

Terrell T. Howard  
S.C. 293888  
LEE Correctional Inst  
990 Wispacky Highway  
Bishopville S.C. 29010

Dear clerk of court,

This is to be filed with the case No. 2014-000277  
In response to a letter I received from the  
Supreme Court of South Carolina, clerk of court office.  
Informing me to provide an explanation required by  
Rule 243(c) within twenty (20) days of the date of  
this letter. Please clock stamp this and return a copy  
for my receipt...

RECEIVED  
APR 10 2014  
S.C. SUPREME COURT

Respectfully,  
Terrell T. Howard

THE STATE OF SOUTH CAROLINA  
IN THE SUPREME COURT

---

Writ of Certiorari

---

CASE NO.: 2014-000277

Terrell T. Howard..... Petitioner  
283888

v.

THE STATE..... Respondant

RECEIVED

APR 10 2014

S.C. SUPREME COURT

Respectfully submitted

s/ Terrell T. Howard  
TERRELL T. HOWARD #283888  
LEE CORRECTIONAL INSTITUTION  
940 WILKINSON HIGHWAY  
BISHOPVILLE S.C. 29010

[ PRO SE ]

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## ISSUE PRESENTED

- I. Whether a genuine issue of material fact exists on the allegation of Ineffective Assistance of Counsel concerning involuntary guilty plea?
- II. Does the statute of limitation apply where is a genuine issue of material fact of subject matter jurisdiction that where not properly raised at the previous post-conviction relief hearing?
- III. Whether unreasonable search and seizure on the ground of officer conduct violated clearly established constitutional right can point to a sufficient reason why this new ground should be raised?

## NOTICE

This matter comes before the Supreme Court that received the notice of appeal in the above post-conviction relief action. Since the order of the circuit court determined that this action is barred as being successive and/or as being untimely under the statute of limitations, Rule 243(c) of the South Carolina Appellate Court Rule requires you to provide a written explanation as to why this determination was improper. This explanation must contain sufficient facts, argument and citation to legal authority to show that there is an arguable basis of asserting that the determination by the lower court was improper. Yet, as will be demonstrated, there exists a genuine issue of material fact that can point to a sufficient reason why new grounds for relief were not raised or were not properly raised.

in previous application. The Applicant advises this court with specific reasons, factual or legal, why it should not dismiss the matter in its entirety.

## STATEMENT OF THE CASE

I Am the above Applicant that is incarcerated in the SOUTH CAROLINA DEPARTMENT OF CORRECTIONS pursuant to the Greenville County Grand Jury indicted the Applicant at the March 2006 term for Armed robbery (2006-GS-23-2542) and possession of a weapon during the commission of a violent crime (2006-GS-23-2543) and at the May 2006 term for attempted armed robbery (2006-GS-23-4242) and armed robbery (2006-GS-23-4243). C. Timothy Sullivan, Esquire represented the Applicant.

On October 9, 2006, the Applicant plead guilty. The Honorable Steven H. John sentenced the Applicant to concurrent terms of eighteen (18) years for each count of armed robbery, eighteen (18) years for attempted robbery, and five (5) years for the weapons charge. The Applicant did not appeal.

The Applicant filed a P.C.R. Application on January 10, 2007 (2007-CP-23-0199). The Applicant raised the following issues:

1. Ineffective Assistance of Counsel.
2. Subject Matter Jurisdiction.
3. Violation of due process.

In the current Applicant P.C.R. Application, the Applicant alleges he is being held in custody unlawfully for the following reason.

1. Subject Matter Jurisdiction:
  - A. "Void Judgment."
2. Ineffective Assistance of Counsel:
  - A. "Involuntary guilty plea."
3. Unreasonable searches and seizures:
  - A. "Officer conduct violated clearly established constitutional right."

## Ineffective Assistance of Counsel

I. Whether a genuine issue of material fact exist on the allegation of Ineffective Assistance of Counsel concerning Involuntary guilty plea?

The applicant allege Ineffective Assistance of Counsel on the grounds of Involuntary guilty plea. Stating that it was not properly raised in the previous post-conviction relief hearing. Where Applicant P.C.R. Attorney Carolina Horlbeck, Esquire did not properly discuss with applicant the plea process. Did not properly discuss with applicant the whole motion of discovery. Did not order motion of discovery before the post-conviction relief hearing to view with applicant all documentary evidence that where included in motion of discovery, so to come up with a defence before the P.C.R. hearing. Had P.C.R. Attorney properly discussed with applicant the plea process she would have see documentary evidence in discovery concerning plea offer from the state in which charge where not included in plea. (SEE exhibit 2) which shows plea offer from state and charge missing. P.C.R. Attorney did not properly discuss with applicant the whole motion of discovery.

Had P.C.R. Attorney properly discussed with the applicant the whole motion of discovery the outcome would have been different. P.C.R. Attorney did not order motion of discovery before the P.C.R. hearing. Had P.C.R. Attorney order motion of discovery before the P.C.R. hearing applicant and P.C.R. Attorney could have come up with a defence before the P.C.R. hearing.

Raising the defence of statute of limitations.

SEE *McDonnell v. Consolidated Sch. Dist. of Aiken*, 315 S.C. 487, 489, 445 S.E. 2d. 638, 639 (1994). In addition, S.C. Code Ann §17-27-70(c) (2003) authorizes the court to "grant a motion by either party for summary disposition of [an] application when it appears from the pleading.... that there is no genuine issue of material fact and the moving party is entitled to judgment as a matter of law.

As can be seen there is a genuine issue of material fact that where not properly raised in the previous post-conviction relief hearing. Also as can be seen on April 18, 2007 in Post-conviction relief hearing transcript of Record on (page 3 line 15-24). That applicant P.C.R. Attorney Carolina Horlbeck, esquire proceeded on the grounds of Ineffective Assistance of Counsel, due process violation and Failure to file an appeal. In regard of Ineffective Assistance of Counsel, alleging absence of subject matter

Jurisdiction, failure file for a preliminary hearing, failure to communicate with the client, failure to ensure that the plea was entered knowingly and voluntarily entered, failure to advise the client of the regarding the voluntariness and intelligence of his statement and failure to file an appeal.

