

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

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Jul 10 2026
SC Court of Appeals

Appeal from Horry County

Honorable Robert J. Bonds, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

KIYWAN MASHAUD LEWIS,

APPELLANT

APPELLATE CASE NO. 2025-001885

RECORD ON APPEAL

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1 STATE OF SOUTH CAROLINA)
2 COUNTY OF HORRY) IN THE CIRCUIT COURT 15
3 THE STATE,)
4) TRANSCRIPT OF RECORD
5 versus) 2024-GS-26-06702
6 KIYWAN LEWIS,)
7) Defendant.)
8) September 5, 2025
9) South Carolina Circuit
10) Court 15

11 B E F O R E:

12 HONORABLE ROBERT J BONDS

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WITNESS

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Roslyn Atkins DF

Direct exam by The Court

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EXHIBITS

(No Exhibits Marked)

(THIS TRANSCRIPT MAY CONTAIN QUOTED MATERIAL. SUCH MATERIAL
IS REPRODUCED AS READ OR QUOTED BY THE SPEAKER.)

1 THE COURT: Mr. (Unintelligible).

2 MS. JOHNSON: Good morning, Your Honor. This is
3 case of South Carolina probation against Kiyan Marsad
4 (phonetic) Lewis. He was sentenced for domestic violence
5 high and aggravated nature on April the 1st, 2025,
6 received a sentence of eight years. Present time served
7 179 days suspended to three years' probation. He's here
8 today to answer for the alleged violation of that
9 probation.

10 The offender failed to pay fees --- court cost
11 arrears of \$25. The offender failed to abide by the
12 conditions of a protection order. On 10/29/2024 a
13 protection order was issued by Roslyn Atkinson in which
14 the offender is restrained from assaulting, threatening,
15 abusing, harassing, following, interfering, or stalking
16 the protected person and/or the child of the protected
17 person.

18 Per Horry County Police Department incident report,
19 2025-069-497, it states that on 5/31/25, the offender
20 attacked and strangled the victim who is the child of a
21 protected person. While still choking her the offender
22 threw her down on the couch and began to push her into
23 the couch and throwing her around. The offender failed
24 to follow the advice and instruction of the agent as
25 witnessed by the (unintelligible) violations.

1 Such actions constitute a violation of conditions
2 four, seven, nine and ten of the standard conditions of
3 probation, in addition to domestic violence conditions,
4 three, nine, and ten.

5 THE COURT: All right. Any recommendations?

6 MS. JOHNSON: A preliminary hearing was held on June
7 the 13th, 2025, with Hearing Officer Melvin Stuber. The
8 findings are presented to Your Honor with the
9 recommendation that revoke probation, eight years under
10 the original offense while time served to satisfy all
11 monetary --- financial monetary obligations.

12 THE COURT: Let me ask you this: The --- the victim
13 of the domestic violence had an aggravated nature charge,
14 that --- there was a victim I'm assuming. Is that the
15 same victim that was the --- or is this another victim on
16 this file --- on this violation where he allegedly
17 strangled someone or what have you.

18 MS. JOHNSON: So the victim in the --- the domestic
19 violence charge in which he got probation for, was Ms.
20 Roslyn Atkinson (phonetic). The victim of the new
21 domestic violence charge that we're here to address is
22 the child of that victim.

23 THE COURT: Okay. So the allegations about still
24 choking her, the offender threw her down on the couch.
25 That is the child of Roslyn --- of Ms. Roslyn?

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1 MS. JOHNSON: Yes, Your Honor. Her name is --- yes,
2 Ms. Atkinson is a minor.

3 THE COURT: All right. Mr. Galmore, good morning.

4 MR. GALMORE: Good morning, sir. Your Honor, Mr.
5 Lewis was placed on probation August of this year. If I
6 may approach, I have a copy of the sentence sheet. I
7 have handed this to the solicitor.

8 The Court can see in the written language in the
9 sentence sheet the portion regarding the restraining
10 order is scratched through. So, Mr. Kiyan,
11 understandingly under the belief that he did not have a
12 restraining order.

13 In addition, Your Honor, I have a letter from the
14 solicitor, Ms. Gergan (phonetic) who is here in Court.
15 May I approach?

16 THE COURT: Yes, sir.

17 MR. GALMORE: And this letter also indicates that he
18 is not under a restraining order.

19 Now, I had to file the motion to dismiss the
20 violation because it's not a willful violation. And I've
21 also filed a motion to dismiss the underlying charge. So
22 he's been charged twice with this. He was charged as a
23 violation of probation and he was also charged criminally
24 for violating the restraining order.

25 We're asking for both of those actions to be

1 dismissed. The warrant against him for violation of
2 restraining order as well as the probation violation, we
3 submit that it is not a willful violation.

4 THE COURT: Are the victims in this case, are they
5 present? Were they given notice ---

6 MR. GALMORE: Your Honor ---

7 THE COURT: --- that --- hold --- hold on. Hold on.

8 MS. JOHNSON: They were told of the hearing and had
9 indicated that they would like to appear at the hearing.

10 THE COURT: Okay.

11 MS. JOHNSON: Apparently they are here.

12 MR. GALMORE: They are here.

13 THE COURT: Well, let me hear from them.

14 UNIDENTIFIED SPEAKER: Ms. Atkinson is in a
15 wheelchair, Your Honor.

16 THE COURT: Okay. Ma'am, let me ask you this: Can
17 you raise your right hand?

18 THE WITNESS: Yes.

19 THE COURT: Do you swear or affirm to tell me the
20 truth?

21 THE WITNESS: Yes, sir.

22 ROSLYN ATKINSON, BEING DULY SWORN WAS EXAMINED AND
23 TESTIFIED AS FOLLOWS:

24 THE COURT: Okay. Great. Can you state your name
25 for me?

1 THE WITNESS: It's Roslyn Atkinson Lewis.

2 THE COURT: Okay.

3 (Simultaneous speaking)

4 DIRECT EXAMINATION

5 BY THE COURT:

6 Q. Ms. --- Ms. Atkinson, can I just ask you: Were you the
7 victim of a domestic violence high and aggravated nature case
8 that was brought into which Mr. Lewis pled guilty?

9 A. Yes, sir. I was.

10 Q. Okay. All right. Great. And so now, was it your
11 understanding that there was or was not a protective order in
12 place after this?

13 A. Can I --- can I take brief moment just to explain
14 this ---

15 Q. Sure.

16 A. Okay. My mother passed away on April the 10th. He
17 was sentenced on April the 2nd. I was unable to attend.
18 I e-mailed the victim's advocate, Ms. Toshay (phonetic)
19 three times. I told her I wanted --- I took a protection
20 order out when this occurred. He had never acted how he
21 acted then, and I --- you know, I didn't know what was
22 going on.

23 Anyway, but they --- he agreed to alcohol counseling
24 and things such as that under his probation. And I
25 agreed to that. I also agreed for him to come home

1 because I'm disabled. I love him, we have children
2 together.

3 The child that he assaulted that he --- they say he
4 assaulted is his daughter. She's right here. She don't
5 want to speak, but she's here in support of him.

6 Q. Well, I understand she's in support of him, but I
7 mean ---

8 A. Yes. But I requested ---

9 (Simultaneous speaking)

10 A. --- that the protection order to be dropped.

11 Q. All right. So you understand that there actually was a
12 protection order in place?

13 A. (Technical difficulty) protection order out, but Mr.
14 Marlow allowed him to come home. Mr. Marlow told him
15 that there ---

16 Q. Who's Mr. Marlow?

17 MR. MARLOW: (Unintelligible).

18 A. Is a PO. Y'all, that's him. I --- I didn't
19 recognize him. He --- he allowed him to come home and to
20 my house and then a visit.

21 Q. Okay. And so then was there an incident involving
22 him ---

23 A. It was ---

24 (Simultaneous speaking)

25 Q. --- and a child --- I'm sorry. Hold on.

1 A. I'm sorry.

2 Q. My --- my question was: Was there then an incident
3 involving him and, I guess your daughter?

4 A. They had a argument and --- and --- and he pushed
5 hard and (technical difficulty). They --- they had a --
6 they had a disagreement. And someone else in the ---
7 called the police.

8 And I had no idea there was a protection order still
9 supposedly in place. Mr. Marlow allowed him to come
10 home. He did a home visit at my house. I met him. And
11 he told Kiyan he could be home.

12 Q. All right.

13 A. And I requested that the --- that the protection
14 order be dropped and I let Ms. Toshay know I was unable
15 to attend Court because my mother was on Hospice.

16 And she said she would give the letter to the judge
17 and tell him that I wanted the order dropped that had
18 previously been taken out.

19 THE COURT: All right. All right. Thank you very
20 much, ma'am.

21 THE WITNESS: Thank you, sir.

22 THE COURT: Mr. Galmore (phonetic) ---

23 (Simultaneous speaking)

24 THE COURT: --- let's go ahead and tell me ---

25 MR. GALMORE: The police report indicates that the

1 officers saw that there was a restraining order and they
2 weren't sure if it was currently in place or not.

3 THE COURT: (Unintelligible).

4 MR. GALMORE: Your Honor ---

5 THE COURT: Hold on a second. Yes, sir. Was there
6 something else you want to tell me?

7 MR. GALMORE: I did want to show you the page from
8 the police report if I may approach.

9 THE COURT: Yes, sir.

10 MR. GALMORE: It indicates that there was a
11 protective order in place and I think the police think
12 that it was lifted, (unintelligible) it was lifted, but
13 still in the computer system.

