

State of South Carolina  
In The Supreme Court

Leon Walker

Petitioner

Change address

✓

State of South Carolina

Respondent

Appellate Case No. 2013-000519

Re: New address

217 Altend Henry Dr  
Manning S.C. 29102

**RECEIVED**

OCT 30 2013

S.C. SUPREME COURT

State Of South Carolina

In The Supreme Court

Certiorari to Richland County  
Ernest Kinard Jr., Circuit Court Judge

Leon Walker

Petitioner

V

State Of South Carolina

Respondent

Appellate Case NO 2013-000519

[ Supplement ]

**RECEIVED**

OCT 30 2013

S.C. SUPREME COURT

Leon Walker  
217 Alfred Henry Dr.  
Manning S.C. 29102

DISCOVERY CHECKLIST ASOL: ANNE SPEARS #72

- |                                 |                                  |
|---------------------------------|----------------------------------|
| WARRANT # <u>M721579</u>        | MEDICAL RECORDS _____            |
| TICKET # _____                  | PHOTOGRAPHS _____                |
| CASE MASTER REPORT _____        | VEHICLE TOW RECEIPT _____        |
| INITIATING CASE REPORT _____    | AFFIDAVIT _____                  |
| CLOSED CASE REPORT _____        | MUGSHOT _____                    |
| CASE SUMMARY _____              | WARRANT AUTHORIZATION FORM _____ |
| INCIDENT REPORT <u>✓ (2pgs)</u> | WARRANT WORKSHEET _____          |
| INVESTIGATIVE REPORT _____      | VICTIM STATEMENT _____           |
| SUPPLEMENTAL REPORT _____       | WITNESS STATEMENT _____          |
| SEARCH WARRANT _____            | WITNESS STATEMENT _____          |
| ARREST/BOOKING REPORT _____     | WITNESS STATEMENT _____          |
| BACKGROUND INFORMATION _____    | WITNESS STATEMENT _____          |
| DRUG ANALYSIS FORM _____        | CSI COVERSHEET _____             |
| DNA REQUEST _____               | CSI ANALYSIS REPORT _____        |
| DNA RESULTS _____               | CSI BENCH NOTES _____            |
| CHAIN OF CUSTODY _____          | FORENSIC DIVISION REQ FORM _____ |
| PROPERTY REPORT _____           | EVIDENCE/PROPERTY BAG _____      |
| CONSENT TO SEARCH _____         | CD _____                         |
| PHOTO LINE-UP _____             | DVD _____                        |
| RAP SHEET <u>✓</u>              | DRIVING RECORD _____             |
| ADVISE OF RIGHTS FORM _____     | OTHER _____                      |
| DEFENDANT'S STATEMENT _____     | OTHER _____                      |
| CO-Δ'S ADVICE OF RIGHTS _____   | OTHER _____                      |
| CO-Δ'S STATEMENT _____          | OTHER _____                      |

DEFENDANT Leon Walker  
PREPARED BY SHARON L. WILSON, PARALEGAL DATE: 3/11/11  
RECEIVING ATTORNEY Renee Ripson

# SOUTH CAROLINA LAW ENFORCEMENT DIVISION

NIKKI R. HALEY  
*Governor*



MARK A. KEEL  
*Chief*

August 30, 2013

Leon Walker, #92708  
MacDougall Correctional Institution  
1516 Old Gilliard Road  
Ridgeville, SC 29427

RE: FOIA 2013-600

Dear Mr. Walker:

We received your letter on August 28, 2013. A thorough search of our database with the information you provided reveals that no evidence from this case was submitted to the SLED Forensic Laboratory for analysis. You may wish to contact the arresting agency for any information they have concerning this matter.

Sincerely,



FOIA Coordinator

FOIA 2013-600



## Supporting Case Under The Constitution

### Amendments IV and VI

Gant V. Arizona	129	S, ct	1710		Search S. C. 12ares
Narciso V. State	723	SE	2d	369	
Simuel V. State	701	SE	2d	738	
State V, Sachs	216	SE	2d	501	
State V. Dunbar	581	SE	2d	840	
Axwater V. Lago	Vists	121	sct	1536	
U. S. V. Brugal	185	F.	3d	205	
U. S. V	985	F.	2d	139	
U. S. V. Huguenia	159	F.	3d	547	
U. S. V. Davis	270	F.	3d	977	
U. S. V. Yousif	308	F.	3d	820	
State V. Brannon	697	SE	2d	593	
State V. Tynes	740	S. E.	2d	512	
State V. Brown	736	S. E.	2d	263	
State V. Brown	698	S. E.	2d	811	
Stalk V. State	681	S. E.	2d	592	
Lomax V. State	665	S. E.	2d	164	
Seller V. State	607	S. E.	2d	82	
Taylor V. State	404	sc	356	795	S. E. 2d 97
Goin V. State	726	S. E.	2d	1	
Hyman V. State	723	S. E.	2d	375	
Holden V. State	713	S. E.	2d	611	
Terry V. State	680	S. E.	2d	277	
Rolen V. State	683	S. E.	2d	471	
Berry V. State	675	S. E.	2d	429	
Walker V. State	723	S. E.	2d	610-Lee V. State	712 S. E. 2d 442

Has been retained by rather than appointed for the defendant.