The only issues were discussed on Ineffective Assistance of counsel during the P.C.R. hearing. The date on indictment # 2006-6S-23-2543 for possession of a weapon during the commission of a crime. In which the date on the indictment read January of 2005 and that the state made a motion to amend that date from January of '05 to December of '05. Post-conviction relief hearing transcript of Record (page 5 line 17-24). Preliminary hearing (page 7 line 17-23). and The description that the witnesses gave P.C.R. Transcript (page 8 and 9). A statement that was given by Applicant at the time of arrest. P.C.R. Transcript (page 9 line 25, and page 10 line 1-15). and the issue was on the guilty plea where I asked my attorney Timothy Sullivan, Esquire for 10 year's during the plea process. P.C.R. Transcript (page 11 line 2-19).

Had P.C.R. Attorney Carolina Holtbeck, Esquire properly raised Ineffective Assistance of counsel on the ground of Involuntary guilty plea in the previous post-conviction relief application and ordered motion of discovery to view with Applicant All

documentary evidence before going to P.C.R. hearing.  
Not only will it be a better defense but the plea offer from the state alone with the missing charge that should have been included within the plea offer for the state. The weight of such evidence could have helped the judge rule in favor of Ineffective Assistance on the grounds of Involuntary guilty plea.

### Subject Matter Jurisdiction

I.I. Does the statute of limitation apply where there is a genuine issue of materials fact of subject matter jurisdiction that where not properly raised at the previous post-conviction relief hearing.

The Applicant alleges Subject Matter Jurisdiction on the grounds of void Judgment.

The definition of void Judgment: A judgement that has no legal force or effect, the invalidity of which may be asserted by any party whose rights are affected at any time and place, whether directly or collaterally. From its inception, a void judgment continues to any degree. One source of a void judgment is the lack of subject matter jurisdiction. [Case: Federal Civil Procedure 2392 Judgment 5-29, 346, 486, C.J.S. Judgment §§ 4-5, 13-28]

30, 43-46, 48, 73, 75, 82, 201, 203-205, 207, 307, 403, 449, 512,  
546, 548, 549,

The Applicant Alleges that the judgment is void for lack of Jurisdiction and to ~~state~~ aside the judgment in accordance with South Carolina Rules of Civil Procedure Rule 60(B)(4) the judgment is void. Applicant states that the following Arrest Warrant's included into evidence in (Exhibit 1) was never sign and sealed before a judge of whom it should have been executed, and return with-in ten days after it was dated as provided by statute see Code 1976, § 17-13-140; Const. Art. 1, § 10; U.S.C.A. Const. Amend. 4. The process and service where not in accordance with South Carolina Rules of Civil Procedure Rule 4(9), Rule 5 (d). If the Arrest Warrant's) where sign and sealed before a judge of whom it should have been executed and return with-in ten days after it was dated as provided by statute. It would have shown it's authentication of such proof of official record as provided in South Carolina Rules of Civil Procedure Rule 44(A)(2).

Certified means that the custodian of the documents, or other person authorized to make the certification, makes a certification under seal stating that the document is a correct copy. SEE Rule 902(4) and Rule 803(8) of the South Carolina Rule of Evidence concerning Public Records.

In support of applicant's position, applicant cites a number of authorities, and included therein are the following:

Universal Benefits, Inc. v. McKinney (S.C. App. 2002) 349 S.C.  
179, 561 S.E. 2d 659; State v. McKnight 352 S.E. 2d 471 (S.C. 1987);  
State v. Covert 675 S.E. 2d 740 (S.C. 2009); Hatchet v. Nettles  
201 F.3d 651 (5th Cir. 2000); Cannon v. Haverly Furniture Co.,  
183 S.E. 469 S.C. 1 (1935); McConnell v. Kennedy, 29 S.C. 180,  
7 S.E. 76, 78 (Supreme Court of South Carolina, July 13, 1888);  
Mapp v. Ohio 367 U.S. 643, 81 S.Ct. 1684, 6 L. Ed. 2d 1081,

As can be seen there is a genuine issue of material fact of subject matter jurisdiction on the ground of void judgment that where not properly raised at the previous post-conviction relief hearing. That the warrant (s) was invalid on its face. Had applicant and P.C.R. Attorney Carolina Hortbeck, Esquire properly raised subject matter jurisdiction on the ground of void judgment the conviction and sentence could have been over turn.

### Unreasonable Search and Seizure

III. Whether unreasonable search and seizure on the ground of officer conduct violated clearly established constitutional right can point to a sufficient reason

Why this new ground should be raised?

Officer conduct violated clearly established constitutional right under the Forth Amendment of the United State constitution and the South Carolina constitution Art. 1, section 10. Against Unreasonable Search and Seizure. Applicant alleges that officer Det. W. C. Bruce who work for Greenville City Police Department didn't have a warrant or probable cause to stop the vechile. That the description given by the victim as noted in Greenville county Forensics Report wasn't the same description of the vechile the office stop (see exhibit 3). Also in (exhibit 3) on the warrant request you will see the description of the vechile the officer stoped. Applicant also states there where no evidence or facts at the time the vechile where stop that lead to the crime. The officer violated the constitution by stoping the vechile without probable cause or a warrant as provided by the constitution.

In support of Applicant issue of unreasonable search and seizure, Applicant cites a number of authorities:

U.S. v. OWENS, 4. A. 111, 1965, 346 F.2d 329; Terry v. State of Ohio 1968, 88 S.Ct. 1868, 392 U.S. 1, 20 L.Ed. 2d 889;  
State v. McKnight 352 S.E. 2d. 471 (S.C. 1987)

- EXHIBIT 1 -

EXHIBIT 1

EXHIBIT 1

EXHIBIT 1

- 11 -

ARREST WARRANT

I-470023

STATE OF SOUTH CAROLINA
County/ Municipality of
Greenville

THE STATE 2005-166373
against

Terrell T Howard

Address: 3761 North West 27 Avenue
Miami, FL 33055-

Phone: SSN: 201-62-6628
Sex: M Race: B Height: 5 11 Weight: 150
DL State: SC DL #: 090559243
DOB: 9/22/1982 Agency ORI #: SC0230000
Prosecuting Agency: Greenville County Sheriffs Office
Prosecuting Officer: T L Patton
Offense: Weapons / Poss. weapon during violent crime, if
not also sentenced to life witho
Offense Code: 0549
Code/Ordinance Sec: 16-23-0490

This warrant is CERTIFIED FOR SERVICE in the
County/ Municipality of
is to be arrested and brought before me to be
dealt with according to the law.

Date: (L.S.)

