

COUNTY OF Horry
STATE VS.

INDICTMENT/CASE#: 2013GS2605012

Eric Morse

A/W#: 2013A2611000111

AKA: _____

Date of Offense: 8/12/2013

Race: BLACK Sex: M Age: 42

S.C. Code § : 16-11-0312(B)

DOB: SS#

CDR Code #: 0086

Address: _____

City, State, Zip: _____

DL#: _____ SID#: _____

SENTENCE SHEET

*CDL Yes No CMV Yes No Hazmat Yes No

In disposition of the said indictment comes now the Defendant who was CONVICTED OF or PLEADS TO: Burglary, 2nd Degree, Violent (after 06/20/85) (0-15)

in violation of § 16-11-0312(B) of the S.C. Code of Laws, bearing CDR Code # 0086

NON-VIOLENT VIOLENT SERIOUS MOST SERIOUS Mandatory GPS(CSC w/minor 1st or Lewd Act) §17-25-45

The charge is: As Indicted, Lesser Included Offense, Defendant Waives Presentment to Grand Jury. (defendant's initials)

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

ATTEST: Richardson, Bradley C. SCB68305 SC Bar# 8396
Eric Morse Defendant Attorney for Defendant SC Bar#

WHEREFORE, the Defendant is committed to the State Department of Corrections, County Detention Center,

for a determinate term of 6 years or under the Youthful Offender Act not to exceed _____ years and/or to pay a fine of \$ _____; provided that upon the service of _____ days/months/years 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.

CONCURRENT or CONSECUTIVE to sentence on:
 The Defendant is to be given credit for time served pursuant to S.C. Code § 24-13-40 to be calculated and applied by the State Department of Corrections. Credit for 341 days of service.
 The Defendant is to be placed on the Central Registry of Child Abuse and Neglect pursuant to S.C. Code § 17-25-133.

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

SPECIAL CONDITIONS:

RESTITUTION: Deferred Def. Waives Hearing Ordered PTUP _____ days/hours Public Service Employment
Total: \$ _____ plus 20% fee: \$ _____
Payment Terms: _____
 Set by SCDPPPS _____

Recipient: _____
Obtain GED
Attend Voc. Rehab. or Job Corp. _____
May serve W/E beginning _____
Substance Abuse Counseling

*Fine:		\$
§ 14-1-206 (Assessments 107.5 %)		\$
§ 14-1-211(A)(1) (Conv. Surcharge)	\$100	\$ 100.00
§ 14-1-211(A)(2) (DUI Surcharge)	\$100	\$
§ 56-5-2995 (DUI Assessment)	\$12	\$
§ 56-1-286 (DUI Breath Test)	\$25	\$
Proviso 47.9 (Public Def/Prob)	\$500	\$
§ 14-1-212 (Law Enforce. Funding)	\$25	\$ 25.00
§ 14-1-213 (Drug Court Surcharge)	\$150	\$
§ 50-21-114(BUI Breath Test Fee)	\$50	\$
§ 56-5-2942(J) (Vehicle Assessment)	\$40/ea	\$
Proviso 90.5 (SCCJA Surcharge)	\$5	\$ 5.00
3% to County (if paid in installments)		\$ 3.90
TOTAL		\$ 133.90

Random Drug/Alcohol testing
Fine may be pd. in equal consecutive weekly/monthly pmts. of \$ 25.00 beginning 8/21/2020
\$ _____ paid to Public Defender Fund
Other: _____

Appointed PD or appointed other counsel, § 47.12 requires \$500 be paid to Clerk during probation.

Clerk of Court/ Deputy Clerk Melanie Huggins-Ward
Court Reporter: Dixie Cubank
SCCA/217 (03/2011)

Presiding Judge [Signature]
Judge Code: _____
Sentence Date: 7/21/14

WITNESSES

Justin Miller Horry County Police Department

ARREST WARRANT NUMBER

2013A2611000111
CDR: 0086 16-11-0312(B)
DOA: 8/28/2013

ACTION OF GRAND JURY

TRUE BILL

Foreperson of Grand Jury
Date: *[Signature]*

VERDICT

Foreperson of Petit Jury
Date:

C DOCKET NO. 2013-GS-26- 05012

CERTIFIED COPY **The State of South Carolina** CERTIFIED COPY

2014 JUL 32 PM 2:21 **County of Horry** 2014 AUG -120 PM JUL 02 PM 1:59

M. Travis Hyman 13H04505

CLERK OF COURT
HORRY COUNTY
COURT OF GENERAL SESSIONS

Melanie
CLERK OF COURT
HORRY COUNTY

November, 2013 TERM

THE STATE

vs.

