

VOL. II OF II

STATE OF SOUTH CAROLINA

In The Court of Appeals

APPEAL FROM UNION COUNTY

John C. Hayes, III, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

RODERICK POPE,

APPELLANT

APPELLATE CASE NO. 2012-207226

RECORD ON APPEAL

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1 everybody for their courtesies, all counsel during the
2 course of the trial.

3 (Jury returns to the courtroom with verdict at
4 5:19. p.m.)

5 The Court - Madam forelady, I understand you've
6 reached a verdict. Hand it to the bailiff and the bailiff
7 will hand it up to me.

8 (Whereupon, verdict is handed up to the Court
9 and the Court hands the verdict to the Clerk.)

10 Clerk - In the case of Lashad Brewton, we find
11 the defendant guilty of the lesser included offense of
12 possession with intent to distribute crack cocaine. In
13 the case of Roderick Pope, we find the defendant guilty of
14 the lesser included offense of possession with intent to
15 distribute crack cocaine. In the case of Randy Crosby, we
16 find the defendant guilty of the lesser included offense
17 of possession with intent to distribute crack cocaine.

18 The Court - If this be your verdict, so say you
19 all by raising your right hand.

20 (Whereupon, all jurors affirm)

21 The Court - The record will reflect that all
22 twelve jurors raised their right hand. Anything from the
23 State before the jury's dismissed?

24 Mr. Anthony - No, sir.

25 The Court - Mr. St. Pierre?

1 Mr. St. Pierre - Nothing, Your Honor.

2 The Court - Mr. Brannon?

3 Mr. Brannon - No, Your Honor. Thank you.

4 The Court - Mr. McKinnon?

5 Mr. McKinnon - No, Your Honor.

6 The Court - Members of the jury panel, I
7 appreciate your help. This concludes the jury work for
8 the week. You'll be mailed a check. The office
9 downstairs is closed, but if you need anything to take
10 back to work, if you'd stop by the Clerk's office tomorrow
11 they will give it to you. And, madam forelady, the Clerk,
12 Mr. Gault, is going to meet with you in the jury room just
13 a minute. We need to get you to also -- You didn't do
14 anything wrong, but you did exactly right, but we need to
15 get this verdict enrolled on the actual indictment itself,
16 and this is the way we always do it. We wait until after
17 you come back with the verdict form, so Mr. Gault will
18 meet with you in there and everybody else feel free to
19 leave. Thank you so much. Have a good holiday.

20 (Jury exits the courtroom)

21 The Court - All right, the jury's been
22 dismissed. Anything from the State before -- before we
23 get into sentencing?

24 Mr. Anthony - Not as to the trial phase, no.

25 The Court - All right, Mr. St. Pierre, anything?

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1 Mr. St. Pierre - Yes, sir, I'd move at this time
2 for a new trial and renew all of my objections that I
3 stated during the course of the trial and of course the
4 directed verdict motion after the State rested, after the
5 defense rested and my objections to the -- one second,
6 Your Honor -- the jury charge ---

7 The Court - Not charging probable cause.

8 Mr. St. Pierre - Yes, sir. And my objection to
9 the jury charge of the lesser included.

10 The Court - All right. Motions are denied. I
11 think the verdict, as I said, was an appropriate verdict
12 under the facts and the law. Mr. Brannon?

13 Mr. Brannon - Your Honor, I would at this point
14 renew all my motions and objections understanding the
15 Court's prior rulings. At this point I would continue to
16 move for a new trial, Your Honor.

17 The Court - All right, motion's denied. Just
18 like I said as to Mr. Brewton, I believe the facts and the
19 law supports the verdict. All right?

20 Mr. McKinnon - Your Honor, I'd like to renew all
21 objections and motions and ask for a new trial.

22 The Court - All right, well, that motion's
23 denied. Again as to Mr. Crosby also I find that the facts
24 and the law support the verdicts. All right, if we could
25 bring the defendants around for sentencing and we'll need

1 to get a sentencing sheet, Mr. Solicitor.

2 Mr. Anthony - They were attached to the
3 indictments. I would expect that maybe ---

4 The Court - Oh, I -- I think I do have them. I
5 forget y'all do it like that over here. All right, I have
6 them.

7 Mr. Anthony - And, Your Honor, I apologize. I
8 cannot find -- Well, I bet Mr. St. Pierre has it.

9 (Discussion is held between Mr. Anthony and Mr.
10 St. Pierre which was not reported.)

