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**SC Court of Appeals**

STATE OF SOUTH CAROLINA  
In the Court of Appeals

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APPEAL FROM ABBEVILLE COUNTY  
The Honorable Frank R. Addy, Circuit Court Judge

Appellate Case No. 2024-001400

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THE STATE,

APPELLANT,

v.

RI'SHON KELTARIAN GILLIAM,

RESPONDENT.

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**RECORD ON APPEAL**

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STATE OF SOUTH CAROLINA  
COUNTY OF ABBEVILLE

EIGHTH JUDICIAL CIRCUIT  
IN THE COURT OF GENERAL SESSIONS

State of South Carolina, )  
Plaintiff, )  
 )  
V )  
 )  
Ri'Shon Keltarian Gilliam, )  
Defendant. )  
\_\_\_\_\_ )

2024-GS-01-00487  
TRANSCRIPT OF RECORD

July 18, 2024  
Abbeville, South Carolina

B E F O R E:

The Honorable, Judge Frank R. Addy, Jr.

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

ATTORNEY FOR PLAINTIFF:  
Micah E. Black, Deputy Solicitor

ATTORNEY FOR DEFENDANT:  
Jane H. Merrill, Esquire

Tara T. Scott, CVR  
Official Court Reporter

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(NO EXHIBITS INTRODUCED DURING THIS HEARING)

1 THE COURT: Solicitor, I have Mr. Gilliam's paperwork.

2 MR. BLACK: Yes, sir. Your Honor, Mr. Gilliam is  
3 pleading to three charges and he's represented by Ms. Jane  
4 Merrill with the Public Defender's Office. He's pleading to  
5 2023-GS-01-487, that's a trafficking meth, second offense.  
6 I believe that's 28 to 100 grams. He's pleading to 2023-GS-  
7 01-485, possession of a firearm by a person convicted of a  
8 crime of violence, and then he's also pleading to a  
9 conspiracy charge, 2023-GS-01-440. We have negotiated a  
10 sentence of 14 years for Mr. Gilliam. Mr. Gilliam was on  
11 the trial docket for the next term of court for the week of  
12 August 26th, and his offer did expire today, and he's  
13 accepting the offer.

14 THE COURT: Ms. Merrill, you are representing Mr.  
15 Gilliam on these charges?

16 MS. MERRILL: I am, Your Honor.

17 THE COURT: The conspiracy and the weapons charge would  
18 carry up to five years. The trafficking charge will carry a  
19 minimum of seven years and a maximum of 30 years. I do  
20 believe that it is an 85 percent offense and it is  
21 classified as serious and violent. Am I correct?

22 MS. MERRILL: That's correct, Your Honor.

23 THE COURT: And the negotiations contemplate a 14-year  
24 sentence, is that right?

25 MS. MERRILL: That is correct, Your Honor.

1 THE COURT: And have you reviewed with Mr. Gilliam the  
2 ramifications of these pleas, the elements of these  
3 offenses, and all his rights?

4 MS. MERRILL: I have, Your Honor.

5 THE COURT: Do you agree with his decision to enter  
6 this plea.

7 MS. MERRILL: I do, Your Honor.

8 Mr. Gilliam. Mr. Gilliam, if you would just raise your  
9 right hand for me, please.

10 Ri'Shon Gilliam, having first been duly  
11 sworn, testified as follows:

12 EXAMINATION

13 BY THE COURT:

14 Q Are you Ri'Shon Gilliam?

15 A Yes, sir.

16 Q Mr. Gilliam, you understand the conspiracy and the gun  
17 charge carry up to five years. The trafficking charge  
18 carries a minimum of seven and a maximum of 30 years. I'm  
19 told that you, your attorney, and the State have agreed on a  
20 14-year sentence. Is that correct?

21 A Yes, sir.

22 Q Because it's a negotiated sentence, if I accept your  
23 plea, I cannot go above or below that. I have to impose a  
24 14-year sentence. Do you understand?

25 A Yes, sir.

1 Q Now, Mr. Gilliam, in the last 24 hours, have you taken  
2 any medication or any substance that affects your thinking?

3 A No, sir.

4 Q Have you ever been treated for any mental illness  
5 issues? Schizophrenia, things like that?

6 A (NO RESPONSE)

7 Q I'm asking if you've ever seen anybody, like at Beckman  
8 mental health, for any mental problems, hearing voices,  
9 seeing things that aren't there, that kind of a thing. You  
10 haven't?

11 A No, sir.

12 Q No? Okay. It seemed like you didn't understand my  
13 question. That's why I rephrased it, okay? Mr. Gilliam,  
14 you understand that the trafficking charge is classified as  
15 an 85 percent offense, meaning you'll have to do 85 percent  
16 of that 14 years before you can hope to be released from  
17 prison. Do you understand that?

18 A Yes, sir.

19 Q It's also classified as a violent and serious offense.  
20 Being a violent offense means you can't have a gun ever  
21 again and it may limit your rehabilitative programs that  
22 you're eligible for while in the prison system. Do you  
23 understand, sir?

24 A Yes, sir.

25 Q A serious offense means that this is one of three

1 strikes. I don't know if you have any prior strikes against  
2 you, but three strikes and you're out. So, two more serious  
3 offenses, third time around the State can seek life without  
4 the possibility of parole against you. Do you understand?

5 A Yes, sir.

6 Q The Court would have to impose that sentence if you  
7 were convicted for the third time. Mr. Gilliam, are you  
8 guilty of these charges?

9 A Yes, sir.

10 Q I'll ask Mr. Black to give me the facts. Pay attention  
11 to what he says. After he's done speaking, I'll ask if  
12 that's what took place. Okay?

13 A Yes, sir.

14 THE COURT: Solicitor?

15 MR. BLACK: Your Honor, for the conspiracy charge, that  
16 occurred on or about May 11, 2023. Abbeville County went to  
17 a residence belonging to Edward Dean Gilmer Jr. at [REDACTED]  
18 [REDACTED] in Abbeville in reference to a burglary. Mr.  
19 Gilmer stated that he arrived home and he noticed his air  
20 conditioning window unit had been knocked out of the frame  
21 and there was some glass that was broken inside of his  
22 house. He noticed that his house had been entered and there  
23 were some items that were taken. He mentioned a jacket. I  
24 think there was potentially a firearm that was taken, as  
25 well as numerous tools. The victim noticed several people

1 kind of on the woodline of his property. One of them he  
2 identified as Kaitlyn White. I think he knew her  
3 previously. And then I believe he also mentioned Mr.  
4 Gilliam as well.

5 Law enforcement conducted an investigation, and they  
6 determined that Ms. White and Mr. Gilliam did break into the  
7 residence. Ms. Gilmer stated that they did not have  
8 permission to break into his home. In fact, when Mr.  
9 Gilliam was arrested the next day on the drug charges, he  
10 actually had in his possession this jacket that was  
11 described. I think it was like either some kind of a sports  
12 jacket or some kind of sports jacket that stood out. So law  
13 enforcement did recover that jacket, actually, from Mr.  
14 Gilliam's person.

15 As far as the drug charges are concerned. These  
16 happened actually, like I said, the next day. I believe it  
17 was May 12th of last year. Officers responded to [REDACTED]  
18 [REDACTED] in Calhoun Falls in reference to a domestic  
19 that was going on. The two parties that were mentioned from  
20 the prior incident, Ms. White and Mr. Gilliam, were on the  
21 porch, and there was a verbal argument that was taking place  
22 when law enforcement got there. When law enforcement  
23 arrived, the officer noticed there was a bag of marijuana  
24 basically sitting on the stairs where they were arguing. He  
25 asked the parties who the marijuana belonged to. Neither

1 parties ultimately claimed the marijuana. At that point,  
2 they were cuffed, and ultimately a search was done of Mr.  
3 Gilliam's backpack. Inside that backpack, officers  
4 recovered about 71 grams of methamphetamine. There was also  
5 a gun that was recovered, nine millimeter bullets also in  
6 the bag as well. And Mr. Gilliam, after questioning, he did  
7 admit that all the drugs belonged to him. So, he took  
8 responsibility for all the drugs.

9 THE COURT: And his prior history does involve at least  
10 one prior narcotics offense and a violent crime, I assume.

11 MR. BLACK: Yes, Your Honor. He actually has two  
12 trafficking convictions on his record. We contemplated  
13 actually going forward with an LWOP on his case if he  
14 decided not to plead guilty. I believe we actually had a  
15 bond hearing too, a couple of months ago, that you heard.  
16 And while we're talking about it, I'll just go ahead and put  
17 it on the record. He did make bond. I don't believe that  
18 you reduced his bond, but he ultimately did make bond. And  
19 then once he got out, he got arrested again for a  
20 trafficking meth charge. So, he's been in jail without bond  
21 for about 45 days or so, give or take. And so, because of  
22 that, he's actually not entitled to any credit that he's  
23 done. That's the State's position on the new law that was  
24 recently passed.

25 THE COURT: The statute, if I recall, reads that if he

1 commits another violent crime while out on bond for a  
2 violent crime, there is an open discussion on the question  
3 of whether that requires a conviction in order to invalidate  
4 his eligibility for prior time in jail. I'm trying to think  
5 of the correct provision of law, the one that reads that if  
6 he's out on bond on a violent crime and then commits another  
7 violent crime. Is that the one that you're referencing?

8 MR. BLACK: Yes, sir. Yes, that's the one I'm  
9 referencing.

10 THE COURT: Okay. Ms. Merrill, do you have a position  
11 on that?

12 MS. MERRILL: I was going to -- I think we briefly  
13 conferenced. Mr. Black and I asked your law clerk, and I  
14 believe she asked you. I think the Court's position is  
15 likely that he would not. I was going to put something on  
16 the record just to preserve that issue should a case come  
17 down in the future that would say he should get that credit.  
18 And I was actually about to pull up the bond statute because  
19 -- and I could be mistaken, but I thought this was the  
20 provision that basically you don't get credit, even if it's  
21 just for any arrest. But I could be mistaken. So, let me,  
22 if the Court will indulge me in just a moment.

23 THE COURT: My clerk is trying to find that as well.  
24 Subsections 3 and 4 is what she was referencing on that.

25 MS. MERRILL: And when I reread the other day, it was 3

1 that I was thinking about. When the prisoner commits a  
2 subsequent crime while out on bond.

3 THE COURT: Right.

4 MS. MERRILL: Because I've had that discussion with  
5 someone like, what if they got disorderly conduct? Does  
6 that still invalidate all of their -- and I believe at least  
7 this law is new, and I don't know the case law has answered  
8 that question. So, at the appropriate time, I was going to  
9 put the number of days he has served and all that on the  
10 record. And that way, if a subsequent case determined that,  
11 yes, he for some reason was -- because he wasn't convicted  
12 of those things, then at least that would be on the record.

13 THE COURT: Very good.

14 EXAMINATION

15 BY THE COURT:

16 Q Mr. Gilliam, you heard what the State alleges happened  
17 in May of last year. Is what they say, accurate? You did  
18 have trafficking weight drugs in your possession, a firearm  
19 in your possession, and conspired with somebody else to  
20 commit a crime the prior day. Is that correct?

21 A Yes, sir.

22 Q I need to briefly review with you rights that you're  
23 giving up by pleading guilty. If you have any questions  
24 about anything I say, stop me. I'll let you talk to your  
25 lawyer. And if she can't answer your question, I'll be

1 happy to try myself. Okay?

2 A Yes, sir.

3 Q Obviously, Mr. Gilliam, you don't have to plead guilty.  
4 You can have a jury trial on this case. You understand  
5 that, sir?

6 A Yes, sir.

7 Q This case is on the trial docket, I think, for the next  
8 term. So, if you wanted, you and your attorney could move  
9 forward with the jury trial. Obviously, you'd be looking at  
10 the possible LWOP sentence if convicted, but you could  
11 certainly go forward with the jury trial. You all would  
12 help pick 12 people from Abbeville who would be the jury and  
13 the State would have to prove your guilt to their mutual  
14 unanimous satisfaction beyond a reasonable doubt. Do you  
15 understand, sir?

16 A Yes, sir.

17 Q They try to meet that burden by calling witnesses.  
18 You'd be able to confront and question those witnesses. And  
19 although you have no burden of proof, Mr. Gillian, you could  
20 of course call your own witnesses to testify. Do you  
21 understand, sir?

22 A Yes, sir.

23 Q If there were witnesses who were reluctant to come to  
24 court and you wanted them here, you could certainly subpoena  
25 them and use the power of the Court to force their

1 attendance. At trial, you would also be free to take the  
2 stand in your own defense and you would have to answer any  
3 relevant questions put to you. So, if you decided that you  
4 didn't want to testify, I would instruct the jury they  
5 couldn't hold that against you, or use it as evidence of  
6 guilt, or even discuss it. Do you understand, sir?

7 A Yes, sir.

8 Q That's your Fifth Amendment right against self  
9 incrimination. By pleading guilty, you waive that. By  
10 pleading guilty, you also waive your presumption of  
11 innocence and your right to challenge all the State's  
12 evidence. I've been given just a fair overview of the  
13 evidence against you. You could certainly challenge the  
14 search of the backpack where they found the drugs. You  
15 could challenge that at trial. If the Court were to rule  
16 that that's an illegal search, then probably the gun, the  
17 drugs, would be suppressed. Do you understand that?

18 A Yes, sir.

19 Q If you plead guilty, though, you waive your right to  
20 mount any kind of legal challenge to any of the evidence.  
21 And of course, you waive your right to present any defense  
22 to these charges. I don't know if you have any defense or  
23 not. I'm sure that's something you've discussed with your  
24 attorney, correct?

25 A Yes, sir.

1 Q A defense could be something as simple as the drugs  
2 weren't mine. If you plead guilty, though, you waive your  
3 right to present that or any other defense and you waive  
4 your right to do all the other stuff I've just described.  
5 Do you want to give up these rights and plead guilty?

6 A Yes, sir.

7 Q And you are satisfied with Ms. Merrill's  
8 representation?

9 A Yes, sir.

10 Q She's reviewed everything with you sufficiently?

11 A Yes, sir.

12 Q Gone over your discovery with you, et cetera?

13 A Yes, sir.

14 Q Do you have any complaints to make against her?

15 A No.

16 Q Any complaints to make against the Solicitor, law  
17 enforcement, court personnel, or anyone involved with this?

18 A (NON-VERBAL RESPONSE)

19 Q No? He shakes his head no. And Mr. Gilliam, are you  
20 pleading guilty of your own free will?

21 A Yes.

22 Q And aside from the 14-year sentence, has anyone  
23 promised you anything else?

24 A Do I got anything else to say?

25 Q Were any other promises made though, aside from a 14-

1 year sentence on this case?

2 A No, sir. No, sir. I'm sorry.

3 Q No, that's all right. I'll give you a chance to speak  
4 in a moment, certainly.

5 THE COURT: All right. I do find there's a substantial  
6 factual basis for these pleas. They are freely,  
7 voluntarily, knowingly, and intelligently made. Mr. Gilliam  
8 is happy with Mr. Merrill's assistance. I will accept his  
9 pleas.

