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**SC Court of Appeals**

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

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Appeal from Florence County

Honorable D. Craig Brown, Circuit Court Judge

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THE STATE,

RESPONDENT,

V.

QUINTERRIS JAVON CARMICHAEL,

APPELLANT

APPELLATE CASE NO. 2023-000162

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RECORD ON APPEAL

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**[THE FOLLOWING EXHIBITS ARE ON FILE WITH THIS COURT: STATE’S  
EXHIBIT NO. 2 (VIDEO STATEMENT ON DISK) AND STATE’S EXHIBIT NO. 3  
(VIDEO SURVEILLANCE)]**



1 herself, again, feel bad for Ms. Lawson, I really do. Her  
2 testimony didn't add any evidence. We just got to see her  
3 be upset having to listen to the thing again.

4 Then we had Tyrin Jones. She was in the car  
5 too. She confirmed what Ms. Mitchell said there was no  
6 plan, scheme to go get into any trouble. That it was  
7 Mr. Carmichael who was having the altercation outside the  
8 car. That Mr. Epps was there by the car, all that's  
9 confirm again. She did indicate that Mr. Epps went around  
10 the corner, but she knows -- has no idea what happened  
11 around the corner. She heard shots. Mr. Epps got back in  
12 the car. She said he had a beer. Got back in the car,  
13 they leave. They head out of the parking lot. She says  
14 they go down to the stoplight significantly down the road  
15 and they wait for Mr. Carmichael.

16 Now, unlike Ms. Mitchell she said Mr. Epps did  
17 get out of the car. She couldn't testify to where he  
18 went, how far he went. One thing interesting that she  
19 said is Mr. White asked her how did you feel when  
20 everybody got back in the car. Were you scared? She said  
21 I was scared, but I was drunk so. And I asked her about  
22 it. I said, you had a lot to drink. She said I had a  
23 good bit to drink. So how much of her story can we count  
24 on. I submit to you that Ms. Mitchell was more credible  
25 witness than Ms. Jones.

1           Then we had Kareem Jones. And by the way with  
2 Ms. Tyrin Jones, there's more reasonable doubt. There's  
3 plenty of reasonable doubt in her testimony too.  
4 Mr. Kareem Jones I think he's got some credibility issues.  
5 He told you he didn't see anybody around the corner other  
6 than the four that went around the corner. That was his  
7 initial comment, but then after seeing the video, he did  
8 see that there was a gentlemen there standing on the  
9 screen. There was also a car right beside the shooter,  
10 that he didn't recall seeing that that wasn't part of his  
11 initial testimony. What else didn't he see, who else  
12 didn't he see. What doesn't he remember. Does he not  
13 remember that he had a gun. He told us he didn't have a  
14 gun.

15           Mr. Carmichael was asking him from the start  
16 what you clutching. Now, when Mr. White questioned him  
17 and asked him what he meant by that, he said I don't know.  
18 I think maybe he wanted something I had. But later in the  
19 same testimony when Mr. White was questioning him, he said  
20 I saw them clutching. The same comment that he said he  
21 didn't know what clutching meant, and then he said he saw  
22 them clutching. So I asked him what's clutching mean, he  
23 said brandishing. So if Mr. Carmichael was asking him  
24 what you clutching, was he asking what's he brandishing.  
25 He obviously thought he had a gun. You saw on the video

1 Mr. Williams walking in the video, pulling his shirt,  
2 adjusting his shirt the whole time. Whole time,  
3 Mr. Carmichael's talking to him, rubbing his pants,  
4 holding his pants, pulling at his shirt. Mr. Kareem Jones  
5 when he says what you clutching, Mr. Kareem Jones turns  
6 and does like that. He said what you clutching. He said  
7 aw man. I think, there's plenty of evidence to suggest  
8 that they might have been clutching, but even he went  
9 around the corner knowing -- he said I know that they were  
10 clutching. Because I asked him I said they thought you  
11 were clutching. You thought they were clutching. He  
12 said, no, I know they were clutching. Yet, he went around  
13 the corner. When he was asked why he went around the  
14 corner, he said because Tydrecus went around the corner.

15 And by that same measure, we're suppose to  
16 assume that because Mr. Epps went around the corner when  
17 his friend went around the corner just like Mr. Jones went  
18 around the corner when his friend went around the corner,  
19 that he had to go around the corner to do something  
20 nefarious to shoot, to murder someone. That's the leek  
21 that the State's trying to get you to believe to make, to  
22 make that leap that it's okay for Mr. Jones to go around  
23 the corner with his friend but not Mr. Epps, more  
24 reasonable doubt.

25 Then we had Officer Feagin. He was crime scene

1 investigator, and I questioned him about .22 magazine,  
2 question him about fingerprints, no fingerprints taken on  
3 that magazine. The magazine that was found right where  
4 Mr. Williams body fell the first time. The State's tried  
5 to tell you that look like it's been run over. Of course,  
6 we saw the cars come by in the video right after he fell  
7 down. We also saw Mr. Feagin testified look like there  
8 were bullets missing from that magazine. And he testified  
9 that they did know about gunshot residue test. Why.

10 Then we heard from Ms. Zapata about the  
11 presumptive blood said it could have been any DNA  
12 material, but it's presumptive blood. But Mr. White ask  
13 you a question he asked her what was the big ticket item  
14 that was sent to you for testing. The big ticket. You  
15 saw it look like the size of a ink dot on those pants, big  
16 ticket. You saw the scene blood everywhere. Mr. Epps had  
17 been around that body. There more than that dot on those  
18 pants. He was not around that body. He was around Mr.  
19 Williams when they all went around the corner at first  
20 right. There was some punches thrown, some scuffling. It  
21 would have been very reasonable that some DNA material  
22 dropped to his pants at that moment.

23 Next person we have was Miss -- and that's again  
24 more reasonable doubt. We're just stacking reasonable  
25 doubt. Next witness Ms. Suzann Cromer firearms expert.

1 She testified that that shell casings -- the ten shell  
2 casings would have been fired from the same gun. She  
3 couldn't give any identification as to the gun, as to who  
4 fired the gun, as to how long it had been since the shell  
5 casings had been fired as to how long they had been on the  
6 ground. And she couldn't match the bullet fragments  
7 found in Mr. Williams to any shell casings. Again, more  
8 reasonable doubt.

9 We had Sergeant Shelley and I think  
10 Mr. Edgeworth covered that one with you, but he was  
11 primarily dealing with his conversation with  
12 Mr. Carmichael. Then we had Investigator Chatlosh who if  
13 we talked about the crime scene, and we talked about he  
14 said -- I want to make sure I say exactly what he said.  
15 He acknowledged that they don't catch all the pieces of  
16 evidence on the scene. The State wants to keep talking  
17 about no .22 casings found. Now, I told you before there  
18 were cars coming up and down the road right around where  
19 that magazine was.