RETURN

A copy of this arrest warrant was delivered to
defendant Terrell T Howard
on 01-17-06

Signature of Constable/Law Enforcement Officer

RETURN WARRANT TO:

City Magistrate #2
4 Mc Gee Street Room 116-B
Greenville, SC 29601

STATE OF SOUTH CAROLINA
County/ Municipality of
Greenville

Personally appeared before me the affiant T L Patton

being duly sworn deposes and says that defendant Terrell T Howard
did within this county and state on 12/20/2005

State of South Carolina (or ordinance of ) County/ Municipality of Greenville
in the following particulars: violate the criminal laws of the

DESCRIPTION OF OFFENSE: Weapons / Poss. weapon during violent crime, if not also sentenced to life witho

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

The affiant, a Violent Crimes Investigator received a report did December 20, 2005 of an Armed Robbery at 3556
Pelham Road (BP Station). Subsequent to the robbery investigation, the defendant was interviewed and did admit that
he willfully did take and steal US Currency in the amount of \$357.00 with the intent to permanently deprive the
owners of their property. The defendant admits to being in possession of a nine-millimeter handgun during the time of
the robbery which is defined as a Violent Crime under SC Code of Law 16-3-60. This did occur in Greenville County.
See Case #2005-166373

Signature of Affiant

STATE OF SOUTH CAROLINA
County/ Municipality of
Greenville

Affiant's Address 4 McGehee Street
Greenville 29601-
Affiant's Telephone (864)467-5240

ARREST WARRANT

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

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

on 12/20/2005 defendant Terrell T Howard
did violate the criminal laws of the State of South Carolina (or ordinance of
County/ Municipality of Greenville) as set forth below:

DESCRIPTION OF OFFENSE: Weapons / Poss. weapon during violent crime, if not also sentenced to life witho

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

Sworn to and subscribed before me:

on 01/13/2006

Judge's Address 4 McGehee Street, Room 116-B

Greenville, SC 29601-

Judge's Telephone (864)467-5302

Signature of Issuing Judge
James S. Hudson

Judge Code: 5031

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

DEFENDANT COPY DEFENDANT COPY DEFENDANT COPY DEFENDANT COPY DEFENDANT COPY

Judge \_\_\_\_\_

on \_\_\_\_\_

Type and Amount: \_\_\_\_\_

Name of Surety: \_\_\_\_\_

PRELIMINARY HEARING held by

Judge \_\_\_\_\_

on \_\_\_\_\_

Defendant Attorney: \_\_\_\_\_

Decision: \_\_\_\_\_

DISPOSITION before

Judge \_\_\_\_\_

on \_\_\_\_\_

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

Disposition: \_\_\_\_\_

Sentence: \_\_\_\_\_

JURORS

Name: \_\_\_\_\_  
Address: \_\_\_\_\_

Telephone: \_\_\_\_\_

Name: \_\_\_\_\_  
Address: \_\_\_\_\_

Telephone: \_\_\_\_\_

Name: \_\_\_\_\_  
Address: \_\_\_\_\_

Telephone: \_\_\_\_\_

Name: \_\_\_\_\_  
Address: \_\_\_\_\_

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Name: \_\_\_\_\_  
Address: \_\_\_\_\_

Telephone: \_\_\_\_\_

Name: \_\_\_\_\_  
Address: \_\_\_\_\_

Telephone: \_\_\_\_\_

Name: \_\_\_\_\_  
Address: \_\_\_\_\_

Telephone: \_\_\_\_\_

Name: \_\_\_\_\_  
Address: \_\_\_\_\_

Telephone: \_\_\_\_\_

CODEFENDANTS

ARREST WARRANT

1-470020

STATE OF SOUTH CAROLINA
County/ Municipality of
Greenville

THE STATE 2005-166373
against

Terrell T Howard
Address: 300 Furman Hall Rd Apt 25 G
Greenville, SC 29601-

Phone: (864)233-1948 SSN: 201-62-6628
Sex: M Race: B Height: 5 11 Weight: 150
DL State: SC DL #: H63081823420
DOB: 9/22/1982 Agency ORI #: SC0230000
Prosecuting Agency: Greenville County Sheriffs Office
Prosecuting Officer: T L Patton
Offense: Robbery / Armed Robbery, robbery while armed
or allegedly armed with a deadly we
Offense Code: 0139
Code/Ordinance Sec: 16-11-0330(A)

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

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

(L.S.)

Signature of Judge

RETURN

A copy of this arrest warrant was delivered to
defendant Terrell T Howard
on 01-17-06

Signature of Constable/Law Enforcement Officer
RETURN WARRANT TO:
City Magistrate #2
4 Mc Gee Street Room 116-B
Greenville, SC 29601

STATE OF SOUTH CAROLINA
County/ Municipality of
Greenville

Personally appeared before me the affiant T L Patton
being duly sworn deposes and says that defendant
did within this county and state on 12/20/2005
State of South Carolina (or ordinance of County/ Municipality of
in the following particulars: Greenville

DESCRIPTION OF OFFENSE: Robbery / Armed Robbery, robbery while armed with a deadly we

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

The affiant, a Violent Crimes Investigator received a report did December 20, 2005 of an Armed Robbery at 3556
Pelham Road (BP Station). Subsequent to the robbery investigation, the defendant was interviewed and did admit that
he willfully did take and steal US Currency in the amount of \$357.00 with the intent to permanently deprive the
owner's of their property. The defendant admits to being in possession of a nine-millimeter handgun during the time of
the robbery and did present said weapon to the clerk to obtain the money. This did occur in Greenville County. See
Case # 2005-166373

Signature of Affiant

STATE OF SOUTH CAROLINA

County/ Municipality of
Greenville

Affiant's Address 4 Midgee Street
Greenville 29601-
Affiant's Telephone (864)467-5240

ARREST WARRANT

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

It appearing from the above affidavit that there are reasonable grounds to believe that
on 12/20/2005 defendant Terrell T Howard
did violate the criminal laws of the State of South Carolina (or ordinance of
County/ Municipality of Greenville) as set forth below:

DESCRIPTION OF OFFENSE: Robbery / Armed Robbery, robbery while armed or allegedly armed with a deadly we
Having found probable cause and the above affiant having sworn before me, you are empowered and directed to arrest the said defendant and bring him or
her before me forthwith to be dealt with according to law. A copy of this Arrest Warrant shall be delivered to the defendant at the time of its execution, or as
soon thereafter as is practicable

Sworn to and subscribed before me:
on 01/13/2006
Judge's Address 4 Midgee Street, Room 116-B
Greenville, SC 29601-
Judge's Telephone (864)467-5302
Issuing Court: X Magistrate Municipal
Signature of Issuing Judge (L.S.)
James E. Hudson
Judge Code: 5031

