 Q Okay. And so you don't have any recollection that  
13 you spoke to him about that, right?

14 A No, ma'am.

15 Q Okay. And from your perspective, your opinion is  
16 that essentially, the only evidence or certainly the  
17 strongest evidence that the State had was that you should  
18 never have given that statement because you were under the  
19 influence of drugs; is that right?

20 A Yes, ma'am.

21 Q And you testified to those drugs, right?

22 A Yes, ma'am.

23 Q Okay. Did Mr. Pringle, during the course of your  
24 communication with him, let's say, in the days leading up  
25 to your guilty plea on March 10, 2021, did you have

1 sufficient time to speak with him about the guilty plea?

2 A I spoke to him about maybe once or twice.

3 Q Because earlier you said you couldn't remember how  
4 many times. I mean, you said at least ---

5 A After I got the plea.

6 Q Okay. So did -- the State came to Mr. Pringle at  
7 some point with a plea offer, right?

8 A Yes, ma'am.

9 Q And so your testimony is that you spoke to him once  
10 or twice regarding that plea agreement; is that right?

11 A Yes, ma'am.

12 Q Okay. And do you recall, was your case ever  
13 essentially, as we say, on the trial docket? Was it ever  
14 set for trial? Do you recall?

15 A What do you mean?

16 Q Were you ever noticed that the State was going to  
17 call your case for trial at some point or did the  
18 State ---

19 A I was told what day I was going to go to court and  
20 showed up to court.

21 Q Okay. And that was the day that you pled?

22 A And I signed the plea agreement. And I don't know  
23 how long after that I showed up to court.

24 Q And so did Mr. Pringle give you the plea agreement to  
25 sign?

1 A Yes, ma'am.

2 Q And did you sign the sentencing sheets?

3 A I signed, I think, one piece of paper.

4 Q You definitely signed something that day that you  
5 pled, correct?

6 A Yes, ma'am.

7 Q Okay. And if I told you that your sentencing sheets  
8 do have your signature, would that surprise you?

9 A No, ma'am.

10 Q Okay. How much time did you think you were going to  
11 get?

12 A Not what I got.

13 Q Well, and I think certainly you've testified that  
14 your attorney told you he would try to get you 30, right?

15 A Yes, ma'am.

16 Q If you had gotten 30, would you have pursued this  
17 case today?

18 A No, ma'am.

19 Q No? Okay. So it's really just the number of years  
20 for the murder that's upsetting; is that right?

21 A What I got total.

22 Q The total. Okay.

23 And do you know what your out date is at this point?

24 A 2060 something.

25 Q 2060. Okay.

1           But again, your allegation is that your attorney told  
2           you the plea deal would be for less time. Did Mr. Pringle  
3           ever make you any promises about what the sentence would  
4           be?

5           A     No, ma'am.

6           Q     No. Okay.

7           And did you discuss with him the possible sentencing  
8           range for murder which would have been -- did he ever  
9           discuss that with you?

10          A     Yes, ma'am.

11          Q     Okay. All right. Now, do you understand,  
12          Ms. Castro, that you were in the court and heard me tell  
13          the judge that you wanted to amend your complaint to ask  
14          for a new trial, right? Is that right?

15          A     Yes, ma'am.

16          Q     Okay. And you understand that if the Court finds  
17          that your attorney was ineffective and grants your relief,  
18          then you'll be sent right back down to the county and  
19          there won't be any guarantees of any kind of plea offer.  
20          You understand that.

21          A     Yes, ma'am.

22          Q     And knowing that, you still wanted to pursue this  
23          complaint today.

24          A     Yes, ma'am.

25          Q     Okay. Is there anything else that you feel that I've

1 neglected to bring to the Court's attention about your  
2 case?

3 A No, ma'am.

4 MS. MOORE: Judge, I have no further questions.

5 THE COURT: You want to do your cross tomorrow?

6 MS. BROWN: Yes, sir. I can do that.

7 THE COURT: Because I thought y'all had a witness who  
8 couldn't be here tomorrow and you wanted to do it this  
9 afternoon. But it's 5:00.

10 MS. BROWN: If we could call Mr. Pringle out of  
11 order, I can do my cross-examination tomorrow.

12 THE COURT: Okay.

13 MS. BROWN: We do have the order to allow the inmate  
14 to stay overnight with the clerk, I believe.

15 THE COURT: Okay.

16 THE CLERK: Yeah. You've got to add something to it,  
17 though. She didn't know the reason, so you've got to add  
18 something to it before I print it off.

19 MS. BROWN: Is there any way to print it?

20 THE CLERK: Yeah. I'm going to after you make the  
21 amendment.

22 THE COURT: Well, the immediate concern now is do you  
23 want to call a witness this afternoon that's not available  
24 tomorrow or not?

25 MS. BROWN: Yes, sir.

1 THE COURT: Okay. Step down, please.

2 MS. BROWN: Your Honor, with agreement and consent of  
3 the Court, we would ask to call Kraig Alan Pringle to the  
4 stand, please.

5 THE CLERK: Mr. Pringle, please raise your right  
6 hand.

7 WHEREUPON,

8 KRAIG PRINGLE

9 After having been duly sworn, testified as follows:

10 THE CLERK: And please state your full name for the  
11 record.

12 THE WITNESS: My name is Kraig Alan Pringle.

13 THE CLERK: Thank you. You may be seated.

14 DIRECT EXAMINATION

15 BY MS. BROWN:

16 Q Good afternoon, Mr. Pringle.

17 A Good afternoon.

18 Q Thank you for staying with us today. It's been a  
19 long day and I appreciate you being here.

20 I wanted to put on the record that you have been here  
21 through your former client's initial testimony, her direct  
22 testimony in this postconviction relief action, and you  
23 know that the allegation has to do with ineffective  
24 assistance of counsel for not pursuing some kind of motion  
25 to suppress on the statement.

1 A I'm aware, yeah.

2 Q And also the sentencing range. Just for the record,  
3 sir, if you would, just sort of give us an idea of how  
4 many felony cases you have handled at the time that you  
5 represented Ms. Castro. Just a general ---

6 A You mean in all my years?

7 Q Yes. Just general.

8 A Thousands. You mean by that time?

9 Q Uh-huh.

10 A Yeah. Thousands. I spent about ten years as an  
11 assistant solicitor, and then I've been -- I was at that  
12 time about 14 years in private practice after that. And  
13 as far as handling case -- felony level cases, thousands,  
14 thousands. I don't know how many. But yeah.

15 Q And you had experience in looking at statements, see  
16 if they were voluntary?

17 A Yes.

18 Q See if Miranda rights were given?

19 A Yes.

20 Q Do you recall whether Ms. Castro ever told you that  
21 there was some problem with her statement?

22 A No. This is the first I heard anything about that,  
23 actually, as far as her allegation that she was under the  
24 influence. I don't know if that's true or false, but I  
25 know that we never discussed that.

1 Q Okay. Are you aware that she executed a waiver of  
2 rights confirming Miranda was given to her?

3 A Yeah.

4 And hearing her testimony, I just want to clear up  
5 and I think we've investigated just to verify, but her  
6 statement was recorded and videotaped. There wasn't  
7 actually a written version, if I recall, but there often  
8 is like a summary.

9 But certainly, you know, I had an opportunity to look  
10 over her statements at length. We discussed them I  
11 believe in like at least the relevant aspects of them.  
12 And if at any -- I know that if at any time she would have  
13 told me that she was high or otherwise, you know, that her  
14 statement would have been impacted in any way, that would  
15 have been something that we would have pursued.

16 Q Okay. Did she ever tell you anything along the lines  
17 of what you heard today, that she was changing facts  
18 within her statement as to who did the shooting?

19 A I do recall that I think she initially said that she  
20 was the only perp involved, and then she backed off of  
21 that because the police, it was -- they just -- they  
22 thought that was ridiculous. And based on at least my  
23 viewing of the evidence in each case, you know, it didn't  
24 add up either. And I think she realized that, from my  
25 discussions with her, that that was untruthful to start

1 with. I don't know if it was an effort.

2 They had a relationship, her and the codefendant.  
3 They had like a romantic relationship. They were very  
4 close. And I don't -- maybe that had something to do with  
5 why she tried to keep him out of it, I guess. But he was  
6 obviously a major part of it. He was the shooter in the  
7 first case for sure.

8 Q And you recall that Judge Verdin placed on the record  
9 that she was taking into account not only that Ms. Castro  
10 gave a statement, but that she was willing to cooperate  
11 and build a case against Mr. Bynum [sic]. Do you recall  
12 that statement? Can you tell us about it?

13 A About which?

14 Q Was your client willing to cooperate and build a case  
15 against Mr. Bynum?

16 A You know, we discussed that, but it never came to  
17 that. Frankly, my recollection in dealing with Marcus  
18 Smith who was the assistant solicitor, from jump,  
19 Mr. Smith wasn't -- he wasn't making much of an offer  
20 because the State felt like they had a very strong case  
21 against both defendants. So I don't think we got really  
22 far with the idea of her, say, cooperating against -- I  
23 think his name was Bynum. I know it was like he had a  
24 street name, but I think his name was Bynum, Adam Bynum,  
25 maybe, or Aaron.

1           But no. We didn't -- her and I didn't discuss at  
2 length, although it was something that I went to the State  
3 about and I think Ms. Castro and I talked about, hey, this  
4 might be a way, you know, for you to mitigate your  
5 situation.

6           But really, the truth was there was never any offer  
7 of a recommendation. It was plead to murder and plead to  
8 the attempted and take your shot. We never got any  
9 better than that as far as an offer. So it was something  
10 that was discussed as far as maybe her implicating at the  
11 time her boyfriend, the codefendant, but honestly, that  
12 was kind of a dead dog from jump. The State was not  
13 really interested in her cooperation. They felt like they  
14 had enough of a case against both of them. That's my  
15 recollection.

16 Q       But your client didn't give you any information there  
17 was anything wrong with the statement that she gave to law  
18 enforcement.

19 A       Not during my dealings with her.

20           I mean, and I heard her testimony. And she's right.  
21 I told her murder is 30 to life. There also were two guys  
22 that got shot that weren't killed. Those are the two  
23 attempted murders. And they both ID'd the two subjects.  
24 So I didn't hear anything about that.

25           It wasn't just the statement that she gave -- the

1 statements, I guess. There was also other evidence that  
2 the State had to corroborate what was going on. So that  
3 didn't happen in a vacuum.

4 And I did advise her if we go to trial, it's a high  
5 probability -- look, I'm going to do my best, but it's a  
6 high probability that you're going to be convicted, and if  
7 you are after trial, you put 12 people through all that  
8 and a week worth of court time, you can probably bet  
9 you're not getting 30. You're going to get something  
10 north of 30. I definitely would have told her that. I do  
11 recall having that discussion with her. But there was no  
12 recommendation.

