

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

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S.C. SUPREME COURT

Certiorari to Greenville County

Honorable Patrick Cleburne Fant, III, Circuit Court Judge

KELDREKUS TAUQUAN OGLESBY,

PETITIONER,

V.

STATE OF SOUTH CAROLINA,

RESPONDENT

APPELLATE CASE NO. 2024-002132

APPENDIX

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INDEX

INDEX i

GUILTY PLEA TRANSCRIPT DATED MARCH 27, 2019 1

APPLICATION FOR POST-CONVICTION RELIEF 26

RETURN AND MOTION FOR A MORE DEFINITE STATEMENT 33

AMENDED APPLICATION FOR POST-CONVICTION RELIEF 40

POST-CONVICTION RELIEF HEARING TRANSCRIPT DATED OCTOBER 10, 2024 43

ORDER OF DISMISSAL 82

INDICTMENTS 92

STATE OF SOUTH CAROLINA)	
)	COURT OF GENERAL SESSIONS
COUNTY OF GREENVILLE)	2017-GS-23-06718
)	2017-GS-23-06719
)	2017-GS-23-06721
)	2017-GS-23-06724

STATE OF SOUTH CAROLINA,

vs.

KELDREKUS TAYQUA OGLESBY,
DEFENDANT.

TRANSCRIPT OF RECORD

ORIGINAL

March 27, 2019
Greenville, South Carolina

B E F O R E:

THE HONORABLE LETITIA H. VERDIN, JUDGE.

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

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HOLLIE M. JENKINS
Circuit Court Reporter

I N D E X

(There were no witnesses called.)

E X H I B I T S

(There were no exhibits introduced.)

P R O C E E D I N G S

1
2 THE CLERK: Your Honor, this is indictment number
3 2017-GS-23-10864, the State v. Eric Patterson Thomas.
4 Mr. Thomas is, also, indicted in 2017-GS-23-10865.

5 Indictment 2019-GS-23-0188, the State v. Griffin
6 Whiten. Mr. Whiten is, also, indicted in 2019-GS-23-1773
7 and 2019-GS-23-2247.

8 Indictment number 2016-GS-23-11602, the State v. Andre
9 Darnell Legree.

10 THE COURT: Okay. Mr. Thomas --

11 THE CLERK: I'm so sorry. One more.

12 THE COURT: Oh, I'm so sorry.

13 THE CLERK: It's okay.

14 2017-GS-23-6718, the State v. Keldrekus Tayqua
15 Oglesby. Mr. Oglesby is, also, indicted in
16 2017-GS-23-6719, 6721, and 6724.

17 THE COURT: All right. Mr. Thomas, you're here today
18 to plead to unlawful carrying of a pistol. That carries
19 up to a year. And possession with intent to distribute
20 marijuana first offense.

21 And this is a time-served recommendation; is that --

22 MR. JONES: At -- at -- at least, Your Honor. It
23 would be complicated if -- if the sentence was any more
24 than that. The time was only seven days served on each
25 charge.

1 He received sentences in -- in Greenwood on two
2 Abbeville indictments and two Greenwood indictments. And
3 they were -- were handled in a way so that the lead
4 indictment, which was five and a half years with 336 days
5 of credit for time served -- you don't need to, really,
6 put that on there. Because there are three others that
7 were listed in -- in the appropriate way to allow him to
8 receive concurrent sentences on the other three
9 indictments.

10 THE COURT: Okay.

11 MR. JONES: And -- and so I have those with me, if
12 you wanted to include those indictment numbers in your
13 sentence. But if it's time served --

14 THE COURT: I'm just going to do time served.

15 MR. JONES: Yes.

16 Thank you, Your Honor.

17 THE COURT: All right. How do you plead, guilty or
18 not guilty?

19 DEFENDANT THOMAS: Guilty.

20 THE COURT: All right. Then --

21 Oh, yes, ma'am.

22 THE PROBATION AGENT: Are you on --

23 I think he's on probation in Pickens.

24 Do you have something in Pickens?

25 DEFENDANT THOMAS: No, ma'am.

1 MR. JONES: Eric Patterson Thomas.

2 THE PROBATION AGENT: Thank you.

3 MR. JONES: Eric Patterson Thomas.

4 THE PROBATION AGENT: Thank you.

5 I think I've got the wrong person. I'm sorry.

6 THE COURT: No. That's fine. Don't worry about it.

7 THE PROBATION AGENT: Sorry.

8 (Pause.)

9 MR. RICHARDSON: Well, Your Honor, I just -- I'm just
10 not aware of exactly what's going on here. Because my
11 recommendation does not correspond with what you've been
12 told. It's Mr. McMasters case.

13 THE COURT: Okay. And my -- my understanding was --
14 my understanding was that this would just be done in a way
15 that Mr. Thomas wouldn't receive any additional time.

16 MR. RICHARDSON: Okay. As long as that's clear. I
17 just wanted to make sure.

18 THE COURT: Yeah, yeah. And being included in this
19 group was my understanding.

20 MR. JONES: Yes, sir.

21 And the State was recommending a three-year sentence
22 on the possession with intent to distribute. Of course,
23 one year is the maximum on the possession of a weapon.

24 But Solicitor McMaster said I'll be back. And then
25 he said, Well, you're fine. I've already talked to her,

1 so.

2 THE COURT: Yeah, he -- he did. He said he spoke --
3 he said he did with your permission mention to me --

4 MR. JONES: Right. And he gave me permission to
5 mention to you in case he didn't have a chance or wasn't
6 in here to explain to you that if it's easier for you to
7 go time served, he's okay with time served.

8 THE COURT: It -- it is. I mean, that's --

9 MR. JONES: And it would be easier for the Department
10 of Corrections to treat it according to your sentence, and
11 his wishes, and mine.

12 THE COURT: That's what I'll do then.

13 Time served. And I note -- I just note he's serving
14 an SCDC sentence. That's all I put on there.

15 MR. JONES: All right.

16 THE COURT: Time served.

17 Good luck to you.

18 Let's see. Are you --

19 I've got this all backwards. Okay. I'm so sorry.

20 Are you Mr. Whiten?

21 DEFENDANT WHITEN: Yes, Your Honor.

22 THE COURT: Okay. Good. You're here today to plead
23 to resisting arrest. That carries up to a year.

24 Malicious injury to property, that carries up to 30 days.

25 And possession of methamphetamine, that carries up to

1 three years. But your attorney has worked out a
2 time-served recommendation.

3 How do you plead, guilty or not guilty -- oh, I'm
4 sorry.

5 MR. GROVE: Your Honor, it's, actually, time served
6 and probation.

7 THE COURT: Oh, I'm sorry. I didn't understand that.
8 I apologize.

9 MR. GROVE: That's all right. There's a restitution
10 issue that hasn't been resolved yet that Mr. Moroney was
11 asking Your Honor to consider allowing that to occur
12 within the next 90 days.

13 I believe Mr. Whiten has been in 50 days this time.
14 He was in for about 74 days the first time. It should be
15 close to 120-something days.

16 MR. RICHARDSON: I've got 123.

17 MR. GROVE: That sounds right.

18 THE COURT: Well, since it's you and Mr. Moroney.
19 All right. And how do you plead, guilty or not
20 guilty?

21 DEFENDANT WHITEN: Guilty, Your Honor.

22 THE COURT: All right. On the resisting, one year
23 provided upon the service of 123 days. Credit for time
24 served. The balance is suspended with probation for 30
25 months to follow. Restitution per the restitution

1 hearing.

2 On 2019-1773, 90 days. And probation to terminate
3 upon payment of restitution.

4 And then time served on malicious injury. And two
5 years suspended during probation on the other.

6 Good luck to you.

7 MR. GROVE: Thank you Your Honor.

8 THE COURT: Thank you.

9 All right. Mr. Legree, you're here today to plead to
10 trafficking in persons. That carries up to 15 years.

11 Is that your understanding?

12 DEFENDANT LEGREE: Yes, sir [sic].

13 THE COURT: And Mr. Oglesby, is it?

14 DEFENDANT OGLESBY: Yes, ma'am.

15 THE COURT: You're here today to plead to burglary
16 second degree non-violent. That carries up to 10 years.

17 Burglary first degree, that carries 15 years to life.

18 And grand larceny, that carries up to 10 years.

19 And burglary first degree, that carries 15 years to
20 life.

21 Both those burglary first degrees are violent and
22 most serious offenses.

23 Is that your understanding?

24 DEFENDANT OGLESBY: Yes, ma'am.

25 THE COURT: All right. You understand that most

1 serious means two of your three strikes.

2 Do you know that?

3 DEFENDANT OGLESBY: (There was no response.)

4 THE COURT: Do you want to talk to your lawyer about
5 it?

6 (WHEREUPON, there was no verbal response.)

7 (Pause.)

8 DEFENDANT OGLESBY: Yes, ma'am.

9 THE COURT: Okay. Have you discussed these charges
10 with your lawyer, Mr. Legree?

11 DEFENDANT LEGREE: Yes, ma'am.

12 THE COURT: And Mr. Oglesby?

13 DEFENDANT OGLESBY: Yes, ma'am.

14 THE COURT: Are you happy with what your lawyer has
15 done for you, Mr. Legree.

16 DEFENDANT LEGREE: Yes, ma'am.

17 THE COURT: And Mr. Oglesby?

18 DEFENDANT OGLESBY: No, ma'am.

19 THE COURT: All right. Let's -- let's step back.
20 I'll let you step back. And we'll -- and let you
21 talk to your lawyer just a little bit more.

22 DEFENDANT OGLESBY: I'm happy with what he -- the
23 plea that we're doing --

24 THE COURT: Okay. Can you speak up for me? I'm
25 sorry.

1 DEFENDANT OGLESBY: I'm happy with the plea that
2 we're going through with. I thought you were saying was I
3 happy with the whole thing.

4 THE COURT: Oh, you're just not happy about the
5 situation. I need to know -- well, let me ask it in a
6 different way.

7 Mr. De Bruin, here, have you had enough time to talk
8 with him about this plea, your lawyer right here?

9 DEFENDANT OGLESBY: Yes. We talked about it, ma'am.

10 THE COURT: And -- and are you -- do you feel like
11 he's done -- he's done what you've asked him to do within
12 reason?

13 DEFENDANT OGLESBY: No.

14 THE COURT: All right. I'm going to let you step
15 back. Okay.

16 Has anyone forced you to plead guilty or promised you
17 anything to plead guilty, Mr. Legree?

18 DEFENDANT LEGREE: No, ma'am.

19 THE COURT: When you plead guilty, you give up
20 certain Constitutional rights. One is your right to
21 remain silent about these charges.

22 Do you know that?

23 DEFENDANT LEGREE: Yes, ma'am.

24 THE COURT: You, also, give up your right to a jury
25 trial. At that trial, your attorney could call witnesses

1 for you, cross-examine witnesses against you. And the
2 State would have to prove your guilty beyond a reasonable
3 doubt. But when you plead guilt, you give up your right
4 to a jury trial.

5 Do you know that?

6 DEFENDANT LEGREE: Yes, ma'am.

7 THE COURT: And how do you plead to this charge,
8 guilty or not guilty?

9 DEFENDANT LEGREE: Guilty.

10 THE COURT: You've got 10 days from today's date to
11 appeal this plea, if you so choose. But you must do so in
12 writing to this Court.

13 Yes, sir.

14 MR. HOLLOWAY: Yes, ma'am. As far as the facts are
15 concerned, between the month of July of 2016 and August of
16 that same year, this Defendant, actually, worked with a --
17 a co-defendant, who I would describe as a -- more sort of
18 the lead person in -- in this scheme.

19 Basically, he would be the -- the muscle and force
20 with the -- the women -- the victim in this case, in
21 particular, to -- to undergo prostitution. And then
22 whatever money she earned, he would take it from her.

23 This occurred in our -- our county. The -- as I
24 mentioned at the bar, the -- the lead co-defendant was
25 prosecuted by the -- by the feds. She received in

1 December, a time-served sentence followed by, I believe,
2 five years probation.

3 This case was stood down last month when the State's
4 offer was for five years. After that hearing, I called
5 the lead officer, Jonathan Bastoni, to let him know this
6 case was going to trial. He mentioned that
7 Ms. Timms [phonetic] had received that -- that sentence.

8 This is not normally what I would recommend in a case
9 like this. But I feel like that my hands are tied. That
10 to be fair to him, I can't ask for an active prison
11 sentence when the lead person who had -- who established
12 this network of -- of trafficking got time served and
13 probation with -- with the -- a federal district judge.

14 He did take the money from the victim that she earned
15 from prostitution, forced her into these commercial sex
16 acts.