20 You saw a bottle in a picture without an  
21 evidence marker by it. There's no telling what kind of  
22 evidentiary material might have been on that. The State  
23 didn't think it was necessary to do any kind of  
24 investigation into that. He also acknowledged that the  
25 cameras there don't cover the entire scene. In fact, all

1 we get from the shooting is a hand with a gun. I don't  
2 know what this is. They call it a fizzy beer. I don't  
3 see it. But the cameras don't go beyond that. They don't  
4 go to where the body finally ended up, where Mr. Williams  
5 finally ended up.

6           They don't show the sidewalk at all. There's a  
7 sidewalk down that side of the building. You don't see  
8 that sidewalk. You don't know who's there. We have no  
9 idea who's there. Mr. Jones doesn't know who's there. He  
10 said it was only four people there. We know that's not  
11 true.

12           We do know there was a Cadillac there. The  
13 Cadillac was right beside the shooter, right beside  
14 shooter. I don't know if there's one or two shooters.  
15 The State doesn't know. Whoever the shooter is it was a  
16 Cadillac right beside that person. The State talks to  
17 them. They had the best view of anybody, better than the  
18 cameras to tell us what happened who shot. We didn't hear  
19 from them. The next best view the guy who's standing  
20 there watching and he takes off running. We don't hear  
21 from him. He would have been a good person to talk to to  
22 hear from.

23           One key thing Mr. Investigator Chatlosh said, I  
24 asked him you can't be sure that that person fires those  
25 first shots, that shooter. You can't be sure that's Tirik

1 Johnson-Epps. He said no. He can't be sure. That's  
2 reasonable doubt. Not a single witness testified that  
3 they saw who the shooter was not a single witness. The  
4 only testimony as to who the shooter is and from law  
5 enforcement was trying to tell us because they don't know  
6 that that person, that hand belong to Mr. Johnson-Epps.  
7 But they don't know, that's reasonable doubt.

8 The last witness we had was Dr. Presnell. And  
9 she testified that the cause of death was gunshot wound  
10 to the head cerebral disruption, that shot ended his life.  
11 There were some other shots that had upward trajectory.  
12 One that went into the thigh into the chest cavity. That  
13 she said could have killed if they were not treated. If  
14 they were not treated and they got infected, that was her  
15 testimony then could have been the cause death. But the  
16 defendant didn't cause the death. It was a gun shot wound  
17 to the head. That did not happen from the four shots that  
18 we see on the video. Four shots that the State's trying  
19 to tell you Mr. Johnson-Epps shot to the head, any shot  
20 that killed did not come from that first shooter, and I  
21 don't know who the first shooter is or who fired those  
22 first four shots. But whoever it was those first four  
23 shots did not kill Mr. Tydrecus Williams.

24 I told you to listen, to pay attention to what  
25 you see, what you hear. Mr. Johnson-Epps was not

1 identified by any witness that was there at the scene as  
2 the shooter. The video doesn't show who the shooter is,  
3 and law enforcement admitted that you can't be sure.  
4 There were a ton of people there. I mean, at a minimum 14  
5 people there. You heard from three of them, and those  
6 three didn't see anything. They heard. They didn't see.  
7 They heard shots. See on the video the whole time  
8 Mr. Epps is not the aggressor. He is not instigating  
9 anything. The only thing he did was go around the corner  
10 like Kareem Jones when his friend went around the corner.  
11 That's not a plan or intent to do harm. Mr. Epps left  
12 after the first shots. He left the scene. The only thing  
13 we know about Mr. Epps' involvement at the time of the  
14 shooting said he was merely present. He was there. So  
15 was Mr. Jones. So was Mr. Carmichael, so was Tyrin Jones,  
16 and Kami Mitchell. So was two people in the Cadillac. So  
17 is another man standing with his hands up and whoever else  
18 might not have been on that video, not to mention the  
19 clerk inside the store. You hadn't heard anything from  
20 that person either.

21 One thing the State said in their closing that I  
22 want to touch on. Scratch that. I do want to say the  
23 State told you in the beginning they laid out. You have  
24 multiple theories. Multiple charges counts on which to  
25 find these people, these two defendants guilty. Why they

1 do that because they don't have a clear theory. They  
2 don't know. They're trying to throw a bunch at you to see  
3 what sticks. It's all part of that painting that they  
4 think -- they think they've given you the Mona Lisa the  
5 master piece, that's what you got. It's a lot of debate  
6 about what to call this picture. What the title of it is.  
7 One option was not proving your case, but a better title  
8 for that picture came up not guilty. The State has not  
9 proven their case. We ask that you find Mr. Epps not  
10 guilty on both counts.

11 THE COURT: All right. Ladies and gentlemen,  
12 now that you've heard the closing arguments of counsel let  
13 me give you a few brief final instructions here. I want  
14 you all, ladies and gentlemen, to clearly understand that  
15 you are not partisans or advocates for the State of South  
16 Carolina or the defendants. It is your duty by your joint  
17 deliberation to determine the facts in this case giving to  
18 the defendants the benefit of every reasonable doubt on  
19 each and every issue. Then to the facts which you  
20 determine to be true, you should take and apply the law  
21 which has been given to you by this court, and thus arrive  
22 at a verdict in the case as to each charge. Thus, when  
23 you have accomplished these responsibilities, you will  
24 have satisfied your oath as jurors, and you will have  
25 discharged your duty to this court.

1           And once you retire to the jury room, the  
2           bailiff, madam forelady, will give the verdict forms to  
3           you. When you, the jury, arrive at a verdict as to the  
4           offenses charged in this case, the forelady will select  
5           the verdict as to that offense on the verdict form. If  
6           the State has failed to prove guilt defendant's beyond a  
7           reasonable doubt, your verdict will be not guilty.  
8           Likewise, if the State has proven the guilt of the  
9           defendants beyond a reasonable doubt, your verdict will be  
10          guilty.

11           Now, once a decision has been made, madam  
12          forelady, you will check whichever choice is the verdict  
13          of the jury as to the offenses charged. The verdict that  
14          you render in this case, ladies and gentlemen, must be the  
15          verdict of each and every juror. It must be your  
16          unanimous verdict. All 12 of you must agree on the  
17          verdict which you authorize the forelady to write for the  
18          jury.

19           Now, ladies and gentlemen, I want you to further  
20          understand that the order in which the choices of verdict  
21          appear on the verdict form are not suggestive of any  
22          verdict on the part of this court. The verdict in this  
23          case is to be determined by you, the jury, not the Court.  
24          Furthermore, please understand that even though I will  
25          give the verdict form to the forelady, it is not her

1 verdict alone. It is the verdict of all 12 of you, and I  
2 emphasize again that your verdict must be unanimous.

3 I'm also going to give you all a copy of these  
4 instructions in written form. During your deliberation  
5 you may refer to the instructions to guide your decision  
6 making. You must consider the instructions as a whole and  
7 not follow some and ignore others. Please, madam  
8 forelady, return these instructions to the Court at the  
9 time that your verdict is rendered.

