

IN THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM MARION COUNTY
Court of General Sessions

Appellate Case No. 2023-000408

The Honorable William H. Seals, Circuit Court Judge

State of South Carolina.....Respondent,

v.

Isaac Kareem HemingwayAppellant.

**RECORD ON APPEAL
VOLUME III OF III**

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INDEX

VOLUME I

TRANSCRIPT, FEBRUARY 24, 2023	1
SHKYRIA EDMUNDS	
Direct Examination	5
KAREEMA HEMINGWAY	
Direct Examination	10
Cross Examination	19
Redirect Examination.....	33
Recross Examination	34
Redirect Examination.....	35
STEPHANIE REED	
Direct Examination	36
Cross Examination	43
Redirect Examination.....	49
Recross Examination	50
SAVION FRASIER	
Direct Examination	51
Cross Examination	54
Redirect Examination.....	57
NICOLE WOODLE	
Direct Examination	59
Cross Examination	67
DR. ELLEN RIEMER	
Voir Dire	68
Direct Examination	71
Cross Examination	85
TRIAL TRANSCRIPT, FEBRUARY 27-MARCH 2, 2023	102
JURY QUESTIONS	112
JACKSON V. DENNO HEARING.....	151
REGGIE HOTALING JR.	
Direct Examination	152

Cross Examination	162
STATE’S OPENING	241
DEFENSE OPENING	244
WANDA HARRELSON	
Direct Examination	256
Cross Examination	259
SHKYRIA EDMUNDS	
Direct Examination	260
Cross Examination	275
Redirect Examination.....	286
DEWAYNE ROGERS	
Direct Examination	289
Cross Examination	294
Redirect Examination.....	302
Recross Examination	303
MITCHIE MCCASKILL	
Direct Examination	305
Cross Examination	309
TODD SCHENK	
Direct Examination	316
Cross Examination	342
Redirect Examination.....	370
Recross Examination	376
COURTNEY DANIELS	
Direct Examination	378
Cross Examination	381
REGGIE HOTALING	
Direct Examination	389
Cross Examination	409
Redirect Examination.....	457
Recross Examination	464
MARYANN BOEHM (IN CAMERA)	
Direct Examination	470

VOLUME II

MARYANN BOEHM (IN CAMERA)

Direct Examination continued496
Cross Examination504
Redirect Examination.....543

JARAD BARKDOLL

Direct Examination557
Cross Examination573
Redirect Examination.....618
Recross Examination622

JAMES GREEN

Direct Examination624
Cross Examination629

CHRIS JOHNSON

Direct Examination637
Cross Examination650
Redirect Examination.....693
Recross Examination694
Further Examination698

MARYANN BOEHM

Direct Examination699
Cross Examination726
Redirect Examination.....774
Recross Examination781

NICOLE WOODLE

Direct Examination812

LATASHA BAYNES

Direct Examination814
Cross Examination846
Redirect Examination.....863
Recross Examination869

ANTWAN KELLY

Direct Examination870
Cross Examination873

STATE RESTS812

DEFENSE RESTS874

STATE’S CLOSING ARGUMENT.....	880
DEFENSE’S CLOSING ARGUMENT	908
STATE’S CLOSING ARGUMENT REPLY	971
JURY CHARGES.....	977

VOLUME III

VERDICT	996
SENTENCING	1014
INDICTMENTS	1016
SENTENCING SHEETS.....	1022

EXHIBITS

State’s Exhibit 61 (DNA Report).....	1028
State’s Exhibit 63 (Family Court Records).....	1041
State’s Exhibit 68 (Cell Phone Log)	1066
Defendant’s Exhibit 1 (Motion to Suppress ID).....	1070
Defendant’s Exhibit 2 (Motion to Suppress ID).....	1087
Defendant’s Exhibit 4 (Cellular Analysis).....	1094
Court’s Exhibit 1 (Note from Jury).....	1135
Court’s Exhibit 2 (Note from Jury).....	1136

(State’s Exhibits

- **No. 52 – disk;**
- **No. 62 – CD;**
- **No. 60 – disk – are all on file with this Court.)**

1 THE COURT: All right. Members of the jury, I'm
2 going to have you come back at 9:30 in the morning. And
3 hopefully you'll finish it sometime tomorrow morning, but
4 do not discuss the case among yourselves. Don't discuss
5 it with your family when you get home. Don't discuss it
6 with anybody. Do not Google it. Do not research it. Do
7 not look it up, just put it totally out of your mind.
8 Come back at 9:30 and let me know when all 12 of you are
9 in that jury room, just tell the bailiff to let me know,
10 okay. And then we'll answer your question tomorrow. All
11 right, you all are excused. I'll see you at 9:30 in the
12 morning.

13 (WHEREUPON, the jury is excused for the day at
14 5:37 p.m.)

15 THE COURT: All right. We do have a note. It
16 says can we get more clarification on DNA evidence
17 concerning what the wording and numbers mean. We have a
18 person who wants to know if these numbers mean it is the
19 suspects DNA or not. I think all I can say is you got all
20 the evidence before you just continue deliberations.

21 MR. BROOKER: Either that your Honor or if
22 there's any specific portion of the DNA expert's testimony
23 they want read back, that would be the only other
24 alternative. We couldn't give any additional information,
25 but they can rehear that person's testimony.

1 THE COURT: What do you all think?

2 MR. WHITE: Judge, I will leave it to your
3 discretion whatever you think.

4 THE COURT: We could just ask them if they want
5 to hear the DNA testimony and cross again. Is that good
6 with the defense? State?

7 MR. BROOKER: Whatever your Honor decide.

8 THE COURT: All right. We'll ask them that in
9 the morning and see what they say.

10 MR. WHITE: Sounds good, Judge.

11 THE COURT: Everybody have a good night see you
12 at 9:30.

13 (WHEREUPON, Court's Exhibit No. 2 was marked for
14 the record.)

15 (WHEREUPON, the proceedings were concluded for
16 the day to be reconvened on March 2, 2023.)

17 THE COURT: I wrote on the note that we got
18 yesterday. I said you have received all the in this case
19 please continue deliberating. However, if you like to
20 hear Maryann Boehm's testimony again, we can replay it for
21 you. If you want to hear her testimony again, let the
22 bailiff know and he'll advise the Court. The State good
23 with that?

24 MR. WHITE: That's good, Judge. The only thing
25 I just want to double check -- double check to make sure

1 with that?

2 MR. WHITE: That's good, Judge. The only thing
3 I just want to double check -- double check to make sure
4 it's the right testimony. I know she testified twice. If
5 that comes, I just want to make sure we play the right
6 one.

7 THE COURT: Okay.

8 MR. BROOKER: That's perfectly fine with me,
9 your Honor.

10 THE COURT: We'll send that in and tell them to
11 continue, let me know if they have a question.

12 (WHEREUPON, Court's Exhibit No. 1 was marked for
13 the record.)

14 (WHEREUPON, the jury continued deliberating at
15 9:27 a.m. on March 2, 2023.)

16 THE COURT: Why don't we just start with the
17 very first one, that's when she explains it the most and
18 see if they need more after that the first time she
19 testified.

20 MR. WHITE: I believe the second time would be
21 the only time that we can get played.

22 THE COURT: Yeah, what's what I meant. You did
23 direct, cross, redirect, recross, recross, recross. I
24 know what you talking about.

25 MR. WHITE: I know that's a lot.

1 (WHEREUPON, the jury came into open court at
2 9:33 a.m. to hear the testimony of Maryann Boehm.)

3 THE COURT: All right. We going to replay the
4 testimony again. I think we did take like a lunch break
5 or something somewhere in there. So when we get to that
6 point, she's going to fast forward and continue. I'm
7 ready when you are Keshia.

8 (WHEREUPON, the jury is hearing the testimony of
9 Maryann Boehm.)

10 COURT REPORTER: That's it, Judge.

11 THE COURT: All right, return to the jury room
12 and continue deliberations.

13 (WHEREUPON, the jury returned to the jury room
14 to continue deliberations at 11:41 a.m.)

15 THE COURT: All right, be at ease until
16 something happens.

17 (WHEREUPON, court is at ease.)

18 THE COURT: We got another note. And it says we
19 cannot reach a consensus. We have 11 votes guilty. We
20 had one vote not guilty. What do you all want me to do
21 just tell them to keep working or Allen charge?

22 MR. WHITE: I think it's best to keep working,
23 Judge. I think it's too early for an Allen charge.

24 THE COURT: Probably so. You good?

25 MR. BROOKER: That's fine, Judge.

1 THE COURT: Okay. I'm going to write on here
2 your decision must be unanimous keep working.

3 MR. BROOKER: Judge, can I say something ---

4 THE COURT: Yes.

5 MR. BROOKER: --- about the note. I think when
6 you said your decision must be unanimous keep working, I
7 don't want them to get the impression -- normally, during
8 an Allen charge, you tell them that no jurors should be
9 violence (sic) their own conscious to reach a conclusion.
10 I want to make sure that we don't give them the impression
11 that -- give that juror the impression that even if her
12 conviction says not guilty, that she must change her
13 decision just for the purpose of them being I guess
14 reaching ---

15 THE COURT: How about if I just say please keep
16 working?

17 MR. BROOKER: Yeah, tell them still keep
18 working.

19 THE COURT: All right.

20 MR. BROOKER: Because I don't want to give the
21 impression that she or he whoever the person is that they
22 have to change their decision if that is a truly held
23 conviction.

24 THE COURT: I just wrote please keep working.
25 All right. We will be at ease until we hear something

1 else. You want to mark that, Keshia, real quick.

2 **(WHEREUPON, Court's Exhibit No. 2 was marked for**
3 **the record.)**

4 THE COURT: All right. We'll be at ease until
5 something else happens.

6 MR. TUCKER: Thank you, your Honor.

7 (WHEREUPON, court at ease.)

8 THE COURT: Okay. As I told you before, we
9 getting ready to receive the verdict. And when we do, I
10 don't want to hear anything from anybody out there in the
11 audience. That jury's had a hard job. They've had a lot
12 of pressure on them. They been here for two weeks. And
13 they don't need to have any pressure from you all. So if
14 I hear anything from any of you, you going to spend the
15 night in the Marion County jail. So if you don't think
16 you can sit there and be quiet, now is the time to go.
17 All right. Everybody is staying, bring out the jury.

18 (WHEREUPON, the jury came into open court at
19 4:30 with a verdict.)

20 THE COURT: All right. Mr. Foreman, if you'll
21 hand the verdict form to the bailiff right here. Thank
22 you. I find the verdict form is in order. The clerk will
23 publish. Thank you.

24 THE CLERK: State of South Carolina County of
25 Marion in the Court of General Sessions Twelfth Judicial

1 Circuit indictment number 2021-GS-33-00273, 275 and 276
2 the State of South Carolina vs. Issac Kareem Hemingway as
3 to the charge of Maisha Burch's murder, we, the jury,
4 unanimously find the defendant guilty. As to the charge
5 of Andrew Legette's murder, we, the jury, unanimously find
6 the defendant guilty. As to the charge of possession of a
7 weapon during a violent crime, we, the jury, unanimously
8 find the defendant guilty. Signed by the foreperson
9 February 29th 2023, Marion, South Carolina. If this is
10 your verdict, please signify by the raising of your hand.

11 (WHEREUPON, all jurors hands were raised.)

12 THE COURT: Thank you. Need for further polling
13 from the defense?

14 MR. BROOKER: Individually poll the jury, your
15 Honor.

16 THE COURT: All right. Ms. Clerk, if you will
17 poll the jury.

18 THE CLERK: William Brown, is this your verdict?

19 JUROR: Guilty.

20 THE CLERK: Thank you. Helen Gerrald, what is
21 your verdict?

22 JUROR: Guilty.

23 THE COURT: Mary Nealy, is this your verdict?

24 JUROR: Guilty.

25 THE CLERK: Thank you. Alex Rouse?

1 JUROR: Guilty.

2 THE CLERK: Thank you. Soynia Evans, is that
3 your verdict?

4 JUROR: Guilty.

5 THE CLERK: Thank you. Brandon Bass.

6 JUROR: Guilty.

7 THE CLERK: Thank you. Roberta Smith.

8 JUROR: Guilty.

9 THE CLERK: Thank you. Billy Coleman.

10 JUROR: Guilty.

11 THE CLERK: Thank you. Erin Moore.

12 JUROR: Guilty.

13 THE COURT: Thank you. Justin Harrelson.

14 JUROR: Guilty.

15 THE CLERK: And Melissa Calhoun.

16 JUROR: Guilty.

17 THE CLERK: Thank you. Thomas Coleman.

18 JUROR: Guilty.

19 THE CLERK: Thank you.

20 THE COURT: Thank you. Members of the jury, I
21 thank you for your the service the past two weeks. You've
22 had a hard job, but you done a good job and you've
23 completed your job. You are free to go if you would like
24 and you can stay if you would like. Everybody in the
25 courtroom remain seated while the jury leaves.

1 (WHEREUPON, some jurors left and some jurors
2 stayed for sentencing.)

3 THE COURT: Any motions from the defense?

4 MR. BROOKER: Pretrial motions your Honor --
5 your Honor, I think underneath the rules it allows us ten
6 days to file pretrial motions. I like to exercise the
7 right to take that ten days. Of course, if we have any
8 pretrial motions, if we could do them in writing and
9 submit them to you within that ten day period.

10 THE COURT: Any objections to that from the
11 State?

12 MR. WHITE: No, sir, Judge.

13 THE COURT: All right. You prepare the
14 sentencing sheets.

15 MR. WHITE: Yes, sir.

16 (WHEREUPON, a pause in the proceedings.)

17 THE COURT: And possession of a weapon carries
18 how much time?

19 MR. WHITE: Five years, Judge.

20 THE COURT: All right. Is there anything the
21 State would like to put on the record?

22 MR. WHITE: Yes, sir, Judge. And I know that
23 the family obviously they been here all week and a few do
24 want to address the Court at the appropriate time. Your
25 Honor, two-week trial and you've heard it all. And I want

1 belabor the facts, but, Judge, I think what I said in my
2 closing statement rang true in the facts of this case.

3 Issac Hemingway is someone who has a control
4 issue. And when control is slipping away from him and he
5 couldn't manipulate the system and manipulate the child
6 support issue, he took matters into his own hands. And
7 when he did, he killed, you know, a loving mother and
8 Andrew Legette who just happen to be at the wrong place at
9 the wrong time. And despite what the defense tried to
10 paint, we have heard nothing but great things about Maisha
11 Burch who was just trying to do the best she could for her
12 children. Andrew Legette same thing always heard positive
13 things about Andrew Legette. I think in the defendant's
14 own statement he mention how good of a person Andrew
15 Legette was.

16 This is a senseless tragedy. And I can't, you
17 know, emphasize enough the type of person that this takes
18 to sneak out of an apartment filled with your own children
19 to go and drive 45 minutes and murder their mother.
20 Judge, this is a life case. Not only that, it's a life
21 times two consecutive case.

22 Judge, his criminal history also supports that
23 2004 breach of trust with fraud, 2005 several arrests but
24 no convictions. And in 2005 convicted of reckless driving
25 and resisting arrest. 2008 his first criminal domestic

1 violence, 2018 unlawful carrying of a weapon, 2017 breach
2 of trust with fraudulent intent, 2018 domestic violence
3 and he was placed on probation, Judge, for 18 months. He
4 would have just been getting off of probation for
5 domestic violence when he took the steps to murder these
6 two people. Judge, I can't emphasize it enough this is
7 life case. This is a life times two. This is a life
8 times two consecutive and that's the sentence that we ask
9 you to impose. And we ask that you hear from the family
10 at the appropriate time.

11 THE COURT: I'm ready now. State your name?

12 HERBERT BURCH: Herbert Burch.

13 THE COURT: All right, be glad hear from you.

14 HERBERT BURCH: Maisha Nefertiti Burch I named
15 her. She was my first niece. I raise her like a daughter
16 until she came down here when she had her third child. Me
17 and my mother went shopping for her. She stayed in the
18 house -- at the family house in Centenary that we all been
19 around. She was a destination. She was a reason for
20 coming to South Carolina. We'll have seafood boils, fry
21 fish, barbecue. Whenever she called Uncle Herb, I came.
22 I don't remember her lights ever being off or I would put
23 them -- a registered trauma nurse. So there was money
24 that always flowed her way for her and her eight children,
25 have eight children. Her mom -- their mom was taken away

1 from them because someone didn't want to pay child support
2 to children that he made. He made. So he took the
3 cowardly way out by murdering my niece. He took her away
4 from us.

5 Now, we want to try to patch this family back up
6 as soon we can. We like Tristan, Ivy and Mariah back with
7 us by any way we can get them back. We have the means to
8 take care of her children.

9 It's hard for me -- I'm a Marine. This is hard.
10 Nothing -- I been sad for the last three years finally the
11 family got justice. Thank you giving the family justice,
12 relief. We can finally rest and she can finally rest in
13 peace. We don't have her, but we will be going down to
14 the grave site today after this to let her know that she
15 got justice from this cowardly act that was perpetrated on
16 her.

17 May he rot in jail, may he rot in jail and pray
18 for the death penalty. We were praying for it. We heard
19 one against it. We will accept this, but life he'll get
20 his in jail. He'll get his in jail. Thank you for the
21 opportunity to address the Court. Thank you very much for
22 giving us some relief and we will sleep tonight. We
23 really sleep -- finally after three years, we can sleep.
24 Thank you.

25 THE COURT: Anybody else?

1 VICKY SINGLETARY: Your Honor, I'm going to read
2 a letter on behalf of the Legette family. Vicky
3 Singletary on behalf of the Solicitor's office. This is
4 Andrew's sister. She's been here throughout the trial, so
5 has Andrew's mother. She's been here periodically and his
6 brother. This is from their family Mr. Martin Legette.
7 First, we would like to thank God for giving us the
8 guidance and strength to endure this unforgettable
9 experience. We wish we could say this personally, but our
10 mom's health does not allow her to sit here for long
11 periods of time. And unfortunately we have to work, which
12 may be a good thing because seeing the defendant's face
13 today is heartbreaking all over again.

14 Thank you to your Honor, the prosecution, you
15 guys did a wonderful job. We could not ask for anything
16 better. This has been heartbreaking. It has caused many
17 sleepless nights for our family, especially our mother.
18 To be able to see the place her son took his last breath
19 and not know why, has kept her spirit restless.

20 You took a smile away that could not be
21 replaced. A son who adored his mother. A brother who was
22 his siblings keeper. A father who went above and beyond
23 for his only child and a grandfather who loved his grands.
24 An uncle who would play all the tricks and a friend like
25 no other. You can never know the agony you put us

1 through. Our family has a void where Andrew should be and
2 we feel it every day.

3 Andrew that smile, that infectious smile, smile
4 for us again. We ask the judge for life without parole.
5 The defendant ran for a whole year while we mourned and
6 prayed for his capture or for any news on the matter. The
7 defendant ran from what he did like a coward. You took us
8 through a trial to relive everything. You took two lives
9 without any remorse or sympathy. So we have none for you.
10 That's on behalf of the Legette family. Thank you, your
11 Honor.

12 THE COURT: Thank you.

13 SHKYRIA EDMUNDS: Shkyria Edmunds. I'm Maisha's
14 oldest daughter. I'm the one who found them. He talked
15 about his kids, his kids, his kids. Now, they don't got
16 no mom or dad. He cared about his kids that much. No
17 mom, no dad now. He try to paint my mom like she was this
18 bad person. All she wanted him to do was to do right for
19 his kids. And took her 13 years for her to do what she
20 needed to do for her kids and he do this to her about his
21 kids who he claim in this court and told y'all love so
22 much. And he don't want them to be broken apart. He must
23 have forgot when we was in court he didn't want Izy and
24 Kareema. I don't want them be a disturbance in my house,
25 that's what he told them. I never tried to take all five

1 of them away from him. He told the Court that he don't
2 want Izy and Kareema to be a disturbance in his house your
3 kids, your kids, but he forgot that though. He forgot.
4 He forgot he said that in court. He forgot. And I got
5 them. They was going to go to DSS and I said I'm going to
6 get them. Why let them go to DSS.

7 And then my aunt passed away, they probably
8 going through some stuff too. They a little bad. They
9 teenage girls. You got to be a father and figure out
10 what's wrong with them that you can help them. He didn't
11 do that. I had them for three years. He talking about he
12 take care of his kids ask him did he buy them anything for
13 three years let alone with my mom. He didn't buy them
14 anything. He didn't call and check or nothing. He's a
15 liar. He's a narcissist.

16 I can't stand him. I hate him with everything
17 in me. I hate him. I hate him. I knew he did this,
18 that's why from day one I never let up. I never let up.
19 I know he did that. I know. So I want him to get the max
20 that you can give him, the max. He took two people lives
21 away from them. And then outside from when we been in
22 court for these two weeks, outside smiling and laughing
23 and acting like everything is okay. It's not okay. They
24 was just out there laughing what's funny, what's funny.

25 VICKY SINGLETARY: Thank you, your Honor.

1 THE COURT: The defendant like to say anything?

2 MR. BROOKER: Your Honor, I don't know what to
3 say. And I been doing this for 23 years, and, of course,
4 is is that I been on the side of cases where a jury come
5 back and says not guilty. And I been on the side where
6 the jury has come back and says guilty. And one of the
7 things that we were always taught is is that when a jury
8 comes back and a jury says guilty, then you respect the
9 decision of the jury. And I have healthy respect for the
10 justice system. I have a healthy respect for the jury
11 process. But, your Honor, he is not saying this and you
12 shouldn't hold it against him. You shouldn't hold it
13 against him. I don't believe this man is guilty of this
14 and I say that sincerely. And I don't want you to hold it
15 against him because normally lawyers are taught that
16 whenever there is a verdict, then, of course, you show to
17 the judge or you show to the Court that you are
18 remorseful.

19 And it's always conflicting because how is the
20 defendant suppose to show remorse for something that he
21 believes that he's innocent of and he knows he's innocent
22 of. How does he handle that situation. How does he argue
23 to the judge to try to convince the judge to be as lenient
24 as part without violating his conviction of innocence.
25 And I'm not going to do that this time. All the other

1 times I would say to a defendant, you know, this is the
2 part even though you maintain or you believe that you are
3 innocent, that you played a role and you said, oh, Judge,
4 I'm sorry or court I'm sorry. I can't bear to say those
5 words. I can't come out of my mouth because I don't
6 believe it.

7 Issac is not a perfect man. He's got eight
8 children. He's got three of them who lives in the home
9 with him and they love him to death. And like he comes
10 home every night and he sees them and he plays with them.
11 He's not going to be coming home with them tonight. They
12 are not going to see him. And they aren't going to see
13 him because of one reason and that one reason is is DNA
14 evidence that says there is probability ratio that this is
15 his DNA, but we can't say that it is his DNA. There's a
16 probability that he is one of the people in the pool of
17 people that could have potentially distributed or left
18 this DNA. And it's that likelihood uncertainty that I
19 can't bear to pretend -- to pretend to accept the
20 conclusion that's reached. This is the thinnest of
21 evidence your Honor in which there's been a conviction.
22 The thinnest of evidence.

23 And I mourn for the family. They've lost
24 someone. I mourn for them and I'm sorry for them. But
25 your Honor the only thing that I can say is is that

1 whatever the decision is just like the family want stop, I
2 don't believe that he will too because I believe that
3 there is someone out there that murdered two people that
4 is walking the streets of Marion and will continue to do
5 so.

6 Your Honor, I don't know him personally. I do
7 know a little bit about him from representing him. I
8 think the most -- I think the person who would be more
9 appropriate to give you at least some information about
10 who he is would be probably the person who knows him best
11 in this courtroom and that would be his long-time
12 companion. And if your Honor would allow her to get up
13 and speak to at least give you some information about what
14 sort of person he is. Thank you.

15 THE COURT: State your name if you would?

16 LATOSHA BAINES: Latosha Baines. First of all,
17 one thing that wasn't mentioned in this case was about how
18 Issac handled the death of Maisha. Nobody knows how he
19 dealt with that but me. I never seen a man breakdown and
20 cry so bad. He loved that lady. I listen to them talk on
21 the phone on his speaker. I listen to them talk about
22 these kids. And I didn't want to get in here and talk bad
23 about her character because I love her kids. And I never
24 want to be that person. We have a picture of this woman
25 in my kids spare room where they spend most of their time.

1 It's a picture of her. I never even heard of somebody
2 killing somebody and then looking at them every day.
3 These kids have necklaces that he bought with their mom's
4 picture on it. When you open it, it's her picture. You
5 turn it around and it says always in your heart love mom.
6 He bought those. I didn't buy them.

7 I don't know what kind of relationship he had
8 with Maisha before me. And as he stated in that video,
9 they were better apart. And I see their relationship
10 apart. And they say this is about child support. You
11 know how much he pay for these kids a month now -- \$600.
12 Tristan big feet two pair of sneakers is more than \$600
13 for Tristan. He was never mad about paying child support.
14 He didn't like the amount. And I'm sure there's other
15 fathers who disagree with the amount, but they not going
16 to run out and kill their kids' mother. It just doesn't
17 make sense to me. I can't wrap my mind around it.

18 And then Mr. Burch stood up and said he want to
19 see the kids immediately. We have never kept them kids
20 from them. They don't call. They don't come see them.
21 They don't ask how they doing, none of that. I tell them
22 all the time -- we just threw Mariah a birthday. I
23 invited them. You know who showed up. None of them.
24 None of them showed up.

25 Kareema calls. Kareema is the only one who use

1 to call all the time. And the reason why she use to call
2 all the time is because Kareema use to take care of them
3 all the time because their mom use to leave her with them
4 all the time, so she had a nurturing motherly attachment
5 to these babies.

6 Issac just wanted Maisha to get herself together
7 and be a better mom. Y'all can sit here scream all about
8 how she a good mother. Y'all know better stop it. This
9 is a court of law tell the truth. The more you lie you
10 get further from the truth. And the further you get from
11 the truth means you will never find out who did this. You
12 have to tell the truth.

13 Kareema stood up there and she lied. I know she
14 lied. That little girl stayed in my house. We took her
15 with us to New York. We did so many things with these
16 kids. And I know she's desperate to find out who did this
17 to her mom, but to lie on your dad and it's a pattern.
18 Y'all want to know the truth now about why Kareema was
19 living with us, their mom lights got cut off.

20 THE COURT: You can talk to me and me alone.
21 You don't talk to that jury. You can sit down.

22 LATOSHA BAINES: But the lights got turned off
23 of. She called Issac asked him for the money to pay the
24 bill. Issac didn't want to give it to her. He said she
25 only going to get high with it. And we only know about

1 her getting high because Kareema came to our house and
2 told us that she caught her sniffing coke. She open the
3 door and seen her sniffing coke. And if it's a lie,
4 Kareema told it. When the lights went off, she had them
5 staying at somebody house name Tugs. One of her gentleman
6 friends was molesting Kareema while she was sleeping.