14 MR. MCMULLIN: May it please the Court.

15 THE COURT: Yes, sir.

16 MR. MCMULLIN: I'm Michael McMullin (phonetic), sir.
17 I'm (unintelligible) with the probation department
18 (technical difficulty) department.

19 THE COURT: Yes, sir.

20 MR. MCMULLIN: --- had a chance to see what's been
21 handed up.

22 THE COURT: Take it. (Technical difficulty).

23 MR. MCMULLIN: Thank you. Thank you, sir.

24 THE COURT: Sure.

25 MR. MCMULLIN: May I just say briefly and give the

1 court back --- or the attorney. There's an order of
2 protection that's separate and apart from the --- the
3 plea that he did. Judge Caraker sentenced him to eight
4 years, suspended on three for a 20-year violation. And
5 that took him from April 1st to May 31st to violate it.
6 And he was living in the house. I said I'd give the
7 floor back, but I just wanted to point out there's an
8 order of protection in ---

9 THE COURT: Could I ask you something?

10 MR. MCMULLIN: Yes, Your Honor.

11 THE COURT: Where is the order of protection?

12 MS. JOHNSON: In your packet, Your Honor.

13 THE COURT: Oh, it's in my packet.

14 MS. JOHNSON: Yes, sir. If you look it is the sheet
15 that has --- that is highlighted and ---

16 THE COURT: Well, see I'm --- I'm not --- okay.
17 This?

18 (Simultaneous speaking)

19 MR. GALMORE: That's the NCIC, Your Honor.

20 THE COURT: Yeah, this is not a order --- I mean,
21 where is the order of --- where is the order? You ---
22 you follow me? If there's an order of protection,
23 there's got to be an order.

24 MS. JOHNSON: Yes, sir.

25 THE COURT: So I want to see the order.

1 MS. JOHNSON: I was not provided an order at
2 sentencing.

3 THE COURT: Is there an order in the file?

4 MS. JOHNSON: I'm assuming by his NCIC rap sheet
5 that there is.

6 THE COURT: Well, I think that what goes a long way
7 to let me know whether or not there's an order is the
8 presence of the order, Counsel. I think you would agree
9 with me. So I think ---

10 MS. JOHNSON: If I could, Your Honor.

11 THE COURT: Sure. This is Catherine Gergan
12 (phonetic). She is with the Solicitor's Office. She was
13 the original attorney --- the solicitor on the case in
14 which he was sentenced.

15 MS. GERGAN: Judge, yes. So it was my understanding
16 that he got an order of protection while he was
17 incarcerated for the domestic violence of a high and
18 aggravated nature. Whenever we ---

19 THE COURT: From who? Who gave ---

20 MS. GERGAN: From the Family Court.

21 THE COURT: --- the magistrate?

22 MS. GERGAN: From the Family Court.

23 THE COURT: Oh, from the Family Court.

24 MS. GERGAN: Yes, Judge.

25 THE COURT: Do we have that?

1 MS. GERGAN: I do not have a copy. But it is --- as
2 far as the guilty plea goes, based on my conversations
3 with her, I asked for no victim contact as a condition of
4 his probation.

5 She told us later that she did want contact. They
6 have a child together. So Judge Caraker removed that
7 condition, but that is completely separate from the order
8 of protection.

9 THE COURT: What you're saying is he removed that
10 because basically he was going to give deference, I'm
11 assuming, to the Family Court as it relates to this
12 matter concerning visitation and things of this nature.

13 MS. GERGAN: Yes, Judge.

14 MR. GALMORE: Respectfully, Your Honor, the only
15 order that I --- that I have is the language that is
16 scratched out on the sentence sheet. I have not seen a
17 Family Court order.

18 THE COURT: Your client has.

19 MR. GALMORE: The State has not produced one ---

20 THE COURT: Somebody go to Family Court and get it.
21 We'll stand down.

22 MR. GALMORE: Yes, Your Honor.

23 THE COURT: I'm assuming it's --- the document's
24 in --- in this building, so let's go get it.

25 MR. GALMORE: Yes, Your Honor.

1 THE COURT: Ma'am, I --- well, I mean, he's
2 arguing --- let's see the order. All right.

3 (Off the record)

4 THE COURT: All right. Thank you. You can be
5 seated.

6 UNIDENTIFIED SPEAKER: State against Kiyan Lewis.

7 MR. GALMORE: Your Honor, I passed up a --- a ---
8 the restraining order ---

9 THE COURT: Yeah, did you get (unintelligible) a
10 copy of them?

11 MR. GALMORE: I made a copy for everybody.

12 MS. JOHNSON: If I may, Your Honor, may I approach
13 and hand up the incident report?

14 THE COURT: Sure. Sure.

15 MS. JOHNSON: Thank you.

16 THE COURT: All right. So one of the things that I
17 ask is we were talk --- we were talking so much about a
18 order of protection and it looks like one of the things I
19 want to look at is was there, in fact, an order of
20 protection and what was going on.

21 And to that extent, one of the things I said was
22 that your client knew about the order of protection and
23 quite frankly, from reviewing the order, and I think
24 you'd agree he absolutely knew about it, because it looks
25 like he consented to it and was at the hearing, correct?

1 MR. GALMORE: Well, yes, sir. But our --- our
2 concern with the order of protection is it was issued in
3 October of 2024. Right after, we have the letter from
4 the solicitor that says there's no order of protection.
5 So as far as ambiguity ---

6 THE COURT: Where is the --- where --- go ahead.
7 Yes, sir.

8 MR. GALMORE: I handed it up.

9 THE COURT: Who's to --- who was that letter to?

10 MR. GALMORE: Some lady named Harriet. I've handed
11 it up.

12 MS. JOHNSON: Yes, Your Honor. Mr. Galmore's
13 referring to the e-mail from Solicitor Gergan to our
14 victim's advocate. And it states that although Ms.
15 Harriet follow --- following up on our conversations a no
16 contact provision was removed by Judge Caraker on 4/1.
17 This should be noticed on the sentencing sheet and did
18 not refer to the protection order at all, only the order
19 for --- I mean, the no contact order on the sentence
20 sheet.

21 I was only notified of an attempt to remove the
22 protection order when Mr. Galmore more e-mailed me last
23 week with a copy of the order that he was going to
24 present to Court.

25 MR. GALMORE: But I think you can see why him and

1 his wife are confused. And I will submit that any
2 ambiguity it errs to the defendant. There's certainly
3 ambiguity here with four words scratched out.

4 THE COURT: Yeah, but there's no ambiguity that he
5 beat her up, she wants him back, then he goes back and
6 beats up daughter.

7 I don't need any shaking of the head, ma'am. I see
8 what happened. I know what happened. Everybody in this
9 courtroom knows what happened.

10 Get him out. If they --- I don't want to hear from
11 them. I don't want hand raising. And if they can't
12 control their emotions, they need to leave now.

13 Everybody in this courtroom knows what happened.

14 MR. GALMORE: Your Honor, the probation officer
15 allowed him to go to the house and even did a home visit.

16 THE COURT: What --- what is this about them keep
17 saying that probation allowed him to go to the house and
18 did a home visit?

19 (Simultaneous speaking)

20 MS. JOHNSON: Yes, Your Honor ---

21 THE COURT: That's certainly, you know, I mean ---

22 MS. JOHNSON: As Your Honor can see from the
23 documents passed up previously. On the sentence sheet
24 there was a no contact order by Judge Caraker. Later on,
25 I don't know if it was that day or the next day, the

1 defense contacted Ms. Gergan who had the no contact order
2 lifted.

3 I received a call from the victim saying that she
4 wanted the no contact order lifted because they want to
5 try and reconcile and go to counseling. That I
6 understood.

7 So once I received the information from Ms. Gergan
8 that the no contact order was lifted, I told him that he
9 could go back to the home.

10 Previously he was not allowed to be there because of
11 the no contact order. Once that was lifted, I said he
12 could go back to the home because that was their address.

13 I did a home visit at that residence, which is where
14 the three of them were ---

15 THE COURT: I'm sorry, sir. I hate to do this.
16 Could you back up again. I --- I ---

17 MS. JOHNSON: Yes, Your Honor.

18 THE COURT: I was thinking about --- I wasn't
19 focusing --- I need to focus. Tell me that again. I
20 apologize.

21 MS. JOHNSON: On April the 1st when he was
22 sentenced, Judge Caraker ordered no contact with the
23 victim at that time.

24 Shortly after that, so when he came to me for his
25 initial intake, I explained all the rules of probation,

1 including the domestic violence conditions. And one of
2 them was that if he had no contact with the order --- no
3 contact with the victim ordered by the judge, that he
4 could have no contact, he couldn't go to the house, he
5 couldn't call, or any of those things.

6 There was some confusion, he didn't understand that.
7 I said well, tell --- anything's changed you cannot go
8 back to the house. So he did not go back to the house.
9 Shortly after that, Ms. Atkinson addressed the court,
10 wanted the no contact order lifted. Ms. Gergan went to
11 the court, that was lifted. That was --- she
12 communicated with probation.

13 So I went back to the offender and told him the no
14 contact order has now been lifted, you may go back to the
15 residence and live there.

