

ORIGINAL

STATE OF SOUTH CAROLINA

In The Court of Appeals

APPEAL FROM SUMTER COUNTY

William Jeffrey Young, Circuit Court Judge

RECEIVED
MAR 06 2014
SC Court of Appeals

THE STATE,

RESPONDENT,

V.

DANIEL D'ANGELO JACKSON,

APPELLANT

APPELLATE CASE NO. 2011-199366

SUPPLEMENTAL RECORD ON APPEAL

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Division of Appellate Defense
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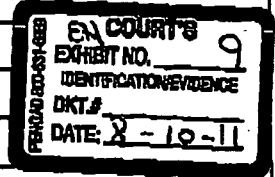


CASE # 08-004893

VOLUNTARY STATEMENT

1

LAST NAME <u>Conty</u>		FIRST NAME <u>Reginald</u>		MIDDLE NAME <u>Rashard</u>	AGE <u>16</u>	D.O.B. <u></u>
NICKNAME/AKA <u></u>		M ☒ F ☐	SSN <u></u>	STREET ADDRESS <u></u>		
CITY <u>Sumter</u>		STATE <u>SC</u>	ZIP <u>29150</u>	MAILING ADDRESS IF DIFFERENT <u></u>		
HOME TELEPHONE <u></u>	WORK TELEPHONE <u></u>	CELL TELEPHONE <u></u>		OCCUPATION <u></u>		
EMPLOYER <u></u>		EMPLOYER ADDRESS <u></u>				
DRIVER'S LICENSE NUMBER/STATE <u></u>		DATE AND TIME OF INTERVIEW <u>11/15/08 10:35 am</u>				
LOCATION OF INTERVIEW <u>Sumter LEC</u>						
INTERVIEWING AGENT <u>D. West</u>		DEPARTMENT <u>Inv</u>		INTERVIEWING AGENT <u></u>		DEPARTMENT <u></u>



RC I, Reginald Conty understand I do not have to say anything, and I volunteer the following information of my own free will, for whatever purposes it may serve. I can read and write and completed the 7th grade in school.

AP This statement is being written by Inv. D. West by the request of Reginald Conty. I am not currently under the influence of any alcohol or drugs that may make me give any false information in this statement. On the night of the shooting Demetrius asked my cousin (Diamond Conty) to take him to Cherryvale Grocery Store. I went along cause I needed batteries. After arriving at the store me and Demetrius got out the car and went to use the payphone so I was stood beside him swinging my phone and I overheard him stated he wanted to order 3 large pizzas (1) all pepperoni and (1) all cheese and I didn't hear the other one. He told them while on the phone with the order that the address 1128 Cherryvale Dr. Lt 7. He got off the phone and we went in the store. I went to look for some batteries and Demetrius brought a snack cake. While I was in the store the manager approached me and asked what I took and I told him nothing that I had my phone. Demetrius was standing to the door waiting for me. After we left the store we was going back home and Demetrius asked to be dropped off at Oaklawn but we already had past it so we went back home and RC

RC I have read each page of this statement consisting of 2 page(s), each page of which bears my signature, and corrections, if any, bears my initials, and I certify that the facts contained herein are true and correct. RC

Date: 1-15-08Time: 11:25 AMReginald Conty

Signature of person giving voluntary statement

WITNESS: Demetrius WestWITNESS:

I certify that I have been given a copy of this statement consisting of 2 pages.

VOLUNTARY STATEMENT SUPPLEMENTAL

Statement of, continued

RC AP
 D... left walking. I went inside and then came back outside to sit on the porch. As I came out the house I saw D... walk by and I asked where he was going and he stated nothing and walked towards the back of the mobile home park. Taya Rush who stays beside she told me to watch her house while she was gone. I went to the house and got something to drink and sat on the porch and I saw car lights where lot 7 is and I went to my fence I saw a white man wrestling with a tall black man over a gun. The black man told him to stop and then I heard a gunshot D... was standing next to the van looking at the guys wrestle. The other guy had a handgun that looked like a revolver. After the gun fired everyone ran, I ran in the house. I told my mom's what I saw later on that night. I wasn't truthful to law enforcement at the beginning because I was nervous and scared, because I never saw anyone get killed before. RC

RC

RC

Witness: Don We

Reynolds County
 Signature of person giving voluntary statement

Witness: _____

Oral Statements and Interviews:

1/ 17/ 2008 @ 1534

- Reginald Canty was brought to LEC accompanied by his aunt Ms. Glover. Reggie's mother Dorothy Canty arrived at LEC and the interview began. I started by advising Reginald of his Miranda Rights and he signed a Waiver of Rights Form in front of his mother due to the fact he was being charged at that present time. After reading him his Miranda Rights, I then advised Reginald that his story in the past was inconsistent and that he needed to be truthful from here on out. Reginald began telling the story of the events that happened on how he was at home and [REDACTED] approached him and asked him whether he wanted to make any money by robbing a pizza man and he told him "yes". Reginald then stated he asked his cousin (Desmond Cantey) to take him and [REDACTED] to the store (Cherryvale Grocery) where he stated [REDACTED] made the telephone call to Sambino's Pizza Restaurant. Reginald then stated that they went inside the store and he wanted to buy some batteries but they did not have the kind he wanted. Reginald stated that [REDACTED] brought a Debbie snack Cake and left the store. I then asked what did they do next and he stated that they went back to his house and [REDACTED] walked back to the rear of the mobile home park (OC Mobile Home Park) and he watched until the pizza man drove up in the van. He began to say he stood in his yard by the gate and saw a black male struggling with the pizza man and another black male holding a revolver. I asked him how he knew it was a revolver and it being dark with no lighting on and he said he it was a glare coming from the gun. He then stated it was not suppose to happen like that and I asked him what did he meant by that and he stated the pizza man was not suppose to get shot. He stated it was an accident, his mother then asked him how he knew it was an accident and you said you weren't there and how you know it was a revolver and it was dark outside. Reginald then began to cry and he stated that he did not shoot and kill anyone. He kept saying it was an accident and he kept saying he wasn't there. So I asked him there is no way you can say it was an accident and you weren't there and he put his head on the table and continued to cry. Reginald then stated that the suspects ran away and he ran in the house.

1/22/2008 @1930

- Sgt. Robert Burnish and I met with Isaac Boyd (Daniel's uncle) he led us to a mobile home off of St. Marks Circle where he took Daniel to pick up the rifle (30-30), while at the mobile home we found a pizza box and the warmer bag. There was a pizza in the box (Cheese) with one pizza missing. Sgt. Mackessy and Capt. Turner was advised and responded and photographed the scene.

1/22/2008 @1745

- I spoke to Ray Dickey he stated that he definitely saw two people running away from the scene. He did not see any faces nor did he see any weapons

CASE # DS-004893

VOLUNTARY STATEMENT

LAST NAME <u>Canby</u>	FIRST NAME <u>Reginald</u>	MIDDLE NAME <u>Rashard</u>	AGE <u>16</u>	D.O.B. <u></u>
NICKNAME/AKA <u></u>	M ☒ F ☐ SSN <u></u>	STREET ADDRESS <u></u>		
CITY <u>Sumter</u>	STATE <u>SC</u>	ZIP <u>29150</u>	MAILING ADDRESS IF DIFFERENT <u></u>	
HOME TELEPHONE <u></u>	WORK TELEPHONE <u></u>	CELL TELEPHONE <u></u>	OCCUPATION <u></u>	
EMPLOYER <u></u>		EMPLOYER ADDRESS <u></u>		
DRIVER'S LICENSE NUMBER/STATE <u></u>		DATE AND TIME OF INTERVIEW <u>1/17/08 3:34pm</u>		
LOCATION OF INTERVIEW <u>Sumter LCC</u>				
INTERVIEWING AGENT <u>D. West</u>	DEPARTMENT <u>Inv</u>	INTERVIEWING AGENT <u></u>	DEPARTMENT <u></u>	

I, Reginald Canby, understand I do not have to say anything, and I volunteer the following information of my own free will, for whatever purposes it may serve. I can read and write and completed the 7th grade in school.

This statement is being written by Inv. D. West by the request of Reginald Canby in the presence of his mother Dorothy Canby. I am currently not under the influence of any alcohol or drugs. I was standing by the mailboxes in OC Mobile Home Park when ~~Reginald Canby~~ ^{by another name} I know him ~~came up to me~~ and ask whether I want to be apart of Robbing a pizza man and I said yes cause I didn't want the other guys to laugh and pick at me. ~~He~~ told me to ask my cousin to take us to the store I was going to get batteries. My cousin name is Desmond Canby. He told me he was going to call Sambino's and order some pizzas. We went to Cherryvale Grocery ~~we~~ used the payphone right next to the trash can (green) and called Sambino's. ~~we~~ order 3 large pizzas (pepperoni + cheese) is all I heard he asked for. We then went in the store and I looked for the batteries but they didn't have any. ~~we~~ brought a Debbie Snack Cake (Donut Sticks). We went back to my house and he went to the back where the trash cans were and I sat on the blue capoe next to Toya's house. Toya stays next door to us, Toya asked me to watch her house while she was gone. Toya left I then went to sit on my porch until the

RC I have read each page of this statement consisting of 2 page(s), each page of which bears my signature, and corrections, if any, bears my initials, and I certify that the facts contained herein are true and correct. RC

Date: 1/17/08 Time: 4:44 pm

Reginald Canby
Signature of person giving voluntary statement

WITNESS: Dominick West

WITNESS:

I certify that I have been given a copy of this statement consisting of 2 pages.

