

**RECEIVED**

NOV 18 2014

STATE OF SOUTH CAROLINA  
COUNTY OF BERKELEY

**S.C. SUPREME COURT**

\_\_\_\_\_  
AFFIDAVIT OF  
THOMPSON-WHITE  
\_\_\_\_\_

I hereby swear under penalty of perjury that the below facts, events, and circumstances are accurate as stated herein, and that upon my belief and knowledge I hold them to be true.

My name is Thompson White, and I live at \_\_\_\_\_ Street, Charleston, South Carolina. After I returned home from a fishing trip on September 22, 2010, I was met in the street by several relatives of my live-in girlfriend, Shakerra Brown. Ms. Brown's relatives begin to verbally assault me, and then began to physically assault me, which resulted in my being knocked unconscious.

When I awoke on my front porch, Ms. Brown's relatives were standing over me, and Eugene Evans, one of the relatives and persons who beat me, asked, "where's the gun?" I got up from the porch and went into my home and told Shakerra to call the police. Shakerra's mother also lived in the home with Shakerra and myself. After I told Shakerra to call the police I saw someone run past my window outside my home. I did not want the persons outside shooting into my home and endangering the lives of Shakerra and her mother, so I got my .22 rifle and went outside. (See attached affidavit of Shakerra Brown).

I walked toward the back of my house to make sure no one was breaking in. As I did so, I saw Eugene Evans coming toward me. I yelled at him and told him Shakerra had called the police and that he was going to jail. Eugene was carrying a towel or shirt draped over his hand, partially concealing what I believed to be a handgun. I fired two warning shots in the air, and that is when Eugene charged me. I swung the rifle up and fired at Eugene before he could shoot me. (See attached police statement of Rosalyn Brown).

I fired my rifle at Eugene Evans only because I believed he had a handgun. When the police arrived Eugene Evans was lying on his side. When Eugene was turned over on his back, the police discovered a shirt and a cell phone under his body. The cell phone is what I believed to be a gun and that Eugene Evans was going to kill me. (See attached police incident report).

When I plead guilty, I had no means of proving that Eugene had a handgun, or that he had in his hand what I believed was a handgun. I had no way to prove that I did not shoot Eugene Evans in cold blood, until I had possession of the police incident report which verifies that I intended only to protect my own life. I did not leave my home with the intention of shooting anyone, and I did not understand when I was in court that I could make the above statements to the court in my defense. END OF STATEMENT.

Dated: 21 Dec 2012  
Ridgeville, South Carolina

1st Thompson White  
Thompson White, Affiant

SWORN TO AND DESCRIBED before me  
this 21st day of December, 2012.

Jack Lamb  
NOTARY PUBLIC OF SOUTH CAROLINA

My Commission Expires: March 9, 2014

State of South Carolina  
County of Charleston

Attendant of  
Shakenna Brown

personally appeared before me one Shakenna  
Brown 31 years old and I live at \_\_\_\_\_ st  
Charleston SC 29403 After Being duly Sworn  
Deposes That:

That on the night of the Incident I had  
I had a disagreement with my live in  
Boyfriend Thompson while at our home  
\_\_\_\_\_ st Charleston SC 29403. The

Argument was only us taking love to  
Each other because Thompson didn't like  
The dinner I had cooked for him.

I wasn't in fear of my life on anything  
close to it. I called my brother David  
Brown after Thompson and I had finish  
talking not out of fear of Thompson  
but to ask David if he was stopping  
by after work. I mentioned that Thompson  
and I had an argument but I had  
no idea that David would have told  
my other family members because the  
disagreement between Thompson and me  
wasn't bad at all and Thompson didn't  
harass me. I had no idea my  
family was coming over because that was  
not my intention when I called David.

David Did not feel The Argument was  
Bad Because He Didnt come over Himself

After Thompson White was Arrested I  
talked to The Solicitors office (a white male)  
I Dont Recall His name. I was Told  
By The Solicitors office That They would  
Let me know when Thompson would go to  
Court. I was not contacted By The  
Solicitors office Like The Rest of My  
Family when Thompson went to Court.

If I Had Been Contacted By The  
Solicitors office I would Have come  
to Court and Tell The Court That  
The Disagreement Between Thompson and  
me on The Day of The Incident was  
over Blown and not Nearly Bad Enough for  
anyone to come to Help me. I Did not call  
my Brother to Help or come to my Aids.

