

STATE OF SOUTH CAROLINA  
IN THE COURT OF APEALS

Appeal From Richland County  
Honorable Robert E. Hood, Circuit Court Judge  
Appellate Case No. 2023-001463

RECEIVED  
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SC Court of Appeals

Randolph Ashford,

Appellate,

vs.

The State,

Respondent,

Reply Brief of Appellant

Randolph Ashford

Randolph Ashford # 256638  
Allendale Corr. Inst. F-4, B-29  
1057 Revolutionary Trail  
FairFax, South Carolina - 29827

Pro-se

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Did the circuit court judge abuse his discretion or erred by rejecting Pro-se Appellant's motion for new trial based on after discovered evidence without conducting a hearing on the matter, because (1) the evidence direct and circumstantial was contaminated, fabricated, false and or altered (2) Appellant would have met his burden of establishing what was necessary for new trial under the circumstances of the contamination of the evidence (3) a hearing and this information was needed for the circuit court judge to be able to grant Appellant/Defendant motion for new trial based on after discovered evidence .. 4

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STATEMENT OF THE ISSUE ON APPEAL

" The lower court erred by ruling on Appellant/Defendant's in complete filing of the S.C.R.Crim. P. Rule - 29(b) Motion For New Trial Based On After Discovered Evidence."

REPLY STATEMENT TO - COUNTER STATEMENT OF THE ISSUE ON APPEAL

Did the circuit court judge abuse his discretion or erred by rejecting Pro-se Appellant's motion for new trial based on after discovered evidence without conducting a hearing on the matter, because (1) the evidence direct and circumstantial was contaminated, fabricated, false and/or altered (2) Appellant would have met his burden of establishing what was necessary for new trial under the circumstances of the contamination of the evidence (3) a hearing and this information was needed for the circuit court judge to be able to grant Appellant/Defendant motion for new trial based on after discovered evidence ??

## STATEMENT OF THE CASE

There in February 24, 2007, Randolph Ashford, was taken into custody by Richland County Sheriff's Office, then on or about April-May of 2007, the Richland County Grand Jury, falsified and allege to have indicted Appellant of one count of first degree burglary, two counts of kidnapping, one count of first-degree criminal sexual conduct, three counts of carjacking, two counts of assault with intent to kill. March 30 through April 3, 2009. a jury trial was held in the Richland County Court of General Sessions and the circuit court judge G. Thomas Cooper presiding. The conclusion of the five day trial, Appellant was convicted by the judge, and jury during the trial and after closing arguments, convicted Appellant of all the allege indictments, except first degree criminal sexual conduct. As to that offense the jury found Randolph Ashford, not Guilty. Then the court charged a lesser-included offense of assault and battery of a high and aggravated nature with any evidence to support the lesser-included offense. The jury and judge found appellant guilty of the lesser-included offense of assault and battery of a high and aggravated nature. Following the verdict, the trial judge sentence Appellant to an aggregate forty-year term of imprisonment.

Due to the overwhelming judicial misconduct" and fraud upon fraud on the court, Appellant direct appeal and PCR, DNA Testing, Habeas Petition, Petition For Writ of Certiorari to the United States Court of Appeals, was unsuccessful in obtaining relief. Here, Applicant filed a Motion For New Trial based upon After Discovered Evidence filed January 31, 2023, The Court's tampering with this motion, rendered the ruling of the court without the

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1. Thursday April 2, 2009. Trial Transcript, Page - 663, Lines - 14-19  
The Court: I understand. The question is based on that statement, would it support a charge of assault and battery of a high and aggravated nature.  
Solicitor: No Sir,

Complete filing of Appellant's Motion For New Trial Based Upon After Discovered Evidence. Prior to the court filing this motion on January 31, 2023., The Affidavit of Randolph Ashford, and the Motion For Appointment of Counsel was seperated. The Motion For New Trial was filed January 31, 2023., Then the Affidavit of Randolph Ashford, and Motion For Appointment of Counsel, were filed August 2023., seven (7) months later, according to the Richland County Public Index. See: Appellant's Initial Brief.

