

**RECEIVED**

**Oct 11 2024**

**SC Court of Appeals**

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

---

Appeal from Darlington County

Honorable Roger E. Henderson, Circuit Court Judge

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THE STATE,

RESPONDENT,

V.

ERIC ANTON GRAHAM,

APPELLANT

APPELLATE CASE NO. 2023-000160

---

SUPPLEMENTAL RECORD ON APPEAL

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Attorney General

South Carolina Commission on Indigent  
Defense  
Division of Appellate Defense  
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Solicitor, Fourth Judicial Circuit  
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Bennettsville, SC 29512  
(843) 479-6516

ATTORNEYS FOR RESPONDENT

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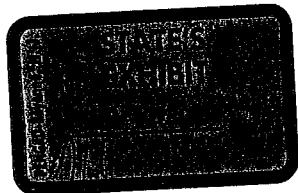
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# DARLINGTON COUNTY SHERIFF'S OFFICE <sup>1</sup>

## STATEMENT OF RIGHTS

(MIRANDA WAIVER)



PLACE: Sheriff's Office

DATE: 12-7-96

TIME: 4:50 A.M.

BEFORE WE ASK YOU ANY QUESTIONS, YOU MUST UNDERSTAND YOUR RIGHTS.

- YOU HAVE THE RIGHT TO REMAIN SILENT.
- ANYTHING YOU SAY CAN BE USED AGAINST YOU IN COURT.
- 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.
- IF YOU CANNOT AFFORD A LAWYER, ONE WILL BE APPOINTED FOR YOU BEFORE QUESTIONING IF YOU WISH.
- IF YOU DECIDE TO ANSWER QUESTIONS NOW WITHOUT HAVING A LAWYER PRESENT, YOU WILL STILL HAVE THE RIGHT TO STOP ANSWERING AT ANY TIME. YOU ALSO HAVE A RIGHT TO STOP ANSWERING AT ANY TIME UNTIL YOU TALK TO A LAWYER.

### WAIVER OF RIGHTS

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 DO NOT WANT A LAWYER AT THIS TIME. I UNDERSTAND AND KNOW WHAT I AM DOING. NO PROMISES OR THREATS HAVE BEEN MADE TO ME AND NO PRESSURE OR COERCION OF ANY KIND HAS BEEN USED AGAINST ME.

SIGNED: Curtis Shaw

WITNESS: Henry Milledale

WITNESS: Warty C. Thompson

# DARLINGTON COUNTY SHERIFF'S OFFICE

## STATEMENT OF RIGHTS

(MIRANDA WAIVER)



PLACE: GRAHAM RESIDENCE

DATE: 12-7-96

TIME: 7:50 A.M.

BEFORE WE ASK YOU ANY QUESTIONS, YOU MUST UNDERSTAND YOUR RIGHTS.

- YOU HAVE THE RIGHT TO REMAIN SILENT.
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- 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.
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SIGNED Ernestina M. McDonald

WITNESS: Monty E. Thompson

WITNESS: [Signature]

# SOUTH CAROLINA LAW ENFORCEMENT DIVISION<sup>3</sup>

## FORENSIC SERVICES LABORATORY REPORT

DAVID M. BEASLEY  
GOVERNOR



ROBERT M. STEWART  
CHIEF

Latent Print Department  
December 17, 1996  
SLED Lab No.: L96-15566  
Your Case No.: 96017983  
Incident Date: 12-7-96  
(V) Curtisha Wingate  
(S) Eric A. Graham

Monty C. Thompson  
Darlington County Sheriff's Office  
PO Box 783  
Darlington, SC 29532

---

This is an official report of the South Carolina Law Enforcement Division Forensic Services Laboratory and is to be used in connection with an official criminal investigation. These examinations were conducted under your assurance that no previous examinations of person(s) or evidence submitted in this case has been or will be conducted by any other Laboratory or agency.

Robert M. Stewart, Chief  
South Carolina Law Enforcement Division

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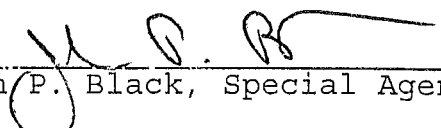
### ITEM(S) SUBMITTED:

- 1 One (1) Hi-Point Model C 9mm pistol, serial #32764, plus one (1) magazine, plus one (1) unfired round bearing the headstamp "CCI N R 9mm LUGER" from chamber.

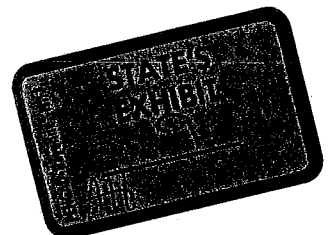
**RESULTS OF EXAMINATION:** Examinations and/or comparisons were conducted on the previously listed item(s) of evidence with the following results.

- 1 Contain insufficient ridge detail for identification.

These examinations and comparisons were conducted by Special Agent John P. Black, Examiner with this Division.

  
\_\_\_\_\_  
John P. Black, Special Agent

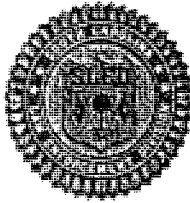
JPB/bg



# SOUTH CAROLINA LAW ENFORCEMENT DIVISION

## FORENSIC SERVICES LABORATORY REPORT

DAVID M. BEASLEY  
GOVERNOR



ROBERT M. STEWART  
CHIEF

Firearms Department  
January 6, 1997  
SLED Lab No.: L96-15566  
Your Case No.: 96017983  
Incident Date: 12/7/96  
(V) Wingate, Curtisha  
(S) Graham, Eric A.