But I only wanted to find out when He  
was coming By our House. I Didnt feel  
Threaten By Thompson and I Did not  
Have any Injuries nor was I Beaten or  
Intentionally Struck By Thompson. If I  
Had any fears I would Have called The Police.  
Further Affiant says etc not.

Sworn before me This 23rd Day of February

Shabazz Brown

Notary for South Carolina  
My Commission Expires October 31, 2011

Charleston Police Department

THE INFORMATION BELOW IS CONFIDENTIAL - FOR USE BY AUTHORIZED PERSONNEL ONLY

Case Status: **CLEARED**Case Mag Status: **CLEARED BY ARREST**

Occured: 09/21/2010

Offense: **MURDER / NON-NEGLIGENT MANSLAUGHTER**Investigator: **FLEMING, J. (709)**

Date / Time: 09/23/2010 23:35:49, Thursday

Supervisor: **NIBLOCK, M. S. (690)**

Supervisor Review Date / Time: 09/24/2010 08:42:54, Friday

Contact:

Reference: **Supplemental Report**Incident: **Shooting/Homicide**Incident Location: **West Charleston, SC 29403**Victim: **Eugene Lamar Evans**Suspect: **Thompson White B/M DOB**

On 09/21/2010 at approximately 2150 hours, this investigator arrived on scene at above incident location in reference to a homicide. On arrival I/O met with Det. R. Holmes, he advised the body of a black male victim was located in the roadway near 3 Nunan Street by a responding CPD officer enroute to [redacted] Street regarding a fight. Said officer was flagged down by a citizen regarding gunshot being fired in the area. This officer discovered the body of the victim lying on the left side of Nunan Street in front of a parked black Mercedes. The victim sustained a fatal gunshot wound to the head and was pronounced dead on scene by the responding EMS unit. I/O entered the scene and observed the body of a black male lying on his right side with his face facing down. He was wearing black pants, black shoes, white t-shirt, with a white long sleeve dress shirt and a multi-colored red neck tie and sunglasses in his hand. I/O also observed a black in color cellular phone on the ground under his body. At this time the identity of the victim was unknown.

I/O then responded to Nunan Street in reference to speaking to a witness regarding the victim of the homicide being involved in the physical fight at that location before he was shot. On arrival I/O met with witness Shakerra Brown [redacted] who resides at that location. Initially upon speaking with her, she advised that her boyfriend Thompson White and her cousin Jamaal White were on the steps at her residence engaged in a physical fight. After she walked back into her home to use the bathroom she heard gunshots and observed the muzzle flash of shots being fired outside her mother's bedroom window. After the shooting, she walked back outside and saw the victim running down Nunan Street toward Rutledge Avenue and suspect Thompson White drive off in his burgundy Pontiac Grand Am up Ashley Avenue.

After obtaining this information I/O advised Det. Burckhardt and the crime scene was extended from Rutledge Ave and Nunan Street to Ashley Ave. and Nunan Street. After the crime was extended several fired .22 caliber shell casings and one live .22 caliber round were located on Nunan Street at Ashley Ave. near her residence along with a blue ballcap and eyeglasses recovered on her steps.

Witness Brown was then asked to accompany I/O to CPD headquarters to video record her statement and assist with identifying the victim and the individual responsible for his murder and she agreed. On arrival at CPD headquarters and after interviewing witness Brown, I/O was able to establish the identity of the person she knows as Jamaal White and identify him as Eugene L. Evans [redacted] the victim of the homicide. I/O also establish the identity of the person he engaged in the physical fight with through a photo as Thompson White b/m dob [redacted] who witness Brown has known over five years and was currently dating. During the interview she also advised that after the shots

Charleston Police Department

OCA: 1015937

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were fired, she observed suspect Thompson White drive off in his vehicle a up Ashley Avenue. Moments later he returned to her residence walked inside stating " he didn't give a fuck, no one is going to put their hands on me," collected some of his clothing " stating " I got to get the fuck away from here" and drive off traveling straight on Nunan Street toward Gasden Green Housing.

This interview was video recorded and all evidence entered into evidence.