16 I did after that do a home visit where they were
17 living as --- as part of the probation, not knowing again
18 at this time, because the protection order was not
19 provided at sentencing until he was arrested on the
20 domestic violence charge against the daughter that
21 the --- the protection order came up.

22 And even if he had --- even if he's allowed to be in
23 the home, which he was because there was no contact,
24 the --- the protection order states the subject is
25 restrained from assaulting, threatening, abusing,

1 harassing, following, interfering, or stalking with the
2 protected person, and/or the child of the protected
3 person. The protected person was Ms. Roslyn Atkinson,
4 the victim in his original domestic violence charge, and
5 the child of the protected victim would be --- which
6 would be the new victim. The victim is a new domestic
7 violence charge.

8 THE COURT: So on the one hand, you told him he
9 could go back because the order had been lifted, I guess
10 when the Judge scratched through it because she wanted to
11 lift it. The Circuit Court lifted it, so you said he
12 could go back; is that right?

13 MS. JOHNSON: Yes, Your Honor.

14 THE COURT: And you're telling me that at that point
15 maybe you were unaware of this?

16 MS. JOHNSON: I was not aware of the protection
17 order. As I stated, it was not provided to probation at
18 sentencing. And when he was arrested initially, when I
19 saw the charge, when I questioned law enforcement ---

20 THE COURT: I understand.

21 MS. JOHNSON: --- and that's when I found out that
22 there was a protection order in place.

23 THE COURT: Right. So you thought that the order
24 had been lifted and so you told him he could go back.
25 And then what happens is he goes back, this all happens.

1 But in the meantime you become aware of this document; is
2 that right?

3 MS. JOHNSON: I --- I'm sorry, no Your Honor.

4 THE COURT: I'm not ---

5 MS. JOHNSON: The dates get a little confusing. So
6 he was sentenced on July --- I'm sorry, April the 1st.

7 THE COURT: Of '25?

8 MS. JOHNSON: 2025. Yes, sir.

9 THE COURT: Yes, sir.

10 MS. JOHNSON: The order of protection that I did not
11 know about was issued in October of '24.

12 THE COURT: Right.

13 MS. JOHNSON: Okay. When they went back to Ms.
14 Gergan to have the no contact order lifted sometime in
15 April. That's when I told him he could go back to the
16 home.

17 THE COURT: Right.

18 MS. JOHNSON: I was not aware of his -- the order of
19 protection until he was arrested on July the 31st, I
20 believe.

21 THE COURT: Right. And had you known about that
22 order you wouldn't have told him he could go back to the
23 house?

24 MS. JOHNSON: I probably would have said you can go
25 back to the house because the order doesn't say he can't

1 live there. The order says he can't do what he's charged
2 with doing.

3 THE COURT: Well, yeah. I'm saying (technical
4 difficulty).

5 MR. MCMULLIN: May it please the Court?

6 THE COURT: Yeah.

7 MR. MCMULLIN: I --- I --- just a --- even if there
8 were no order of protection at all, he choked a
9 15-year-old girl.

10 THE COURT: So what violation is that in probation?
11 Because the numbers --- you make reference so the numbers
12 in your report. Like he violated number one and ---
13 terms number one, terms number four, terms number seven.
14 What violation would that be of the probation? I looked
15 and I couldn't figure that out.

16 MS. JOHNSON: Domestic violence condition nine
17 states I will comply with and abide by all restraining
18 orders and/or orders of protection issued by the Court.
19 I will also refrain from any harassing or stalking
20 behaviors.

21 And since the words harassing or stalking are not
22 only in that condition that he agreed to, they're also
23 actually in the order of protection.

24 MR. GALMORE: Your Honor, that's not even on the
25 violation report.

1 THE COURT: Hold on. Hold on.

2 MR. GALMORE: Yes, sir, I'm sorry.

3 THE COURT: I'm on it --- this.

4 MR. MCMULLIN: May it please the Court. The
5 incident report itself, in a very little, small box, it
6 says alcohol being used on this. And he's not allowed to
7 drink alcohol ---

8 THE COURT: Yeah, but y'all are --- to me, you'd be
9 limited --- I mean, basically, you've given me
10 numbers --- that's one of the things I looked at is you
11 gave me certain numbers in your report --- in whatever
12 form, I don't know what y'all call these things. Form
13 1106B.

14 MR. MCMULLIN: Yes, sir.

15 THE COURT: You make a notation of the violations at
16 the bottom of the page, right?

17 MS. JOHNSON: Yes, sir.

18 THE COURT: So you're alleging, sir, that these are
19 the violations, correct?

20 MS. JOHNSON: On the ---

21 THE COURT: The summary of the violations on 1106B,
22 you've got four, seven, nine, and ten.

23 MS. JOHNSON: Yes, Your Honor.

24 THE COURT: I guess what I'm saying is, what did he
25 do wrong on the four, seven, nine and ten? Because I ---

1 I can't --- that's what I'm trying to reconcile.

2 MS. JOHNSON: Those are the standard conditions of
3 probation. Number ---

4 THE COURT: So would you be amending your report to
5 include another number?

6 MR. GALMORE: Respectfully, Your Honor, he's
7 citing ---

8 THE COURT: Hold on. Hold ---

9 MR. GALMORE: Yes, sir.

10 THE COURT: I'm going --- I'm going to give you ---
11 believe me, I'll stay here till tomorrow if I have to.
12 Okay, Mr. Galmore, don't you worry.

13 So I mean I --- I'm assuming you --- you'd want to
14 include some other violation other than these violations
15 right here?

16 MS. JOHNSON: Your Honor, due to a clerical error,
17 the violations that I'm referring to were listed on the
18 original warrant were not on the original violation
19 report.

20 THE COURT: All right.

21 MR. MCMULLIN: And may I add, sir, very quickly?

22 THE COURT: All right. Yes, sir.

23 MR. MCMULLIN: When he was arrested, the --- the
24 officer found probable cause for an arrest warrant. The
25 judge who signed the warrant found probable cause. I

1 don't know if he's had a preliminary hearing or not. But
2 if --- if he has, he's still in jail.

3 And we had a --- an administrative hearing as part
4 of our process. And the administrative hearing officer
5 made findings including that --- he had violated one or
6 more of the conditions --- I'll make it quicker, but
7 showed a disregard for supervision, negative law
8 enforcement contact, new assault charges which
9 include --- I'll leave the violation of protection order
10 out. But and just in short, we don't have to write it
11 down, but he's not allowed to choke 15-year-old girls.

12 MR. GALMORE: (Unintelligible) that there has been
13 no conviction on the set of allegations and they keep
14 going back to it, but he has not been convicted of those
15 charges.

16 Your Honor, regarding violation number nine,
17 condition number nine, the probation officer is citing
18 something that's not in the violation report. And also
19 now it seems that their base of violation is alcohol use.
20 Again, that's --- not in the violation report either.
21 And I mean, typically, that's like trying to violate him
22 for not making payments. But, you know, he's explained
23 that to you.

24 Last thing I will say, Your Honor, is Ms. Atkinson
25 went before the Family Court and requested that his

1 Family Court order be --- her co-counsel was able to pull
2 up the DSS Web portal and it showed where it sent a
3 e-mail to the Family Court asking for these charges to
4 be --- asking for the restraining order to be dismissed.

5 THE COURT: When was that?

6 MR. GALMORE: Just a second, Your Honor.

7 THE COURT: Yes, sir.

8 MR. GALMORE: The e-mail was sent June 23rd of 2025.

9 THE COURT: Was that after the choke-out incident?

10 MR. GALMORE: That was after he was arrested. Yes,
11 sir. I --- I guess my point is when the people who are
12 subject to the restraining order believe that it's
13 lifted, then they have to report it. And it's scratched
14 out on the sentence sheet and requested to be lifted.
15 And have a letter from the Solicitor's Office saying that
16 there's no restraining order in effect. That's
17 confusing, ambiguous, and in this case, or any case, any
18 ambiguity, it errs to the defendant, so we ask the Court
19 to not violate him on this charge.

20 THE COURT: All right. All right. It's what I call
21 an interesting unfortunate situation that he found
22 himself.

23 I'm going to find he willfully violated his
24 probation. And I'm basing that on the fact that I think
25 that when I look at the totality of the circumstances

1 involved in this case, I think that it's clear there is a
2 willful violation. And in fact that the totality of the
3 circumstance it certainly appears that he is a danger to
4 these two women.

5 I'm taking into consideration the fact that they
6 told him he could go back --- that probation did. But I
7 also look at and I understand she's tried to have the
8 Family Court order lifted. Of course that was only after
9 this gentleman had some type of violent episode with her
10 daughter. And quite frankly, that just speaks volumes
11 about the situation.

12 This gentleman was present --- I find he was present
13 at the Family Court hearing. I find that he agreed to
14 the terms of the order. He was on notice of the terms of
15 these orders. He was aware that he couldn't --- who's
16 Bob Evans?

17 MR. MCMULLIN: Bob Evans. I don't know.

18 THE COURT: Do we know who Bob Evans is? Bob Evans
19 is supposedly the third-party when it comes to point of
20 contact with the minor child. That's still in place.
21 And let me tell you he wasn't having contact with Bob
22 Evans that day. He wasn't having contact with Bob Evans
23 that day.

