

**VOLUME II of II**

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

**RECEIVED**

**Jul 30 2025**

Appeal from Spartanburg County  
Honorable Daniel McLeod Coble, Circuit Court Judge

**SC Court of Appeals**

THE STATE,

RESPONDENT,

V.

KENNETH GLENN LEWIS,

APPELLANT

APPELLATE CASE NO. 2024-000488

RECORD ON APPEAL

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**THE FOLLOWING EXHIBITS ARE ON FILE WITH THIS COURT:**

STATE’S EXHIBIT 1 / COURT EXHIBIT 2 (C.D. ROM OF DEPUTY MATT SMITH),  
STATE’S EXHIBIT 10 (C.D. ROM OF DEPUTY BENNEFIELD’S BODY WORN  
CAMERA), DEFENSE EXHIBIT 1 (MATT STONE C.D. ROM), COURT EXHIBIT 11  
(STATEMENT OF THE DEFENDANT AT THE SHERIFF’S OFFICE)



STATE of SOUTH CAROLINA vs. KENNETH LEWIS

1 discuss the case with your fellow jurors to reach agreement, if  
2 you can do so. Your verdict must be unanimous. Each of you  
3 must decide the case for yourself, but you should do so only  
4 after you have impartially considered all the evidence,  
5 discussed it fully with other jurors and listened to the views  
6 of your fellow jurors.

7 Do not be afraid to change your opinion if the  
8 discussion persuades you that you should. Do not come to a  
9 decision simply because other jurors think it is right. It is  
10 important that you attempt to reach a unanimous verdict. Of  
11 course, only if each of you can do so after having made your  
12 own decision.

13 Do not change an honest belief about the weight and  
14 effect of the evidence simply to reach a verdict. In other  
15 words, do not change your opinion solely for the sake of  
16 reaching a unanimous verdict.

17 There are two possible verdicts for each charge,  
18 which you may find in this case. Guilty or not guilty. There  
19 is no significance whatsoever in the order in which I state  
20 these possible verdicts. It is simply that one must be stated  
21 first.

22 Your verdict must be a unanimous one.

23 Mr. Foreperson, you will have this verdict form.  
24 You'll be in charge of filling it out. It's straightforward.  
25 It has the caption of the case, the name of the Defendant, the

STATE of SOUTH CAROLINA vs. KENNETH LEWIS

1 charges and the indictment number.

2 Then you go further down and, number one, it  
3 states: As to the charge of murder, we, the jury, find the  
4 Defendant. And you have two choices, guilty or not guilty.  
5 There's no significance in which order they come in.

6 After you-all reach a unanimous verdict as to that  
7 first charge, you will check whichever box is applicable. The  
8 instructions after that state, after the charge of murder: If  
9 the verdict is not guilty then stop.

10 If the verdict is guilty as to murder, then  
11 continue to number two, which is possession of a weapon during  
12 the commission of a violent crime. And then consider the  
13 following charge.

14 Number two states: As to the charge of possession  
15 of a weapon during the commission of a violent crime, we, the  
16 jury, find the Defendant. Same thing, either guilty or not  
17 guilty. No significance in which comes first there.

18 At the bottom it states: Certified this decision  
19 was unanimous decision of the jury. And you will provide your  
20 signature.

21 Mr. Foreman, you will have this with you as well as  
22 the rest of the jury. You'll have the indictment and you will  
23 have all the evidence to go back with you.

24 You will not have a copy of the instructions. The  
25 evidence that will be out here will be the videos that were

STATE of SOUTH CAROLINA vs. KENNETH LEWIS

1 played and entered into evidence. If the jury as a whole wants  
2 to listen to anything or view any other videos that were seen,  
3 we'll bring you back out here and play it on the monitor.

4 The weapon will remain out here for protocol. If  
5 the jury decides they want to come out here and see it, we'll  
6 bring you back out here to view it.

7 What we're going to do is send all 14 of you back  
8 to the deliberation room. Do not begin your deliberations yet.  
9 Not yet. Do not discuss the case at this point at all.