17 The State is offering time served and probation.
18 He's served 236 days as of today.

19 The statute does say if the Court chooses not to list
20 him as a -- a sex offender, which we're not asking for,
21 the Court must include in the sentencing sheet that that's
22 not something the Court wants. Just write it in on the
23 sentencing sheet.

24 Does that -- that makes sense?

25 THE COURT: Uh-huh.

1 MR. HOLLOWAY: Okay.

2 THE COURT: How do you plead, Mr. Legree, guilty or
3 not guilty?

4 DEFENDANT LEGREE: Guilty.

5 THE COURT: All right. Mr. Richey.

6 MR. RICHEY: Thank you, Your Honor.

7 Your Honor, I think the facts are kind of right --
8 right to the extent he wasn't the most culpable in this
9 case. What he did, he shouldn't have done. But this
10 woman organized this thing. He got into it. And I don't
11 think he was in the organizational point.

12 But since then, he's moved to Atlanta. He's living
13 down there with this lady, his fiancée. He's been out of
14 trouble. In actuality, he was gone for about a year. And
15 they picked him up. But during that time, he hasn't
16 gotten into any trouble at all.

17 And so he's just asking the Court to go along with
18 the recommendation. He wants to go to -- stay down there
19 and have his probation moved down there.

20 But he's been out of trouble. He hasn't had any
21 trouble since then. And he's got a minimal record, I
22 mean, so.

23 THE COURT: Well, what is his record?

24 MR. HOLLOWAY: He has a prior arrest for, I believe,
25 a traffic offense in 2016.

1 And I've talked to the lead officer in the case. And
2 his opinion is in light of what happened to Ms. Timms, her
3 sentence, he is -- he understands and he's -- he's fine
4 with -- with this -- with this -- if the Court goes along
5 with this, the sentence.

6 Obviously, we would have wanted something different.
7 But, as I said, I just -- to be fair to -- to him, I feel
8 like I have to offer the same thing since he, in my
9 opinion, is not as culpable as -- as Ms. Timms.

10 THE COURT: And he's served how long?

11 MR. HOLLOWAY: I believe 236 days.

12 THE COURT: And I -- let me just say I, certainly,
13 understand where the State's coming from on this.

14 And, of course, Mr. Holloway, we've had a number of
15 cases together.

16 And, Mr. Richey, we've had a number of cases
17 together.

18 I'm -- I'm going to go along with the recommendation
19 very hesitantly. But I understand the basis of that
20 recommendation. And I understand the situation where
21 federal court acting on this first sort of put the State
22 system in a little bit of a bind.

23 The sentence of the Court is 12 years, provided upon
24 the service of 236 days time served. The balance is
25 suspended with probation for five years. No sex offender

1 registry by agreement.

2 Transfer this case to Georgia. His first two years
3 on probation will be intensive. His first year on
4 probation is home detention with electronic monitoring.
5 No contact with the victim in this case.

6 I note that the co-defendant was sentenced in federal
7 court. And I, also, note that the officer is, at least,
8 in understanding with -- with this recommendation in this
9 case. All right.

10 MR. RICHEY: Thank you, Your Honor.

11 MR. HOLLOWAY: Your Honor, thank you.

12 THE COURT: Okay. We're back on the record with
13 Mr. Oglesby.

14 And, Mr. Oglesby, I understand today is, you know, a
15 little bit of a scary day. But I need you to speak up,
16 if -- if possible. Okay.

17 DEFENDANT OGLESBY: Yes, ma'am.

18 THE COURT: Can you turn his mic on?

19 I'm going to turn your mic on so we can hear you a
20 little bit better.

21 All right. Have you discussed this charge with your
22 lawyer?

23 DEFENDANT OGLESBY: Yes, ma'am.

24 THE COURT: And are you satisfied with what your
25 lawyer's done for you?

1 DEFENDANT OGLESBY: Yes, ma'am.

2 THE COURT: Okay. You're sure about that?

3 DEFENDANT OGLESBY: Yes, ma'am.

4 THE COURT: You had some hesitation earlier. Let me
5 ask you this, do you have any complaint to make against
6 your lawyer, law enforcement, or the solicitor's office as
7 a result of this plea whatsoever?

8 DEFENDANT OGLESBY: I -- can you repeat the question,
9 ma'am?

10 THE COURT: Absolutely. Why don't I break it down
11 into separate parts.

12 Do you have any complaint to make against law
13 enforcement as a result of this plea?

14 DEFENDANT OGLESBY: No, ma'am.

15 THE COURT: Do you have any complaint to make against
16 your lawyer as a result of this plea?

17 DEFENDANT OGLESBY: No, ma'am.

18 THE COURT: Do you have any complaint to make against
19 the prosecutor's office or the solicitor's office as a
20 result of this plea?

21 DEFENDANT OGLESBY: No, ma'am.

22 THE COURT: Okay. Has anyone forced you to plead
23 guilty?

24 DEFENDANT OGLESBY: No, ma'am. I just didn't want to
25 go to trial, ma'am.

1 THE COURT: I got you. Has anybody promised you
2 anything to get you to plead guilty?

3 DEFENDANT OGLESBY: No, ma'am.

4 THE COURT: When you plead guilty, you give up
5 certain Constitutional rights. One is your right to
6 remain silent about these charges.

7 Do you know that?

8 DEFENDANT OGLESBY: Yes, ma'am.

9 THE COURT: You, also, give up your right to a jury
10 trial.

11 Do you know that?

12 DEFENDANT OGLESBY: Yes, ma'am.

13 THE COURT: At that trial, your attorney could call
14 witnesses for you and could cross-examine witnesses
15 against you. But when you plead guilty, you give up your
16 right to a jury trial.

17 Do you know that?

18 DEFENDANT OGLESBY: Yes, ma'am.

19 THE COURT: And how do you plead to these charges,
20 guilty or not guilty?

21 DEFENDANT OGLESBY: I plead guilty.

22 THE COURT: Okay. You've got 10 days from today's
23 date to appeal this plea, if you so choose. But you must
24 do so in writing to this Court.

25 Yes, sir.

1 MR. RICHARDSON: Thank you, Your Honor.

2 May it please the Court.

3 Your Honor, this is a plea off the trial docket. The
4 first incident took place on May the 19th of 2017. This
5 Defendant, along with the co-defendants, Anthony Fontalvo,
6 Laquavis Howard, Isaquan [phonetic] Henry, drove a white
7 Kia to a residence belonging to the victim, Joe Martin,
8 which was located at [REDACTED] Richburg Road in Greenville
9 County. The white Kia was given to them for use in the
10 burglaries by the co-defendant, D Anne Geter.

11 The Defendant and the co-defendants threw a brick
12 through a glass door of this residence and entered without
13 consent of this victim, and took a Winchester 12-gauge
14 shotgun and coins.

15 Then, also, on that same date, this Defendant and the
16 same co-defendants drove the same white Kia to a residence
17 owned by the victim, Lori Porter, which was located at [REDACTED]
18 Avon Drive in Greenville County. This Defendant and the
19 co-defendants forced a door open and entered the residence
20 without the victim's consent. The Defendant and
21 co-defendants took a Sig pistol, a Savage 36 Bolt Action
22 rifle, ammunition, a Westinghouse TV, and other
23 miscellaneous items.

24 Some of these items of these -- both these burglaries
25 were, subsequently, located at Shemwood Apartments, [REDACTED],

1 pursuant to a search warrant, which is where the
2 co-defendant, D Anne Geter, resided.

3 Then on June 12th of 2017, this Defendant and the
4 co-defendants, Anthony Fontalvo and a Shakel Boozer, went
5 to ■■■ Manchester Avenue, which is located in Greenville
6 County, and is owned by the victim, Rhonda Watkins.

7 Shakel Boozer drove them to the location in a black
8 Acura. This Defendant and Anthony Fontalvo entered the
9 residence without the owner's consent by throwing a chair
10 through a glass door. The victim was, actually, home at
11 the time. She called 911 and hid in a bathroom. She,
12 also, had gotten a pistol for herself.

13 The officers responded to the 911 call. This
14 Defendant and the co-defendants heard the sirens coming
15 upon the residence. This Defendant and co-defendant
16 Fontalvo ran on foot. They were, subsequently, caught
17 later close to the residence.

18 The co-defendant Boozer, who was driving the vehicle,
19 he ran in that vehicle. There was a pursuit, which,
20 ultimately, was called off. And he, ultimately, got away.

21 Your Honor, those are the facts as we would present
22 them at trial.

23 THE COURT: All right. Mr. Oglesby, you heard the
24 facts as stated by the Solicitor.

25 How do you plead, guilty or not guilty?

1 DEFENDANT OGLESBY: I plead guilty, ma'am.

2 THE COURT: Okay. I, certainly, will accept your
3 plea.

4 And does he have any prior record?

5 MR. RICHARDSON: Your Honor, he has a 2015 burglary
6 second. He received probation for that --

7 THE COURT: Okay.

8 MR. RICHARDSON: -- in 2016. I'm sorry.

9 THE COURT: No. Go ahead. I'm sorry.

10 MR. RICHEY: 2016, he has a criminal domestic
11 violence first degree, also, a criminal domestic violence
12 second degree, and a neglect by a legal custodian. He
13 received 18 months on those.

14 THE COURT: Okay.

15 THE PROBATION AGENT: And, Your Honor, he is on
16 probation in Pickens. They have an active warrant. And
17 they have a hold for him at the jail.

18 THE COURT: Okay. And how long has he served in
19 jail?

20 MR. RICHARDSON: Some of this is home incarceration.
21 My total calculation is 438 days, which includes the home
22 incarceration.

23 THE COURT: All right. Yes, sir.

24 MR. DE BRUIN: Your Honor, I'd like to, first of all,
25 address, obviously, the hesitation here. I've had

1 voluminous conversations with my client. And they've all
2 been cordial. He -- the co-defendant in this case --
3 actually, I'm sorry. Just to throw this out there. He
4 has already pled and got 15 years in this case.

5 But when we were talking, my client and I -- I mean,
6 they've always been cordial conversations. I was
7 appointed to this -- his case. He didn't choose me. I
8 think that's kind of his hesitation to come here with me
9 today is that he didn't get to choose me.

10 He -- he's tried to -- to hire another attorney, or
11 two other attorneys. But, you know, for whatever reason,
12 it didn't work out monetarily, maybe. And then kind of
13 the clock ran out on him.

14 He's wanted to plead from the very beginning. It's
15 just -- he just wanted to see if he could get somebody
16 else to find him a good -- a better deal. When that
17 didn't happen, obviously, we're here today. Okay.

18 Like I said, the co-defendant got 15. The
19 recommendation in this case was for 15 years. It's the
20 mandatory minimum.

21 The two residences for the burglary firsts were
22 not -- nobody was home at the time. They became burglary
23 firsts because guns were taken from the house. The second
24 one, again, there was a person in the house. I think they
25 all fled when they -- they found out somebody was,

1 actually, in the house.

2 Your Honor, I'd ask you to go along with the
3 recommendation, or go along with 15 years. It was the
4 original recommendation. And it's, also, what his
5 co-defendants, who are just as culpable in this case
6 got -- or I'm sorry, the one -- the co-defendant got. I
7 believe another one's going to plead later on.

8 So we'd ask you to go along with that and just to
9 give him 15 years.

10 He's prepared some remarks that he'd like to speak to
11 you about --

12 THE COURT: Absolutely.

13 MR. DE BRUIN: -- at the appropriate time as well.

14 THE COURT: Absolutely. Please go ahead.

15 DEFENDANT OGLESBY: I had wrote them down because
16 it's hard for me to speak.

17 THE COURT: That's okay. That's okay. Take your
18 time.

19 DEFENDANT OGLESBY: Your Honor, I accept full
20 responsibility for what I have done. And I'm sorry for
21 all the people I hurt. I was young and didn't understand
22 that what we was doing could take our life away from us
23 and take us away from our kids and families for so long.
24 I never grew up with a father. And all I had was my
25 mother and my four little brothers.

1 So I grew up fast and learned -- and had to learn
2 what I thought was right and wrong on my own. I'm not
3 asking you to let me walk free, Your Honor. I'm just
4 asking can I have a second chance at life so my two sons
5 don't have to grow up without a father.

6 I'm asking can you find it in your heart, Your Honor,
7 to consider 10 years without any house arrest or jail
8 credit. I promise you from the bottom of my heart I'll
9 stay on the straightest path God allows me to and you will
10 never see me in your courtroom again, Your Honor, I
11 promise.

12 MR. DE BRUIN: And, Your Honor, for what it's worth,
13 I didn't help with those [sic] at all, you know.
14 That's -- that's -- I think that's pretty heartfelt. And
15 it comes from his heart. And I think he did a good job
16 writing it out. And, like I said, I didn't help him at
17 all with that. I read -- or listened to it for the first
18 time this morning as well.