24 And I think that the situation is a situation of
25 manipulation and I think it's a situation where he's

1 taken advantage of what's going on. And to that extent,
2 I look to the totality of the circumstances. I
3 understand it's just allegations. It's just allegations
4 as it relates to what happened. But I think certainly, I
5 can look at and evaluate when somebody on probation goes
6 out and gets arrested or picked up on other charges, I
7 think that's something that a judge can look at and
8 consider. And so having done that, I find that he has
9 violated. And I believe it's appropriate to revoke him
10 for eight years. Thank you.

11 MR. GALMORE: Thank you, Your Honor.

12 MS. JOHNSON: Thank you, Your Honor.

13 (PROCEEDINGS CONCLUDED)

CERTIFICATE OF TRANSCRIBER

I, JEANNE MELDRIM, a court-approved transcriber, do hereby certify that the foregoing is a true, accurate and complete Transcript of Record of the proceedings had and evidence introduced in the trial of the captioned case, relative to appeal, in the Court of CIRCUIT COURT 15 for HORRY COUNTY, South Carolina, on the 5th Day of September, 2025.

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

October 28, 2025

A handwritten signature in black ink that reads "Jeanne Meldrim". The signature is written in a cursive, flowing style with a prominent dot over the 'i' in "Meldrim".

Jeanne Meldrim

Transcriber

Comment:

From: Girgan, Catherine
Sent: Wednesday, April 16, 2025 10:42 AM
To: Martina Herriott
Subject: Kiywan Lewis no contact provision

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Hello Ms. Herriott, following up on our conversation the no contact provision was removed by Judge Caraker on 4/1. This should be noted on the sentencing sheet.

Best,

Catherine Johnson | Assistant Solicitor
Horry County Government
Solicitor
PO Box 1276, Conway, SC 29528
(843) 915-5460

Created By: Martina Herriott Created Date: 6/4/2025 Updated By: Martina
Herriott Updated Date: 6/4/2025

STATE OF SOUTH CAROLINA

COUNTY OF HORRYRODLYN ATKINSON

vs.

KIYWAN M. LEWIS

Respondent.

IN THE FAMILY COURT
15TH JUDICIAL CIRCUIT**FAMILY COURT ORDER
PROTECTION FROM DOMESTIC ABUSE ACT**
(For Use By Family Court Judges)Docket No. 2024-DR-26-2243Judge: MELISSA BUCKHANNONAttorney for Petitioner: SHINEAD COTTONAttorney for Respondent: SELF REPRESENTEDCourt Reporter: BOBBI FISHER**PETITIONER IDENTIFIERS**

Date of Birth of Petitioner

And or on behalf of minor family member(s) or other
Protected persons: (list name and DOB)**RESPONDENT IDENTIFIERS**

SEX *	RACE *	DOB*
MALE	BLACK	
EYES	HAIR	SOCIAL SECURITY #
BROWN	BLACK	
HEIGHT		WEIGHT
5'6		175
DRIVERS LICENSE #		STATE

Relationship to Petitioner: SPOUSES

Respondent's Address

CAUTION:☐ Weapon Involved☐ Weapon Present on Respondent's Property☐ Access to weapons

*Indicates required information for entry into NCIC

THE COURT HEREBY FINDS:

That it has jurisdiction over the parties and subject matter.

Respondent has been provided with reasonable notice and opportunity to be heard.

Additional findings are set forth below.

THE COURT HEREBY ORDERS:

- ☒ That the above named Respondent be restrained from committing further acts of abuse or threats of abuse.
- ☒ That the above named Respondent be restrained from any contact with the Petitioner/Victim as set forth on the attached pages.

The terms of this order shall be effective until OCTOBER 29, 2025.**WARNINGS TO RESPONDENT:**

This order shall be enforced in any county of South Carolina and by the courts of any state, District of Columbia, any U. S. Territory, and may be enforced on Tribal Lands (18 U.S.C. § 2265). Crossing state, territorial, or tribal boundaries to violate this order may result in federal imprisonment (18 U.S.C. § 2262).

State and federal law provides penalties for possessing, transporting, shipping, or receiving any firearm or ammunition (S.C. Code Ann. § 16-25-30 (A)(4) and 18 U.S.C. § 922).

Only the Court can change this order.

For Additional Information Call:

843-915-5450

Phone Number - Sheriff

843-915-5080

Phone Number - Clerk of Court

MJS

A Petition for Order of Protection was filed on October 10, 2024. I held a hearing on October 29, 2024. Respondent ☒ was ☐ was not given actual notice and an opportunity to participate. Respondent ☒ did ☐ did not appear. After hearing the evidence, and examining the affidavits and verified pleadings, I have determined that the petition should be GRANTED, based on these facts: **BASED ON AGREEMENT OF THE PARTIES.**

1. That the Respondent and the Petitioner/Victim (check one or more):

- ☒ are spouses ☐ have this child/children in common: ☐ are cohabiting
☐ are former spouses ☐ formerly have cohabited

2. Venue is properly in this county, since this is the county where

- ☐ a. the act of abuse occurred; or
☐ b. the Respondent resides; or
☐ c. the parties last resided together.

3. Abuse occurred on date _____ at _____ o'clock ☐ a.m. ☐ p.m. at _____ in this manner: **THE COURT MAKES NO FINDINGS. THE DEFENDANT AGREES FOR THE PETITIONER TO HAVE AN ORDER OF PROTECTION RESTRAINING HIM FROM COMING ABOUT, CALLING, OR HARRASSING THE PETITIONER.**

4. _____ committed this abuse.

5. _____ ☐ was ☐ were the victims of this abuse.

☐ Check here if the victim is less than 18 years old and name: _____.

6. ☐ The evidence establishes that Respondent represents a credible threat to the physical safety of the Petitioner/Victim. The Respondent used, attempted to use, or threatened to use physical force against Petitioner/Victim that is reasonably expected to cause bodily injury.

☐ 7. The ☐ Petitioner ☐ Respondent is a fit and proper person to have custody of the minor child or children.

☐ 8. ☐ Respondent ☐ Petitioner is employed at _____ and earns approximately \$ _____ gross per month and has reasonable monthly expenses of \$ _____.

☐ 9. ☐ Respondent ☐ Petitioner is employed and earns approximately \$ _____ gross per month, and has reasonable monthly expenses of \$ _____ for ☐ himself ☐ herself and the minor children.

☐ 10. ☐ Petitioner ☐ Respondent has shown a need for child support in the amount of \$ _____ per _____ and ☐ Petitioner ☐ Respondent has the ability to make these payments.

☐ 11. ☐ Petitioner ☐ Respondent has shown a need for temporary financial support in the amount of \$ _____ per _____ and ☐ Petitioner ☐ Respondent has the ability to make those payments.

☐ 12. ☐ Petitioner ☐ Respondent should have the use and possession of the home and furnishings located at _____ in _____, S.C., with ☐ Respondent ☐ Petitioner making the mortgage and/or rental payments plus any taxes and/or insurance on the property.

☐ 13. ☐ Petitioner ☐ Respondent retained an attorney, \$ _____ is a reasonable attorney's fee, and ☐ Respondent ☐ Petitioner should contribute to this expense.

☐ 14. Other: _____.

IT IS THEREFORE ORDERED:

- ☒ A. Respondent is temporarily restrained, prohibited, and forbidden to abuse, threaten to abuse, or molest Petitioner/Victim or engage in any other conduct that would place Petitioner/Victim in reasonable fear of bodily injury.
- ☒ B. Respondent is temporarily restrained and prohibited from using, attempting to use, or threatening to use physical force against Petitioner/Victim that would reasonably be expected to cause bodily injury.
- ☒ C. Respondent is temporarily restrained, prohibited, and forbidden to communicate or attempt to communicate with Petitioner/Victim in any way or to enter or attempt to enter Petitioner's/Victim's place of residence, employment, education or the following locations: _____.
- ☐ D. ☐ Petitioner ☐ Respondent is awarded temporary custody of the minor children named _____.
- ☐ E. ☐ Respondent ☐ Petitioner is awarded temporary visitation rights with the minor children as follows: _____.
- ☐ F. ☐ Respondent ☐ Petitioner shall pay the sum of \$ _____ each _____ as temporary child support through the clerk of court, plus 5% court costs, making a total payment of \$ _____, commencing on _____, and each and every _____ thereafter.
- ☐ G. ☐ Respondent ☐ Petitioner shall pay the sum of \$ _____ each _____ as temporary financial support through the clerk of court, plus 5% court costs, making a total payment of \$ _____, thereafter commencing on _____, and each and every _____ thereafter.
- ☐ H. The sole and exclusive possession of the residence and furnishings located at the aforementioned address appearing under number "12" of this order is awarded to ☐ Petitioner ☐ Respondent with ☐ Respondent ☐ Petitioner making the mortgage and/or rental payments plus any taxes and/or Insurance on the property.
- ☐ I. ☐ Respondent ☐ Petitioner is temporarily restrained, prohibited, and forbidden to transfer, encumber, destroy, sell or otherwise dispose of, except in the ordinary course of business, real or personal property jointly owned or leased by the parties or in which ☐ Petitioner ☐ Respondent claims an equitable interest including, but not limited to, the following: _____.
- ☐ J. ☐ Respondent ☐ Petitioner shall be required to continue and keep in full force and effect without modification or alteration the following existing insurance coverages or policies: ☐ life ☐ health including family plan ☐ dental including family plan ☐ auto ☐ rental ☐ homeowners.
- ☐ K. ☐ Respondent ☐ Petitioner shall pay \$ _____ to the ☐ Petitioner ☐ Respondent by _____ date as a contribution toward ☐ Petitioner's ☐ Respondent's attorney fees.
- ☐ L. ☐ Respondent ☐ Petitioner is temporarily restrained, prohibited, and forbidden to abuse, harm, or molest, or threaten to abuse, harm, or molest any pet animal owned, possessed, kept, or held by the ☐ Petitioner ☐ Respondent or any family or household member designated in the order.
- ☒ M. The following law enforcement agencies shall be served with a copy of this Order by the Clerk of Court:
HORRY COUNTY SHERIFF'S OFFICE.
- ☐ N. The law enforcement agencies listed below are directed to assist ☐ Petitioner ☐ Respondent as follows:
- ☐ 1 Accompany ☐ Petitioner ☐ Respondent to remove ☐ his ☐ her personal property from _____;
- ☐ 2 Accompany ☐ Petitioner ☐ Respondent to assist in placing ☐ his ☐ her in possession of the residence, located at _____;
- ☐ 3 Other: _____

