

DOCKET NO. 2024-GS-26-04187

WITNESSES

Lieutenant Gregory C Dewitt, Horry County
Police Department
HCPD2023024701

The State of South Carolina
County of Horry

Catherine Girgan
23H04304

FILED
HORRY COUNTY

2024 JUL 31 P 2:41

RENEE N. ELVIS
CLERK OF COURT
HORRY COUNTY, SC

Drew Edwards

ARREST WARRANT NUMBER

2024-GS-26-04187
DOA: 08/16/2023

COURT OF GENERAL SESSIONS

JULY 2024 TERM

DATE RECEIVED FROM
GRAND JURY

ACTION OF GRAND JURY

TRUE BILL

THE STATE

V.

RECEIVED

SEP 23 2025

SC Court of Appeals

MACK ALLEN DAVIS

DOB: [REDACTED]
SSN: [REDACTED]

Meredith Bowers

Foreperson of Grand Jury
Date: 11/11/24 2024

VERDICT

Indictment for

DIST/PWID METH

CDR: 3200

Statute: 44-53-375(B)

Foreperson of Petit Jury
Date:

ORIGINAL

CERTIFIED COPY
RENEE N. ELVIS
CLERK OF COURT
HORRY COUNTY, SC

STATE OF SOUTH CAROLINA)
)
COUNTY OF HORRY)

INDICTMENT

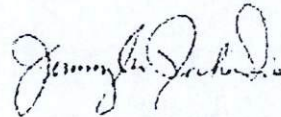
At a Court of General Sessions, convened on July 24, 2024, the Grand Jurors of Horry County present upon their oath:

Dist/PWID Meth
CDR: 3200 44-53-375(B)
DISTRIBUTION OF METHAMPHETAMINE

(MAC)

The defendant, Mack Allen Davis, did on or about March 9, 2023, in Horry County, distribute, dispense, deliver, purchase, or otherwise aid, abet, attempt, or conspire to distribute, dispense, deliver, or purchase, or possess with the intent to distribute, dispense, deliver, or purchase methamphetamine in violation of the provisions of Section 44-53-370, all in violation of Section 44-53-375(B), *Code of Laws of South Carolina* (1976, as amended).

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



JIMMY A. RICHARDSON, II
FIFTEENTH CIRCUIT SOLICITOR

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SEP 23 2025

SC Court of Appeals

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RENEE N. ELVIS
CLERK OF COURT
HORRY COUNTY, SC

ARREST WARRANT

2023A2610700370

STATE OF SOUTH CAROLINA

[X] County/ [] Municipality of

Horry

THE STATE 2023024701 against

Mack Allen Davis

Address: [Redacted]

Sex: [Redacted] Race: [Redacted] Height: [Redacted] Weight: 180

DL State: SC DL #: [Redacted]

DOB: [Redacted] Agency ORI #: [Redacted]

Prosecuting Agency: Horry County Police Department

Prosecuting Officer: Gregory C Dewitt - S00822

Offense: Drugs / Possession of less than one gram of meth. or cocaine base, 3rd or sub. offense

Offense Code: 3016

Code/Ordinance Sec: 44-53-0375(A)

This warrant is CERTIFIED FOR SERVICE in the [] County/ [] Municipality of

The accused is to be arrested and brought before me to be dealt with according to the law.

(L.S.)

Signature of Judge

Date: [Redacted]

RETURN

A copy of this arrest warrant was delivered to defendant MACK ALLEN DAVIS on 8/16/23

Signature of Constable/Law Enforcement Officer

RETURN WARRANT TO:

General Sessions PO Box 677 1301 2nd Avenue Conway, SC 29528

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STATE OF SOUTH CAROLINA)

[X] County/ [] Municipality of)

Horry)

Personally appeared before me the affiant Gregory C Dewitt who being duly sworn deposes and says that defendant Mack Allen Davis did within this county and state on or about 3/1/2023 violate the criminal laws of the State of South Carolina (or ordinance of [X] County/ [] Municipality of Horry) in the following particulars:

DESCRIPTION OF OFFENSE: Drugs / Possession of less than one gram of meth. or cocaine base, 3rd or sub. offense