On August 16, 2023., The State filed a return seeking for the matter to be summarily dismissed. Appellant filed an Objection to the Motion To Dismiss and Judgment on the pleading August 29, 2023., Court filed August 31, 2023.

Thereafter, the state filed its return on Wednesday the 16, of August 2023. The Honorable Robert E. Hood, on August 22, 2023., In four (4) working days it was denied. Appellant's motion with prejudice. Applicant's objection to the state's return were not even considered by the court, violation Appellant constitutional rights to be heard,<sup>2</sup> Constitution of the State of South Carolina., Article 1, section 3, section 22., Rule 501 Code of judicial Conduct, Canon 2 A. Canon 3 B. (2), (3), (4), (5), (6), (9).

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2 March 31, 2009., Trial Transcript, Page - 103, Lines - 21-25., The Court: I have no opinion about the facts in this case which I may share with you at this time. In fact the Constitution of the State of South Carolina provide that no trial judge shall make any comment or statement to a jury about the facts of a case.

2 April 3, 2009., Trial Transcript, Page - 926., The Court: Now, I'll remind you that under our constitution and code of laws, only the jury can make findings of fact in this case, I am not permitted to indicate to you how I might feel about the facts.

2 April 3, 2009., Trial Transcript - Page - 930, The Court: Now generally there are two types of evidence which has been described to you that are generally permitted during trial, direct evidence and circumstantial evidence. Direct evidence- and we probably had both in this case.

## ARGUMENT

The circuit court judge abused his discretion or erred by summarily rejecting Appellant's motion for new trial based on after discovered evidence without conducting a hearing on the matter because(1)the evidence direct or circumstantial was contaminated, fabricated, altered, and false(2) Appellant would have met his burden of establishing what was necessary for new trial under the circumstances involved; and(3) a hearing and this information was needed for the circuit court judge to be able to grant Appellant motion for new trial based on after discovered evidence.

## RELEVANT FACTS

Many years ago Appellant were denied the right to a fair trial an effective assistance of counsel during direct appeal, Initial PCR Application, Application For Forensic DNA Testing.

Appellant continues to be the victim of overwhelming judicial misconduct, and fraud upon the court. " Importantly though the state's witnesses testified to false, contaminated evidence, even evidence that did not, and do not exist.<sup>3</sup> In this case while under oath James Abraham, testified that Appellant, receive EMS treatment. Solicitor Campbell; failure to correct this false evidence is as reprehensible as its presentation. See: Riddle v. Ozmint, 631 S.E.2d 70 (S.C.2006). There is no discovery, records, bills, of Appellant receiving EMS treatment on February 24, 2007., to support state's witness testimony while under oath.

Appellant's Motion For Counsel, and Affidavit of Randolph Ashford, was filed August 1, 2023., New Trial Motion filed January

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3 April 2, 2007., Trial Transcript, Page-567, Lines-19-21, James Abraham-Direct by Ms. Campbell; (Q) Did they treat him in any way ?., (A)., No, ma'am. They checked him, checked his vitals and said that he was fine and sent him on his way.

April 2, 2007., Trial Transcript, Page-573, Lines-22-25, James Abraham-Cross by Ms. Campbell; (Q) And because tear gas can affect someones, that's why he had to be checked out by EMS ? (A) Yes, They said his vitals were normal.