10 What we're going to do is gather the evidence.  
11 When all 14 of you are back there, the bailiff will bring all  
12 the evidence back to you. Once you get the evidence and the  
13 verdict form and the indictment, then the two alternates will  
14 come back out here.

15 Once the alternates leave, then you can begin your  
16 deliberation. Not a minute before. Have you go back to the  
17 deliberation room. Do not begin deliberations yet.

18 (The jury exited the courtroom at 1:31 p.m.)

19 THE COURT: Anything from the State as to the jury  
20 charges?

21 MR. KOZAK: Nothing from the jury charges, Your  
22 Honor. I'm not sure the machete can go back either. That's up  
23 to you.

24 THE COURT: We'll address that. Anything from the  
25 defense on the jury charges?

STATE of SOUTH CAROLINA vs. KENNETH LEWIS

1 MR. BEASLEY: No, Your Honor.

2 THE COURT: We'll go off the record. Make sure the  
3 evidence we send back is correct.

4 (A recess transpired.)

5 THE COURT: Did the State and defense have a chance  
6 to review the evidence?

7 MR. KOZAK: Yes.

8 THE COURT: Any objection from the State?

9 MR. BRIDGES: No, Your Honor.

10 THE COURT: Any objection from the defense?

11 MR. MOYER: No, Your Honor.

12 THE COURT: Let's send the evidence back. And  
13 here's the verdict form and the indictment on top. If you will  
14 instruct the jurors that the shotgun and machete are out here  
15 if they need to see it. If you'll send back the two  
16 alternates.

17 THE BAILIFF: Yes, sir.

18 THE COURT: Anything from the State before we  
19 dismiss the two alternates?

20 MR. KOZAK: No, Your Honor.

21 THE COURT: Anything from the defense?

22 MR. BEASLEY: No, Your Honor.

23 (Two jurors entered the courtroom at 1:40 p.m.)

24 THE COURT: It looks like we have 12 healthy and  
25 able jurors back there. We won't be needing your services. We

STATE of SOUTH CAROLINA vs. KENNETH LEWIS

1 do appreciate your being here. These trials don't happen  
2 without alternates. In case you need to step in, as you saw  
3 earlier how quickly it can happen.

4 Without anything further, I know y'all are ready to  
5 get back home and back to your regular life. I want to thank  
6 you again for your service, for spending this entire week  
7 nearly with us and allowing our judicial system to happen. You  
8 have done your patriotic duty to your county and your state  
9 this week. I thank you for that. You are free to leave.

10 At some point the attorneys might reach out to you  
11 with questions. They might not. You can answer them. You  
12 don't have to talk to anybody you don't want to. You are free  
13 to if you would like to, maybe after this week.

14 If you will follow the instructions of the bailiff.  
15 Thank you all again for everything. Make sure you got all your  
16 phones and all your belongings.

17 (The alternate jurors exited the courtroom at 1:44  
18 p.m.)

19 THE COURT: Anything from the State before recess?

20 MR. KOZAK: Nothing from the State, Your Honor.

21 THE COURT: Anything from the defense?

22 MR. BEASLEY: No, Your Honor.

23 THE COURT: Court is in recess.

24 (A recess transpired from 1:44 p.m. until 2:25  
25 p.m.)

STATE of SOUTH CAROLINA vs. KENNETH LEWIS

1 THE COURT: Let's bring the jury in.

2 (The jury entered the courtroom at 2:25 p.m.)

3 THE COURT: All right. Mr. Foreman, I appreciate  
4 your letter. What I will say is that you have all of the  
5 evidence that was presented in this case back there with you.  
6 You have all of the evidence. And I would just ask that you,  
7 as jurors, individually and collectively, use your memory of  
8 what the testimony that was given during this trial.

9 Thank you for your question. We're going to let  
10 you continue to deliberate.

11 (The jury exited the courtroom at 2:26 p.m.)