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

During the month March 2023, Detectives from Horry County Narcotics and Vice Unit did conduct controlled drug buy(s) with the use of a Confidential Informant(s) (CI's). The CI(s) were searched prior to the drug buy(s) and wired with audio and video equipment. The CI(s) were given official Police Funds to purchase narcotics. The CI(s) then drove to the area of D St. which is located in the Conway section of Horry County. Once there, the CI(s) did meet with the defendant Mack Davis, and was able to purchase a Crystal Like Substance that is purported to be Methamphetamine. The Methamphetamine did yield Poss. Weight. Defendant did have two prior convictions. 2023024701 G Dewitt

Signature of Affiant

STATE OF SOUTH CAROLINA)

[X] County/ [] Municipality of)

Horry)

Affiant's Address 2560 North Main Street

Conway, SC 29526-

Affiant's Telephone

ARREST WARRANT

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

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

on or about 3/1/2023 defendant Mack Allen Davis

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

[X] County/ [] Municipality of Horry) as set forth below.

DESCRIPTION OF OFFENSE: Drugs / Possession of less than one gram of meth. or cocaine base, 3rd or sub. offense

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

Sworn to and subscribed before me on 5/30/2023

Signature of Issuing Judge Bradley Dwyer Mayers Judge Code: 5081

(L.S.)

Judge's Address

Conway, SC 29526-5105

Judge's Telephone (843)915-5290

Issuing Court: [X] Magistrate [] Municipal [] Circuit

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FILED Horry County SEP 23 2023 A 11:57 KENNETH N. ELVIS CLERK OF COURT HORRY COUNTY, SC

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SEP 23 2023 SC Court of Appeals

CERTIFIED COPY KENNETH N. ELVIS CLERK OF COURT HORRY COUNTY, SC

BAIL set by

WITNESSES

Judge Debra B. [Signature]
on 8/17/2025
Type and Amount: 57,000.00
Name of Surety: _____

Name: _____
Address: _____
Telephone: _____

Name: _____
Address: _____

Telephone: _____

Name: _____
Address: _____

Telephone: _____

Name: _____
Address: _____

Telephone: _____

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Name: _____

Address: _____

Telephone: _____

Name: _____

Address: _____

Telephone: _____

Name: _____

Address: _____

Telephone: _____

PRELIMINARY HEARING held by

Judge _____
on _____
Defendant Attorney: _____

Decision: _____

DISPOSITION before

Judge _____
on _____
by _____
(indicate jury trial, bench trial, plea, nol. pros., etc.)

Disposition: _____

Sentence: _____

JURORS

CODEFENDANTS



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SC Court of Appeals

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CLERK OF COURT
HORRY COUNTY, SC

STATE OF SOUTH CAROLINA)
COUNTY OF HORRY)

IN THE COURT OF GENERAL SESSIONS
OF THE FIFTEENTH JUDICIAL CIRCUIT

STATE OF SOUTH CAROLINA)
VS.)

ORDER
APPOINTING CONFLICT
ATTORNEY
PURSUANT TO
RULE 608 SCAR

MACK DAVIS
DEFENDANT)

FILE NO: 26A23-00003916

This matter comes before me regarding appointment of counsel for the defendant, pursuant to Rule 608 SCACR. The defendant was arrested on for the offense(s) of:

- 2023A2610200786 Domestic / Domestic Violence, 1st degree**
- 2023A2610700370 Drugs / Possession of less than one gram of meth. or cocaine base, 3rd or sub. offense**
- 2023A2610700371 Drugs / Possession of less than one gram of meth. or cocaine base, 3rd or sub. offense**

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HORRY COUNTY
2025 MAR 12 A 8:45
REBEEN M. ELYS
CLERK OF COURT
HORRY COUNTY, SC

It appears that there is a conflict with the staff of the Office of the Public Defender. After hearing from the Office of the Public Defender, the Court finds that the defendant is eligible for court-appointed counsel, based upon the attached Certificate of Representation. Inasmuch as a conflict exists with the Office of Public Defender, the Court must appoint a private attorney for the above list defendant.

The defendant is placed on notice that Defense of Indigents Act as contained in S.C. Code 17-3-30 (A), (1993 as amended), requires defendant to pay Forty (40.00) Dollars to the Clerk of Court for the services of the Public Defender.