CASE SUPPLEMENTAL REPORT

Printed: 12/16/2010 09:04

Charleston Police Department

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Case Status: CLEARED

Case Mng Status: CLEARED BY ARREST

Occured: 09/21/2010

Offense: MURDER / NON-NEGLIGENT MANSLAUGHTER

Investigator: BURCKHARDT, R. J. (443)

Date / Time: 09/24/2010 14:32:39, Friday

Supervisor: NIBLOCK, M. S. (690)

Supervisor Review Date / Time: 09/28/2010 08:52:03, Tuesday

Contact:

Reference: Supplemental Report

STATING HE HAD WITNESSED THE SHOOTING AND KNEW WHO THE SUSPECT WAS AND WHERE HIS VEHICLE WAS PARKED.

THE WITNESS IDENTIFIED AS JOSHUA BROWN (COUSIN OF SHAKERRA BROWN) STATED HE WAS PRESENT WHEN THE VICTIM, EUGENE EVANS AND THE SUSPECT IDENTIFIED AS THOMPSON WHITE, AKA "TUCKER" SHOT THE VICTIM WITH A LONG RIFLE. I/O REQUESTED THAT THE WITNESS COME TO CPD TO BE FURTHER INTERVIEWED BY I/O. THE WITNESS COMPLIED.

I/O AND THE WITNESS ARRIVED AT CPD AND WENT TO THE CPD INTERVIEW ROOM (B). I/O ADVISED THE WITNESS THAT I/O WOULD BE VIDEO TAPING THE INTERVIEW. THE WITNESS PROVIDED A DIGITAL VIDEO TAPED INTERVIEW. THE WITNESS POSITIVELY IDENTIFIED THE SUSPECT VIA A SINGLE SCDMV PHOTO DO TO THE WITNESS HAVING PREVIOUS KNOWLEDGE OF THE SUPECTS IDENTIFICATION. THE WITNESS DENOTED THE POSITIVE ID OF THE SUSPECT BY WRITING THE LETTER "T" NEXT TO THE SUSPECTS PICTURE. IT SHOULD BE NOTED THAT WHILE ON THE WAY TO CPD, THE WITNESS WANTED TO SHOW I/O THE LOCATION OF THE SUSPECTS VEHICLE. I/O DROVE TO NORMAN ST. WHERE THE WITNESS POSITIVELY IDENTIFIED THE SUSPECT VEHICLE PARKED IN FRONT OF 30-A NORMAN ST. I/O CONTACTED SGT. MCBRAYER WHO WAS ASSIGNED TO THAT AREA AND ADVISED SGT. MCBRAYER TO WATCH THE SUSPECT VEHICLE UNTIL THE VEHICLE WOULD EVENTUALLY BE TOWED TO CPD AS EVIDENCE PENDING A SEARCH WARRANT TO BE EXECUTED THE NEXT DAY.

COMPLETE CONTENT OF WITNESS INTERVIEW CAN BE VIEWED ON THE CAPTURED VIDEO.

I/O DROVE THE WITNESS BACK TO RUTLEDGE AVE. WHERE I/O WAS DIRECTED TO A THIRD WITNESS, ROSALYN BROWN, THE MOTHER OF WITNESS, JOSHUA BROWN AND AUNT OF WITNESS SHAKERRA BROWN. THIS WITNESS WAS NERVOUS ABOUT SPEAKING WITH I/O REGARDING THE INCIDENT. I/O CONDUCTED AN INTERVIEW WITH THIS WITNESS AND OBTAINED A WRITTEN STATEMENT AT THE SAME TIME. THE FOLLOWING INFORMATION WAS OBTAINED. THIS WITNESS STATED THAT SHE AND THE OTHER WITNESSES WERE TOGETHER WHEN THE VICTIM AND THE SUSPECT BECAME ENGAGED IN A VERBAL AND PHYSICAL ARGUMENT BECAUSE THE SUSPECT HAD HIT WITNESS SHAKERRA BROWN IN THE HEAD AFTER ARGUING OVER SOME FOOD. THE VICTIM INTERVENED AND ALL OTHER PARTIES STARTED YELLING AT THE SUSPECT. ALL PARTIES STARTED WALKING AWAY TOWARD THE CROSSTOWN EXCEPT THE VICTIM. THIS WITNESS STATED THAT SHE TURNED AND LOOKED BACK WHEN SHE HEARD THE SHOTS BEING FIRED AND OBSERVED THE SUSPECT SHOOTING A LONG GUN "IN THE AIR" ACCORDING TO WITNESS. I/O