13 Q Now, Mr. Jamie Smith was murdered in his vehicle.

14 A Right. I'm referring to the attempted murders.  
15 Those two guys survived.

16 Q And Jacori Ashley was shot in the mouth/nose area; do  
17 you remember that?

18 A Yeah. I think he got shot in the mouth and it blew  
19 out teeth and stuff. But he was the driver. And believe  
20 it or not, I think he actually drove the vehicle to the  
21 hospital with the other guy in the passenger's seat. And  
22 I believe that guy was paralyzed.

23 Q Mr. McCullough?

24 A Yeah, yeah, yeah. McCullough. I don't -- I don't  
25 recall his first name. But certainly that young man was

1 paralyzed because, of course, the family -- that all came  
2 out at the sentencing hearing.

3 Q I just want to underscore these were very significant  
4 injuries that supported the attempted murder charges,  
5 correct?

6 A I think both those guys are lucky they're alive,  
7 frankly. The one got shot through the face and the other  
8 one is paralyzed permanently. I think the bullet went  
9 through like -- it was almost like the magic bullet, if  
10 you will. I think it went through several parts of his  
11 body. And yeah. He ended up paralyzed.

12 Q And you were able to get the State to agree to drop  
13 three charges, weapon charges, correct?

14 A I believe that's right. Yeah.

15 Q And two conspiracy charges?

16 A I want to say there were five or six charges that the  
17 State was willing to forgo in exchange for the plea to the  
18 two attempted -- attempted murder, rather, and the murder.

19 Q And I believe you heard Ms. Castro testify today that  
20 she wanted to plead guilty because she felt that was the  
21 only option.

22 A I've never used that terminology with a client saying  
23 you've got to do this. This is your only option. I may  
24 say, hey, you really have to take -- you know, your only  
25 other option is trial, and we've gone over what I feel --

1 or at least, you know, it's not my call. The language I  
2 use is I'm the bus but you're driving the bus. Okay.  
3 That's what I tell clients. They've got to make the final  
4 call, and I just try to level with them about what I think  
5 the likelihood of each one of those steps is.

6 And we did discuss that at length because that was  
7 everything. I mean, we're wide open from 30 to life on  
8 that plea, so, of course, that was a big concern that she  
9 had. And anybody that I've ever dealt with in a similar  
10 situation was obviously wanting to pin me down or  
11 determine what they're really going to end up getting, so  
12 it's difficult to tell them. But, you know, all we can do  
13 is do our best and hope that it works out and the judge  
14 sees it our way.

15 Q So with the statement, the statement she admitted her  
16 involvement, correct?

17 A Absolutely. Yeah.

18 Q And at the plea itself, Ms. Castro said, if you  
19 recall, "I stand here today to give my apology to the  
20 victims and the people it affected. I'm not expecting  
21 your forgiveness. I just want you to know I'm sincerely  
22 sorry. I am nothing like I used to be at that time. I  
23 was under the influence of drugs and not in my right  
24 mind." Do you remember that statement?

25 A Yeah, I do.

1 Q Okay. So she apologized for what she did?

2 A Yeah. In fact, I recall that she ran a few things by  
3 me that she intended to say or maybe she wanted me to say  
4 on her behalf. And it's interesting I remember because  
5 Assistant Solicitor Smith and I talked, and as a courtesy,  
6 prior to the plea, he came to me with some information  
7 that he had about recent communications that she had made  
8 that, let's say, were -- ran contrary to the idea that she  
9 was really remorseful. And I think he even pointed out  
10 the shoes kind of come to mind, if I recall. I don't  
11 remember what was specifically on there, but it was some  
12 kind of ---

13 Q Was it a gang symbol?

14 A Yeah. And she was -- she was part of a gang, or at  
15 least she told me she was. I don't remember what the name  
16 of it was. I think Gangster Disciples. I think the way  
17 she explained it, it was a spin-off of some bigger gang.  
18 But clearly, there was a lot of gang stuff involved like  
19 with social media. And I don't remember all the -- I  
20 remember some of the quotes because they still stick with  
21 me.

22 But we didn't end up going into a lot more about her  
23 remorse because like I said, I felt like there was a  
24 serious -- that could backfire big time at the time of the  
25 plea. And it maybe did because I think the solicitor

1 pointed out her shoes and some other things, and that  
2 certainly did not help us.

3 Q And you recall something about the shoes. Would it  
4 sound correct to you that the solicitor mentioned her jail  
5 slippers had six-point Folk Nation stars drawn on them?

6 A Right. That's right. Yeah. Again, I'm not up on  
7 all the gang lingo, but it was something that was readily  
8 ID'd. And there were a lot of people in court that kind  
9 of commented on that, noticed that. I do remember that.

10 Q And there was a series of communications, I think you  
11 alluded to that a moment ago in your testimony, where she,  
12 again, admitted to others that she had been involved in  
13 the murder and the two attempted murders?

14 A Yeah, yeah. I mean, within I guess you'd say her  
15 circle, you know, on the streets, there's a lot of talking  
16 going on. I mean, there was some evidence that maybe the  
17 initial shooting where the two guys got -- you know, that  
18 survived, I think one or more of them may be -- there was  
19 some talk that they had had maybe some kind of  
20 relationship with Corina -- or Ms. Castro at that time,  
21 and maybe that was part of the motivation for Mr. Bynum  
22 wanting to do what he did.

23 There was a lot of talking going on from all corners  
24 during the case, and to the extent the State had gotten  
25 ahold of some of it, that wasn't going to be helpful to

1 us.

2 Q And there was an indication that Ms. Castro had at  
3 least suggested that she'd taken part in taking out a  
4 snitch, in her term.

5 A Yeah. That's one of the quotes I remember. And I  
6 don't mean to make light, but I think it was snitches get  
7 stitches or -- and snitches end up in ditches I think is  
8 the language. And I think there might have been some  
9 posting or social media or something else out there.  
10 Yeah. It was something like that.

11 Q I want to ask you, after the plea, did you get to  
12 talk to Ms. Castro?

13 A I usually -- I usually do when someone is -- you  
14 know, when it's a case like that with a big sentence and  
15 we didn't know what was going to happen and it's up to the  
16 Court, I believe very briefly on the way out the door, you  
17 know. Because we do the plea and then they take them away  
18 or whatever. I think I said, you know, contact me, you  
19 know, when you get where you're going. Let me know if  
20 there's anything I can -- good luck, you know.

21 There was no -- you know, it was a sad day in a lot  
22 of ways. A guy was dead, two guys were hurt, her life was  
23 ruined, you know. It was a very kind of somber, I guess,  
24 mindset that I remember.

25 And I think I did. I spoke to her very quietly on

1 her way out.

2 But no. We didn't go out and, you know, get into the  
3 particulars of -- you know, she never said anything like  
4 -- I think she was shocked.

5 But frankly, I think she knew what could happen.  
6 Yeah. I mean, I don't have much doubt about that, you  
7 know. I didn't know what the judge would give her either.

8 But I think she said earlier that I told her she  
9 might get ten or 20. I would have never said that. That  
10 wasn't even legally possible. I think I might have said,  
11 hey, I'm going to try to get as close to 30 as I can.  
12 Because it's 30 -- you know, we're looking at 30 minimum.  
13 So I probably said, you know, if everything goes right,  
14 try to get as close to 30 as we can, but it's going to end  
15 up somewhere between 30 and all day -- you know, your  
16 life. We did talk about -- that's the only thing that  
17 really we talked about at that point because that was the  
18 biggest, you know, I guess, uncertainty.

19 And clients always want to know, you know. Nobody  
20 wants you to tell them I'm not sure. I'll do my best.  
21 That certainly was the situation here.

22 Q But she had indicated to you that she wanted to plea,  
23 and you attempted to negotiate the best plea deal that you  
24 could.

25 A I did. And -- you know, and again, I see Marc Smith

1 is here. I don't want to put him on the spot. But, I  
2 mean, I think he'd agree that I went back to him I don't  
3 know how -- we had extensive discussions. I mean, every  
4 time we saw each other in court, we were emailing each  
5 other, talking, texting, you know. We -- we went back and  
6 forth about that. I can't even tell you how many times we  
7 spent doing that.

8 But that was -- at that point that was all there was  
9 as far as the case, as far as my -- my viewing of where we  
10 were. And I have no doubt Ms. Castro understood that.

11 Q And Ms. Castro never tried to get in touch with you  
12 after the plea and sentencing.

13 A I don't think -- I don't think I've heard from her at  
14 all. I think I might have spoke to her mother. I've  
15 talked to her mother a few times during all this because  
16 there was Corina -- sorry -- Ms. Castro had given me  
17 indications that she thought gangsters or other people  
18 were making threats to her mother doing like drive-bys and  
19 hang-up phone calls and stuff. And so I talked to her mom  
20 a couple times because I thought it might have an impact  
21 on what we're doing, you know. Who are these people and  
22 is it something I need to explore, you know.

23 And I did speak with her mom a few times, and her mom  
24 was legitimately afraid. But she said she could handle  
25 herself and all that. I think I may have talked to her

1 mom after the sentencing, but I haven't seen Corina -- I  
2 haven't seen Ms. Castro since that day. And I don't think  
3 she's reached out to me. If she had, I didn't know about  
4 it.

5 Q But just because she was fearful for her mother.  
6 That would be the only thing that you would have known  
7 after ---

8 A No. I mean, what I meant was I think I spoke to her  
9 mother on the phone after the sentencing. Other than  
10 that, I haven't spoken to her or anybody else involved in  
11 the case other than Mr. Smith.

12 MS. BROWN: Thank you, sir. No further questions.

13 Oh, excuse me. If I may have a moment, please.

14 Your Honor, if I could have just maybe three more  
15 questions.

16 THE COURT: Okay.

17 BY MS. BROWN:

18 Q Going back, I wanted to make sure that I placed on  
19 the record clearly that you did get a copy of the recorded  
20 statement, correct?

21 A Yeah. It was in the discovery, yeah.

22 Q Okay. And you would have watched that.

23 A Multiple times, yeah.

24 Q Multiple times.

25 A Yeah.

1 Q And if you had seen something on there that indicated  
2 that your client appeared high to you or out of it in some  
3 way, would you have done something?

4 A Absolutely.

5 And -- you know, and it's funny because I think she  
6 -- they were trying to pin her down about how often we  
7 met. And I actually went back, you know, knowing that we  
8 had this proceeding coming up because I didn't remember  
9 all the details. And it looks like we met nine times.  
10 Okay. And that kind of thing never came up. You know, I  
11 wish it would have because I would have certainly done  
12 something about it. It would have definitely been  
13 discussed between myself and the State, and I probably  
14 would have filed some type of -- you know, I don't know.  
15 We would have chased that. And that's something I would  
16 definitely remember because it's big. It's the biggest  
17 thing -- I mean, that would be something that we would  
18 have had to have done.