10 Now, I'm going to ask you all to step to the  
11 jury room, but do not, do not begin your deliberations  
12 until you are told to do so. The law requires that I  
13 consult with the attorneys to make sure that I have not  
14 left anything out of these instructions. After I've  
15 spoken with the attorneys, the bailiff will bring in a  
16 copy of these instructions along with the verdict forms  
17 and the items of evidence which have been introduced  
18 during the course of this trial. And should you have any  
19 instructions or excuse me any questions during  
20 deliberations, madam forelady, it will be your  
21 responsibility to reduce such question to writing, knock  
22 on the door let my bailiff know that you have a question  
23 give it to her. She will in turn give it to me, and after  
24 I consult with the attorneys, will determine how to answer  
25 the question if need be.

1           Likewise, the bailiff will be right outside the  
2 jury door. Once you all have reached a verdict as to the  
3 charges in this case as to each defendant and you have  
4 filled out the verdict forms, signed and dated those  
5 verdict forms, if you will knock on the door and let the  
6 bailiff know that you all have reached an unanimous  
7 verdict. And we will get you in the courtroom -- back in  
8 the courtroom as quickly as possible.

9           I know that more than one item of evidence was  
10 introduced that were on CDs, okay. If you all find a need  
11 to either watch or listen to those CDs again, if you let  
12 the bailiff know by virtue of writing that down. And we  
13 can bring you back in the courtroom for you to view or  
14 listen to any CDs that were introduced as evidence during  
15 this trial, okay. Now, again, I'm going to ask you to  
16 step to the jury room. Do not begin your deliberations  
17 until you're instructed to do so, okay.

18           (WHEREUPON, the jury retire to the jury room.)

19           THE COURT: All right. Any exceptions,  
20 objections or anything from the State at this time?

21           MR. WHITE: No, sir, Judge. Thank you.

22           THE COURT: Mr. Edgeworth.

23           MR. EDGEWORTH: Nothing, your Honor.

24           THE COURT: Mr. Ammons.

25           MR. AMMONS: No, your Honor.

1 THE COURT: All right. Have you all gone  
2 through all these items of evidence everything in order.  
3 You all look at the verdict forms.

4 MR. WHITE: Yes, sir.

5 MR. AMMONS: Yes, sir.

6 THE COURT: All right. We'll stand at ease.

7 (WHEREUPON, the jury begin deliberations at  
8 12:34 pm.)

9 THE COURT: All right. It's my understanding  
10 that the jury has reached a verdict in this case. I'm  
11 going to tell everybody in the courtroom that no matter  
12 what the verdict is keep your emotions in check. Failure  
13 to do so could result in you being held in contempt of  
14 court. Sentence to a period of incarceration and or a  
15 fine. If you do not believe you can keep your emotions in  
16 check, now is your time to leave the courtroom. Anything  
17 from the State before I bring the jury out?

18 MR. WHITE: No, sir, Judge.

19 THE COURT: Defense, Mr. Edgeworth?

20 MR. EDGEWORTH: No, your Honor.

21 THE COURT: Mr. Ammons?

22 MR. AMMONS: No, your Honor.

23 THE COURT: All right. Bring me the jury please  
24 ma'am.

25

1                   (WHEREUPON, the jury came into open court at  
2                   2:30 pm with a verdict.)

3                   THE CLERK: Madam forelady, has the jury a  
4 reached verdict?

5                   FORELADY: Yes, ma'am.

6                   THE COURT: All right. The verdicts appear to  
7 be in order. The State of South Carolina vs. Quinterris  
8 Javon Carmichael on indictments 2021-GS-21-00472 and  
9 2021-GS-21-00473, as to the charge of murder: We, the  
10 jury, unanimously find beyond a reasonable doubt the  
11 Defendant Quinterris Javon Carmichael guilty. As to the  
12 charge of possession of a weapon during a violent crime:  
13 We, the jury, unanimously find beyond a reasonable doubt  
14 the Defendant Quinterris Javon Carmichael.

15                   The State of South Carolina Tirik Jaquan  
16 Johnson-Epps indictment number 2021-GS-21-00474 and  
17 2021-GS-21-00475 this is the charge of murder: We, the  
18 jury, unanimously find beyond a reasonable doubt that the  
19 Defendant Tirik Jaquan Johnson-Epps guilty. As to the  
20 charge of possession of a weapon during a violent crime:  
21 We, the jury, unanimously find beyond a reasonable doubt  
22 the Defendant Tirik Jaquan Johnson-Epps guilty.

23                   Madam forelady, ladies and gentlemen of the  
24 jury, if this was and still is your verdict, please  
25 indicate by raising your right hand. All right, let the

1 record reflect that all 12 jurors have raised their hand  
2 pursuant to the question that I've asked of this jury.  
3 All right, at this time anything, Mr. Edgeworth, at this  
4 time?

5 MR. EDGEWORTH: Your Honor, I'd move to have  
6 each of the jurors individually polled.

7 THE COURT: All right, Mr. Ammons?

8 MR. AMMONS: I join in that motion, your Honor.

9 THE COURT: All right. Can the lawyers approach  
10 please?

11 (WHEREUPON, a bench conference was held in the  
12 presence of the jury, but out of the hearing of the  
13 jury.)

14 THE COURT: All right, defense counsel has asked  
15 that each individual juror be polled. I have previously  
16 asked this jury whether or not this is their verdict and  
17 whether or not it is still their verdict, as I indicated  
18 on the record, each of those 12 jurors have raised their  
19 hands. I believe that that is sufficient under the  
20 circumstances, and therefore I'm not going to individually  
21 poll each juror. I've given an opportunity for them to  
22 respond pursuant to my question, and they've responded and  
23 I think that's appropriate under the circumstances.

24 MR. EDGEWORTH: Thank you, your Honor.

25 MR. AMMONS: Thank you.

1           THE COURT: All right. Anything from the State  
2 at this time?

3           MR. WHITE: No, sir, Judge.

4           THE COURT: All right. Ladies and gentlemen of  
5 the jury, I want to thank you for your service this week.  
6 I know jury service never ever comes at a convenient time,  
7 but I can't stress to you how vitally important your  
8 service as a juror is. I tell people that jury service is  
9 really the only true remaining service that we have as  
10 citizens in this country any more. It's not a situation  
11 where individuals can be drafted and sent off in the  
12 military like individuals were years ago.

13           In jury service, you can only be summons at  
14 least up here once every three years. And that doesn't  
15 mean you can't get summoned in city court, magistrate's  
16 court or federal court, but I hope if you're summoned to  
17 serve again, you'll willing to serve like you did this  
18 particular week. What I'm going to do -- what we will do  
19 now is we will move into the sentencing part of this  
20 matter. You are welcome to stay, but you are not required  
21 to stay. If you do not wish to stay in the courtroom  
22 during the sentencing, I'm going to ask you to step back  
23 to the jury room and remain in there until that process is  
24 complete. And then I will release at you at that time.  
25 If you wish to stay in here, you certainly may. If not,

1 you can step out to the jury room.