RESPONSIBLE LAW ENFORCEMENT AGENCIES: _____

☐ O. IT IS FURTHER ORDERED that Respondent is prohibited from shipping, transporting, receiving or possessing a firearm or ammunition pursuant to S.C. Code Ann. § 16-25-30(A)(4). Respondent caused physical harm, bodily injury, assault, or offered or attempted to cause physical harm or injury to a person's own household member with apparent and present ability under the circumstances reasonably creating fear of imminent peril based on the following findings of fact: _____.

☒ P. IT IS FURTHER ORDERED, pursuant to S.C. Code Ann. § 63-3-530, that THE COURT MAKES NO FINDINGS. THE DEFENDANT AGREES FOR THE PETITIONER TO HAVE AN ORDER OF PROTECTION RESTRAINING HIM FROM COMING ABOUT, CALLING, OR HARRASSING THE PETITIONER. MR. BOB EVANS WILL BE THE THIRD PARTY WHEN IT COMES TO THE POINT OF CONTACT WITH THE MINOR CHILD.

☐ Q. Federal Firearms Prohibition, pursuant to 18 U.S.C § 922.

- | | |
|--|--|
| 1. Does this Order protect an intimate partner, a child of an intimate partner, or a child of the Respondent? | ☐ YES ☐ NO |
| 2. Did the person restrained have actual notice and an opportunity to participate in the hearing? | ☐ YES ☐ NO |
| 3. Does the Order find the restrained person a credible threat or explicitly prohibit the use, attempted use, or use, or threatened use of physical force? | ☐ YES ☐ NO |

THE PROVISIONS OF THIS ORDER SHALL EXPIRE ON OCTOBER 29, 2025 a date which is not less than 6 months and does not exceed 12 months from the date of this Order UNLESS OTHERWISE PROVIDED BY S.C. CODE ANN. § 20-4-70.

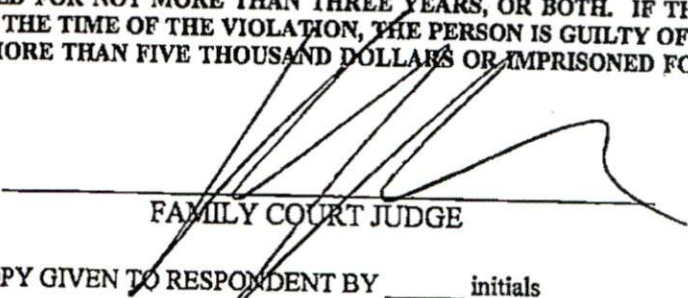
VIOLATION OF THIS ORDER IS A CRIMINAL OFFENSE PUNISHABLE BY NOT MORE THAN THIRTY DAYS IN JAIL AND A FINE OF NOT MORE THAN FIVE HUNDRED DOLLARS OR MAY CONSTITUTE CONTEMPT OF COURT PUNISHABLE BY UP TO ONE YEAR IN JAIL AND/OR A FINE NOT TO EXCEED FIFTEEN HUNDRED DOLLARS.

PURSUANT TO § 16-25-125 OF THE SOUTH CAROLINA CODE OF LAWS, IT IS UNLAWFUL FOR A PERSON WHO HAS BEEN CHARGED WITH OR CONVICTED OF CRIMINAL DOMESTIC VIOLENCE OR CRIMINAL DOMESTIC VIOLENCE OF A HIGH AND AGGRAVATED NATURE, WHO IS SUBJECT TO AN ORDER OF PROTECTION, OR WHO IS SUBJECT TO A RESTRAINING ORDER, TO ENTER OR REMAIN UPON THE GROUNDS OR STRUCTURE OF A DOMESTIC VIOLENCE SHELTER IN WHICH THE PERSON'S HOUSEHOLD MEMBER RESIDES OR THE DOMESTIC VIOLENCE SHELTER'S ADMINISTRATIVE OFFICES. A PERSON WHO VIOLATES THIS PROVISION IS GUILTY OF A MISDEMEANOR AND, UPON CONVICTION, MUST BE FINED NOT MORE THAN THREE THOUSAND DOLLARS OR IMPRISONED FOR NOT MORE THAN THREE YEARS, OR BOTH. IF THE PERSON IS IN POSSESSION OF A DANGEROUS WEAPON AT THE TIME OF THE VIOLATION, THE PERSON IS GUILTY OF A FELONY AND, UPON CONVICTION, MUST BE FINED NOT MORE THAN FIVE THOUSAND DOLLARS OR IMPRISONED FOR NOT MORE THAN FIVE YEARS, OR BOTH.

AND IT IS SO ORDERED.

October 29, 2024 Date

Conway, SC


FAMILY COURT JUDGE

COPY GIVEN TO PETITIONER BY _____ initials

COPY GIVEN TO RESPONDENT BY _____ initials

RESPONDENT'S HOME ADDRESS: _____

RESPONDENT'S PLACE OF EMPLOYMENT: _____

Information which may be of assistance to law enforcement in identifying the respondent: _____

ATTACH PHOTOSTATIC COPY OF RESPONDENT'S DRIVERS LICENSE, IF AVAILABLE.

AGENCY I.D.
SC0260400

INCIDENT REPORT

CASE NUMBER

2, 0, 2, 5, 0, 6, 9, 4, 9, 7

NCIC

INQ. ENTD.