10 All right, Ms. Merrill. Happy to hear from you,  
11 please.

12 MS. MERRILL: Thank you. Your Honor, I know this is a  
13 negotiated plea, and the Court doesn't have discretion in  
14 that, but I hope the Court will indulge me for just a minute  
15 or two to kind of put a few things on the record and then  
16 tell you a little bit about Mr. Gilliam. So, just for  
17 argument's sake, I understand a plain reading of this  
18 statute that we just discussed on whether or not time is  
19 credited. Section 24-134(3), when the prisoner commits a  
20 subsequent crime while out on bond. He's not pleading to  
21 anything for which he was arrested. After he made bond, he  
22 had some charges, but those are being dismissed. I  
23 understand a plain reading of the statute would still say  
24 that he doesn't get any credit, and obviously that's in the  
25 Court's discretion. But I will, just for the record, say he

1 had 342 days before he bonded out, and then he has been in  
2 detention for 29 days on this when he was charged, and those  
3 are being dismissed. And I would just argue that, you know,  
4 given that our law presumes one is innocent until convicted  
5 either by, you know, a trial or a plea, that there's no  
6 conviction. He did not commit a crime while out on bond. And  
7 would ask the Court to consider giving him those days  
8 credit. And again, I understand the Court's position is  
9 likely a plain reading indicates that he would not be  
10 entitled to that. But if I can just put that on the record,  
11 particularly if in the future, one of our appellate courts  
12 makes, you know, if there's any case law on that that would  
13 affect him in the future.

14 And then also, Your Honor. This is a third offense.  
15 We've seen the certified convictions that the State was  
16 going to present to the Court. For some reason, the CDR  
17 code on his trafficking, what he was charged with, shows  
18 that it's a first offense. But I have confirmed, both  
19 looking at his record and with seeing certified convictions,  
20 it was actually a third. And of course, for purposes of  
21 this plea, he's pleading to a second offense anyway.  
22 Doesn't change anything. Just pointing out that this is  
23 something he and I have discussed several times. And so I  
24 just -- that was discussed when he and I were looking at the  
25 sentencing sheet. So I wanted the Court to be aware of

1 those things.

2 Your Honor, Mr. Gilliam is 33 years old. He's here  
3 today with his grandmother and sister, who have driven about  
4 three and a half hours to be here with him today, Your  
5 Honor. His girlfriend is also present. He does have a  
6 loving and supportive family. His sister actually is an  
7 addictions counselor and certainly recognizes that Mr.  
8 Gilliam is an addict and has had that problem for a while.  
9 And while our negotiations are for 14 years, one thing his  
10 family and I have talked about and I've told them, you know,  
11 this will be up to the Court, and I don't know how we can  
12 work this out, but I would at least ask if there were any  
13 way that he could receive treatment prior to being shipped  
14 to SCDC. I explained to them I don't know that there's a  
15 secure facility that provides that, but that I would  
16 certainly ask the Court. He did make some inquiries into  
17 getting some treatment while he was out on bond, but had not  
18 enrolled in that before he received new charges around June  
19 19th or 20th of this year. So, that is something we're  
20 asking the Court to at least consider.

21 And then I believe he would like to speak and perhaps  
22 one of his family members may want to address the Court if  
23 you're willing to allow them to do that. Beg the Court's  
24 indulgence. One other thing he did want me to tell, Your  
25 Honor. He does have a letter that he has bed space available

1 at Haven of Rest. But if there's any way he can get some  
2 sort of rehab treatment inpatient, prior to SCDC, that was  
3 what he wanted me to ask. And he does have a letter, and  
4 I've seen that letter.

5 THE COURT: And just so that I'm clear, the trafficking  
6 charge that he was most recently arrested on 29 days ago,  
7 that is being dismissed as part of this?

8 MS. MERRILL: That is being dismissed as part of this.  
9 Your honor.

10 MR. BLACK: That's correct.

11 MS. MERRILL: Oh, and if I can add one more thing.  
12 We've had numerous discussions throughout my representation  
13 of him about life without parole. Mr. Gilliam and I saw  
14 together the certified convictions earlier this week that he  
15 did have trafficking. I've also done research on that. He  
16 pled on the same day, but they were from two different  
17 incident dates. So, I think there's a case out there from,  
18 I think it was 2010, State v Robinson. Those still would  
19 count as two separate incidents. So, I do believe he is  
20 eligible. Had the State proceeded with that serving him  
21 notice of life without parole. But I wanted to put that on  
22 the record that he and I discussed that. I did some  
23 research. We've talked about it numerous times. And while,  
24 you know, he is here today accepting responsibility, he's  
25 going to be serving a lot of time, and he realizes that.

1 But I still think at 33 years old, that's a lot better than  
2 life without parole.

3 And he and I have reviewed possible defenses. And I  
4 believe even if we somehow were able to get an acquittal on  
5 one of the drug charges, I don't think we would be so  
6 lucky with both. And I do believe he would be convicted.  
7 And I think the case that he's pleading to in particular,  
8 finding a successful suppression argument, is difficult.  
9 And I do think the State would be successful at a trial.

10 THE COURT: I do understand that. My understanding of  
11 the law is the same as yours concerning the two prior  
12 serious offenses that would be subject to subjecting him to  
13 a possible LWOP sentence. I'm happy to hear anything that  
14 Mr. Gilliam may want to say, or anybody that may want to say  
15 anything on behalf of him. Obviously, my hands are tied,  
16 like Ms. Merrill said, as far as the sentence is concerned.  
17 But I do appreciate y'all being here and supporting Mr.  
18 Gilliam. Mr. Gilliam, anything that you wanted to say, sir?

19 THE DEFENDANT: I'm sorry for all the stress and all  
20 everything that I caused everybody. I do understand that I  
21 do have a bad addiction, and I never meant to cause no  
22 problems for y'all. Thank y'all for everything. I love  
23 y'all. Love you, too.

24 THE COURT: Thank you, sir.

25 THE DEFENDANT: Thank you too.

1 MS. MERRILL: Your Honor, if the Court is willing, I  
2 believe his sister would like to briefly address the Court.

3 THE COURT: Certainly. Yes, ma'am. Happy to hear from  
4 you.

5 MS. GILLIAM: I'm Tiana Gilliam, his sister. I beg you  
6 please get him some help. He really needs help. He's not a  
7 bad person. If you never understand it if you never had a  
8 family member who went through addiction. It changes the  
9 person. And he really needs help. He really does. And  
10 that's all we're asking, is that he can get some help  
11 because he really does need it. And sending him away and  
12 institutionalizing him is not doing him any good. It's not.

13 THE COURT: I understand, ma'am, and I am sorry.  
14 What's your name, please, ma'am?

15 MS. ARNOLD: Debra Arnold, and I'm his grandmother. And  
16 it really ain't, because we got to do something about this  
17 stuff out there. It ain't helping him by sending him to  
18 prison not getting no help. It ain't helping them. They  
19 can get that in prison. We need to get up and do something  
20 about it. Stop it. Because it just hurts our children.  
21 It's hurting us to see our kids go down like this. It  
22 really is. It's hurting. And I know my grandson. I know  
23 it. He know I wouldn't go for this. No drug. No, sir.

24 THE COURT: I understand.

25 MS. ARNOLD: And that's all we asking.

1 MS. GILLIAM: Just treatment.

2 MS. ARNOLD: Just treatment. He did wrong. If he had  
3 to do his time, he did it on himself for being hard headed.  
4 But he need help. They all need help. Yes, sir.

5 MS. Gilliam: And may I add, he's never, until now,  
6 never really admitted that he had a problem.

7 MS. ARNOLD: That's surprising.

8 MS. GILLIAM: And so, you know, change is possible.  
9 He's young. He has kids. I mean, that's why we asking for  
10 treatment. We want to at least be able to break the  
11 generational.

12 THE COURT: Ladies, I do understand your position.

13 MS. ARNOLD: Thank you.

14 THE COURT: I do. And just so that the record is  
15 clear, my understanding, from what I'm hearing from you, Ms.  
16 Merrill, is your position is that because he was not  
17 convicted of the trafficking case, and obviously that case  
18 is being dismissed as part of that plea. The trafficking  
19 that took place, or the arrest for the trafficking which  
20 took place 29 days ago, your position is that the provisions  
21 of 24-134(3) would not prohibit him from receiving credit  
22 for time served. That is your position, correct?

23 MS. MERRILL: Yes, Your Honor, that's what I'm arguing.  
24 I will say, out of fairness, the Solicitor and I did have  
25 discussions about that, and we did negotiate this with the

1 understanding that likely because of the way the statute is  
2 worded, "commits a crime", that he would not get that  
3 credit. But I am, again, for preservation purposes, PCR  
4 purposes, all that, arguing that he should. Asking the  
5 Court to consider that because he has not been convicted.  
6 But I recognize the statute doesn't explicitly say  
7 "convicted", but I also feel like I need to make this  
8 argument for him since we don't have any appellate case law  
9 that really interprets this yet, since it's a newer law.

10 THE COURT: That's kind of why I'm trying to set this  
11 up. I'm trying to tee this up a little bit for perhaps that  
12 very argument that Mr. Shaffer, sitting over to the side,  
13 might be inclined to make at some particular point.

14 MS. MERRILL: Mr. Black would certainly be inclined to  
15 appeal, Your honor, I believe if you...

16 THE COURT: That may very well be what he does,  
17 depending upon what I do. Because it is the State's  
18 position that the language, "commits another crime", even if  
19 it were disorderly conduct, that that would render him  
20 ineligible for the 342 days that he did in pre-trial,  
21 correct?

22 MR. BLACK: Yes, sir. Just based on the language of  
23 the statute. And I talked to a bunch of different  
24 attorneys. Everybody's understanding is. And I think what,  
25 you know, Court Administration and the Prosecution

1 Commission is telling us is that they're not entitled to the  
2 credit if they get arrested for another offense, especially  
3 since he got arrested for another trafficking offense, which  
4 is also classified as a strike and a violent offense.

5 THE COURT: Right. Of course, it goes without saying,  
6 he has not been convicted of it, but certainly he was  
7 arrested for it. So, the question is, what does the word  
8 "commits" mean? Interesting question.

9 MS. MERRILL: Your Honor, if I can just put one other  
10 thing on the record. I just wanted to say I appreciate the  
11 State with the burglary, grand larceny, and conspiracy. The  
12 State did agree for him to plead to that conspiracy, so  
13 hopefully he can do some certain jobs at SCDC that a  
14 burglary or a grand larceny conviction might have prevented  
15 him from doing. So we appreciate the State allowing him to  
16 plead to the conspiracy out of that instead of the other  
17 two.

18 THE COURT: Well, the ladies who drove so far to be  
19 with your grandson, Mr. Gilliam, I agree with you. He is  
20 young, and change is certainly possible. And I promise you,  
21 as somebody who has been practicing law for at least 30  
22 years and been a judge in this job for 14 years, if I had  
23 some magic wand that would instantly cure the folks who come  
24 in front of me, I'd be waving it around all the time. It  
25 takes effort on the part of somebody who has addiction to

1 first, realize that they've got a problem and secondly, seek  
2 out help. And it's my Sincerest hope that Mr. Gilliam will  
3 do exactly that with the time that he has to reflect on this  
4 crime. I think you're making a wise decision, Mr. Gilliam.  
5 It sounds like you very well could have been looking at life  
6 in prison for 70 plus grams of drugs, and this will give you  
7 light at the end of the tunnel that you can actually see.  
8 Okay? Not just a little dot of light, but actually some  
9 light at the end of the tunnel. And when you get out,  
10 you'll still be a relatively young man with a lot of life  
11 and a lot of potential ahead of you. So, I think you're  
12 making a wise choice in what you're doing here today.

13 I've followed the negotiations. On the trafficking  
14 charge, I've given you a straight 14 years. I'll impose a  
15 five-year sentence on the other two cases, the conspiracy  
16 charge and the weapons offense. All sentences will run  
17 concurrent with each other. I've noted on the trafficking  
18 charge that I'm recommending, not ordering, but I'm  
19 recommending that you go to a halfway house once you  
20 complete that SCDC sentence so that you can get back on your  
21 feet and maybe get some kind of help with the drug problems  
22 that you've got.

23 If there was some secure facility I could send you to  
24 before you went down the road, I'd do so in a heartbeat.  
25 But just engage in the rehabilitative services, the

1 counseling services, that they do have available in prison,  
2 and hopefully you will be in a position to get out and not  
3 be in any more trouble.

4 On the question of the time served, the previous time,  
5 the Court is awarding 342 days on all the charges in prior  
6 time served, so 342 days is being awarded. That's the time  
7 that he served prior to making bond. The Court takes the  
8 position that the word "commits" and as used in 24-1340(3)  
9 that a conviction is required in order to trigger that  
10 statute. An arrest, in and of itself, is insufficient  
11 because in light of the presumption of innocence an arrest  
12 does not constitute proof that someone has committed a  
13 crime. It is merely an allegation that someone has committed  
14 a crime. And if the legislature had intended to intend that  
15 someone who is arrested post bond lose all jail credit, they  
16 could have said as much and use the word "arrest" as opposed  
17 to "commits a crime".

18 So it's the position of the Court in interpreting that  
19 section that the word "commits" does not equate with  
20 arrested. There must be a conviction. And of course, in  
21 this case, the trafficking arrest which took place 29 days  
22 ago was dismissed as part of this plea agreement, so he was  
23 not convicted of it. And I would encourage the State to  
24 file notice of intent to appeal if you've got nothing better  
25 to do with your time. I'm sure the Attorney General doesn't.

1 So, perhaps we can get clarification. The record will  
2 reflect there was some background laughter on that comment.  
3 But perhaps we can get some clarification, Mr. Black, on  
4 exactly what the word "commits" means.

5 MR. BLACK: Yes, sir. And so, because of your ruling,  
6 the State is objecting to your giving him the credit. And I  
7 hope that the record will reflect that we are timely  
8 objecting to you giving him the 342 days of credit.

9 THE COURT: You are. And I do appreciate that  
10 objection. It is noted for the record.

11 MR. BLACK: That's under section 24-1340, subsection 3,  
12 just so the record is clear.

13 THE COURT: Very good, sir. I think we have made the  
14 record. Mr. Shaffer seems to think we've made the record,  
15 and everything is protected.

16 Mr. Gilliam, in all seriousness though, when you get  
17 out please don't get into any more trouble, okay? You've  
18 got people out there who love you. They're still going to  
19 be around for you when you get out. Lean on them. You'll  
20 need them while you're doing this time. You're going to  
21 need them when you get out. Okay, buddy?

