STATE OF SOUTH CAROLINA	)	IN THE COURT OF GENERAL SESSIONS
	)	FOR THE NINTH JUDICIAL CIRCUIT
COUNTY OF CHARLESTON	)	
	)	
STATE OF SOUTH CAROLINA	)	Warrant #s: 2023A1010203879- 80
	)	Charges: Murder, P/ Weapon During a Violent Crime
	)	
vs.	)	DEFENDANT'S TRIAL BRIEF
	)	
Quteirus Capers Mitchell,	)	
	)	
Defendant	)	
	)	

TO: THE HONORABLE ROGER M. YOUNG

STATEMENT OF THE CASE

Emmanuel Johnson was shot on June 4, 2023, and later died, while outside at an apartment complex at 3314 Florida Avenue in North Charleston, South Carolina. Police responded to the scene. Shell casings were found nearby, approximately at 3317 Florida Avenue and Ubank Street. There was also evidence of other shell casings at 3314 Florida Avenue, including on the second-floor balcony. Police recovered numerous cell phones and bags that had been abandoned.

Police were directed to DVR with surveillance containing images, close to the crime scene, of two males in dark hoodies getting out of a white car with guns, and they very shortly afterwards run back to the car. Between this surveillance recording and other surveillance data, police were directed to a white Chrysler 200 with a specific license plate number. This car was traced to Neiman Williams. Police learned that the car had been loaned to Co-defendant Ti'Zaveis Grampus. The car was later located. From a search,

police located a McDonald's receipt, dated on June 4, 2023, before the shooting. From this receipt, police obtained surveillance from McDonald's, which also directed police to Grampus.

Police were later directed by the City of Charleston Police Department to Defendant's Snapchat account. In a video from this account, posted not long after the shooting, Defendant appears to be in the backseat of a car, without a shirt on, holding a gun and singing to a rap song. Another male, co-defendant Bernard Brown, also appears to be in the backseat of the car with another gun. Brown is also wearing a dark sweatshirt, showing an Outrank logo, that looked to be the same sweatshirt worn by one of the males who had earlier gotten out of the Crysler with a gun by Florida Avenue. Defendants were arrested based on this information.

Subsequent to the arrests of all three Defendants, police recovered two guns from two unrelated cases involving other defendants. Testing by SLED has indicated that these two guns are tied to two of the at least three guns used at the shooting at Florida Avenue.

Pre-Trial Legal Matters

A. Motion to Sever Trial from Trial of Co-Defendants

The State seeks to try the three co-defendants in one trial. Co-defendant Grampus is alleged to have been the driver, while Defendant and Brown are alleged to have been the shooters. Defendant is not aware of what may be said by co-defendants, either through their attorneys or possibly on the witness stand. While Defendant recognizes, based on current caselaw, that possible antagonizing defenses is not necessarily alone a basis for a severance, Defendant maintains that there are too many possible pitfalls from multiple co-

defendants being tried together, and they can easily lead to a violation of Defendant's right to a fair trial based on the Fifth Amendment of the United States Constitution.

B. Motion to Exclude References to Alleged Gang Affiliations

Police believe this current shooting was part of series of gang-related shootings. They believe that the Defendants were part of the Get Active Gang. Johnson, on the other hand, was believed to be affiliated with the Get Off First Gang/Backstreet Gang.

Mentions of alleged gang affiliations would be highly prejudicial and would go into other bad acts, and therefore should be excluded based on the South Carolina Rules of Evidence, Rules 403 and 404 (b), respectively. In addition, such testimony should be excluded due to it being based on hearsay and speculation. *See State v. Price*, 368 S.C. 494, 629 S.E.2d 363 (2006).

C. Motion to Suppress Defendant's Snapchat Data

North Charleston Police were directed to Defendant's Snapchat account by Detective Vollono of the Charleston Police Department (CPD). He had been investigating another shooting and had gotten a search warrant for the account. While looking at the data, he came across a video of Defendant in a car without a shirt and while holding a gun. Based on this image, North Charleston obtained their own search warrant for Defendant's Snapchat account. From that return, they obtained the same video shown to them by CPD, in addition to other images the State is seeking to admit into Evidence. Defendant is seeking to suppress this data based on the defectiveness of the initial CPD search warrant, thereby making the evidence for North Charleston's search warrant the fruit of the poisonous tree, which would therefore require suppression of the obtained evidence. "The fruit of the poisonous tree doctrine holds that where evidence would not have come to light but for the

illegal actions of the police, and the evidence has been obtained by the exploitation of that illegality, the evidence must be excluded." *State v. Greene*, 330 S.C. 551, 559, 499 S.E.2d 817, 821 (Ct. App. 1997), *citing State v. Plath*, 277 S.C. 126, 284 S.E.2d 221 (1981).

The CPD search warrant (see attached CPD warrant) requests data from Defendant's Snapchat account essentially because Vollono says he has been investigating suspected gang activity, he believes Defendant to be in one gang without explaining why (other than describing an argument on the beach), and that someone told him Defendant was a shooter in a case he was investigating. However, the warrant fails to establish the basis or sources for the affiant's knowledge. Instead, it speaks in conclusory language, such as the officer knows, without ever explaining how he knows. "Mere conclusory statements which give the magistrate no basis to make a judgment regarding probable cause are insufficient." *State v. Smith,* 301 S.C. 371, 373, 392 S.E.2d 182, 183 (1990). While the warrant indicates the detective was told that Defendant was a shooter, he provides absolutely no information on the informant or the circumstances of the disclosure, which could have been just based on a rumor. "'[A] warrant based solely on information provided by a confidential informant must contain information supporting the credibility of the informant and the basis of his knowledge.'" *State v. Dill*, 423 S.C. 534, 542, 816 S.E.2d 557, 562 (2018), *citing State v. 192 Coin-Operated Video Game Machs.*, 338 S.C. 176, 192, 525 S.E.2d 872, 881 (2000).

The North Charleston search warrant (see attached North Charleston warrant) is arguably exclusively based on the Snapchat video provided by CPD. While it gives other details about the crime, those details are not related to Defendant. For example, it explains how co-defendant Grampus was connected to the crime, without then connecting Grampus

to Defendant. It makes the misleading statement that co-defendant Brown was identified as one of the shooters, suggesting an actual identification but presumably just based on the note that he looked to be wearing the same sweatshirt that one of the shooters was wearing. The only information the warrant provides about Defendant is that, based on the Snapchat video, he was with Brown at a time after but close to the shooting, without even giving the actual timeframe. It then indicates that Defendant's Snapchat was identified as being a means of communication amongst the co-defendants, without providing any information of how or by whom it was identified.

In addition to the North Charleston search warrant being obtained based solely on the information improperly obtained by CPD, it also is based on other problematic information. The warrant is nothing more than an attempt to go on a fishing expedition. The Snapchat data should be excluded as a result.

D. Motion to Exclude Certain Pictures & Videos & Messaging

The State is seeking to introduce a variety of images from data recovered from search warrants. While Defendant does not object to all images (outside of the general objection to the above Snapchat search warrant), he is requesting a hearing to review the images in a pre-trial hearing to determine the extent of what should be allowed. Some images show the Victim's body and blood after being shot, which should be excluded based on Rule 403 of the South Carolina Rules of Evidence. In addition, some other images are not relevant (such as one of Defendant only smoking what appears to be marijuana) and cumulative. There is also communication between parties who are not charged and who are speculating on what may have happened: This is in fact just speculation and should be excluded based on that.