EVENT		INCIDENT TYPE		COMPLETED	FORCED ENTRY	PREMISE TYPE	UNITS ENTERED	TYPE VICTIM	
	1.	13B - Simple Assault - MINOR		☒ YES ☐ NO	☐ YES ☒ NO	20		☒ Individual	☐ Business
	2.	90Z - All Other IBR Offenses - ATKINSON, RODLYN		☒ YES ☐ NO	☐ YES ☒ NO	20		☐ Financial	☐ Government
				☐ YES ☐ NO	☐ YES ☐ NO			☐ Relig. Orgn.	☐ Soc./Public
				☐ YES ☐ NO	☐ YES ☐ NO			☐ Other	☐ Unknown
				☐ YES ☐ NO	☐ YES ☐ NO			☐ Police Off.	
		INCIDENT LOCATION (SUBDIVISION, APARTMENT AND NUMBER, STREET NAME AND NUMBER)				ZIP CODE	WEAPON TYPE		
		KERRI CIR				29526			
		INCIDENT DATE	24 HRL. CLOCK	TO	DATE	24 HRL. CLOCK	DISPATCH DATE/TIME 24 HRL. CLOCK		LOCATION NO.
		05/31/2025	21:40				DISP. DATE	DISP. TIME	TIME ARRIVED
							05/31/2025	21:47	21:48
		COMPLAINANT'S NAME (LAST, FIRST, MIDDLE)		RELATIONSHIP TO SUBJECT		RESIDENT	RACE	SEX	AGE
						J S O U			
		ADDRESS		CITY		STATE	ZIP CODE	LOCATION NO.	
VICTIM NO. 1		VICTIM'S NAME (LAST, FIRST, MIDDLE)		RELATIONSHIP TO SUBJECT		RESIDENT	RACE	SEX	AGE
		MINOR		#1 SC		X S O U	P	F	15
		HEIGHT	WEIGHT	HAIR	EYES	FACIAL HAIR, SCARS, TATOOS, GLASSES, CLOTHING, PHYSICAL PECULIARITIES, ETC.			
		ADDRESS		CITY		STATE	ZIP CODE	LOCATION NO.	
		Kerri Cir		Conway		SC	29526		
		VISIBLE INJURY (MOT. 1) ☐ YES ☒ NO ☐ EXPLAIN		COMPLAINT OF ANY NON-VISIBLE INJURIES ☐ YES ☒ NO					
		VICTIM (NO. 1) USING: ALCOHOL ☐ YES ☒ NO ☐ UNK ☐ DRUGS: ☐ YES ☒ NO ☐ UNK ☐ TYPE:							
		TWO-MAN VEH. ☐ ONE-MAN VEH. ☐ DETECTIVE/SPLASMT. ☐ OTHER ☐ ALONE ☐ ASSISTED ☐		J - This Jurisdiction S - State O - Out of State U - Unknown					
SUBJECT NO. 1		☐ SUSPECT	NAME (LAST, FIRST, MIDDLE)		RACE	SEX	AGE	ETH.	DATE OF BIRTH
		☐ RUNAWAY	Lewis, Kiywan Mashaud		B	M	45	N	
		☐ WANTED	FACIAL HAIR, SCARS, TATOOS, GLASSES, CLOTHING, PHYSICAL PECULIARITIES, ETC.						
		☐ WARRANT	ADDRESS		CITY	STATE	ZIP CODE	LOCATION NO.	
		☒ ARREST	Kerri Cir		Conway	SC	29527		
		☐ JAIL	SUBJECT (NO. 1) USING: ALCOHOL ☒ YES ☐ NO ☐ UNK ☐		ARRESTED NEAR OFFENSE SCENE ☐ YES ☒ NO ☐		DATE/TIME OF OFFENSE		DATE/TIME OF ARREST
		☐ SUMMONS	DRUGS: ☐ YES ☒ NO ☐ UNK ☐ TYPE:		TOTAL # ARRESTED 1		5/31/2025 9:40:00 PM		5/31/2025 10:00:00 PM
NARRATIVE	On 5/31/2025, officers responded to Kerri Circle, located in the Conway section of Horry County, in reference to a physical disturbance. Upon arrival, contact was made with A1, who was sitting in a chair on the front porch of the residence, with a minor laceration to his face. While A1 spoke to other officers outside, contact was made with both victims inside the residence to gather information on what happened during the incident. V1 advised officers that she was in her bedroom, when she was called out to the living room by A1 to clean up vomit on the floor from V2. V1 advised that she said she would clean it up and walked back to her room quickly. V1 advised that A1 then became irate, yelling at V1 asking her why she was not cleaning up the mess. V1 advised that she told A1 that she was going to clean up the mess. V1 advised that A1 got more irate before grabbing her by the neck and shoving her into a wall in the living room. V1 advised that she then grabbed a lamp that was on a table and hit A1 with it, in order to get him off of her. V1 advised that A1, while still choking her, threw her down on the couch and began to push her into the couch and throwing her around. V1 advised that she kicked A1, causing him to release her and that he then started to make his way to the front door to exit the residence. V1 advised that she then picked up a small folding table, and								
	JURISDICTION OF THEFT LAW ENFORCEMENT AGENCY JURISDICTION OF RECOVERY LAW ENFORCEMENT AGENCY								
PROPERTY EST.	TYPE (GROUP)								TOTAL VALUE
	STOLEN								
	DAMAGED								
	BURNED								
	RECOVERED								
	SERVED								
ADMINISTRATIVE	SUBJECT IDENTIFIED ☒ YES ☐ NO		SUBJECT LOCATED ☒ YES ☐ NO		☒ ACTIVE ☐ ADM. CLOSED		☐ ARRESTED UNDER 18		☐ EX-CLEAR UNDER 18
					☐ UNFOUNDED		☒ ARRESTED 18 AND OVER		☐ EX-CLEAR 18 AND OVER
	REASON FOR EXCEPTIONAL CLEARANCE: 1. ☐ OFFENDER DEATH 2. ☐ NO PROSECUTION 3. ☐ EXTRADITION DENIED 4. ☐ VICTIM DECLINES COOPERATION 5. ☐ JUVENILE - NO CUSTODY								
	REPORTING OFFICER(S)		DATE	UNIT NUMBER	APPROVING OFFICER		DATE	UNIT NUMBER	
	Dowd, Alec		05/31/2025	626					
					FOLLOW-UP INVESTIGATION ☐ YES ☒ NO		OFFICER		

AGENCY I.D.
SC0260400

INCIDENT REPORT

CASE NUMBER

2,0,2,5,0,6,9,4,9,7,

NCIC

INQ. ENTD.

EVENT	INCIDENT TYPE		COMPLETED ☐ YES ☐ NO	FORCED ENTRY ☐ YES ☐ NO	PREMISE TYPE	UNITS ENTERED	TYPE VICTIM ☐ Individual ☐ Business ☐ Financial ☐ Government ☐ Relig. Orgn. ☐ Soc./Public ☐ Other ☐ Unknown ☐ Police Off.		
			☐ YES ☐ NO	☐ YES ☐ NO					
			☐ YES ☐ NO	☐ YES ☐ NO					
			☐ YES ☐ NO	☐ YES ☐ NO					
	INCIDENT LOCATION (SUBDIVISION, APARTMENT AND NUMBER, STREET NAME AND NUMBER)					ZIP CODE	WEAPON TYPE		
	INCIDENT DATE	24 HR. CLOCK	TO	DATE	24 HR. CLOCK	DISPATCH DATE/TIME 24 HR. CLOCK		LOCATION NO.	
							DISP. DATE	DISP. TIME	
							TIME ARRIVED	DEPART. TIME	
	COMPLAINANT'S NAME (LAST, FIRST, MIDDLE)		RELATIONSHIP TO SUBJECT		RESIDENT	RACE	SEX	AGE	
					J S O U				
	ADDRESS		CITY		STATE	ZIP CODE	LOCATION NO.		
VICTIM NO. 2	VICTIM'S NAME (LAST, FIRST, MIDDLE)		RELATIONSHIP TO SUBJECT		RESIDENT	RACE	SEX	AGE	
	ATKINSON, RODLYN		CO		X S O U	W	F	49	
	HEIGHT		WEIGHT	HAIR	EYES	FACIAL HAIR, SCARS, TATTOOS, GLASSES, CLOTHING, PHYSICAL PECULIARITIES, ETC.			
	64	250	BRO						
	ADDRESS		CITY		STATE	ZIP CODE	LOCATION NO.		
	KERRI CIRCLE		CONWAY		SC	29526			
	VISIBLE INJURY (VICT. 2) ☐ YES ☐ NO ☐ EXPLAIN		COMPLAINT OF ANY NON-VISIBLE INJURIES ☐ YES ☐ NO ☐						
	VICTIM (NO. 2) USING ALCOHOL ☐ YES ☐ NO ☐ UNK ☐		DRUGS: ☐ YES ☐ NO ☐ UNK ☐		TYPE:				
	TWO-MAN VEH. ☐		ONE-MAN VEH. ☐		DETECTIVE/SPLASMT. ☐		OTHER ☐		
	ALONE ☐		ASSISTED ☐		J - This Jurisdiction S - State O - Out of State U - Unknown				
SUBJECT NO.	☐ SUSPECT	NAME (LAST, FIRST, MIDDLE)		RACE	SEX	AGE	ETH.	DATE OF BIRTH	
	☐ RUNAWAY								
	☐ WANTED	FACIAL HAIR, SCARS, TATTOOS, GLASSES, CLOTHING, PHYSICAL PECULIARITIES, ETC.							
	☐ WARRANT	ADDRESS		CITY	STATE	ZIP CODE	LOCATION NO.		
	☐ ARREST								
	☐ JAIL	SUBJECT (NO.) USING ALCOHOL ☐ YES ☐ NO ☐ UNK ☐		ARRESTED NEAR OFFENSE SCENE ☐ YES ☐ NO ☐		DATE/TIME OF OFFENSE		DATE/TIME OF ARREST	
	☐ SUMMONS	DRUGS: ☐ YES ☐ NO ☐ UNK ☐		TOTAL # ARRESTED					
NARRATIVE	threw it A1 as he was leaving the house, in order to get him away from her. V1 advised that A1 then left the house and that she locked the front door so he could not get back in. A1 told officers that an argument began after he told V1 to clean up the vomit on the floor. A1 advised that he did not strangle V1. A1 advised that during the altercation, V1 hit him in the head with a lamp, kicked him in the groin, and threw a table at him. A1 advised that he was trying to walk out of the residence when he was hit in the back with the table. A1 advised that he did not assault V1 during the altercation. Contact was made with a witness, who advised that she received a call from V2, V1's mother who advised that A1 was choking and assaulting V1 in the living room. W1 advised that ran to the residence from hers and when she opened the front door, she observed A1 standing over V1 on the couch and strangling her with both hands. W1 advised that she attempted to deescalate the situation, however, was unsuccessful. W1 advised that she then left the residence and walked back to her house due to not knowing how to help with the situation.								
	JURISDICTION OF THEFT LAW ENFORCEMENT AGENCY				JURISDICTION OF RECOVERY LAW ENFORCEMENT AGENCY				
	TYPE (GROUP)						TOTAL VALUE		
	STOLEN								
DAMAGED									
BURNED									
RECOVERED									
SEIZED									
ADMINISTRATIVE	SUBJECT IDENTIFIED ☐ YES ☐ NO		SUBJECT LOCATED ☐ YES ☐ NO		☐ ACTIVE ☐ ADM. CLOSED ☐ UNFOUNDED		☐ ARRESTED UNDER 18 ☐ ARRESTED 18 AND OVER		
							☐ EX-CLEAR UNDER 18 ☐ EX-CLEAR 18 AND OVER		
	REASON FOR EXCEPTIONAL CLEARANCE: 1. ☐ OFFENDER DEATH, 2. ☐ NO PROSECUTION, 3. ☐ EXTRADITION DENIED, 4. ☐ VICTIM DECLINES COOPERATION, 5. ☐ JUVENILE - NO CUSTODY								
	REPORTING OFFICER(S)		DATE	UNIT NUMBER	APPROVING OFFICER		DATE	UNIT NUMBER	
			FOLLOW-UP INVESTIGATION ☐ YES ☐ NO		OFFICER				

Officers ran A1's information through dispatch, who advised that A1 was showing an active Protection Order in NCIC, with V2 as the protected party. V2 advised officers that there was protection order from a past domestic incident that he was on parole for, however, she claimed that she had the protection order lifted, even though it was still showing active in NCIC. At that time, A1 was placed under arrest for violating the protection order and assault and battery 1st degree. A1 was transported to CMC to be treated for his minor injuries and then transported to HCDC without incident. Nothing further.