IT IS ORDERED that, pursuant to Rule 608 SCACR, the following attorney is appointed to represent the defendant on the above-referenced offense(s):

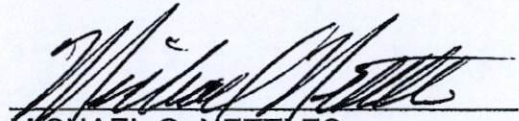
JOHNNY GARDNER
Attorney At Law
P.O. Box 1851
Conway SC 29528
PHONE: (843)248-7135

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SEP 23 2025
SC Court of Appeals

AND IT IS SO ORDERED.

DATED: 3/10/25

CONWAY, SC



MICHAEL G. NETTLES
ADMINISTRATIVE JUDGE
COURT OF GENERAL SESSIONS
FIFTEENTH JUDICIAL CIRCUIT

NOTICE: SC Supreme Court Order of September 29, 2006, requires appointed counsel entitled to payment from the Office of Indigent Defense (OID) to register the case online within fifteen (15) days of this appointment at www.sccid.sc.gov and further directs that reimbursement vouchers be submitted directly to SCCID and not to the trial judge or the clerk of court. See SCCID website for further details.

Please indicate appointment was pursuant to Rule 608 SCACR02/20/2025.

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HORRY COUNTY
2025 MAR 12 A 8:45
RENEE N. ELVIS
CLERK OF COURT
HORRY COUNTY, SC

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CLERK OF COURT
HORRY COUNTY, SC

STATE OF SOUTH CAROLINA)
COUNTY OF Horry)

IN THE COURT OF GENERAL SESSIONS
OF THE FIFTEENTH JUDICIAL CIRCUIT

STATE OF SOUTH CAROLINA)

CERTIFICATE OF REPRESENTATION
(APPOINTING AS COUNSEL)

-VS-

MACK DAVIS)
)
)
DEFENDANT)

CONFLICT ATTORNEY
Johnny Gardner

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SEP 23 2025
SC Court of Appeals

FILE NO: 26A23-00003916

TO: Court of General Sessions of the Fifteenth Judicial Circuit
Office of the Solicitor

This certifies that the above captioned Defendant is eligible for the services of the Public Defender, such determination having been made on, February 20, 2025, regarding the charge(s) of:

- 2023A2610200786 Domestic / Domestic Violence, 1st degree
- 2023A2610700370 Drugs / Possession of less than one gram of meth. or cocaine base, 3rd or sub. offense
- 2023A2610700371 Drugs / Possession of less than one gram of meth. or cocaine base, 3rd or sub. offense

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HORRY COUNTY
2025 MAR 12 A 8:45
RENEE N. ELVIS
CLERK OF COURT
HORRY COUNTY, SC

The Defendant's Counsel is

Johnny Gardner
Attorney At Law
P.O. Box 1851
Conway SC 29528
PHONE: (843)248-7135

The office of the Public Defender requests on the Defendant's behalf any and all evidence in the possession of you and or your agents pursuant to S.C. Criminal Practice Rule 5, and Brady v. Maryland 373 U.S. 383 (1963). The formal Motion for Discovery is attached.

CERTIFIED COPY
RENEE N. ELVIS
CLERK OF COURT
HORRY COUNTY, SC

RONALD W. HAZZARD
CIRCUIT PUBLIC DEFENDER

CONWAY, SC
DATED: February 20, 2025

STATE OF SOUTH CAROLINA)
COUNTY OF HORRY)

IN THE COURT OF GENERAL SESSION
OF THE FIFTEENTH JUDICIAL CIRCUIT

STATE OF SOUTH CAROLINA)

NOTICE AND MOTION FOR PRODUCTION
OF SPECIFIC EVIDENCE AND
DISCLOSURE OF WITNESSES

-VS-

RECEIVED

MACK A DAVIS

SEP 23 2025

DEFENDANT)

SC Court of Appeals

FILE NO: 26A23-00003916

TO: SOLICITOR FOR THE FIFTEENTH JUDICIAL CIRCUIT

YOU WILL PLEASE TAKE NOTICE that unless the prosecution responds to the Defendant's request for disclosure within 30 days, or within such time as may be ordered by the Court, Counsel for the Defendant will move this Court for an Order compelling that the State:

1. Make available for Defendant any and all written and oral statements by the Defendant which are, or may come to be, in the possession of the State.
2. Make available for purposes of inspection, and copying, any and all police reports relating to the investigation and circumstances surrounding the crime which the Defendant is charged with, including any and all statements taken from witnesses and the Defendant.
3. Make available to the Defendant all tangible objects obtained during the investigation of this case, including, but not limited to:
 - (a) All tangible objects obtained from the scene of the crime; and
 - (b) All tangible objects obtained from the State's witnesses in this case
 - (c) All tangible objects the State intends to introduce into evidence at Trial which are relevant to the offense charged.
4. Make available any witnesses known to the State who have knowledge of facts which might be favorable to the Defendant.
5. Make available any promises made or actions taken by the State which caused or might have caused any witnesses for the State to testify on behalf of the State.
6. Make available any inconsistent statements made by witnesses for the State or any statements made by witnesses for the State which tend to exculpate the Defendants or to negate participation by the Defendants in the alleged crime.
7. Make available to the Defendant all results of laboratory tests, scientific tests, or physical examinations conducted in connection with this case, including but not limited to:
 - (a) Analysis of handwriting
 - (b) Photographs secured of the scene of the crime
 - (c) Comparison of fingerprints
 - (d) DNA analysis
8. Make available any facts which tend to exculpate the Defendant.

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2025 MAR 2
15 11:30 AM
HORRY COUNTY
SOUTH CAROLINA

9. Make available any and all scientific or medical, psychiatric, legal or other information, reports or records which might tend to reflect on the credibility or competence of any of prospective witnesses for the State.

10. Make available to the Defendant the names and addresses of all persons who have knowledge of this case or who have been interviewed by the investigating officers in connection with this case.

11. Make available to the Defendant, the SLED, FBI, and local arrest and conviction records of all persons, including the Defendant, named in connection with this proceeding.

12. Make any chemist, analyst, and all persons within the chain of custody appear in Court for the purpose of personally testifying. Attorney for the Defense thus objects to the introduction of any chemist's or analyst's report pursuant to Rule 6, S.C. Rules of Criminal Procedure.

13. Make available to the Defendant all video and audio recordings and/or notarized affidavits made pursuant to South Carolina Code § 56-5-2953 and any other applicable South Carolina Statute or regulation, including but not limited to:

- (a) Police and booking reports;
- (b) Police logs;
- (c) Alcohol influence reports;
- (d) Accident reports
- (e) Reports dealing with defendant's refusal to submit to testing;
- (f) Notes taken from any recording by Law Enforcement regarding conversations with potential prosecution witnesses;
- (g) Any notes taken by Law Enforcement with regards to this case which the officer intends to rely on, or make use of, at trial;
- (h) The names of the officers or other witnesses who were with the Defendant within one hour of the arrest who had the opportunity to observe the appearance and behavior of the Defendant, to include the identity of any officer present at the scene of arrest.
- (i) The time and place where the Defendant was given the Miranda warning and the name of the officer who advised him/her of the same.
- (j) Any reports made by any laboratory or hospital concerning any examination made of any physical (urine, blood, etc.), photographic, or written evidence related to the Defendant's case.
- (k) The records of analysis and the results of any chemical, urine, or breathalyzer tests administered to the Defendant.

14. Make available to the Defendant following information regarding the person(s) who administered the Defendant's chemical/breathalyzer tests:

- (a) The person's name and the name of his/her employer;
- (b) The date of his/her original certification to give chemical/breathalyzer tests and the grade he/she received on the exam;
- (c) The date of his/her most recent certification to give said tests; And his/her compliance with statutes and regulations providing for standards of training for person(s) administering such tests.