Respectfully submitted,

_____

Mary A. Ford, #73776
Attorney for Quteirus Capers Mitchell
101 Meeting Street, 5th Floor
Charleston, SC 29401

Charleston, South Carolina

Dated: October 2, 2026

STATE OF SOUTH CAROLINA

County of Charleston

City of North Charleston

SEARCH WARRANT

OCA # 2023014931

Det. T. Holley

Address: Custodian of Records
Snap Inc.
2772 Donald Douglas Loop North
Santa Monica, CA 90405
lawenforcement@snapchat.com

STATE OF SOUTH CAROLINA

COUNTY OF CHARLESTON **AFFIDAVIT**
CITY OF NORTH CHARLESTON

Personally appeared before me, one, Det. T. Holley, who, being duly sworn, says that there is probable cause 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 in this County:

DESCRIPTION OF PROPERTY SOUGHT

-See Attachment A-

Please send information to:
Detective T. Holley
Email: holleyt@northcharleston.org
North Charleston Police Department
2500 City Hall Lane
North Charleston, S.C. 29406

DESCRIPTION OF PREMISES (PERSON, PLACE OR THING) TO BE SEARCHED

This warrant applies to information associated with the Snapchat user ID **ikeepthaswitxh** that is stored at premises owned, maintained, controlled, or operated by Snap Inc., a company who's custodian of records is headquartered in Santa Monica, California.

REASON FOR AFFIANTS' BELIEF THAT THE PROPERTY SOUGHT IS ON THE SUBJECT PREMISES

On June 4, 2023, at approximately 1652 hours, Officers from the North Charleston Police Department were dispatched to 3314 Florida Avenue in reference to a shooting. Upon arrival, officers located a male with a gunshot wound to his head. The victim was transported by Charleston County EMS to MUSC. A witness advised detectives, that they observed an individual by the name of Trevon Jordan remove two guns from a white Dodge Charger and go into apartment 6. The witness advised that there was a dispute over a dice game involving the victim, and gunshots were heard. Shell casings and dice were located directly in the front door of apartment 6 and several more shell casings were located on the stairwell toward where the victim was located. Travon Jordan advised Detectives that he did have a 9 mm handgun inside the residence. The shell casings found in front of the residence were a small caliber. Trevon Jordan was escorted to North Charleston City Hall for an interview and during the interview Mr. Trevon Jordan stated that he was not outside during the shooting and did not see what happened. Through further investigation it was learned that Mr. Trevon Jordan did in fact go to his vehicle after the shooting, retrieve a firearm and take it into the residence. Mr. Trevon Jordan then gave the firearm to his sister once inside of the residence. Mr. Trevon Jordan did advise that his firearm is a Taurus G3 .9mm which is a smaller caliber like the spent casings in front of the doorway of apartment 6. Mr. Trevon Jordan denied being involved in any kind of dice games or playing dice games with the victim. Upon reviewing officers body worn cameras one individual advised that the victim was near apartment 6 shortly before he was shot.

Through the investigation and upon watching video footage captured from City owned cameras as well as witness cameras, Detectives were able to positively identify a suspect vehicle being a white in color Chrysler 200 bearing tag WEY342. On June 7th, 2023, the white Chrysler 200 was located at 1640 Juniper St, Charleston, SC 29407, at which point the vehicle was towed to the City of North Charleston's warehouse pending a search warrant. Detectives executed a search warrant on the Chrysler 200 bearing SC tag WEY342 where several items of evidentiary value were seized from within. Detectives located receipts from the McDonald's located at 3710 Rivers Avenue approximately 30 minutes before the shooting. Detectives secured video footage from the McDonald's which captured the suspect vehicle being driven by a male subject who is believed to be identified as Tizaveis Grampus who is an associate of the "Get Active Gang". Through further investigation of social media Tizaveis Grampus appears to be wearing similar clothing on social media posts as from the surveillance footage at McDonald's shortly before the shooting. Detectives were able to

identify further leads through social media, including Facebook, and phone records identifying Tizaveis Grampus as potentially being involved in the incident through the investigation. Tizaveis Grampus is an associate of the "Get Active Gang" which there have been numerous acts of violence and homicides between rival groups "Get Off First Gang" and "Backstreet", who is affiliated with "Get Off First Gang".

On June 8th, 2023, at approximately 8:20 p.m. Officers responded to a shooting at the A1 Grocery located at 4106 Dorchester Road. Upon arrival Officers located a deceased male in the parking lot along with several other victims and vehicles who were struck by gunfire. The deceased victim from this incident is also affiliated with the "Backstreet" who is a rival of "Get Active Gang" which Tizaveis Grampus is an associate of. It is believed that the shooting on June 8th, 2023, is related to the shooting on June 4th, 2023, where Emmanual Johnson was shot and killed.

On July 11, 2023, Detectives were provided with information from Detectives with the City of Charleston, on the co-defendant (Bernard Brown) and another co-defendant (Qutairus Dymear Telekius Capers-Mitchell). Detectives with the City of Charleston provided a Snap Chat video of the two co-defendants. Upon reviewing the provided Snapchat video posts from the co-defendant's (Qutairus Dymear Telekius Capers-Mitchell) Snapchat account (ikeepthaswitxh) which showed the co-defendant (Bernard Brown) and one of the co-defendants (Qutairus Dymear Telekius Capers-Mitchell) traveling in a rear passenger seat while displaying firearms shortly after the shooting at 3314 Florida Ave, and before arriving at Pepboys. The defendant is wearing the same "OUTRANK" hooded sweatshirt which is seen in the surveillance footage from the shooting. The co-defendant (Qutairus Capers-Mitchell) appears to have taken off his shirt after the shooting and during the Snapchat video. The individuals in the Snapchat video were positively identified as being the co-defendant (Bernard Brown) and co-defendant (Qutairus Dymear Telekius Capers-Mitchell).

The co-defendant (Bernard Brown) was positively identified as one of the individuals who while armed with a firearm who did shoot the victim. Additionally, the co-defendant's (Qutairus Capers-Mitchell) snapchat account (ikeepthaswitxh) was positively identified as one of the methods of communication between the co-defendants. Based on these facts, it is believed that probable cause exists that upon execution of the search warrant **information pertaining to the crime of Murder** will be found within the records. This information may be able to corroborate statements made by witnesses and identify possible suspects as well as establish a pattern of life for the user of the account which will assist with confirming the user's identity and possible associates.

In addition, the Court orders that all papers in the affidavit and search warrant be sealed until further order of the Court and SnapChat not to disclose or notify the account holder of this legal process. These documents discuss an ongoing criminal investigation that is not known to all of the targets of the investigation. Accordingly, there is good cause to seal these documents because their premature disclosure may seriously jeopardize the investigation.

Sworn to and Subscribed before me

this 19 **day of** July **, 2023.**

(L.S.)

Signature of Judge

AFFIANT: T. Hall #161

2500 City Hall Ln.
North Charleston, SC 29418
(843) 740-2859

OCA #2023014931

STATE OF SOUTH CAROLINA

COUNTY OF CHARLESTON
CITY OF NORTH CHARLESTON

SEARCH WARRANT

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

MUNICIPALITY OF NORTH CHARLESTON.

It appears 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, PLACE OR THING)
TO BE SEARCHED

-See Attached Affidavit-

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

-See Attached Affidavit-

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

A written inventory of all property seized pursuant to this Search Warrant shall be made to Issuing Judge 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 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 prominent place on such premises.

Charleston, S. C.
7 · 19 · , 2023.

