

STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

Appeal from Greenville County

Robin B. Stilwell, Circuit Court Judge

RECEIVED

JUN 29 2012

S.C. Supreme Court

ERIC JOSHUA TURNER,

PETITIONER,

V.

STATE OF SOUTH CAROLINA,

RESPONDENT

SUPPLEMENTAL APPENDIX

SUSAN B. HACKETT
Appellate Defender

South Carolina Commission on Indigent
Defense
Division of Appellate Defense
PO Box 11589
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ATTORNEYS FOR RESPONDENT

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INDICTMENT NO. 2005- GS-47-21..... 1

FILED

DEC 13 2005

LISA C. DUNBAR,
CLERK, STATE GRAND JURY

STATE GRAND JURY OF SOUTH CAROLINA

STATE OF SOUTH CAROLINA)
)
 VS.)
)
 JACK WILLIAM ADDINGTON,)
 SAMUEL SETH BAKER,)
 JOSE MENDEZ GUEVARA aka "PABLO",)
 EDUARDO BECERRA MARGARENO,)
 JULIE KRISTEN McDOWELL,)
 ARTURO RIVERA MENDOZA,)
 JESSE ROGER OWEN aka "COUNTRY",)
 KENNETH SCOTT POPE aka "SCOTTY",)
 DENNIS PAUL STYLES,)
 MARTIN HENANDEZ TAPIA,)
 ERIC JOSHUA TURNER,)
 JOHN NELSON TURNER, JR. aka "JJ",)

DEFENDANTS.)

CASE NO. 02GS47 21

INDICTMENT FOR
UNLAWFUL DRUGS

Trafficking Methamphetamine
(Conspiracy)
S.C. Code Ann. § 44-53-375(C)(5)

Trafficking Methamphetamine
> 100 grams
S.C. Code Ann. § 44-53-375(C)(3)

Trafficking Methamphetamine
10 - 28 grams
S.C. Code Ann. § 44-53-375 (C)(1)

Distribution of Methamphetamine
S.C. Code Ann. § 44-53-375 (B)
Two Counts

~~Possession of a Firearm during the~~ 12/13/05
~~Commission of a Violent Crime~~ CPC
~~S.C. Code Ann. § 16-23-490~~

Possession with Intent to Distribute
Marijuana
S.C. Code Ann. § 44-53-370 (b)(1)

Possession with Intent to Distribute
Marijuana within Proximity of a
School
S.C. Code Ann. § 44-53-445 (B)(1)

At a session of the State Grand Jury of South Carolina, convened in Columbia,
South Carolina, on December 13, 2005, the State Grand Jurors present upon their oath:

COUNT I
TRAFFICKING METHAMPHETAMINE
(CONSPIRACY)
S.C. Code Ann. § 44-53-375 (C)(5)

That JACK WILLIAM ADDINGTON, SAMUEL SETH BAKER, JOSE MENDEZ GUEVARA aka "PABLO", EDUARDO BECERRA MARGARENO, JULIE KRISTEN McDOWELL, ARTURO RIVERA MENDOZA, JESSE ROGER OWEN aka "COUNTRY", KENNETH SCOTT POPE aka "SCOTTY", DENNISE PAUL STYLES, MARTIN HERNANDEZ TAPIA, ERIC JOSHUA TURNER, JOHN NELSON TURNER, JR., and other persons whose names are both known and unknown to the State Grand Jury, did in Greenville County and Pickens County of South Carolina, during the period of time extending from on or about October 1, 2004 to present, conspire to sell, manufacture, deliver, purchase, or bring into this State, more than four hundred (400) grams of methamphetamine ("ice" or "crank"), a controlled substance under provisions of § 44-53-110, *et. seq.*, Code of Laws South Carolina (1976), as amended, such conduct not having been authorized by law and such activity occurring and/or having significance in more than one county of this State.

COUNT II
DISTRIBUTION OF METHAMPHETAMINE
S.C. Code Ann. § 44-53-375 (B)

That JACK WILLIAM ADDINGTON did in Pickens County, on or about March 11, 2005, knowingly distribute, dispense, or deliver methamphetamine ("ice" or "crank"), a controlled substance under provisions of § 44-53-110, *et. seq.*, Code of Laws South Carolina (1976), as amended, such conduct not having been authorized by law and such

activity occurring and/or having significance in more than one county of this State or arising out of or in connection with a crime having significance in more than one county of this State.

