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SC Court of Appeals

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Barnwell County

Honorable Courtney Clyburn-Pope, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

TERRIONNA MARIE HARTWELL,

APPELLANT

APPELLATE CASE NO. 2024-000802

RECORD ON APPEAL

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INDEX

INDEX i

GUILTY PLEA TRANSCRIPT DATED APRIL 25, 20241

INDICTMENTS30

CERTIFICATE OF COUNSEL34

STATE OF SOUTH CAROLINA)	
)	COURT OF GENERAL SESSIONS
COUNTY OF BARNWELL)	2024-GS-06-0098
)	2021-GS-06-0177
)	
)	
)	
STATE OF SOUTH CAROLINA,)	
PLAINTIFF,)	
)	
vs.)	TRANSCRIPT OF RECORD
)	
TERRIONNA HARTWELL,)	
DEFENDANT.)	
_____)	

April 25, 2024
 Barnwell, South Carolina

B E F O R E:

THE HONORABLE COURTNEY CLYBURN-POPE, JUDGE.

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

DAVID W. MILLER, ESQ.
 Attorney for the Plaintiff

ERIN CONROY, ESQ.
 Attorney for the Defendant

PENNY M. JOHNSON
 Court Reporter III

I N D E X

(There were no witnesses called.)

E X H I B I T S

(There were no exhibits submitted.)

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P R O C E E D I N G S

MR. MILLER: Terrionna Hartwell.

TERRIONNA HARTWELL,

after being duly sworn, testified as follows:

MR. MILLER: Your Honor, before the Court is Ms.

Terrionna Hartwell. She is represented today by Ms. Erin Conroy with, I believe, it's the Myers firm. Ms. Hartwell is here today to enter a plea to an indictment 2021-GS-06-0177. That indictment is for murder. She is entering a plea today to the lesser-included offense of voluntary manslaughter. And on indictment 2024-GS-06-0098, that is an indictment for attempted armed robbery. She is waiving presentment of that indictment and pleading guilty to that charge as well. The State is recommending concurrent sentences on the indictments.

And there is one other indictment that she has, which is for conspiracy to commit armed robbery, indictment 2021-GS-06-00178. That indictment will be dismissed as part of this plea.

THE COURT: Thank you, Mr. Miller.

Ms. Conroy, good morning.

MS. CONROY: Good morning, Your Honor.

THE COURT: Ms. Conroy, have you explained to Ms. Hartwell the nature of her charges, possible penalties and her Constitutional rights?

1 MS. CONROY: Yes, Your Honor.

2 THE COURT: Do you believe that she's understood them?

3 MS. CONROY: Yes, Your Honor.

4 THE COURT: Are you in agreement with her decision to
5 plead guilty to these charges?

6 MS. CONROY: Yes, Your Honor.

7 THE COURT: Ms. Hartwell, have you had any illegal
8 drugs or alcohol within the last three days?

9 THE DEFENDANT: No, ma'am.

10 THE COURT: Have you had enough time to speak with your
11 attorney?

12 THE DEFENDANT: Yes, ma'am.

13 THE COURT: Are you totally and completely satisfied
14 with her representation of you?

15 THE DEFENDANT: Yes, ma'am.

16 THE COURT: Do you have any more questions for Ms.
17 Conroy?

18 THE DEFENDANT: No, ma'am.

19 THE COURT: Has anyone forced you or promised you
20 anything in order to take these pleas today?

21 THE DEFENDANT: No, ma'am.

22 THE COURT: Are you pleading guilty to these two
23 charges because you are, indeed, guilty?

24 THE DEFENDANT: Yes, ma'am.

25 THE COURT: Mr. Miller, may I have the facts of the

1 case, please?

2 MR. MILLER: Your Honor, this is a pretty involved
3 case, but it started June 27th, 2021 when Ms. Hartwell, the
4 Defendant, lured Alfonso Green to Barnwell County,
5 specifically, [REDACTED] Ballpark Road, where Mr. Green was shot
6 and killed.

7 The original intent of the parties was, actually, laid
8 out pretty succinctly by Ms. Hartwell when the investigation
9 finally reached her, which was some weeks later. It was,
10 actually, in July, July 13th, when they spoke with Ms.
11 Hartwell, but she was Mirandized.

12 She said she had started talking to the victim Alfonso
13 Green on a dating app called Tagged. Hartwell stated that
14 her name on the app was Light-skinned T. Hartwell said she
15 would send guys pictures and they would send her money, but
16 she had been talking to Green for a month and she had sent
17 him some pictures, but he didn't send her the money, so she
18 stopped talking to him.