(L.S.)
Signature of Judge

ATTACHMENT A
Particular Things to be Seized

I. Information to be disclosed by Snapchat

To the extent that the information described in Attachment A is within the possession, custody, or control of Snapchat Inc. ("Snapchat"), including any messages, records, files, logs, or information that have been deleted, or are still available to Snapchat, or have been preserved by Snapchat based on a preservation request, Snapchat is required to disclose the following information to the government for the Snapchat user ID **ikeepthaswitxh** between June 3, 2023, through June 9, 2023:

(a) Basic subscriber information for the Snapchat account associated with the username **ikeepthaswitxh** consisting of the email address, phone number, account creation date, all location data during June 3, 2023, through June 9, 2023, and timestamps and IP address for account logins/logouts.
(b) Logs, including sender, recipient, date, and time, concerning the previous Snaps sent to or from the Snapchat account with the username **ikeepthaswitxh**
(c) All photos and videos uploaded by username **ikeepthaswitxh** and all photos and videos uploaded by any user that have that user tagged in them;
(d) All stripped metadata from the corresponding video or photo;
(e) All privacy settings and other account settings, including privacy settings for individual Snapchat posts and stories, and all records showing which Snapchat users have been blocked by the account;
(f) All IP logs, including all records of the IP addresses that logged into the account;
(g) All intra-session IP addresses;
(h) All location data relating to Snapchat use to include location data for messages, calls, snaps,

Sworn to and Subscribed before me

this 11 day of July, 2023

(L.S.)
Signature of Judge

AFFIANT:

2500 City Hall Ln.
North Charleston, SC 29418
(843) 740-2859

OCA #2023014931

RETURN

I received the attached Search Warrant July 19, 20 23, and have executed it as follows:

On July 19, 20 23 at 3:10 o'clock P M, I searched
(the person) described in the warrant and
(the premises)

I left a copy of the warrant with NA
(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 pursuit to the warrant:

Property	Recovered by	Location Recovered
Digital Data	Det. T. Holley	2500 City Hall Lane
TH	TH	TH

This inventory was made in the presence of Det. T. Holley
AND

I swear that this inventory is a true and detailed account of all the property taken by me on the warrant.

SWORN to before me this 6
day of September, 2023.

(L.S.)

7412

#101
(Signature of Officer Executing Warrant)

Form Approved by
S. C. Attorney General
Section 17-13-160

STATE OF SOUTH CAROLINA

County of Charleston

City of Charleston

NON-DISCLOSURE ORDER

Custodian of Records – Snapchat Inc.
2772 Donald Douglas Loop North
Santa Monica, CA 90405
lawenforcement@snapchat.com

STATE OF SOUTH CAROLINA
COUNTY OF CHARLESTON **City of Charleston**

NON-DISCLOSURE ODER

The City of Charleston has submitted an application pursuant to 18 U.S.C. § 2705(b), requesting that the Court issue an Order commanding **Snapchat Inc.**, an electronic communications service provider and/or a remote computing service, not to notify any person (including the subscribers or customers of the account(s) listed in the caption) of the existence of the attached search warrant **in the matter of a search warrant for information related to the account username of Ikeepthaswitxh** and Snapchat **display name of Hampgetactivefr.**

The Court determines that there is reason to believe that notification of the existence of the search warrant will seriously jeopardize the investigation, including by giving targets an opportunity to flee or continue flight from prosecution, destroy or tamper with evidence, change patterns of behavior, or notify confederates. *See* 18 U.S.C. § 2705(b).

IT IS THEREFORE ORDERED under 18 U.S.C. § 2705(b) that **Snapchat Inc.,** shall not disclose the existence of the attached search warrant, or this Order of the Court, to the listed subscriber or to any other persons until the account user is arrested or for a period of one year from this Order, whichever first occurs, or such other time period set by subsequent Order of the Court, except that **Snapchat Inc.** may disclose the information to an attorney for **Snapchat Inc.,** for the purpose of receiving legal advice.

IT IS FURTHER ORDERED that the application and this Order are sealed until otherwise ordered by the Court.

IT IS SO ORDERED.

Charleston, S. C.

June 14, 2023.

Time: 10:46a A/P.M.

JMcKay (L.S.)

Signature of Judge

STATE OF SOUTH CAROLINA
COUNTY OF CHARLESTON **City of Charleston**

APPLICATION FOR ORDER NOT TO NOTIFY SUBSCRIBER OF THE EXISTENCE OF SEARCH WARRANT

The City of Charleston requests that the Court order **Snapchat Inc.,** not to notify any person (including the subscribers or customers of the account(s) listed in the subpoena) of the existence of the search warrant **in the matter of a search warrant for information related to the account username of Ikeepthaswitxh** and Snapchat **display name of Hampgetactivefr.**

Snapchat Inc., is a provider of an electronic communication service, as defined in 18 U.S.C. § 2510(15), and/or a remote computer service, as defined in 18 U.S.C. § 2711(2). Pursuant to 18 U.S.C. § 2703, the United States obtained the subpoena in this matter, which requires **Snapchat Inc.,** to disclose certain records and information to the City of Charleston. This Court has authority under 18 U.S.C. 2705(b) to issue "an order commanding a provider of electronic communications service or remote computing service to whom a warrant, subpoena, or court order is directed, for such period as the court deems appropriate, not to notify any other person of the existence of the warrant, subpoena, or court order." *Id.*

In this case, such an order would be appropriate because the search warrant relates to an ongoing criminal investigation that is neither public nor known to the targets of the investigation, and its disclosure may alert the targets to the ongoing investigation. Accordingly, there is reason to believe that notification of the existence of the search warrant will seriously jeopardize the investigation, including by giving targets an opportunity to avoid apprehension, destroy or tamper with evidence, change patterns of behavior, or notify confederates. *See* 18 U.S.C. § 2705(b). Some of the evidence in this investigation is stored electronically. If alerted to the existence of the search warrant, the subjects under investigation could destroy that evidence.

WHEREFORE, the City of Charleston respectively requests that the Court grant the attached Order directing **Snapchat Inc.,** not to disclose the existence or content of the subpoena, except that **Snapchat Inc.,** may disclose the information to an attorney for Google, Inc. for the purpose of receiving legal advice.

AFFIANT: JMcCoy DET.

180 Lockwood Blvd.
Charleston, SC 29401
(843) 557-7434

Dated: 6/14/2023

STATE OF SOUTH CAROLINA

County of Charleston

SEARCH WARRANT

Date June 14, 2023

Detective M. Vollono

STATE OF SOUTH CAROLINA)
) SEARCH WARRANT
COUNTY OF Charleston)
)

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

It appearing from the attached affidavit that there are reasonable grounds to believe that certain property subject to seizure under provisions of the Stored Communications Act and 18 U.S.C. Section 2703, as amended, is located on the following premises:

DESCRIPTION OF PREMISES (PERSON OR THING)
TO BE SEARCHED
Custodian of Records – Snapchat Inc.
2772 Donald Douglas Loop North
Santa Monica, CA 90405
lawenforcement@snapchat.com

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

Please do not disclose the existence of this request or investigation for an indefinite time period. Any such Disclosure could impede the criminal investigation being conducted.

Please direct questions concerning this Search Warrant and/or response to Detective M. Vollono 843-670-2708. In lieu of personal appearance, please email records to vollonom@charleston-sc.gov.

Please provide a Certified Business Letter of all reports provided.

DESCRIPTION OF PROPERTY

All information held by Snap, Inc. to include, but is not limited to:

- Basic Subscriber Information collected when a user creates a new Snapchat account, alters information at a later date, or otherwise interacts with the Service, Basic subscriber information that may include Snapchat username, Email address, Phone number, Snapchat user vanity name, Snapchat account creation date and IP address, Timestamp and IP address of account logins and logouts

- Logs of Previous Snaps, Saved Snaps, Memories, Saved Memories, Stories, Chats [to include Chat context].

- Any and all content to include pictures, videos, messaging content, memories public and private to include my eyes only, all upload content, all download content, all sent/received content.

- Metadata, geo-location data, and IP addresses of all Memories, Snaps, Photos, Videos, Stories, and Chats, Snapchat for Snaps, Story content, Memories content, and SnapCash.

- Location information including but not limited to location information obtained by Snapchat related affiliates to include Bitmoji and all devices for the above Snapchat accounts accessing Snapchat services. This is to include Check-ins, Geographic Location through Global Positioning System (GPS), Bluetooth, or WiFi signals.