2 (WHEREUPON, the jury retired to the jury room.)

3 THE COURT: All right, Mr. White.

4 MR. WHITE: Thank you, Judge. I'm going to pass  
5 up the sentencing sheets now.

6 MR. EDGEWORTH: Your Honor, before we move into  
7 sentencing, I do have a motion.

8 THE COURT: Go ahead.

9 MR. EDGEWORTH: Thank you, your Honor. May it  
10 please the Court. Your Honor, at this time I would move  
11 for a new trial. The basis for this motion is I believe  
12 the jury verdict is the result of inflamed passion and the  
13 resulting prejudice that arose from a couple of the  
14 following things. One is the State's use in closing of  
15 the transcript of the video from the scene of the incident  
16 that in discovery that was provided is largely inaudible.  
17 And when it was played even during the modified version  
18 that was in during the trial still largely inaudible.

19 Yet, the State chose to use a transcript that  
20 they created was never introduced by a competent witness  
21 so that my client's Sixth Amendment confrontation ability  
22 to confront any witness against him could be asserted. We  
23 don't know where the transcript came from other than the  
24 Solicitor's office. We don't know who validated it,  
25 corroborated it and even sworn to its veracity much like a

1 transcript of sworn under oath. It was used by the State  
2 for the sole purpose to inflame this jury. And I think  
3 the resulting -- it was something that quite honestly your  
4 Honor was largely unable to be overcome by any assertion  
5 by myself or defense counsel to say, well, just ignore it  
6 because it's not evidence.

7 Well, it was overlaid on top of evidence that  
8 was in the record. And I believe that that was something  
9 insurmountable. It baffles my mind that they would even  
10 choose to do that because it's not there. It's their  
11 opinion. It's not even argument when you overlay on top  
12 of evidence and not having the opportunity to inquire into  
13 any nature as it relates to that piece of evidence, I  
14 think push the burden. Quite honestly, I thought whenever  
15 they chose -- the State chose to back-door hearsay  
16 evidence where they had the opportunity to bring what they  
17 put in discovery was an eyewitness allegedly pointing to  
18 my client.

19 They had every opportunity on the planet to  
20 bring that person and have that person testify before your  
21 Honor and this court. And they throw their arms up and  
22 say, well, we can't find them. So what we'll do we'll  
23 have Investigator Chatlosh testify that he interviewed  
24 multiple people, and then in a way to bolster what would  
25 have been her testimony, and now the absence thereof say,

1 well, we didn't have any other witness that didn't which  
2 is negative inference that didn't change our mind about  
3 what the theory was. Again, confrontation issue. I can't  
4 cross-examine that. I can't cross-examine someone who is  
5 just bolstering someone that's one not there. And I quite  
6 honestly, again, I can't even believe they even tried to  
7 do that. They didn't need to do that.

8           So, again, all of in an effort to prejudice this  
9 jury, so that they ignore what were the facts in evidence  
10 and instead take things that they told the jury as  
11 evidence. And I don't think there's any way around saying  
12 that that wasn't the purpose and the intent of using not  
13 only the testimony. It was the last witness, so what are  
14 we going to do throw it in there. And then what are we  
15 going to do. If I hadn't seen out the corner of my eye  
16 while they were practicing this thing, they didn't tell us  
17 in advance. I mean, normally what you would do if you're  
18 going to do some type of like demonstrative evidence is  
19 you would under the rules bring it to, you know, your  
20 Honor or myself and give us the opportunity to review it  
21 and make any argument that could or should have been made  
22 and to make sure that quite honestly that it was  
23 verifiable. We got no opportunity, zero. And so  
24 understanding your Honor's in the moment ruling, I just  
25 don't think that -- that there was no other reason for

1 that piece -- that to be done other than to prejudice this  
2 jury. And I would ask the Court to grant a new trial on  
3 that basis.

4 THE COURT: Thank you, Mr. Edgeworth.

5 MR. EDGEWORTH: Thank you, your Honor.

6 THE COURT: Mr. Ammons, anything?

7 MR. AMMONS: Nothing, your Honor.

8 THE COURT: Any reply from the State?

9 MR. WHITE: No, sir, Judge.

10 THE COURT: All right. With all due respect,  
11 Mr. Edgeworth, I'm going to respectfully deny your motion,  
12 and I'll try to in part the record speaks for itself. And  
13 you made your argument, a very good argument I would say,  
14 but I think the evidence in this case while there's no  
15 direct evidence of either one of these defendants killing  
16 the victim in this case. There is substantial  
17 circumstantial evidence in this case.

18 Ms. Mitchell, Mr. Jones, Ms. Jones each of which  
19 identified both defendants being with them, dating them in  
20 some capacity getting out of the car. The video in this  
21 case of the individual identified is Tirik Johnson-Epps  
22 shooting at the victim. The video of Mr. Quinterris  
23 Carmichael continuing to walk in the direction of where  
24 the victim ran and was ultimately found. That in and of  
25 itself separate and apart is circumstantial evidence. You

1 have some direct evidence of the shooting. You got  
2 substantial circumstantial evidence of what ultimately  
3 happen to the victim here. With regards to -- so I do  
4 believe that there was, again, and at the directed verdict  
5 stage respectfully denied such indicating that I believe  
6 that there was more than mere suspicion here that that  
7 there was direct evidence as well as substantial  
8 circumstantial evidence reasonably tending to prove the  
9 guilt of each of these individuals.

10 As it relates to the testimony of Officer  
11 Chatlosh which you argue to the Court, again, with all due  
12 respect, I think that an officer, any officer has the  
13 right come in here and in essence testify that through  
14 their investigation that they did not develop any other  
15 suspects. That coupled with what was seen on the video of  
16 what happened out there that night, I don't think that it  
17 had ran a foul of any Sixth Amendment right of your  
18 client, but, again, I respect your argument on that as  
19 well. But I'm making my rulings on the record, okay.

20 Now, with regards to the demonstrative evidence  
21 as far as the transcript of what happened out there that  
22 night, certainly that was argued beforehand and do believe  
23 that that in and of itself could have been attacked in  
24 some way by replaying that audio for the jury and your  
25 closing argument addressing the issue or your concerns

1 about the ability to interpret and decipher what exactly  
2 was being said. So for those reasons, I respectfully deny  
3 your motion, but they are so noted for the record.

4 MR. EDGEWORTH: Thank you, your Honor.

5 THE COURT: All right.

6 MR. WHITE: Thank you, Judge. May I pass up the  
7 sentencing sheets now. Judge, the victim, Mr. Tydrecus  
8 Williams, family is present in the courtroom and present  
9 all week, and they been patient with our office through  
10 Covid. And they're some of the nicest people you ever  
11 want to meet. And two of them would like to speak his  
12 mother and his brother would like to address the Court at  
13 the appropriate time.