12 THE COURT: We'll make this a court exhibit.  
13 Anything else from the State?

14 MR. KOZAK: Nothing from the State, Your Honor.

15 THE COURT: Anything from the defense?

16 MR. BEASLEY: No, Your Honor.

17 THE COURT: Court is back in recess.

18 (COURT EXH. 20, Jury note, was marked for  
19 identification and entered into evidence.)

20 (A recess transpired from 2:26 p.m. until 3:35  
21 p.m.)

22 THE COURT: It's my understanding the jury has  
23 reached a verdict. Anything from the State before we bring the  
24 jury out?

25 MR. KOZAK: Nothing from the State, Your Honor.

STATE of SOUTH CAROLINA vs. KENNETH LEWIS

1 THE COURT: Anything from the defense?

2 MR. BEASLEY: No, Your Honor.

3 THE COURT: Let me just say this to the members in  
4 the audience. I know this is an emotional case. The reading  
5 of a verdict can be very emotional and highly charged. This is  
6 still a courtroom.

7 I'm going to give anyone an opportunity to leave at  
8 this point because, if you're unable to control yourself, which  
9 is completely understandable -- it's an emotional case. If  
10 you're unable to control yourself in any way, any emotional  
11 outburst, outcries, anything of that nature will be contempt  
12 proceedings. I don't want that to happen. Even though I  
13 understand the emotions.

14 I will give you a chance right now to exit the  
15 courtroom until after the verdict is read. If you remain and  
16 there is an emotional outburst, you will be taken to the local  
17 jail until we can have a contempt proceeding.

18 Let's bring the jury in.

19 (The jury entered the courtroom at 3:35 p.m.)

20 THE COURT: Mr. Foreperson, it's my understanding  
21 the jury has reached a verdict; is that correct?

22 THE FOREPERSON: That is correct.

23 THE COURT: Hand it to the bailiff.

24 The verdict is in its proper form. If the clerk  
25 will publish it.

STATE of SOUTH CAROLINA vs. KENNETH LEWIS

1 THE CLERK: In the State of South Carolina, in the  
2 Court of General Sessions, the State of South Carolina versus  
3 Kenneth Lewis. As to the charge of murder for indictment  
4 number 2021-GS-42-0688, guilty.

5 As to the charge of possession of a weapon during  
6 the commission of a violent crime, the jury unanimously find  
7 the Defendant guilty. Signed by the foreperson this 15th day  
8 of February, 2024.

9 Ladies and gentlemen of the jury, is this your  
10 verdict and still your verdict? If so, please raise your right  
11 hand.

12 (Jury complies.)

13 THE CLERK: So say you-all.

14 THE COURT: Anything from the State?

15 MR. KOZAK: Nothing from the State, Your Honor.

16 THE COURT: Anything from the defense?

17 MR. BEASLEY: No, Your Honor.

18 THE COURT: Thank you.

19 Ladies and gentlemen, I want to thank you for your  
20 service this entire week. I know it has not been easy. I saw  
21 that you were paying attention. You worked hard and  
22 diligently, and I want to thank you for your patriotic duty to  
23 your county and the state. At this point I won't keep you any  
24 longer. You're free to leave.

25 Mr. Foreperson, we'll get you to sign the

STATE of SOUTH CAROLINA vs. KENNETH LEWIS

1 indictment on the back. Thank you-all.

2 (The jury exited the courtroom at 3:36 p.m.)

3 THE COURT: We're going to take a short recess  
4 before sentencing. Anything from the State before we recess?

5 MR. KOZAK: Nothing from the State, Your Honor.

6 THE COURT: Anything from the defense?

7 MR. MOYER: We would like to make a motion for a  
8 new trial and also to renew our motion for a mistrial so that  
9 our client could be -- several reasons; one, discovery  
10 violations. Then also so our client can be evaluated for  
11 fitness to stand trial.

12 THE COURT: All those motions as previously stated  
13 denied for those reasons but noted for the record.

14 We'll be in short recess.

15 (A recess transpired from 3:37 p.m. until 3:40  
16 p.m.)