COUNT III
DISTRIBUTION OF METHAMPHETAMINE
S.C. Code Ann. § 44-53-375 (B)

That JACK WILLIAM ADDINGTON did in Pickens County, on or about March 17, 2005, knowingly distribute, dispense, or deliver methamphetamine ("ice" or "crank"), a controlled substance under provisions of § 44-53-110, *et. seq.*, Code of Laws South Carolina (1976), as amended, such conduct not having been authorized by law and such activity occurring and/or having significance in more than one county of this State or arising out of or in connection with a crime having significance in more than one county of this State.

COUNT IV
TRAFFICKING METHAMPHETAMINE 10 – 28 GRAMS
S.C. Code Ann. § 44-53-375 (C)(1)

That JACK WILLIAM ADDINGTON did in Pickens County, on or about March 17, 2005, knowingly possess (actually or constructively), deliver, sell, or bring into this State, more than ten (10) grams but less than twenty-eight (28) grams of methamphetamine ("ice" or "crank"), a controlled substance under provisions of § 44-53-110, *et. seq.*, Code of Laws South Carolina (1976), as amended, such conduct not having been authorized by law and such activity occurring and/or having significance in more

than one county of this State or arising out of or in connection with a crime having significance in more than one county of this State.

COUNT V
TRAFFICKING METHAMPHETAMINE > 100 GRAMS
S.C. Code Ann. § 44-53-375 (C)(3)

That ERIC JOSHUA TURNER did in Greenville County, on or about March 18, 2005, knowingly possess (actually or constructively), deliver, sell, or bring into this State, one hundred (100) grams or more, but less than two hundred (200) grams of methamphetamine ("ice" or "crank"), a controlled substance under provisions of § 44-53-110, *et. seq.*, Code of Laws South Carolina (1976), as amended, such conduct not having been authorized by law and such activity occurring and/or having significance in more than one county of this State or arising out of or in connection with a crime having significance in more than one county of this State.

COUNT VI
POSSESSION WITH INTENT TO DISTRIBUTE MARIJUANA
S.C. Code Ann. § 44-53-370 (b)(2)

That ERIC JOSHUA TURNER did in Greenville County, on or about March 18, 2005, knowing possess with the intent to distribute, dispense, or deliver, marijuana, a controlled substance under the provisions of § 44-53-110, *et. seq.*, Code of Laws South Carolina (1976), as amended, such conduct not having been authorized by law and such activity occurring and/or having significance in more than one county of this State or arising out of or in connection with a crime having significance in more than one county of this State.

COUNT VII
POSSESSION WITH INTENT TO DISTRIBUTE MARIJUANA WITHIN
PROXIMITY OF SCHOOL
S.C. Code Ann. § 44-53-445 (B)(1)

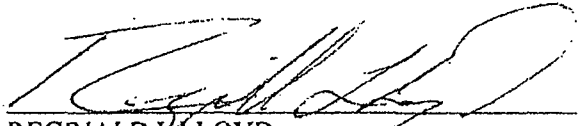
That ERIC JOSHUA TURNER did in Greenville County, on or about March 18, 2005, knowing possess with the intent to distribute, dispense, or deliver, marijuana, a controlled substance under the provisions of § 44-53-110, *et. seq.*, Code of Laws South Carolina (1976), as amended, while in, on or within a one-half mile radius of the grounds of a public or private elementary school, to wit: Cherrydale Elementary School, located at 302 Perry Road, within such conduct not having been authorized by law and such activity occurring and/or having significance in more than one county of this State or arising out of or in connection with a crime having significance in more than one county of this State.

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

A True Bill

Cathy P. Coffey
FOREMAN

Henry McMaster
HENRY McMASTER (sop)
ATTORNEY GENERAL



REGINALD J. LLOYD
FIFTH JUDICIAL CIRCUIT
PRESIDING JUDGE
STATE GRAND JURY OF SOUTH CAROLINA

Columbia, South Carolina

December 13, 2005

FILED
DEC 13 2005
LISA C. DUNBAR,
CLERK, STATE GRAND JURY