31, 2023., Appellant asserts the alleged indictment (2007-GS-40-2048, 2007-GS-40-02001, and all (7) seven other indictment's violates State and Federal Constitution, Rules of Court, Rule-3, (c)., and other statues and laws of South Carolina. See: <sup>4,5,6</sup> State v. Guthrie, 352 S.C. 103, 572 S.E. 2d 309 ( October 28, 2002)., Upon information and belief, Appellant was indicted for (2) second degree burglary. See: State v. Brooks, 277 S.C. 111 283. S.E.2d 830 ( October 5, 1981 ). State's witness James Abraham, testified on direct, By Ms. Campbell; ( Q ), And just for the record, prior to entering, you all actually had to force your way in the door ? (A), Yes. ( Q ) And that would included ramming the door with some object ? ( A ) Yes. See: Trial Transcript, April 2, 2009., Page - 558-559, Lines- 9 - 14., State's witness Marcus Brown, testified on Cross, By Mr. O'Neil, ( Q ) And I would assume that you had to use a considerable amount of force to open that door ? ( A ) Yes. Apellant own testimony supports the fact that he did not brake into the residents of the location and it certainly was not during the hours of darkness as the state has alleged in it's alleged indict ment of 1st degree burglary. State's witness, David Unger testi- fied on Direct by Mr. Bryant; ( Q ), What were you doing ? (A), We responded to that location, arrived somewhere between 1:15 in the afternoon. April 2, 2009., Trial Transcript, Page - 438, Lines - 22 - 25.

At the PCR hearing held March 31, 2015., Appellant trial counsel Nicole Singletary; testified that the trial was pre- judicial. App. 1343, 9-25 through 1345, 1-5., App. 4, 15-25., APP. 1383 - 1384, 1 - 25., also APP. 1285, 1-25, through APP.

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4 April 3, 2009., Trial Transcript, Page - 858-862, Lines - 11-25. Your Honor. At this time the defense would respectfully make a motion for a mistrial based on due process violations and 403, Your Honor. It would be our argument that inappropriate-

5 April 3, 2009., Trial Transcript, Page - 15 - 16, Lines - 3-25, Mr. O'Neil: yes Your Honor. Your Honor, at this time I Line-8, And I also at this time would like to make a motion for new trial based on the due process violations dealing with the out burst--

1288, 1-25., Appellant's PCR Counsel, David E. Belding; stated Mr. Ashford; would like to amend his application, APP. 1186, 22 - 25, - 1187, 1-25., The Court; Okay All Right. We'll leave -I'll agree, Then we'll leave the record open to permit the applicant's attorney submit to the court to file with the court APP. 1180, 11 - 16, through App. 1184, 10 - 25.

Based on the obvious deficiencies noted by the Respondent's Appellant's is well aware that he is not an attorney an was not an attorney at the trial, nor does he has the legal training, education of an attorney then or now to file a none deficiency Rule - 29(b). SCRCP. Motion For New Trial Based On After Discovered Evidence. In Fact Appellant, requested the appointment of counsel in his bid for motion For New Trial. That motion was seperated by the court and file many months later, and was not before the court prior to the dismissal of the Motion For New Trial by the Honorable Judge Robert E. Hood, Circuit Court Judge.

Appellant / Defendant, participate in his trial, heard the state's witnesses under oath testifying falsely to evidence that do not exist, an was prejudice by the presentation of the State's overwhelming judicial misconduct., Appellant brought this misconduct to the attorneys attention, Nicloe Singletary, and Deon O'Neil; during the trial. See: Appellant's Initial Brief and Designation of Matter To Be Included In The Record on Appeal filed 2024. The Court: itself denied, the Appellant/Defendant motion for a continuance an motion for to relieve counsel.<sup>8,9</sup> to obtain discovery, an since I was represented by counsel would not allow hybrid representation. See: Foster v. State, 298 S.C. 306, 379 S.E.2d 907 (1989). State

6 April 2, 2009. Trial Transcript, Page 479, Lines - 13-14., The Court: just hold it. Mr. Broome, You all hold it down, Please.

