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Jul 24 2026

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM ORANGEBURG COUNTY
The Honorable Charles J. McCutchen, Circuit Court Judge

Case No: 2023-GS-38-1014

The State Respondent

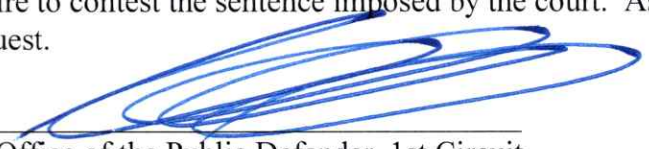
vs.

Marion Andrew Aiken, Jr..... Appellant

EXPLANATION OF APPEAL

Marion Aiken, Jr. appeals his guilty plea and sentence in the aforementioned case. Mr. Aiken called my office and expressed his desire to contest the sentence imposed by the court. As his attorney, it is my duty to carry out his request.

July 24, 2026



Office of the Public Defender, 1st Circuit
R. Douglas Mellard
Deputy Public Defender
P.O. Box 1112
Orangeburg, SC 29116-1112
(803)536-5682
Attorney for Appellant

Office of the Solicitor, 1st Circuit
Bethany Miles
Assistant Solicitor
P.O. Box 1525
Orangeburg, SC 29115
(803) 533-6252
Attorney for Respondent

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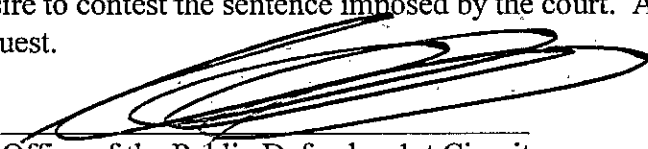
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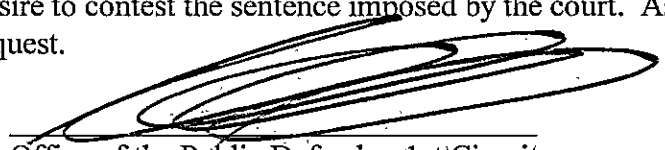
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ARREST WARRANT

2023A3810200080

STATE OF SOUTH CAROLINA

☒ County/ ☐ Municipality of

Orangeburg

137689

THE STATE
against

20230003862

Marion Andrew Aiken, Jr

Address:

Orangeburg, SC 29115-6365

Phone: SSN: [REDACTED]

Sex: M Race: B Height: 5 11 Weight: 130

DL State: SC DL #: [REDACTED]

DOB: [REDACTED] Agency ORI #: SC0380000

Prosecuting Agency: Orangeburg County Sheriff

Prosecuting Officer: Robert K Davis, Jr - S00760

Offense: Murder / Murder

Offense Code: 0116

Code/Ordinance Sec: 16-03-0010

This warrant is CERTIFIED FOR SERVICE in the

☐ County/ ☐ Municipality of

The accused

is to be arrested and brought before me to be
dealt with according to the law.

(L.S.)

Signature of Judge

Date:

RETURN

A copy of this arrest warrant was delivered to
defendant

on 03-04-2023

Donald L. Stokes
Signature of Constable/Law Enforcement Officer

RETURN WARRANT TO:

General Sessions
151 Docket Street
P. O. Box 9000
Orangeburg, SC 29116

ORIGINAL

ORIGINAL

ORIGINAL

ORIGINAL

STATE OF SOUTH CAROLINA

☒ County/ ☐ Municipality of

Orangeburg

Personally appeared before me the affiant Robert K Davis, Jr

who

being duly sworn deposes and says that defendant Marion Andrew Aiken, Jr

did within this county and state on or about 3/27/2023

violate the criminal laws of the

State of South Carolina (or ordinance of ☒ County/ ☐ Municipality of Orangeburg)

in the following particulars:

DESCRIPTION OF OFFENSE: Murder / Murder

I further state that there is probable cause to believe that the defendant named above did commit
the crime set forth and that probable cause is based on the following facts:

BASED ON AN INVESTIGATION BY THE OCSO, THE DEFENDANT, MARION ANDREW AIKEN JR., DID VIOLATE
SECTION 16-3-10 OF THE SC CODE OF LAWS, MURDER. ON MARCH 27, 2023, AT APPROXIMATELY 03:10:00 PM,
WITH MALICE AND AFORETHOUGHT, AIKEN SHOT THE VICTIM, DARRYL HOLLOWAY, ABOUT HIS BODY
CAUSING HIS DEATH. THIS INCIDENT WAS WITNESSED BY COHLEN DAVIS, WHO WROTE A STATEMENT TO THESE
FACTS. THIS INCIDENT OCCURRED IN THE YARD OF [REDACTED] WHICH IS IN THE COUNTY OF
ORANGEBURG, SC.

Signature of Affiant

STATE OF SOUTH CAROLINA

☒ County/ ☐ Municipality of

Orangeburg

Affiant's Address Post Office Box 9000

Orangeburg, SC 29116-

Affiant's Telephone

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ARREST WARRANT

TO ANY LAW ENFORCEMENT OFFICER OF THIS STATE OR MUNICIPALITY OR ANY CONSTABLE OF THIS COUNTY:

SC Court of Appeals

appearing from the above affidavit that there are reasonable grounds to believe that

on or about 3/27/2023

defendant Marion Andrew Aiken, Jr

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

☒ County/ ☐ Municipality of Orangeburg

) as set forth below:

DESCRIPTION OF OFFENSE: Murder / Murder

Having found probable cause and the above affiant having sworn before me, you are empowered and directed to arrest the said defendant and bring him or
her before me forthwith to be dealt with according to law. A copy of this Arrest Warrant shall be delivered to the defendant at the time of its execution, or as
soon thereafter as is practicable
Sworn to and subscribed before me

on 3/31/2023

Derrick F. Dash
Signature of Issuing Judge

(L.S.)

Derrick F. Dash

Judge Code: 5909

Judge's Address Post Office Box 9000

Orangeburg, SC 29116-

Judge's Telephone (803)533-5848

Issuing Court ☒ Magistrate ☐ Municipal ☐ Circuit

ORIGINAL

ORIGINAL

ORIGINAL

ORIGINAL

AFFIDAVIT

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

FILED FOR RECORD
WINIFRED B. CLARK
2023 APR 17 AM 8:39
CLERK OF COURT
ORANGEBURG, SC

RECEIVED
MAR 31 2023
WARRANT DIVISION

BAIL set by

WITNESSES



Judge _____
on _____
Type and Amount: _____
Name of Surety: _____

PRELIMINARY HEARING held by

Judge _____
on _____
Defendant Attorney: _____
Decision: _____

DISPOSITION before

Judge _____
on _____
by _____
(indicate jury trial, bench trial, plea, nol. pros., etc.)
Disposition: _____
Sentence: _____

JURORS

Name: _____
Address: _____
Telephone: _____

Name: _____
Address: _____
Telephone: _____

Name: _____
Address: _____
Telephone: _____

Name: _____
Address: _____
Telephone: _____

Name: _____
Address: _____
Telephone: _____

Name: _____
Address: _____
Telephone: _____

Name: _____
Address: _____
Telephone: _____

Name: _____
Address: _____
Telephone: _____

CODEFENDANTS

*Arraignment Only
per request from the state.
NO BOND SET
smg
4/4/2023*

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SC Court of Appeals

FILED FOR RECORD
WINNIE B. CLARK
2023 MAY 31 PM 12:04
CLERK OF COURT
ORANGEBURG, SC

THE STATE OF SOUTH CAROLINA)
COUNTY OF ORANGEBURG)

IN THE COURT OF GENERAL SESSIONS
FIRST JUDICIAL CIRCUIT

THE STATE)

Charge(s): Murder, Pass,
weapon during Viol. crime

Warrant/Indictment Nos.:

2023 A 3810200080

2023 A 3810200081

ORDER

Marion Andrew Aiken, Jr.

DEFENDANT.

THE DEFENDANT, Marion A. Aiken, Jr., contends that he is
indigent and in need of services of an attorney as contemplated by law.

THEREFORE, Doug Mellard, Esquire, is appointed as
counsel for the Defendant.

FURTHER, as a condition of appointment, the Defendant must pay his \$40.00
application fee to the Clerk of Court no later than _____.

FURTHER, as a condition of appointment, the Defendant's income must be reviewed at
the conclusion of his case to ascertain if an additional fee must be paid to the First Circuit Public
Defender's Office for his representation; and,

IT IS SO ORDERED.

Date: May 31, 2023
Orangenburg, SC


Presiding Judge

2775

IN THE COURT OF GENERAL SESSIONS

1) Range of Offense: 30-life

SC Court of Appeals

Attorney for Defendant Robert SC Bar #
Douglas Mellard 13521

SCCA217B
01/27/2025

WITNESSES

Robert K Davis Jr

Orangeburg County Sheriff

20230003862

ARREST WARRANT NUMBER
2023A3810200080

Arrested: 4/4/2023

ACTION OF GRAND JURY

Foreperson of Grand Jury
Date: June 14, 2023

VERDICT

Foreperson of Petit Jury
Date:

DOCKET NO. 2023GS38-1014

The State of South Carolina
County of ORANGEBURG

COURT OF GENERAL SESSIONS

June 19, 2023 TERM

THE STATE
vs.

Marion Andrew Aiken Jr

Indictment for

MURDER

SC Code: 16-3-10

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

X Marion Aiken
Defendant

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

Voluntary Manslaughter
16-3-50 OR 217

X Marion Aiken
Defendant

Witness:

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

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SC Court of Appeals

STATE OF SOUTH CAROLINA)
)
COUNTY OF ORANGEBURG)

INDICTMENT
2023GS38-1014

At a Court of General Sessions, convened on June 19, 2023 the Grand Jurors of
Orangeburg County present upon their oath:

MURDER

That in Orangeburg County on or about March 27, 2023, with malice aforethought,
the defendant, Marion Andrew Aiken Jr did kill one Darryl Holloway by means of
shooting the victim. The victim did die as a proximate result thereof. This offense
being in violation of the Common Law and Section 16-3-10, of the South Carolina
Code of Laws, as amended.

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

Bethany Miles
Phil Giese, Solicitor
Bethany Miles