1452 B Boone Hill Road
Summerville, SC 29483
(843) 821-9800
FAX (843) 871-0523

Courthouse, 151 Docket Street, Room 110
PO Box 1112
Orangeburg, SC 29116-1112
(803) 536-4858
FAX (803) 536-9986

July 30, 2026

RECEIVED
AUG 03 2026
SC Court of Appeals

OCDC
Marion Aiken, Jr., Inmate
P.O Box 9000
Orangeburg, S.C 29116

Re: ***State v. Marion Andrew Aiken, Jr.***
Charge(s): Murder / Murder; Weapons / Poss. weapon during violent crime, if not also sentenced to life without parole or death
Warrant/Ticket No(s).: 2023A3810200080; 2023A3810200081

Dear Mr. Aiken, Jr.:

Please find enclosed a letter from the South Carolina Court of Appeals regarding your case. You have twenty (20) days from the date above to write a letter to the Court of Appeals about why you are appealing. You will need to tell the Court what you think went wrong in court and what you would like to see the Appellate Court do to help you. You will need to send the letter to: South Carolina Court of Appeals, P.O. Box 11629, Columbia, SC 29211.

As I have previously explained to you, you have a right to appeal your guilty plea. However, I am required to inform the court of any arguable basis for an appeal. In your case I do not believe there is an arguable basis for appeal.

Please remember that you have twenty (20) days from the date above to send your letter to the Court of Appeals. If you do not respond, your appeal will automatically be dismissed. Please contact me if you have any questions.

Sincerely,

ORANGEBURG COUNTY PUBLIC DEFENDER

R. Douglas Mellard, Esq.
Deputy Public Defender

RDM/lvb
Enclosure: As Stated.
cc: South Carolina Court of Appeals

1452 B Boone Hill Road
Summerville, SC 29483
(843) 821-9800
FAX (843) 871-0523

Courthouse, 151 Docket Street, Room 110
PO Box 1112
Orangeburg, SC 29116-1112
(803) 536-4858
FAX (803) 536-9986

July 30, 2026

RECEIVED
AUG 03 2026
SC Court of Appeals

Orangeburg/Calhoun Regional Detention Center
Attention: Marion Aiken, Jr., Inmate
Post Office Box 9000
Orangeburg, South Carolina 29116

RE: State of South Carolina v. Marion Andrew Aiken, Jr.
Warrant No.: 2023A3810200080; 2023A3810200081 Murder / Murder; Weapons / Poss. weapon during violent crime, if not also sentenced to life without parole or death

Dear Mr. Aiken, Jr.:

Enclosed you will find a copy of your Appeal along with Acceptance of Service.

Should you have any questions, please do not hesitate to contact my office.

Sincerely,

R. Douglas Mellard
Deputy Public Defender

RDM/lvb

RECEIVED
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

RECEIVED
AUG 03 2026
SC Court of Appeals

The State . . . . . Respondent

vs.

Marion Andrew Aiken, Jr. . . . . Appellant

NOTICE OF APPEAL

Marion Aiken, Jr. appeals his guilty plea and sentence in this case. The sentence was imposed by The Honorable Charles J. McCutchen, on July 23, 2026.

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

RECEIVED
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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

RECEIVED
AUG 03 2026
SC Court of Appeals

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

RECEIVED
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

RECEIVED
AUG 03 2026
SC Court of Appeals

Case No: 2023-GS-38-1014

The State . . . . . Respondent

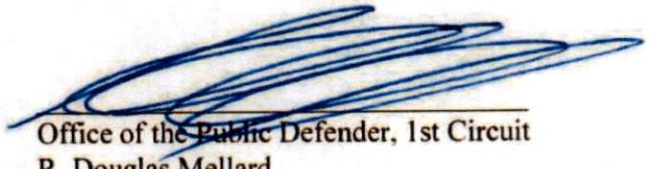
vs.

Marion Andrew Aiken, Jr. . . . . Appellant

PROOF OF SERVICE

I certify that I have served the Notice of Appeal and Explanation of Appeal on Bethany Miles, Assistant Solicitor for Orangeburg County, by hand delivering a copy of it to the Orangeburg County Solicitor's Office at 151 Docket Street, Orangeburg, South Carolina 29115, on July 24, 2026. The Notice of Appeal and Explanation of Appeal was clocked in the Orangeburg County Clerk of Court's Office on July 24, 2026.