- Associated user name(s), associated e-mail address(es), verification telephone number(s), device identification numbers such as Unique Device Identification (UDID), International Mobile Equipment Identifier (IMEI), Mobile Equipment Identifier (MEID), Google Play Store and/or Apple App Store account information and all other account information that may be associated with this account after it has been identified.

The above-listed items are requested for the time **April 1, 2023 to present date** with the **username of: Ikeepthaswitxh** and Snapchat **display name of Hampgetactivefr.**

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 *Issuing Judge:* 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.

Charleston, South Carolina

Signature of Circuit Court Judge

Dated: 6/14/23

STATE OF SOUTH CAROLINA)
)
COUNTY OF Charleston)

AFFIDAVIT

Personally appeared before me, one Detective M. Vollono, who being duly sworn, says that there is probable cause to believe that certain property subject to seizure under provisions of the Stored Communications Act and 18 U.S.C. Section 2703, as amended, is located on the following premises in this County:

DESCRIPTION OF PROPERTY SOUGHT

Please reference property sought on Page 1.

DESCRIPTION OF PREMISES (PERSON OR THING)
TO BE SEARCHED

Custodian of Records – Snapchat Inc.

2772 Donald Douglas Loop North

Santa Monica, CA 90405
lawenforcement@snapchat.com

REASON FOR AFFIANT'S BELIEF THAT THE
PROPERTY SOUGHT IS ON THE SUBJECT PREMISES

In December of 2022, the City of Charleston Police Department started an investigation into the increase in violent crime in the City of Charleston's downtown area; specifically in the "East Side" and "Bridgeview Apartment Complex" and North Charleston. The increase in violent crime includes; Homicide, Attempted Murder, and Assault/Battery 1st Degree.

Through these incidents; numerous individuals have been linked through associations of the Offenders and/or Victims. Further investigation revealed that the ongoing/increased violence is due to Gang violence and a Gang feud between three different gangs.

On April 7, 2023, at approximately 1720 hours, Isle of Palms Police Department responded to beach in front of 1300 Ocean Blvd Isle of Palms, South Carolina 29451 for a large disorderly group of individuals. While on scene, police officers observed a physical altercation between multiple individuals. Officers quickly broke up the physical altercation and detained Mr. Qutarius Capers-Mitchell as an individual who was part taking in the physical altercation. Due to the ongoing investigation that the City of Charleston Police Department has been conducting into the increased violence, Your Affiant (Detective Vollono) is familiar with Mr. Capers-Mitchell and his association/affiliation to one of the gangs causing the increased violence.

Continued on Page 4

COUNTY OF CHARLESTON)

Continued from the Previous Page

Through further investigation Your Affiant reviewed the body worn camera from the physical altercation and observed Mr. Capers-Mitchell state while in handcuffs to a group of unknown black males; "Fuck you and your set nigga – Fuck everything you claim bitch – Pussy ass little nigga – I didn't run from nothing – All you little nigga's know what's going on".

Through Your Affiant training and experience, Your Affiant knows that these statements made by Mr. Capers-Mitchell indicates that the physical altercation was due to the ongoing Gang feud. It should be noted, Your Affiant is aware of all the individuals that were detained due to the physical altercation resulted in Mr. Capers-Mitchell and another individual being apart of one gang and the individual they were in a physical altercation with is from a rival gang.

On June 8, 2023, at approximately 2129 hours, the Mount Pleasant Police Department responded to 1475 Caliper Oak Circle Mount Pleasant, South Carolina 29464 for a report of a Motor Vehicle Theft. Upon their arrival, officers made contact with Mr. Bao Huyhn (Complainant) and Ms. Lihn Doan (Victim). At this time, Mr. Huyhn advised that his wife [Ms. Doan] vehicle was stolen from their property. Mr. Huyhn continued to state the vehicle that was stolen was a black in color 2014 Honda Civic displaying Georgia registration CIC6446. Further investigation revealed that Honda Civic was captured on Flock Camera's at approximately 0430 hours at on Hwy 17 prior to the Ravenel Bridge heading toward the City of Charleston.

On June 8, 2023, at approximately 0854 hours, Your Affidavit obtained a Snap Chat video clip. The video clip can be described in the following manner. The video clip was posted by Vanity name: GAG Lil D [Black ninja emoji] and **Username: longlive_trag0.** The video was posted approximately four hours prior to Your Affiant viewing said video. It should be noted; Your Affiant is familiar with the **Username: longlive_trag0** due to the ongoing investigation and knows the account belongs to Mr. Darius Gadsden. The video continues to show Mr. Gadsden wearing a black jacket and blue latex gloves driving approximately 115/116 miles per hour. Through further investigation, Your Affiant believes that the area in which Mr. Gadsden is driving approximately 115/116 miles per hour would be on Hwy 17 in Mount Pleasant prior to the Ravenel Bridge. The video continues to show Mr. Gadsden driving through what is believed to be downtown Charleston, South Carolina.

On June 8, 2023, at approximately 2020 hours, North Charleston Police Department responded to a Homicide that had just occurred in the parking lot at 4100 Dorchester Rd North Charleston, South Carolina 29405 [A1]. While reviewing the incident via surveillance cameras, North Charleston Detectives were able to determine that the vehicle in which the shooters used to flee the area of the parking lot was the black in color 2014 Honda Civic displaying Georgia registration CIC6446.

Continued on Page 5

COUNTY OF CHARLESTON)

Continued from the Previous Page

It should be noted; through further investigation Your Affiant was advised that one of the shooters in the incident goes by the name "Hampton". Due to Your Affiant's ongoing investigation into the increased violence in the City of Charleston South Carolina, Your Affiant knows the nickname of Hampton is associated with Mr. Capers-Mitchell. One of the vicitim's in said homicide was associated to the same gang in which Mr. Capers-Mitchell was in a physical altercation with on April 7, 2023.

At this time, Your Affiant referred to the video in which Your Affiant observed Mr. Gadsden driving 115-116 miles per hour. Your Affiant proceeded to compare the front dash of the vehicle in which Mr. Gadsden was driving to that of a 2014 Honda Civic. It should be noted, both the front dash of a 2014 Honda Civic and the front dash of Mr. Gadsden vehicle displayed a similar large digital numbers with the blue graphics near the digital numbers. The vehicle comparison of the center digital radio dash was also similar with regards to screen color/size/knob locations. Your Affiant believes that Mr. Gadsden was driving the black in color Honda Civic displaying Georgia registration CIC6446 due to Mr. Gadsden wearing blue latex gloves while driving the vehicle to ensure his fingerprints would not be left and a long black jacket to not be identified while stealing the vehicle.

On June 11, 2023, Your Affiant was able to confirm the Snapchat account belonging to Mr. Capers-Mitchell goes by the Display (Vanity) name: **Hampgetactivefr** and **Username: Ikeepthaswitxh.**

It should be noted; that Your Affiant knows that Mr. Capers-Mitchell and Mr. Gadsen are a part of the gang known as Get Active Gang [GAG]. Due to the above listed statements, Your Affiant is aware that Mr. Capers-Mitchell and Mr. Gadsden actively use their Snap Chat.

Your Affiant also know through Your Affiants own experiences and those of other Law Enforcement Officers that Snap, Inc. owns and operates a free-access social networking, electronic commerce and cloud services application(s) of the same name that can be accessed using the Snapchat mobile application(s). Snapchat allows its users to establish accounts with Snapchat, and users can then use their accounts to post "Snaps", "Stories", "Memories", send and/or receive "Chats", obtain "SnapCash".

"Snaps" are when a user takes a photo or video using their camera phone in real-time and then selects which of their friends to send the message to. Unless the sender or recipient opts to save the photo or video, the message will be deleted from their devices (after the content is sent in the case of the sender and after it's opened in the case of the recipient). Users are able to save a photo or video they've taken locally to their device or to Memories, which is Snapchat's cloud-storage service.