INVESTIGATOR MONTY C THOMPSON  
DARLINGTON COUNTY SHERIFFS OFFICE  
PO BOX 783  
DARLINGTON SC 29532

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Robert M. Stewart, Chief  
South Carolina Law Enforcement Division

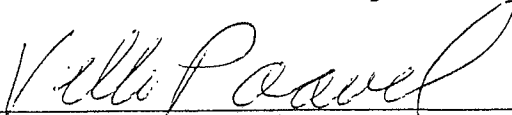
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### ITEM(S) SUBMITTED:

- 1 One Hi-Point Model C pistol; 9mm Luger caliber; serial number 032764; with one unfired 9mm Luger caliber cartridge. (Please note that the SLED Evidence Inventory Sheet indicates that the serial number is "02764". The correct number is 032764.)
- 4 One fired, "CCI" brand 9mm Luger caliber cartridge case.

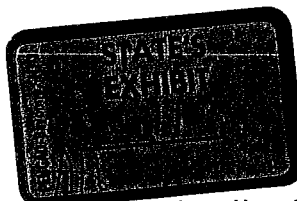
**RESULTS OF EXAMINATION:** The Item 1 pistol was examined, test fired, and found to be in working order. The trigger pull weight for this pistol was measured and found to be 6 3/4 - 7 1/4 pounds. This weight is normal for this type of pistol.

Test cartridge cases fired from the Item 1 pistol were compared with Item 4. Individual identifying characteristics were found, and it was concluded that Item 4 was fired from the Item 1 pistol. The unfired Item 1 cartridge was the same caliber, brand, and type as the Item 4 casing.

  
Vello Paavel, Senior Agent

VP/tsr

cc: Coroner Eldridge Norton



# SOUTH CAROLINA LAW ENFORCEMENT DIVISION

## FORENSIC SERVICES LABORATORY REPORT

DAVID M. BEASLEY  
GOVERNOR



ROBERT M. STEWART  
CHIEF

### TOXICOLOGY DEPARTMENT

December 30, 1996  
SLED Lab No: L9615566  
Your Case No: 96017983  
Incident Date: December 07 1996  
(V) Wingate, Curtisha  
(S) Graham, Eric

Monty C Thompson  
Darlington County Sheriff's Office  
P.O. Box 783  
Darlington, SC 29532

---

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Robert M. Stewart, Chief  
South Carolina Law Enforcement Division

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### ITEMS OF EVIDENCE:

Item 8: Blood labeled "Wingate, Curtisha"

#### RESULTS:

0.021 % blood alcohol found.

Item 9: Urine

#### RESULTS:

Negative for ethanol in urine.

Negative screen for Barbiturates.  
(Secobarbital et al.)

Urine threshold 0.2 mg/L; Blood threshold 2.0 mg/L.

Negative screen for Cocaine and/or Cocaine metabolites.  
(Cocaine, benzoylecgonine, et al.)

Urine threshold 0.3 mg/L; blood threshold 0.3 mg/L.

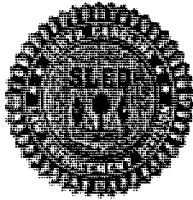
Negative screen for Opiates.  
(Morphine, codeine, et al.)

Urine threshold 0.2 mg/L; blood threshold 0.2 mg/L.



**SOUTH CAROLINA LAW ENFORCEMENT DIVISION  
FORENSIC SERVICES LABORATORY REPORT**

DAVID M. BEASLEY  
GOVERNOR



ROBERT M. STEWART  
CHIEF

**Trace Department**  
January 7, 1997  
SLED Lab No: L96-15566  
Your Case No: 96017583  
Incident Date: 12-7-96  
(S) Eric Graham  
(V) Curtisha Wingate

MONTY THOMPSON  
DARLINGTON COUNTY SO  
P O BOX 783  
DARLINGTON SC 29532

---

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Robert M. Stewart, Chief  
South Carolina Law Enforcement Division

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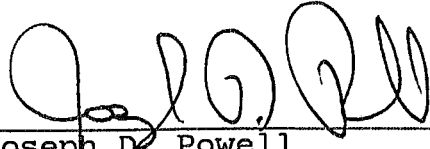
**ITEM(S) SUBMITTED**

5. One (1) GSR Kit from Eric Graham
6. One (1) GSR Kit from Curtisha Wingate
7. One (1) GSR Kit from Curtisha Wingate taken at autopsy

**RESULTS OF EXAMINATION(S)**

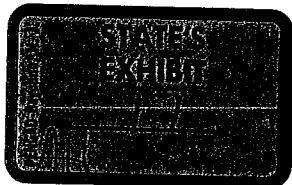
5. In the samples submitted from E. Graham, the quantities of metals detected on the hand regions do not indicate the presence of gunshot residue.
6. In the samples submitted from C. Wingate, the quantities of metals detected on the hand regions do not indicate the presence of gunshot residue.
7. In the samples submitted from C. Wingate (taken from autopsy), no analysis performed.

These examinations were conducted by Lt. Joseph D. Powell, Forensic Trace Evidence Supervisor with this Division.

  
\_\_\_\_\_  
Lt. Joseph D. Powell

1-9-97  
\_\_\_\_\_  
Date

JDP/ksw



②

Eric ~~Wingate~~ Murder

Autopsy Protocol  
FA96-237  
Myrtle Beach, SC 29572

RECEIVED JAN 13 1997

97-224

NAME: WINGATE, Curtisha AGE: 17  
RACE: Negroid SEX: Female

DATE OF DEATH: December 7, 1996  
TIME OF DEATH: 1:30 a.m.

DATE OF AUTOPSY: December 7, 1996  
TIME OF AUTOPSY: 12:45 p.m.

AUTHORIZING AUTHORITY: W. Eldridge Norton  
Darlington County Coroner  
South Carolina

PROSECTOR: Edward L. Proctor, Jr., M.D.

ASSISTANT: Leroy Rush

**HISTORY:** This 17-year-old black female was allegedly shot once in the submental area with an approximate 9 mm weapon. By history from witnesses, her boyfriend apparently pulled out a gun and it discharged striking her in this area. She was pronounced dead and permission for autopsy was granted by the Darlington County Coroner, Mr. W. Eldridge Norton.