Charleston Police Department

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Reference: *Supplemental Report*

FURTHER ASKED THE WITNESS WHERE THE VICTIM WAS POSITIONED WHEN THE SUSPECT WAS SHOOTING. THE WITNESS REPLIED "AT THE SAME CORNER". THE WITNESS STATED THAT SHE DID NOT SEE THE VICTIM GET SHOT AND DID NOT KNOW HE GOT SHOT UNTIL SHE RETURNED BACK TO THE SCENE. THE WITNESS EXPLAINED THAT SHE HAD FLED TO HER RESIDENCE AT PEEKSKIN ALLEY AFTER THE SHOTS WERE FIRED AND THEN RETURNED. THE WITNESS ALSO STATED THAT HER SON CHRISTOPHER BROWN WAS ALSO AT THE SCENE WHEN THE ALTERCATION TOOK PLACE BETWEEN THE SUSPECT AND THE VICTIM. CHRISTOPHER BROWN WAS NOT LOCATED AT THIS TIME.

I/O RETURNED TO CPD WHERE DET. FLEMING WAS CONSTRUCTING ARREST WARRANTS FOR SUSPECT, THOMPSON WHITE.

INVESTIGATION CONTINUES.

## INDEXING SECTION:

VICTIM: EUGENE LAMAR EVANS, [REDACTED]

SUSPECT: THOMPSON WHITE, B/M, [REDACTED] NUNAN ST. CHAS. SC.

1 FEMALE: What happened (inaudible) --  
2 T. WHITE: Huh?  
3 FEMALE: They find him laying on the street.  
4 T. WHITE: What? He had been shot one time?  
5 FEMALE: No, he been shot in the -- two times  
6 in the head and the chest.  
7 T. WHITE: I don't know. I been hearing all  
8 kind of shit. I don't know what the hell is  
9 true.  
10 FEMALE: Well, what you heard?  
11 T. WHITE: I heard he was shot once.  
12 I don't know how I hit anybody at all.  
13 FEMALE: Oh.  
14 T. WHITE: And where the hell were they at?  
15 FEMALE: I don't know.  
16 T. WHITE: I don't know either. I sure the  
17 hell don't know what to do. You want to leave  
18 the boy?  
19 FEMALE: Yeah, I'd be (inaudible) to leave  
20 him.  
21 T. WHITE: I'm sure sorry that shit happened.  
22 But it's they god dang faults. It's one of --  
23 well, it ain't no -- I don't know, because I  
24 don't know what the fuck they did that for.  
25 FEMALE: Oh, (inaudible). (Inaudible.) I

1 thought you was going to come back down there.

2 T. WHITE: Huh?

3 FEMALE: I thought you was supposed to come  
4 back.

5 T. WHITE: When? When I call you?

6 FEMALE: Yes.

7 T. WHITE: I was, but I faced -- heard all the  
8 commotion and saw all the commotion. I just  
9 popped in my car and told my daughter to come get  
10 me. I thought I had been in trouble then.

11 FEMALE: Yeah, they record your calls.

12 T. WHITE: Yeah, I know. (Inaudible) trying to  
13 get in tomorrow.

14 FEMALE: Hmmm.

15 T. WHITE: I don't know what the fuck Rosalyn  
16 ever had to go do some shit like that for. I  
17 swear -- I swear -- I don't -- I hate them  
18 fuckin' children, you know that?

19 FEMALE: Uh-huh.

20 T. WHITE: Because they a bunch of damn  
21 idiots. Then they go and bring somebody over to  
22 my damn house and I don't know who the hell it is  
23 or what (inaudible) doing to me or anything like  
24 that.

25 And then at one point all -- all three of

1 verbally approached the defendant and told him to leave  
2 the area, that he was drunk and he needed to go. They  
3 said with that they started walking back to their  
4 residence up Ashley Avenue.

5 As they approached the crosstown, that's when  
6 they heard the gun fire and they looked back. This  
7 particular witness stated that you could see the  
8 shooting but didn't see Mr. -- the defendant  
9 (inaudible). He described it to be a long (inaudible).  
10 He stated with that he didn't even know if the deceased  
11 had been shot. By the time he turned around and  
12 looked, he wasn't present. He (inaudible) on foot, the  
13 deceased.