19 Hartwell stated that Green still messaged her about
20 wanting to meet and have sex. Hartwell stated that a
21 D'Angelo Moffitt, who was someone she knew who had dated her
22 cousin, also, knew about her being on the app. D'Angelo
23 tried to get her to lure other guys off the app so that he
24 could rob them. Hartwell stated she knew D'Angelo because
25 he dated her cousin. She said D'Angelo knew Mr. Green was

1 messaging her, so he told her to get him to come to Barnwell
2 so he could rob him.

3 Hartwell stated the plan was for her to get in the
4 vehicle with Mr. Green and distract him while D'Angelo
5 opened the door, pistol whipped Green and took the money.
6 Green was supposed to pay her \$200 for sex, so they assumed
7 that he would have \$200.

8 Hartwell stated that Hezzy Croney and Joseph Freeman,
9 who are co-defendants, knew about the intention to rob
10 Green. She said the four of them were supposed to split the
11 \$200. She said when Green pulled into the residence, she
12 got into the passenger side of his Escalade. Hartwell
13 stated that Green put the vehicle in reverse and started to
14 back up.

15 At that point, she told Green to stop and he stopped
16 the vehicle. D'Angelo was standing in front of the vehicle
17 and he shot Green through the windshield. Hartwell stated
18 that Green was shot in the head in the upper left side of
19 his forehead. And she said Moffitt pointed the gun at her
20 and Joseph Freeman and told them not to tell anyone what
21 happened. Hartwell stated that she and Freeman then spent
22 the night at the Carolina Lodge in Barnwell and went to
23 Columbia the next day.

24 She told law enforcement she had been using an old
25 phone to message Mr. Green on the app and that she had

1 disposed of the phone in a trash can at a flea market.

2 Your Honor, everyone involved in this case, because of
3 a lot of work by the Barnwell County Sheriff's Office,
4 everyone involved in the case has, essentially, confessed.
5 And Ms. Hartwell's confession is kind of the best summation
6 of what happened.

7 They wanted to get this guy here from Georgia.
8 Supposedly, they were going to rob him for reasons nobody
9 has ever been able to explain. D'Angelo Moffitt shot him
10 through the front windshield of the vehicle. Moffitt has
11 pled guilty to murder. Moffitt has been sentenced to, I
12 believe, 40 years on that murder.

13 As bad as the situation is and was that day, probably
14 what was more difficult on the family was what happened"
15 after that. And one of the things that everybody has agreed
16 on, all of the people involved have agreed on was after the
17 shooting, Joseph Freeman and Ms. Hartwell, kind of freaked
18 out and they left. And so they weren't part or weren't
19 present for, didn't participate in any of the subsequent
20 stuff that happened with Mr. Green, which we'll get into in
21 another plea.

22 But having said that, none of that happens without Ms.
23 Hartwell, none of it. I mean, that was the only connection
24 Alfonso Green had to Ballpark Road and had to Barnwell
25 County. And I think that she has certainly said that she

1 did not intend for any of this stuff to happen. I don't
2 think, based on the evidence and based on what we've been
3 told by the other co-defendants and the evidence that law
4 enforcement was able to collect, I don't think anybody
5 anticipated that D'Angelo Moffitt was just going to shoot
6 Mr. Green for absolutely no reason and with no warning,
7 which is what he did.

8 But having said that, the whole plan, the whole scheme,
9 everything all together, whether it was initiated by Mr.
10 Moffitt or initiated by somebody else or initiated by Ms.
11 Hartwell, the plan doesn't work without Ms. Hartwell.
12 Because Green is not coming over here, but for communicating
13 with her.

14 There are several members of Mr. Green's family who
15 would like to address the Court at the appropriate time.
16 And I will introduce them as they come up.

17 THE COURT: Thank you, Mr. Miller. I'll hear from them
18 now.

19 MR. MILLER: Your Honor, this is Mr. Green's brother,
20 Jim Marshall.

21 THE COURT: Good morning, Mr. Marshall.

22 MR. MARSHALL: How are you doing, Your Honor?

23 THE COURT: Good. What would you like to tell me, sir?

24 MR. MARSHALL: As he previously stated, Your Honor,
25 everything that transpired, this young lady put it in all

1 play. Behind me is my family. The pain everyone has went
2 through, the suffering and everything has been very hard.
3 But I don't think no one suffers as much as my mother. No
4 one understands the pain behind her smile, what she has to
5 do in being strong for everybody, hurting at the same time.
6 That was her baby.

7 I mean, for me to look up to a family member, see a
8 changed man, want to follow his footsteps. This young man
9 served our country, became a better man for a whole lot of
10 people, especially me. When it comes down to having that
11 best friend, someone you can talk to, no one will never
12 understand because that was my rock. When I go through
13 stuff, that's the only one I call. That's the only man I
14 could talk to that's going to give it to me straight, direct
15 with love. And they took that from me. They took that from
16 my family.