22 THE DEFENDANT: Yes, sir.

23 THE COURT: Take care of yourself.

24 THE DEFENDANT: Thank you, Mr. Frank Addy.

25 \*\*\*END OF REQUESTED TRANSCRIPT OF RECORD)\*\*\*

## Certificate of Reporter

I, the undersigned, Tara T. Scott, CVR, Official Court Reporter for the Eighth Judicial Circuit of the State of South Carolina, do hereby certify that the foregoing is a true, accurate, and complete transcript of record of all the proceedings had and evidence introduced in the trial/hearing of the captioned case, relative to appeal, in the Court of General Sessions for Abbeville County, South Carolina, on the 18th day of July, 2024.

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

---

Tara T. Scott, CVR  
Official Court Reporter  
January 7, 2024

STATE OF SOUTH CAROLINA	)	IN THE COURT OF GENERAL SESSIONS
	)	
COUNTY OF ABBEVILLE	)	EIGHTH JUDICIAL CIRCUIT
	)	
State of South Carolina	)	
	)	
v.	)	Indictment Numbers : 2023GS01-0487
	)	
Ri'Shon Gilliam,	)	Motion to Reconsider Sentence
	)	
<u>Defendant.</u>	)	

The State of South Carolina, by and through its undersigned attorney, hereby moves pursuant to Rule 29 of the South Carolina Rules of Criminal Procedure for a reconsideration of the Defendant's sentence. Defendant Ri'Shon Gilliam plead guilty to several charges including to the charge of Trafficking Methamphetamine 2<sup>nd</sup> offense 28-100 grams. The defendant spent 342 days in detention before making bond on those charges on April 18, 2024. The defendant was subsequently arrested for another Trafficking Methamphetamine charge on June 19, 2024. The Incident report and case file will be attached to this motion for the Court to review. The Court sentenced Mr. Gilliam to a negotiated 14 year sentence. The Court, despite the States timely objection, also gave the defendant credit for 342 days time served. The State cited SC Code 24-13-40 (section 3) that states "Provided, however, that credit for time served prior to trial and sentencing shall not be given.... (3) when the prisoner commits a subsequent crime while out on bond..."

The State respectfully requests the Court to reconsider the time served credit imposed, in light of the facts presented in this motion to reconsider. The new trafficking charges against the defendant while out on bond for the underlying trafficking charge stem from a traffic stop where approximately 33 grams of methamphetamine were recovered from the person of the defendant. While these new charges were dismissed in consideration of the defendant pleading to the older charges, the State contends that the defendant committed a subsequent crime, and thus, shall not be given credit for time served as stated in the statute. The State is willing to offer additional testimony from the arresting officers if the Court needs additional information about the arrest of the defendant.

The State requests the Court to consider using the same standard set forth when determining a probation violation. In those hearings, the trial court must determine whether the State has presented sufficient evidence to establish that a probationer has violated the condition of his probation. State v. King, 221S.C. 68, 73, 69 S.E.2d 123, 125 (1952)

For these reasons and those argued during the hearing, the State request this Court to reconsider the credit given to the defendant and sentence him to life in prison.

I SO MOVE:



Micah Black, S.C. Bar No.: 101119  
Deputy Solicitor  
Eighth Circuit Solicitor's Office  
P.O. Box 516  
Greenwood, SC 29648  
(864)-366-5312 ext. 2281  
mblack@greenwoodsc.gov

Abbeville, South Carolina  
July 25, 2024

STATE OF SOUTH CAROLINA  
COUNTY OF ABBEVILLE  
filed 7/25 2024  
at 11:42 o'clock am  
Margaret Knudsen-Hay  
Clerk of Court



ABBEVILLE COUNTY SHERIFF'S OFFICE

SOLICITOR'S CASE REPORT

INSTRUCTIONS: ACSO investigators shall complete this report for submission along with the ACSO Investigative Case Report, case file, and all supporting documentation required by the Eighth Judicial Circuit Solicitor's Office for prosecution/adjudication/disposition. Complete the blanks below and check "YES", "NO", or "NA" for each item listed. Provide brief explanations for all "NO" or "NA" items in the "COMMENTS" space provided.

ARREST DATE	SUBMISSION DATE	CASE #	PRIMARY / CHIEF CASE DEPUTY
06/19/2024	07/02/2024	2024007173	F. Slatton/JD Robinson
DEFENDANT	SSN	DOB	
Rishon Keltarian Gilliam	[REDACTED]	[REDACTED]	
<u>CHARGES</u>			
Trafficking Meth/ Bond violation/ DUS			
<u>CO-DEFENDANT/S?</u>			
<u>PROTOCOL &amp; CHECKLIST</u>			
1.	YES	NO	N/A Arrest warrant(s)/Uniform Traffic Tickets(s)
2.	YES	NO	N/A ACSO Incident Report
3.	YES	NO	N/A ACSO Investigative Case Report / Supplemental Reports
4.	YES	NO	N/A Booking Report (with bond information)
5.	YES	NO	N/A ACSO Miranda Form (one per defendant)
6.	YES	NO	N/A NCIC Report (for defendants AND victims)
7.	YES	NO	N/A Certified Driving Record Requested? (Driving case only)
8.	YES	NO	N/A Victim Statements
9.	YES	NO	N/A Defendant Statements
10.	YES	NO	N/A Witness Statements
11.	YES	NO	N/A Toxicology Report Requested
12.	YES	NO	N/A Drug Analysis Report

- |     |     |    |     |   |
|-----|-----|----|-----|---|
| 13. | YES | NO | N/A | Autopsy/ME Report Requested   |
| 14. | YES | NO | N/A | SLED Report ( <u>B348039</u> ) Requested  |
| 15. | YES | NO | N/A | DNA Report Requested  |
| 16. | YES | NO | N/A | Serology Report Requested   |
| 17. | YES | NO | N/A | Ballistic Report Requested  |
| 18. | YES | NO | N/A | Court Orders  |
| 19. | YES | NO | N/A | Search Warrants (with completed return)   |
| 20. | YES | NO | N/A | Trace Evidence Report   |
| 21. | YES | NO | N/A | Crime Scene Photographs / Video   |
| 22. | YES | NO | N/A | Autopsy Photographs   |
| 23. | YES | NO | N/A | Audio Recorded Statements   |
| 24. | YES | NO | N/A | Photographs / Photocopies or marked currency (or similar exhibit)                                   |
| 25. | YES | NO | N/A | Map, Sketch, or Chart of Crime Scene (depicting location of each defendant, witness, and victim)    |
| 26. | YES | NO | N/A | Copy of Photo Lineup or Live Lineup   |
| 27. | YES | NO | N/A | Dispatch / E911 Audiotape (required on all violent crimes if exists)                                |
| 28. | YES | NO | N/A | Audio or Video Recording of Offense   |
| 29. | YES | NO | N/A | Current Address of all Potential Witnesses (include DOB and SSN)                                    |
| 30. | YES | NO | N/A | Medical Records (victim and defendant) to include EMS Run Sheets and hospital ER Reports            |
| 31. | YES | NO | N/A | Evidence seized before, during, or after arrest? (Attach copy of ACSO Property/ Evidence Documents) |
| 32. | YES | NO | N/A | Photos of any items of evidence / seized property returned to victim (returned when and by whom?)   |
| 33. | YES | NO | N/A | Names, Titles, and Addresses of all chain of custody witnesses                                      |

COMMENTS:

---

Fredhi Slna  
 PRIMARY / CHIEF CASE DEPUTY SIGNATURE

07/02/2024  
 DATE SOLICITOR'S CASE REPORT SUBMITTED

ARREST WARRANT

2024A0110100174

STATE OF SOUTH CAROLINA

[X] County/ [ ] Municipality of

Abbeville

THE STATE

2024007173

against

Ri'Shon Keltarian Gilliam

Address: [REDACTED]

Phone: [REDACTED] SSN: [REDACTED]

Sex: M Race: B Height: 5 8 Weight: 180

DL State: SC DL #: [REDACTED]

DOB: [REDACTED] Agency ORI #: SC0010000

Prosecuting Agency: Abbeville County Sheriff

Prosecuting Officer: Jeremy D Robinson - S00373

Offense: Bonds / Commission of violent crime while on bond or pretrial release for violent crime

Offense Code: 4089

Code/Ordinance Sec: 17-15-0270

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: \_\_\_\_\_

RETURN

A copy of this arrest warrant was delivered to defendant Ri'Shon Gilliam on June 20, 2024

Signature of Constable/Law Enforcement Officer

RETURN WARRANT TO:

General Sessions
Courthouse Court Square, Room 102
P O Box 99
Abbeville, SC 29620

ORIGINAL

ORIGINAL

ORIGINAL

ORIGINAL

STATE OF SOUTH CAROLINA

[X] County/ [ ] Municipality of

Abbeville

Personally appeared before me the affiant Jeremy D Robinson who

being duly sworn deposes and says that defendant Ri'Shon Keltarian Gilliam

did within this county and state on or about 6/19/2024 violate the criminal laws of the

State of South Carolina (or ordinance of [X] County/ [ ] Municipality of Abbeville)

in the following particulars:

DESCRIPTION OF OFFENSE: Bonds / Commission of violent crime while on bond or pretrial release for violent crime

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:

That on June 19, 2024, in the county of Abbeville, one Ri'Shon Keltarian Gilliam did commit the crime of Bonds / Commission of violent crime while on bond or pretrial release for violent crime in that he did commit a new offense of Trafficking in meth or cocaine base-28 grams or more, but less than 100 grams, 3rd or sub. This incident did occur at [REDACTED] Calhoun Falls. Information from affiant and ACSO case number 2024007173.

Signature of Affiant

Affiant's Address 21 Old Calhoun Falls Road

Abbeville, SC 29620-

Affiant's Telephone (864)446-6000

STATE OF SOUTH CAROLINA

[X] County/ [ ] Municipality of

Abbeville

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 6/19/2024 defendant Ri'Shon Keltarian Gilliam

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

[X] County/ [ ] Municipality of Abbeville) as set forth below:

DESCRIPTION OF OFFENSE: Bonds / Commission of violent crime while on bond or pretrial release for violent crime

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 practicable

Sworn to and subscribed before me

on 6/20/2024

Signature of Judge (L.S.)

Carolyn Walker Brownlee

Judge Code: 5871

Judge's Address

Abbeville, SC 29620-1156

Judge's Telephone (864)446-6500

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

ORIGINAL

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ORIGINAL

AFFIDAVIT

Form Approved by S.C. Attorney General April 21, 2003 SCCA 518

COPY

32

ARREST WARRANT

2024A0110100173

STATE OF SOUTH CAROLINA

County/  Municipality of

Abbeville

THE STATE

2024007173

against

Ri'Shon Keltarian Gilliam

Address: [Redacted]

Phone: [Redacted] SSN: [Redacted]

Sex: M Race: B Height: 5 8 Weight: 180

DL State: SC DL #: [Redacted]

DOB: [Redacted] Agency ORI #: SC0010000

Prosecuting Agency: Abbeville County Sheriff

Prosecuting Officer: Jeremy D Robinson - S00373

Offense: DUS / Driving under suspension, license not suspended for DUI - 1st offense

Offense Code: 0624

Code/Ordinance Sec: 56-01-0460(A)(1)(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: \_\_\_\_\_

RETURN

A copy of this arrest warrant was delivered to

defendant Ri'Shon Keltarian Gilliam

on June 20, 2024

[Signature]

Signature of Constable/Law Enforcement Officer

RETURN WARRANT TO:

General Sessions  
Courthouse Court Square, Room 102  
P O Box 99  
Abbeville, SC 29620

ORIGINAL

ORIGINAL

ORIGINAL

ORIGINAL

STATE OF SOUTH CAROLINA

County/  Municipality of

Abbeville

Personally appeared before me the affiant Jeremy D Robinson who

being duly sworn deposes and says that defendant Ri'Shon Keltarian Gilliam

did within this county and state on or about 6/19/2024 violate the criminal laws of the

State of South Carolina (or ordinance of  County/  Municipality of Abbeville)

In the following particulars:

DESCRIPTION OF OFFENSE: DUS / Driving under suspension, license not suspended for DUI - 1st 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:

That on June 19, 2024 in the county of Abbeville, one Ri'Shon Keltarian Gilliam did operate a motor vehicle while his privilege to drive was under suspension. This incident did occur at [Redacted] Calhoun Falls. Information from affiant and ACSO case number 2024007173

Signature of Affiant

STATE OF SOUTH CAROLINA

County/  Municipality of

Abbeville

Affiant's Address 21 Old Calhoun Falls Road

Abbeville, SC 29620-

Affiant's Telephone (864)446-6000

COPY

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 6/19/2024 defendant Ri'Shon Keltarian Gilliam

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

County/  Municipality of Abbeville) as set forth below:

DESCRIPTION OF OFFENSE: DUS / Driving under suspension, license not suspended for DUI - 1st 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 practicable

Sworn to and subscribed before me

on 6/20/2024

[Signature] (L.S.)

Signature of Issuing Judge  
Judge's Address Abbeville, SC 29620-1156

Caroilyn Walker Brownlee  
Judge's Telephone (864)446-6500

Judge Code: 5871

Issuing Court:  Magistrate  Municipal  Circuit

ORIGINAL

ORIGINAL

ORIGINAL

ARREST WARRANT

2024A0110100172

STATE OF SOUTH CAROLINA

[X] County/ [ ] Municipality of

Abbeville

THE STATE

2024007173

against

Ri'Shon Keltarian Gilliam

Address: [REDACTED]

Phone: [REDACTED] SSN: [REDACTED]

Sex: M Race: B Height: 5 8 Weight: 180

DL State: SC DL #: [REDACTED]

DOB: [REDACTED] Agency ORI #: SC0010000

Prosecuting Agency: Abbeville County Sheriff

Prosecuting Officer: Jeremy D Robinson - S00373

Offense: Drugs / Trafficking in meth. or cocaine base - 28 g or more, but less than 100 g - 3rd or sub. (Fel., 25Y

Offense Code: 0349

Code/Ordinance Sec: 44-53-0375(C)(2)(e)

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: \_\_\_\_\_

RETURN

A copy of this arrest warrant was delivered to defendant Ri'Shon Keltarian Gilliam

on June 20, 2024

Signature of Constable/Law Enforcement Officer

RETURN WARRANT TO:

General Sessions
Courthouse Court Square, Room 102
P O Box 99
Abbeville, SC 29620

ORIGINAL

ORIGINAL

ORIGINAL

ORIGINAL

STATE OF SOUTH CAROLINA

[X] County/ [ ] Municipality of

Abbeville

Personally appeared before me the affiant Jeremy D Robinson who

being duly sworn deposes and says that defendant Ri'Shon Keltarian Gilliam

did within this county and state on or about 6/19/2024 violate the criminal laws of the

State of South Carolina (or ordinance of [X] County/ [ ] Municipality of Abbeville)

in the following particulars:

DESCRIPTION OF OFFENSE: Drugs / Trafficking in meth. or cocaine base - 28 g or more, but less than 100 g - 3rd or sub. (Fel., 25Y to 30Y)

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:

That on June 19, 2024 in the county of Abbeville, one Ri'Shon Keltarian Gilliam did commit the crime of Drugs / Trafficking in meth or cocaine base - 28 grams or more, but less than 100 grams - 3rd or sub offense without the authority to do so. During a lawful traffic stop, a probable cause search was conducted on Mr. Gilliam and located a black, plastic bag containing a clear bag with white, crystal-like substance. The substance was field tested and positive for methamphetamine. The substance weighed a total of 33.8 grams. The defendant has two prior convictions under this statute. This incident did occur at [REDACTED] Calhoun Falls. Information from affiant and ACSO case number 2024007173

Signature of Affiant

STATE OF SOUTH CAROLINA

[X] County/ [ ] Municipality of

Abbeville

Affiant's Address 21 Old Calhoun Falls Road

Abbeville, SC 29620-

Affiant's Telephone (864)446-6000

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 6/19/2024 defendant Ri'Shon Keltarian Gilliam

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

[X] County/ [ ] Municipality of Abbeville ) as set forth below:

DESCRIPTION OF OFFENSE: Drugs / Trafficking in meth. or cocaine base - 28 g or more, but less than 100 g - 3rd or sub. (Fel., 25Y to 30Y)

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 practicable

Sworn to and subscribed before me

on 6/20/2024

Signature of Issuing Judge

Carolyn Walker Brownlee

Judge Code: 5871

Judge's Address

Abbeville, SC 29620-1156

Judge's Telephone

(864)446-6500

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

ORIGINAL

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ORIGINAL

ORIGINAL

Form Approved by S.C. Attorney General April 21, 2003 SCCA 518

AFFIDAVIT

COPY

AGENCY I.D.  
SC0010000

INCIDENT REPORT  
Abbeville Sheriff's Office

CASE NUMBER  
2024007173

NCIC  
INQ. ENTD.