14 So they proceeded to their house. They  
15 learned shortly thereafter that the victim had, in  
16 fact, been shot, possibly dead, they were coming back  
17 to the scene, that's why (inaudible). Again, he was  
18 documented (inaudible). He was also shown single  
19 photos, one of the victim, one of the defendant, in  
20 which he has also known for a number of years by name  
21 and sight. He positively identified (inaudible).

22 The following day I gave (inaudible), the  
23 defendant's vehicle, it did come back registered to  
24 him, (inaudible) crime processed the lab. Amongst a  
25 host of -- plethora of items taken from the car, Your

1 stating (inaudible) drive by (inaudible) housing  
2 projects, he immediately knew where the defendant  
3 parked his car, where he would hang out. So I did  
4 that. We drove up Norman Street and we went up Norman  
5 Street and he pointed out a car, a Pontiac Trans Am, a  
6 Grand Am rather, and burgundy in color. He stated that  
7 was definitely the defendant's car. It was unoccupied  
8 at the time, parked on the curb. I noted that.

9 I learned that Sergeant Randall (inaudible)  
10 was patrolling that area and requested that he sit on  
11 that vehicle until I could get a -- obtain a search  
12 warrant for the car or if that car was moved to stop  
13 the vehicle. He followed my instructions and he  
14 (inaudible) surveillance (inaudible).

15 I went to my office where a second videotape,  
16 video and audio vehicle tape interview were conducted  
17 on Mr. Joshua Brown. He stated that he wasn't actually  
18 at the house, that he was there with the -- he was  
19 present earlier with Miss Selma Brown, the first  
20 witness (inaudible) and he was also there with his  
21 mother, Ms. Rosalind Brown (inaudible).

22 I asked him if he had any knowledge of the  
23 motive as to why the (inaudible) and he stated that the  
24 defendant was being abusive, physically abusive towards  
25 Miss Selma Brown, and that he, himself, and mother had

Thompson White, #349723  
MacDougall, B-2  
1516 Old Gilliard Road  
Ridgeville, SC 29472

January 2, 2012

The Honorable Thomas L. Hughston, Jr.  
Circuit Court Judge  
100 Broad Street  
Suite 368  
Charleston, SC 29401

Re: State vs. Thompson White

Dear Judge Hughston:

I am writing to you in the hope that you will accept the enclosed documents for consideration in conjunction with the Motion For Reconsideration filed by Mr. Andy Savage several days past. I regret these documents were not filed together, but a difference in opinion required separate filings.

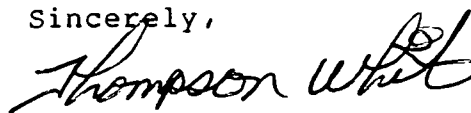
I have enclosed an affidavit and several pages of the official police reports in my case. These reports substantiate what I have believed and attempted to convince others of since my arrest: That the man whom I shot charged toward me with what I believed to be a handgun. This incident occurred following my being beat unconscious by the victim and several other persons.

I understand now that I should have spoken up in court on the day of my guilty plea and stated what I believed happened. However, I was counseled against that for two reasons. First, I was unaware of any official reports or eye witnesses which could substantiate what actually happened. Second, the emotions of everyone in the courtroom were so high, and I was so personally distraught and consumed with sorrow, I simply did not have it in me attempt to explain what happened.

With the benefit of hindsight and a careful examination of my discovery material, I have come to understand that what I believed happened actually happened. If I must remain in prison for ~~twelve~~ (12) years based on what is presented to the court, then I want what is presented to be the truth.

Thank you for your kind consideration of the enclosed materials. In highest regards, I remain

Sincerely,



Thompson White

cc: Benjamin C. Simpson,  
9th Circuit Asst. Solicitor  
Andrew Savage,  
Counsel for the Defendant

Thompson White, #349723  
MacDougall, C-2  
1516 Old Gilliard Road  
Ridgeville, SC 29472

July 26, 2012

Mr. Andrew J. Savage, III  
15 Prioleau Street  
Post Office Box 1002  
Charleston, SC 29402

Re: SENTENCE RECONSIDERATION HEARING

Dear Mr. Savage:

Thank you for your letter dated July 20, 2012, in which you enclosed a statement of the balance of my escrow account. Further, I was pleased to receive the attached affidavit of Shakerrah Brown. Her statements affirm what I have tried to make known from the beginning; I am innocent of either murder or manslaughter.