DEFENDANT COPY DEFENDANT COPY DEFENDANT COPY DEFENDANT COPY DEFENDANT COPY

DEFENDANT COPY

AFFIDAVIT

Form Approved by
S.C. Attorney General
April 21, 2003
SCCA 5-18

ARREST WARRANT

1-341792  
STATE OF SOUTH CAROLINA  
County/  Municipality of Greenville

THE STATE  
against  
1-05-169150

Personally appeared before me the affiant A L Bailey who being duly sworn deposes and says that defendant Terrell T Howard did within this county and state on 01/12/2006 violate the criminal laws of the State of South Carolina (or ordinance of  County/  Municipality of Greenville) in the following particulars:

DESCRIPTION OF OFFENSE: Weapons / Poss. weapon during violent crime, if not also sentenced to life witho

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

The affiant an investigator with the Greenville County Sheriff's Office has a written statement which implicates the defendant in the above offense. The defendant did present a handgun, a deadly weapon which was used during the commission of an attempted armed robbery. This offense occurred back on December 26, 2005 at the Kwik Food Store located at 2608 Old Buncombe Road and within the County of Greenville.

STATE OF SOUTH CAROLINA  
County/  Municipality of Greenville  
Affiant's Address 4 Mcgee Street Greenville, SC 29601-  
Affiant's Telephone (864)467-5384

Signature of Affiant  
[Signature]

ARREST WARRANT

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

It appearing from the above affidavit that there are reasonable grounds to believe that defendant Terrell T Howard on 1/12/2006 did violate the criminal laws of the State of South Carolina (or ordinance of  County/  Municipality of Greenville) as set forth below:

DESCRIPTION OF OFFENSE: Weapons / Poss. weapon during violent crime, if not also sentenced to life witho

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

Sworn to and subscribed before me on 01/12/2006  
Judge's Address 4 Mcgee Street Room 116-A Greenville, SC 29601-  
Judge's Telephone (864)467-5315  
Issuing Court:  Magistrate  Municipal  Circuit  
Signature of Issuing Judge: [Signature]  
Horace Butler Jr  
Judge Code: 5020

RETURN

A copy of this arrest warrant was delivered to defendant Terrell T Howard on 01/12/06

ARREST WARRANT  
1-341792  
STATE OF SOUTH CAROLINA  
County/  Municipality of Greenville

THE STATE  
against  
1-05-169150

Terrell T Howard  
Address: 3761 North West 27 Avenue Miami, FL 33055-

Phone: SSN: 201-62-6628  
Sex: M Race: B Height: 5 11 Weight: 150  
DL State: SC DL #: 090559243  
DOB: 9/22/1982 Agency ORI #: SC0230000

Prosecuting Agency: Greenville County Sheriff's Office  
Prosecuting Officer: A L Bailey  
Offense: Weapons / Poss. weapon during violent crime, if not also sentenced to life witho  
Offense Code: 0549  
Code/Ordinance Sec: 16-23-0490

This warrant is  CERTIFIED FOR SERVICE in the County/  Municipality of Greenville  
The accused is to be arrested and brought before me to be dealt with according to the law.

Signature of Judge  
[Signature]  
(L.S.)

RETURN  
A copy of this arrest warrant was delivered to defendant Terrell T Howard on 01/12/06

Signature of Constable/Law Enforcement Officer  
[Signature] #661 \*82

RETURN WARRANT TO:  
City Magistrate #1  
4 Mc Gee Street Room 116-A  
Greenville, SC 29601-2256

DEFENDANT COPY

DEFENDANT COPY DEFENDANT COPY DEFENDANT COPY

Judge \_\_\_\_\_

on \_\_\_\_\_

Type and Amount: \_\_\_\_\_

Name of Surety: \_\_\_\_\_

**PRELIMINARY HEARING held by**

Judge \_\_\_\_\_

on \_\_\_\_\_

Defendant Attorney: \_\_\_\_\_

Decision: \_\_\_\_\_

**DISPOSITION before**

Judge \_\_\_\_\_

on \_\_\_\_\_

by \_\_\_\_\_

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

Disposition: \_\_\_\_\_

Sentence: \_\_\_\_\_

**JURORS**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Telephone: \_\_\_\_\_

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Address: \_\_\_\_\_  
Telephone: \_\_\_\_\_

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Telephone: \_\_\_\_\_

**CODEFENDANTS**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

ARREST WARRANT

1-341791

STATE OF SOUTH CAROLINA  
County/  Greenville Municipality of

THE STATE 1-05-169150  
against

Terrell T Howard  
Address: 3761 North West 27 Avenue  
Miami, FL 33055-

Phone: SSN: 201-62-6628  
Sex: M Race: B Height: 5 11 Weight: 150  
DL State: SC DL #: 090559243  
DOB: 9/22/1982 Agency ORI #: SC0230000  
Prosecuting Agency: Greenville County Sheriffs Office  
Prosecuting Officer: A L Bailey  
Offense: Robbery / Attempted robbery (charge as principal offense)

Offense Code: 0025  
Code/Ordinance Sec: C/L

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

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

Date: \_\_\_\_\_ (L.S.)  
Signature of Judge

RETURN  
A copy of this arrest warrant was delivered to defendant Terrell T Howard on 01/12/2006

Signature of Constable/Law Enforcement Officer  
Fred R. Cooper #661 \*83

RETURN WARRANT TO:  
City Magistrate #1  
4 Mc Gee Street Room 116-A  
Greenville, SC 29601-2256

STATE OF SOUTH CAROLINA  
 County/  Greenville Municipality of

Personally appeared before me the affiant A L Bailey being duly sworn deposes and says that defendant Terrell T Howard did within this county and state on 01/12/2006 State of South Carolina (or ordinance of  County/  Municipality of Greenville) in the following particulars:

DESCRIPTION OF OFFENSE: Robbery / Attempted robbery (charge as principal offense)

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

The affiant an investigator with the Greenville County Sheriffs Office has a written statement which implicates the defendant in the above offense. The defendant along with a co-defendant did on December 26, 2005 enter the Kwik food Store while armed with a handgun, a deadly weapon. The defendant pointed his handgun at the store clerk and demanded money from the cash register but the clerk refused to relinquish the cash and defendant ran out of the store. Said incident occurred at 2608 Old Buncombe Road and within the County of Greenville.

