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S.C. SUPREME COURT

STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

Certiorari to Beaufort County

Honorable Dale E. Van Slambrook, Circuit Court Judge

JIMMIE L. GREEN,

PETITIONER

V.

STATE OF SOUTH CAROLINA,

RESPONDENT

APPELLATE CASE NO. 2026-000320

APPENDIX

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State v. Jimmie Lewis Green - 2021GS0700451, etc.

1 STATE OF SOUTH CAROLINA IN THE GENERAL SESSIONS COURT
2 COUNTY OF BEAUFORT 14th JUDICIAL CIRCUIT

3

4

STATE OF SOUTH CAROLINA,

5

vs.

CASE NO. 2018GS701486 - 1487

6

7

JIMMIE LEWIS GREEN,

TRANSCRIPT OF PLEA HEARING

8

Defendant.

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10

TRIAL BEFORE:

THE HONORABLE CRAIG BROWN

11

DATE:

MAY 8, 2023

12

REPORTED BY:

KYMBERLEE M. WILLIAMS, CSR/RPR

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State v. Jimmie Lewis Green - 2021GS0700451, etc.

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1

PROCEEDINGS

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3

TUESDAY, JUNE 15, 2021

4

RIDGELAND, SOUTH CAROLINA

5

* * *

6

(The following proceedings were held in open court. All parties were present.)

7

8

THE COURT: Yes, sir.

9

10

MR. STONE: May it please the Court, Your Honor. Standing before you at the defense table is Jimmy Lewis Green. He is here represented by his attorney, Mr. Freddie Woods and Mr. Ken Snow.

11

12

13

14

15

Mr. Snow is from Charlotte, North Carolina, and I believe he has to have a motion first before we proceed.

16

17

THE COURT: Yes, sir. You may file your notice.

18

19

20

21

22

MR. SNOW: I'm licensed in South Carolina as well. I am from Georgia. I happen to reside in Charlotte. I'm here with my co-counsel, Mr. Freddie Woods. He also represents this young man, Mr. Jimmy Green.

23

24

25

THE COURT: Yes, sir.

MR. STONE: That's it, Your Honor. He just needed to file that notice. I don't think he had been

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1 noticed with the clerk's office.

2 Standing before you is Jimmy Lewis Green. He
3 has been indicted, Your Honor, on six different
4 charges.

5 First, indictment 2021-GS-07-00453,
6 charging Jimmy Lewis Green with murder.

7 2021-GS-07-00452, charging Jimmy Green with
8 attempted murder.

9 2021-GS-07-00451 charging Jimmy Lewis Green
10 with attempted murder.

11 2022-GS-07-01229 charging Jimmy Lewis Green
12 with mob violence.

13 2022-GS-07-01227 charging him as well with
14 mob violence.

15 And indictment 2022-GS-07-01228 charging
16 Jimmy Green with mob violence.

17 The murder charges, as your Honor knows,
18 carries a minimum of 30 years and a maximum of life.

19 The attempted murder charges, of whom he
20 has two, carry zero to 30.

21 The mob statute is broken into three
22 different categories, causing death, serious bodily
23 injury, or injury, and he has one of each.

24 The first one carries not less than 30
25 years for mob violence that results in a murder.

1 The second one, mob violence, which results
2 in serious bodily injury, carries three years to 25
3 years.

4 And the third, Your Honor, I believe is up
5 to one year. I'll check.

6 THE COURT: Sure.

7 MR. STONE: Yes, sir, that's correct, not
8 more than one year for the mob violence that ends in
9 injury.

10 My understanding from his defense attorney
11 is this, Your Honor, we are prepared at this point to
12 go forward on the trial. We have the witnesses lined
13 up.

14 I have explained to the defense counsel,
15 regardless of if the defendant pleads guilty or goes
16 to trial, I will still be asking for a life sentence.

17 My understanding this morning is that the
18 defendant wishes to plead guilty on these indictments.
19 I'll hand you up the sentencing sheets

20 THE COURT: Has the defendant been sworn?

21 THE CLERK: No, Your Honor.

22 THE COURT: Let's swear him in.

23 JIMMY LEWIS GREEN,
24 being first duly sworn testified as follows:

25 * * *

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1 EXAMINATION BY THE COURT

2 THE COURT: Are you Jimm Lewis Green?

3

4 THE DEFENDANT: Yes, Your Honor.

5 THE COURT: I need you to speak up, please.

6 Have you ever been treated for alcohol abuse,
7 drug abuse, or mental illness?

8 THE DEFENDANT: No, Your Honor.

9 THE COURT: In the last 24 hours, you take
10 any medication, drugs or alcohol?

11 THE DEFENDANT: No, Your Honor.

12 THE COURT: Are you aware of any
13 physical, emotional, or nervous problem that would
14 prevent you or keep you from understanding what's
15 going on here today?

16 THE DEFENDANT: No, Your Hionor.

17 THE COURT: This indicates you wish to enter
18 guilty pleas to several charges here today.

19 One being charged with murder. Is that
20 correct?

21 THE DEFENDANT: Yes, Your Honor.

22 THE COURT: You understand that that
23 particular charge carries a minimum sentence of 30
24 years up to life?

25 THE DEFENDANT: Yes, Your Honor.

1 THE COURT: Do you understand that under
2 South Carolina law that particular offense is
3 considered to be a violent as well as a most serious
4 offense?

5 THE DEFENDANT: Yes, Your Honor.

6 THE DEFENDANT: Do you understand that
7 whatever sentence the Court imposes as it relates to
8 that charge?

9 THE DEFENDANT: I do, Your Honor.

10 THE COURT: That you would, in essence, do
11 day-for-day whatever sentence the Court imposes on
12 that charge?

13 THE DEFENDANT: I do, Your Honor.

14 THE COURT: And do you also understand that
15 with it being a most serious offense, that that falls
16 under the two-strike rule in this state?

17 THE DEFENDANT: I do, Your Honor.

18 THE COURT: In other words, if you're
19 convicted of another most serious offense, that the
20 State -- if the State properly noticed you of their
21 intent to seek life without parole and you were
22 convicted by plea or trial of another most serious
23 offense, the Court would have no alternative but to
24 give you life.

25 Do you understand that?

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1 THE DEFENDANT: Yes, Your Honor.

2 THE COURT: Do you still want to plead
3 guilty as it relates to that charge?

4 THE DEFENDANT: Yes, Your Honor.

5 THE COURT: The State also indicates you
6 wish to enter a guilty plea to two counts of attempted
7 murder, is that correct?

8 THE DEFENDANT: Yes, Your Honor.

9 THE DEFENDANT: Do you understand that each
10 of those charges carries up to 30 years?

11 THE DEFENDANT: Yes, Your Honor.

12 THE COURT: Zero to 30.

13 Do you understand that?

14 THE DEFENDANT: Yes, Your Honor.

15 THE COURT: Do you also understand that
16 each of those two charges are considered violent
17 offenses as well as most serious offenses as well.

18 Do you understand that?

19 THE DEFENDANT: Yes, Your Honor.

20 THE COURT: And you understand that that
21 whatever sentence the Court imposes as it relates to
22 those charges, you can count of doing day-for-day.

23 Do you understand that?

24 THE DEFENDANT: Yes, Your Honor.

25 THE COURT: Once again, you understand with

1 these two charges being most serious offenses, if you
2 are released from the Department of Corrections at any
3 point in the future and you are convicted by plea or
4 trial, of another most serious offense and the State
5 has properly noticed you of their seeking life without
6 parole, the Court will have no alternative but to give
7 you life.

8 Do you understand that?

9 THE DEFENDANT: Yes, Your Honor.

10 THE COURT: Do you still want to go forward
11 on these two attempted murder charges?

12 THE DEFENDANT: Yes, Your Honor.

13 THE COURT: The State also indicates you wish
14 to enter a plea of guilt to assault and battery by mob
15 first-degree, is that correct?

16 THE DEFENDANT: Yes, Your Honor.

17 THE COURT: You understand that that
18 particular charge carries a sentence of not less than
19 30 years.

20 Do you understand that?

21 THE DEFENDANT: Yes, Your Honor.

22 THE COURT: You also understand under South
23 Carolina law that that offense is considered to be a
24 violent offense as well as a most serious offense?

25 THE DEFENDANT: Yes, Your Honor.

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1 THE COURT: Once again, that particular
2 charge, just like the murder as well as the attempted
3 murder charges, are in essence no-parole offenses.

4 Do you understand that?

5 THE DEFENDANT: Yes, Your Honor.

6 THE COURT: In other words, like I told you
7 before, you can count on doing day-for-day of whatever
8 sentence the Court imposes.

9 You understand that?

10 THE DEFENDANT: Yes, Your Honor.

11 THE COURT: As I told you before, this
12 particular charge is also a most serious offense,
13 which falls under the two-strike rule as well.

14 Do you understand that?

15 THE DEFENDANT: Yes, Your Honor.

16 THE COURT: The State also indicates that you
17 also wish to enter a plea of guilt to assault and
18 battery by mob, second-degree.

19 Is that correct?

20 THE DEFENDANT: Yes, Your Honor.

21 THE COURT: You understand that this
22 particular charge carries a sentence of not more than
23 25 years.

24 Do you understand that?

25 THE DEFENDANT: Yes, Your Honor.

1 THE COURT: You understand under South
2 Carolina law that this charge is considered or
3 classified as a serious offense and would follow under
4 the three-strick rule.

5 Do you understand that?

6 THE DEFENDANT: Yes, Your Honor.

7 THE COURT: Understanding all of that, do you
8 wish to go forward and plead guilty to this assault
9 and battery by mob second degree?

10 THE DEFENDANT: Yes, Your Honor.

11 Is that correct?

12 THE DEFENDANT: Yes, Your Honor.

13 THE COURT: Do you understand that that
14 particular charge carries a sentence of up to one
15 year.

16 THE DEFENDANT: Yes, Your Honor.

17 THE COURT: Understanding that, do you wish
18 to still go forward and plead guilty to that charge as
19 well as the others?

20 THE DEFENDANT: Yes, Your Honor.

21 MR. STONE: Your Honor, if I may interrupt.
22 I think they have handed up a sentencing sheet in
23 error on the conspiracy.

24 We don't have that one. That was
25 superseded by the mob.

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1 THE COURT: Well, I don't recall you
2 mentioning that.

3 MR. STONE: I did not.

4 THE COURT: So what I've gone through at
5 this point is all the charges he is pleading guilty
6 to?

7 MR. STONE: Yes, sir. That's correct.

8 THE COURT: Mr. Green, I have gone through
9 each of these charges with you and consequences of
10 pleading guilty to the charges and the potential
11 sentences as it relates to each of these charges.

12 In essence, you understand that the Court
13 will run everything consecutive here. You would be
14 looking at life plus 116 years.

15 You understand that?

16 THE DEFENDANT: Yes, Your Honor.

17 Understanding that you still want to go forward
18 here and plead guilty to today?

19 THE DEFENDANT: Yes, Your Honor.

20 THE COURT: Mr. Green, you understand that
21 when you plead guilty, you give up certain important
22 constitutional rights.

23 You have a right to jury trial. I will tell
24 the jury that you are presumed innocent that the State
25 has to prove your guilt beyond a reasonable doubt.

1 You have the right to question witnesses
2 against you. You have the right to remain silent, and
3 if you did, I would tell the jury that they couldn't
4 hold that against you.

5 You have the right to present a defense,
6 although you're not required to do so.

7 If you made any incriminating statements,
8 you have a right to challenge the admissibility of
9 those statements.

10 Do you understand those rights?

11 THE DEFENDANT: Yes, Your Honor.

12 THE COURT: Do you understand that when you
13 plead guilty, you give up those rights?

14 THE DEFENDANT: Yes, Your Honor.

15 THE COURT: Understanding your rights and
16 understanding that when you plead guilty, you give
17 them up.

18 How do you plead to these charges here
19 today, guilty or not guilty?

20 THE DEFENDANT: I plead guilty.

21 THE COURT: To each of these charges?

22 THE DEFENDANT: Yes, Your Honor.

23 THE COURT: You are represented by Mr. Snow
24 and Mr. Woods, is that correct?

25 Yes, Your Honor.

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1 THE COURT: Are you satisfied with the
2 representation of your attorneys?

3 THE DEFENDANT: Yes, Your Honor.

4 THE COURT: Have you had enough time to
5 talk to them?

6 THE DEFENDANT: Yes, Your Honor.

7 THE COURT: Have you understood all your
8 talks with them?

9 THE DEFENDANT: Yes, Your Honor.

10 THE COURT: Do you need any more time to
11 talk to them?

12 THE COURT: Do you have any complaints
13 about either one of them?

14 THE DEFENDANT: No, sir, Your Honor.

15 THE DEFENDANT: No, Your Honor.

16 THE COURT: Has anyone made any promises to
17 you or held out any hope of reward to get you to plead
18 guilty here today to these charges?

19 THE DEFENDANT: No, Your Honor.

20 THE COURT: Has anyone used any threats,
21 force, pressure, or intimidation to get you to plead
22 guilty to these charges?

23 THE DEFENDANT: No, Your Honor.

24 THE COURT: Has anyone mistreated you in
25 any way, whether it be law enforcement or the

1 Solicitor's office?

2 THE DEFENDANT: No, Your Honor.

3 THE COURT: Have you had enough time to
4 make up your mind as to whether or not you want to
5 plead guilty to these charges or go to trial?

6 THE DEFENDANT: Yes, sir, Your Honor.

7 THE COURT: What do you wish to do?

8 THE DEFENDANT: Plead guilty.

9 THE COURT: Are you pleading guilty as to
10 each of thse charges of your own free will?

11 THE DEFENDANT: Yes, Your Honor.

12 THE COURT: Have you understood all of my
13 questions?

14 THE DEFENDANT: Yes, Your Honor.

15 THE COURT: Can the lawyers approach just a
16 minute.

17 MR. STONE: Yes, sir.

18 (Bench conference)

19 MR. STONE: If it please the Court Your
20 Honor, first I'll give you just a factual basis for
21 this case, and then I'll go back in later and get into
22 it in more detail.

23 This took place on March the 5th, 2021, and
24 it took place primarily on the Bluffton Parkway, which
25 is a central road in the Bluffton area of Beaufort

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1 County.

2 Somewhere around 10:30, 11 o'clock, the
3 victim's car was driving along the Bluffton Parkway.
4 The defendant was out with two of his -- two people
5 with him. The defendant is Jimmy Green. In Jimmy
6 Green's car was Ty'leic Chaneyfield and another
7 individual.

8 These -- inside the car was a semi, excuse
9 me -- a mini assault rifle and a .45 caliber handgun.
10 They were out looking for people that Jimmy Green
11 considered his enemies.

12 What they found were three teenagers who,
13 at least according to a witness, looked like the
14 enemies but were not.

15 Mr. Green followed the victim's car for
16 what he would eventually describe as about 2 miles. He
17 pulled behind it, and he started shooting. Green was
18 driving. We believe that Chaneyfield was in the
19 passenger's seat. We believe the third individual was
20 in the back seat.

21 We believe that Chaneyfield was firing the
22 .45 caliber gun, and we believe that the individual in
23 the back was shooting the assault rifle.

24 They shot at the car no less than 17 times,
25 and we know that because the Bluffton Police

1 Department actually recovered 17 shells in a strip
2 along here on the Bluffton Parkway that is highlighted
3 in red.

4 We also know that of those 17 shells, at
5 least 12 hit the car. We know that because we had a
6 SLED expert prepare a crime scene diagram which
7 documented -- and I'll get into this more later --
8 each individual time the car was hit.

9 Green and his fellow mob members started
10 shooting at the car as it approached. There are shots
11 in the back on both the left side as well as the back
12 as well as the right indicating that the shot started
13 as they were approaching the car.

14 There were shots along all the side of the
15 car as well, and then there was one shot at least that
16 shot back at the car after they had passed. The
17 driver of the car, D.J. Fields, was killed almost
18 instantly.

19 The left passenger seat, E.J. Graham, was
20 shot in the face in the head. The bullet, as it went
21 through the glass of the back windshield, it appears
22 to have shattered. The bullet actually splintered.

23 So Mr. Graham actually has two holes in his
24 head. As the bullet went through, it concussed his
25 carotid artery that runs under the mandible.

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1 One fragment, I believe, is still in his
2 head. The other one went straight through.
3 Then Kylan Simmons, who is the passenger of the
4 victim's car was sitting on the right side. A shot
5 went into the glass, but it actually hit the glass and
6 bounced off. I'll show you that in a few moments to
7 clarify that as well.

8 The attempted murder charges come with the
9 shot back at this entire car, which would include
10 Colin Simmons in the passenger seat and E.J. Graham in
11 the left-back seat.

12 The murder is, of course, of D.J. Fields who
13 is the 17-year-old that was driving the car.

14 Again, Mr. Green was out with two people
15 carrying firearms, one firearm at least. They could
16 discharge multiple shots in a relatively small amount
17 of time.

18 They were looking for what Mr. Green
19 considered to be his enemies, and what they found were
20 three innocent teenagers who were doing nothing other
21 than driving home from getting something to eat.

22 I will go into more detail on this, but I
23 believe that is the factual basis for the plea.

24 THE COURT: Mr. Green, you heard the facts
25 that relate to each of these charges, do you agree

1 with those facts?

2 THE DEFENDANT: Yes, Your Honor.

3 THE COURT: Do you agree with those facts to
4 murder?

5 THE DEFENDANT: Yes, Your Honor.

6 THE COURT: What about as it relates to the
7 two attempted murder charges?

8 THE DEFENDANT: Yes, Your Honor.

9 THE COURT: What about as it relates to the
10 assault battery by mob 1st, 2nd, and 3rd degree?

11 THE DEFENDANT: Yes, Your Honor.

12 THE COURT: And are you, in fact, guilty of
13 each of these charges?

14 THE COURT: How do you plead to each of these
15 charges, guilty or not guilty?

16 THE DEFENDANT: Guilty, Your Honor.

17 THE COURT: I find there is a substantial factual
18 basis for this defendant's plea to each of these
19 charges. His decision to plead guilty has been
20 entered into freely, voluntarily, knowingly, and
21 intelligently.

22 He's had the advice of counsel or attorneys
23 with whom he's indicated he's completely satisfied.
24 I'll accept his plea as to each of these charges.
25 it.

1 reader on Highway 46 coming into Beaufort County.

2 Jimmy Green lives in Hardyville outside of
3 Beaufort County. So at 10:24 that car enters into
4 Beaufort County and particularly right outside the
5 Bluffton area.

6 They go -- a few minutes later Mr. Green
7 makes a phone call to his former girlfriend. She
8 wants some marijuana. They decide to meet at Station
9 300 up here at 25 Innovation Drive in Bluffton.
10 Station 300 is sort of a type of a bowling
11 alley/amusement area.

12 They don't go inside. They meet in the
13 parking lot. We have a video of it, but it's it's
14 very grainy and it's kind of hard to see because
15 they're in the far corner of the parking lot.

16 When they get there, Green gives his former
17 girlfriend marijuana, and at that point he tells her
18 that they are looking for what she would later refer
19 to as well as him as his Ops or opposition or
20 opponents or people that basically were his enemies
21 that he is looking for.