**EXTERNAL DESCRIPTION:** The body is identified as Curtisha Wingate. The body is that of a well-developed, well-nourished black female appearing approximately 20 years of age. The head is covered by black hair. There is a single gunshot wound of entrance in the submental area of the chin. This is located 10.0 inches inferior to the top of the head in the midline. This is a contact wound of entrance with irregular edges measuring 2.0 cm with edges opposed. There is a surrounding muzzle imprint and abrasion collar about the entrance site. The path of this projectile is inferior to superior penetrating the floor and roof of the mouth, the frontal sinuses, and the frontal skull. There is a gunshot wound of exit in the anterior forehead at the midline. This is an irregular exit measuring 3.0 x 3.0 cm and shows protruding and brain matter. The eyes are brown and the pupils measure 0.5 cm bilaterally. The sclerae and conjunctivae are pale. There is a mild periorbital edema and recent contusion about the right eye. The ears appear unremarkable. The nose contains a bloody discharge. Palpation reveals a fracture of the nasal bridge. The mouth shows fractures of both the mandible and maxilla with separation of both the upper and lower teeth. The teeth are in good repair. The neck is supple without masses or tracheal deviation. The chest is flat. The breasts contain no masses. The abdomen is flat. There are no palpable masses or fluid wave. The genitalia are those of a normal adult female. The lower extremities show a tattoo of the name Eric on the right upper leg. The upper extremities and back appear



unremarkable.

**INTERNAL DESCRIPTION:** The body is opened in the usual manner to reveal the thoracic and abdominal organs to lie in their usual anatomic positions. There is no fluid in either pleural cavity. The pericardial sac contains approximately 5.0 cc of a clear fluid. The peritoneal cavity contains no fluid.

**HEART:** The epicardium contains minimal fat. The myocardium is firm and tan. The endocardium is smooth.

**LUNGS:** The pleural surfaces are smooth and glistening. Sections reveal a soft spongy parenchyma.

**KIDNEYS:** The capsules strip to reveal smooth cortical surfaces. Sections reveal distinct corticomedullary demarcations. The ureters appear unremarkable. The bladder shows a flattened trabecular mucosa and contains approximately 15.0 cc of yellow urine.

**GYN ORGANS:** A small uterus, ovaries, and fallopian tubes are present. These appear grossly normal. Sections of the uterus reveal no evidence of an intrauterine pregnancy.

**SPLEEN:** The capsule is slate grey. Sections reveal a soft pulp.

**PANCREAS:** Examination is unremarkable.

**BRAIN:** The scalp is reflected to reveal multiple calvarial fractures. The calvarium is removed and approximately 30-40 cc of blood and blood clots are noted within the subdural and subarachnoid spaces. There is a defect within the anterior calvarium from the area of the bullet exit. There is extensive flattening of the usual sulci and gyri. There is prominent maceration and palpation of the left frontal lobe. There is evidence of acute contusion with punctate hemorrhages within numerous parenchymal areas. The basilar skull shows multiple fractures across the frontal and orbital plates. A projectile is not recovered.

Vitreous, blood, and urine were obtained. A gunshot residue examination was performed on the hands. Inspection of the hands revealed no evidence of material underlying the fingernails.

#### MICROSCOPIC EXAMINATION:

**LUNGS:** Sections reveal a mild congestion of the alveolar septal capillaries. Scattered alveolar spaces contain minimal aggregates of a pink edema fluid and rare extravasated red blood cells. The bronchi are lined by a uniform respiratory mucosa.

**KIDNEYS:** Sections reveal a mild congestion of the glomerular capillaries. The tubules and interstitium appear

unremarkable.

**HEART:** Sections reveal intact myocardial fibers.

**LIVER:** Sections reveal an intact lobular architecture. Central veins appear histologically normal. Portal areas show minimal fibrosis and normal appearing bile ducts.

**BRAIN:** Sections reveal a generalized edema and diffuse contusion characterized by a marked vascular congestion and multifocal areas of red cell extravasation into the surrounding parenchyma.

**BLOCK SUMMARY:** A - lungs; B - heart, liver, kidney; C - brain.

**CASE SUMMARY:**

At autopsy, examination revealed a single gunshot wound of entrance in the submental area. This wound was located 10.0 inches inferior to the top of the head within the submental area of the chin. The wound was a contact wound with irregular edges exhibiting a surrounding muzzle imprint. The path of the projectile was inferior to superior penetrating the skin and soft tissues at the submental area and passing through the floor and roof of mouth, maxillary sinuses, frontal skull, and brain and exited through the frontal calvarium. There were associated multiple fractures of the facial bones and nasal bridge as well as extensive edema, hemorrhage, and maceration of the cerebral tissues. Microscopic evaluation revealed a generalized cerebral edema with extensive acute contusion. Additional findings revealed a generalized visceral congestion.

In summary, this 17-year-old black female died as the result of a single gunshot wound to the head. Based upon information from investigative authorities and the findings of a contact wound with muzzle imprint, the manner of death is best classified as homicide.

**FINAL AUTOPSY DIAGNOSES:**

I. GUNSHOT WOUND TO HEAD.

- A. ENTRANCE: CONTACT ENTRANCE SUBMENTAL AREA WITH MUZZLE IMPRINT AND SURROUNDING ABRASION.
- B. PATH: INFERIOR TO SUPERIOR PENETRATING FLOOR OF MOUTH, ROOF OF MOUTH, MAXILLARY SINUSES, BRAIN, AND FRONTAL CALVARIUM.
- C. EXIT: FRONTAL CALVARIUM AT MIDLINE.
- D. EXTENSIVE MACERATION AND PULPATION BRAIN.
- E. INTRACRANIAL HEMORRHAGE 30-40 CC.