Signature of Affiant

*A L Bailey*

STATE OF SOUTH CAROLINA  
 County/  Greenville Municipality of

Affiant's Address 4 Mcgee Street  
Greenville, SC 29601-  
Affiant's Telephone (864)467-5384

ARREST WARRANT

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

It appearing from the above affidavit that there are reasonable grounds to believe that on 1/12/2006 defendant Terrell T Howard did violate the criminal laws of the State of South Carolina (or ordinance of  County/  Greenville) as set forth below:

DESCRIPTION OF OFFENSE: Robbery / Attempted robbery (charge as principal offense)

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

Sworn to and subscribed before me on 01/12/2006  
Signature of Issuing Judge  
Horace Butler Jr  
Judge Code: 5020  
Issuing Court:  Magistrate  Municipal  Circuit

Judge's Address 4 Mcgee Street Room 116-A  
Greenville, SC 29601-  
Judge's Telephone (864)467-5315

DEFENDANT COPY DEFENDANT COPY DEFENDANT COPY DEFENDANT COPY DEFENDANT COPY

DEFENDANT COPY

AFFIDAVIT

FORM 10-1-01-10  
S.C. Attorney General  
April 21, 2003  
SCCA 518

Judge \_\_\_\_\_

on \_\_\_\_\_

Type and Amount: \_\_\_\_\_

Name of Surety: \_\_\_\_\_

PRELIMINARY HEARING held by

Judge \_\_\_\_\_

on \_\_\_\_\_

Defendant Attorney: \_\_\_\_\_

Decision: \_\_\_\_\_

DISPOSITION before

Judge \_\_\_\_\_

on \_\_\_\_\_

by \_\_\_\_\_

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

JURORS

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Telephone: \_\_\_\_\_

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Telephone: \_\_\_\_\_

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Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Telephone: \_\_\_\_\_

CODFENDANTS

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Telephone: \_\_\_\_\_

ARREST WARRANT

1-341790

STATE OF SOUTH CAROLINA  
County/  Greenville Municipality of Greenville

THE STATE 1-05-167871  
against

Terrell T Howard  
Address: 3761 North West 27 Avenue  
Miami, FL 33055-

Phone: SSN: 201-62-6628  
Sex: M Race: B Height: 5 11 Weight: 150  
DL State: SC DL #: 090559243  
DOB: 9/22/1982 Agency ORI #: SC0230000  
Prosecuting Agency: Greenville County Sheriff's Office  
Prosecuting Officer: A L Bailey  
Offense: Weapons / Poss. weapon during violent crime, if not also sentenced to life witho

Offense Code: 0549  
Code/Originance Sec: 16-23-0490  
This warrant is CERTIFIED FOR SERVICE in the  
 County/  Municipality of  
is to be arrested and brought before me to be dealt with according to the law.

(L.S.)

Date: \_\_\_\_\_  
Signature of Judge

RETURN

A copy of this arrest warrant was delivered to defendant Terrell T Howard on 01/17/06  
Fred R. Cooper #661 \*82  
Signature of Constable/Law Enforcement Officer

RETURN WARRANT TO:  
City Magistrate #1  
4 Mc Gee Street Room 116-A  
Greenville, SC 29601-2256

DEFENDANT COPY

AFFIDAVIT

STATE OF SOUTH CAROLINA  
County/  Greenville Municipality of Greenville  
Personally appeared before me the affiant A L Bailey who being duly sworn deposes and says that defendant Terrell T Howard violate the criminal laws of the State of South Carolina (or ordinance of Greenville ) in the following particulars:

DESCRIPTION OF OFFENSE: Weapons / Poss. weapon during violent crime, if not also sentenced to life witho

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

The affiant an investigator with the Greenville County Sheriffs Office has a written statement which implicates the defendant in the above offense. The defendant did present a handgun, a deadly weapon which was used during the commission of an Armed Robbery. This offense occurred back on December 23, 2005 at the Mikes Chevron gas station located at 4545 Augusta Road and within the County of Greenville.

Signature of Affiant  
A L Bailey

STATE OF SOUTH CAROLINA  
County/  Greenville Municipality of Greenville  
Affiant's Address 4 Mcgee Street  
Greenville, SC 29601-  
Affiant's Telephone (864)467-5384

ARREST WARRANT

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

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

on 1/12/2006 defendant Terrell T Howard )  
did violate the criminal laws of the State of South Carolina (or ordinance of ) as set forth below:  
 County/  Municipality of Greenville

DESCRIPTION OF OFFENSE: Weapons / Poss. weapon during violent crime, if not also sentenced to life witho

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

Sworn to and subscribed before me )  
on 01/12/2006 )  
Judge's Address 4 Mcgee Street Room 116-A  
Greenville, SC 29601-  
Judge's Telephone (864)467-5315  
Signature of Issuing Judge  
Horace Butler Jr  
Issuing Court:  Magistrate  Municipal  Circuit  
Judge Code: 5020

DEFENDANT COPY DEFENDANT COPY DEFENDANT COPY DEFENDANT COPY DEFENDANT COPY



ARREST WARRANT

1-341789

STATE OF SOUTH CAROLINA  
 County/ Municipality of Greenville

THE STATE 1-05-167871  
against Terrell T Howard

Address: 3761 North West 27 Avenue  
Miami, FL 33055

Phone: SSN: 201-62-6628  
Sex: M Race: B Height: 5 11 Weight: 150  
DL State: SC DL #: 090559243  
DOB: 9/22/1982 Agency ORI #: SC0230000  
Prosecuting Agency: Greenville County Sheriffs Office  
Prosecuting Officer: A L Bailey  
Offense: Robbery / Armed Robbery, robbery while armed  
or allegedly armed with a deadly we  
Offense Code: 0139  
Code/Ordinance Sec: 16-11-0330(A)

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

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

Date: (L.S.)  
Signature of Judge

RETURN

A copy of this arrest warrant was delivered to defendant on 4/17/06  
Terrell Howard

Signature of Constable/Law Enforcement Officer  
Fred P. Cooper #661 #82

RETURN WARRANT TO:  
City Magistrate #1  
4 Mc Gee Street Room 116-A  
Greenville, SC 29601-2256

DEFENDANT COPY DEFENDANT COPY DEFENDANT COPY

STATE OF SOUTH CAROLINA

County/ Municipality of Greenville

Personally appeared before me the affiant A L Bailey being duly sworn deposes and says that defendant Terrell T Howard did within this county and state on 01/12/2006

State of South Carolina for ordinance of  County/ Municipality of Greenville )  
in the following particulars:

DESCRIPTION OF OFFENSE: Robbery / Armed Robbery, robbery while armed or allegedly armed with a deadly we

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

The affiant an investigator with the Greenville County Sheriffs Office has a written statement which implicates the defendant in the above offense. The defendant did on December 23, 2005 enter the Mikes Chevron gas station while armed with a handgun, a deadly weapon. Defendant did take, steal and with the intent to permanently deprive the business of approximately \$9,000.00 in cash. This incident occurred at 4545 Augusta Road and within the County of Greenville.