EVENT	INCIDENT TYPE	COMPLETED	FORCED ENTRY	PREMISE TYPE	UNITS ENTERED	TYPE VICTIM
	1. 35A - Drugs / Trafficking in meth. or cocaine base - 28 g or more, but l	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES <input type="checkbox"/> NO	13(Highway/Road/Alley /Street/Sidewalk)		<input type="checkbox"/> Individual <input type="checkbox"/> Business <input type="checkbox"/> Financial Ins <input type="checkbox"/> Government <input type="checkbox"/> Relig. Orgn. <input checked="" type="checkbox"/> Soc./Public <input type="checkbox"/> Other <input type="checkbox"/> Unknown <input type="checkbox"/> Police Off.
	2. 90Z - Bonds/Commision of Violent Crime while on Bond or Pre-trial re	<input type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES <input type="checkbox"/> NO	13(Highway/Road/Alley /Street/Sidewalk)		

INCIDENT LOCATION (SUBDIVISION, APARTMENT AND NUMBER, STREET NAME AND NUMBER)				ZIP CODE		WEAPON TYPE	
CALHOUN FALLS, SC				29628-			
INCIDENT DATE	24 HR. CLOCK	TO	DATE	24 HR. CLOCK	DISPATCH DATE/TIME	24 HR. CLOCK	LOCATION NO.
06/19/2024	19:54		06/19/2024	21:10	06/19/2024	19:54	Zone2

COMPLAINANT'S NAME (LAST, FIRST, MIDDLE)	RELATIONSHIP TO SUBJECT	RESIDENT	RACE	SEX	AGE	ETH.	HOME PHONE	EMPLOYER PHONE
	#1 #2 #3	<input checked="" type="checkbox"/> J <input type="checkbox"/> S <input type="checkbox"/> O <input type="checkbox"/> U						
ADDRESS	CITY	STATE	ZIP CODE	LOCATION NO.				

VICTIM'S NAME (LAST, FIRST, MIDDLE)	RELATIONSHIP TO SUBJECT	RESIDENT	RACE	SEX	AGE	ETH.	HOME PHONE	EMPLOYER PHONE
SOCIETY/PUBLIC	#1 #2 #3	<input checked="" type="checkbox"/> J <input type="checkbox"/> S <input type="checkbox"/> O <input type="checkbox"/> U						

HEIGHT	WEIGHT	HAIR	EYES	FACIAL HAIR, SCARS, TATTOOS, GLASSES, CLOTHING, PHYSICAL PECULIARITIES, ETC.				

VISIBLE INJURY (VICT. 1)	<input type="checkbox"/> YES <input type="checkbox"/> NO	EXPLAIN -	COMPLAINT OF NON-VISIBLE INJURIES: <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO				
VICTIM (NO. 1):	NONE <input checked="" type="checkbox"/>	USING: ALCOHOL <input type="checkbox"/>	DRUGS <input type="checkbox"/>	TYPE:			

TWO-MAN VEH. <input type="checkbox"/>	ONE-MAN VEH. <input checked="" type="checkbox"/>	DETECTIVE/PLASMT. <input type="checkbox"/>	OTHER <input type="checkbox"/>	ALONE <input type="checkbox"/>	ASSISTED <input type="checkbox"/>	J - This Jurisdiction S - State - O - Out of State U - Unknown
---------------------------------------	--	--	--------------------------------	--------------------------------	-----------------------------------	--

<input checked="" type="checkbox"/> SUSPECT	NAME (LAST, FIRST, MIDDLE)	RACE	SEX	AGE	ETH.	DATE OF BIRTH	HEIGHT	WEIGHT	HAIR	EYES
<input type="checkbox"/> RUNAWAY	GILLIAM, RISHON KELTARIAN	B	M	33	N		5'08"	168	BLK - Blac	BRO - Bro

<input type="checkbox"/> WANTED	FACIAL HAIR, SCARS, TATTOOS, GLASSES, CLOTHING, PHYSICAL PECULIARITIES, ETC.									
<input checked="" type="checkbox"/> WARRANT										

<input checked="" type="checkbox"/> ARREST	ADDRESS	CITY	STATE	ZIP CODE	LOCATION NO.					
<input type="checkbox"/> JAIL			SC	29628-						

<input type="checkbox"/> SUMMONS	SUBJECT (NO. 1) USING: ALCOHOL <input type="checkbox"/>	COMPUTER EQUIP. <input type="checkbox"/>	ARRESTED NEAR OFFENSE SCENE <input type="checkbox"/>	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	DATE/TIME OF OFFENSE	DATE/TIME OF ARREST
	DRUGS <input type="checkbox"/>	NONE <input checked="" type="checkbox"/>	TOTAL # ARRESTED	1	06/19/2024 19:54	06/19/2024 19:54

On 06/19/2024 myself and Deputy Robinson were informed that "Beau" (Gilliam) was riding around in Calhoun Falls with a large amount of narcotics with Destiny Brown, in a Gray Chevy Cobalt. Myself and Robinson had assisted Deputy Drake the evening prior with a traffic stop on this same vehicle with Gilliam as a passenger and Alexis Cleveland as a driver. Alexis was arrested for possession of Meth and requested that the vehicle be released to Gilliam. Upon checking Gilliam's SCDL it was discovered that he was suspended. Gilliam did contact a licensed driver who arrived on scene and took possession of the vehicle. While checking the area of Calhoun Falls city limits for this vehicle, I observed the vehicle sitting in the driveway of [redacted] with Gilliam in the driver's seat and Destiny in the passenger seat.

I did drive by and once out of sight positioned my patrol vehicle so that it could not be seen by the occupants of the Cobalt. I maintained visual on the end of the driveway so that I could see if

JURISDICTION OF THEFT LAW ENFORCEMENT AGENCY				JURISDICTION OF RECOVERY LAW ENFORCEMENT AGENCY			
TYPE (GROUP)	11-Drug/Narcotic						TOTAL VALUE
STOLEN							
DAMAGED							
BURNED							
RECOVERED							
SEIZED							
COUNTERFEIT							

SUBJECT IDENTIFIED	SUBJECT LOCATED	<input type="checkbox"/> ACTIVE <input type="checkbox"/> ADM. CLOSED	<input type="checkbox"/> ARRESTED UNDER 18	<input type="checkbox"/> EX-CLEAR UNDER 18
<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> UNFOUNDED	<input checked="" type="checkbox"/> ARRESTED 18 AND OVER	<input type="checkbox"/> EX-CLEAR 18 AND OVER
REASON FOR EXCEPTIONAL CLEARANCE: 1. <input type="checkbox"/> OFFENDER DEATH	2. <input type="checkbox"/> NO PROSECUTION	3. <input type="checkbox"/> EXTRADITION DENIED	4. <input type="checkbox"/> VICTIM DECLINES COOPERATION	5. <input type="checkbox"/> JUVENILE - NO CUSTODY
REPORTING OFFICER(S)	DATE	UNIT NUMBER	APPROVING OFFICER	DATE
ACSO-57 - Sergeant Freddie Slatton	06/19/2024	ACSO-57		
ACSO-52 - Deputy Jeremy Robinson			FOLLOW-UP INVESTIGATION OFFICER	
			<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	

AGENCY I.D.  
SC0010000

SUPPLEMENTAL INCIDENT REPORT  
Abbeville Sheriff's Office

CASE NUMBER  
2024007173

NCIC  
INQ. ENTD.

<input type="checkbox"/> ORIGINAL REPORT	<input type="checkbox"/> SUPPLEMENTAL REPORT	<input type="checkbox"/> ADDITIONAL VICTIMS	<input type="checkbox"/> ADDITIONAL STOLEN PROPERTY	PAGE <u>2</u> of <u>5</u> PAGES
<input type="checkbox"/> MODIFIED ORIGINAL	<input type="checkbox"/> CASE STATUS CHANGE	<input type="checkbox"/> ADDITIONAL OFFENDERS	<input type="checkbox"/> ADDITIONAL RECOVERED PROPERTY	

VICT./SUBJ. I.D. OVERFLOW	<input type="checkbox"/> COMPLAINANT	NAME (LAST, FIRST, MIDDLE) <b>BROWN, DESTINY BROOKE</b>			VICTIM RELATIONSHIP TO SUBJECT #1 #2 #3			RESIDENT <input checked="" type="checkbox"/> J <input type="checkbox"/> S <input type="checkbox"/> O <input type="checkbox"/> U	RACE <b>W</b>	SEX <b>M</b>	AGE <b>25</b>	D.O.B.	ETH <b>N</b>
	<input type="checkbox"/> VICTIM #	HEIGHT <b>5'10"</b>	WEIGHT <b>120</b>	HAIR <b>BLN - Blonde or</b>	EYES <b>BRO - Brown</b>	FACIAL HAIR, SCARS, TATTOOS, GLASSES, CLOTHING, PHYSICAL PECULIARITIES, ETC.							
	<input type="checkbox"/> SUBJECT #	ADDRESS			CITY	STATE <b>SC</b>	ZIP CODE <b>29620-</b>	LOCATION NO.	HOME PHONE	EMPLOYER PHONE			
	<input type="checkbox"/> RUNAWAY	<input type="checkbox"/> VICTIM NO. <input type="checkbox"/> VISIBLE INJURY: <input type="checkbox"/> NO <input type="checkbox"/> YES			COMPLAINT OF NON-VISIBLE INJURIES <input type="checkbox"/> NO <input type="checkbox"/> YES		VICTIM USING ALCOHOL: <input type="checkbox"/> <input type="checkbox"/> NONE		<input type="checkbox"/> TWO-MAN VEHICLE <input type="checkbox"/> DETECTIVE/SPLASMT		<input type="checkbox"/> ALONE		
	<input type="checkbox"/> WANTED	EXPLAIN			DRUGS: <input type="checkbox"/>		<input type="checkbox"/> ONE-MAN VEHICLE <input type="checkbox"/> OTHER		<input type="checkbox"/> ASSISTED				

VICT./SUBJ. I.D. OVERFLOW	<input type="checkbox"/> COMPLAINANT	NAME (LAST, FIRST, MIDDLE)			VICTIM RELATIONSHIP TO SUBJECT #1 #2 #3			RESIDENT <b>J S O U</b>	RACE	SEX	AGE	D.O.B.	ETH
	<input type="checkbox"/> VICTIM #	HEIGHT	WEIGHT	HAIR	EYES	FACIAL HAIR, SCARS, TATTOOS, GLASSES, CLOTHING, PHYSICAL PECULIARITIES, ETC.							
	<input type="checkbox"/> SUBJECT #	ADDRESS			CITY	STATE	ZIP CODE	LOCATION NO.	HOME PHONE	EMPLOYER PHONE			
	<input type="checkbox"/> RUNAWAY	<input type="checkbox"/> VICTIM NO. <input type="checkbox"/> VISIBLE INJURY: <input type="checkbox"/> NO <input type="checkbox"/> YES			COMPLAINT OF NON-VISIBLE INJURIES <input type="checkbox"/> NO <input type="checkbox"/> YES		VICTIM USING ALCOHOL: <input type="checkbox"/> <input type="checkbox"/> NONE		<input type="checkbox"/> TWO-MAN VEHICLE <input type="checkbox"/> DETECTIVE/SPLASMT		<input type="checkbox"/> ALONE		
	<input type="checkbox"/> WANTED	EXPLAIN			DRUGS: <input type="checkbox"/>		<input type="checkbox"/> ONE-MAN VEHICLE <input type="checkbox"/> OTHER		<input type="checkbox"/> ASSISTED				

the vehicle exited. From the previous encounter I was also aware that the vehicle's windshield was cracked in the lower left corner. After maintaining a visual for approximately 15 minutes I observed the vehicle to back out of the driveway onto the roadway of Tate St. The occupants of the vehicle once entering the roadway were able to see my patrol vehicle and did immediately begin pulling back into the driveway. I immediately activated my lights and initiated a traffic stop. Once behind the vehicle in the driveway while still calling out the stop to Dispatch Gilliam began exiting the vehicle moving towards the residence.