19 Now, I knew Corina had a history with drugs. But, I  
20 mean, you know, honestly, 90 percent -- probably nine out  
21 of ten of the people I represent have some kind of  
22 connection to that, you know. So it's one thing to know  
23 that. I knew she was in that lifestyle. We talked about  
24 it, you know, many times.

25 But no. The idea of her being high or intoxicated at

1 the time -- and, you know, the police did their thing at  
2 the statement as well. You know, there was no indication  
3 of that. That never even entered my mind.

4 MS. BROWN: Thank you. No further questions.

5 MS. MOORE: Thank you, Judge.

6 CROSS EXAMINATION

7 BY MS. MOORE:

8 Q Mr. Pringle, essentially, tell us what the evidence  
9 was against my client.

10 A In a nutshell, again, I don't have it all in front of  
11 me, okay, but the basics were there were two incidents.  
12 Okay. And one of them was a setup where Ms. Castro and  
13 her codefendant Bynum -- evidently, there had been some  
14 communication between Bynum and the driver. I forget  
15 their names again, I'm sorry, of the two guys that got  
16 shot and survived. The one that got shot through the  
17 cheek, he was the driver. He knew -- they all knew each  
18 other because they worked at a rim shop that I believe  
19 Ms. Castro's mother owned.

20 Bynum, her codefendant and boyfriend, and the guy  
21 that got shot through the cheek that survived, there was  
22 communication between Bynum and him, and they were going  
23 to meet. And Castro and Bynum were on the phone with him  
24 walking up to his car, you know, saying, hey, this is us,  
25 we're coming up, you know, whatever. And immediately,

1 Bynum opened fire and shot these guys. It was supposed to  
2 -- it was allegedly supposed to be a setup, a robbery.

3 And then the other case was -- I believe was it a  
4 Mr. Smith, I think? He was the deceased. They found his  
5 body, and there was some evidence that they found. It was  
6 notes he'd taken about meeting Bynum and then, of course,  
7 you know, later Corina ends up, you know, giving her  
8 statement. I think the word she said was that it was her  
9 call to deal with him, which was street language for kill  
10 him. And yeah.

11 So, I mean, the basics were that she implicated  
12 herself and Bynum in each -- I know they found a -- at the  
13 first one, on the attempted, they found -- or, you know,  
14 they did the ballistic, you know. They matched the  
15 bullets with a gun that he had.

16 And then the murder was like three or four days after  
17 the attempted murder. I want to say it was about -- it  
18 was like in July of '19. It was like the 14th or maybe  
19 the 19th. It was like three or four days later is when  
20 this guy is murdered.

21 And then, of course, you know, she had given her  
22 statement about that. That was also going to be a robbery  
23 setup. And, of course, they ended up killing him.

24 Q But it sounds like the most compelling evidence  
25 against Ms. Castro was her statement; is that fair to say?

1 A Yeah. I mean, you had the two eyewitnesses from the  
2 attempted. Of course, the guy -- the murder, he couldn't  
3 -- you know, he was deceased.

4 Q Right.

5 A But, you know, I'd say her statement was --  
6 obviously, it was very compelling.

7 Q Did you have a concern about any codefendants  
8 testifying against her at trial?

9 A Yes.

10 Q Why?

11 A I think we discussed that. Because she had this  
12 thing. It frustrated me, frankly. And she probably  
13 remembers. I have a daughter her age, and I remember  
14 talking to her a few times, like, you know, how did you --  
15 how did you get into all this? How did you get with this  
16 guy? You know, at first I was thinking, you know, he's  
17 the bad guy and she, you know, picked a bad boyfriend and  
18 got into it that way. So we discussed that a lot. And I  
19 kept telling her because she had this like loyalty to him  
20 that I perceived, you know, and this whole thing, this  
21 gangster thing about not snitching and all this business.  
22 And I kept telling her, you know, this is your life. You  
23 need to forget about him because your relationship's over  
24 one way or another.

25 But I did tell her, hey, what makes you think he

1 won't put the finger on you? And it was something I had  
2 to consider because the evidence wasn't quite -- I don't  
3 recall if it was quite as conclusive about necessarily how  
4 the murder actually -- you know, the particulars other  
5 than she had said they set it up, she was part of it, they  
6 both did it. But I did talk to her because I said I don't  
7 know why you're loyal to this guy because he'll throw his  
8 own grandmother under the bus to save his life.

9 Q Did you at any time make her any promises about how  
10 many years she would get in a plea deal?

11 A You know what? I've never done that in my 27 years.  
12 So I'm going to say no. And I do recall I never gave her  
13 a number. That's just -- that would be beyond  
14 irresponsible, setting me up for a problem. And that just  
15 was never the situation. I mean, I did say something  
16 along the lines of I'm going to try to get as close to 30  
17 as I can. That's all I -- yeah.

18 Q Were you satisfied when you spoke to Ms. Castro about  
19 the plea, that she was committed to taking the plea?

20 A Yeah. I think she consulted with her mom. I don't  
21 remember if her mom and I talked about it. But she had --  
22 she -- I believe she had put considerable thought into it  
23 and she was ready to get it over with, you know, to get  
24 going with it. Yeah.

25 MS. MOORE: Judge, I have no further questions.

1 MS. BROWN: Nothing further, Your Honor.

2 THE COURT: Thank you. Step down.

3 THE WITNESS: Thank you.

4 THE COURT: All right. Court is in recess until  
5 10:00 in the morning.

6 (WHEREUPON, a recess is taken at 5:19 PM.)

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1 Q Right? But you did not want to go to trial,  
2 correct?

3 A I felt like I didn't have an option to take that plea  
4 deal, hence the reason I did not go to trial.

5 Q So you did not want to go to trial.

6 A I didn't take it to trial.

7 Q Okay. So what exactly did you want counsel to do  
8 with the information about your statement?

9 A To help me get as lower as a sentence as I could.

10 Q Okay. And your statement was referenced at the plea,  
11 correct?

12 A Can you repeat that?

13 Q Your statement was referenced at the plea, correct?

14 A What do you mean?

15 Q Judge Verdin took into account that you made a  
16 statement.

17 A Like my witness statement?

18 Q Let's talk about your statement for just a minute.  
19 You admitted your guilt to Judge Verdin, correct?

20 A Yes, ma'am.

21 Q And you apologized to the family, correct?

22 A Yes, ma'am.

23 Q Okay. And the statement that you gave law  
24 enforcement that you now say you were under the influence  
25 when you gave, that statement was one of the major factors

1 that allowed a reduced sentence, correct?

2 A Yes, ma'am.

3 Q You remember Judge Verdin saying that, in fact.

4 A I do not.

5 Q You do not? If it's in the record, would you agree  
6 that's what she said?

7 A If it's in the record.

8 Q Would you like to see a copy of the record? Have you  
9 seen your transcript?

10 A I have not seen it.

11 MS. BROWN: The Court's indulgence just a moment.

12 May I approach the witness, Your Honor?

13 THE COURT: Yes, ma'am.

14 BY MS. BROWN:

15 Q Ms. Castro, I'm going to hand you a copy of a  
16 transcript of record. It shows March 10, 2021. Isn't  
17 that when you pled guilty before Judge Verdin?

18 A Yes, ma'am.

19 Q Okay. If you wouldn't mind, how about going over to  
20 page 27. Can you turn that to 27? Do you see there  
21 around line 8? Got numbers going down the left side of  
22 the page. "I do take into account the fact that you not  
23 only gave a statement in this case, but were willing to  
24 cooperate." Do you see that one?

25 A Yes, ma'am.

1 Q And you see Judge Verdin said, "I do take that into  
2 consideration"?

3 A Yes, ma'am.

4 Q So your statement was used to try to obtain a lesser  
5 sentence, correct?

6 A What does that have to do with me being under the  
7 influence?

8 Q Well, I can't answer your questions. This is the  
9 time for me to ask you questions.

10 You want that statement used, and it was used to your  
11 benefit.

12 A Yes, ma'am.

13 Q Okay. Now, when you were talking about your  
14 statement and that you said you were under the influence  
15 of meth, did you ever tell anybody that?

16 A I told my lawyer.

17 Q You told your lawyer. What about at that time? Did  
18 you tell the officers, "I don't want to talk"?

19 A I was under the influence and wasn't in my right  
20 mind.

21 Q Okay. But you seem to have recollection of what  
22 happened at the time that you gave your statement.

23 A And as you can tell not in my motion but in the  
24 video, I've also changed my story multiple times.

25 Q Uh-huh. And you recall doing that because you just

1 shared that with us.

2 A Later on in the time when I had time to think about  
3 it and looked in my motion. Yes, ma'am.

4 Q And I believe you said yesterday that you were not  
5 given Miranda warnings, right?

6 A I do not remember that.

7 Q You don't remember.

8 And you know what Miranda warnings are, right?

9 A Yes, ma'am.

10 Q Okay. I'd like to show you a document that has been  
11 premarked Respondent's Exhibit 1, previously shared with  
12 counsel.

13 MS. MOORE: No objection.

14 BY MS. BROWN:

15 Q Ms. Castro, can you tell me if you recognize that  
16 document?

17 A I do not, but it has my signature on it.

18 Q It has your signature on it?

19 And what are your initials?

20 A CC.

21 Q Just CC. No middle initial.

22 A I don't put my middle initial.

23 Q Okay. Would you agree with me that there are a  
24 series of statements that you appear to have initialed?

25 A Yes, ma'am. It appears so.

1 Q Okay. And they warn you, you have the right to  
2 remain silent. Anything you say can be used against you  
3 in court. You have the right to talk to a lawyer. If you  
4 don't have money for a lawyer, a lawyer will be provided  
5 to you. All that, correct?

6 A Yes, ma'am.

7 MS. BROWN: Your Honor, we move this into evidence.

8 MS. MOORE: No objection.

9 THE COURT: It's admitted.

10 (WHEREUPON, Respondent's Exhibit Number 1 was admitted  
11 into evidence.)

12 BY MS. BROWN:

13 Q Okay. And that wasn't the only document you signed  
14 that time, was it?

15 A I don't remember.

16 Q Did you remember a waiver for a DNA sample?

17 A I do not remember.

18 Q Do you remember consent to search?

19 A I don't remember signing nothing. Like I said, I was  
20 under the influence.

21 Q I was just wondering why you didn't want your  
22 attorney to object to the DNA sample you gave or your  
23 consent to search.

24 A I don't remember none of this.

25 Q Okay.

1 (WHEREUPON, Respondent's Exhibit Number 2 and 3 were  
2 marked for identification.)

3 BY MS. BROWN:

4 Q Ms. Castro, I'm going to show you what's been marked  
5 Respondent's for identification 2. Do you recognize that  
6 document?