7 MR. WHITE: Judge, I've had all I can take from
8 that.

9 LATOSHA BAINES: It's true.

10 THE COURT: You suppose to be telling me about
11 him not how bad everybody else is.

12 LATOSHA BAINES: I can't hear you, sir.

13 THE COURT: You're suppose to be telling me
14 about him not how bad everybody else is.

15 LATOSHA BAINES: No, I'm just saying. I just
16 don't understand this. I don't understand it.

17 THE COURT: I understand.

18 LATOSHA BAINES: And it's just so much stuff
19 that wasn't mentioned in this case. And I just don't
20 understand it. I really don't. I'm just lost for words.

21 And Mr. Burch you are more than welcome to come
22 see these kids. I never stop nobody from seeing these
23 kids. I never stop nobody from seeing these kids. We
24 don't even live so far away that nobody can come see them.

25 Issac didn't want to bring them to Marion. We

1 all see why. He stay away from there. He always told
2 them they can come see these kids and you nobody came.
3 Y'all can come see these kids. They love Issac. When we
4 got Mariah, Mariah was three years old. She weighed 19
5 pounds and bed bug bites all over her body.

6 All I know is if he can appeal this, we are
7 because I'm just baffled how we in the same house and I
8 don't know this man is gone. I don't understand this how
9 do I not know he's gone.

10 He said it's ridiculous. Ryan said it's
11 ridiculous that I said we stay in the house on the same
12 phone. We do that all time. And I never said my house
13 was so small that we didn't have no room for the kids. I
14 said we didn't have the space for them. We had a three
15 bedroom upstairs and downstairs. My son had his own room.
16 My daughter had her own room. Me and Issac had a room.
17 So instead of making them sleep on the floor airbed that
18 we got for them until we got a bigger house, we use to
19 rent out ocean front for them just for fun something for
20 them to do, made it seem like I was saying my house is so
21 small I couldn't -- I couldn't talk on the phone with
22 them. We do that all the time. But I don't know what
23 this is about. And I'm just praying for everybody because
24 I don't have no animosity against this family. Issac
25 don't have any animosity against this family. We all want

1 to find out who did this, but there's so many things that
2 just rings railroaded to me.

3 You know Tristan is 12 years old. He has no
4 idea what's going on because me and Issac protected him
5 from this. When he was gone for 11 months, those kids
6 thought their father was at work in Florida. We afforded
7 them the luxury of being children. That luxury was taken
8 from Kareema. From day one, she's been hearing negative
9 stuff about her father ever since this stuff happened.
10 When she should have been protected, but she wasn't. And
11 that is the majority of the problem.

12 But I just think the State need do better. You
13 got to do better. Nobody came and talk to me. Nobody ask
14 me nothing. And he clearly said he was with me. Nobody
15 ask me nothing. And had I known he was a potential
16 suspect, I would have called them. Nobody talk to me.

17 This man volunteered his DNA. He volunteered.
18 They didn't have to run him. He went to them and let them
19 swab him, that is not the behavior of somebody who killed
20 somebody. I don't know.

21 I'm just going to about pray about it. I'm
22 going to pray for everybody. I'm going to pray for the
23 family like I been praying for them.

24 Kyria I don't hate her. I actually wish she
25 would see these kids because they love her. Kaquana I

1 don't hate her. If everybody tells the truth, they'll
2 know me and Issac been very vocale about them being able
3 to see these kids. Now, everybody probably will run and
4 see them now so they can deliver the news, but guess what,
5 I'm going to protect them until the day I die. Ain't
6 nobody telling them nothing, it is stupid.

7 THE COURT: All right. In reference to the
8 indictment number 2021-GS-33-00273 murder, the sentence of
9 the Court is life. And in reference to indictment
10 2021-GS-33-00275 murder, the sentence of the court is
11 life. In reference to 2021-GS-33-00276 possession of a
12 weapon during the commission of a violent crime, sentence
13 of the Court is five years. Court is hereby adjourned.

14 MR. WHITE: Judge, were those sentences
15 consecutive, Judge?

16 THE COURT: Yes.

17 MR. WHITE: Thank you, Judge.

18 END OF REQUESTED TRANSCRIPT
19
20
21
22
23
24
25

WITNESSES

Arthur R. Hotaling, Jr. Marion County Sheriff

DOCKET NO. 2021-GS-33-00273

The State of South Carolina

County of

MARION

COURT OF GENERAL SESSIONS

JUNE TERM 2021

THE STATE

vs.

ISSAC KAREEM HEMINGWAY

Ryan White

ARREST WARRANT NUMBER

2020A3310100434

ACTION OF GRAND JURY

Indictment for

MURDER

Foreperson of Grand Jury

Date:

VERDICT

David R. Johnson Foreperson of Petit Jury Date: 6-10-2021

TRUE BILL

RECORDED BY 157
INDEXED BY 157
CLERK OF COURT
MARION COUNTY, SOUTH CAROLINA
JUN 10 2021

STATE OF SOUTH CAROLINA)
)
COUNTY OF MARION)

INDICTMENT FOR

MURDER

At a Court of General Sessions, convened on JUNE 10, 2021 the Grand Jurors of MARION County present upon their oath:

COUNT ONE – MURDER
CDR: 0116 16-03-0010,0020

That Issac Kareem Hemingway did in Marion County, on or about January 12, 2020, willfully, feloniously, and intentionally kill the victim, Maisha Burch, with malice aforethought, either express or implied, by shooting the victim in the head, and the victim did die as a proximate result thereof on or about January 12, 2020 in Marion County, in violation of Section 16-03-0010, S. C. 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.



E.L. Clements, III
TWELFTH CIRCUIT SOLICITOR

WITNESSES

Arthur R Hetaling, Jr. Marion County Sheriff

DOCKET NO. 2021-GS-33-00275

The State of South Carolina

County of

MARION

COURT OF GENERAL SESSIONS

JUNE TERM 2021

THE STATE

vs.

ISSAC KAREEM HEMINGWAY

ARREST WARRANT NUMBER
2020A3310100435

Ryan White

ACTION OF GRAND JURY

Indictment for

MURDER

Foreperson of Grand Jury
Date:

VERDICT

David B. Johnson
Foreperson of Petit Jury Date: 12-10-2021

TRUE BILL

FILED
2021 DEC 10 PM 1:57
MARION COUNTY
CLERK OF COURT

STATE OF SOUTH CAROLINA)
)
COUNTY OF MARION)

INDICTMENT FOR

MURDER

At a Court of General Sessions, convened on JUNE 10, 2021 the Grand Jurors of MARION County present upon their oath:

COUNT ONE – MURDER
CDR: 0116 16-03-0010,0020

That Issac Kareem Hemingway did in Marion County, on or about January 12, 2020, willfully, feloniously, and intentionally kill the victim, Andrew Legette, with malice aforethought, either express or implied, by means of shooting the victim in the head, and the victim did die as a proximate result thereof on or about January 12, 2020 in Marion County, in violation of Section 16-03-0010, S. C. 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.



E.L. Clements, III
TWELFTH CIRCUIT SOLICITOR

WITNESSES

Arthur R. Hotaling, Jr. Marion County Sheriff

DOCKET NO. 2021-GS-33-00276

The State of South Carolina

County of

MARION

COURT OF GENERAL SESSIONS

JUNE TERM 2021

THE STATE

vs.

ISSAC KAREEM HEMINGWAY

TRUE BILL

2021 JUN 10 PM 1:57

CLERK OF COURT

ARREST WARRANT NUMBER
2020A3310100436

Ryan White

ACTION OF GRAND JURY

Indictment for
POSSESSION OF A WEAPON DURING A
VIOLENT CRIME

Foreperson of Grand Jury

Date:

VERDICT

Charles B. Johnson
Foreperson of Petit Jury Date: 6-10-2021

STATE OF SOUTH CAROLINA)
)
COUNTY OF MARION)

INDICTMENT FOR

POSSESSION OF A WEAPON DURING A
VIOLENT CRIME

At a Court of General Sessions, convened on JUNE 10, 2021 the Grand Jurors of MARION County present upon their oath:

COUNT ONE – POSSESSION OF A WEAPON DURING A VIOLENT CRIME

CDR: 0549 16-23-0490

That Issac Kareem Hemingway did in Marion County, on or about January 12, 2020, possess a firearm, or visibly display what appeared to be a firearm, or visibly displayed a knife, during the commission or attempted commission of a violent crime, in violation of Section 16-23-0490, S. C. 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.



E.L. Clements, III
TWELFTH CIRCUIT SOLICITOR

STATE OF SOUTH CAROLINA

COUNTY OF Marion

STATE

VS.

Issac Kareem Hemingway

AKA:



SID#

IN THE COURT OF GENERAL SESSIONS

INDICTMENT/CASE#: 2021-GS-33-00273

AW#: 2020A3310100434
Date of Offense: 1/12/2020
S.C. Code §: 16-03-0010; 16-03-0020
CDR Code #: 0116

SENTENCE SHEET

RECEIVED

Mar 09 2023

SC Court of Appeals

*CDL Yes No CMV Yes No Hazmat Yes No

In disposition of the above indictment comes now the Defendant who was CONVICTED OF or PLEADS

TO: Murder / Murder 30 - Life

In violation of § 16-03-0010; 16-03-0020 the S.C. Code of Laws, bearing CDR Code # 0116

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

(CSC w/minor 1st or CSC w/minor 3rd)

The charge is: As indicted, Lesser Included Offense, Defendant Waives Presentment to Grand Jury. _____ (def.'s initials)

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

ATTEST:

102584

Solicitor: _____ SC Bar # _____ Defendant: _____ Attorney for Defendant: _____ SC Bar # _____

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

for a determinate term of Life days/months/years/Time Served Youthful Offender Act not to exceed _____ years

and/or to pay a fine of \$ _____; provided that upon the service of _____ days/months/years/Time Served and or payment of \$ _____; plus costs and assessments as applicable*; the balance is suspended with probation for _____

months/years and subject to South Carolina Department of Probation, Parole and Pardon Services standard conditions of probation, which are incorporated by reference.

The sentence shall run CONCURRENT or CONSECUTIVE to sentence on: today

The Defendant is to be given credit for time served pursuant to S.C. Code § 24-13-40 to be calculated and applied by SCDOC. _____ days/months

To include time spent on monitored house arrest prior to trial and sentencing.

The Defendant Shall be Released from County Detention Center.

Pursuant to 18 U.S.C. § 922 and § 16-25-30 it is unlawful for a person convicted of a violation of § 16-25-20 or § 16-25-65 (Domestic Violence) to ship, transport, possess, or receive a firearm or ammunition.

SPECIAL CONDITIONS:

PTUP after _____ months/years

And Other Terms Listed Below:

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

RESTITUTION: Deferred Def. Waives Hearing Ordered

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

Payment Terms: _____ Set by SCDPPPS

Recipient: _____

***Fine:**

Fine may be pd. in equal consecutive weekly/monthly pmts. of	\$ _____	Beginning	\$ _____
§14-1-206 (Assessments 107.5%)			\$ _____
§14-1-211 (A)(1)(Conv. Surcharge)		\$100	\$ _____
§14-1-211 (A)(2)(DUI Surcharge)		\$100	\$ _____
§56-5-2995 (DUI Assessment)		\$12	\$ _____
§56-1-286 (DUI Breath Test)		\$25	\$ _____
§14-1-212 (Law Enforce. Funding)		\$25	\$ _____
§14-1-213 (Drug Court Surcharge)		\$150	\$ _____
§34-11-70(b)and(c), and 34-11-90(c)and(d) (Admin Fraud Check Court Costs)		\$41	\$ _____
§50-21-114 (BUI Breath Test Fee)		\$50	\$ _____
§56-5-2942(J) (Vehicle Assessment)		\$40/ea	\$ _____
3% to County (if paid in installments)		TBD	\$ _____
<input type="checkbox"/> Appointed PD or appointed other counsel, Proviso requires \$500 be paid to Clerk during probation and shall be collected before any other fees		\$500	\$ _____
<input type="checkbox"/> § 17-3-30(B) Unpaid Application Fee to be paid to the Public Defender Fund		TBD	\$ _____
		TOTAL	\$ _____

Clerk of Court/Deputy Clerk: Randy Lewis
 Court Reporter: Itisha Reed

Presiding Judge: [Signature]
 Judge Code: 2157
 Sentence Date: March 2, 2023

STATE OF SOUTH CAROLINA

COUNTY OF Marion

STATE

VS.

Issac Kareem Hemingway



IN THE COURT OF GENERAL SESSIONS

INDICTMENT/CASE#: 2021-GS-33-00275

A/W#: 2020A3310100435

Date of Offense: 1/12/2020

S.C. Code §: 16-03-0010; 16-03-0020

CDR Code #: 0116

RECEIVED
SENTENCE SHEET
Mar 09 2023
SC Court of Appeals

*CDL Yes No CMV Yes No Hazmat Yes No

In disposition of the above indictment comes now the Defendant who was CONVICTED OF or PLEADS

TO: Murder / Murder

In violation of § 16-03-0010; 16-03-0020 the S.C. Code of Laws, bearing CDR Code # 0116

NON-VIOLENT VIOLENT SERIOUS MOST SERIOUS Mandatory GPS § 17-25-45
(CSC w/minor 1st or CSC w/minor 3rd)

The charge is: As indicted, Lesser Included Offense, Defendant Waives Presentment to Grand Jury. _____ (def.'s initials)

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

ATTEST:

[Signature] 162584
Solicitor SC Bar # Defendant Attorney for Defendant SC Bar #

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

for a determinate term of Life days/months/years/Time Served Youthful Offender Act not to exceed ___ years

and/or to pay a fine of \$____; provided that upon the service of ___ days/months/years/Time Served and or payment of \$____; plus costs and assessments as applicable*; the balance is suspended with probation for _____

months/years and subject to South Carolina Department of Probation, Parole and Pardon Services standard conditions of probation, which are incorporated by reference.

The sentence shall run CONCURRENT or CONSECUTIVE to sentence on: today

The Defendant is to be given credit for time served pursuant to S.C. Code § 24-13-40 to be calculated and applied by SCDOC. _____ days/months

To include time spent on monitored house arrest prior to trial and sentencing.

The Defendant Shall be Released from County Detention Center.

Pursuant to 18 U.S.C. § 922 and § 16-25-30 it is unlawful for a person convicted of a violation of § 16-25-20 or § 16-25-65 (Domestic Violence) to ship, transport, possess, or receive a firearm or ammunition.

SPECIAL CONDITIONS:

PTUP after _____ months/years

And Other Terms Listed Below:

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

RESTITUTION: **Deferred** **Def. Waives Hearing** **Ordered**

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

Payment Terms: _____ Set by SCDPPPS

Recipient: _____

***Fine:**

Fine may be pd. in equal consecutive weekly/monthly pmts. of	\$ _____	Beginning	_____	\$ _____
§14-1-206 (Assessments 107.5%)				\$ _____
§14-1-211 (A)(1)(Conv. Surcharge)		\$100		\$ _____
§14-1-211 (A)(2)(DUI Surcharge)		\$100		\$ _____
§56-5-2995 (DUI Assessment)		\$12		\$ _____
§56-1-286 (DUI Breath Test)		\$25		\$ _____
§14-1-212 (Law Enforce. Funding)		\$25		\$ _____
§14-1-213 (Drug Court Surcharge)		\$150		\$ _____
§34-11-70(b)and(c), and 34-11-90(c)and(d) (Admin Fraud Check Court Costs)		\$41		\$ _____
§50-21-114 (BUI Breath Test Fee)		\$50		\$ _____
§56-5-2942(J) (Vehicle Assessment)		\$40/ea		\$ _____
3% to County (if paid in installments)		TBD		\$ _____
<input type="checkbox"/> Appointed PD or appointed other counsel, Proviso requires \$500 be paid to Clerk during probation and shall be collected before any other fees		\$500		\$ _____
<input type="checkbox"/> § 17-3-30(B) Unpaid Application Fee to be paid to the Public Defender Fund		TBD		\$ _____
		TOTAL		\$ _____

Clerk of Court/Deputy Clerk:
Court Reporter:

Randy Lewis
Wesha Reed

Presiding Judge:
Judge Code:
Sentence Date:

[Signature]
2157
March 2, 2023

0-5

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF Marion

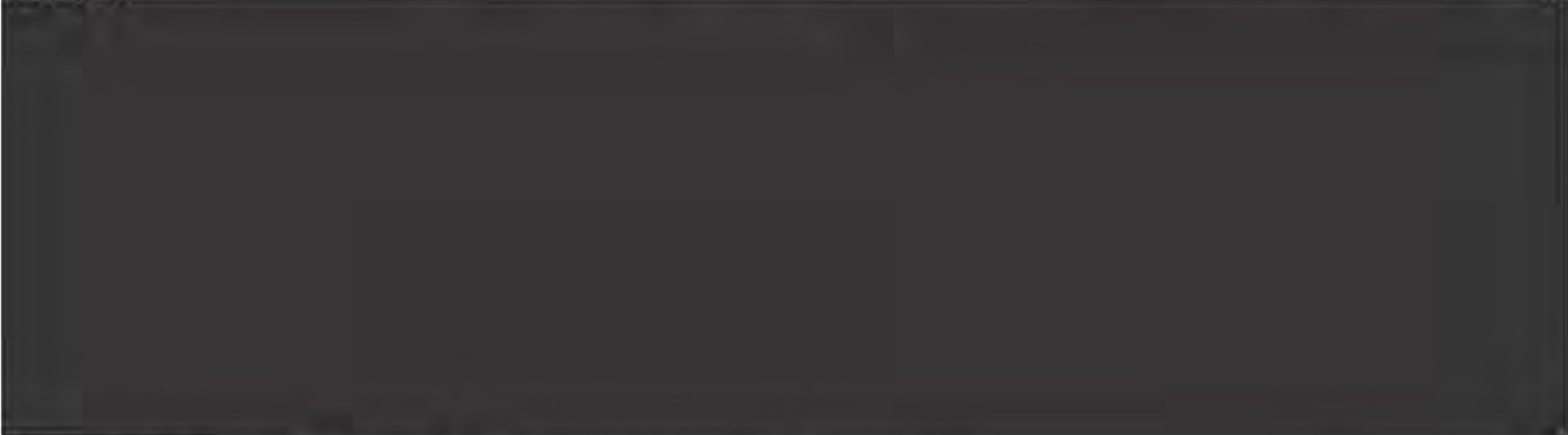
STATE

VS.

INDICTMENT/CASE#: 2021-GS-33-00276

Issac Kareem Hemingway

AKA:



AW#: 2020A3310100436
Date of Offense: 1/12/2020
S.C. Code §: 16-23-0490
CDR Code #: 0549

SENTENCE SHEET **RECEIVED**

Mar 09 2023

SC Court of Appeals

*CDL Yes No CMV Yes No Hazmat Yes No

In disposition of the above indictment comes now the Defendant who was CONVICTED OF or PLEADS

TO: Weapons / Poss. weapon during violent crime, if not also sentenced to life without parole or death

In violation of § 16-23-0490 of the S.C. Code of Laws, bearing CDR Code # 0549

NON-VIOLENT VIOLENT SERIOUS MOST SERIOUS Mandatory GPS § 17-25-45
(CSC w/minor 1st or CSC w/minor 3rd)

The charge is: As indicted, Lesser Included Offense, Defendant Waives Presentment to Grand Jury. _____ (def.'s initials)

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

ATTEST:

[Signature] 102484
Solicitor SC Bar # Defendant Attorney for Defendant SC Bar #

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

for a determinate term of 5 days/months/years/Time Served Youthful Offender Act not to exceed _____ years

and/or to pay a fine of \$____; provided that upon the service of _____ days/months/years/Time Served and or payment of \$____; plus costs and assessments as applicable*; the balance is suspended with probation for _____

months/years and subject to South Carolina Department of Probation, Parole and Pardon Services standard conditions of probation, which are incorporated by reference.

The sentence shall run CONCURRENT or CONSECUTIVE to sentence on: today

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 To include time spent on monitored house arrest prior to trial and sentencing.
 The Defendant Shall be Released from County Detention Center.

Pursuant to 18 U.S.C. § 922 and § 16-25-30 it is unlawful for a person convicted of a violation of § 16-25-20 or § 16-25-65 (Domestic Violence) to ship, transport, possess, or receive a firearm or ammunition.

STATE VS. Issac Kareem Hemingway INDICTMENT/CASE#: 2021-GS-33-00276

SPECIAL CONDITIONS:

PTUP after _____ months/years

And Other Terms Listed Below:

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

RESTITUTION: Deferred Def. Waives Hearing Ordered

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

Payment Terms: _____ Set by SCDPPPS

Recipient: _____

***Fine:**

Fine may be pd. in equal consecutive weekly/monthly pmts. of	\$ _____	Beginning	_____	\$ _____
§14-1-206 (Assessments 107.5%)				\$ _____
§14-1-211 (A)(1)(Conv. Surcharge)			\$100	\$ _____
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§34-11-70(b)and(c), and 34-11-90(c)and(d) (Admin Fraud Check Court Costs)			\$41	\$ _____
§50-21-114 (BUI Breath Test Fee)			\$50	\$ _____
§56-5-2942(J) (Vehicle Assessment)			\$40/ea	\$ _____
3% to County (if paid in installments)			TBD	\$ _____
<input type="checkbox"/> Appointed PD or appointed other counsel, Proviso requires \$500 be paid to Clerk during probation and shall be collected before any other fees			\$500	\$ _____
<input type="checkbox"/> § 17-3-30(B) Unpaid Application Fee to be paid to the Public Defender Fund			TBD	\$ _____
		TOTAL		\$ _____

Clerk of Court/Deputy Clerk:
Court Reporter:

Randy Lewis
Wesley Reed

Presiding Judge:
Judge Code:
Sentence Date:

[Signature]
2157
March 2, 2023

SOUTH CAROLINA LAW ENFORCEMENT DIVISION
FORENSIC SERVICES LABORATORY REPORT



HENRY D. MCMASTER
Governor



MARK A. KEEL
Chief

August 20, 2020

Reggie Hotaling
Marion County Sheriff's Office
2715 East Highway 76
Mullins, SC 29574

DNA ANALYSIS

SLED LAB: L20-00545
Your Case No: 20200100054
Incident Date: 1/13/2020
[V-Deceased] Andrew Legette
[V-Deceased] Maisha Burch

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 have been or will be conducted by any other laboratory or agency.

Mark A. Keel, Chief
South Carolina Law Enforcement Division

COMPARISON STANDARDS

15 Buccal swab from Andrew Legette

RESULTS:

- No analysis performed.

19 Buccal swab from Maisha Burch

RESULTS:

- No analysis performed.

23 Known blood spot from Andrew Legette

RESULTS:

- The DNA profile developed is suitable for use as a known standard.
- The Y-STR profile developed is suitable for use as a known standard.



P.O. Box 21398, Columbia, South Carolina 29221-1398 Phone (803) 896-7300 Fax (803) 896-7351

25 **Known scalp hair from Andrew Legette**

RESULTS:

- No analysis performed.

26 **Known blood standard from Maisha Burch**

RESULTS:

- The DNA profile developed is suitable for use as a known standard.

32 **Pulled scalp hair from Maisha Burch**

RESULTS:

- No analysis performed.

35 **Buccal swabs from Stephanie Reed**

RESULTS:

- The DNA profile developed is suitable for use as a known standard.

36 **Buccal swabs from Issac Hemingway**

RESULTS:

- The DNA profile developed is suitable for use as a known standard.
- The Y-STR profile developed is suitable for use as a known standard.

37 **Buccal swabs from Jessica Dixon**

RESULTS:

- The DNA profile developed is suitable for use as a known standard.

39 **Buccal swabs from Lakela Graves**

RESULTS:

- The DNA profile developed is suitable for use as a known standard.



40 **Buccal swabs from Jerome McCullough**

RESULTS:

- The DNA profile developed is suitable for use as a known standard.
- The Y-STR profile developed is suitable for use as a known standard.

ITEMS OF EVIDENCE

1 **Swabs from the front door exterior door handle of residence**

RESULTS:

- The partial DNA profile developed is insufficient for interpretation.

3 **Swabs from the back door exterior door handle of residence**

RESULTS:

- A DNA profile suitable for comparison was developed.
- Likelihood Ratios (LR) for this profile were calculated using STRmix™.

• **Proposition Set I:**

- The DNA profile was interpreted as a mixture originating from three individuals.
- Hp = Andrew Legette and two unidentified unrelated individuals contributed to the mixture.
- Hd = Three unidentified unrelated individuals contributed to the mixture.

- The DNA profile is approximately 50,000 (5.0E4) times more likely if Andrew Legette and two unidentified unrelated individuals contributed to the mixture than if three unidentified unrelated individuals contributed to the mixture.

• **Proposition Set II:**

- The DNA profile was interpreted as a mixture originating from three individuals.
- Hp = Issac Hemingway and two unidentified unrelated individuals contributed to the mixture.
- Hd = Three unidentified unrelated individuals contributed to the mixture.



- The DNA profile is approximately 1.0 billion (1.0E9) times more likely if Issac Hemingway and two unidentified unrelated individuals contributed to the mixture than if three unidentified unrelated individuals contributed to the mixture.

• **Proposition Set III:**

- The DNA profile was interpreted as a mixture originating from three individuals.

- Hp = Andrew Legette, Issac Hemingway, and an unidentified unrelated individual contributed to the mixture.

- Hd = Three unidentified unrelated individuals contributed to the mixture.

- The DNA profile is approximately 2.3 quintillion (2.3E18) times more likely if Andrew Legette, Issac Hemingway, and an unidentified unrelated individual contributed to the mixture than if three unidentified unrelated individuals contributed to the mixture.

• **Proposition Set IV:**

- The DNA profile was interpreted as a mixture originating from three individuals.

- Hp = Maisha Burch and two unidentified unrelated individuals contributed to the mixture.

- Hd = Three unidentified unrelated individuals contributed to the mixture.

- The DNA profile is approximately 50 (1/2.0E-2) times more likely if three unidentified unrelated individuals contributed to the mixture than if Maisha Burch and two unidentified unrelated individuals contributed to the mixture.

• **Proposition Set V:**

- The DNA profile was interpreted as a mixture originating from three individuals.

- Hp = The person of interest and two unidentified unrelated individuals contributed to the mixture.

- Hd = Three unidentified unrelated individuals contributed to the mixture.

- Stephanie Reed, Jessica Dixon, Lakela Graves, and Jerome McCullough are excluded as contributors to the mixture under the listed propositions.

- DNA types from this mixture are not suitable for entry into the Combined DNA Index System (CODIS).



5 Swabs from the back screen door interior door handle of residence

RESULTS:

- The partial DNA profile developed is insufficient for interpretation.