11 The Court - All right, and these are first
12 offenses to Pope and Brewton and second as to Crosby? Is
13 that correct?

14 Mr. Anthony - Yes, sir. Mr. -- Mr. Pope has a
15 prior drug conviction from 1989, but I believe that this
16 would be a sentence under the new law and as far as I can
17 tell that that conviction would not count. So this would
18 be a first offense for Mr. Pope, first drug offense for
19 Mr. Brewton and second drug offense for Mr. Crosby.

20 The Court - All right, here's what I'm going to
21 do. The sentencing sheets I'm going to hand down and make
22 so that the solicitor and the attorneys can make sure that
23 the information set forth on them are right as far as the
24 code section, CDR codes and the code sections and whether
25 or not they're violent, serious, most serious, anything

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1 like that. So I'm going to let the solicitor fill those
2 in before I go further and I want the defense counsel to
3 review them also. (Pause) Mr. Anthony, while they're
4 looking at those, what do you have for the CDR code for
5 the first offense.

6 Mr. Anthony - First offense is 3014 and second
7 offense is 3015.

8 Mr. St. Pierre - Judge, my client doesn't have
9 to sign anything, does he?

10 The Court - My understanding if it's a trial
11 that they're not required ---

12 Mr. St. Pierre - Thank you.

13 The Court - Well, Mr. Anthony, if you'd come
14 around and counsel bring the three defendants, I'll be
15 glad -- and we'll stick with the order that we've been
16 going through and does -- Anybody present that would like
17 to speak on any of these gentlemen's behalf, I'll be glad
18 to hear from them. All right, I need to hear from Mr.
19 Anthony first as to Mr. Brewton. Does he have any record?

20 Mr. Anthony - Mr. Brewton has a CDV conviction
21 from 2010. That's the extent of his criminal record.

22 The Court - All right, Mr. St. Pierre?

23 Mr. St. Pierre - Yes, sir. If it please the
24 Court. You obviously have heard the facts of the case and
25 we would just ask in the sentencing portion that you

1 consider a few things. He's 22 years old, has two young
2 children, a one year old and a two year old. He's got a
3 great family support as evidenced by his family members
4 standing behind him today. We would ask at this juncture
5 to consider a little equity in the sentencing. You've
6 heard testimony today -- or I'm sorry -- during this week
7 that Mr. Venson Harris, who's had five prior crack
8 convictions and had sentences of fifteen years and ten
9 years and has spent a significant part of his life in the
10 Department of Corrections for crack cocaine was sentenced
11 in this very courtroom, the fact for a period of three
12 years. Your Honor, I would also ask that you consider
13 that the amount of drugs that my client and his co-
14 defendants were convicted of possessing had a street value
15 of less than six hundred dollars and provided they're all
16 convicted of possessing that, and I would submit that
17 their equal share of that is around two hundred dollars
18 each, which is very similar to Mr. Venson Harris' -- the
19 amount of dope he was caught that (sic). So with that
20 being said, Your Honor, I would respectfully request due
21 to my client's lack of criminal history, his young age,
22 his family support, his family -- He needs the support --
23 that you would consider him for a suspended sentence and
24 allow him probation and the chance to move on in his life.

25 The Court - All right. There's a lady and

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1 gentlemen who appear to be with Mr. Brewton. I'll be glad
2 to hear from either one of those. Ma'am, would you give
3 me your name if you want to speak?

4 Ms. Brewton - Yes. My name is Joyce Brewton.
5 I'm his mother and that's his father, Greg Crocker. And
6 I never seen nothing like this before, but on behalf of my
7 son he never been no problem to me. He also help -- I
8 have a disabled daughter. She can't talk and -- Well, she
9 -- A lot of stuff she can't do, but helps -- help me a lot
10 with her. He ain't never been disrespectful, hard-headed.
11 He always went to church with me, whatever I needed him to
12 do.

13 The Court - Okay. All right, Mr. Brewton,
14 anything you want to say?

15 Mr. Brewton - No, sir.

16 The Court - All right. The sentence on Mr.
17 Brewton is for ten years, but that's suspended upon
18 service of five years, with five years probation. Have
19 you finished high school?

