

STATE OF SOUTH CAROLINA

COUNTY OF MARION

The State,

Plaintiff,

v.

Larry Allan White,

Defendant.

IN THE COURT OF COMMON PLEAS  
TWELFTH JUDICIAL CIRCUIT

C/A No.: 2024-CP-33-00060

ORDER DENYING MOTION

SC Court of Appeals

MAY 07 2026

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On April 14, 2026, a hearing was held to address a motion filed by Larry Anthony White, Jr., requesting a "Franks Hearing." This request is based upon the case of *Franks v. Delaware*, 438 U.S. 154. The hearing was held in the Court's Sealed Virtual Courtroom. Mr. White represented himself, and Deputy Solicitor David Richardson appeared for the State.

This matter stems from a case that began with the shooting of an individual, Terrance Williams, in Marion County, South Carolina, on or about December 22, 2016. Mr. White was charged with Attempted Murder by the Marion County Sheriff's Office on warrant 2017A3310100072 (along with multiple related charges on separate warrants). He was later indicted by the Marion County Grand Jury on July 27, 2017, for the offenses Attempted Murder, Burglary First Degree, Armed Robbery, Kidnapping (x2), Possession of a Weapon During a Violent Crime, and Conspiracy. Mr. White pled guilty, thereby waiving his rights to a jury trial, to Attempted Murder and Burglary First Degree on July 30, 2018, and received a fifteen-year concurrent sentence.

In this motion and in oral argument, Mr. White takes exception to the wording of the Attempted Murder warrant, wherein the affiant states the victim was shot in "the chest area." Mr. White attached a medical record for the victim, which indicates the gunshot wound was to the abdomen. Mr. White takes the position that this discrepancy by the affiant, Investigator Dewayne Rogers, renders everything that came after – the indictment for Attempted Murder and the guilty plea – illegal, and argues that his plea should be overturned.

At the hearing, the Court considered the written motion and oral arguments made by Mr. White, as described herein, including numerous case citations and recitations of portions of the

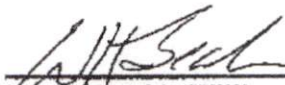
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United States Constitution. Mr. White made no, or very little, mention of the Burglary 1<sup>st</sup> Degree charge, nor did he make mention of his guilty plea on that charge.

In response, the State argued that the issue was moot and read the indictment into the record, which makes no mention of injury placement. The State further argued that any issue related to probable cause or good faith or errors in the language of the warrant should have been handled pretrial in a preliminary hearing or a pre-trial motion hearing. Since the Attempted Murder count was true billed by the Grand Jury, the indictment becomes the charging document that brings the matter before the Court for trial or plea. The State further argued that if Mr. White took exception with his lawyer for not providing information and options to him, a Post-Conviction Relief action would be the proper avenue.

After consideration of the arguments of both parties, I respectfully deny Mr. White's motion. The proper time to challenge probable cause in the arrest warrant is prior to indictment and disposition. Mr. White was represented by counsel during the pendency of the case, who could have made said challenges should counsel have deemed them worthy. Any issue with effectiveness of counsel is best handled in a Post-Conviction Relief action. Also, Mr. White waived his rights to a jury trial upon pleading guilty. Mr. Whites motion is therefore denied.

**AND IT IS SO ORDERED.**

  
The Honorable William H. Seals  
Chief Administrative Judge  
Twelfth Judicial Circuit

April 23, 2026  
Florence, South Carolina

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MAGISTRATE JUDGE  
CHRISTOPHER GRAY  
CLERK OF COURT