VOLUNTARY STATEMENT SUPPLEMENTAL

Statement of, continued

Re. pizza man came. I saw a silver in color Chrysler van pulled up and pulled to the back where [REDACTED] was. The pizza man stayed in his vehicle for approximately 3 minutes and he then got out went to the abandoned residence (Lt. 7) and saw the door open and turn around went back to his vehicle real fast. The pizza man was met by 3 males with hoodies, [REDACTED] was one of the males and I don't know who the other two were. The pizza man was trying to take the gun (rifle) away from the black male. The black male told the pizza man to stop and then the gun fired. After I saw the man got shot I ran in the house and told my moms I heard a gunshot. R.C.

R.C.

R.C.

Witness: [Signature]

Witness: _____

[Signature]
Signature of person giving voluntary statement



VOLUNTARY STATEMENT

CASE # D8004893

LAST NAME <u>Canby</u>		FIRST NAME <u>Reginald</u>		MIDDLE NAME <u>KASHAD</u>	AGE <u>16</u>	D.O.B. <u>1-1-1992</u>
NICKNAME/AKA		M ☒	P ☐	SSN	STREET ADDRESS	
CITY <u>Sumter</u>	STATE <u>SC</u>	ZIP <u>29154</u>	MAILING ADDRESS IF DIFFERENT			
HOME TELEPHONE <u>316-7647</u>	WORK TELEPHONE <u>481-7161</u>	CELL TELEPHONE	OCCUPATION			
EMPLOYER		EMPLOYER ADDRESS				
DRIVER'S LICENSE NUMBER/STATE		DATE AND TIME OF INTERVIEW <u>01/25/08</u>				
LOCATION OF INTERVIEW <u>Sumter Sheriff's Office</u>						
INTERVIEWING AGENT <u>Sgt Robert Dwyer</u>		DEPARTMENT <u>SCSO</u>		INTERVIEWING AGENT		DEPARTMENT

I, Reginald Canby, understand I do not have to say anything, and I volunteer the following information of my own free will for whatever purposes it may serve. I can cannot read and write and completed the 7th grade in school.

RC When we got home [redacted] went to the back of the trailers and he wait at the back for the pizza man to come. when the pizza man came they started to rob the man. the pizza man was trying to take the gun from [redacted] and [redacted] this person said stop and order he said stop he shot the pizza man. then he stop ther for a second then he ran. It look like it was [redacted] another person running away with [redacted] the other person around the car. RC [redacted] RC

RC

RC

I have read each page of this statement consisting of 1 page(s), each page of which bears my signature, and corrections, if any, bears my initials, and I certify that the facts contained herein are true and correct.

Date: 1/25/08 Time: 12:06 pm Reginald Canby
Signature of person giving voluntary statement

WITNESS: [Signature] WITNESS: _____

I certify that I have been given a copy of this statement consisting of 1 pages.

CERTIFICATE OF COUNSEL FOR APPELLANT

Counsel for appellant certifies that this Supplemental Record on Appeal contains all material proposed to be included by any of the parties and not any other material and that this Record on Appeal complies to the best of my ability, with the August 13, 2007, order from the South Carolina Supreme Court entitled "Interim Guidance Regarding Personal Data Identifiers and Other Sensitive Information in Appellate Court Filings."

March 6th, 2014



Carmen V. Ganjehsani
Appellate Defender

South Carolina Commission on Indigent Defense
Division of Appellate Defense
PO Box 11589
Columbia, S. C. 29211-1589
(803) 734-1330

ATTORNEY FOR APPELLANT

ORIGINAL

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Sumter County
William Jeffrey Young, Circuit Court Judge

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MAR 06 2014

SC Court of Appeals

THE STATE,

RESPONDENT,

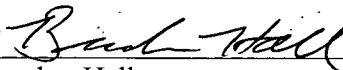
V.

DANIEL D'ANGELO JACKSON,

APPELLANT

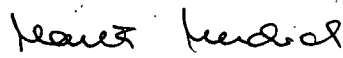
CERTIFICATE OF SERVICE

I certify that a true copy of the Supplemental Record on Appeal in the above referenced case has been served upon Donald J. Zelenka, Esquire, at Rembert Dennis Building, 1000 Assembly Street, Room 519, Columbia, SC 29201, and Mr. Daniel Jackson this 6th day of March, 2014.



Brandon Hall
Administrative Specialist

SUBSCRIBED AND SWORN TO before me
this 6th day of March, 2014.

 (L.S.)

Notary Public for South Carolina
My Commission Expires: July 3, 2023.