II. SIGNIFICANT FINDINGS:

- A. GENERALIZED VISCERAL CONGESTION.
- B. BLOOD ETHANOL - TO DARLINGTON COUNTY CORONER.
- C. URINE DRUG SCREEN - TO DARLINGTON COUNTY CORONER.

CAUSE OF DEATH: GUNSHOT WOUND TO HEAD.

MANNER OF DEATH: HOMICIDE.



Edward L. Proctor, Jr., M.D.  
Forensic Pathologist

WITNESSES

Eric A. Hodges

Citz

*E.A. Hodges*

ARREST WARRANT #:

F050577

Arrested on July 19, 1996

ACTION OF GRAND JURY

*True Bill 10-16-96*

Foreman:

*Rev. Willie J. Taylor*  
Grand Jury

VERDICT

Foreman:

Petit Jury

Date:

DOCKET #: 96GS16-2145

THE STATE OF SOUTH CAROLINA

County of Darlington

COURT OF GENERAL SESSIONS

Term: October, 1996

THE STATE

vs.

Eric A. Graham

I N D I C T M E N T F O R

1004

CARRYING WEAPONS ON SCHOOL PROPERTY

16-23-430

*Karl Smith*

*332-4700*

TRUE CERTIFIED COPY,

*Scott B. Suggs*  
CLERK OF COURT/RMC  
DARLINGTON COUNTY, SC



STATE OF SOUTH CAROLINA )  
County of Darlington )

INDICTMENT #96GS16-2145

At a Court of General Sessions, convened on October 21, 1996,  
the Grand Jurors of Darlington County present upon their oath:

COUNT: CARRYING WEAPONS ON SCHOOL PROPERTY  
16-23-430

That Eric A. Graham did in Darlington County on or about July 15, 1996,  
did willfully and unlawfully carry on his person a handgun, while on school  
property.

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

SOLICITOR: *Clayton McBride*

appear in open court and plead guilty to *Carrying weapon on school*  
*property* the which indictment, consent for \_\_\_\_\_  
 my plea to be published, and ask the mercy of the court.  
Signed *Eric A. Graham*

TRUE CERTIFIED COPY,  
*Scott B. Saff*  
CLERK OF COURT/RMC  
DARLINGTON COUNTY, SC

COUNTY OF Darlington



INDICTMENT/CASE #: 96 -GS- 16 - 2145

STATE vs. Eric Graham  
AKA: \_\_\_\_\_  
Race: B Sex: M  
DOB: [REDACTED] Age: 19  
SSN: [REDACTED]  
DL#: \_\_\_\_\_  
SID#: \_\_\_\_\_

A/W#: F050577  
Date of Offense: 6-15-96  
S.C. CODE §: 16-23-430  
CDR Code #: 1004 615

SENTENCE

PLEA  TRIAL

In disposition of the said indictment comes now the Defendant who was  CONVICTED OF or  PLEADS TO: Carrying weapon on School Property 615  
in violation of § 16-23-430 of the S.C. Code of Laws, bearing CDR Code # 1004

NON-VIOLENT  VIOLENT  SERIOUS  MOST SERIOUS

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: Billy C. Bladen Solicitor Eric A. Graham Defendant Kathy Smith Attorney for Defendant

WHEREFORE, the Defendant is committed to the  State Department of Corrections,  County Detention Center, or  Under Youthful Offender Act for a term of not to exceed 5 days/months/years and/or to pay a fine of \$ \_\_\_\_\_; provided the sentence be suspended upon the service of \_\_\_\_\_ days/months/years and/or payment of \$ \_\_\_\_\_ plus costs and assessments as applicable\*; the balance suspended with probation for \_\_\_\_\_ months/years.

CONCURRENT or  CONSECUTIVE to sentence on: \_\_\_\_\_

SPECIAL CONDITIONS:

RESTITUTION  Heard,  Waived,  Ordered  
Total: \$ \_\_\_\_\_  
Pay Terms: \_\_\_\_\_  
Recipient: \_\_\_\_\_

- 1 PTUP
- 2 \_\_\_\_\_ days/hours Public Service Employment
- 3 Obtain GED DARLINGTON COUNTY, SC
- 4 Attend Voc Rehab. or Job Corps
- 5 May serve W/E beginning \_\_\_\_\_
- 6 Substance Abuse Counseling
- 7 Random Drug/Alcohol Testing
- 8 Fine may be pd. in equal, consecutive weekly/monthly pmts. of \$ \_\_\_\_\_ beginning \_\_\_\_\_
- 9 Other: SHOCK INCARCERATION
- 10 Other: \_\_\_\_\_

\*Fine: \_\_\_\_\_ \$  
§14-1-206 - Assessments 100% \_\_\_\_\_ \$  
§14-1-211 - Surcharge \_\_\_\_\_ \$ 103  
(Exceptions: See §14-1-211)  
§56-5-2995 (DUI) \_\_\_\_\_ \$  
TOTAL \_\_\_\_\_ \$ 103

LB S  
Clerk of Court/Deputy Clerk  
Court Reporter: Grace Healey

Ed B. Coffey  
PRESIDING JUDGE  
Sentence Date: 7-23-98  
Judge Code: 0041



STATE OF SOUTH CAROLINA  
COUNTY OF Darlington  
STATE OF SOUTH CAROLINA

IN THE ( ) Ticket or Warrant No.: \_\_\_\_\_  
( ) COURT OF GENERAL SESSIONS  
( ) MAGISTRATE'S COURT  
( ) MUNICIPAL COURT OF \_\_\_\_\_

v. Eric G. Graham  
Name of Defendant

ORDER SPECIFYING METHODS AND CONDITIONS OF RELEASE  
(Bail Proceeding Form 2)

Offense Charged: Pass. of Firearm on School Property  
At a bail proceeding conducted by undersigned judge, for the defendant named above, it was determined by the court (check one or both):

- The release of the defendant on recognizance will not reasonably assure his appearance as required.
  - The release of the defendant on recognizance will result in an unreasonable danger to the community.
- This determination was based upon the following findings of fact:

500 B Suggs  
CLERK OF COURT/RMC  
DARLINGTON COUNTY, S.C.

[Considerations: Nature and circumstances of the offense charged, the accused's family ties, employment, financial resources, character and mental condition, the length of his residence in the community, his record of convictions, and any record of flight to avoid prosecution or failure to appear at other court proceedings.]