STATE OF SOUTH CAROLINA

COUNTY OF

Horry

STATE

-VS-

Kiywan Lewis

IN THE COURT OF GENERAL SESSIONS

-GS-

Count

STANDARD CONDITIONS OF PROBATION

1. I shall report in person to the South Carolina Department of Probation, Parole and Pardon Services' office on the day of my sentencing or release, and as instructed by the Department; and I shall make complete and truthful reports to the Agent.
2. I shall not change my residence or employment without the consent of my Agent. Further, I shall allow my Agent to visit me in my home, at my place of employment, or elsewhere, at any time.
3. I shall not use controlled substances, except when properly prescribed by a licensed physician, nor consume alcoholic beverages to excess, nor enter establishments whose primary business is the sale and drinking of alcoholic beverages. Further, I shall submit to a urinalysis, blood test or provide forensic evidence when instructed by Agents of the Department, and I agree that any of these test results may be used as evidence in any hearing for the violation of the conditions of my supervision.
4. I shall not possess or purchase any firearms or other dangerous weapons, and I shall not associate with any person who has a criminal record, or any other person whom my Agent has instructed me to avoid.
5. I shall work diligently at a lawful occupation. Further, I shall notify my Agent if I become unemployed.
6. I shall not violate any Federal, State, or Local Law, and I shall immediately contact my Agent if I am ever arrested or questioned by a law enforcement official for any reason whatsoever.
7. I shall pay a supervision fee and any other fees as determined by the Department.
8. I shall not leave the State without permission from my Agent. Further, if I am ever arrested in another state for violating these conditions, I hereby irrevocably waive all extradition rights I may otherwise have been entitled to and agree to return to South Carolina when directed by my Agent, the Court or by a warrant.
9. I shall obey all conditions of supervision set forth in this order including the payment of fines, restitution or other payments, and the service of any period of incarceration.
10. I shall follow the advice and instructions of my Agent and I agree to comply with any further conditions imposed by the Department or its Agents.
11. I agree to pay restitution and a statutory collection fee payable to the Department of Probation, Parole, and Pardon Services as directed by Agents of the Department. (20% collection fee charged)
12. Unless I was convicted of or pled guilty or nolo contendere to a Class C misdemeanor or an unclassified misdemeanor that carries a term of imprisonment of not more than one year, I shall be subject to a search or seizure, without a search warrant, based on reasonable suspicions, of my person, any vehicle I own or am driving, and any of my possessions by: (1) any probation agent employed by the Department; or (2) any other law enforcement officer.

I hereby certify that this statement of Conditions has been read and explained to the Probationer listed above and he/she has agreed to them.

I hereby certify that the Conditions above have been explained fully to me and in agreement thereto, I attach my signature:

This 1 day of April, 2025

Mulanii Smith

Agent/ Offender Supervision Specialist

Kiywan Lewis

Offender

Agent/OSS Address

Offender's Address

Agent/OSS Phone Number

Offender's Phone Number

38
South Carolina Department of Probation, Parole and Pardon Services
Conditions of Supervision for Domestic Violence Offenders

1. I shall report in person to the South Carolina Department of Probation, Parole and Pardon Services' office on the day of my sentencing or release, and as instructed by the Department. I shall make complete and truthful reports to my agent. I agree to report as scheduled by the agent and as the supervision guidelines for domestic violence dictate and understand that as I progress through supervision, the rate at which I report may be increased or decreased.
2. I will attend, actively participate in, not give cause to be terminated from, and successfully complete any counseling/treatment program, to which I am referred by my agent, which may include other treatment-related testing, all at my own expense. I waive all rights to confidentiality between myself and my treatment provider, and authorize my treatment provider to disclose to my agent, the Court, the Parole Board, the releasing authority, and/or the hearing officer, information about my attendance and participation in the program. (Must complete Referral Form 1054).
3. I shall abide by all court orders, Parole Board orders, any releasing authority, or hearing officer as it relates to victim contact. At any time, if no contact with a victim is ordered, I agree and will not have any contact with the victim(s) of my crime, directly or indirectly. This includes but is not limited to, physical or face-to-face contact, contact through letters or written notes, telephone calls, text messages, electronic mail (e-mail), social media, or any contact through a third party. I also will not enter into, travel past, or loiter near a victim's residence or workplace.

Special contact conditions imposed by the Court:

-
4. I will not possess or consume/use alcoholic beverages or any drugs unless otherwise prescribed by a physician. I will submit to alcohol and drug testing as instructed by my agent or treatment provider.
 5. I will not purchase, have in my possession, or own any firearms, ammunition, or other dangerous weapons that may be used to hurt another individual or myself. I will disclose to my agent any firearms, ammunition, or dangerous weapons that may be in my possession and agree to forfeit them to the State.
 6. I will permit my agent or a representative of the department to search, with or without a warrant and with or without the assistance of any other law enforcement officer, my person, residence, any vehicle I own or have permission to use, and any of my possessions. I understand the purpose of these searches will be for contraband I am prohibited from possession including, but not limited to, alcohol, illegal drugs, firearms, ammunition, and other dangerous weapons. I further understand that when no contact with the victim is ordered, cellular devices and other electronic devices may be searched for evidence of victim contact. I understand such devices may be seized by the State to be used as evidence of violations or for new charges.
 7. I will truthfully disclose during each office visit to my agent everyone who resides within my household and will immediately notify if there are any new residents to the household. I will also immediately notify my agent if there is a change in my residence plan/address. I will disclose new intimate partner relationships to my agent.
 8. I will comply with the Department's requirements for any electronic monitoring program and/or alcohol monitoring program for which I may be ordered to participate by the Court, the Parole Board, the releasing authority, the hearing officer, or my agent, or as required, all at my own expense.
 9. I will comply with and abide by all restraining orders and/or orders of protection issued by the Court. I will also refrain from any harassing or stalking behaviors.
 10. I further agree to follow the advice and instructions of my agent and any further conditions imposed by the Court, the Parole Board, or the releasing authority.
 11. I have read, or had read to me, the above conditions and I understand their meaning. I have received a copy of these conditions. I accept and agree to comply with these conditions and understand that any violation could result in the Court, Parole Board, or releasing authority revoking my supervision and reinstating my sentence or returning me to prison. If I refuse to accept these conditions, I must immediately ask my agent to bring my case before the Court, Parole Board, or releasing authority where I will request that my term of supervision be revoked and my sentence be reinstated or that I be returned to prison. If I refuse to accept these conditions, I understand that my agent may immediately bring my case before the Court, Parole Board, or releasing authority and request that my term of supervision be revoked and my sentence be reinstated.

Kirwan Lewis
Offender's Signature
KIRWAN LEWIS
Offender's Name (Printed)

4-1-25
Date

Melanie Smith
Agent's Signature
Melanie Smith
Agent's Name (Printed)

4-1-25
Date

Form 16.1- Arrest Warrant
Form Approved by
SC Attorney General
Section 17-13-160
March 15, 1978

Probation

ARREST WARRANT

Indictment Number: 24-GS-26-06702

Warrant Number: W-26-25-0100

State Identification No. (SID) 01246325

STATE OF SOUTH CAROLINA

COUNTY OF HORRY

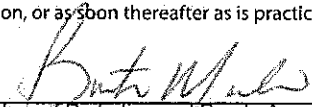
TO ANY LAW ENFORCEMENT OFFICER OF THIS STATE OR COUNTY OR OF THE MUNICIPALITY OF CONWAY, AND ANY CONSTABLE OF THIS MAGISTERIAL DISTRICT:

It appearing from the attached affidavit that there are reasonable grounds to believe that KIYWAN MASHAUD LEWIS, did on the 4 day of June, 2025 violate the criminal laws of the State of South Carolina as set forth below:

DESCRIPTION OF OFFENSE:

The offender has violated conditions 4, 7, 9, 10, Special Conditions of the standard Department conditions associated with Section 24-21-430. The offender has also violated special conditions imposed by the General Sessions Court per order dated April 01, 2025. This warrant or citation is issued pursuant to section 24-21-450 or 300.

Now, therefore, you are empowered and directed to arrest the said defendant and bring KIYWAN MASHAUD LEWIS 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. Done at CONWAY, S. C. this 4 day of June, 2025.


Signature of Probation and Parole Agent (L.S.)