14 THE COURT: Hold on just a second. Bennett, can  
15 you come up here just a second.

16 (WHEREUPON, a bench conference was held.)

17 THE COURT: Can the lawyers approach a minute  
18 please?

19 (WHEREUPON, a bench conference was held.)

20 THE COURT: All right. I'm going to stand down  
21 for just a minute.

22 (WHEREUPON, a break was taken.)

23 THE COURT: Be seated please.

24 MR. AMMONS: Your Honor, I would like to clarify  
25 one thing. I would join with Mr. Edgeworth in his motion.

1           THE COURT: So noted. And also I don't know you  
2 specifically did it, but I want to make sure and I'm going  
3 to state on the record that all of the defendants prior  
4 motions and objections, and this court states that they  
5 been renewed once again and the Court's rulings remain the  
6 same as it relates to all of those. But I want to make it  
7 clear that that's the way the Court's proceeding not only  
8 your motion for new trial, but those prior motions and  
9 objections as well.

10           MR. EDGEWORTH: Thank you, your Honor.

11           MR. AMMONS: Thank you, your Honor.

12           THE COURT: All right, now, Mr. White.

13           MR. WHITE: Thank you, Judge. You heard the  
14 facts. I want belabor the point. Your Honor, defense  
15 counsel mention in his opening that there were just some  
16 places in Florence that after hours you can kind of expect  
17 to be shot and killed. And, you know, I'm on a mission to  
18 make sure that that's not the case. Judge, there is no  
19 such thing as dangerous places. There's just dangerous  
20 people. And, Judge, you had in your courtroom this week  
21 two of those dangerous folks.

22           And the senselessness of this tragedy cannot go  
23 overstated. I mean, this young man, Tydrecus Williams,  
24 you can see the body language on the video. He at not  
25 once postures in a way where he intends anybody harm. And

1 you heard from several witnesses about his laid back  
2 nature and that is echoed from each and every person that  
3 we have spoken to in regards to this case. His family  
4 echos those sentiments. I mean, this from all advantage  
5 points was a kid who was just soft spoken and as nice as  
6 he could be, and they shot him down like a dog, executed  
7 him not two blocks from where we are here today. Judge,  
8 this is quite frankly a life case, and that's what we're  
9 asking for lifetime two for Carmichael and for  
10 Johnson-Epps. At this time I'd ask for you to hear from  
11 the family who would like to address the Court.

12 THE COURT: All right. Tell me your name for  
13 the record please?

14 RASHEEDA KEITH: Rasheeda Keith.

15 THE COURT: You can take your mask down while  
16 you talk to me.

17 RASHEEDA KEITH: Rasheed Keith.

18 THE COURT: Keith.

19 RASHEEDA KEITH: K-E-I-T-H.

20 THE COURT: Thank you, ma'am. Yes, ma'am, Ms.  
21 Keith.

22 RASHEEDA KEITH: I'm Tydrecus Williams' mom. So  
23 this is the day. I waited three years still didn't get an  
24 answer why. I don't understand. He is missed. He would  
25 be missed. I asked for the max. I ask that they are not

1 able to harm anyone else for my son. He didn't do  
2 anything. And like they said places and time don't punish  
3 people. He just started leaving the house a few months  
4 before that. He always was with me. He was my twin. He  
5 was always with me. He had a heart. He had a heart beat.  
6 Even when this case is over, it won't be over for me. I  
7 have three other kids and eight grands. I'm just glad  
8 that this day came. And I'm glad that I'm still here for  
9 when it came.

10 THE COURT: Thank you, Ms. Keith. Tell me your  
11 name please, sir?

12 TYSHAWN KEITH: Tyshawn Keith.

13 THE COURT: Spell your first name?

14 TYSHAWN KEITH: T-Y-S-H-A-W-N.

15 THE COURT: Keith?

16 TYSHAWN KEITH: Yes, sir.

17 THE COURT: Yes, sir, Mr. Keith.

18 TYSHAWN KEITH: Before this happened, he was  
19 coming to stay with me because I had move out of Florence.  
20 Because when I was younger, I got in some trouble, but I  
21 change my whole life around like he seen that. He would  
22 like -- we was just got a bed everything. So when they  
23 call me, I ain't believe it at first, you know. But I was  
24 like he ain't -- who he was with like ain't no way. You  
25 all lying. And when I found out it did really happen, I

1 ain't hit me. Like, I ain't never cried around about it.  
2 I'm tearing up now three years, I ain't never shed a tear  
3 around nobody because like I'm muscle like family like.  
4 So I couldn't protect him like, and it did something to  
5 me. But I put in my heart that I never harm nobody  
6 family. Like, he ain't deserve this. I can't say too  
7 much because I feel like say something wrong, so I'm going  
8 to sit down. But he ain't deserve this, but it's over  
9 with now.

10 THE COURT: Thank you, Mr. Keith. Anything  
11 further, Mr. White?

12 MR. WHITE: No, sir, Judge.

13 THE COURT: Mr. Edgeworth.

14 MR. EDGEWORTH: Thank you, your Honor. May it  
15 please the Court. First, I would like to address the fact  
16 I don't understand why the State after obtaining a  
17 conviction would almost maliciously mischaracterize a  
18 comment that I made in opening. At no time did I ever  
19 suggest that someone deserve to be killed because they  
20 went somewhere late at night. I'm sure the record will  
21 reflect that I said no such thing, and I don't know what  
22 they sought to achieve by saying that.

23 That being said, your Honor, obviously, it's a  
24 very difficult situation. My client is a young man just  
25 like the victim in this case. I choose to believe that we

1 no longer live in an eye for eye society. At some point  
2 individuals would be given an opportunity to show that  
3 they can be rehabilitated and possibly be a productive  
4 member of society. I know that the gravity of the facts  
5 and circumstances that were before this court, and I'm not  
6 trying to minimize those, but I would ask the Court to  
7 consider as much mercy as the Court could find and noting  
8 that -- not that -- it's a substantial amount of time, but  
9 Mr. Carmichael has 1,226 days in jail today.

10 THE COURT: How many? I'm sorry.

11 MR. EDGEWORTH: Sorry, 1,226 days, your Honor  
12 to date. And, again, I would just the Court to look to  
13 see what, if any, kind of mercy it may grant in this  
14 particular situation. Thank you, your Honor.

15 THE COURT: Thank you. Mr. Edgeworth, is your  
16 client wish to say anything?

17 MR. EDGEWORTH: No, he does not, your Honor.

18 THE COURT: Very well. Mr. Ammons.

19 MR. AMMONS: Thank you, your Honor. Obviously,  
20 I share the sentiments this is a tragic incident that  
21 happened, but like Mr. Carmichael, Mr. Epps is a young  
22 man. He is 23 years old. I've gotten to know Mr. Epps  
23 quite a bit over the past two and half years.