20 Mr. Brewton - Yes, sir.

21 The Court - Okay. While you're on probation
22 you're to have substance abuse counseling, random drug and
23 alcohol testing and addition to other fees, you'll owe
24 five hundred dollars for having appointed attorney. You
25 understand that?

1 Mr. Brewton - Yes, sir.

2 The Court - Thank you. Step over here. Mr.
3 Pope? All right, Mr. Crosby, you want to go next?

4 Mr. McKinnon - Sure.

5 The Court - All right, tell me Mr. Crosby's
6 record again, Mr. Anthony? Crosby.

7 Mr. Anthony - I was just -- As to Mr. Crosby, he
8 has a habitual traffic offender in 2010, has a DUS in
9 2008. He has a possession of crack in 2006, has a CDV in
10 2004, a disorderly conduct in 2003 and a operating
11 uninsured motor vehicle in 2002.

12 The Court - All right. Mr. McKinnon?

13 Mr. McKinnon - Thank you, Your Honor. May it
14 please the Court. Mr. Crosby is 27 years old. He lives
15 with his girlfriend. They have four children together.
16 They are, 5 -- What are the ages again?

17 Mr. Crosby - 7, 5, 4 and 3.

18 Mr. McKinnon - Your Honor, I wanted to point out
19 again -- I guess what Mr. Anthony just said, his only
20 previous felony conviction I believe was the habitual
21 traffic offender and his previous drug conviction was a
22 simple possession. It's not nothing -- intent to
23 distribute or trafficking. Your Honor, we're simply
24 asking for any leniency you can provide in his sentence.
25 We realize the range is great, exposure is great. Mr.

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1 Crosby realizes that. And we would just ask something
2 commensurate with his not atrocious record and his family
3 situation and as Mr. St. Pierre said, the shared
4 responsibility of this crime.

5 The Court - Anybody want to speak on his behalf?

6 Mr. McKinnon - No, Your Honor. His girlfriend
7 had to get back and get their kids from school.

8 The Court - All right. Mr. Crosby, anything you
9 want to -- Well, wait just one second. Anything you want
10 to say?

11 Mr. Crosby - I'm sorry I put y'all through all
12 this. It won't happen again.

13 The Court - All right. Sentence on Mr. Crosby
14 is fifteen years. That's suspended upon service of ten
15 years and you'll be on probation for five years with
16 substance abuse counseling and random drug and alcohol
17 testing and in addition to other fees, you owe five
18 hundred dollars for having appointed attorney. You
19 understand that?

20 Mr. Crosby - Can you say that again?

21 The Court - Fifteen years suspended upon ten
22 years and that's to be followed by five years probation
23 with substance abuse counseling and drug testing. You
24 understand that?

25 Mr. Crosby - (Indicating yes)

1 The Court - He indicated he did.

2 Mr. Crosby - Yes, sir.

3 The Court - Thank you.

4 Mr. McKinnon - Thank you, Your Honor.

5 The Court - All right, Mr. Brannon?

6 Mr. Brannon - Your Honor, are we okay here?

7 The Court - Well, why don't you step over here.

8 The Court Reporter can hear you a little better.

9 Mr. Brannon - Your Honor, my client's 49 years
10 of age. He became disabled in 2008, injured at work.
11 However, Your Honor, he did not begin -- And I say that he
12 became disabled in 2008 because when he began to receive
13 his disability benefits in 2010 after this incident
14 occurred, they dated the disability back to a time in
15 2008. Your Honor, my client had not had any involvement
16 with law enforcement since 1989. He's married. His wife
17 is here with us in Court today. On June 24th, 2010 my
18 client had not yet received his disability payments. His
19 wife was working and doing what she could do, but Your
20 Honor, the power was going to be cut off. A phone call
21 came in and he initially said no, I don't have any drugs.
22 But, Your Honor, in an effort to keep the power on because
23 of his children who at that point were still living at
24 home and his wife, he did something he shouldn't have
25 done. Your Honor, it's somewhat ironic to me that the

