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SC Court of Appeals

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Laurens County
Honorable Eugene C. Griffith, Jr., Circuit Court Judge
Appellate Case No. 2025-001933

THE STATE,

Appellant,

vs.

LEON LEE HARRIS, JR.,

Respondent.

RECORD ON APPEAL

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STATE OF SOUTH CAROLINA

County of Laurens

SEARCH WARRANT

11/07/23 10:06
23007900
X3 - Nations, Charles

Date/Time 11/07/23 10:06

Case Number 23007900

Deputy: X3 - Nations, Charles

11/7/23 11:25

STATE OF SOUTH CAROLINA)

COUNTY OF LAURENS)

SEARCH WARRANT

R. 2
Form Approved by
SC Attorney General
Section 1-13-160
March 15, 1978

TO ANY BONDED LAW ENFORCEMENT OFFICER OF THIS STATE OR COUNTY OR OF THE MUNICIPALITY OF Laurens:

It appearing from the attached affidavit that there are reasonable grounds to believe that certain property subject to seizure under provisions of Section 17-13-140, 1976 Code of Laws of South Carolina, as amended, is located on the following premises:

DESCRIPTION OF PREMISES (PERSON OR THING)

TO BE SEARCHED

Single occupancy dwelling, tan in color, with a detached garage located on the right side of the residence and a privacy fence located on the left side of the residence. This property is identified as having the mailing address of Address [REDACTED] Gray Court, SC [REDACTED] and is listed as being apart of the Parcel 158-00-00-024. This search warrant is to include all persons, outbuildings, vehicles and any and all locked storage containers associated with the property at the time of execution.

Now, therefore, you are hereby authorized to search the subject premises for the property described below, and to seize such property if found:

DESCRIPTION OF PROPERTY

Single occupancy dwelling, tan in color, with a detached garage located on the right side of the residence and a privacy fence located on the left side of the residence. This property is identified as having the mailing address of Address [REDACTED] Gray Court, SC [REDACTED] and is listed as being apart of the Parcel 158-00-00-024. This search warrant is to include all persons, outbuildings, vehicles and any and all locked storage containers associated with the property at the time of execution.

This Search Warrant shall not be valid for more than ten days from the date of issuance.

A written inventory of all property seized pursuant to this Search Warrant shall be made to any lawful magistrate within ten days from the date of this warrant, such inventory to be signed by the officer executing this warrant, and a copy of such inventory shall be furnished to the person whose premises are searched if demand for such copy is made.

A copy of this Search Warrant shall be delivered to the person in charge of the premises searched at the time of such search if practicable, and, if not, to such person as soon thereafter as is practicable; in the event the identity of the person in charge is not known or if such person cannot be found after reasonable diligence in attempting to locate the person, a copy shall be attached to a prominent place on such premises.

Lauren P, South Carolina

Date 4/9/23

SCCA 513
(3-1978)

42

H. J. B. L.
Signature of Judge

STATE OF SOUTH CAROLINA

COUNTY OF LAURENS

AFFIDAVIT

Personally appeared before me, one X3 - Nations, Charles, who being duly sworn, says that there is probable cause to believe that certain property subject to seizure under provisions of S.C. Code Ann. § 17-13-140, as amended, is located on the following premises in this County:

DESCRIPTION OF PROPERTY SOUGHT

Any and all illegal narcotic and items commonly associated with the use, packaging and sales of controlled substances, including scales, weighing devices, and measuring devices, packaging materials including paper bindles, glass vials, and plastic baggies, foils, sifters, filter, screens and cutting agents. Additionally, any form of paraphernalia used in the ingestion of illegal narcotics.

Documents of sales of the illegal narcotics consisting of buy/sales lists; record of personal and business transactions as relates to the purchase and sales of controlled substances;

Financial records of illicitly obtained monies and/or other forms of assets acquired through criminal activity and subsequent evasion of governmental taxes, which include, but are not limited to, federal and state tax returns, employment papers, banking records and pass books, account information, canceled checks, deposit records, income and expenditures records, property acquisition records, money market accounts and/or similar accounts, records of stocks and/or bonds purchased or exchanged; credit card records; records reflecting the rental of safe deposit boxes; safe deposit box keys; records reflecting vehicles, aircraft or vessels owned, purchased, sold or leased; and negotiable instruments;

Computer hardware, software and data including, but not limited to central processing units (CPU's), hard disks, hard disk drives, floppy disk drives, tape drives, CD-ROM drives, display screens, keyboards, printers, modems, personal digital assistant's (PDA's), scanning devices, digital cameras / camcorders / VCR's, and other image capturing / reproducing devices, magnetic tapes, cassette tapes, and floppy disks found together or separately from one another, written documentation, whether typed or hand written, including, but not limited to, computer manuals and instructions for the use of any computers and their accessories as well as documentation containing passwords. Officers shall be allowed to remove all computer related items for later exam;

Any and all portable communication devices located in the residence, to include any and all third party applications that may be down loaded to the devices. As I know based on training and experience, most narcotics traffickers communicate through a type of electronic communication. These types of communication include but are not limited to phone calls, email, Facebook accounts, multimedia messages, etc.

U.S. currency, negotiable instruments, securities, and other items of value which are forfeit able under applicable statutes and if found the same or any part thereof, to hold such property in our possession under applicable statutes, or to release the property to the appropriate agency for State or Federal forfeiture proceedings;

Sworn to and Subscribed before me
 400 7 23
 by of 400 23
 Signature of Judge


 Affiant
 Address 216 W. Main St.
 Laurens, SC 29360
 Phone 804-984-4967

STATE OF SOUTH CAROLINA)

AFFIDAVIT

COUNTY OF LAURENS)

other person obtained drugs from "Bug" but didn't pay for them. Mixon stated that "Bug" is holding him accountable for the money.

Deputies did review the store's surveillance video. The video show the victim to be parked at the diesel pump, when a black in color passenger car pulls into the parking lot near the gas pumps. A black male wearing a black hooded jacket/shirt, a black beanie, gray pants and black shoes approached the victim. The suspect can be seen with his right hand near his waistband, and the suspect forces the victim into the area between the driver's open door and the interior of the vehicle. During this time, it is observed that the suspect is acting in an aggressive manner and both hands can be seen in the victim's face/chest area. However, due to the quality of the video, deputies are unable to identify if there is anything in the suspect's hand, at this time. The victim is observed the being able to walk away from the vehicle and enters into the store. The suspect waits in the parking lot a few minutes before going back to the black car and leaving the parking lot.

Mixon stated that he knows "Bug" lives in Gray Court off Curry's Lake Road and offered to take the deputies to "Bug's" residence. Mixon rode in Deputy Simpson's patrol vehicle and pointed out the residence at [REDACTED] Address [REDACTED] Gray Court, SC [REDACTED]. Deputies attempted to make contact with anyone at the residence but was unable to do so. Deputies also noted that there was a black passenger car at the residence but it was not the suspect vehicle that was described.

On November 6, 2023, the Laurens County Sheriff's Office Narcotics Unit was requested to review the case as the suspect was identified as being a "drug dealer" by the victim. Upon review, investigators were familiar with the residence at Address [REDACTED] and knew this residence was the location of an individual named "Bug" based upon previous investigations and were also familiar with "Bug" driving a dark gray in color Dodge Ram truck. Investigators identified that the property is listed as part of parcel number 158-00-00-024 in the Laurens County GIS mapping system. This system identifies that one Michael Adolphus Thomas is the registered owner of the property, but it also shows a mailing address of Nearby Address [REDACTED]. Investigators used SCDMV to obtain vehicles that are registered to Thomas, and found that he does not own a Dodge Ram or a Honda car.

In continuing the investigation, investigators checked reports concerning the address of Address [REDACTED] and found that in April of 2021, a male was identified as Leon Lee Harris Jr. was residing at the residence. Deputies then utilized SCDMV to obtain any vehicles registered to Harris and found that he owns a 2007 Honda Accord with active plates. Investigators also found that Harris is the owner of a dark gray in color 2019 Dodge Ram 1500 with active plates, matching what investigators had identified previously.

Investigation then obtained the criminal history for Leon Lee Harris Jr., for investigative purposes. Upon review, the history established that Harris has been identified as using the alias of "Bug Harris" and "Junebug Harris". Additionally, it is found that Harris has been charged and convicted of numerous drug related offenses, assault offenses and resisting arrest offense from the early 1990's to present date. It is also identified that Harris is prohibited from possessing or acquiring a firearm or ammunition pursuant to the Federal Gun Control Act of 1968, on both Federal and State jurisdictions.

Investigators then reached out to the victim to speak with him about the incident a second time. Mixon reiterates the statement provided on the night before. Investigators also obtain "Bug's" cell phone number as [REDACTED]. Mixon stated that he had spoken to "Bug" on this number as recent as with in the week before the incident. Investigators utilized investigative tools and found that the phone number is registered to Leon Lee Harris Jr. Based upon the facts provided in this affidavit, it is believed that probable cause has been met to execute a search warrant at the property identified as Address [REDACTED] Gray Court, SC [REDACTED] to obtain additional evidence

Sworn to and Subscribed before me)

1 day of Nov 2023)
 [Signature])
 Signature of Judge)

[Signature])
 Affiant)

Address 216 W. Main St.
 Laurens SC 29360
 Phone 864-984-4867

STATE OF SOUTH CAROLINA)
)
 COUNTY OF LAURENS)
)

AFFIDAVIT

that would further this investigation. This search warrant shall include the search of all persons, vehicles, outbuildings and any and all locked storage containers associated with the property at the time of execution.

Sworn to and Subscribed before me
7 day of July, 2023
[Signature]
 Signature of Judge

[Signature]
 Affiant
 Address 216 W. Main St.
Laurens SC 29360
 Phone 864-984-4967

I received the attached Search Warrant 202300168, and have executed it as follows:

On 11/7/23, at 2:00 o'clock pm, I searched (the person) described in the warrant and (the premises)

I left a copy of the warrant with _____

Name of person searched or "at the place of search" with.
Together with a receipt for the items seized.

The following is an inventory of property taken pursuant to the warrant:

- clear bag containing off-white powder-like substance; clear bag containing off-white rock-like substance; pill bottle containing round green tablets imprinted "TEVA 833"; pill bottle with torn label containing numerous tablets; glass jar containing green plant-like substance; 2 measuring cups with off-white residue; plastic bottle containing clear liquid with off-white substance mixed; portion of plastic cup with crystal-like residue; black bag with "Baileys" pads; 2 open boxes of glass tubes; 8 unopen vape pens "Delta 9"; 2 open vape pens (used); wooden cutting board with residue; 5 razor blades; 100 gram weight scale with residue; open box of storage bags; numerous clear storage bags; 4 black magnetic containers; 3 digital scales with residue; papers with handwritten notes; 4 vehicle titles: 2021 SYMCZ PCH 20 (Moped); 2020 Cadillac CT6; 2019 Dodge Ram 1500; 2007 Honda Accord; package of money bands; \$5,730.00 in US currency; various keys to locks; Emperor Arms 12 gauge shotgun SN: 1402165; Ratical Firearms RF-15 multi-caliber rifle SN: 21-059371 with scope; Tanais .357 magnum revolver SN: ACM598653; SCCY 9mm handgun SN: CDS0390 (stolen GCSO); extended magazine with 9mm ammo; 2 AR style rifle magazines; 31 rounds 5.56 caliber ammo; 29 rounds .223 caliber ammo; 5 rounds .357 ammo; 37 rounds .357 ammo; 3 boxes .357 ammo; 2 boxes of .38 s&w ammo; 1 open box 10mm ammo containing 18 rounds 9mm + 30 rounds 10mm; 1 open box .25 auto containing 44 rounds; 1 box .223 ammo unopen; 1 open box 5.56 x 45mm ammo containing 19 rounds; various 12 gauge ammunition; Lenovo Thinkpad Laptop; HP laptop with power cord; 4 cell phones;

Sworn to and Subscribed before me
16 day of Nov, 2023
[Signature] (L.S.)
Signature of Judge

[Signature]
(Signature of Officer Executing Warrant)

[Signature] 11/7/23

STATE OF SOUTH CAROLINA) IN THE COURT OF GENERAL SESSIONS
COUNTY OF LAURENS MICHELLE) EIGHTH JUDICIAL CIRCUIT

State of South Carolina, 2025 AUG 29) A 11:51
Warrant Nos.: 2023A3010101243;
2023A3010200379 – 88

v.

Leon Lee Harris, Jr.

Defendant.

**MOTION TO SUPPRESS EVIDENCE
AND MEMORANDUM IN SUPPORT**

COMES NOW the above-named Defendant, Leon Lee Harris, Jr., by and through his undersigned attorney, Adam G. Touma of the Touma Law Group, who moves for an Order suppressing any and all evidence found by the Laurens County Sheriff's Office during the execution of a search warrant in violation of the Fourth Amendment of the United States and Article I, Section 10, of the South Carolina Constitution.

This evidence must be suppressed because there was no probable cause to search Mr. Harris' residence in the first place. If the Court finds there was probable cause to search, the evidence collected was found during a search and seizure conducted on a septic tank not included in the search warrant and unsupported by any recognized exception to the warrant requirement, which was itself unreasonable and must be suppressed. Therefore, the seizure and search of the septic tank on Mr. Harris' property was in violation of his rights under the Fourth Amendment of the United States Constitution and Article I, Section 10 of the South Carolina Constitution and any evidence unlawfully obtained must be suppressed. For the reasons set forth below, an Order suppressing the evidence is appropriate.

PROCEDURAL BACKGROUND

On November 6, 2023, deputies responded to the Exxon gas station at 8314 Hwy 14 in Gray Court, South Carolina. Richard Mixon came into the store and informed the

cashier that another male he knew as "Bug" had pulled a gun on him. Mixon eventually told deputies that he knew "Bug" sells drugs in the area and that Mixon had sent "Bug" a customer for drugs. The customer did not pay for the drugs and "Bug" was now confronting Mixon for the money. Mixon did not know "Bug's" real name, but he was able to drive officers to "Bug's" residence at Address [REDACTED] Deputies were unable to make contact with anyone at the residence.

The same day, Laurens County Sheriff's Office Narcotics Unit was requested to review the case since Mixon referred to "Bug" as a drug dealer. Narcotics officers were familiar with the residence and that "Bug" resided there. After doing several searches, officers determined "Bug" was Leon Harris, Jr., had a black 2007 Honda Accord registered to him with active plates, and had a prior record for assault offenses and drug offenses.

Based on this information, officers obtained an arrest warrant for Leon Harris, Jr. for Assault and Battery, 2nd degree, as well as a search warrant on his residence. Mr. Harris was arrested on November 7, 2023, and served with a warrant for Assault and Battery, 2nd degree. Prior to the service of that arrest warrant, law enforcement officers obtained a search warrant for Mr. Harris' property to include:

Single occupancy tan in color, with a detached garage located on the right side of the residence and a privacy fence located on the left side of the residence. This property is identified as having the mailing address of Address [REDACTED] Gray Court, SC [REDACTED] and is listed as being apart (sic) of the Parcel 158-00-00-024. This search warrant is to include all persons, outbuildings, vehicles, and any and all locked storage containers associated with the property at the time of execution.

See Exhibit 1 – Search Warrant.

During the execution of the search warrant, law enforcement found that Mr. Harris was allegedly concealing an amount of Cocaine, Methamphetamine, Clonazepam,

Hydrocodone, Acetaminophen, and Tramadol in a septic tank on the aforementioned property, Mr. Harris was charged with Possession with Intent to Distribute Crack Cocaine, 2nd offense, Possession of Controlled Substance Schedule I to V, 2nd offense, Trafficking Crack Cocaine 10 - 28g, 2nd offense, Possession with Intent to Distribute Controlled Substance Schedule IV, 2nd offense, and Possession of Controlled Substance Schedule I to V, 2nd offense.

LEGAL AUTHORITY

The Fourth Amendment to the United States Constitution guarantees the right of every citizen to be free from unreasonable search and seizures. By “articulating a specific prohibition against ‘unreasonable invasions of privacy,’ the people of South Carolina have indicated that searches and seizures that do not offend the federal Constitution may still offend the South Carolina Constitution resulting in the exclusion of the discovered evidence.” *State v. Forrester*, 343 S.C. 637, 644, 541 S.E.2d 837, 841 (2001). Evidence obtained from an illegal search or seizure is deemed “fruit of the poisonous tree” and is inadmissible. *Wong Sun v. United States*, 371 U.S. 471, 484-85, 83 S. Ct. 407 (1963).

The search of Mr. Harris’ home and subsequent seizure of evidence constitutes a seizure under the Fourth Amendment’s prohibition against unreasonable searches and seizures. The search must be supported by probable cause and the warrant must clearly state the areas to be searched and the probable cause with which the warrant is to be issued.

ARGUMENT

1. The State lacked probable cause to search the residence, and no search warrant should have been issued.

Under the Fourth Amendment and S.C. Code Ann. §17-13-140, an affidavit in support of an application for a search warrant must set forth the grounds establishing

probable cause. The duty of a reviewing court is to “ensure the issuing magistrate had a substantial basis” upon which to conclude that probable cause existed. *State v. Baccus*, 367 S.C. 41, 50, 625 S.E.2d 216, 221 (2006) (citing *State v. Adams*, 291 S.C. 132, 352 S.E.2d 483 (1987)).

In exercising this review, a court is guided by the South Carolina Supreme Court’s consistent holding that search warrant affidavits must provide sufficient underlying facts and information—as opposed to mere conclusions—to enable the magistrate to make a determination of probable cause. For example, in *State v. Smith*, 301 S.C. 371, 392 S.E.2d 182 (1990), the court found an affidavit defective because it contained only conclusory statements and failed to provide the magistrate with a basis to assess the facts supporting a probable cause determination. The warrant affidavit in *Smith* read as follows:

That on May 12th at approximately 11:45 p.m. Reginald Jerome Smith went into the Master Inn located at 1468 Savannah Hwy., Charleston, S. C. and he then robbed the manager at knife point. Smith has been staying at The Host of America Room 216 since Jan. 1, 1988 and there is every reason to believe the weapon and clothes used in the robbery will be located in the room. This information was confirmed in person by Sgt. Sherman on 05/13/88.

Id. at 372, 392 S.E.2d at 183. This warrant affidavit was held “defective on its face” because “the affidavit sets forth no facts as to why police believed Smith robbed the Master Host Inn.” *Id.* (emphasis in original).

Similarly, in *State v. Weston*, 329 S.C. 287, 291, 494 S.E.2d 801, 803 (1997), the court ruled that an affidavit was insufficient when it failed to set forth any facts as to why police believed the defendant committed the crime, leaving the magistrate without a substantial basis for finding probable cause. The defective affidavit in *Weston* reads as follows:

On March 18, 1994 at approx 2245 hours the victim (Claude Crumlin) was the victim of an armed robbery and assault with intent to kill at 5126 Farrow Rd. The defendant in this incident is a Kelvin Weston. Kelvin Weston, by S.C. highway depts., is the registered owner of the above listed vehicle. Also investigation revealed through witness in this matter that defendant was driving above vehicle at the time of the incident. The search for the above items are needed to fully complete this investigation.

Id. at 291, 494 S.E.2d at 803 (1997). This warrant, likened by the court to the affidavit in *Smith*, lacked “any indicia of probable cause” rendering the good faith exception inapplicable. The South Carolina Supreme Court accordingly granted the defendant a new trial based on the trial court’s refusal to suppress ammunition seized pursuant to the warrant. *Id.* at 293, 494 S.E.2d at 804.

The search warrant affidavit in the case at bar, although it is lengthy, fails to establish any evidence that Mr. Harris deals illegal narcotics out of his residence, stores illegal narcotics at his residence, or participates in any sort of illegal narcotic activity at his residence. The fact that Mr. Mixon identified “Bug” as a drug dealer does not give the State probable cause to search his residence without more.