7 Swabs from wall of hallway (front of house side)

RESULTS:

- A DNA profile suitable for comparison was developed.
- Likelihood Ratios (LR) for this profile were calculated using STRmix™.

• **Proposition Set I:**

- The DNA profile was interpreted as a mixture originating from two individuals.
- Hp = Maisha Burch and an unidentified unrelated individual contributed to the mixture.
- Hd = Two unidentified unrelated individuals contributed to the mixture.

- The DNA profile is approximately 6 (6.4E0) times more likely if Maisha Burch and an unidentified unrelated individual contributed to the mixture than if two unidentified unrelated individuals contributed to the mixture.

• **Proposition Set II:**

- The DNA profile was interpreted as a mixture originating from two individuals.
- Hp = Issac Hemingway and an unidentified unrelated individual contributed to the mixture.
- Hd = Two unidentified unrelated individuals contributed to the mixture.

- The DNA profile is approximately 100 (1.0E2) times more likely if Issac Hemingway and an unidentified unrelated individual contributed to the mixture than if two unidentified unrelated individuals contributed to the mixture.

• **Proposition Set III:**

- The DNA profile was interpreted as a mixture originating from two individuals.
- Hp = Maisha Burch and Issac Hemingway contributed to the mixture.
- Hd = Two unidentified unrelated individuals contributed to the mixture.



- The DNA profile is approximately $3 (1/2.9E-1)$ times more likely if two unidentified unrelated individuals contributed to the mixture than if Maisha Burch and Issac Hemingway contributed to the mixture.

• **Proposition Set IV:**

- The DNA profile was interpreted as a mixture originating from two individuals.
 - Hp = Andrew Legette and an unidentified unrelated individual contributed to the mixture.
 - Hd = Two unidentified unrelated individuals contributed to the mixture.
- The DNA profile is approximately $12 (1/7.8E-2)$ times more likely if two unidentified unrelated individuals contributed to the mixture than if Andrew Legette and an unidentified unrelated individual contributed to the mixture.

• **Proposition Set V:**

- The DNA profile was interpreted as a mixture originating from two individuals.
 - Hp = Stephanie Reed and an unidentified unrelated individual contributed to the mixture.
 - Hd = Two unidentified unrelated individuals contributed to the mixture.
- The DNA profile is approximately $11 (1/8.6E-2)$ times more likely if two unidentified unrelated individuals contributed to the mixture than if Stephanie Reed and an unidentified unrelated individual contributed to the mixture.

• **Proposition Set VI:**

- The DNA profile was interpreted as a mixture originating from two individuals.
 - Hp = Jessica Dixon and an unidentified unrelated individual contributed to the mixture.
 - Hd = Two unidentified unrelated individuals contributed to the mixture.
- The DNA profile is approximately $26 (1/3.8E-2)$ times more likely if two unidentified unrelated individuals contributed to the mixture than if Jessica Dixon and an unidentified unrelated individual contributed to the mixture.

• **Proposition Set VII:**

- The DNA profile was interpreted as a mixture originating from two individuals.
- Hp = Lakela Graves and an unidentified unrelated individual contributed to the mixture.
- Hd = Two unidentified unrelated individuals contributed to the mixture.



- The DNA profile is approximately 27 ($1/3.6E-2$) times more likely if two unidentified unrelated individuals contributed to the mixture than if Lakela Graves and an unidentified unrelated individual contributed to the mixture.

- **Proposition Set VIII:**

- The DNA profile was interpreted as a mixture originating from two individuals.
- Hp = Jerome McCullough and an unidentified unrelated individual contributed to the mixture.
- Hd = Two unidentified unrelated individuals contributed to the mixture.

- The DNA profile is approximately 11 ($1/8.7E-2$) times more likely if two unidentified unrelated individuals contributed to the mixture than if Jerome McCullough and an unidentified unrelated individual contributed to the mixture.

- DNA types from this mixture have been entered into the Combined DNA Index System (CODIS) as 20-00545-7-2P(85).

8 Swabs from wall of hallway (back of house side)

RESULTS:

- A DNA profile suitable for comparison was developed.
- Likelihood Ratios (LR) for this profile were calculated using STRmix™.

- **Proposition Set I:**

- The DNA profile was interpreted as a mixture originating from two individuals.
- Hp = Maisha Burch and an unidentified unrelated individual contributed to the mixture.
- Hd = Two unidentified unrelated individuals contributed to the mixture.

- The DNA profile is approximately 100 septillion ($1.0E26$) times more likely if Maisha Burch and an unidentified unrelated individual contributed to the mixture than if two unidentified unrelated individuals contributed to the mixture.

- **Proposition Set II:**

- The DNA profile was interpreted as a mixture originating from two individuals.
- Hp = The person of interest and an unidentified unrelated individual contributed to the mixture.



- Hd = Two unidentified unrelated individuals contributed to the mixture.

- Andrew Legette, Stephanie Reed, Issac Hemingway, Jessica Dixon, Lakela Graves, and Jerome McCullough are excluded as contributors to the mixture under the listed propositions.

- DNA types from this mixture are not suitable for entry into the Combined DNA Index System (CODIS).

9 White tissue from near TV

RESULTS:

- Presumptive testing for blood was negative.

10 Hair from floor near front door

10.1 Swab of suspected hair from floor near front door

RESULTS:

- A DNA profile suitable for comparison was developed.

- Andrew Legette, Stephanie Reed, Issac Hemingway, Jessica Dixon, Lakela Graves, and Jerome McCullough are excluded as possible contributors.

- Likelihood Ratios (LR) for this profile were calculated using STRmix™.

• Proposition Set:

- The DNA profile was interpreted as single source.
- Hp = Maisha Burch contributed the DNA profile.
- Hd = An unidentified unrelated individual contributed the DNA profile.

- The DNA profile is approximately 350 octillion (3.5E29) times more likely if Maisha Burch contributed the profile than if an unidentified unrelated individual contributed the profile.

- The partial Y-STR profile developed is a possible mixture.

- Due to the inability to calculate a statistic, no further interpretation will be offered.



10.2 Cutting of suspected hair from floor near front door

RESULTS:

- A DNA profile suitable for comparison was developed.
- Andrew Legette, Stephanie Reed, Issac Hemingway, Jessica Dixon, Lakela Graves, and Jerome McCullough are excluded as possible contributors.
- Likelihood Ratios (LR) for this profile were calculated using STRmix™.
- **Proposition Set:**
 - The DNA profile was interpreted as single source.
 - Hp = Maisha Burch contributed the DNA profile.
 - Hd = An unidentified unrelated individual contributed the DNA profile.
- The DNA profile is approximately 350 octillion (3.5E29) times more likely if Maisha Burch contributed the profile than if an unidentified unrelated individual contributed the profile.
- The partial Y-STR profile developed is insufficient for interpretation.

14 Fingernail scrapings from Andrew Legette

14.1 Left fingernail scrapings from Andrew Legette

RESULTS:

- The DNA profile developed is attributable to Andrew Legette.

14.2 Right fingernail scrapings from Andrew Legette

RESULTS:

- The DNA profile developed is attributable to Andrew Legette.

18 Fingernail scrapings from Maisha Burch

18.1 Left fingernail scrapings from Maisha Burch

RESULTS:

- A DNA profile suitable for comparison was developed.
- Likelihood Ratios (LR) for this profile were calculated using STRmix™.



• **Proposition Set I:**

- The DNA profile was interpreted as a mixture originating from two individuals.
 - Maisha Burch is contributing to the mixture.
 - Hp = Maisha Burch and Issac Hemingway contributed to the mixture.
 - Hd = Maisha Burch and an unidentified unrelated individual contributed to the mixture.
- The DNA profile is approximately 270 (2.7E2) times more likely if Maisha Burch and Issac Hemingway contributed to the mixture than if Maisha Burch and an unidentified unrelated individual contributed to the mixture.

• **Proposition Set II:**

- The DNA profile was interpreted as a mixture originating from two individuals.
 - Maisha Burch is contributing to the mixture.
 - Hp = Maisha Burch and the person of interest contributed to the mixture.
 - Hd = Maisha Burch and an unidentified unrelated individual contributed to the mixture.
- Andrew Legette, Stephanie Reed, Jessica Dixon, Lakela Graves, and Jerome McCullough are excluded as contributors to the mixture under the listed propositions.
- DNA types from this mixture are not suitable for entry into the Combined DNA Index System (CODIS).
- The partial Y-STR profile developed is a possible mixture.
- Due to the inability to calculate a statistic, no further interpretation will be offered.

18.2 Right fingernail scrapings from Maisha Burch

RESULTS:

- The DNA profile developed is attributable to Maisha Burch.
- The partial Y-STR profile developed is insufficient for interpretation.



24 Right fingernail clippings from Andrew Legette

RESULTS:

- A DNA profile suitable for comparison was developed.
- Likelihood Ratios (LR) for this profile were calculated using STRmix™.
- **Proposition Set:**
 - The DNA profile was interpreted as a mixture originating from two individuals.
 - Andrew Legette is contributing to the mixture.
 - Hp = Andrew Legette and the person of interest contributed to the mixture.
 - Hd = Andrew Legette and an unidentified unrelated individual contributed to the mixture.
- Maisha Burch, Stephanie Reed, Issac Hemingway, Jessica Dixon, Lakela Graves, and Jerome McCullough are excluded as contributors to the mixture under the listed propositions.
- DNA types from this mixture have been entered into the Combined DNA Index System (CODIS) as 20-00545-24-23AC-2P(10)N and 20-00545-24-23AC-2P(10)S.

31 Hair removed from body bag of Maisha Burch

RESULTS:

- No analysis performed.

33 Right fingernail clippings from Maisha Burch

RESULTS:

- The DNA profile developed is attributable to Maisha Burch.
- The partial Y-STR profile developed is insufficient for interpretation.

34 Left fingernail clippings from Maisha Burch

RESULTS:

- The DNA profile developed is attributable to Maisha Burch.
- The partial Y-STR profile developed is insufficient for interpretation.



NOTES:

Sample preparation of Items 39 and 40 for DNA was performed by Forensic Serologist Kimberly Spainhour.

DNA analysis was performed using Short Tandem Repeat (STR) PCR DNA analysis.

The following kits/loci were utilized in the analysis of this case:

GlobalFiler™: D3S1358, vWA, D16S539, CSF1PO, TPOX, Yindel, AMELOGENIN, D8S1179, D21S11, D18S51, DYS391, D2S441, D19S433, TH01, FGA, D22S1045, D5S818, D13S317, D7S820, SE33, D10S1248, D1S1656, D12S391, D2S1338

Yfiler™ Plus: DYS576, DYS389I, DYS635, DYS389II, DYS627, DYS460, DYS458, DYS19, Y GATA H4, DYS448, DYS391, DYS456, DYS390, DYS438, DYS392, DYS518, DYS570, DYS437, DYS385 a/b, DYS449, DYS393, DYS439, DYS481, DYF387S1, DYS533

The verbal scales listed in the tables below were implemented by SLED for use with STRmix™ results only. Verbal scales are designed to assist in conveying the weight of likelihood ratios.

Supported Proposition	Likelihood Ratio	Verbal Wording
First proposition (Hp) is supported against the alternative proposition (Hd)	1	Uninformative
	2 to 99	Weak support
	100 to 9,999	Moderate support
	10,000 to 999,999	Strong support
	≥ 1,000,000	Very strong support

Supported Proposition	Likelihood Ratio	Verbal Wording
The alternative proposition (Hd) is supported against the first proposition (Hp)	1	Uninformative
	2 to 99	Moderate support for Hd
	≥100	Exclusion

Reported likelihood ratios are based on the stated propositions. Alternate propositions may require calculation of additional likelihood ratios. If interpretation based on propositions other than those reported is needed, please contact the analyst listed below and allow up to **30 business days** for calculation and reporting of additional likelihood ratios.

Definitions:

Proposition: A statement, based on case circumstances and genetic results, that expresses an opinion

Hp: First proposition

Hd: Alternative proposition

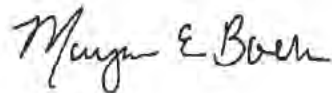
Likelihood ratio: The comparison of the probabilities of Hp and Hd



Any remaining evidence and/or packaging will be returned to the requesting agency.

This report contains the conclusions, opinions and interpretations of the analyst whose signature appears below.

Technical records supporting the conclusions in this report are available upon request. Afford sufficient time for production.



Maryann E. Boehm

Forensic Scientist



STATE OF SOUTH CAROLINA
COUNTY OF MARION

SOUTH CAROLINA DEPARTMENT OF
SOCIAL SERVICES,

PLAINTIFF,

-vs-

ISAAC KAREEM HEMINGWAY,

DEFENDANT.

IN THE FAMILY COURT
12th JUDICIAL CIRCUIT



MOTION AND ORDER
FOR DISMISSAL

Docket No. 2019DR3300131
Case ID: 0989333

Attorney for Plaintiff moves for dismissal based on the following reason or reasons:

The non-TANF custodial parent Maisha Burch, passed away. No arrears owed to her as of date of death January 12, 2020. Any arrears owed to SCDSS shall be stricken.

February 25, 2020
Florence, S.C.

Gambel H. Anderson
Attorney for Plaintiff

FILED
2020 FEB 27 PM 1:33
MARION COUNTY SC
CHRISTY M. GRAY
CLERK OF COURT

ORDER

There being sufficient cause shown in this motion,

IT IS THEREFORE ORDERED that the above case be, and hereby is, dismissed without prejudice to the rights of either party.

AND IT IS SO ORDERED

PRESIDING JUDGE
Judge of the Family Court
12th Judicial Circuit

February 27, 2020
Marion, S.C.

CXCPO9

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Christy M. Gray
CLERK OF COURT, MARION COUNTY
SOUTH CAROLINA

92P-305

STATE OF SOUTH CAROLINA
COUNTY OF Marion
South Carolina Department of Social Services

IN THE FAMILY COURT

ORDER

vs. Isaac K. Hemingway
Plaintiff,
Defendant.

Docket No. 2019-DR-33-383
CSSD Case No. 0989333

A hearing was scheduled on January 16, 2020
pursuant to a Notice. A representative of the
South Carolina Department of Social Services Office of Child Support Services Division appeared on behalf of
Plaintiff. Defendant appeared, understood the proceedings, and was allowed to proceed without counsel.

The Court finds, hearing scheduled to add children
to existing support order. Neither party
appeared. Case is non-hay.

2019 JAN 16 PM 12:13
MARION COUNTY SC
CHRISTY M. GRAY
CLERK OF COURT

FILED

Based upon the above findings,
IT IS THEREFORE ORDERED that Action for today be
dismissed.

IT IS FURTHER ORDERED that

AND IT IS SO ORDERED.

Marion, S.C.
1-16, 2020

Tom J. [Signature]
Judge of the Family Court
[Signature]
Judicial Circuit

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I so move: _____
BOOK _____ Attorney for DSS

Christy M. Gray
CLERK OF COURT, MARION COUNTY
SOUTH CAROLINA

2019

STATE OF SOUTH CAROLINA

COUNTY OF MARION

SCDSS

Marsha Buck
Plaintiff,

vs.

Lessee K. Hemingway
Defendant.

IN THE FAMILY COURT
12TH JUDICIAL CIRCUIT

19-CP-305

FAMILY COURT COVERSHEET

089333

Docket No

2019-DR-33-03

MARION COUNTY
CLERK OF COURT

2019 DEC 11 PM 2:43

FILED

NOTE: The coversheet and information contained herein neither replaces nor supplements the filing and service of pleadings or other papers as required by law. This form is required for docketing purposes for the Clerk of Court and must be signed and dated, and filled out completely. A copy of this coversheet must be served on the defendant(s) along with the Summons and Complaint.

Submitted by: SCDSS
Address: PO BOX 1071
FLORENCE, SC 29503
Email: _____

SC Bar # _____
Telephone # 843-661-4750
Fax # 843-413-6512
Other: _____

DOCKETING INFORMATION (Check one box below if filing in a Mandatory Mediation County)

- This case is subject to MEDIATION pursuant to the Family Court Alternative Dispute Resolution Rules.
- This case is exempt from ADR (certificate attached).

Nature of Action Codes
(Check One)

Marital Dissolution

- Divorce (110)
- Annulment (120)
- Separate Support and Maintenance (130)
- Registration of Foreign Divorce Decree - without support/custody (150)
- Registration of Foreign Divorce Decree - with support/custody (191)
- Marital Dissolution - Other (199) _____

Abuse and Neglect

- Abuse and Neglect - Child (210)
- Abuse and Neglect - Adult (220)
- Abuse and Neglect - Other (299) _____

Juvenile Delinquency

- Truancy (311)
- Incurable (312)
- Runaway (313)
- Criminal Offense - Drug (315)
- Criminal Offense - Against a Person (316)
- Criminal Offense - Property (317)
- Criminal Offense - Public Order (318)
- Criminal Offense - Other (320)
- Juvenile Delinquency - Other (399) _____

Protection from Domestic Abuse

- Domestic Abuse - Intimate Partner (410)
- Domestic Abuse - Minor (420)
- Registration of Foreign Order of Protection (490)
- Domestic Abuse - Other (499) _____

Support

- Child Support - Private (501)
- Child Support - Administrative Process (502)
- Child Support - Judicial Process (503)
- Registration of Foreign Order of Support (504)
- UIFSA - Outgoing (505)
- UIFSA - Incoming (506)
- Modification of Child Support - Private (507)
- Modification of Child Support - DSS (508)
- Modification of Alimony (525)
- College Expenses (530)
- Support - Other (599) _____

Custody/Visitation

- Child Custody/Visitation (610)
- Modification of Custody/Visitation (615)
- Temporary Custody - Nonparent (616)
- Registration of Foreign Child Custody Order (690)
- Custody/Visitation - Other (699) _____

Miscellaneous Actions

- Name Change (710)
- Correction/Birth Record (720)
- Judicial Bypass (730)
- Adoption (740)
- Foreign Adoption (741)
- Post Dissolution Equitable Distribution (750)
- Paternity - Private (761)
- Paternity - DSS (762)
- Termination of Parental Rights - Private (771)
- Termination of Parental Rights - DSS (772)
- Miscellaneous Actions - Others (799) _____

Submitting Party Signature: *Marsha Buck*

Date: *12-11-19*

Istodial Parent (if applicable): NA

Fee: Frivolous civil proceedings are subject to sanctions pursuant to Rule 11, SCRCP and the South Carolina Frivolous Proceedings Act, S.C. Code Ann. § 15-36-10 et seq.

SCA 467 (6/2015)

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Christina M. Gray
CLERK OF COURT, MARION COUNTY
SOUTH CAROLINA

STATE OF SOUTH CAROLINA
COUNTY OF MARION

IN THE FAMILY COURT
12th JUDICIAL CIRCUIT

SOUTH CAROLINA DEPARTMENT
SOCIAL SERVICES,

NOTICE OF HEARING

OBLIGEE,

-vs-

ISAAC KAREEM HEMINGWAY,

OBLIGOR.

Docket No. 2019-03-0383
Case ID: 0989333

FILED
DEC 11 PM 2:19
MARION COUNTY
CLERK OF COURT

To: ISAAC KAREEM HEMINGWAY
[REDACTED]

- The Child Support Services Division and the obligor have failed to reach an agreement on child support issues following a negotiation conference. *parent to pay 40% (3) percent high stubs, rest of dependent medical insurance and children cost from provider if applied*
- The obligor objects to the Notice of Financial Responsibility and has served upon the division, in the manner prescribed by S.C. Code Ann. Section 20-7-9540, a written request for a court hearing.

Pursuant to S.C. Code Ann. Section 20-7-9540, a hearing has been set in the above-captioned matter for **January 16, 2020** at **9:30 AM**. You are hereby notified to be present in the chambers of the Family Court of the **12th Judicial Circuit** located at **2515 E HIGHWAY 76, MARION, MARION, SC**, at the aforesaid time.

The Clerk of Court shall assign a docket number to this notice and file it with the attached Notice of Financial Responsibility, Affidavit of Service, and any other accompanying documents.

This shall serve as notice that notice of hearing failure to appear may result in default order. Christy M. Gray

Judge/Clerk of the Family Court
12th Judicial Circuit

_____, S. C.

_____, 20

Monika Bural 12-11-19

Signature of Custodial Parent Date

Isaac Hemingway 12-11-2019

Signature of Defendant Date

RXBU15

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Christy M. Gray
CLERK OF COURT, MARION COUNTY
SOUTH CAROLINA

HMA:0

South Carolina Department of Social Services
CHILD SUPPORT OBLIGATION: WORKSHEET A

BURCH, MAISHA N

vs.

HEMINGWAY, ISAAC KAREEM

2019DR3300131

Name of Plaintiff	Name of Defendant		Docket Number
	Father	Mother	
1. Monthly Gross Income:	1,950.00	1,257.00	
	<input type="checkbox"/> Imputed	<input checked="" type="checkbox"/> Imputed	
2. Monthly Alimony (This Action)			
a. To Be Received:	+ 0.00	+ 0.00	
b. To Be Paid:	- 0.00	- 0.00	
3. a. Other Monthly Alimony or Child Support Paid: (If Having Priority Over This Action)	- 200.00	- 0.00	
b. Adjustment For Other Child(ren) In the Home:	0 + 0.00	0 + 0.00	
4. Adjusted Monthly Gross Income:	4(F) 1,750.00	+ 4(M) 1,257.00	4(C) 3,007.00
4(F) + 4(M) = 4(C)			
Number of Children To Be Supported By Order In This Action: 5			
5. Basic Combined Child Support Obligation: (Gross)			5(C) 1,218.10
<small>(From Schedule, Using Combined Monthly Adjusted Gross Income (Line 4C))</small>			
6. Adjustment to Basic Child Support Obligation			
a. Health Insurance Premium: (Portion Covering Children Only)	+ 165.00	+ 0.00	
b. Child(ren)'s Extraordinary Medical Expenses:	+ 0.00	+ 0.00	
c. Work-Related Child Care Costs Adjusted For Federal Tax Credit: (Choose one Method)			
<small>(Subject to income restraints) ADJUSTMENT is lesser of (1) Actual Credit from state and federal tax return OR (2) .27 of Actual Expenses OR (3) \$68 for 1 child or \$135 for 2 or more children receiving care)</small>			
Actual	+ 0.00	+ 0.00	
Adjustment	- 0.00	- 0.00	
	= 0.00	= 0.00	
Total Adjustment to Basic Combined Child Support Obligation:	6(F) 165.00	+ 6(M) 0.00	= 6(C) 165.00
7. Total Combined Monthly Child Support Obligation: (Net)			= 7(C) 1,383.10
5(C) + 6(C) = 7(C)			
8. Proportional Share of Combined Monthly Adjusted Gross Income:	8(F) 58.2 %	+ 8(M) 41.8 %	
	<small>4(F) / 4(C) = 8(F)</small>	<small>4(M) / 4(C) = 8(M)</small>	
9. Gross Child Support Obligation of Individual Parent: (Monthly)	9(F) 804.96	+ 9(M) 578.14	
	<small>7(C) x 8(F) = 9(F)</small>	<small>7(C) x 8(M) = 9(M)</small>	

2019 DEC 16 10:00 AM
 MARION COUNTY
 CHRISTY M. GRAY
 CLERK OF COURT

DSS Form 27151 (OCT 14) Edition of JUN 06 is obsolete.

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Christy M. Gray
 CLERK OF COURT, MARION COUNTY
 SOUTH CAROLINA

Complete Items 10-11 for Obligated Parent Only:

Obligated Parent is:

Father

Mother

10. Credit for Adjustment to Basic Combined Child Support Obligation: (From Item 6(F) or Item 6(M))

10(F) 165.00
Same as Item 6(F)

10(M) 0.00
Same as Item 6(M)

11. Net Child Support To Be Paid To Custodian:

11(F) 639.96
 $9(F) - 10(F) = 11(F)$

11(M) 578.14
 $9(M) - 10(M) = 11(M)$

Result: The Father Pays 639.96 Each Month

	<u>Without Costs</u>	<u>+5% Costs</u>
Monthly	<u>639.96</u>	<u>671.96</u>
Semi-Monthly	<u>319.98</u>	<u>335.98</u>
Bi-Weekly	<u>295.37</u>	<u>310.14</u>
Weekly	<u>147.68</u>	<u>155.06</u>

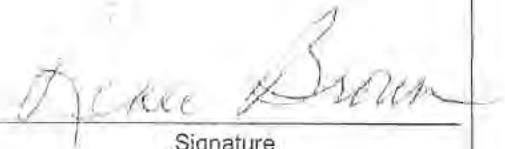
Date: 12/11/2019

Worksheet Prepared By: REMMING-BROWN, RENEE

For: Father Mother

Note: If deviations from the Guidelines is necessary, please specify reasons (over).

Reasons For Deviation From The Guidelines Award Amount:



Signature

12/11/2019

Date

12-1-19 @ 11:00 AM

STATE OF SOUTH CAROLINA
COUNTY OF MARION

IN THE FAMILY COURT
12th JUDICIAL CIRCUIT

SOUTH CAROLINA DEPARTMENT OF SOCIAL
SERVICES,

AFFIDAVIT OF SERVICE

2019-DR-33-0583

PLAINTIFF,

Docket No. 2019DR3300131
Case ID: 0989333

-vs-

ISAAC KAREEM HEMINGWAY,

OTHER ADDRESS: _____

DEFENDANT.

To: ISAAC KAREEM HEMINGWAY



PERSONALLY APPEARED BEFORE ME Betty Rowell, who, being duly sworn, says that (s)he served the Notice of Financial Responsibility in this action on ISAAC KAREEM HEMINGWAY by delivering same to:

ISAAC KAREEM HEMINGWAY, personally;

_____ (Name and Relationship to Defendant) a person of suitable age and discretion living at Defendant's place of residence;

and leaving with him(her) copy(ies) of the same at _____ (Place Served)

on the 16th day of October, 2019 at 8:30 AM PM;
and that (s)he knows the person so served to be the Defendant mentioned and described in the action.

Betty Rowell

SWORN TO BEFORE ME this 16th
day of Oct, 2019

Notary Public [Signature]
My Commission Expires: 1/28/2025

S.C. DEPT. OF SOCIAL SERVICES
CHILD SUPPORT SERVICES DIVISION
2120 LOWMEYER BLVD.
FLORENCE, SC 29501

CXCPD9

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BOOK _____ PAGE _____
Christy M. Gray
CLERK OF COURT, MARION COUNTY
SOUTH CAROLINA

10/11 19
2019 6
Betty

SOUTH CAROLINA DEPARTMENT OF SOCIAL SERVICES
CHILD SUPPORT SERVICES DIVISION

ADMINISTRATIVE PROCESS

NOTICE OF FINANCIAL RESPONSIBILITY

COUNTY OF MARION
DOCKET NO. 2019DR3300131
CSSD CASE ID: 0989333

2019-DR-33-038

TO: ISAAC KAREEM HEMINGWAY

BARRIER REEF FIBERGLASS POOLS

The Child Support Services Division (Division), pursuant to S.C. Code Ann. Section 63-17-710 et seq., notifies you that:

1. You have a duty to support and provide for the medical needs of the following child(ren):



DOB: 2004
DOB: 2006
DOB: 2011
DOB: 2015
DOB: 2016

MARION COUNTY SC
CHRISTY M. GRAY
CLERK OF COURT

2019 DEC 11 PM 2:19

FILED

in the custody of MAISHA N BURCH.