22 She looks inside the car, and inside the car
23 that Jimmy Green is driving are two weapons that our
24 forensic expert at SLED would later show us to be
25 these type weapons here. This is a .45 caliber

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1 handgun. It's a Glock 21.

2 Again, there were shells recovered at the
3 scene that would work in that type of gun. The other
4 weapon was, as you can tell, sort of a mini assault
5 rifle. That is an AR-15. That shoots two types of
6 shells. One is a .223. The other one is a 5.56. And
7 again those were recovered at the scene as well.

8 The girlfriend sees a gun in the back seat,
9 and again, using her testimony as well as the forensic
10 expert from SLED, we were able -- those are actually
11 not -- we did not recover the firearms, but these are
12 the type of weapons used.

13 Once they leave Station 300, the girlfriend,
14 her brother, and her sister go down Buckwalter Parkway
15 down to a Wendy's.

16 here at the corner of 170 and 46. This Wendy's is a
17 parking lot. It's a relatively large parking lot.
18 The Wendy's is on the right, Parker's gas station is
19 on the left. Parker's has video of this.

20 They are -- the girlfriend is in a
21 particularly odd-looking blue car, and that becomes
22 relevant. She gets to this area here and she sees,
23 along with her brother, what she thinks are the
24 enemies, the people that Jimmy Green, Ty'leic
25 Chaneyfield, and M are looking for.

1 She makes a phone call back to Jimmy Green. I
2 think she and her brother are both calling Jimmy Green
3 telling him that we think the people you're looking
4 for are over here at Wendy's.

5 Green, at this point has left Station 300 and
6 is somewhere in this neighborhood, this Edgefield
7 neighborhood here. They go down, we believe down 46,
8 turning over into this parking lot area at Parker's.

9 When they get there, you can see as they come
10 up, the blue car from the girlfriend is parked in
11 front of the parking lot. The victims are over at
12 Wendy's. They had just gotten something to eat, and
13 they are hanging out talking to girls.

14 They start to leave. As they leave, Jimmy
15 Green pulls behind them, the blue car then pulls
16 behind them. They go down 170, again, the victims have
17 no idea they're being followed. Again, they are not
18 the people that Green is actually looking for. They
19 don't expect anything.

20 They take a right onto 170 onto the Bluffton
21 Parkway, and then we get back to this area that I
22 showed you earlier along the parkway.

23 Now what -- I'm going to back up a little bit
24 on this. We have been able to put through timing of
25 when all this happened. Again, they get into Beaufort

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1 County at 10:24. They get over here at 10:40, and
2 they spend a little bit of time over at Station 300.

3 They make phone -- they get phone calls
4 coming back over here. The Station 300 is an area
5 sort of between the 170 and the Bluffton Parkway.
6 This is something that they were able to pick up, and
7 I believe the time frame on that was 11:24.

8 This is what's called a Rio Link camera.
9 This was taken from all the way over here at Walton
10 Station, it's picking up sounds, all the way over to
11 the Bluffton Parkway.

12 And, again, cartridge cases found along this
13 way, so we believe right as they made the turn, Green,
14 who had been following for, as he would say, somewhere
15 around two miles, pulls up behind and starts shooting
16 into the car.

17 Again, Chaneyfield is operating the .45 in
18 the passenger seat. The guy in the back
19 seat is operating the assault rifle.

20 We then -- let me go to now the scene as we
21 found it. As they are driving down here, again, the
22 shooting is taking place here. As you can see down
23 here at this other mark, that is where the victim's
24 vehicle ended up.

25 This is a Hampton Lake sign. It is -- as you

1 can tell with this photograph, it is a rock sign.
2 Kylan Simmons, who is in the right passenger's seat,
3 does not hear the shooting. They've got music playing
4 in the car. It's pretty loud.

5 All of a sudden, he notices that the driver
6 starts slumping over, and the car starts veering over
7 to the right. Simmons reaches over and tries to hold
8 the steering wheel and keep it on the road but is
9 unable to do so. They break through this
10 wall and end up in this in this ditch down at the
11 bottom.

12 Go to the next picture. This is how the car
13 ends up. The door is not the way it was when the
14 event took place. That was the jaws of life that came
15 and had to rip the door off in order to get Mr.
16 Fields, who was the driver, out of the car.

17 As you can tell -- and I'll go to another one
18 as well. There are bullet holes throughout the car.
19 Again, going back to our SLED crime expert, she could
20 document at least 12 shots that hit the car at various
21 angles. She's able to dowel shots and put a stick in
22 to show exactly where the shots are in some of these
23 areas and some of them they aren't.

24 So let me go next to the next picture. This
25 is actually the process that the crime scene

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1 technician went through. The dowels as you can see
2 here in the back are showing you the shots coming from
3 the back. There's too much damage to the front door
4 with the jaws of life for them to be able to get any
5 accurate trajectory into that.

6 But as you can see, there's shots going along
7 that's taking place into the left side of the car and
8 into the back. So they start shooting as they're
9 approaching the car. It's not like they just drive
10 by. They start shooting at the beginning.

11 Go to the next one. This is on the right side
12 of the car again giving you an angle that they begin
13 shooting kind of down the road.

14 Go ahead. Now, the shots here are all as
15 they're going, approaching the car. When they get to
16 the side of the car, behind this window is E.J.
17 Graham. Mr. Graham is sitting in the back seat on the
18 passenger -- I mean on the driver's side. Green
19 drives his car up to the side of the car. Again,
20 you're seeing the shots that are going -- this shot
21 goes into this back window. We think when it hits the
22 glass, it splinters.

23 Go to the next one. Graham is sitting in
24 this seat, in the back passenger's seat.

25 Go to the next one. I'm going to need you to

1 blow it up just a little bit.

2 What happens is the shell that goes through
3 is one of these. When law enforcement gets to the
4 scene, they find 14 of these spread out along that
5 entire area and then three additional .45 caliber
6 shells along that area as well.

7 This was an assault round that splintered
8 when it went through the glass. The oblong shape here
9 appears that it cut -- went into his face here right
10 at the jaw line, with the second one very tight.

11 So clearly they're going at a particularly
12 high rate of speed. It's a supersonic shell that's
13 lighter, but it goes very fast.

14 Part of it went all the way through his head.
15 The other one is still, I believe, still lodged in his
16 head.

17 We talked to Dr. Bloomberg. Mr. Graham was,
18 and I say Mister, but he was 17 at the time. All
19 three of these guys were 17 years old.

20 When they airlift or they drive him to
21 Savannah Memorial, it is a Trauma One Center for
22 something like this. I talked to the doctor and spent
23 a good bit of time with him, and this is what was
24 particularly impactful, I believe, for the Court to
25 know.

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1 The shells that went into his jaw broke --
2 they went through his jaw line. You've got a carotid
3 artery that runs behind the mandible on both sides.
4 You also have two arteries that run up the back of
5 your neck. This one concussed that carotid artery. My
6 question to him was, I thought that would cause you
7 the blood loss to go to the brain, and you would die.

8 He said, well, in this situation, roughly 60%
9 of the population have those four arteries that
10 actually come to a circle in the back of your brain.
11 If you have that perfect circle, it's actually called
12 the Circle of Willis, which is named after the doctor
13 that found it. Then the blood will fill in when one
14 of the arteries doesn't work. He happens to be in
15 that 60%. Were it not for that, I don't believe -- I
16 think we would have two murder charges here. It's
17 absolutely by the grace of God that he was shot at
18 that close range shells going into his head like that,
19 and he's still alive.

20 Go to the next picture. This is the right
21 side of the car. What this is indicating is not only
22 have they shot as they're heading toward the car, they
23 shoot when they get to the side of the car. And then
24 as they're passing, they're still shooting back at the
25 car.

1 This one behind this is Kylan Simmons. Mr.
2 Simmons is the is the person who remarkably got out of
3 this with only a swollen foot. This shell hits this
4 window, and as you can tell it's -- I think there's a
5 close-up picture to go to the next one.

6 As you can tell, it actually doesn't go in.
7 It bounces. There is soot inside. There's actually a
8 dent on the outside of this, of the outside car. Had
9 that hit at a different angle or had it gone in
10 instead of bounced off, Kylan Simmons would have been
11 killed as well. Simmons is sitting right beside
12 behind this seat.

13 I think that as you look at those pictures,
14 you can tell the attempt, where the attempted murders
15 come in as well as the mob statues.

16 To give you sort of the overall perspective
17 of this, and what I would like to do now is kind of
18 give it to you not from the perspective of the victims
19 but from Mr. Green. We retrieved roughly 28 letters
20 and notes handwritten by Jimmy Green.

21 We took those and sent those to an analyst at
22 SLED with known handwriting samples, and they matched
23 those to Jimmy Green's handwriting. The analyst
24 reports back that there's no question in her mind that
25 these letters were all written by Jimmy Green.

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1 And I have two of them. Again, we recovered
2 roughly 28. I have two of them, and I'd like to read
3 those to you if I could.

4 Again this is coming from Jimmy Green.

5 "After we left Wendy's, we followed the victims
6 for two miles tops. Then the incident happened.

7 "We were on a two-lane going both-direction,
8 highway. It's basically a double-lane road. Two
9 lanes going and two lanes coming, which is exactly
10 what I showed you earlier in this second map.

11 "I was driving on the left lane, and the
12 victims was on the right lane, which was right beside
13 the passenger's side of my car.

14 "So the passenger who we referred to as 15
15 times 2, which is a nickname for Ty'leic Chaneyfield
16 and backseat passenger M could have easy access to the
17 victims without having to shoot over anybody.

18 "The only thing that was on my side, driver's
19 side, was the median and traffic going the other
20 direction even though there weren't no cars on the
21 road at the time.

22 "But you know what I'm saying. 15 times 2 or
23 Chaneyfield had a pistol that shoots .45 ACP, and M
24 had an AR-15 that shoots .223 or .556 bullets.

25 "Nobody can put me with no gun or identify me

1 as a shooter that night. No shots came from the
2 driver's side of the car. All shots came from the
3 passenger front and back windows."

4 He also provides a timeline. In another
5 letter that we recovered:

6 "Me and my brother left our job at 5:45.
7 Went to the Indian store to cash our checks, and after
8 that we went home.

9 "I left to go to my homeboy house that lives
10 around behind me around 7:30 to 8:00. We chilled for
11 a while. M was already there."

12 This is the third person that's in the car.

13 "I left his house and went home around 9:50
14 to 10:00. He got into the car with me, and we went to
15 get M." And he's referring now to Chaneyfield.

16 "Shayniah texted me to meet her at the
17 arcade, which was on the way, for weed.

18 We got to the arcade about 10:25 and 10:30.
19 Accomplices pulled up shortly after we did."

20 By accomplices he's referring to his
21 ex-girlfriend and the people that are in her car.

22 "I gave her the weed, then we talked for a
23 while and chilled. I guess when she came up to the
24 car, she saw M with a gun in the backseat. She never
25 saw me with one. They left the arcade, went to

1 Edgeville around 11:00.

2 "When they call me and say they see the guys
3 that shot my house, we head in that direction. I
4 never turned into Wendy's nor Parker's. I passed them
5 by and made a U-turn," which is exactly what the video
6 shows.

7 "I'm behind the victim, and I guess the
8 accomplice is behind me. We followed the victims for
9 a while, then we pulled up beside them and everything
10 happened around 11:25 and 11.30." Almost exactly in
11 the timeline.

12 "I went straight to Jasper County after that.
13 We probably made it back around 12:00 a.m."

14 By the way, we have phone records that
15 indicate that he in fact did go to Jasper County right
16 after this took place.

17 "I took him back to Homeboy's house, where I
18 went home and 30 got his car and went home." These
19 are close time frames.

20 I'll give you that last letter just for this
21 purpose. Two weeks ago we received an affidavit, if
22 you want to call it an affidavit, from Ty'leic
23 Chaneyfield's lawyer.

24 The affidavit is from Jimmy Green, who says
25 he was with Ty'leic Chaneyfield on March the 5th, but

1 I dropped him off at Edgefield at his car.

2 We were not together beyond that point in
3 time. Well, I have 28 letters that says that's a lie.
4 What Mr. Green is attempting to do now is to fraud the
5 Court, and this is something that we received two
6 weeks ago.

7 In nowhere in those 28 letters do I see
8 remorse, do we see anything about him feeling bad
9 about getting the wrong people. It's simply about him
10 and his attempt at evading justice.

11 I would ask if Your Honor would hear from
12 some of the victim's family members.

13 Again, I have explained to them that all
14 along I had told the defense that I would be asking
15 for a life sentence regardless.

16 I believe this is particularly, a
17 particularly callous murder. I think it was carried
18 out in a horrible way. I think the weapons that they
19 used show that. I think the number of times they shot
20 show that.

21 But I would like to ask if Your Honor would
22 hear some from some of the victims' families.

23 THE COURT: Yes, sir.

24 MS. STONE: First, Sadie Jenkins. She is the
25 aunt of the deceased.

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1 Thank you. And I'm going to get you to speak
2 up so the judge can hear you.

3 THE COURT: Tell me your name for the record,
4 please.

5 MS. JENKINS: Sadie Jenkins.

6 THE COURT: Yes, ma'am.

7 MS. JENKINS: I am D'won's aunt and D.J.'s
8 grand-aunt. It's been hard. We just want justice. We
9 just want the truth. That's who we are. We're a
10 loving family. It's hard on us because D.J. was such
11 a good kid. We won't get the chance to see him as a
12 good man.
13 D.J. had a promising life.

14 Everyone loved. They called him teddy bear
15 because that is who he was, just a loving kid. My
16 other nephew who's here, has to live with this daily.
17 He has to rehearse this in his young mind daily. We
18 have to comfort him and his best friend over here, who
19 we've known since he was a child, daily, constantly.

20 We have to get people to talk to them. We
21 have to relive this. It was hideous and evil, even
22 more so because they're all so young on both sides.
23 They're young, I know.

24 I pray that we all learn something from this,
25 both sides; learn that this shouldn't happen. It

1 shouldn't have taken place. We all have questions
2 without answers, but we were there. People that were
3 there knew what happened.

4 I pray that goodness comes out of it. A lot
5 of goodness has come out of it from my nephew's side.
6 You can tell he was a loving kid because the whole
7 neighborhood surrounded our family.

8 Scholarships have come out of it in his name.
9 Like I said, he had already signed the scholarship
10 papers. Now kids get to go to college because of him.
11 And I'm grateful for that. I'm glad something good
12 came out of it, which we believe shouldn't have
13 happened, but God has his reasons and I'm just
14 grateful. That's why we just want justice and honesty.

15 Thank you, Your Honor.

16 THE COURT: Thank you, ma'am.

17 MR. STONE: Nikima Bryant. This is D.J.
18 Fields' mother.

19 THE COURT: Can you tell me your name,
20 please? Nikima O'Brien. I'm D.J.'s mother.

21 Your Honor, these last two years have been a
22 nightmare. D.J. was our only child. He had such a
23 bright future ahead of him. The person he was, we try
24 to continue to be the person that he was in other
25 people's lives.

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1 My son never met a stranger. If he had
2 people that didn't like him, nobody knew him. Because
3 he was always the person that everyone will go to.

4 Like his aunt said, we have to live with this
5 daily. The fact that he is no longer here because
6 someone took it upon themselves to take the life of
7 someone, no matter who it was, even if it wasn't our
8 son. It was not their right to take someone else's
9 life.

10 His cousin and his friend now live with the
11 scars of that night along with us. We've been dealing
12 with a lot, just life in general, since our son was
13 taken. It's unimaginable what we go through on a
14 daily basis,
15 how we try to focus and live on.

16 This is the hardest thing I've ever had to
17 do. Some people say burying your child is hard. No,
18 that is not the hardest. Trying to live every day
19 after your child has been taken is the hardest thing
20 to ever do.

21 My baby is gone forever, but we will forever
22 carry his name and make sure we do right by his name.

23 Thank you, Your Honor.

24 THE COURT: Thank you, Ma'am.

25 MR. FIELDS, SR." I appreciate it. Good

1 morning. I'm D'won Fields, Sr. These past two years
2 have been the worst days of my life. I work with kids
3 every day trying to get them to do the right thing.
4 And that bothers me every day because I knew the kid
5 that I raised. I tried to live my life every day, but
6 on March 25th of 2021, I was robbed and beaten.

7 It hurt me so much more because I could not
8 be there for my kid. And that's all that I ever did
9 was to try to be there for my kid or for anybody
10 else's kid.

11 That night when I received a phone call
12 from -- colin. Colin had my phone number since he was
13 in the fourth grade. That was the first time he ever
14 had to use it.

15 When he called me and said, Coach, we need
16 you," I had no idea what was going on. I begged my
17 son, I was out of town at a basketball game and I
18 begged my son, I said, "D.J. come go with me to the
19 game" because normally he's with me if I'm going to a
20 game or anything.

21 And he said, "No, daddy I have to work in the
22 morning, so I can't go."

23 I played that over and over in my mind
24 because that Friday before I pulled out of my
25 driveway, I talked to Colin and I talked to E.J.

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1 Colin signed his letter of intent two weeks before
2 D.J. made his decision that Thursday night.

3 Me as a parent, graduation was coming up and
4 in Beaufort County these kids didn't have a graduation
5 for that past two years. We started making graduation
6 plans for D.J., and we got everything packed on that
7 Friday morning on how those graduation arrangements
8 and everything were going to be. People asked me, why
9 are you doing this so early, and I said y'all just
10 wait. Y'all won't be able to get y'all's graduation
11 stuff because everything's going to be packed.

12 Your Honor, for somebody to carry out a crime
13 like this that has no remorse, I hate to say it in my
14 heart, but I have no sympathy for none of them. Your
15 Honor, I have to go to the cemetery pretty much every
16 week to see my son.

17 It is killing me. So I have no sympathy when
18 it comes to giving somebody sympathy because all I
19 ever do is help people, and that's all my son has ever
20 done was help anybody he has met. I can't forgive.

21 I hope the Lord does forgive me for what I'm
22 saying, but Your Honor, I have hurt for the past two
23 years, and I will continue to hurt for the rest of my
24 life because that was my only kid. My only kid.

25 It hurts me to my core that I can't walk in

1 my son's room to see him. I have to go to a cemetary
2 to see my kid, and it hurts like hell.

3 So whatever your decision is, I leave it in
4 your hands and I leave it in God's hands and I hope
5 y'all will do the right thing. Thank you. I think
6 that's enough.

7 THE COURT: Does the defendant wish to say
8 anything?

9 MR. WOODS: No, Your Honor. He doesn't wish
10 to say anything.

11 THE COURT: I'm going to stand down for a few
12 minutes.

13 (Recess.)

14 **

15 **PROCEEDINGS CONTINUED**

16 THE COURT: Anything further from the State?

17 MR. STONE: No, Sir.

18 THE COURT: From the defense?

19 MR. SNOW: Nothing, Your Honor.

20 THE THE COURT: As I sit here deciding
21 whether or not to say anything, I will say to the
22 victims and their family and friends that are here, I
23 can't imagine what you all have been through and are
24 going through.

25 Never should think when you -- one of your

1 friends or family members walk out the door that that
2 will be the last time you ever see them.