As was the case in *Smith* and *Weston*, this affidavit contains no factual information whatsoever that would lead a neutral magistrate to the conclusion that probable cause exists to believe evidence of illegal narcotics would be found at the residence. The fact that the State is on a fishing expedition and seeking additional evidence to further their drug investigation on Mr. Harris is not probable cause, and precisely the reason for the Fourth Amendment.

Because this affidavit, like the affidavit in *Weston*, lacks “any indicia of probable cause,” the good faith exception does not apply here, and the evidence seized must be

suppressed. *See Weston*, 329 S.C. at 293, 494 S.E.2d at 804 (citing *United States v. Leon*, 468 U.S. 897, 923, 104 S. Ct. 3405, 3421 (1984)) (granting new trial).

2. The State's search of the Defendant's septic tank was illegal under the Fourth Amendment of the United States Constitution and Article I, Section 10, of the South Carolina Constitution.

The Fourth Amendment to the United States Constitution guarantees that the “right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated.” U.S. Const. amend. IV. It is well-established that evidence that is obtained in violation of the Fourth Amendment must be excluded at trial. *Herring v. United States*, 55 U.S. 135, 139; 129 S.Ct. 695, 699 (2009); *see also Weeks v. United States*, 232 U.S. 383, 398, 34 S.Ct. 341, 346 (1914). The exclusionary rule is a “judicially created rule [that] is ‘designed to safeguard’ Fourth Amendment rights generally through its deterrent effect.” *Id.* at 139-40, 129 S.Ct. at 699 (quoting *United States v. Calandra*, 414 U.S. 338, 348, 94 S.Ct. 613 (1974)). The United States Supreme Court has held that these federal constitutional protections apply in state court criminal proceedings, as well. *See Mapp v. Ohio*, 367 U.S. 643, 81 S.Ct. 1684 (1961); *Wolf v. Colorado*, 338 U.S. 25, 69 S.Ct. 1359 (1949).

In addition to the protections provided by the Fourth Amendment, the South Carolina Constitution provides additional safeguards against unlawful searches and seizures, stating that “The right of the people to be secure in their persons, houses, papers, and effects against unreasonable searches and seizures *and unreasonable invasions of privacy shall not be violated.*” S.C. Const. art. I, § 10. The South Carolina Supreme Court has held that the state constitution may be interpreted to provide “an additional layer of Constitutional rights,” thereby conferring more expansive protections and rights than the

federal constitution. *State v. Forrester*, 343, S.C. 637, 643-44, 541 S.E.2d 837, 840 (2001) (citing *State v. Easler*, 327 S.C. 121, 131 n. 13, 489 S.E.2d 617, 625 n. 13 (1997)). Our Supreme Court has also adopted the view that the federal constitution merely establishes a “floor” of individual rights, whereas the state constitution provides a “ceiling.” *Id.* As a result, it is important to note that the South Carolina Constitution expands the Fourth Amendment right against “unreasonable searches and seizures” to also include an explicit protection against “unreasonable invasions of privacy.” S.C. Const. art. I, § 10. Consequently, in criminal proceedings held under state law in South Carolina, searches and seizures must be analyzed with greater scrutiny, keeping in mind not only the reasonableness of the search and seizure but also the importance placed on individual privacy interests. “The burden of establishing probable cause and the existence of circumstances constituting an exception to the general prohibition against warrantless searches is upon the prosecution.” *State v. Freiburger*, 366 S.C. 125, 132, 620 S.E.2d 737, 740 (2005) (citing *State v. Dupree*, 319 S.C. 454, 462 S.E.2d 279 (1995), *State v. Bultron*, 318 S.C. 323, 457 S.E.2d 616 (Ct. App. 1995) (burden is upon State to justify warrantless search)).

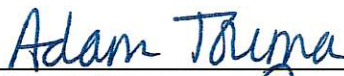
According to S.C. Code of Law §§ 17-13-141(A)(5), a search warrant must include a description of the article to be searched. The South Carolina Constitution, Article I, Section 10, explicitly requires that warrants particularly describe the place to be searched, ensuring protection against unreasonable searches and seizures. S.C. Const. Ann. Art. I, § 10. This principle is reinforced by S.C. Code Ann. § 17-13-140, which mandates that search warrants must be executed within their scope and describe the property to be searched with specificity. S.C. Code Ann. § 17-13-140.

In this case, the septic tank is not explicitly mentioned in the warrant nor does anything in the affidavit on which the search warrant is based insinuate, imply, or allege that any narcotics would be found in a septic tank. Moreover, S.C. Code Ann. § 44-2-20 explicitly excludes septic tanks from the definition of underground storage tanks, which suggests that septic tanks are treated as distinct entities under the law and not as part of general property infrastructure and therefore need to be stated with particularity in order to be covered by a search warrant. Therefore, the search of the septic tank exceeded the scope of the warrant because the septic tank was not explicitly mentioned. In *State v. Robinson*, the Court noted that evidence obtained outside the scope of a warrant may be subject to suppression unless exceptions such as exigent circumstances or plain view apply. 408 S.C. 268. Since the septic tank was not mentioned in the warrant, and there is no indication of exigent circumstances or plain view in this case, the search of the septic tank should be considered unlawful.

CONCLUSION

For these reasons, the search of the septic tank was unlawful, and the evidence obtained from this search, namely the crack cocaine and controlled substances found in the septic tank, should be suppressed as fruit of the poisonous tree. The defendant's motion to suppress this evidence should be granted.

Respectfully submitted,


Adam G. Touma
Attorney for Defendant Leon Lee Harris, Jr.

TOUMA LAW GROUP
531 S. Main Street, Suite 201
Greenville, SC 29601
(864) 331-3067
adam@toumalawgroup.com

Greenville, South Carolina

This 29 day of August, 2025.

STATE OF SOUTH CAROLINA
COUNTY OF LAURENS

IN THE COURT OF GENERAL SESSIONS

State of South Carolina,)
Plaintiff,)
)
v)
)
Leon Lee Hill, Jr.,)
Defendant.)
_____)

2024-GS-30-351 and -352
TRANSCRIPT OF RECORD
DEFENSE MOTION

September 2-3, 2025
Laurens, South Carolina

B E F O R E:

The Honorable, Eugene C. Griffith, Jr., Judge

A P P E A R A N C E S:

ATTORNEY FOR PLAINTIFF:

Mary Madison Driggers, Assistant Solicitor

ATTORNEY FOR DEFENDANT:

Adam G. Touma, Esquire

Tara T. Scott, CVR
Official Court Reporter

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WITNESS

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September 3, 2025

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E X H I B I T S

Court's Exhibit Number 1: Search Warrant

1 MR. TOUMA: May it please the Court. Your Honor, this
2 is my motion to suppress. Do you have a copy of it?

3 THE COURT: No, that's why I was without knowledge.

4 MR. TOUMA: Perhaps I can email it to your law clerk.

5 MS. DRIGGERS: I can print it.

6 MR. TOUMA: Oh, you can print it? Probably even easier.

7 THE COURT: Mr. Touma, the record is open.

8 MR. TOUMA: Thank you, Your Honor. May it please the
9 Court. Adam Touma here on behalf of Mr. Leon Harris, Jr.
10 This is my motion to suppress evidence and memorandum in
11 support.

12 Your Honor, since you have not had an opportunity to
13 read this motion ahead of time, I will belabor the point and
14 just kind of go through it step by step. I do appreciate the
15 court giving me the time, because I've been working on this
16 for quite a while, and obviously it's very important for
17 this case. So, I do have a lot to say.

18 As you can see in the procedural background, the police
19 were called to an Exxon gas station in Gray Court, South
20 Carolina. Mr. Richard Nixon had called them and said that
21 an individual named Bug had threatened him at a gas station.
22 Came to the gas station and threatened him about --
23 something along the lines of Mr. Nixon saying that someone
24 else had -- Mr. Nixon had referred someone else to a person
25 named Bug. He did not know Bug's name, and that that person

1 had ostensibly gotten drugs from Bug and then did not pay
2 him. And then, therefore Bug was holding Mixon liable for
3 the cost of the drugs. There's been no -- I haven't
4 received anything else about that, but that's why the police
5 were called, and that's what they did. So, when the police
6 arrived there ---

7 THE COURT: Mixon works at this service station ---

8 MR. TOUMA: He was just there.

9 THE COURT: --- or convenience store?

10 MR. TOUMA: No, I don't believe he works there. He was
11 just at the gas station. So, when the police get there,
12 they talk to Mixon. They look at the security cameras. They
13 see a black male wearing a black hoodie, black pants, black
14 shoes. They can't -- he's driving a Honda. They don't
15 really -- you can't really see anything. I haven't seen the
16 video. They just -- that's what they see. So then somehow
17 Mixon is then able, he says, to -- he said, well, this
18 person's threatening my life, but then he walks away inside
19 the gas station, calls the police. The police come. Bug has
20 left the scene. And then Mixon is saying something along
21 the lines that this person is -- something, drugs are
22 involved.

23 So, the police come. They talk to Mixon. They -- I
24 believe -- I'm saying this because I'm reading it from the
25 report that, in the affidavit, they then say, hey -- put

1 Mixon in their car and they drive him. He said, this Bug
2 lives here at this house at [REDACTED] -- I always forget the name
3 of the place. [REDACTED]. Sorry, I was just talking
4 to my client about it. [REDACTED], and -- this is the
5 -- Your Honor, narcotics gets involved pretty soon after,
6 same day, basically, because there's a mention of drugs or
7 that drugs are involved.

8 After that, the police see who lives at this house.
9 They run a regular search on the parcel number, find the
10 name of Thomas Adolphus. I may be mispronouncing his name,
11 but this Thomas person owns this property. They run a check
12 to see if he owns a Honda. He does not own a Honda. So
13 they run some more property searches, and they determined
14 that, hey, that a Leon Harris, Jr. lives at this property
15 ostensibly.

16 They go, they try and knock on the door the next day.
17 Nobody answers. And so then they look at Mr. Harris's
18 record, see Mr. Harris has a record. It involves drugs in
19 the past. And based on this, they go to a magistrate, and
20 they are able to obtain a search warrant for the property,
21 for [Address [REDACTED]]. And they -- and this is a very
22 important aspect of this. They get the search warrant to
23 search for drugs. The affidavit search warrant itself on
24 the property to be -- property sought. I believe it's in
25 page three of the search warrant, description of property

1 sought. It says, any and all -- you can read it yourself,
2 Your Honor. "Any and all illegal narcotics and items
3 associated with the use, package, sale of controlled
4 substances, scales." So all narcotics is why they searched
5 this property.

6 And the first aspect of my motion -- there's really two
7 issues here that I bring up. The first one being that the
8 State lacked probable cause to search the residence, and
9 that no search warrant should have been issued.

10 Your Honor, I will not read out -- I mean, I can read
11 out loud the whole -- my whole legal argument, and all the
12 cases and everything. But ultimately, that there -- my
13 argument is that there is not probable cause here. The
14 State has to, in the affidavit itself -- it's important.
15 This is in the -- the affidavit has to state the sufficient
16 underlying facts. Facts and information, as opposed to mere
17 conclusions, and to enable the magistrate to make a
18 determination of probable cause.

19 We cite the Smith case where, basically, Mr. Reginald
20 Smith -- the warrant contains specific language. It said
21 that Mr. Smith went into a Master Inn located on Savannah
22 Highway, and then he robbed the manager at knife point.
23 Smith had been staying at the Host of America room 216,
24 since, you know, 1998. There's every reason to believe the
25 clothes used in the robbery will be located in the room.

1 Therefore, they should have a warrant to search that room to
2 find these things. That was defective on its face. That
3 warrant was defective on its face, because it set no facts
4 why the police believe he robbed the Inn.

5 Same sort of situation here. It really is purely
6 conclusory. There's no instance here where the police have
7 anything to do with drugs at this house. I think they
8 arrived on the scene, I think, on the fifth, and by the
9 seventh they had initiated their search warrant. The
10 incident at the gas station itself doesn't even involve any
11 sales of narcotics. It doesn't even -- it definitely doesn't
12 involve the sale of narcotics between Mr. Harris and Mr.
13 Mixon. But what this is, is it does sound a little bit
14 bizarre, and that's why I'm bringing this motion.

15 Mr. Mixon says someone else bought drugs, or had some
16 sort of drug deal with someone named Bug that the police
17 didn't say might be Mr. Harris, and that therefore they get
18 a warrant to search his house for drugs. There was no --
19 there really is no connection. There really is no probable
20 cause. There's no -- there was no trash pull. They didn't
21 check the trash outside of his house. At least it's not in
22 the warrant, and not in discovery. They didn't observe the
23 house for a period of time see if people are going in and
24 out of the house. They didn't stop people that were leaving
25 the house and search their car. They didn't do anything.

1 And also, really important to this, it seems like the
2 only thing that they connect why they think that there might
3 be drugs is because Mr. Nixon said this initial like, oh, I
4 guess -- what do you - maybe an altercation or confrontation
5 was over some other drug deal. And importantly, it's
6 important to note that nothing ever says that these -- any
7 drugs were sold from this house itself, which is extremely
8 important. You know, there's nothing that ever says, hey,
9 Mr. Harris sells drugs out of **Address**. Nothing
10 in the discovery says that, whatsoever.

11 So the search warrant affidavit in this case, it is
12 lengthy, as you can see, especially once you get to page
13 four, five, and six, but it doesn't -- it contains no
14 factual information whatsoever that would lead a neutral
15 magistrate to the conclusion that probable cause exists to
16 believe that evidence of illegal narcotics would be found at
17 that residence itself. I think perhaps if they had, you
18 know, taken some time, done some research, and done what
19 normally is done in search warrant cases. You know, trash
20 pulls, observing the house, then perhaps they -- perhaps,
21 perhaps they might have had a probable cause.

22 But in this case, it seems to be purely a fishing
23 expedition, a hunch, nothing more. And that's the basis I
24 think, perhaps the strongest basis to suppress these drugs.
25 There's just simply not probable cause. There was no drugs

1 found at the scene, like, at this gas station. Nixon, from
2 anything I received, never says that he bought any drugs
3 from this -- from Mr. Harris, especially nothing to the
4 house. Nothing ever says in this discovery, or especially
5 not in the affidavit, that Mr. Harris is selling drugs out
6 of Address [REDACTED]. It merely says that this man, Bug,
7 approached him, Mr. Nixon, from the gas station, and said,
8 hey, you owe me some money for something else.

9 And then, therefore, after that, they said, well, you
10 know what? He has a record for -- they associated with Bug
11 to Mr. Harris. So, you know what? We're going to get in
12 this house. We're going to look for some drugs.

13 I think it's important to note -- I would like to note
14 before I move on to my second point that the property sought
15 in this case, in the affidavit, what they're looking for,
16 says illegal narcotics. It does not say that. It does not
17 say any -- even -- even less strong than the Smith case,
18 where they're saying, hey, heard the evidence of the crime
19 that they're saying happened. In that case, it was robbery.
20 In this case, the initial charge is the A and B second and
21 pointing and presenting. Charged with both in this case,
22 from the same factual circumstance. But from that, they're
23 saying -- they don't even seek the evidence of that crime.
24 They don't seek a gun. They don't -- it's not what --

1 they're saying, hey, we're looking for drugs in his house.
2 There's really -- I know I'm belaboring the point, but
3 there's nothing that says at all, or any evidence, or really
4 allegations, that they'll find drugs at Address [REDACTED]
5 [REDACTED]. It's just -- there's just nothing there for that.
6 Therefore it must be suppressed. Because we not only look
7 the Fourth Amendment, but also South Carolina Constitution.
8 The State can't just be searching everyone's house and
9 property and all these sorts of things, but really just, you
10 know, a fishing expedition or a hunch.

11 The second basis is that the State's search of the
12 septic tank, which is extremely important for these three
13 charges that we've already picked the jury for today. The
14 search of the septic tank was illegal under the Fourth
15 Amendment, and that's because it wasn't mentioned in the
16 search warrant.

17 The septic tank. The only drugs they found -- I mean,
18 they found some other things in the house, like measuring
19 cups and some paraphernalia of sorts, but they found all of
20 these drugs, these charges that he's facing time, in a
21 septic tank on his property. I do not think that septic --
22 I don't have any real hard evidence to show you here, but I
23 don't think septic tanks are normally contemplated as a part
24 of the search warrant. If you saw a hundred search warrants,
25 a thousand search warrants, how many times did they search

1 the septic tank. I think it needs to be -- it's not
2 specifically stated in the warrant. They say here, the
3 property to be searched is a single occupancy dwelling, tan
4 in color, with attached garage, located on the right side of
5 the residence, and a privacy fence located on the left side
6 of the residence. This property is identified as having a
7 mailing address of Address [REDACTED], Gray Court, and is
8 listed as being part of parcel. This search warrant is to
9 include all persons, out buildings, vehicles and any other
10 locked storage containers associated with the property at
11 the time of the execution of this warrant. And of course, it
12 does not say septic tank.

13 This is something that's stored under. This is
14 underground. They apparently, when they searched the house,
15 they found paraphernalia. It's a cutting board, some razors,
16 and some other things in the house, and some marijuana. And
17 at that point in time, they didn't find a substantial amount
18 of narcotics. So it seems that they did -- and I'm sure that
19 they will elucidate here later. They opened his septic tank.
20 They went and unscrewed it. It was like, you know, obviously
21 buried underground. They completely removed the top of the
22 septic tank, the cap. They had to unscrew it. They went in.
23 They looked inside of it. They didn't see drugs. And so then
24 they, I believe, based on the -- there's not a great deal of
25 information, but what I can gather from the incident reports

1 is that they began flushing the toilets, and they kept
2 flushing the toilets until something came out. And I
3 believe, and it's my belief, and I think the law supports
4 this. That's why I called this motion, that that is an
5 unreasonable invasion of privacy. That just like, if they
6 had -- I think a septic tank is much more akin to piping in
7 the house than it would be to anything else. So, when they
8 went there, I think that if they had wanted to go get an
9 extra search warrant, an additional search warrant, to
10 search, you know, the piping of the house, to rip up the
11 floors, or, you know, go through and say, Hey, we think he's
12 hiding things in here, then certainly they could have done
13 that. But they didn't do it, and that's what they should
14 have done. Since they didn't do it, it is an unreasonable --
15 it exceeds the scope of the search warrant, and therefore
16 the items that were found in the septic tank must be
17 suppressed.

18 And that, you know, Your Honor, I am not as eloquent, I
19 think, speaking as I am writing. And I took a lot of time
20 writing this motion and I think I say it a lot better in
21 this motion. But for those reasons, Your Honor, especially
22 these things found in the septic tank, but really everything
23 found in the house, because the initial search warrant
24 itself lacked probable cause, must be suppressed. And I've
25 never quite had a case where there was so little probable

1 cause for what they're looking for. There is nothing in this
2 case that shows, or insinuates, or really even alleges
3 actually, Your Honor, that he's selling drugs out of this
4 residence. It really is just that, hey, this guy, Bug,
5 showed up and he threatened me because someone else
6 potentially got some drugs from this person. Not -- doesn't
7 say where, and then, because of that, and because he has a
8 criminal record, that they were like, well, we're gonna
9 search his house. And that's what they did. And therefore
10 that violates the Fourth Amendment.