2. You are required to appear on December 11, 2019, at 11:00 AM, for a negotiation conference to determine the amount of your duty of support. The negotiation conference will be held at MARION COUNTY FAMILY COURT, 2515 E HIGHWAY 76, MARION, South Carolina.
3. You may assert the following objections in the negotiation conference:
- A. The dependent child(ren) was/were adopted by a person other than you;
 - B. The dependent child(ren) is/are emancipated; or
 - C. There is an existing court or administrative order for child support.
4. If such objections are not resolved at the negotiation conference, the Division will schedule a court hearing. A Notice of Hearing indicating the date, time and place will be provided to you.
5. The Division will establish all child support orders in accordance with the child support guidelines in S.C. Code Ann. Regs. 114-4710 through 114-4750, based on the parties' income. The Division may issue an administrative subpoena to obtain income information from you, or it may rely on wage statements, wage information from the Department of Employment and Workforce, tax records and verified statements from the custodian. In the absence of such information, the Division will impute income based upon the child support guidelines.
6. The Division will establish an order for the provision of medical support, in accordance with the child support guidelines.

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BOOK _____ PAGE _____

Christy M. Gray
CLERK OF COURT, MARION COUNTY
SOUTH CAROLINA

NOFR

8. The Division shall issue an order of default setting forth the amount of your duty of support if the following occurs:
 - A. You fail to appear for the negotiation conference scheduled above; or
 - B. You fail to reschedule the negotiation conference prior to the date and time stated in this notice; or
 - C. You fail to send the Division a written request for a court hearing before the time scheduled for the negotiation conference; or
 - D. You fail to appear for a rescheduled negotiation conference.
9. If an order of default is issued, it shall be filed with the clerk of court in **MARION** County.
10. When filed, the order of default has all the force, effect and remedies available for enforcement (for example, wage assignment, contempt, tax intercept or license revocation) as an order of the court.
11. No judgment is required to certify past-due child support to the Internal Revenue Service or State Department of Revenue for purposes of intercepting federal or state tax refunds.
12. An order issued pursuant to S.C. Code Ann. Section 63-17-710 et. seq., or an existing order of the court or any other administrative order may be modified under S.C. Code Ann. Section 63-17-710 et. seq., in accordance with the Uniform Interstate Family Support Act, S.C. Code Ann. Section 63-17-2900 et. seq.
13. You must notify the Division of any change of address or employment within ten (10) days following such change.
14. You may request a court hearing within thirty (30) days after the receipt of the Notice of Financial Responsibility. The request must be served upon the authorized designee for the Division, whose name and address is listed below. The request must be served by certified mail or in the same manner as a summons in a civil action.
15. If you have questions, you should telephone, write or visit the Division at the address below.
16. You have the right to consult an attorney and be represented by an attorney at the negotiation conference.

Dated: 09/10/2019

Carietta Foster

Authorized Designee for the Child Support Services Division

FLORENCE REGION
P.O. BOX 1071
FLORENCE, SC 29503
(843)661-4750

CXCPD9

NOFR



P.O. Box 2230 Burlington, NC 27216 Telephone: (336) 584-5171 Relationship Report

Account Information

Account Number: 39700685
 FLORENCE DCSE REGIONAL DIV
 Acct Ref 1: 0989333
 Acct Ref 2:
 Acct Ref 3:
 FLORENCE, SC 29503

LabCorp Case # C0Z-006346

Relationship	Party		Race	Date Collected
Mother	BURCH, MAISHA N	94J-2440-0	Black	04/17/2019
Child	[REDACTED]	95L-2178-0		05/15/2019
Alleged Father	HEMINGWAY, ISAAC K	94J-2441-0	Black	04/17/2019

DNA Analysis

	D3S1358	D7S820	vWA	D12S391	FGA	D8S1179	D21S11	D18S51	D5S818
M	15, 17	8, 9	15, 17	18, 20	21, 23	10, 14	29, 30	12, 19	12
C	15, 16	9, 11	17	17, 18	22, 23	10, 15	29, 30	19, 21	12, 13
AF	16	9, 11	17, 18	17	19, 2, 22	13, 15	30	19, 2, 21	11, 13
PI	3.15	2.40	17.22		2.81	2.55	2.68	22.91	2.10

DNA Analysis

	D13S317	D15S539	TH01	TPOX	CSF1PO	D2S1338	D19S433	D22S1045	D2S441
M	8, 13	9, 11	6, 9, 3	9	8, 9	21, 26	14, 15	11, 14	10, 14
C	8, 12	9, 12	6, 7	9, 11	9, 12	19, 26	14, 2, 15	11, 14	12, 14
AF	12	12, 13	7, 9	9, 11	10, 12	16, 19	12, 14, 2	11, 16	11, 12
PI	2.38	2.53	1.26	2.11	1.87	3.02	8.96	2.14	

DNA Analysis

	D10S1248	D1S1656	D5S1043	DXS6810	DXS101	HPRTB	DXS9895
M	12, 16	14, 15	14, 18	18	23, 24	13	15, 2, 16, 2
C	15, 16	14	14, 15	18, 19	21, 23	12, 13	15, 15, 2
AF	12, 15	14, 16, 3	15, 18, 3	19	21	12	15
PI	2.60	2.06	8.84	4.24	6.28	3.48	3.52

2019 DEC 11 PM 2:18
 MARION COUNTY SC
 CHRISTY M. GRAY
 CLERK OF COURT

Conclusion:

Combined Paternity Index: 10,096,289,461,758 to 1 Probability of Paternity: 99.99% (Prior Probability = 0.5)

The alleged father, ISAAC K. HEMINGWAY, cannot be excluded as the biological father of the child [REDACTED] since they share genetic markers. Using the above systems, the probability of paternity is 99.99%, as compared to an untested, unrelated man of the Black population.

I, the undersigned, upon being duly sworn on oath, do depose and state that I read the foregoing report on the analysis of specimens from the above named individuals, signed by myself, and under penalties for perjury it is my belief that the facts and results therein are true and correct.

[Handwritten Signature]
 Gary M Stuhlmueller, Ph.D.

DAPHNE B COCHRAN
 NOTARY PUBLIC
 ALAMANCE COUNTY, NC
 My Commission Expires 2-1-2023

State of North Carolina
 County of Alamance

I, DAPHNE B COCHRAN, certify that Gary M Stuhlmueller, Ph.D. personally came before me this day and acknowledged that he (or she) is a person authorized by Laboratory Corporation of America Holdings, a corporation, to execute the foregoing on behalf of the corporation.

Subscribed and sworn to [or affirmed] before me this 23 MAY 2019 at Burlington, NC.

[Handwritten Signature]
 Notary Public

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BOOK _____ PAGE _____

[Handwritten Signature]

CLERK OF COURT, MARION COUNTY
 SOUTH CAROLINA

Laboratory Corporation of America Holdings is accredited by the AABB

INCOME WITHHOLDING FOR SUPPORT

- [X] ORIGINAL INCOME WITHHOLDING ORDER/NOTICE FOR SUPPORT (IWO)
[] AMENDED IWO
[] ONE-TIME ORDER/NOTICE FOR LUMP SUM PAYMENT
[] TERMINATION of IWO

Date: 04/18/19

2019 DR 131

[] Child Support Enforcement (CSE) Agency [] Court [] Attorney [] Private Individual/Entity (Check One)
NOTE: This IWO must be regular on its face. Under certain circumstances you must reject this IWO and return it to the sender...
If you receive this document from someone other than a state or tribal CSE agency or a court, a copy of the underlying order must be attached.

State/Tribe/Territory South Carolina Remittance Identifier (include w/payment) 2019DR3300131
City/Co./Dist./Tribe MARION COUNTY Order Identifier
Private Individual/Entity CSE Agency Case Identifier 2019DR3300131

Form with fields: BARRIER REEF FIBERGLASS, Employer/Income Withholder's Name, Employer/Income Withholder's Address, TIMMONSVILLE, SC 29161-0000, RE: HEMINGWAY K. ISAAC, Employee/Obligor's Name, Employee's/Obligor's Social Security Number, BURCH MAISHA N., Custodial Party/Obligee's Name, Child(ren)'s Name(s), Child(ren)'s Birth Date(s).

2019 APR 18 PM 9:06

ORDER INFORMATION: This document is based on the support or withholding order from MARION COUNTY, SC (State/Tribe). You are required by law to deduct these amounts from the employee/obligor's income until further notice.

\$307.00 Per MONTH current child support
\$ Per past-due child support-Arrears greater than 12 weeks? []Yes []No
\$ Per current cash medical support
\$ Per past-due cash medical support
\$ Per current spousal support
\$ Per past-due spousal support
\$15.35 Per MONTH other (must specify) COURT COST
For a Total Amount to Withhold of \$322.35 per MONTH

AMOUNTS TO WITHHOLD: You do not have to vary your pay cycle to be in compliance with the Order Information. If your pay cycle does not match the ordered payment cycle, withhold one of the following amounts:
\$74.39 per weekly pay period \$161.18 per semimonthly pay period (twice a month)
\$148.78 per biweekly pay period (every two weeks) \$322.35 per monthly pay period
\$ Lump Sum Payment: Do not stop any existing IWO unless you receive a termination order.

REMITTANCE INFORMATION: If the employee/obligor's principal place of employment is SOUTH CAROLINA (State/Tribe), you must begin withholding no later than the first pay period that occurs 5 days after the date of NOTICE. Send payment within 10 working days of the pay date. If you cannot withhold the full amount... obtain withholding limits from Supplemental Information on page 3. If the employee/obligor's principal place of employment is not SOUTH CAROLINA (State/Tribe), obtain withholding limitations, time requirements, and any allowable employer fees at www.acf.hhs.gov/programs/css/resource/state-income-withholding-requirements-and-program-information for the employee/obligor's principal place of employment.

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BOOK PAGE
Christy M. Gray
CLERK OF COURT, MARION COUNTY
SOUTH CAROLINA

Document Tracking Identifier

2019 DR 3304131

STATE OF SOUTH CAROLINA)

IN THE FAMILY COURT
12TH JUDICIAL CIRCUIT

COUNTY OF MARION)

SCDSS / Maisha N. Bush
Plaintiff,)

FAMILY COURT COVERSHEET

vs.)

Isaac B. Hemingway
Defendant.)

Docket No. 2019 DR 3304131

NOTE: The coversheet and information contained herein neither replaces nor supplements the filing and service of pleadings or other papers as required by law. This form is required for docketing purposes for the Clerk of Court and must be signed and dated, and filled out completely. A copy of this coversheet must be served on the defendant(s) along with the Summons and Complaint.

Submitted by: SCDSS SC Bar # _____
Address: PO BOX 1071 Telephone # 843-661-4750
FLORENCE, SC 29503 Fax # 843-413-6512
Email: _____ Other: _____

DOCKETING INFORMATION (Check one box below if filing in a Mandatory Mediation County)
 This case is subject to MEDIATION pursuant to the Family Court Alternative Dispute Resolution Rules.
 This case is exempt from ADR (certificate attached).

Nature of Action Codes
(Check One)

Marital Dissolution

- Divorce (110)
- Annulment (120)
- Separate Support and Maintenance (130)
- Registration of Foreign Divorce Decree - without support/custody (190)
- Registration of Foreign Divorce Decree - with support/custody (191)
- Marital Dissolution - Other (199) _____

Abuse and Neglect

- Abuse and Neglect - Child (210)
- Abuse and Neglect - Adult (220)
- Abuse and Neglect - Other (299) _____

Juvenile Delinquency

- Truancy (311)
- Incurable (312)
- Runaway (313)
- Criminal Offense - Drug (315)
- Criminal Offense - Against a Person (316)
- Criminal Offense - Property (317)
- Criminal Offense - Public Order (318)
- Criminal Offense - Other (320)
- Juvenile Delinquency - Other (399) _____

Protection from Domestic Abuse

- Domestic Abuse - Intimate Partner (410)
- Domestic Abuse - Minor (420)
- Registration of Foreign Order of Protection (490)
- Domestic Abuse - Other (499) _____

Support

- Child Support - Private (501)
- Child Support - Administrative Process (502)
- Child Support - Judicial Process (503)
- Registration of Foreign Order of Support (504)
- UIFSA - Outgoing (505)
- UIFSA - Incoming (506)
- Modification of Child Support - Private (507)
- Modification of Child Support - DSS (508)
- Modification of Alimony (525)
- College Expenses (530)
- Support - Other (599) _____

Custody/Visitation

- Child Custody/Visitation (610)
- Modification of Custody/Visitation (615)
- Temporary Custody - Nonparent (616)
- Registration of Foreign Child Custody Order (690)
- Custody/Visitation - Other (699) _____

Miscellaneous Actions

- Name Change (710)
- Correction/Birth Record (720)
- Judicial Bypass (730)
- Adoption (740)
- Foreign Adoption (741)
- Post Dissolution Equitable Distribution (750)
- Paternity - Private (761)
- Paternity - DSS (762)
- Termination of Parental Rights - Private (771)
- Termination of Parental Rights - DSS (772)
- Miscellaneous Actions - Others (799) _____

Submitting Party Signature: [Signature]

Date: [Date] CERTIFIED COPY OF THE ORIGINAL FILED IN THIS OFFICE

Custodial Parent (if applicable): NA

BOOK _____ PAGE _____

Note: Frivolous civil proceedings are subject to sanctions pursuant to Rule 11, SCRCP and the South Carolina Proceedings Sanctions Act, S.C. Code Ann. § 15-36-10 et seq.

[Signature]
CLERK OF COURT, MARION COUNTY
SOUTH CAROLINA

CCA 467 (6/2015)

2019 00131

STATE OF SOUTH CAROLINA
COUNTY OF Marion
South Carolina Department of Social Services

IN THE FAMILY COURT
JUDICIAL CIRCUIT
ADMINISTRATIVE PROCESS
ORDER OF FINANCIAL RESPONSIBILITY

vs. Isaac K. Hemingway
Obligor.

Conference Date: April 17, 2017
Attorney for Obligor: _____
Attorney for Obligor: _____

ICSSD Case Number: 0989-333
Docket Number: 2019 DR330131

1. The Custodian and Obligor in this action are:

CUSTODIAN AFDC RECIPIENT: Yes No
Name: Marsha N. Butler
Residence and/or Mailing Address: _____

OBLIGOR
Name: Isaac K. Hemingway
Residence and/or Mailing Address: _____

Telephone: _____
Sex: F DOB: _____
Social Security Number: _____
DLN: _____ Exp. Date: _____
Employer: _____

Telephone: _____
Sex: M DOB: _____
Social Security Number: _____
DLN: _____ Exp. Date: _____
Employer: _____

Telephone: _____

Telephone: _____

2. The Obligor acknowledges proper service of the Notice of Financial Responsibility or waives any defects; the Obligor waives a court hearing;

The Obligor is the natural parent of and owes a duty of support to the following dependent child(ren):
 The Obligor admits to being the natural father of the dependent child(ren) listed below. By this Order, the Obligor is found to be the father of and owes a duty of support to the dependent child(ren) listed below.

Name	DOB	Social Security Number
<u>[REDACTED]</u>	<u>2015</u>	
_____	_____	_____
_____	_____	_____

3. Paternity tests were conducted for the child(ren) _____. The paternity tests indicate a _____ percent probability of paternity for the above-named child(ren). The Obligor owes a child support arrearage of \$ _____, for child support set retroactive to _____.

4. The Obligor agrees to pay \$ _____ for genetic testing to the Integrated Child Support Services Division, P.O. Box 1520, Columbia, S.C. 29202-1520, no later than _____.

5. Obligor was served on 2/21/17
 Obligor waives thirty (30) days notice.

6. The Obligor's gross monthly income is \$ 2015. The custodian's gross monthly income is \$ 1357. Day care expenses for the child(ren) are \$ _____ per month. The cost of insurance is \$ 11.00 per month which is paid by the custodian.

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BOOK _____ PAGE _____

Initials: J H Christy M. Gray B
CLERK OF COURT, MARION COUNTY
SOUTH CAROLINA

7. A prior order in this case dated _____ from _____ required the Obligor to pay \$ _____ per _____ in support for his/her child(ren). The Obligor owes a child support arrearage of \$ _____.
8. The Obligor shall pay, through the Court, child support payments of \$ 317.00 plus \$ _____ toward the arrearage, plus five percent (5%) court costs, for a total monthly payment of \$ 339.35 beginning May 1, 2019.
9. The Obligor's child support obligation shall continue until the child support/arrears are fully paid. The Obligor shall pay the amount as ordered until the minor child(ren) reach(es) the age of emancipation; or, until the child(ren) become(s) otherwise emancipated, **as may be determined by the Court**. This does not prevent anyone from seeking a post-secondary education support order.⁹
10. Each payment shall be made payable to the Marion County Family Court, shall contain the Family Court file number, and the Obligor's full name.
11. The Obligor shall provide and maintain health insurance coverage for the child(ren) and shall provide proof of coverage to the CSSD by Marion. The Obligor agrees to notify the CSSD when health insurance is changed.
 - Insurance is not reasonably available; however, should the Obligor obtain medical insurance in the future, this case may be reviewed for modification at the request of the Obligor or Obligee.
 - The Obligor shall pay 63 % of all unreimbursed health expenses in excess of \$250 per year per child. The custodian shall assume the costs of the unreimbursed medical expenses up to \$250 per year per child.
 - Qualified Medical Child Support Order(s) may be submitted as needed.
12. All future notices or correspondence shall be sent to the Obligor and custodian at the address above. The Obligor and the custodian shall advise the Court, within ten (10) days, of every change in mailing address or employment. Failure to do so can result in future hearings being held in your absence.
13. Income withholding is ordered pursuant to S.C. Code Ann. §20-7-1315.
14. Any party may request, in writing, a review of his/her child support order for possible adjustment thirty-six (36) months from the date of this order or thirty-six (36) months from the date of the last review of this order. A written request for review must be made to the South Carolina Department of Social Services, Child Support Services Division.
15. Pursuant to the Uniform Interstate Family Support Act and S.C. Code Ann. §20-7-960 et seq., this State has continuing, exclusive jurisdiction over this order.
16. Failure to pay your child support obligations may result in any or all of the following actions: the revocation of any licenses you hold; the reporting of your delinquent status to the credit bureau; the interception of your federal and state income tax refunds; the interception of any other payments due to you from the federal government; and/or an action for contempt of court which may result in punishment by a fine, a public work sentence, imprisonment, or any combination of them. Further, a bench warrant may be issued for your arrest.
17. The Obligor voluntarily consented to this order.

Voluntarily consent to this order: Marion SC wife issue & permanent child support order
 Dated: 4/17/2019 LC: [illegible]

Obligor
 Dated: 4-17-19
 Dated: 4-17-19

Obligor
Maura Bural
 Obligor's Attorney
Wendy S. Duncan
 Authorized Designee, Child Support Services Division

Copy Received By: [Signature] Date: 4/17/2019
 Obligor

JUDGEMENT ROLL ENTERED 4/15/19 AT 12:07 PM
 CHRISTY M. GRAY, CCP
 MARION COUNTY, SC

201900131

CONFIDENTIAL INFORMATION REFERENCE LIST

DOCKET NO.: 2019 - DR-33 - 0131

IV-D NO.: 0981333

TANF: YES NO

UIFSA: YES NO (If UIFSA use SDU payment address for CP's address.)

A. CUSTODIAL PARENT/OBLIGEE/PAID TO:

Name: Marsha N. Bunch

Address: [REDACTED]

City: INDIAN

State: SC Zip: 29571

Email Address: [REDACTED] Phone: [REDACTED]

SSN: [REDACTED]

Gender: F Race: 13

Date of Birth: [REDACTED]

Driver's License Number: [REDACTED]

Driver's License Issuing State: SC Exp 3/20/21

Employer: Tiger Print

Employer Address: _____

B. NON-CUSTODIAL PARENT/OBLIGOR/PAID BY:

Name: Isaac B. Hambrick

Address: [REDACTED]

City: [REDACTED]

State: SC Zip: 29544

Email Address: [REDACTED] Phone: [REDACTED]

SSN: [REDACTED]

Gender: M Race: 13

Date of Birth: [REDACTED]

Driver's License Num [REDACTED]

Driver's License Issuing State: SC 5-18-26

Employer: Wagon Wheel Beef Truck

Employer Address: [REDACTED]

C. CHILDREN

	CHILDREN'S NAMES	DATE OF BIRTH	SSN
1.	[REDACTED]	[REDACTED]	[REDACTED]
2.	[REDACTED]	[REDACTED]	[REDACTED]
3.			
4.			
5.			
6.			

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[Signature]
PREPARED BY

Christy M. Gray
CLERK OF COURT, MARION COUNTY
SOUTH CAROLINA

201900131

STATE OF SOUTH CAROLINA)

COUNTY OF Marion)

SCDS/Maisha M. Burt)
Plaintiff,)

vs.)

Tsara K. Hemingway)
Defendant.)

IN THE FAMILY COURT
(19th) JUDICIAL CIRCUIT

DESIGNATION FORM
FOR COURT COSTS

Docket No. 2019 DR 33 0131

I acknowledge that South Carolina Code Ann. § 63-3-370 requires that I pay and the Family Court has ordered that I pay court costs in an amount equal to five percent of any support payment made through the Clerk of Court or the centralized wage withholding system. I owe and will pay these costs in addition to my support obligation.

To meet my duty to pay court costs, I designate an amount equal to five percent of the support payment I make to be applied and distributed in payment of court costs, not support.

I authorize the Clerk of Court or, if payments are withheld from my income, the centralized wage withholding system to deduct the fee from every payment made by me or on my behalf.

I acknowledge that should I not pay the full amount due, that an arrearage will accrue and that the Clerk of Court may take enforcement action against me for failure to pay all amounts ordered by the Court.

If an amendment to the law changes the amount of court costs, this designation authorizes deduction of court costs in the amount established by law.

Signed this 17 day of April, 2019 at
Marion, SC (City, State).

[Signature]
Signature of Obligor

Tsara Hemingway
Printed Name of Obligor

Custodial Parent (if applicable): Maisha Burt

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Christy M. Gray
CLERK OF COURT, MARION COUNTY
SOUTH CAROLINA

SCCA 429 (12/2009)

South Carolina Department of Social Services
CHILD SUPPORT OBLIGATION: WORKSHEET A

SUDSS

vs. ISAAC B. HENNINGWAY

D989-333

Name of Plaintiff

Name of Defendant

File Number

1. Monthly Gross Income:	<u>\$15.00/hr weekly</u>	Father <u>2015</u>	Mother <u>1257</u>	<u>\$17.25/hr</u>
	<u>31 hrs</u>	<input type="checkbox"/> Imputed	<input checked="" type="checkbox"/> Imputed	<u>16 hrs week</u>
2. Monthly Alimony (This Action)				<u>PO WIFE</u>
a. To Be Received:		+	+	
b. To Be Paid:		-	-	
3. a. Other Monthly Alimony or Child Support Paid: (If Having Priority Over This Action)	<u># 3619.36</u>	-	-	
b. Adjustment For Other Child(ren) In the Home:	<u>1/1</u> <u>1273</u>	-	-	
4. Adjusted Monthly Gross Income:		4(F) <u>1815</u>	4(M) <u>1052</u>	= 4(C) <u>2867</u>
				Combined Monthly Adjusted Gross Income 4(F) + 4(M) = 4(C)

Number of Children To Be Supported By Order In This Action:	<u>1</u>	
5. Basic Combined Child Support Obligation: (Gross) (From Schedule, Using Combined Monthly Adjusted Gross Income (Line 4C))		5(C) <u>557</u>
6. Adjustment to Basic Child Support Obligation		
a. Health Insurance Premium: (Portion Covering Children Only)	+ <u>119</u>	+ _____
b. Child(ren)'s Extraordinary Medical Expenses:	+ _____	+ _____
c. Work-Related Child Care Costs Adjusted For Federal Tax Credit: (Choose one method)		
Actual _____ - Adjustment* _____ =	+ _____	+ <u>0</u>
<small>(Subject to income restraints) ADJUSTMENT is lesser of (1) Actual Credit from state and federal tax return OR (2) .27 of Actual Expenses OR (3) \$68 for 1 child or \$135 for 2 or more children receiving care)</small>		
Total Adjustment to Basic Combined Child Support Obligation:	5(F) <u>119</u>	+ 5(M) <u>0</u> = 5(C) <u>119</u>
7. Total Combined Monthly Child Support Obligation: (Net)		= 7(C) <u>638</u>
<small>5(C) + 5(M) = 7(C)</small>		

8. Proportional Share of Combined Monthly Adjusted Gross Income:	8(F) <u>603</u> % + 8(M) _____ %
	<small>4(F)/4(C) = 8(F) 4(M)/4(C) = 8(M)</small>
9. Gross Child Support Obligation of Individual Parent: (Monthly)	9(F) <u>426</u> + 9(M) _____
	<small>7(C) x 8(F) = 9(F) 7(C) x 8(M) = 9(M)</small>

Complete Items 10-11 for Obligated Parent Only:

Obligated Parent is: (Check One) Father Mother

10. Credit for Adjustment to Basic Combined Child Support Obligation: (From Item 6(F) or Item 6(M))

10(F) 119 (Same as Item 6(F)) 10(M) _____ (Same as Item 6(M))

11. Net Child Support To Be Paid To Custodian:

11(F) 519 11(M) _____

9(F) - 10(F) = 11(F)

Date: 4-11-19 Worksheet Prepared By: Diana M. Gray

Note: If deviations from the Guidelines is necessary, please specify readily available

Father Mother

DSS Form 27151 (OCT 14) Edition of JUN 06 is obsolete.

BOOK _____ PAGES _____
 CLERK OF COURT, MARION COUNTY
 SOUTH CAROLINA

STATE OF SOUTH CAROLINA
COUNTY OF MARION
SOUTH CAROLINA DEPARTMENT
OF SOCIAL SERVICES,

IN THE FAMILY COURT

4/17/19 e 10
am

AFFIDAVIT OF SERVICE

OBLIGEE,

-vs-

Docket No: 2019-DR-33-0131

ISAAC K. HEMINGWAY,

OTHER ADDRESS: _____

OBLIGOR

TO: ISAAC K. HEMINGWAY
4308 HWY 9
GRESHAM, SC 29546

PERSONALLY APPEARED BEFORE ME Glen Turner, who, being duly

sworn, says that (s)he served the Notice of Financial Responsibility in this action on
Isaac K. Hemingway by delivering same to:

- () Isaac K. Hemingway, personally;
- ISAAC Hemingway SR. father (Name and Relationship to
Defendant) a person of suitable age and discretion living at Defendant's place of
residence;

and leaving with him(her) copy(ies) of the same at _____
Place Served) on the 21st day of February 19; and that (s)he 3pm
knows the person so served to be the Defendant mentioned and described in the action.