I ordered Gilliam back into the vehicle and he complied. As Gilliam was reentering the vehicle I

JURISDICTION OF THEFT LAW ENFORCEMENT AGENCY		JURISDICTION OF RECOVERY LAW ENFORCEMENT AGENCY	
---	--	--	--

VEH./GUNE/ECT	STATUS	TYPE	VIN AND/OR LICENSE NO. <b>1G1AM58B687254027 / XAP0708C</b>		BOAT HULL NO. AND/OR REG. NO.		
	<input type="checkbox"/> STOLEN	<input checked="" type="checkbox"/> VEHICLE	SERIAL AND/OR OWNER APPLIED NO.				STATE <b>SC</b>
	<input type="checkbox"/> RECOVERED	<input type="checkbox"/> GUN	YEAR OF REGISTRATION	YEAR OF EXPIRATION	YEAR <b>2008</b>	MAKE <b>Chevy</b>	TYPE <b>P - Passenger car</b>
	<input type="checkbox"/> FOUND	<input type="checkbox"/> BOAT	MODEL <b>Cobalt</b>	STYLE	COLOR <b>GRY - Gray</b>	BRAND NAME	CALIBER
	<input type="checkbox"/> TOWED	<input type="checkbox"/> LICENSE PLATE	NIC NO.	DENOMINATION	ISSUER	SECURITIES DATE	

PROPERTY EST.	TYPE (GROUP)	TOTAL VALUE
<input type="checkbox"/>	STOLEN	
<input type="checkbox"/>	DAMAGED	
<input type="checkbox"/>	BURNED	
<input type="checkbox"/>	RECOVERED	
<input type="checkbox"/>	SEIZED	
<input type="checkbox"/>	COUNTERFEIT	

ADMINISTRATIVE	SUBJECT IDENTIFIED <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	SUBJECT LOCATED <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> ACTIVE <input type="checkbox"/> ADM. CLOSED	<input type="checkbox"/> ARRESTED UNDER 18	<input type="checkbox"/> EX-CLEAR UNDER 18	
	REASON FOR EXCEPTIONAL CLEARANCE: 1. <input type="checkbox"/> OFFENDER DEATH 2. <input type="checkbox"/> NO PROSECUTION 3. <input type="checkbox"/> EXTRADITION DENIED 4. <input type="checkbox"/> VICTIM DECLINES COOPERATION 5. <input type="checkbox"/> JUVENILE - NO CUSTODY		<input type="checkbox"/> UNFOUNDED	<input checked="" type="checkbox"/> ARRESTED 18 AND OVER	<input type="checkbox"/> EX-CLEAR 18 AND OVER	
	REPORTING OFFICER(S) <b>ACSO-57 - Sergeant Freddie Slatton</b>	DATE <b>06/19/2024</b>	UNIT NUMBER <b>ACSO-57</b>	APPROVING OFFICER	DATE	UNIT NUMBER
	<b>ACSO-52 - Deputy Jeremy Robinson</b>		FOLLOW-UP INVESTIGATION OFFICER <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO			

AGENCY I.D.  
SC0010000

SUPPLEMENTARY INCIDENT REPORT  
Abbeville Sheriff's Office

CASE NUMBER  
2024007173

NCIC  
INQ. ENTD.

<input type="checkbox"/> ORIGINAL REPORT	<input type="checkbox"/> SUPPLEMENTAL REPORT	<input type="checkbox"/> ADDITIONAL VICTIMS	<input type="checkbox"/> ADDITIONAL STOLEN PROPERTY	PAGE <u>3</u> of <u>5</u> PAGES
<input type="checkbox"/> MODIFIES ORIGINAL	<input type="checkbox"/> CASE STATUS CHANGE	<input type="checkbox"/> ADDITIONAL OFFENDERS	<input type="checkbox"/> ADDITIONAL RECOVERED PROPERTY	

informed him of the reason for the stop and, Deputy Robinson who was nearby did arrive at that moment and having positioned his patrol vehicle on the left side of the car he approached the driver (Gilliam) and I approached the passenger (Destiny). With two deputies on scene we had both occupants to step from the vehicle and I heard Deputy Robinson asking Gilliam if he had any weapons. Robinson did perform a frisk and I heard Robinson ask Gilliam "is that a pipe in your pocket" to which Gilliam replied yes. At this time a probable cause search was began and located on Gilliam's person was a Needle (properly Disposed of) a black plastic bag containing a clear bag with a white crystal substance that weighed approximately 33.8 grams, and field tested positive for methamphetamine. Also located in Gilliam's Pockets was a glass pipe with burnt residue that was wrapped in a paper towel. No further contraband was located.

Gilliam was handcuffed to to the rear doublelocked and checked for fit. Deputy Robinson did transport Gilliam to the Abbeville County Detention Center without incident. The white substance was placed into Best Kit B348039 and the other listed items were placed into evidence.

NARRATIVE

ADMINISTRATIVE	SUBJECT IDENTIFIED <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO		SUBJECT LOCATED <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO		<input type="checkbox"/> ACTIVE <input type="checkbox"/> ADM. CLOSED	<input type="checkbox"/> ARRESTED UNDER 18	<input type="checkbox"/> EX-CLEAR UNDER 18	
					<input type="checkbox"/> UNFOUNDED	<input checked="" type="checkbox"/> ARRESTED 18 AND OVER	<input type="checkbox"/> EX-CLEAR 18 AND OVER	
	REASON FOR EXCEPTIONAL CLEARANCE: 1. <input type="checkbox"/> OFFENDER DEATH 2. <input type="checkbox"/> NO PROSECUTION 3. <input type="checkbox"/> EXTRADITION DENIED 4. <input type="checkbox"/> VICTIM DECLINES COOPERATION 5. <input type="checkbox"/> JUVENILE - NO CUSTODY							
	REPORTING OFFICER(S)		DATE	UNIT NUMBER	APPROVING OFFICER		DATE	UNIT NUMBER
ACSO-57 - Sergeant Freddie Slatton		06/19/2024	ACSO-57					
ACSO-52 - Deputy Jeremy Robinson				FOLLOW-UP INVESTIGATION OFFICER				
				<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO				

AGENCY I.D. **SC0010000** SUPPLEMENTARY INCIDENT REPORT  
**Abbeville Sheriff's Office**

CASE NUMBER **2024007173** NCIC INQ. ENTD.

<input type="checkbox"/> ORIGINAL REPORT	<input type="checkbox"/> SUPPLEMENTAL REPORT	<input type="checkbox"/> ADDITIONAL VICTIMS	<input type="checkbox"/> ADDITIONAL STOLEN PROPERTY	PAGE <b>4</b> of <b>5</b> PAGES
<input type="checkbox"/> MODIFIES ORIGINAL	<input type="checkbox"/> CASE STATUS CHANGE	<input type="checkbox"/> ADDITIONAL OFFENDERS	<input type="checkbox"/> ADDITIONAL RECOVERED PROPERTY	

**Drug(s)**

STATUS	DRUG TYPE	MEASUREMENT	QUANTITY	ESTIMATED VALUE
6 - Seized	L - Amphetamines/Methamphetamines	GM - Gram	33.800	

**Property**

SEQ #	OFFENSE	ITEM TYPE	STATUS	VALUE	DJ?	QUANTITY	DESCRIPTION
1	35A	11 - Drug/Narcotic Equipment	6 - Seized		No	1	GLASS PIPE
MAKE		MODEL	SERIAL NUMBER	OWNER APPLIED NUMBER	PRIMARY COLOR	ITEM CATEGORY	DAMAGE AMOUNT
O1 - GILLIAM, RISHON KELTARIAN							
OWNER	NCIC	REC?	REC. QTY	REC. VALUE	DATE OBTAINED	TIME	OBTAINED FROM
O1 - GILLIAM, RISHON KELTARIAN		No					

**Vehicle(s)**

SEQ #	INVOLVEMENT	REPORT AS PROPERTY?	VEHICLE CATEGORY	VEHICLE TYPE	YEAR	
1	O1 - GILLIAM, RISHON KELTARIAN - DRIVING	No		P - Passenger car	2008	
MAKE		MODEL	STYLE	TOP/PRIMARY COLOR	BOTTOM/SECONDARY COLOR	
Chevy		Cobalt		GRY - Gray		
LICENSE PLATE NUMBER	STATE	PLATE YEAR	VIN	DESCRIPTION	SERIAL NUMBER	
XAP0708C	SC		1G1AM58B687254027			
OWNER APPLIED NUMBER	VALUE	QTY	OWNER	NCIC	DISPOSITION	
			O1 - GILLIAM, RISHON KELTARIAN		I - Impounded	
LEFT AT SCENE	DATE LEFT	TIME	RELEASED TO	DATE RELEASED	PLACE OF STORAGE	ON FILE
					SHERIFF IMPOUND	Yes

AGENCY I.D. SUPPLEMENTARY INCIDENT REPORT NARRATIVE  
SC0010000 Abbeville Sheriff's Office

CASE NUMBER  
2024007173

NCIC  
INQ. ENTD.

SUPP # 1	INCIDENT DATE 06/19/2024	INCIDENT TIME 19:54	CASE STATUS CA - Closed by Arrest	PAGE 1 of 1 PAGES
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SUPPLEMENT TYPE Warrants obtained/served	SUPPLEMENT DATE 07/02/2024	SUPPLEMENT TIME 13:02	SUPPLEMENTING OFFICER ACSO-57 - Sergeant Freddie Slatton
---	-------------------------------	--------------------------	---

Warrant numbers 2024A0110100172 through 74 were obtained and served on the Defendant on 6/20/2024 by Lt J. Reeder

NARRATIVE

AGENCY I.D.  
SC0010000

DATE/TIME OF ARREST  
06/19/2024 19:54

BOOKING REPORT

CASE NUMBER  
2024007173 - 1

DEFENDANT NAME (LAST, FIRST, MIDDLE) <b>GILLIAM, RISHON KELTARIAN</b>										RACE <b>B</b>	SEX <b>M</b>	DATE OF BIRTH <b>02/05/1991</b>	DOCKET NUMBER
AGE <b>33</b>	ETH. <b>N</b>	HEIGHT <b>5'08"</b>	WEIGHT <b>168</b>	HAIR <b>BLK - Blac</b>	EYES <b>BRO - Bro</b>	SOCIAL SECURITY NUMBER	VISIBLE SCARS AND MARKS			NCIC	I.D. NUMBER		
ADDRESS (NUMBER AND STREET)						CITY	STATE <b>SC</b>	ZIP CODE <b>29628-</b>	RESIDENT <b>U S O U</b>	PHONE NUMBER			
EMPLOYER OR OCCUPATION <b>unemployed</b>						NEXT OF KIN	ADDRESS (CITY AND STATE)			DRIVERS LICENSE NUMBER	STATE <b>SC</b>		
BOOKING OFFICER'S NAME				NUMBER	ARRESTING OFFICER <b>Sergeant Freddie Slatton</b>	AGENCY <b>ACSO</b>	NUMBER <b>ACSO-57</b>						
ARRESTEE ARMED <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO WEAPON TYPE: <input type="checkbox"/> SEMI-AUTO <input type="checkbox"/> FULL-AUTO										<input checked="" type="checkbox"/> ON VIEW ARREST <input type="checkbox"/> SUMMONED <input type="checkbox"/> CUSTODY			
JUVENILE DISPOSITION: 1. <input type="checkbox"/> HANDLED, RELEASED 2. <input type="checkbox"/> REFERED TO OTHER AUTHORITY * J -- This Jurisdiction B -- State O -- Out of State U -- Unknown										ADDITIONAL CASE NUMBERS			
IF HOLDING FOR ANOTHER AGENCY, CIRCLE CHARGE - A, B, C										MORE IN REMARKS <input type="checkbox"/>			

CHARGE	A		B		C	
	CHARGE	STATUTE	CHARGE	STATUTE	CHARGE	STATUTE
	35A - Drugs / Trafficking in meth. or coca	44-53-0375(C)(2)(c)	90Z - Bonds/Commision of violent crime	17-16-0270	90Z - Driving Under Suspension; License	56-01-0460(A)(1)(A)
BOND AMOUNT						
BOND TYPE						
RET. DATE						
DISPOSITION						
	DAYS	AMOUNT	DAYS	AMOUNT	DAYS	AMOUNT
SENTENCE						
TIME SERVED						
GOOD TIME						
BALANCE						
PAID						
RECEIPT NUMBER						
RELEASE DATE	TIME	RELEASING OFFICER	NUMBER	AGENCY RELEASED TO		

SIGNATURE OF RECEIVING OFFICIAL X \_\_\_\_\_ LIST ANY REMARKS BELOW

DEFENDANT'S PERSONAL PROPERTY RECEIPT TOTAL CASH AT TIME OF ARREST

QUANTITY	ITEM	QUANTITY	ITEM

I HEREBY STATE THAT THE PROPERTY LISTED ABOVE CONSTITUTES ALL CLAIMS TO PROPERTY ON MY PERSON AT THE TIME OF MY ARREST.

X \_\_\_\_\_ DEFENDANT'S SIGNATURE AT TIME OF ARREST \_\_\_\_\_ OFFICER

I HEREBY STATE, ON THE DATE OF MY RELEASE, THAT THE ABOVE LISTED PROPERTY WAS RETURNED TO ME, IN SATISFACTION OF ALL CLAIMS TO PROPERTY ON MY PERSON AT THE TIME OF MY ARREST.

X

ABBEVILLE SC 911  
903 W GREENWOOD ST SUITE 1700 ABBEVILLE , SC 29620

Call Taker  
01 MMERCER

CFS Report  
CFS # - 2024-17359

Base Information

Call When 06/19/2024 20:10:52 Create When 06/19/2024 20:12:50 Close When 06/19/2024 20:17:46 Disposition RAP SHEET

Priority LOW

Alarm 1 Disciplines L

Assigned Disciplines E,F,L,R,O, Assigned Disciplines NP E,F,L,R,O,

CallType NCIC\_Rap Sheet Request EDL

FDL

LDL

Primary Unit

Location of Occurrence

Address RAP SHEET

Landmark

Zip

County

ESN

Map Grid

EMS/Rescue

Fire

Law

Area

District

EMS Tract

Fire Tract

Grid

Law Tract

Report Tract

Work Area

Cross Street High

From-To Directions

Cross Street Low

Caller

Address RAP SHEET

Name RAP SHEET

Landmark

Caller Phone 0000000000

How Received RADIO

Dispositions

Disposition

RAP SHEET

Assigned When

06/19/2024 20:17:46

User

MMERCER

InActive While Closed

Call Types

Call Type

NCIC\_Rap Sheet Request RAP

Assigned When

06/19/2024 20:12:50

User

MMERCER

Assigned While Closed InActive

Incident Locations

Address: RAP SHEET

When: 06/19/2024 20:12:50 Latitude:

Longitude:

User: MMERCER

Source: None\_Unknown InActive:

Caller Phones

Caller Phone

When

User

0000000000

06/19/2024 20:12:50

MMERCER

Caller Phone

When

User

Caller Names

Caller Name

When

User

RAP SHEET

06/19/2024 20:12:50

MMERCER

Caller Name

When

User

Comment

Call Taker  
01 MMERCER  
RAP SHEET

CFS Report  
CFS # - 2024-17359

Notes

MMERCER 06/19/2024 20:12:50 L

NAME? RISHON KILTARIAN GILLIAM

DATE OF BIRTH? [REDACTED]

RACE? BLACK

SEX? MALE

AGENCY? ASO

CASE NUMBER? 2024007173

UNIT NUMBER, FIRST AND LAST NAME OF PERSON REQUESTING RAP SHEET? 13B JEREMY ROBINSON

PURPOSE CODE? C

REASON FOR RUNNING RAP SHEET? POSSESSION OF METH

PICKED UP BY UNIT, SHREDDED OR FAXED? FAX TO DETENTION AND ASO

MMERCER 06/19/2024 20:15:14 L

TO: ABBCC300-00256086 20240619 20:14:27 0D9403E856  
FROM: SCCH-09883317 20240619 20:14:27 0D9400CE0B  
ICHS/QH INQUIRY OF SLED CCH FILES USING:  
ATN-138 JEREMY ROBINSON  
ORI-SC0010000 PUR-C  
NAM-GILLIAM, RISHON KILTARIAN  
SEX-M RAC-U DOB-[REDACTED]

DATE-06/19/2024 TIME-20:14 PAGE-01 OF 01  
ORI-SC0010000

SLED IDENT RESPONSE TO ICHS/QH INQUIRY  
THIS RESPONSE CONTAINS POSSIBLE HITS ONLY AND DOES NOT IMPLY A POSITIVE  
MATCH WITH THE INDIVIDUAL IN QUESTION

NAME-GILLIAM, RISHON KILTARIAN SEX-M RACE-B  
HEIGHT-508 WEIGHT-140 EYES-BRO HAIR-BLK SKIN- BORN-US  
FPC: HENRY- NCIC-

SID-SC02150494 FBI-350488AEZ  
1-FINGERPRINT IMAGES ON THIS SUBJECT ARE STORED ON SCAFIS  
DATE RECORD ENTERED-05/02/2014 DATE OF LAST UPDATE-05/19/2023

ALIAS NAMES-GILLIAM, RISHON GILLIAM, RISHON K

BIRTH DATES- [REDACTED]

MARKS, ETC-

SOC SEC NUMBERS- [REDACTED]  
SLED CCH FILE INDICATES SUBJECT HAS NO OUT-OF-STATE ARRESTS

INDIVIDUAL PROHIBITED FROM POSSESSING OR ACQUIRING HANDGUN IN  
SOUTH CAROLINA

INFORMATION SUBMITTED TO SLED CCH PURSUANT TO 16-23-10 (C) AND 23-31-110  
(C) OF THE SOUTH CAROLINA CODE OF LAWS INDICATES THIS INDIVIDUAL HAS BEEN  
CONVICTED OF A CRIME OF VIOLENCE AND IS NOT PERMITTED TO POSSESS OR  
ACQUIRE A HANDGUN.