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1 sentence on a trafficking charge is three to ten and the
2 sentencing on the lesser included exposes him to more
3 time. I am just respectfully asking this Court to
4 consider a probationary sentence. Not only does my client
5 have the injury that caused him to be determined disabled,
6 he now has heart problems. He's -- He's required to take
7 significant medications to deal with the heart trouble.
8 Your Honor, I have met with Roderick Pope on I would say
9 to the Court so many times I can't count. I mean we have -
10 - We've met regularly. My client is a nice person. You
11 know, the Court is aware of all of the evidence that was
12 introduced in this case and, you know, there's no evidence
13 that Mr. Pope had ever sold drugs to anyone else. The
14 Court is also aware that when this traffic stop occurred,
15 he didn't even have any money in his pockets. Your Honor,
16 he's accompanied as well as his wife by his brother
17 Michael and his sister, and, Your Honor, I believe they
18 would like to speak, but again I'm asking this Court to
19 consider a probationary sentence in this case. Thank you.

20 The Court - Yes, sir, your name?

21 Mr. Michael Pope - Michael Pope. I can pretty
22 much confirm most of what the lawyer said, that -- Because
23 me and my wife have kept their lights, not only their
24 lights but have paid their rent for them on numerous
25 occasions until he got his disability approved. I was

1 very shocked when I found out he was incarcerated and we
2 had to set his bond. He couldn't even come up with his
3 own bond money, and I can assure you that honestly from my
4 heart have no recollection -- I'm out of Greenwood, South
5 Carolina, and I had no recollection anything like this was
6 going on and I could honestly say we have had to take care
7 of them basically until -- This is my wife -- until the
8 disability got approved, and honestly he is a good brother
9 and a good friend. I know he made a mistake, but he is a
10 good fellow, and I do not believe in any kind of way,
11 shape or form that that would be the type lifestyle he
12 would want to live, selling drugs. Thank you.

13 The Court - Thank you. All right. Your name?

14 Ms. Pope - Shatisha (phonetic) Pope. I'm his
15 sister-in-law. Thank you, Judge, for letting me speak.
16 I'm just going to wrap mine up in a nutshell. I was a
17 dispatcher for highway patrol. I left there -- I retired
18 from there about two weeks ago. I'm studying to become a
19 practicing pastor. I believe in God and I'm a christian,
20 and I believe God has second chances and I would just wish
21 this Court would be lenient with my brother-in-law and
22 give him a second chance as God would all of us, but also
23 our family has been through so much. Our family has had
24 so much death. My step -- My son hanged himself in the
25 prison system. My other son was shot accidently by death

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1 (sic). We've lost our -- his mother which was my mother-
2 in-law. I've lost my aunt which was his sister, and that
3 was all within a four to five year period of time. And I
4 know he's thinking about the fact and I know that stays on
5 his mind constantly, and what I want to do when I became
6 my pastor (sic) became to be ordained I wanted to minister
7 to him to help him get on the right track, the right track
8 in life, and that's all I want to say. I just want to
9 thank you for giving me a chance to speak.

10 The Court - Yes, ma'am. Thank you for speaking.
11 All right?

12 Mrs. Pope - My name is Barbara Pope. That's my
13 husband and if you could just give him probation. I mean
14 he made a mistake. Everybody make mistakes and everybody
15 deserves a second chance, Judge, and this would never
16 happen again. You know, he helps in my catering business.
17 I just started a catering business and he help me in it,
18 and everything. I just pray that, you know, your heart go
19 the right way and just, you know, give him probation. I
20 understand, you know, what was done was wrong, but I'm
21 hoping that you was a fair Judge, you know, and be lenient
22 with him. You know, just think about his health, you
23 know, all the health that he -- you know, he's dealing
24 with, and he's dealing with pretty much -- you know a lot
25 of health. Thanks.

1 The Court - Mr. Pope, anything you want to say?

2 Mr. Pope - I'm just sorry, Your Honor, sorry
3 that it happened. I wish you would be lenient with me,
4 Your Honor.

5 The Court - All right ---

6 Mr. Anthony - Your Honor, if I could give the
7 Court his record.

8 The Court - Oh, I -- Okay.

9 Mr. Anthony - He had a -- has a '89 conviction
10 for PWID schedule 4, a '88 conviction for CDV and a '88
11 conviction for burglary and grand larceny and a '87
12 disorderly conduct.

13 The Court - Mr. Pope, the sentence -- Your
14 sentence is fifteen years, but that's suspended on seven
15 and a half years with five years probation to follow with
16 substance abuse, drug and alcohol counseling and in
17 addition to other costs and fees, you owe five hundred
18 dollars for having an appointed attorney. Thank you.