17 And I don't care how the law plays out, you know. I
18 want them to understand what they took from everyone,
19 especially my mother. And I want them all to pay the price.
20 It's up to the Judge as far as how to be sentenced or
21 whatever, but I know in Carolina, if I throw that rock and
22 this young man is with me, he's just as guilty, so hand of
23 one, hand of all. I want them all to pay the price of what
24 they did to my brother, us and my family.

25 That's all I have, Your Honor.

1 THE COURT: Yes, sir. I want to thank you for being
2 here today. I'm deeply sorry for your loss.

3 MR. MILLER: Your Honor, next will be Jeremiah Jenkins.
4 Mr. Jenkins is the cousin of Mr. Green.

5 THE COURT: Good morning, Mr. Jenkins.

6 MR. JENKINS: Good morning.

7 THE COURT: Yes, sir.

8 MR. JENKINS: Jeremiah Jenkins, cousin of Alfonso
9 Green. Cousin is kind of like an understatement, we more
10 brothers. He was more of a brother than a cousin. We -- my
11 twin brother and Alfonso, we grew up together till he
12 left. And right before he left, his last words was that he
13 have biological brother, but me and my cousin is brothers.

14 As my cousin say, this is a man who served the
15 military. His children, his mother, he was her rock. You
16 know, we all must go some day, but nobody expected anything
17 like this. He was a great man. I don't think from the day
18 he left here that any one of our life is the same.

19 These folks, from what we've seen, I haven't seen
20 anyone show not an ounce of remorse of what they done. She
21 may not have pulled the trigger, but she pulled the trigger.
22 And not only did she ruin his life and our family, other
23 families got ruined. Other deaths behind it, other
24 individuals got to go to prison behind it. So it's not just
25 Alfonso Green what she caused. And as far as we concerned,

1 she pulled the trigger right along with Moffitt. She knew
2 it was a gun. She knew it was a robbery. She knew what was
3 taking place and it was a possibility that something bad
4 could happen.

5 We just what you take into consideration what our
6 family lost, what we still going through and that she be
7 sentenced to the max that the law will allow.

8 That's all I have, sir.

9 THE COURT: Thank you, sir. Thank you for speaking on
10 behalf of your family.

11 MR. MILLER: Your Honor, next will be Moshieka Moseley.
12 This is, also, a cousin of Mr. Green.

13 THE COURT: Good morning, Ms. Moseley. Ms. Moseley,
14 can you spell your name for my court reporter.

15 MS. MOSELEY: Yes, M-O-S-H-I-E-K-A.

16 THE COURT: Your first name?

17 MS. MOSELEY: Yes, Moshieka.

18 THE COURT: Oh, I'm sorry. I was thinking something
19 else.

20 MS. MOSELEY: Moshieka Moseley.

21 THE COURT: I'm sorry. I apologize, Ms. Moseley.

22 MS. MOSELEY: I wasn't prepared to speak today, but
23 just kind of bear with me.

24 THE COURT: I understand.

25 MS. MOSELEY: It's been tough. Alfonso Green was a

1 cousin, he was a son, he was a father, he was a grandfather.
2 What they did to him is unforgiveable. They have forever
3 changed the foundation of our family.

4 I remember growing up and Alfonso used to be a
5 protector for us. He would always come and check on us,
6 make sure that we were good. And as he grew up, that just
7 instilled in him. Like the very good person he was, he just
8 wanted to make sure everybody was good and okay. And since
9 that day, everyone in our family's life has changed.

10 I ask that you please understand where our family is
11 coming from and they get what is deserved to them.

12 THE COURT: Thank you, Ms. Moseley.

13 MS. MOSELEY: He will forever be missed. He had
14 grandkids that he will never meet. And he have children
15 that he will never see grow. I just want to make sure we do
16 right by him today.

17 THE COURT: Thank you, Ms. Moseley.

18 MR. MILLER: Next, Your Honor, is Mr. Green's daughter,
19 Nikeshia Green.

20 THE COURT: Good morning, Ms. Green.

21 MS. GREEN: Good morning.

22 THE COURT: Can you spell your first name for my court
23 reporter?

24 MS. GREEN: N-I-K-E-S-H-I-A.

25 So I'm Nikeshia, Alfonso was my daddy. So, I don't

1 know, I'm angry, I'm mad, I'm sad. It's just like my daddy
2 shouldn't have to die behind \$200, \$50 a piece. Y'all
3 killed him, man. It just doesn't make sense.

4 I'm fighting battles, right, worse than anybody. I'm
5 the child with all the kids. I got four kids, three boys.
6 My oldest son is 11. Since this happened, like, life has
7 just been real hard for him. He showing out in school.
8 Like, we have to get him counseling. Like, everything is
9 just so hard on me without my dad. I don't have nobody to
10 give, like, structure, like, you know, as a dad. Like, you
11 know, my dad, granddad. And we're young, so that's what we
12 have. That's who we go to. When our kids is doing wrong,
13 that's who we go to. We don't have nobody to go to now.
14 It's just -- I don't know. I just feel like he didn't
15 deserve behind \$50 a piece. It's just never that need to
16 take nobody's life behind \$50. What is that? What can you
17 do with \$50 nowadays? You can't do nothing with that.