SWORN TO BEFORE ME this 21st
day of Feb, 20 19
Maisha N. Burch
Notary Public for South Carolina

Glen Turner

My Commission Expires: 1/28/2025
Maisha N. Burch
rr:0989333

STATE OF SOUTH CAROLINA
DEPARTMENT OF SOCIAL SERVICES
1000 GAYLOR DRIVE, COLUMBIA, SC 29201
TEL: (803) 735-2300

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BOOK _____ PAGE _____
Christy M. Gray
CLERK OF COURT, MARION COUNTY
SOUTH CAROLINA

2/21 19
2017 - 201

Turner

SOUTH CAROLINA DEPARTMENT OF SOCIAL SERVICES
CHILD SUPPORT ENFORCEMENT DIVISION

ADMINISTRATIVE PROCESS

NOTICE OF FINANCIAL RESPONSIBILITY

COUNTY OF MARION
DOCKET NO. 2019 DR 330/31
CSED CASE NUMBER 0989333

TO: ISAAC K. HEMINGWAY

EMPLOYER: BARRIER REEF FIBERGLASS POOLS

The Child Support Enforcement Division (Division), pursuant to S.C. Code Ann. Section 63-17-710 et seq., notifies you that:

1. You have a duty to support and provide for the medical needs of the following child(ren):

3

YOB: 2015

in the custody of Maisha N. Burch.

2. You are required to appear on April 17, 2019, at 10:00 AM for a negotiation conference to determine the amount of your duty of support. The negotiation conference will be held at: Marion County Family Court, Mary E Buchan Family Court Ctr, 2515 E Hwy 76, Marion, SC 29571.
3. You may assert the following objections in the negotiation conference:
 - A. The dependent child(ren) was/were adopted by a person other than you;
 - B. The dependent child(ren) is/are emancipated; or
 - C. There is an existing court or administrative order for child support.
4. If such objections are not resolved at the negotiation conference, the Division will schedule a court hearing. A Notice of Hearing indicating the date, time and place will be provided to you.

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ORIGINAL FILED IN THIS OFFICE
BOOK _____ PAGE _____

Christy M. Gray
CLERK OF COURT, MARION COUNTY
SOUTH CAROLINA

5. The Division will establish all child support orders in accordance with the child support guidelines in S.C. Code Ann.Regs. 114-4710 through 114-4750, based on the parties' income. The Division may issue an administrative subpoena to obtain income information from you, or it may rely on wage statements, wage information from the Employment Security Commission, tax records and verified statements from the custodian. In the absence of such information, the Division will impute income based upon the child support guidelines.
6. The Division will establish an order for the provision of medical support, in accordance with the child support guidelines.
7. Costs of collection (service of process, genetic test costs, certified mail, and other court costs) may be collected from you.
8. The Division shall issue an order of default setting forth the amount of your duty of support if the following occurs:
 - A. You fail to appear for the negotiation conference scheduled above; or
 - B. You fail to reschedule the negotiation conference prior to the date and time stated in this notice; or
 - C. You fail to send the Division a written request for a court hearing before the time scheduled for the negotiation conference; or
 - D. You fail to appear for a rescheduled negotiation conference.
9. If an order of default is issued, it shall be filed with the clerk of court in Marion County.
10. When filed, the order of default has all the force, effect and remedies available for enforcement (for example, wage assignment, contempt, tax intercept or license revocation) as an order of the court.
11. No judgment is required to certify past-due child support to the Internal Revenue Service or State Department of Revenue for purposes of intercepting federal or state tax refunds.
12. You must notify the Division of any change of address or employment within ten (10) days following such change.

13. An order issued pursuant to S.C. Code Ann. Section 63-17-710 et seq., or an existing order of the court or any other administrative order may be modified under S.C. Code Ann. Section 63-17-710 et seq. in accordance with the Uniform Interstate Family Support Act, S.C. Code Ann. Section 63-17-2900 et seq.

14. You may request a court hearing within thirty (30) days after the receipt of the Notice of Financial Responsibility. The request must be served upon the authorized designee for the Division, whose name and address is listed below. The request must be served by certified mail or in the same manner as a summons in a civil action.

15. If you have questions, you should telephone, write or visit the Division at the address below.

16. You have the right to consult an attorney and be represented by an attorney at the negotiation conference.

Dated: 2/13/15

Jennifer Chapman

Authorized Designee for the
Child Support Services Division

Florence Regional Office
2120 Jody Road, Suite D
Post Office Box 1071
Florence, SC, 29503
(843) 661-4750

rr: 0989333

STATE OF SOUTH CAROLINA
COUNTY OF MARION
SOUTH CAROLINA DEPARTMENT
OF SOCIAL SERVICES,

IN THE FAMILY COURT

4/17/19 ¹⁰

AFFIDAVIT OF SERVICE ^{GL}

OBLIGEE,

-vs-

Docket No. 2019-DR-33-0131

ISAAC K. HEMINGWAY,

OBLIGOR.

TO: ISAAC K. HEMINGWAY
4308 HWY 9
GRESHAM, SC 29546

PERSONALLY APPEARED BEFORE ME Glen Turner, who, being duly sworn, says that (s)he served the Notice of Financial Responsibility and Paternity Determination in this action on Isaac K. Hemingway by delivering same to:

() Isaac K. Hemingway, personally;

Isaac Hemingway Sr (father) (Name and

Relationship to Defendant) a person of suitable age and discretion residing at Defendant's place of residence;

and leaving with him(her) copy(ies) of the same at

[Redacted] (Place Served) on the 21st day of February, 2019; and that 3pm

(s)he knows the person so served to be the Defendant mentioned and described in the action.

SWORN TO BEFORE ME this 21st
day of Feb, 2019

[Signature]

Notary Public for South Carolina

My Commission Expires: 1/28/2020

Maisha N. Burch

rr:0989333

S.C. DEPT. OF SOCIAL SERVICES
BUREAU OF CHILD SUPPORT DIVISION
2120 Canal Street, Suite 200
Florence, South Carolina 29501

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BOOK _____ PAGE _____

Christy M. Gray
CLERK OF COURT, MARION COUNTY
SOUTH CAROLINA

2/21 19
2017 201

Turner

SOUTH CAROLINA DEPARTMENT OF SOCIAL SERVICES
CHILD SUPPORT ENFORCEMENT DIVISION

ADMINISTRATIVE PROCESS

NOTICE OF FINANCIAL RESPONSIBILITY
AND PATERNITY DETERMINATION

COUNTY OF MARION
DOCKET NO. 2019 DR 330131
CSED CASE NUMBER 0989333

TO: ISAAC K. HEMINGWAY

EMPLOYER: BARRIER REEF FIBERGLASS POOLS

The Child Support Enforcement Division (Division), pursuant to S.C. Code Ann.
Section 63-17-710 et seq., notifies you that:

1. You are the natural father of and have a duty to support and provide for
the medical needs of the following child(ren):



YOB: 2004
YOB: 2006
YOB: 2011
YOB: 2016

born to Maisha Burch and in the custody of Maisha N. Burch.

2. You are required to appear on April 17, 2019, at 10:00 AM for a negotiation conference to
determine the amount of your duty of support. The negotiation conference will be held at: Marion County
Family Court, Mary E Buchan Family Court Ctr, 2515 E Hwy 76, Marion, SC 29571.
3. You may assert the following objections in the negotiation conference:
 - A. You are not the parent of the dependent child(ren);
 - B. The dependent child(ren) was/were adopted by a person other than you;
 - C. The dependent child(ren) is/are emancipated; or
 - D. There is an existing court or administrative order for child support.
4. You may file a written denial of paternity with the Division within thirty (30) days after service of
this Notice of Financial Responsibility and Paternity Determination. If you fail to timely deny this allegation
of paternity, the question of paternity may be resolved against you without further notice.

A CERTIFIED COPY OF THE
ORIGINAL FILED IN THIS OFFICE

BOOK _____ PAGE _____

Christy M. Gray
CLERK OF COURT, MARION COUNTY
SOUTH CAROLINA

5. If you timely deny the allegation of paternity:
 - A. You are subject to compulsory genetic testing and the expenses incurred for such tests may be assessed against you;
 - B. A genetic test may result in a presumption of paternity;
 - C. Upon receipt of the genetic test results, if you continue to deny paternity, you may request that the Division refer the matter to family court for a determination of paternity pursuant to S.C. Code Ann. Section 20-7-9-540. An order for child support resulting from a subsequent finding of paternity is effective from the date you were served with this Notice of Financial Responsibility and Paternity Determination.
6. If such objections are not resolved at the negotiation conference, the Division will schedule a court hearing. A Notice of Hearing indicating the date, time and place will be provided to you.
7. The Division will establish all child support orders in accordance with the child support guidelines in S.C. Code Ann. Regs. 114-4710 through 114-4750, based on the parties' income. The Division may issue an administrative subpoena to obtain income information from you, or it may rely on wage statements, wage information from the Employment Security Commission, tax records and verified statements from the custodian. In the absence of such information, the Division will impute income based upon the child support guidelines.
8. The Division will establish an order for the provision of medical support, in accordance with the child support guidelines.
9. Costs of collection (service of process, genetic test costs, certified mail, and other court costs) may be collected from you.
10. The Division shall issue an order of default setting forth a determination of paternity and the amount of your duty of support if the following occurs:
 - A. You fail to send the Division a timely written denial of paternity; or
 - B. You fail to appear for the negotiation conference scheduled above; or
 - C. You fail to reschedule the negotiation conference prior to the date and time stated in this notice; or
 - D. You fail to send the Division a written request for a court hearing before the time scheduled for the negotiation conference; or
 - E. You fail to appear for a rescheduled negotiation conference; or

- F. You fail to take or appear for a scheduled genetic test; or
- G. The genetic test results show a 95% or greater probability that you are the father of the child(ren); and
 - 1. You fail to appear for a subsequent negotiation conference; and
 - 2. You fail to reschedule the subsequent negotiation conference prior to the date and time stated in the notice.

11. If an order of default establishing paternity and financial responsibility is issued, it shall be filed with the clerk of court in Marion County.

12. When filed, the order of default has all the force, effect and remedies available for enforcement (for example, wage assignment, contempt, tax intercept or license revocation) as an order of the court.

13. No judgment is required to certify past-due child support to the Internal Revenue Service or State Department of Revenue for purposes of intercepting federal or state tax refunds.

14. You must notify the Division of any change of address or employment within ten (10) days following such change.

15. An order issued pursuant to S.C. Code Ann. Section 63-17-710 et seq. or an existing order of the court or any other administrative order may be modified under S.C. Code Ann. Section 63-17-710 et seq.

in accordance with the Uniform Interstate Family Support Act, S.C. Code Ann. Section 63-17-2900 et seq.

16. You may request a court hearing within thirty (30) days after the receipt of the Notice of Financial Responsibility and Paternity Determination. The request must be served upon the authorized designee for the Division, whose name and address are listed below. The request must be served by certified mail or in the same manner as a summons in a civil action.

17. If you have questions, you should telephone, write or visit the Division at the address below.

18. You have the right to consult an attorney and be represented by an attorney at the negotiation conference.

Dated: 2/12/19

Jennifer Chapman

Authorized Designee for the
Child Support Services Division

Florence Regional Office
2120 Jody Road, Suite D
Post Office Box 1071
Florence, SC, 29503
(843) 661-4750

rr:0989333



Call Report

Case Name	Target	Target (Raw)	Call Number	Date	Time	Duration	Direction	Contact ID	Contact ID (Raw)	Contact Name	Received Target
Hemingway-Marion	(843) 625-0880	8436250880	93	01/10/2020	18:38:18	00:01:02	Incoming	(843) 260-2411	18432602411	Maisha Burch	(843) 625-0880
Hemingway-Marion	(843) 625-0880	8436250880	86	01/11/2020	12:02:57	00:00:04	Outgoing	(843) 260-2411	8432602411	Maisha Burch	(843) 625-0880
Hemingway-Marion	(843) 625-0880	8436250880	84	01/11/2020	12:05:23	00:00:24	Incoming	(843) 260-2411	18432602411	Maisha Burch	(843) 625-0880
Hemingway-Marion	(843) 625-0880	8436250880	82	01/11/2020	13:38:23	00:00:27	Incoming	(843) 260-2411	18432602411	Maisha Burch	(843) 625-0880
Hemingway-Marion	(843) 625-0880	8436250880	79	01/11/2020	14:08:05	00:00:09	Incoming	(843) 260-2411	18432602411	Maisha Burch	(843) 625-0880
Hemingway-Marion	(843) 625-0880	8436250880	68	01/11/2020	19:11:53	00:00:04	Incoming	(843) 260-2411	18432602411	Maisha Burch	(843) 625-0880
Hemingway-Marion	(843) 625-0880	8436250880	69	01/11/2020	19:11:53	00:00:04	Incoming	(843) 260-2411	18432602411	Maisha Burch	(843) 625-0880
Hemingway-Marion	(843) 625-0880	8436250880	75	01/11/2020	19:12:25	00:01:30	Incoming	(843) 260-2411	18432602411	Maisha Burch	(843) 625-0880
Hemingway-Marion	(843) 625-0880	8436250880	74	01/11/2020	19:17:38	00:01:07	Incoming	(843) 260-2411	18432602411	Maisha Burch	(843) 625-0880
Hemingway-Marion	(843) 625-0880	8436250880	73	01/11/2020	19:20:20	00:00:37	Outgoing	(843) 260-2411	8432602411	Maisha Burch	(843) 625-0880
Hemingway-Marion	(843) 625-0880	8436250880	54	01/12/2020	00:01:47	00:00:04	Incoming	(843) 260-2411	18432602411	Maisha Burch	(843) 625-0880
Hemingway-Marion	(843) 625-0880	8436250880	65	01/12/2020	00:01:47	00:00:04	Incoming	(843) 260-2411	18432602411	Maisha Burch	(843) 625-0880
Hemingway-Marion	(843) 625-0880	8436250880	70	01/12/2020	00:02:07	00:00:54	Incoming	(843) 260-2411	18432602411	Maisha Burch	(843) 625-0880
Hemingway-Marion	(843) 625-0880	8436250880	67	01/12/2020	04:49:16	00:00:11	Outgoing	(843) 260-2411	*678432602411	Maisha Burch	(843) 625-0880
Hemingway-Marion	(843) 625-0880	8436250880	66	01/12/2020	04:49:32	00:00:02	Outgoing	(843) 260-2411	*678432602411	Maisha Burch	(843) 625-0880
Hemingway-Marion	(843) 625-0880	8436250880	47	01/12/2020	18:00:22	00:00:06	Outgoing	(843) 260-2411	8432602411	Maisha Burch	(843) 625-0880
Hemingway-Marion	(843) 625-0880	8436250880	46	01/12/2020	19:56:38	00:00:15	Outgoing	(843) 260-2411	8432602411	Maisha Burch	(843) 625-0880
Hemingway-Marion	(843) 625-0880	8436250880	45	01/12/2020	20:19:37	00:00:05	Outgoing	(843) 260-2411	8432602411	Maisha Burch	(843) 625-0880

Call Report

Target	Target (Raw)	UTC Date/Time	Date	Time	Duration	Direction	Contact ID	Contact ID (Raw)	Contact Name	Received Target	Call Number	Case Name
(843) 625-0880	8436250880	01/11/2020 05:03:44	01/11/2020	12:03:44	00:00:08	Outgoing	(843) 617-5677	8436175677		(843) 625-0880	85	Hemingway Marion
(843) 625-0880	8436250880	01/13/2020 01:20:40	01/12/2020	20:20:40	00:00:03	Outgoing	(843) 617-5677	8436175677		(843) 625-0880	44	Hemingway Marion

Call Report

Target	Target (Raw)	Date	Time	Duration	Direction	Contact ID	Contact ID (Raw)	Contact Name	Received Target	Call Number	Case Name
(843) 625-0880	8436250880	01/12/2020	04:59:48	00:00:03	Incoming	(347) 821-6987	13478216987		(843) 625-0880	58	Hemingway-Marion
(843) 625-0880	8436250880	01/12/2020	04:59:48	00:00:03	Incoming	(347) 821-6987	13478216987		(843) 625-0880	59	Hemingway-Marion
(843) 625-0880	8436250880	01/12/2020	04:59:54	00:00:01	Incoming	(347) 821-6987	13478216987		(843) 625-0880	56	Hemingway-Marion
(843) 625-0880	8436250880	01/12/2020	04:59:54	00:00:01	Incoming	(347) 821-6987	13478216987		(843) 625-0880	57	Hemingway-Marion
(843) 625-0880	8436250880	01/12/2020	05:05:00	00:00:02	Incoming	(347) 821-6987	13478216987		(843) 625-0880	54	Hemingway-Marion
(843) 625-0880	8436250880	01/12/2020	05:05:00	00:00:02	Incoming	(347) 821-6987	13478216987		(843) 625-0880	55	Hemingway-Marion
(843) 625-0880	8436250880	01/12/2020	06:11:39	00:00:03	Incoming	(347) 821-6987	13478216987		(843) 625-0880	52	Hemingway-Marion
(843) 625-0880	8436250880	01/12/2020	06:11:39	00:00:03	Incoming	(347) 821-6987	13478216987		(843) 625-0880	53	Hemingway-Marion
(843) 625-0880	8436250880	01/12/2020	06:39:04	00:00:02	Outgoing	(347) 821-6987	3478216987		(843) 625-0880	63	Hemingway-Marion
(843) 625-0880	8436250880	01/12/2020	06:39:13	00:00:02	Outgoing	(347) 821-6987	3478216987		(843) 625-0880	62	Hemingway-Marion
(843) 625-0880	8436250880	01/12/2020	06:41:41	00:00:03	Outgoing	(347) 821-6987	3478216987		(843) 625-0880	61	Hemingway-Marion

Call Report

Target	Target (Raw)	UTC Date/Time	Date	Time	Duration	Direction	Contact ID	Contact ID (Raw)	Contact Name	Received Target	Call Number	Case Name
(843) 625-0880	8436250880	01/12/2020 05:01:47	01/12/2020	00:01:47	00:00:04	Incoming	(843) 260-2411	18432602411	Malsha Burch	(843) 625-0880	64	Hemingway- Marion
(843) 625-0880	8436250880	01/12/2020 05:01:47	01/12/2020	00:01:47	00:00:04	Incoming	(843) 260-2411	18432602411	Malsha Burch	(843) 625-0880	65	Hemingway- Marion
(843) 625-0880	8436250880	01/12/2020 05:02:07	01/12/2020	00:02:07	00:00:54	Incoming	(843) 260-2411	18432602411	Malsha Burch	(843) 625-0880	70	Hemingway- Marion
(843) 625-0880	8436250880	01/12/2020 09:49:16	01/12/2020	04:49:16	00:00:11	Outgoing	(843) 260-2411	*678432602411	Malsha Burch	(843) 625-0880	67	Hemingway- Marion
(843) 625-0880	8436250880	01/12/2020 09:49:32	01/12/2020	04:49:32	00:00:02	Outgoing	(843) 260-2411	*678432602411	Malsha Burch	(843) 625-0880	66	Hemingway- Marion



STATE OF SOUTH CAROLINA)
)
 COUNTY OF MARION)
)
 STATE OF SOUTH CAROLINA,)
)
 Vs.)
)
 ISAAC KAREEM HEMINGWAY,)
)

COURT OF GENERAL SESSIONS
 12TH JUDICIAL CIRCUIT

INDICTMENT NOS:
 2021-GS-33-00276; 2021-GS-33-00273
 AND 2021-GS-33-00275

**MOTION TO SUPPRESS INFORMATION OBTAINED OR DISCOVERED AS A
 RESULT OF THE JANUARY 24, 2020 SEARCH WARRANT FOR
 VERIZON WIRELESS ACCOUNT TELEPHONE NUMBER 843-625-0880
 BELIEVED TO BE THAT OF DEFENDANT ISAAC KAREEM HEMINWAY**

Defendant, Isaac Kareem Hemingway (“Hemingway”) moves to suppress all information directly or indirectly discovered as a result search warrant issued for Verizon wireless account number 843-625-0880 owned by Hemingway for the following reasons: (A) the search warrant lacked probable cause; (B) search warrant was not executed within ten (10) days after issued; (C) the search warrant was issued by a magistrate judge for search of property beyond is jurisdiction.

A. SEARCH WARRANT LACKED PROBABLE CAUSE

(1) An authorized judge may issue search warrant to search or seized the following property:

Stolen or embezzled property; (2) property, the possession of which is unlawful; (3) **property which is being used or has been used in the commission of a criminal offense or is possessed with the intent to be used as the means for committing a criminal offense or is concealed to prevent a criminal offense from being discovered;** (4) **property constituting evidence of crime or tending to show that a particular person committed a criminal offense;** (5) any narcotic drugs, barbiturates, amphetamines or other drugs restricted to sale, possession, or use on prescription only, which are manufactured, possessed, controlled, sold, prescribed, administered, dispensed or compounded in violation of any of the laws of the State or of the United States. SC Code Ann. §17-13-140 (2020).

(2) “A search warrant may issue only upon a finding of probable cause.” *State v. Baccus*, 625 S.E.2d 216, 221, 367 S.C. 41 (S.C. 2006). “Whether probable cause exists depends upon the totality of the circumstances surrounding the information at the ... [magistrate’s] disposal.” *Id* at 220; *referencing, State v. George*, 323 S.C. 496, 476 S.E.2d 903 (S.C. 1996). “The task of the issuing magistrate is simply to make a practical, common-sense decision whether, given all the circumstances set forth in the affidavit before him, including the ‘veracity’ and ‘basis of knowledge’ of persons supplying hearsay information, there is a fair probability that contraband or evidence of a crime will be found in a particular place.” *Id.* at 221.

(3) “In South Carolina, search warrants may be issued ‘only upon affidavit sworn to before the magistrate ... establishing the grounds for the warrant.’ (Citations omitted).

The affidavit must set forth particular facts and circumstances underlying the existence of probable cause to allow the magistrate to make an independent evaluation of the matter.” *State v. Baccus*, 625 S.E.2d 216, 221, 367 S.C. 41 (S.C. 2006).

(4) In *State v. Smith*, 301 S.C. 371, 372, 392 S.E.2d 182, 183 (S.C. 1990), the South Carolina Supreme Court found a search warrant “defective on its face,’ where the affidavit supporting the warrant stated:

That on May 12th at approximately 11:45 p.m. Reginald Jerome Smith went into the Master Inn located at 1468 Savannah Hwy., Charleston, S.C. and he then robbed the manager at knife point. Smith has been staying at The Host of America Room 216 since Jan. 1, 1988 and there is every reason to believe the weapon and clothes used in the robbery will be located in the room. This information was confirmed in person by Sgt. Sherman on 05/13/88.

The *Smith* court reasoned: “**Here, the affidavit sets forth no facts as to why police believed Smith robbed the Master Host Inn.** Although the record reveals that police relied upon information from an informant, there is no indication that this fact was made known to the magistrate, or that the magistrate made any determination of the informant's reliability. *Id.* at 383; 392 S.E.2d at 183.

(5) “**Mere conclusory statements which give the magistrate no basis to make a judgment regarding probable cause are insufficient. '[H]is action cannot be a mere ratification of the bare conclusions of others.'**” *State v. Smith*, 301 S.C. 371, 373, 392 S.E.2d 182, 183 (S.C. 1990).

(6) In *State v. Baccus*, the South Carolina Supreme Court found the trial court erred in failing to suppress the fruits of a search warrant where the affidavit supporting the warrant stated:

At the time of the suspects (sic) arrest at 2616 Alligator Rd. in Florence County, by Investigators Barry Prosser and Von Dean Turbeville with Florence and Marion County Sheriff's Office. A pile of what appeared to be clothing was lying on the ground beside the residence smoldering in plain view, and a vehicle the suspect was apparently driving was located approximately ¼ of a mile from this residence with blood stains on the inside and outside of the vehicle.

State v. Baccus, 625 S.E.2d 216, 221-222, 367 S.C. 41 (S.C. 2006). The *Baccus* court reasoned: “**This affidavit fails to set forth any facts as to why police believed Appellant committed the crime. The language in the affidavit lacks specificity (sic) and contains conclusory statements.** Given the totality of the circumstances, we conclude the issuing magistrate did not have a substantial basis to find probable cause for a search of Appellant's residence, and the trial court erred in admitting evidence seized pursuant to the search warrant. *Id.* at 222.

(7) In the case before the court, the affidavit of the search warrant stated:

I, Jared Barkdoll, being first duly sworn, depose and say:

I am a Special Agent of the South Carolina Law Enforcement Division (SLED) assigned to the Pee Dee Region Investigative Services Unit. I am authorized to conduct investigations and enforce the laws of this State with statewide authority. I have conducted a variety of criminal investigations pertaining to violations of the SC Code of Laws, to include, property crimes, violent crimes, homicides, public corruption, and officer involved shootings. I have approximately five years of law enforcement experience and have received formal and informal training related to criminal investigations. The facts of this Affidavit come from my personal observations, my training and experience, and information obtained from witnesses. This Affidavit is intended to show simply that there is sufficient probable cause for the requested warrant and does not set forth all of my knowledge about this matter.

SLED is currently assisting the Marion County Sheriff's Office (MCSO) with an on-going criminal investigation regarding the murders of Maisha Burch and Andrew Legette at 5305 Taft Watson Boulevard, Centenary, South Carolina on or about January 12, 2020 or January 13, 2020. In the course of this investigation, the following facts have been established:

1. On January 15, 2020, MCSO Detective Reggie Hotaling and Special Agent Jared Barkdoll conducted a recorded interview with Isaac Hemingway at the MCSO located at 2715 East Highway 76 Suite C. Isaac Hemingway and Maisha Burch have five children together. Isaac Hemingway picked up four of their children on Saturday, January 11, 2020. Isaac Hemingway took their children to his residence in Conway, South Carolina for the weekend. According to Isaac Hemingway, Maisha Burch called him on the telephone on Saturday on Saturday, January 12, 2020 at about 12:40 a.m. or 12:50 a.m., asking him about their children. Before turning the children on the Saturday evening, Isaac Hemingway stated he called Maisha Burch but was unable to get an answer. Isaac Hemingway made additional telephone calls to Maisha Burch while driving and upon his arrival at 5305 Taft Watson Boulevard that went unanswered. Isaac Hemingway said he arrived at 5305 Taft Watson Boulevard sometime between 7:30 p.m. and 8:00 p.m. Isaac Hemingway was unable to get Maisha Burch to answer her phone. They attempted to contact Maisha Burch on her daughter, Kareema Hemingway's phone because Maisha Burch took Kareema Hemingway's phone from her and may have had the phone in her (Maisha Burch's) possession.