THEREFORE, IT IS HEREBY ORDERED:

1. That the above named defendant be released from custody on the condition that he will personally appear before the designated court at the place, date and time required to answer the charge made against him and do what shall be ordered by the court and not depart the State without the permission of the court and be of good behavior.
2. That the above named defendant be released from custody provided as follows (check one):

CASH IN LIEU OF BOND

The defendant, acknowledging himself to be indebted to the State of South Carolina, deposits \$ \_\_\_\_\_ to secure his release from custody. Should the defendant fail to comply with all terms and conditions of this Order, this sum of money is subject to being forfeited to the State.

CASH PERCENTAGE IN LIEU OF BOND

The defendant acknowledges himself to be indebted to the State of South Carolina in the sum of \$ \_\_\_\_\_, his release to be obtained by payment to the court of \_\_\_\_\_ ( % ) of this bond in cash, this amount being \$ \_\_\_\_\_. The defendant will be obligated to the State in the full amount of \$ \_\_\_\_\_, such sum to be levied on his real and personal property for the use of the State, should he fail to perform the conditions of this Order.

APPEARANCE RECOGNIZANCE WITH SURETY

The defendant will provide good and sufficient surety approved in the court, in the form set forth on the reverse side, acknowledging an indebtedness to the State in the amount of \$ 1000.00.

3. That the defendant shall appear at (check one):

the term of the court of general sessions beginning on [Date: August 23] at [Time: 9:00] o'clock, A.M., at [Place: Darlington County Courthouse 5th floor] and remain there throughout that term of court. If no disposition is made during that term, the defendant shall appear and remain throughout each succeeding term of court until final disposition is made of his case, unless otherwise ordered by the court.

the session of magistrate/municipal (circle one) court beginning on [Date: \_\_\_\_\_] at [Time: \_\_\_\_\_] o'clock, \_\_\_\_\_M., at [Place: \_\_\_\_\_]. If no final disposition is made during that session, the defendant shall appear at such other times and places as ordered by the court.

Initials of Defendant [Signature]

4. That the defendant will notify the court promptly if he changes his address from the one contained in this order and he will comply with those conditions described on the reverse side, which are marked.

Daniel B. Causey III  
Signature of Judge

7-19-96  
Date

ACKNOWLEDGEMENT BY DEFENDANT

I understand that if I violate any condition of this Order, including any conditions included on the reverse side of this Order, a warrant for my arrest will be issued.

I understand and have been informed that I have a right and obligation to be present at trial and should I fail to attend the court, the trial will proceed in my absence.

It has been explained to me that if I fail to appear before the court as required, an additional criminal charge will be instituted against me. If the failure to appear is in connection with a felony charge, or while awaiting sentence, or pending appeal or certiorari after conviction, the penalty is a fine of not more than \$5,000 or imprisonment for not more than five years, or both; if I fail to appear in connection with a misdemeanor charge, the penalty is a fine of not more than \$1,000 or imprisonment for not more than one year, or both.

I acknowledge the receipt of a copy of this Order and understand the conditions of my release and the penalties applicable to me if I violate any condition of the Order or fail to appear as required.

Sherrill Mee Rd.  
Society Hill SC  
383-9610

Eric Graham  
Signature of Defendant  
July 19, 1996  
Date

County Number/Telephone No.

Attorney Representing Accused (If known)

ORIGINAL AND ONE COPY OF THIS FORM ARE TO BE COMPLETED IN EVERY BAIL PROCEEDING IN WHICH IT IS USED.  
Original copy for the Trial Court - Copy for the Defendant

Hartsville Magistrate

CASE HISTORY FOR CASE U500789

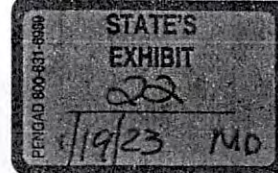
The State of South Carolina VS Eric Anton Graham

CASE TYPE: TR

ASSIGNED JUDGE: Morris, William Cleveland

DISPOSITION JUDGE: Morris, William Cleveland

ARRESTING AGENCY: S C Highway Patrol



15

STATUS: Disposed

FILED DATE: 10/12/1996

CASE PARTIES:

Defendant Graham, Eric Anton

Sherrills Mill Rd., Hartsville, SC 29550

Officer Chavis, A J

CASE HISTORY FOR CASE U500789

Graham, Eric Anton
Sherrills Mill Rd.
Hartsville, SC 29550

Age: Unknown
DL#: [REDACTED]

DOB: Unknown
SSN: 000-00-0000

Table with columns: CHARGE, VIOL. DATE, DISPOSITION, DISP. DATE. Row: 2980 D.U.I. 10/12/1996 Guilty Bench Trial 11/14/1996

Table with columns: COST, ORIGINAL, BALANCE DUE, DISBURSED, PAY PRIORITY. Rows for Charge: D.U.I., Fine to General Fund, State Assessment, and Total.

Table with columns: DATE, TIME, EVENT DESCRIPTION. Rows for 10/14/1996, 11/7/1996, and 11/14/1996.