7 A (Reviews exhibit) I do not.

8 Q What is it labeled?

9 A DNA waiver.

10 Q DNA waiver.

11 Is that your signature on it?

12 A It looks like it.

13 Q What about Respondent's Exhibit Number 3 for  
14 identification? Do you recognize that?

15 A Consent to search. No, ma'am, I do not. Yes, that's  
16 my signature.

17 Q That's your signature. It says "consent to search"?

18 A Yes, ma'am.

19 MS. BROWN: Your Honor, we would move in 2 and 3.

20 MS. MOORE: No objection.

21 THE COURT: They're admitted.

22 (WHEREUPON, Respondent's Exhibit Numbers 2 and 3 were  
23 admitted into evidence.)

24 BY MS. BROWN:

25 Q Okay. And you mentioned that your statement to

1 investigators is recorded. And you've seen that  
2 recording, right?

3 A I have not seen that recorded, and I stated that.

4 Q So you remember them recording it?

5 A I remember there being a camera in there.

6 Q Well, is there anything you want to share with us  
7 that would indicate that you were not able to make a  
8 voluntary statement? You nodding off, anything like that?

9 A I do recall me -- I do remember me being up for a  
10 while because I was under the influence of meth and  
11 cocaine.

12 Q You do remember being up, but you don't remember  
13 telling them that you don't know what's going on, some  
14 problem?

15 A I don't remember telling them I was under the  
16 influence, no.

17 Q Okay.

18 A They were asking me questions left and right.

19 Q And you answered them.

20 A And told different stories. Yes, ma'am.

21 Q Okay. And at your plea, the State indicated not only  
22 that you gave your statement at the investigative level,  
23 but you were ready to testify against your codefendant,  
24 correct?

25 A Yes, ma'am.

1 Q And I believe some of your messages that were  
2 referenced at the plea hearing referenced the treatment  
3 that snitches have.

4 A Yes, ma'am.

5 Q That can be deadly where you come from.

6 A Yes, ma'am.

7 Q Okay. And when you went to the jail, at some point  
8 you became concerned about your mother, correct?

9 A Yes, ma'am.

10 Q All right. Well, do you think that trying to get out  
11 from under the statement where you admitted involvement  
12 and where you implicated your codefendant could have  
13 something to do with not wanting to be seen as a snitch?

14 A No, ma'am.

15 Q Nothing at all?

16 A It was relationship issues. Had nothing to do with  
17 what was going on in my case.

18 Q You remember being concerned about your mother.

19 A I do remember being concerned about my family.

20 Q Now, speaking of families, at the plea you  
21 apologized.

22 A Yes, ma'am.

23 Q Okay. And you indicated you had changed.

24 A Yes, ma'am.

25 Q Okay. Now, at the time of the plea, you also said

1 that you were under the influence of drugs and not in your  
2 right mind when you committed the attempted murders and  
3 the murder.

4 A Yes, ma'am.

5 Q That's what you said, not in your right mind.

6 A Yes, ma'am.

7 Q And that is remarkably similar to the allegation  
8 you're making today about your statement, isn't it?

9 A Yes, ma'am.

10 Q Okay. Now, and about this change, what exactly has  
11 changed? What change were you referencing?

12 A My actions.

13 Q Your actions. Okay. You still have some gang  
14 symbols?

15 A I do. I can't take them off.

16 Q Can you renounce? Doesn't SCDC have a program where  
17 you can renounce your membership in a gang?

18 A SCDC doesn't -- they don't have me labeled as a gang  
19 member at SCDC.

20 Q So you have renounced.

21 A You can look that in the system if you would like.

22 Q I'm just asking you, have you renounced it? Do you  
23 have an intent to renounce?

24 A Yes, ma'am.

25 Q Okay. Now, you've had a couple of disciplinary

1 issues in SCDC, haven't you?

2 A A few. Yes, ma'am.

3 Q Refusing or failing to obey an order.

4 A Because I cut my hair when I first got there and  
5 didn't know I wasn't allowed to cut my hair the first week  
6 I went to prison.

7 Q You agree with me that there's a disciplinary showing  
8 for refusing or failing to obey?

9 A Yes, ma'am.

10 Q Okay. Disrespect?

11 A Yes, ma'am.

12 Q Possession of contraband?

13 A Yes, ma'am.

14 Q Trafficking and trading?

15 A Yes, ma'am.

16 Q October 20th or thereabout 2022, threatening to  
17 inflict harm on an inmate?

18 A I was going through a mental health issue and talked  
19 to my mental health counselor, and she put me in lockup  
20 for it. But yes, ma'am.

21 Q You admit that. Okay.

22 Threatening to inflict harm even after you told Judge  
23 Verdin you had changed.

24 A Well, when you're in prison and you're going through  
25 a lot of mental health problems, you tend to go through a

1 lot.

2 MS. BROWN: Nothing further, Your Honor. Thank you.

3 MS. MOORE: May it please the Court.

4 REDIRECT EXAMINATION

5 BY MS. MOORE:

6 Q Ma'am, during the time that you gave this statement  
7 to law enforcement, how much drugs were you doing?

8 A I was doing some every day. I don't exactly know how  
9 much because I was also helping my codefendant shoot up as  
10 well.

11 Q Okay. So you shot up the meth?

12 A I did not.

13 Q Okay. So how were you ingesting the drugs?

14 A I was eating my drugs.

15 Q I'm sorry. I couldn't hear you.

16 A I was eating my drugs.

17 Q Okay. So would you eat drugs all day?

18 A Pretty much.

19 Q And specifically, how did the drugs affect your  
20 cognitive abilities to know what's happening?

21 A When I'm on drugs, I really don't care or remember  
22 anything that happens.

23 Q And so do you have any recollection of signing these  
24 forms that the AG has shown you?

25 A I do not.

1 Q Okay. And you stand by your assertion that you, in  
2 fact, were under the influence of drugs at the time you  
3 gave your statement to law enforcement.

4 A I do.

5 Q Is that right? Okay.

6 And you stand by your statement that that's something  
7 you discussed with your attorney, correct?

8 A Yes, ma'am.

9 Q And that you made the decision to take a plea based  
10 on his counsel; is that right?

11 A Yes, ma'am.

12 MS. MOORE: Judge, no further questions.

13 THE COURT: Okay. You can step down.

14 MS. MOORE: Judge, we have no further witnesses.

15 MS. BROWN: Nothing further from the State, Your  
16 Honor.

17 THE COURT: Okay. I'll review it and issue an order.

18 MS. MOORE: Thank you, Judge.

19 (WHEREUPON, proceedings concluded at 10:36 AM.)  
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CERTIFICATE OF REPORTER

STATE OF SOUTH CAROLINA            )  
COUNTY OF GREENVILLE            )

I, CHERYL A. SMITH, 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 evidence introduced in the trial of the captioned case, relative to appeal, in the Court of Common Pleas for Greenville County, South Carolina, on the 25th and 26th day of July, 2023.

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

March 14, 2024

Cheryl A. Smith  
Cheryl A. Smith, CVR-M  
Court Reporter

19 - 045831

Case Number: 01 - 20 19 - 04 3839

# YOUR RIGHTS

Sheriff's Office  
Greenville, S. C.

Date 3-18-19

Time 17:52

- CC Before we ask you any questions, you must understand your rights.
- CC You have the right to remain silent.
- CC Anything you say can be used against you in court.
- CC You have the right to talk to a lawyer for advice before we ask you any questions and to have him with you during questioning.
- CC If you have no money to pay a lawyer's fee, the court will appoint one to represent you without cost if you wish.
- CC If you decide to answer questions now without a lawyer present, you will still have the right to stop answering at any time. You also have the right to stop answering at any time until you talk to a lawyer.

# WAIVER OF RIGHTS

CC I have read this statement of my rights and I understand what my rights are. I am willing to make a statement and answer questions. I understand and know what I am doing. No promises or threats have been made to me.

Signature *Corina Cashe*

Print Name Corina Cashe

Address [REDACTED]

SSN [REDACTED]

DOB [REDACTED] 1998

Education 12<sup>th</sup> - no diploma

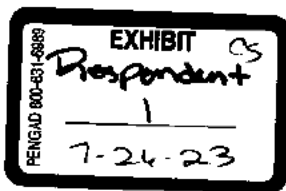
School Attended Easley High

Phone [REDACTED]

Witness *[Signature]* 2191 615

Witness *[Signature]* 21145 613

Time 1751





19 - 045831

Sheriff Johnny Mack Brown  
Greenville County Sheriff's Office

### DNA WAIVER

Case #: 01-19-043839  
Date: 3-18-19  
Time: 1857

I, CORWA CASTRO, have been advised that I have the right to have an attorney present and that if I cannot afford an attorney, the court will appoint one for me. I understand that anything I say or do can be used against me in a court of law. I freely and voluntarily give the Greenville County Sheriff's Office permission to take my DNA for investigation purposes. There have been no threats made against me, nor have I been coerced in any way. I have not been promised anything in return for giving this permission.

Signed: [Signature]  
Date: 3-18-19  
DOB: [Redacted] 1998  
Address: [Redacted]

WITNESS:  
[Signature] 81191 615  
[Signature] 01145 513

EXHIBIT of  
Respondent  
2  
7-26-23  
PENGAD 900-631-6886

19 - 045831



Sheriff Johnny Mack Brown  
Greenville County Sheriff's Office

CONSENT TO SEARCH

Case Number: 1-19-043839

3-18-19

(Date)

4 Mc Gee St

(Location)

I, CORINA CASTRO, having been informed of my constitutional right not to have a search made of the premises hereinafter mentioned without a search warrant and of my right to refuse consent to such a search hereby authorize PAUL JD HOWARD

(person) Deputy Sheriffs of Greenville County, South Carolina to conduct a complete search of my premises located at Greenville SC 29601. These deputies are authorized by me to take from my premises any letters, papers, materials or other property which they may desire.

This written permission is being given by me to the above named Deputy Sheriffs voluntarily and without threats or promises of any kind.

Witnesses:

[Signature] 21191 615  
[Signature] 21145 613

[Signature]  
Signed

Items Seized:



[Signature] 21191 615  
Officer's Signature

3-18-19  
Date

4 McGee Street, Greenville, SC 29601

Non-Emergency Phone Number (864)271-5210 - CrimeStoppers (864)23-CRIME / (864)232-7463

www.gcsso.org

STATE OF SOUTH CAROLINA  
COUNTY OF GREENVILLE  
IN THE COURT OF COMMON PLEAS

JUDGMENT IN A CIVIL CASE - PCR

CASE NO. 2021-CP-23-05253

Corina Veronica CASTRO SCDC#384806

The STATE of South Carolina,

Applicant,

Respondent.