2. On the morning of January 13, 2022, Marion E911 received a telephone call regarding the deaths of Andrew Legette and Maisha Burch.

Maisha Burch's daughter, Shakira Edmunds and her friend, Craig Hopkins, Junior (Jr.), discovered Andrew Legette and Maisha Burch dead inside the residence of 5305 Taft Watson Boulevard, Centenary, South Carolina.

3. The MCSO responded to 5305 Taft Watson Boulevard and found Andrew Legette lying dead on a couch inside the residence with an apparent gunshot wound to the head. Maisha Burch was found dead in the residence's hallway with an apparent gunshot wound to the head.

4. On January 14, 2020, MCSO Detective Reggie Hotaling, SLED Special Agent Eric Johnson, and Special Agent Jared Barkdoll met with Hemingway's father, Isaac Hemingway Senior (Sr.) at his residence located at 4308 Highway 9, Gresham, South Carolina. Isaac Hemingway Sr. provided his son, Isaac Hemingway's telephone number as 843-625-0880. During the course of the investigation, Detective Hotaling had been able to contact Hemingway by calling 843-625-0880.

5. On January 24, 2020, Special Agent Eric Johnson contacted Verizon Wireless, which confirmed the telephone number 843-625-0880 to be affiliated with Verizon Wireless.

6. Based on the following facts set forth above along with my training and experience, this Affiant believes the following:

- a. This Affiant has reason to believe and does believe that there is evidence in the records to be searched that could be pertinent to the on-going criminal investigation because of the communication between the victim, Maisha Burch and Isaac Hemingway.
- b. Based on training and experience, I know that individuals often utilized cellular telephones and more specifically smart phones, to communicate. Evidence such as incoming and outgoing calls, incoming and outgoing text messages, and historical locations may be found during a search of this cellular telephone number's records.
- c. This Affiant knows that it is common practice for individuals to carry their cellular telephones with them, or near them, at most times and individuals use their cellular telephones to communicate via voice calls, and text messages. That when the records set forth above to be search are indeed searched, the following could be revealed to provide evidence related to criminal violations of South Carolina law:
 - i. the historical locations of Isaac Hemingway, while utilizing his cellular telephone[.]
 - ii. the identity of potential suspects and/or accomplices[.]

iii. historical communications and other information related to the investigation[.] (See Search Warrant, attached hereto as Exhibit A)

(8) As in *State v. Smith* and *State v. Baccus*, Special Agent Barkdoll failed to “set forth any facts as to why police believed ... [Hemingway] committed the crime.”

(9) Cell phone records and information retained by cell phone providers falls within the privacy rights protected by the Fourth Amendments to the United States Constitution and the Constitution of South Carolina. *See, Carpenter v. United States*, 138 S.Ct. 2206, 201 L.Ed.2d 507 (2018).

B. SEARCH WARRANT NOT EXECUTED WITHIN TEN DAYS

(10) “Any warrant issued hereunder shall be executed and return made only within ten days after it is dated.” S.C. Code of Laws Ann. § 17-13-140 (2020).

(11) The search warrant in this action was issued on January 25, 2020. The search warrant return indicated that the search was completed on February 11, 2020, eighteen (18) days after the warrant was issued.

C. MAGISTRATE JUDGE ISSUE WARRANT OUTSIDE OF HIS JURISDICTION

(12) “Any magistrate or recorder or city judge having the powers of magistrates, or any judge of any court or record of the State having jurisdiction over the area where the property south is located, may issue a search warrant to search for a seize ...” S.C. Code of Laws Ann. § 17-13-140 (2020).

(13). The search warrant was issued to Verizon Wireless to a location outside the State of South Carolina and the jurisdiction of the magistrate judge issuing the warrant.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'T. Brooker', with a long horizontal flourish extending to the right.

Thurmond Brooker, Esq.
Attorney for Isaac Hemingway

February 21, 2023

STATE OF SOUTH CAROLINA

County of Marion

SEARCH WARRANT

January 24, 2020

Jared Barkdoll

Special Agent

South Carolina Law Enforcement Division (SLED)

SLED Case Number 33-20-0007

A CERTIFIED COPY OF THE ORIGINAL FILED IN THIS OFFICE
CASE# Net 100 20
MAGISTRATE OF MARION COUNTY
SOUTH CAROLINA

Exh. A

STATE OF SOUTH CAROLINA)

COUNTY OF MARION)

SEARCH WARRANT

Form Approved by
SC Attorney General
Section 19-13-160
March 15, 1978

TO ANY BONDED LAW ENFORCEMENT OFFICER OF THIS STATE OR COUNTY OR OF
THE MUNICIPALITY OF MARION:

It appearing from the attached Affidavit that there are reasonable grounds to believe that certain property subject to seizure under provisions of Section 17-13-140, 1976 Code of Laws of South Carolina, as amended, is located on the following premises:

DESCRIPTION OF PREMISES (PERSON OR THING)
TO BE SEARCHED

All records pertaining to the Verizon Wireless account utilizing telephone number 843-625-0880. These records are maintained by Verizon Wireless Inc. aka Cellco Partnership d/b/a Verizon Wireless Inc., C/O Custodian of Records, 180 Washington Valley Road, Bedminster, NJ 07921. All records associated with this number from January 10, 2020 through January 13, 2020.

Now, therefore, you are hereby authorized to search the subject premises for the property described below, and to seize such property if found:

DESCRIPTION OF PROPERTY

Any and all evidence related to telephone number 843-625-0880 between the dates of January 10, 2020 and January 13, 2020, including but not limited to:

- a) Subscriber information including name, address, billing information, mailing address, length of service, activation date, other mobile numbers associated with the account, and types of services utilized.
- b) Instrument Number (including IMEI, IMSI, UFMI, ESN, MAC address and MEID), and phone features.
- c) Incoming and outgoing phone call detail including date, time, and length of call; text message detail including date and time; missed phone calls, stored voicemails, audio/video recordings on the phone or storage device in the phone, stored archived text message conversations, contact lists.

d) IP session information and historical geo-location data to include cell site, cell site address, sector, approximate distance and/or GPS coordinates for completed calls and text messages.

This Search Warrant shall not be valid for more than ten days from the date of issuance.

A written inventory of all property seized pursuant to this Search Warrant shall be made to the issuing Judge within ten days from the date of this warrant, such inventory to be signed by the officer executing this warrant, and a copy of such inventory shall be furnished to the person whose premises are searched if demand for such copy is made.

A copy of this Search Warrant shall be delivered to the person in charge of the premises searched at the time of such search if practicable, and, if not, to such person as soon thereafter as is practicable; in the event the identity of the person in charge is not known or if such person cannot be found after reasonable diligence in attempting to locate the person, a copy shall be attached to a prominent place on such premises.

Marion County, South Carolina

Kelie Donald Fling
Signature of Judge

Dated: January 24, 2020
4:25 PM

STATE OF SOUTH CAROLINA

COUNTY OF MARION

)
)
)

AFFIDAVIT

Personally appeared before me, one Special Agent Jared Barkdoll, who being duly sworn, says that there is probable cause to believe that certain property subject to seizure under provisions of S.C. Code Ann. § 17-13-140, as amended, is located on the following premises in this County:

DESCRIPTION OF PROPERTY SOUGHT

Any and all evidence related to telephone number 843-625-0880 between the dates of January 10, 2020 and January 13, 2020, including but not limited to:

- a) Subscriber information including name, address, billing information, mailing address, length of service, activation date, other mobile numbers associated with the account, and types of services utilized.
- b) Instrument Number (including IMEI, IMSI, UFMI, ESN, MAC address and MEID), and phone features.
- c) Incoming and outgoing phone call detail including date, time, and length of call; text message detail including date and time; missed phone calls, stored voicemails, audio/video recordings on the phone or storage device in the phone, stored archived text message conversations, contact lists.
- d) IP session information and historical geo-location data to include cell site, cell site address, sector, approximate distance and/or GPS coordinates for completed calls and text messages.

DESCRIPTION OF PREMISES (PERSON OR THING)
TO BE SEARCHED

All records pertaining to the Verizon Wireless account utilizing telephone number 843-625-0880. These records are maintained by Verizon Wireless Inc. aka Cellco Partnership d/b/a Verizon Wireless Inc., C/O Custodian of Records, 180 Washington Valley Road, Bedminster, NJ 07921. All records associated with this number from January 10, 2020 through January 13, 2020.

SCCA 513
(3-1978)

REASON FOR AFFIANT'S BELIEF THAT THE
PROPERTY SOUGHT IS ON THE SUBJECT PREMISES

I, Jared Barkdoll, being first duly sworn, depose and say:

I am a Special Agent of the South Carolina Law Enforcement Division (SLED) assigned to the Pee Dee Region Investigative Services Unit. I am authorized to conduct investigations and enforce the laws of this State with statewide authority. I have conducted a variety of criminal investigations pertaining to violations of the SC Code of Laws, to include, property crimes, violent crimes, homicides, public corruption, and officer involved shootings. I have approximately five years of law enforcement experience and have received formal and informal training related to criminal investigations. The facts in this Affidavit come from my personal observations, my training and experience, and information obtained from witnesses. This Affidavit is intended to show simply that there is sufficient probable cause for the requested warrant and does not set forth all of my knowledge about this matter.

SLED is currently assisting the Marion County Sheriff's Office (MCSO) with an on-going criminal investigation regarding the murders of Maisha Burch and Andrew Legette at 5305 Taft Watson Boulevard, Centenary, South Carolina on or about January 12, 2020 or January 13, 2020. In the course of this investigation, the following facts have been established:

1. On January 15, 2020, MCSO Detective Reggie Hotaling and Special Agent Jared Barkdoll conducted a recorded interview with Isaac Hemingway at the MCSO located at 2715 East Highway 76 Suite C. Isaac Hemingway and Maisha Burch had five children together. Isaac Hemingway picked up four of their children on Saturday, January 11, 2020. Isaac Hemingway took their children to his residence in Conway, South Carolina for the weekend. According to Isaac Hemingway, Maisha Burch called him on the telephone on Sunday, January 12, 2020 at about 12:40 a.m. or 12:50 a.m., asking him about their children. Before returning the children on that Sunday evening, Isaac Hemingway stated he called Maisha Burch but was unable to get an answer. Isaac Hemingway made additional telephone calls to Maisha Burch while driving and upon his arrival at 5305 Taft Watson Boulevard that went unanswered. Isaac Hemingway

SCCA 513
(3-1978)

said he arrived at 5305 Taft Watson Boulevard sometime between 7:30 p.m. and 8:00 p.m. Isaac Hemingway was unable to get Maisha Burch to answer her phone. They attempted to contact Maisha Burch on her daughter, Kareema Hemingway's phone because Maisha Burch took Kareema Hemingway's phone from her and may have had the phone in her (Maisha Burch's) possession.

2. On the morning of January 13, 2020, Marion County E911 received a telephone call regarding the deaths of Andrew Legette and Maisha Burch. Maisha Burch's daughter, Shakira Edmunds and her friend, Craig Hopkins Junior (Jr.), discovered Andrew Legette and Maisha Burch dead inside the residence of 5305 Taft Watson Boulevard, Centenary, South Carolina.
3. The MCSO responded to 5305 Taft Watson Boulevard and found Andrew Legette lying dead on a couch inside the residence with an apparent gunshot wound to the head. Maisha Burch was found dead in the residence's hallway with an apparent gunshot wound to the head.
4. On January 14, 2020, MCSO Detective Reggie Hotaling, SLED Special Agent Eric Johnson, and Special Agent Jared Barkdoll met with Isaac Hemingway's father, Isaac Hemingway Senior (Sr.) at his residence located at 4308 Highway 9, Gresham, South Carolina. Isaac Hemingway Sr. provided his son, Isaac Hemingway's telephone number as 843-625-0880. During the course of the investigation, Detective Hotaling had been able to contact Isaac Hemingway by calling 843-625-0880.
5. On January 24, 2020, Special Agent Eric Johnson contacted Verizon Wireless, which confirmed the telephone number 843-625-0880 to be affiliated with Verizon Wireless.
6. Based on the following facts set forth above along with my training and experience, this Affiant believes the following:
 - a. This Affiant has reason to believe and does believe that there is evidence in the records to be searched that could be pertinent to the on-going criminal investigation because of the communication between the victim, Maisha Burch and Isaac Hemingway.
 - b. Based on training and experience, I know that individuals often utilize cellular telephones and more specifically smart phones, to communicate. Evidence such as incoming and

outgoing calls, incoming and outgoing text messages, and historical locations may be found during a search of this cellular telephone number's records.

- c. This Affiant knows that it is common practice for individuals to carry their cellular telephones with them, or near them, at most times and individuals use their cellular telephones to communicate via voice calls, and text messages. That when the records set forth above to be search are indeed searched, the following information could be revealed to provide evidence related to criminal violations of South Carolina law:
- i. the historical locations of Isaac Hemingway, while utilizing his cellular telephone
 - ii. the identity of potential suspects and/or accomplices
 - iii. historical communications and other information related to the investigation

Sworn to and Subscribed before me

24th day of January, 2020

Kelch Donald Flinn
Signature of Judge

4:25 PM

Jared Barkdoll

Jared Barkdoll, Affiant
Special Agent
South Carolina Law Enforcement Division
Investigate Services- Pee Dee Region
181 East Evans Street
Suite 2 BTC- 021
Florence, SC 29506

RECEIPT FOR PROPERTY

SLED CASE NUMBER

77-70-0007

S.C. LAW ENFORCEMENT DIVISION

LOCATION OF FIRST TRANSFER

Macon County Sheriff's Office

Signature of Person from whom Property is Obtained

- Owner
- Other

Jared G. Smith
J. Smith

Address (Include Zip Code)

Signature of Owner Voluntarily Submitting Items

Origin of Property

SLED

Purpose for Which Obtained

Criminal Investigation - Evidence

ITEM #	QTY	DESCRIPTION OF ITEMS
1	1	(1) disc containing Verizon phone records for telephone # 877-625-0950

I Certify That I Have Received The Articles Listed Above.

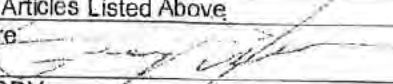
Date

2/11/2024

Name

Det. DeWayne Poyas

Signature



CHAIN OF CUSTODY

ITEM #	DATE	RELINQUISHED BY		RECEIVED BY		PURPOSE OF CHANGE OF CUSTODY	LOCATION OF TRANSFER
		Name	Signature	Name	Signature		
		Name	Signature	Name	Signature		
		Name	Signature	Name	Signature		
		Name	Signature	Name	Signature		
		Name	Signature	Name	Signature		



South Carolina COMPUTER CRIME CENTER



EVIDENCE INTAKE

7020-0031
SC3C CASE NUMBER

Submitting Agency:	Marion County Sheriff's Office	Date Submitted:	1-27-2020
Submitting Officer:	Reggie Hotaling	Submitting Agency Case Number:	2020-0100054
Investigating Officer:	Det. Reggie Hotaling	City of Origin:	Centerville
Office Telephone:	[REDACTED]	County of Origin:	Marion
Cellular Telephone:	[REDACTED]	Type of Case:	Double Murder
E-mail Address:	[REDACTED]	Has Evidence Been Previously Examined:	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>

Subject's Name: Unknown Subject's Alias: _____

Information Sought:

- | | |
|--|--|
| <input checked="" type="checkbox"/> Full Extraction (Cell Phone) | <input type="checkbox"/> Location Data |
| <input type="checkbox"/> Text Messages | <input type="checkbox"/> Documents |
| <input type="checkbox"/> Emails | <input type="checkbox"/> Web Searches/Internet History |
| <input type="checkbox"/> Pictures | <input type="checkbox"/> Call Logs |
| <input type="checkbox"/> Videos | <input type="checkbox"/> Application Data: _____ |
| <input type="checkbox"/> Ledgers/List/Records | <input type="checkbox"/> Other: _____ |

Passwords:

Unlock Pattern

●	●	●
●	●	●
●	●	●

Keywords:

Urgent Request for Examination: Yes No

If yes, give reason for the request (All Urgent Requests must be accompanied by justification.):
This is a double murder with zero leads. The phones possibly have information that could lead to a suspect.

SC3C INTERNAL USE ONLY

Image Technician:	Analyst:
Supervisor:	Date:

Issuing Authority: Quality Manager

Exh. B

STATE OF SOUTH CAROLINA)
)
COUNTY OF MARION)
)
STATE OF SOUTH CAROLINA,)
)
 Vs.)
)
ISAAC KAREEM HEMINGWAY,)
)

COURT OF GENERAL SESSIONS
12TH JUDICIAL CIRCUIT

INDICTMENT NOS:
2021-GS-33-00276; 2021-GS-33-00273
AND 2021-GS-33-00275



**MOTION TO SUPPRESS ISAAC HEMINGWAY'S DECEMBER 1, 2020
STATEMENT WITH LAW ENFORCEMENT**

Isaac Hemingway ("Hemingway") moves to suppress his December 1, 2020 interview with law enforcement based on the following reasons: (1) the statement was given in violation of Section 17-13-50 of South Carolina Code of Laws; (2) the arrest warrants were not supported by probable cause.

A. S.C. CODE OF LAWS § 17-13-50

(1) South Carolina law states in pertinent part:

(A) A person arrested by virtue of process or taken into custody by an officer in this State has a right to know from the officer who arrests or claims to detain him the true ground on which the arrest is made. It is unlawful for an officer to:

- (1) refuse to answer a question relative to the reason for the arrest;
- (2) answer the question untruly;
- (3) assign to the person arrested an untrue reason for the arrest; or
- (4) neglect on request to exhibit to the person arrested or any other person acting in his behalf the precept by virtue of which the arrest is made.

(B) An officer who violates the provisions of this section is guilty of a felony and, upon conviction, must be fined in the discretion of the court or imprisoned not more than ten years, or both.

(2) In the case before the court law enforcement officers arrest Hemingway on December 1, 2022. Officers stated to Hemingway that he was being arrest on a child

support bench warrant before interviewing him at the Horry County Police Department. After the interview he was returned to Marion County and served with warrant for murder. The child support action was terminated by order of a family court judge on February 27, 2020. (See, Motion and Order for Dismissal, attached here to as Exhibit A). There was no bench warrant and Hemingway's arrest and interrogation was obtained by false pretenses on December 1, 2020.

B. AFFIDAVIT OF ARREST WARRANT NOT SUPPORTED BY PROBABLE CAUSE

(3) Affidavits in Hemingway's arrest warrants reads as follows:

That on January 12, 2022 at approximately 2:00 AM, at 5305 Taft Watson Boulevard, Centenary, South Carolina, in the county of Marion, one Issac Kareem Hemingway, did, with malice aforethought, cause the death of Victim (Maisha Burch) by shooting her multiple times in the head. Therefore, Issac Hemingway is charged with Murder. This being in violation of South Carolina Code of Laws 16-03-0010. (Warrant No. 2020A3310100434)

That on January 12, 2022 at approximately 2:00 AM, at 5305 Taft Watson Boulevard, Centenary, South Carolina, in the county of Marion, one Issac Kareem Hemingway, did, with malice aforethought, cause the death of Victim (Andrew Legette) by shooting him in the head. Therefore, Issac Carolina Code of Laws 16-03-0010. (Warrant No. 2020A3310100435)

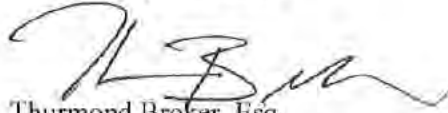
That on January 12, 2022 at approximately 2:00 AM, at 5305 Taft Watson Boulevard, Centenary, South Carolina, in the county of Marion, one Issac Kareem Hemingway was in possession of a firearm during the commission of a violent crime, Murder. Therefore, Issac Kareem Hemingway is charged with Poss. weapon during violent crime, if not also sentenced to life without parole or death. This being in violation of South Carolina Code of Laws 16-23-0490. (Warrant No. 2022A3310100436)

These warrants are collected attached hereto as Exhibit B.

(4) The arrest warrants are filed with conclusory statements that contained no information upon which the issuing magistrate could make no independent determination

as to whether there was probable cause to believe that Hemingway had committed the offenses in which the warrants were sought for.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'T. Broker', written in a cursive style.

Thurmond Broker, Esq.
Attorney for Isaac Hemingway

February 21, 2023

ARREST WARRANT
 2020A3310100434

STATE OF SOUTH CAROLINA
 County/ Municipality of

Marion

THE STATE 2020-01-00054

Issac Kareem Hemmingway

against

Address

Phone

Sex: M Race: E Height: 6 3 Weight: 240

DL State: SC CL #: Agency ORI #: SC0340000

DOB: Prosecuting Agency: Marion County Sheriff

Prosecuting Officer: Arthur R Hotaling, Jr - S00068

Offense: Murder / Murder

Offense Code: 0116

Code/Ordinance Sec: 16-03-0010

This warrant is CERTIFIED FOR SERVICE in the

County/ Municipality of

is to be arrested and brought before me to be

dealt with according to the law.

Signature of Judge (L.S.)

Date:

RETURN

A copy of this arrest warrant was delivered to defendant Issac Kareem Hemmingway on 12/1/2020

Signature of Issac Kareem Hemmingway

RETURN WARRANT TO:

General Sessions
 103 N. Main Street
 PO Box 295
 Marion, SC 29571

ORIGINAL

STATE OF SOUTH CAROLINA
 County/ Municipality of

A F F I D A V I T

ORIGINAL

Form Adopted by
 the Supreme Court
 April 21, 2002
 SCSA 518

Marion County

Arthur R Hotaling, Jr

Issac Kareem Hemmingway

1/12/2020

Marion

Murder / Murder

DESCRIPTION OF OFFENSE: Murder / Murder

Further state that there is probable cause to believe that the defendant named above did commit the crime set forth and that probable cause is based on the following facts:

That on January 12, 2020 at approximately 2:00AM, at 5305 Tall Watson Boulevard, Centenary, South Carolina, in the county of Marion, one Issac Kareem Hemmingway did, with malice aforethought cause the death of victim (Masha Burch) by shooting her multiple times in the head. Therefore, Issac Kareem Hemmingway is charged with Murder. This being in violation of South Carolina Code of Laws 16-03-0000

RECEIVED
 DEC 17 2020

Signature of Affiant

STATE OF SOUTH CAROLINA

County/ Municipality of

Marion

Affiant's Address

Affiant's Telephone

2715 E Highway 76 Suite C
 Mullins, SC 29571

2715 US Highway 76, Suite B
 Mullins, SC 29574

ARREST WARRANT

TO ANY LAW ENFORCEMENT OFFICER OF THIS STATE OR MUNICIPALITY OR ANY CONSTABLE OF THIS COUNTY:

it appearing from the above affidavit that there are reasonable grounds to believe that

on or about 1/12/2020

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

County/ Municipality of Marion

defendant Issac Kareem Hemmingway

DESCRIPTION OF OFFENSE: Murder / Murder

as set forth below.

Having found probable cause and the above affiant having sworn before me, you are empowered and directed to arrest the said defendant and bring him or her before me forthwith to be dealt with according to law. A copy of this Arrest Warrant shall be delivered to the defendant at the time of its execution, or as soon thereafter as is practicable. Sworn to and subscribed before me on 12/1/2020

Signature of Issac Kareem Hemmingway

Signature of Issac Kareem Hemmingway

Judge Code: 7326

ORIGINAL

ORIGINAL

ORIGINAL

ORIGINAL

ORIGINAL

- Exh. B -

ARREST WARRANT

2020A3310100435

STATE OF SOUTH CAROLINA

County/ Municipality of

Marion

THE STATE

2020-0100054

Issac Kareem Hemingway

against

Address:

Phone:

Sex: M

Race: B

DL #:

DL State: SC

DL #:

Height: 6

Weight: 240

SSN:

Agency ORI #: SC0340000

Prosecuting Agency: Marion County Sheriff

Prosecuting Officer: Arthur R. Hotaling, Jr. - S000068

Offense: Murder / Murder

Offense Code: 0116

Code/Ordinance Sec: 16-03-0010

This warrant is CERTIFIED FOR SERVICE in the

County/ Municipality of

is to be arrested and brought before me to be dealt with according to the law. The accused

(L.S.)

Signature of Judge

Date:

RETURN

A copy of this arrest warrant was delivered to defendant Issac Kareem Hemingway on 12/17/2020

Signature of Person(s) for Enforcement Officer

RETURN WARRANT TO:

General Sessions
103 N. Main Street
PO Box 295
Marion, SC 29571
12/17/2020
ORIGINAL

STATE OF SOUTH CAROLINA

AFFIDAVIT

ORIGINAL

Form Approved by
S.C. Attorney General
Order 21-303
8/20/18

County/ Municipality of

Marion

Arthur R. Hotaling, Jr

who

being duly sworn deposes and says that defendant

Issac Kareem Hemingway

violates the criminal laws of the

State of South Carolina (or ordinance of

1/1/2020

County/ Municipality of

Marion

in the following particulars:

DESCRIPTION OF OFFENSE: Murder / Murder

I further state that there is probable cause to believe that the defendant named above did commit the crime set forth and that probable cause is based on the following facts:

That on January 12, 2020 at approximately 2:00AM, at 5305 Tat Watson Boulevard, Centenary, South Carolina, in the county of Marion, one Issac Kareem Hemingway did, with malice aforethought, cause the death of victim (Andrew Leggett) by shooting him in the head. Therefore, Issac Kareem Hemingway is charged with Murder. This being in violation of South Carolina Code of Laws 16-03-0010

RECEIVED
DEC 17 2020

Signature of Affiant

STATE OF SOUTH CAROLINA

County/ Municipality of

Marion

Affiant's Address 2715 E Highway 76 Suite C

Mullins, SC 29571-

Affiant's Telephone

ARREST WARRANT

TO ANY LAW ENFORCEMENT OFFICER OF THIS STATE OR MUNICIPALITY OR ANY CONSTABLE OF THIS COUNTY:

It appearing from the above affidavit that there are reasonable grounds to believe that

on or about 1/1/2020

defendant Issac Kareem Hemingway

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

) as set forth below:

DESCRIPTION OF OFFENSE: Murder / Murder

Having found probable cause and the above affiant having sworn before me, you are empowered and directed to arrest the said defendant, and bring him or her before me forthwith to be dealt with according to law. A copy of this Arrest Warrant shall be delivered to the defendant at the time of its execution, or as soon thereafter as is practicable Sworn to and subscribed before me on 12/17/2020

Signature of Issuing Judge

Kerik Donald Flinn

Judge's Address

Judge Code: 7326

2715 US Highway 76, Suite B
Mullins, SC 29571-

Issuing Court

Magistrate

Municipal

Circuit

ARREST WARRANT

2020A3310100436

STATE OF SOUTH CAROLINA
 County/ Municipality of

Marion

THE STATE 2020-0100054
against

Isaac Kareem Hemingway

Address:

Phone:

Sex: M Race: B Height: 6 3 Weight: 240
DL State: SC DL #: [redacted] SSN: [redacted]

DOB: [redacted] Agency OR #: SC0340000

Prosecuting Agency: Marion County Sheriff

Prosecuting Officer: Arthur R Hotaling, Jr - S00068

Offense: Weapons / Poss. weapon during violent crime, if not also sentenced to life without parole or death

Offense Code: 0549

Code/Ordinance Sec: 16-23-0490

This warrant is CERTIFIED FOR SERVICE in the

County/ Municipality of

is to be arrested and brought before me to be dealt with according to the law. The accused

(L.S.)