19 I did talk to him about how the mandatory minimum on
20 burglary first is 15 years. He understands that.

21 THE COURT: Here's what I'll do, I'll -- the sentence
22 of the Court is 15 years, credit for 438 days.

23 15 years on the other concurrent. And 10 and 10, all
24 concurrent.

25 You know, I understand the -- you know, while I do

1 take into consideration that this case was on the trial
2 docket, I do see that. I understand the particular
3 circumstances in this case and the fact that your
4 co-defendant got that same sentence. I'll -- I'll do
5 that.

6 Good luck to you.

7 *****END OF TRANSCRIPT OF RECORD*****
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CERTIFICATE OF REPORTER

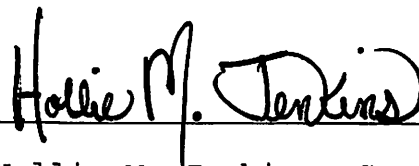
STATE OF SOUTH CAROLINA)

COUNTY OF GREENVILLE)

I, HOLLIE JENKINS, Official Court Reporter for the Thirteenth Judicial Circuit of the State of South Carolina, do hereby certify that the foregoing is a true, accurate, and complete Transcript of Record of the proceedings had and the evidence introduced in the captioned case, relative to appeal, in the Court of General Sessions for Greenville County, South Carolina, on the 27th day of March, 2019.

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

April 7, 2020



Hollie M. Jenkins, Court Reporter

My Commission Expires: 09/24/20

FORM 5

STATE OF SOUTH CAROLINA)

County of Bishopville)

IN THE COURT OF COMMON PLEAS

Keldrekus Tsuguan Dglecky # 369325)

Full name and prison number (if any) of Applicant)

v.)

State of South Carolina)

2020-CP-23- 00542,

APPLICATION FOR
POST-CONVICTION RELIEF

FILED
CLERK OF COURT
2020 JAN 28 PM 12:21

INSTRUCTIONS TO READ CAREFULLY

In order for this application to receive consideration by the Court, it shall be in writing (legibly handwritten or typewritten), signed by the applicant and verified (notarized), and it shall set forth in concise form the answers to each applicable question. If necessary, applicant may furnish his answer to a particular question on the reverse side of the page or on an additional page. Applicant shall make clear to which question any such continued answer refers.

Since every application must be sworn under oath, any false statement of a material fact therein may serve as the basis of prosecution and conviction for perjury. Applicants should, therefore, exercise care to assure that all answers are true and correct.

If the application is taken in forma pauperis, it shall include an affidavit (attached at the back of the form) setting forth information which establishes that applicant will be unable to pay the fees and costs of the proceedings. When the application is completed, the original shall be mailed to the Clerk of Court for the County in which the applicant was convicted.

1. Place of detention LEE County
2. Name and location of Court which imposed sentence 13th Circuit for Greenville County
3. Name(s) of co-defendant(s) (if any) Anthony Fatoivo, Lagwayvious Howard, Shaguan Henry
4. The indictment number or numbers (if known) upon which and the offenses for which sentence was imposed:
(a) _____

- (b) _____
- (c) _____

5. The date upon which sentence was imposed and the terms of the sentence:

(a) March 26, 2019 - FIFTEEN (15) YEARS

- (b) _____
- (c) _____

6. Check whether a finding of guilty was made:

- (a) after a plea of guilty _____
- (b) after a plea of not guilty _____
- (c) after a plea of nolo contendere _____

7. Did you appeal from the judgment of conviction or the imposition of sentence?
No

8. If you answered Ayes@ to (7), list:

(a) the name of each Court to which you appealed:

- i. N/A
- ii. _____
- iii. _____

(b) the result in each such Court to which you appealed:

- i. N/A
- ii. _____
- iii. _____

(c) the date of each such result:

- i. N/A
- ii. _____
- iii. _____

(d) if known, citations of any written opinion or orders entered pursuant to such results:

- i. N/A
- ii. _____
- iii. _____

9. If you answered Ano@ to (7), state your reasons for not so appealing:

- (a) N/A

- (b) _____
- (c) _____

10. State concisely the grounds on which you base your allegation that you are being held in custody unlawfully:

- (a) 4th 5th 6th Amendment violation; Due
- (b) PROCESS; Subject matter jurisdiction;
- (c) Prosecutorial misconduct

11. State concisely and in the same order the facts which support each of the grounds set out in (10):

- (a) MIZ more medium will follow
- (b) _____
- (c) _____

12. Prior to this application have you filed with respect to this conviction:

- (a) any petition in a State Court under South Carolina Law? No
- (b) any petition in State or Federal Courts for habeas corpus or post-convictions relief? No
- (c) any petition in the United States Supreme Court for certiorari other than petitions, if any, already specified in (8)? No
- (d) any other petitions, motions or applications in this or any other Court? _____

13. If you answered Ayes@ to any part of (12), list with respect to each petition, motion or application:

- (a) the specific nature thereof:
 - i. N/A
 - ii. _____
 - iii. _____
 - iv. _____
- (b) the name and location of the Court in which each was filed:
 - i. N/A
 - ii. _____
 - iii. _____

- iv. _____
- (c) the disposition thereof:
 - i. N/A
 - ii. _____
 - iii. _____
 - iv. _____

- (d) the date of each such disposition:
 - i. N/A
 - ii. _____
 - iii. _____
 - iv. _____

- (e) if known, citations of any written opinions or orders entered pursuant to each such disposition:
 - i. N/A
 - ii. _____
 - iii. _____
 - iv. _____

14. Has any ground set forth in (10) been previously presented to this or any other Court, State or Federal, in any petition, motion or application which you have filed?
No

15. If you answered "yes" to (14) identify:
- (a) which grounds have been presented:
 - i. N/A
 - ii. _____
 - iii. _____
 - (b) the proceedings in which each ground was raised:
 - i. N/A
 - ii. _____
 - iii. _____

16. If any ground set forth in (10) has not previously been presented to any Court, State or Federal, set forth the ground and state concisely the reasons why such ground has not previously been presented:

- (a) First bite of apple.
- (b) _____
- (c) _____

17. Were you represented by an attorney at any time during the course of:

- (a) your arraignment and plea?
- (b) your trial, if any? _____
- (c) your sentencing? _____
- (d) your appeal, if any, from the judgment of conviction or the imposition of sentence? _____
- (e) preparation, presentation or consideration of any petitions, motions or applications with respect to this conviction, which you filed? _____

18. If you answered Ayes@ to one or more parts of (17), list:

- (a) the name and address of each attorney who represented you:
 - i. AROU DE BRUN, 16 WELLINGTON AVE, GREENVILLE
S.C. 29604
 - ii. _____
 - iii. _____
- (b) the proceedings at which each such attorney represented you:
 - i. PLEA
 - ii. _____
 - iii. _____

19. State clearly the relief you seek in filing this application:
RECONSIDERATION OF TIME; REVERSE, REMAND OR
VACATE

20. Are you now under sentence from any other court that you have not challenged?
No

Revised 3/2003

STATE OF SOUTH CAROLINA)
County of GREENVILLE)

VERIFICATION

I, KELDERKUS OJESHA, being duly sworn upon my oath, depose and say that I have subscribed to the foregoing application; that I know the contents thereof; that it includes every ground known to me for vacating, setting aside or correcting the conviction and sentence attacked in this application; and that the matters and allegations therein set forth are true.

KELDERKUS OJESHA

SWORN to and subscribed before me this 8 day of Jan, 2020.
[Signature] (L.S.)
Notary Public

My Commission Expires: 3/3/2024

APPLICATION TO PROCEED WITHOUT PAYMENT
OF COSTS AND AFFIDAVIT
IN SUPPORT THEREOF

I, Keldrekus Dylesby # 369325, hereby apply for leave to proceed in this action without prepayment of fees or costs or security therefor. In support of my application I declare under penalty of perjury that the following facts are true:

- (1) I am the applicant in this action and I believe I am entitled to redress.
- (2) Because of my poverty I am unable to pay the costs of said proceeding or give security thereof.

Keldrekus Dylesby
Applicant

SWORN or affirmed to and subscribed before me this
8 day of Jan, 2020.

Debra Eastlund
Notary Public

My Commission Expires: 3/3/2021

II. Current Application

In his application for post-conviction relief, Applicant alleges he is entitled to post-conviction relief because (1) his Fourth Amendment constitutional rights were violated, (2) his Fifth Amendment constitutional rights were violated, (3) his Sixth Amendment constitutional rights were violated, (4) his due process rights were violated, (5) Judge Verdin lacked the subject matter jurisdiction to sentence Applicant, and (6) the State committed prosecutorial misconduct.¹ Applicant prays that the Court grant him post-conviction relief by reconsidering his sentence, and reversing, remanding, or vacating his sentences.

Attached to this return and incorporated by reference are the records of the Greenville County Clerk of Court regarding the subject convictions, Applicant's records from the South Carolina Department of Corrections, the transcript from Applicant's plea hearing, and the post-conviction relief application. Respondent reserves the right to amend this return upon receipt of any relevant materials.

III. Motion for a More Definite Statement

Respondent moves for a more definite statement as to Applicant's claims. Applicant fails to set forth with specificity any facts and circumstances upon which his claims are based. The Uniform Post-Conviction Procedure Act requires that Applicant must "specifically set forth the grounds upon which the application is based." Section 17-27-50 of the Code of Laws of South Carolina (1976). In an application for post-conviction relief, it is incumbent upon Applicant to make at least a prima facie showing which would entitle him to relief before an evidentiary hearing

¹ Applicant does not provide any supporting facts or explanation in his application, but merely refers the reader to a memorandum that he writes will follow. Respondent did not receive any supporting memorandum from Applicant or the Greenville County Clerk of Court. Because Respondent is unable to effectively respond without any supporting facts or explanation, it moves later herein for a more definite statement.

will be scheduled and held. Welch v. MacDougall, 246 S.C. 258, 143 S.E.2d 455 (1965); Blandshaw v. State, 245 S.C. 385, 140 S.E.2d 784 (1965). Furthermore, Rule 8(a), SCRCPP, requires all civil pleadings include “a short and plain statement of the facts showing that the pleader is entitled to relief.”

Respondent moves pursuant to Rule 12(e), SCRCPP, to require Applicant to provide a more definite statement of his claims. Respondent moves to require Applicant to file an amended application well in advance of any evidentiary hearing scheduled in this matter. If Applicant fails to file a timely and responsive amended application setting forth specific allegations for relief, Respondent reserves the right to move to dismiss the allegations.

IV. Denial of All Other Allegations

Each and every allegation contained within the amended application not expressly admitted, qualified, or explained in this return is hereby denied.

V. Future Amendments and the Discovery Process

Applicant must specify any claims he intends to raise at the post-conviction relief evidentiary hearing. All claims should be made well in advance of the evidentiary hearing. Because Applicant is represented by counsel, that attorney and not the Applicant is the only individual authorized to file amendments to this application for post-conviction relief. See Rule 11, SCRCPP. Pro se filings will not be considered at the evidentiary hearing. Respondent reserves the right to request that any amendments withheld until the last minute be stricken because of undue prejudice to Respondent pursuant to Love v. State, Op. No. 27921 (S.C. Sup. Ct. filed October 2, 2019) (Shearouse Adv. Sh. No. 39 at 14), or, alternatively, Respondent will move for a continuance in the matter. See Love, at 24 (Kittredge, J., dissent) (“If, however, the proposed amendment . . . would truly prejudice the State, the better course of action would be to continue

the matter and thus remove any possibility of prejudice resulting from the belated amendments.”).

VI. Conclusion

WHEREFORE, Respondent requests that the Court require Applicant to file an amended application as requested herein so that Respondent may have notice of the claims Applicant intends to raise in this action and effectively respond.

Respectfully submitted,

ALAN WILSON
Attorney General

W. JEFFREY YOUNG
Chief Deputy Attorney General

MEGAN HARRIGAN JAMESON
Senior Assistant Deputy Attorney General

TAYLOR ZANE SMITH
Assistant Attorney General

By: s/Taylor Zane Smith
S.C. Bar No.: 103282
ATTORNEYS FOR RESPONDENT

Office of the Attorney General
Post Office Box 11549
Columbia, SC 29211
Telephone: (803) 734-3737

May 22, 2020

STATE OF SOUTH CAROLINA)
 COUNTY OF GREENVILLE)
)
 Keldrekus T. Oglesby, #369325,)
)
 Applicant,)
)
 v.)
)
 State of South Carolina,)
)
 Respondent.)