INDIVIDUAL PROHIBITED FROM POSSESSING OR ACQUIRING FIREARM OR AMMUNITION  
PURSUANT TO FEDERAL GUN CONTROL ACT OF 1968

INFORMATION SUBMITTED TO SLED CCH INDICATES THIS INDIVIDUAL HAS BEEN

Call Taker 01 MMERCER	CFS Report CFS # - 2024-17359
--------------------------	----------------------------------

CONVICTED OF A FELONY ACCORDING TO THE SOUTH CAROLINA CODE OF LAWS, THEREFORE, THIS PERSON IS INELIGIBLE TO SHIP, TRANSPORT, OR RECEIVE ANY FIREARM OR AMMUNITION AFFECTED BY INTERSTATE OR FOREIGN COMMERCE, AS DEFINED BY THE GUN CONTROL ACT OF 1968 (18.U.S.C 922(G)).

\*\* END OF IDENT \*\*

REQUESTED FOR CRIMINAL JUSTICE PURPOSES MAY OCCUR DAILY, A NEW INQUIRY SHOULD BE MADE AND NO SUBSEQUENT USE OF THIS RECORD IS ALLOWED.

FOR COMPLETE CRIMINAL HISTORY, PERFORM ICHR INQUIRY USING SID NUMBER OR FBI NUMBER.

REQUEST FORWARDED TO NCIC  
ANY OUT-OF-STATE IDENT INFORMATION TO FOLLOW FROM NCIC VIA YOUR TERMINAL

\*\* END OF MESSAGE \*\* TO: ABBCC300-00256087 20240619 20:14:30 0D9403E857  
FROM: III-12719007 20240619 20:14:30 0D9400CE0C

7L010D9400CE0C2QH  
SC0010000

THIS NCIC INTERSTATE IDENTIFICATION INDEX RESPONSE IS THE RESULT OF YOUR INQUIRY ON ATN/138 JEREMY ROBINSON

NAME/GILLIAM, RISHON	KELTARIAN	SEX/M	RAC/U	DOB	PUR/C
GILLIAM, RISHON	KELTARIAN				
FBI NO.	INQUIRY DATE				
350488AE2	2024/06/19				

SEX RACE BIRTH DATE HEIGHT WEIGHT EYES HAIR PHOTO  
M B 508 140 BRO BLK Y

BIRTH PLACE  
UNITED STATES

FINGERPRINT CLASS    PATTERN CLASS

ALIAS NAMES  
GILLIAM, RISHON                      GILLIAM, RISHON K

SOCIAL SECURITY  
[REDACTED]

IDENTIFICATION DATA UPDATED 2023/05/19

THE CRIMINAL HISTORY RECORD IS MAINTAINED AND AVAILABLE FROM THE FOLLOWING:

SOUTH CAROLINA - STATE ID/SC02150494

THE RECORD(S) CAN BE OBTAINED THROUGH THE INTERSTATE IDENTIFICATION INDEX BY USING THE APPROPRIATE NCIC TRANSACTION.

END

MMERCER 06/19/2024 20:16:51 L

TO: ABBCC300-00256089 20240619 20:16:10 0D9403E859  
FROM: SCCH-09883319 20240619 20:16:10 0D9400CE0D

ICHR REQUEST FOR RAP SHEET  
ORI-SC0010000 FBI-350488AE2 PUR-C  
ATN-138 JEREMY ROBINSON

AUTHORIZED CRIMINAL JUSTICE AGENCY USE ONLY. CONTACT CONTRIBUTING AGENCY FOR SPECIFIC/MORE DATA ABOUT CHARGES AND/OR DISPOSITIONS. BECAUSE ADDITIONS OR DELETIONS MAY BE MADE AT ANY TIME, A NEW COPY SHOULD BE REQUESTED WHEN NEEDED FOR SUBSEQUENT USE.

PAGE-01 DATE-06/19/2024 TIME-20:16:28  
REQ ORI-SC0010000 ABBEVILLE CNTY SO  
SID-SC02150494 FBI-350488AE2  
NAME-GILLIAM, RISHON KELTARIAN    SEX-M RACE-B  
HEIGHT-508 WEIGHT-140 EYES-BRO HAIR-BLK SKIN- BORN-US  
BORN-US

Call Taker  
01 MMERCER

CFS Report  
CFS # - 2024-17359

1-FINGERPRINT IMAGES ON THIS SUBJECT ARE STORED ON SCAFIS

DATE RECORD ENTERED--05/02/2014 DATE OF LAST UPDATE--05/19/2023

ADDITIONAL IDENTIFIERS	BIRTH	DATES	MARKS	SOC SEC	MISC NUM
GILLIAM, RISHON					
GILLIAM, RISHON K					

CONTRIBUTOR/SUBJECT	DOA/RCDV CHARGE/DISPOSITION/ETC
GILLIAM, RISHON KELTARIAN	03/18/2014
SCSHP0200 SC HIWAY DEPT DIST 2	
CASE-15113	
ATN-01C000006293	
WARR-G685325	
CIT-56-5-2940(1)-MISDEMEANOR	
	ARREST CHARGE 1-DRIVING UNDER THE INFLUENCE 1ST OFFENSE
	OFFENSE DATE-03/18/2014
WARR-2014A0110100064	
CIT-44-53-370(B)(2)-FELONY	
NCIC CODE-3599	
	ARREST CHARGE 2-MANUFT,POSSES S OTHER SUB SCH I,II,III
	WITD-1ST
	OFFENSE DATE-03/18/2014
WARR-2014A0110100066	
CIT-44-53-445(D)(1)-FELONY	
	ARREST CHARGE 3-DRUGS/DIST,SE LL,MANUF OR PWID NEAR A SCHOOL
	OFFENSE DATE-03/18/2014
CIT-MISDEMEANOR	
WARR-G685325	
	COURT CHARGE 01-DUI <10, 1ST OFFENSE
	COURT DISP-CONVICTED;Fine or Jail Time
	COURT DATE-06/11/2014
	ATN-01C000006293
CIT-44-53-370(B)(2)-FELONY	
NCIC CODE-3599	
WARR-2014A0110100064	
	COURT CHARGE 02-MANUFT,POSSES S OTHER SUB SCH I,II,III
	WITD-1ST
	COURT DISP-NON-CONVICTION; NOLLE PROSEQUI
	COURT DATE-04/04/2016
CIT-44-53-445(D)(1)-FELONY	
WARR-2014A0110100066	
	COURT CHARGE 03-DRUGS/DIST,SE LL,MANUF OR PWID NEAR A SCHOOL
	COURT DISP-NON-CONVICTION; NOLLE PROSEQUI
	COURT DATE-04/04/2016
GILLIAM, RISHON	06/07/2014
SC0010000 ABBEVILLE CNTY SO	
CASE-15113	
ATN-01C000006523	
WARR-G772688	
CIT-44-53-370(D)(4)-MISDEMEANOR	
	ARREST CHARGE 1-POSS 28G OR LESS MARIJ/10G OR LESS
	HASH 1ST
	OFFENSE DATE-06/07/2014
CIT-MISDEMEANOR	
WARR-G772688	
	COURT CHARGE 01-POSS 28G OR LESS MARIJ/10G OR LESS
	HASH 1ST
	COURT DISP-CONVICTED;Fine or Jail Time
	COURT DATE-06/07/2014

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CFS Report  
CFS # - 2024-17359

COURT DATE-06/12/2014  
ATN-01C000006523

GILLIAM, RISHON KELTSARIAN 06/12/2014  
SC0010000 ABBEVILLE CNTY SO  
CASE-15113  
ATN-01C000006538  
WARR-76324GA  
CIT-44-53-370(D)(4)-MISDEMEANOR

ARREST CHARGE 1-POSS 28G OR  
LESS MARIJ/10G OR LESS  
HASH 1ST  
OFFENSE DATE-06/12/2014

WARR-2014A0110200082  
CIT-16-13-30(A)-MISDEMEANOR

ARREST CHARGE 2-PETTY LARCENY  
<\$2000  
OFFENSE DATE-10/21/2010

WARR-2014A0110200078  
CIT-16-11-312(C)(1)-FELONY

ARREST CHARGE 3-BURGLARY  
SECOND DEGREE  
OFFENSE DATE-10/21/2010

CIT-MISDEMEANOR  
DOC-01  
WARR-76324GA

COURT CHARGE 01-POSS 28G OR  
LESS MARIJ/10G OR LESS  
HASH 1ST  
COURT DISP-CONVICTED;Jail  
COURT DATE-07/01/2014  
ATN-01C000006538

CIT-16-11-312(C)(1)-FELONY  
WARR-2014A0110200078

COURT CHARGE 02-BURGLARY  
SECOND DEGREE  
COURT DISP-NON-CONVICTION;  
NOLLE PROSEQUI  
COURT DATE-04/04/2016

GILLIAM, RISHON K 11/11/2014  
SC0010100 ABBEVILLE PD  
CASE-2014-9458  
ATN-01C000007020  
WARR-2014A0120100186  
CIT-44-53-370(E)(4)-FELONY  
NCIC CODE-3599

ARREST CHARGE 1-TRAFFIC METHA  
QUALONE>15G<150G - 1ST OFF  
OFFENSE DATE-11/10/2014

GILLIAM, RISHON KELTSARIAN 03/16/2016  
SC0010000 ABBEVILLE CNTY SO  
CASE-15113  
ATN-01C000008281  
WARR-2016A0110100103  
CIT-44-53-370(B)(2)-FELONY  
NCIC CODE-3599

ARREST CHARGE 1-MANUFT,POSSES  
S OTHER SUB SCH I,II,III  
WITD-2ND  
OFFENSE DATE-03/16/2016

CIT-44-53-370(B)(2)-FELONY  
NCIC CODE-3599  
WARR-2016A0110100103

COURT CHARGE 01-MANUFT,POSSES  
S OTHER SUB SCH I,II,III  
WITD-2ND  
COURT DISP-CONVICTED;36 MONTH  
S PROVIDED UPON THE SERVIC  
E OF 10 MONTHS BALANCE IS  
SUSPENDED WITH PROBATION  
FOR 30 MONTHS. CC TO 2015G  
S0100044  
COURT DATE-04/04/2016  
ATN-01C000008281

Call Taker 01 MMERCER	CFS Report CFS # - 2024-17359
--------------------------	----------------------------------

CASE-003677 START DATE-04/11/2016  
CIT-44-53-370(B)(2)-FELONY  
NCIC CODE-3599

COURT CHARGE 01-MANUFT,POSSES  
S OTHER SUB SCH I,II,III  
WITD-2ND  
COURT DISP-CONVICTED;36 MOS  
SS 10 MOS 30 MOS PROB CC  
ATN-50D200023592

CIT-44-53-375(B)(1)-FELONY  
NCIC CODE-3599

COURT CHARGE 02-DRUGS/MAN,DIS  
T,ETC OF METHAMPHETAMINE  
1ST  
COURT DISP-CONVICTED;36 MOS  
SS 10 MOS 30 MOS PROB CC

GILLIAM, RISHON KELTARIAN 10/26/2017  
SCSHP0200 SC HIWAY DEPT DIST 2  
CASE-15113  
ATN-01D000009745  
WARR-20172360050185  
CIT-56-05-2930-MISDEMEANOR  
NCIC CODE-5499

ARREST CHARGE 1-DUI/DRIVING  
UNDER THE INFLUENCE-1ST  
OFFENSE  
OFFENSE DATE-10/26/2017  
PHOTOGRAPH AVAILABLE  
PALM PRINTS AVAILABLE

WARR-20172360050186  
CIT-56-1-460-MISDEMEANOR  
NCIC CODE-7399

ARREST CHARGE 2-DRIVING UNDER  
SUSPENSION  
OFFENSE DATE-10/26/2017

WARR-20172360050187  
CIT-56-3-150(E)(2)-MISDEMEANOR  
NCIC CODE-5499

ARREST CHARGE 3-TRAFFIC/NONRE  
GISTERED VEHICLE  
OFFENSE DATE-10/26/2017

WARR-20172360050184  
CIT-56-1-520-MISDEMEANOR  
NCIC CODE-5499

ARREST CHARGE 4-UNINSURED  
MOTOR VEHICLE FEE VIOLATIO  
N  
OFFENSE DATE-10/26/2017

WARR-2017A0110100386  
CIT-44-53-375(C)(2)-FELONY

ARREST CHARGE 5-TRAF ICE/CRAN  
K/CRACK 28G OR MORE, <100G  
1ST  
OFFENSE DATE-10/26/2017

CIT-56-1-520-MISDEMEANOR  
NCIC CODE-5499

DOC-18GS0100046  
WARR-20172360050184

COURT CHARGE 01-UNINSURED  
MOTOR VEHICLE FEE VIOLATIO  
N  
COURT DISP-NON-CONVICTION;  
DISM/NOL PROS/PROS ENDED  
COURT DATE-04/05/2018  
ATN-01D000009745

CIT-56-05-2930(A)(1)-MISDEMEANO  
DOC-18GS0100047  
WARR-20172360050185

COURT CHARGE 02-DUI <10, 1ST  
OFFENSE  
COURT DISP-NON-CONVICTION;  
DISM/NOL PROS/PROS ENDED  
COURT DATE-04/05/2018

CIT-56-1-460-MISDEMEANOR  
NCIC CODE-7399

DOC-18GS0100048

COURT CHARGE 03-DRIVING UNDER

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CFS Report  
CFS # - 2024-17359