17 THE COURT: Let's hear from the State before we do  
18 sentencing.

19 MR. KOZAK: Your Honor, you sat through the trial.  
20 The State will just leave sentencing in your discretion. There  
21 are two members of the family that would like to address The  
22 Court.

23 THE COURT: Happy to hear from them.

24 If you'll just state your name for the record.

25 MS. WOFFORD: Kiley Wofford.

STATE of SOUTH CAROLINA vs. KENNETH LEWIS

1 to. Because he gave me Kyle and God took Kyle home. And all I  
2 have are the precious memories of my son, who loved me more  
3 than anything, and his two daughters. And I just want to clear  
4 his name. He was a good boy.

5 THE COURT: Thank you, ma'am.

6 Anything else from the State?

7 MR. KOZAK: Nothing further, Your Honor. Can I  
8 bring up the sentencing sheets?

9 THE COURT: Do these charges, possession of a  
10 weapon, have to be consecutive or can be concurrent?

11 MR. MOYER: It can be concurrent.

12 THE COURT: Happy to hear from the defense at this  
13 point.

14 MR. BEASLEY: Your Honor, I don't think there's  
15 anything I can say that you haven't already heard last week  
16 about Mr. Lewis and his case. You know, any time is pretty  
17 much significant in Mr. Lewis. He has some very bad health  
18 issues. I know what the minimum is that you can give and you  
19 know that's the rest of his life. There's not a whole lot I'm  
20 going to add. But, you know, do what you got to do.

21 THE COURT: Well, I've sat through this entire  
22 trial. I've heard it all. I've seen it all. I'm sorry about  
23 the situation that we find ourselves in. Here we are.

24 As to the charge of murder, you're hereby sentenced  
25 to the state department of corrections for 30 years.

## STATE of SOUTH CAROLINA vs. KENNETH LEWIS

1                   As to the charge of possession of a weapon during a  
2 violent crime, you are hereby committed to the state department  
3 of corrections for five years. Charges run concurrent. Give  
4 him credit for any time he did serve.

5                   MR. BEASLEY: One more thing, can he also get  
6 credit he's been on home detention as well. I forgot to ask.

7                   THE COURT: Do you know what the number is?

8                   MR. BEASLEY: I do not know. If you give him  
9 credit, the jail will calculate that. They have it down there  
10 at the detention center.

11                   THE COURT: We'll him give him that credit.

12                   MR. BEASLEY: Thank you.

13                   THE COURT: Anything else from the State before we  
14 adjourn?

15                   MR. KOZAK: Nothing from the State, Your Honor.

16                   THE COURT: Anything else from the defense?

17                   MR. BEASLEY: No, Your Honor.

18                   THE COURT: Court is adjourned.

19                   (The hearing was concluded at 4:00 p.m.)

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STATE of SOUTH CAROLINA vs. KENNETH LEWIS

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## CERTIFICATE OF REPORTER

I, Lora McDaniel, Registered Professional Reporter and Notary Public for the State of South Carolina at Large, do hereby certify that the foregoing transcript is a true, accurate, and complete record.

I further certify that I am neither related to, nor counsel for, any party to the cause pending or interested in the events thereof.

Witness my hand, I have hereunto affixed my official seal this 5th day of July, 2024 at Spartanburg, Spartanburg County, South Carolina.



---

Lora L. McDaniel,  
Registered Professional Reporter  
My Commission expires:  
August 9, 2026

WITNESSES



cc:SO

51

DOCKET # **19-GS-42-0688**

The State of South Carolina

County of Spartanburg

Barry Barnette, Solicitor

CLERK OF COURT  
SPARTANBURG CO.,  
ANY VA. COX

*Barry Barnette*

ARREST WARRANT NUMBER

2020AA4210205760 (Count One)

2020AA4210205761 (Count Two)

ACTION OF GRAND JURY

APR 02 2021

**True Bill**

Foreperson of Grand Jury

*Matthews Fowler*

Date:

VERDICT

*Guilty* Count One

*Guilty* Count Two

*Set for trial*

Foreperson of Petit Jury  
Date: 2.15.24

COURT OF GENERAL SESSIONS

APR 12 2021

TERM

THE STATE

vs.