18 We all hurting. It's been, like, three years. They
19 out on bond living their life free while me and my family,
20 we still in the background just struggling. We still
21 hurting from this. We're not going to heal. We had to have
22 a funeral with a closed casket. We don't have no way to
23 remember our day from the funeral. This is really hard for
24 us.

25 As my family said, I just feel like it should be the

1 max of whatever it's going to be. It should not be, you
2 know, like a slap on the wrist. I don't have no remorse for
3 anything. I don't have no sympathy for anybody.

4 THE COURT: I understand. Thank you so much for being
5 here. Again, I will express my condolences.

6 Mr. Miller.

7 MR. MILLER: Your Honor, that's all from the State.

8 THE COURT: Thank you.

9 Ms. Hartwell, did you hear the facts of the case that
10 the solicitor gave me?

11 MS. HARTWELL: Yes, ma'am.

12 THE COURT: How do you wish to plea to these two
13 charges?

14 MS. HARTWELL: Guilty.

15 THE COURT: I'll accept that plea and find that it's
16 been done so freely and voluntarily and that you have had
17 the assistance and counsel of an attorney, Ms. Conroy, with
18 whom you stated you were satisfied.

19 Ms. Conroy.

20 MS. CONROY: Thank you, Your Honor. May it please the
21 Court.

22 Your Honor, for the record, Ms. Hartwell was originally
23 represented by the late Stanley Myers of our firm. As a
24 result of his passing, that is how myself and Lester McGill
25 (ph) have had the pleasure of representing Ms. Hartwell.

1 Your Honor, if I may, I'd like to start by giving Your
2 Honor a very brief background of Ms. Hartwell so you'll know
3 a little bit more about her. And then if Your Honor deems
4 appropriate, I'll allude to more of the facts in this case.

5 At the appropriate time, with respect to the Court's
6 time, of course, she does have a few family members who
7 would like to address the Court.

8 THE COURT: Yes, ma'am.

9 MS. CONROY: Your Honor, Ms. Hartwell, she's 21 years
10 old. She'll be 22 this year. She's from Lexington County
11 originally. She's currently engaged. She does have three
12 children, ages one, two and five, which, of course, live
13 with her. She is currently pregnant. She is five months
14 pregnant, a little girl. She has all girls at home as well.

15 Your Honor, Ms. Hartwell does have her high school
16 diploma. She graduated from military school. She's
17 currently a business owner. She runs a business out of her
18 home, basically, a clothing line business.

19 With regard to her currently pregnancy, it is a high
20 risk pregnancy. She suffers from a thyroid issue, which she
21 does take daily medication for that.

22 Your Honor, it's my understanding that with the
23 exception of these charges, Ms. Hartwell has not been in
24 trouble before. She did spend one month in jail as a result
25 of this charge.

1 With regard to these charges, at the time of her
2 arrest, I believe she was 18 years old, almost 19, if I'm
3 not mistaken. She was dating one of the co-defendants, Mr.
4 Freeman, in this case. As unfortunate as these facts are,
5 Your Honor, it's our position that Ms. Hartwell here was
6 very vulnerable due to her age and the relationship that she
7 had with Mr. Freeman. He was a known gang member of the
8 Bloods. He abused her physically and emotionally. Her
9 family has witnessed this abuse in the past.

10 At one point -- again, Ms. Hartwell was living in
11 Lexington County -- she, actually, moved to Barnwell with
12 Mr. Freeman and they were homeless at one point. She tells
13 me that she was working in Barnwell. He encouraged her to
14 quit those jobs.

15 The point I'm trying to make is, is this gentlemen, the
16 co-defendant in this case, had a great deal of influence
17 over her and encouraged her to participate in this dating
18 app that Your Honor has been made aware of today. And as a
19 result of that, Your Honor, Ms. Hartwell, certainly, admits
20 to sending these photographs and developing somewhat of a
21 relationship with Mr. Green, the victim in this case.

22 Your Honor, I would like you to be aware that it is
23 strongly our position that had Ms. Hartwell known that any
24 folks were going to show up with a weapon of any kind or
25 that any violence would have ensued, she would have never

1 gone out to meet with Mr. Green whatsoever. That was never
2 her intention, that was never knowledge that any sort of
3 violent act would take place in this case.

4 With that being said, she is here to take
5 accountability for what happened. She does not want to put
6 Mr. Green's family through the emotional aspect of a trial
7 and that is why she is going forward today, Your Honor.