11 You have to have probable cause in order to go into
12 someone's, you know, search someone's home, and they just
13 lack it here. I'm happy to answer any questions or respond
14 to the State after they've done. But the last thing I would
15 say is that, you know, what's in the search warrant is what
16 they have to go off of. I mean, I'm sure that they may -- I
17 don't even believe, if I look back here, I don't see any Mr.
18 Nixon here either. I don't believe they looked in to see
19 whether or not he was credible, which is often the case in
20 circumstances like this. They didn't ask Mr. Nixon to go in
21 there and buy any drugs, which I may perhaps can potentially
22 understand why. But they really just said, hey, I mean,
23 thought two, maybe three days some time, and then I think
24 it's happened at night at the gas station. From the time
25 that Mr. Nixon said this happened, they said, hey, well, he

1 said it happened. There's -- you can't -- I haven't seen
2 the video itself, because I haven't received it, but
3 apparently you can only see -- you can't tell who the person
4 is that approached Mr. Nixon. So, they just went off of,
5 hey, this happened. What he's saying is probably true.
6 Unless the State corrects me. But it's been a couple,
7 almost two years now. So, I will ---

8 THE COURT: All right.

9 MS. DRIGGERS: Your Honor, the State would call Charles
10 Nations.

11 WHEREUPON, CHARLES NATIONS, having
12 first been duly sworn, testified as follows:

13 DIRECT EXAMINATION

14 BY MS. DRIGGERS:

15 Q Investigator Nations, were you involved in obtaining a
16 search warrant for the residence of Leon Harris at [REDACTED]
17 Address [REDACTED] in Gray Court, South Carolina?

18 A Yes, ma'am.

19 Q I'm going to hand you what's been pre-marked as a
20 Court's Exhibit, Number 1. Do you recognize that?

21 A Yes, ma'am. This is a certified copy of a search
22 warrant.

23 Q Is it the search warrant that we're talking about in
24 this case?

25 A Correct?

1 Q Has it been altered anyway?

2 A It does not appear to be. No, ma'am.

3 MS. DRIGGERS: Your Honor, the State would move to
4 admit Court's 1 into evidence.

5 THE COURT: For purpose of the hearing, sure.

6 Q Can you please explain to us the typical way of getting
7 a search warrant?

8 A Yes, ma'am. Essentially, when we get search warrants,
9 we'll have a complaint. At which point, we will investigate,
10 and based upon facts of the investigation we will present
11 what we believe to be probable cause, either to a master
12 judge or to a circuit court judge. At which point they would
13 review our facts and they would assist in determining
14 whether we do have probable cause in issuing the said search
15 warrant, or whether they say we do not, and they will not
16 issue the search warrant.

17 Q And can you go through the different parts of a search
18 warrant?

19 A Yes, ma'am. So, the way that this system now presents
20 it for us, you have a description of the premises or person
21 or thing to be searched, a description of the property to be
22 searched. You have a description of the property to be
23 sought, and you have the Affiant's portion of the search
24 warrant in detailing the facts.

25 Q And on this particular search warrant, when did you

1 complete the return?

2 A This return was returned on -- it says -- it looks like
3 it was November 15, 2023.

4 Q And when was it clocked to the judge?

5 A It's actually cut off at the bottom. I can't see the
6 time for when it was cut off, of the return, but the
7 issuance of it was November 7, 2023 at 1155.

8 Q And are all of the sections on this particular search
9 warrant complete?

10 A Yes, ma'am.

11 Q Are there signatures on all the necessary lines?

12 A Yes, ma'am.

13 Q So you -- who did you take this -- which judge did you
14 go to for this search warrant?

15 A This warrant was presented to Judge Bron.

16 Q So he is the one that signed off on this?

17 A Correct.

18 Q And did you provide the information set out in the
19 probable cause section of the search warrant to that issuing
20 magistrate after being sworn?

21 A I did. Yes, ma'am.

22 Q And did you provide any additional sworn testimony to
23 that issuing magistrate?

24 A Yes, ma'am. I did. He tends to like to ask questions
25 about the case, kind of how we got to where we were. And in

1 my affidavit, I alluded to an investigation that was prior,
2 so he did question about that, which we gave him verbal for
3 that reference. Judge Bron is one -- he likes to kind of
4 make sure he understands before he puts his name on
5 something.

6 Q And what specific additional information did you give
7 him specifically?

8 A So, in the search warrant -- and you know, we can --
9 we'll go through it here in just a minute. But in the
10 search warrant, we refer to an incident in which the
11 narcotics unit was ---

12 MR. TOUMA: Your Honor, if I could make an objection. Is
13 that allowed?

14 THE COURT: Sure.

15 MR. TOUMA: I just -- Your Honor, what is in the search
16 warrant is what they can say for probable cause. If they're
17 going to testify about other things that are not inside of
18 the search warrant, that haven't been done, I would just
19 object to that. This is what he has given us the basis for
20 his probable cause already. I don't know if it's
21 appropriate to say, hey, we had these other conversations
22 that are not in the search warrant.

23 THE COURT: Well, isn't it within the judge's
24 parameter, purview, to ask questions or take additional
25 testimony in getting the search warrant?

1 MR. TOUMA: It certainly is, Your Honor.

2 THE COURT: I think I'll listen to it in consideration
3 of the motion.

4 MR. TOUMA: Thank you, Your Honor.

5 A Okay. I'm sorry. But in the affidavit, we refer to
6 having conducted an investigation into Address
7 already. At which point, we had identified a gray in color
8 Dodge Ram 1500 and another individual meeting in front of
9 the roadway where the investigator observed what he believed
10 to be a hand-to-hand. So, we let that vehicle get out of
11 the area, conducted a traffic stop, obtained illegal
12 narcotics out of that traffic stop. We had previously
13 received information that an individual by the name of Bug
14 was living in the area at Adjacent Address, so it was kind of
15 like an ongoing investigation, and this just, kind of, sped
16 things up because we had a victim involved.

17 Q And did you have the occasion to add any additional
18 information about the parcel in general?

19 A Yes. Actually, because the way that we type our search
20 warrants, we don't base it just off of a sole residence. We
21 base our search warrants off of a property parcel. The
22 residence is included in the parcel, as well as the septic
23 tank will be included in the parcel. But in this situation,
24 this parcel actually included two different addresses. This
25 parcel kind of sets up like a "Z", more or less. So, the

1 left side of the parcel, there was no -- we had no grounds
2 to be on it. It did not appear like there was any connection
3 to it. So, when we explained it to Judge Bron, we are
4 requesting the search of the parcel, but it is only limited
5 to the driveway and to the right. And when I say the
6 driveway, we're talking about the driveway on the left side
7 of the parcel.

8 Q And did the magistrate have any prior knowledge of this
9 case?

10 A No, ma'am.

11 Q And I think you told me this earlier, but what time did
12 you say that you obtained the warrant? You said, 1145?

13 A It was 1155 as documented by Judge Bron's signature.

14 Q And did you approach Judge Bron in their professional
15 capacity?

16 A I did. Yes, ma'am.

17 Q Okay. At this time, can you go through the information
18 that you provided to Judge Bron that led you to seek a
19 search warrant?

20 A Yes, ma'am. In the Affiant's belief for the property
21 sought on the subject premises, it is documented that on
22 November 5, 2023 the Laurens County Sheriff's Office was
23 dispatched to 8314 Highway 14 in the Gray Court area of
24 Laurens County, regarding to a person with a gun threatening
25 to kill the victim. Upon arrival, deputies come in contact

1 with Richard Anthony Nixon, the victim. Nixon expressed to
2 deputies that while he was at the gas pump, a male named Bug
3 approached him from behind and stated ---

4 THE COURT: He doesn't need to read that. This is a
5 Court's Exhibit. I can read it better. I don't
6 particularly like being read to. I'm a better reader than
7 I'm a listener of pros.

8 A So in this in this affidavit, instead of reading it --
9 in this affidavit, when the deputies arrived on scene, they
10 talked to Richard Nixon to start with. And at first, Nixon
11 was -- he just kept referring to Bug as being a drug dealer
12 in the area. But in continuing to talk to Nixon -- Nixon
13 points out the address of Address in Gray Court
14 as being the residence of Bug. Nixon also goes on to state
15 that he was a facilitator inside of a drug deal creating his
16 own self-incrimination, which kind of gave more reliability
17 into what he was stating. He stated that he knew this
18 individual, but he just didn't know his real name. He only
19 knew him as Bug. When we looked at the surveillance video
20 the following day, after pulling DMV -- which is all
21 documented ---

22 Q When you say surveillance video, you're talking about
23 at the gas station?

24 A Correct. Yes, ma'am. When we looked at the
25 surveillance video the following day, we could see a bravo

1 mike, or black male, approach the victim wearing a black
2 hoodie and gray sweat pants, a black pair of shoes. You can
3 see him, like, reach towards his waistband and kind of press
4 the victim in between the door jamb of the vehicles. And at
5 which point you -- he's probably there for a few seconds,
6 but then he kind of slips out and goes into the store. And
7 it's at that time the individual, the assailant, gets back
8 into the Honda and leaves from that location. We, after
9 obtaining that video footage, we reached back out to Mr.
10 Mixon as investigators, because he had only spoke with the
11 deputies the night of. So, as investigators, we reached back
12 out to Mr. Mixon and he reiterates the exact same statement
13 that he provided to the deputies the night of. He also
14 provides us with a telephone number that he had communicated
15 with Bug on within the week. We were able to utilize our
16 tools and run this phone number and found that it was
17 registered to a Leon Harris, Jr. of Address [REDACTED].
18 Based upon, you know, that information, we went ahead and
19 pulled criminal history just for investigative purposes to
20 do a review. That's where we found that Mr. Harris has had
21 a lengthy history involving illegal narcotics, as well as
22 assaults and ranging to assaults on officers. This is the
23 information that we provided to Judge Bron that is detailed
24 in the affidavits portion for the probable cause to continue
25 the search, not only for the item used, the firearm used in

1 the assault, but as well as the clothing that was seen on
2 the surveillance video and the illegal narcotics that would
3 back up the motive for why this actually occurred.

4 Q To reiterate that, I know that Mr. Touma did mention
5 that there was nothing mentioned in the search warrant of
6 this other incident, but you're listing what was included.
7 Is that correct?

8 A Yes.

9 Q So, in this search warrant, you do talk about this
10 other incident as well and how they go together?

11 A That's correct. So, in the description of the property
12 sought, we have a very big basis here for illegal narcotics,
13 which is a consensus for the conspiracy to traffic. And then
14 on the underside of that, we attach that we are also looking
15 for the articles of the clothing identified as being worn by
16 the suspect on the night of November 5, 2023 as observed in
17 the surveillance recording, and any form of the firearms --
18 and it continues on -- that was utilized in the commission
19 of the assault and battery.

20 Q Okay. Thank you. And then shifting gears a little bit,
21 can you please go through the description of the premises to
22 be searched?

23 A Yes, ma'am. So this is kind of verbatim, but it's a
24 single occupancy dwelling, tan in color, with detached
25 garage located to the right side of the residence and a

1 privacy fence located on the left side of the residence.

2 This property is identified as having the mailing address of

3 Address [REDACTED], Gray Court, South Carolina, [REDACTED], and

4 is listed as being a part of the parcel 158-00-00-024.

5 Search warrant includes all persons, out buildings, vehicles

6 and any and all locked storage containers associated with

7 the property at the time of execution.

8 Q So, to be clear, you kind of -- you included the entire

9 parcel, versus just the residence?

10 A That's correct, but we wanted to make sure Judge Bron

11 understood we were not associating our search with the

12 secondary residence on the parcel.

13 Q And is it your understanding that a septic tank would

14 be included in a parcel?

15 A That is correct.

16 Q Is it common for you to search septic tanks?

17 A It is whenever they are accessible.

18 Q And approximately how far away was the septic tank from

19 this residence?

20 A Eighteen to twenty foot.

21 Q Can you explain how you obtained access to the septic

22 tank? Did you have to dig it up? What did you do?

23 A No, ma'am. The septic tank at this location has, what

24 I like to call, a casing on it, where it sits up above the

25 ground. It looks like a sewer cap, but it has so many bolts

1 around the top. They're eight millimeter or 10 millimeter
2 bolts. You just unscrew them, and the top comes right off.

3 Q So, it's physically -- you could see it from the
4 surface or on the ground?

5 A Correct.

6 Q And obviously part of your search warrant included
7 evidence of narcotics use and dealings, you know, as you've
8 gone into. So, what made you check the septic tank
9 specifically?

10 A Well, again, we check them anytime there is an access.
11 But in this case, specifically based upon the time of when
12 SWAT team arrived to execute the search warrant and the
13 arrest warrant in this case, they got met at the side door,
14 blind, by an individual looking out. So, they backed off
15 and treated it as a barricaded subject. Well, when they
16 backed off to treat it as such, it gave the person inside
17 right at five minutes, real time, inside of the residence
18 before the person come out on his own regard through that
19 side door. So that gave us indication that it was, more
20 likely than not, that he was -- they were destroying some
21 type of evidence, or attempting to.

22 MS. DRIGGERS: I have no further questions for this
23 witness. I don't know if Mr. Touma has any.

24 MR. TOUMA: I have just a few questions, if I may, Your
25 Honor.

Charles Nations: Cross-Examination

1 CROSS-EXAMINATION

2 BY MR. TOUMA:

3 Q Nice to meet you again, Investigator Nations.

4 A Yes, sir.

5 Q You said on these initial interactions with Nixon, did
6 you guys have any recordings of those?

7 A As far as?

8 Q Recordings of the conversations with Nixon from the
9 deputies of your ---

10 A From the body cameras?

11 Q Yes.

12 A Correct.

13 Q You do?

14 A From case number 7900. That's the assault case.

15 Q Okay. So, you have those?

16 A Yes, sir.

17 Q Do you have any other interviews or notes from any
18 other conversations with Nixon?

19 A We had the notes from the 7900 case for the assault
20 where he's reiterating the statement, correct.

21 MR. TOUMA: Interesting. Sorry, Your Honor.

22 Q Did you say anything else to the magistrate judge when
23 you sought your warrant? Play him any videos or anything
24 like that?

25 A No, he didn't ask to see any videos. Generally, again,

1 he -- the way Judge Bron likes to operate is he'll kind of
2 ask me about the case, then he will read through the search
3 warrant, verify that the facts are there, and if he has any
4 indication that it may be questionable he is -- he likes
5 taking the practice of contacting a circuit court judge to
6 determine if probable cause has been met.

7 MR. TOUMA: I have no further questions, Judge.

8 THE COURT: You may step down.

9 THE WITNESS: Yes, sir. Thank you.

10 THE COURT: Anything else?

11 MS. DRIGGERS: I'll be happy to make arguments whenever
12 Your Honor is ready.

13 THE COURT: Anything else from you?

14 MR. TOUMA: Just arguments, Your Honor.

15 THE COURT: Okay, tell you what. Y'all sit tight. Let
16 me read this thing. I have not had a chance to read it all
17 the way through.

18 MR. TOUMA: Sit tight and then I'll listen to you. So
19 y'all don't stare at me, I'm going to back for a few
20 minutes.

21 (OFF THE RECORD.)

22 THE COURT: All right, I'm ready to hear y'all
23 summarize your respective points.

24 MR. TOUMA: Thank you, Your Honor. Once again, Mr.

1 Touma on behalf of Mr. Harris. Your Honor, in summation,
2 this Mr. Nixon didn't even know what Bug's real name was.
3 There was nothing that's in the search warrant that
4 indicates that there would be any sort of drugs found on his
5 property. I think it's important to note that, you know,
6 they say that Nixon was able to take them, the police, to
7 this address, but it seems like that the police, they were
8 already looking at this address themselves. That brings a
9 lot into question here. They're riding to a place they
10 think that they know, with this person who's not here today,
11 I might add. Then there's just not sufficient probable cause
12 here. There really -- I don't know how else to say it.
13 There's just not probable cause.

14 And then for the search warrant for the search of the
15 septic tank itself. I'm glad you were able to read my
16 motion. Hopefully, in there I take note that, you know, the
17 septic tanks are not necessarily considered storage
18 containers in and of themselves. I think that is important
19 to note in this. I think that the officer, Investigator
20 Nations made an interesting, good point there, that when
21 they came, they saw somebody at the house, and it took them
22 five minutes to, you know, come out, or whatever, or however
23 long it was. They had an additional suspicion. They said,
24 you know what, we'll search septic tank. We'll do all these
25 sort of things. I don't think that's a terrible idea to do

1 in terms of an investigation, but I think you need a warrant
2 for it. That's the reason we have the Fourth Amendment is to
3 protect us. Protect us, all of us, from unreasonable
4 searches and seizures.

5 And I think in this case, from the outset and search of
6 the house, to the search of the septic tank and all that, I
7 do believe it is an unreasonable search and seizure. And if
8 there, you know, I hope the testimony that, you know, that
9 the officer provided additional things and were told to the
10 magistrate. An additional potential drug deal that was done
11 near this residence. That's the first time I'm hearing about
12 it. The first time hearing about it at all. I do doubt -- I
13 have to cast doubt on it. I don't know if there's another
14 person that owns this property. There was another person
15 who was at the property at that time. I don't -- I can't
16 speak to the validity of that, but I know that it wasn't in
17 this affidavit, that is quite lengthy. So, I am skeptical
18 about that, and I hope that Your Honor is hopefully
19 skeptical about it too. My argument really is purely they
20 didn't have probable cause at this point and therefore the
21 evidence must be suppressed.

22 THE COURT: All right. Ms. Driggers?

23 MS. DRIGGERS: Your Honor, for the first argument
24 there's no probable cause. The victim related to law
25 enforcement that he's familiar with the defendant. He has

1 direct knowledge of his involvement with dealing in
2 narcotics, that he himself had dealt drugs for the defendant
3 in the past, and that he believed that that is the reason
4 for this assault. So that incident is directly tied to his
5 narcotics dealing. It's what caused it, and it's the
6 motivation behind it. He was also able to bring law
7 enforcement to the defendant's house. He was able to
8 confirm his phone number. He was able to provide the same
9 vehicle that was registered to the defendant and observed at
10 the residence by law enforcement. He was clearly familiar
11 with the Defendant.

12 In addition, as Investigator Nations said, he was able
13 to review the surveillance footage from the gas station
14 itself. He witnessed the defendant and the victim at the
15 gas station, and the defendant talking to the victim in an
16 aggressive manner. He witnessed him brandishing a pistol.
17 It corroborated exactly what the victim says. And then, to
18 further cooperate, he self-incriminates himself in saying,
19 not only did I deal drugs for him in the past, I know that
20 he does this. I got myself involved as a middle man through
21 his narcotics dealing. So, you know, again, Nations was
22 able to see that video himself. So, based on that reliable
23 information from Nixon, the known drug activity, the
24 confirmation of the phone number, the vehicle, took that to
25 the judge, and he was able to determine that probable cause

1 did certainly exist.

2 As far as the argument that the search of the septic
3 tank was illegal. This search warrant clearly states the
4 parcel in its entirety. In South Carolina, a septic tank is
5 considered part of the real property or parcel of land it
6 serves. So if the description on the search warrant would
7 have said residence, I would agree moreso with Mr. Touma,
8 but the fact that it does specifically say the entire parcel
9 that would include any property on that entire parcel, which
10 would include the septic tank.

11 And then as far as his citation to 44-220, that is the
12 State Underground Petroleum Environmental Response Bank Act.
13 That statute has absolutely no relevance to anything that we
14 are talking about. It' talking about what things can be
15 held -- what petroleum can be held in. That's not what
16 we're talking about here.

17 THE COURT: Where's that coming from? What are you
18 talking about?

19 MS. DRIGGERS: He cited that in his motion to suppress.
20 He cited 44-220. As far as, like, why a septic tank
21 shouldn't be included. But again, that is talking about
22 petroleum specifically, and that's not what we're talking
23 about here.

24 THE COURT: Okay, he didn't make a big deal about that.

25 MS. DRIGGERS: Overall, Judge, I just think it said

1 parcel, and that is to include a septic tank. That would be
2 my argument there. I believe that that's all I have.