Eric Morse
B/ M
1330 Jacks Circle Rd
North Myrtle Beach, SC 29582-6928
DOB: 1972-05-15
SSN: 248218216

ATTORNEY: Galmore, James Cullen

Indictment for

BURGLARY, SECOND DEGREE
(VIOLENT)

Jimmy A. Richardson, II, Solicitor

ORIGINAL

STATE OF SOUTH CAROLINA)
)
COUNTY OF HORRY)

INDICTMENT
BURGLARY, SECOND DEGREE
(VIOLENT)

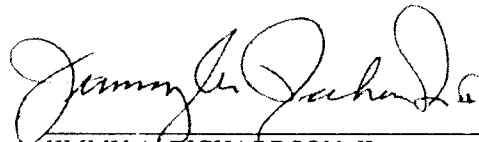
At a Court of General Sessions, convened on November 21, 2013, the Grand Jurors of Horry County present upon their oath:

BURGLARY, SECOND DEGREE
(VIOLENT)

CDR: 0086 16-11-0312(B)

That Eric Morse did in Horry County on or between August 6, 2013 and August 24, 2013, enter without consent and with the intent to commit a crime therein, a building of H. Lee Brown located at 10320 Griffin Landing Road in the Nichols section of Horry County, and the defendant, Eric Morse, when, in effecting entry or while in the building or in immediate flight therefrom, he or another participant in the crime was armed with a deadly weapon, or displayed what is or appeared to be a pistol, revolver, rifle, shotgun, or other firearm, and/or the entering or remaining occurred in the nighttime, in violation of Section 16-11-0312(B), S. C. Code of Laws, 1976, as amended.

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



JIMMY A. RICHARDSON, II
FIFTEENTH CIRCUIT SOLICITOR

CERTIFIED COPY
2014 JUL 22 PM 11:11
Horry County Clerk
2014 AUG - 1 PM 2:18
Horry County Clerk

ARREST WARRANT

2013A2611000111

STATE OF SOUTH CAROLINA

County/ Municipality of

Horry

THE STATE 13075812 against

Eric Morse

Address: 1330 Jacks Circle Rd North Myrtle Beach, SC 29582-6928

Phone: SSI Sex: M Race: B Height: 6 Weight: 195 DL State: SC DL #:

DOB: Agency ORI #: SC0240400 Prosecuting Agency: Horry County Police Department Prosecuting Officer: Terry Elliott - 1860

Offense: Burglary / Burglary (After June 20, 1985) - First degree

Offense Code: 0079 Code/Ordinance Sec: 16-11-0311

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

(L.S.)

Signature of Judge

Date:

RETURN

A copy of this arrest warrant was delivered to defendant ERIC MORSE on 8-28-13

Signature of Constable/Law Enforcement Officer

RETURN WARRANT TO: 2013 SEP 10 PM 2:01 General Sessions PO Box 677 1301 2nd Avenue Conway, SC 29528

ORIGINAL ORIGINAL ORIGINAL ORIGINAL

STATE OF SOUTH CAROLINA

County/ Municipality of

Horry

Personally appeared before me the affiant Terry Elliott who

being duly sworn deposes and says that defendant Eric Morse did within this county and state on or about 8/12/2013

State of South Carolina (or ordinance of County/ Municipality of Horry)

in the following particulars:

DESCRIPTION OF OFFENSE: Burglary / Burglary (After June 20, 1985) - First degree

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

On 8-12-13 during the nighttime hours Eric Morse and a co-defendant did go to the river house belonging to H. Lee Brown located at 10320 Griffin Landing Road in the Nichols Section of Horry County. Upon arrival they did kick in the back door and enter the residence. Once inside they did take, steal, and carry away one black Mossberg .20 gauge pump with pistol grip shotgun, one Mossberg 410 auto shotgun, one Remington .12 gauge 870 pump shotgun, one Remington .12 gauge 1100 auto shotgun(camo) and one Stevens .20 gauge double barrel shotgun. Total loss to victim being approximately \$2300.00.