Kenneth Lewis

Indictment for

COUNT ONE-MURDER, COUNT TWO-  
POSSESSION OF WEAPON DURING  
VIOLENT CRIME

SC Code 16-03-0010, 0020, 16-23-490

CDR Code 116, 549

Class FEL-EXM

STATE OF SOUTH CAROLINA )  
 )  
 COUNTY OF SPARTANBURG )

INDICTMENT

MAR 3 1 2021

At a Court of General Sessions, convened on \_\_\_\_\_, the

Grand Jurors of Spartanburg County present upon their oath:

**COUNT ONE-MURDER**

The Defendant, Kenneth Lewis did in Spartanburg County on or about November 9, 2020, feloniously, willfully, and with malice aforethought, kill one Lorn Kyle Wofford, by shooting him and the victim died as a proximate result thereof, all in violation of Section 16-3-0010, 0020, Code of Laws of South Carolina, (1976, as amended).

**COUNT TWO- POSSESSION OF WEAPON DURING VIOLENT CRIME**

That the defendant, Kenneth Lewis did in Spartanburg County on or about November 9, 2020, visibly display a firearm during the commission or attempted commission of a violent crime, to-wit: Murder, in violation of Code §16-23-490, *CODE OF LAWS OF SOUTH CAROLINA*, (1976), as amended.

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



Deputy Solicitor

THE STATE OF SOUTH CAROLINA  
COUNTY OF SPARTANBURG

IN THE COURT OF GENERAL SESSIONS  
FOR THE SEVENTH JUDICIAL CIRCUIT

THE STATE OF SOUTH CAROLINA,

INDICTMENT(S):

-vs-

MURDER;  
POSSESSION OF A WEAPON DURING  
THE COMMISSION OF A VIOLENT  
CRIME

KENNETH LEWIS,

DEFENDANT.

VERDICT FORM

21-GS-42-0688

1. As to the charge of Murder, we the Jury find the Defendant:

Guilty.

Not Guilty.

If the verdict is **Not Guilty**, then stop. If the verdict is **Guilty** as to Murder, then continue to Number 2, Possession of a Weapon During the Commission of a Violent Crime, and consider the following charge.

2. As to the charge of Possession of a Weapon During the Commission of a Violent Crime, we the Jury find the Defendant:

Guilty.

Not Guilty.

I certify this decision was the unanimous decision of the jury.



Foreman  
February 15, 2024

**PLEASE NOTIFY THE BAILIFF WHEN YOU HAVE COMPLETED THIS FORM**

STATE OF SOUTH CAROLINA )  
COUNTY OF Spartanburg )

IN THE COURT OF GENERAL SESSIONS

STATE )  
VS. )

INDICTMENT/CASE#: 2021-GS-42 - 0688

Kenneth Lewis )

AW#: 2020A4210205760

AKA: )

Date of Offense: 11/09/2020

Race: W Sex: M Age: 75 )

S.C. Code §: 16-03-0010

DOB: [REDACTED] SS#: [REDACTED] )

CDR Code #: 0116

Address: [REDACTED] )

City, State, Zip: [REDACTED] )

DL#\* [REDACTED] SID# [REDACTED] )

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 (30 years to life)

In violation of § 16-03-0010 of 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] 100065 Defendant [Signature] 28307 Attorney for Defendant SC Bar #  
Mark May - 64157

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

for a determinate term of 30 days/months/years/Time Served  Youthful Offender Act not to exceed \_\_\_ years

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

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

The sentence shall run  CONCURRENT or  CONSECUTIVE to sentence on: 2/15/2024

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.