3 Unfortunately, in the world we live in today, that is
4 a thought that crosses more people's minds than it
5 should.

6 My hope and my prayer is that none of you
7 will ever have to go through anything like this again.

8 In this job that I do, there have been
9 threats against me and my family members. Thankfully,
10 I have never had to deal with anything like what you
11 all are dealing with.

12 To the defendant's family you raise your
13 children, at least the way I've raised my children, to
14 try to teach them right from wrong. I have always
15 told my kids, when you get from under my roof and you
16 start making decisions on your own. You can get out
17 there and make some bad decisions if you want to, but
18 you will never, ever look at me and say, "You didn't
19 teach me better."

20 What happpend on the night of March 5, 2021,
21 the decisions made by Mr. Green and those who were
22 with him changed the course of a multitude of people's
23 lives.

24 Unlike a lot of individuals coming in and out
25 of criminal court, there's very few defendants that

1 have the support of anyone, much less the number of
2 people that have shown up here today to support Mr.
3 Green.

4 Taking everything into consideration I have
5 heard, listening to the victims and victim's family,
6 Mr. Green's family, the sentence of the Court as to
7 each of these indictments are as follows:

8 In 2022GS0701227, assault and battery by mob
9 first-degree, the sentence is you will be committed to
10 the State Department of Corrections for a period of 30
11 years and credit for 790 days.

12 In 2022 GS0701229, assault and battery by mob
13 second-degree the sentence is you are to be committed
14 to the State Department of Corrections of a period of
15 25 years and credit for 790 days.

16 In 2022GS0701228, assault and battery by mob,
17 third-degree, the sentence is one year, in essence in
18 light of what he has served 790 days -- give him
19 credit for 790 days. That is a time-served sentence.

20 In 2021GS0700452 and -451, which is the
21 attempted murder charges, defendant is hereby
22 committed to the State Department of Corrections for a
23 period of 30 years with credit for 790 days as to each
24 of those.

25 The murder charge, 2021GS0700453, Defendant

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1 is hereby committed to the State Department of
2 Corrections for a period of 40 years with credit for
3 790 days.

4 Those sentences are to run concurrent.

5 MR. STONE: Thank you.

6 (At 12:11 p.m. the hearing was concluded.)

7 **

8 END OF TRANSCRIPT

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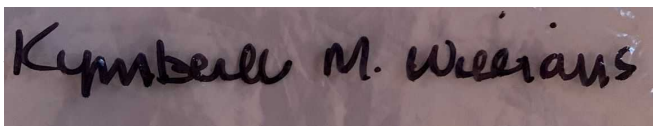
CERTIFICATE OF REPORTER

* * *

I, KYMBERLEE M. WILLIAMS, Registered Professional Reporter, do hereby certify that the foregoing transcript is a true, accurate, and complete record of the matter held in the Court of General Sessions for the Fourteenth Judicial Circuit in the State of South Carolina held on May 8, 2023.

I further certify that I am neither related to nor counsel for any party to the cause pending or interested in the events thereof.

Witness my hand, I have hereunto affixed my signature this 23rd day of September, 2024 in Beaufort County, South Carolina.

A rectangular box containing a handwritten signature in black ink. The signature reads "Kymberlee M. Williams" in a cursive script.

Kymberlee M. Williams, CSR/RPR
Official Circuit Court Reporter III
State of South Carolina
Fourteenth Judicial Circuit
kwilliams@sccourts.org

FORM 5

STATE OF SOUTH CAROLINA)

COUNTY OF ~~DORR~~ Beaufort)Jimmie Green #390950)

Full name and prison number (if any) of Applicant.)

v.)

State of South Carolina)

IN THE COURT OF COMMON PLEAS

2024CP0700996

APPLICATION FOR

POST-CONVICTION RELIEF

JERRI ANN ROSE
BEAUFORT COUNTY CLERK
MAY -7 AM 11:52
S.C.INSTRUCTIONS - READ CAREFULLY

In order for this application to receive consideration by the Court, it shall be in writing (legibly handwritten or typewritten), signed by the applicant and verified (notarized), and it shall set forth in concise form the answers to each applicable question. If necessary, applicant may furnish his answer to a particular question on the reverse side of the page or on an additional page. Applicant shall make clear to which question any such continued answer refers.

Since every application must be sworn under oath, any false statement of a material fact therein may serve as the basis of prosecution and conviction for perjury. Applicants should, therefore, exercise care to assure that all answers are true and correct.

If the application is taken in forma pauperis, it shall include an affidavit (attached at the back of the form) setting forth information which establishes that applicant will be unable to pay the fees and costs of the proceedings. When the application is completed, the original shall be mailed to the Clerk of Court for the County in which the applicant was convicted.

1. Place of detention Broad River Correctional Institution
2. Name and location of Court which imposed sentence See attachment -
3. Name(s) of co-defendant(s) (if any) Shayniah Void, Jayden Void, etc.
4. The indictment number or numbers (if known) upon which and the offenses for which sentence was imposed:
 - (a) Murder
 - (b) 2 counts of Attempted Murder
 - (c) Assault and Battery by Mob 1st, 2nd, and 3rd degree
5. The date upon which sentence was imposed and the terms of the sentence:
 - (a) May 8, 2023 I was sentenced to 40yrs mandatory.
 - (b) _____

- (c) _____
6. Check whether a finding of guilty was made:
- (a) after a plea of guilty ✓ _____
- (b) after a plea of not guilty _____
- (c) after a plea of nolo contendere _____
7. Did you appeal from the judgment of conviction or the imposition of sentence?
NO _____
8. If you answered "yes" to (7), list:
- (a) the name of each Court to which you appealed:
- i. _____
- ii. _____
- iii. _____
- (b) the result in each such Court to which you appealed:
- i. _____
- ii. _____
- iii. _____
- (c) the date of each such result:
- i. _____
- ii. _____
- iii. _____
- (d) if known, citations of any written opinion or orders entered pursuant to such results:
- i. _____
- ii. _____
- iii. _____
9. If you answered "no" to (7), state your reasons for not so appealing:
- (a) Attorney did not file appeal when I asked him to.
- (b) I didn't have the knowledge of knowing how to file one myself.
- (c) _____
10. State concisely the grounds on which you base your allegation that you are being held in custody unlawfully:

- (a) Ineffective Assistance of Counsel
 (b) Ineffective Assistance of Counsel
 (c) Ineffective Assistance of Counsel

11. State concisely and in the same order the facts which support each of the grounds set out in (10):

- (a) See Attachment
 (b) See Attachment
 (c) See Attachment

12. Prior to this application have you filed with respect to this conviction:

- (a) any petition in a State Court under South Carolina Law? NO
 (b) any petition in State or Federal Courts for habeas corpus or post-convictions relief? NO
 (c) any petition in the United States Supreme Court for certiorari other than petitions, if any, already specified in (8)? NO
 (d) any other petitions, motions or applications in this or any other Court? NO

13. If you answered "yes" to any part of (12), list with respect to each petition, motion or application:

(a) the specific nature thereof:

- i. _____
 ii. _____
 iii. _____
 iv. _____

(b) the name and location of the Court in which each was filed:

- i. _____
 ii. _____
 iii. _____
 iv. _____

(c) the disposition thereof:

- i. _____
 ii. _____
 iii. _____

- iv. _____
- (d) the date of each such disposition:
 - i. _____
 - ii. _____
 - iii. _____
 - iv. _____

(e) if known, citations of any written opinions or orders entered pursuant to each such disposition:

- i. _____
- ii. _____
- iii. _____
- iv. _____

14. Has any ground set forth in (10) been previously presented to this or any other Court, State or Federal, in any petition, motion or application which you have filed?

NO

15. If you answered "yes" to (14) identify:

(a) which grounds have been presented:

- i. _____
- ii. _____
- iii. _____

(b) the proceedings in which each ground was raised:

- i. _____
- ii. _____
- iii. _____

16. If any ground set forth in (10) has not previously been presented to any Court, State or Federal, set forth the ground and state concisely the reasons why such ground has not previously been presented:

- (a) See attachment
- (b) _____
- (c) _____

17. Were you represented by an attorney at any time during the course of:

- (a) your arraignment and plea? Yes
- (b) your trial, if any? Did not go to trial
- (c) your sentencing? Yes
- (d) your appeal, if any, from the judgment of conviction or the imposition of sentence? Didn't appeal
- (e) preparation, presentation or consideration of any petitions, motions or applications with respect to this conviction, which you filed? NO

18. If you answered "yes" to one or more parts of (17), list:

- (a) the name and address of each attorney who represented you:
- i. Fred Woods - see attachment for address
- ii. Kenneth Snow - see attachment for address
- iii. _____
- (b) the proceedings at which each such attorney represented you:
- i. One Bond Hearing
- ii. Sentencing at plea court.
- iii. _____

19. State clearly the relief you seek in filing this application:

I seek for a New Trial, withdraw plea, sentence reduction

20. Are you now under sentence from any other court that you have not challenged?

NO

2.) Beaufort County Magistrate Court
104 Ribaut rd.
Beaufort, SC 29902

3.) Tyleic Chaneyfield, Messiah

4.) (d.) Possession of a weapon in commission of a violent crime

10.) (d.) Ineffective assistance of Counsel

11.) (a.) Counsel was ineffective by failing to send, and go over with, me my Rule 5. / Discovery when I asked him to do so. Due to the Sixth Amendment of the U.S Constitution, a defendant has a right to effective representation.

(b.) Counsel was ineffective by failing to compel compliance with plea agreement. Counsel failed to object to the State's request for the maximum sentence of Life in violation of the plea agreement. State had agreed to make no sentencing recommendation.

See: Thompson v. State, 531 S.E. 2d 294 (S.C. 2000)

Smith v. State, 754 S.E. 2d 900 (S.C. 2014)

(c.) Counsel was ineffective by failing to move to withdraw the guilty plea entered only because the State agreed not to make a recommendation on the sentence. State reneged and asked for the maximum.

See: Jordan v. State, 374 S.E. 2d 683 (S.C. 1988)

(d.) Counsel was ineffective by failing to file a motion to reconsider sentence, within the 10 days required after the court sentenced me. Due to the Sixth Amendment of the U.S. Constitution, a defendant has a right to effective representation.

↪

16.) I didn't have the knowledge that I could have made such a claim, until I got to SCDC and gained access to the Law Library.

18.) Fred Woods & Kenneth Snow
223 E. Main St. Ste 500, Rock Hill, S.C.
407 Church St. #1C, Georgetown, S.C.

STATE OF SOUTH CAROLINA)

County of Beaufort)

VERIFICATION)

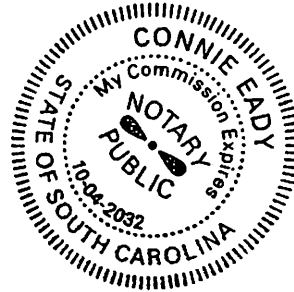
I, Jimmie Green, being duly sworn upon my oath, depose and say that I have subscribed to the foregoing application; that I know the contents thereof; that it includes every ground known to me for vacating, setting aside or correcting the conviction and sentence attacked in this application; and that the matters and allegations therein set forth are true.

Jimmie Green

SWORN to and subscribed before me this 3
day of May, 2024.

Connie Eady (L.S.)
Notary Public

My Commission Expires: 10-4-32



**APPLICATION TO PROCEED WITHOUT PAYMENT
OF COSTS AND AFFIDAVIT
IN SUPPORT THEREOF**

I, _____, hereby apply for leave to proceed in this action without prepayment of fees or costs or security therefor. In support of my application I declare under penalty of perjury that the following facts are true:

- (1) I am the applicant in this action and I believe I am entitled to redress.
- (2) Because of my poverty I am unable to pay the costs of said proceeding or give security thereof.

Applicant

SWORN or affirmed to and subscribed before me this
_____ day of _____, 2_____.

Notary Public

My Commission Expires: _____

STATE OF SOUTH CAROLINA	)	IN THE COURT OF COMMON PLEAS
COUNTY OF BEAUFORT	)	IN THE FOURTEENTH JUDICIAL CIRCUIT
	)	
Jimmie Green, #390950,	)	CASE NO. 2024-CP-07-00996
	)	
Applicant,	)	
	)	
v.	)	
	)	
State Of South Carolina,	)	
	)	
Respondent.	)	

RETURN
(Counsel Appointed)

2025 FEB 26 PM 12:38
JERRI ANN ROSENBAUM
CLERK OF COURT
BEAUFORT COUNTY, S.C.

In response to the application for post-conviction relief (PCR) filed by Jimmie Green (Applicant) on May 7, 2024, Respondent makes the following return:¹

PROCEDURAL HISTORY

Applicant is presently confined in the South Carolina Department of Corrections serving a cumulative forty-year-sentence. During its August 2022 term, the Beaufort County Grand Jury indicted Applicant for murder (2021-GS-07-00453), two counts of attempted murder (2021-GS-07-00451, -00452), assault and battery by mob first-degree (2022-GS-07-01227), assault and battery by mob second-degree (-01229) and assault and battery by mob third-degree (-01228). On May 8, 2023, Applicant appeared before the Honorable Craig Brown and pled guilty as indicted. Kenneth D. Snow, Esquire, and Freddy Woods, Esquire represented Applicant. Solicitor Duffie Stone and Deputy Solicitor Sean Thorton represented the State. Judge Brown sentenced Applicant to a sentence of 30 years for assault and battery by mob first-degree, 25 years for assault and

¹ Respondent's return was due to be filed within 60 days of service. See Rule 12(a), SCRCP ("[T]he State of South Carolina shall answer or otherwise respond to an application for post-conviction relief within 60 days after service of the application, if it arises out of a guilty plea, and 90-days if it arises out of a trial."). Now, having completed the return and in light of no demonstrable prejudice to Applicant, Respondent respectfully asks this Court to accept this return as timely filed. See S.C. Code Ann. § 17-27-70(a) (establishing the Court may fix the time in which the State must respond); Guinyard v. State, 260 S.C. 220, 195 S.E.2d 392 (1973) (holding the time limit prescribed by the statute is not mandatory but discretionary with the circuit court, and the circuit court may extend the time for filing).

battery by mob second-degree, time served for assault and battery by mod third-degree, 30 years for each attempted murder charge and 40 years for murder, all to run concurrently. Applicant did not appeal.

CURRENT APPLICATION

On May 7, 2024, Applicant timely filed this PCR application alleging:

1. Ineffective Assistance of Counsel
 - a. Counsel was ineffective for failing to send, and go over with, me my Rule 5./ Discovery when I asked him to do so.
 - b. Counsel was ineffective by failing to compel compliance with plea agreement. Counsel failed to object to the State's request for the maximum sentence of life, in violation of the plea agreement. State had agreed to make no sentencing recommendation.
 - c. Counsel was ineffective by failing to move to withdraw the guilty plea entered only because the State agreed not to make a recommendation on the sentence. State "reneged" and asked for the maximum.
 - d. "Counsel was ineffective by failing to file a motion to reconsider sentence, within the 10 days required after the court sentenced me.

As relief, Applicant requests "for a new trial, withdraw plea, sentence reduction." Attached to this return and incorporated by reference are the Beaufort County Clerk of Court records of the subject conviction, Applicant's records from the South Carolina Department of Corrections, and the plea transcript. Respondent reserves the right to amend this return upon receipt of any additional relevant materials.

INEFFECTIVE ASSISTANCE OF COUNSEL

Respondent requests an evidentiary hearing on Applicant's claim of ineffective assistance of counsel. To establish ineffective assistance of counsel, a PCR applicant must prove (1) counsel's performance fell below an objective standard of reasonableness, and (2) the applicant sustained prejudice because of counsel's deficient performance. Strickland v. Washington, 466 U.S. 668, 687-88 (1984); Cherry v. State, 300 S.C. 11 5, 11 7-1 8, 386 S.E.2d 624, 625 (1989). "The test for

effective assistance of counsel is whether the representation was within the range of competence demanded of attorneys in criminal cases." Watson v. State, 287 S.C. 356, 357, 338 S.E.2d 636, 637 (1985). To establish prejudice, the applicant must prove "there is a reasonable probability that, but for counsel's unprofessional errors, the result of the proceeding would have been different." Cherry, 300 S.C. at 117-18, 386 S.E.2d at 625.

The Sixth Amendment right to counsel also applies to a defendant entering a guilty plea. Hill v. Lockhart, 474 U.S. 52 (1985). When reviewing a guilty plea, the Strickland deficiency prong remains unchanged—Applicant must show counsel's representation fell below an objective standard of reasonableness. Hill, 474 U.S. at 58–59. To show prejudice, Applicant must show a reasonable probability exists "that, but for counsel's [alleged] errors, he would not have pleaded guilty and would have insisted on going to trial." Id. at 59.

The test for determining the validity of a guilty plea is "whether the plea represents a voluntary and intelligent choice among the alternative courses of action open to the defendant." North Carolina v. Alford, 400 U.S. 25, 31 (1970). "[A] defendant entering a guilty plea must be aware of the nature and crucial elements of the offense, the maximum and any mandatory minimum penalty, and the nature of the constitutional rights being waived." Pittman v. State, 337 S.C. 597, 599, 524 S.E.2d 623, 624 (1999).

The record likely does not refute or disprove Applicant's claims. Therefore, Respondent requests an evidentiary hearing. See Sharper v. State, 279 S.C. at 265, 305 S.E.2d at 248 (providing an evidentiary hearing shall be held when a PCR application "allege specific instances of ineffective assistance of counsel which are not conclusively refuted by the record").

ANY FUTURE AMENDMENTS AND INVOCATION OF DISCOVERY

Respondent requests Applicant specify any claims he intends to raise in advance of the hearing. Respondent reserves the right to request a continuance based upon any amendments withheld until the last minute. Respondent further requests all potential exhibits and materials used to produce potential expert witness testimony be sent to Respondent before the hearing. Likewise, Respondent requests all potential evidence and a witness list be sent to Respondent before the hearing. Respondent reserves the right to request a continuance and oppose witness testimony and exhibits that result in undue prejudice to the State.

ALL OTHER ALLEGATIONS

Any allegation not expressly admitted, qualified, or explained is hereby denied.

[CONCLUSION AND SIGNATURE PAGE FOLLOWS]

CONCLUSION

WHEREFORE, Respondent requests an evidentiary on Applicant's claims of ineffective assistance of counsel.

Respectfully Submitted,

ALAN WILSON
Attorney General

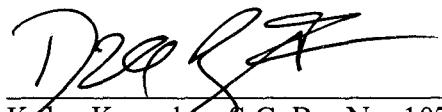
DONALD J. ZELENKA
Deputy Attorney General

D. RUSSELL BARLOW, II
Senior Assistant Deputy Attorney General

DANIELLE DIXON
Assistant Attorney General

KYLEE KANEALEY
Assistant Attorney General

By:



Kylee Kanealey, S.C. Bar No. 107060

ATTORNEYS FOR RESPONDENT
Office of the Attorney General
Post Office Box 11549
Columbia, SC 29211
803-748-6443

February 24, 2025

STATE OF SOUTH CAROLINA
COUNTY OF BEAUFORT

Jimmie Green, #390950,

Applicant,

v.