7 April 1, 2009., Trial transcript, Page - 307, Lines - 8-18., Ms. Singletary; Your Honor, at this time the defense would move for a mistrial based on the testimony of Shante Martin.etc

v. Sanders, 269 S.C. 215, 237 S.E. 2d 53 (1997)., Foster, 298 S.C. 215, 237 S.E.2d at 907., After Appellant/Defendant informed the court and his attorneys that discovery was needed for his defense, the court and attorney Deon O'Neil; denied Appellant/Defendant this discovery, resulting in due process violation, and violating the United State Constitution, Constitution of the State of South Carolina an the right to a fair trail. 10

On April 24, 2007., Sgt. K. Scott, Reporting officer, Unit Number # 13767, and follow-up investigation officer F. Williams, processed the following vehicle: 1996. Lincoln, Town Car, South Carolina Tag Number: 752-VRE Bronze In Color. R/O Collected The Following Items Left By Suspect: 1 Each, Cap Brown in color, collected from the front drivers seat. Placed cap in evidence room. R/O Took Photographs as Follows: Marker # 1: Cap on Driver Front Seat etc.

On March 31, 2009., State Witness, Gregory Fleming - Cross by Singletary ( In Camera ) Page - 33, Lines 3-4, Q And he was wearing a hat ? (A) Yes, ma'ma.

On March 31, 2009., State Witness, Gregory Fleming - Direct by Mr. Bryant; Q Can you tell the jury what your description of that person was ? (A) It was a brown skinned fellow about five eleven, probably weighed about, I think about 175, a small

8 April 1, 2009., Trial Transcript, Page - 132, Lines - 13-17., The Court: And what are you asking me to do ?.

Mr. Ashford: I'm still lacking discovery.

9 April 1, 2009., Trial Transcript, Page - 145, Lines - 19-22., Mr. O'Neil; Yeah I have informed Mr. Ashford, that any records that we obtain would not be used in our case in chief which-----

little mustache and wearing blue jeans, a jacket and had on a hat on.

On March 31, 2009., State Witness Gregory Fleming - Cross by Ms. Singletary; Q That he was wearing a hat ? (A) Yes, ma'ma.

March 31, 2009., Trial Transcript, Page - 225, Lines 6 - 14 Gregory Fleming - Cross by Ms. Singletary; Question: And do you know whether or not my client ever went to that wrecked car that occurred right outside of Gill Creek Baptist Church? (Answer) I seen him get out that car. (Question) I understand that. I understand that you testified to that. But do you know if my client ever went back to that wrecked car ? (Answer) No, he didn't go back to the car. He went out to the main road.

Appellant, asserts that he was not wearing a hat, and that his hat was left in the 1996 Lincoln Town Car, Tag Number 752-VRE an Gregory Fleming; State's witness testified falsely under oath, and Solicitor Campbell; knew this testimony to be false, and yet presented the false direct and/or circumstantial evidence to the jury of Defendant/Appellant wearing one of the hats of the tainted, contaminated crime scene.

One of the prime duties of both the investigators and the expert is to prevent contamination of the evidence. (carelessness has ruined many cases). It may at least have the effect of creating a doubt in the minds of the jury as to the authenticity of the exhibit's or may minimize expert opinion testimony based on examination of the objects after it's improper handling.

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10 April 1, 2009., Trial Transcript, Page - 113, Lines - 14-15, The case is going to forward. Do you understand that/

## STANDARD OF REVIEW

In criminal cases, the appellant Court sit to review error of law only," State v. Edwards, 373 S.C. 230 644 S.E.2d 66,(March 12, 2007).., When reviewing rulings on a motion for new trial based on after discovered evidence is bound by the trials courts factual findings unless they are clearly erroneous.

This same standard of review applies to preliminary factual findings in determining the admissibility of certain evidence in criminal cases.

## ANALYSIS

New trial based on after-discovered evidence encompasses claims predicated on the presentation of evidence that existed at the time of trial, but of which the defendant was "excusably ignorant." State v. Haulcomb, 195 S.E. 2d 601, 606 S.C.1973).

