

**THE STATE OF SOUTH CAROLINA
In the Appellate Court**

**APPEAL FROM GREENVILLE COUNTY
Court of General Sessions**

, Circuit Court Judge

Case No(s): 2021A2330210619

The State,

v.

Dacorey Dashawn Massey,

Respondent.

Appellant.

Rule 203 Explanation of Issue

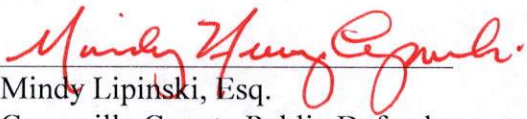
As required by Rule 203(d)(1)(B)(iv), SCACR, undersigned counsel cannot identify an issue that may be raised on appeal. However, Dacorey Massey has requested the appeal of his conviction and sentence.

Dacorey Massey plead off the trial docket on or about November 4, 2024 to the lesser included offense of Voluntary Manslaughter for a negotiated range of fifteen to twenty years and received a sentence of twenty years.

In preparation for trial, we reviewed all possible defenses, including challenges to the evidence, to the statements of witnesses, to his own interview with law enforcement, and all of the forensic evidence. The Defense team had the opportunity to view all of the physical evidence and reviewed our impressions from that inspection with Mr. Massey. While certain issues existed, which would have been explored as part of his defense at trial, ultimately Mr. Massey made the fully informed decision to accept a negotiated plea to a lesser offense to the proscribed range.

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SC Court of Appeals

Date: November 18, 2024



Mindy Lipinski, Esq.
Greenville County Public Defender
305 East North Street, Suite 123
Greenville, SC 29601
Attorney for Appellant

Other Counsel of Record:

Walter W. Wilkins
Thirteenth Circuit Solicitor Office
305 E. North Street, Suite 325
Greenville, SC 29601
Attorney for Respondent

WITNESSES

SE McHale *1517/803

Greenville County Sheriff's Office

11/22/2021

ARREST WARRANT NUMBER

2021A2330210619

2021A2330210620

ACTION OF GRAND JURY
TRUE BILL

FOREMAN GRAND JURY

Foreperson of Grand Jury

VERDICT

Foreperson of Petit Jury

Date:

DOCKET NO. 2024-GS-23-

AJM

The State of South Carolina

001817

County of Greenville

COURT OF GENERAL SESSIONS

April

TERM 2024

THE STATE

vs.

DACOREY DASHAWN MASSEY

Indictment for

0116

0549

MURDER

VIOLATION § 16-03-0010

POSSESSION OF WEAPON DURING THE COMMISSION

OF A VIOLENT CRIME

VIOLATION § 16-23-0490

ENTERED ACCT

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SC Court of Appeals

A Certified Copy

Clerk of Court C.P. & G.S. & Family Court
Greenville County, SC

Dated 11-18-24

STATE OF SOUTH CAROLINA)
)
COUNTY OF GREENVILLE)

INDICTMENT FOR
COUNT ONE-MURDER
COUNT TWO-POSSESSION OF WEAPON DURING THE
COMMISSION OF A VIOLENT CRIME

At a Court of General Sessions, convened on

APR 02 2024

the Grand Jurors of Greenville

County present upon their oath:

COUNT ONE-MURDER

That DACOREY DASHAWN MASSEY did in Greenville County, on or about the 5th day of November, 2021, unlawfully and with malice aforethought kill DEMARCUS MARTIN by means of shooting, and that DEMARCUS MARTIN died as a proximate result thereof. This is in violation of §16-3-10 of the South Carolina Code of Laws (1976) as amended.

COUNT TWO-POSSESSION OF WEAPON DURING THE COMMISSION OF A VIOLENT CRIME

That DACOREY DASHAWN MASSEY did in Greenville County, on or about the 5th day of November, 2021, possess or visibly display a handgun during the commission or attempted commission of a violent crime, to wit: Murder. This is in violation of §16-23-490 of the South Carolina Code of Laws (1976) as amended.

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


SOLICITOR

BAR # 103761

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Date
Greenville County SC
Clerk of Court C.D. & G. & R. R. R. R. R.
V. Certified Copy

STATE OF SOUTH CAROLINA

COUNTY OF Greenville

STATE

VS.