Certified True Copy
Hartsville Magistrate's Office

Print Date: 12/05/2022
Print Time: 2:04:31PM
Requested By: C16SSMITH

CaseHistory.rpt V6.1



## Certification for Court

**Customer No:** 23496991 **Driver License No:** [REDACTED]  
**Name:** GRAHAM, ERIC ANTON  
**Address:** [REDACTED] SHERRILLS MILL RD.  
**City:** HARTSVILLE **State:** SC **Zip:** 295500000  
**County:** DARLINGTON  
**DOB:** [REDACTED] 1979 **Height:** 5'11 **Weight:** 160 **Eyes:** [REDACTED] **Sex:** M **Race:** BLACK **Driver Training:** N  
**Status - DL:** SUSPENDED **CDL:** DISQUALIFIED

### License Information

Type	Class	Function	Issued	Expires	First Issued	Rest.	Endor.	Document Identifier (ACN / DDN)
Current								
Prior								
ID		Returned	07/16/1997	07/16/2002		N	N	N/A
ID		Original	07/16/1997	07/16/2002		N	N	N/A
DL	D	Returned	08/16/1994	05/14/1998	07/16/1997	Y	N	N/A
DL	D	BP to DL	08/16/1994	05/14/1998	07/16/1997	Y	N	N/A

### Point Summary

**Total Current Points:** 0  
**Driver Credit:** -0  
**Adjusted Current Points:** 0

### Suspension Summary

**Driving Under the Influence:** Total 0 DUI Suspensions  
**Driving Under Suspension:** Total 0 DUS Suspensions  
**Unlawful Alcohol Concentration:** Total 0 Per Se Suspensions  
**Failure To Make Payment For Gasoline:** Total 0 Gasoline Suspensions  
**Uninsured Motorist:** Total 0 UM Violations

### SC Driver License Surrendered

**License Type:** DL **Class:** D **Function:** BP to DL **Posted:** 01/18/2020  
**Date Surrendered:** 01/18/2020 **Issued:** 08/16/1994  
**Reason for Return:** EXPIRED LICENSE CANCELLED **Returning State:**

**SUSP:** 013 - Driving Under Suspension **Ticket#:** 90052AW  
**Special Driving Privilege:** NONE  
**Suspension Beg:** 07/15/1998 **Suspension End:** 10/15/1999  
**Causal:** 06/10/1998 **Post:** 08/31/1998  
**Reinstatement Requirements Met:** INDEFINITE **Reinstatement Fee Paid:** N  
**ACD:** B26 **Withdrawal Loc Ref:** [REDACTED] **Withdrawal Reason Ref:**  
**Suspension No:** 2 **Violation No:** 2  
**Status:** ACTIVE **Reason:** **Last Change:** 07/28/2002

**SUSP:** 001 - Driving Under the Influence **Ticket#:** U500789  
**Special Driving Privilege:** NONE  
**Suspension Beg:** 11/14/1996 **Suspension End:** 05/14/1997  
**Causal:** 10/12/1996 **Post:** 12/05/1996  
**Reinstatement Requirements Met:** INDEFINITE **Reinstatement Fee Paid:** N  
**ACD:** A20 **Withdrawal Loc Ref:** [REDACTED] **Withdrawal Reason Ref:**  
**Suspension No:** 1 **Violation No:** 1  
**IID Required:** N  
**Status:** ACTIVE **Reason:** **Last Change:** 07/30/2002

# Certification for Court

Customer No: 23496991  
Name: GRAHAM, ERIC ANTON

Driver License No: 7504258

---

*End of Report*



STATE OF SOUTH CAROLINA  
COUNTY OF Darlington  
STATE OF SOUTH CAROLINA

Ticket or Warrant No. F-368172 - Murder  
F-368183 - minor handgun  
F-368184 - CPU  
F-368187 Firearm ABC.  
IN THE (x) COURT OF GENERAL SESSIONS  
( ) MAGISTRATE'S COURT  
( ) MUNICIPAL COURT OF \_\_\_\_\_

v. ERIC A. Graham  
Name of Defendant

ORDER SPECIFYING METHODS AND CONDITIONS OF RELEASE  
(Bail Proceeding Form 2)

Offense Charged: MURDER; UNLAWFUL POSSESSION OF A FIREARM BY A MINOR; COMMITTING VICIOUS ACT WITH A HANDGUN; POSSESSION OF A HANDGUN IN AN ABC ESTABLISHMENT  
At a bail proceeding conducted by undersigned judge, for the defendant named above, it was determined by the court (check one or both):

- The release of the defendant on recognizance will not reasonably assure his appearance as required.
- The release of the defendant on recognizance will result in an unreasonable danger to the community.

This determination was based upon the following findings of fact:  
Nature of offenses require surety bond.



[Considerations: Nature and circumstances of the offense charged, the accused's family ties, employment, financial resources, character and mental condition, the length of his residence in the community, his record of convictions, and any record of flight to avoid prosecution or failure to appear at other court proceedings.]

THEREFORE, IT IS HEREBY ORDERED:

1. That the above named defendant be released from custody on the condition that he will personally appear before the designated court at the place, date and time required to answer the charge made against him and do what shall be ordered by the court and not depart the State without the permission of the court and be of good behavior.
2. That the above named defendant be released from custody provided as follows (check one):

CASH IN LIEU OF BOND

The defendant, acknowledging himself to be indebted to the State of South Carolina, deposits \$ \_\_\_\_\_ to secure his release from custody. Should the defendant fail to comply with all terms and conditions of this Order, this sum of money is subject to being forfeited to the State.

CASH PERCENTAGE IN LIEU OF BOND

The defendant acknowledges himself to be indebted to the State of South Carolina in the sum of \$ \_\_\_\_\_, his release to be obtained by payment to the court of \_\_\_\_\_ ( % ) of this bond in cash, this amount being \$ \_\_\_\_\_. The defendant will be obligated to the State in the full amount of \$ \_\_\_\_\_, such sum to be levied on his real and personal property for the use of the State, should he fail to perform the conditions of this Order.

APPEARANCE RECOGNIZANCE WITH SURETY

The defendant will provide good and sufficient surety approved in the court, in the form set forth on the reverse side, acknowledging an indebtedness to the State in the amount of \$ 20,000.