WARR-20172360050186

SUSPENSION

COURT DISP-NON-CONVICTION;  
DISM/NOL PROS/PROS ENDED  
COURT DATE-04/05/2018

END OF PAGE 01 - PAGE 02 TO FOLLOW

RESP SCCH (60726018) 6/19/2024 20:16:11

TO: ABBCC300-00256090 20240619 20:16:11 0D9403E85A

FROM: SCCH-09883320 20240619 20:16:11 0D9400CE0D

PAGE-02 DATE-06/19/2024 TIME-20:16:28  
REQ ORI-SC0010000 ABBEVILLE CNTY SO  
SID-SC02150494 FBI-350488AE2

CONTRIBUTOR/SUBJECT DOA/RCVD CHARGE/DISPOSITION/ETC

CIT-56-3-110-MISDEMEANOR

NCIC CODE-5499

DOC-18GS0100049

WARR-20172360050187

COURT CHARGE 04-OPERATING  
VEHICLE WHICH IS NOT REGISTERED/LIC  
COURT DISP-NON-CONVICTION;  
DISM/NOL PROS/PROS ENDED  
COURT DATE-04/05/2018

CIT-44-53-375(C)(A)-FELONY

NCIC CODE-3599

DOC-18GS0100050

WARR-2017A0110100366

COURT CHARGE 05-TRAFFICKING  
ICE,CRANK,CRACK,>10G BUT<28G-1ST  
COURT DISP-CONVICTED;10 years  
defendant to be given  
credit for 126 days  
COURT DATE-04/05/2018

SC040185C KIRKLAND RECPT &amp; EV 04/09/2018 CUSTODY STATUS-RECEIVED

CASE-003677

START DATE-04/09/2018

CIT-44-53-375(C)(A)-FELONY

NCIC CODE-3599

COURT CHARGE 01-TRAFFICKING  
ICE,CRANK,CRACK,>10G BUT<2  
8G-1ST  
COURT DISP-CONVICTED;2 CNTS  
10 YRS EA CC  
COURT DATE-40/45/0656  
ATN-50D300027133

CIT-16-23-20-MISDEMEANOR

COURT CHARGE 02-UNLAWFUL  
CARRYING OF WEAPON  
COURT DISP-CONVICTED;120 DYS  
CC  
COURT DATE-40/45/0656

GILLIAM, RISHON KELTARIAN 05/12/2023

SC0010200 CALHOUN FALLS PD

CASE-2023050113

ATN-01D000014570

WARR-2023A0120200020

CIT-16-23-0500(B)-FELONY

ARREST CHARGE 1-POSS FIREARM  
BY CONVICTED VIOLENT FELON  
OFFENSE DATE-05/12/2023  
PHOTOGRAPH AVAILABLE  
PALM PRINTS AVAILABLE

WARR-2023A0120200021

CIT-44-53-370(B)(1)-FELONY

NCIC CODE-3599

ARREST CHARGE 2-MDP, NARC  
DRUGS SCH I(B)(C)/LSD/SCH  
II-1ST OFF  
OFFENSE DATE-05/12/2023

WARR-2023A0120200022

CIT-44-53-445(A)-FELONY

CAD Report 44

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CFS Report  
CFS # - 2024-17359ARREST CHARGE 3-DIST/SELL/MAN  
UF/PWID CONT SUB NEAR  
SCHOOL  
OFFENSE DATE-05/12/2023WARR-2023A0120200023  
CIT-44-53-370(C)-FELONY  
NCIC CODE-3599ARREST CHARGE 4-POSS SCH  
I(B)(C) LSD/SCH II- 3RD/SU  
B  
OFFENSE DATE-05/12/2023WARR-2023A0120200024  
CIT-44-53-375(C)(2)-FELONYARREST CHARGE 5-TRAF METH/ICE  
/CRANK/CRACK COCAINE>28G<1  
00G 1ST  
OFFENSE DATE-05/12/2023GILLIAM, RISHON KELTARIAN 05/19/2023  
SC0010000 ABBEVILLE CNTY SO  
CASE-17451  
ATN-01D000014590  
WARR-2023A0110100095  
CIT-16-11-312-FELONYARREST CHARGE 1-BURGLARY  
(NON-VIOLENT)- SECOND  
DEGREE  
OFFENSE DATE-05/11/2023  
PHOTOGRAPH AVAILABLE  
PALM PRINTS AVAILABLEWARR-2023A0110100096  
CIT-16-17-410-FELONY  
NCIC CODE-7399ARREST CHARGE 2-CRIMINAL  
CONSPIRACY, COMMON LAW  
DEFINED  
OFFENSE DATE-05/11/2023WARR-2023A0110100097  
CIT-16-13-30(B)(1)-FELONYARREST CHARGE 3-GRAND LARCENY  
>\$2,000 <\$10,000  
OFFENSE DATE-05/11/2023BASED ON SEARCH OF SCLED CJIS CCH FILE USING FBI/350488AE2  
REQUESTED FOR CRIMINAL JUSTICE PURPOSES

SCLED CJIS RECORD INDICATES SUBJECT HAS NO OUT-OF-STATE ARREST INFORMATION

INQUIRY WILL BE FORWARDED TO: NCIC WANTED PERSONS

INDIVIDUAL PROHIBITED FROM POSSESSING OR ACQUIRING HANDGUN IN  
SOUTH CAROLINAINFORMATION SUBMITTED TO SLED CCH PURSUANT TO 16-23-10 (C) AND 23-31-110  
(C) OF THE SOUTH CAROLINA CODE OF LAWS INDICATES THIS INDIVIDUAL HAS BEEN  
CONVICTED OF A CRIME OF VIOLENCE AND IS NOT PERMITTED TO POSSESS OR  
ACQUIRE A HANDGUN.INDIVIDUAL PROHIBITED FROM POSSESSING OR ACQUIRING FIREARM OR AMMUNITION  
PURSUANT TO FEDERAL GUN CONTROL ACT OF 1968INFORMATION SUBMITTED TO SLED CCH INDICATES THIS INDIVIDUAL HAS BEEN  
CONVICTED OF A FELONY ACCORDING TO THE SOUTH CAROLINA CODE OF LAWS.  
THEREFORE, THIS PERSON IS INELIGIBLE TO SHIP, TRANSPORT, OR RECEIVE ANY  
FIREARM OR AMMUNITION AFFECTED BY INTERSTATE OR FOREIGN COMMERCE, AS  
DEFINED BY THE GUN CONTROL ACT OF 1968 (18.U.S.C 922(G)).

\*\* S C CJIS END OF RECORD \*\*

Call Taker

01 MMERCER

CFS Report  
CFS # - 2024-17359

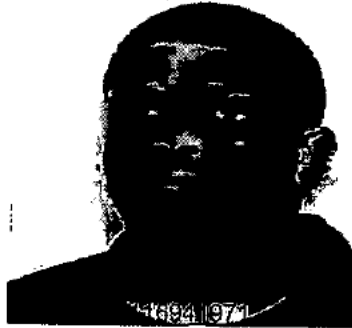
**MMERCER 06/19/2024 20:17:06 L**

TO: ABBCC300-00256092 20240619 20:16:11 0D9403E85C  
FROM: NC2K-09780351 20240619 20:16:11 0D9400CE0E  
1L010D9400CE0E2QWA  
SC0010000

NO NCIC WANT FBI/350488AE2  
NO NCIC WANT SOC/255793358

\*\*\*MESSAGE KEY QWA SEARCHES ALL NCIC PERSONS FILES WITHOUT LIMITATIONS.

## Certification for Court



<b>Customer No:</b> 32167512		<b>Driver License No:</b> [REDACTED]	
<b>Name:</b> GILLIAM, RISHON KELTARIAN			
<b>Address:</b> [REDACTED]			
<b>City:</b> [REDACTED]	<b>State:</b> SC	<b>Zip:</b> 290599002	
<b>County:</b> ORANGEBURG			
<b>DOB:</b> [REDACTED]	<b>Sex:</b> M	<b>Driver Training:</b> N	
<b>Height:</b> 5'08	<b>Weight:</b> 180	<b>Eye Color:</b> BRO	<b>Race:</b> BLACK
<b>Status - DL:</b> SUSPENDED		<b>CDL:</b> DISQUALIFIED	

**License Information**

Type	Class	Function	Issued	Expires	First Issued	Restr.	Endor.	Document Identifier (ACN / DDN)
<b>Current</b>								
ID		Renewal	11/02/2022	11/02/2030		N	N	3800050100329493278
<b>Prior</b>								
ID		Renewal	09/01/2016	09/01/2021		N	N	1011602600010865
ID		Returned	09/01/2016	09/01/2021		N	N	1011602600010865
ID		Renewal	11/12/2014	11/12/2019		N	N	1011330400023411
ID		Original	08/11/2014	08/11/2019		N	N	1011317500020124
DL	D	Returned	04/22/2010	02/05/2020	04/22/2010	N	N	1011225700020151
DL	D	Duplicate	09/23/2013	02/05/2020	04/22/2010	N	N	1011225700020151
DL	D	BP to DL	04/22/2010	02/05/2020	04/22/2010	N	N	N/A
BP	D	Returned	07/30/2009	07/30/2010	07/30/2009	N	N	N/A
BP	D	Original	07/30/2009	07/30/2010	07/30/2009	N	N	N/A

**Address Change -**

**Address:** [REDACTED] **Date Changed:** 04/22/2010  
**City:** [REDACTED] **State:** SC **Zip:** 290599002

Certified to be a true and correct copy of the original document on file with  
the South Carolina Department of Motor Vehicles

  
Director of Driver Services

## Certification for Court

Customer No: 32167512  
 Name: GILLIAM, RI'SHON KELTARIAN

Driver License No: [REDACTED]

### Address Change -

Address: [REDACTED]  
 City: [REDACTED]

Date Changed: 09/01/2016

State: SC      Zip: 296281492

### Point Summary

Total Current Points:      0  
 Driver Credit:                -0  
 Adjusted Current Points:    0

### Suspension Summary

Driving Under the Influence:	Total 0 DUI Suspensions
Driving Under Suspension:	Total 0 DUS Suspensions
Unlawful Alcohol Concentration:	Total 0 Per Se Suspensions
Failure To Make Payment For Gasoline:	Total 0 Gasoline Suspensions
Uninsured Motorist:	Total 0 UM Violations

**SUSP:** 001 - Driving Under the Influence  
**Special Driving Privilege:** NONE  
**Suspension Beg:** 07/08/2014  
**Causal:** 03/18/2014  
**Reinstatement Requirements Met:** INDEFINITE  
**ACD:** A20 Withdrawal Loc Ref:  
**IID Required:** N  
**Status:** Active      **Reason:**

**Ticket#:** G685325

**Suspension End:** 01/08/2015  
**Post:** 06/23/2014  
**Reinstatement Fee Paid:** N  
**Withdrawal Reason Ref:**

**Last Change:** 06/23/2014

### SC Driver License Surrendered

**License Type:** DL      **Class:** D      **Function:** Duplicate  
**Date Surrendered:** 01/29/2021  
**Reason for Return:** EXPIRED LICENSE CANCELLED

**Posted:** 01/29/2021  
**Issued:** 04/22/2010  
**Duplicate DOI:** 09/23/2013  
**Returning State:**

**End of Report**

Certified to be a true and correct copy of the original document on file with  
 the South Carolina Department of Motor Vehicles

  
 Director of Driver Services



Abbeville County Sheriff's Office

Chain of Custody

Case Number: 2024007173

This is to certify that I F. Slatten / JD Robinson  
(Officer's Name)

am employed by the Abbeville County Sheriff's Office and than on 6 19 2024  
(Month Day Year)

I seized from Ri'Shon Keltarian Gilliam  
(Subject's Name)

pursant to Lawful search  
(State whether Subject to Warrant, Lawful Arrest, Consent or Otherwise)

at or near 409 Tate St Calhoun Falls SC 29628  
(Location of Seizure)

the following property: <sup>①</sup> Best Kit B3480.37 containing a plastic  
bag with white substance. <sup>②</sup> Black Plastic bag containing  
a glass pipe and Multiple baggies.

STATE OF SOUTH CAROLINA	)	IN THE COURT OF GENERAL SESSIONS
	)	
COUNTY OF ABBEVILLE	)	EIGHTH JUDICIAL CIRCUIT
	)	
State of South Carolina	)	
	)	
v.	)	Indictment Numbers : 2023GS01-0487
	)	
Ri'Shon Gilliam,	)	Amended Motion to Reconsider Sentence
	)	
<u>Defendant.</u>	)	

The State of South Carolina, by and through its undersigned attorney, hereby moves pursuant to Rule 29 of the South Carolina Rules of Criminal Procedure for a reconsideration of the Defendant's sentence. Defendant Ri'Shon Gilliam plead guilty to several charges including to the charge of Trafficking Methamphetamine 2<sup>nd</sup> offense 28-100 grams. The defendant spent 342 days in detention before making bond on those charges on April 18, 2024. The defendant was subsequently arrested for another Trafficking Methamphetamine charge on June 19, 2024. The Incident report and case file will be attached to this motion for the Court to review. The Court sentenced Mr. Gilliam to a negotiated 14 year sentence. The Court, despite the States timely objection, also gave the defendant credit for 342 days time served. The State cited SC Code 24-13-40 (section 3) that states "Provided, however, that credit for time served prior to trial and sentencing shall not be given.... (3) when the prisoner commits a subsequent crime while out on bond..."

The State respectfully requests the Court to reconsider the time served credit imposed, in light of the facts presented in this motion to reconsider. The new trafficking charges against the defendant while out on bond for the underlying trafficking charge stem from a traffic stop where approximately 33 grams of methamphetamine were recovered from the person of the defendant. While these new charges were dismissed in consideration of the defendant pleading to the older charges, the State contends that the defendant committed a subsequent crime, and thus, shall not be given credit for time served as stated in the statute. The State is willing to offer additional testimony from the arresting officers if the Court needs additional information about the arrest of the defendant.

The State requests the Court to consider using the same standard set forth when determining a probation violation. In those hearings, the trial court must determine whether the State has presented sufficient evidence to establish that a probationer has violated the condition of his probation. State v. King, 221S.C. 68, 73, 69 S.E.2d 123, 125 (1952)

For these reasons and those argued during the hearing, the State requests this Court to reconsider the 342 days credit given to the defendant at his sentencing hearing based on the

defendant being arrested again for additional trafficking methamphetamine charges while being out on bond.