Dacorey Dashawn Massey

AKA:

Race: BLACK Sex: M Age: 20

DOB: SS#:

Address:

City, State, Zip:

DL#: SID#:

IN THE COURT OF GENERAL SESSIONS

2-304NS

INDICTMENT/CASE#: 2024 - GS - 23 - 01817

AW#: 2021A2330210619

Date of Offense: 11/5/2021

S.C. Code § 16-03-0010, 0020

CDR Code #: 0116

SENTENCE SHEET

*CDL Yes No CMV Yes No Hazmat Yes No

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

CONVICTED OF or PLEADS

TO: Manslaughter, Voluntary (gs)

in violation of § 16-03-0050 of the S.C. Code of Laws, bearing CDR Code # 0217

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:

AM
McCollum, Anthony

103761
SC Bar #

Dacorey Massey
Defendant

Minia Anzures
LIPINSKI, MINIA ANZURES
Attorney for Defendant

14704
SC Bar #

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

for a determinate term of 30 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:

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. 1068 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.

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STATE VS. Dacorey Dashawn Massey INDICTMENT/CASE#: 2024 - GS - 23 - 01817

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	\$	\$100.00
§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	\$	\$25.00
§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	\$	\$3.75

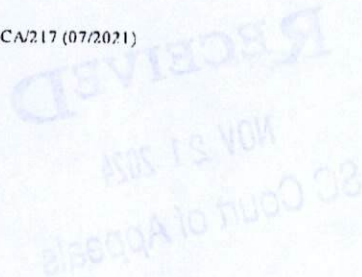
Appointed PD or appointed other counsel, Proviso requires \$500 be paid to Clerk during probation and shall be collected before any other fees.

§ 17-3-30(B) Unpaid Application Fee to be paid to the Public Defender Fund

TOTAL \$ 128.75 (DL)

Clerk of Court/ Deputy Clerk: Bruce Barrett
 Court Reporter: Cheryl Smith

Presiding Judge: Mary M. Massey
 Judge Code: 2755
 Sentence Date: 11-4-2024



13TH CIRCUIT PUBLIC DEFENDER

Mindy Hervey Lipinski, CIRCUIT PUBLIC DEFENDER

Greenville Public Defender Office
Greenville County Courthouse
305 East North Street, Suite 123
Greenville, SC 29601 | (864) 467-8522

Greenville Juvenile and Magistrate Office
Greenville County Family Court Complex
350 Halton Road, Suite 300
Greenville, SC 29607 | (864) 467-8330

Pickens Public Defender Office
Pickens County Courthouse
214 East Main Street, Suite 310
Pickens, SC 29671 | (864) 467-8025

November 18, 2024

Via Regular Mail

Dacorey Massey
311 Gridley Street
Greenville, SC 29609

RECEIVED
NOV 21 2024
SC Court of Appeals

Re: *State v. Dacorey Dashawn Massey*
Case No(s): 2021A2330210619

Dear Dacorey:


As you requested, I have filed and served the notice of appeal from your conviction and sentence imposed on November 4, 2024. Please find enclosed a copy of all documents filed for purposes of the appeal. Any further representation in this matter will be conducted by the South Carolina Office of Appellate Defense.

Pursuant to Rule 203(d)(1)(B)(iv), South Carolina Appellate Court Rules, **you are required to provide the appellate court with an explanation of an issue that may be reviewed on appeal.** As I am not aware of an appealable issue, I am notifying you that you may submit your own explanation of an issue on appeal to the appellate court at the following address:

South Carolina Court of Appeals
P.O. Box 11629
Columbia, SC 29211

Yours very truly,

GREENVILLE COUNTY PUBLIC DEFENDER

By: 
Mindy Lipinski, Esq.
Greenville County Public Defender
305 East North Street, Suite 123
Greenville, SC 29601
Attorney for Appellant

cc: Office of the Thirteenth Circuit Solicitor
Office of the Attorney General
Office of Appellate Defense
S.C. Court of Appeals

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Mindy Hervey Lipinski, CIRCUIT PUBLIC DEFENDER

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Pickens County Courthouse
214 East Main Street, Suite 310
Pickens, SC 29671 | (864) 467-8025

November 18, 2024

Via Regular Mail

Dacorey Massey - Inmate # 00395622
c/o Kirland Correctional Institute
4344 Broad River Road
Columbia, S.C. 29210

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SC Court of Appeals

Re: *State v. Dacorey Dashawn Massey*
Case No(s): 2021A2330210619

Dear Dacorey:

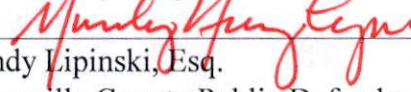
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Mindy Lipinski, Esq.
Greenville County Public Defender
305 East North Street, Suite 123
Greenville, SC 29601
Attorney for Appellant

cc: Office of the Thirteenth Circuit Solicitor
Office of the Attorney General