STATE VS. Kenneth Lewis INDICTMENT/CASE#: 2021 -GS- 42 - 0688

**SPECIAL CONDITIONS:**

PTUP after \_\_\_\_\_ months/years

And Other Terms Listed Below:

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

RESTITUTION:     Deferred     Def. Waives Hearing     Ordered

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

Payment Terms: \_\_\_\_\_  Set by SCDPPPS

Recipient: \_\_\_\_\_

*Fine:		\$ _____
Fine may be pd. in equal consecutive weekly/monthly pmts. of	\$ _____ Beginning	_____
§14-1-206 (Assessments 107.5%)		\$ _____
§14-1-211 (A)(1)(Conv. Surcharge)		\$100 \$ _____
§14-1-211 (A)(2)(DUI Surcharge)		\$100 \$ _____
§56-5-2995 (DUI Assessment)		\$12 \$ _____
§56-1-286 (DUI Breath Test)		\$25 \$ _____
§14-1-212 (Law Enforce. Funding)		\$25 \$ _____
§14-1-213 (Drug Court Surcharge)		\$150 \$ _____
§34-11-70(b)and(c), and 34-11-90(c)and(d) (Admin Fraud Check Court Costs)		\$41 \$ _____
§50-21-114 (BUI Breath Test Fee)		\$50 \$ _____
§56-5-2942(J) (Vehicle Assessment)		\$40/ea \$ _____
3% to County (if paid in installments)		TBD \$ _____
<input type="checkbox"/> Appointed PD or appointed other counsel, Proviso requires \$500 be paid to Clerk during probation and shall be collected before any other fees		\$500 \$ _____
<input type="checkbox"/> § 17-3-30(B) Unpaid Application Fee to be paid to the Public Defender Fund		TBD \$ _____
	<b>TOTAL</b>	\$ <u>128.75</u>

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

T. Camp  
L. McDaniel

Presiding Judge: \_\_\_\_\_  
Judge Code: 2774  
Sentence Date: 2/15/2021

STATE OF SOUTH CAROLINA )  
COUNTY OF Spartanburg )

IN THE COURT OF GENERAL SESSIONS

STATE )  
VS. )

INDICTMENT/CASE#: 2021-GS-42 - 0688A

Kenneth Lewis )

AW#: 2020A4210205761

AKA: )

Date of Offense: 11/09/2020

Race: W Sex: M Age: 75 )

S.C. Code §: 16-23-0490

DOB: [REDACTED] SS#: [REDACTED] )

CDR Code #: 0549

Address: [REDACTED] )

City, State, Zip: [REDACTED] )

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: Possession of a weapon during a violent crime (5 years)

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

NON-VIOLENT  VIOLENT  SERIOUS  MOST SERIOUS  Mandatory GPS  § 17-25-45  
(CSC w/minor 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] 1006665 [Signature] 68307  
Solicitor SC Bar # Defendant Attorney for Defendant SC Bar #  
[Signature] 64157

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

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

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

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

The sentence shall run

CONCURRENT or  CONSECUTIVE to sentence on: 2/15/2024

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 § 16-25-85 (Domestic Violence) to ship, transport, possess, or receive a firearm or ammunition.

STATE VS. Kenneth Lewis INDICTMENT/CASE#: 2021-GS-42-0688A

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 prnts. of	\$ _____	Beginning _____
§14-1-206 (Assessments 107.5%)		\$ _____
§14-1-211 (A)(1)(Conv. Surcharge)	\$100	\$ _____
§14-1-211 (A)(2)(DUI Surcharge)	\$100	\$ _____
§56-5-2995 (DUI Assessment)	\$12	\$ _____
§56-1-286 (DUI Breath Test)	\$25	\$ _____
§14-1-212 (Law Enforce. Funding)	\$25	\$ _____
§14-1-213 (Drug Court Surcharge)	\$150	\$ _____
§34-11-70(b)and(c), and 34-11-90(c)and(d) (Admin Fraud Check Court Costs)	\$41	\$ _____
§50-21-114 (BUI Breath Test Fee)	\$50	\$ _____
§56-5-2942(J) (Vehicle Assessment)	\$40/ea	\$ _____
3% to County (if paid in installments)	TBD	\$ _____
<input type="checkbox"/> Appointed PD or appointed other counsel, Proviso requires \$500 be paid to Clerk during probation and shall be collected before any other fees	\$500	\$ _____
<input type="checkbox"/> § 17-3-30(B) Unpaid Application Fee to be paid to the Public Defender Fund	TBD	\$ _____
	<b>TOTAL</b>	<b>\$ 128.75</b>