State of South Carolina,

Respondent,

) IN THE COURT OF COMMON PLEAS
) IN THE FOURTEENTH JUDICIAL CIRCUIT
)

CASE NO. 2024-CP-07-00996

CERTIFICATE OF SERVICE BY MAIL

2025 FEB 26 PM 12:38
JUDICIAL CLERK
BEAUFORT COUNTY, S.C.

1. I am an employee of the Respondent in the above-captioned action.
2. Regular communication by mail exists throughout the State of South Carolina and that this is a proper circumstance of service by mail.
3. I have this day served a copy of the Return in the above captioned matter on the following person by depositing same in the United States mail, postage prepaid:

Chelsey Faith Marto, Esquire
The Law Office of Chelsey F. Marto
PO Box 8795
Columbia, SC 29201

DATED this 24th day of February, 2025.

Vickie Hall

Vickie Hall, Legal Assistant
For Respondent

STATE OF SOUTH CAROLINA	)	IN THE COURT OF COMMON PLEAS
COUNTY OF BEAUFORT	)	FOR THE FOURTEENTH JUDICIAL CIRCUIT
	)	
	)	
Jimmie Green, #390950,	)	Case No.: 2024-CP-07-00996
Applicant,	)	
v.	)	APPLICANT'S AMENDED APPLICATION
State of South Carolina,	)	
Respondent.	)	
	)	

NOW COMES Applicant, Jimmie Green, amending his application filed May 7, 2024. In addition to the allegations raised in his initial application, Mr. Green, through PCR Counsel, submits the following:

1. Ineffective assistance of counsel for:

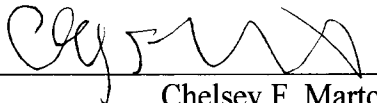
- a. Failure to review discovery with Applicant and provide Applicant with a copy of the discovery.
- b. Failure to get Applicant a bond motion.
- c. Failure to move to reconsider the sentence.
- d. Failure to file a notice of appeal.
- e. Failure to object to the State requesting life imprisonment.
- f. Failure to move to withdraw the plea.
- g. Failure to mitigate the sentence.
- h. For erroneously telling Applicant that if he pled, the State would not ask for life imprisonment.

2. Invalid plea:

- a. Applicant had only 24 hours between being told he needed to plead straight up and the plea hearing itself.

Conclusion

Based upon the above, Mr. Green requests that this Court grant relief, vacate the convictions, and remand the case to the court of general sessions for a new trial.


Chelsey F. Marto
Attorney at Law
S.C. Bar No. #104191

The Law Office of Chelsey F. Marto, LLC
P.O. Box 8795
Columbia, SC, 29201

(864)-404-5583
info@chelseymarto.com

For Applicant Jimmie Green

March 25, 2025

STATE OF SOUTH CAROLINA
COUNTY OF BEAUFORT

IN THE COURT OF COMMON PLEAS
FOURTEENTH JUDICIAL CIRCUIT
2024CP0700996

Jimmie Green,)
))
Plaintiff,)
))
vs.)
))
State of South Carolina,)
))
Defendant.)
-----)

TRANSCRIPT OF HEARING

November 12, 2025
Beaufort, South Carolina

B E F O R E:

The Honorable Dale E. Van Slambrook, Judge Presiding

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

For the Applicant -
Chelsey F. Marto, Esquire
1122 Lady Street, Suite 206
Columbia, South Carolina 29201

For the State -
Kylee Kanealey, Esquire
1000 Assembly Street, Room 519
Columbia, South Carolina 29201

Cathy L. Young, CVR-M
Official Circuit Court Reporter
Post Office Box 4604
Beaufort, South Carolina 29903

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No exhibits were introduced.

1 P R O C E E D I N G S

2 * * * * *

3 THE COURT: Is the State ready to proceed?

4 MS. KANEALEY: Yes, Your Honor.

5 THE COURT: And what is the next case?

6 MS. KANEALEY: Jimmie Green, Your Honor.

7 THE COURT: Is there any witnesses being
8 presented virtually?9 MS. KANEALEY: Yes, Your Honor. Mr.
10 Freddie Woods.11 THE COURT: Mr. Freddie Woods. All right.
12 And then this is -- and you're Mr. Jimmie Green?

13 MR. GREEN: Yes, Your Honor.

14 THE COURT: All right. Good morning, Mr.
15 Green.

16 MR. GREEN: Good morning.

17 THE COURT: All right. So, and this is
18 2024-CP-07-00996. Is that right?

19 MS. KANEALEY: Yes, Your Honor.

20 THE COURT: All right. And any objection
21 to proceeding with this witness testifying virtually
22 from the applicant?23 MS. MARTO: No, Your Honor, but we do have
24 a motion prior to proceeding forward here.

25 THE COURT: Okay. All right. Let me hear

1 the motion.

2 MS. MARTO: Mr. Green has informed me today
3 that he wishes to get a continuance in this case.

4 THE COURT: I'm sorry?

5 MS. MARTO: He has informed me this morning
6 that he wants a continuance in this case.

7 THE COURT: Why would it need to be
8 continued?

9 MS. MARTO: So, his reasoning is he got a
10 letter saying that this case was scheduled for today
11 yesterday. I did speak with him and his mom back in
12 September, letting him know that when it was
13 continued in September it would likely be scheduled
14 for November, but we weren't sure up until probably
15 yesterday whether or not we were officially going to
16 be going forward. He says he wants more time to, I
17 guess, think about the case and prepare mentally.
18 The application was amended back in March, and I
19 have talked to him at least twice about this matter,
20 as well as his mom, but again, as of today, he does
21 tell me he wants more time before going forward with
22 the full hearing.

23 THE COURT: All right. So, it was -- when
24 was it scheduled before?

25 MS. MARTO: It was scheduled in April and

1 then again in September. Both times it was
2 continued because of reasons given by plea counsels.

3 THE COURT: All right. So, the last time
4 it was scheduled in September, ---

5 MS. MARTO: Yes, Your Honor.

6 THE COURT: -- continued in September for
7 whatever reason, and at that time it was not
8 specified to be heard today. Is that correct?

9 MS. MARTO: When I talked to his mom, I let
10 her know the week, but we honestly weren't sure if
11 we were going to be able to proceed forward with
12 this hearing up until I think yesterday.

13 THE COURT: So, when was the first contact
14 or information provided to Mr. Green about today?

15 MS. MARTO: About today's ---

16 THE COURT: About it going forward today?

17 MS. MARTO: Yeah, a letter was sent to him
18 over a week ago and I was told that it took a week
19 for him to receive it.

20 THE COURT: All right. What's the State's
21 position?

22 MS. KANEALEY: Your Honor, we would object
23 to the continuance. He filed his application in May
24 2024. This was previously continued because our
25 witness was unavailable. However, the continuance

1 was in September for the hearing to be heard in
2 November. Our roster went out four weeks ago.

3 THE COURT: Have you had an opportunity to
4 talk to Mr. Green today?

5 MS. KANEALEY: I've spoken with him today
6 but he does tell me he wants a continuance. I did
7 provide him with the amended application back in
8 March and I asked him in September if anything had
9 changed then and he told me no. So, I was under the
10 impression that we were all squared away for the
11 better part of the year now.

12 THE COURT: Given the fact that there's
13 notice that's provided weeks out, I'm usually not
14 inclined to continue it just for preparation. Do
15 you need more time to prepare, Ms. Marto? Have you
16 had enough time?

17 MS. MARTO: I do not need more time. This
18 is a request on my client's behalf.

19 THE COURT: Okay. All right. And I
20 understand and appreciate the desire to have plenty
21 of time in advance to prepare mentally to go
22 forward. However, if the attorney is ready to go
23 forward, I think I'm inclined to respectfully deny
24 the request and go forward with the hearing today.

25 MS. KANEALEY: Thank you, Judge.

1 THE COURT: Okay. All right.

2 MS. KANEALEY: Can I call the case, Your
3 Honor?

4 THE COURT: Yes.

5 MS. KANEALEY: May it please the court,
6 Kylee Kanealey, Assistant Attorney General on behalf
7 of the State. This is the post conviction relief
8 matter of Jimmie Green versus the State. Case
9 Number 2024-CP-07-996 out of Beaufort County.
10 Applicant is presently confined in the South
11 Carolina Department of Corrections serving a
12 cumulative 40-year sentence. During its August,
13 2022 term, the Beaufort County Grand Jury indicted
14 applicant for murder, two counts of attempted
15 murder, assault and battery by mob first degree,
16 assault and battery by mob second degree, and
17 assault and battery by mob third degree. On May 8th,
18 2023, applicant appeared before the Honorable Craig
19 Brown and pled guilty as indicted. Kenneth D. Snow,
20 Esquire, and Freddie Woods, Esquire, represented
21 applicant. Solicitor Duffy Stone and Deputy
22 Solicitor Sean Thornton represented the State.
23 Judge Brown sentenced applicant to a sentence of 30
24 years for assault and battery by mob first degree;
25 25 years for assault and battery by mob second

1 degree; time served for assault and battery by mob
2 third degree; and 30 years for each attempted murder
3 charge; and 40 years for murder, all to run
4 concurrently. Applicant did not appeal. On May 7th,
5 2024, applicant timely filed this PCR application
6 and amended application on March 31, 2025. And at
7 this time I will turn it over to opposing counsel.

8 THE COURT: I'm sorry, what was the last?

9 MS. KANEALEY: Sorry, the amended
10 application was March 31, 2025.

11 THE COURT: All right. Thank you. All
12 right. Ms. Marto, I'll be happy to hear from you.

13 MS. MARTO: Yes, Judge. We call Mr. Jimmie
14 Green up to the stand.

15 THE COURT: All right. Mr. Green come on
16 up.

17 (Witness sworn.)

18 * * * * *

19 Jimmie Green,
20 having been duly sworn,
21 testifies as follows:

22 * * * * *

23 DIRECT EXAMINATION

24 BY MS. MARTO:

25 Q. Good morning, sir.

1 A. Good morning.

2 Q. So, who represented you at your plea
3 hearing?

4 A. My plea hearing? Kenneth Snow.

5 Q. And who else?

6 A. Freddie Woods was there. But, Kenneth
7 Snow.

8 Q. Okay. So, Mr. Snow was your main
9 attorney, correct?

10 A. I knew that the day of court. Through
11 my whole time in BCDC, I was told he was the number
12 one man, Mr. Freddie Woods. But when it came to
13 court, it was switched up and Kenneth Snow was the
14 number one man.

15 Q. Did you hire them both at the same
16 time?

17 A. I knew about him. He said Snow was his
18 partner that he was talking to to help him with the
19 case. It was fine with me, but if you're the number
20 one man and you're my lawyer, I'm going to talk to
21 the number one man. Don't switch it up. You know
22 what I'm saying? When it's coming to court. You
23 know what I'm saying? So, I was talking to him and
24 then Snow speaks for me at court date. So, I was
25 kind of confused.

1 Q. How many times did they talk to you or
2 meet with you?

3 A. Greg came, I don't know the exact
4 amount of times, but a few times. Snow probably
5 came three, you know what I'm saying? I'm positive
6 of that.

7 Q. And what did y'all discuss when he met
8 with you, when they met with you?

9 A. We discussed the case. The first time
10 he came, we discussed the case, you know, what he's
11 working on. When Snow came, I was told that that
12 was his partner that was going to be helping him
13 out. And then we talked about, we talked about
14 getting a lesser charge. Then I didn't hear nothing
15 else about that. And then we went to bond court,
16 waited for bond court, you know what I'm saying?
17 And then finally, trial is coming up. I'd say about
18 that weekend, that Saturday, he told me to plead
19 out, you know what I'm saying, due to the evidence.

20 Q. And why did you decide to plead out?

21 A. I didn't know my case. I took his word
22 for it. I never got the discovery. To this day, I
23 don't have my discovery. He never sent it and I've
24 asked for it numerous times.

25 Q. So, do you know what happened at all,

1 or not?

2 A. I don't know what happened, I don't
3 know what happened in the case. I don't know what's
4 going on. I don't know what was against me. I
5 don't know why I had a warrant out. I don't know
6 none of that. To this day, I don't know.

7 Q. Did you talk to counsel about a
8 potential defense or what are you saying happened
9 that day if you don't know anything about it?

10 A. Say it again.

11 Q. Where were you that day if you don't
12 know anything about what they're alleging you did?

13 A. What about the case?

14 Q. Yeah, like where were you if it wasn't
15 you in the car?

16 A. If I was in the car?

17 Q. Yeah.

18 A. Well, where I was, was, I don't think
19 that has nothing to do with my claim to him or why
20 he's not giving me my discovery. That's my right to
21 have that. You know what I'm saying? That's --
22 where I was is out of the question. You know what
23 I'm saying? But me, fighting my case, I should have
24 my discovery like everybody else does.

25 Q. But you're saying you have no personal

1 knowledge about what happened or what they're
2 saying.

3 A. What I'm saying is I don't know what's
4 going -- I don't know what the authorities know to
5 arrest me. That's in my discovery, right? I should
6 know whether there is probably cause or anything to
7 arrest me, right? I don't know none of that. I
8 don't know warrants and documents, nothing.

9 Q. And, so, are you saying that counsel
10 got you a bond motion or no?

11 A. I went to one bond motion, but we
12 waived it.

13 Q. Okay. Did you want to go forward with
14 the bond?

15 A. Well, I waived it because of my
16 accomplices, they got denied. You know what I'm
17 saying, so, he told me nine times out of ten you are
18 going to get denied too. They're not going to deny
19 them and give you one. So, we waited. I agreed
20 with them. But, never went to another one before
21 that. I had one bond court, I want to say 30 days
22 after I got arrested, and he didn't show.

23 Q. Did you want counsel to move to
24 reconsider the sentence? Did you want counsel to
25 move or reconsider the sentence?

1 A. Yes. I called him about that after
2 court.

3 Q. And were you given a reason why that
4 wasn't done?

5 A. No. I thought it was going to be done,
6 but it wasn't done. That's why I filed a PCR and
7 filed it to my, to the best of my ability because
8 like I said, again, I don't have my discovery. You
9 know what I'm saying? So, I'm going off of what
10 happened at plea court. That's it. I don't know
11 what it is. You know what I'm saying? In my case
12 file.

13 Q. And did you ask?

14 A. Another thing. He called my mom and
15 asked my mom, asked her for her answer about my
16 reconsidering on my sentence. That's not on her.
17 You know what I'm saying. She doesn't -- why are
18 you asking her? You ask me that. She doesn't make
19 -- you know what I'm saying. I'm the one that has
20 to do the time. I'm the one that has to, you know
21 what I'm saying? So, he should ask me. He never
22 asked me. Never heard from him after that.

23 Q. Did you ask him to file a notice of
24 appeal?

25 A. Yes, I did.

1 Q. Okay. And did you ever hear from him
2 on that?

3 A. That's the part I said, he said he
4 called my mom. He said he called my mom and asked
5 my mom. But still, he was talking to the wrong
6 person.

7 Q. What did you think the agreement was,
8 if anything, when you went into court?

9 A. When I went into court? When I went
10 into court I was under the impression that I would
11 be getting a 30-year sentence due to me pleading out
12 and that the State was going to rest and not offer
13 life on the table, which they did. When we went to
14 court they asked for life, for the maximum out of
15 plea court, they asked for life. And he didn't
16 object, which I think that he should have, or what
17 he told me was a lie. So, I'm lost there too.

18 Q. And how long were you given between
19 when you were told of pleading versus when you had
20 to actually plead?

21 A. Between 24 and 48 hours.

22 Q. Do you feel like that was enough time
23 to think about your options?

24 A. No. I'm preparing for trial the whole
25 time.

1 Q. Did you talk to counsel about wanting
2 to go to trial?

3 A. Yes, I did.

4 Q. And what was their response? Do you
5 recall?

6 A. That I was going to get life. No
7 questions asked.

8 Q. Did counsel say that the State wouldn't
9 ask for life if you pled. Is that correct?

10 A. Right.

11 Q. Did counsel object when ---

12 A. No, ma'am.

13 Q. And what do you think would have
14 happened if counsel had objected to that?

15 A. Because I would -- that's the reason
16 why I pled. That would have took the plea off the
17 table and we would go ahead and go to trial.
18 Because they said they were ready that day. I'm
19 impressed that we are ready, but obviously they
20 weren't.

21 Q. What do you feel like counsel did, if
22 anything, when it came to arguing that you should be
23 given the minimum sentence?

24 A. I believe Snow did the best he could in
25 that area when it was his turn to speak. But,

1 before that, they could've did more before it was
2 his turn to speak. He could have, you know,
3 objected and still act like he was fighting and not
4 give up because I'm here pleading. You know what
5 I'm saying?

6 Q. So, you wanted him to object to them
7 asking for life in prison. Is there anything else
8 you wanted objecting to in the plea hearing?

9 A. No. That was about it.

10 Q. Okay. And then you also raised an
11 allegation that counsel should have moved to
12 withdraw the plea. Is that correct?

13 A. Yes.

14 Q. And why did you want the plea
15 withdrawn?

16 A. Because of the deal. Well, you are not
17 going to ask for life. The State's not going to ask
18 for life. You know what I'm saying. So, you're
19 asking for life. What's the difference between me
20 pleading, getting life, and going to trial and get
21 life? It's the same thing to me. So, I would
22 rather have took my chances to finally see what was
23 going on in the case that I don't know because I
24 don't have my discovery. I would have rather that.

25 Q. But you pled knowing you didn't have

1 your discovery, right?

2 A. Yes, ma'am.

3 Q. And you didn't get a life sentence,
4 right?

5 A. No, ma'am

6 Q. Okay. And you know that -- if this
7 court decides to grant you relief, all they can give
8 you is a new plea or trial. So you could go back to
9 General Sessions court in a few years and get life.
10 Do you understand that?

11 A. Yes, ma'am.

12 Q. Do you still want to go forward?

13 A. Yes, ma'am.

14 Q. Is there anything else you feel that
15 Mr. Woods and Mr. Snow should have done that they
16 didn't do for you?

17 A. No, ma'am.

18 Q. Nothing further, Your Honor.

19 THE COURT: All right.

20 **CROSS-EXAMINATION**

21 BY MS. KANEALEY:

22 Q. Just briefly, Your Honor. So, at your
23 plea hearing, do you recall the Solicitor said,
24 before you pled guilty, I have explained to the
25 defense counsel regardless of if the defendant

1 pleads guilty or goes to trial, I will still be
2 asking for a life sentence?

3 A. I heard him say that.

4 Q. Okay. And you still decided to proceed
5 forward with your guilty plea?

6 A. Yes, but my mother should have
7 objected.

8 Q. Nothing further, Your Honor.

9 THE COURT: All right. You can sit down.
10 Thank you. All right, Ms. Marto, anything further?

11 MS. MARTO: Yes, Judge. We call Freddie
12 Woods.

13 THE COURT: Mr. Woods, can you hear us all
14 right?

15 MR. WOODS: Yes, Your Honor. I can hear
16 you.

17 THE COURT: Okay.

18 (Witness sworn.)

19 * * * * *

20 Fred W. Woods, Jr., (via Webex)

21 having been duly sworn,

22 testifies as follows:

23 * * * * *

24 DIRECT EXAMINATION

25 BY MS. MARTO:

1 Q. Good morning, sir.

2 A. Good morning.

3 Q. So, how long did you represent Mr.
4 Green for?

5 A. For years. I actually -- at the
6 beginning of this case, I actually drove Mr. Green,
7 his father and his brother in my car and turned him
8 in so that they would not have to pick him up. So,
9 it was a turn in. It wasn't something that they
10 were, you know, that they had to go get him. At
11 that particular time, the entire City was looking
12 for Mr. Green and his co-defendants, and I didn't
13 want them to raid somewhere or pull him out of
14 somewhere, so I drove him and his father and his
15 brother and we all sat in the car and voluntarily
16 turned him in with no incident.

17 Q. Do you recall roughly how many times
18 you met with him?

19 A. A lot. As he stated, Mr. Snow was
20 there at least three times. I was there more than
21 that, and we would drive down from Charlotte so it
22 would be an all day event to drive down to see Mr.
23 Green and then go back. And I did that a lot. He
24 also stated that on the weekends I came to visit
25 him, which I did. I also talked to him extensively.

1 And once he gave me permission to talk to his
2 family, because I told his family I couldn't discuss
3 the case with them unless he gave permission. He
4 gave permission. I talked to his family as well.
5 We even had a hearing -- not a hearing, I'm sorry,
6 we even had an in-office meeting in our Charlotte
7 office. Our law firm is Snow and Wood, so, it was
8 me and Mr. Snow, where we went through all bits of
9 the evidence with them. And we also went through
10 all of the evidence with Mr. Green.

11 Q. So, you are saying you reviewed the
12 discovery with him?

13 A. Yes, I did. Extensively. As a matter
14 of fact, it was so much discovery that we had it in
15 volumes. And those volumes we brought with us.
16 Pictures, photographs of everything, information,
17 statements, all of that and brought it to Mr. Green
18 at the jail. We went through everything with Mr.
19 Green at the jail and took those volumes back to the
20 office so that he wouldn't be there with stacks of
21 volumes inside of the jail.

22 Q. So he never got a personal copy of the
23 discovery. Is that correct?

24 A. We told him that this is his book that
25 he could have, but we also realized that he could

1 not have that book inside of the jail with a lot of
2 people to be able to look at it. So we asked him if
3 he wanted to take it back and, you know, he said
4 yeah, so we took it back.

5 Q. Now, did you tell him anything about
6 what to expect regarding sentencing prior to the
7 plea?

8 A. Absolutely. One thing that was unique
9 in this case, without going into too much detail, is
10 that there was information that Mr. Green provided
11 to another inmate who presented himself as a
12 jailhouse lawyer, that the State then used against
13 him. Assistant -- I'm sorry, Solicitor Duffy Stone
14 brought me and Attorney Snow into his office at one
15 of our meetings, presented us with everything that
16 the jailhouse lawyer had given them and,
17 essentially, Mr. Green had turned over evidence to
18 another inmate. That inmate then turned all of that
19 evidence over to the State to be able to get some
20 sort of reduction in his time for his sentence. So
21 he basically betrayed Mr. Green. So, once we had
22 all of that information, which was everything that
23 Mr. Green allegedly had written to this inmate, the
24 prosecution had all of the evidence that they deemed
25 that they needed to be able to prosecute.

1 Q. Now, Mr. Green alleged that he thought
2 he would get a 30-year sentence by pleading. Did
3 you give him any indication that he would get 30
4 years or any other type of sentence?

5 A. No. We gave -- we let him know that
6 the Judge has wide discretion of what to be able to
7 give. We had met with the Judge along with the
8 Solicitor Duffy Stone. All of us were there. I had
9 a meeting with the Judge and asked the Judge if this
10 was a trial or if it was a plea, where the Judge
11 inclined to fall. And the Judge said that if it was
12 a trial, and he was found guilty, he would give life
13 sentences, and he was inclined to do that. And that
14 if it was a plea that he would not. And we took
15 that information back to Mr. Green to let Mr. Green
16 know about it.

17 Q. Now, was there ever any type of
18 agreement that if you -- if Mr. Green plead, the
19 State wouldn't seek life imprisonment?

20 A. No, ma'am. So, let me explain that.
21 So there is a recommendation that a prosecutor can
22 be able to provide. Where they, in any case, they
23 can say, okay, the State will recommend 10 years or
24 20 years or 30 years or 40 or whatever. So, the
25 State can make a recommendation to the court about

1 how much time the State thinks should be given in a
2 case. In this case, the State said that they would
3 not make a recommendation of a particular settlement
4 about a time, and therefore we were free to ask for
5 less time. The State was free to ask for whatever
6 time they wanted. So, there wasn't an agreement.
7 There was the State saying that they would proceed
8 without recommendation. That both parties, the
9 State and the defense, were able to ask for whatever
10 time they thought might be appropriate for the plea.
11 And the Judge would make the decision.

12 Q. Now, do you recall Mr. Green asking for
13 you to withdraw the plea after the plea happened?

14 A. No. As a matter of fact, we went to
15 plea before. We stayed there the night before. We
16 met Mr. Green again. We talked to him and his
17 family. We came into the plea room. I sat with Mr.
18 Green at the table, at counsel table. Attorney Snow
19 sat with us as well and we had discussed everything.
20 Mr. Green that morning said he was ready to proceed.
21 We proceeded and as the Court is aware, you can't
22 have two attorneys speaking at one time, so I sat at
23 a counsel table with Mr. Green while Attorney Snow
24 presented the plea. And for the record, our law
25 firm is Snow and Wood. So, both of the named

1 partners in the firm represented him in this case.

2 Q. And do you recall roughly how long Mr.
3 Green had to make a decision between when he was
4 informed of the plea versus having to go to trial?

5 A. He was informed that the evidence
6 information that he allegedly turned over to this
7 jailhouse lawyer had been compromised and given to
8 the State, and that he had time at that moment that
9 there would either be a plea or it was a trial. He
10 was given that time. We went back to Charlotte.
11 But we came back some time later and said this is
12 the way the plea sentencing agreement or the plea
13 affidavit would work. And then this is a plea
14 affidavit that you can sign to say that either you
15 go to trial or either you plea. And he signed for a
16 plea.

17 Q. Do you recall when that was?

18 A. So, he had -- he had, he had longer
19 than -- it wasn't the, it wasn't the minute before.
20 He had a long time to think about it.

21 Q. Do you recall roughly how long it was
22 between when y'all had the discussion and he signed
23 the affidavit and then when he pled?

24 A. We had a discussion about the affidavit
25 when we came to meet Duffy Stone to discuss the case

1 and the prosecutor gave us -- sat us in a room and
2 showed us all of this evidence that had been
3 collected from allegedly Mr. Green's own
4 handwriting. So he had from that time, because we
5 discussed everything and what it would be, but we
6 went back to Charlotte and then we came back weeks
7 later and then he had -- we discussed it again
8 before we went to court. So, it was probably 48
9 hours before we actually had to go to court again.
10 But months before that, or weeks before that, we had
11 already talked to him about the plea and everything
12 else that happened. I think it was actually months;
13 if I recall.

14 Q. Do you recall if Mr. Green ever
15 formally went up for a bond?

16 A. Yes. We, as Mr. Green stated, we went
17 to -- we went up for a bond hearing. We were going
18 up for the bond hearing and all of the co-defendants
19 in this case had been denied their bonds. There had
20 been allegations that Mr. Green was a principal in
21 the incident, and we were already informed that he
22 would be denied bond. If he was denied bond, then
23 the State would have been given certain information
24 that we both, Mr. Green and I, didn't feel that the
25 State needed to hear at that time.

1 Q. Did Mr. Green ever request that you
2 file a Motion to Reconsider the sentence?

3 A. No. Mr. Green asked would the Judge
4 reconsider the sentence. Attorney Snow and I along
5 with Duffy Stone spoke to the Judge. The Judge said
6 he was not inclined to give any reconsideration.

7 Q. Did Mr. Green ever ask you to file a
8 notice of appeal?

9 A. No, ma'am. And as he stated in his
10 PCR, I believe, that he didn't ask for a notice of
11 appeal and didn't seek to appeal.

12 Q. Did you ever talk to his mom about the
13 decision whether to file a motion to reconsider the
14 sentence instead of him?

15 A. Not instead of him. In conjunction
16 with both of them, I told them both that we would
17 talk to the Judge which we did. And then I asked
18 his parents if they required anything further with
19 regard to that. And they were like, no. I think
20 they were just wrapping their mind around what had
21 happened at the time.

22 Q. So, was the decision not to pursue a
23 formal motion Mr. Green's or was it his parents?

24 A. Either or. As I stated, we polled the
25 Judge and the Judge said he was not inclined to

1 reconsider, which we then communicated to Mr. Green
2 and his parents. And I want to be clear about
3 something. We had a full meeting for half an entire
4 day going over every piece of evidence with Mr.
5 Green. And then we had a full meeting once Mr.
6 Green told me that he wanted me to speak to his
7 parents and gave me permission. Whether we talked
8 with everything for his parents, we brought them
9 into my office. I believe it was on -- it might
10 have even been a weekend and went through everything
11 on a big screen until, you know, until they were
12 satisfied that their questions were answered. And
13 we did that months before we ever went to plead.

14 Q. One moment, Your Honor. Nothing
15 further, Your Honor.

16 THE COURT: Okay, cross-examination?

17 MS. KANEALEY: Yes, Your Honor. Just
18 briefly.

19 **CROSS-EXAMINATION**

20 BY MS. KANEALEY:

21 Q. Mr. Woods, how long have you been
22 practicing the law?

23 A. For -- this year coming up will be my
24 30th year.

25 Q. Okay. How much of that has been

1 criminal?

2 A. Eighty percent or better. We do some
3 civil work now. We do civil trials. We are trial
4 lawyers so we go to trial a lot more than regular
5 lawyers do.

6 Q. Okay. Can you give is a brief overview
7 of the evidence the State had against applicant?

8 A. Sure. The State had, in the beginning,
9 the State did not have a lot of evidence that they
10 had against the applicant other than what was
11 provided to them by the co-defendants. There were,
12 I believe, four co-defendants in this case. And the
13 State didn't have a bunch of information. They did
14 have a bunch of information from one young man. Him
15 and his sister who were just found guilty, or sorry,
16 pled guilty and sentenced last week. But they had a
17 bunch of information that he had provided. He
18 basically turned State's evidence or State's witness
19 and gave them a bunch of information about what had
20 transpired. He and his sister, allegedly, were in a
21 car. They had identified that there were two
22 individuals that were Mr. Green's ops, so to speak,
23 or enemies, and that they saw them at a restaurant.
24 They then followed them, and this is from their
25 testimony, they then followed them, meaning the co-

1 defendants, followed them to be able to locate them
2 or Mr. Green and Mr. Tyleic Chaneyfield. At that
3 particular moment, after they were found, a shooting
4 occurred. People were injured and the main person
5 who is a local football player, died from that
6 incident and others sustained injuries, including
7 gunshot wounds to the face. So, there was that
8 evidence that the co-defendants already offered up.
9 And then we were proceeding to trial with Mr. Green
10 on the basis that they could not identify him was
11 our legal logic for that until we were literally
12 blindsided by the prosecutor Duffy Stone and brought
13 into the little room when we were discussing the
14 case and discussing trial and showed all this
15 evidence that allegedly Mr. Green had given to a
16 jailhouse lawyer or someone who's incarcerated, who
17 then turned on him and gave it to the State.

18 Q. Okay. And do you feel as if you had
19 enough time to meet with the applicant?

20 A. With my client, Mr. Green?

21 Q. Yes, sir.

22 A. Yes. I had a lot of time to meet with
23 him. I met with him a lot of times. I talked to
24 him a lot of times. Was encouraging to him a lot of
25 times. But I think that given the sharing of

1 evidence, allegedly by Mr. Green to another inmate,
2 and that inmate turned on him and given it to the
3 State and then the testimony of the two - the co-
4 defendants who had turned State's evidence, it was
5 very clear that if Mr. Green did not want a life
6 sentence, some sort of plea would have to be
7 imposed. I personally believe that a plea that high
8 is too high for a young man of his nature. However,
9 it is within the Judge's discretion. So, the Judge
10 acted within the Judge's discretion. I felt that
11 the Judge exceeded the Judge's discretion or did
12 something he wouldn't have done. Of course we would
13 have done immediate motions. But, it wasn't that --
14 the plea was within the amount of time that the
15 Judge had discretion for.

16 MS. KANEALEY: Nothing further, Your Honor.

17 THE COURT: All right. Any follow-up?

18 MS. MARTO: Nothing, Your Honor.

19 THE COURT: All right. Thank you, Mr.

20 Woods. Any objection to this witness being
21 released?

22 MS. MARTO: No, Your Honor.

23 MS. KANEALEY: No, Your Honor.

24 THE COURT: Thank you, Mr. Woods. You are
25 released. All right. Anything further from the

1 applicant?

2 MS. MARTO: Nothing further.

3 THE COURT: All right. From the State?

4 MS. KANEALEY: Nothing further, Your Honor.

5 THE COURT: All right. Let me hear from
6 you, Ms. Marto.

7 MS. MARTO: Yes, Judge. We would just
8 request that you find Mr. Green credible in his
9 allegation that he was only given 24 to 48 hours to
10 really comprehend what his options were, which was
11 going to plead straight up to murder or going to
12 trial. That he didn't have a full understanding of
13 what the discovery was, that he wasn't provided a
14 copy of the discovery. So he didn't have a full
15 knowledge and appreciation of what exactly was in
16 that discovery and wasn't able to make an informed
17 decision when it came to pleading, and that he pled
18 thinking that the State wouldn't ask for any type of
19 a sentence when in fact they turned around and did
20 ask for life imprisonment. And then we would
21 request that this court find him credible in his
22 assertion that he did ask Mr. Woods for the motion
23 to be reconsidered -- for a Motion to Reconsider the
24 sentence. And I think Mr. Woods wasn't very clear
25 in terms of whether or not he honored his client's

1 specific wish in that regard, and that it sounds
2 like he more or less just made the decision
3 unilaterally for him. So, we would request that you
4 grant on that and the notice of appeal and give him
5 a chance to go back and have his sentence
6 reconsidered both in General Sessions court and on
7 appeal. Thank you.

8 THE COURT: All right. Thank you. From
9 the State?

10 MS. KANEALEY: Yes, Your Honor. Pursuant
11 to *Hill v. Lockhart*, applicant has to prove that he
12 was deficient and because of those deficiencies he
13 chose to have pled guilty instead of proceeding to
14 trial. Here, there was extensive evidence against
15 applicant and his decision to plead guilty was
16 freely and voluntarily and knowingly made. And as
17 far as the life sentence issue, as I pointed out
18 Your Honor, it's page 6 of the transcript, the
19 Solicitor says on the record that they're going to
20 be asking for a life sentence and then applicant
21 still decided to plead guilty.

22 THE COURT: Okay. All right. Thank you
23 all very much. All right. And I have had an
24 opportunity to review the contents of the file,
25 which include the plea transcript, the CDC records,

1 the clerk's records, the applicant's amended
2 application, as well as the return. And now I've
3 had the opportunity to listen to the testimony of
4 the applicant as well as Mr. Woods. As I indicated,
5 I am familiar with it and I understand the arguments
6 and the nature of the application. I understand it
7 better now after having listened to the testimony
8 from both of the witnesses. I'm going to review the
9 contents of the file, review the testimony that's
10 been presented here today. I'm going to take this
11 matter under consideration or under advisement at
12 this time, and I'll endeavor to reach out to one or
13 both of y'all to assist in preparing an order on
14 this matter. I'm going to do that as quickly as I
15 can. But I want to give it the time it deserves.
16 All right?

17 MS. MARTO: Thank you.

18 THE COURT: Thank y'all very much.

19 MS. MARTO: Appreciate it.

20 - - -END OF TRANSCRIPT- - -

21

22

23

24

25

CERTIFICATE OF REPORTER

I, Cathy L. Young, CVR-M, for the
Fourteenth Judicial Circuit of the State of South
Carolina, do hereby certify that the foregoing is a
true, accurate and complete Transcript of Record of
introduced in the hearing of the captioned case,
relative to appear, in the Circuit Court for
Beaufort County, South Carolina, on the 12th day of
November, 2025.

I do further certify that I am neither of
kin, counsel nor interest to any party herein.

Cathy L. Young, CVR-M
Court Reporter and Notary
Public in and for South Carolina
My Commission expires: 3-28-2029

2026 FEB -3 PM 4:23

STATE OF SOUTH CAROLINA	)	IN THE COURT OF COMMON PLEAS
COUNTY OF BEAUFORT	)	FOURTEENTH JUDICIAL CIRCUIT
	)	
Jimmie L. Green, #390950,	)	CASE NO. 2024-CP-07-00996
	)	
Applicant,	)	
	)	ORDER OF DISMISSAL
v.	)	
	)	
State of South Carolina,	)	
	)	
Respondent.	)	
	)	

This matter comes before the court by way of Applicant Jimmie L. Green's (Applicant's) application for post-conviction relief (PCR) filed on May 7, 2024. On November 13, 2025, an evidentiary hearing was held at the Beaufort County Courthouse before the Honorable Dale E. Van Slambrook. Applicant was present and represented by Chelsey F. Marto, Esquire. Assistant Attorney General Kylee Kanealey represented Respondent. Applicant proceeded forward on the allegations in his amended application.

Following a thorough review of the record, along with the testimony and evidence presented at the hearing, this Court finds Applicant has failed to establish any constitutional violations or deprivations entitling him to relief and, accordingly, denies and dismisses this action with prejudice.

PROCEDURAL HISTORY

Applicant is presently confined in the South Carolina Department of Corrections. During its August 2022 term, the Beaufort County Grand Jury indicted Applicant for murder (2021-GS-07-00453), two counts of attempted murder (2021-GS-07-00452, -00451), assault and battery by mob first-degree (2022-GS-07-01227), assault and battery by mob second-degree (-1229), and assault and battery by mob third-degree (-1228). On May 8, 2023, Applicant appeared before the

Honorable Craig Brown and pled guilty as indicted. Kenneth D. Snow, Esquire, and Freddy Woods, Esquire, represented Applicant. Solicitor Duffie Stone and Deputy Solicitor Sean Thorton represented the State. Judge Brown sentenced Applicant to a sentence of 30 years for assault and battery by mob first-degree, 25 years for assault and battery by mob second-degree, time served for assault and battery by mob third-degree, 30 years for each attempted murder charge, and 40 years for murder, all to run concurrently. Applicant did not appeal.

FACTS GIVING RISE TO THE CONVICTION

The facts giving rise to the convictions were articulated by the Solicitor at Applicant's plea hearing as follows:

This took place on March the 5th, 2021, and it took place primarily on the Bluffton Parkway, which is a central road in the Bluffton area of Beaufort County. Somewhere around 10:30, 100 o'clock, the victim's car was driving along the Bluffton Parkway. The defendant was out with two of his – two people with him. The defendant is Jimmie Green. In Jimmie Green's car was Ty'leic Chaneyfield and another individual. These – inside the car was a semi, excuse me – a mini assault rifle and a .45 caliber handgun. They were out looking for people that Jimmie Green considered his enemies. What they found were three teenagers who, at least according to a witness, looked like the enemies but were not. Mr. Green followed the victim's car for what he would eventually describe as about 2 miles. He pulled behind it, and he started shooting. Green was driving. We believe that Chaneyfield was in the passenger's seat. We believe the third individual was in the back seat. We believe that Chaneyfield was firing the .45 caliber gun, and we believe that the individual in the back was shooting the assault rifle. They shot at the car no less than 17 times, and we know that because the Bluffton Police Department actually recovered 17 shells in a strip along here on the Bluffton Parkway that is highlighted in red. We also know that of those 17 shells, at least 12 hit the car. We know that because we had a SLED expert prepare a crime scene diagram which documented – and I'll get into this more later – each individual time the car was hit. Green and his fellow mob members started shooting at the car as it approached. There are shots in the back on both the left side as well as the back as well as the right indicated that the shot started as they were approaching the car. There were shots along all the side of the car as well, and then there was one shot at least that shot the back of the car after they had passed. The driver of the car, D.F., was killed almost instantly. The left passenger seat, E.G., was shot in the face in the head. The bullet, as it went through the glass of the back windshield, it appears to have shattered. The bullet actually splintered. So E.G. actually has two holes in his head. As the bullet went through, it concussed his carotid artery that runs under the mandible. One fragment, I believe, is still in his head. The other went straight through. Then K.S., who is the passenger of the victim's car was sitting on the right

side. A shot went into the glass, but it actually hit the glass and bounced off. I'll show you that in a few moments to clarify that as well. The attempted murder charges come with the shot back at this entire car, which would include K.S. in the passenger seat and E.G. in the left-back seat. The murder is, of course of D.F. who is the 17-year-old that was driving the car. Again, Mr. Green was out with two people carrying firearms, one firearm at least. They could discharge multiple shots in a relatively small amount of time. They were looking for what Mr. Green considered to be his enemies, and what they found were three innocent teenagers who were doing nothing other than driving home from getting something to eat.

(Plea Tr. pp. 16-19).

CURRENT ACTION BEFORE THE COURT

On May 7, 2024, Applicant timely filed this PCR application alleging:

1. Ineffective Assistance of Counsel
 - a. Counsel was ineffective for failing to send, and go over with, me my Rule 5./ Discovery when I asked him to do so.
 - b. Counsel was ineffective by failing to compel compliance with plea agreement. Counsel failed to object to the State's request for the maximum sentence of life, in violation of the plea agreement. State had agreed to make no sentencing recommendation.
 - c. Counsel was ineffective by failing to move to withdraw the guilty plea entered only because the State agreed not to make a recommendation on the sentence. State "renege" and asked for the maximum.
 - d. "Counsel was ineffective by failing to file a motion to reconsider sentence, within the 10 days required after the court sentenced me.

As relief, Applicant requested "for a new trial, withdraw plea, sentence reduction."

On March 31, 2025, Applicant filed an amended application through counsel alleging:

1. Ineffective Assistance of Counsel:
 - a. Failure to review discovery with Applicant and provide Applicant with a copy of the discovery;
 - b. Failure to get Applicant a bond motion;
 - c. Failure to move to reconsider the sentence;
 - d. Failure to file a notice of appeal;
 - e. Failure to object to the State requesting life imprisonment;
 - f. Failure to move to withdraw the plea;
 - g. Failure to mitigate the sentence;
 - h. For erroneously telling Applicant that if he pled, the State would not ask for life imprisonment.
2. Invalid plea:
 - a. Applicant only had 24 hours between being told he needed to plead straight

up and the plea hearing itself.

Before this Court are the Beaufort County Clerk records regarding the subject convictions, Applicant's records from the South Carolina Department of Corrections, Applicant's plea hearing transcript, and the records of the PCR action.

STANDARD OF REVIEW

The Uniform Post-Conviction Procedure Act¹ ("the Act") provides that any person who has been convicted of a crime may seek post-conviction relief based upon the following types of allegations:

1. That the conviction or the sentence was in violation of the Constitution of the United States or the Constitution or laws of this State;
2. That the court was without jurisdiction to impose sentence;
3. That the sentence exceeds the maximum authorized by law;
4. That there exists evidence of material facts, not previously presented and heard, that requires vacation of the conviction or sentence in the interest of justice;
5. That his sentence has expired, his probation, parole or other conditional release unlawfully revoked, or he is otherwise unlawfully held in custody or other restraint;
6. That the conviction or sentence is otherwise subject to collateral attack upon any ground of alleged error heretofore available under any common law, statutory or other writ, motion, petition, proceeding or remedy[.]

S.C. Code Ann 17-27-20(A).

Ordinarily, PCR allegations are centered upon an allegation that the applicant did not receive effective assistance of counsel guaranteed by the Sixth Amendment. See generally S.C. Code Ann. § 17-27-20(A) (enumerating allegations cognizable in PCR actions). The allegation of denial of such representation sets forth a *prima facie* violation of this constitutional right and raises a question of fact that can only be determined by an evidentiary hearing. Rogers v. State, 261 S.C. 288, 291, 199 S.E.2d 761, 762 (1973).

¹ S.C. Code Ann. 17-27-10 to -160 *et seq.*

In a post-conviction relief action, the applicant bears the burden of proving the allegations by a preponderance of the evidence—a mere allegation of ineffective assistance is not sufficient to warrant granting relief. Rule 71.1(e), SCRCP; Butler v. State, 286 S.C. 441, 442, 334 S.E.2d 813, 814 (1985). The reviewing court applies the two-part test outlined in Strickland to determine whether counsel’s conduct “was so [ineffective] as to require reversal” of the applicant’s conviction. Strickland v. Washington, 466 U.S. 668 at 687 (1984). To obtain relief, a PCR applicant must prove (1) counsel’s performance fell below an objective standard of reasonableness, and (2) the applicant sustained prejudice as a result of counsel’s deficient performance. Id. at 687-88; Cherry v. State, 300 S.C. 115, 117-18, 386 S.E.2d 624, 625 (1989). Failure to make the required showing of either deficient performance or sufficient prejudice defeats the ineffectiveness claim. Strickland, 466 U.S. at 700; see also Bell v. Cone, 535 U.S. 685, 695 (2002) (explaining that “[without proof of both deficient performance and prejudice to the defense... it could not be said that the sentence or conviction resulted from a breakdown in the adversary process that rendered the result of the proceeding unreliable” (citation and internal quotation marks omitted)).

Because the Sixth Amendment right to counsel also applies to a defendant entering a guilty plea. Hill v. Lockhart, 474 U.S. 52 (1985), extended the two-part Strickland test to challenge guilty pleas based on ineffective assistance of counsel. See Padilla v. Kentucky, 559 U.S. 356, 373 (2010) (recognizing that the guilty plea process is a “critical phase of litigation” for purposes of the Sixth Amendment right to effective assistance of counsel). The analysis of counsel’s performance under the first prong of Strickland remains unchanged; the applicant must show that counsel’s representation fell below an objective standard of reasonableness demanded of attorneys in criminal cases. Hill, 474 U.S. at 58-59; accord Thompson v. State, 340 S.C. 112, 115, 531 S.E.2d 294, 296 (2000).

✓

An applicant alleging his guilty plea was induced by ineffective assistance of counsel must prove counsel's advice to plead guilty was not "within the range of competence demanded of attorneys in criminal cases." Hill, 474 U.S. at 56. The second, or "prejudice" prong, however, "focuses on whether counsel's constitutionally ineffective performance affected the outcome of the plea process." Id. at 58-59. Specifically, when an applicant claims counsel's deficient performance caused him to accept a plea, the applicant "must show that there is a reasonable probability that, but for [plea] counsel's [alleged] errors, he would not have pleaded guilty and would have insisted on going to trial." Id. at 59.

This inquiry "focuses on a defendant's decisionmaking" and does not turn on the outcome of a defendant's actual criminal proceeding or potential outcome had a defendant chosen to proceed to trial. Lee v. United States, 582 U.S. 357, 367 (2017). However, an applicant must convince the court that a decision to reject the plea bargain would have been rational under the circumstances. Padilla, 559 U.S. at 372. The question here is whether the applicant, if correctly informed of the circumstances surrounding the plea, would have pleaded guilty—not whether counsel would have still advised him to plead guilty. Turner v. State, 335 S.C. 382, 385, 517 S.E.2d 442, 444 (1999) (emphasis added).

ALLEGATIONS OF INEFFECTIVE ASSISTANCE OF PLEA COUNSEL

In a PCR action, an applicant bears the burden of proving the allegations in his application. Butler v. State, 286 S.C. 441, 334 S.E.2d 813 (1985). To prove ineffective assistance of counsel, the applicant must show counsel was deficient, and the deficiency prejudiced applicant. Strickland v. Washington, 466 U.S. 668 (1984). When evaluating deficiency, courts measure an attorney's performance by its "reasonableness under prevailing professional norms." Cherry, 300 S.C. at 117, 386 S.E. 2d at 635 (quoting Strickland, 366 U.S. at 690). "Counsel is strongly presumed to have

rendered adequate assistance and made all significant decisions in the exercise of reasonable professional judgment.” Butler, 286 S.C. at 442, 334 S.E.2d at 814 (citing Strickland, 466 U.S. at 690). The applicant must overcome this presumption to received relief. Cherry, 300 S.C. at 118, 386 S.E.2d at 625. To prove prejudice, an applicant must prove counsel’s deficient performance prejudiced the applicant such that “there is a reasonable probability that, but for counsel’s unprofessional errors, the result of the proceeding would have been different. Id. at 117-18, 386 S.E.2d at 625. When reviewing a guilty plea, the Strickland deficiency prong remains unchanged – Applicant must show that counsel’s representation fell below an objective standard of reasonableness. Hill, 474 U.S. at 58-59. To show prejudice, Applicant must show a reasonable probability “that, but for counsel’s [alleged] errors, he would not have pled guilty and would have insisted on going to trial.” Id. at 59. To be knowing and voluntary, the defendant must be advised of the constitutional rights he is waiving, including the right to a jury trial, the right to confront one’s accusers, and the privilege against self-incrimination. Boykin, 395 U.S. at 243.

Failure to Review Discovery

Applicant alleged counsel was ineffective for failing to review discovery and provide Applicant with a copy of the discovery. This Court finds this allegation is **without merit**.

Counsel testified he met with Applicant often, visited him on weekends, and talked to him extensively. Counsel testified that he reviewed all of the discovery with Applicant extensively and took it all to him at the jail. Counsel testified Applicant could not have kept copies at the jail where people could look at it. This Court finds Counsel’s testimony *credible*. This Court finds that Applicant has failed to overcome the “strong presumption that counsel rendered adequate assistance and exercised reasonable professional judgment in making all significant decisions in [his] case.” Ard v. Catoe, *supra*. Therefore, Applicant has failed to prove deficiency.

This Court further finds Applicant has failed to prove prejudice. An applicant who alleges his or her defense attorney was ineffective in failing to spend more time preparing or providing a copy of the discovery materials must demonstrate prejudice by showing what evidence could have been discovered or what other defenses could have been pursued. Harris v. State, 377 S.C. 66, 75-76, 659 S.E.2d 140, 145-46 (2008) (citing Jackson v. State, 329 S.C. 345, 353-54, 495 S.E.2d 768, 772 (1998)), abrogated on other grounds by Smalls, 422 S.C. 174, 810 S.E.2d 836. Furthermore, an applicant must also show how the new evidence or defenses would have resulted in a different outcome. Id. (citing David v. State, 326 S.C. 283, 288, 486 S.E.2d 747, 749 (1997); Skeen v. State, 325 S.C. 210, 214, 481 S.E.2d 129, 132 (1997)). Mere speculation as to how the alleged lack of preparation prejudiced an applicant is not sufficient to support a grant of relief. Id., 377 S.C. at 75, 659 S.E.2d at 145 (citing Glover v. State, 318 S.C. 496, 498, 458 S.E.2d 538, 540 (1995)). Applicant has not suggested *any* defenses, or *any* evidence or *anything* that should have been investigated further, resulting in mere speculation. Therefore, Applicant has failed to prove prejudice.

Further, to whatever extent Applicant was not entirely satisfied with the amount of time to review discovery and investigate the charges, he was presented an opportunity to express his dissatisfaction to the plea court, knowingly opted not to do so, and instead chose to avail himself of the benefit of his guilty plea.

Based on the foregoing, this Court finds the Applicant has failed to present sufficient evidence to prove the first prong of the Strickland test—that Plea Counsel failed to render reasonably effective assistance under prevailing professional norms. Furthermore, Applicant has failed to present specific and compelling evidence that Plea Counsel committed either errors or omissions to prove the second prong of Strickland as laid out in Hill—that but for Plea Counsel’s

deficient performance, Applicant would have gone to trial and not pled guilty.

Accordingly, this Court finds Applicant has failed to establish any deficiency by Plea Counsel or any prejudice flowing therefrom. Thus, this allegation is denied.

Failure to get Applicant a Bond Motion

Applicant alleged Counsel was ineffective for failing to get Applicant a bond motion. This Court finds this allegation is without merit. At the PCR hearing Applicant testified he and Counsel discussed filing a bond motion however he chose to waive it because his accomplices' bond motions were denied and he believed he would also get denied. Applicant did not allege anything Counsel did deficient regarding this allegation and further testified he chose to waive the motion for bond. This Court finds Plea Counsel rendered reasonably effective assistance under prevailing professional norms. This Court finds Applicant has failed to show any deficiency by Plea Counsel for failing to file a motion for bond or prejudice flowing therefrom. Thus, this allegation is denied.

Failure to Move to Reconsider the Sentence

Applicant alleged Counsel was ineffective for failing to move to reconsider his sentence. This Court finds this allegation is without merit. Counsel testified Applicant did not ask Counsel to file a motion to reconsider. Counsel testified that Applicant had asked if the Judge would reconsider and so Counsel and the Solicitor went and spoke to the judge and the judge said he was not inclined to reconsider. Counsel testified he told Applicant this information. This Court finds Counsel's testimony credible. Applicant has failed to prove deficiency. Further, Applicant did not present any evidence that had counsel moved to reconsider the sentence, there is a reasonable likelihood the judge would have granted it. Thus, Applicant has failed to prove prejudice.

Accordingly, this Court finds Applicant has failed to establish any deficiency by Plea Counsel or any prejudice flowing therefrom. Thus, this allegation is denied.

Failure to File a Notice of Appeal

Applicant alleged Counsel was ineffective for failing to file a notice of appeal. This Court finds this allegation is without merit. Counsel has a constitutionally imposed duty to consult with a defendant about an appeal when there is reason to think either: (1) that a rational defendant would want to appeal or (2) that this particular defendant reasonably demonstrated to counsel that she was interested in appealing. Roe v. Flores-Ortega, 528 U.S. 470, 120 S. Ct. 1029, 145, L. Ed. 2d 985 (2000). When counsel has consulted with the defendant regarding the right to appeal, “Counsel performs in a professionally unreasonable manner only by failing to follow the defendant’s express instructions with respect to an appeal.” Id. at 478 (emphasis added). Though counsel is required to make certain that a defendant is made fully aware of his or her right to appeal after a trial, a different standard applies to a guilty plea:

Absent extraordinary circumstances, such as when there is reason to think a rational defendant would want to appeal (for example, because there are nonfrivolous grounds for appeal) or when the defendant reasonably demonstrated an interest in appealing, there is no constitutional requirement that a defendant be informed of the right to a direct appeal from a guilty plea.

Turner v. State, 380 S.C. 223, 224, 670 S.E.2d 373, 374 (2008) (citations omitted)

This Court finds Applicant has failed to meet his burden of showing Counsel was constitutionally ineffective for failing to file his appeal. Counsel *credibly* testified Applicant did not ask him to file an appeal. There is no evidence of any extraordinary circumstances or any evidence to suggest Applicant demonstrated a reasonable interest in appealing. See Turner supra.

Accordingly, this Court finds Applicant has failed to establish any deficiency by Plea Counsel or any prejudice flowing therefrom. Thus, this allegation is denied.

W

Failure to Object to the State Requesting Life Imprisonment²

Applicant alleged Counsel erroneously told Applicant that if he pled, the State would not ask for life imprisonment and that Counsel failed to object to the State requesting life. Applicant testified he *does recall* the Solicitor stating on the record before he pled that they would be asking for life. Counsel testified there was no agreement that the State would not seek life. Counsel testified that at the plea, both sides could ask for whatever they thought was appropriate, and the Judge would make a decision. This Court finds Counsel's testimony *credible*. The record reflects the Solicitor did state on the record "I have explained to the defense counsel, regardless of if the defendant pleads guilty or goes to trial, I will still be asking for a life sentence." (Plea Tr. 6). Further Applicant told the Plea Court Judge that he understood the particular charge carries a minimum sentence of thirty years to life. (Plea Tr. 7). The record reflects Applicant was fully aware of the potential sentence he faced and proceeded to plead guilty. Applicant has failed to prove counsel was deficient. Additionally, Applicant has failed to prove prejudice. Applicant was only sentenced to the minimum of thirty years and *not* life.

Accordingly, this Court finds Applicant has failed to establish any deficiency by Plea Counsel or any prejudice flowing therefrom. Thus, this allegation is denied.

Failure to Move to Withdraw the Plea

Applicant alleged counsel was ineffective for failing to move to withdraw the plea. This Court finds this allegation is without merit. Applicant testified he wanted the plea withdrawn because the State was not supposed to ask for life. Counsel *credibly* testified that Applicant did not ask to withdraw the plea. Further, as discussed *supra*, the State stated on the record before Applicant pled that they would be asking for life. Applicant has thus failed to prove deficiency.

² This addresses allegations 1(e) and 1(h).

Additionally, Applicant was sentenced to the minimum sentence and *not* life and therefore failed to prove prejudice. Accordingly, this Court finds Applicant has failed to establish any deficiency by Plea Counsel or any prejudice flowing therefrom. Thus, this allegation is denied.

Failure to Mitigate the Sentence

Applicant failed to present any evidence, testimony, or legal authority regarding this allegation at the evidentiary hearing. “When a party provides no legal authority regarding a particular argument, the argument is abandoned, and the court will not address the merits of the issue.” Palmer v. State, 427 S.C. 36, 47, 829 S.E.2d 255, 261 (Ct. App. 2019) (citing State v. Lindsey, 394 S.C. 354, 363, 714 S.E.2d 554, 558 (Ct. App. 2011)). Therefore, the Court deems this allegation abandoned.

Invalid Plea

Applicant alleged his plea was invalid because Applicant only had 24 hours between being told he needed to plead straight up and the plea hearing itself. This Court finds this allegation is without merit.

Counsel testified that he discussed sentencing with Applicant before the plea. Counsel testified that he explained to Applicant that the Judge had wide discretion, that he and the Solicitor met with the Judge, and the Judge said he would give life at trial but would not give life if Applicant pleaded. Counsel testified that he met with Applicant and discussed everything, and Applicant said he was ready to proceed with the plea. Counsel testified that Applicant was informed a jailhouse informant gave information to the State, they discussed the option of pleading or trial, and that Applicant had time to think about it. Counsel testified that he discussed the plea weeks in advance of Applicant pleading. This Court finds Counsel’s testimony *credible*.