Signature of Affiant  
*A L Bailey*

STATE OF SOUTH CAROLINA  
 County/ Municipality of Greenville

Affiant's Address 4 Mcgee Street  
Greenville, SC 29601-  
Affiant's Telephone (864)467-5384

ARREST WARRANT

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

It appearing from the above affidavit that there are reasonable grounds to believe that on 1/12/2006 defendant Terrell T Howard did violate the criminal laws of the State of South Carolina (or ordinance of  County/ Municipality of Greenville ) as set forth below:

DESCRIPTION OF OFFENSE: Robbery / Armed Robbery, robbery while armed or allegedly armed with a deadly we  
Having found probable cause and the above affiant having sworn before me, you are empowered and directed to arrest the said defendant and bring him or her before me forthwith to be dealt with according to law. A copy of this Arrest Warrant shall be delivered to the defendant at the time of its execution, or as soon thereafter as is practicable

Sworn to and subscribed before: me on 01/12/2006

Judge's Address 4 Mcgee Street Room 116-A  
Greenville, SC 29601-  
Judge's Telephone (864)467-5315  
Issuing Court:  Magistrate  Municipal  Circuit

DEFENDANT COPY DEFENDANT COPY DEFENDANT COPY DEFENDANT COPY DEFENDANT COPY

DEFENDANT COPY

AFFIDAVIT

who

violate the criminal laws of the )

DEFENDANT COPY

Judge \_\_\_\_\_

on \_\_\_\_\_

Type and Amount \_\_\_\_\_

Name of Surety: \_\_\_\_\_

**PRELIMINARY HEARING held by**

Judge \_\_\_\_\_

on \_\_\_\_\_

Defendant Attorney: \_\_\_\_\_

Decision: \_\_\_\_\_

**DISPOSITION before**

Judge \_\_\_\_\_

on \_\_\_\_\_

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

Disposition: \_\_\_\_\_

Sentence: \_\_\_\_\_

**JURORS**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Name: \_\_\_\_\_  
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Name: \_\_\_\_\_  
Address: \_\_\_\_\_

Telephone: \_\_\_\_\_

**CODEFENDANTS**

\_\_\_\_\_  
\_\_\_\_\_



- THE END OF EXHIBIT 1 -

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- THE END OF EXHIBIT 1 -

- THE END OF EXHIBIT 1 -

- EXHIBIT 2 -

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- EXHIBIT 2 -

- EXHIBIT 2 -

State of South Carolina  
Solicitor, Thirteenth Judicial Circuit

Telephones: 864-467-8647  
Telefax: 864-467-8610

Greenville County Courthouse  
305 E. North Street, Suite 325  
Greenville, SC 29601-2185

Solicitor  
Robert M. Ariail

9/20/2006

TIMOTHY SULLIVAN  
P.O. BOX 2842  
GREENVILLE, SC 29602

RE: Plea Offer for State v. Terrell T Howard

Mr. Timothy Sullivan :

I am willing to make the following proposal to your above-referenced client in order to dispose of these charges by way of a guilty plea:

The defendant will plead guilty to the following:

Warrant Number: Charge:

006703	ARMED ROBBERY - ATTEMPTED
006701	ARMED ROBBERY
70025	Weapons / Poss. weapon during violent crime, if not also sen
41792	Weapons / Poss. weapon during violent crime, if not also sen
541781	Robbery / Attempted robbery (charge as principal offense)
1341700	Weapons / Poss. weapon during violent crime, if not also sen
1541715	Robbery / Armed Robbery, robbery while armed or allegedly ar

The State will dismiss the following:

Warrant Number: Charge:

095291	Drugs / Possession of less than one gram of meth. or cocaine
11942098	Weapons / Unlawful carrying of pistol

The State will make the following sentence recommendations/negotiation:

25 years or straight up, whichever you prefer.

MOVE TO AMEND INDICTMENT 06-2543. INDICTMENT SHOULD READ "DECEMBER 20<sup>TH</sup>" INSTEAD OF "JANUARY 20<sup>TH</sup>."

**GUILTY PLEA SUMMARY SHEET**

**DEFENDANT:** Terrell Howard

**LEC:**XX

**JAIL TIME:** 259 days (9/20/06)

**CO-DEFENDANT:** See Below

**DISPOSITION:**

**DEF. ATTY** Tim Sullivan

**PH#**

**INVESTIGATOR:** Kathy Raines

**PH#** 8267

**FACTUAL SUMMARY (All Elements):** Armed Robbery (06-2542) and Poss of Weapon (06-2543)- On December 20, 2005, the defendant entered the Spinx BP Station on Pelham Road in Greenville County. The Defendant had covered his face and was carrying a handgun. He approached Ruth Yang, who was working in the store, and demanded the money from the cash register. Yang gave the defendant the money from the cash registers and the defendant fled on foot. After the defendant was arrested, he gave a statement, admitting the crime. Attempted Armed Robbery (06-4242)- On December 22, 2005, the defendant entered the Earshot store, located at 1418 Laurens Road in Greenville County, wearing a ski mask and holding a gun. The defendant ordered Lawrence Dunn, an employee, to give him the money in the register. Dunn then told the defendant to get out of the store, and the defendant left the store without getting any money. Armed Robbery (06-2532)- On December 23, 2005, the defendant went into Mike's on Augusta Road in Greenville County, armed with a hand gun. He walked up to the owner, Gitaba Patel, pointed the gun at her head, and demanded the money in the cash register. Patel gave him the money, and the defendant left the store on foot. After being arrested, the defendant gave a written statement, admitting his guilt. Armed Robbery (06-4243)- On January 2, 2006, the defendant and another black male entered the Chevron Station on Pleasantburg Drive in Greenville County. The defendant laid a gun on the counter and demanded that Felicia Roundtree, the clerk, give them the money from the cash register. The defendant and the other man took the money from the register and fled on foot. The defendant later admitted to committing the crime. 3 More Charges. I'm waiting on Code 5s

**IMPORTANT RECORD:** 2003- Distribution of Controlled Substance (FL) 2001- Possession of Crack Cocaine

**RECOMMENDATION:** 25 years or straight up, whichever you prefer

**PER INDICTMENT**

CHARGE	VIO/NVIO	CODE	IND#	SENTENCE	VICTIM	RESTIT.
Armed Robbery	Vio	16-11-330	06-2542	10-30 years, no probation or suspended sentence	Ruth Yang	0
Possession of a Weapon during the Commission of a Violent Crime	Nvio	16-23-490	06-2543	At least 5 years (not suspendable, no probation)		0
Attempted Armed Robbery	Vio	16-11-330	06-4242	0-20 years	Lawrence Dunn	0
Armed Robbery	Vio	16-11-330	06-2532	10-30 years, no probation or suspended sentence	Gitaba Patel	0