IN THE COURT OF COMMON PLEAS
 THIRTEENTH JUDICIAL CIRCUIT

Case No.: 2020-CP-23-0542

**ORDER OF CONTINUANCE AND
 GRANTING STATE'S MOTION FOR
 A MORE DEFINITE STATEMENT**

ENTERED COMPUTED

22 SEP 20 PM 8:21
 Paul Wickens/mer-000 501.50

This matter comes before the Court by way of an application for post-conviction relief filed by Keldrekus T. Oglesby ("Applicant") on January 28, 2020. The parties were scheduled to appear before the undersigned at the Greenville County Courthouse on September 13, 2022, for an evidentiary hearing on Applicant's claims. Richard H. Warder represented Applicant and Taylor Z. Smith of the South Carolina Attorney General's Office represented the State ("Respondent").

Before the hearing began, Applicant moved for a continuance on the basis that Warder had not yet been able to meet with Applicant sufficiently in preparation for the hearing. Respondent had no objection to the motion, but requested, with Applicant's consent, that Respondent's motion for a more definite statement be granted and that Applicant be required to file an amended application that conforms to the authorities cited in Respondent's motion within ninety days of September 13.

This Court finds that Applicant has shown good cause for a continuance and the matter is continued to the next appropriate post-conviction relief term of court so that Applicant can be adequately prepared for the hearing. This Court also finds that the application does not provide adequate notice to Respondent of the claims raised therein and the supporting allegations, and that

Applicant shall be required to file within ninety days of September 13 an amended application that conforms to the authorities cited in Respondent's motion for a more definite statement.

IT IS THEREFORE ORDERED:

1. That Applicant's motion for a continuance is granted and that the matter be continued until the next appropriate post-conviction relief term of court;
2. That Respondent's motion for a more definite statement is granted and that counsel for Applicant shall file an amended application within ninety days of September 13, 2022; and
3. That Applicant shall remain in the custody of the State within the South Carolina Department of Corrections.

AND IT IS SO ORDERED this 15 day of September, 2022.

J. Cordeir Maddox, Jr.
Presiding Judge

Anderson, South Carolina.

Copy mailed to
Attorney <u>general TB/Wardner</u>
on <u>9</u> / <u>20</u> / <u>2022</u> .

STATE OF SOUTH CAROLINA)
) : IN THE COURT OF COMMON PLEAS
 COUNTY OF GREENVILLE)
) CASE NUMBER:2020-CP-23-0542
 KELDREKUS T. OGLESBY #369325)
) APPLICANT,)
) AMENDED APPLICATION FOR
) POST CONVICTION RELIEF
)
 -vs-)
)
 STATE OF SOUTH CAROLINA)
) RESPONDENT)

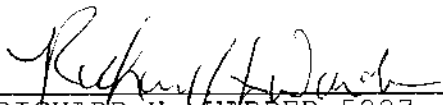
ENTERED COMPUTER

The Defendant original application was filed on January 20, 2020, Applicant failed to alleged the following issues of Post Conviction Relief:

On the transcript of plea page 10, (enclosed) the Defendant was being questioned by the Court and when he was asked by Honorable Letitia Verdin, if he thought his attorney had done what you asked him to do within reason the Defendant reply's was "no". The Judge then had Defendant step away from group of other Defendant's pleading guilty and talk to his attorney. His attorney told him if he didn't plea and agree to the State's recommendation of fifteen (15) years he would get a life sentence. Thereafter the Defendant plead guilty in belief he had no other choice but get a life sentence. The conversation with his attorney took place in the area in front of the holding cell outside of the courtroom door, After their conversation, Defendant went back in the courtroom and entered a guilty plea to avoid a life sentence.

24 APR 23 PM 02:42
 5880 Court St. 60130

Respectfully submitted,



RICHARD H. WARDER 5827
ATTORNEY FOR THE APPLICANT
P.O. BOX 26133
GREENVILLE sc 29616
864-271-9955

May 16, 2024
Greenville, South Carolina

1 DEFENDANT OGLESBY: I'm happy with the plea that
2 we're going through with. I thought you were saying was I
3 happy with the whole thing.

4 THE COURT: Oh, you're just not happy about the
5 situation. I need to know -- well, let me ask it in a
6 different way.

7 Mr. De Bruin, here, have you had enough time to talk
8 with him about this plea, your lawyer right here?

9 DEFENDANT OGLESBY: Yes. We talked about it, ma'am.

10 THE COURT: And -- and are you -- do you feel like
11 he's done -- he's done what you've asked him to do within
12 reason?

13 DEFENDANT OGLESBY: No.

14 THE COURT: All right. I'm going to let you step
15 back. Okay.

16 Has anyone forced you to plead guilty or promised you
17 anything to plead guilty, Mr. Legree?

18 DEFENDANT LEGREE: No, ma'am.

19 THE COURT: When you plead guilty, you give up
20 certain Constitutional rights. One is your right to
21 remain silent about these charges.

22 Do you know that?

23 DEFENDANT LEGREE: Yes, ma'am.

24 THE COURT: You, also, give up your right to a jury
25 trial. At that trial, your attorney could call witnesses

1 STATE OF SOUTH CAROLINA)
 2)
 3) COURT OF COMMON PLEAS
 4) 2020-CP-23-00542
 5)
 6 COUNTY OF GREENVILLE)
 7)
 8)
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 21)
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 23)
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 25)

KELDREKUS TAYQU OGLESBY,)
 APPLICANT,)

vs.)

TRANSCRIPT OF RECORD

STATE OF SOUTH CAROLINA,)
 RESPONDENT.)

October 10, 2024
 Greenville, South Carolina

B E F O R E:

THE HONORABLE PATRICK C. FANT, III, JUDGE

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

RICHARD HAROLD WARDER, ESQ.
 Attorney for the Applicant

MELODY JANE BROWN, ESQ.
 Attorney for the Respondent

CHERYL A. SMITH
 Circuit Court Reporter

	<u>I N D E X</u>			
	<u>WITNESS</u>	<u>DIRECT</u>	<u>CROSS</u>	<u>REDIRECT</u> <u>RECROSS</u>
1				
2				
3	KELDREKUS OGLESBY			
4	Mr. Warder	7		21
5	Ms. Brown		12	22
6	AARON DE BRUIN			
7	Ms. Brown	24		
8	Mr. Warder		32	
9	CLOSING ARGUMENTS			
10	Mr. Warder	35		
11	Ms. Brown	36		
12	Certificate of Reporter		39	
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EXHIBITS

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NO

DESCRIPTION

ID

EVD

(There were no exhibits introduced.)

P R O C E E D I N G S

1
2
3 (WHEREUPON, proceedings commenced at 11:10 AM.)

4 MS. BROWN: Your Honor, the next case
5 is going to be Mr. Oglesby and I do have paper --
6 judge's packets for you and your clerk if you would
7 like copies.

8 THE COURT: Thank you. That would be
9 great. Mr. Warder, are y'all ready to proceed?

10 MR. WARDER: We are ready, Your Honor.

11 THE COURT: Okay. If the attorney
12 general will call the case and then we will
13 proceed.

14 MS. BROWN: Thank you, Your Honor. The
15 State calls, Case Number 2020-CP-23-542, Keldrekus
16 Oglesby versus State. As an introduction, Your
17 Honor, Mr. Oglesby is present represented by
18 counsel, Mr. Richard Warder. Mr. Oglesby was
19 indicted in August of 2018, two counts of burglary
20 first degree, burglary second degree, and grand
21 larceny.

22 Aaron De Bruin represented him on the
23 charges. On March 27, 2019, he pled guilty as
24 charged, but was requesting a 15 year max sentence.
25 The Honorable Letitia Verdin heard and accepted the

1 plea and in accordance with that expectation,
2 sentenced him to an aggregate sentence of 15 years.
3 He did not appeal, but he did file this application
4 in January of 2020.

5 The current allegation is found, Your
6 Honor, in the May 16, 2024 amended application
7 filed by Mr. Warder. And that sole allegation is,
8 his attorney told him if he didn't plea and agree
9 to the State's recommendation of 15 years, he would
10 get a life sentence. Thereafter, the defendant
11 pled guilty in belief he had no other choice, but
12 to get a life sentence.

13 And, of course, Your Honor, you have
14 before you the original obligation with that
15 amendment, the return, the guilty plea transcript
16 and miscellaneous clerk's records including the
17 indictments and sentencing sheets. With that, Your
18 Honor, the State is ready to proceed as well.

19 THE COURT: And it's my understanding
20 -- I mean, this had a continuance a couple of times
21 to make sure that you had an opportunity to get
22 clear exactly what you wanted to petition for as
23 far as PCR?

24 MR. OGLESBY: Yes, sir.

25 MR. WARDER: That is correct, Your

1 Honor.

2 THE COURT: Okay. So your petition --
3 your grounds are what?

4 MR. WARDER: That he was promised or
5 that he was told he would get a life sentence
6 unless he pled guilty, that that's an involuntary
7 plea.

8 THE COURT: Okay. So for -- just to
9 make sure it's clear on the record, that is the one
10 issue that you're petitioning the court on?

11 MR. WARDER: That is the one issue.

12 THE COURT: Okay. And is that your
13 understanding, Counsel?

14 MS. BROWN: It is, Your Honor.

15 THE COURT: Okay. All right. Anything
16 else from the State?

17 MS. BROWN: Nothing at this time, Your
18 Honor.

19 THE COURT: Okay. Mr. Warder, please
20 proceed with your case.

21 MR. WARDER: Thank you, Your Honor.
22 Please the Court, I would call my client as our
23 first witness, Kendrix (phonetic) Oglesby.

24 THE COURT: Mr. Oglesby, you can come
25 up, sir, you're going to take the witness stand.

KELDREKUS OGLESBY - DIRECT EXAMINATION BY MR. WARDER

1 And then if you will, listen attentively to the
2 clerk, sir.

3 THE CLERK: Mr. Oglesby, place your
4 left hand on the Bible and raise your right hand.

5 KELDREKUS OGLESBY,
6 being first duly sworn, was examined and testified
7 as follows:

8 THE CLERK: Thank you. You may be
9 seated. Please state your full name for the
10 record.

11 MR. OGLESBY: Keldrekus Oglesby.

12 DIRECT EXAMINATION

13 BY MR. WARDER:

14 Q. Mr. Oglesby, I called you Kendrix
15 (phonetic) and that's not the correct
16 pronunciation. It's Kel --

17 A. Keldrekus.

18 Q. Keldrekus. I'm sorry and I'll try and
19 remember that. We're here today on your
20 postconviction relief application which was amended
21 once; is that correct?

22 A. Yes, sir.

23 Q. Okay. And in your amended allegations
24 you set forth that your attorney told you that you
25 would get a life sentence if you didn't take this

1 | deal?

2 | A. Yes, sir.

3 | Q. Okay. And based on that
4 | representation, did you plead guilty?

5 | A. Yes, sir. I told Judge Verdin in the
6 | beginning that he had told me that when we was
7 | going through with the process in court.

8 | Q. Okay. And had your attorney discussed
9 | with you the effects of a guilty plea?

10 | A. No, sir.

11 | Q. Okay. Had he discussed with you the --
12 | how a trial would go?

13 | A. He just said that he wouldn't be able
14 | to help me if I go to trial.

15 | Q. He wouldn't be able to help you?

16 | A. No, sir.

17 | Q. Did he tell you that you would get any
18 | particular sentence if you had a trial?

19 | A. I will get a life sentence.

20 | Q. Okay. And how could you avoid that
21 | life sentence under his discussions?

22 | A. If I take the plea.

23 | Q. Okay. And did you want to do that?

24 | A. No, sir.

25 | Q. A plea affects all our life, doesn't

1 | it? Are you a married man?

2 | A. Yes, sir. Currently trying to get
3 | married.

4 | Q. Okay. Do you have a family?

5 | A. Yes, sir. I've got two kids.

6 | Q. How old are you children?

7 | A. I want to say five and seven -- five
8 | and eight.

9 | Q. Okay. Were your family obligations and
10 | your desire to get a marriage, was all of that
11 | weighing on your mind at the same time?

12 | A. Yes, sir.

13 | Q. You made a difficult choice; is that
14 | right?

15 | A. Yes, sir.

16 | Q. And you decided to plead guilty based
17 | solely upon the representation that you get a life
18 | sentence if you didn't?

19 | A. Yes, sir.

20 | Q. Now, you went through the plea process
21 | in court; is that correct?

22 | A. Yes.

23 | Q. And you were asked questions by your
24 | attorney and the Court?

25 | A. Yes, sir.

