

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

Appeal from York County
J. Michael Baxley, Circuit Court Judge

RECEIVED

NOV 21 2014

S.C. Supreme Court

RICHARD KEITH POE,

PETITIONER,

V.

STATE OF SOUTH CAROLINA,

RESPONDENT

APPELLATE CASE NO. 2014-000737

SUPPLEMENTAL APPENDIX

ROBERT M. DUDEK
Chief Appellate Defender

South Carolina Commission on Indigent
Defense
Division of Appellate Defense
PO Box 11589
Columbia, SC 29211-1589

ATTORNEY FOR PETITIONER

ALAN WILSON
Attorney General

J. RUTLEDGE JOHNSON
Assistant Attorney General

P. O. Box 11549
Columbia, SC 29211

ATTORNEYS FOR RESPONDENT

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AMENDED
DOCKET NO. 2012-GS-46-03771

The State of South Carolina

County of York

COURT OF GENERAL SESSIONS

May 16, Term 2013

THE STATE

vs.

RICHARD KEITH POE

Indictment for

BURGLARY IN THE FIRST DEGREE

SC Code: 16-11-312
CDR Code: 079

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

Defendant

Richard R. Poe
hereby appear in my own proper person and plead guilty to the within indictment or to

[Signature]
Defendant

Witness:
Regina Rutledge - G. Sec.
C.C.C. PLS. AND G.S.

WITNESSES

YCSO/ Gurganus

vk

ARREST WARRANT NUMBER

J-158013

ACTION OF GRAND JURY

True Billed 11-15-2012

/s/ Paul Vehaun

TRUE BILL

Kathryn Lee Neal
Foreperson of Grand Jury

Date: *5-16-13*

VERDICT

Foreperson of Petit Jury
Date:

DOCKET NO. 2012-GS-46-03769

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

WITNESSES

The State of South Carolina

County of York

Defendant

YCSO/Gurganus

COURT OF GENERAL SESSIONS

November 15, Term 2012

I, Richard K. Poe hereby appear in my own proper person and plead guilty to the within indictment or to

vk

ARREST WARRANT NUMBER

THE STATE

vs.

RICHARD KEITH POE

Defendant

J-158014

ACTION OF GRAND JURY

TRUE BILL

Witness: Regina J. Rutledge - G. Spec.
C.C.C. PLS. AND G.S.

Paul G. Walker
Foreperson of Grand Jury

Date: 11/15/12

Indictment for

PETIT LARCENY

VERDICT

SC Code: 16-13-30

SC Code: 16-1-57

CDR Code: 3596

Foreperson of Petit Jury

Date:

DOCKET NO. 2012-GS-46-03772

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

WITNESSES

YCSO/Gurganus

The State of South Carolina
County of York

Defendant

Richard K. Poe
hereby appear in my own proper person and plead guilty to the within indictment or to

COURT OF GENERAL SESSIONS

November 15, Term 2012

vk

ARREST WARRANT NUMBER

J-158017

[Signature]
Defendant

THE STATE

vs.

Witness:
Regina D. Putledge - A. Spec.
C.C.C. PLS. AND G.S.

ACTION OF GRAND JURY

RICHARD KEITH POE

TRUE BILL

[Signature]
Foreperson of Grand Jury
Date: 11/15/12

Indictment for
CRIMINAL CONSPIRACY

VERDICT

SC Code: 16-17-410
CDR Code: 049

Foreperson of Petit Jury
Date:

STATE OF SOUTH CAROLINA)
)
COUNTY OF YORK)

INDICTMENT

At a Court of General Sessions, convened on November 15, 2012, the Grand Jurors of York County present upon their oath:

CRIMINAL CONSPIRACY

The Defendant, Richard Keith Poe, did in York County, South Carolina, on or about January 10, 2012, willfully, knowingly, and feloniously unite, combine, conspire, confederate, agree or have tacit understanding with other(s), for the purpose of committing the crime of Burglary, Larceny, B&E Auto at 3339 Filbert Highway, Clover, South Carolina. All in violation of Section 16-17-410, Code of Laws of South Carolina, (1976, as amended).

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

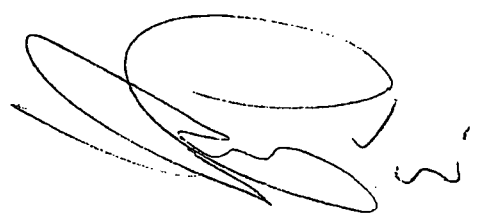


ASSISTANT SOLICITOR

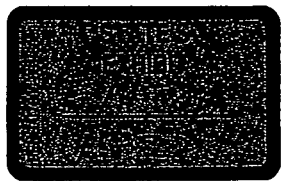
Sean,

how are you, Well I found out
 you have not said anything to Solicitor
 That's what she said to Wanda
 Anyways, she also mentioned she was
 not aware of the Law-suit, I'm requesting
 you come and see my and I'm asking
 for a copy of Pleadings that are to
 be filed regarding Trial by way of Jury.
 This Bull Crap has gone on long enough
 Time of 18 mo. to 2 yrs or longer I'm
 not accepting anything more, period.