15. If the Defendant's blood alcohol concentration was determined on the basis of a test involving the use of any machine, provide the following information:

- (a) The type of machine used and the make, model, and serial number of particular machine;

- (b) The manufacturer and the date of manufacture of the machine;
- (c) The owner's manual and the instruction manual;
- (d) The software program used in said machine;
- (e) The date of purchase by the agency owning the machine;
- (f) The location of machine;
- (g) The number of prior tests conducted on the machine;
- (h) All maintenance information for the last two years, including all repairs done and all calibrations made on the machine;
- (i) The results of all tests performed in the thirty (30) days prior to the date of the Defendant's arrests, including any tests in which the machine malfunctioned;
- (j) Any checklist to be used by the operator of the machine, either before, during, or after the admission of a test.

This information is requested pursuant to Rule 5 of the South Carolina Rules of Criminal Procedure. This information is further requested pursuant to Brady vs Maryland, 373 U.S. 383, 10 L. Ed. 2d 215, 83 S. Ct. 1194 (1963), U.S. vs Agurs, 427 U.S. 97, 49 L Ed 2nd 342, 96 S. Ct. 2392 1976, State vs Mixon 274 S.E. 2nd 406 (1981), City of Rock Hill vs Suchenski, 374 S.C. 12, 646 S.E.2d 879 (2007). Further this information is requested on the grounds that it is essential to insure the Defendant's right to a fair trial, right to confrontation of witnesses, the right to effective Counsel and due process of law guaranteed by the South Carolina Constitution, and the United States Constitution.

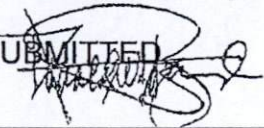
ADDITIONALLY, DEFENDANT REQUESTS A SPEEDY TRIAL:

The Defendant requests and asserts his / her right to a speedy trial in General Sessions Court in this County pursuant to the 6th Amendment to the United States Constitution, as well as Article I, Section 14 of the South Carolina Constitution, and under relevant case law.

WHEREFORE, Defendant prays:

- (a) That the Solicitor be Ordered to produce all information described herein and allow the Defendant the right to examine, inspect, copy and photograph, such materials and information at a specific time and place to be fixed by the Court.
- (b) That the information be provided no later than 30 days from the date of this request, as reflected by the Clerk of Court's time-stamp appearing on the face of this Document.
- (c) That the Court enter an Order requiring the Solicitor's Office to make continuing disclosure of all matters requested herein up to and during the Trial of the charges against the Defendant.

RESPECTFULLY SUBMITTED



RONALD W. HAZZARD
FIFTEENTH CIRCUIT
PUBLIC DEFENDER

CONWAY, SOUTH CAROLINA
DATED: February 20, 2025

HORRY COUNTY, SC
CLERK OF COURT
RENEE N. ELVIS
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HORRY COUNTY
2025 MAR 27 4:08:45
RENEE N. ELVIS
CLERK OF COURT
HORRY COUNTY, SC

STATE OF SOUTH CAROLINA)
)
COUNTY OF HORRY)

COURT OF GENERAL SESSIONS
FIFTEENTH JUDICIAL CIRCUIT
INDICTMENTS: 2024GS2604187
2024GS2604188

State of South Carolina)
)
 vs.)
)
Mack Allen Davis,)
)
 Defendant.)
)

VERDICT


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SEP 23 2025
SC Court of Appeals

(Check one)

- We, the jury, find the defendant **guilty** of distribution of methamphetamine occurring on March 9, 2023, as alleged in indictment 2024GS2604187 and **guilty** of distribution of methamphetamine occurring on March 27, 2023, as alleged in indictment 2024GS2604188;
- We, the jury, find the defendant **guilty** of distribution of methamphetamine occurring on March 9, 2023, as alleged in indictment 2024GS2604187 and **not guilty** of distribution of methamphetamine occurring on March 27, 2023, as alleged in indictment 2024GS2604188.
- We, the jury, find the defendant **not guilty** of distribution of methamphetamine occurring on March 9, 2023, as alleged in indictment 2024GS2604187 and **guilty** of distribution of methamphetamine occurring on March 27, 2023, as alleged in indictment 2024GS2604188;
- We, the jury, find the defendant **not guilty** as to both indictments.

RENEE N. ELVIS
CLERK OF COURT
HORRY COUNTY, SC
2025 SEP 23 PM 03
HORRY COUNTY

September 12, 2025
Conway, South Carolina


Tiffany A. Heredia

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RENEE N. ELVIS
CLERK OF COURT
HORRY COUNTY, SC