3 THE COURT: All right, tell me this. How -- Laurens
4 police got called to the convenience store, gas station. A
5 guy is a victim of getting threatened, or beat up, or an
6 assault or something like that, something physical. They
7 talked to him, and he tells them that story. And then
8 another conversation takes place with narcotics, not the
9 investigating officer of the assault. Says, well, let me
10 read that incident report. And they read it and say, well,
11 this might be that guy that we don't know anything about
12 him, but we need to know more about him, because we've been
13 hearing about him or whatever. And then the entire search
14 warrant focuses on searching the house for drugs.

15 That's a big jump from we're tracking an assault and
16 battery second because this guy got beat up at the
17 convenience store. I think that's the same guy that had
18 beaten up that is the big drug dealer in town. I'm having a
19 hard time getting that jump. That's a big hop for me, is to
20 -- how do you get from that to, well, now we know his name.
21 We know what kind of car he drives. We know he rents this
22 property from some other guy with some other name. That's
23 got to be where he's dealing it from, so let's get a search
24 warrant. I mean, there's no mention we've been buying drugs
25 out of that house. There's no mention of Mixon saying I've

1 been going by to get what I need to get to sell, to be the
2 middle man. At least it's not in the search warrant and it
3 wasn't in the testimony. How do you hop over there and get
4 on this? I mean, it sounds like a great drug case, but it
5 started out as an assault and battery at a gas station. And
6 then you get a huge search warrant for this guy's house.
7 Seems like we hopped over a big gap. A big -- I don't know
8 what you call it. A factual gap for me.

9 And I don't know whether the septic tank, once it's
10 installed it's part of the property, but it's not -- I
11 wouldn't -- I don't know in the cases I've heard over the
12 years that I've ever heard anybody, civil or criminal,
13 describe a septic tank as a storage container that would be
14 locked, where you would hide something you were saving for
15 later, for safe keeping. Like a gun safe or a safe where you
16 put your money or your belongings. It's certainly a hiding
17 place. I don't know that it's a secured storage locker. I
18 don't know. I don't know what I should do. This is -- and
19 I read, just so y'all know, the search warrant, which is
20 Court's Exhibit 1. I just happen to have a copy of it. Not
21 one single thing in the description of property sought
22 includes anything that would have arisen for the assault and
23 battery. Nothing.

24 MS. DRIGGERS: Judge, can I point your attention to it?

25 THE COURT: Yes. Let's see it, because page three,

1 which is the initial part of it, illegal narcotic items.
2 Then goes, sales of illegal narcotic buys and sell lists and
3 financial records, banking records, records reflecting
4 vehicles purchased or sold, computer hardware, tape drive.
5 What's a computer hard drive got to do with an assault and
6 battery? All portable communication devices, U.S. currency,
7 negotiable instruments. That's part of that big hop over
8 there that I was describing for you.

9 MS. DRIGGERS: Judge, it's on page four. At the top it
10 says, articles of clothing identified as being worn by the
11 suspect on the night of November 5, 2023, as observed in the
12 video surveillance recording. Any forms of firearms,
13 ammunition, parts of firearms.

14 THE COURT: Now, see, that search warrant, if that's
15 what it included, would seem very reasonable. That seems a
16 real fair hop to go from assault and battery second to oh,
17 here's where he lives. We need to go see if he's got a gun
18 and he's got the same clothing we saw in the video.

19 MS. DRIGGERS: Judge, it is the same assault.

20 THE COURT: No, it's not. You go from assault to drug
21 trafficking. That's the difference. If you were just
22 following up the assault and you jump tracks and go over
23 here to the drugs. That's changing issues totally. You're
24 trying to mush it together, saying, hey, we've got an excuse
25 to go knock on the door, or maybe we can write a long

1 affidavit to bash in the door. That's what he's trying to
2 say. Y'all seem to be missing it.

3 MS. DRIGGERS: It's the same understanding that these
4 go completely together as far as we wouldn't have one
5 without the other.

6 THE COURT: You want them to go together, but they don't
7 seem to go together to me.

8 MS. DRIGGERS: Your Honor, that was the motivation
9 behind this. In fact, if it was just some unrelated assault
10 I could understand, but it's not. The assault occurred
11 because of the defendant's drug dealing. That is
12 specifically the motivation behind him brandishing this
13 weapon. He's giving him a warning. Hey, your guy didn't
14 pay me back, and I'm now pulling a gun on you because I'm
15 letting you know you're going to have to make it right in
16 some way. That goes to the motivation is directly tied to
17 his narcotics dealing. You would not have one but for the
18 other. He would not have ---

19 THE COURT: Yes, you would. Yes, you would.

20 MS. DRIGGERS: He wouldn't have assaulted him, but for
21 this narcotics deal that went bad.

22 THE COURT: I don't know. That's -- you're hopping from
23 a relatively minor assault and battery. By minor, there's no
24 blood. There's no knife. There's no gunshot. That's
25 relatively minor in the society we live in. Pushing,

1 shoving, threatening, he goes inside, he's scared and calls
2 the police. That's a minor assault and battery. If y'all
3 want to make it into something bigger, I'm not buying it.
4 It's not. That's a minor assault and battery. It's not a 30
5 day one. Maybe it could be, but that's an assault and
6 battery second. That's a true assault and battery second,
7 could have caused a moderate bodily injury, to drug
8 trafficking. When the guy didn't call, said hey, he came
9 and stole my dope. He came and took my money. That's a big
10 jump for me. I don't know if there's enough here to support
11 a search warrant to search the entire house and stretch it
12 on into the septic tank from the assault and battery, and I
13 used to be his middle man.

14 That's a big, big jump from this, to over here. And I'm
15 gesturing with my hand saying, in my mind's eye, it's a big
16 jump. I'm having difficulty without an intervening drug
17 buy, sending Nixon back by there to get more drugs,
18 something else to put this guy, Bug. Because the plain
19 vanilla -- I've been doing this 34 years. Plain vanilla is
20 somebody gets stopped. They've got drugs in their car.
21 Would you mind telling us where you got it? Most of the time
22 the answer is no. If the answer is yes, then they start
23 going upstream. If they find somebody selling, you go by
24 there and buy again. They do. Once they get two or three
25 buys, they're guessing. Sometimes guessing really good.

1 Someone's guessing okay. Let's go search his house and his
2 car. We've got enough. We've got three buys. There's been
3 good dope. This is not that. That's the traditional, how
4 you work upstream in a drug case. Either good drug cases
5 come from good searches from houses, or an accidental stop
6 of a car that's loaded up with pot. And by pot, I mean all
7 illegal drugs. This is a very unconventional PWID
8 trafficking, manufacturing case. It's really unconventional
9 in my eyes.

10 All right. I'm not comfortable ruling on that right
11 now. I want to think about it, because I'm perplexed. I
12 may come in tomorrow and say, look, you know, I think you're
13 right. I may come in tomorrow saying, I can't do it. If I
14 can't, it knocks you out of the box, and that's just what we
15 deal with. So, I'm taking this under advisement to sleep on
16 it. I don't want to rule right now because I'm perplexed.
17 I'm going to read some more. I may do some of my own
18 research. I'm going to worry Hannah to death about it, and
19 then I'll see y'all in the morning.

20 MR. TOUMA: Thank you, Your Honor.

21 (WHEREUPON, hearing concluded for the day.)

22 September 3, 2025

23 (WHEREUPON, hearing resumed at 9:42 a.m.)

24 THE COURT: We are back on the record in the State v
25 Harris. I don't have the indictment numbers, -351, -352,

1 and -763, all 2024, I believe. Ms. Driggers, you asked to
2 resummarize your position, and I'll be glad to hear from
3 you.

4 MS. DRIGGERS: Thank you, Your Honor. Just briefly, to
5 put the State's arguments back on the record. As far as the
6 first argument that there was no probable cause and the
7 search warrant was defective on its face. For both the
8 assault and the drugs, the assault was directly linked to
9 the defendant's drug dealing, and the victim of the assault
10 was able to provide information that was not only timely,
11 but was non self-serving, that would indicate the defendant
12 was currently involved in drug activity. This, coupled with
13 the fact that he had a record for drugs, would indicate that
14 this was not just previous drug activity, but ongoing drug
15 activity, and drug dealing would follow the defendant to
16 include his home.

17 To cite a few cases as to providing a statement against
18 self interest is State v Pope and State v Driggers. Even if
19 the warrant was only legitimate for the assault, which was
20 specifically covered in the search warrant on page four,
21 then the good faith rule would apply because the officers
22 have a good faith basis to search whatever or wherever
23 evidence of the assault could have been hidden, and there
24 would have been a good faith basis to believe that a septic
25 tank could have been a hiding spot for a gun or other

1 additional evidence.

2 The exclusionary rule does not apply here because it is
3 not designed to exclude, unless bad faith was shown, and
4 unless the officers were using the magistrate as a rubber
5 stamp, which is not the case here. Another case is State v
6 Porter. That's an appeals case, 2023-000633, the effects
7 here, you can see to this motion that this is not at all a
8 bare bones warrant, and goes at length to lay out how these
9 issues were not only intertwined, but supported by credible
10 facts and circumstances. Search warrants are supposed to be
11 viewed in a practical light as they are written by
12 investigators and not attorneys.

13 As far as the septic tank not being covered, it's the
14 State's position that the search of the septic tank was
15 supported by the language in the search warrant. The
16 description specifically included the entire parcel,
17 according to South Carolina property law would include the
18 septic tank. It further stated all locked storage
19 containers, which a septic tank is. There again, even if a
20 septic tank somehow isn't covered by a parcel or storage
21 container, the officers were acting in good faith and
22 searching the septic tank as they reasonably could have
23 believed that it fell within the description of the search
24 warrant, and they were there for a legitimate basis as far
25 as the assault, even if you believe there was no probable

1 cause for drugs. Thank you.

2 THE COURT: Mr. Touma, do you want to be heard further?

3 MR. TOUMA: Just -- I can be very, very, very, very
4 brief. Good morning, Your Honor. May it please the Court.
5 Adam Touma here again on behalf of Mr. Leon Harris. Just, I
6 guess I would start off by saying the warrant was defective
7 in its face. I think that the two cases that we cited in my
8 first argument for probable cause, the Smith case and the
9 Weston case. Very, very extremely similar. Very similar.
10 Both of those warrants defective, extremely similar to this
11 case.

12 I would just say something I didn't say yesterday,
13 which is -- so it's not summary, but that this -- the
14 alleged victim's statement. I know a couple times they said
15 that it was not, not self-serving, self-incriminating. I
16 think it is maybe a bit self-serving. You know, we don't
17 know anything about this guy, but he's saying he owed,
18 potentially owed someone money, so he's trying, potentially,
19 to get out of debt. So, I don't know if it's self-serving.
20 I think it might be self-serving.

21 I don't think that the officers had a good faith basis.
22 I think this was just a fishing expedition. They had a
23 hunch, and they were like, hey, let's search his whole
24 house. Maybe we'll find something. And that's what they
25 did. So, it was not -- they didn't have a good faith basis.

1 It was just a fishing expedition, which is, of course, not
2 allowed under the Fourth Amendment. That's a summation of my
3 argument, and we ask that you please suppress all evidence
4 from inside the house and inside the tank. Thank you.

5 THE COURT: I read everything; the motion, a bunch of
6 cases, the search warrant thoroughly, talked to a couple of
7 other judges. I made notes. I really -- I went to work on
8 this thing last night. This morning, I got up about five
9 o'clock and went through it again, and here's what I see.
10 Is incident at the gas station, and the facts were provided
11 to the detectives, not the narcotics officers. A gentleman
12 named Bug, his house address [REDACTED]. It was Bug's
13 residence, and he committed an assault of some part with a
14 gun. Then you get the additional facts of the victim was
15 perhaps a middle man and an unnamed customer who was vouched
16 for by Nixon was not paid, or was money still owed to Bug,
17 and that was the motivation for the assault. And cell
18 number. Those seem to be additional facts provided through
19 victim Nixon.

20 The narcotics officers get involved, and per the arrest
21 warrant, search warrant, they knew Bug. They knew where he
22 lived. They knew that was his residence, and they had
23 information that he'd been dealing drugs as well of some
24 breadth, it was kind of vague. He's a drug dealer or he
25 deals in drugs, stuff like that. There were no specifics

1 from anybody on any sales occurring in and around the house,
2 near the residence, from the residence, near the residence.
3 There was no surveillance conducted on traffic; foot
4 traffic, car traffic, different times, day and night at the
5 house. I don't think there was any evidence proffered to
6 the magistrate that they had any known sales to anyone. It
7 was mentioned here and there that he was a drug dealer.

8 So then they go together. I don't know which
9 detectives did it. It could have been the narcotics
10 officers. It could have been the property detectives, but
11 the information was already common to them, except the cell
12 number and the assault. But where he lived, what he drove,
13 his nickname, everything, and then they dug out what his
14 real name is. There's an incident report that shows he
15 lives at this address from a couple years ago, and his real
16 name is, also known as. They dug that up. And then they
17 said, well, now we got his real name. Search DMV records
18 find which cars he owns. They're properly licensed. Finds a
19 driver's license and his picture. Same guy. And they run his
20 rap sheet and they find out his prior record.

21 All that information was retrievable based upon what
22 narcotics had, because they didn't use any of the
23 information that Nixon gave them at all to get any of that.
24 Either side of the detectives could have done that. I'm not
25 sure which side did it. So, then they put together the

1 search warrant to present to the magistrate.

2 Oddly enough, I haven't had a challenge on a search
3 warrant in recent memory, until two weeks ago. I had one in
4 Greenwood, and now I've got one this week. They're
5 certainly coming in threes, so I've got another one on the
6 horizon. I don't know when it's going to appear, but it's
7 going to be here shortly. So, I've scrutinized the law on
8 sufficiency of search warrants, insufficiency, all that sort
9 of stuff. I've had to get up to speed on that in the last
10 couple of weeks, because these issues are presenting
11 themselves.

12 But the description on the search warrant seems to me
13 to be hugely broad, considering the lack of sales, or
14 purported sales of drugs. I can't think of anything that
15 the law enforcement officer presenting the search warrant
16 left off of what they were looking for, of conceivable items
17 related to drug trade, cash, weapons, money, banking
18 records, tax returns, credit card statements. Everything
19 was in there but the kitchen sink. It was thorough. And
20 they also put in there that they're looking for the weapon
21 that was utilized in the commission of an assault and
22 battery first.

23 Now, the last case I had was an evaluation under *Franks*
24 *v Delaware*, which is 438 U.S. 154, and it has progeny here
25 in South Carolina that fall on those same tracks regarding

1 the facts that are presented in an affidavit to a judge.
2 And it goes two factors. It talks about, there's additional
3 facts presented to mislead the magistrate, or false
4 information presented to mislead the magistrate. I find
5 that the length of the affidavit and what they're looking
6 for to be misleading because it's so broad. They're not
7 looking for anything in particular. They're looking for
8 everything in general. But particularly, I believe it's
9 exaggerated that they're looking for the commission of
10 assault and battery first under every view of the assessment
11 of what happened at that convenience store.

12 There was not a description of any medical treatment,
13 bruising, scraping, cutting, bleeding, nausea, no nothing.
14 There were some threats and close body contact of a
15 communication. They couldn't see a weapon, and the victim
16 was able to depart by saying, I need to go pay for my fuel.
17 He went inside and stayed inside, and the incident was over.
18 That may not be an assault and battery second. I don't know.
19 It's not an assault and battery first. That's an
20 exaggeration. And I think, considering sitting as a judge,
21 and I consider affidavits for search warrant all the time.
22 Magistrates do it more often than I do, but I think that's
23 an exaggeration intended to mislead the judge.

24 Now, getting into -- and so I think that's a violation
25 of *Franks v Delaware*, misleading a magistrate by

1 exaggeration or false information. I don't know which one
2 it is. It could be a mistake, and that would be improper
3 information. It could be too many facts. It could be
4 either one. The search warrant looking for evidence
5 supporting the assault and battery, first or second,
6 whichever the assault and battery should have been, and
7 searching the house, had they -- I guess it's inconceivable
8 to me that this is what happened. But it's inconceivable to
9 me that law enforcement would have followed up on an assault
10 and battery second with a search warrant of the house
11 looking for the clothes it occurred in. I would guess this
12 is -- it's really not before me, but if the assault took
13 place, it's on camera. They know the guy's nickname, where
14 he lives, and his true name. Just go arrest him. But they
15 searched his house from top to bottom, front to back,
16 looking for drugs when they didn't have certain facts they
17 could have corroborated, like surveil the house for a couple
18 of days. See traffic coming and going. See hours of the
19 night, traffic is coming and going. Who knows what all they
20 could have found. There was information out there. It was
21 scant, but I used to be a middle man for him. I vouch for
22 another guy who he sold drugs to at some unknown time.
23 That's vague and, to me, insufficient. What I'm listening
24 for as a judge when I'm wanting to provide a search warrant
25 is, Judge, about a week ago. Judge, recently. Within 10

1 days this happened, and we followed this happening. This is
2 vague information, and it seems to be more of a hunch or a
3 gut feeling. And search warrants shouldn't be based on
4 hunches and gut feelings.

5 The septic tank, looking in there for stuff hidden. I
6 don't follow the argument on parcel. I don't want to get
7 into that. That's really not the basis of my ruling, but
8 it's technical. The affidavit says, twice, part of the
9 parcel. Parcel is a generic word and a general word using
10 basically describing individual tracts that are taxed by the
11 government, and those parcel numbers, tax map number, sub
12 map number, then finally down to a parcel number. The
13 subdivision of how the government tracks property to which
14 there's property tax owed. Parcel is not a term used in
15 transacting business, conveying real property. If it is,
16 it's in a grouping of, Steve Smith hereby conveys tract --
17 all that tract, parcel, piece of land that he owned and he
18 received in a deed from Sally Jones, and he conveys it to
19 Robert Williams for the sum of this, that, and the other.
20 Parcel is not a descriptive word that is general. It's not
21 a specific word. And this affidavit says part of the
22 parcel. And for some reason it went very clear is, we're
23 not looking at the entire parcel. We're looking in part of
24 the parcel, the part on the right side of the driveway, and
25 that includes everything there, because we mean all of it.

1 Well, that's a contradiction there. If you look into the
2 parcel, look at the whole thing. But I don't want -- that's
3 getting into the weeds on the parcel. But the septic tank
4 look. Nothing in there but, I presume there was human waste
5 and gray water or whatever in the septic tank. I presume it
6 was. But then the manipulation of the plumbing system to
7 flush it. That increased the scope of the search, in my
8 opinion, unnecessarily looking for a gun or a weapon. No
9 gun or weapon floats. Any gun or weapon will sink. It will
10 not flow through a septic system, a sewer system in a home,
11 because no pipes are big enough to support it unless it's a
12 micro gun. Now, had the cap been removed and guns thrown in
13 the septic tank, they float not at all and would've gone
14 right to the bottom.

15 All that being said, I think, and I find that the
16 search warrant that was utilized was improper. There were
17 not sufficient corroborated facts of drug dealings in and
18 around the home, people coming and going from the home. No
19 actual knowledge of any sales to occur to anyone in and
20 around the home. That that was the A and B first event, A
21 and B second event, was utilized as a reason to go knock on
22 the door. And I think it would have been proper to knock on
23 the door for A and B second with a search warrant looking
24 for a weapon or clothes. And then if officers went in,
25 observe things in plain view, stop. Let's go get another

1 search warrant. There's things here in plain view. There's
2 paraphernalia. There's indicia of drug trade, plastic bags,
3 whatever. That wasn't done. It was -- it's missing parts
4 that I find create a failure on the fairness to that search
5 warrant. And so, I find that search warrant should be
6 suppressed, and all the fruit, everything obtained in it, to
7 be tainted and to be suppressed. That's my finding.