24 Your Honor, and the man I know is soft spoken,  
25 quiet, humble not the same person that you or anyone might

1 have seen and associated with this incident your Honor.  
2 And I certainly believe that he at some point could be  
3 able to contribute to society your Honor. Certainly do  
4 believe in rehabilitation. I think that process has  
5 started during 1,068 days that he has served to date.  
6 Your Honor, I think he's told me on several occasions that  
7 he knows that he was too impressionable at a younger age.  
8 And certainly understands at this point that it's time to  
9 not be a follower but to be a leader, Your Honor. And so  
10 for those reasons we'd ask for as much mercy as the Court  
11 can muster your Honor. Thank you.

12 THE COURT: All right. Mr. Edgeworth and Mr.  
13 Ammons, I didn't ask you all this. I know a couple family  
14 members spoke on behalf of the victim. Anybody from the  
15 defendants family wish to say anything?

16 MR. EDGEWORTH: Your Honor, I have been  
17 indicated that one of my client's family members would  
18 like to address the Court.

19 THE COURT: Tell me your name please, ma'am?

20 JOCELYN WILSON: Hello, my name is Jocelyn  
21 Wilson.

22 THE COURT: Yes, ma'am.

23 JOCELYN WILSON: I'm Quinterris older sister.  
24 First off, I would like to apologize for the family  
25 wholeheartedly, wholeheartedly. The type of person my

1 brother is. He's very genuine. My brother looks out for  
2 anybody that's, you know, that he hangs with family. He  
3 loves love. Yes, my brother does act out. He does in the  
4 video he said what he did. And I wholeheartedly believe  
5 my brother not because he's my brother because I'm the  
6 type of person right is right and wrong is wrong and  
7 that's simple. But my brother since day one he said he  
8 has not done it. I believe him. Facts shown my brother  
9 has not had a gun in his hand. That's what been shown all  
10 week.

11 I have not seen my brother is going on five  
12 years today. I have not seen my brother just on video  
13 call, but just speaking on his behalf, I feel as though I  
14 would ask the Court to show mercy to my brother because,  
15 yes, he has been incarcerated for almost five years now.  
16 He hasn't -- he's been in there without bond. He's not a  
17 flight risk. And I know for me I don't do drama. I don't  
18 be out in the streets. My brother knows that. Everybody  
19 knows that.

20 And if you guys show mercy on my brother today,  
21 I will make sure that my brother does what's right, that  
22 he get another chance out in the world because growing up  
23 as a young black male is hard for you because there is  
24 always people to even -- just off how you act in public or  
25 how you speak, how you look. You're getting judged. And

1 I'm not trying to play the race card, but it's proven  
2 facts from that case years whatever. I just ask that you  
3 guys show mercy. And, again, I am sorry to each and every  
4 one of you all because I can't imagine life without my  
5 brother or my sibling, my kids.

6 I have two sons, so I don't know how she feels,  
7 but it's hard to go through this situation to lose a love  
8 one, to lose a love one that was innocent. But, again, my  
9 brother has not shown that he had a gun that he did not  
10 shoot. Yes, he stayed at the scene, but he didn't go  
11 outside of that sidewalk. He didn't go outside that  
12 sidewalk. He stayed in the scene, that's what  
13 incriminates him because he stayed at the scene.  
14 Everybody left. Every single body left.

15 It's hard, you know, being a male with a  
16 background and not having nobody believe you that you  
17 didn't do it because you been in trouble before, but  
18 wholeheartedly believe my brother is innocent, and I will  
19 speak to that to the end. If anything was to happen to  
20 me, I will go down six feet knowing that my brother was  
21 innocent, happily because I know he was. I know he was.

22 I'm a spiritual person, so I just -- I mean, you  
23 know, I can't say that I know that my brother did it for  
24 sure, but just looking at the evidence and knowing my  
25 brother, I know he didn't do it. Yes, he stayed at the

1 scene. Yes, he instigated it. He started it, but he did  
2 not shoot.

3 THE COURT: Thank you, ma'am.

4 JOCELYN WILSON: You're welcome.

5 THE COURT: Anyone else, Mr. Edgeworth?

6 MR. EDGEWORTH: No, your Honor.

7 THE COURT: Mr. Ammons.

8 MR. AMMONS: No, your Honor, but I would like to  
9 just add that I meant to include that I would like the  
10 Court to consider that Mr. Epps was not the instigator  
11 of the action as well.

12 MR. WHITE: Judge, if I could, I neglected to  
13 put these individuals records into the record. Tirik  
14 Johnson-Epps has a prior conviction 2017 for unlawful  
15 carry of a weapon. And he has an arrest for domestic  
16 violence second degree, and then these charges here,  
17 Judge.

18 As it pertains to Quinterris Carmichael, in  
19 2015, he was convicted of petty larceny, possession of a  
20 stolen pistol, giving false information, 2016 shoplifting,  
21 2017 malicious injury to real property. 2017 he was  
22 charged with three counts of attempted murder, possession  
23 of a weapon during a violent crime, conspiracy. 2018 he  
24 was charged with arm robbery with a deadly weapon. And I  
25 don't have to remind the Court, but I do want to, you

1 know, reiterate discussion we had earlier in the week that  
2 Mr. Carmichael was captured on the jail phones seemingly  
3 tampering with this jury an issue that we had throughout  
4 the duration of this trial and caused increased security  
5 throughout the courthouse.

6 THE COURT: I'm going to put this on the record,  
7 but I want to make it abundantly clear. There's no  
8 evidence -- right now there's no evidence that either one  
9 of these defendants had anything to do with things that  
10 happened this week. During this trial that in the 13  
11 years I've been on the bench, I've never had happen.  
12 During jury qualification on Monday and as I do with every  
13 jury, ask them a series of questions to determine their  
14 qualification to serve on this jury. And one of the  
15 questions that I always ask is whether or not the panel  
16 knows of any reason, any reason whatsoever why he or she  
17 should not serve on that particular jury, with particular  
18 emphasis being placed upon their ability to be fair and  
19 impartial to both the State and the defendants.

20 On Tuesday morning, there were two jurors that  
21 said that they did not feel comfortable -- we selected the  
22 jury Monday. The jury was released after they were  
23 selected. When the jury returned Tuesday morning, I  
24 received word from the bailiffs that two jurors indicated  
25 that they did not feel comfortable serving on this jury,

1 brought each of those jurors into the courtroom  
2 individually. One of those jurors was excused after my  
3 questioning of the juror, and observing that she was --  
4 appeared to be very shaken to the point that she was  
5 crying as she talked to me. Certainly, I asked her if  
6 anyone reached out to her, and she said that they had not.  
7 So I respected that, but in any event, I released her from  
8 this jury panel. Pursuant to my releasing of her from the  
9 panel, an alternate was seated.