Date: _____ Signature of Judge _____

RETURN

A copy of this arrest warrant was delivered to defendant Isaac Kareem Hemingway on 12/1/2020

Signature of Centralized Enforcement Officer

General Sessions
103 N. Main Street
PO Box 295
Marion, SC 29571

12/1/2020

ORIGINAL

ORIGINAL

ORIGINAL

ORIGINAL

ORIGINAL

ORIGINAL

ORIGINAL

ORIGINAL

ORIGINAL

ORIGINAL

ORIGINAL

ORIGINAL

STATE OF SOUTH CAROLINA
 County/ Municipality of

AFFIDAVIT

ORIGINAL

Form Approved by
S.C. Attorney General
April 21, 2008
S02CA 518

Personally appeared before me the affiant Arthur R Hotaling, Jr being duly sworn and says that defendant Isaac Kareem Hemingway who

violates the criminal laws of the State of South Carolina (or ordinance of Marion)

on or about 1/12/2020 at approximately 2:00 AM, at 3305 Tarl Watson Boulevard, Centenary, South Carolina, in the county of Marion, one Isaac Kareem Hemingway was in possession of a firearm during the commission of a violent crime, Murder. Therefore, Isaac Kareem Hemingway is charged with Poss. weapon during violent crime, if not also sentenced to life without parole or death, This being in violation of South Carolina Code of Laws 16-23-0490

DESCRIPTION OF OFFENSE: Weapons / Poss. weapon during violent crime, if not also sentenced to life without parole or death

Further state that there is probable cause to believe that the defendant named above did commit the crime set forth and that probable cause is based on the following facts:

That on January 12, 2020 at approximately 2:00 AM, at 3305 Tarl Watson Boulevard, Centenary, South Carolina, in the county of Marion, one Isaac Kareem Hemingway was in possession of a firearm during the commission of a violent crime, Murder. Therefore, Isaac Kareem Hemingway is charged with Poss. weapon during violent crime, if not also sentenced to life without parole or death. This being in violation of South Carolina Code of Laws 16-23-0490

RECEIVED
DEC 07 2020

Signature of Affiant Arthur R Hotaling, Jr

STATE OF SOUTH CAROLINA
 County/ Municipality of

Marion

Affiant's Address 2715 E Highway 76 Suite C

Mullins, SC 29571-

Affiant's Telephone _____

ARREST WARRANT

TO ANY LAW ENFORCEMENT OFFICER OF THIS STATE OR MUNICIPALITY OR ANY CONSTABLE OF THIS COUNTY:

It appearing from the above affidavit that there are reasonable grounds to believe that on or about 1/12/2020 defendant Isaac Kareem Hemingway did violate the criminal laws of the State of South Carolina (or ordinance of Marion) as set forth below:

DESCRIPTION OF OFFENSE: Weapons / Poss. weapon during violent crime, if not also sentenced to life without parole or death

Having found probable cause and the above affiant having sworn before me, you are empowered and directed to arrest the said defendant and bring him or her before me forthwith to be dealt with according to law. A copy of this Arrest Warrant shall be delivered to the defendant at the time of the execution, or as soon thereafter as is practicable. Sworn to and subscribed before me on 12/1/2020

Signature of Issuing Judge Nelson Reed King (L.S.)

Judge's Address 2715 US Highway 76, Suite B
Mullins, SC 29574-

Judge's Telephone (843) 423-8202 x 231

Issuing Court: Magistrate Municipal Circuit

ORIGINAL

ORIGINAL

ORIGINAL

ORIGINAL

ORIGINAL

DEFENDANT'S
EXHIBIT
4
KBR
10/20/22



SOUTH CAROLINA
Information and Intelligence Center

Cellular Analysis

39-22-1299

Received 10/20/2022

Christopher L. Johnson
Lieutenant
South Carolina Law Enforcement
Division
Columbia, SC

1. Background

The South Carolina Law Enforcement Division (SLED) Information and Intelligence Center (SCIIC) was requested by Inv. Jenny Jennings of the Lancaster County Sheriff's Office to analyze cell phone records for (843) 625-0880, and The target cell phone is believed to be associated with an Murder Investigation that began on or about 01/12/2020.

2. Methodology

An analysis was performed on the call detail records obtained for the target cell phone. The call detail records documented the interaction of the network to and from the target cell phone. In addition, the records documented the cell tower and cell sector ("cell site") which served the cell phone during this activity. Used in conjunction, the call detail records and a list of cell site locations illustrate an approximate location of the target cell phone when they initiated contact with the network.

2.1 Cell Site Locations

Cell sites in existence during the time of the incident were input into mapping software using latitude/longitude coordinates of the cell sites provided by the service provider(s). The cell sites associated with the target cell phone(s), were located utilizing the mapping software and the plotted cell site data.

4. Conclusions

A historical cell site analysis was performed on the call detail records for the target cell phone. The methods detailed in Sections 2 and 2.1 were used to produce the attached historical cell site analysis maps.

Sample network of Three Sector Towers



Sample of Three Sector Tower



Target Number

843-625-0880

Service Provider: Verizon

Time Frame Analyzed:

January 11, 2020@1500 – January 13, 2020@10:50

Incident Location

5305 Taft Watson Blvd., Centenary, SC



Suspect Residence

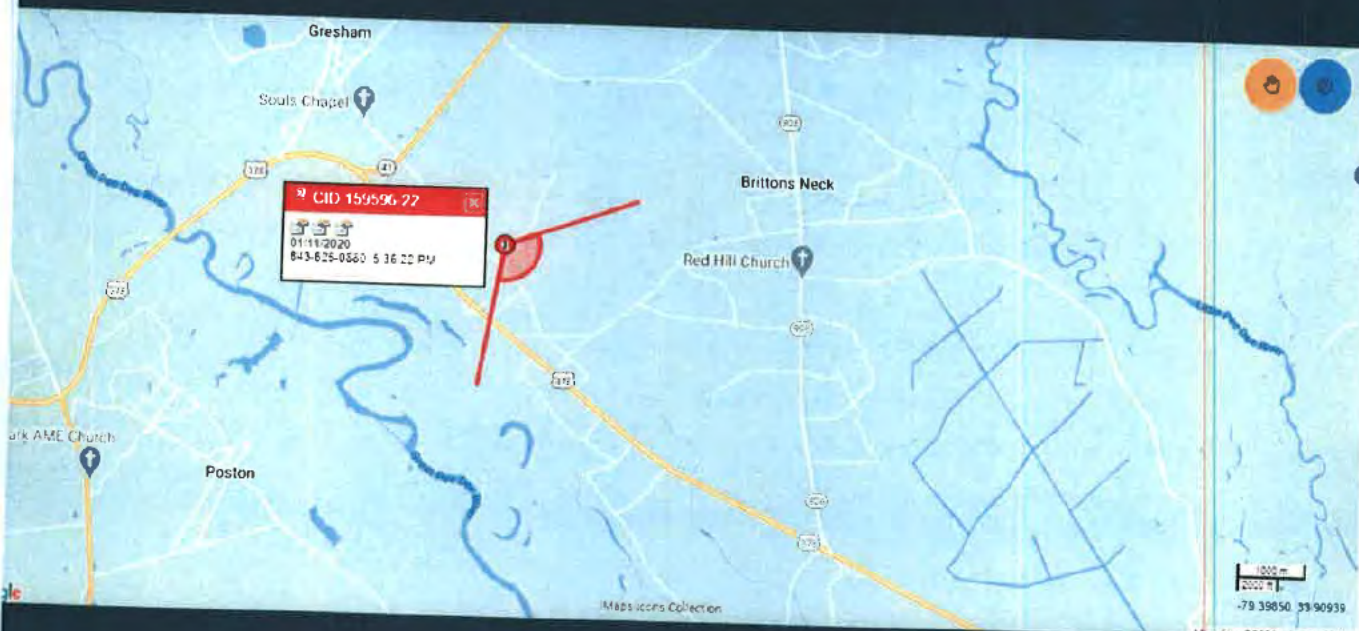
1025 Carolina Road, Conway, SC



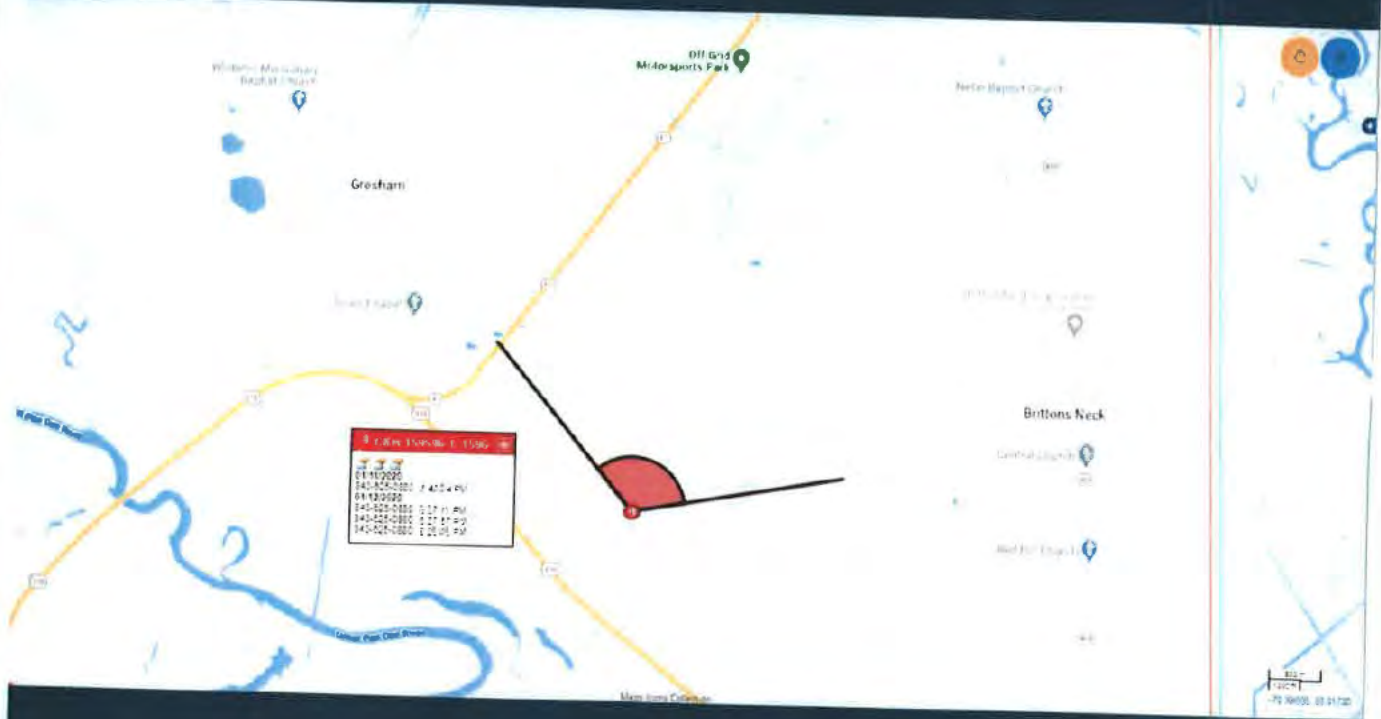
Transactions for ECI 40844059 with Cell ID 159547



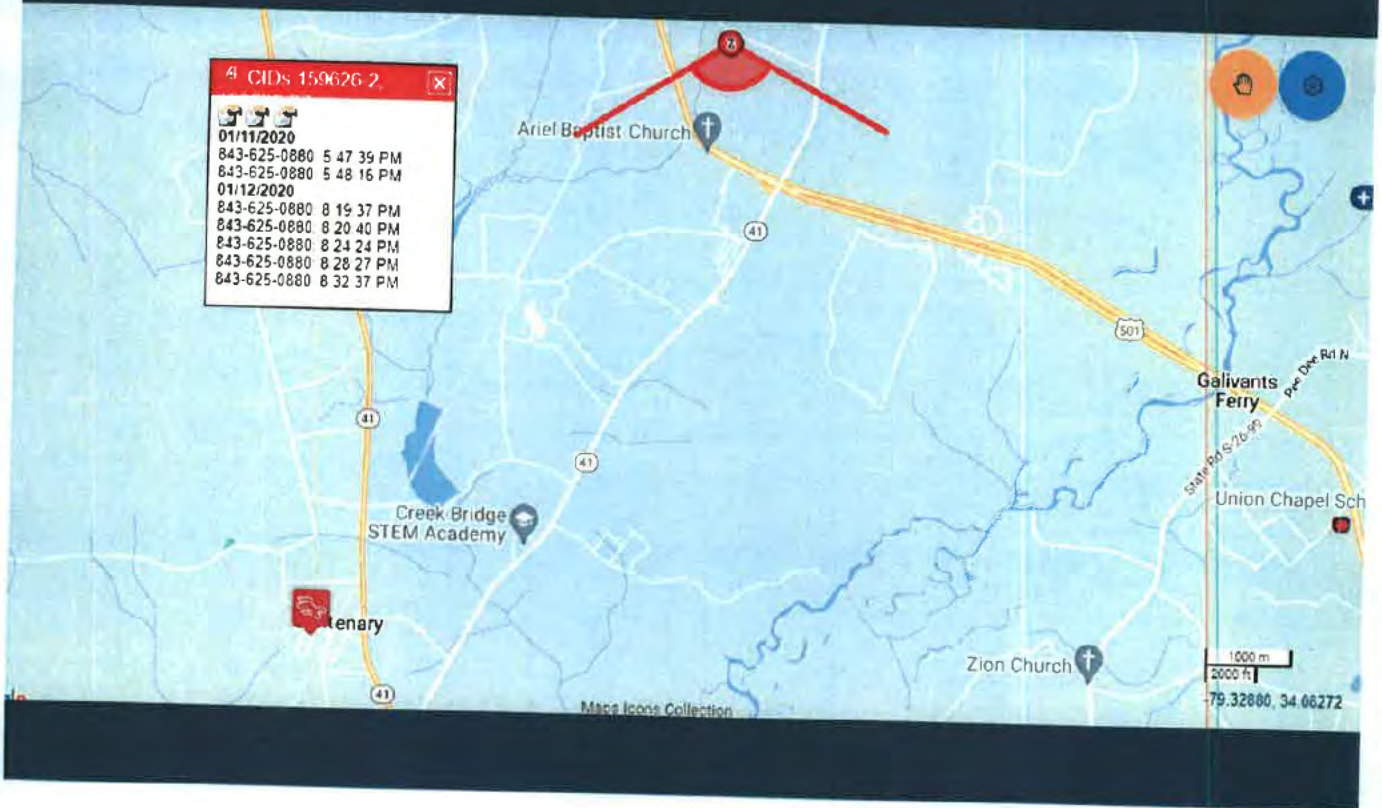
Transactions for ECI 40856598 with Cell ID 159596



Transactions for ECI 40856577 with Cell ID 159596



Transactions for ECI 40864258 with Cell ID 159626



Transactions for ECI 40864770 with Cell ID 159628



Transactions for ECI 40864259 with Cell ID 159626



Transactions for ECI 40866071 with Cell ID 159633



Transactions for ECI 40866070 with Cell ID 159633



Transactions for ECI 40844086 with Cell ID 159547



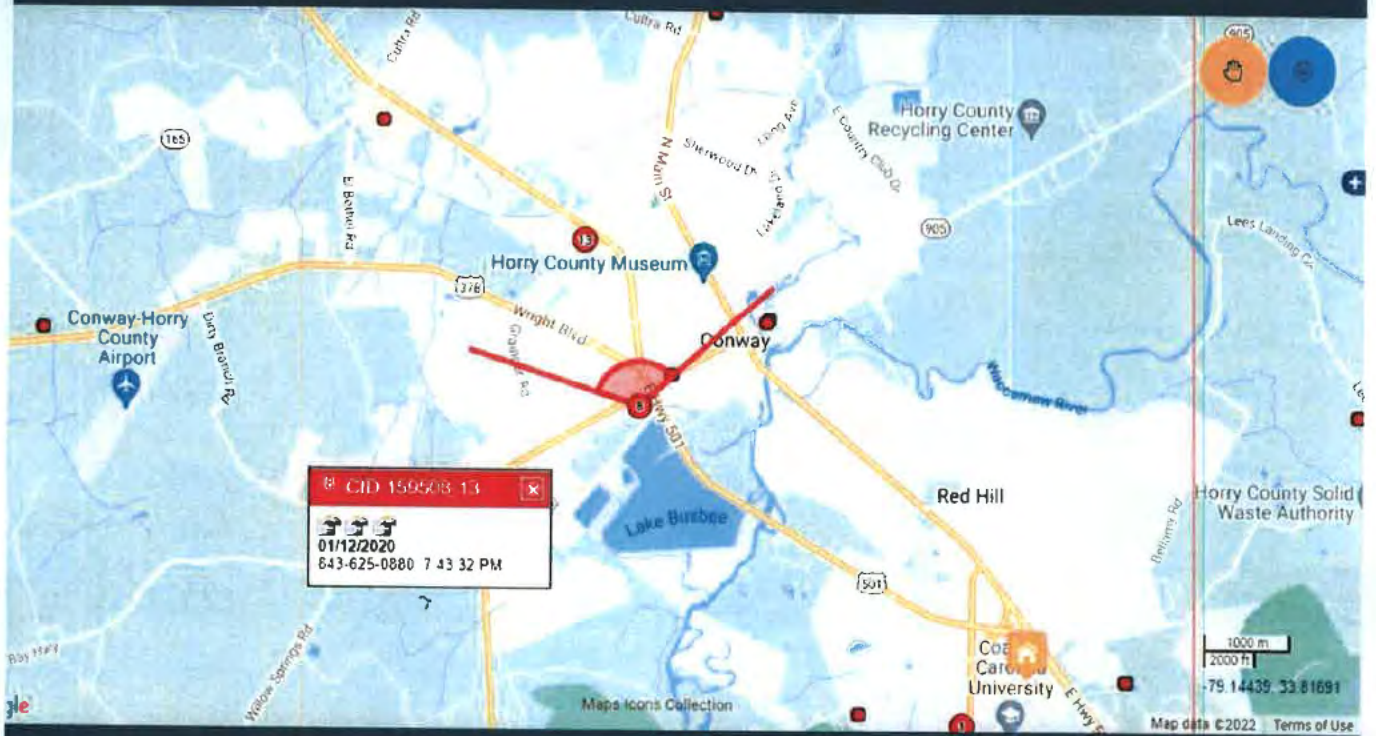
Transactions for ECI 40844059 with Cell ID 159547



Transactions for ECI 40844066 with Cell ID 159547



Transactions for ECI 40834061 with Cell ID 159508



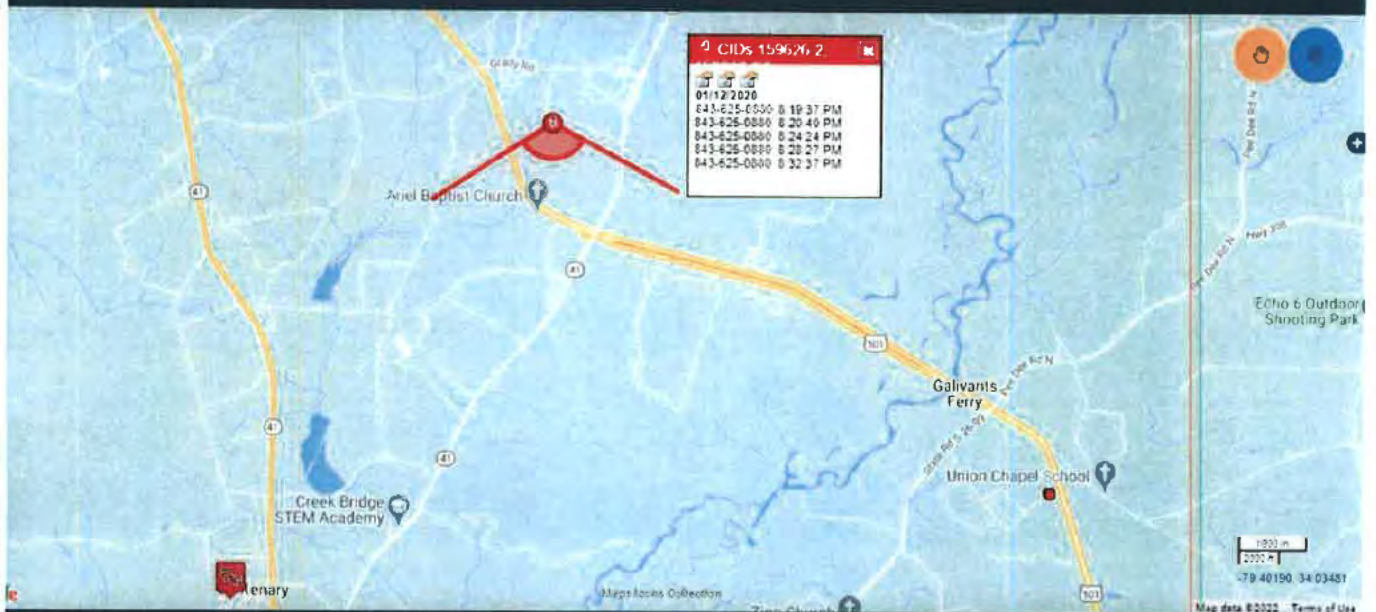
Transactions for ECI 40835841 with Cell ID 159515



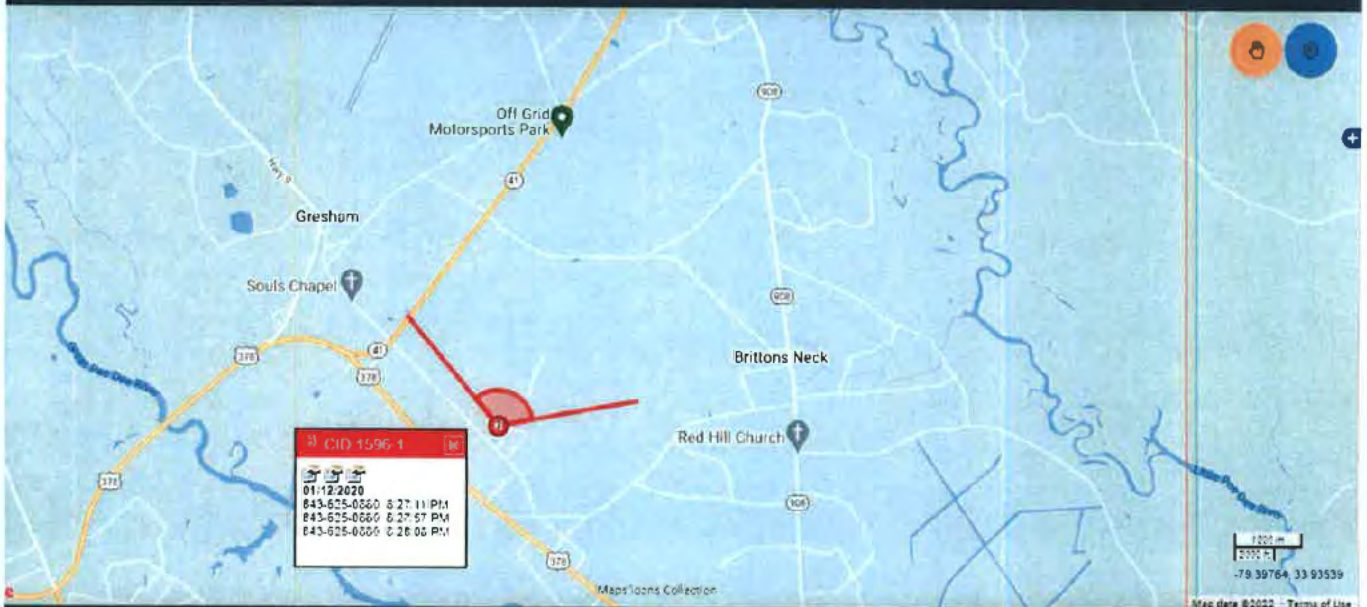
Transactions for ECI 40849155 with Cell ID 159567



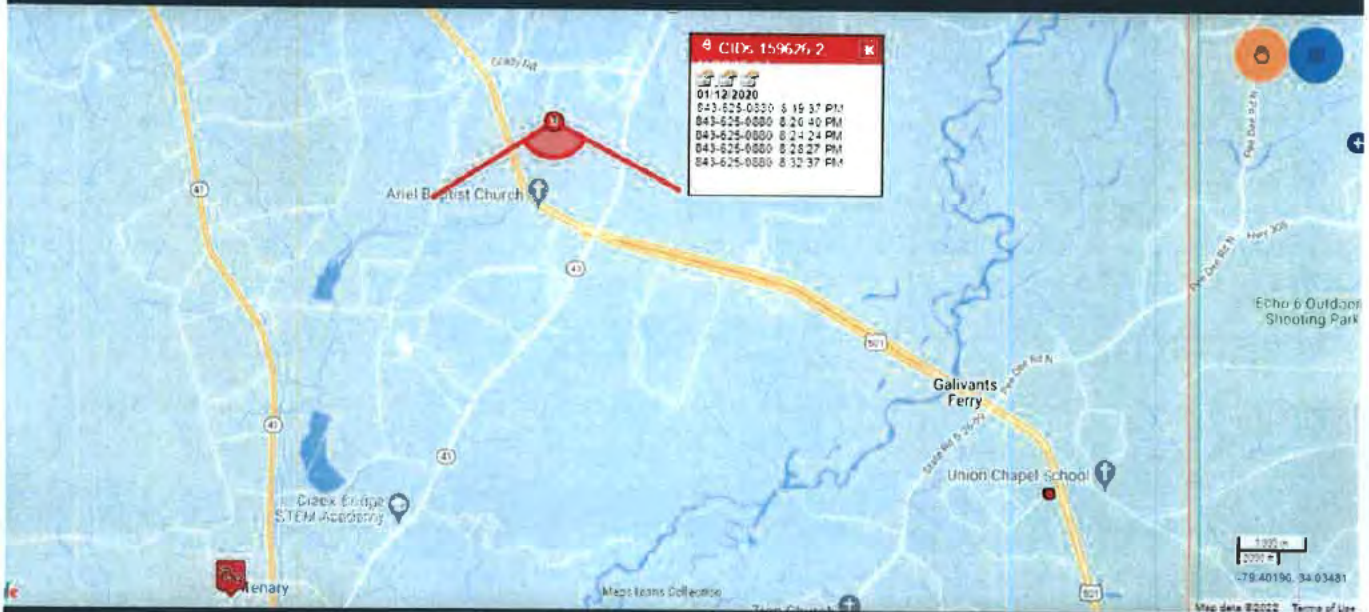
Transactions for ECI 40864258 with Cell ID 159626