County of HORRY

STATE OF SOUTH CAROLINA

AFFIDAVIT

Personally appeared before me, one Burton Marlow, who, first being duly sworn, deposes and says that KIYWAN MASHAUD LEWIS did within this County and State on the 4 day of June, 2025, violate the criminal laws of the State of South Carolina in the following particulars:

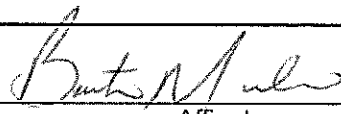
DESCRIPTION OF OFFENSE:

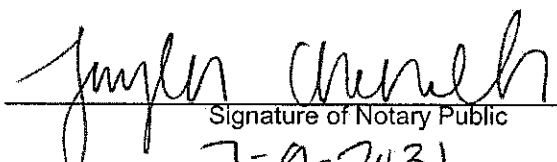
The offender has violated conditions 4, 7, 9, 10, Special Conditions of the standard Department conditions associated with Section 24-21-430. The offender has also violated special conditions imposed by the General Sessions Court per order dated April 01, 2025. This warrant or citation is issued pursuant to section 24-21-450 or 300.

The affiant states that there is probable cause to believe that the defendant named above did commit the crime(s) set forth, and that such probable cause is based on the following facts:

Offender failed to pay fees, having Court Costs arrears of \$25. The offender failed to abide by the conditions of a Protection Order. On 10/29/2024, a Protection Order was issued for Rodlyn Atkinson, in which the offender is restrained from assaulting, threatening, abusing, harassing, following, interfering or stalking the protected person and/or the child of the protected person. Per Horry County Police Department incident report 2025069497, it states that on 5/31/25, the offender attacked and strangled the victim, who is the child of the protected person. While still choking her, the offender threw her down on the couch and began to push her into the couch and throwing her around. Offender failed to follow the advice and instruction of the agent, as witnessed by the stated violations.
Such actions constitute violation of conditions 4, 7, 9, 10, Special Conditions.
Such actions constitute a violation of Domestic Violence conditions 3,9,10.

Sworn to and Subscribed before me
this 4 day of June, 2025.


Affiant


Signature of Notary Public (L.S.)
7-9-2031
My Commission Expires

Address: P.O. BOX 1736
CONWAY, SC 29528

(843) 915-4900

RETURN

STATE OF SOUTH CAROLINA

COUNTY OF

HORRY

THE STATE

against

KIYWAN MASHAUD LEWIS

ARREST WARRANT

Offense: Violation of Conditions of Probation Supervision

Offense Section: 24-21-450

Date: 6/4/2025

Officer and Agency: SC Department of Probation,
Parole and Pardon Services

Burton Marlow

Disposition

Sentence

Co-Defendants

INFORMATION ON DEFENDANT

Name KIYWAN MASHAUD LEWIS

Address

Phone

Sex Male Race Black Height 508

Weight 180 Birth date

Social Security Number

INFORMATION ON WITNESSES

Name

Address

Phone

Name

Address

Phone

Name

Address

Phone

Name

Address

Phone

PRELIMINARY HEARING held by

Magistrate

on

with

Attorney for the Defendant.

Decision

BAIL

Date Set

Magistrate

Amount

Surety

Constable or Law Enforcement Officer

A copy of this Arrest Warrant was delivered by me to the
following defendant:

KIYWAN MASHAUD LEWIS

on the 04 day of JUNE, 2025.

Constable or Law Enforcement Officer

This Warrant is certified for service in [County of warrant
Certification] County. The accused is to be arrested and brought
before me to dealt with according to law.

Signature of Judge

(L.S.)

STATE OF SOUTH CAROLINA

County of HORRY

STATE VS.

KIYWAN MASHAUD LEWIS

AKA: _____

Race: Black Sex: Male

DOB: _____

SSN: _____

SID#: 01246325

IN THE COURT OF GENERAL SESSIONS

Indictment Number:

2024 - GS - 26 - 06702Probation C/W#s & issuance dates: W-26-25-0100 6/4/25Original Offense: Domestic Violence of a High and AggravatedOriginal A/W#: 2024A2610202796Date of Original Offense: 10/5/2024Conviction S.C. Code §: 16-25-00065(A)Conviction CDR Code #: 3 / 8 / 1 / 4Original Sentence: 8 yrs CTS 179 days SS 3 years Probation

ORDER

The above named defendant has been charged with violating the conditions of probation ordered on 4 / 1 / 2025 in the Court of General Sessions of HORRY County, and/or the additional conditions ordered by the Court in probation continuation orders(s) issued on N/A, as set forth in the attached warrant(s) or citation(s). After hearing the evidence and being duly advised, in the (presence/absence) of the defendant, I find that the above name defendant has violated the following condition(s) of probation: *(List by number or indicate special conditions as provided in the affidavit)*

4,7,9,10

Therefore, IT IS ORDERED that:

- ☒ the suspended sentence be revoked and the above named defendant be required to serve the remainder of the original sentence.
- ☐ the suspended sentence be partially revoked and the above named defendant be required to serve _____ days/months/years of the original sentence; and
- ☐ Terminate the balance of probation.
- ☐ Continue/reinstate probation, subject to the conditions set forth in the original sentence and not inconsistent with this order.
- ☐ the above named defendant is continued on probation as provided for in the original sentence, subject to the conditions set forth therein and not inconsistent with this order.
- ☐ probation is reduced to time served under supervision and the defendant is discharged from supervision on this date.
- ☐ the above named defendant is placed on electronic monitoring pursuant to §23-3-540.
- ☒ Financial Obligations: Order satisfies: ☒ Department fees (arrears) Civil judgment: ☐ Department fees
- ☒ Fines and other fees (arrears / balance) ☐ Fines and other fees
- ☐ Restitution (and 20%) (arrears / balance) ☐ Restitution (and 20%)
- ☒ Additional Conditions ordered by the Court (Jail time credits should not be reported in this section):

No A/m

- ☒ The defendant is given credit for 97 days/months/years pre-revocation hearing detention time on current probation violation to be calculated and applied by the SC Department of Corrections.
- ☒ The defendant is to be given credit for 179 days/months/years of Hayes credit (N/A if defendant has served prior SCDC time).
- ☐ No pre-revocation hearing detention time to be awarded because a citation was issued.
- ☐ The defendant was previously placed on active electronic monitoring pursuant to §23-3-540.

This 5th day of SEPTEMBER, 2025,
Conway, SCPresiding Judge [Signature]
15th Judicial Circuit

You are hereby advised that under the law the Court may at any time revoke or modify any condition of this probation, impose any lawful conditions it deems proper, or extend your period of probation not to exceed five (5) years. At any time within the period of your probation, the Court may require you to serve any part of the original sentence imposed. This is to certify that I have read, or have had read to me, the order and the conditions set out therein. I agree to comply with such conditions and the conditions of my attached probation order during the period of my probation. I have received a copy of this Court's order and all attachments.

Offender's Signature

Witnessed by

Signed this _____ day of _____ at _____ SC.
Day Month Year City

WITNESSES

Patrolmen First Class Dennis E. Lee, Horry
County Police Department
HCPD2024132092

Brenden Bayse

ARREST WARRANT NUMBER

2024A2610202796
DOA: 10/06/2024

ACTION OF GRAND JURY

TRUE BILL

Meredith Bowers
Foreperson of Grand Jury
Date: DEC 18 2024

VERDICT

Foreperson of Petit Jury
Date:

DOCKET NO. 2024-GS-26-06702

The State of South Carolina

County of Horry

Catherine Girgan
0366501

COURT OF GENERAL SESSIONS

DECEMBER 2024 TERM

THE STATE

V.

KIYWAN MASHAUD LEWIS

B/ M
DOB:
SSN:

Indictment for

**DOMESTIC VIOLENCE OF A HIGH AND
AGGRAVATED NATURE**

CDR: 3814

Statute: 16-25-0065(A)

ORIGINAL

FILED
HORRY COUNTY

2024 DEC 19 A 11:01

RENEE N. ELVIS
CLERK OF COURT
HORRY COUNTY, SC

DATE RECEIVED FROM
GRAND JURY

STATE OF SOUTH CAROLINA)
)
 COUNTY OF HORRY)

INDICTMENT

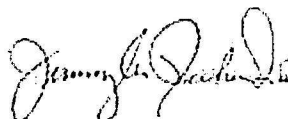
At a Court of General Sessions, convened on December 18, 2024, the Grand Jurors of Horry County present upon their oath:

Domestic Violence of a High and Aggravated Nature

CDR: 3814 16-25-0065(A)

The defendant, Kiywan Mashaud Lewis, on or about October 5, 2024, in Horry County, South Carolina, did cause physical harm or injury to Rodlyn Atkinson, a household member, or did offer or attempt to cause physical harm or injury to said household member with apparent present ability under circumstances reasonably creating fear of imminent peril; in addition, the offense was committed, with or without an accompanying battery, under circumstances manifesting extreme indifference to the value of human life, which would reasonably cause a person to fear imminent great bodily injury or death, all in violation of 16-25-0065(A), *Code of Laws of South Carolina* (1976, as amended).

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



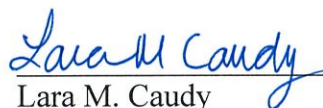
JIMMY A. RICHARDSON, II
 FIFTEENTH CIRCUIT SOLICITOR

01/27/2025

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 April 15, 2014 order from the South Carolina Supreme Court entitled "Revised Order Concerning Personal Identifying Information and Other Sensitive Information in Appellate Court Filings."

Respectfully Submitted,



Lara M. Caudy
Senior Appellate Defender

RECEIVED

Jul 10 2026

SC Court of Appeals

South Carolina Commission on Indigent Defense
Division of Appellate Defense
PO Box 11589
Columbia, SC 29211-1589

ATTORNEY FOR APPELLANT

This 10th day of July, 2026.