### The Constitution Of The United States Of America

We the people of the United States – in order to form a more perfect union, established Justice, in sure domestic Tranquility provide for the common defense promote the general welfares, and secure the Blessing of Liberty to ourselves and our posterity do ordain and establish this Constitution For The Unites States Of America.

Forgery 16 – 13 – 10

Felony

Counterfeit 39 – 15 – 1190

Misdemeanors

Two Thousand dollar or less

U. S. V. Hope	102	F3d	114					Inventory Search
U. S. V. Doe	61	F3d	107					
U. S. V. Johnson	820	F2d	1065					
U. S. V. Edwards	242	F3d	938					
U. S. V. Khoury	901	F3d	948					
U. S. V. Rowland	124	s.ct	969					
U. S. V. Best	134	F3d	1223					
Florida V. Wells	495	U. S.	1,5					
U. S. V. Castro	129	F. 3d	752	755	110	sct	1632	
143 F.3d 920								
U. S. Verse Blaze	143	F3d	585	592				
Thomas V. Hungerford	23	F3d	145					

As these cases provide assist support by the Constitution Amendment that the body of law deriving from the U. S. Constitution and dealing primarily with governmental power, civil rights and liberties. The body of legal rules that determine the Constitution.

Ineffect assistance of counsel – representation in which the defendant is deprive of fair trail because the lawyer handle the case unreasonably.

The Sixth Amendment right to assistance of counsel has been held to imply the right to the effective assistance of counsel assistance of counsel – is a Constitution denial of the Sixth Amendment right, even if the lawyer

DOCKET NO. 2011-GS-40-02149

WITNESSES

J Owens - Richland County Sheriff

The State of South Carolina

County of

Richland

ARREST WARRANT NUMBER

M721579

ACTION OF GRAND JURY

No Bill

Person of Grand Jury

VERDICT

Indictment for

PWID COCAINE 1ST OFFENSE

SC Code: 44-53-0370(b)(1)

CDR Code: 0183

Person of Petit Jury

After being fully advised as to my legal rights, I hereby waive presentment to the Grand Jury.

X

Defendant

Leon Walker

I hereby appear in my own proper person and plead guilty to the within indictment.

Defendant

Witness:

[Signature]

C.C.C. PLS. AND G.S.

CERTIFIED TRUE COPY OF ORIGINAL FILED,

[Signature]

C.C.C. PLS. AND G.S.

RICHLAND COUNTY

ARREST WARRANT

IR M-721579

STATE OF SOUTH CAROLINA  
County/  Municipality of  
Richland Bond Court

THE STATE RCSD#10120498-29  
against

Walker  
141 W Lake Drive  
Lexington, SC 29073-  
(803)957-8813 SSN: 249-04-8199  
Race: B Height: 5 8 Weight: 185  
DL #: 004709396  
1/24/1956 Agency ORI #: 04000  
Richland County Sheriff Department  
Officer: J Owens - 1438  
PWID Cocaine

Code: 0183  
Finance Sec: 44-53-0370(b)(1)

Person is CERTIFIED FOR SERVICE in the  
County/  Municipality of  
The accused  
be arrested and brought before me to be  
heard according to the law.

(L.S.)

Signature of Judge

RETURN

of this arrest warrant was delivered to

Leon Walker

12-30-10

Wade Stewart  
Signature of Constable/Law Enforcement Officer

WARRANT TO:

Richland County General Sessions  
101 Main Street  
O Box 192  
Columbia, SC 29202

STATE OF SOUTH CAROLINA  
 County/  Municipality of  
Richland Bond Court

Personally appeared before me the affiant J Owens

being duly sworn deposes and says that defendant Leon Walker

did within this county and state on or about 12/29/2010  
State of South Carolina (or ordinance of  County/  Municipality of  
Richland Bond Court )  
in the following particulars:

DESCRIPTION OF OFFENSE PWID Cocaine

I further state that there is probable cause to believe that the defendant named above did  
the crime set forth and that probable cause is based on the following facts:

That on or about 12/29/10 while at 1011 Virginia Street in the Olympia Magisterial District of Richland County, this defendant did  
the defendant did commit the crime of PWID Cocaine because pursuant to a lawful traffic stop on a Nissan Xterra (SC: FMT 981),  
deputies places the driver, Leon Walker, under arrest for a license violation. Mr. Walker was alone in the vehicle and a search of the  
vehicle for towing purposes yield a plastic baggie, which contained 10 separate baggies which each contained approximate field  
weight of 1 gram each of a white powder substance which did field test positive for cocaine. Baggies were within reach of subject  
and found in the crack between passenger seat and console. Affiant and others are witness to prove same.