I wish to here specifically request that you make provision for my appearance at the Sentence Reconsideration Hearing. This may require submission of a transportation order, but I am confident you can arrange my presence for the hearing.

Thank you for your kind attention to the above matters. In highest regards, I remain

Sincerely,

Thompson White

cc: File

**SAVAGE LAW FIRM**

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ANDREW J. SAVAGE, III  
Certified Criminal Trial Advocate - NBTA

J. SCOTT BISCHOFF, II  
DONALD L. MCCUNE, JR.

January 14, 2013

Mr. Thompson White  
SCDC# 00349723  
MacDougall Correctional Institute  
1516 Old Gaillard Road  
Ridgeville, SC 29472

**RE: State v. Thompson White**

Dear Thompson:

In regards with your request made on January 10<sup>th</sup>, I am enclosing a copy of your affidavit as well as a copy of Dr. John Cusak's report.

We are still awaiting the decision of the Judge but I must quite frankly disclose that your direct contact with the Judge has not furthered your cause. Judges always look askance at direct contact when lawyers are involved. The appropriate remedy, if you are unhappy with our representation, is to terminate us and then handle your correspondence with the court directly. The alternative is to wait until there is a ruling at which time you can initiate a direct appeal of your sentence (although that is a matter I am required by the court to review to verify that there is a substantial basis for your appeal which at this time I do not see). You can also file a request for Post Conviction Relief (PCR). That must be done within one (1) year of the court's decision on our Rule 29 application.

We will continue to assert our best efforts to have your sentence reduced. We will let you know as soon as we hear from the court.

With best wishes, I remain

Sincerely,



Andrew J. Savage, III  
AJS,III/cmp

In the Supreme Court of South Carolina

Thompson White, #349723

Case # 2014-001776

Applicant

Writ of Certiori

V.

Pro Se

State of South Carolina

Respondent

Sign *Thompson White*  
Date 13 Nov 2014

Thompson White  
McDougall C. I.  
1516 Old Gilliard Road  
Ridgeville, S. C. 29472

## Procedural History

The petitioner is presently confined in the South Carolina Department of Corrections pursuant to order of commitment Of the clerk of court for Charleston County. The petitioner was indicted at the March 2011 term of the Charleston County Grand Jury for murder (2011-GS-10-1229. Andrew Savage, Esquire, represented the petitioner. The petitioner Pled guilty to the lesser included offense of voluntary Manslaughter on February 14, 2012. The Honorable T. L. Hughston Jr. sentenced the petitioner to confinement For twelve years. The petitioner filed a motion to Reconsider Sentence which was granted. Judge Hughston Jr. amended the petitioner sentence to confinement for Ten years by order dated February 11, 2013. The petitioner Filed a PCR on July 16, 2013 and a hearing was held April 16, 2014, by the Honorable R. Markley Dennis. The PCR was Denied and an order was given dated July 16, 2014. The petitioner appeal this order and his allegation is as follows:

In the providency form that was summited to the court as evidence. Section C. Defendants right to counsel (Attorney Competence) question #3. Have Mr. Mastantuno and Mr. Savage done everything you have asked them to do? No, was the answer to this question. #4. Have they failed to do anything you have asked them to do? Yes, was the answer to this question. Because counsel fail to pursue the arrest of my attackers. Therefore rendering the providence form summited to the courts, without merit. (Appendix pg.88.90 question C. #3 and #4). Also (pg. 69 Ln 22 through pg. 27 Ln 1throught 3). As for substance abuse, I was evaluated by Dr. Cusack a psychiatrist of Medical University and a substance abuse program as a condition for getting a bond. See (Dr. Cusack report) also (MUSC Health report). I was not under influence of drugs or alcohol at the time of the shooting. However, I was on medication at that time. I thought when I was asked this question about whether or not I was on drugs or alcohol I thought he was asking about illegal Drugs, not medication. See Department of Veterans Affairs reports also Revco prescription records. Lyrica-side effects sheets. My attorney never consider my medication

A Variance occurs when facts are different from those alleged in the Indictment. However, variance constitutes grounds for reversing a Conviction only when it affects defendants "Substantial rights" that is when the variance deprives a defendant of sufficiently specific information to prepare a defense, make an intelligent plea [As with Case at bar]. And to protect against surprise at trial/ plea....U.S. Con. Amend. 5 US-v-George 75 2 F2d 749(1985).