19 (Back on record)

20 The Court - Mr. Anthony's informed me -- We'll
21 get Mr. Crosby in here in a minute -- this is a no parole
22 offense. I looked at my sheet and my --- the sheet
23 indicated -- The sheet I used for sentencing I looked to
24 see if it indicated that and it did not, so I'm now told
25 by -- or maybe I just didn't look at it close enough. Let

1 me see my sheet.

2 Mr. Anthony - I'm pretty sure second --

3 Mr. McKinnon - Mr. Anthony told me that and I
4 honestly thought it was not, but I ---

5 The Court - Well, let me see it.

6 Mr. McKinnon - -- I could be completely wrong.

7 The Court - I may overlooked it. I've got a
8 third as being no parole eligibility, but under 3015 --
9 Like I say, I checked earlier because I -- I was going to
10 factor that into my sentencing and mine did not -- I hate
11 to call it my cheat sheet, but the sheet I use does not
12 have it, although third does.

13 Mr. McKinnon - Unless the two previous I believe
14 are just simple possession ---

15 The Court - Well, I'm not going to get into ---

16 Mr. McKinnon - Well, I -- that's fine.

17 The Court - We've got enough to figure out right
18 now.

19 Mr. Anthony - Okay. I was really thinking that
20 it is, but maybe I'm wrong.

21 The Court - Well, if it is, it might make a
22 difference in what I sentence so why don't ---

23 Mr. Anthony - Let me check ---

24 The Court - Let everybody -- Clear the
25 courtroom. The Court Reporter stays for a few minutes.

1 The Clerk stays for a few minutes. You stay for a minute,
2 Ms. Ballou and then after we kind of get everybody and get
3 this -- I want to look at it.

4 Mr. McKinnon - Yes, sir. I appreciate it.

5 The Court - I want to make sure I'm going on the
6 right information. All right, we'll take a break while we
7 get this together. Thank you.

8 (Recess taken)

9 The Court - I have been informed by counsel for
10 Mr. Crosby that they want to make a motion for me to
11 reconsider the sentence I imposed today on Mr. Crosby for
12 possession of crack cocaine with intent to distribute.
13 Counsel?

14 Mr. Hall - That's correct.

15 The Court - So you are moving for me to
16 reconsider the sentence imposed on ---

17 Mr. McKinnon - Yes, sir, Your Honor, we are
18 making a motion for the Court to reconsider the sentence
19 imposed upon Mr. Crosby on possession with intent to
20 distribute second offense which was fifteen year suspended
21 upon the service of ten followed by five years probation
22 and substance abuse counseling.

23 The Court - I'm going to take it under
24 advisement.

25 Mr. McKinnon - Thank you.

1 Mr. Brannon - Your Honor, may I make a like
2 motion?

3 The Court - Yes, sir.

4 Mr. Brannon - Your Honor, at this time I would
5 move to reconsider the sentence imposed on my client, Mr.
6 Roderick Pope. The sentence I believe was fifteen years
7 suspended to seven and a half with probation for five
8 years, move to reconsider that sentence.

9 The Court - While we're at it, Mr. St. Pierre,
10 you want to ---

11 Mr. St. Pierre - I sure do, Your Honor. I would
12 move to reconsider the sentence imposed by this Court of
13 ten years suspended on five active and five years
14 probation.

15 The Court - All right, well, I'll take all of
16 them under advisement, and if any of you want to submit
17 anything in writing, try to do it -- I know you've got
18 other stuff to do and I don't mean this fictitiously, but
19 defendants aren't going anywhere for a while so -- but
20 what do you think? How long do you think you'll need to
21 do something in writing?

22 Mr. Brannon - By next Friday.

23 Mr. St. Pierre - I'll be in Laurens next week.

24 The Court - By the end of next week will be
25 fine.

1 Mr. Anthony - And if I determine ---

2 The Court - You have five days to respond.

3 Mr. Anthony - And if I determine that it's not
4 a second offense, I'll just advise Mr. Crosby's lawyers
5 that that's my position.

6 The Court - All right, well, if you want to file
7 anything, when you get there, if you let me know I can
8 give you like -- whatever time you need, five days ---

9 Mr. Anthony - Thank you.

10 (Notes marked as Court's Exhibits 7 and 8.)