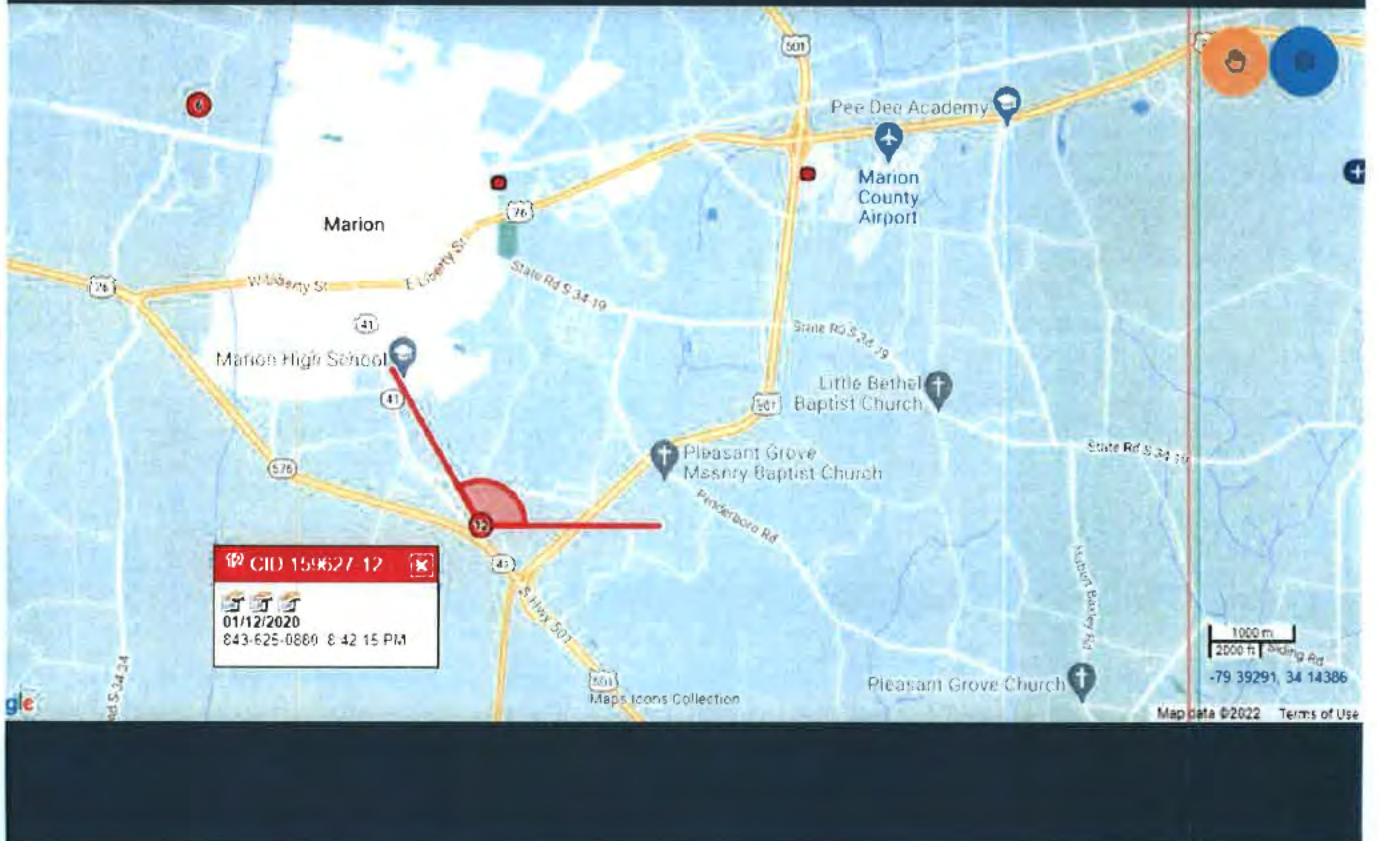
Transactions with Cell ID 1596



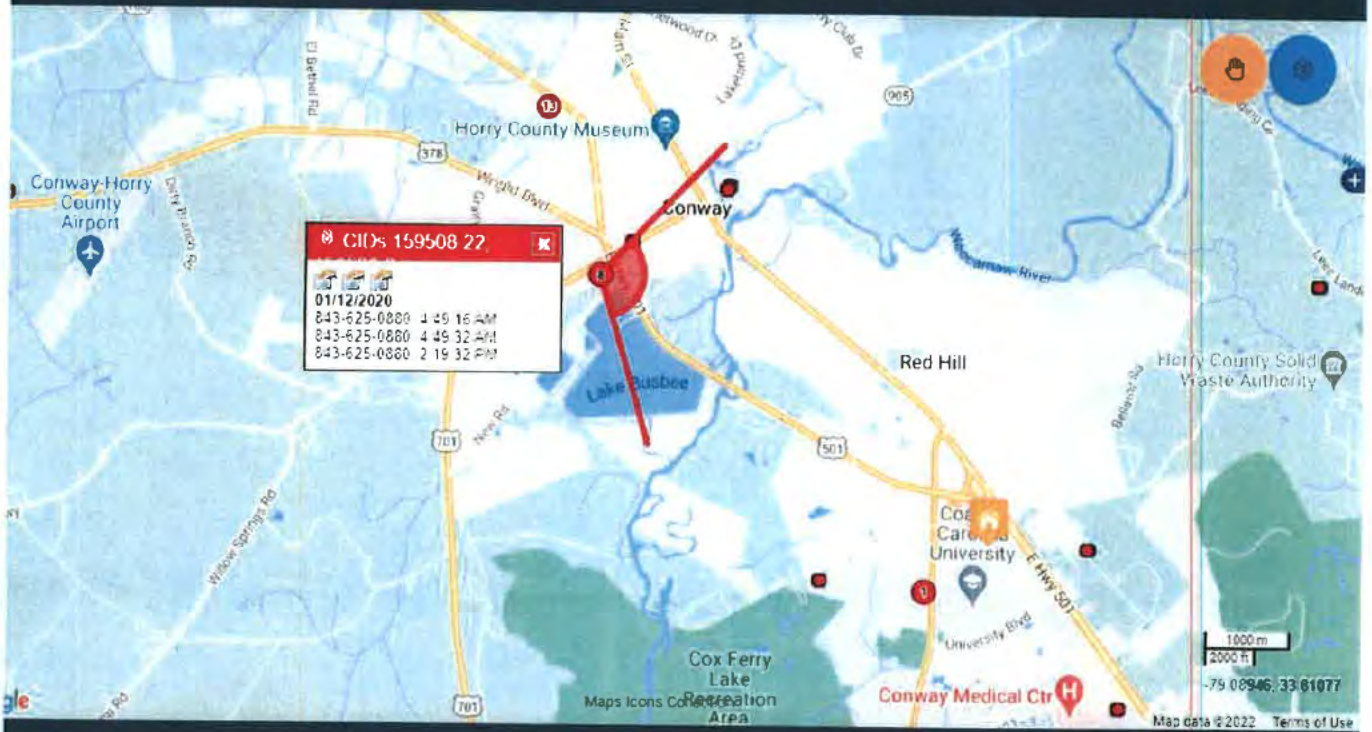
Transactions for ECI 40864258 with Cell ID 159626



Transactions for ECI 40864524 with Cell ID 159627



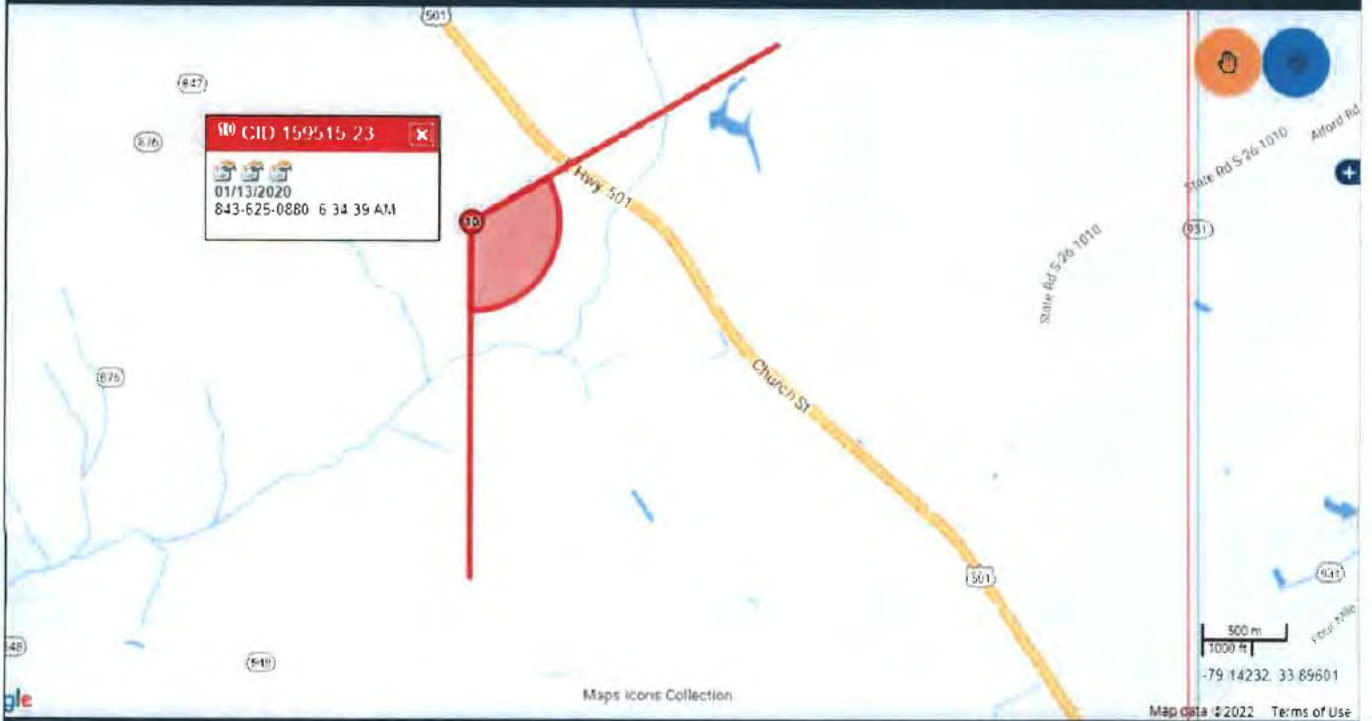
Transactions for ECI 40834050 with Cell ID 159508



Transactions for ECI 40877857 with Cell ID 159679



Transactions for ECI 40835863 with Cell ID 159515



Transactions for ECI 40878870 with Cell ID 159683

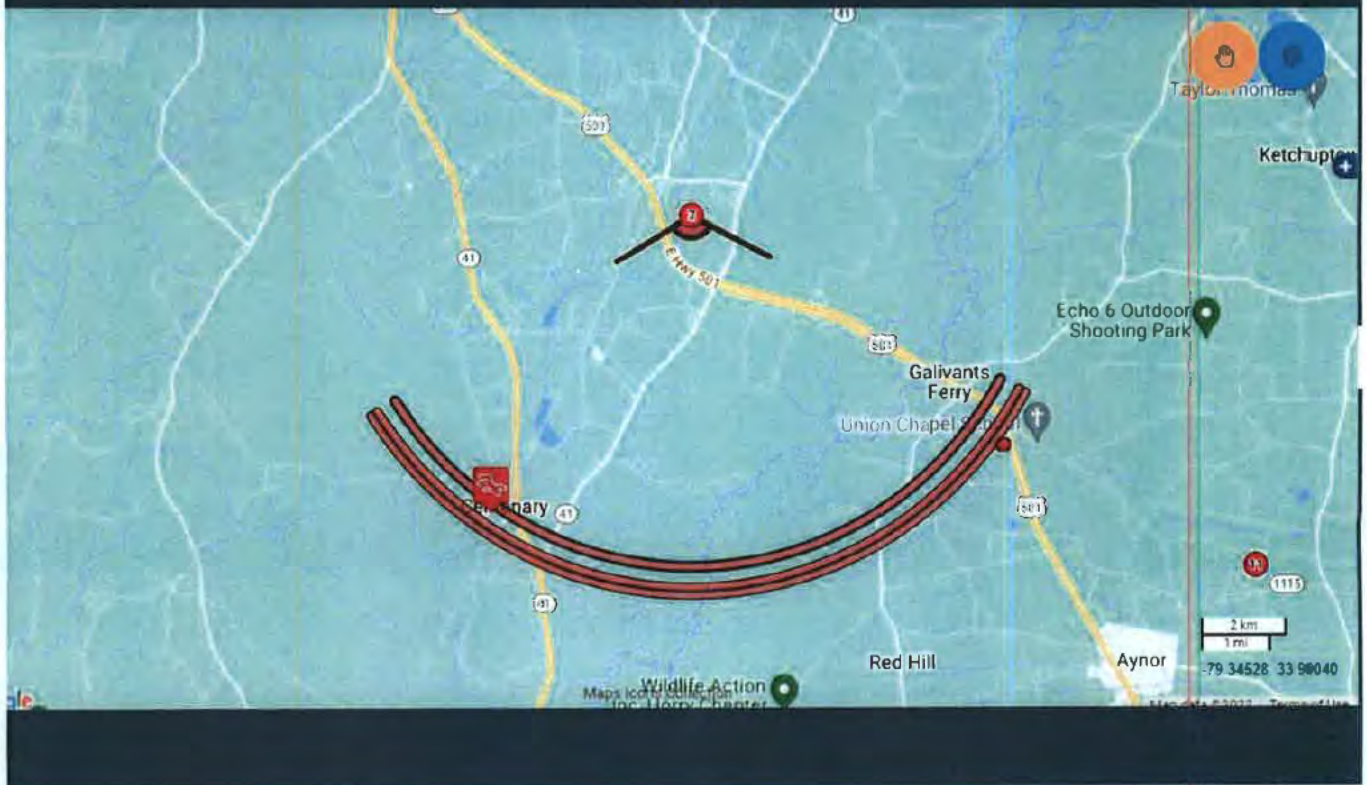


RTT/Call Measurement Data

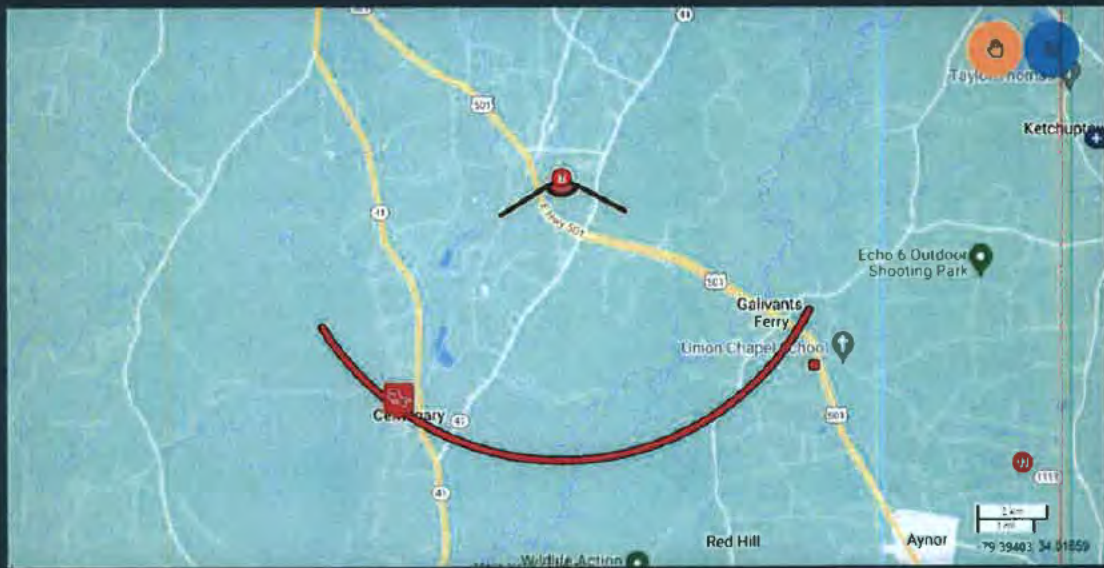
RTT for 159596 on 01/11/2020 @
17:36:22



RTT for 159626 on 01/11/2020 @
17:47:39/5.29 miles, 17:48:16/4.90 and 5.19
miles



RTT for 159626 on 01/12/2020 @
20:28:27/4.85 miles, 20:28:32/4.85 miles



RTT for 159628 on 01/11/2020 @
18:16:43/8.40 miles and 18:17:18/8.64 miles



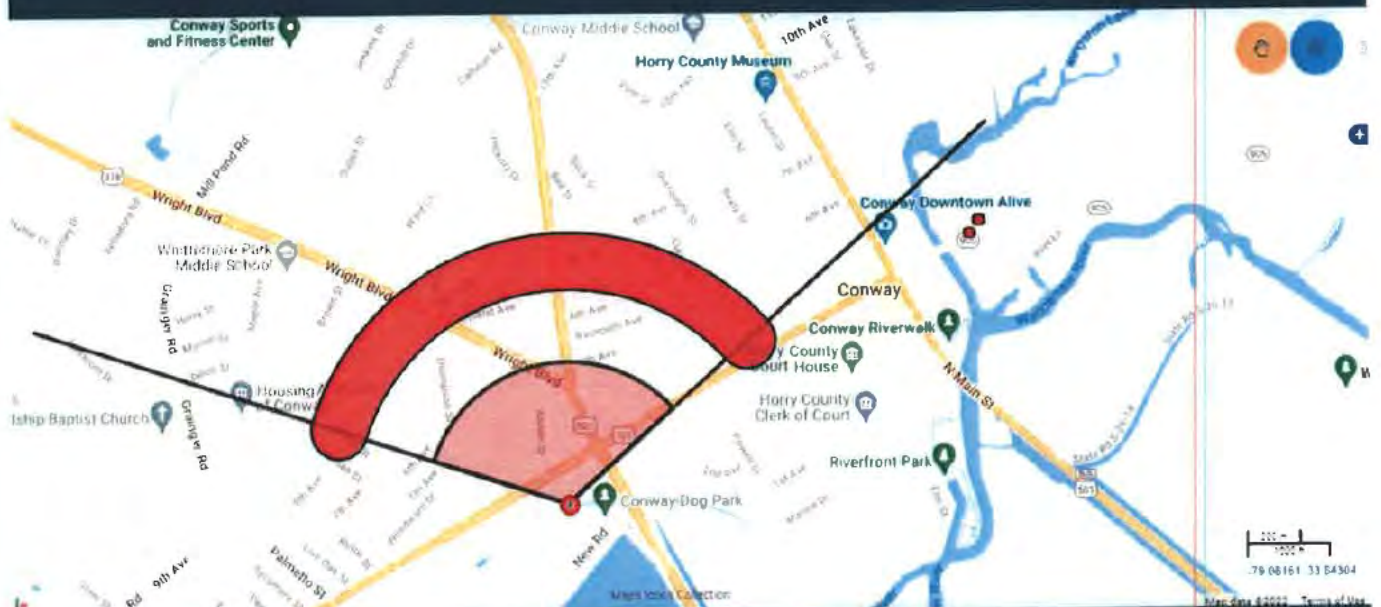
RTT for 159626 on 01/11/2020 @ 18:18:48/5.92 miles, 18:19:27/5.82 miles, 18:19:49/5.15 miles, 18:19:53/5.10 miles, 18:19:53/5.10 miles, and 18:19:58/ 5.05 miles



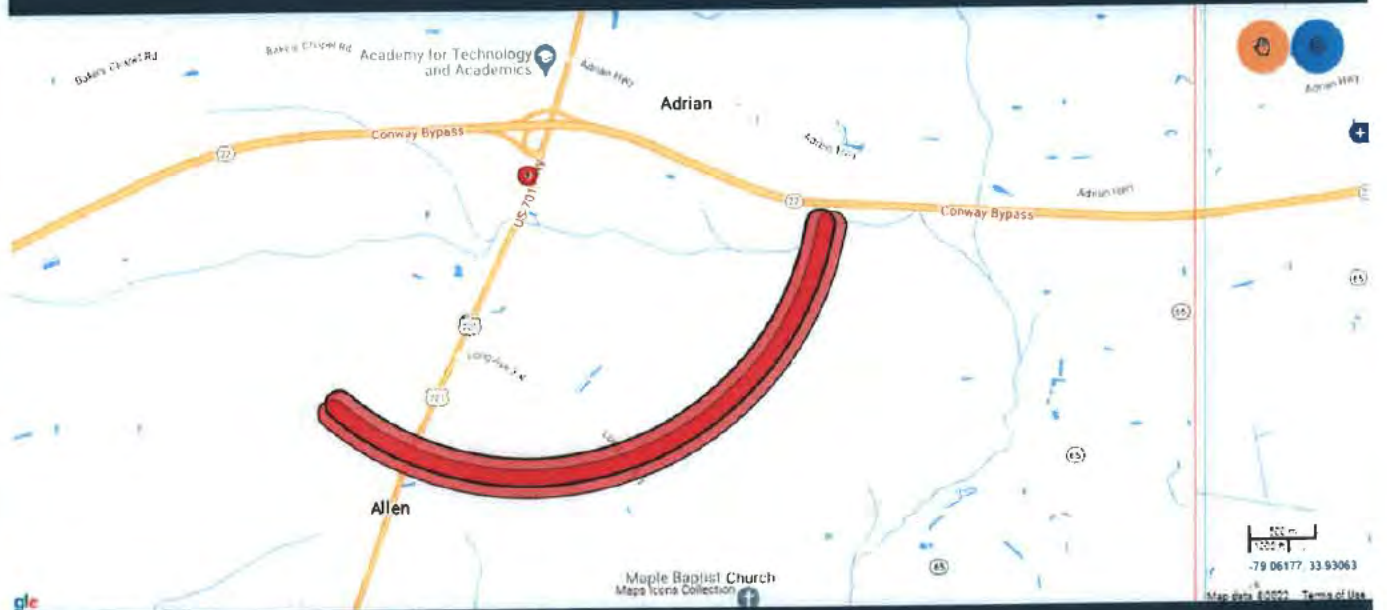
RTT for 159547 on 01/12/2020 @
16:31:03 and 16:31:09



RTT for 159508 on 01/12/2020 @
19:43:32/0.53 miles and 19:43.37/0.53 miles



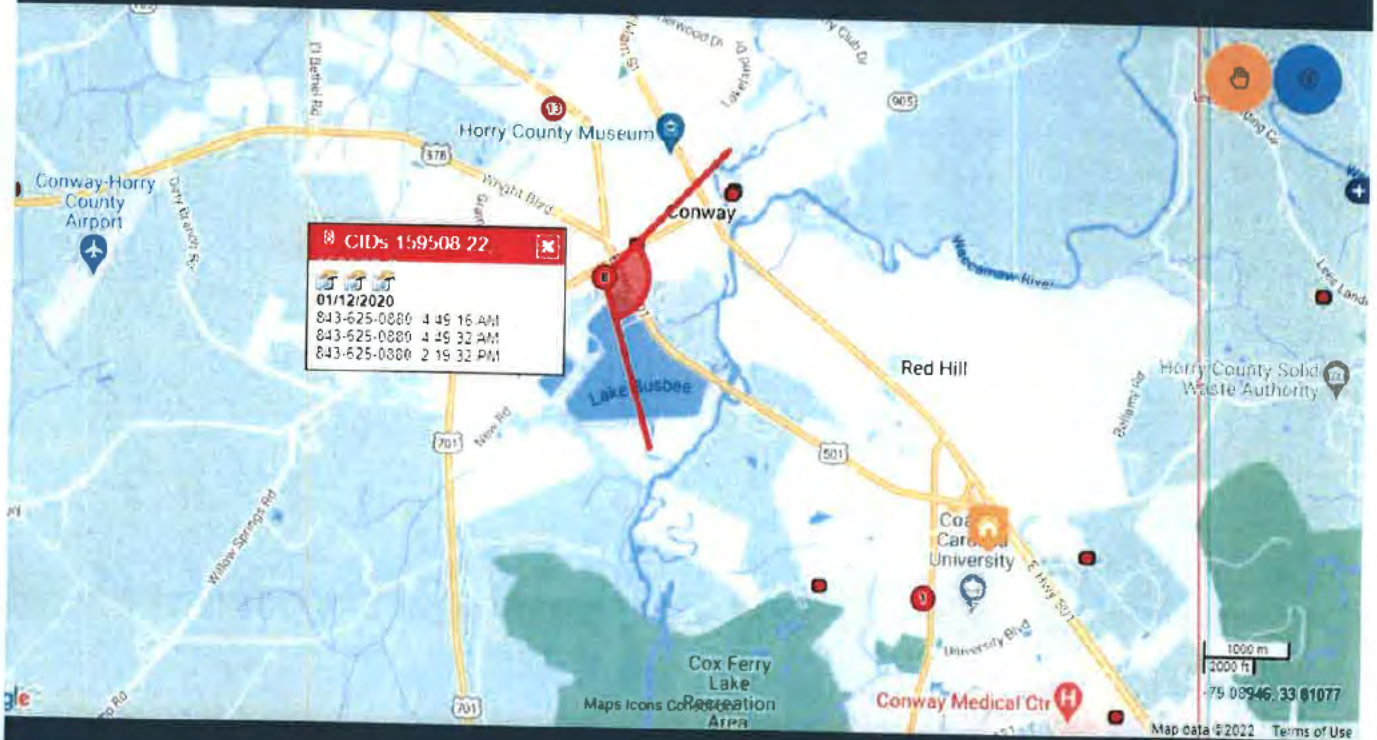
RTT for 159633 on 01/12/2020 @
15:21:18/1.36 miles and 15:21:23/1.31 miles



RTT for 159567 on 01/12/2020 @
20:01:47/2.48 miles and 20:01:51/2.48 miles



Transactions for ECI 40834070 with Cell ID 159508



Can we get more clarification on DNA Evidence. Concerning what the wording & numbers mean? We have a person who wants to know if these numbers mean it is the Suspects DNA or Not.



You have received all the evidence in this case. Please continue deliberating. However, if you would like to hear Maryann Boehm's testimony again we can replay it for you. If you want to hear her testimony again let the bailiff know and he will advise the court.

We cannot reach a consensus.

We have 11 votes Guilty.

We have 1 vote Not-Guilty.



Please keep
working.
Judge Sedra