3. That the defendant shall appear at (check one):

the term of the court of general sessions beginning on [Date:] 1/24/97 at [Time:] 9:00 o'clock, A.M., at [Place:] Darlington County Courthouse and remain there throughout that term of court. If no disposition is made during that term, the defendant shall appear and remain throughout each succeeding term of court until final disposition is made of his case, unless otherwise ordered by the court.

the session of magistrate/municipal (circle one) court beginning on [Date:] \_\_\_\_\_ at [Time:] \_\_\_\_\_ o'clock, \_\_\_\_\_M., at [Place:] \_\_\_\_\_. If no final disposition is made during that session, the defendant shall appear at such other times and places as ordered by the court.

Initials of Defendant EAG

4. That the defendant will notify the court promptly if he changes his address from the one contained in this order and he will comply with those conditions described on the reverse side, which are marked.

[Signature]  
Signature of Judge

12-12-96  
Date

ACKNOWLEDGEMENT BY DEFENDANT

I understand that if I violate any condition of this Order, including any conditions included on the reverse side of this Order, a warrant for my arrest will be issued.

I understand and have been informed that I have a right and obligation to be present at trial and should fail to attend the court, the trial will proceed in my absence.

It has been explained to me that if I fail to appear before the court as required, an additional criminal charge will be instituted against me. If the failure to appear is in connection with a felony charge, or while awaiting sentence, or pending appeal or certiorari after conviction, the penalty is a fine of not more than \$5,000 or imprisonment for not more than five years, or both; if I fail to appear in connection with a misdemeanor charge, the penalty is a fine of not more than \$1,000 or imprisonment for not more than one year, or both.

I acknowledge the receipt of a copy of this Order and understand the conditions of my release and the penalties applicable to me in the event I violate any condition of the Order or fail to appear as required.

Sherrill Mill Rd.  
Address  
Society Hill, SC 29593  
City/State/Zip  
383-9610  
Telephone No.

Eric A. Graham  
Signature of Defendant  
12-12-96  
Date  
Karl H. Smith  
Attorney Representing Accused (If known)

TRUE CERTIFIED COPY,  
SET B  
CLERK OF COURT/AMC  
DARLINGTON COUNTY, S.C.



DARLINGTON, S. C.

PAULETTE LOWE  
Clerk of Court

STATE OF SOUTH CAROLINA

COUNTY OF DARLINGTON

BOND CERTIFICATE

THIS IS TO CERTIFY THAT RAYMOND GRAHAM  
IS A FREEHOLDER IN THE COUNTY AFORESAID AND IN MY OPINION IS WORTH  
THE SUM OF TWENTY THOUSAND DOLLARS\*\*\*\*\*  
(\$20,000.00\*\*\*) DOLLARS, OVER AND ABOVE ANY LIABILITIES AND THE  
AMOUNT OF EXEMPTION UNDER THE LAW.

*Paulette Lowery*  
CLERK

DARLINGTON, SOUTH CAROLINA

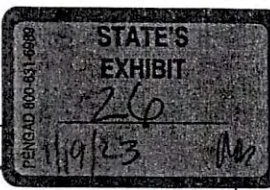
DECEMBER 12, \_\_\_\_\_, 1996.

BOND FOR: ERIC GRAHAM

OFFENSE/CHARGE: \_\_\_\_\_

PLACE OF DETENTION: DCDC

TRUE CERTIFIED COPY,  
*Sgt B Suggs*  
CLERK OF COURT/RMC  
DARLINGTON COUNTY, S.C.



WITNESSES

James Davis

Darlington Pd

b *David Wear*

ARREST WARRANT #:

F050927

Arrested on June 10, 1998

ACTION OF GRAND JURY

*true bill* 7/16/98

Foreman: *Melanie P. Enterline*  
Grand Jury

VERDICT

Foreman: \_\_\_\_\_  
Petit Jury

Date: \_\_\_\_\_

DOCKET #: 98GS16-1682 ✓

THE STATE OF SOUTH CAROLINA  
County of Darlington

COURT OF GENERAL SESSIONS

Term: July, 1998

THE STATE

vs.

Eric Graham

I N D I C T M E N T F O R

0139

ARMED ROBBERY

(16-11-330)

*WP convicted of murder  
and sentenced to life  
on 8/26/98*

TRUE CERTIFIED COPY,  
*Sam B. Suggs*  
CLERK OF COURT/RMC  
DARLINGTON COUNTY, S.C.

*ECB* 3/27/98

STATE OF SOUTH CAROLINA )  
 ) INDICTMENT #98GS16-1682  
 County of Darlington )

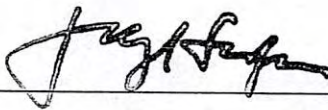
At a Court of General Sessions, convened on July 20, 1998,  
 the Grand Jurors of Darlington County present upon their oath:

COUNT: ARMED ROBBERY  
 (16-11-330)

That Eric Graham did in Darlington County on or about June 09, 1998, while  
 armed with a deadly weapon, to wit: (handgun), feloniously take from the person  
 or presence of the victim, Eugene Hansen, by means of force or intimidation  
 goods or monies of said victim, such goods or monies being described as  
 follows: (cash, a pager, jewelry).

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

SOLICITOR: \_\_\_\_\_



TRUE CERTIFIED COPY,  
*Set B Suge*  
 CLERK OF COURT/RMC  
 DARLINGTON COUNTY, S.C.



WITNESSES

G M Henderson  
Darlington Pd

15 *David Wain*

ARREST WARRANT #:

90051AW

Arrested on June 09, 1998

ACTION OF GRAND JURY

*True bill* *7/16/98*

Foreman: *Melanie B. Easterday*  
Grand Jury

VERDICT

Foreman: \_\_\_\_\_  
Petit Jury

Date: \_\_\_\_\_

DOCKET #: 98GS16-1698

THE STATE OF SOUTH CAROLINA  
County of Darlington

COURT OF GENERAL SESSIONS

Term: July, 1998

THE STATE

vs.