Applicant has presented no valid reason why he should be able to depart from the

statements made during his guilty plea. See Tollett v. Henderson, 411 U.S. 258, 267 (1973) (“When a criminal defendant has solemnly admitted in open court that he is in fact guilty of the offense with which he is charged, he may not thereafter raise independent claims relating to the deprivation of constitutional rights that occurred prior to the entry of the guilty plea.”); Garren v. State, 423 S.C. 1, 12, 813 S.E.2d 704, 710 (2018) (“A guilty plea is a solemn, judicial admission of the truth of the charges against an individual; thus, a criminal inmate’s right to contest the validity of such a plea is usually, but not invariably, foreclosed.”); Jamison v. State, 410 S.C. 456, 468, 765 S.E.2d 123, 129 (2014) (“[I]n South Carolina, a guilty plea constitutes a waiver of nonjurisdictional defects and claims of violations of constitutional rights.”).

Counsel *credibly* testified that he discussed the plea weeks in advance of Applicant pleading and informed Applicant of the possible sentences he faced. Applicant has not provided any evidence to prove counsel’s representation fell below an objective standard of reasonableness. Further, at the plea hearing, Applicant relayed that he understood the sentence he faced and the constitutional rights he was waiving. Thus, based on the evidence presented at the plea proceeding and the evidentiary hearing, this Court finds Applicant freely, knowingly, and voluntarily pled guilty. Applicant has failed to prove deficiency and prejudice, and thus, this claim is denied.

CONCLUSION

Based on all the foregoing, this Court finds and concludes that Applicant has not established any constitutional violations or deprivations that would require this Court to grant his application. Therefore, this application for post-conviction relief is **DENIED and DISMISSED WITH PREJUDICE**.

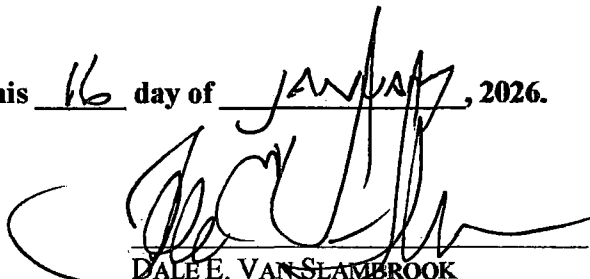
Should Applicant wish to secure appellate review, he must file and serve a notice of appeal within thirty days of receipt by counsel of written notice of entry of judgment. See Rule 203,

SCACR. Pursuant to Austin v. State, 305 S.C. 453, 409 S.E.2d 395 (1991), an Applicant has a right to an appellate counsel's assistance in seeking review of the denial of PCR. Rule 71.1(g), SCRCR, provides that PCR counsel must serve and file a Notice of Appeal on the Applicant's behalf if the Applicant wishes to seek appellate review. Attention is directed to South Carolina Appellate Court Rule 243 for appropriate procedures for appeal.

IT IS THEREFORE ORDERED:

1. The Application for Post-Conviction Relief is denied and dismissed with prejudice; and
2. Applicant shall be remanded to and remain in the custody of the South Carolina Department of Corrections.

AND IT IS SO ORDERED this 16 day of January, 2026.



DALE E. VAN SLAMBROOK
Presiding Judge
Fourteenth Judicial Circuit

Charleston, South Carolina

WITNESSES

Dylan Hightower

DOCKET NO. 2022GS0701227

The State of South Carolina
County of Beaufort

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

Defendant

COURT OF GENERAL SESSIONS

August Term 2022

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

THE STATE

vs.

JIMMIE LEWIS GREEN

ARREST WARRANT NUMBER

2022GS0701227

ACTION OF GRAND JURY

True Bill

Indictment For

Mob Violence

SC Code: 16-3-210(B)

CDR Code: 3431

Defendant

Witness:

VERDICT

C.C.C. PLS. and G.S.

Melinda Hagins
Foreperson of Grand Jury
Date: AUG 11 2022

Foreperson of Petit Jury

Date:
INDICT

STATE OF SOUTH CAROLINA)
)
COUNTY OF BEAUFORT)

INDICTMENT
2022-GS-07-01227

At a Court of General Sessions, convened on August 11, 2022, the Grand Jurors of Beaufort County present upon their oath:

Mob Violence

That in Beaufort County, South Carolina, on or about March 5, 2021, the Defendant, JIMMIE LEWIS GREEN, did, as part of a mob and without color or authority of law, for the premeditated purpose and with the premeditated intent of committing an act of violence upon the person of another, inflict an act of violence upon the body of Dwon Fields, Jr., which resulted in the death of Dwon Fields, Jr., all in violation of Section 16-3-210(B), et al. of the Codes of Law of South Carolina.

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


Solicitor

WITNESSES

Dylan Hightower

ARREST WARRANT NUMBER

2022GS0701228

ACTION OF GRAND JURY

TP 3 111

Melinda Hagins

Foreperson of Grand Jury

Date:

AUG 1 1 2022

VERDICT

Foreperson of Petit Jury

Date:

INDICT

DOCKET NO. 2022GS0701228

The State of South Carolina

County of Beaufort

COURT OF GENERAL SESSIONS

August Term 2022

THE STATE

vs.

JIMMIE LEWIS GREEN

Indictment For

Mob Violence

SC Code: 16-3-210(D)

CDR Code: 3433

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

Defendant

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

Defendant

Witness:

C.C.C. PLS. and G.S.

STATE OF SOUTH CAROLINA

INDICTMENT

COUNTY OF BEAUFORT

2022-GS-07-01228

At a Court of General Sessions, convened on August 11, 2022, the Grand Jurors of Beaufort County present upon their oath:

Mob Violence

That in Beaufort County, South Carolina, on or about March 5, 2021, the Defendant, JIMMIE LEWIS GREEN, did, as part of a mob and without color or authority of law, for the premeditated purpose and with the premeditated intent of committing an act of violence upon the person of another, inflict an act of violence upon the body of Edwin Graham, which resulted in bodily injury to Kylon Simmons, all in violation of Section 16-3-210(D), et al. of the Codes of Law of South Carolina.

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

A handwritten signature in black ink, appearing to read "James M. Stone", is written over a horizontal line.

Solicitor

WITNESSES

Dylan Hightower

DOCKET NO. 2022GS0701229

The State of South Carolina
County of Beaufort

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

Defendant

COURT OF GENERAL SESSIONS

August Term 2022

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

THE STATE

vs.

JIMMIE LEWIS GREEN

ARREST WARRANT NUMBER

2022GS0701229

Indictment For

Mob Violence

SC Code: 16-3-210(C)

CDR Code: 3432

ACTION OF GRAND JURY

True Bill

Melinda Hagins
Foreperson of Grand Jury
Date: AUG 11 2022

Defendant

VERDICT

Witness:

Foreperson of Petit Jury
Date:
INDICT

C.C.C. PLS. and G.S.

STATE OF SOUTH CAROLINA)
)
COUNTY OF BEAUFORT)

INDICTMENT
2022-GS-07-01229

At a Court of General Sessions, convened on August 11, 2022, the Grand Jurors of Beaufort County present upon their oath:

Mob Violence

That in Beaufort County, South Carolina, on or about March 5, 2021, the Defendant, JIMMIE LEWIS GREEN, did, as part of a mob and without color or authority of law, for the premeditated purpose and with the premeditated intent of committing an act of violence upon the person of another, inflict an act of violence upon the body of Edwin Graham, which resulted in serious bodily injury to Edwin Graham, all in violation of Section 16-3-210(C), et al. of the Codes of Law of South Carolina.

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


Solicitor

WITNESSES

Dylan Hightower

DOCKET NO. 2021GS0700451

The State of South Carolina

County of Beaufort

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

Defendant

COURT OF GENERAL SESSIONS

August Term 2022

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

THE STATE

vs.

JIMMIE LEWIS GREEN

ARREST WARRANT NUMBER

2021A0720200045

ACTION OF GRAND JURY

Bill

Indictment For

Attempted Murder

SC Code: 16-3-29

CDR Code: 3410

Defendant

Melinda Haggins
Foreperson of Grand Jury
Date: AUG 11 2022

VERDICT

Witness:

Foreperson of Petit Jury

Date:

INDICT

C.C.C. PLS. and G.S.

STATE OF SOUTH CAROLINA

INDICTMENT

COUNTY OF BEAUFORT

2021GS0700451

At a Court of General Sessions, convened on August 11, 2022, the Grand Jurors of Beaufort County present upon their oath:

Attempted Murder

That in Beaufort County, South Carolina, on or about March 5, 2021, the Defendant, JIMMIE LEWIS GREEN, did, with intent to kill and with malice aforethought, attempt to willfully kill Edwin Graham, all in violation of Section 16-3-29, et al. of the Codes of Law of South Carolina.

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


Solicitor

WITNESSES

Dylan Hightower

ARREST WARRANT NUMBER

2021A0720200046

ACTION OF GRAND JURY

True Bill

Melinda Hagen's
Foreperson of Grand Jury
Date: AUG 11 2022

VERDICT

Foreperson of Petit Jury

Date:
INDICT

DOCKET NO. 2021GS0700452

The State of South Carolina

County of Beaufort

COURT OF GENERAL SESSIONS

August Term 2022

THE STATE

vs.

JIMMIE LEWIS GREEN

Indictment For
Attempted Murder

SC Code: 16-3-29

CDR Code: 3410

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

Defendant

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

Defendant

Witness:

C.C.C. PLS. and G.S.

STATE OF SOUTH CAROLINA

INDICTMENT

COUNTY OF BEAUFORT

2021GS0700452

At a Court of General Sessions, convened on August 11, 2022, the Grand Jurors of Beaufort County present upon their oath:

Attempted Murder

That in Beaufort County, South Carolina, on or about March 5, 2021, the Defendant, JIMMIE LEWIS GREEN, did, with intent to kill and with malice aforethought, attempt to willfully kill Kylon Simmons, all in violation of Section 16-3-29, et al. of the Codes of Law of South Carolina.

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


Solicitor

WITNESSES

Dylan Hightower

DOCKET NO. 2021GS0700453

The State of South Carolina

County of Beaufort

COURT OF GENERAL SESSIONS

August Term 2022

THE STATE

vs.

JIMMIE LEWIS GREEN

Indictment For

Murder

SC Code: 16-3-10

CDR Code: 0116

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

Defendant

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

ARREST WARRANT NUMBER

2021A0720200047

ACTION OF GRAND JURY

True Bill

Melinda Hagenis
Foreperson of Grand Jury
Date: AUG 11 2022

VERDICT

Foreperson of Petit Jury

Date:
INDICT

Defendant

Witness:

C.C.C. PLS. and G.S.

STATE OF SOUTH CAROLINA

INDICTMENT

COUNTY OF BEAUFORT

2021GS0700453

At a Court of General Sessions, convened on August 11, 2022, the Grand Jurors of Beaufort County present upon their oath:

Murder

That in Beaufort County, South Carolina, on or about March 5, 2021, the Defendant, JIMMIE LEWIS GREEN, did, with malice aforethought, kill Dwan Fields and {victim's name} did die as a proximate result of TY LEIC DAE JHON CHANEYFIELD and JIMMIE LEWIS GREEN's actions, to wit: {conduct description, all in violation of Section 16-3-10, et al. of the Codes of Law of South Carolina.

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


Solicitor

STATE

JIMMIE LEWIS GREEN

INDICTMENT/CASE#: 2022GS0701227

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF BEAUFORT

STATE

VS.

INDICTMENT/CASE#: 2022GS0701227

JIMMIE LEWIS GREEN

A/W#: DIRECT INDICTMENT

AKA:

Date of Offense: 03/05/2021

Race: Black

Sex: Male

Age:

S.C. Code §: 16-3-210(B)

DOB: [REDACTED]

SS#: [REDACTED]

CDR Code #: 3431

Address: [REDACTED]

City, State, Zip:

SENTENCE SHEET

DL#:

SID#

*CDL Yes ☐ No ☐ CMV Yes ☐ No ☐ Hazmat Yes ☐ No ☐In disposition of the above indictment comes now the Defendant who was ☐ CONVICTED OF or ☒ PLEADSTO: Assault and Battery by Mob, 1st Degree

In violation of § 16-3-210(B) of the S.C. Code of Laws, bearing CDR Code # 3431

☐ NON-VIOLENT ☒ VIOLENT ☐ SERIOUS ☒ MOST SERIOUS ☐ Mandatory GPS ☐ § 17-25-45(CSC w/minor 1st or CSC w/minor 3rd)The charge is: ☒ As indicted, ☐ Lesser Included Offense, ☐ Defendant Waives Presentment to Grand Jury. (def.'s initials)The plea is: ☒ Without Negotiations or Recommendation, ☐ Negotiated Sentence, ☐ Recommendation by the State.

ATTEST:

Solicitor

SC Bar # 15868

Defendant Jimmie Green

Attorney for Defendant Kenneth D. [REDACTED]

SC Bar # 7258

WHEREFORE, the Defendant is committed to the ☒ State Department of Correction ☐ County Detention Center,for a determinate term of 30 days/months/years/Time Served ☐ Youthful Offender Act not to exceed ___ years

and/or to 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*; the balance is suspended with **probation** for _____

months/years and subject to South Carolina Department of Probation, Parole and Pardon Services standard conditions of probation, which are incorporated by reference.

The sentence shall run

☒ CONCURRENT or ☐ CONSECUTIVE to sentence on: All pleas of 5-8-23☒ The Defendant is to be given credit for time served pursuant to S.C. Code § 24-13-40 to be calculated and applied by SCDoc.

790 (days/months)

☐ To include time spent on monitored house arrest prior to trial and sentencing.☐ The Defendant Shall be Released from County Detention Center.DCL
9.10.22

STATE

JIMMIE LEWIS GREEN

INDICTMENT/CASE#: 2022GS0701227

Pursuant to 18 U.S.C. § 922 and § 16-25-30 it is unlawful for a person convicted of a violation of § 16-25-20 or § 16-25-65 (Domestic Violence) to ship, transport, possess, or receive a firearm or ammunition.

SPECIAL CONDITIONS:

☐ PTUP after _____ months/years

And Other Terms Listed Below:

- ☐ Substance Abuse Counseling ☐ Completion of GED ☐ Random Drug/Alcohol Testing
☐ Attend Voc. Rehab. Or Job Corp ☐ No Contact with Victim ☐ Domestic Violence Intervention Program
☐ Mental Health Counseling ☐ May serve W/E beginning: _____
☐ Sex Offender Registry pursuant to S.C. Code § 23-3-430 ☐ Public Service Employment _____ days/hours
☐ Central Registry of Child Abuse and Neglect pursuant to S.C. Code § 17-25-135.
☐ Other: _____

☐ RESTITUTION: ☐ Deferred ☐ Def. Waives Hearing ☐ Ordered

Total \$ _____ plus 20% fee: _____ \$ _____

 Payment Terms: _____ ☐ Set by SCDPPPS

Recipient: _____

*Fine:

Fine may be pd. in equal consecutive weekly/monthly pmts. of	\$ _____	Beginning	\$ _____
§14-1-206 (Assessments 107.5%)			\$ _____
§14-1-211 (A)(1)(Conv. Surcharge)		\$100	\$ _____
§14-1-211 (A)(2)(DUI Surcharge)		\$100	\$ 100-
§56-5-2995 (DUI Assessment)		\$12	\$ _____
§56-1-286 (DUI Breath Test)		\$25	\$ _____
§14-1-212 (Law Enforce. 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 be paid to Clerk during probation and shall be collected before any other fees		\$500	\$ _____
☐ § 17-3-30(B) Unpaid Application Fee to be paid to the Public Defender Fund		TBD	\$ _____
TOTAL			\$ 128.75

 Clerk of Court/Deputy Clerk: _____
 Court Reporter: _____

[Signature]
 Kimberlee Withman

 Presiding Judge: _____
 Judge Code: _____
 Sentence Date: _____

[Signature]
 2/10
 5-8-23

DCB
 1-20-22

STATE

JIMMIE LEWIS GREEN

INDICTMENT/CASE#: 2022GS0701228

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF BEAUFORT

STATE

VS.

INDICTMENT/CASE#: 2022GS0701228

JIMMIE LEWIS GREEN

A/W#: DIRECT INDICTMENT

AKA:

Date of Offense: 03/05/2021

Race: Black

Sex: Male

Age:

S.C. Code §: 16-3-210(D)

DOB:

SS#:

CDR Code #: 3433

Address:

City, State, Zip:

SENTENCE SHEET

DL#:

SID#

*CDL Yes ☐ No ☐ CMV Yes ☐ No ☐ Hazmat Yes ☐ No ☐In disposition of the above indictment comes now the Defendant who was ☐ CONVICTED OF or ☒ PLEADSTO: Assault and Battery by Mob, 3rd Degree

In violation of § 16-3-210(D) of the S.C. Code of Laws, bearing CDR Code # 3433

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

 The charge is: ☒ As indicted, ☐ Lesser Included Offense, ☐ Defendant Waives Presentment to Grand Jury. (def.'s initials)

 The plea is: ☒ Without Negotiations or Recommendation, ☐ Negotiated Sentence, ☐ Recommendation by the State
 ATTEST:

 Solicitor 15868 SC Bar # Jimmie Green Defendant 72978 Attorney for Defendant 019520 SC Bar #
WHEREFORE, the Defendant is committed to the ☒ State Department of Correction ☐ County Detention Center,for a determinate term of 1 days/months/years/Time Served ☐ Youthful Offender Act not to exceed years
 and/or to 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*; the balance is suspended with **probation** for

 months/years and subject to South Carolina Department of Probation, Parole and Pardon Services standard conditions of
 probation, which are incorporated by reference.

The sentence shall run

☒ CONCURRENT or ☐ CONSECUTIVE to sentence on: All pleas of 5-8-23
☒ The Defendant is to be given credit for time served pursuant to S.C. Code § 24-13-40 to be calculated and applied by SCDoc.
790 days/months
☐ To include time spent on monitored house arrest prior to trial and sentencing.☐ The Defendant Shall be Released from County Detention Center.
 DCB
 0192

STATE

JIMMIE LEWIS GREEN

INDICTMENT/CASE#: 2022GS0701228

Pursuant to 18 U.S.C. § 922 and § 16-25-30 it is unlawful for a person convicted of a violation of § 16-25-20 or § 16-25-65 (Domestic Violence) to ship, transport, possess, or receive a firearm or ammunition.

SPECIAL CONDITIONS:

☐ PTUP after _____ months/years

And Other Terms Listed Below:

- ☐ Substance Abuse Counseling ☐ Completion of GED ☐ Random Drug/Alcohol Testing
☐ Attend Voc. Rehab. Or Job Corp ☐ No Contact with Victim ☐ Domestic Violence Intervention Program
☐ Mental Health Counseling ☐ May serve W/E beginning: _____
☐ Sex Offender Registry pursuant to S.C. Code § 23-3-430 ☐ Public Service Employment _____ days/hours
☐ Central Registry of Child Abuse and Neglect pursuant to S.C. Code § 17-25-135.
☐ Other: _____

☐ RESTITUTION: ☐ Deferred ☐ Def. Waives Hearing ☐ Ordered

Total \$ _____ plus 20% fee: _____ \$ _____

 Payment Terms: _____ ☐ Set by SCDPPPS

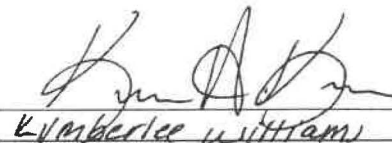
Recipient: _____

*Fine:

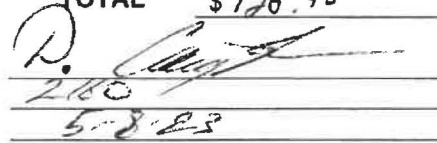
Fine may be pd. in equal consecutive weekly/monthly pmts. of	\$ _____	Beginning	\$ _____
§14-1-206 (Assessments 107.5%)			\$ _____
§14-1-211 (A)(1)(Conv. Surcharge)	\$100		\$ _____
§14-1-211 (A)(2)(DUI Surcharge)	\$100		\$ 100 -
§56-5-2995 (DUI Assessment)	\$12		\$ _____
§56-1-286 (DUI Breath Test)	\$25		\$ _____
§14-1-212 (Law Enforce. 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 be paid to Clerk during probation and shall be collected before any other fees	\$500		\$ _____
☐ § 17-3-30(B) Unpaid Application Fee to be paid to the Public Defender Fund	TBD		\$ _____

TOTAL \$ 128.75

 Clerk of Court/Deputy Clerk: _____
 Court Reporter: _____



 Presiding Judge: _____
 Judge Code: _____
 Sentence Date: _____




STATE

JIMMIE LEWIS GREEN

INDICTMENT/CASE#: 2022GS0701229

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF BEAUFORT

STATE

VS.