1 Q. Did the judge ask you if you were
2 pleading guilty because you had been promised
3 anything?

4 A. Yes, sir, I think she did.

5 Q. Okay. And you told the judge you
6 hadn't been promised anything?

7 A. Yes, sir. After she told me to leave
8 out the courtroom and talk with Mr. De Bruin.

9 Q. Okay. And did you do that? Did you
10 have a recess where you talked with your attorney?

11 A. Yes, sir.

12 Q. Did he reaffirm that you would get a
13 life sentence if you didn't plead guilty?

14 A. Yes, sir.

15 Q. You then went back in the courtroom and
16 pled guilty?

17 A. Yes, sir.

18 Q. You got a 15 year sentence under that
19 arrangement; is that right?

20 A. Yes, sir.

21 Q. Were you a lone defendant in this
22 matter?

23 A. No, sir.

24 Q. How many of you were there that were
25 charged?

1 A. Like five. Five people.

2 Q. Okay. You're the only one that got 15
3 years?

4 A. Yes. Everybody else at home.

5 Q. Now, this particular case that you pled
6 guilty to was a burglary first degree?

7 A. Yes, sir.

8 Q. And that case involved a breaking of a
9 door and the taking of some guns?

10 A. Yes, sir.

11 Q. Okay. And there were five of you
12 involved in that?

13 A. Yes, sir.

14 Q. No one was hurt in it?

15 A. No. Sir.

16 Q. Were the guns recovered?

17 A. Yes, sir.

18 Q. Do you have any idea why your attorney
19 told you you'd get a life sentence if you went to
20 trial on that?

21 MS. BROWN: Objection. Calls for
22 speculation.

23 THE COURT: Sustained.

24 Q. Did your attorney tell you why you
25 would get a life sentence?

KELDREKUS OGLESBY - CROSS-EXAMINATION BY MS. BROWN

1 A. He just say he can't help. He can't
2 help me. That the solicitor wanted me to take the
3 plea.

4 Q. Had he told you about your trial
5 rights, the presumption of innocence, the fact that
6 a jury has to be -- has to have a unanimous vote to
7 convict, that all twelve jurors would have to
8 agree, did he cover that with you?

9 A. No, sir, we didn't talk about none of
10 that.

11 Q. You weren't talking about a trial, you
12 were only talking about a plea?

13 A. Yes, sir.

14 Q. And the sole reason you pled was the
15 belief that you would get a life sentence if you
16 didn't?

17 A. Yes, sir.

18 MR. WARDER: Thank you, sir. Would you
19 please answer any questions that the State might
20 have for you.

21 THE COURT: State?

22 MS. BROWN: Thank you, Your Honor.

23 CROSS-EXAMINATION

24 BY MS. BROWN:

25 Q. Mr. Oglesby, have you reviewed the

1 transcript from your plea recently?

2 A. No, ma'am, I only reviewed it one --
3 the last time I was in court you gave it to me.

4 Q. Okay. I'm going to just place a copy
5 up here and I'm going to ask you a few questions,
6 okay. And some of it will be on this plea. But
7 you don't have to look at it right now, I'm just
8 going to place it up here so we'll have it in case
9 we need to refer to it, okay?

10 A. Yes, ma'am.

11 Q. Do you recall Judge Verdin telling you
12 at the plea that each count of burglary first
13 degree carried 15 to life, do you remember that?

14 A. No, but I know that's what it carries.

15 Q. You know -- okay. What about that she
16 told you that burglary second carries up to ten
17 years, do you remember that?

18 A. Yes, ma'am.

19 Q. Okay. And grand larceny up to ten
20 years; right?

21 A. Yes, ma'am.

22 Q. Okay. So you were going to plead to
23 two counts of burglary first degree; right? And
24 you did plea to burglary first degree, two counts;
25 right?

KELDREKUS OGLESBY - CROSS-EXAMINATION BY MS. BROWN

1 A. Yes, ma'am, that's what I pleaded to.
2 I said, yes, ma'am, that's what I pleaded to.

3 Q. Thank you. So the maximum that you
4 were looking at right there, just those two charges
5 alone, that's two life sentences; correct?

6 A. If I'm found convicted -- if I'm found
7 guilty, yes, ma'am.

8 Q. That's the potential. We'll say it's
9 the potential, two life sentences, plus 20 years.
10 You were aware of that?

11 A. Yes, ma'am.

12 Q. All right. And you wanted to avoid a
13 life sentence, that's why you accepted the plea or
14 you pled guilty; is that correct?

15 A. Yes, ma'am. Because I didn't want to
16 get life, yes.

17 Q. I'm sorry, could you please repeat
18 that?

19 A. I said, yes, ma'am, I didn't want to
20 get no life sentence.

21 Q. Didn't want to get a life sentence.
22 Okay. You remember Judge Verdin also saying that
23 the plea would satisfy two of three strikes? Do
24 you remember her saying that?

25 A. No ma'am, I don't recall that.

1 Q. Okay. We'll that's okay. Let's just
2 go on a little bit. You said you talked to your
3 lawyer about the charges; right, and you said that
4 in the transcript?

5 A. Yeah.

6 Q. No doubt you talked to your lawyer
7 about your charges. You talked to your lawyer
8 about your sentence exposure; right? You knew that
9 a life sentence was a possibility?

10 A. Yes, ma'am.

11 Q. Okay. All right. And there is a break
12 in the transcript --

13 MS. BROWN: And, Your Honor, I'm going
14 to go around to page 16 in the transcript with
15 these questions if that helps.

16 THE COURT: Thank you.

17 Q. Judge Verdin is asking you at the
18 beginning of the transcript to speak with your
19 lawyer again. And there was some back-and-forth.
20 You said, happy with them and then you said, no,
21 you weren't happy with your counsel. You remember
22 that? And there was a break. And I want to talk
23 to you about when you came back and that's on page
24 16. Mr. Oglesby, are you able to turn those pages
25 to 16?

KELDREKUS OGLESBY - CROSS-EXAMINATION BY MS. BROWN

1 A. Yes, ma'am.

2 Q. Okay. Mr. Oglesby, do you remember
3 that you told Judge Verdin that you had no
4 complaints at that time? You were satisfied and no
5 complaints against anyone? Law enforcement?
6 Lawyer? Prosecution?

7 A. That was the second time, ma'am. I
8 said at first that I wasn't satisfied.

9 Q. And Judge Verdin stopped the proceeding
10 right there, didn't she?

11 A. Yes, ma'am.

12 Q. And you had time to speak with your
13 lawyer again, didn't you?

14 A. Yes.

15 Q. And it was after that break that you
16 came back and you told Judge Verdin under oath that
17 you were satisfied at that point?

18 A. Yes, after I talked to my lawyer,
19 ma'am.

20 Q. Okay. Mr. Oglesby, when you gave that
21 sworn statement to Judge Verdin, you had no
22 problems at that time, you had no coercion at that
23 time, and Judge Verdin was asking you about that.
24 Why wouldn't you tell her, no, you wanted to stop
25 the proceedings if you felt like you were being

1 | pushed?

2 | A. I told her that from the jump, ma'am.
3 | I told her from -- as soon as she asked me the
4 | question, I told her the truth. I told her that I
5 | didn't want to go through with the plea. I wasn't
6 | satisfied that my lawyer was trying to get me a
7 | life sentence. All this should be in here.

8 | Q. And what changed when you came back?

9 | A. He said if I didn't come back in here
10 | and say that I was wanting to take the plea, I was
11 | going to get life. He can't help me, so I didn't
12 | have no choice.

13 | Q. So, Mr. Oglesby, it was a decision for
14 | you, it was a tough decision. You were either
15 | going to go to trial and face two life sentences or
16 | you were going to plea and try to get a lesser
17 | sentence; isn't that correct?

18 | A. Yes, ma'am, I guess. Yes, ma'am.

19 | Q. I believe you said in your direct that
20 | it was a difficult choice to make; is that correct?

21 | A. Yes, ma'am.

22 | Q. But you made that choice to plead
23 | guilty. And you also spoke to Judge Verdin about
24 | what we call mitigation. You know what I'm talking
25 | about with mitigation? You got to tell Judge

KELDREKUS OGLESBY - CROSS-EXAMINATION BY MS. BROWN

1 Verdin a little bit about your background. That
2 you grew up, I believe, without a parent, without a
3 father?

4 A. Yes, ma'am.

5 Q. And you talked about that? You shared
6 that with Judge Verdin, didn't you?

7 A. Yes. My lawyer said that would be best
8 for me to write something.

9 Q. And you put everything down that you
10 wanted to, did you not?

11 A. Yes, ma'am.

12 Q. Okay. And I believe you said on your
13 direct that everyone else is home but you; is that
14 what you said?

15 A. Yes.

16 Q. But at that plea, wasn't one of the
17 talking points to get a 15 year sentence is that
18 one of your codefendants also got a 15 year
19 sentence?

20 A. One -- you said Laquavis Howard was
21 coming in to get 15 years. He didn't. He got six
22 nonviolent. All right. After me. Same day.

23 Q. But you were expecting that 15 for
24 other people as well; correct? That was a talking
25 point?

1 A. That's what was said.

2 Q. Okay. And in your first application, I
3 know you've amended it, but in your first
4 application, even alleging a lot of Constitutional
5 violations that you now have withdrawn, the first
6 thing you asked for was reconsideration of time;
7 isn't that right? That was the relief that you
8 were seeking?

9 A. Yes, I guess. Yes, ma'am.

10 Q. Okay. So you don't really want a new
11 proceeding, do you?

12 A. I just want a fair trial, ma'am. I
13 just want someone that will fight for me. That's
14 all I want.

15 Q. And you think it would be okay for you
16 to go back and face two life sentences and that
17 wouldn't bother you, but you have told this Court
18 that the fear of one life sentence made you plead
19 guilty and you got 15 years?

20 A. Can you repeat the question again?

21 Q. Sure. You're telling the Court that
22 you want to go back and face two life sentences;
23 right?

24 A. Yes. I'm telling the Court that I just
25 want a fair -- a fair trial. A fair fight with a

KELDREKUS OGLESBY - CROSS-EXAMINATION BY MS. BROWN

1 | lawyer that's going to fight for me. That's all.

2 | Q. Well, Mr. De Bruin helped you get a 15
3 | year sentence when you were facing two life
4 | sentences plus 20 years; correct?

5 | A. Ma'am, the charge carries 15 to life.
6 | I took a plea for -- open plea 15 to life, that's
7 | not a plea, that's just what it carries.

8 | Q. Now 15 is the minimum, you agree with
9 | me on that?

10 | A. Yeah, but I didn't take a 15 flat -- 15
11 | plea. I took an open plea 15 to life. That's what
12 | the charge carries. So if I went to trial, I was
13 | looking at the same thing. So I didn't never get a
14 | plea, ma'am, that's what the charge carried, 15 to
15 | life.

16 | Q. So if I understand where you're going,
17 | Mr. Oglesby, what you really want is a different
18 | charge?

19 | A. I just want -- I just want a fair
20 | chance, ma'am. Different charge, anything. I just
21 | want a fair fight. That's all, ma'am.

22 | MS. BROWN: The Court's indulgence,
23 | please, sir.

24 | THE COURT: Yes, ma'am.

25 | Q. Thank you, Mr. Oglesby.

1 MS. BROWN: No further questions, Your
2 Honor.

3 THE COURT: Any redirect, Mr. Warder?

4 REDIRECT EXAMINATION

5 BY MR. WARDER:

6 Q. Did your client ever discuss with you
7 what would happen at a trial with the burden of
8 proof, presumption of innocence, the fact that a
9 unanimous jury would have to -- it would take all
10 twelve to convict, did he discuss that with you?

11 A. No, sir. I don't even know what that
12 is, sir.

13 Q. He concentrated mainly on getting you
14 to plead guilty?

15 A. Yes, sir.

16 Q. And at the end of his talking about
17 pleading guilty, he changed it to you're going to
18 get life if you don't plead guilty; is that right?

19 A. He said if I didn't take the plea I was
20 going to get a life sentence, sir.

21 MR. WARDER: Thank you. That's all I
22 have, Your Honor.

23 THE COURT: Any recross?

24 MS. BROWN: Briefly, Your Honor.

25 RECROSS-EXAMINATION

1 BY MS. BROWN:

2 Q. Mr. Oglesby, did you just say that you
3 didn't know really what a trial was?

4 A. No. Whatever he said on the -- he said
5 -- I don't know exactly what the words he said, but
6 he says something that -- he didn't say trial, he
7 said something else, ma'am.

8 Q. Okay. Let's break it down. What about
9 burden of proof?

10 A. Yeah, I think that's what he said. I
11 don't know what the burden of proof is.

12 Q. Okay. Presumption of innocence?

13 A. What -- I don't know what that is,
14 ma'am. I'm not -- I don't know the law like that.

15 Q. Okay. Well, is it fair to say that
16 you're giving this testimony without knowing what
17 your options are today because you don't understand
18 what a trial is?