Clerk of Court/Deputy Clerk: T. Camp  
Court Reporter: L. McDaniel

Presiding Judge: \_\_\_\_\_  
Judge Code: 2779  
Sentence Date: 4/15/2024

CASE# 20110961

VOLUNTARY STATEMENT

PAGE 1 of 2

STATEMENT OF: Kenneth Lewis

AGE: 72

DATE: 11/09/20

ADDRESS:

PHONE #

Spartanburg Regional called me & told me my daughter was up there, and they were fixing to fly her to Augusta Burn Center & if I wanted to see her, I went up there and seen she was burnt all the way down her side & both hands & they were flying her to Augusta Burn Center. Several people come to my house & told me he threw kerosene on her and burned her. I went to Augusta to see her Thursday or Friday and they said they were going to release her so I brought her home with me. I was supposed to take her back in two weeks. A nurse kept her at her house since Friday until today. She came over today with Kyle according to my son, Brenton Lewis. I went to the nurse to check on her. She was not there. I went back to the house. Kyle was standing in my yard saying something, as I was fixing to go

I have read this statement consisting of 2 page(s), and I swear that the statement that I have just given is the truth, the whole truth, and nothing but the truth, so help me God. I also swear this statement was given freely and voluntarily and I have received a copy of my statement. This statement was completed at 12:11 P M. on the 9th day of Nov 2020.

WITNESS: Mironenko, M

Kenneth Lewis  
Signature of person giving voluntary statement

SWORN to before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.



COPY

\_\_\_\_\_  
(Seal)  
Notary Public of South Carolina

CASE# 20110461

03/23/2021 Page 73 of 217  
VOLUNTARY STATEMENT

PAGE 2 of 2

STATEMENT OF: Kenneth Lewis

AGE: 72

DATE: 11/09/20

ADDRESS:

PHONE #

in the house. I went in the house & got the gun and found it. It was laying behind the dresser. I took two shells & put one shell in it because it was single barrel. I rode down the road and he was in the tractor park so I shot him. I went back home. I did this for Terri, the only reason I had to do it I didn't want her to get hurt no more. He hurt her before, and I wasn't going to let him do it again.

I have read this statement consisting of 2 page(s), and I swear that the statement that I have just given is the truth, the whole truth, and nothing but the truth, so help me God. I also swear this statement was given freely and voluntarily and I have received a copy of my statement.

This statement was completed at 12:11 P M. on the 9th day of Nov 2020.

WITNESS: Mironenko, TG

Kenneth Lewis  
Signature of person giving voluntary statement

SWORN to before me this \_\_\_\_\_

day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
(Seal)  
Notary Public of South Carolina

COPY

CASE#	20110461	VOLUNTARY STATEMENT		PAGE 1 of 1	
STATEMENT OF:	Carolyn Owens	AGE:	75	DATE:	01/06/22
ADDRESS:	[REDACTED]				
PHONE #	[REDACTED]	DOB:	[REDACTED]	SSN:	[REDACTED]

On the day the boy shot I saw them walking down Wings Rd. towards Teresa St. He was in front and she was following him. I heard the gunshot and moved back, and Devin & Katie said "I think somebody got shot" and I looked out and saw older SUV on Teresa St.

I have read this statement consisting of 1 page(s), and I swear that the statement that I have just given is the truth, the whole truth, and nothing but the truth, so help me God. I also swear this statement was given freely and voluntarily and I have received a copy of my statement.