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

STATE OF SOUTH CAROLINA,) COUNTY OF ORANGEBURG.) State of South Carolina,) vs.)))) Marion Andrew Aiken, Jr. Appellant.	)	IN THE SOUTH CAROLINA COURT OF APPEALS 2023-GS-38-1014 **ACCEPTANCE OF SERVICE**

RECEIVED
AUG 03 2026
SC Court of Appeals

Due and legal service of the within ***Notice of Appeal and Explanation of Appeal*** by the attorney for the above defendant, in the above entitled action is hereby accepted and a copy retained by Solicitor, David M. Pascoe, Jr., in Orangeburg, South Carolina, this 24th day of July 2026.

RECEIVED
Jul 24 2026
SC Court of Appeals

David M. Pascoe, Jr.
Solicitor

1452 B Boone Hill Road
Summerville, SC 29483
(843) 821-9800
FAX (843) 871-0523

Courthouse, 151 Docket Street, Room 110
PO Box 1112
Orangeburg, SC 29116-1112
(803) 536-4858
FAX (803) 536-9986

July 24, 2026

RECEIVED
Jul 24 2026
SC Court of Appeals

RECEIVED
AUG 03 2026
SC Court of Appeals

VIA CERTIFICATE OF MAILING
The Honorable Jenny A. Kitchings
Clerk of Court
SC Court of Appeals
PO Box 11629
Columbia, SC 29211

Re: ***State v. Marion Andrew Aiken, Jr.***
Charge(s): Murder / Murder; Weapons / Poss. weapon during violent crime, if not also sentenced to life without parole or death
Warrant/Ticket No(s).: 2023A3810200080; 2023A3810200081

Dear Ms. Kitchings:

Enclosed please find the original ***Notice of Appeal, Explanation of Appeal, Acceptance of Service, and Proof of Service***, with two copies. Also enclosed you will find certified true copies of the warrant(s), assignment sheet, sentencing sheet(s), and the indictment(s) in this case.

Please file the original and have the copies clocked in and returned to me in the enclosed, stamped, self-addressed envelope. As you can see, the defendant is indigent and accordingly there should be no docketing fee.

Should you have any questions, please do not hesitate to contact my office.

Sincerely,

ORANGEBURG COUNTY PUBLIC DEFENDER

R. Douglas Mellard, Esq.
Deputy Public Defender

RDM/lvb
Enclosures: As stated.

ARREST WARRANT

2023A3810200080

STATE OF SOUTH CAROLINA

[X] County/ [ ] Municipality of

Orangeburg 137689

THE STATE 20230003862

against

Marion Andrew Aiken, Jr

Address: [redacted]

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 Marion Andrew Aiken Jr. on 03.04.2023

Donald L. Hoke

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

[X] County/ [ ] Municipality of

Orangeburg

ORIGINAL

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

AFFIDAVIT

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 Caroline (or ordinance of [X] County/ [ ] Municipality of Orangeburg) in the following particulars:

DESCRIPTION OF OFFENSE: Murder / Murder

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SC Court of Appeals

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

Affiant's Address: Post Office Box 9000, Orangeburg, SC 29116-

Affiant's Telephone:

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

STATE OF SOUTH CAROLINA

[X] County/ [ ] Municipality of

Orangeburg

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SC Court of Appeals

ARREST WARRANT

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

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 [X] 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 3-31-23

(L.S.)

Signature of Issuing Judge

Derrick F. Dash

Judge Code: 5909

Judge's Address: Post Office Box 9000, Orangeburg, SC 29116-

Judge's Telephone: (803)533-5848

Issuing Court: [X] Magistrate [ ] Municipal [ ] Circuit

ORIGINAL ORIGINAL ORIGINAL ORIGINAL

BAIL set by

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

_____ _____

_____ _____

_____ _____

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

WITNESSES

Name: _____
Address: _____
_____
Telephone: _____

Name: _____
Address: _____
_____
Telephone: _____

Name: _____
Address: _____
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Telephone: _____

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Name: _____
Address: _____
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Telephone: _____

CODEFENDANTS

_____

_____

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AUG 03 2026
SC Court of Appeals

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Jul 24 2026
SC Court of Appeals

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AUG 03 2026
SC Court of Appeals

FILED FOR RECORD
WINNIFA 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; Poss. weapon during V.O.L. crime

Warrant/Indictment Nos.:
2023A3810200080
2023A3810200081

v.

Marion Andrew Aiken, Jr.

ORDER

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
Orangeburg, SC

Presiding Judge 2775

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STATE OF SOUTH CAROLINA AUG 03 2026 SENTENCE ORDER IN THE COURT OF GENERAL SESSIONS

SC Court of Appeals

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Jul 24 2026
SC Court of Appeals

County of Orangeburg
State
VS.
Marion Andrew Aiken, Jr
AKA: SSN: [redacted]
RACE: Black SEX: Male DOB: [redacted]

) INDICTMENT/CASE#: 2023GS38-1014
) AW#: 2023A3810200080
) Date of Offense: 03/27/2023
) S.C. Code §: 16-3-10
) CDR Code #: 0116
) Range of Offense: 30-life

In disposition of the above indictment comes now the Defendant who was ☐ CONVICTED OF or ☒ PLEADS
TO: Voluntary Manslaughter Range of Offense Pled: 2-30

In violation of § 16-3-50 of the S.C. Code of Laws, bearing CDR Code # 0217

☐ NON-VIOLENT ☒ VIOLENT ☐ SERIOUS ☒ MOST SERIOUS ☐ Mandatory GPS ☐ § 17-25-45 (CSC w/minor 1st or CSC w/minor 3rd)

The charge is: ☐ As Indicted, ☒ Lesser Included Offense, ☐ Defendant Waives Presentment to Grand Jury.

The plea is: ☐ w/o Rec/Negotiations ☒ Negotiated see rec. ☐ Recommendation: 30 suspended to 25 yrs

Bethany Miles 78212 — Solicitor, Bethany Miles SC Bar # 78212

[signature] 76648 — Attorney for Defendant, Robert Douglas Mellard SC Bar # 13521

The Defendant is committed to the ☒ SCDC ☐ County Detention Center ☐ Home Incarceration Program for a determinate term of 30 ~~days/months/years/Time Served~~ ☐ YOA NTE ___ years and/or shall pay a fine of $_____; provided that upon the service of 25 ~~days/months/years/Time Served~~ and or payment of $_____; plus costs and assessments as applicable*; the balance is suspended with probation for 5 ~~months/years~~ and subject to SCDPPPS standard conditions of probation, which are incorporated by reference.

☐ The sentence shall run 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 SCDC.

1207 days/month ☐ To include time spent on monitored house arrest prior to trial and sentencing.

SPECIAL CONDITIONS:

☐ PTUP
☐ No Contact with Victim ☐ Domestic Violence Intervention Program ☐ Hold for Inpatient Treatment
☐ Sex Offender Registry pursuant to S.C. Code § 23-3-430 ☐ SAC/MHC if necessary
☐ Central Registry of Child Abuse and Neglect pursuant to S.C. Code § 17-25-135
☐ Other: _____

☐ RESTITUTION See Separate Order (20% per S.C. Code § 24-21-490 (B))

Fine/Costs and Assessments are to be paid to the Clerk of Court within _____ days/months

Restitution		$
FINE:		$
§14-1-206 (Assessments 107.5%)		$
§14-1-211 (A)(1)(Conv. Surcharge)	$100	$100
§14-1-211 (A)(2)(DUI Surcharge)	$100	$
§56-5-2995 (DUI Assessment)	$12	$
§56-1-286 (DUI Breath Test)	$25	$25
§14-1-212 (Law Enforce. Funding)	$25	$
§14-1-213 (Drug Court Surcharge)	$150	$
§34-11-70(b)and(c), and 34-11-90(c)and(d) (Admin Fraud Check Court Costs)	$41	$
§50-21-114 (BUI Breath Test Fee)	$50	$
§56-5-2942(J) (Vehicle Assessment)	$40/ea	$
3% to County (if paid in installments)	TBD	$3.75
☐ Appointed PD or appointed other counsel, Proviso requires $500 be paid to Clerk during probation and shall be collected before any other fees	$500	$
☐ § 17-3-30(B) Unpaid Application Fee to be paid to the Public Defender Fund	TBD	$
	TOTAL	$128.75

[signature]
Clerk of Court/Deputy Clerk

Johnny Shaw — Court Reporter
2782 — Judge Code
7-23-26 — Sentence Date
[signature] — Presiding Judge

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 Ore 217

X Marion Aiken
Defendant

Witness:

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

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AUG 03 2026
SC Court of Appeals

RECEIVED
Jul 24 2026
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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SC Court of Appeals

RECEIVED
AUG 03 2026
SC Court of Appeals

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

Office of the Public Defender
First Judicial Circuit
190 Gibson Street Room 110
PO Box 1112
Orangeburg, SC 29116-1112

FIRST-CLASS

US POSTAGE PITNEY BOWES

ZIP 29115 $ 001.36⁰
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0000212244 JUL 30 2026

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AUG 03 2026
SC Court of Appeals

SC Court of Appeals
P.O Box 11629
Columbia, SC 29211