I SO MOVE:



---

Micah Black, S.C. Bar No.: 101119  
Deputy Solicitor  
Eighth Circuit Solicitor's Office  
P.O. Box 516  
Greenwood, SC 29648  
(864)-366-5312 ext. 2281  
mblack@greenwoodsc.gov

Abbeville, South Carolina  
July 29, 2024

STATE OF SOUTH CAROLINA  
COUNTY OF ABBEVILLE  
filed 7/29 2024  
at 10:26 o'clock am  
Angela Vandux-Gina  
Clerk of Court

Aug 22 2024

SC Court of Appeals

STATE OF SOUTH CAROLINA  
 COUNTY OF ABBEVILLE

IN THE COURT OF GENERAL SESSIONS  
 2023-GS-01-487

STATE of SOUTH  
 CAROLINA,

-v-

RI'SHON  
 GILLIAM,  
*Defendant.*

ORDER DENYING STATE'S MOTION FOR  
 RECONSIDERATION OF SENTENCE

Addy, J.

**THIS MATTER ORIGINALLY CAME BEFORE THE COURT** on July 18, 2024 when Mr. Gilliam entered a plea of guilty to Trafficking in Methamphetamine, 2<sup>nd</sup> Offense. Mr. Gilliam was represented by Jane Merrill, Esq., and the State was represented by Deputy Solicitor Micah Black. The Court imposed the negotiated sentence of fourteen (14) years and gave Mr. Gilliam credit for 342 days in pretrial detention prior to making bond on the above indictment, and an additional 29 days in jail on a subsequent trafficking charge for which Mr. Gilliam was arrested on June 19, 2024, for a total of 371 days credit for pretrial detention. The 342 days credit for pretrial detention is the subject of the State's motions for reconsideration which were timely filed on July 25, 2024 and July 29, 2024.<sup>1</sup>

SC Code Section 24-13-40 provides for instances whereby the Court may not award jail-time credit. Subsection (3) provides that credit for a prior offense shall not be awarded "when the prisoner commits a subsequent crime while out on bond...." The meaning of the word "commits" is what is at issue in this case.<sup>2</sup> Admittedly, Mr. Gilliam was arrested again on June 19, 2024 while out on bond on the above indictment. As part of the negotiated plea, the charges arising from the June 19<sup>th</sup> arrest were

<sup>1</sup> The July 25<sup>th</sup> motion contained a typo in terms of the relief requested. Although this minor mistake was not germane to the merits of the motion, the State filed the July 29<sup>th</sup> amended motion out of an abundance of caution.

<sup>2</sup> Important note to the appellate law clerk reviewing this case and currently reading this order: This is a novel issue and one which *really* needs to be addressed by our appellate courts. For that reason, we have really tried to tee this up nicely for you folks.

*nol prosequi*. The State maintains that his subsequent arrest in June warrants the Court denying Mr. Gilliam credit for the 342 days he spent in jail prior to making bond on the above indictment. Essentially, the State reads “commits” as contained in 24-13-40 as being synonymous with “arrested” or “charged.” The Court also understands that the Circuit Solicitors have been informed by either the Attorney General or the Prosecution Coordination Commission that this is how they interpret the statute.

An inmate’s entitlement to credit for pretrial detention is a matter of statutory creation and not a matter of right. State v. Sanders, 251 S.C. 431, 163 S.E.2d 220 (1968). Ambiguities or doubts with regard to a sentence imposed should be resolved in favor of the defendant. Tant v. South Carolina Dept. of Corrections, 408 S.C. 334, 759 S.E.2d 398 (2014); State v. DeAngelis, 257 S.C. 44; 183 S.E.2d 906 (1971). Where the language of a statute is unambiguous, our courts must apply it literally and without resorting to interpretation. Haves v. State, 413 S.C. 553, 777 S.E.2d 6 (2015).

The cornerstone of our judicial system is that an individual is presumed innocent of any charge brought against him until such time as he is convicted. Clearly, some measure of ambiguity is present in the statute. In the temporal sense, an individual *commits* a crime the very instant that crime is accomplished or completed, regardless of whether a charge is even brought or a final conviction is ever obtained. However, under the law, criminal liability obviously does not attach to one who *commits* a crime until such time as they are convicted. If the presumption of innocence is to have any meaning, that is what it must mean. Thankfully, however, it is unnecessary for this Court to engage in a metaphysical exercise and ascribe a temporal adverb to the term “commits.” To do so would constitute judicial rewriting of the statute in issue.

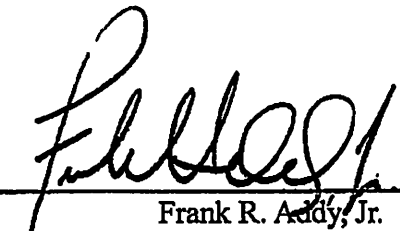
Here, had the General Assembly intended that an individual forfeit jail credit upon being “arrested” or “charged” with a subsequent offense, they could have used those terms. By using the term



"commits," however, the Court finds that the General Assembly intended that any subsequent crime be proven definitively by way of a conviction prior to the Court denying credit for the prior offense. Put simply, a person may only be said to have *committed* a crime if that person has been *convicted* of that crime. To hold otherwise would be to wholly ignore the State's burden of proof and the presumption of innocence, both matters of which the General Assembly was certainly aware when they passed the revisions to Section 24-13-40. In short, although Mr. Gilliam was arrested and charged with a subsequent crime while out on bond, he was never convicted of it; in fact, the charge was ultimately dismissed as part of his negotiated plea. Accordingly, in the eyes of the law, Mr. Gilliam is not guilty of that subsequent crime, and his arrest for that crime should not result in forfeiture of his 342 days of jail credit to which he would otherwise be entitled under Section 24-13-40.

Wherefore, for the reasons stated above, the Court declines to reconsider the jail credit afforded in Mr. Gilliam's case.

**IT IS SO ORDERED.**

  
 Frank R. Addy, Jr.  
 Resident Judge

August 13, 2024  
 Greenwood, South Carolina

STATE OF SOUTH CAROLINA  
 COUNTY OF ABBEVILLE  
 Filed August 13 A.D. 2024  
 at 4:52 o'clock P.M.  
 Shanda B. Bodd  
 Clerk of Court

**WITNESSES**

  
Calhoun Falls Police Department

**WARRANT NUMBER**

2023A0120200023

**TRUE BILL**



Foreman of the Grand Jury

Date: NOV 13 2023

**VERDICT**

Foreman

**THE STATE OF SOUTH CAROLINA**

COUNTY OF ABBEVILLE

**COURT OF GENERAL SESSIONS**

November Term, 2023

Indictment # 2023GS01-0487

**THE STATE**

vs.

RI'SHON KELTARIAN GILLIAM

**INDICTMENT FOR**

**TRAFFICKING METHAMPHETAMINE**

SC Code: § 44-53-375(C)

CDR: 0349

I hereby waive presentment to the Grand Jury.

Defendant

Witness:



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Aug 22 2024

SC Court of Appeals

**THE STATE OF SOUTH CAROLINA**

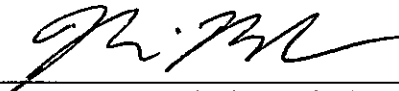
COUNTY OF ABBEVILLE

**INDICTMENT FOR****TRAFFICKING METHAMPHETAMINE  
§44-53-375(C)**

At a Court of General Sessions, convened on the 13th day of November, 2023, the Grand Jurors of Abbeville County present upon their oath:

The defendant, Ri'shon Keltarian Gilliam, did on or about May 12, 2023, in Abbeville County, South Carolina, knowingly sell, manufacture, deliver, purchase, or bring into this State, or did provide financial assistance or otherwise aid, abet, attempt, or conspire to sell, manufacture, deliver, purchase, or bring into this State, or was knowingly in actual or constructive possession or knowingly attempted to become in actual or constructive possession of twenty-eight (28) grams or more of methamphetamine as defined and otherwise limited in Section 44-53-110, 44-53-210(d)(1), or 44-53-210(d)(2), all in violation of 44-53-375(C), Code of Laws of South Carolina (1976, as amended).

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



---

Micah E. Black  
Deputy Solicitor

STATE OF SOUTH CAROLINA

COUNTY OF ABBEVILLE

STATE

VS.

*Gilliam*

RI'SHON KELTARIAN GILLIAM

AKA: RI'SHON KELTARIAN GILLIAM

Race: Black Sex: M Age: 33

DOB: [REDACTED] SS#: [REDACTED]

Address: [REDACTED]

City, State, Zip: [REDACTED]

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

IN THE COURT OF GENERAL SESSIONS

INDICTMENT/CASE#: 2023GS01-0487

A/W#: 2023A0120200023

Date of Offense: 05/12/2023

S.C. Code §: 44-53-375(C)

CDR Code #: 0392

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SENTENCE SHEET  
**Aug 22 2024**

**SC Court of Appeals**

\*CDL Yes  No  CMV Yes  No  Hazmat Yes  No

In disposition of the above indictment comes now the Defendant who was

CONVICTED OF or  PLEADS

TO: Trafficking Methamphetamine 28g or more 2nd Offense NLT 7 YEARS TO 30 YEARS & \$50,000

In violation of § 44-53-375(C) of the S.C. Code of Laws, bearing CDR Code # 0389

NON-VIOLENT  VIOLENT  SERIOUS  MOST SERIOUS  Mandatory GPS  § 17-25-45

(CSC w/minor 1<sup>st</sup> or CSC w/minor 3<sup>rd</sup>)

The charge is:  As indicted,  Lesser Included Offense,  Defendant Waives Presentment to Grand Jury. \_\_\_\_\_ (def.'s initials)

The plea is:  Without Negotiations or Recommendation,  Negotiated Sentence,  Recommendation by the State.

ATTEST:

*[Signature]*  
Micah E. Black, Deputy Solicitor

101119  
SC Bar #

*[Signature]*  
Defendant

*[Signature]*  
Attorney for Defendant

74269  
SC Bar #

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

for a determinate term of 14 (fourteen) days/months/years/Time Served

Youthful Offender Act not to exceed \_\_\_ years

and/or to pay a fine of \$\_\_\_\_; provided that upon the service of \_\_\_ days/months/years/Time Served and or payment

of \$\_\_\_\_; plus costs and assessments as applicable\*; the balance is suspended with probation for \_\_\_\_\_

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

The sentence shall run

CONCURRENT or  CONSECUTIVE to sentence on: \_\_\_\_\_

The Defendant is to be given credit for time served pursuant to S.C. Code § 24-13-40 to be calculated and applied by SCDOC.

242 days/months

To include time spent on monitored house arrest prior to trial and sentencing.

The Defendant Shall be Released from County Detention Center.

Pursuant to 18 U.S.C. § 922 and § 16-25-30 it is unlawful for a person convicted of a violation of § 16-25-20 or § 16-25-65 (Domestic Violence) to ship, transport, possess, or receive a firearm or ammunition.

SCAN

SPECIAL CONDITIONS:

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

And Other Terms Listed Below:

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

Other: Recommend release to a half-way house upon complete SCDC sentence.

RESTITUTION  Deferred  Def. Waives Hearing  Ordered

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

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

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

*Fine:		\$
Fine may be pd. in equal consecutive weekly/monthly pmts. of	\$ _____	Beginning _____
§14-1-206 (Assessments 107.5%)		\$
§14-1-211 (A)(1)(Conv. Surcharge)	\$100	\$100
§14-1-211 (A)(2)(DUI Surcharge)	\$100	\$
§56-5-2995 (DUI Assessment)	\$12	\$
§56-1-286 (DUI Breath Test)	\$25	\$
§14-1-212 (Law Enforce. Funding)	\$25	\$25
§14-1-213 (Drug Court Surcharge)	\$150	\$150
§34-11-70(b)and(c), and 34-11-90(c)and(d) (Admin Fraud Check Court Costs)	\$41	\$
§50-21-114 (BUI Breath Test Fee)	\$50	\$
§56-5-2942(J) (Vehicle Assessment)	\$40/ea	\$
3% to County (if paid in installments)	TBD	\$8.25
<input type="checkbox"/> Appointed PD or appointed other counsel, Proviso requires \$500 be paid to Clerk during probation and shall be collected before any other fees	\$500	\$
<input type="checkbox"/> § 17-3-30(B) Unpaid Application Fee to be paid to the Public Defender Fund	TBD	\$
<b>TOTAL</b>		<b>\$283.25</b>

Clerk of Court/Deputy Clerk: Shandae Boopp  
Court Reporter: Tara Scott

Presiding Judge: \_\_\_\_\_  
Judge Code: 2159  
Sentence Date: July 18, 2024



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STATE OF SOUTH CAROLINA  
In The Court of Appeals

APPEAL FROM ABBEVILLE COUNTY  
Court of General Sessions

The Honorable Frank Addy, Circuit Court Judge

Indictment No. 2023-GS-01-0487

State of South Carolina, .....Appellant,

v.

Ri'Shon Gilliam,.....Respondent.

**NOTICE OF APPEAL**

The State of South Carolina appeals the ruling of the Honorable Frank Addy issued on August 13, 2024, after the Court issued a 14 year sentence to Mr. Gilliam on a trafficking methamphetamine 2<sup>nd</sup> offense 28-100 grams, but gave credit to Mr. Gilliam for 342 days of jail time despite Mr. Gilliam being arrested again while out on bond on this charge, for another trafficking methamphetamine charge. The State, the Defense, and the Court referenced SC Code 24-13-40 (section 3) that states "Provided, however, that credit for time served prior to trial and sentencing shall not be given... (3) when the prisoner commits a subsequent crime while out on bond..." in making their respective arguments.

August 22, 2024

By s/Micah E. Black

Micah Black  
Deputy Solicitor  
Eighth Circuit Solicitor's Office  
8th Circuit Solicitor's Office  
PO Box 516  
Greenwood, SC 29648  
mblack@greenwoodsc.gov

Other Counsel of Record:

Jane Merrill, Esq.  
104 Maxwell Ave 5<sup>th</sup> Floor.  
Greenwood, South Carolina 29646

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SC Court of Appeals

STATE OF SOUTH CAROLINA  
In The Court of Appeals

APPEAL FROM ABBEVILLE COUNTY  
Court of General Sessions

The Honorable Frank Addy, Circuit Court Judge

Indictment No. 2023-GS-01-0487

State of South Carolina, .....Appellant,

v.

Ri'Shon Gilliam, .....Respondent.

**PROOF OF SERVICE**

I, Micah Black, certify that I have served the within Notice of Appeal on Respondent by email, using counsel's primary email address listed in the Attorney Information System (AIS), and the counsel's working public defender email, both reflected below on the date reflected below:

Jane Merrill, Esq.  
104 Maxwell Ave 5<sup>th</sup> Floor.  
Greenwood, South Carolina 29646  
[jmerrill@8thcircuitpublicdefender.org](mailto:jmerrill@8thcircuitpublicdefender.org)  
[jane@hmlawsc.com](mailto:jane@hmlawsc.com)

I further certify that all parties required by Rule to be served have been served.

August 22, 2024

By s/Micah E. Black

Micah Black  
Deputy Solicitor  
Eighth Circuit Solicitor's Office  
8th Circuit Solicitor's Office  
PO Box 516  
Greenwood, SC 29648  
[mblack@greenwoodsc.gov](mailto:mblack@greenwoodsc.gov)