The after-discovered evidence must reflex upon the defendant innocence or the defendant's moral culpability in capital cases. State v. South, 427 S.E.2d 666, 669-70 (S.C.1993). Generally, a motion for new trial should be considered when new evidence is discovered shortly after the trial has concluded or when new evidence is discovered after the completion of state PCR. Simpson v. Moore, 627 S.E.2d 701, 708 (S.C.2006).., To obtain a new trial based on after discovered evidence the petitioner must file a motion pursuant to South Carolina Rules of Criminal Procedures 29(b): [s]howing that the evidence:1) would probably change the results if a new trial is had; 2) has been discovered since the trial; 3) could not have been discovered before trial; 4) is material to the issue of guilt or innocence; and 5) is not merely cumulative or impeaching. State v. Taylor, 508 S.E.2d 870, 879 (S.C.1998). The provisions of Rule - 29(b) place no

time limit limitations on a motion for new trial based on after-discovered evidence., State v. Spann, 513 S.E.2d 98, 100 (S.C. 1999)., but do require that it be filed within a reasonable time after discovery of the evidence.

conclusion

For any or all the reason set-forth, I respectfully request this conviction of the lower court be vacated or a new trial.

Respectfully submitted,

November 7, 2024.

Randolph Ashford

Randolph Ashford # 256638

Allendale Corr. Inst.

1057 Revolutionary Trail

FairFax, South Carolina-

29827

Pro se

STATE OF SOUTH CAROLINA  
COUNTY OF RICHLAND

**RECEIVED**

IN THE COURT OF APPEALS  
FOR THE 5TH JUDICIAL CIRCUIT

NOV 12 2024  
SC Court of Appeals  
Appellant, )

Randolph Ashford

Appellant Case No. 2023-001463

v. )

PERSONAL AFFIDAVIT

State of South Carolina )

OF

Respondent, )

RANDOLPH ASHFORD


I Randolph Ashford, under penalty of perjury states the following:

I make this affidavit based on personal knowledge of what I have read, unless stated otherwise; I am over the age of (21) years old and a competent adult, and a resident of the South Carolina Department of Corrections.


1. The Due process violation of the United States Constitution, and the Constitution of the State of South Carolina, State/ Federal statutes would probably change the results if a new trial is had.
2. The Due process violation was discovered most recently by me Randolph Ashford ( Appellant) since the trial and numerous court reviews of the records of the trial etc. etc, etc. etc..
3. I Randolph Ashford, is not a lawyer, and was represented by Deon Oneil, and Nicole Singletary; whom I felt was ineffective and asked the court for a continuance, and Trial Transcript April 1, 2009., Page - 132, lines - 13 - 17.
4. This Due process violation is material to the contaminated, tainted, fabricated, false, and altered direct and circumstantial evidence presented during the trial.

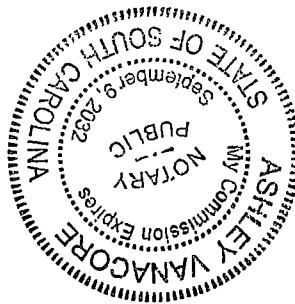
5. This Due Process violation is not merely cumulative it's a constitutional right to a fair trial guaranteed by the United States Constitution.

November 5, 2024.

  
Randolph Ashford

SWORN TO AND SUBSCRIBED BEFORE ME  
THIS 5, DAY OF NOVEMBER 2024.

  
NORARY PUBLIC FOR SOUTH CAROLINA  
MY COMMISSION EXPIRES 9/9/32



STATE OF SOUTH CAROLINA  
COUNTY OF RICHLAND

IN THE COURT OF APPEALS  
FOR THE 5TH JUDICIAL CIRCUIT

Randolph Ashford )  
Appellant, )  
v. )  
State of South Carolina )  
Respondent, )  
\_\_\_\_\_ )

Appellant Case No. 2023-001463

AFFIDAVIT

OF

RANDOLPH  
ASHFORD

RECEIVED  
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SC Court of Appeals

Randolph Ashford, being duly sworn, deposes and says:

1. I am the present Pro-se Appellant.
2. This case was tried in the county of Richland County, before Hon. G. Thomas Cooper, and jury. The Appellant/Defendant was represented by Deon O'Neil and Nicole Singletary. The Appellant Randolph Ashford, was convicted of all alleged crimes except 1st degree criminal sexual conduct. As to that offense, the jury convicted Appellant/Defendant of the lesser-included offense of assault and battery of a high and aggravated nature, without evidence to support the lesser-included offense (See: Page - 2, statement of the case ). Trial Transcript April 2, 2007, Page - 663, Lines -14 - 19., After such conviction: The court of Appeals affirmed the conviction.
3. This is an affidavit in support of Appellant, Reply To Respondent's Motion To Dismiss.
4. Insofar as the record in this case discloses the following evidence upon which the verdict of the jury was based presents

itself as follows:

a. It was the contention of the jury, upon the trial that the Appellant/Defendant committed all the crimes at the time and place on February 24, 2007., In support of the contentions the jury adduced the following testimony of the State's witnesses of fabricated, false, altered, contamination of the evidence.

State's Witness: Deborah Ann Simmons, and State's Exhibit's- 73,74,78,102, all of which admitted into evidence.

State's Witness: Inv. Patricia-Reed Enzor, State's Exhibit's- 43,45,46,47,52,53,75,80,90, & 61,62,63,64,58,57, & 8,9, all of which admitted into evidence.

b. In opposition to the contentions of the jury, judge, direct appeal, pcr application, dna testing, etc.,

5. Appellant/Defendant set-fourth the additional after discovere evidence. See: Tabs - 1,2,3, of crime scene comtamination.

6. However, since the decision of the Court's affirm the conviction presented by the state and it's appointed representation of Appellant ( seven (7) in total ), certain startling information was discovered, which if had been pursed before the trial and/or during the trial, would undoubtedly have changed the results, and which if opportunity is afforded by the granting of New Trial, based upon after discovered evidence, will without questions result in a verdict of not guilty for me.

7. I Randolph Ashford, was not wearing the hat in state's exhibit's - 8 or 9., of the contaminated crime scene., I Randolph

Ashford, was not wearing the green jacket in exhibits - 102, of the contaminated crime scene. Therefore, in this case the prosecution's presentation of false evidence at trial is a violation of the Ashford's (Appellant's) due process rights,

Thus, a due process violation occurs when a law enforcement officer who participated in the investigation or preparation of the prosecution's case fabricates evidence or give false testimony against the Defendant/Appellant at trial on an issue material to guilt or innocence, The conviction is tainted and must be set aside if there is any reasonable likelihood that the false evidence could have affected the jury's verdict. See: Trial Transcript, April 2, 2009., Page - 665, lines - 1 - 7., Juror number 134 during lunch saying something to the affect that, "I've heard all I need to hear."

8. The evidence relied upon by the court and jury were contaminated Ollie Harrison; the allege victim brother, due to Inv. Patricia-Reed Enzor releasing the crime scene to the brother the night of February 24, 2007., and then falsified the official analysis report, and took the stand during the trial while under oath an lied to the jury, the court, and the public citizens of the state of South Carolina to convict me, Randolph Ashford; of all those alleged crimes I did not commit.

9. The exercise of the highest degree of diligence I could not have procured this at trial, for it was not until recently after many proceeding in the court affirm the conviction by all the court's that I was apprised for the first time of the facts stated in my affidavit, Randolph Ashford, (Appellant)

10. The statements in the affidavit of appellant (Randolph Ashford), constitutes such evidence as if before received, would have changed the verdict and I, therefore respectfully submit that pursuant to the United States Constitution, and the Constitution of the State of South Carolina, State/Federal statutes, the affiant whose affidavit is annexed hereto should be brought before the court for personal examination and cross-examination under oath upon the contents of my affidavit.

The affidavit which is annexed hereto constitutes the absolute truth; in the interest of justice and accordance with law, a full and complete hearing should be had and no stone left unturned, to avert another miscarriage of justice which cannot be hereafter remedied.

WHEREFORE, I respectfully suggest that a New Trial be granted, and for such other relief as the court deem just and proper.

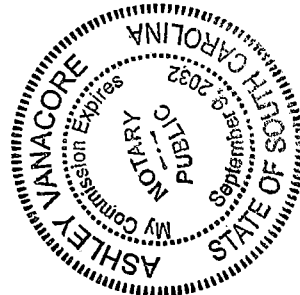
November 5, 2024.