10           It was on Wednesday -- I don't recall if it was  
11 Tuesday or Wednesday. I think it was on Wednesday, but  
12 I'm not sure the record can reflect. The alternate that  
13 had been seated on the jury received a message via  
14 Facebook and that message did not appear to be -- and I  
15 read that message into the record, but it was not a  
16 message that was beneficial or would have appeared to have  
17 been coming anybody from the defendant side.

18           In any event of out of an abundance of caution  
19 after what transpired with that, I restricted anyone  
20 coming into the courtroom to observe this trial unless  
21 they were mother, father, brother, sister or grandparent  
22 of the victims or the defendants before. Before that,  
23 there was a multitude of individuals in the audience that  
24 after having implemented that restriction did not reappear  
25 in court. That was done out of my concern and in an

1 effort to make sure that these proceedings were protected.  
2 It was brought to my attention that I believe that law  
3 enforcement received a list of individuals who were --  
4 fell into that category of mother, father, brother, sister  
5 or grandparent. One of the individuals that was listed as  
6 a sibling of Defendant Carmichael by Mr. Carmichael was  
7 not in fact his brother. Law enforcement in their efforts  
8 confirmed that.

9 I know it was provided to me Wednesday morning  
10 sent to me by Mr. White. I believe copied Mr. Edgeworth  
11 and Mr. Ammons on the jail recording. And in that jail  
12 recording quite honestly, I couldn't make out what the  
13 other individual who Mr. Carmichael allegedly or who he  
14 was talking to. But was able to make out certain parts of  
15 it and did hear them discussing the jury or a juror on  
16 there was certainly gave me some concerns, which again  
17 played into my decision of restricting those in attendance  
18 of this trial to immediate family so to speak.

19 Today, during the break or after the case went  
20 to the jury, it was brought to my attention that four  
21 rounds of ammunition were found in the men's bathroom up  
22 here. In discussing that issue with law enforcement, I  
23 believe law enforcement in essence cleared the building  
24 had everyone come back through downstairs screening. And  
25 that was done in an effort to make sure that everyone in

1 these proceedings were protected not only victims family  
2 but defendants as well.

3 In addition, I had this courtroom searched by  
4 law enforcement under seats, under chairs, under desks  
5 everything before anyone was allowed back in the  
6 courtroom. US Marshall's office brought their dog over  
7 here to go through the courtroom as well. I believe that  
8 the sheriff's department brought their dog up here as  
9 well. And from my understanding, no firearm was found in  
10 the courthouse. And I'm putting all of that on the record  
11 in an effort to explain my limitations of who was in this  
12 courtroom as well as concerns that I had throughout the  
13 trial. And let me make it abundantly clear, there's no  
14 indication that either one of these defendants or anybody  
15 on their behalf had anything to do with that. But it was  
16 done out of an effort to ensure that everyone was safe  
17 during these proceedings.

18 As I listen to the testimony over the last few  
19 days as it relates to this case and watched the video  
20 surveillance of what was captured on the night of this  
21 incident, it was disturbing to me of the complete and  
22 utter disregard for human life. Unfortunately, if you  
23 turn on the television, pretty prevalent there as well.  
24 And unfortunately that seems to be where we are as a  
25 society. I can't imagine what the victim's family has

1 gone through here in losing a son under such  
2 circumstances. And likewise, I can't what the defendants  
3 family must be dealing with either. There's absolutely no  
4 winners, no winners at all under these circumstances.

5 As it pertains to the State of South Carolina  
6 vs. Quinteris Javon Carmichael 2021-GS-21-21472, the  
7 State of South Carolina vs. Tirik Jaquan Johnson-Epps  
8 under indictment 2021-GS-21-00547, each of those charges  
9 are indictment numbers pertaining to the murder  
10 conviction, each of those defendants are hereby sentenced  
11 to the state department of corrections for the balance of  
12 their natural life.

13 As it pertains to Mr. Carmichael under  
14 2021-GS-21-00473, Mr. Epps on 2021-GS21-00475 each of  
15 those indictments pertaining to the possession of a weapon  
16 during a violent crime, pursuant to the life sentence as  
17 it relates to the murder section 16-23-490(a) does not  
18 authority a sentence being imposed on those particular  
19 indictments, therefore no sentence is being imposed on  
20 them. On each of those sentences as it relates to the  
21 murder conviction, each of those defendants -- each of the  
22 defendants have been given credit for the days that  
23 they've done and the number of days as provided to me by  
24 their respective attorneys. Anything further from the  
25 State?

1 MR. WHITE: No, sir, Judge.

2 THE COURT: Mr. Edgeworth.

3 MR. EDGEWORTH: No, your Honor.

4 THE COURT: Mr. Ammons.

5 MR. AMMONS: Nothing, your Honor.

6 THE COURT: All right. Thank you.

7 END OF REQUESTED TRANSCRIPT

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WITNESSES

Florence Police Department

Justice Chatlosh  
53

DOCKET NO. 2021-GS-21-00472

The State of South Carolina

County of

FLORENCE

COURT OF GENERAL SESSIONS

MAY TERM 2021

THE STATE

vs.

QUINTERRIS JAVON CARMICHAEL

Ryan White

ARREST WARRANT NUMBER

2019A2120201720

ACTION OF GRAND JURY  
**TRUE BILL**

For person of Grand Jury  
Date: 5/6/21

VERDICT

For person of Petit Jury

Date.

BONIC POULOS ORAMA  
CCCP & GS  
FLORENCE COUNTY, SC

2021 MAY 5 P 9 13

FILED

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF FLORENCE )

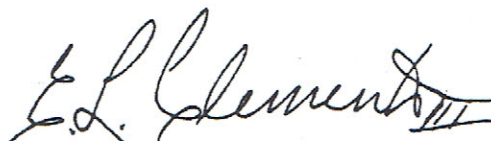
INDICTMENT FOR  
  
MURDER

At a Court of General Sessions, convened on MAY 6, 2021 the Grand Jurors of FLORENCE County present upon their oath:

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

That Quinterris Javon Carmichael did in Florence County, on or about September 12, 2019, willfully, feloniously, and intentionally kill the victim, Tydrecus Williams, with malice aforethought, either express or implied, by means of gunshot, and the victim did die as a proximate result thereof on or about September 12, 2019 in Florence 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

Justin Chatlosh Florence Police Department

54

DOCKET NO. 2021-GS-21-00473

The State of South Carolina

County of

FLORENCE

COURT OF GENERAL SESSIONS

May TERM 2021

THE STATE

vs.