Signature of Affiant

STATE OF SOUTH CAROLINA

County/  Municipality of

Richland Bond Court

Affiant's Address 5623 Two Notch Road

Columbia, SC 29223-

Affiant's Telephone (803)576-3000

ARREST WARRANT

TO ANY LAW ENFORCEMENT OFFICER OF THIS STATE OR MUNICIPALITY OR ANY CONSTABLE OF THIS COUNTY:

It appearing from the above affidavit that there are reasonable grounds to believe that

on or about 12/29/2010 defendant Leon Walker

did violate the criminal laws of the State of South Carolina (or ordinance of

County/  Municipality of Richland Bond Court ) as set forth below:

DESCRIPTION OF OFFENSE: PWID Cocaine

Having found probable cause and the above affiant having sworn before me, you are empowered and directed to arrest the said defendant and bring him or  
her before me forthwith to be dealt with according to law. A copy of this Arrest Warrant shall be delivered to the defendant at the time of his execution, or as  
soon thereafter as is practicable

Sworn to and subscribed before me:

on 12/30/2010

Signature of Issuing Judge (L.S.)

Benjamin Byrd

Judge Code: 7201

Judge's Address 1400 Hugler Street

Columbia, SC 29201-

Judge's Telephone (803)576-2300

Issuing Court:  Magistrate  Municipal  Circuit

Form Approved by  
S.C. Attorney General  
08/21/2003  
SCCA 318

AFFIDAVIT

who

violate the criminal laws of the

CERTIFIED TRUE COPY  
OF ORIGINAL FILED,  
State of South Carolina  
Richland County

Wade Stewart  
S.C. CONSTABLE  
RICHLAND COUNTY

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Columbia, SC 29201-

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Issuing Court:  Magistrate  Municipal  Circuit

ABFR

M721579

### Richland County Warrant Worksheet

On View Arrest  Yes  No

RCSD Case # 1012-0498-29

<u>WALKER</u> Last Name	<u>LEON</u> First Name	<u></u> Middle	<u>1-24-56</u> DOB
<u>141 W. LAKE DR.</u> Street Address	<u>LEXINGTON</u> City	<u>SC</u> State	<u>29073</u> ZIP
<u>957-8893</u> Phone#	<u>249-04-8199</u> SSN	<u>M B</u> Sex Race	<u>508 185</u> Height Weight
<u>J. OWENS / RCSD / 1439</u> Prosecuting Officer/Agency/Badge #	<u>5623 TWO NOTCH RD. / AOLA / SC / 29223</u> Address/City/State/Zip	<u>SC</u> DL State	<u>4709396</u> DL Number
<u>STATE</u> Prosecuting Affiant/Business	<u></u> Address/City/State/Zip	<u></u> Phone #	<u></u> Phone #
<u>OF</u> Victim	<u></u> Home Address/City/State/Zip	<u></u> Home Phone #	<u></u> Home Phone #
<u>S.C.</u> Victim Place of Work	<u></u> Work Phone#	<u></u> Cell Phone #	<u></u> Cell Phone #
<u></u> Alternate victim contact person	<u></u> Alternate address/City/State/Zip	<u></u> Phone #	<u></u> Phone #

Victim/Affiant/Business Notified of Arrest:  Yes  No      Victim transported to  Hospital /  Shelter /  N/A

Victim/Affiant/Business Notified of Bond Hearing:  Yes  No      Victim/Affiant/Business  can /  cannot be present

Victim/Affiant/Business notified to be present at Bond Court at: \_\_\_\_\_ Time \_\_\_\_\_ Date

Available Times/Days: 9:00 AM(M-F); 2:30 PM(M-F); 8:00 PM(M-F); 11:00 PM(M-F); 9:00 AM(S-S); 2:30 PM (S-S)

If unable to be present, does the victim request any special conditions of bond?

No contact directly or indirectly by the defendant       Defendant not to return to the incident location

Other: \_\_\_\_\_

Are there any other victims associated with this case?  Yes  No      If yes, list them and the responses to the questions above for each victim on a separate sheet. Send it in with this worksheet.

PWID COCAINE      44-53-370      \_\_\_\_\_  
Offense Description      Offense Section Code      State CDR Code

### AFFIDAVIT

That on or about 12-29-10 while at 1011 VIRGINIA ST in the OLYMPIA Magisterial District of Richland County, it is believed that the defendant did commit the crime of PWID COCAINE because PURSUANT TO A LAWFULL TRAFFIC STOP ON A NISSAN XTERRA (SC: FMT 981), DEPUTIES PLACED THE DRIVER, LEON WALKER, UNDER ARREST FOR A LICENSE VIOLATION. MR. WALKER WAS ALONE IN THE VEHICLE AND A SEARCH OF THE VEHICLE FOR TOWING PURPOSES YEILDED A PLASTIC BAGGIE WHICH CONTAINED 10 SEPERATE BAGGIES WHICH EACH CONTAINED APPROX. FIELD WEIGHT OF 1gram EACH OF A WHITE POWDER SUBSTANCE WHICH DID FIELD TEST POSITIVE FOR COCAINE. BAGGIES WERE WITHIN REACH OF SUBJECT AND Affiant and others are witness to prove same.

FOUND IN THE CRACK BETWEEN PASSENGER SEAT & CONSOLE.

Name of Person to Appear at Bond Court to sign the warrant? \_\_\_\_\_

White - Detention Center/Magistrate      Yellow - Agency      Pink - Victim/Affiant/Business