Richard K. Poe



5-1-13

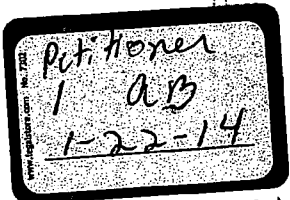


3-26-13

I Kenneth Stiles am writing The Court, to let them know that I will not be testifying in the matter of Richard K Poe. I would like to see the charges dropped. Mr Poe has been in jail long enough. It would be a blessing if Mr. Poe was released and get proper medical care. I asked the court to let Mr Poe free. He deserves to be released and start his life over and medical care

803-222-7094

Kenneth K Stiles
3338 Felicit Thompson
Claver St. 29-110



Witness Sharon Stiles 3-26-13

Witness ~~Travis B~~ 3-26-13

Witness Wanda Kimbell 3-26-13

J-158013

STATE OF SOUTH CAROLINA

County/ Municipality of

York

THE STATE
against

Richard Keith Poe

Address:

Phone: SSN: Sex: M Race: W Height: 5 5 Weight: 145

DL State: DL #: DOB: Agency ORI #: SC0460000

Prosecuting Agency: York County Sheriff

Prosecuting Officer: R J Gurganus - G0626

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 Richard Keith Poe

on 6-11-12

[Signature]
Signature of Constable/Law Enforcement Officer

RETURN WARRANT TO:

York County General Sessions
1675 York Hwy
York, SC 29745

ORIGINAL

ORIGINAL

ORIGINAL

ORIGINAL

County/ Municipality of

York

AFFIDAVIT

April 21, 2004
SCCA 516

Personally appeared before me the affiant R J Gurganus

being duly sworn deposes and says that defendant Richard Keith Poe

did within this county and state on or about 01/10/2012

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

violating the criminal laws of 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:

The defendant did willfully and unlawfully violate the laws of this state by entering a locked storage building at 3339 Filbert Highway, Clover, York County, South Carolina, with the intent to commit the crime of Larceny. The storage building was located directly behind victim's house. While inside the building the defendant stole the victim's air compressor, battery charger, numerous hand tools, and fishing gear. The crime was committed during the nighttime hours. This being against the peace and dignity of this state and all such laws made and provided for.

Probable cause is based on: Police Investigation, Defendant's Verbal Statement, Witness Statement and Recovery of Evidence.

Signature of Affiant

[Signature]

STATE OF SOUTH CAROLINA
 County/ Municipality of

York

Affiant's Address Moss Justice Center

York, SC 00000-000

Affiant's Telephone (803)628-3059

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 1/10/2012 defendant Richard Keith Poe

did violate the criminal laws of the State of South Carolina (or ordinance of

County/ Municipality of York) 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 01/18/2012

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

Lynne Horton Benfield

Judge Code: 5806

Judge's Address Moss Justice Center

York, SC 29745-7423

Judge's Telephone (803)628-3029

Issuing Court: Magistrate Municipal Circuit

ORIGINAL

ORIGINAL

ORIGINAL

LED-RECEIVED

2012 JUN 13 AM 8:45

DAVID HAMILTON
S.C.C.P. & C.
YORK COUNTY, S.C.

Pettone's
2, a B
1-22-14

2013 JUL 19 AM 0:15
DAVID HAMILTON
S.C.C.P. & C.
YORK COUNTY, S.C.

CO

WITNESSES

YCSO/ Gurganus

vk

ARREST WARRANT NUMBER

J-158013

ACTION OF GRAND JURY

True Billed 11-15-2012

/s/ Paul Vehaun

TRUE BILL

Kathryn Lee Neal
Foreperson of Grand Jury

Date: 5-16-13

VERDICT

Foreperson of Petit Jury

Date:

AMENDED
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The State of South Carolina

County of York

COURT OF GENERAL SESSIONS

May 16, Term 2013

THE STATE

vs.

RICHARD KEITH POE

Indictment for

BURGLARY IN THE FIRST DEGREE

SC Code: 16-11-312
CDR Code: 079

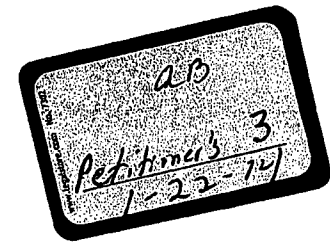
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Richard R. Poe
hereby appear in my own proper person and plead guilty to the within indictment or to

[Signature]
Defendant

Witness:
Regina Rutledge - Sec.
C.C.C. PLS. AND G.S.



DOCKET NO. 2012-GS-46-03771

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

WITNESSES

YCSO/Gurganus

The State of South Carolina

County of York

Defendant

COURT OF GENERAL SESSIONS

November 15, Term 2012

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

vk

ARREST WARRANT NUMBER

J-158013

Defendant

THE STATE

vs.

Witness:

C.C.C. PLS. AND G.S.

ACTION OF GRAND JURY

TRUE BILL

RICHARD KEITH POE

Foreperson of Grand Jury

Date: 11/15/12

VERDICT

**Indictment for
BURGLARY 1ST DEGREE**

SC Code: 16-11-311
CDR Code: 079

Foreperson of Petit Jury

Date: