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SC Court of Appeals

STATE OF SOUTH CAROLINA
In The Court of Appeals

Appeal from Greenville County
Honorable Grace G. Knie, Circuit Judicial Judge
Appellate Case No.: 2024-000567

The State of South Carolina, Respondent,

v.

Lavar Demarkis J. Kilgo, Petitioner.

MOTION TO COMPEL

COMES NOW Petitioner Demarkis J. Kilgo, appearing in propria personam before this Honorable Court duly for an Order to enforce a legal right to compel a response or disclosure after in good-faith conferred or attempted to confer with Solicitor Andy Corich, of the Thirteenth Judicial Circuit, a party of the respondent.

The basis for this motion is to be furnished a copy of Co-defendant Amanda Scott case file that is in the sole possession and custody of the Solicitor's Office of the Thirteenth Judicial Circuit. This case file in particular is sought for to obtain information and evidence to support or corroborate Petitioner's innocence. The amount of evidence excluded and absent during Petitioner's trial was preserved in Co-defendant's case file that implicated Co-defendant

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with confessions the petitioner's defense would examine.

Petitioner sought this case file by pertinent subpoena Solicitor Cindy Cook to turnover the file where the discovery dispute arose after failing to make the disclosure by petitioner's effort to secure the disclosure or response without court action. During this effort petitioner received an unlikely response by Solicitor office upon two(2) occasions of deceiving petitioner to excuse themselves of their duty to disclose. See U.S. Bagley, 473 U.S. 667, 87 L.Ed. 2d 481, 105 S.Ct. 3375 (1985).

Petitioner aver that the prosecutor failed to disclose evidence that could have been used effectively to impeach important government witnesses. When the prosecution did not undisclosed evidence which is material was suppressed that might have affected the outcome of petitioner's trial, thus the disclosure was absent at trial where such facts were fraudulently concealed denying petitioner of his Fourteenth Amendment, U.S. Constitution Rights. This file is favorable to the petitioner if suppressed the petitioner would be denied fairness not advantage his issues on appeal or perfecting the appeal.

WHEREFORE, the above legal premise the petitioner pray that the Court to enforce the release of Codefendant Cook file to be inspected, furnished to defense forwith a copy, and be made apart of the appellate record.

Done this 6th Day of August, 2018.

Respectfully submitted

/s/ Dennis J. Mingo

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STATE OF SOUTH CAROLINA
In The Court of Appeals

Appeal from Greenville County
Honorable Casey G. Kyle, Presiding Circuit Judge
Appellate Case No.: 2024-000567

The State of South Carolina, Respondent,

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v.

In re Denardis Tamont Kilgo, Petitioner

PROOF OF SERVICE

I, Denardis T. Kilgo, certify that I have served Motion to Compel on Gary H. Johnson, Appellate Defender for the Defense, of the South Carolina Commission On Indigent Defense, Division of Appellate Defense at 1330 Lady Street, Suite 401 Columbia, SC 29201-3332 by depositing a true copy of the same in the internal mailing system at Lieber Correctional Institution on August 6th, 2026, and being processed by Lieber's Mail Room Personnel on my behalf.

Denardis T. Kilgo #359897
Lieber Corr. Inst.
Post Office Box 205
Ridgeville, SC 29472
Appellant/Petitioner

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Derardis T. Kilgo
SCDC# 35 9897
Lieber Correctional Institution
Post Office Box 205
Ridgeville, SC 29472

August 05, 2026

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Jenny Abbott Kitchings, Clerk
South Carolina Court of Appeals
Clerk's Office
1220 Senate Street
Columbia, SC 29201

Re: The State v. Derardis Tarez Kilgo
Appellate Case No.: 2024-000567

Dear Madam Jenny:

ENCLOSED PLEASE WILL YOU FIND One (1) Motion To Compel with specificity to Solicitor Cindy S. Crick, Legal Handling of Amanda Scott, Co-defendant case file that is sought by defense. Would you please file this motion as I appear in propria persona within this above referenced case matter, Clerk's Office and Court.

Yours Truly,

Derardis T. Kilgo.

Derardis J. Lipe, #359897
LRU-Medical #111
Lieber Correctional Institution
Post Office Box 205
Ridgeville, SC 29472

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Jenny Abbott Kitchings, Clerk
South Carolina Court of Appeals
Office of the Clerk
1220 Senate Street
Columbia, SC 29201