23 AUG 8 AM 9:18  
Brice Garrett CDC GIL SC

CHECK ONE:

ENTERED COMPUTER

- JURY VERDICT.** This action came before the court for a trial by jury. The issues have been tried and a verdict rendered.
- DECISION BY THE COURT.** This action came to trial or hearing before the court. The issues have been tried or heard and a decision rendered.
- ACTION DISMISSED (CHECK REASON):**  Rule 12(b), SCRPC;  Rule 41(a), SCRPC (Vol. Nonsuit);  Rule 43(k), SCRPC (Settled);  Strickland v. Washington, 466 US 668 (1984) and Cherry v. State, 300 SC 115 (1989).
- ACTION STRICKEN (CHECK REASON):**  Rule 40(j) SCRPC;  Bankruptcy;  Binding arbitration, subject to right to restore to confirm, vacate or modify arbitration award;  Other

IT IS ORDERED AND ADJUDGED:  See formal order to follow;  Statement of Judgment by the Court:


This matter came before this court for an evidentiary hearing on an application for post-conviction relief filed pursuant to *South Carolina Code Annotated Section 17-27-10 et seq.* The applicant proceeded on grounds of; ineffective assistance of trial counsel; involuntary plea; and failure to move for suppression of any statement on the ground of involuntariness.

Based upon the record of the case, the evidence presented at the evidentiary hearing held in this matter, the argument of counsel, and consideration of the applicable statutory and case law, this court finds that;

The applicant's request for **POST-CONVICTION** relief should be and **IS** therefore **DENIED** and the **APPLICATION DISMISSED WITH PREJUDICE** for failure of the applicant to establish any deficient performance on the part of counsel under prevailing professional norms and/or any prejudice resulting from counsel's performance as there is no reasonable probability that, but for counsel's performance, the result of the proceeding would have been different. Strickland v. Washington, 466 US 668 (1984) and Cherry v. State, 300 SC 115 (1989), or any other cognizable claim.

Respondent's counsel is instructed to prepare and submit a proposed formal order for the court's consideration.

Dated at Greenville, South Carolina, this 28<sup>th</sup> day of **JULY**, 2023.

  
\_\_\_\_\_  
PRESIDING JUDGE, J. Derham Cole

This judgment was entered on the 8<sup>th</sup> day of ~~JULY~~ <sup>Aug</sup>, 2023, and a copy mailed first class this 8<sup>th</sup> day of ~~JULY~~ <sup>Aug.</sup>, 2023 to attorneys of record or to parties (when appearing pro se) as follows:

**SCARLETT B. MOORE, Esq.**  
Post Office Box 17615  
Greenville, South Carolina 29606

**MELODY J. BROWN, SADAG**  
Post Office Box 11549  
Columbia, South Carolina 29211-1549

ATTORNEY(S) FOR THE APPLICANT

ATTORNEY(S) FOR THE RESPONDENT

  
\_\_\_\_\_  
**BRICE GARRETT, CLERK OF COURT**



Correctional Institution pursuant to orders of commitment of the Greenville County Clerk of Court. A Greenville County Grand Jury indicted Applicant in July 2020 for murder (2020-GS-23-003486); two counts of attempted murder (2020-GS-23-003482 and 003483); two counts of conspiracy (2020-GS-23-003487 and 003481); and, three counts of possession of a weapon during the commission of a violent crime (2020-GS-23-003486, 003482 and 003483). Kraig Alan Pringle Esq., represented Applicant on the charges.

On March 10, 2021, Applicant appeared before the Honorable Letitia H. Verdin and pleaded guilty to murder (2020-GS-23-003486), and two counts of attempted murder (2020-GS-23-03482 and 003483). During the plea, the State offered the following factual basis for the crimes:

On 3/13/19 in Greenville County Jacori Ashley, age 21, and Kalo McCullough, age 27, drove up to the Dollar General off Locust Hill Road in Travelers Rest. Jacori was driving and Kalo was the passenger.

Jacori had been contacted by the co-defendant, Adam Byrum, and requested a ride. Jacori worked with Byrum and this co-defendant's, [Applicant's] mother, at a place called RimTyme. Jacori had given rides to Byrum in the past.

This night Jacori asked his friend, Kalo, to ride with him. They arrived at the Dollar General and waited for Byrum and Castro to arrive. They noticed two individuals wearing hoodies walking up to the car. They knew it was Byrum and Castro as they were on the phone talking with them.

When they got next to the car, Byrum stated something to Jacori, immediately pulled a gun and started shooting into the vehicle. Jacori was hit with one round that went through his mouth and nasal area as well as his shoulders. Kalo was hit with a round that went through his lung and shattered a vertebra leaving him permanently paralyzed from the chest area down. Jacori was able to speed off from the site and amazingly drive to St. Francis Hospital in downtown Greenville.

The guns used to shoot the victims was or were a .380 caliber. Four shell casings found were identified by ballistics tests as having been fired from one of the .380 handguns, which were found later belonging to the defendants. Both victims have given statements that both [Applicant] and co-defendant were the individuals there that night and that Byrum was the person that shot them.

On March 17, 2019, four days later, Your Honor, deputies arrived at [and address on] Locust Hill Road in Travelers Rest and found a Ford F-150 partially in the roadway and partially in the entrance to a business. Inside the vehicle a deceased white male sitting in the driver's seat was found slumped over the center console with blood on the left and right sides of his head. It was determined that he had been shot in the head. Bullet holes were found on the car. And two .380 caliber shell casings were also found. The male was later determined as Jamie Dale Smith, age 32.

A handwritten note on a paper towel found at Smith's home was later given to investigators that stated [REDACTED] 721 7109 Smokey G, Locust Hill Road, TR 29690, called 30 min, m-i-n, b I arrive. Smokey G was later identified as Adam Byrum. And the phone number was run and found to belong to Adam Byrum as well.

An attempt to arrest the defendants was carried out a day later on 3/18/19 a short distance from where these two incidents had occurred. Officers had to use a K-9 due to Byrum running to avoid apprehension.

When arrested Byrum was found in possession of [1.41] grams of methamphetamines and admitted that he had just shot meth. Both Byrum and [Applicant] are members of the Gangster Disciple Gang, which is part of the larger Folk Nation Gang.

Two females at the site of the arrest stated that Byrum was acting crazy last night and that [Applicant] had been vomiting when they got back. Byrum's sister was one of those girls and had stated that when Adam got home I took the guns from him because he was acting crazy.

[Applicant] gave a statement in these matters stating that she and Adam had planned to rob Jacori and that Kalo was an unintentional victim as they did not know he was going to be there. She stated that they each had .380 caliber handguns, walked up to the car and Byrum fired multiple rounds into the vehicle. She also stated that they knew Smith as well.

As in the case before, they went to meet Smith both armed with the .380 handguns with the plan to kill and rob him. She stated that it had been her decision to handle Smith, meaning to kill him. Several other motives have been mentioned as to why these particular individuals were chosen such as robbing the targets of drugs, and killing them to believing that Jamie Smith was a snitch to Jacori Ashley flirting with [Applicant].

(Return Attachment, Tr. 10-13). The State further handed up several pages of recovered communications between Applicant and others which supported that Applicant was a member of

the referenced gang. (Return Attachment, Tr. 13). Applicant pled guilty without contesting or qualifying any of the factual summary presented. (See Return Attachment, Tr. 14). The State underscored that Applicant not only had a part in the planning of the crimes, she “did give the order to kill Smith.” (Return Attachment, Tr. 14).

The State also acknowledged that as a result of the plea, the State would dismiss the three charges for possession of a weapon during commission of a violent crime, and two conspiracy charges. (Return Attachment, Tr. 13).

Plea counsel acknowledged the tragic impact of the crimes, but indicated Applicant was young, only twenty-three, and had no prior record. Counsel observed the crimes appeared to “make no sense,” but noted a societal “fascination ... with gang culture, hip hop culture ... the allure of video games, the movies, the music, the social media.” (Return Attachment, Tr. 20-21). He asserted that Applicant “became involved with the co-defendant and this whole lifestyle.” (Return Attachment, Tr. 22). He underscored her admissions, acceptance of responsibility, and “that she was completely willing and prepared to go forward and testify against her co-defendant, who ... was the shooter.” (Return Attachment, Tr. 22). Plea counsel asserted Applicant “had somewhat of an awakening to this process. Believe it or not, I think there was almost like an ignorance of the severity” of her acts, “or almost a lack of appreciation for it.” (Return Attachment, Tr. 23). He again underscored the “allure of the gangs” that “pull these people in” and that such a process continues to occur. (Return Attachment, Tr. 23). Applicant then addressed the plea court directly:

I stand here today to give my apology to the victims and the people it affected. I’m not expecting your forgiveness. I just want you to know I’m sincerely sorry.

I am nothing like I used to be at that time. I was under the influence of drugs and not in my right mind. I want it known that if

I could do it over, I would change everything. Once again, I want you to know how truly sorry I am for the actions and those that I've hurt.

(Return Attachment, Tr. 24).

However, the State pointed out:

... I know she has said that she's changed and that that's not who she is anymore, but yet she stands before you today wearing her orange jumpsuit, her jail issued slippers with the six point Folk Nation stars drawn on the slippers. And I know they don't hand them out that way, but that's what she's wearing today. And she's got the Folk Nation sign on her slippers. I don't know how much she's changed.

(Return Attachment, Tr. 25).

Judge Verdin noted the crimes "couldn't be more heinous... It just could not be more heinous." (Return Attachment, Tr. 27). Judge Verdin, nonetheless, considered the mitigation presented and particularly that she was not the shooter; that she had no prior record; and that she was willing to cooperate with the State. (Return Attachment, Tr. 27). The judge sentenced Applicant thirty years imprisonment on each count of attempted murder, and forty-three years, concurrent, for murder. (Return Attachment, Tr. 28). Applicant did not appeal.

#### *Post Conviction Relief Allegations*

Applicant makes the following allegations:

1. Ineffective assistance of counsel: Attorney told me my plea deal would be for less time;
2. Under the influence of drugs when statement was made: I was high on meth when I made my statement;
3. Officer made multiple mistakes: Officer called me "Smith" and said a shooting happened on 3-13-19.

(Application at 3).

## FINDINGS OF FACT AND CONCLUSIONS OF LAW

In addition to carefully considering the record and the arguments presented by counsel, this Court has also had the opportunity to consider the testimony presented at the PCR evidentiary hearings and has weighed the testimony accordingly. Set forth below are the relevant findings of fact and conclusions of law as required by S.C. Code Ann. §17-27-80 (2003).