11 (End of transcript)

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After being fully advised as to my legal rights, I hereby waive presentment to the Grand Jury.

WITNESSES

Sherfield/UCSO

The State of South Carolina
County of Union

COURT OF GENERAL SESSIONS

AUGUST 30, TERM 2010

Defendant

I hereby appear in my own proper person and plead guilty to the within indictment or to

Defendant

Witness:

C.C.C. PLS. AND G.S.

ARREST WARRANT NUMBER

K393878

THE STATE

vs.

RODERICK POPE

ACTION OF GRAND JURY

TRUE BILL

Molly Wix

Foreperson of Grand Jury

Date: AUG 26 2010

VERDICT

Guilty

Indictment for

TRAFFICKING IN CRACK COCAINE

Masha G Vinson 12/8/11

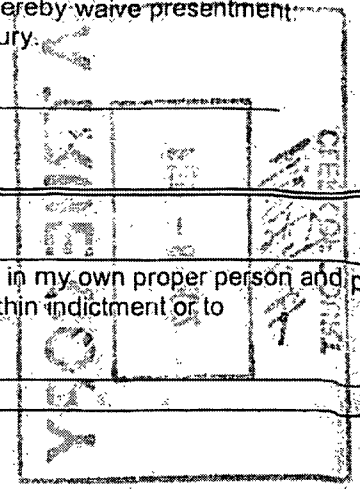
Foreperson of Petit Jury

Date: 12/8/11

SC Code: 44-53-375

CDR Code: 450

Per Verdict Form Possession with Intent to distribute John H. Hester III Judge CDR 3014



STATE OF SOUTH CAROLINA)
)
COUNTY OF UNION)

INDICTMENT

At a Court of General Sessions, convened on August 26, 2010, the Grand Jurors of Union County present upon their oath:

TRAFFICKING CRACK COCAINE

That in Union County, South Carolina, on or about June 24, 2010, Roderick Pope did wilfully, unlawfully and 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 a quantity of Crack Cocaine, as defined and otherwise limited in Sections 44-53-110, 44-53-210(b)(4), 44-53-210(d)(1), or 44-53-210(d)(2), and did traffick in Crack Cocaine in an amount being more than 10 grams but less than 28 grams, such trafficking not having been authorized by law, all in violation of Section 44-53-375, Code of Laws of South Carolina (1976, as amended).

A TRUE COPY
Against the peace and dignity of the State, and contrary to the statute in such
case made and provided.
FEB 8 2012
W. D. F. Speltz
CLERK OF COURT

John A. Sullivan
DEPUTY SOLICITOR

STATE OF SOUTH CAROLINA)
)
COUNTY OF Union)

IN THE COURT OF GENERAL SESSIONS

STATE VS. Roderick Pope

INDICTMENT/CASE#: 2010-GS-44-1053

AKA: Race: B Sex: M Age: 49 DOB: SS#: Address: City, State, Zip: Moore, SC 29369 DL# SID# SC00403754 *CDL Yes No CMV Yes No Hazmat Yes No

AW#: K-393878 Date of Offense: 06/24/2010 S.C. Code #: 44-53-0375 CDR Code #: 0 4 5 0

SENTENCE SHEET

In disposition of the said indictment comes now the Defendant who was TO: 1st Officer PLOID Cook

CONVICTED OF or PLEADS

In violation of § 44-53-375 of the S.C. Code of Laws, bearing CDR Code # 3014 NON-VIOLENT VIOLENT SERIOUS MOST SERIOUS Mandatory GPS \$17-25-45 (CSC w/minor 1st or Lewd Act)

The charge is: As indicted, Lesser Included Offense, Defendant Waives Presentation to Grand Jury (def.'s initials) The pleas: Without Negotiations or Recommendation, Negotiated Sentence, Recommendation by the State.

ATTEST: 7116 Solicitor SC Bar # Defendant Attorney for Defendant SC Bar # 68798

WHEREFORE, the Defendant is committed to the State Department of Corrections County Detention Center, for a determinate term of 15 days/months/years or under the Youthful Offender Act not to exceed years and/or to pay a fine of \$ 112; provided that upon the service of 5 months/years and subject to South Carolina Department of Probation, Parole and Pardon Services standard conditions of probation, which are incorporated by reference.