Randolph Ashford # 256638

SWORN TO AND SUBSCRIBED BEFORE ME  
THIS 5, DAY OF NOVEMBER 2024.

Ashley Manacore  
NOTARY PUBLIC FOR SOUTH CAROLINA  
MY COMMISSION EXPIRES: 9/9/32





Richland County Sheriffs Department  
Crime Scene Investigation  
Analysis Report

Case #: 0702200424

Crime Scene Analyst: P. Reed-Enzor

Date: 02/24/2007

Incident Type: Kidnapping

Call receive time: 1221

Arrive: 1236

Complete: 2030

Status: incomplete

Weather: clear Received by: radio

Scene Officer / Investigator: Reed-Enzor

Status: at scene

Incident Location: 4014 Booth St

Subjects:

Type: suspect Name: Ashford, Randolp DOB: 05/12/1965 Sex: M Race: B

Type: Name: DOB: Sex: Race:

Type: Name: DOB: Sex: Race:

POE: Method:

Vehicles:

TAG: YEAR: MAKE: MODEL: COLOR: VIN:

TAG: YEAR: MAKE: MODEL: COLOR: VIN:

Photos: #Taken: Type:

Narrative / Conclusions

I/O responded to I/L to assist CPD and RCSD units involved in a hostage situation. I/O acted as Incident Commander until relieved by Sgt. Tanner. I/O remained on scene and assisted I/C Okinaga. I/O maintained radio communications and acted as a liaison with Hostage Negotiators. Once the situation had been resolved I/O was requested to process/photograph the I/L. I/O was unable to process the scene at that time due to the electricity had been cutoff and tear gas had been deployed during the incident. The crime scene was secured and a rotation started. I/O turned over the scene to Deputy Benson.

These examinations and/or conclusions were conducted by P. Reed-Enzor, Crime Scene Analyst with the Richland County Sheriffs Department.

P. Reed-Enzor  
P. Reed-Enzor  
Crime Scene Analyst

Analyst Initials: PRE

Case #: 0702200424

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Richland County Sheriffs Department  
Crime Scene Investigation  
Bench Notes

scene secure/crime scene log maintained upon arrival

Z/L still contaminated w/ gas. I/O photographed the interior exterior of Z/L. observed a gunshot hole in black chair in living room - unable to locate projectile in chair. It did not appear any furniture had been moved (couch, chair) in the living room. A chest freeze was partially blocking the back door. Both mats in the "wash room" area were dry and did not appear to have been used recently.

I/O did not locate any <sup>PPE</sup> rounds, shell casing or projectiles while processing.

→ collected crime scene log, released scene.

Ollie Harrison (743-9914) ~~accepted~~ <sup>PPE</sup> took possession of residence.

0702 200424

Case #

P. Reed-Enzou

Crime Scene Analyst

Analyst Initials PRE

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**MR. O'NEIL:** May I approach, Your Honor?

**THE COURT:** Yes.

**Q** Let me let you read this last paragraph of Investigator Barnes' report and see if that refreshes your memory.

**A** Okay. Okay. I understand what you're saying here. What he is discussing here is when he talked to me before I cleared the crime scene. And I had already done a walk through while I was looking for projectiles inside and outside of the house while I was processing the crime scene. And I had looked at all the vehicles on the inside and outside of the house, not just specifically that blue van.

**Q** Yeah. So you looked at all the vehicles that were outside of the house?

**A** Right.

**Q** You didn't find any projectiles in this van?

**A** No. I did not find any projectiles in that van.

**Q** You didn't find any bullet holes in this van?

**A** No, sir, I did not.

**Q** Any bullet holes in this trailer?

**A** No, sir.

**Q** And I think on the night of the 24th you released the scene to a Mr. Ali Harrison. That's correct?

**A** Yes, I did.

1 the exterior of the house?