INDICTMENT/CASE#: 2022GS0701229

JIMMIE LEWIS GREEN

A/W#: DIRECT INDICTMENT

AKA:

Date of Offense: 03/05/2021

Race: Black

Sex: Male

Age:

S.C. Code §: 16-3-210(C)

DOB: [REDACTED]

SS#: [REDACTED]

CDR Code #: 3432

Address: [REDACTED]

City, State, Zip:

SENTENCE SHEET

DL#*

SID#

*CDL Yes ☐ No ☐ CMV Yes ☐ No ☐ Hazmat Yes ☐ No ☐In disposition of the above indictment comes now the Defendant who was ☐ CONVICTED OF or ☒ PLEADSTO: Assault and Battery by Mob, 2nd Degree

In violation of § 16-3-210(C) of the S.C. Code of Laws, bearing CDR Code # 3432

☐ NON-VIOLENT ☐ VIOLENT ☒ SERIOUS ☐ MOST SERIOUS ☐ Mandatory GPS ☐ § 17-25-45(CSC w/minor 1st or CSC w/minor 3rd)The charge is: ☒ As indicted, ☐ Lesser Included Offense, ☐ Defendant Waives Presentment to Grand Jury. (def.'s initials)The plea is: ☒ Without Negotiations or Recommendation, ☐ Negotiated Sentence, ☐ Recommendation by the State.

ATTEST:

Solicitor

SC Bar # 15868

Defendant Jimmie Green

Attorney for Defendant

SC Bar #

WHEREFORE, the Defendant is committed to the ☒ State Department of Correction ☐ County Detention Center,for a determinate term of 25 days/months/years/Time Served ☐ Youthful Offender Act not to exceed ___ years

and/or to 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*; the balance is suspended with **probation** for _____

months/years and subject to South Carolina Department of Probation, Parole and Pardon Services standard conditions of probation, which are incorporated by reference.

The sentence shall run

☒ CONCURRENT or ☐ CONSECUTIVE to sentence on: All pleas of 5-8-23.☒ The Defendant is to be given credit for time served pursuant to S.C. Code § 24-13-40 to be calculated and applied by SCDoc.790 days/months☐ To include time spent on monitored house arrest prior to trial and sentencing.☐ The Defendant Shall be Released from County Detention Center.DCB
8-10-22

STATE

JIMMIE LEWIS GREEN

INDICTMENT/CASE#: 2022GS0701229

Pursuant to 18 U.S.C. § 922 and § 16-25-30 it is unlawful for a person convicted of a violation of § 16-25-20 or § 16-25-65 (Domestic Violence) to ship, transport, possess, or receive a firearm or ammunition.

SPECIAL CONDITIONS:

☐ PTUP after _____ months/years

And Other Terms Listed Below:

- ☐ Substance Abuse Counseling ☐ Completion of GED ☐ Random Drug/Alcohol Testing
☐ Attend Voc. Rehab. Or Job Corp ☐ No Contact with Victim ☐ Domestic Violence Intervention Program
☐ Mental Health Counseling ☐ May serve W/E beginning: _____
☐ Sex Offender Registry pursuant to S.C. Code § 23-3-430 ☐ Public Service Employment _____ days/hours
☐ Central Registry of Child Abuse and Neglect pursuant to S.C. Code § 17-25-135.
☐ Other: _____

☐ RESTITUTION: ☐ Deferred ☐ Def. Waives Hearing ☐ Ordered

Total \$ _____ plus 20% fee: _____ \$ _____

 Payment Terms: _____ ☐ Set by SCDPPPS

Recipient: _____

*Fine:

Fine may be pd. in equal consecutive weekly/monthly pmts. of	\$ _____	Beginning	\$ _____
§14-1-206 (Assessments 107.5%)			\$ _____
§14-1-211 (A)(1)(Conv. Surcharge)		\$100	\$ _____
§14-1-211 (A)(2)(DUI Surcharge)		\$100	\$ 100 -
§56-5-2995 (DUI Assessment)		\$12	\$ _____
§56-1-286 (DUI Breath Test)		\$25	\$ _____
§14-1-212 (Law Enforce. 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 be paid to Clerk during probation and shall be collected before any other fees		\$500	\$ _____
☐ § 17-3-30(B) Unpaid Application Fee to be paid to the Public Defender Fund		TBD	\$ _____
TOTAL			\$ 128.75

 Clerk of Court/Deputy Clerk: _____
 Court Reporter: _____


 Lynnette Williams

 Presiding Judge: _____
 Judge Code: _____
 Sentence Date: _____


 260
 5.8.23

DCF
 P. 2072

128

0-30 years

STATE

JIMMIE LEWIS GREEN

INDICTMENT/CASE#: 2021GS0700451

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF BEAUFORT

STATE

VS.

INDICTMENT/CASE#: 2021GS0700451

JIMMIE LEWIS GREEN

A/W#: 2021A0720200045

AKA:

Date of Offense: 03/05/2021

Race: Black

Sex: Male

Age:

S.C. Code §: 16-3-29

DOB: [REDACTED]

SS#: [REDACTED]

CDR Code #: 3410

Address: [REDACTED]

City, State, Zip:

SENTENCE SHEET

DL#*

SID#

*CDL Yes ☐ No ☐ CMV Yes ☐ No ☐ Hazmat Yes ☐ No ☐In disposition of the above indictment comes now the Defendant who was ☐ CONVICTED OF or ☒ PLEADS

TO: Attempted Murder

In violation of § 16-3-29 of the S.C. Code of Laws, bearing CDR Code # 3410

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

The charge is:

☒

As indicted,

☐Lesser Included
Offense,☐

Defendant Waives

Presentment to Grand Jury. (def.'s initials)

The plea is: ☒ Without Negotiations or Recommendation, ☐ Negotiated Sentence, ☐ Recommendation by the State.

ATTEST:

Solicitor

SC Bar # 15868

Defendant Jimmie Green

Attorney for Defendant Kenneth D. Brown 72878

SC Bar # Fred Woolley 009520

WHEREFORE, the Defendant is committed to the ☒ State Department of Correction ☐ County Detention Center,for a determinate term of 30 days/months/years/Time Served ☐ Youthful Offender Act not to exceed ____ years

and/or to 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*; the balance is suspended with probation for ____

months/years and subject to South Carolina Department of Probation, Parole and Pardon Services standard conditions of probation, which are incorporated by reference.

The sentence shall run

☒ CONCURRENT or ☐ CONSECUTIVE to sentence on: All pleas 5-8-23☒ The Defendant is to be given credit for time served pursuant to S.C. Code § 24-13-40 to be calculated and applied by SCDOC.

290 days/months

☐ To include time spent on monitored house arrest prior to trial and sentencing.☐ The Defendant Shall be Released from County Detention Center.

SCCA/217 (07/2021)

Page 1 of 2

DCA
p. 10/2

STATE

JIMMIE LEWIS GREEN

INDICTMENT/CASE#: 2021GS0700451

Pursuant to 18 U.S.C. § 922 and § 16-25-30 it is unlawful for a person convicted of a violation of § 16-25-20 or § 16-25-65 (Domestic Violence) to ship, transport, possess, or receive a firearm or ammunition.

SPECIAL CONDITIONS:

☐ PTUP after _____ months/years

And Other Terms Listed Below:

- ☐ Substance Abuse Counseling ☐ Completion of GED ☐ Random Drug/Alcohol Testing
☐ Attend Voc. Rehab. Or Job Corp ☐ No Contact with Victim ☐ Domestic Violence Intervention Program
☐ Mental Health Counseling ☐ May serve W/E beginning: _____
☐ Sex Offender Registry pursuant to S.C. Code § 23-3-430 ☐ Public Service Employment _____ days/hours
☐ Central Registry of Child Abuse and Neglect pursuant to S.C. Code § 17-25-135.
☐ Other: _____

☐ RESTITUTION: ☐ Deferred ☐ Def. Waives Hearing ☐ Ordered

Total \$ _____ plus 20% fee: _____ \$ _____

Payment Terms: _____ ☐ Set by SCDPPPS

Recipient: _____

*Fine:

	\$	Beginning	\$
Fine may be pd. in equal consecutive weekly/monthly pmts. of	\$		
§14-1-206 (Assessments 107.5%)			\$
§14-1-211 (A)(1)(Conv. Surcharge)	\$100		\$
§14-1-211 (A)(2)(DUI Surcharge)	\$100		\$100-
§56-5-2995 (DUI Assessment)	\$12		\$
§56-1-286 (DUI Breath Test)	\$25		\$
§14-1-212 (Law Enforce. 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 be paid to Clerk during probation and shall be collected before any other fees

☐ § 17-3-30(B) Unpaid Application Fee to be paid to the Public Defender Fund

TOTAL \$168.75

Clerk of Court/Deputy Clerk:
Court Reporter:

[Signature]
Kimberlee Williams

Presiding Judge:
Judge Code:
Sentence Date:

[Signature]
2160
5-8-23

D. CB
P 2022

0-30 years

STATE

JIMMIE LEWIS GREEN

INDICTMENT/CASE#: 2021GS0700452

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF BEAUFORT

STATE

VS.

INDICTMENT/CASE#: 2021GS0700452

JIMMIE LEWIS GREEN

A/W#: 2021A0720200046

AKA:

Date of Offense: 03/05/2021

Race: Black

Sex: Male

Age:

S.C. Code §: 16-3-29

DOB:

SS#:

CDR Code #: 3410

Address:

City, State, Zip:

SENTENCE SHEET

DL#*

SID#

*CDL Yes ☐ No ☐ CMV Yes ☐ No ☐ Hazmat Yes ☐ No ☐In disposition of the above indictment comes now the Defendant who was ☐ CONVICTED OF or ☒ PLEADS

TO: Attempted Murder

In violation of § 16-3-29 of the S.C. Code of Laws, bearing CDR Code # 3410

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

 The charge is: ☒ As indicted, ☐ Lesser Included Offense, ☐ Defendant Waives Presentment to Grand Jury. (def.'s initials)

 The plea is: ☒ Without Negotiations or Recommendation, ☐ Negotiated Sentence, ☐ Recommendation by the State.

ATTEST:

 Solicitor 15868 SC Bar # Jimmie Green Defendant 72878 Attorney for Defendant 72878 SC Bar #
WHEREFORE, the Defendant is committed to the ☒ State Department of Correction ☐ County Detention Center,for a determinate term of 30 days/months/years/Time Served ☐ Youthful Offender Act not to exceed years
 and/or to 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*; the balance is suspended with **probation** for

months/years and subject to South Carolina Department of Probation, Parole and Pardon Services standard conditions of probation, which are incorporated by reference.

The sentence shall run

☒ CONCURRENT or ☐ CONSECUTIVE to sentence on: All pleas of 5-8-23☒ The Defendant is to be given credit for time served pursuant to S.C. Code § 24-13-40 to be calculated and applied by SCDoc.790 days/months☐ To include time spent on monitored house arrest prior to trial and sentencing.☐ The Defendant Shall be Released from County Detention Center.DCH
P. 10/2

STATE

JIMMIE LEWIS GREEN

INDICTMENT/CASE#: 2021GS0700452

Pursuant to 18 U.S.C. § 922 and § 16-25-30 it is unlawful for a person convicted of a violation of § 16-25-20 or § 16-25-65 (Domestic Violence) to ship, transport, possess, or receive a firearm or ammunition.

SPECIAL CONDITIONS:

☐ PTUP after _____ months/years

And Other Terms Listed Below:

- ☐ Substance Abuse Counseling ☐ Completion of GED ☐ Random Drug/Alcohol Testing
☐ Attend Voc. Rehab. Or Job Corp ☐ No Contact with Victim ☐ Domestic Violence Intervention Program
☐ Mental Health Counseling ☐ May serve W/E beginning: _____
☐ Sex Offender Registry pursuant to S.C. Code § 23-3-430 ☐ Public Service Employment _____ days/hours
☐ Central Registry of Child Abuse and Neglect pursuant to S.C. Code § 17-25-135.
☐ Other: _____

☐ RESTITUTION: ☐ Deferred ☐ Def. Waives Hearing ☐ Ordered

Total \$ _____ plus 20% fee: _____ \$ _____

Payment Terms: _____ ☐ Set by SCDPPPS

Recipient: _____

*Fine:

Fine may be pd. in equal consecutive weekly/monthly pmts. of	\$ _____	Beginning	\$ _____
§14-1-206 (Assessments 107.5%)			\$ _____
§14-1-211 (A)(1)(Conv. Surcharge)	\$100		\$ _____
§14-1-211 (A)(2)(DUI Surcharge)	\$100		\$100 -
§56-5-2995 (DUI Assessment)	\$12		\$ _____
§56-1-286 (DUI Breath Test)	\$25		\$ _____
§14-1-212 (Law Enforce. 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 be paid to Clerk during probation and shall be collected before any other fees	\$500		\$ _____
☐ § 17-3-30(B) Unpaid Application Fee to be paid to the Public Defender Fund	TBD		\$ _____
TOTAL			\$128.75

Clerk of Court/Deputy Clerk:
Court Reporter:

Kyamberlee Williams

Presiding Judge:
Judge Code:
Sentence Date:

D. [Signature]
2160
5-8-23

30 years - life

STATE

JIMMIE LEWIS GREEN

INDICTMENT/CASE#: 2021GS0700453

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF BEAUFORT

STATE

VS.

INDICTMENT/CASE#: 2021GS0700453

JIMMIE LEWIS GREEN

A/W#: 2021A0720200047

AKA:

Date of Offense: 03/05/2021

Race: Black

Sex: Male

Age:

S.C. Code §: 16-3-10

DOB: [REDACTED]

SS#: [REDACTED]

CDR Code #: 0116

Address: [REDACTED]

City, State, Zip:

SENTENCE SHEET

DL#:

SID#

*CDL Yes ☐ No ☐ CMV Yes ☐ No ☐ Hazmat Yes ☐ No ☐In disposition of the above indictment comes now the Defendant who was ☐ CONVICTED OF or ☒ PLEADS

TO: Murder

In violation of § 16-3-10 of the S.C. Code of Laws, bearing CDR Code # 0116

☐ NON-VIOLENT ☒ VIOLENT ☐ SERIOUS ☒ MOST SERIOUS ☐ Mandatory GPS ☐ § 17-25-45(CSC w/minor 1st or CSC w/minor 3rd)The charge is: ☒ As indicted, ☐ Lesser Included Offense, ☐ Defendant Waives Presentment to Grand Jury. (def.'s initials)The plea is: ☒ Without Negotiations or Recommendation, ☐ Negotiated Sentence, ☐ Recommendation by the State.

ATTEST:

Solicitor

SC Bar # 15868

Defendant Jimmie Green

Attorney for Defendant

SC Bar # 72878

WHEREFORE, the Defendant is committed to the ☒ State Department of Correction ☐ County Detention Center,for a determinate term of 40 days/months/years/Time Served ☐ Youthful Offender Act not to exceed ____ years

and/or to 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*; the balance is suspended with **probation** for ____

months/years and subject to South Carolina Department of Probation, Parole and Pardon Services standard conditions of probation, which are incorporated by reference.

The sentence shall run

☒ CONCURRENT or ☐ CONSECUTIVE to sentence on: All pleas of 5-8-23☒ The Defendant is to be given credit for time served pursuant to S.C. Code § 24-13-40 to be calculated and applied by SCDoc.790 (days) months☐ To include time spent on monitored house arrest prior to trial and sentencing.☐ The Defendant Shall be Released from County Detention Center.Dec
1.10.22

STATE

JIMMIE LEWIS GREEN

INDICTMENT/CASE#: 2021GS0700453

Pursuant to 18 U.S.C. § 922 and § 16-25-30 it is unlawful for a person convicted of a violation of § 16-25-20 or § 16-25-65 (Domestic Violence) to ship, transport, possess, or receive a firearm or ammunition.

SPECIAL CONDITIONS:

☐ PTUP after _____ months/years

And Other Terms Listed Below:

- ☐ Substance Abuse Counseling ☐ Completion of GED ☐ Random Drug/Alcohol Testing
☐ Attend Voc. Rehab. Or Job Corp ☐ No Contact with Victim ☐ Domestic Violence Intervention Program
☐ Mental Health Counseling ☐ May serve W/E beginning: _____
☐ Sex Offender Registry pursuant to S.C. Code § 23-3-430 ☐ Public Service Employment _____ days/hours
☐ Central Registry of Child Abuse and Neglect pursuant to S.C. Code § 17-25-135.
☐ Other: _____

☐ RESTITUTION: ☐ Deferred ☐ Def. Waives Hearing ☐ Ordered

Total \$ _____ plus 20% fee: _____ \$ _____

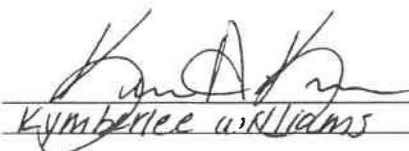
 Payment Terms: _____ ☐ Set by SCDPPPS

Recipient: _____

*Fine:

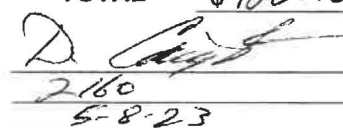
Fine may be pd. in equal consecutive weekly/monthly pmts. of	\$ _____	Beginning	\$ _____
§14-1-206 (Assessments 107.5%)			\$ _____
§14-1-211 (A)(1)(Conv. Surcharge)	\$100		\$ _____
§14-1-211 (A)(2)(DUI Surcharge)	\$100		\$ 100 -
§56-5-2995 (DUI Assessment)	\$12		\$ _____
§56-1-286 (DUI Breath Test)	\$25		\$ _____
§14-1-212 (Law Enforce. 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 be paid to Clerk during probation and shall be collected before any other fees	\$500		\$ _____
☐ § 17-3-30(B) Unpaid Application Fee to be paid to the Public Defender Fund	TBD		\$ _____
TOTAL			\$ 108.75

 Clerk of Court/Deputy Clerk:
 Court Reporter:



 Kimberlee Williams

 Presiding Judge:
 Judge Code:
 Sentence Date:



 2160
 5-8-23

 DCB
 P. 2072