19 A. No. I think a trial is when the twelve
20 -- you got twelve juries and they get to decide if
21 you're innocent or guilty; right?

22 Q. And that was your understanding when
23 you pled guilty too, wasn't it?

24 A. I don't understand what you're asking,
25 ma'am.

1 Q. That was your understanding of what a
2 trial is when you pled guilty, wasn't it? Twelve
3 people making a jury determination, guilt or
4 innocence?

5 A. Yes, that's what a trial is.

6 MS. BROWN: Thank you. No further
7 questions, Your Honor.

8 THE COURT: All right. Anything else,
9 Mr. Warder?

10 MR. WARDER: No redirect, Your Honor.

11 THE COURT: Okay. Mr. Oglesby, you can
12 step down.

13 MR. WARDER: Your Honor, if it please
14 the Court, that would be the petitioner's case, so
15 we rest.

16 THE COURT: Okay. So you rest. Okay.
17 Anything from the State?

18 MS. BROWN: Yes, Your Honor. The State
19 would call Mr. Aaron De Bruin, please.

20 THE CLERK: Mr. De Bruin, please place
21 your left hand on the Bible and raise your right
22 hand.

23 AARON DE BRUIN,
24 being first duly sworn, was examined and testified
25 as follows:

AARON DE BRUIN - DIRECT EXAMINATION BY MS. BROWN

1 THE CLERK: Thank you. Please be
2 seated and state your full name for the record.

3 MR. DE BRUIN: My name is Aaron De
4 Bruin.

5 DIRECT EXAMINATION

6 BY MS. BROWN:

7 Q. Mr. De Bruin, do you recall how you
8 came to represent Mr. Oglesby?

9 A. Yeah, I was appointed.

10 Q. Okay. And that was just through the
11 public defender's office?

12 A. I believe so. Since they were
13 codefendants, the 608 program appointed me because
14 there was a conflict for the public defender's
15 office.

16 Q. Okay. And did you meet with
17 Mr. Oglesby?

18 A. Several times.

19 Q. Did he engage you in questions about
20 the process and what would happen?

21 A. He did.

22 Q. Can you give us an example of what that
23 communication would be?

24 A. We talked about a lot of things.
25 Obviously, what a trial would look like if we went

1 to trial. The evidence against him. We spoke
2 about all the discovery, went through all that. Of
3 course, I talked to him about, you know, what the
4 government would have to prove at trial. Would he
5 be looking at a trial. And then also, you know,
6 prior to him pleading guilty we actually talked
7 about plea deals as well. And possibly, I don't
8 remember if we talked about what codefendants got,
9 but we did talk about, you know, the standard
10 things that attorneys will talk to their defense
11 clients about.

12 Q. Okay. And do you recall that Mr.
13 Oglesby pled guilty in March of 2019?

14 A. I don't remember exactly the day, but I
15 know he pled guilty sometime around there.

16 Q. Okay. And around that time, how long
17 had you been practicing law?

18 A. I was -- since 2008. October of 2008
19 was when I got my bar. When I got sworn in.

20 Q. Okay. And how much of your practice
21 back in 2019 would have been dedicated to major
22 felony charges?

23 A. Almost all of it.

24 Q. What percentage of your practice was in
25 criminal law?

AARON DE BRUIN - DIRECT EXAMINATION BY MS. BROWN

1 A. I would say about 90 percent, 80 to 90
2 percent.

3 Q. Okay. Do you recall how the plea
4 negotiations began in this case?

5 A. It happened -- I believe this case was
6 pretty old even before we went there because I
7 think he pled off the trial docket from what I
8 recall. So we had opportunities for over a year to
9 talk about this. Prior to, we had talked about
10 some plea negotiations, I believe, but, obviously,
11 he never accepted any kind of plea. So we got put
12 on the trial docket and this was the only way to
13 plea was just to plea off the trial docket.

14 Q. And just to explain, the trial docket,
15 what does that mean? When you're pleading off the
16 trial docket, what does that mean?

17 A. So at that point the solicitor's office
18 doesn't give any offers anymore. At that point, if
19 you want to plea, you plea straight up and whatever
20 the judge gives you. There's no recommendations by
21 the solicitor's office, it's just whatever the
22 judge wants to give you after you plea.

23 Q. Okay. And in this plea proceeding, did
24 you explain that to Mr. Oglesby?

25 A. Absolutely.

1 Q. Okay. So he understood there was no
2 firm recommendation?

3 A. That's correct.

4 Q. But you had an expectation of 15?

5 A. Well, I thought that, you know, there
6 was a good shot that he could get 15. Obviously,
7 there's no guarantee and I spoke to him about that.
8 It's whatever the judge wants to give him at that
9 point. But, you know, I'd never seen anybody get
10 life for a burglary first. But I think the realm
11 of 15 was probably more appropriate. And I thought
12 that's probably what he was going to get.

13 Q. And did you share with your client what
14 you just testified to that you had never personally
15 seen anybody get life?

16 A. I did. I did. I'm trying to remember,
17 but I believe he had priors as well, so this wasn't
18 his first time in a courtroom. And I want to say
19 that maybe he even had a strike against him. So,
20 you know, we talked about the strike system and,
21 you know, that these burglaries happened on
22 different days. You know, that, you know, you
23 could be looking at, you know, because of all your
24 strikes if they take you to trial different times
25 that you could be looking at life. But, obviously,

AARON DE BRUIN - DIRECT EXAMINATION BY MS. BROWN

1 | there's no guarantee. And I told him, you know,
2 | this covers 15 to life, but, you know, you could
3 | get life, but I don't think you probably would.

4 | Q. And the potential there was actually
5 | for two life sentences if there were two charges;
6 | isn't that correct?

7 | A. That's correct.

8 | Q. And based on your interactions with
9 | your client, did your client ever want to go to
10 | trial?

11 | A. No. No. He made it absolutely clear
12 | he did not want to go to trial.

13 | Q. Was that a developing position or was
14 | that a consistent?

15 | A. A consistent one.

16 | Q. Mr. De Bruin, did you ever tell your
17 | client to plead guilty?

18 | A. No.

19 | Q. Did you ever tell him he would get life
20 | if he went to trial?

21 | A. No.

22 | Q. Now, based on your discussions though
23 | with Mr. Oglesby, was it your understanding that he
24 | definitely wanted to avoid a life sentence?

25 | A. He wanted to avoid trial definitely.

1 Q. Wanted to avoid trial in particular?

2 A. Right.

3 Q. Okay. And Mr. Oglesby admitted to the
4 facts at the plea, do you remember that?

5 A. He did.

6 Q. Okay. Working with others, going into
7 residences, taking guns, coins. And I think the
8 third residence they broke into, police came in and
9 they were captured running away from the residence;
10 correct?

11 A. I believe so.

12 Q. Okay. And at sentencing, Mr. Oglesby
13 stated, I accept full responsibility for what I
14 have done?

15 A. That's right.

16 Q. Did you tell him to do that?

17 A. No. I told him it would be a good idea
18 for him to write something to the judge. And he
19 came up on his own. Actually, I thought it was
20 probably one of the better ones I've ever read
21 mitigating a request by a defendant. He did a very
22 good job with it.

23 Q. And the State's factual recitation
24 about the burglaries, the breaking in, and the
25 third house having everybody run, that sort of

AARON DE BRUIN - DIRECT EXAMINATION BY MS. BROWN

1 | thing, was that consistent with the evidence that
2 | you had been provided?

3 | A. Yes.

4 | Q. Now, there's been an allegation that
5 | you would have -- indicated you could not help if
6 | Mr. Oglesby actually did go to trial. Now, did you
7 | tell your client that he had a defense?

8 | A. Yeah, we talked about his defenses and,
9 | obviously, we were prepared to go to trial if need
10 | be. It's not something -- I've gone to trial
11 | before a defendant in murder cases, so it's not
12 | something I'm not prepared to do. So we were
13 | definitely prepared. But he made it absolutely
14 | clear he did not want to go to trial. He was
15 | trying to avoid it as much as possible.

16 | Q. Okay.

17 | MS. BROWN: The Court's indulgence,
18 | please, excuse me.

19 | THE COURT: Yes, ma'am.

20 | Q. Just a few more questions, sir. There
21 | was a break in the proceedings. You were in the
22 | courtroom this morning; correct?

23 | A. That's correct.

24 | Q. So you heard Mr. Oglesby talk about the
25 | break and he was not happy at one point. And then

1 | there was a time that you were able to talk to him.

2 | Do you recall that conversation, sir?

3 | A. I don't recall specifically what we
4 | talked about. I can't remember exactly what we
5 | talked about. No. I mean, I heard a little bit,
6 | obviously, beforehand about the transcript and
7 | things like that about how he wasn't happy with me
8 | and I think I made that clear to the judge. I
9 | don't remember. I haven't read the transcripts in
10 | a while, but I believe I said to Judge Verdin
11 | something like, look, I understand he's not happy
12 | with me. I got appointed to him, it's not like he
13 | hired me and chose me. I was appointed. And so I
14 | can understand why he's not, you know, why he
15 | thought that at the very beginning. But we talked
16 | about it and, obviously, you know, I didn't promise
17 | him anything. I never do with any client promise
18 | them. And he came back and --

19 | Q. Never promised him anything. You don't
20 | tell clients whether to plead guilty or not; is
21 | that correct, your testimony?

22 | A. That's correct.

23 | Q. So those things would not have
24 | occurred?

25 | A. That's right. They would not of.

AARON DE BRUIN - CROSS-EXAMINATION BY MR. WARDER

1 Q. After sentence was imposed, did you
2 talk to your client?

3 A. I don't remember if I did. A lot of
4 times if somebody's going to jail, I'll go back and
5 talk to them and just kind of tell them what the
6 sentence is. I don't know if I did that or not in
7 this case.

8 Q. Did your client ever reach out and
9 express dissatisfaction and say something had gone
10 wrong?

11 A. Not that I know of other than,
12 obviously, this PCR hearing.

13 Q. Just a PCR application?

14 A. That's right.

15 Q. Thank you, sir. Appreciate it. If you
16 would answer any questions that Mr. Warder has.

17 THE COURT: Any cross, Mr. Warder?

18 CROSS-EXAMINATION

19 BY MR. WARDER:

20 Q. Good morning.

21 A. Good morning, sir.

22 Q. You would agree this was a pretty
23 aggravated case as burglary first got?

24 A. Well, it depends on what you say. I
25 mean, I think there was one incident where the lady

1 | was at the house and she barricaded herself in a
2 | bathroom.

3 | Q. And there wasn't injury to anybody,
4 | there wasn't a large loss?

5 | A. Yeah, not that I know of as far as
6 | injuries.

7 | Q. I mean, the guns were recovered?

8 | A. Right.

9 | Q. On the facts of it, it's a case that
10 | you would be surprised if there was a 15 year
11 | sentence?

12 | A. We were trying to not have him get a 15
13 | year sentence; that's correct.

14 | Q. Had the other defendants pled when you
15 | pled?

16 | A. I don't remember if they -- maybe some
17 | of them pled, maybe some of them didn't. I don't
18 | remember exactly. My understanding -- well, again,
19 | I don't remember exactly.

20 | Q. Do you remember whether there were any
21 | codefendants who were going to testify?

22 | A. I believe there were codefendants and
23 | that was a possibility that they would testify
24 | against Keldrekus at trial.

25 | Q. Did you try to make a deal with the

1 | solicitor for some help for my client?

2 | A. Absolutely. We tried to reduce it down
3 | to burglary second nonviolent just so we can have a
4 | lot more wiggle room and didn't have a mandatory
5 | minimum. But I think the clock ran out on us and
6 | it was put up on the trial docket.

7 | Q. You would agree with me that the case
8 | had possibilities that it could have been
9 | successfully defended?

10 | A. Any case can be successfully defended.

11 | Q. Did you spend much time discussing with
12 | Mr. Oglesby how a trial would go and what the
13 | chances were, what witnesses might be against him?

14 | A. We did. We went over that and,
15 | obviously, went over the discovery as well.

16 | MR. WARDER: Thank you. That's all the
17 | questions I have.

18 | THE COURT: All right. Anything in
19 | redirect?

20 | MS. BROWN: Nothing further, Your
21 | Honor.

22 | THE COURT: Okay.

23 | MS. BROWN: We would ask that the
24 | witness be released from the subpoena.

25 | THE COURT: Okay. You may step down.

CLOSING ARGUMENT BY MR. WARDER

1 | Good to see you.

2 | Anything else from the State?

3 | MS. BROWN: The State would rest, Your
4 | Honor. Thank you.

5 | THE COURT: Mr. Warder, anything in
6 | reply?

7 | MR. WARDER: No reply, Your Honor.