This statement was completed at 1:39 P.M. on the 6<sup>th</sup> day of Jan 2022

WITNESS: Mironenko, M

Carolyn Owens  
Signature of person giving voluntary statement

SWORN to before me this \_\_\_\_\_  
day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
(Seal)  
Notary Public of South Carolina  
My Commission expires: \_\_\_\_\_

STATE OF SOUTH CAROLINA )  
COUNTY OF SPARTANBURG )

IN THE COURT OF GENERAL SESSIONS  
SEVENTH JUDICIAL CIRCUIT

State of South Carolina,  
*Plaintiff,*

INDICTMENT NO.:  
2021-GS-42-0688 AND 0688A

v

**MOTION FOR NEW TRIAL**

Kenneth Lewis,  
*Defendant.*

**TO: THE HONORABLE DANIEL COBLE, CIRCUIT COURT JUDGE, AND JOEL KOZAK, ASSISTANT ATTORNEY GENERAL**

The Defendant, Kenneth Lewis, by and through the undersigned counsel, hereby moves this Honorable Court pursuant to Rule 29, SCRCrimP, for a new trial based upon the denial of his motions for mistrial and his other objections during trial which are preserved for review.

Respectfully submitted,

  
Mark Moyer (SC Bar # 64155)  
Moyer Law Firm, LLC  
416 East North Street, 2<sup>nd</sup> Floor  
Greenville, South Carolina 29601  
(864) 775-5811  
mark@markmoyerlaw.com

Other Counsel of Record:  
Joel Kozak, Esquire  
Assistant Attorney General  
P.O. Box 11549  
Columbia, South Carolina 29211  
jkozak@scag.gov

February 27, 2024

01-5 114  
1

STATE OF SOUTH CAROLINA )  
 )  
 COUNTY OF SPARTANBURG )  
 )  
 State of South Carolina, )  
     *Plaintiff,* )  
 )  
 v. )  
 )  
 Kenneth Lewis, )  
 \_\_\_\_\_ )  
     *Defendant.* )

IN THE COURT OF GENERAL SESSIONS  
 SEVENTH JUDICIAL CIRCUIT

INDICTMENT NO.:  
 2021-GS-42-0688 AND 0688A

ORDER

**RECEIVED**  
**Mar 27 2024**  
 SC Court of Appeals

THIS MATTER COMES BEFORE THE COURT by way of motion of the Defendant for a new trial based upon the denial of his motions for mistrial and his other objections during trial which are preserved for review. After careful review of the motion, I deny Defendant's motion.

THEREFORE, IT IS ORDERED that the Defendant's motion for a new trial is denied.

IT IS SO ORDERED

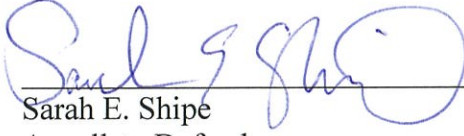
  
 \_\_\_\_\_  
 Daniel Coble, Circuit Court Judge

Dated: April 26, 2024

**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,

  
\_\_\_\_\_  
Sarah E. Shipe  
Appellate Defender

**RECEIVED**

**Jul 30 2025**

**SC Court of Appeals**

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

ATTORNEY FOR APPELLANT

This 30<sup>th</sup> day of July, 2025.

**RECEIVED**

**Jul 30 2025**

**SC Court of Appeals**

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

\_\_\_\_\_  
Appeal from Spartanburg County

Honorable Daniel McLeod Coble, Circuit Court Judge

\_\_\_\_\_  
THE STATE,

RESPONDENT,

V.

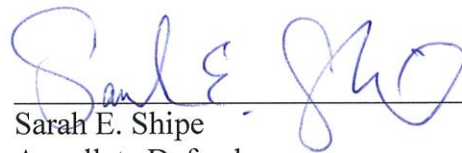
KENNETH GLENN LEWIS,

APPELLANT

APPELLATE CASE NO. 2024-000488

\_\_\_\_\_  
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 J. Anthony Mabry, Esquire, at the primary e-mail address listed in the Attorney Information System (AIS), this 30<sup>th</sup> day of July, 2025.



\_\_\_\_\_  
Sarah E. Shipe  
Appellate Defender

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

ATTORNEY FOR APPELLANT