8 I do have a few character letters that family members
9 and acquaintances have written if Your Honor would like to
10 see them. I've shown them to Solicitor Miller.

11 THE COURT: Thank you.

12 MS. CONROY: And at the appropriate time, I believe Ms.
13 Hartwell would like to read a brief statement to Your Honor,
14 if that is allowed.

15 Again, Your Honor, it's our position that this very
16 possibly could have gone to trial and we could have asserted
17 the duress defense as a result of the co-defendant, Mr.
18 Freeman, in this case, but we believe that the plea offer
19 that was made to voluntary manslaughter and the attempted
20 armed robbery that those facts are appropriate. She is
21 admitting guilt to those charges.

22 Again, I just want to stress to the Court the fact that
23 we feel was being taken advantage of and had she known that
24 this would have occurred, this never would have happened.

25 THE COURT: Give me a moment.

1 MS. CONROY: Sure.

2 (Pause.)

3 THE COURT: All right. I'll hear from Ms. Hartwell.

4 THE DEFENDANT: I would like to state a big apology to
5 Mr. Green's family. I never knew all of this was going to
6 happen. I was just going to meet him, I did not know that
7 Joseph and them was going to follow me and do that. This
8 abusive relationship took ahold of my life. There's not a
9 day that goes by that I don't think about the situation. I
10 have sleepless nights. And I just want to say I am so
11 sorry. Your Honor, the abusive relationship
12 (indiscernible.) (Defendant crying.) And I'm sorry.

13 THE COURT: Thank you, Ms. Hartwell.

14 You mentioned some family members wanted to come up.
15 I'll hear from them.

16 MS. CONROY: She does have several family members that
17 would like to speak today. There are three individuals that
18 would like to address the Court very briefly.

19 Your Honor, this gentleman who is approaching is Ms.
20 Hartwell's fiance. His name is Litron Derrick.

21 THE COURT: Good morning, sir. What would you like to
22 tell me, Mr. Derrick.

23 MR. DERRICK: When I first met Terrionna, my fiance, I
24 noticed she had low self-confidence, really low self-esteem,
25 you know, always was holding her head down. And every time

1 I come around, I noticed he was over there, too, at the same
2 time. And I noticed -- one time -- one day, she came to the
3 house and he had choked her or whatnot and she, basically,
4 ran to me for protection. And I just noticed and started
5 observing over time what she was dealing with, what she was
6 going through. And I take it upon myself to try to
7 understand her as a person. And when I took the kids in and
8 everybody as a whole, I know that's not Terrionna. That's
9 not her.

10 Her personality is -- how can I explain it? She's
11 soft-spoken. She's easily to get -- I can't choose the
12 words right now. My mind is everywhere right now. I just
13 know that once I got with her, she was not talking, scared
14 to say anything because she think if I made it seem like
15 it's a bad thing, I'm going to hit her or something like
16 that. She took what she had in the last relationship into
17 --

18 THE COURT: I understand.

19 MR. DERRICK: -- into defenses into this relationship.
20 Anything that I was trying to do, oh, you doing this, you
21 doing this because of the manipulation Mr. Freeman had
22 given.

23 THE COURT: I understand what you saying.

24 MR. DERRICK: Once I started dating her and we started
25 doing my business together, Mr. Freeman took it upon hisself

1 to make threats because she started to turn her life over.
2 And as she was changing her life and started working at the
3 business and changing her life and getting away from him, he
4 threatened to shoot up my house with my mom and my kids in
5 there and her in there, which that let me know right there
6 that she don't have anything to do with the motive.

7 And her, as a person, I know for a fact that she is
8 easy to control because she's so soft-spoken. I tell her
9 hold your head up high, hold your shoulders up high. Now,
10 over the last few years, she has made a tremendous change of
11 confidence, how she carries herself, how she talks to other
12 people. I could tell that she was going through something
13 that she wanted to get out, but she was so scared.

14 Like I said, I took it upon myself as a risk to jump
15 out there to protect her to whatever he was going to do and
16 whatnot to my family. I just had to step up and play a role
17 to make sure she got some kind of guidance because nobody
18 else was there for her.

19 THE COURT: Mr. Derrick, thank you for being here on
20 behalf of Ms. Hartwell.

21 MS. CONROY: Thank you, Your Honor. If you will allow
22 Ms. Hartwell's mother, Ms. Tonya Hartwell.

23 THE COURT: Good morning, Ms. Hartwell.

24 MS. TONYA HARTWELL: My name is Tonya Hartwell. I'm
25 the mother of Terrionna Hartwell. I just wanted to share

1 who my daughter was before that incident happened.

2 Terrionna was not just my daughter, she was a friend.
3 We did just about everything together. My most proud moment
4 was when I signed her up to go to military school so that
5 she could enlist into the military. But I guess after she
6 got out and met Mr. Freeman, I started seeing that little
7 girl start to turn a little sour because I couldn't really
8 talk to her. When I talked to her, he had the phone. He
9 controlled the phone.