QUINTERRIS JAVON CARMICHAEL

Ryan White

ARREST WARRANT NUMBER

2019A2120201721

Indictment for

Possession of a Weapon During a Violent Crime

TRUE BILL

ACTION OF GRAND JURY

Foreperson of Grand Jury  
Date: 5/6/21

VERDICT

Foreperson of Petit Jury

Date:

FILED  
2021 MAR -6 P 3:19  
CORIN FOSTER O'HARA  
CLERK  
FLORENCE COUNTY, SC

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF FLORENCE )

INDICTMENT FOR

Possession of a Weapon During a Violent Crime

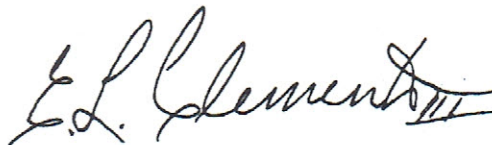
At a Court of General Sessions, convened on May 6, 2021 the Grand Jurors of FLORENCE County present upon their oath:

**COUNT ONE – POSSESSION OF A WEAPON DURING A VIOLENT CRIME**

CDR: 0549 16-23-0490

That Quinterris Javon Carmichael did in Florence County, on or about September 12, 2019, 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

RECEIVED

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF Florence

FEB 02 2023

STATE

SC Court of Appeals

INDICTMENT/CASE#: 2021-GS-21-00472

VS.

Quinterris Javon Carmichael

A/W#: 2019A2120201720

AKA:

Date of Offense: 9/12/2019

Race: Black Sex: M Age: 24

S.C. Code §: 16-03-0010; 16-03-0020

DOB: \_\_\_\_\_ SS#: \_\_\_\_\_

CDR Code #: 0116

Address:

City, State, Zip:

DL#\* \_\_\_\_\_ SID# \_\_\_\_\_

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: Murder / Murder

36 - 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 1<sup>st</sup> or CSC w/minor 3<sup>rd</sup>)

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] 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: \_\_\_\_\_

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.

DCB  
2.19.23

STATE VS. Quinterris Javon Carmichael INDICTMENT/CASE#: 2021-GS-21-00472

**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 (BUJ Breath Test Fee)	\$50	\$	_____
§56-5-2942(J) (Vehicle Assessment)	\$40/ea	\$	_____
3% to County (if paid in installments)	TBD	\$	375
<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	\$	40.00
<b>TOTAL</b>		\$	168.75

Clerk of Court/Deputy Clerk: \_\_\_\_\_  
Court Reporter: \_\_\_\_\_

*K Reed*  
\_\_\_\_\_

Presiding Judge: \_\_\_\_\_  
Judge Code: 2160  
Sentence Date: 1-27-23

*DCB*  
*P. 2/22*

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF Florence

RECEIVED

STATE

vs.

FEB 02 2023

INDICTMENT/CASE#: 2021-GS-21-00473

Quinterris Javon Carmichael

SC Court of Appeals

AW#: 2019A2120201721

AKA:

Race: Black Sex: M Age: 24

Date of Offense: 9/12/2019

DOB: \_\_\_\_\_ SS#: \_\_\_\_\_

S.C. Code §: 16-23-0490

Address:

CDR Code #: 0549

City, State, Zip: \_\_\_\_\_

SENTENCE SHEET

DL#\* \_\_\_\_\_ SID# \_\_\_\_\_

\*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 0-5

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

*No sentence imposed due to life sentence on 2021 GS-21-472 and*

The charge is:  As indicted,  Lesser Included Offense,  Defendant Waives Presentment to Grand Jury. Section 16-25-490 (D) (def.'s initials)

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

ATTEST:

*[Signature]* 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 \_\_\_\_\_ 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. \_\_\_\_\_ 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.

*[Handwritten initials]*

STATE VS. Quinterns Javon Carmichael INDICTMENT/CASE#: 2021-GS-21-00473

**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:		\$ _____	Beginning _____
Fine may be pd. in equal consecutive weekly/monthly pmts. of \$ _____			
§14-1-206 (Assessments 107.5%)		\$ _____	
§14-1-211 (A)(1)(Conv. Surcharge)	\$100	\$	100 <sup>w</sup>
§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	\$	30 <sup>w</sup>
§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	\$	30
<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	\$	
	<b>TOTAL</b>	\$	128.75

Clerk of Court/Deputy Clerk: \_\_\_\_\_  
Court Reporter: \_\_\_\_\_

*K. Reed*  
*E. Rapp*

Presiding Judge: *D. [Signature]*  
Judge Code: 2160  
Sentence Date: 1-27-23

*Def*  
*1.2.22*

FLORENCE POLICE DEPARTMENT  
WAIVER OF RIGHTS

547

Case #: 2019-008526 Date: 9/20/19

Name: Quinteris Javon Carmichael Location: [REDACTED]

Date of Birth: [REDACTED] 1998 Age 21 Time: Begin 4:12 / End 4:29

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

- You have the right to remain silent.
- Anything you say can and will be used against you in a court of law.
- You have the right to talk to a lawyer and have him present with you while you are being questioned.
- If you cannot afford to hire a lawyer, one will be appointed to represent you before any questioning, if you wish.
- You can decide at any time to exercise these rights and not answer any questions or make any statements.

I, Quinteris Carmichael, voluntarily - without threats, duress, force, promises of immunity or reward - agree to be questioned by the Florence Police Department.

**IMPORTANT NOTICE:** If you do not understand any part of this form, **do not** sign until you do.

X Quinteris Carmichael  
Signature Date

[Signature]  
Witness Date 9/20/19

Walter Pate  
Witness Date 9-20-19

\_\_\_\_\_  
Witness Date



## CERTIFICATE OF COUNSEL FOR APPELLANT

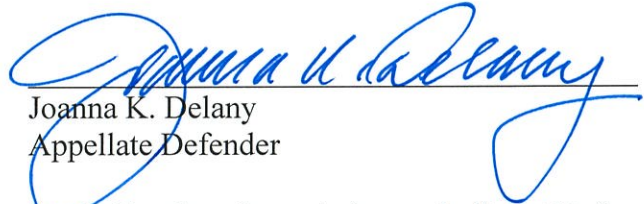
Counsel for appellant certifies that this Record on Appeal contains all material proposed to be included by any of the parties and not any other material and that this Record on Appeal complies to the best of my ability with the April 15, 2014 order from the South Carolina Supreme Court entitled "Revised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

Respectfully Submitted,

**RECEIVED**

**Sep 23 2024**

**SC Court of Appeals**



Joanna K. Delany  
Appellate Defender

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

ATTORNEY FOR APPELLANT

This 23rd day of September, 2024.

RECEIVED

Sep 23 2024

SC Court of Appeals

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

Appeal from Florence County

Honorable D. Craig Brown, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

QUINTERRIS JAVON CARMICHAEL,

APPELLANT

APPELLATE CASE NO. 2023-000162

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 W. Joseph Maye, Esquire, at the primary e-mail address listed in the Attorney Information System (AIS), this 23rd day of September, 2024.



Joanna K. Delany  
Appellate Defender

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

ATTORNEY FOR APPELLANT