### *Ineffective Assistance Claims*

For claims that trial counsel provided ineffective assistance, this Court is guided by the familiar test: To show a violation of the Sixth Amendment, an applicant must show that counsel's representation fell below an objective standard of reasonableness, and but for counsel's error, there is a reasonable probability that the outcome of the trial would have been different. *Strickland v. Washington*, 466 U.S. 668, 694 (1984); *Simpson v. Moore*, 367 S.C. 587, 595–96, 627 S.E.2d 701, 706 (2006). “A reasonable probability is a probability sufficient to undermine confidence in the outcome” of the trial. *Strickland*, at 694. It is presumed that counsel made all decisions in exercise of reasonable judgment. *Strickland*, at 689. It is an applicant's burden to prove, by a preponderance of the evidence, an entitlement to relief. Rule 71.1 (e), SCRPC. *See also Speaks v. State*, 377 S.C. 396, 399, 660 S.E.2d 512, 514 (2008) (“the burden of proof is on the applicant to prove the allegations in his application”). For a guilty plea, the analysis varies slightly as the issue is, at bottom, the voluntariness of the plea.

“Where, as here, a defendant is represented by counsel during the plea process and enters [the] plea upon the advice of counsel, the voluntariness of the plea depends on whether counsel's advice ‘was within the range of competence demanded of attorneys in criminal cases.’ ” *Hill v. Lockhart*, 474 U.S. 52, 56 (1985) (quoting *McMann v. Richardson*, 397 U.S. 759, 771 (1970)). Indeed, “[a] defendant who enters a plea on the advice of counsel may only attack the voluntary

and intelligent character of the plea by showing that counsel's representation fell below an objective standard of reasonableness and that there is a reasonable probability that, but for counsel's errors, the defendant would not have pled guilty, but would have insisted on going to trial." *Kolle v. State*, 386 S.C. 578, 588, 690 S.E.2d 73, 78 (2010) (quoting *Rolen v. State*, 384 S.C. 409, 413, 683 S.E.2d 471, 474 (2009)); *Burket v. Angelone*, 208 F.3d 172, 189 (4th Cir. 2000) (same). This is the *Strickland* test as applied in the guilty plea context. See also *Taylor v. State*, 404 S.C. 350, 360, 745 S.E.2d 97, 102 (2013) ("In the context of a guilty plea, the deficiency prong inquiry turns on whether the plea was voluntarily, knowingly, and intelligently entered.").

Notably, statements made during a guilty plea should be considered true: "... accuracy and truth of an accused's statements at ... his guilty plea ... are 'conclusively' established by that proceeding unless and until he makes some reasonable allegation why this should not be so." *Crawford v. United States*, 519 F.2d 347, 350 (4th Cir. 1975), *overruled on other grounds by United States v. Whitley*, 759 F.2d 327 (4th Cir. 1985); *Dalton v. State*, 376 S.C. 130, 137-38, 654 S.E.2d 870, 874 (Ct. App. 2007) (same).

The record here supports that the plea was a voluntary choice among alternatives as guided by counsel against which Applicant had no complaints at the time of the plea. (See Return Attachment, Tr. 6). Applicant's testimony at the PCR hearing that counsel misinformed her of the negotiated sentence, and that counsel failed to challenge the voluntariness of her statement though he was aware that she was intoxicated at the time, are against the weight of the contemporaneous record and plea counsel's credible testimony. This Court find Applicant's testimony on these points is simply not in the least credible. Further, this Court finds that Applicant's claims that she was intoxicated on methamphetamine when she gave a statement to law enforcement officers, and that a law enforcement officer made mistakes as to Applicant's name and the date of one of the

crimes, may not be heard on the merits as her knowing and voluntary plea acts as a waiver and bar to all non-jurisdictional errors and complaints.

*Allegation Counsel Advised Applicant Plea Agreement was for Less Time*

Applicant testified at the hearing that counsel advised her she would receive less time. Counsel testified at the hearing that was not the case. Considering the contemporaneous record of the plea, with the specifics of the negotiations set out and uncontested before Judge Verdin, this Court credits plea counsel's testimony. Further, Applicant's testimony was not credible in many respects.

The "prejudice prong ordinarily requires more than simply a defendant's assertion that but for counsel's deficient performance he would not have pled but would have gone to trial." *Stalk v. State*, 383 S.C. 559, 563, 681 S.E.2d 592, 595 (2009). Notably, the Supreme Court has instructed: "Courts should not upset a plea solely because of *post hoc* assertions from a defendant about how he would have pleaded but for his attorney's deficiencies. Judges should instead look to contemporaneous evidence to substantiate a defendant's expressed preferences." *Lee v. United States*, 582 U.S. 357, 369 (2017). Our Supreme Court has similarly found that "*Hill* makes clear that th[e] prejudice prong ordinarily requires more than simply a defendant's assertion that but for counsel's deficient performance he would not have pled but would have gone to trial." *Stalk*, at 563, 681 S.E.2d at 595; *see also Taylor v. State*, 404 S.C. 350, 362, 745 S.E.2d 97, 103 (2013) ("Despite Petitioner's assertions to the contrary, there is probative evidence in the Record before us that he would not have chosen to proceed to trial"); *Goins v. State*, 397 S.C. 568, 575, 726 S.E.2d 1, 4 (2012) ("Although Goins testified at the PCR hearing that he accepted the plea because of the erroneous advice on the suppression of the evidence, his testimony specifically was found not to be credible. We therefore find evidence to support the PCR court's finding that Goins failed

to prove he was prejudiced by counsel's ineffective assistance because he has not demonstrated he would have gone to trial absent the erroneous advice.").

"To find a guilty plea is voluntarily and knowingly entered into, the record must establish the defendant had a full understanding of the consequences of his plea and the charges against him." *Dalton v. State*, 376 S.C. 130, 138, 654 S.E.2d 870, 874 (Ct. App. 2007). "A defendant's knowing and voluntary waiver of the constitutional rights which accompany a guilty plea may be accomplished by colloquy between the Court and the defendant, between the Court and defendant's counsel, or both." *Id.*, (quoting *Pittman v. State*, 337 S.C. 597, 600, 524 S.E.2d 623, 625 (1999)). "In determining guilty plea issues, it is proper to consider the guilty plea transcript as well as evidence at the PCR hearing." *Suber v. State*, 371 S.C. 554, 558, 640 S.E.2d 884, 886 (2007).

Here, the terms of the agreement were fully set out on the record, including that the State would dismiss the three charges for possession of a weapon during commission of a violent crime, and two conspiracy charges. (Return Attachment, Tr. 13). After the judge's detailed explanation, Applicant responded to Judge Verdin that she understood that she faced up to thirty years for attempted murder, and thirty to life for murder, and even further, that the sentences were to be served day for day, not subject to early release credits or parole. (Return Attachment, Tr. 5). Applicant also responded to Judge Verdin that no one had made any promises to her for the guilty plea. (Return Attachment, Tr. 6). Applicant further assured Judge Verdin that she was "clear headed," taking her appropriate medication, and was "not under the influence of anything." (Return Attachment, Tr. 7-8). Applicant's PCR testimony that she was promised a lesser sentence than received is plainly not credible. The evidence shows Applicant's only expectation was the dismissal of charges, which is not contested. Counsel was not ineffective in any way regarding

the terms of the agreement. Simply, Applicant “received the benefit of the agreement for which [s]he bargained and cannot now complain.” *Rollison v. State*, 346 S.C. 506, 511–12, 552 S.E.2d 290, 293 (2001).

To the extent that Applicant’s testimony could be construed as her expectation or hope of a lesser sentence, that neither shows any deficiency in plea counsel’s representation nor the possibility of an involuntary plea. *Wolfe v. State*, 326 S.C. 158, 485 S.E.2d 367 (1997) (fact that defendant “hoped” and “expected” to get reduced sentence does not render plea invalid); *Harres v. Leeke*, 282 S.C. 131, 318 S.E.2d 360 (1984) (fact that defendant “thought” judge would give lighter sentence not a basis for relief). At any rate, the detailed information conveyed by Judge Verdin should have cured any misunderstanding Applicant may have held on her own. In fact, had counsel made an error in advice, which this Court finds he did not, any such error would have been cured by Judge Verdin’s express and clear explanation. *Moorehead v. State*, 329 S.C. 329, 333, 496 S.E.2d 415, 416 (1998) (“When considering an allegation on PCR that a guilty plea was based on inaccurate advice of counsel, the transcript of the guilty plea hearing will be considered to determine whether any possible error by counsel was cured by the information conveyed at the plea hearing.”). Applicant has failed in her burden of proof.

*State’s Motion to Dismiss*

In its Return, the State moved to dismiss two of Applicant’s claims as a matter of law, specifically, Applicant’s claim that she was intoxicated on methamphetamine when she gave her statement to law enforcement, and that the office made certain mistakes during the investigation. (Return at 4-5). The State asserted that Applicant entered a voluntary plea, and a voluntary plea acts as a waiver of non-jurisdictional claims or alleged constitutional violations. (Return at 4-5). This Court agrees.

“Few principles of South Carolina criminal law are as ingrained as the notion that a knowing, voluntary, and intelligent guilty plea ‘constitutes a waiver of nonjurisdictional defects and claims of violations of constitutional rights.’” *State v. Sims*, 423 S.C. 397, 400, 814 S.E.2d 632, 633 (2018) (quoting *State v. Rice*, 401 S.C. 330, 331-32, 737 S.E.2d 485, 485 (2013)). “[A] guilty plea represents a break in the chain of events which has preceded it in the criminal process. When a criminal defendant has solemnly admitted in open court that he is in fact guilty of the offense with which he is charged, he may not thereafter raise independent claims relating to the deprivation of constitutional rights that occurred prior to the entry of the guilty plea. He may only attack the voluntary and intelligent character of the plea . . . .” *Rice*, at 332, 737 S.E.2d at 486 (brackets in original) (quoting *Tollett v. Henderson*, 411 U.S. 258 (1973)).

“It is beyond dispute that a guilty plea must be both knowing and voluntary.” *Parke v. Raley*, 506 U.S. 20, 29 (1992). It is also clear the record should reflect that voluntary choice. *Boykin v. Alabama*, 395 U.S. 238 (1969) (“a guilty plea should only be accepted where the record evidences ‘an affirmative showing that it was intelligent and voluntary.’”). That record is established “by colloquy between the court and defendant, between the court and defendant’s counsel, or both.” *Roddy v. State*, 339 S.C. 29, 34, 528 S.E.2d 418, 421 (2000) (citing *State v. Ray*, 310 S.C. 431, 437, 427 S.E.2d 171, 174 (1993)).

Applicant affirmed under oath to Judge Verdin that she understood her trial rights and that she would be waiving those rights in pleading guilty. (Return Attachment, Tr. 6.) The judge advised of the potential sentences for the crimes. (Return Attachment, Tr. 5). Judge Verdin also inquired if Applicant was satisfied with counsel, and Applicant indicated she was. (Return Attachment, Tr. 6). The judge also ensured that Applicant was not coerced, or promised anything, or under the influence of anything when making the critical decision to plead guilty, and that she

understood the process of the plea and the questions being posed to her, “what[ was] happening” at the plea. (Return Attachment, Tr. 6-8). After listening to the solicitor’s recitation of facts, Applicant affirmed that she wished to plead guilty. (Return Attachment, Tr. 10-14). Further, Applicant admitted guilt and remorse for her crime. (Return Attachment, Tr. 24). The record supports a voluntary plea. Consequently, Applicant cannot challenge the veracity of the statements she made to law enforcement and the conduct of their investigation after admitting guilt by nature of the guilty plea. *Sims, supra*.