Stories are when a user adds photo or video Snaps to their "Story." Depending on the user's privacy settings, the photos and videos added to a Story can be viewed by either all "Snapchatters" or just the user's friends for up to 24 hours. Stories can also be saved in "Memories".

Continued on Page 6

COUNTY OF CHARLESTON)

Continued from the Previous Page

"Memories" are Snapchat's cloud-storage service. Users can save their sent or unsent Snaps, posted Stories, and photos and videos from their phone's photo gallery in Memories. A user can also edit and send Snaps and create Stories from these Memories. Snaps, Stories, and other photos and videos saved in Memories are backed up by us and may remain in Memories until deleted by the user.

Using "Chat" a user can type messages, send photos, videos, audio notes, and video notes to friends within the Snapchat app using the Chat feature. A user sends a Chat message to a friend, and once it is viewed by both parties and both parties swipe away from the Chat screen the message will be cleared. Within the Snapchat app itself, a user can opt to save part of the Chat by tapping on the message that they want to keep. The user can clear the message by tapping it again.

In addition to photos, videos, "Snaps" and stories, "Snapcash" is an online money transfer service offered by Snapchat. The actual business platform is run by "SquareUp", the distributor of a mobile credit card reader and application Square Register. Snapcash can be used to transfer money between Snapchat users using a linked, U.S. issued Visa or MasterCard debit card only; using credit cards is not permitted. Snapcash can only be sent to other users who have a linked debit card. Snapcash has a $250 weekly limit but can be upgraded to a $2,500 weekly limit. Users who upgrade have to provide their full name, date of birth, and Social Security number.

Your Affiant is aware through research, documentation, prior training and experience, and/or the experience of other investigators that Snapchat collects and stores personally identifying information on their users. This information consists of user supplied information that can be used to identify the user and/or account creator of a Snapchat account.

This information may include, but is not limited to Basic Subscriber Information collected when a user creates a new Snapchat account, alters information at a later date, or otherwise interacts with the Service. Basic subscriber information may include: Snapchat username, email address, phone number, Snapchat user vanity name, Snapchat account creation date, IP address, timestamp and IP address of account logins and logouts.

As well as location information including but not limited to location information obtained by Snapchat related affiliates to include Bitmoji and all devices for the above Snapchat accounts accessing Snapchat services. This is to include Check-ins, Geographic Location through Global Positioning System (GPS), Bluetooth, or WiFi signals.

This information may also include Logs of Previous Snaps, Stories, and Chats. Snapchat retains logs for the last 31 days of Snaps sent and received, for 24 hours of posted Stories, and for any unopened Chats or those saved by a sender or recipient. The logs may contain metadata about the Snaps, Stories, and Chats, but not the content. Your Affiant knows in certain limited circumstances it may be possible for us to retrieve the content of sent Snaps. Story content may be available for up to 24 hours, or until deleted by a user. Your Affiant knows that Memories content may be available until deleted by a user.

Continued on Page 7

COUNTY OF CHARLESTON)

Continued from the Previous Page

For these reasons, Your Affiant believes probable cause exists to seize and examine the specified records held by Snapchat associated with the Snapchat **username of: Ikeepthaswitxh** and Snapchat **display name of Hampgetactivefr.**

Sworn to and Subscribed before me)
14 day of June , 2023.)
)
)
Signature of Circuit Court Judge)
)
)
)

DET. M. [illegible]
Affiant

Address
Phone

RETURN

I received the attached Search Warrant June 14, ,20 23 and have executed it as follows:

On July 10, **2023** at 3:00 o'clock P M, I searched

(the person) described in the warrant and (the premises)

I left a copy of the warrant with Snap Chat Law Enforcement Operations
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:
Only partial return for request was provided on July 10, 2023. Your Affiant is still in contact with Snapchat (as of July 10, 2023) to fulfill the requested documents in search warrant.

This inventory was made in the presence of Detective M. Vollono

AND _____

I swear that this Inventory is a true and detailed account of all the property taken by me on the warrant.

SWORN to before me this July
day of 11th **2023**

_____ (L.S.)
Signature of Judge

Det. M. _____
(Signature of Officer Executing Warrant)

STATE OF SOUTH CAROLINA | SENTENCE ORDER | IN THE COURT OF GENERAL SESSIONS

COUNTY OF CHARLESTON) INDICTMENT/CASE#: 2024-GS-10-00547

) AW#: 2023A1010203879

STATE vs.) Date of Offense: 06/04/2023

Qutairus Dymear Teleklus Capers-Mitchell) S.C Code§: 16-03-0010

AKA: Qutairus Dym Capers-Mitchell, Quteirus Capers SSN: [redacted]) CDR Code #: 0116

RACE: [redacted] SEX: M DOB: [redacted]) Range of Offense: Murder (Death, Life, or NLT 30 years to life)

In disposition of the above indictment comes now the Defendant who was CONVICTED OF ☒ or ☐ PLEADS

TO: Murder Range of Offense Pled: (Death, Life, or NLT 30 years to life)

In violation of § 16-03-0010 of the S.C. Code of Laws, bearing CDR Code # 0116

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

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

The plea is: ☐ w/o Rec/Negotiations ☐ Negotiated _____ ☐ Recommendation _____

/s Stephanie B. Linder 72656 /s Mary Allison Ford 73776

Solicitor SC Bar # Attorney for Defendant SC Bar #

The Defendant is committed to the ☑ SCDC ☐ County Detention Center ☐ Home Incarceration Program for a determinate term of 45 days/months/years/Time Served ☐ YOA NTE _____ years and/or shall pay a fine of $ _____; provided that upon the service of _____ days/months/years/Time Served and or payment of $ _____ plus costs and assessments as applicable* ; balance is suspended with probation for _____ months/years and subject to SCDPPPS standard conditions of probation, which are incorporated by reference.

The sentence shall run ☑ CONCURRENT or ☐ CONSECUTIVE to sentence on: _____

☑ The Defendant is to be given credit for time served pursuant to S.C. Code § 24-13-40 to be calculated and applied by SCDC _____ days/months ☐ To include time spent on monitored house arrest prior to trial and sentencing

RECEIVED Oct 16 2026 SC Court of Appeals

SPECIAL CONDITIONS:

☐ PTUP _____

☐ No Contact with Victim ☐ Domestic Violence Intervention Program ☐ Hold for Inpatient Treatment

☐ Sex Offender Registry pursuant to S.C. Code § 23-3-430 ☐ SAC/MHC if necessary

☐ Central Registry of Child Abuse and Neglect pursuant to S.C. Code § 17-25-135

☐ Other: _____

		Restitution	$
☐ RESTITUTION See Separate Order (20% per S.C. Code §24-21-490(B))		FINE:	$
§14-1-206 (Assessments 107.5%)			$
§14-1-211 (A)(1) Conv. Surcharge)	Fine/Costs and Assessments are to be paid to the Clerk	$100	$100
§14-1-211 (A)(2)(DUI Surcharge)	of Court within _____ days/months	$100	$
§56-5-1995 (DUI Assessment)		$12	$
§56-1-286 (DUI Breath Test)		$25	$
§14-1-212 (Law Enforcement Funding)		$25	$25
§14-1-213 (Drug Court Surcharge)		$150	$
§34-11-70(b)and(c), and 34-11-90(c)and(d) (Admin Fraud Check Court Costs)		$41	$
§50-21-114 (BUI Breath Test Fee)		$50	$
§56-5-2942(J) (Vehicle Assessment)		$40/ea	$
3% to County (If paid in installments)		TBD	$3.75
☐ Appointed PD or appointed other counsel. Proviso requires $500 to be paid to Clerk during probation and shall be collected before any other fees		$500	$
☐ §17-3-45(B) Unpaid Application Fee to be paid to the Public Defender Fund		$40	$
		TOTAL	$128.75

/s Brianna Wodburne
Clerk of Court/Deputy Clerk

Jamie Bickett 2134
Court Reporter Judge Code

10/9/26
Sentence Date

Presiding Judge

SCCA217B
01/27/2025

SBL/0403350
WITNESSES

North Charleston Police Department
C. Ross

AGENCY CASE NUMBER
2023-014931

ARREST WARRANT NUMBER
2023A1010203879

DATE OF ARREST
07/14/2023

ACTION OF GRAND JURY
TRUE BILL

FEB 13 2024
Foreperson of Grand Jury — Date:

VERDICT
Guilty

10/9/2026
Foreperson of Petit Jury — Date:

DOCKET NO. 2024-GS-10-00547

The State of South Carolina
County of Charleston

COURT OF GENERAL SESSIONS
FEBRUARY TERM 2024

THE STATE
VS.
QUTAIRUS DYMEAR TELEKIUS CAPERS-MITCHELL
B/M DOB: [redacted]

Indictment for
MURDER

SC Code: § 16-03-0010
CDR Code: 0116

RECEIVED
Oct 16 2026
SC Court of Appeals

STATE OF SOUTH CAROLINA

COUNTY OF CHARLESTON

INDICTMENT

At a Court of General Sessions, convened February 2024, the Grand Jurors of Charleston County present upon their oath:

Murder

That in Charleston County, South Carolina on or about June 4, 2023, the defendant, Qutairus Dymear Telekius Capers-Mitchell with malice aforethought did kill and murder Emmanuel Chushawn Zy'kal Johnson by means of shooting with a firearm while acting in concert with others, and Emmanuel Chushawn Zy'kal Johnson did die in Charleston County as a proximate result thereof on or about June 4, 2023 in violation of §16-3-10 of the South Carolina Code of Laws (1976) as amended.

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

STEPHANIE B. LINDER
ASSISTANT SOLICITOR

2023A1010203879

STATE OF SOUTH CAROLINA

[X] County/ [ ] Municipality of

Charleston

THE STATE

against

Qutairus Dymear Telekius Capers-Mitchell

Address: 1 E Wantoot Blvd

Charleston, SC 29407-6550

Phone: SSN: 657-14-1037

Sex: M Race: B Height: 5 6 Weight: 135

DL State: SC DL #: 105310445

DOB: 1/26/2003 Agency ORI #: SC0100800

Prosecuting Agency: North Charleston Police Department

Prosecuting Officer: Timothy L Holley, Jr - S00542

Offense: Murder / Murder

Offense Code: 0116

Code/Ordinance Sec: 16-03-0010

This warrant is CERTIFIED FOR SERVICE in the [ ] County/ [ ] Municipality of

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

(L.S.)

Signature of Judge

Date:

RETURN

A copy of this arrest warrant was delivered to defendant Qutairus Capers-Mitchell on 7-13-2023

Signature of Constable/Law Enforcement Officer

RETURN WARRANT TO:

General Sessions
Charleston County Judicial Center
100 Broad Street, Suite 106
Charleston, SC 29401

ORIGINAL ORIGINAL ORIGINAL ORIGINAL

[X] County/ [ ] Municipality of Charleston)

AFFIDAVIT

Apr 21, 2003 SCCA 518

Personally appeared before me the affiant Timothy L Holley, Jr who being duly sworn deposes and says that defendant Qutairus Dymear Telekius Capers-Mitchell did within this county and state on or about 6/4/2023 violate the criminal laws of the State of South Carolina (or ordinance of [X] County/ [ ] Municipality of Charleston) in the following particulars:

DESCRIPTION OF OFFENSE: Murder / Murder

SCC IN

OPR

NCIC 7/11/23

OPR 865

NCIC #W962659726

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:

PLEASE SEE ATTACHED AFFIDAVIT

RECEIVED
JUL 11 2023
BY:

Signature of Affiant

STATE OF SOUTH CAROLINA)
[X] County/ [ ] Municipality of)
Charleston)

Affiant's Address: 2500 City Hall Lane, North Charleston, SC 29406-

Affiant's Telephone: (843)554-5700

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 6/4/2023 defendant Qutairus Dymear Telekius Capers-Mitchell did violate the criminal laws of the State of South Carolina (or ordinance of [X] County/ [ ] Municipality of Charleston) as set forth below.

DESCRIPTION OF OFFENSE: Murder / Murder

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

Sworn to and subscribed before me on 7/11/2023 (L.S.)

Signature of Issuing Judge

Amanda Haselden

Judge Code: 7412

Judge's Address: 3831 Leeds Avenue, Suite 200, North Charleston, SC 29405-

Judge's Telephone: (843)746-9822

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

ORIGINAL ORIGINAL ORIGINAL

Judge _____

on _____

Type and Amount: _____

Name of Surety: _____

_____

PRELIMINARY HEARING held by

Judge _____

on _____

Defendant Attorney: _____

Decision: _____

_____

_____

DISPOSITION before

Judge _____

on _____

by _____

(indicate jury trial, bench trial, plea, nol. pros., etc.)

Disposition: _____

Sentence: _____

JURORS

_____ _____

_____ _____

_____ _____

Name: _____
Address: _____
_____
Telephone: _____

Name: _____
Address: _____
_____
Telephone: _____

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

Name: _____
Address: _____
_____
Telephone: _____

CODEFENDANTS

_____

_____

2023 JUL 24 PM 12:54
CLERK OF COURT

STATE OF SOUTH CAROLINA
COUNTY OF CHARLESTON
CITY OF NORTH CHARLESTON

AFFIDAVIT
OCA#2023014931
Inv. T. Holley

Personally appeared before me, a magistrate of this County, one Det. _T. Holley___, who first being duly sworn, deposes and says that

Qutairus Dymear Telekius Capers-Mitchell

did within this County and State on the 4th day of June 2023, violate the criminal laws of the State of South Carolina in the following particulars:

DESCRIPTION OF OFFENSE
MURDER
VIOLATION OF SECTION 16-3-10

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

That on June 4, 2023, at approximately 4:51 p.m., while at 3314 Florida Avenue, located in the City of North Charleston, County of Charleston, State of South Carolina the defendant; **Qutairus Dymear Telekius Capers-Mitchell** did commit the offense of **MURDER,** in violation of section **16-3-10** of the South Carolina Code of Laws of 1976, as amended. In that the defendant and a co-defendant did knowingly and unlawfully while armed with firearms shoot the victim (Emmanuel Johnson) which resulted in his death.

Facts to establish the aforesaid are that on June 04, 2023, the North Charleston Police responded to a call for service in reference to a male victim being shot. Once Officers arrived on scene, they located the victim at the bottom of the staircase of 3314 Florida Avenue with an apparent gunshot wound to his head. Detectives with the North Charleston Police Department took over the scene and upon securing and reviewing video footage, Detectives were able to observe a white Chrysler 200 reversing down Ubank Street, where two unknown subjects exited both the back passenger seat and back driver seat. The unknown subjects approached the area where the victim was and began shooting at which point the victim was struck. Detectives were able to locate the white Chrysler 200 on other City owned cameras and the tag was determined to be a South Carolina plate of WEY342. A South Carolina Department of Motor Vehicle check of the tag revealed that the vehicle is registered to a 2015 Chrysler 200 and the owner listed as Nieman Rhakell Williams. Detectives located the white Chrysler 200 on June 7th, 2023, in front of 1640 Juniper Street with a flat passenger side rear tire. The vehicle was towed to the North Charleston Police Warehouse where it was secured for a search warrant. Upon a search of the vehicle, Detectives located numerous items of evidentiary value to include three "McDonalds" receipts which showed a purchase of food at approximately 4:07pm which was just before the murder occurred. The receipts showed that the purchase was from the McDonalds located at 3710 Rivers Avenue. Video footage was obtained from the McDonalds which showed co-defendants arriving in the drive thru where three separate orders are placed. The driver was dressed in a black hoodie sweatshirt with white hood strings. The drivers face from the video obtained resembles the co-defendant. While the orders are being placed, Detectives noticed that there is a large white cup being handled by the driver that was sitting in the cup holder. Detectives further located the same cup during the search warrant which was submitted to be processed for fingerprints and DNA.