8 MR. TOUMA: Thank you, Your Honor.

9 THE COURT: I'll tell you this. It is a close, close
10 call. This is not a slam dunk. I worried about this. I
11 stayed up until 10 o'clock last night, reading and thinking
12 about it. I got up this morning before five. I got here
13 way before she did, and started reading on this stuff. It
14 is not something that I jumped to conclusion and decided in
15 a matter of a few minutes. It took me, I'm going to say, at
16 least four hours to study everything, to digest it, and
17 understand the parameters of what I was trying to decide.
18 And I had some conversations with some other judges, and
19 some of them pointed out this, some pointed out that, but
20 they all agreed you could probably go either way. So it
21 wasn't -- it's not a slam dunk. It is something that, in my
22 assessment of what was presented to that magistrate was not
23 consistent with the law of what a search warrant is based
24 upon. It was inconsistent with the requirements of Delaware
25 v Franks and its South Carolina progeny. I think it's

1 consistent with some of the search warrants that have been
2 suppressed in the cases that were provided in the memorandum
3 by Mr. Touma. That's my ruling. You've got a record on it. I
4 would trust and I do not take offense. It's very close. I
5 kind of feel like any way I ruled, if we go forward in
6 trial, and there's a conviction, that's a reason for appeal.
7 You're not prejudiced by a jury being sworn and jeopardy
8 being attached. The State has every reason and opportunity
9 to appeal this. I may be wrong, and if I'm wrong, it won't
10 be the first time, but there's my ruling. I've got to call
11 the ball or a strike, and I'm not going to take any offense
12 to either side saying, Judge, we're going to appeal it,
13 because you're absolutely wrong. It was close. I've got to
14 go heads or tails. I'm going heads. If it's tails, the
15 appellate courts get paid to do something. If I'm wrong,
16 I'll accept it, so I don't find any offense from the
17 appealing party challenging my decision, because I had to
18 make a decision. Because if I don't make a decision, that's
19 worse. So anyway, no disrespect to the State. When you file
20 a notice of intent to appeal, I kind of expect it, and good
21 luck to you.

22 MS. DRIGGERS: And Judge, the State does intend to
23 appeal.

24 THE COURT: Sure. I mean, if you didn't, I would be
25 disappointed, actually.

1 MR. TOUMA: Thank you, Your Honor.

2 MS. DRIGGERS: And Judge, do you plan to any sort of
3 written order, or is this just your ruling?

4 THE COURT: My ruling is what I just said orally. I
5 don't think I need to do a written order. You have a full
6 record. I went into details of how I analyzed it, and
7 that's generally what the appellate courts want is a
8 detailed explanation of how I arrived to my ruling. And I
9 think I provided that. I've gotten challenged on appeals
10 before because I didn't go into that kind of detail, and it
11 got sent back for me to go into the details. I think I've
12 been gone sufficiently in the details of my basis and my
13 thinking that they ought to be able to evaluate and say he's
14 right or he's wrong. And I did find the cases you read,
15 they're factually driven. Each case is a little bit
16 different. This one's different. There's my ruling. I'm
17 not going to issue a formal order, but we have an excellent
18 court reporter and she made a fine record.

19 ***END OF REQUESTED TRANSCRIPT OF RECORD)***

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STATE OF SOUTH CAROLINA
COUNTY OF LAURENS

) IN THE COURT OF GENERAL SESSIONS
) EIGHTH JUDICIAL CIRCUIT
) Indictment No.: 2025-GS-30-0351,
2025-GS-30-0352, 2025-GS-30-0763

State of South Carolina

MOTION TO RECONSIDER

v.

Leon Harris, Jr.,

Defendant.

W# 5 2023 A 3010200381
2023A 3010200386

K. MICHAEL GREGG
2025 SEP 12 P 3:41
LAURENS COUNTY
CLERK OF COURT

COMES NOW the State, by and through its undersigned attorney, Ms. Mary-Madison Driggers, Esq., who moves before this Honorable Court to reconsider its ruling in the above captioned case that was handed down orally on September 3, 2025 during the Laurens County General Sessions Term of Court.

The State believes (1) the court should reconsider its Franks v. Delaware finding against the Laurens County Sheriff's Department Lieutenant of Investigations, Charles Nations, given that there was no evidence in the record to support the finding, no party requested a Franks hearing, a proper Franks hearing was not conducted, and the court was not clear in its ruling as to what specific language of the Affidavit was either a commission or omission intended to mislead the Magistrate Judge to sign the underlying search warrant. In addition, (2) if the court conducts a Franks hearing and still believes a portion of the affidavit language should be removed, the State believes probable cause would still exist to allow the Sheriff's Department to lawfully enter

the defendant's home. Lastly, (3) the State believes the court did not make a ruling as to their argument that the Sheriff's Deputies who found the drugs in this case were acting in good faith, based upon a signed search warrant, and therefore the exclusionary rule should not apply.

ARGUMENT

I. THE FRANKS V. DELAWARE FINDING AGAINST THE LIEUTENANT OF INVESTIGATIONS, CHARLES NATIONS, WAS INCORRECT GIVEN THAT NO FRANKS HEARING WAS REQUESTED, THERE WAS NO EVIDENCE SHOWN TO SUPPORT A FRANKS HEARING AND THEREFORE NO EVIDENCE IN THE RECORD TO SUPPORT A FRANKS FINDING.

A. THE DEFENDANT DID NOT ARGUE A FRANKS V. DELAWARE INFRACTION HAD OCCURRED

The Defendant filed a motion to suppress for lack of probable cause arguing the affidavits must provide sufficient underlying facts and information – as opposed to mere conclusions – to enable the magistrate to make a determination of probable cause. The Defendant also focuses on the argument that the State fails to establish any evidence that Mr. Harris deals illegal narcotics out of his residence, stores illegal narcotics at his residence, or participates in any sort of illegal narcotic activity at his residence. The Defendant's motion to suppress did not "make a substantial preliminary showing that a false statement knowingly and intentionally, or with reckless disregard for the truth, was included by the affiant in the warrant affidavit," and "if the allegedly false statement is necessary to the finding of probable cause[.]" In fact, the defense motion does not even allege a Franks violation of any sort.

B. THERE WAS NO SUBSTANTIAL PRELIMINARY SHOWING BY THE DEFENDANT TO WARRANT A FRANKS HEARING AND THEREFORE NO FRANKS HEARING WAS HAD NOR WAS EVIDENCE PRESENTED TO SUPPORT SUCH A FINDING.

Under the Fourth and Fourteenth Amendment of the United States Constitution, a defendant has a right "to challenge misstatements in a search warrant affidavit" even after a

search warrant is issued. *State v. Jones*, 342 S.C. 121, 126, 536 S.E.2d 675, 678 (2000). In *Franks v. Delaware*, 438 U.S. 154, 171-172 (1978), the United States Supreme Court identified the process for raising such a challenge. Pursuant to the process identified in *Franks*, a defendant is constitutionally entitled to a hearing on the validity of a search warrant affidavit if "the defendant makes a substantial preliminary showing that a false statement knowingly and intentionally, or with reckless disregard for the truth, was included by the affiant in the warrant affidavit" and "if the allegedly false statement is necessary to the finding of probable cause[.]" *Id.* at 155-156.

The Supreme Court has set forth the process for what is required to conduct a *Franks* hearing. As stated previously, the defendant did not raise any *Franks* issues in his motion to suppress nor did he request a *Franks* hearing. Given those facts, not only was there no basis to conduct a *Franks* hearing, one was not conducted. Moreover, the first time that *Franks* issues were raised was sua sponte by the court during the final ruling, giving neither side an opportunity to be heard on the *Franks* violations alleged. Furthermore, the State contends that there was no evidence in the search warrant or on the record that support a finding of any sort of *Franks* violation.

C. THE FINDING THAT A FRANKS VIOLATION OCCURRED DUE TO LT. NATIONS EXAGGERATING THE ASSAULT AND BATTERY CHARGE CANNOT LEGALLY STAND DUE TO STATUTES PROVIDING THAT AN ASSAULT WITH A GUN CAN BE AN ASSAULT AND BATTERY IN THE FIRST DEGREE.

The Court ruled a *Franks v. Delaware* infraction occurred based on Lt. Nations 'exaggerating' the A&B charge with the intent to mislead the magistrate judge. This Court ruled this was an exaggeration because the victim did not suffer any injuries, and there was no evidence of blood or bruising. This court also ruled that there was no gun used, which is

respectfully inaccurate and cannot be ruled definitively as the court was not able to review the surveillance.

Furthermore, Lt. Nations did not get an opportunity to provide testimony to the contrary that he did not exaggerate the A&B charge to mislead the magistrate. Lt. Nations could and would have testified that upon asking for the search warrant to be signed, Judge Bron told him to lessen the A&B charge to A&B 2nd rather than A&B 1st. The A&B 1st was not granted due to the fact that although the victim relayed the defendant had a gun, and Lt. Nations observed what appeared to be a gun in the surveillance footage, he felt more comfortable with an a&b 2nd. Moreover, regardless of that advice from the magistrate, the state respectfully contends an A&B 1st charge would have been applicable, but that Lt. Nations listened to and relied on that advice nonetheless.

The basis of that contention is pursuant to SC Code 16-3-600 (Assault), in that A&B 1st degree doesn't call for injury, blood, or bruising. Rather, A&B 1st is committed when "someone offers or attempts to injure another person with the present ability to do so, and the act: (i) is accomplished by means likely to produce death or great bodily injury." The defendant telling the victim that he was going to kill him and presenting a gun could be considered an A&B 1st. Therefore, Lt. Nations did not exaggerate the charge, could have moved forward on the originally sought charge of A&B 1st, but instead adhered to what the magistrate felt comfortable with, and sought a warrant for A&B 2nd instead.

Thus, the finding that Lt. Nations exaggerated the A&B charge to intentionally mislead the magistrate to sign the search warrant is inaccurate, respectfully. Furthermore, regardless of the charge that was listed in the search warrant, Lt. Nations and the magistrate discussed the

assault and the purpose was to find evidence of that assault, which there was probable cause to support.

II. EVEN IF PART THE AFFIDAVIT IS REMOVED AFTER A FRANKS HEARING, THE STATE SUBMITS PROBABLE CAUSE EXISTS IN THE SEARCH WARRANT.

A. THERE WAS PROBABLE CAUSE TO SUPPORT BOTH THE ASSAULT AND THE NARCOTICS DEALING.

There were sufficient facts and circumstances set forth in the affidavit to support probable cause for both evidence of the assault and narcotics. However, even if the court continues to take the position that there was no probable cause to support the search warrant in searching for evidence of narcotics, there were ample facts and circumstances provided to support probable cause for the search warrant pertaining to evidence of the assault.

The victim timely reported the assault to the gas station clerk and to law enforcement. The victim stated to both the gas station clerk and to law enforcement that the defendant showed up to the gas station, that he approached him in a threatening manner, brandished a gun, and threatened to kill him. The victim was able to identify the defendant to law enforcement using his nickname and had previous knowledge of the defendant. Additionally, the victim was able to provide a description of what the defendant was wearing when the assault occurred as well as a description of the vehicle he was using. Moreover, Lt. Nations was able to view the surveillance footage of the assault from the gas station and based on what he observed, he believed it corroborated what the victim stated. There were sufficient facts provided to support probable cause to believe not only that the assault occurred, but that evidence of the assault could be found in the defendant's home.

Furthermore, the victim provided information to law enforcement that he is familiar with the defendant because he dealt narcotics for him in the past, and that this assault occurred

because he had recently made himself a "middle-man" in vouching for an individual to purchase drugs from the defendant who did not end up paying him. This information is not only self-incriminating, but tends to corroborate the motive behind the assault. Moreover, the Court has deemed that admissions of crime, like admissions against proprietary interests, carry their own indicia of credibility – sufficient at least to support a finding of probable cause to search. State v. Driggers, 322 S.C. 506, 511, 473 S.E.2d 57, 60 (Ct. App. 1996) Also see Harris, 403 U.S. at 583-584 (finding an admission by an informant to a crime is "sufficient at least to support a finding of probable cause to search.").

Additionally, the information provided by the victim was further corroborated by details that law enforcement knew. First, the victim described the vehicle the defendant drove, which was later observed at the residence by law enforcement. The victim also showed law enforcement where the defendant lived, further proving his prior dealings with the defendant and confirming where law enforcement believed him to live. Also, the victim used the defendant's nickname "Bug," which was later corroborated by law enforcement by running his criminal record. His alias, according to his criminal record from the National Crime Information Center, was "Bug."

Moreover, based on the information provided by the victim that was included in the search warrant affidavit, there was a probable cause basis to believe the defendant was not only previously engaged in drug activity, but ongoing and current drug activity, stemming from the most recent drug deal that led to the assault. See State v. Thompson, 363 S.C. 192, 207, 609 S.E.2d 556, 564 (Ct. App. 1992) ("Given the continuous nature of the alleged drug activity, we find the record supports the trial court[']s finding that it was reasonable for the magistrate to conclude that Thompson would be found in possession of illegal substances. Although isolated

sales of narcotics unquestionably occur, it is generally recognized that 'narcotics conspiracies are the very paradigm of the continuing enterprises for which the courts have relaxed the temporal requirements of non-staleness.' " (citation omitted)).

Furthermore, the search warrant affidavit establishes a direct connection between the defendant's drug activity and the assault. The narcotics dealing is the basis of the assault. Because the information included in the search warrant affidavit coupled with the logical and rational inferences to be drawn from that information reliably established there was a reasonable probability narcotics and other incriminating evidence from the assault would be discovered in the defendant's residence and the issuing judge had a substantial basis upon which to make a finding of probable cause. See Illinois v. Gates, 462 U.S. 213 (1983). ("The task of the issuing magistrate is simply to make a practical, common-sense decision whether, given all the circumstances set forth in the affidavit before him, including the 'veracity' and 'basis of knowledge' of persons supplying hearsay information, there is a fair probability that contraband or evidence of a crime will be found in a particular place.");.

The state contends there was probable cause for both the assault as well as evidence of narcotics dealing as they were directly intertwined. However, even if the charge of A&B 1st was overstated as the court ruled, it wouldn't negate the probable cause for the search of the assault. There was probable cause that a gun was used in the assault as well as a fair probability that it could have been found in the defendant's residence. Even if the court rules there was not a sufficient connection to the defendant having drugs in his house, searching for the gun relating to the assault would include the septic tank in which the drugs were ultimately found.

B. FLUSHING THE TOILET DID NOT EXCEED THE SCOPE OF THE SEARCH.

If the court ruled that flushing the toilet was outside of the scope the search, we would

ask the court to reconsider. The Court in Dalia v. U.S., stated, "Nothing in the language of the Constitution or in this Court's decisions interpreting that language suggests that, in addition to these requirements, search warrants also must include a specification of the precise manner in which they are to be executed." 441 U.S. 238, 239 (1978). Additionally, the Court in US v. Becker ruled that the Government's use of a jackhammer to search beneath a concrete slab located on the premises for which the search warrant had been issued was reasonable. 929 F.2d 442 (1991); See also, State v. St. Louis, 18 A.3d 648 (2011) (police did not exceed scope of the search warrant by excavating the land surrounding the defendant's residence).

III. DEPUTIES ON THE DEFENDANT'S PROPERTY WERE ACTING IN GOOD FAITH, AND THEREFORE THE EXCLUSIONARY RULE SHOULD NOT APPLY.

Both the United States Constitution and the South Carolina Constitution prohibit unreasonable searches and seizures. U.S. Const. amend. IV; S.C. Const. art. I, § 10. When an unreasonable search or seizure occurs, any evidence seized as the result of that unconstitutional action generally must be excluded from trial pursuant to the exclusionary rule, a judicially-created remedy designed to serve as a deterrent sanction against unconstitutional conduct. State v. Weaver, 374 S.C. 313, 319, 649 S.E.2d 479, 482 (2007); see State v. Brown, 401 S.C. 82, 88, 736 S.E.2d 263, 266 (2012) ("The Fourth Amendment itself provides no remedy for a violation of the warrant requirement. However, the United States Supreme Court has fashioned a judicially-created remedy, the exclusionary rule, which is a deterrent sanction by which the prosecution is barred from introducing evidence obtained in violation of the Fourth Amendment." (citation omitted)). Importantly though, the exclusion of evidence following an unconstitutional search "is 'not a personal constitutional right,' nor is it designed to redress the injury occasioned by an unconstitutional search." Davis v. United States, 564 U.S. 229, 236

(2011) (citations omitted). Due to the heavy costs exacted by the exclusion of evidence on both the judicial system and society as a whole, application of the exclusionary rule is only appropriate where the deterrent benefits of the rule outweigh the heavy costs its application would exact. Brown, 401 S.C. at 88, 736 S.E.2d at 266. As a result, judicially-created exceptions to the exclusionary rule have been established, including the good faith exception first recognized by the United States Supreme Court in its decision in United States v. Leon, 468 U.S. 897 (1984). Brown, 401 S.C. at 88-89, 736 S.E.2d at 266; see also State v. McKnight, 291 S.C. 110, 113, 352 S.E.2d 471, 473 (1987) ("Exclusion of evidence is not the only means available to insure that warrants are properly issued.").

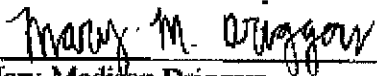
In this case, even assuming the search warrant affidavit was insufficient to establish a substantial basis for a finding of probable cause, the good faith exception would have nonetheless been applicable under the circumstances because the search warrant affidavit was not " 'so lacking in indicia of probable cause as to render official belief in its existence entirely unreasonable' " and the officers' reliance on the judicially-issued search warrant was objectively reasonable. As previously argued, the exclusionary rule does not apply because it's not designed to exclude unless bad faith is shown and the officers were using the magistrate as a rubber stamp, which is not the case here. State v Carter, 2023-000-633. To the contrary, the information in Lt. Nations's lengthy and detailed search warrant affidavit was not "bare bones" which the defense specifically conceded to in his motion for suppression. In addition, Lt. Nations provided testimony that the Magistrate asked questions prior to signing the search warrant to ensure probable cause existed. This was not a situation where Lt. Nations used the Magistrate as a rubber stamp.

Furthermore, the State argued prior to the final ruling that even if the court rules the search warrant was only legitimate for the assault, and not for the drugs, the good faith exception would still be applicable. The officers were acting in good faith to search wherever evidence of the assault could have been stored or hidden, which was explicitly noted in the search warrant. The evidence of the assault included not only the clothes that the defendant was wearing during the assault, but also the gun used, both which reasonably could have been, and were in fact located in his residence. Moreover, there would have been a good faith basis to believe that a septic tank could be a potential hiding spot for a gun as it could have been floating on solid waste in the septic tank. Furthermore, there would have been a good faith basis relying on the description of property to be searched alone, which included the parcel and locked storage containers. For these reasons, even if the court still rules there was no probable cause, the good faith exception would prevent the use of the exclusionary rule.

CONCLUSION

For the reasons stated above we would ask that your honor reconsider the ruling to suppress the search warrant in its entirety, specifically to include any and all Franks violations, that the search warrant was not supported by probable cause, and even if there was no probable cause, that the good faith exception does apply, precluding the exclusionary rule.

September 12, 2025


Mary-Madison Driggers
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Laurens, SC 29360
(864) 681-3190

THE STATE OF SOUTH CAROLINA

In The Court of General Sessions

Indictment Number(s):

2025GS30-0351, 2025GS30-0352, 2025GS30-0763

State of South Carolina,

v.

Leon Lee Harris, Jr., Defendant.

PROOF OF SERVICE

I, Mary-Madison Driggers, certify that I have served a Motion to Reconsider on Leon Lee Harris, Jr., by email on September 12, 2025, addressed to his attorney of record, Adam Touma, esq. I have also emailed a copy to the Honorable Eugene C. Griffith, Jr., with a hearing on this matter scheduled for September 16, 2025.