Notably, though, Applicant did not even present any credible evidence that could have given any support to her assertions had the claims been allowed. First, as indicated, Applicant accepted responsibility at the plea. The fact of admission of guilt in open court weighs heavily in finding no basis to reverse. *See State v. Wiley*, 387 S.C. 490, 497, 692 S.E.2d 560, 564 (Ct. App. 2010). *See also State v. Sroka*, 267 S.C. 664, 665, 230 S.E.2d 816, 817 (1976) (“We affirm because the guilt of the appellant is conclusively shown by the record and any alleged error could not have been prejudicial. Any doubt about the correctness of this conclusion is eliminated by the admission of appellant in open court ...”). Second, as counsel credibly testified at the PCR hearing, there was nothing in the recorded statement or any of his communications with his client to support that she was under the influence of drugs at the time she gave the statement.<sup>2</sup> Third, Applicant admitted at the PCR hearing that she also signed and/or initialed documents confirming the voluntariness of the statement, and also gave consent for a DNA sample and a search (which she did not contest). Fourth, Applicant admitted during cross-examination at the PCR hearing that she had made a

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<sup>2</sup> The basis for suppression of an involuntary confession is tied to a showing of coercive police activity. *See Colorado v. Connelly*, 479 U.S. 157, 167 (1986). “A defendant’s mental condition in and of itself does not render a statement involuntary in violation of due process.” *State v. Hill*, 361 S.C. 297, 306, 604 S.E.2d 696, 701 (2004). There is no allegation of coercive police activity.

remarkably similar suggestion of being under the influence of drugs during the crime(s) in hopes of lessening assessment of culpability, but then also stated that she was taking responsibility. And, again in the same vein of hoping to lessen her sentence, at the plea, suggested some type of change in herself, but could identify no change that actually occurred – in fact, she admitted at the PCR hearing that she had incidents of violence while in custody and still embraced gang affiliation. Applicant's testimony appears subject to change or simply formed for the situation at hand, and is, at any rate, not in the least credible. And fifth, part of the case for requesting less than a life sentence was based on the fact Applicant had confessed and cooperated with the State. Applicant's attempt to attack the statement collaterally after having expressly relied upon the statement for benefit is clearly suspect. Applicant's late assertion of an involuntary statement due to drug use is not credible. Further, as noted above, had the voluntariness of the statement been suspicious in the least, the admission of guilt at the plea and the express remorse, together, confirm it was not untrue or false in any way. Again, if the claim could be heard, there is no credible evidence that could conceivably warrant any relief.

Finally, Applicant's second allegation regarding an incorrect reference to her as "Smith," if true, is of no moment. Clearly, Applicant was the individual being questioned, and, as noted, one of her victims was named Smith. Again, this Court finds Applicant's testimony on these points is simply not credible, but even so, it does not support that any relief is due.

But to be clear, this Court finds that Applicant has failed to show counsel was ineffective in his advice concerning sentencing and the plea may not be set aside. Further, the record demonstrates a knowing and voluntary plea entered with the assistance of counsel. Consequently, Applicant may not now challenge the statement as her ability to do so was waived by entry of the knowing and voluntary plea. *Sims, supra*.

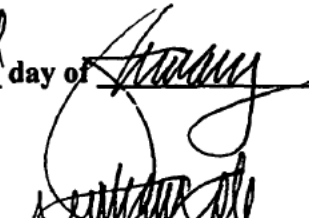
**CONCLUSION**

For the above stated reasons, this Court finds that Applicant failed to carry her burden of proof. Therefore, this application for post-conviction relief must be denied and dismissed with prejudice.

**IT IS THEREFORE ORDERED:**

1. Applicant's application for post-conviction relief is denied and dismissed with prejudice; and
2. Applicant is remanded to the custody of Respondent for completion of her sentence.

AND IT IS SO ORDERED this 20th day of January, 2024.

  
 \_\_\_\_\_  
 J. DERHAM COLE  
 Presiding Judge

Spartanburg, South Carolina.

Copy mailed to Attorney general / <u>Scarlett Moore</u> on <u>11/31/2024</u>
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**WITNESSES**

Jonathan D Howard

JH

Greenville County Sheriffs Office

3/18/2019

**ARREST WARRANT NUMBER**

2019A2330202580

**ACTION OF GRAND JURY**

**TRUE BILL**

*[Signature]*  
FOREMAN GRAND JURY  
*Person of Grand Jury*

**VERDICT**

*Foreperson of Petit Jury*  
Date:

DOCKET NO. 2020-GS-23-

MLS

003487

The State of South Carolina

County of Greenville

**COURT OF GENERAL SESSIONS**

**July**

TERM 2020

THE STATE

vs.

CORINA VERONICA CASTRO

Indictment for

0049

CONSPIRACY

VIOLATION §16-17-0410

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF GREENVILLE )

INDICTMENT FOR  
CONSPIRACY

At a Court of General Sessions, convened on

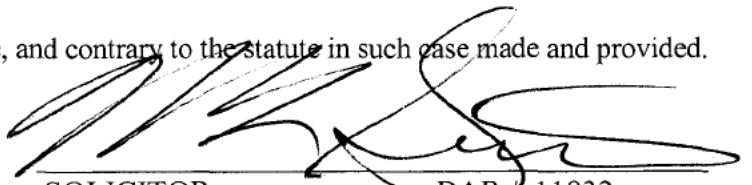
the Grand Jurors of Greenville

**JUL 07 2020**

County present upon their oath:

That CORINA VERONICA CASTRO did in Greenville County, on or about the 17th day of March, 2019, willfully and unlawfully combine with ADAM BYRUM for the purpose of accomplishing an unlawful object or a lawful object by unlawful means, to wit: MURDER. 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 # 11832

**WITNESSES**

Jonathan D Howard

Greenville County Sheriffs Office

3/18/2019

*JH*

**ARREST WARRANT NUMBER**

2019A2330202577

**ACTION OF GRAND JURY**

**TRUE BILL**

*[Signature]*

FOREMAN GRAND JURY

*Person of Grand Jury*

**VERDICT**

*Foreperson of Petit Jury*

*Date:*

DOCKET NO. 2020-GS-23-

MLS

**003481**

**The State of South Carolina**

County of Greenville

**COURT OF GENERAL SESSIONS**

**July**

**TERM 2020**

**THE STATE**

vs.

**CORINA VERONICA CASTRO**

Indictment for

0049

**CONSPIRACY**

VIOLATION §16-17-0410

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF GREENVILLE )

INDICTMENT FOR  
CONSPIRACY

At a Court of General Sessions, convened on

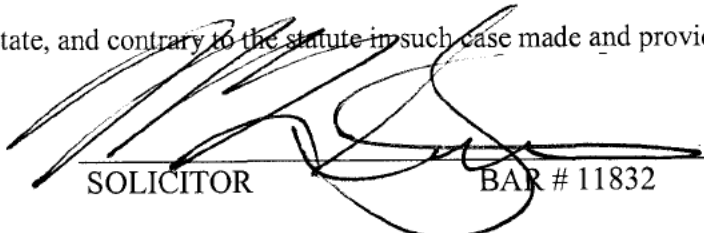
the Grand Jurors of Greenville

**JUL 07 2020**

County present upon their oath:

That CORINA VERONICA CASTRO did in Greenville County, on or about the 14th day of March, 2019, willfully and unlawfully combined with ADAM BYRUM for the purpose of accomplishing an unlawful object or a lawful object by unlawful means, to wit: ATTEMPTED MURDER. 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 # 11832

**WITNESSES**

JH

Jonathan D Howard

Greenville County Sheriffs Office

3/18/2019

**ARREST WARRANT NUMBER**

2019A2330202578 and 2019A2330202579

**ACTION OF GRAND JURY**

**TRUE BILL**

*[Signature]*  
FOREMAN GRAND JURY  
Foreperson of Grand Jury

**VERDICT**

Foreperson of Petit Jury  
Date:

DOCKET NO. 2020-GS-23-<sup>MLS</sup> 003486

The State of South Carolina

County of Greenville

COURT OF GENERAL SESSIONS

July TERM 2020

THE STATE

vs.

CORINA VERONICA CASTRO

Indictment for

0116 and 0549

MURDER and POSSESSION OF A WEAPON  
DURING THE COMMISSION OF A VIOLENT  
CRIME

VIOLATION § 16-03-0010 and §16-23-490

ENTERED ACCT

*[Signature]*

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF GREENVILLE )

INDICTMENT FOR  
MURDER and POSSESSION OF A WEAPON DURING THE  
COMMISSION OF A VIOLENT CRIME

At a Court of General Sessions, convened on

JUL 07 2020

the Grand Jurors of Greenville

County present upon their oath:

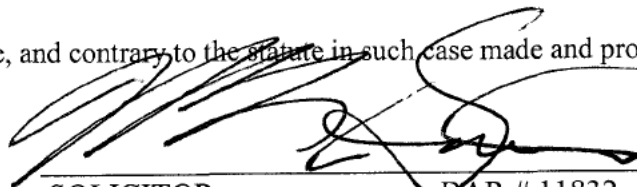
**COUNT I— MURDER**

That CORINA VERONICA CASTRO did in Greenville County, on or about the 17th day of March, 2019, unlawfully and with malice aforethought kill JAMIE SMITH by means of shooting him, and that JAMIE SMITH died as a proximate result thereof. This is in violation of §16-3-10 of the South Carolina Code of Laws (1976) as amended.

**COUNT II— POSSESSION OF A WEAPON DURING THE COMMISSION OF A VIOLENT CRIME**

That CORINA VERONICA CASTRO did in Greenville County, on or about the 17th day of March, 2019, possess or visibly display a HANDGUN during the commission of a violent crime, to wit: MURDER. This is in violation of §16-23-490 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 # 11832

**WITNESSES**

Jonathan D Howard

Greenville County Sheriffs Office *JH*

3/18/2019

**ARREST WARRANT NUMBER**

2019A2330202573 and 2019A2330202575

**ACTION OF GRAND JURY**

**TRUE BILL**

*[Signature]*  
FOREMAN GRAND JURY

*eperson of Grand Jury*

**VERDICT**

*Foreperson of Petit Jury*  
Date:

DOCKET NO. 2020-GS-23-  
MLS

**003482**

**The State of South Carolina**

County of Greenville

**COURT OF GENERAL SESSIONS**

**July** TERM 2020

**THE STATE**

vs.