10 Then I started hear about being -- he was beating on
11 her. I even tried to come pick her up from down there. He
12 stood right there at the door making sure she don't go
13 nowhere with me. If I didn't send her the money, he beats
14 on her. You know, he had her face swole a few times where I
15 went and I approached him. I won't say how I approached him
16 because it's against the law to say that, but I approached
17 him because I don't beat my daughter and ain't no other man
18 going to come in and put hands on my daughter.

19 So with that being said, after that situation, I'm so
20 sorry for the loss of Mr. Green, but she changed, also, from
21 that, from being a happy person to a sad person and can't
22 focus, can't sleep. Not the same little girl that I raised.

23 THE COURT: Thank you, Ms. Hartwell.

24 MS. CONROY: Your Honor, do you have time for one more?

25 THE COURT: One more, yes.

1 MS. CONROY: Your Honor, this last person to speak is
2 her soon-to-be mother-in-law, whose name is, also, Tonya,
3 but forgive me, I don't know her last name.

4 Martin.

5 THE COURT: Good afternoon, Ms. Martin.

6 MS. TONYA MARTIN: Good afternoon. How are you?

7 THE COURT: Good. Thank you.

8 MS. TONYA MARTIN: My name is Tonya Martin and I would
9 like to, first of all, say I am so very sorry for your loss.

10 I met Terrionna two years ago when she started dating
11 my son. She was a very lost child. She was very lost. She
12 walked with her head down. She always slumped. And I told
13 her, I said, Terrionna, why you don't walk with your head up
14 and your shoulders up? If you don't know nothing, look like
15 you know something. She said, Ms. Tonya, I've been through
16 so much. I said, Well, you know what you got to do, you
17 need to get on your knees and pray. I said, You need to
18 pray. For whatever you did in your past, you need to pray
19 about it.

20 She started talking to me and started listening to
21 gospel, praying, reading the Bible and going to church. And
22 I told her, I said, Let me tell you something, as long as I
23 got breath in my body, if I could just get one person on
24 this earth to change their life around, I am satisfied. And
25 if the Lord take me today, I'm satisfied because I changed

1 her life.

2 She is a great mother. She is a great friend. And
3 she's the daughter that I never had. She's always, Ms.
4 Tonya, can I do this? Can I do that? Ms. Tonya, can you
5 help me get back in school. I work for the school district.
6 I've seen children that have went astray and come back.
7 This young lady, I know she did something in her past that
8 was wrong, but she has made 190 degree turn in two years.

9 So I would like to say once again to the three of them,
10 I am so sorry for your loss. So sorry.

11 And I ask you to please be lenient with her. Thank you
12 and God bless.

13 THE COURT: Thank you.

14 Ms. Conroy.

15 MS. CONROY: Thank you. Again, may it please the
16 Court. Again, I'm respectful of the amount of time we've
17 taken up today from the Court. I would just say in closing,
18 Your Honor, respectfully, we're asking you to consider the
19 minimum sentence allowed in this case in light of the fact
20 that she is a mother and she does have a high pregnancy and
21 for her accountability and her remorsefulness.

22 Your Honor, it's my understanding the minimum sentence
23 in this case if the two charges are ran concurrent would be
24 a minimum of two years. Your Honor, my interpretation of
25 the statute is that very well could be suspended to a

1 probationary sentence. If you look for attempted murder in
2 the statute, it says it cannot be suspended. I don't see
3 that language in this.

4 Again, Your Honor, we're asking for a minimum sentence.
5 I don't know if Your Honor would consider house arrest with
6 monitoring. We would certainly ask for any conditions that
7 Your Honor may impose. Again, it's certainly concerning
8 that any sort of a period of incarceration could certainly
9 hinder her health as well as her future child's health as
10 well, Your Honor.

11 Thank you for your time.

12 THE COURT: Thank you, Ms. Conroy.

13 Ms. Hartwell, you understand that when you plead guilty
14 you're giving up your right to a jury trial?

15 THE DEFENDANT: Yes, ma'am.

16 THE COURT: You understand should you wish to appeal
17 this plea for any reason, you must contact Ms. Conroy within
18 the next ten days. Do you understand that?

19 THE DEFENDANT: Yes ma'am.

20 THE COURT: Ms. Conroy, I apologize, you mentioned that
21 she had served some time. How much credit does she have for
22 time served?

23 MS. CONROY: One month is my understanding, Your Honor.
24 Forgive me, I don't know the exact amount of days, but I can
25 certainly find out, Your Honor.