September 12, 2025



Mary-Madison Driggers
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K. MICHELLE SIMMONS
2025 SEP 12 P 3:42
LAURENS COUNTY
CLERK OF COURT

STATE OF SOUTH CAROLINA) COURT OF GENERAL SESSIONS
) 2023A301010124
COUNTY OF LAURENS)
)
)
)
STATE OF SOUTH CAROLINA)
) PLAINTIFF)
) vs.) TRANSCRIPT OF RECORD
)
LEON HARRIS, JR)
) DEFENDANT)

November 16, 2025
Newberry, South Carolina

B E F O R E:

THE HONORABLE EUGENE C. GRIFFITH, JR., Judge.

A P P E A R A N C E S:

DAVID STUMBO, ESQ.
MARY-MADDISON DRIGGERS, ESQ.
ELIZABETH FINCH, ESQ.
Attorneys for the State

ADAM TOUMA, ESQ.
Attorney for the Defendant

APRIL HERRON
Official Court Reporter

There were no witnesses.

There were no witnesses.

» > o < «

Certificate of Reporter 15

1 THE COURT: All right, y'all ready to go?

2 MR. STUMBO: Yes, sir.

3 MR. TOUMA: Yes, Your Honor.

4 THE COURT: All right.

5 MR. STUMBO: Judge, do you have a copy the
6 written motion?

7 THE COURT: I do in my hand.

8 MR. STUMBO: Okay, thank you.

9 Judge, we'll be really brief this morning. I
10 know we don't want to belabor any point. I know it's
11 a long 10-page motion to reconsider. Judge, I guess
12 the purpose of that, we filed a motion for notice to
13 appeal. And so this has a lot of case law and facts
14 that probably will be considered in the appeal as
15 well in setting that up, so.

16 Judge, one of the primary things that
17 Ms. Driggers, Ms. Abel contacted me, I know that I
18 was not at the hearing where Your Honor suppressed
19 the evidence from the search warrant in Mr. Harris'
20 case. One of the things that we had some concerns
21 about, we wanted some clarification from The Court
22 this morning on the record, was regarding maybe some
23 comments made. There was not -- we don't have a
24 Franks hearing, there was not a motion by The Defense
25 for a Franks hearing. I know we did not conduct --

1 there was not one conducted. But there was some --
2 there were some analysis by Your Honor in the
3 course -- of course, I'm getting this from
4 Ms. Driggers and Ms. Able, they went back and
5 listened to the hearing, wrote some notes down from
6 the hearing, and just some comments that they shared
7 with me from the hearing, gave me some concerns,
8 Judge.

9 Particularly, as to Investigator Nations.
10 Judge, Investigator Nations is a longtime, I believe,
11 been at the sheriff's office, probably, close to 20
12 years. Was their lead narcotics investigator. Had
13 a -- is now the lieutenant over investigations at the
14 department, as well. So Charles Nations is a very
15 distinguished, longtime deputy there for Laurens
16 County Sheriff's Office. We take the position,
17 Judge, very firmly that we don't believe that there
18 were any intentional misrepresentations or
19 representations made to the Magistrate which were
20 reckless under that Franks standard. And I know Your
21 Honor brought up Franks and made comments about some
22 of the information presented to the Magistrate in the
23 search warrant, perhaps being Franks, in that Franks
24 category.

25 We think -- and I, actually, Judge, as I was

1 doing some research yesterday, I found the Lynch
2 case, not that that's directly on point, a death
3 penalty case, Your Honor, in Lexington. I remember
4 it well because I was working, at the time, for
5 Solicitor Myers when -- around that time. I think I
6 was there when the incident happened. When they
7 tried the case, I was actually with the Attorney
8 General's Office, right before I ran for solicitor.
9 So it's been a long time ago, a lot of water under
10 the bridge.

11 THE COURT: I think 2012.

12 MR. STUMBO: Yes, sir.

13 But I do remember the facts of that case well.
14 So as I came across that case, and I know Your Honor
15 was the Judge on that, there was a Franks issue that
16 came up in that case. And I know that on appeal the
17 defense argued that The Court should have conducted a
18 Franks hearing. They upheld you on that. You didn't
19 find that there was a threshold reason to hold a
20 Franks hearing.

21 THE COURT: For the record, we didn't have a
22 Franks hearing in this case.

23 MR. STUMBO: Right, I know.

24 THE COURT: I referred to it, so there was no
25 Franks hearing. So The State is not going to be

1 prejudiced by a finding under Franks because I didn't
2 do that.

3 MR. STUMBO: Yes, sir, right. And that's really
4 the point I was going to bring up. But I think in
5 the Lynch case you made the right decision not to
6 have a Franks hearing. I think in this case, there's
7 not a threshold reason to have a Franks finding. We
8 believe that Investigator Nations had a good faith
9 basis for the information that he provided to the
10 magistrate. You know, there's a question about the
11 charge. He presented assault and battery first
12 warrant. The magistrate ultimately issued a assault
13 and battery second warrant. And I know Your Honor
14 went through that analysis as well, in terms of was
15 that maybe an over charge. I think we see that a lot
16 in law enforcement. Maybe an officer makes a legal
17 analysis that The Court would disagree with. But we
18 do not -- we just want The Court -- to give The Court
19 an opportunity to clarify that Investigator Nations
20 did not intentionally misrepresent anything to the
21 Magistrate. He had a good faith basis, at least, to
22 present -- I read through the search warrant
23 affidavit again, Judge. And I compare it to the
24 other parts of the records, the reports. I didn't
25 see anything in there that I felt was overly -- was

1 intentionally misrepresenting anything.

2 THE COURT: Since we didn't conduct a Franks
3 hearing there's no way to determine that.

4 MR. STUMBO: Right.

5 THE COURT: But I think my main ruling was
6 mentioned in that hearing, that I just two weeks
7 prior, had a issue under Franks, conducted
8 preliminary examination to determine whether the
9 hearing was necessary or not, determined it was not.
10 Similar to the ruling in Lynch. In this case, having
11 been familiar with Franks, I just mentioned it, it
12 really wasn't part of my ruling, it was just
13 something I mentioned. And I don't believe -- I
14 haven't read the transcript, the transcript's not
15 been prepared so we can't benefit from exactly what
16 was said.

17 But I did make this finding, is that we've been
18 told as trial judges, by the appellate court judges,
19 make a thorough record of what you're finding so that
20 we kind of have an idea of what you're doing and
21 where you're headed and what you are basing it on.
22 And I was trying to do that. So the motion
23 originally was lack of probable cause. And I still
24 believe my finding will be the same is that there's a
25 gap between the assault and battery incident,

1 conversation about a drug trade, but then the lack of
2 any further information about this guy, Leon Bug
3 Harris, regarding activity in and around his home,
4 sales from his home, known sales to anyone. There
5 was just a absence of that gap from the gas station
6 to his house.

7 And I went through, because I wrote it down, I
8 still got my notes. Is the narcotics officers
9 already knew his address, his residence, they had
10 some information on dealings but nothing specific.
11 They had his name. They then put everything together
12 and said, let's figure out his name. They figured it
13 out by looking through incident reports -- incident
14 reports in Laurens related to that address. His name
15 popped up. And then they ran his criminal history.
16 Then they ran all that. I just think they got in a
17 hurry. They should have waited, surveilled the
18 house, look for somebody else to go buy, go arrest
19 him for assault and battery second. Who knows.

20 But there was a gap factually on the information
21 regarding drug trade and all the relevant facts to
22 drug trade concerning his residence, that address,
23 that property or anything. It was just absent. It
24 was supposition, speculation, maybe some guess work
25 but it was a gap there. And that's why I suppressed

1 the warrant portion of the search on the drugs. And
2 I read the brief several times. Anyway, I'm not
3 going to make that comment.

4 Anything else?

5 MR. STUMBO: Yes, sir. Just -- and I -- just my
6 understanding of that, and I understand Your Honor's
7 ruling that there's not as much a nexus between the
8 assault and battery incident and the search for
9 drugs. And that's -- a lot of the information in the
10 midst of that was not sufficient to draw that
11 probable cause.

12 THE COURT: Correct.

13 MR. STUMBO: We understand The Court's ruling on
14 that, we do. I think we disagree with it and
15 probably, you know, file an appeal, Judge.

16 THE COURT: Knock yourself out.

17 MR. STUMBO: That being said, we understand The
18 Court's ruling.

19 THE COURT: And I tried -- I kind of got tickled
20 by this. Is that if they were looking for the gun
21 from the assault and battery, whichever degree it
22 was, the gun wasn't used. Maybe it was present,
23 maybe it wasn't. But if you found it, what were you
24 going to compare it to? There was no gunshot, there
25 was no residue, I mean --

1 MR. STUMBO: Right.

2 THE COURT: There was no reason to go look for
3 it, really.

4 MR. STUMBO: Maybe just to corroborate the --
5 and I'm just--

6 THE COURT: Maybe corroborate the--

7 MR. STUMBO: -- corroborate the victim's
8 statement that he presented a gun or had the gun,
9 yes, sir.

10 THE COURT: You know, the argument in the brief
11 said that, Looking for a gun in the septic tank that
12 may be floating.

13 Septic tanks don't work that way. They're full
14 of water and everything sinks.

15 MR. STUMBO: Right.

16 THE COURT: They drain from the top, not from
17 the bottom.

18 MR. STUMBO: Yes, sir.

19 THE COURT: Everybody that's worked on one or
20 had one, is well aware of that. And that's why you
21 got to call the septic tank guy.

22 MR. STUMBO: We had one on our farm, Judge, I'm
23 very familiar with them.

24 THE COURT: Now, anything else? Because I'm
25 going to -- there was no Franks hearing, I made no

1 Franks finding, I did not intend to cast any
2 aspersions upon the investigation. There was a gap,
3 there was a probable cause factor, the nexus to the
4 drug trade to the search of the house. Looking for a
5 gun. I don't see any way the gun could be in the
6 sewer system, it would pump through. So that didn't
7 seem to be a logical find. That was looking for
8 drugs still. So that would be suppressed, the
9 manipulation of the search. It's just there's a gap
10 there. That's just my finding. And it's
11 discretionary.

12 MR. STUMBO: It is, Judge.

13 THE COURT: I could be wrong.

14 MR. STUMBO: Understood. And just, you know,
15 just to -- I think you already said this, Judge, but
16 just to clarify, that there is no finding by The
17 Court, in this case, that Investigator Nations was
18 misleading?

19 THE COURT: No, no.

20 MR. STUMBO: There's no absence of that, there's
21 nothing that's going to follow him around as being,
22 hey, he's--

23 THE COURT: Absolutely not. I'm certain of
24 this. I found The Defendant's motion was granted,
25 which is against The State. I made no findings

1 mentioning Investigator Nations by name. And the
2 brief was replete with I found against Investigator
3 Nations. And that's, I don't think a fair argument.

4 MR. STUMBO: Yes, sir.

5 THE COURT: That was not my ruling.

6 MR. STUMBO: Okay, good.

7 THE COURT: I --

8 MR. STUMBO: I think you clarified that today,
9 Judge, it is important to us, The State, just to
10 confirm that. Again, Judge, I'm coming from the
11 point of haven't read the transcript either because
12 it hasn't been prepared and I'm kind of arguing in
13 the dark with just some, you know, some comments that
14 were made part of the ruling that these guys listened
15 to with the court reporter. But I know that's not an
16 official transcript. So I think we're in a good
17 place, Judge, that there is no finding by The Court
18 that Investigator Nations did anything in violation
19 of Franks or, you know, because that has not been
20 conducted at this point.

21 THE COURT: Okay.

22 MR. STUMBO: I think that's it, Judge.

23 THE COURT: Okay.

24 MR. STUMBO: Let me just make sure. We'll just
25 rest on the written motion to reconsider, Your Honor.

1 I know that will be part of the record. And they'll
2 look at those issues, finer points of those issues,
3 on appeal, Judge.

4 THE COURT: All right.

5 MR. STUMBO: Judge, were you going to issue a
6 Form 4 order or written order? You want us to
7 prepare an order? What's your preference.

8 THE COURT: I don't have a preference.

9 Mr. Touma, you got a preference?

10 MR. TOUMA: I defer to Your Honor.

11 THE COURT: I'll do a Form 4. So your motion to
12 reconsider is respectfully denied. Y'all can go from
13 there. I don't intend on preparing a formal order.

14 MR. STUMBO: Okay, understood, Judge.

15 MR. TOUMA: Thank you, Your Honor.

16 I suppose -- may it please the Court, Adam Touma
17 on behalf of Mr. Harris. I suppose if you're going
18 to deny the motion, I'm not going to say anything.

19 THE COURT: Yeah, you just did fine by saying
20 nothing. Less is more.

21 MR. TOUMA: Yes, Your Honor.

22 MR. STUMBO: And just some clarification,
23 Mr. Touma never raised -- you know, we talked about
24 the Franks issue, that was never raised by the
25 defense during the course of the case.

R. 90

1 MR. TOUMA: Yeah, just to address it, because
2 it's talked about, I mean, I think The Court has the
3 ability during a suppression hearing to determine the
4 varicosity of statements, make rulings on that. We
5 did not have a formal Franks hearing.

6 THE COURT: We did not have a formal Franks
7 hearing.

8 MR. STUMBO: Okay, thank you, Judge.

9 MR. TOUMA: Thank you, Your Honor.

10 THE COURT: That concludes the hearing.

11 (WHEREUPON, the proceedings were concluded.)
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25

STATE OF SOUTH CAROLINA
COUNTY OF LAURENS
IN THE COURT OF GENERAL SESSIONS

ORDER IN A CRIMINAL CASE
WARRANT(S):
INDICTMENT(S):

2025GS300351, 2025GS300352, 2025GS300763

State of South Carolina

K. MICHELLE SIMMONS

2023A3010200381, 386

2025 SEP 16 P 12:02

Leon Harris, Jr.

DEFENDANT(S)

Submitted by: The Court

LAURENS COUNTY
CLERK OF COURT

Attorney for: ☐ State ☐ Defendant
or
☐ Self-Represented Litigant

DISPOSITION TYPE

- ☒ **DECISION BY THE COURT AFTER HEARING.** This action came to a hearing before the court. The issues have been heard and a decision rendered. ☐ See below for additional information.
- ☐ **DECISION BY THE COURT AFTER STATUS CONFERENCE.** This case came for a status conference before the court. The status of this case and pending issues in this case were discussed and a decision rendered. ☐ See below for additional information.
- ☐ **MOTION:** ☐ GRANTED ☒ DENIED ☐ CONTINUED ☐ WITHDRAWN
- ☐ WITHDRAWN BY MOVING PARTY: _____
Signature of Moving Party
- ☐ OTHER: _____

IT IS ORDERED AND ADJUDGED: ☐ See Order of the Court below ☐ See attached order
☐ Formal Order to follow; to be prepared by: ☐ State ☐ Defendant ☒ Other: _____

ORDER INFORMATION

This order ☒ ends ☐ does not end the case.

Additional Information for the Clerk : _____

The Court heard The Defendant's motion to dismiss the above referenced matter based on lack of probable cause on September 2, 2025. The Court granted the Defendant's motion. On September 12, 2025, the State filed a motion to reconsider. The Court held a hearing for the State's motion on September 16, 2025. The motion to reconsider is respectfully denied.

 _____ Circuit Court Judge	2154 _____ Judge Code	9-16-2015 _____ Date
---	-----------------------------	----------------------------

For Clerk of Court Office Use Only

This judgment was entered on the _____ day of _____, 20____ and a copy mailed first class or placed in the appropriate attorney's box on this _____ day of _____, 20____ to attorneys of record or to parties (when appearing pro se) as follows:

ATTORNEY(S) FOR THE STATE

ATTORNEY(S) FOR THE DEFENDANT(S)

CLERK OF COURT

Court Reporter:

ARREST WARRANT

2023A3010101243

STATE OF SOUTH CAROLINA

☒ County/ ☐ Municipality of Laurens

THE STATE against **Leon Lee Harris, Jr**

Address: [REDACTED]

Phone: [REDACTED]

Sex: M Race: B Height: 5' 11" Weight: 225

DL State: SC DL#: 001160494

DOB: [REDACTED] Agency Off #: SC0302000

Prepending Agency: Laurens County Sheriff's Office

Prepending Officer: Charles A Nations - 2395

Offense: Assault / Assault & Battery 2nd degree

Offense Code: 3411

Arrest/Release Fee: 1603.00(D)(1)

THIS WARRANT IS CERTIFIED FOR SERVICE in the

☐ County/ ☐ Municipality of Laurens

It is to be returned and brought before me in the Court with according to the law

L.S.J.

Date: _____

RETURN

A copy of this arrest warrant was delivered to defendant on _____

[Signature]

RETURN WARRANT TO:

General Sessions
100 Hillcrest Square
P.O. Box 287
Laurens, SC 29360

ORIGINAL

ORIGINAL

ORIGINAL

ORIGINAL

STATE OF SOUTH CAROLINA

☒ County/ ☐ Municipality of Laurens

AFFIDAVIT

ORIGINAL

Law Enforcement
Officer's Signature
Date: 11/5/2023

Personally appeared before me the affiant **Charles A Nations** who being duly sworn deposes and says that defendant **Leon Lee Harris, Jr** did within this county and state on or about **11/5/2023** violate the criminal laws of the State of South Carolina for ordinance of ☒ County/ ☐ Municipality of Laurens in the following particulars:

DESCRIPTION OF OFFENSE: Assault / Assault & Battery 2nd degree

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:

That on November 5, 2023, in the county of Laurens, one Leon Lee Harris Jr did intentionally commit battery upon victim by approaching him at a gas station, exposing a firearm located in his waist band, and threatened to kill the victim. Victim - Richard Mixon

Signature of Affiant: [Signature]

STATE OF SOUTH CAROLINA

☒ County/ ☐ Municipality of Laurens

Affiant's Address: 216 West Main Street, Laurens, SC 29361

Affiant's Telephone: _____

ARREST WARRANT

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

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

on or about **11/5/2023** defendant **Leon Lee Harris, Jr**

did violate the criminal laws of the State of South Carolina for ordinance of

☒ County/ ☐ Municipality of Laurens

as set forth below

DESCRIPTION OF OFFENSE: Assault / Assault & Battery 2nd degree

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

Sworn to and subscribed before me on **11/7/2023**

[Signature] (Notary)

Notary Public for South Carolina
Dink Jakob Dean Jr.
Judge Code: 7346

Judge's Address: 100 Hillcrest Square, Laurens, SC 29360

Judge's Telephone: (864) 681-2489

Judging Court: ☒ Negligence ☐ Municipal ☐ Criminal

ORIGINAL

ORIGINAL

ORIGINAL

BAIL set by

Name

on

Type and Amount

Name of Surety

4.75 L
11/15/65
12.00 CB

PRELIMINARY HEARING held by

Judge

City

Commissioner Attorney

Defendant

DISPOSITION before

Judge

City

By

(Indicate any time limits met, paid, not paid, etc.)

Defendant

Defendant

JURORS

Name

Address

Telephone

WITNESSES

Name

Address

Telephone

Name

Address

Telephone

Name

Address

Telephone

Name

Address

Telephone

Name

Address

Telephone

Name

Address

Telephone

Name

Address

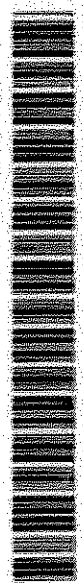
Telephone

Name

Address

Telephone

CODENDANTS



ORIGINAL

1. THEORY

TABLE I

DISCUSSION

(X) Defendant:

2

ORIGINAL

ORIGINAL

WITNESSES

Judge W. C. D. A. P. 200

11-9-83

Amount 415 5,000

Number of Bonds 5,000

PRELIMINARY HEARING held by

Judge _____

by _____

Defendant's Attorney _____

Defendant _____

DISPOSITION before

Judge _____

by _____

(Indicate jury trial, bench trial, plea, not prob. etc.)