**CORINA VERONICA CASTRO**

Indictment for

3410 and 0549

**ATTEMPTED MURDER and POSSESSION OF A  
WEAPON DURING THE COMMISSION OF A  
VIOLENT CRIME**

VIOLATION §16-03-0029 and §16-23-0490

**ENTERED ACCT**  
*[Signature]*



**WITNESSES**

Jonathan D Howard

Greenville County Sheriffs Office

3/18/2019

*JH*

**ARREST WARRANT NUMBER**

2019A2330202574 and 2019A2330202576

**ACTION OF GRAND JURY**

**TRUE BILL**

*[Signature]*  
FOREMAN GRAND JURY

**VERDICT**

Foreperson of Petit Jury

Date:

DOCKET NO. 2020-GS-23- **003483**

MLS

The State of South Carolina

County of Greenville

COURT OF GENERAL SESSIONS

TERM 2020

**July**

THE STATE

vs.

CORINA VERONICA CASTRO

Indictment for

3410 and 0549

ATTEMPTED MURDER and POSSESSION OF A  
WEAPON DURING THE COMMISSION OF A  
VIOLENT CRIME

VIOLATION § 16-03-0029 and §16-23-0490

ENTERED ACCT

*[Signature]*



COUNTY OF Greenville
STATE VS. Corina Veronica Castro
AKA:
Race: WHITE Sex: F Age: 22
DOB: SS#:
Address:
City, State, Zip:
DL#: SID#:

INDICTMENT/CASE#: 2020GS2303483
A/W#: 2019A2330202574
Date of Offense: 3/14/2019
S.C. Code § : 16-03-0029
CDR Code #: 3410

SENTENCE SHEET

\*CDL Yes No CMV Yes No Hazmat Yes No
In disposition of the said indictment comes now the Defendant who was TO: Murder/Attempted Murder

CONVICTED OF or PLEADS

in violation of § 16-03-0029 of the S.C. Code of Laws, bearing CDR Code # 3410
NON-VIOLENT VIOLENT SERIOUS MOST SERIOUS Mandatory GPS(CSC §17-25-45 w/minor 1st or Lewd Act)

The charge is: As Indicted, Lesser Included Offense, Defendant Waives Presentment to Grand Jury.
The plea is: Without Negotiations or Recommendation, Negotiated Sentence, Recommendation by the State.

Signatures and names: Smith, Marcus (11832 SC Bar#), Defendant, PRINGLE, KRAIG (73694 SC Bar#) Attorney for Defendant

WHEREFORE, the Defendant is committed to the State Department of Corrections, County Detention Center, for a determinate term of 30 days/months/years or under the Youthful Offender Act not to exceed years and/or to pay a fine of \$; provided that upon the service of days/months/years and/or payment of \$; plus costs and assessments as applicable\*; the balance is suspended with probation for months/years and subject to South Carolina Department of Probation, Parole and Pardon Services standard conditions of probation, which are incorporated by reference.

CONCURRENT or CONSECUTIVE to sentence on:
The Defendant is to be given credit for time served pursuant to S.C. Code §24-13-40 to be calculated and applied by SCDOD.
The Defendant is to be placed on the Central Registry of Child Abuse and Neglect pursuant to S.C. Code §17-25-135.
Pursuant to 18 U.S.C Section 922, it is unlawful for a person convicted of a violation of Section 16-25-20 or 16-25-65 (Domestic Violence) to ship, transport, possess, or receive a firearm or ammunition.

SPECIAL CONDITIONS:

RESTITUTION: Deferred Def. Waives Hearing Ordered PTUP
Total: \$ plus 20% fee: \$ days/hours Public Service Employment

Payment Terms:
Set by SCDPPPS

Recipient:

Table with 3 columns: Description, Amount, Total. Includes items like Assessments 107.5%, Conv. Surcharge \$100, DUI Surcharge \$100, DUI Assessment \$12, DUI Breath Test \$25, Proviso \$500, Law Enforce. Funding \$25, Drug Court Surcharge \$150, BUI Breath Test Fee \$50, Vehicle Assessment \$40/ea, 3% to County (if paid in installments) \$3.75.

TOTAL \$ 128.75

Clerk of Court/ Deputy Clerk Paul B. Wiskenain
Court Reporter: Hudgins

Obtain GED
Attend Voc. Rehab. or Job Corp.
May serve W/E beginning
Substance Abuse Counseling
Random Drug/Alcohol testing
Fine may be pd. in equal, consecutive weekly/monthly pmts. of \$ beginning
\$ paid to Public Defender Fund
Other:

Appointed PD or appointed other counsel, Proviso requires \$500 be paid to Clerk during probation and shall be collected before any other fees.

Presiding Judge
Judge Code: 2162
Sentence Date: MAR 10 2021

Handwritten initials/signature at bottom right.

COUNTY OF Greenville VS. STATE

INDICTMENT/CASE#: 2020GS2303482

Corina Veronica Castro

A/W#: 2019A2330202573

AKA:

Date of Offense: 3/14/2019

Race: WHITE Sex: F Age: 22

S.C. Code § : 16-03-0029

DOB: SS#: DL#: SID#

CDR Code #: 3410

Address:

City, State, Zip:

DL#: SID#

\*CDL Yes No CMV Yes No Hazmat Yes No

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

CONVICTED OF or PLEADS

TO: Murder/Attempted Murder

SENTENCE SHEET

in violation of § 16-03-0029 of the S.C. Code of Laws, bearing CDR Code # 3410

NON-VIOLENT VIOLENT SERIOUS MOST SERIOUS Mandatory GPS(CSC §17-25-45

The charge is: As Indicted, Lesser Included Offense, Defendant Waives Presentment to Grand Jury.

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

ATTEST: Smith, Marcus SC Bar# 11832 Defendant Pringle, Kraig SC Bar# 73694

WHEREFORE, the Defendant is committed to the State Department of Corrections, County Detention Center, for a determinate term of 30 days/months/years or under the Youthful Offender Act not to exceed years and/or to pay a fine of \$; provided that upon the service of days/months/years and/or payment of \$; plus costs and assessments as applicable\*; the balance is suspended with probation for months/years and subject to South Carolina Department of Probation, Parole and Pardon Services standard conditions of probation, which are incorporated by reference.

CONCURRENT or CONSECUTIVE to sentence on:

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.

The Defendant is to be placed on the Central Registry of Child Abuse and Neglect pursuant to S.C. Code §17-25-135.

Pursuant to 18 U.S.C Section 922 it is unlawful for a person convicted of a violation of Section 16-25-20 or 16-25-65 (Domestic Violence) to ship, transport, possess, or receive a firearm or ammunition.

SPECIAL CONDITIONS:

RESTITUTION: Deferred Def. Waives Hearing Ordered PTUP

Total: \$ plus 20% fee: \$ days/hours Public Service Employment

Payment Terms:

Set by SCDPPPS

Recipient:

Table with 3 columns: Description, Amount, Total. Rows include various assessment fees like §14-1-206, §14-1-211(A)(1), §14-1-211(A)(2), §56-5-2995, §56-1-286, Proviso, §14-1-212, §14-1-213, §50-21-114, §56-5-2942(J), and 3% to County. Total amount is \$128.75.

Obtain GED Attend Voc. Rehab. or Job Corp. May serve W/E beginning Substance Abuse Counseling Random Drug/Alcohol testing Fine may be pd. in equal, consecutive weekly/monthly pmts. of \$ beginning \$ paid to Public Defender Fund Other:

Appointed PD or appointed other counsel, Proviso requires \$500 be paid to Clerk during probation and shall be collected before any other fees.

Clerk of Court/ Deputy Clerk Paul B. Winkler Court Reporter: Hudgins

Presiding Judge Judge Code: 2162 Sentence Date: MAR 10 2021

COUNTY OF Greenville
STATE VS.
Corina Veronica Castro
AKA:
Race: WHITE Sex: F Age: 22
DOB: SS#:
Address:
City, State, Zip:
DL#: SID#:

INDICTMENT/CASE#: 2020GS2303486
A/W#: 2019A2330202578
Date of Offense: 3/17/2019
S.C. Code § : 16-03-0010, 0020
CDR Code #: 0116

SENTENCE SHEET

\*CDL Yes No CMV Yes No Hazmat Yes No
In disposition of the said indictment comes now the Defendant who was
TO: Murder (gs)

CONVICTED OF or PLEADS

in violation of § 16-03-0010, 0020 of the S.C. Code of Laws, bearing CDR Code # 0116
NON-VIOLENT VIOLENT SERIOUS MOST SERIOUS Mandatory GPS(CSC w/minor 1st or Lewd Act) §17-25-45

The charge is: As Indicted, Lesser Included Offense, Defendant Waives Presentment to Grand Jury
The plea is: Without Negotiations or Recommendation, Negotiated Sentence, Recommendation by the State.

ATTEST: Smith, Marcus 11832 SC Bar# Defendant PRINGLE, KRAIG 73694 SC Bar# Attorney for Defendant

WHEREFORE, the Defendant is sentenced to the State Department of Corrections, County Detention Center,
for a determinate term of 13 days/months/years or under the Youthful Offender Act not to exceed years
and/or to pay a fine of \$; provided that upon the service of days/months/years and/or payment
of \$; plus costs and assessments as applicable\*; the balance is suspended with probation for
months/years and subject to South Carolina Department of Probation, Parole and Pardon Services standard conditions of probation,
which are incorporated by reference.

CONCURRENT or CONSECUTIVE to sentence on:
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.
The Defendant is to be placed on the Central Registry of Child Abuse and Neglect pursuant to S.C. Code §17-25-135.

Pursuant to 18 U.S.C Section 922, it is unlawful for a person convicted of a violation of Section 16-25-20 or 16-25-65 (Domestic Violence) to ship, transport, possess, or receive a firearm or ammunition.

SPECIAL CONDITIONS:

RESTITUTION: Deferred Def. Waives Hearing Ordered PTUP
Total: \$ plus 20% fee: \$ days/hours Public Service Employment

Payment Terms:
Set by SCDPPPS
Recipient:
Obtain GED
Attend Voc. Rehab. or Job Corp.
May serve W/E beginning
Substance Abuse Counseling
Random Drug/Alcohol testing
Fine may be pd. in equal, consecutive weekly/monthly pmts. of \$ beginning
\$ paid to Public Defender Fund

Table with 3 columns: Description, Amount, Total. Rows include assessments, surcharges, and fines. Total amount: \$128.75

Other:
Appointed PD or appointed other counsel, Proviso requires \$500 be paid to Clerk during probation and shall be collected before any other fees.

Clerk of Court/ Deputy Clerk Paul B. Wislizenus
Court Reporter: Hudgins

Presiding Judge
Judge Code: 2110a
Sentence Date: MAR 10 2021