Eric Anton Graham

INDICTMENT FOR

0043

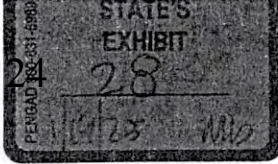
WEAPON/CARRYING CONCEALED

16-23-460

TRUE CERTIFIED COPY,  
*Sgt B Siga*  
CLERK OF COURT/RMC  
DARLINGTON COUNTY, S.C.

*NP  
plead in  
City Court Plead in  
City Court  
TO THIS charge*  
1.2.1998





City of Darlington  
Municipal Court

P.O. Box 57  
Darlington, South Carolina 29540

Robert L. Stucks  
Municipal Judge  
Melinda K. Osborne  
Clerk of Municipal Court

**CERTIFIED TRUE COPY**  
BY Melinda K. Osborne  
CLERK OF COURT

Telephone  
(843) 398-4004  
Fax  
(843) 398-4102

Final Disposition Form

CITY OF DARLINGTON, SC

VS

Chie Anton Graham  
DEFENDANT

FOR COURT USE ONLY	
Date:	<u>10-12-17</u>
Completed by:	<u>Melinda Osborne</u>
Title:	<u>Clerk of Court</u>

*This form is to be stamped "CERTIFIED TRUE COPY", sealed with "MUNICIPAL COURT CITY OF DARLINGTON" seal and signed by individual completing form.*

TICKET/WARRANT #: 90051 AW DISPOSITION: Guilty - 30 days

DATE OF DISPOSITION: 7-15-98

CHARGE: Concealed Weapon

TICKET/WARRANT #: 90052 AW DISPOSITION: Guilty - 30 days

DATE OF DISPOSITION: 7-15-98

CHARGE: DUS

TICKET/WARRANT #: 90057 AW DISPOSITION: Guilty - 30 days

DATE OF DISPOSITION: 7-15-98

CHARGE: Unlawful use of force

TICKET/WARRANT #: 90053 AW DISPOSITION: Guilty - 30 days

DATE OF DISPOSITION: 7-15-98

CHARGE: Deathbeat

TICKET/WARRANT #: \_\_\_\_\_ DISPOSITION: \_\_\_\_\_

DATE OF DISPOSITION: \_\_\_\_\_

CHARGE: \_\_\_\_\_

<b>DISPOSITIONS:</b>			
<i>Bond Forfeiture</i>	<i>Dismissed</i>	<i>Guilty/Tried in Absence</i>	<i>Time Served</i>
<i>Guilty</i>	<i>Community Service</i>	<i>30 Days (Jail)</i>	



SPECIAL CONDITIONS OF RELEASE

a.  Placement in custody. The defendant is placed in the custody of: \_\_\_\_\_  
Name of person or organization

Address \_\_\_\_\_ City \_\_\_\_\_ State/Zip \_\_\_\_\_ Telephone \_\_\_\_\_  
who agrees (1) to supervise the defendant in accordance with conditions set forth by the court, (2) to use every effort to assure the appearance of the defendant at all scheduled hearings before the court, and (3) to notify the court immediately in the event the defendant violates any conditions of his release or disappears.

CLERK OF COURT

Signature of Custodian (If Appointed) \_\_\_\_\_ Date \_\_\_\_\_

b.  Restrictions on Travel, Association or Residence. The defendant will comply with each of the following conditions:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

c.  Part-time Release. The defendant will be released from custody from \_\_\_\_:\_\_\_\_ o'clock, \_\_\_\_M. to \_\_\_\_:\_\_\_\_ o'clock, \_\_\_\_M. on \_\_\_\_\_ at \_\_\_\_\_ on condition that he return to the custody of \_\_\_\_\_ as designated.

d.  Other Conditions. The defendant will comply with the following other conditions of release:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

APPEARANCE RECOGNIZANCE WITH SURETY

On the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, personally appeared before the undersigned judge the surety named below who acknowledged himself indebted to the State of South Carolina, in the sum of \$\_\_\_\_\_, such sum to be levied on his real and personal property for the use of the State, if the within named defendant shall fail in performing the conditions of this Order.

The surety, being duly sworn, says that he is a resident and free holder within the State and is worth the sum acknowledged and underwritten herein, over all his debts and liabilities, and exclusive of property exempt from execution.

Name of Surety (Printed or Typed) \_\_\_\_\_

Signature of Surety \_\_\_\_\_

Address of Surety \_\_\_\_\_

Signature of Judge \_\_\_\_\_

City/State/Zip \_\_\_\_\_

Date \_\_\_\_\_

*[Handwritten notes and signatures at the bottom of the page]*

## CERTIFICATE OF COUNSEL FOR APPELLANT

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

Respectfully Submitted,



Joanna K. Delany  
Appellate Defender

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

ATTORNEY FOR APPELLANT

**RECEIVED**  
**Oct 11 2024**  
**SC Court of Appeals**

This 11th day of October, 2024.

**RECEIVED**

**Oct 11 2024**

**SC Court of Appeals**

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

\_\_\_\_\_  
Appeal from Darlington County

Honorable Roger E. Henderson, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

ERIC ANTON GRAHAM,

APPELLANT

APPELLATE CASE NO. 2023-000160

\_\_\_\_\_  
CERTIFICATE OF SERVICE  
\_\_\_\_\_

Pursuant to Rule 262(a)(3) and Rule 262(c)(3), SCACR, the undersigned hereby certifies a true copy of the Supplemental Record on Appeal in the above-referenced case has been served upon Tommy Evans, Jr., Esquire, at the primary email address listed within the Attorney Information System (AIS), this 11th day of October, 2024.

  
\_\_\_\_\_  
Joanna K. Delany  
Appellate Defender

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

ATTORNEY FOR APPELLANT