Further video was obtained and after the order is received, the vehicle pulls around the building and parks. The vehicle is then seen leaving the parking lot making a left onto Rivers Avenue. The vehicle

ASH
7/11/2023

is then observed on City owned cameras shortly thereafter turning onto Proctor Street from Reynolds Avenue. The vehicle turns left onto Ubank Street towards Florida Avenue. The vehicle is captured on another surveillance camera passing Florida Avenue towards Kraft Avenue while on Ubank Street. The vehicle turns left onto Kraft Avenue and then reverses back down Ubank Street where two individuals exit the rear of the vehicle armed with firearms and began shooting towards the victim.

On June 20, 2023, Detectives retrieved video footage from Pepboys located at 1550 Savannah Hwy which captured the suspect vehicle along with the defendant and co-defendants arriving at this location on June 4, 2023, shortly after the shooting. The co-defendants appeared to be wearing similar clothing which was viewed in the video footage from McDonald's as well as the shooting. The defendant appeared to be wearing blue shorts underneath his light blue jeans with no shirt and black shoes in the Pepboys video footage.

On July 11, 2023, with the assistance of the Charleston Police Department, Detectives, obtained a search warrant for the defendant's snapchat account in reference to an incident that they were investigating, North Charleston Police Department Detectives were provided with information which upon reviewing Snapchat video posts from the defendant's Snapchat account which showed the defendant and one of the co-defendants (Bernard Brown) traveling in the rear passenger seat while displaying firearms shortly after the shooting and before arriving at Pepboys. The co-defendant is wearing the same "OUTRANK" hooded sweatshirt which is seen in the surveillance footage from the shooting. The defendant appears to have taken off his shirt after the shooting and during the Snapchat video. The individuals in the Snapchat video were positively identified as being the defendant and co-defendant (Bernard Brown).

All this was done against the law, peace, and dignity of the State of South Carolina. Det. Cpl. T. Holley and Det. Reeves are witnesses to prove the same.

Sworn to and subscribed before me

This 11 **day of** July **2023**

Signature of Judge

(AFFIANT)

Address: 2500 City Hall Ln.,
North Charleston S.C. 29406
Phone: 843-554-5700

STATE OF SOUTH CAROLINA | SENTENCE ORDER | IN THE COURT OF GENERAL SESSIONS

COUNTY OF CHARLESTON) INDICTMENT/CASE#: 2024-GS-10-00548

) AW#: 2023A1010203880

STATE vs.) Date of Offense: 06/04/2023

Qutairus Dymear Telekius Capers-Mitchell) S.C Code§: 16-23-0490

AKA: Qutairus Dym Capers-Mitchell, Quteirus Capers SSN: 657-14-1037) CDR Code #: 0549

RACE: B SEX: M DOB: 01/26/2003) Range of Offense: Possession Of A Weapon During The Commission Of A Violent Crime (5 Years)

In disposition of the above indictment comes now the Defendant who was CONVICTED OF ☒ or ☐ PLEADS TO: Possession Of A Weapon During The Commission Of A Violent Crime Range of Offense Pled: (5 Years)

In violation of § 16-23-0490 of the S.C. Code of Laws, bearing CDR Code # 0549

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

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

The plea is: ☐ w/o Rec/Negotiations ☐ Negotiated _____ ☐ Recommendation _____

RECEIVED

Oct 16 2026

/s Stephanie B. Linder 72658 Solicitor SC Bar #

/s Mary Alison Ford 73776 Attorney for Defendant SC Bar #

SC Court of Appeals

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

The sentence shall run ☑ CONCURRENT or ☐ CONSECUTIVE to sentence on: _____

☐ The Defendant is to be given credit for time served pursuant to S.C. Code § 24-13-40 to be calculated and applied by SCDC _____ days/months ☐ To include time spent on monitored house arrest prior to trial and sentencing

SPECIAL CONDITIONS:

☐ PTUP _____

☐ No Contact with Victim ☐ Domestic Violence Intervention Program ☐ Hold for Inpatient Treatment

☐ Sex Offender Registry pursuant to S.C. Code § 23-3-430 ☐ SAC/MHC if necessary

☐ Central Registry of Child Abuse and Neglect pursuant to S.C. Code § 17-25-135

☐ Other: _____

		Restitution	$
☐ RESTITUTION See Separate Order (20% per S.C. Code §24-21-490(B))		FINE:	$
§14-1-206 (Assessments 107.5%)			$
§14-1-211 (A)(1) Conv. Surcharge)	Fine/Costs and Assessments are to be paid to the Clerk	$100	$100
§14-1-211 (A)(2)(DUI Surcharge)	of Court within _____ days/months	$100	$
§56-5-1995 (DUI Assessment)		$12	$
§56-1-286 (DUI Breath Test)		$25	$
§14-1-212 (Law Enforcement Funding)		$25	$25
§14-1-213 (Drug Court Surcharge)		$150	$
§34-11-70(b)and(c), and 34-11-90(c)and(d) (Admin Fraud Check Court Costs)		$41	$
§50-21-114 (BUI Breath Test Fee)		$50	$
§56-5-2942(J) (Vehicle Assessment)		$40/ea	$
3% to County (if paid in installments)		TBD	$3.75
☐ Appointed PD or appointed other counsel. Proviso requires $500 to be paid to Clerk during probation and shall be collected before any other fees		$500	$
☐ §17-3-45(B) Unpaid Application Fee to be paid to the Public Defender Fund		$40	$
		TOTAL	$128.75

/s Brianna Woolwine
Clerk of Court/Deputy Clerk

Jamie Bickett Court Reporter

2134 Judge Code

10/9/26 Sentence Date

Presiding Judge

SCCA217B
01/27/2025

SBL/0403350
WITNESSES

DOCKET NO.,2024-GS-10-00548

North Charleston Police Department
C. Ross

AGENCY CASE NUMBER
2023-014931

ARREST WARRANT NUMBER
2023A1010203880

DATE OF ARREST
07/14/2023

ACTION OF GRAND JURY
TRUE BILL

FEB 13 2024
Foreperson of Grand Jury — Date:

VERDICT
Guilty

10/9/2026
Foreperson of Petit Jury — Date:

The State of South Carolina
County of Charleston

COURT OF GENERAL SESSIONS
FEBRUARY TERM 2024

THE STATE

VS.

QUTAIRUS DYMEAR TELEKIUS CAPERS-MITCHELL
B/M DOB: 01-26-2003

Indictment for

POSSESSION OF A WEAPON DURING THE COMMISSION OF A VIOLENT CRIME

SC Code: § 16-23-0490
CDR Code: 0549

RECEIVED
Oct 16 2026
SC Court of Appeals

STATE OF SOUTH CAROLINA

COUNTY OF CHARLESTON

INDICTMENT

At a Court of General Sessions, convened February 2024, the Grand Jurors of Charleston County present upon their oath:

Possession Of A Weapon During The Commission Of A Violent Crime

That in Charleston County, South Carolina, on or about June 4, 2023, the Defendant, Qutairus Dymear Telekius Capers-Mitchell, did possess a firearm or did visibly display what appeared to be a firearm or did visibly display a knife during the commission of or attempted commission of a violent crime, to wit: Murder; in violation of Section 16-23-490, Code of Laws of South Carolina, (1976, as amended).