1 MR. MILLER: Your Honor, I would like to respond.

2 THE COURT: Certain, Mr. Miller.

3 MR. MILLER: Everything that we have heard about Joseph
4 Freeman controlling Ms. Hartwell, this is the first time
5 anybody has heard of it. I just texted the investigator and
6 asked him does any of this seem consistent with Freeman?
7 And he said, No, she controlled him.

8 She told the investigator that he was telling her when
9 they were driving away that he told her this was going to
10 happen, that this was stupid. She minimized his involvement
11 in it the entire time that she was talking about what
12 happened. She put everything at the feet of D'Angelo
13 Moffitt at the time.

14 But all this talk about how Joseph Freeman has been
15 beating her and doing all of this other stuff to her, when
16 they found her, she was with Joseph Freeman and they were at
17 the bus station in Columbia. But the way they found her was
18 by going to Freeman's house here in Barnwell County and then
19 getting to the house in Gaston, where her mother lived, and,
20 basically, they ended up -- Joseph Freeman ended up reaching
21 out to Investigator Davis and said, We're at the bus
22 station, come over and get us.

23 So, obviously, there can be things that happened that
24 we don't realize or we don't know about, but there is
25 nothing consistent with she is this battered person who was

1 completely at the will of Joseph Freeman that is anywhere
2 else in this investigation.

3 THE COURT: Mr. Miller, just to clarify, there is a lot
4 of names in this particular case. Mr. Croney was there?

5 MR. MILLER: Correct.

6 THE COURT: But participated subsequent to the actual
7 shooting; is that correct? Was there and participated?

8 MR. MILLER: Correct.

9 THE COURT: Mr. Moffitt is the shooter?

10 MR. MILLER: Correct.

11 THE COURT: And Mr. Freeman was there and participated
12 afterward?

13 MR. MILLER: No. Mr. Freeman was there and as soon as
14 the shooting happened, Mr. Freeman and Ms. Hartwell left.

15 THE COURT: Thank you, sir. I wanted to make sure I
16 remembered the names with the roles. I remember the roles,
17 but not necessarily the names associated with the roles.

18 Thank you, sir.

19 MR. MILLER: Yes, ma'am.

20 THE COURT: After taking into consideration the
21 character letters, what Ms. Hartwell's family had to tell me
22 as well as taking into consideration what the victim's has,
23 also, told me as well as comments from the Solicitor, I
24 understand Ms. Hartwell's position and Ms. Hartwell's
25 circumstances. The Court cannot neglect the fact that a

1 life was lost, a life that cannot be replaced. There's a
2 void in his family members' hearts. And I, also, have taken
3 into consideration that but for the actions of Ms. Hartwell,
4 this series of events would not have been set into motion.
5 It is what we call the butterfly effect.

6 That said, Ms. Hartwell is here today to take
7 responsibility for her role in what happened. So I believe
8 I have come up with a sentence that I deem appropriate.

9 In regards to the armed robbery, I'm sentencing Ms.
10 Hartwell as follows. Ms. Hartwell will be sentenced to the
11 State Department of Corrections for a term of 20 years. She
12 will receive credit for the time she has served in the
13 amount of 30 days. That will run concurrent to the next
14 charge, which is the manslaughter, voluntary manslaughter.
15 With regards to the voluntary manslaughter, Ms. Hartwell
16 will be sentenced to a term of 25 years that will be
17 suspended upon the active service of 20 years. That will be
18 followed by a probationary period in the amount of five
19 years. While she is on probation, she will be subject to
20 random drug and alcohol testing. She is to have no contact
21 with the family members of the victim unless she is
22 contacted by them first and with their permission. She will
23 receive credit for the time she's served in the amount of 30
24 days. Those charges will run concurrent with each other.

25 Good luck to you, Ms. Hartwell.

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MR. MILLER: Thank you, Your Honor.

THE COURT: Thank you.

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CERTIFICATE OF REPORTER

STATE OF SOUTH CAROLINA)
COUNTY OF BARNWELL)

I, PENNY M. JOHNSON, Official Court Reporter for the
Second Judicial Circuit of the State of South Carolina, do
hereby certify that the foregoing is a true, accurate, and
complete Transcript of Record of the proceedings had and the
evidence introduced in the hearing of the captioned case,
relative to appeal, in the Court of General Sessions for
Barnwell County, South Carolina, on the 25th day of April,
2024.

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

September 29, 2024

Penny M. Johnson
Official Court Reporter

DOCKET NO. 2021GS0600177

The State of South Carolina
County of Barnwell

COURT OF GENERAL SESSIONS

AUGUST TERM 2021

THE STATE
vs.