Armed Robbery	Vio	16-11-330	06-4243	10-30 years. no probation or suspended sentence	Felicia Roundtree	0

**VICTIM INFORMATION**

<u>VICTIM</u>	<u>ADVOCATE</u>	<u>NOTIFIED</u>	<u>PRESENT</u>	<u>VICTIM IMPACT IN FILE</u>	<u>VICTIM INPUT</u>
	D. Downs				

**OFFICER INFORMATION**

<u>OFFICER</u>	<u>DATE NOTIFIED</u>	<u>PRESENT</u>	<u>OFFICER INPUT</u>

**DISPOSITION**

JUDGE:

DATE:

ASST. SOL.

CT. RPTR:

SENTENCE:

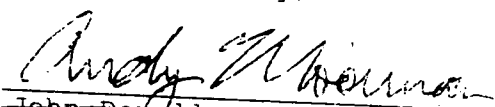
RESTITUTION:

Submitted By:

Andrew B. Moorman  
Asst. Sol. Assigned

Please contact me as soon as possible with your client's response as plea negotiations must be concluded and the guilty plea entered before 12/14/2006 or this and any other offers are automatically withdrawn. If your client does not plead guilty by this date, the case(s) will be placed on the trial calendar for disposition without further negotiation.

Yours very truly,



~~John Reilly~~  
Assistant Solicitor

ARREST WARRANT

I-470020

STATE OF SOUTH CAROLINA  
County/  Greenville Municipality of

THE STATE 2005-166373  
against

Terrell T Howard

Address: 300 Furman Hall Rd Apt 25 G  
Greenville, SC 29601-

Phone: (864)233-1948 SSN: 201-62-6628  
Sex: M Race: B Height: 5 11 Weight: 150  
DL State: SC DL #: H63081823420  
DOB: 9/22/1982 Agency ORI #: SC0230000  
Prosecuting Agency: Greenville County Sheriffs Office  
Prosecuting Officer: T L Patton  
Offense: Robbery / Armed Robbery, robbery while armed  
or allegedly armed with a deadly we  
Offense Code: 0139  
Code/Ordinance Sec: 16-11-0330(A)

This warrant is CERTIFIED FOR SERVICE in the  
 County/  Municipality of  
is to be arrested and brought before me to be  
dealt with according to the law.

Date: \_\_\_\_\_ (L.S.)  
Signature of Judge

RETURN

A copy of this arrest warrant was delivered to  
defendant TERRELL HOWARD  
on 01-17-06

[Signature]  
Signature of Constable/Law Enforcement Officer

RETURN WARRANT TO:

City Magistrate #2  
4 Mc Gee Street Room 116-B  
Greenville, SC 29601

DEFENDANT COPY

DEFENDANT COPY

DEFENDANT COPY

DEFENDANT COPY

DEFENDANT COPY

DEFENDANT COPY

STATE OF SOUTH CAROLINA  
 County/  Greenville Municipality of

Personally appeared before me the affiant T L Patton

being duly sworn deposes and says that defendant Terrell T Howard

did within this county and state on 12/20/2005

State of South Carolina (or ordinance of  County/  Municipality of Greenville

violate the criminal laws of the

who

DESCRIPTION OF OFFENSE: Robbery / Armed Robbery, robbery while armed or allegedly armed with a deadly we

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

The affiant, a Violent Crimes Investigator received a report dtd December 20, 2005 of an Armed Robbery at 3556 Pelham Road (BP Station). Subsequent to the robbery investigation, the defendant was interviewed and did admit that he willfully did take and steal US Currency in the amount of \$357.00 with the intent to permanently deprive the owner's of their property. The defendant admits to being in possession of a nine-millimeter handgun during the time of the robbery and did present said weapon to the clerk to obtain the money. This did occur in Greenville County. See Case # 2005-166373

Signature of Affiant

STATE OF SOUTH CAROLINA  
 County/  Greenville Municipality of

Affiant's Address 4 Micgee Street  
Greenville 29601-  
Affiant's Telephone (864)467-5240

ARREST WARRANT

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

It appearing from the above affidavit that there are reasonable grounds to believe that  
on 12/20/2005 defendant Terrell T Howard  
did violate the criminal laws of the State of South Carolina (or ordinance of  County/  Greenville  
) as set forth below:

DESCRIPTION OF OFFENSE: Robbery / Armed Robbery, robbery while armed or allegedly armed with a deadly we  
Having found probable cause and the above affiant having sworn before me, you are empowered and directed to arrest the said defendant and bring him or her before me forthwith to be dealt with according to law. A copy of this Arrest Warrant shall be delivered to the defendant at the time of its execution, or as soon thereafter as is practicable

Sworn to and subscribed before me  
on 01/13/2006

Signature of Issuing Judge (L.S.)  
James E. Hudson  
Judge Code: 5031

Judge's Address 4 Micgee Street, Room 116-B  
Greenville, SC 29601-  
Judge's Telephone (864)467-5302

Circuit

Municipal

Magistrate

Issuing Court:

DEFENDANT COPY

DEFENDANT COPY

DEFENDANT COPY

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DEFENDANT COPY

BALL set by

WITNESSES

Judge \_\_\_\_\_  
on \_\_\_\_\_  
Type and Amount: \_\_\_\_\_  
Name of Surety: \_\_\_\_\_

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Telephone: \_\_\_\_\_  
Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Telephone: \_\_\_\_\_

PRELIMINARY HEARING held by

Judge \_\_\_\_\_  
on \_\_\_\_\_

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Telephone: \_\_\_\_\_

Defendant Attorney: \_\_\_\_\_

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Telephone: \_\_\_\_\_

Decision: \_\_\_\_\_

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Telephone: \_\_\_\_\_

DISPOSITION before

Judge \_\_\_\_\_  
on \_\_\_\_\_

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Telephone: \_\_\_\_\_

by \_\_\_\_\_  
(Indicate jury trial, bench trial, plea, nol. pros., etc.)