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

STEPHANIE B. LINDER
ASSISTANT SOLICITOR

ARREST WARRANT

2023A1010203880

STATE OF SOUTH CAROLINA

[X] County/ [ ] Municipality of

Charleston

THE STATE

against

Qutairus Dymear Telekius Capers-Mitchell

Address: 1 E Wantoot Blvd

Charleston, SC 29407-6550

Phone: SSN: 657-14-1037

Sex: M Race: B Height: 5 6 Weight: 135

DL State: SC DL #: 105310445

DOB: 1/26/2003 Agency ORI #: SC0100800

Prosecuting Agency: North Charleston Police Department

Prosecuting Officer: Timothy L Holley, Jr - S00542

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

Offense Code: 0549

Code/Ordinance Sec: 16-23-0490

This warrant is CERTIFIED FOR SERVICE in the [ ] County/ [ ] Municipality of

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

(L.S.)

Signature of Judge

Date:

RETURN

A copy of this arrest warrant was delivered to defendant Qutairus Capers-Mitchell on 7-13-2023

Signature of Constable/Law Enforcement Officer

RETURN WARRANT TO:

General Sessions
Charleston County Judicial Center
100 Broad Street, Suite 106
Charleston, SC 29401

ORIGINAL ORIGINAL

AFFIDAVIT

[X] County/ [ ] Municipality of

Charleston

Personally appeared before me the affiant Timothy L Holley, Jr who being duly sworn deposes and says that defendant Qutairus Dymear Telekius Capers-Mitchell did within this county and state on or about 6/ 4/2023 violate the criminal laws of the State of South Carolina (or ordinance of [X] County/ [ ] Municipality of Charleston) in the following particulars:

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:

PLEASE SEE ATTACHED AFFIDAVIT

RECEIVED
JUL 11 2023
BY: .....

Signature of Affiant

STATE OF SOUTH CAROLINA

[X] County/ [ ] Municipality of

Charleston

Affiant's Address 2500 City Hall Lane
North Charleston, SC 29406-

Affiant's Telephone (843)554-5700

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 6/ 4/2023 defendant Qutairus Dymear Telekius Capers-Mitchell did violate the criminal laws of the State of South Carolina (or ordinance of [X] County/ [ ] Municipality of Charleston) 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 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 7/11/2023

(L.S.)

Signature of Issuing Judge

Amanda Haselden

Judge Code: 7412

Judge's Address 3831 Leeds Avenue, Suite 200
North Charleston, SC 29405-

Judge's Telephone (843)746-9822

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

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Judge _____

on _____

Type and Amount: _____

Name of Surety: _____

_____

PRELIMINARY HEARING held by

Judge _____

on _____

Defendant Attorney: _____

Decision: _____

_____

_____

DISPOSITION before

Judge _____

on _____

by _____
(indicate jury trial, bench trial, plea, nol. pros., etc.)

Disposition: _____

Sentence: _____

JURORS

_____ _____

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WITNESSES

Name: _____
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CODEFENDANTS

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STATE OF SOUTH CAROLINA
COUNTY OF CHARLESTON
CITY OF NORTH CHARLESTON

AFFIDAVIT
OCA#2023014931
Inv. T. Holley

Personally appeared before me, a magistrate of this County, one Det. _T. Holley___, who first being duly sworn, deposes and says that

Qutairus Dymear Telekius Capers-Mitchell

did within this County and State on the 4th day of June 2023, violate the criminal laws of the State of South Carolina in the following particulars:

DESCRIPTION OF OFFENSE

POSSESSION OF A WEAPON DURING COMMISSION OF A VIOLENT CRIME
VIOLATION OF SECTION 16-23-490

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

That on June 4, 2023, at approximately 4:51 p.m., while at 3314 Florida Avenue, located in the City of North Charleston, County of Charleston, State of South Carolina the defendant; **Qutairus Dymear Telekius Capers-Mitchell** did commit the offense of **POSSESSION OF A WEAPON DURING COMMISSION OF A VIOLENT CRIME,** in violation of section **16-23-490** of the South Carolina Code of Laws of 1976, as amended. In that the defendant and a co-defendant did knowingly and unlawfully while armed with firearms shoot the victim (Emmanuel Johnson) which resulted in his death.

Facts to establish the aforesaid are that on June 04, 2023, the North Charleston Police responded to a call for service in reference to a male victim being shot. Once Officers arrived on scene, they located the victim at the bottom of the staircase of 3314 Florida Avenue with an apparent gunshot wound to his head. Detectives with the North Charleston Police Department took over the scene and upon securing and reviewing video footage, Detectives were able to observe a white Chrysler 200 reversing down Ubank Street, where two unknown subjects exited both the back passenger seat and back driver seat. The unknown subjects approached the area where the victim was and began shooting at which point the victim was struck. Detectives were able to locate the white Chrysler 200 on other City owned cameras and the tag was determined to be a South Carolina plate of WEY342. A South Carolina Department of Motor Vehicle check of the tag revealed that the vehicle is registered to a 2015 Chrysler 200 and the owner listed as Nieman Rhakell Williams. Detectives located the white Chrysler 200 on June 7th, 2023, in front of 1640 Juniper Street with a flat passenger side rear tire. The vehicle was towed to the North Charleston Police Warehouse where it was secured for a search warrant. Upon a search of the vehicle, Detectives located numerous items of evidentiary value to include three "McDonalds" receipts which showed a purchase of food at approximately 4:07pm which was just before the murder occurred. The receipts showed that the purchase was from the McDonalds located at 3710 Rivers Avenue. Video footage was obtained from the McDonalds which showed co-defendants arriving in the drive thru where three separate orders are placed. The driver was dressed in a black hoodie sweatshirt with white hood strings. The drivers face from the video obtained resembles the co-defendant. While the orders are being placed, Detectives noticed that there is a large white cup being handled by the driver that was sitting in the cup holder. Detectives further located the same cup during the search warrant which was submitted to be processed for fingerprints and DNA.

Further video was obtained and after the order is received, the vehicle pulls around the building and parks. The vehicle is then seen leaving the parking lot making a left onto Rivers Avenue. The vehicle is then observed on City owned cameras shortly thereafter turning onto Proctor Street from Reynolds

ASH
7/11/2023

Avenue. The vehicle turns left onto Ubank Street towards Florida Avenue. The vehicle is captured on another surveillance camera passing Florida Avenue towards Kraft Avenue while on Ubank Street. The vehicle turns left onto Kraft Avenue and then reverses back down Ubank Street where two individuals exit the rear of the vehicle armed with firearms and began shooting towards the victim.

On June 20, 2023, Detectives retrieved video footage from Pepboys located at 1550 Savannah Hwy which captured the suspect vehicle along with the defendant and co-defendants arriving at this location on June 4, 2023, shortly after the shooting. The co-defendants appeared to be wearing similar clothing which was viewed in the video footage from McDonald's as well as the shooting. The defendant appeared to be wearing blue shorts underneath his light blue jeans with no shirt and black shoes in the Pepboys video footage.

On July 11, 2023, with the assistance of the Charleston Police Department, Detectives, obtained a search warrant for the defendant's snapchat account in reference to an incident that they were investigating, North Charleston Police Department Detectives were provided with information which upon reviewing Snapchat video posts from the defendant's Snapchat account which showed the defendant and one of the co-defendants (Bernard Brown) traveling in the rear passenger seat while displaying firearms shortly after the shooting and before arriving at Pepboys. The co-defendant is wearing the same "OUTRANK" hooded sweatshirt which is seen in the surveillance footage from the shooting. The defendant appears to have taken off his shirt after the shooting and during the Snapchat video. The individuals in the Snapchat video were positively identified as being the defendant and co-defendant (Bernard Brown).

All this was done against the law, peace, and dignity of the State of South Carolina. Det. Cpl. T. Holley and Det. Reeves are witnesses to prove the same.

Sworn to and subscribed before me

This 11 **day of** July
2023

Signature of Judge

(AFFIANT)

Address: 2500 City Hall Ln.,
North Charleston S.C. 29406
Phone: 843-554-5700