TERRIONNA MARIE HARTWELL

CDR #: 0116

Indictment for

MURDER

§ 16-03-0010; 16-03-0020

BILL WEEKS, SOLICITOR

WITNESSES

Barnwell Sheriffs Office

James M Davis



Law Enforcement Case #: 21-07-02874

DWM

ARREST WARRANT NUMBER

2021A0610400201

ACTION OF GRAND JURY



Foreperson of Grand Jury
Date: August 5, 2021

VERDICT

Foreperson of Petit Jury

Date:

STATE OF SOUTH CAROLINA)
)
COUNTY OF BARNWELL)
)

INDICTMENT FOR
MURDER

§ 16-03-0010; 16-03-0020

At a Court of General Sessions, convened on August 9, 2021, the Grand Jurors of Barnwell County present upon their oath:

That **TERRIONNA MARIE HARTWELL**, along with others, did in Barnwell County on or about June 27, 2021, feloniously, wilfully and with malice aforethought, murder Alfonzo Green by means of shooting him with a pistol and the victim did die in Barnwell County at [REDACTED] Ball Park Road Barnwell, South Carolina as a proximate result thereof on June 27, 2021. All in violation of Section 16-3-10 of the South Carolina Code of Laws (1976), as amended.

STATE OF SOUTH CAROLINA
COUNTY OF BARNWELL
Shonda D. McElveen, Clerk of Court for Barnwell
County, South Carolina do hereby certify that the
going constitutes a true and correct copy of the
original documents which have been filed in my office.

Shonda D. McElveen
Clerk of Court, Barnwell County, SC
CBC Date: 8-13-2024

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

David Weeks

BILL WEEKS, SOLICITOR

DOCKET NO. 2024GS0600098

The State of South Carolina

County of Barnwell

COURT OF GENERAL SESSIONS

JUNE TERM 2024

**THE STATE
vs.**

TERRIONNA MARIE HARTWELL

CDR #: 0026

Indictment for

ATTEMPTED ARMED ROBBERY

§ 16-11-0330(B)

BILL WEEKS, SOLICITOR

WITNESSES

Barnwell Sheriff's Office

Inv. Matt Davis

Law Enforcement Case #: 21-07-02874

DWM

ARREST WARRANT NUMBER

24-DI06-0004

ACTION OF GRAND JURY

Foreperson of Grand Jury

Date: June 6, 2024

VERDICT

Foreperson of Petit Jury

Date:

STATE OF SOUTH CAROLINA)
)
COUNTY OF BARNWELL)
)

INDICTMENT FOR
ATTEMPTED ARMED ROBBERY

§ 16-11-0330(B)

At a Court of General Sessions, convened on June 10, 2024, the Grand Jurors of Barnwell County present upon their oath:

That **TERRIONNA MARIE HARTWELL**, along with others, did in Barnwell County on or about June 27, 2021, while armed with a deadly weapon, attempt to feloniously take from the person or presence of Alfonzo Green, by means of force or intimidation goods or monies of Alfonzo Green, all in violation of §16-11-330 of the Code of Laws of South Carolina (1976), as amended.

STATE OF SOUTH CAROLINA
COUNTY OF BARNWELL
Rhonda D. McElveen, Clerk of Court for Barnwell
County, South Carolina do hereby certify that the
going constitutes a true and correct copy of the
original documents which have been filed in my office.
Rhonda D. McElveen
Clerk of Court, Barnwell County, SC
col Date: 8-13-2024

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

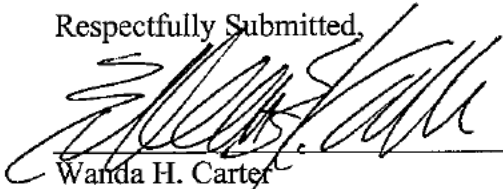
David Weeks

BILL WEEKS, SOLICITOR

CERTIFICATE OF COUNSEL FOR APPELLANT

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

Respectfully Submitted,



Warda H. Carter
Deputy Chief Appellate Defender

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

ATTORNEY FOR APPELLANT

RECEIVED

Jan 02 2025

SC Court of Appeals

This 2nd day of January, 2025.

RECEIVED

Jan 02 2025

SC Court of Appeals

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Barnwell County

Honorable Courtney Clyburn-Pope, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

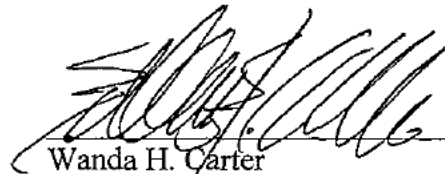
TERRIONNA MARIE HARTWELL,

APPELLANT

APPELLATE CASE NO. 2024-000802

CERTIFICATE OF SERVICE

Pursuant to Rule 262(a)(3) and Rule 262(c)(3), SCACR, the undersigned hereby certifies a true copy of the Record on Appeal in the above-referenced case has been served upon Mark Farthing, Esquire, at the primary e-mail address listed in the Attorney Information System (AIS); this 2nd day of January, 2025.



Wanda H. Carter
Deputy Chief Appellate Defender

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

ATTORNEY FOR APPELLANT