Disposition _____

by _____

ALIENS

by _____

by _____

by _____



CODEFENDANTS

Name _____
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Telephone _____

ARREST WARRANT

2023A3010200380

STATE OF SOUTH CAROLINA

☒ County ☐ Municipality of

Laurens

THE STATE

23007900

against

Leon Lee Harris, Jr

Address

Phone SSN

Sex M Race B Height 5 11 Weight 275

DL State SC DL # 004160494

DOB 01/16/1994 Agency CR # SC0300000

Processing Agency Laurens County Sheriff's Office

Processing Officer Charles A Nations - 2395

Offense Weapons / Pointing and presenting firearms at a

person

Offense Code 16-22

Code/Ordinance Sec 16-33-3410

This warrant is CERTIFIED FOR SERVICE in the

☐ County ☐ Municipality of

The arrested

is to be arrested and brought before me to be

dealt with according to the law

IL 5.)

Signature of Judge

Date

RETURN

A copy of this arrest warrant was delivered to

defendant Harris, Jr, Leon Lee

on 11/8/23

Signature of Judge

Signature of Judge

Signature of Judge

Signature of Judge

Signature of Judge

Signature of Judge

Signature of Judge

Signature of Judge

Signature of Judge

Signature of Judge

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Signature of Judge

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Signature of Judge

Signature of Judge

Signature of Judge

Signature of Judge

Signature of Judge

STATE OF SOUTH CAROLINA

☒ County ☐ Municipality of

Laurens

AFFIDAVIT

ORIGINAL

Notary Public
S.C. Notary Public
April 21, 2021
R. 97

Laurens

Personally appeared before me the undersigned

Charles A Nations

being duly sworn deposes and says that defendant

Leon Lee Harris, Jr

did within this county and state on or about

11/7/2023

State of South Carolina (or ordinance of)

☒ County☐ Municipality of

Laurens

in the following particular:

DESCRIPTION OF OFFENSE: Weapons / Pointing and presenting firearms at a person

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

That on November 7, 2023 in the county of Laurens, one Leon Lee Harris Jr did unlawfully and not in self-defense did present a firearm and threatened physical harm at the victim, Richard Nixon

Signature of Affiant

STATE OF SOUTH CAROLINA

☒ County ☐ Municipality of

Laurens

Affiant's Address 216 West Main Street

Laurens, SC 29360

Affiant's Telephone

ARREST WARRANT

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

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

on or about 11/7/2023

defendant Leon Lee Harris, Jr

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

☒ County ☐ Municipality of

Laurens

as set forth below

DESCRIPTION OF OFFENSE: Weapons / Pointing and presenting firearms at a person

Having found probable cause and the above affidavit 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 his arrest, or as soon thereafter as is practicable.

Sworn to and subscribed before me

on 11/8/2023

Signature of Judge

Diak Jakob Brown Jr

Judge Clerk 7366

Judge's Address 100 Hillcrest Square

Laurens, SC 29360

Judge's Telephone (804) 681-5689

Issuing Court

☒ Magistrate☐ Municipal☐ Circuit

ORIGINAL

ORIGINAL

ORIGINAL

ORIGINAL

ORIGINAL

ORIGINAL

ORIGINAL

MAIL sent by

Judge

Richard M. Pelt

98

11-09-83

Number of Sheets

ds 10,000

R

PRELIMINARY HEARING held by

Judge

on

Executive Agency

Decision

DISPOSITION before

Judge

on

by

(indicate any rule, treaty, treat, state, pact, etc.)

Proposition

Sentence

AMORS

WITNESSES

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



ARREST WARRANT

2023A3010200381

STATE OF SOUTH CAROLINA

☒ County ☐ Municipality of

Laurens

THE STATE

23007945

Leon Lee Harris, Jr

Address

Phone

Sex M Race O Height 5 11 Weight 225

DL State SC DL # 094163494

DOB [REDACTED] Agency ID# SC 0300000

Prosecuting Agency Laurens County Sheriff's Office

Prosecuting Officer Charles A Nations - 2193

Offense Drugs / Manufacture, distribution, etc. cocaine base, 2nd offense

Offense Code 3015

Code/Offense Sec. 44-51-0175(B)(2)

This warrant is CERTIFIED FOR SERVICE in the

☐ County ☐ Municipality of

The accused

is to be arrested only through return to be

out with according to the law

(S.S.)

Date

RETURN

A copy of this arrest warrant was delivered to

defendant Harris, Jr., Leon Lee

on 11/6/23

[Signature]

[Signature]

[Signature]

[Signature]

[Signature]

[Signature]

[Signature]

[Signature]

[Signature]

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[Signature]

[Signature]

STATE OF SOUTH CAROLINA

☒ County ☐ Municipality of

Laurens

AFFIDAVIT

ORIGINAL

Notarized in
the County of Laurens
on the 11th day of
November, 2023.

Personally appeared before me the officer Charles A Nations

being duly sworn depose and says that defendant Leon Lee Harris, Jr

was within this county and state on or about 11/7/2023

State of South Carolina for commission of ☒ County ☐ Municipality of Laurens

in the following particulars

DESCRIPTION OF OFFENSE: Drugs / Manufacture, distribution, etc. cocaine base, 2nd offense

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:

That on November 7, 2023 in the county of Laurens, one Leon Lee Harris Jr. was found to be in possession of an amount of crack cocaine. Law Enforcement also discovered glass measuring cups containing an off-white residue that tested positive for cocaine base. Defendant has prior convictions for a similar offense.

Signature of Affiant

STATE OF SOUTH CAROLINA

☒ County ☐ Municipality of

Laurens

Affiant's Address 216 West Main Street

Laurens, SC 29360

Affiant's Telephone

ARREST WARRANT

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

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

on or about 11/7/2023

defendant Leon Lee Harris, Jr

was within the county of Laurens for commission of

☒ County ☐ Municipality of Laurens

as set forth below

DESCRIPTION OF OFFENSE: Drugs / Manufacture, distribution, etc. cocaine base, 2nd offense

Having found probable cause and the above affidavit having been sworn to, you are empowered and directed to arrest the said defendant and bring him or her before the court 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 11/8/2023

[Signature]

Judge's Address 100 Hillcrest Square

Laurens, SC 29360

Judge's Telephone (864) 681-5689

Issuing Court ☒ Magistrate ☐ Municipal ☐ Circuit

Judge's Name Dirk Jakob Brann Jr.

Judge's Office 7386

ORIGINAL

ORIGINAL

ORIGINAL

ORIGINAL

ORIGINAL

ORIGINAL

ORIGINAL

BAIL SET BY

WITNESSES

Judge W. O. P. A. P. P. P.

100
11-02-83
CLF 20.00

R. PRELIMINARY HEARING held by

Judge

by

Defendant Attorney

Defendant

DISPOSITION before

Judge

by

by (Indicate jury trial, bench trial, plea, etc.)

Disposition

Defendant

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



ARREST WARRANT

2023A3010200382

STATE OF SOUTH CAROLINA

☒ County ☐ Municipality of

Laurens

THE STATE

25007946

Leon Lee Harris, Jr.

Address

Phone

Sex M Race B Height 5' 11" Weight 235

D.O.B. 06/16/1993

Agency (SC# SC1360006)

Prosecuting Agency Laurens County Sheriff's Office

Prosecuting Officer Charles A. Nations - 3395

Offense Weapons / Possession of Firearm or Ammunition

by person convicted of violent felony

Offense Code 2434

Code/Ordinance Sec. 16-23-6500(A)

This warrant is RETURN FOR SERVICE to the

☐ County ☐ Municipality of

to be arrested and brought before me to be

dealt with according to the law

(L.S.)

Date

RETURN

A copy of this arrest warrant was delivered to

defendant Leon Lee Harris, Jr.on 11/8/2023Emily Harris / E. A. Wiley

RETURN WARRANT TO:

General Sessions
100 Hillcrest Square
P.O. Box 287
Laurens, SC 29360

ORIGINAL

ORIGINAL

ORIGINAL

ORIGINAL

ORIGINAL

ORIGINAL

ORIGINAL

STATE OF SOUTH CAROLINA

☒ County ☐ Municipality of

Laurens

Personally appeared before me the affiant Charles A. Nationsbeing duly sworn deposes and says that defendant Leon Lee Harris, Jr.did within this county and state on or about 11/7/2023State of South Carolina for violation of ☒ County ☐ Municipality of Laurens

in the following particulars:

DESCRIPTION OF OFFENSE: Weapons / Possession of Firearm or Ammunition by person convicted of violent felony

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:

That on November 7, 2023, in the county of Laurens, one Leon Lee Harris Jr. did commit the crime of Weapons / Possession of Firearm or Ammunition by person convicted of violent felony (ADRIAN) in that he was found in possession of numerous firearms.

Signature of Affiant

STATE OF SOUTH CAROLINA

☒ County ☐ Municipality of

Laurens

Affiant's Address 216 West Main Street

Laurens, SC 29360

Affiant's Telephone

ARREST WARRANT

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

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

on or about 11/7/2023defendant Leon Lee Harris, Jr.

did violate the criminal laws of the State of South Carolina for violation of

☒ County ☐ Municipality of Laurens

1 as set forth below

DESCRIPTION OF OFFENSE: Weapons / Possession of Firearm or Ammunition by person convicted of violent felony

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 his apprehension, or as soon thereafter as is practicable.

Sworn to and subscribed before me:

on 11/8/2023Charles A. Nations (L.S.)

Clk. Jakob Brent Jr.

Judge Code 7366

Judge's Address 100 Hillcrest Square

Laurens, SC 29360

Judge's Telephone (864) 681-5689

Issuing Court ☒ Magistrate ☐ Municipal ☐ Circuit

ORIGINAL

ORIGINAL

ORIGINAL

BAIL set by

Judge Michael A. Pitts
 on 11-09-23
 Type and Amount C/B 5,000
 Name of Surety _____

PRELIMINARY HEARING held by

Judge _____
 on _____
 Defendant Attorney _____
 Decisions _____

DISPOSITION before

Judge _____
 on _____
 by _____
 (indicate jury trial, bench trial, plea, not guilty, etc.)
 Disposition _____
 Sentence _____

JURORS

WITNESSES

Name _____
 Address _____
 Telephone _____
 Name _____
 Address _____
 Telephone _____
 Name _____
 Address _____
 Telephone _____
 Name _____
 Address _____
 Telephone _____
 Name _____
 Address _____
 Telephone _____
 Name _____
 Address _____
 Telephone _____



CODEFENDANTS

ARREST WARRANT

2023A3010200383

STATE OF SOUTH CAROLINA

☒ County ☐ Municipality of

Laurens

THE STATE

33007445

against

Leon Lee Harris, Jr

Address:

Physical
Sex M Race B Height 5 11 Weight 225
DOB 04/16/1994 DOB # 004160494
OCID [REDACTED] Agency ID # SC0300000
Prosecuting Agency Laurens County Sheriff's Office
Prosecuting Officer Charles A Nations - 2395
Offense Drugs / Poss. of other controlled sub. in Sched. I
in V - 2nd or sub. offense
Offense Code 0180
Control Substance Act 44-53-0370(d)(2)

This warrant is RETURNED FOR SERVICE on the
☐ County ☐ Municipality of
It is to be served and brought before the court to be
deal with according to the law

(1-3)

Signature of Judge

Date

RETURN

A copy of this arrest warrant was delivered to
defendant Harris, Jr, Leon Lee
on 11/8/23

Erin M. Le Abbey

RETURN WARRANT TO:

General Sessions
100 Hillcrest Square
P.O. Box 287
Laurens, SC 29360

ORIGINAL

ORIGINAL

ORIGINAL

ORIGINAL

STATE OF SOUTH CAROLINA

☒ County ☐ Municipality of

Laurens

AFFIDAVIT

ORIGINAL

Notary Public for
S.C. Notary Public
Exp. 01-01-2024
SCLA 010

I personally appeared before me the affiant Charles A Nations who
being duly sworn depose and says that defendant Leon Lee Harris, Jr
did within this county and state on or about 11/7/2023 violate the criminal laws of the
State of South Carolina for violation of ☒ County ☐ Municipality of Laurens
in the following particulars:

DESCRIPTION OF OFFENSE: Drugs / Poss. of other controlled sub. in Sched. I to V - 2nd or sub. offense

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:

That on November 7, 2023, in the county of Laurens, one Leon Lee Harris Jr was found to be in constructive possession of
acetaminophen and hydrocodone bitartrate 325mg/10mg tablets identified as a schedule II-controlled substance. The defendant has a
prior narcotics conviction within the last ten years.

Signature of Affiant

STATE OF SOUTH CAROLINA

☒ County ☐ Municipality of

Laurens

Affiant Address 216 West Main Street
Laurens, SC 29360

Affiant Telephone

ARREST WARRANT

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

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

on or about 11/7/2023defendant Leon Lee Harris, Jr

did violate the criminal laws of the State of South Carolina for violation of

☒ County ☐ Municipality of Laurens as set forth below

DESCRIPTION OF OFFENSE: Drugs / Poss. of other controlled sub. in Sched. I to V - 2nd or sub. offense

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 the court 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.

GIVEN UNDER MY HAND AND SEAL OF OFFICE

on 11/8/2023

[Signature]

Judge Clerk 7366Judge Address 100 Hillcrest SquareLaurens, SC 29360Judge Telephone (864) 684-5689☒ County ☒ Magistrate ☐ Municipal ☐ Const

ORIGINAL

ORIGINAL

ORIGINAL

Bail set by

WITNESSES

Judge W. C. H. P. 11th
11-89-23
10,000
Settlement

R. PRELIMINARY HEARING held by

Judge

at

Defendant's Attorney

Defendant

DISPOSITION before

Judge

on

by

(Indicate pay trial, bench trial, plea, not guilty, etc.)

Defendant

Defendant

JURORS

Name
Address
Telephone

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Telephone

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CODEFENDANTS



ARREST WARRANT

2023A3010200384

STATE OF SOUTH CAROLINA

☒ County ☐ Municipality of

Laurens

THE STATE

23007840

Leon Lee Harris, Jr

Address

Phone: [REDACTED] SSN: [REDACTED]
 Sex: M Race: B Height: 5 11 Weight: 225
 Ct. State: SC DOB: 004160494
 DOB: [REDACTED] Agency ID #: SC231000000
 Prosecuting Agency: Laurens County Sheriff's Office
 Prosecuting Officer: Charles A Nations - 2395
 Offense: Weapons / Poss. weapon during violent crime, II
 not also sentenced to life without parole or death.
 Offense Code: 8549
 Code/Offense Desc: 16-23-0490

This warrant is CERTIFIED FOR SERVICE by the

☐ County ☐ Municipality of

The warrant

is to be executed 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 Harris, Jr, Leon Leeon 11/8/2023

Emily Ann Ashley
 Sheriff

RETURN WARRANT TO:

General Sessions
 100 Hillcrest Square
 P.O. Box 287
 Laurens, SC 29360

ORIGINAL

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ORIGINAL

STATE OF SOUTH CAROLINA

☒ County ☐ Municipality of

Laurens

AFFIDAVIT

ORIGINAL

Form Approved by
 U.S. Attorney General
 April 27, 2003
 OCA 178

I, Charles A Nations, who
 being duly sworn, depose and say that defendant Leon Lee Harris, Jr
 did when this charge was state on or about 11/7/2023 violate the criminal laws of the
 State of South Carolina, for offense of ☒ County ☐ Municipality of Laurens
 in the following paragraph:

DESCRIPTION OF OFFENSE: Weapons / Poss. weapon during violent crime, if not also sentenced to life without parole or death

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:

That on November 7, 2023 in the county of Laurens, one Leon Lee Harris Jr was found to be in constructive possession of numerous
 firearms during the commission of a violent crime. The violent crime being trafficking in crack-cocaine 10-28 grams, 2nd offense.
 Defendant has a prior conviction for a similar offense.

Signature of Affiant

STATE OF SOUTH CAROLINA

☒ County ☐ Municipality of

Laurens

Affiant's Address: 216 West Main Street

Laurens, SC 29360

Affiant's Telephone

ARREST WARRANT

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

It appearing from the above affidavit that there are probable grounds to believe that

on or about 11/7/2023defendant Leon Lee Harris, Jr

did violate the criminal laws of the State of South Carolina for offense of

☒ County ☐ Municipality of Laurens

as set forth below

DESCRIPTION OF OFFENSE: Weapons / Poss. weapon during violent crime, if not also sentenced to life without parole or death

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 the court with in the time with according to law. A copy of this Arrest Warrant shall be delivered by the defendant at the time of his arraignment, or as
 soon thereafter as is practicable.
 Signed in and subscription before me:

on 11/8/2023*Dark Jacob Hiron Jr* (H.S.)

Dark Jacob Hiron Jr

Judge Code: 7366

Judge's Address: 100 Hillcrest Square

Laurens, SC 29360

Judge's Telephone: (864) 681-5689

Hearing Court: ☒ Magistrate ☐ Municipal ☐ Circuit

ORIGINAL

ORIGINAL

ORIGINAL

BAIL set by

WITNESSES

Judge W. J. H. P. C. H.
11-09-23
10,000
CLJ
10,000

Number of Sheets

R. PRELIMINARY HEARING held by

Judge

on

Defendant's Attorney

Prosecutor

DISPOSITION Before

Judge

on

by

(Indicate jury trial, bench trial, plea, non pros, etc.)

Disposition

Sentence

JURORS

Name _____
Address _____
Telephone _____

Name _____
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Telephone _____

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CODEFENDANTS



ARREST WARRANT

2023A3010200385

STATE OF SOUTH CAROLINA

☒ County ☐ Municipality of

Laurens

THE STATE

25027845

Leon Lee Harris, Jr.

Address

Height 5' 11" Weight 225

Sex M Race SI DOB 04/16/1984

Agency OR # SE 0100000

Prosecuting Agency Laurens County Sheriff's Office

Prosecuting Officer Charles A Nations - 2395

Offense Weapons / Sale or delivery of pistol to, and possession by, certain persons unlawful, stolen

Offense Code 2364

Code/Offense Sec. 16-23-0030

This warrant is RETURNED FOR SERVICE in the

☐ County ☐ Municipality of

The undersigned

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 Harris Jr, Leon Leeon 11/8/23Erin M. Ashley

RETURN WARRANT TO:

General Sessions

100 Hillcrest Square

P.O. Box 287

Laurens, SC 29360

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STATE OF SOUTH CAROLINA

☒ County ☐ Municipality of

Laurens

AFFIDAVIT

ORIGINAL

I, the undersigned, do hereby certify that the facts stated herein are true and correct.

Personally appeared before me the affiant Charles A Nationsbeing duly sworn, deposed and says that defendant Leon Lee Harris, Jrdid within this county and state on or about 11/7/2023State of South Carolina (or ordinance of ☒ County ☐ Municipality of Laurens)

in the following particulars

DESCRIPTION OF OFFENSE: Weapons / Sale or delivery of pistol to, and possession by, certain persons unlawful, stolen pistol

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

That on November 7, 2023 in the county of Laurens, one Leon Lee Harris Jr was found to be in constructive possession of a S&W CPS-2 9mm handgun, SN # C980190, reported stolen out of Greenville County.

Signature of Affiant

STATE OF SOUTH CAROLINA

☒ County ☐ Municipality of

Laurens

Affiant's Address 216 West Main Street

Laurens, SC 29360

Affiant's Telephone

ARREST WARRANT

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

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

on or about 11/7/2023defendant Leon Lee Harris, Jrdid within this county and state on or about 11/7/2023☒ County ☐ Municipality of Laurens

DESCRIPTION OF OFFENSE: Weapons / Sale or delivery of pistol to, and possession by, certain persons unlawful, stolen pistol

Having found probable cause and the above affidavit being sworn before me, you are commanded and directed to arrest the said defendant and bring him or her before the court to be dealt with according to law. A copy of this Arrest Warrant shall be delivered to the defendant at the time of his execution, or as soon thereafter as is practicable.