8 | THE COURT: Okay. Would you like to
9 | make any type of closing arguments?

10 | MR. WARDER: Your Honor, this is a case
11 | where my client pled and got 15 years what's the
12 | minimum for a burglary first. I would submit that
13 | this is strictly a minimum case. If he went to
14 | trial, I don't believe that on the set of facts, he
15 | could have got any worse result. It's always out
16 | there when there's one you say, well, you can add
17 | the years up on all the charges and say that's what
18 | really could happen. But it could only happen if a
19 | judge ignored the facts. And the facts under this
20 | case, certainly hard to justify 15 years. It's
21 | certainly -- I think no Court would give more than
22 | that. I think he could have tried to and certainly
23 | it's a case that I think is triable.

24 | His attorney, while appointed,
25 | certainly, I think from the testimony should have

CLOSING ARGUMENT BY MS. BROWN

1 | spent more time trying to develop a defense more
2 | with the defendant over what the defense and what a
3 | trial would really encompass.

4 | I would say that in this particular
5 | case, my client clearly rendered an involuntary
6 | plea and gave up under the trial rights for no
7 | gain. Thank you.

8 | THE COURT: Thank you, Mr. Warder.
9 | Anything from the State?

10 | MS. BROWN: Thank you, Your Honor. The
11 | State submits that Mr. Oglesby has failed in his
12 | burden of proof. In particular, he has failed to
13 | present any concrete reason to depart from the
14 | truthfulness of the statements that he made under
15 | oath to Judge Verdin. Judge Verdin was very
16 | careful with his plea. When there was hesitation,
17 | she stopped the plea.

18 | And what were the statements coming
19 | back? I submit to you that those are very, very
20 | credible statements. They are sworn statements and
21 | they are firm statements from Mr. Oglesby. Because
22 | he was attempting to make sure that plea was
23 | entered and he did get some benefit from it.

24 | Now, there is an omission part of the
25 | plea that Mr. Oglesby suggests was when he was

CLOSING ARGUMENT BY MS. BROWN

1 coerced that counsel said you are going to get a
2 life sentence. Well there are many problems with
3 accepting that as a credible interpretation of the
4 lapse.

5 First of all, every indicator by the
6 transcript and by practice as we've heard from
7 counsel on the stand what his practice was supports
8 that counsel would not have directed Mr. Oglesby to
9 plea. Would not have told Mr. Oglesby he was going
10 to get a life sentence. Counsel even testified
11 that it was his experience at that time that a
12 person in Mr. Oglesby's position would not get a
13 life sentence. He hadn't seen that life sentence
14 come down in similar situations.

15 Nothing supports the assertion Mr.
16 Oglesby has made. And counsel credibly testified
17 that the defendant never wanted a trial. That
18 testimony is specifically supported by the records,
19 Your Honor. Mr. Oglesby, again, worked very hard
20 to make sure that Judge Verdin accepted that plea
21 to take his case off of the trial roster. This was
22 the appointed time where he had to make a difficult
23 decision. A decision that he admits was a
24 difficult decision. But the key in his admission
25 there is it was his decision to make and he made

1 | it. Therefore, Your Honor, we asked for relief to
2 | be denied.

3 | THE COURT: Okay. Thank you both. Did
4 | an excellent job setting your case and I'm going to
5 | take it under advisement.

6 | - - -END OF REQUESTED TRANSCRIPT OF RECORD- - -

7 |

8 |

9 | (WHEREUPON, proceedings concluded at 11:53 AM.)

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CERTIFICATE OF REPORTER

STATE OF SOUTH CAROLINA)

COUNTY OF GREENVILLE)

I, KATHERINE A. SPIRES, Registered Professional Reporter for the Thirteenth Judicial Circuit of the State of South Carolina, do hereby certify that the foregoing is a true, accurate and complete Transcript of Record of the proceedings had and the evidence introduced in the trial of the captioned case, relative to appeal, in the Court of Common Pleas for Greenville County, South Carolina, on the 10th of October, 2024.

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

(This transcript was transcribed from the audio and notes taken by Cheryl Smith.)

April 10, 2025

s/Katherine A. Spires

Katherine A. Spires

Registered Professional Reporter

General Procedural History

Applicant is presently incarcerated in the South Carolina Department of Corrections pursuant to orders of commitment of the Greenville County Clerk of Court. During its August 2018 term, the Greenville County Grand Jury indicted Applicant for two counts of first-degree burglary (2017-GS-23-6718 and 6721), second-degree burglary (2017-GS-23-6724), and grand larceny (2017-GS-23-6719). Aaron DeBruin, Esq., represented Applicant on the charges. Assistant Solicitors William Douglas Richardson, Jr., and William Ryan Holloway, both of the Thirteenth Circuit Solicitor's Office, prosecuted the case. On March 27, 2019, Applicant appeared before the Honorable Letitia H. Verdin and pleaded guilty as indicted. In accordance with the State's sentencing recommendation, Judge Verdin sentenced Applicant to imprisonment for fifteen years for each of the first-degree burglary offenses, ten years for second-degree burglary, ten years for grand larceny, with all sentences running concurrently, and credit for time served.

Applicant did not appeal his convictions or sentences.

Current Allegations

Counsel amended the application on May 16, 2024, to assert the following claim of error:

On the transcript of the plea page 10, (enclosed) the Defendant was being questioned by the Court and when he was asked by the Honorable Letitia Verdin, if he thought his attorney had done what you asked him to do within reason the Defendant reply's was "no". The Judge then had Defendant step away from group of other Defendant's pleading guilty and talk to his attorney. His attorney told him if he didn't plea and agree to the State's recommendation of fifteen (15) years he would get a life sentence. Thereafter the Defendant plead guilty in belief he had no other choice but get a life sentence. The conversation with his attorney took place in the area in front of the holding cell outside of the courtroom door, After their conversation, Defendant went back in the courtroom and entered a guilty plea to avoid a life sentence.

(Amended App. at 1).

FINDINGS OF FACT AND CONCLUSIONS OF LAW

In addition to carefully considering the record and the arguments presented by counsel, this Court has also had the opportunity to consider the testimony presented at the PCR evidentiary hearing and has weighed the testimony accordingly. Set forth below are the relevant findings of fact and conclusions of law as required by S.C. Code Ann. §17-27-80 (2003).

Ineffective Assistance and Involuntary Plea Claims

For claims that trial counsel provided ineffective assistance, this Court is guided by the familiar test: To show a violation of the Sixth Amendment, an applicant must show that counsel's representation fell below an objective standard of reasonableness, and but for counsel's error, there is a reasonable probability that the outcome of the trial would have been different. *Strickland v. Washington*, 466 U.S. 668, 694 (1984); *Simpson v. Moore*, 367 S.C. 587, 595–96, 627 S.E.2d 701, 706 (2006). “A reasonable probability is a probability sufficient to undermine confidence in the outcome” of the trial. *Strickland*, at 694. It is presumed that counsel made all decisions in exercise of reasonable judgment. *Strickland*, at 689. It is an applicant's burden to prove, by a preponderance of the evidence, an entitlement to relief. Rule 71.1 (e), SCRPC. *See also Speaks v. State*, 377 S.C. 396, 399, 660 S.E.2d 512, 514 (2008) (“the burden of proof is on the applicant to prove the allegations in his application”). For a guilty plea, the analysis varies slightly as the issue is, at bottom, the voluntariness of the plea.

“Where, as here, a defendant is represented by counsel during the plea process and enters [the] plea upon the advice of counsel, the voluntariness of the plea depends on whether counsel's advice ‘was within the range of competence demanded of attorneys in criminal cases.’ ” *Hill v. Lockhart*, 474 U.S. 52, 56 (1985) (quoting *McMann v. Richardson*, 397 U.S. 759, 771 (1970)). Indeed, “[a] defendant who enters a plea on the advice of counsel may only attack the voluntary

and intelligent character of the plea by showing that counsel's representation fell below an objective standard of reasonableness and that there is a reasonable probability that, but for counsel's errors, the defendant would not have pled guilty, but would have insisted on going to trial." *Kolle v. State*, 386 S.C. 578, 588, 690 S.E.2d 73, 78 (2010) (quoting *Rolen v. State*, 384 S.C. 409, 413, 683 S.E.2d 471, 474 (2009)); *Burket v. Angelone*, 208 F.3d 172, 189 (4th Cir. 2000) (same). This is the *Strickland* test as applied in the guilty plea context. See also *Taylor v. State*, 404 S.C. 350, 360, 745 S.E.2d 97, 102 (2013) ("In the context of a guilty plea, the deficiency prong inquiry turns on whether the plea was voluntarily, knowingly, and intelligently entered.").

Notably, the "prejudice prong ordinarily requires more than simply a defendant's assertion that but for counsel's deficient performance he would not have pled but would have gone to trial." *Stalk v. State*, 383 S.C. 559, 563, 681 S.E.2d 592, 595 (2009). The Supreme Court has instructed: "Courts should not upset a plea solely because of *post hoc* assertions from a defendant about how he would have pleaded but for his attorney's deficiencies. Judges should instead look to contemporaneous evidence to substantiate a defendant's expressed preferences." *Lee v. United States*, 582 U.S. 357, 369 (2017). See also *Stalk*, at 563, 681 S.E.2d at 595; *Taylor v. State*, 404 S.C. 350, 362, 745 S.E.2d 97, 103 (2013) ("Despite Petitioner's assertions to the contrary, there is probative evidence in the Record before us that he would not have chosen to proceed to trial"); *Goins v. State*, 397 S.C. 568, 575, 726 S.E.2d 1, 4 (2012) ("Although Goins testified at the PCR hearing that he accepted the plea because of the erroneous advice on the suppression of the evidence, his testimony specifically was found not to be credible. We therefore find evidence to support the PCR court's finding that Goins failed to prove he was prejudiced by counsel's ineffective assistance because he has not demonstrated he would have gone to trial absent the erroneous advice.").

“To find a guilty plea is voluntarily and knowingly entered into, the record must establish the defendant had a full understanding of the consequences of his plea and the charges against him.” *Dalton v. State*, 376 S.C. 130, 138, 654 S.E.2d 870, 874 (Ct. App. 2007). “A defendant’s knowing and voluntary waiver of the constitutional rights which accompany a guilty plea may be accomplished by colloquy between the Court and the defendant, between the Court and defendant’s counsel, or both.” *Id.*, (quoting *Pittman v. State*, 337 S.C. 597, 600, 524 S.E.2d 623, 625 (1999)). “In determining guilty plea issues, it is proper to consider the guilty plea transcript as well as evidence at the PCR hearing.” *Suber v. State*, 371 S.C. 554, 558, 640 S.E.2d 884, 886 (2007).

Further, statements made during a guilty plea should be considered true: “... accuracy and truth of an accused’s statements at ... his guilty plea ... are ‘conclusively’ established by that proceeding unless and until he makes some reasonable allegation why this should not be so.” *Crawford v. United States*, 519 F.2d 347, 350 (4th Cir. 1975), *overruled on other grounds by United States v. Whitley*, 759 F.2d 327 (4th Cir. 1985); *Dalton v. State*, 376 S.C. 130, 137–38, 654 S.E.2d 870, 874 (Ct. App. 2007) (same).

Applicant’s Allegation Lacks Merit

Considering the record of the plea proceeding in conjunction with the testimony received at the PCR hearing, this Court finds that Applicant’s PCR testimony that counsel gave him incorrect advice or pressured him in any way regarding the potential for a life sentence is not credible. This Court does find credible Applicant’s statement that he made a “difficult choice,” but that choice was based on his own circumstances and was not occasioned by failure or deficiency on counsel’s part. This Court credits Mr. DeBruin’s testimony which is consistent with the settled plea record and record of charges. Further, this Court finds that Mr. DeBruin was an

experienced attorney at the time of the plea and was prepared for trial. In fact, the plea transcript noted that the plea was “off the trial docket,” (Tr. 18), meaning that the case was going to be called for trial. In turn, that meant that Applicant had to take the plea or go to trial at that time. Hence, the Court credits as believable Applicant’s PCR testimony that he faced a “difficult choice.” However, this Court finds credible Mr. DeBruin’s testimony that he was prepared (or preparing) for trial; that he did not threaten or coerce his client into pleading guilty; that he did not tell Applicant to plead guilty, and, critically, that Applicant never wanted to go to trial at all – a fact that Applicant actually admitted in his plea, (Tr. 16). Contrary to Applicant’s assertions, the plea transcript does not at all undermine these facts, in particular counsel’s communications with him.

Applicant is correct that the plea transcript shows that he hesitated during the plea proceedings, and he answered “no” when asked if he was happy with his lawyer. (Tr. 9). The remainder of that portion of the plea is critical, though:

DEFENDANT OGLESBY: I’m happy with what he - - the plea that we’re doing - -

THE COURT: Okay. Can you speak up for me? I’m sorry.