Disposition: \_\_\_\_\_  
Sentence: \_\_\_\_\_

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Telephone: \_\_\_\_\_

JURORS

\_\_\_\_\_

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Telephone: \_\_\_\_\_

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Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Telephone: \_\_\_\_\_

\_\_\_\_\_

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Telephone: \_\_\_\_\_

CODERENANTS

\_\_\_\_\_

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- EXHIBIT 3 -



GREENVILLE CITY POLICE DEPARTMENT  
 4 McGee Street  
 Greenville, South Carolina

Warrant Request

Agency ID Number SC 0230 200	Date: 1/6/06	Case #: 06-05417
---------------------------------	--------------	------------------

Defendant: HOWARD Terell T.  
 (last) (First) (Middle)

Address: 108 Spruce St, Lot 4 Greenville S.C.29611  
 (Street) (city) (State/ Zip)

Phone #: n/a

DOB: 09-22-82 Race/Sex: b/m Ht/Wt: 5'11/150 SSN: 201-62-6628

Hair: blk Eyes: bro DL/State: n/a

Incident Type: Armed Robbery Code Section: \_\_\_\_\_

Location: 1461 N. PLEASANTBURG, DR (CHEVRON STATION) Date: 01-02-06

Magistrate: \_\_\_\_\_ Warrant #: \_\_\_\_\_

Affiant: Det, W.C. Bruce

Affidavit

ON 01-02-06 THE DEFENDANT TERELL T. HOWARD DID GO TO 1461 N. PLEASANTBURG DR. THE CHEVRON STATION AND DID PRESENT A HAND GUN AND DEMANDED MONEY. THE DEFENDANT AND A CO-DEFENDANT DID USE A SILVER TOYOTA TUNDRA PICK UP TRUCK WITH A THRIFTY PAPER TAG TO DRIVE TO AND FROM THE INCIDENT LOCATION. THE DEFENDANTS GOT AN UNDETERMINED AMOUNT OF MONEY. THE DEFENDANT DID GIVE A WRITTEN STATEMENT ON THE INCIDENT

# GREENVILLE COUNTY DPS FORENSIC INVESTIGATION REPORT



## CRIME SCENE INFORMATION

Requesting Agency: Greenville Police Department		Response Date: 1/2/06		Case #: 2-06-005417	
Offense: ARMED ROBBERY		Secondary Offense:		Area: ADAM	
Location: 1461 N PLEASANTBURG DR			City: GREENVILLE		State: SC
Secondary Location:			City:		State:
Recd: 2330	En Route: 2334	Arrived: 2347	Cleared: 0032	En Route 0032	
Investigating Officer: AUSTIN			Officer Unit #: 155		On scene upon arrival: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>

## VICTIM / COMPLAINANT INFORMATION

1	Victim/Business	Name: CHEVRON STATION (BILL THOMPSON, OWNER)			
		Address: SAME AS ABOVE		City:	State:
				Phone #:	420-4181
2	N/A	Name:			
		Address: SAME AS ABOVE		City:	State:
				Phone #:	
3	N/A	Name:			
		Address: SAME AS ABOVE		City:	State:
				Phone #:	

Vehicle Information	1	Make:	Model:	Year:	VIN / Tag:
		Registered Owner:		Address:	
	2	Make:	Model:	Year:	VIN / Tag:
		Registered Owner:		Address:	
	3	Make:	Model:	Year:	VIN / Tag:
		Registered Owner:		Address:	

## INCIDENT NARRATIVE

Narrative: The convenience store clerk (Felicia Roundtree) reports that two male subjects entered the store and both displayed handguns. One subject stood by the door while the other came behind the counter and stole cash from two drawers. The second subject laid his gun on the counter, reached beneath the counter for one cash drawer and stole the money. Both subjects fled in a silver colored pick up.

The store does not have working video, and the clerk did not recall if the suspect(s) wore gloves. This R/O took overall photographs of the scene. This R/O observed two coins on the ground just outside the point of entry/exit. Two dollar bills were seen on the floor behind the register area of the store. This R/O processed the scene for latent prints with positive results. Areas processed include the door used by the suspect(s), the counter top, two cash drawers, and areas behind the counter possibly touched by the suspect.

Upon return to the Crime Scene office the photographs were entered into the Digital Crime scene database, with Call ID 15788 assigned. The lifted latents were forwarded to the DPS Latents Section.

## DISPOSITION

Photographs <input checked="" type="checkbox"/>	Photo I.D. #15788	Photo I.D. #	Note:
Collected Items Processed: <input type="checkbox"/>	Results: N/A	Remarks: N/A	
Forensic Investigation Disposition:	Latents forwarded to DPS Latent Division: <input checked="" type="checkbox"/>	Elimination prints forwarded to DPS Latent Division: <input type="checkbox"/>	
	Evidence items packaged and placed in DPS P&E: <input type="checkbox"/>	Total evidence items placed into P&E:	
REPORTING OFFICER		STAR #	UNIT #
REPORTING OFFICER	Robertson, C.A. <i>[Signature]</i>	STAR #	UNIT #
APPROVING SUPERVISOR	<i>[Signature]</i>	STAR #	UNIT #
		DATE	DATE
		8840	929
		8565	912
			1/3/06
			1/3/06

01-1-06



- THE END OF EXHIBIT 3 -

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- THE END OF EXHIBIT 3 -

- THE END OF EXHIBIT 3 -

## CONCLUSION

For the foregoing reasons, Petitioner ask this court to grant relief to this matter that is before the court appoint counsel to represent petitioner, and for a post-conviction relief hearing to be held.

Respectfully Submitted,  
S/ Terrell T. Howard  
Terrell T. Howard #283888  
LEE Correctional Institution  
990 WISACKY Highway  
Bucksville S.C. 29010

THE STATE OF SOUTH CAROLINA  
IN THE SUPREME COURT

CERTIFICATION OF SERVICE

This is to certify that the undersigned Petitioner did on the day serve upon the clerk of court for the Supreme Court of South Carolina, Post Office Box 11380, Columbia, South Carolina 29211. This certification is to this court that received the notice of appeal in Petitioner case No. 2014-000277

Pursuant to 28 U.S.C. § 1746, I, Terrell T. Howard, declare under penalty of perjury that the following is true and correct on this 2nd day of April 2014

Respectfully submitted,

s/ Terrell T. Howard

Terrell T. Howard #283988  
LEE Correctional Institution  
990 Waresby Highway  
Bishopville S.C. 29010

[ Press ]

TERRELL T. HOWARD # 283888  
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THE SUPREME COURT OF SOUTH CAROLINA  
JAMES E. HILLENBORE, CLERK OF COURT  
POST OFFICE BOX 11330  
COLUMBIA, SOUTH CAROLINA 29211

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