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 the State Department of Corrections.

The Defendant is to be placed on Central Registry of Child Abuse and Neglect pursuant to S.C. Code 16-25-35 Pursuant to 18 U.S.C. Section 922, it is unlawful for a person convicted of a violation of Section 16-25-20 or 16-25-65 (Criminal Domestic Violence) to ship, transport, possess, or receive a firearm or ammunition.

SPECIAL CONDITIONS: RESTITUTION: Deferred Def. Waives Hearing Ordered PTUP

Total: \$ plus 20% fee: \$ days/hours Public Service Employment

Payment Terms: Obtain GED Clerk of Court Attend Voc. Rehab. or Job Corp.

Recipient:

Table with 3 columns: Description, Amount, Total. Includes items like \$14-1-206 (Assessments 107.5%), \$14-1-211 (A)(1)(Conv. Surcharge) \$100, \$14-1-211 (A)(2)(DUI Surcharge) \$100, \$56-5-2995 (DUI Assessment) \$12, \$56-1-286 (DUI Breath Test) \$25, Proviso 47.9 (Public Def/Prob) \$500, \$14-1-212 (Law Enforce. Funding) \$25, \$14-1-213 (Drug Court Surcharge) \$150, \$50-21-114 (BUI Breath Test Fee) \$50, \$56-5-2942(J) (Vehicle Assessment) \$40/ea, Proviso:90.5 (SCCJA Surcharge) \$5, \$44-53-450(C) (Conditional Discharge) \$350, 3% to County (if paid in installments), TOTAL \$803.40.

TRUE COPY FEB - 8 - 2012 Clerk of Court

May serve W/E beginning Substance Abuse Counseling

Random Drug/Alcohol Testing Fine may be pd. in equal consecutive weekly/monthly pmts. of \$ Beginning \$ Paid to Public Defender Fund

Other:

Conditional Discharge, §44-53-450(C) requires \$350 be paid to the Clerk prior to case disposition Appointed PD or appointed other counsel, §47.12 requires \$500 be paid to Clerk during probation.

Presiding Judge Judge Code: Sentence Date 12/8/11

STATE OF SOUTH CAROLINA)
)
 COUNTY OF YORK)
)
 State of South Carolina,)
)
 Plaintiff,)
)
 vs.)
)
 Roderick Pope,)
)
 Defendant.)
 _____)


FILE FOR RECORD
 IN THE COURT OF GENERAL SESSIONS
 SIXTEENTH JUDICIAL CIRCUIT
 2012 JAN 12 PM 1:25
 Indictment No.: 2010-GS-44-1053
 WILLIAM F. GAULT
 CLERK OF COURT
 UNION, SC

ORDER

Upon his conviction for First Offense Possession with Intent to Distribute Cocaine Base (Crack Cocaine), the Defendant, Roderick Pope, was sentenced by the Court on December 8, 2011, to fifteen (15) years suspended upon service of seven and one half (7 1/2) years with five (5) years of probation to follow his active sentence.

Counsel for Defendant, Rodcrick Pope, timely made a motion that the Court reconsider the sentence imposed on December 8, 2011. This motion is Denied.

IT IS SO ORDERED.

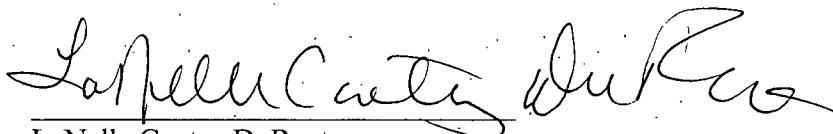

 John C. Hayes, III
 Presiding Judge

January 11, 2012
 York, South Carolina

CERTIFICATE OF COUNSEL FOR APPELLANT

Counsel for appellant certifies that this Record on Appeal contains all material proposed to be included by any of the parties and not any other material and that this Record on Appeal complies to the best of my ability, with the August 13, 2007, order from the South Carolina Supreme Court entitled "Interim Guidance Regarding Personal Data Identifiers and Other Sensitive Information in Appellate Court Filings."

December 9th, 2013



LaNelle Cantey DuRant
Appellate Defender

South Carolina Commission on Indigent Defense
Division of Appellate Defense
PO Box 11589
Columbia, S. C. 29211-1589
(803) 734-1330

ATTORNEY FOR APPELLANT