DEFENDANT OGLESBY: I’m happy with the plea that we’re going through with. I thought you were saying was I happy with the whole thing.

(Tr. 9-10). But that is not the only “no” at issue. Judge Verdin tried to ask the question in a “different way,” and queried if defendant “had enough time to talk with him about this plea” and Applicant again responded, “no.” (Tr. 10). Judge Verdin at that point allowed him to “step back” and speak with counsel again. (Tr. 10 and 15). This was during a proceeding where the court addressed several defendants. Once another plea was completed, Judge Verdin return to Applicant and the following exchange took place:

THE COURT: ... Have you discussed this charge with your

lawyer?

DEFENDANT OGLESBY: Yes, ma'am.

THE COURT: And are you satisfied with what your lawyer's done for you?

DEFENDANT OGLESBY: Yes, ma'am.

THE COURT: Okay. You're sure about that?

DEFENDANT OGLESBY: Yes, ma'am.

(Tr. 15-16).

Judge Verdin acknowledged that Applicant "had some hesitation earlier," and specifically explored the possibility of complaints as follows:

THE COURT: Do you have any complaints to make against law enforcement as a result of this plea?

DEFENDANT OGLESBY: No, ma'am.

THE COURT: Do you have any complaint to make against your lawyer as a result of this plea?

DEFENDANT OGLESBY: No, ma'am.

THE COURT: Do you have any complaint to make against the prosecutor's office of the solicitor's office as a result of this plea?

DEFENDANT OGLESBY: No, ma'am.

THE COURT: Okay. Has anyone forced you to plead guilty.

DEFENDANT OGLESBY: No, ma'am. I just didn't want to go to trial, ma'am.

THE COURT: I got you. Has anybody promised you anything to get you to plead guilty?

DEFENDANT OGLESBY: No, ma'am.

(Tr. 16-17).

Moreover, Mr. DeBruin explained the “hesitation” at the plea itself, asserting that, while Applicant had always been pleasant to him, Applicant “didn’t get to choose” Mr. DeBruin as his counsel. Instead, Mr. DeBruin was appointed to represent Applicant. Mr. DeBruin asserted his belief that was the root cause of the “hesitation.” (Tr. 21). Counsel continued:

[PLEA COUNSEL]: ... he’s tried to - - to hire another attorney, or two other attorneys. But, you know, for whatever reason, it didn’t work out monetarily, maybe. And then kind of the clock ran out on him.

He’s wanted to plead from the very beginning. It’s just - - he wanted to see if he could get somebody else to find him a good - - a better deal. When that didn’t happen, obviously, we’re here today.

(Tr. 21).

Counsel also attempted to mitigate the facts of the crime which also demonstrates counsel knowledge of the case and supports his assertion at PCR that he was prepared for trial. (Tr. 21-22).² To be sure, there was no contest to the facts presented in support of the charges. The facts offered at the plea basically reflected a series of home break-ins with theft of guns among other things. (See Tr. 18-20). In one, a victim was in the home, but was able to hide and call 911 leading to the group’s capture. (Tr. 19). In other words, there were facts sufficient to convict – surely a significant fact for Appellant’s consideration. Notably, Applicant admitted to Judge Verdin:

... I accept full responsibility for what I have done. And I’m sorry for all the people I hurt. I was young and didn’t understand that what we was doing could take our life away from us and take us away from our kids and families for so long.

(Tr. 22).³

² This Court also finds that counsel credibly testified that he was concerned that a co-defendant would testify against Applicant should Applicant go to trial. That would logically be a significant concern with a co-defendant pleading before Applicant’s proceedings.

³ While this Court has primarily considered the record in regard to the credibility of testimony in analysis of Applicant’s single claim of ineffective assistance of counsel, the Court

The record here supports that the plea was a voluntary choice among alternatives as guided by counsel against which Applicant ultimately had no complaints at the time of the plea. The Court does not totally discount Applicant's *belief* that he faced a life sentence – there was not an agreement on terms or a negotiated plea, and the charges subjected him to *two* life sentences on the burglary first charges alone. (*See* Tr. 8). Further, Mr. DeBruin correctly advised that the State, if it decided to try the charges separately, could attempt to secure a life sentence under the recidivist statute, S.C. Code Ann. § 17-25-45 – a significant risk since Appellant already had one “strike” based on a prior conviction. (*See* Tr. 20).⁴ Indeed, Judge Verdin advised that the burglary charges would be “two of your three strikes,” which Appellant responded he understood. (Tr. 9). This Court also credits counsel's PCR testimony that he advised Applicant that he had never seen a life sentence imposed for this type of situation, but it was possible, given that counsel could not ignore that a life sentence was indeed possible. But this Court does not find credible Applicant's assertion that counsel threatened Applicant with a life sentence. Again, that was result of the circumstances – the charges he faced – and not some error or impropriety by counsel.⁵

further finds this admission weighty in finding no deficiency or prejudice. Simply, the fact of admission of guilt in open court weighs heavily in finding no basis to reverse as Applicant always intended to enter a plea, it was just a matter of what type of deal he could receive. *See generally State v. Wiley*, 387 S.C. 490, 497, 692 S.E.2d 560, 564 (Ct. App. 2010)(noting that when defendant “admitted his guilt in open court” there could be reversible error) (citing *State v. Sroka*, 267 S.C. 664, 665, 230 S.E.2d 816, 817 (1976) (with parenthetical, “holding appellant's guilt was conclusively shown by the record and any doubt about correctness of guilt was eliminated by the admission of appellant in open court, after conviction and during the pre-sentence inquiry by the trial judge, that the appellant had participated in the robbery”).

⁴ Appellant had a previous conviction for burglary second degree, a designated “serious offense.” *See* S.C. Code § 17-25-45 (C)(2).

⁵ This Court has reviewed the transcript as to whether there was a recommendation from the State for a 15-year sentence and can find none. However, counsel certainly underscored that a co-defendant previously plead guilty and received a 15-year sentence. (*See* Tr. 21). That would be the mandatory minimum for the charge. (Tr. 23). As noted above, counsel convinced Judge Verdin

“It is beyond dispute that a guilty plea must be both knowing and voluntary.” *Parke v. Raley*, 506 U.S. 20, 29 (1992). It is also clear the record should reflect that voluntary choice. *Boykin v. Alabama*, 395 U.S. 238 (1969) (“a guilty plea should only be accepted where the record evidences ‘an affirmative showing that it was intelligent and voluntary.’”). The record supports a voluntary plea. Applicant confirmed that he understood the charges and possible sentences; was properly advised of his trial rights; and had the assistance of counsel throughout. Applicant is not entitled to any relief.


CONCLUSION

For the above stated reasons, this Court finds that Applicant failed to carry his burden of proof. Therefore, this application for post-conviction relief must be denied and dismissed with prejudice.

IT IS THEREFORE ORDERED:

Applicant’s application for post-conviction relief is denied and dismissed with prejudice.

AND IT IS SO ORDERED this 5th day of December, 2024.


THE HONORABLE PATRICK FANT, III
Presiding Judge

Greenwell, South Carolina.

Copy mailed to
Attorney <u>General MB / Richard Warder</u>
on <u>12 / 5 / 2024</u> .

that a 15-year sentence was appropriate, and Applicant received a 15-year sentence. (Tr. 23). To receive only the mandatory minimum is itself a benefit to Applicant in these circumstances.

STATE OF SOUTH CAROLINA)
)
COUNTY OF GREENVILLE)

INDICTMENT FOR
BURGLARY FIRST DEGREE

At a Court of General Sessions, convened on **AUG 28 2018** the Grand Jurors of Greenville

County present upon their oath:

That KELDREKUS TAYQUAU OGLESBY did in Greenville County, on or about the 19th day of May, 2017, willfully and unlawfully enter the dwelling of JOE MARTIN located at [REDACTED] Richbourg Rd., Greenville, South Carolina, without consent and with the intent to commit a crime therein, and the burglary was accompanied by circumstances of aggravation, to wit: the defendant was armed with a deadly weapon. This is in violation of §16-11-0311 of the South Carolina Code of Laws (1976) as amended.

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



SOLICITOR BAR # 66112

WITNESSES

3 Timothy W. Brochin

Greenville County Sheriffs Office

6/12/2017

ARREST WARRANT NUMBER
2017A2311100173

ACTION OF GRAND JURY
TRUE BILL

Clay Tuttle

FOREMAN GRAND JURY

Foreperson of Grand Jury

VERDICT

Foreperson of Petit Jury
Date:

DOCKET NO. 2017-GS-23- 006718
WDR

The State of South Carolina

County of Greenville

COURT OF GENERAL SESSIONS
August *2018*
TERM 2017

THE STATE

vs.

KELDREKUS TAYQUAU OGLESBY

Debra

Indictment for

0079

BURGLARY FIRST DEGREE

VIOLATION § 16-11-0311

FILED
AUG 18 2017
Clerk of Court
Greenville County

STATE OF SOUTH CAROLINA)
)
COUNTY OF GREENVILLE)

INDICTMENT FOR
GRAND LARCENY

At a Court of General Sessions, convened on
County present upon their oath:

AUG 28 2018 the Grand Jurors of Greenville

That KELDREKUS TAYQUAU OGLESBY did in Greenville County, on or about the 19th day of May, 2017, feloniously take and carry away the personal property of JOE MARTIN to wit: a shotgun and coins, with a total value of more than Two Thousand Dollars with the intent to deprive the owner permanently of such property. This is in violation of §16-13-0030 of the South Carolina Code of Laws (1976) as amended.

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



SOLICITOR BAR # 66112

WITNESSES

95 Timothy W. Brochin

Greenville County Sheriffs Office

6/12/2017

ARREST WARRANT NUMBER
2017A2311100174

ACTION OF GRAND JURY
TRUE BILL

Clay Tuttle

FOREMAN GRAND JURY

Foreperson of Grand Jury

VERDICT

Foreperson of Petit Jury

Date:

DOCKET NO. 2017-GS-23-

WDR

006719

The State of South Carolina

County of Greenville

COURT OF GENERAL SESSIONS

August

TERM 2017

2018

THE STATE

vs.

KELDREKUS TAYQUAU OGLESBY

Indictment for

3420

GRAND LARCENY

VIOLATION § 16-13-0030

FILED

AUG 18 2017

Clerk of Court
Greenville County

STATE OF SOUTH CAROLINA)
)
COUNTY OF GREENVILLE)

INDICTMENT FOR
BURGLARY FIRST DEGREE

At a Court of General Sessions, convened on **AUG 28 2018** the Grand Jurors of Greenville

County present upon their oath:

That KELDREKUS TAYQUAU OGLESBY did in Greenville County, on or about the 19th day of May, 2017, willfully and unlawfully enter the dwelling of LORIE PORTER located at █ Avon Drive, Taylors, South Carolina, without consent and with the intent to commit a crime therein, and the burglary was accompanied by circumstances of aggravation, to wit: the defendant was armed with a deadly weapon. This is in violation of §16-11-0311 of the South Carolina Code of Laws (1976) as amended.

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



SOLICITOR BAR # 66112

AS

WITNESSES

97 Timothy W. Brochin

Greenville County Sheriffs Office

6/12/2017

ARREST WARRANT NUMBER
2017A2311100176

ACTION OF GRAND JURY
TRUE BILL

Clay Tuttle

FOREMAN GRAND JURY

Foreperson of Grand Jury

VERDICT

Foreperson of Petit Jury
Date:

DOCKET NO. 2017-GS-23-^{WDR} 006721

The State of South Carolina

County of Greenville

COURT OF GENERAL SESSIONS *W18*

August

TERM 2017

THE STATE

vs.

KELDREKUS TAYQUAU OGLESBY

Indictment for

0079

BURGLARY FIRST DEGREE

VIOLATION § 16-11-0311

FILED

AUG 18 2017

Clerk of Court
Greenville County

AK
WITNESSES

99 Bryan K. Threlkeld

Greenville County Sheriffs Office

6/12/2017

ARREST WARRANT NUMBER

2017A2330205542

ACTION OF GRAND JURY
TRUE BILL

Clay Tuttle

FOREMAN GRAND JURY

Foreperson of Grand Jury

VERDICT

Foreperson of Petit Jury

Date:

DOCKET NO. 2017-GS-23-

WDR

006724

The State of South Carolina

County of Greenville

COURT OF GENERAL SESSIONS

2018
TERM 2017

August

THE STATE

vs.

KELDREKUS TAYQUAU OGLESBY

Indictment for

0080

BURGLARY SECOND DEGREE

VIOLATION § 16-11-0312

FILED

AUG 18 2017

Clerk of Court
Greenville County