Sworn to and subscribed before me

on 11/8/2023

Judge's Address 100 Hillcrest Square

Laurens, SC 29360

Judge's Telephone (864) 681-5689

Issuing Court ☒ Magistrate ☐ Municipal ☐ CircuitJudge's Name Eric Jakob Brown Jr.Judge Code 7366

Judge's Address 100 Hillcrest Square

Laurens, SC 29360

Judge's Telephone (864) 681-5689

Issuing Court ☒ Magistrate ☐ Municipal ☐ Circuit

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SAITOH, T.

W-209 P 26

CG 17000

7000

PHIL. JENNIFER: HEARING FROM YOU

1000

Abstract

[illegible]

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[illegible]

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1. What is the purpose of the study?

100

[illegible]

Figure 1

1. The first step is to identify the problem or question that needs to be answered. This involves understanding the context and the specific requirements of the task.

1. The first step is to identify the problem or question that needs to be addressed. This involves understanding the context and the specific requirements of the task.

2. Next, it is important to gather relevant information and data. This can be done through research, consultation with experts, or by analyzing existing resources.

3. Once the information is gathered, the next step is to develop a plan or strategy. This involves breaking down the problem into smaller, manageable parts and determining the best approach to solve each part.

4. The fourth step is to implement the plan. This involves putting the strategy into action and monitoring progress along the way.

5. Finally, it is important to evaluate the results and make adjustments as needed. This involves comparing the actual outcomes with the expected results and identifying any areas for improvement.

CONCLUSIONS

ORIGINAL

☐ Justice Court ☒ Magistrate ☐ Municipal ☐ Circuit

ORIGINAL

BAIL set by

WITNESSES

Judge W. J. O'Neil

Case No. 11-09-23

Estimated Amount \$15

Term of Surety 20,000

R. PRELIMINARY HEARING held by

Judge _____

on _____

Defendant's Attorney _____

Defendant _____

DISPOSITION before

Judge _____

on _____

by _____
(indicate jury trial, bench trial, plea, not. pros, etc.)

Disposition _____

Sentence _____

JURORS

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CODEFENDANTS



ARREST WARRANT

2023A3010200387

STATE OF SOUTH CAROLINA

☒ County ☐ Municipality of

Laurens

THE STATE

2307948

Leon Lee Harris, Jr

Address

Phone

Sex M Race B Height 5 11 Weight 225

D.O.B. SC ID # 000160494

DOB [REDACTED] Agency ID # SC9300000

Prosecuting Agency Laurens County Sheriff's Office

Prosecuting Officer Charles A Nations - 2395

Offense Drugs / Manuf. possession of Schedule IV, except benzotropem drugs with intent to distribute - 2nd

Offense Code 0190

Code/Ordinance Sec 44-53-0320(b)(3)

This warrant is RETURNED FOR SERVICE at the

☐ County ☐ Municipality of

This warrant

is to be served and brought before me to be

dealt with according to the law

(L.S.)

Date

RETURN

A copy of this warrant was delivered to

defendant Harris, Jr. Leon Lee

on 11/8/23

[Signature]

[Signature]

[Signature]

[Signature]

[Signature]

[Signature]

[Signature]

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STATE OF SOUTH CAROLINA

☒ County ☐ Municipality of

Laurens

Personally appeared before me the affiant Charles A Nations

being duly sworn deposes and says that defendant Leon Lee Harris, Jr

did violate the criminal laws of the State of South Carolina on or about 11/7/2023

in the following particulars

DESCRIPTION OF OFFENSE: Drugs / Manuf. possession of Schedule IV, except benzotropem drugs with intent to distribute - 2nd or sub. offense

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:

That on November 7, 2023 in the city/county of Laurens, one Leon Lee Harris Jr was found to be in constructive possession of an amount of Clonazepam 1mg tablets, a controlled substance or a controlled substance analogue classified in Schedule IV, with the intent to distribute. Defendant has prior convictions for this offense.

Signature of Affiant

STATE OF SOUTH CAROLINA

☒ County ☐ Municipality of

Laurens

Affiant's Address 216 West Main Street

Laurens, SC 29360

Affiant's Telephone

ARREST WARRANT

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

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

on or about 11/7/2023 defendant Leon Lee Harris, Jr

did violate the criminal laws of the State of South Carolina on or about

☒ County ☐ Municipality of Laurens

I do set forth below:

DESCRIPTION OF OFFENSE: Drugs / Manuf. possession of Schedule IV, except benzotropem drugs with intent to distribute - 2nd or sub. offense

Having found probable cause and the above affidavit having been 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 11/8/2023

[Signature]

Judge's Address 100 Hillcrest Square

Laurens, SC 29360

Judge's Telephone (804) 681-5689

Judge's Code 7366

Issuing Court

☒ Magistrate☐ Municipal☐ Circuit

ORIGINAL

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BAIL set by

Judge

112

11-09-93

CLB 20000

R.

PRELIMINARY HEARING held by

Judge

on

Defendant's Attorney

Prosecutor

DISPOSITION BY

Judge

by

(Indicate just FBI, County, State, Fed, and State, etc.)

Disposition

Settlement

JUDGERS

WITNESSES

Name _____
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CODEFENDANTS



ARREST WARRANT

2023A3010200388

STATE OF SOUTH CAROLINA

☒ County/ ☐ Municipality of

Laurens

THE STATE

28897848

Leon Lee Harris, Jr.

Address:

Phone: [REDACTED]

Sex: M Race: B Height: 5 11 Weight: 225

DL State: SC DL #: 004160494

DOB: [REDACTED] Agency Off #: SC3000000

Prosecuting Agency: Laurens County Sheriff's Office

Prosecuting Officer: Charles A Nations - 2195

Offense: Drugs / Poss. of other controlled sub. in Sched. I

to V - 2nd or sub. offense.

Offense Code: 0180

Code/Ordinance Sec: 34-53-357(a)(2)

This warrant is RETURNED FOR SERVICE at the

☐ County/ ☐ Municipality of

The accused

is to be arrested and brought before me to be

dealt with according to the law

(L-5)

Signature of Judge

Date:

RETURN

A copy of this arrest warrant was delivered to

defendant Harris Jr, Leon Leeon 11/8/23Erin Ashley E. Ashley

RETURN WARRANT TO:

General Sessions
100 Hillcrest Square
P.O. Box 387
Laurens, SC 29360

ORIGINAL

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ORIGINAL

STATE OF SOUTH CAROLINA

☒ County/ ☐ Municipality of

Laurens

AFFIDAVIT

ORIGINAL

Notary Public for
S.C. Notary Chapter
April 21, 2023
S.C. 25-2-10Personally appeared before me the officer Charles A Nationsbeing duly sworn deposes and says that defendant Leon Lee Harris, Jrdid within the county and state on or about 11/7/2023State of South Carolina for defendant of ☒ County/ ☐ Municipality of Laurens

in the following particulars:

DESCRIPTION OF OFFENSE: Drugs / Poss. of other controlled sub. in Sched. I to V - 2nd or sub. offense

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:

That on November 7, 2023, in the county of Laurens, one Leon Lee Harris Jr was found to be in constructive possession of Triamfetol Hydrochloride Drug tablets, a schedule (II/III/IV/V) drug, without the authority to do so. The defendant has prior convictions for a similar offense.

Signature of Affiant

STATE OF SOUTH CAROLINA

☒ County/ ☐ Municipality of

Laurens

Affiant's Address: 216 West Main Street
Laurens, SC 29360

Affiant's Telephone:

ARREST WARRANT

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

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

on or about 11/7/2023 defendant Leon Lee Harris, Jr

did violate the criminal laws of the State of South Carolina for defendant of

☒ County/ ☐ Municipality of Laurens) as set forth below

DESCRIPTION OF OFFENSE: Drugs / Poss. of other controlled sub. in Sched. I to V - 2nd or sub. offense

Having heard probable cause and the above affidavit 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 11/8/2023[Signature] (L-5)

Notary Public for

Derek Jakob Breit Jr.

Notary Code: 7306Judge's Address: 100 Hillcrest Square
Laurens, SC 29360Judge's Telephone: (864) 681-5689Issuing Court: ☒ Magistrate ☐ Municipal ☐ Circuit

ORIGINAL

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ORIGINAL

Mail sent by

WITNESSES

Judge

14

and Amount

Name of Surety

R.

PRELIMINARY HEARING held by

McCoy H P 1000
11-09-23
CLB 10,000

Name _____
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CODEFENDANTS



115

WITNESSES

DEPUTY

R. ~~Lauren~~ ~~Donna~~ ~~Al~~ ~~LeRoy~~ ~~Bhavall~~

THE STATE OF SOUTH CAROLINA

COUNTY OF LAURENS

I hereby waive presentment to the Grand Jury.

Defendant

COURT OF GENERAL SESSIONS

April Term, 2024

Indictment #2024GSS30-0603

WARRANT NUMBER

2023A3010101243

Witness:

THE STATE

vs.

LEON LEE HARRIS, JR

True Bill

Britney Spruill

Foreman of the Grand Jury

Date: 4-12-24

INDICTMENT FOR

ASSAULT & BATTERY, 2ND DEGREE

SC Code: § 16-03-0600(D)(1)

VERDICT

CDR: 3413

Foreman

THE STATE OF SOUTH CAROLINA

INDICTMENT FOR

COUNTY OF LAURENS

ASSAULT & BATTERY, 2ND DEGREE
§16-03-0600(D)(1)

At a Court of General Sessions, convened on the 12th day of April, 2024, the Grand Jurors of Laurens County present upon their oath:

The defendant, Leon Lee Harris Jr, did on or about November 5, 2023, in Laurens County, South Carolina, unlawfully injure the victim, Richard Anthony Mixon, or did offer or attempt to unlawfully injure the victim with present ability to do so, and moderate bodily injury to another person resulted or could have resulted. All in violation of 16-03-0600(D)(1), Code of Laws of South Carolina, (1976, as amended),

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



Mary-Madison Driggers
Assistant Solicitor

R. 117

WITNESSES

R.

Laurens County Sheriff's Department
DEPUTY
DONNA ALLOY BRAVALL

THE STATE OF SOUTH CAROLINA

COUNTY OF LAURENS

I hereby waive presentment to the Grand Jury.

COURT OF GENERAL SESSIONS

April Term, 2024

Indictment #2024GSS30-0604

Defendant

WARRANT NUMBER

2023A3010200379

Witness:

True Bill

THE STATE
VS.
LEON LEE HARRIS, JR

Brithney Spruvel

Foreman of the Grand Jury

Date: 4-12-24

VERDICT

INDICTMENT FOR

POSSESSION OF A FIREARM BY A PERSON
CONVICTED OF A VIOLENT OFFENSE
SC Code: § 16-23-0500(A)

CDR: 3434

Foreman

THE STATE OF SOUTH CAROLINA

COUNTY OF LAURENS

INDICTMENT FOR

POSSESSION OF A FIREARM BY A PERSON
CONVICTED OF A VIOLENT OFFENSE
§16-23-0500(A)

At a Court of General Sessions, convened on the 12th day of April, 2024, the Grand Jurors of Laurens County present upon their oath:

The defendant, Leon Lee Harris Jr, did on or about November 7, 2023, in Laurens County, South Carolina, have in his possession a firearm and/or ammunition. Said Defendant has been convicted of a felony which is classified as a violent crime, as defined by South Carolina Code Section 16-1-60. All in violation of 16-23-0500(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 cases made and provided.



Mary-Madison Driggers
Assistant Solicitor

R. 119

WITNESSES

Laurens County Sheriff's Department

DONNA ALLOY BRAVALL

THE STATE OF SOUTH CAROLINA

COUNTY OF LAURENS

I hereby waive presentment to the Grand Jury.

Defendant

COURT OF GENERAL SESSIONS

April Term, 2024

Indictment #2024GS30-0605

WARRANT NUMBER

2023A3010200380

THE STATE

vs.

LEON LEE HARRIS, JR

Witness:

True Bill

Bethney Sprawl

Foreman of the Grand Jury

Date: 4-12-24

INDICTMENT FOR

POINTING/PRESENTING A FIREARM

SC Code: § 16-23-0410

VERDICT

CDR: 0122

Foreman

THE STATE OF SOUTH CAROLINA

COUNTY OF LAURENS

INDICTMENT FOR

POINTING/PRESENTING A FIREARM
§16-23-0410

At a Court of General Sessions, convened on the 12th day of April, 2024, the Grand Jurors of Laurens County present upon their oath:

The defendant, Leon Lee Harris Jr, did on or about November 7, 2023, in Laurens County, South Carolina, point and/or present a firearm at the victim, Richard Anthony Mixon. All in violation of Section 16-23-410, Code of Laws of South Carolina (1976, as amended).

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



Mary-Madison Driggers
Assistant Solicitor

121

WITNESSES

LOGAN KANTPE
Laurens County Sheriff's Department

THE STATE OF SOUTH CAROLINA

COUNTY OF LAURENS

I hereby waive presentment to the Grand Jury.

COURT OF GENERAL SESSIONS

April Term, 2025

Indictment # 2025GSS30-0351

Defendant

WARRANT NUMBER

2023A3010200381

Witness:

THE STATE

vs.

LEON LEE HARRIS, JR

True Bill
Shari Galt

Date: 4-4-2025
Foreman of the Grand Jury

INDICTMENT FOR

MANUFACTURING CRACK COCAINE

SC Code: § 44-53-375(B)

CDR: 3039

VERDICT

Foreman

THE STATE OF SOUTH CAROLINA

COUNTY OF LAURENS

INDICTMENT FOR

**MANUFACTURING CRACK COCAINE
§44-53-375(B)**

At a Court of General Sessions, convened on the 4th day of April, 2025, the Grand Jurors of Laurens County present upon their oath:

The defendant, Leon Lee Harris Jr, did on or about November 7, 2023, in Laurens County, South Carolina, manufacture, distribute, dispense, deliver, purchase, or otherwise aid, abet, attempt, or conspire to manufacture, distribute, dispense, deliver, or purchase, or possess with the intent to manufacture, distribute, dispense, deliver, or purchase crack cocaine, a cocaine base, in violation of the provisions of Section 44-53-370, all in violation of Section 44-53-375(B), Code of Laws of South Carolina (1976, as amended).

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



Mary-Madison Driggers
Assistant Solicitor

123

WITNESSES

Logan Laidpe
Laurens County Sheriff's Department

THE STATE OF SOUTH CAROLINA

COUNTY OF LAURENS

I hereby waive presentment to the Grand Jury.

COURT OF GENERAL SESSIONS

April Term, 2025

Indictment # 2025GS-0352

Defendant

WARRANT NUMBER

2023A3010200386

Witness:

THE STATE

vs.

LEON LEE HARRIS, JR

True bill
Shirley Jones
Foreman of the Grand Jury
Date: 4-4-2025

INDICTMENT FOR

POSSESSION WITH INTENT TO DISTRIBUTE

METHAMPHETAMINE

SC Code: § 44-53-375(B)

CDR: 3200

Foreman

THE STATE OF SOUTH CAROLINA

COUNTY OF LAURENS

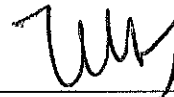
INDICTMENT FOR

**POSSESSION WITH INTENT TO DISTRIBUTE
METHAMPHETAMINE
§44-53-375(B)**

At a Court of General Sessions, convened on the 4th day of April, 2025, the Grand Jurors of Laurens County present upon their oath:

The defendant, Leon Lee Harris Jr, did on or about November 7, 2023, in Laurens County, South Carolina, manufacture, distribute, dispense, deliver, purchase, or otherwise aid, abet, attempt, or conspire to manufacture, distribute, dispense, deliver, or purchase, or possess with the intent to distribute, dispense, deliver, or purchase methamphetamine in violation of the provisions of Section 44-53-370, all in violation of Section 44-53-375(B), Code of Laws of South Carolina (1976, as amended).

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



Mary-Madison Driggers
Assistant Solicitor

R. 125

WITNESSES

Laurens County Sheriff's Department

Jamathay Brown

WARRANT NUMBER

Direct Indictment

True Bill

Bill Self

Foreman of the Grand Jury

Date: 8.1.2025

THE STATE OF SOUTH CAROLINA

COUNTY OF LAURENS

COURT OF GENERAL SESSIONS

August Term, 2025

Indictment # 2025GSS30-0763

THE STATE

vs.

LEON LEE HARRIS, JR

INDICTMENT FOR

POSSESSION WITH INTENT TO DISTRIBUTE

COCAINE

SC Code: § 44-53-370

CDR: 0185

I hereby waive presentment to the Grand Jury.

Defendant

Witness:

Foreman

THE STATE OF SOUTH CAROLINA

COUNTY OF LAURENS

INDICTMENT FOR

**POSSESSION WITH INTENT TO DISTRIBUTE
COCAINE
§44-53-370**

At a Court of General Sessions, convened on the 1st day of August, 2025, the Grand Jurors of Laurens County present upon their oath:

The defendant, Leon Lee Harris Jr, did on or about November 7, 2023, in Laurens County, South Carolina, manufacture, distribute, dispense, deliver, purchase, aid, abet, attempt, or conspire to manufacture, distribute, dispense, deliver, or purchase, or possess with the intent to manufacture, distribute, dispense, deliver, or purchase cocaine, a schedule II controlled substance narcotic, all in violation of Section 44-53-370, Code of Laws South Carolina (1976, as amended).

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



Mary-Madison Driggers
Assistant Solicitor

THE STATE OF SOUTH CAROLINA

In The Court of Appeals

APPEAL FROM LAURENS COUNTY

Court of General Sessions

The Honorable Eugene C. Griffith, Jr., Circuit Court Judge

Indictment Number(s):

W# 13

2023A3010200381, 2023A3010200386
2025GS30-0351, 2025GS30-0352, 2025GS30-0763

State of South Carolina,

Appellant,

v.

Leon Lee Harris, Jr.,

Respondent.

H. MICHELLE SIMMONS
2025 SEP 18 P 2:17
LAURENS COUNTY
CLERK OF COURT

NOTICE OF APPEAL

The State of South Carolina appeals the ruling of the Honorable Eugene C. Griffith with respect to the suppression of the search warrant, pronounced orally on both September 10th and September 16th 2025. The notice of appeal is filed pursuant to S.C. Code Ann § 14-3-330(2)(a) because the trial judge's order affects a substantial right and prevents a judgement from which an appeal might be taken.

September 18, 2025



Mary-Madison Driggers
Assistant Solicitor
Eighth Circuit Solicitor's Office
P.O. Box 667
Laurens, SC 29360
(864) 681-3190

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K. MICHAEL SESSIONS
2025 SEP 18 PM 2:17
LAURENS COUNTY
CLERK OF COURT

PROOF OF SERVICE

I, Mary-Madison Driggers, certify that I have served the within Notice of Appeal on Leon Lee Harris, Jr., by email, at adam@toulmalawgroup.com on September 18, 2025, addressed to his attorney of record, Adam Touma, esq. Additionally, the Notice of Appeal was mailed and addressed to:

Adam Touma, Esq.
531 S. Main Street
Suite 201
Greenville, SC 29601

September 18, 2025


Mary-Madison Driggers
Assistant Solicitor
Eighth Circuit Solicitor's Office
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Laurens, SC 29360
(864) 681-3190

CERTIFICATE OF COUNSEL

Counsel for Appellant certifies this Record on Appeal contains all material proposed to be included by the parties and not any other material and 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.”

ALAN WILSON
Attorney General

MARK R. FARTHING
Senior Assistant Deputy Attorney General

DAVID M. STUMBO
Solicitor, Eighth Judicial Circuit

BY: _____



Mark R. Farthing
S.C. Bar Number 76901

ATTORNEYS FOR APPELLANT

August 17, 2026

RECEIVED

Aug 17 2026

SC Court of Appeals