Signature of Affiant

Terry Elliott

STATE OF SOUTH CAROLINA

County/ Municipality of

Horry

Affiant's Address 2560 N. Main Street Conway, SC 29526- Affiant's Telephone (843)915-5350

ARREST WARRANT

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

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

on or about 8/12/2013 defendant Eric Morse did violate the criminal laws of the State of South Carolina (or ordinance of County/ Municipality of Horry) as set forth below:

DESCRIPTION OF OFFENSE: Burglary / Burglary (After June 20, 1985) - First degree

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 8/27/13

Signature of Issuing Judge Benjamin Charles Allen

Judge Code: 7241

Judge's Address 640 9Th Avenue Aynor, SC 29511-

Judge's Telephone (843)915-5296

Issuing Court: Magistrate Municipal Circuit

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Form Approved by S.C. Attorney General April 21, 2003 SCCA 518

AFFIDAVIT

CERTIFIED COPY

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8/12/2013 AUG 1 PM 2:18

CLERK OF COURT Horry County

2013 SEP 10 PM 2:01

STATE OF SOUTH CAROLINA)
COUNTY OF HORRY)

IN THE COURT OF GENERAL SESSIONS
OF THE FIFTEENTH JUDICIAL CIRCUIT

STATE OF SOUTH CAROLINA)

CERTIFICATE OF REPRESENTATION
(APPOINTING AS COUNSEL)

-VS-

ERIC MORSE

JAMES C. GALMORE

DEFENDANT)

FILE NO: 26A13-00002970

SSN: 248-21-8216

TO: Court of General Sessions of the Fifteenth Judicial Circuit
Office of the Solicitor
Appointed Counsel
Defendant

This certifies that the above captioned Defendant is eligible for the services of the Public Defender, such determination having been made on, 13th day of September, 2013, regarding the charge(s) of:

2013A2611000111 Burglary / Burglary 1st - First degree

The Defendant's Counsel is **James C. Galmore**. The office of the Public Defender requests on the Defendant's behalf any and all evidence in the possession of you and or your agents pursuant to S.C. Criminal Practice Rule 5, and Brady v. Maryland 373 U.S. 383 (1963). The formal Motion for Discovery is attached.



ORRIE E. WEST
FIFTEENTH CIRCUIT
PUBLIC DEFENDER

CONWAY, SC

DATED: September 13, 2013

FILED
HENRY COUNTY
2013 SEP 17 PM 12:38
KELANIE HUGGINS WARD
CLERK OF COURT
HURRY COUNTY
2013 SEP 17 PM 12:38
JUL 32 PM 2:22
PH 2:18

STATE OF SOUTH CAROLINA) IN THE COURT OF GENERAL SESSION
COUNTY OF Horry) OF THE FIFTEENTH JUDICIAL CIRCUIT
))
STATE OF SOUTH CAROLINA) NOTICE AND MOTION FOR PRODUCTION
) OF SPECIFIC EVIDENCE AND
-VS-) DISCLOSURE OF WITNESSES
))
ERIC MORSE)
DEFENDANT)

FILE NO: 26A13-00002970

TO: SOLICITOR FOR THE FIFTEENTH JUDICIAL CIRCUIT

YOU WILL PLEASE TAKE NOTICE that unless the prosecution responds to the Defendant's request for disclosure within 30 days, or within such time as may be ordered by the Court, Counsel for the Defendant will move this Court for an Order compelling that the State:

1. Make available for Defendant any and all written and oral statements by Defendant which are, or may come to be, in the possession of the State.
2. Make available for purposes of inspection, and copying, any and all police reports relating to the investigation and circumstances surrounding the crime which the Defendant is charged with, including any and all statements taken from witnesses and the Defendant.
3. Make available to the Defendant all tangible objects obtained during the investigation of this case, including, but not limited to:
 - (a) All tangible objects obtained from the scene of the crime; and
 - (b) All tangible objects obtained from the State's witnesses in this case
 - (c) All tangible objects the State intends to introduce into evidence at Trial which are relevant to the offense charged.
4. Make available any witnesses known to the State who have knowledge of facts which might be favorable to the Defendant.
5. Make available any promises made or actions taken by the State which caused or might have caused any witnesses for the State to testify on behalf of the State.
6. Make available any inconsistent statements made by witnesses for the State or any statements made by witnesses for the State which tend to exculpate the Defendants or to negate participation by the Defendants in the alleged crime.
7. Make available to the Defendant all results of laboratory tests, scientific tests, or physical examinations conducted in connection with this case, including but not limited to:
 - (a) Analysis of handwriting
 - (b) Photographs secured of the scene of the crime
 - (c) Comparison of fingerprints
8. Make available any facts which tend to exculpate the Defendant.
9. Make available any and all scientific or medical, psychiatric, legal or other

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CLERK OF COURT
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information, reports or records which might tend to reflect on the credibility or competence of any of prospective witnesses for the State.

10. Make available to the Defendant the names and addresses of all persons who have knowledge of this case or who have been interviewed by the investigating officers in connection with this case.

11. Make available to the Defendant, the SLED, FBI, and local arrest and conviction records of all persons, including the Defendant, named in connection with this proceeding.

12. Make any chemist, analyst, and all persons within the chain of custody appear in Court for the purpose of personally testifying. Attorney for the Defense thus objects to the introduction of any chemist's or analyst's report pursuant to Rule 6, S.C. Rules of Criminal Procedure.

13. Make available to the Defendant all video and audio recordings and/or notarized affidavits made pursuant to South Carolina Code § 56-5-2953 including but not limited to:

- (a) Police and booking reports;
 - (b) Police logs;
 - (c) Alcohol influence reports;
 - (d) Accident reports
 - (e) Reports dealing with defendant's refusal to submit to testing;
 - (f) Notes taken from any recording by Law Enforcement regarding conversations with potential prosecution witnesses
 - (g) Any notes taken by Law Enforcement with regards to this case which the officer intends to rely on, or make use of, at trial.
 - (h) The names of the officers or other witnesses who were with the Defendant within one hour of the arrest who had the opportunity to observe the appearance and behavior of the Defendant, to include the identity of any officer present at the scene of arrest.
 - (i) The time and place where the Defendant was given the Miranda warning and the name of the officer who advised him/her of the same.
 - (j) Any reports made by any laboratory or hospital concerning any examination made of any physical (urine, blood, etc.), photographic, or written evidence related to the Defendant's case.
 - (k) The records of analysis and the results of any chemical, urine, or breathalyzer tests administered to the Defendant.
14. Make available to the Defendant following information regarding the person(s) who administered the Defendant's chemical/breathalyzer tests:
- (a) The person's name and the name of his/her employer;
 - (b) The date of his/her original certification to give chemical/breathalyzer tests and the grade he/she received on the exam;
 - (c) The date of his/her most recent certification to give said tests; And his/her compliance with statutes and regulations providing for standards of training for person(s) administering such tests.
15. If the Defendant's blood alcohol concentration was determined on the basis of a test involving the use of any machine, provide the following information:
- (a) The type of machine used and the make, model, and serial number of particular machine;
 - (b) The manufacturer and the date of manufacture of the machine;
 - (c) The owner's manual and the instruction manual;
 - (d) The software program used in said machine;

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HARRY J. DUNN
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HARRY J. DUNN
COURT

- (e) The date of purchase by the agency owning the machine;
- (f) The location of machine;
- (g) The number of prior tests conducted on the machine;
- (h) All maintenance information for the last two years, including all repairs done and all calibrations made on the machine;
- (i) The results of all tests performed in the thirty (30) days prior to the date of the Defendant's arrests, including any tests in which the machine malfunctioned;
- (j) Any checklist to be used by the operator of the machine, either before, during, or after the admission of a test.

This information is requested pursuant to Rule 5 of the South Carolina Rules of Criminal Procedure. This information is further requested pursuant to Brady vs Maryland, 373 U.S. 383, 10 L. Ed. 2d 215, 83 S. Ct. 1194 (1963), U.S. vs Agurs, 427 U.S. 97, 49 L Ed 2nd 342, 96 S. Ct. 2392 1976, State vs Mixon 274 S.E. 2nd 406 (1981), City of Rock Hill vs Suchenski, 374 S.C. 12, 646 S.E.2d 879 (2007). Further this information is requested on the grounds that it is essential to insure the Defendant's right to a fair trial, right to confrontation of witnesses, the right to effective Counsel and due process of law guaranteed by the South Carolina Constitution and the United States Constitution.

WHEREFORE, Defendant prays:

- (a) That the Solicitor be Ordered to produce all information described herein and allow the Defendant the right to examine, inspect, copy and photograph, such materials and information at a specific time and place to be fixed by the Court.
- (b) That the information be provided no later than 30 days from the date of this request, as reflected by the Clerk of Court's time-stamp appearing on the face of this Document.
- (c) That the Court enter an Order requiring the Solicitor's Office to make continuing disclosure of all matters requested herein up to and during the Trial of the charges against the Defendant.

RESPECTFULLY SUBMITTED,



ORRIE E. WEST
 FIFTEENTH CIRCUIT
 PUBLIC DEFENDER

DATED: September 13, 2013
 CONWAY, SOUTH CAROLINA

CLERK OF COURT
 HORRY COUNTY
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