2 **A** I have where I did the entire photographs in general,  
3 sir. When I do -- well, I guess I should back up  
4 just a little bit. When I do crime scene  
5 photographs, I would take general photographs which  
6 are of everything when I looked completely from the  
7 outside of the crime scene and then work myself in.  
8 And I wouldn't think an investigator would get me  
9 specifically to take a picture of a specific van  
10 unless I would make note that he wanted me to take a  
11 specific photograph. So that's why I'm not  
12 understanding what you're asking me.

13 **Q** I could show you Investigator Barnes' investigative  
14 report. Would that refresh your memory about whether  
15 or not you took pictures of this light blue van in  
16 State's Exhibit No. 50?

17 **A** I mean, I remember taking photographs of all of the  
18 vans. I mean, I remember that van. Sure.

19 **Q** But do you remember focusing on this van  
20 specifically?

21 **A** No. I don't recall specifically photographing that  
22 specific van. No, sir.

23 **Q** Let me show you something and see if that refreshes  
24 your memory. Okay?

25 **A** Sure.

1 ~~Q~~ And he was one of the residents of that location?

2 ~~A~~ Yes, ~~as I did.~~

3 **MR. O'NEIL:** Beg the Court's indulgence. No  
4 further questions, Your Honor.

5 **THE COURT:** Redirect.

6 REDIRECT EXAMINATION

7 **BY MS. CAMPBELL**

8 **Q** Just a couple of questions. He asked you about the  
9 log that you wrote down about some chatter on the  
10 radio?

11 **A** Yes.

12 **Q** Did you hear any gunshots that afternoon?

13 ~~A~~ No. Well, yes, I did hear some.

14 **Q** And when did you here a gunshot that afternoon?

15 **A** I heard a gunshot that afternoon shortly after I took  
16 the scene as incident commander. And that would have  
17 been approximately 1:00, between 12:45 and 1:00.

18 **Q** Approximately? Could it have been a little later?

19 **A** Probably -- I got there and I took the scene about  
20 12:45. So within 30 minutes I guess of arriving  
21 there. There's a guesstimate.

22 ~~Q~~ A guesstimate. ~~And during the course of the rest of~~  
23 ~~that afternoon, did you hear any more gunshots out~~  
24 ~~there?~~

25 ~~A~~ ~~No, I did not.~~

1 Q But were you aware that they were launching tear gas  
2 into the --

3 A ~~Yes, I was.~~

4 Q And the time periods he went over with you where he  
5 talks about these gunshots, that's the same time  
6 period?

7 A Yes, it is.

8 Q And, in fact, could someone maybe initially on the  
9 radio say gunshots when in fact it's them launching  
10 tear gas?

11 A Yes.

12 Q And you don't have any other reports from anywhere  
13 else of any gunshots later that afternoon after the  
14 first ones you heard?

15 A No, ma'am.

16 Q He talked to you about projectiles. You explained  
17 about how you looked in the house and looked for  
18 projectiles. And you weren't even able to recover  
19 the one in the chair. Is that correct?

20 A That is correct.

21 Q And that's not unusual?

22 A No, ma'am.

23 Q And as far as if someone is shooting into a tree line  
24 through the woods, it's whizzing past, would you  
25 think there is any likelihood you'd be able to

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I do hereby certify that I have serve the Appellant Reply Brief and copies on the following counsels of record, by placing it in the United States mail with sufficient postage affixed thereto here at the Allendale Corr. Inst. on this 7 day November 2024.

*Randolph Ashford*

Randolph Ashford # 256638

Pro-se

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November 7, 2024.

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In The Court of Appeals  
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Columbia, South Carolina - 29201

Re: The State v. Randolph Ashford,  
Appellate Case No. 2023-001463

Dear Clerk:

Enclosed you will find the original and a copy of the Reply Brief of Appellant. Please file the original and copy, and return the copy to me for my record in the self-addressed envelope I provided for that purpose with sufficient postage affixed thereto.

Thank you very much.

Sincerely,

*Randolph Ashford*

Enclosures  
CC:

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