

FILED-REC
Memorandum of Law in Support of Emergency Motion

2025 AUG 13 AM 8:37

STATE OF SOUTH CAROLINA
COUNTY OF DORCHESTER

CHERYL GRAHAM
CLERK OF COURT
DORCHESTER COUNTY

IN THE COURT OF GENERAL SESSIONS
FIRST JUDICIAL CIRCUIT

Case No.: 2024A1820500960

STATE OF SOUTH CAROLINA,
Plaintiff,

vs.

KEYSHON POINSETTE JR.,
Defendant.

RECEIVED
DEC 29 2025
SC Court of Appeals

Hadi Bey, Subrogee and Secured Party, Ex. Relatione: Keyshon Poinsette Jr.

Hadi Bey, Subrogee and Secured Party, submits this Memorandum of Law in support of the Emergency Motion to Continue Sentencing and/or Remand for New Trial.

The South Carolina Constitution, Art. I, §§ 22–23, and the Fourteenth Amendment to the U.S. Constitution guarantee the right to a fair trial, to be informed of charges, and to have adequate time to prepare a defense.

Rule 5, SCRCrimP requires timely disclosure of evidence. Late disclosure of exculpatory or impeaching evidence violates both Rule 5 and due process principles under Brady v. Maryland. Rule 7 allows continuances when late disclosure would prejudice preparation.

Under Napue v. Illinois, a conviction obtained through testimony known to be false violates due process. Here, the State proceeded despite video evidence disproving portions of the officer's affidavit.

The aforementioned grounds are representative and not exclusive. Additional constitutional and procedural violations may be raised upon further review of the record and discovery materials.

Remedy: Continue sentencing and grant a new trial, or at minimum, preserve these constitutional issues for appellate review.

Respectfully submitted,



Hadi Bey, Subrogee and Secured Party
Ex. Relatione: Keyshon Poinsette Jr.
c/o 2662 Louise Drive
North Charleston, South Carolina