Defendant has suffered some miscarriages of Justice. His conviction Only stand due to denial of due process of equal protection in the State Court(s) on multiple and gross violation of the U.S. constitution, that Constitutes and outrage and mockery of justice that the court(s), which Are sworn to uphold the U.S. constitution, should not be tolerated. Furthermore, there has never been a real contest before the courts on The validity of the indictment, also when the facts are disputed of a Variance. Court(s) must hold an evidentiary hearing, being that defendant In this instance never receive a full and fair evidentiary hearing in State Court. Those indicted have the right to look to only one body -The Government – for due process, and if failure for any one agency of Government to comply failure must be imputed to government as a Whole.

U.S.-V-Taylor

Gibson-VS-State 514-2d 3201

Constitutional Law 43 (1) when a defendant lack knowledge, as did the Defendant in this case, of material evidence in the prosecution possession The waiver of constitutional rights cannot be deem knowing and voluntary. Therefore, the defendant cannot be held accountable for and intelligent Plea.

Means-V-Gates 558 SE 2d 921,348

The two variances by the state are in violation of my constitutional rights. Fatal variance-a variance that either deprives the defendant of fair notice of the charges or exposes the defendant to the risk of double jeopardy. Such a variance is grounds for reversing a conviction. The state is also in violation of Code 16-3-250. Duties of Sheriff and Solicitor with respect to acts of violence committed by mobs...when any mob commits an act of violence. The Sheriff of the County wherein the crime occurs and the Solicitor of the circuit wherein the county is located shall act as speedily as possible to apprehend and identify the members of the mob and bring them to trial. Investigator James Randolph and attorney Allen Mastatuno tried on several occasions to bring these people to justice but, the State charges that it was understandable what the mobs did to me see (sentencing transcript S.C.-V-Thompson White pg 6 line 3-4). Therefore, denying me the equal protection and justification of the law. My Attorney also overlooked the fact that there's a restraining order that was in effect that barred those that were involved from my residence. Given by the Municipal Court Judge, Joseph S. Mendelsohn (case #16000 38). I ask the court to please consider the manifest weight of the evidence, and release petitioner White for the glory of God on whom the very foundation of the constitution of the United States of America was formed, and grant Thompson White immunity or relief.

On Sept. 21 2010 I return home from a fishing trip. There was a young lady In my home cooking in my kitchen after I told her she was no longer welcome To my house, after an incident that happen at Peeksin Ct. a few weeks prior. This was what the argument between Shakerra, Doris and Thompson was about. I made he leave our home. Her name is Shanique Brown. (Transcript of audio Phone call pg. 14, ln17-19). I then went to the store to pay my car note and to Family Dollars to buy things needed in the house. Unbeknown to me as I was Going out of the house I had to squeeze past Shakerra standing in the way of the Door to get out. I caused her to bump her head. (Randolph 2<sup>nd</sup> investigation pg.3. Doris Brown Paragraph #5) also (Transcript of audio/phone call. Pg.14, line 10-24) see also (Affidavit of Shakerra Brown). After I got back from the store I brought the packages in. Shakerra had a plate of food wrapped up, I thought it was for her brother, he comes by all the time for dinner after work. Shakerra had mention to her brother (Shakerra Affidavit) that I caused her to bump her head as I was leaving for the store. It is my belief that David told his girlfriend the lie that Shakerra head was busted by Thompson as a reason for him to come over to our house. David girlfriend name is Erin. Erin intern called over to Jerome Brown house to confirm David's story. She spoke to Shanique, the girl that I put out of my house. Shanique told Rosalyn, Evans, Christopher, Joshua and Chop what was stated to her and they left their home with the intention of hurting me. See (Randolph investigation of Rosalyn Brown, Joshua Brown, David Brown and especially Shanique Brown). I learned later that it was not David that relayed the message to Shanique but David's girlfriend Erin did. (Transcript of audio/phone call pg.17 line 10-24). They all stated in Randolph investigation that Shakerra called to give them that message, which is not true. See (inquiry of James Randolph investigation). See (S.C.-VS-Thompson White-Audio Transcription-pg. 11 line 11-14) also (pg., 17 line 10-24).

I was approached as I was sitting in my car by the five individuals that accused me of assaulting my friend Shakerra. As I tried to exit my car I was struck by Mr. Evan, I told the attacker whom ever told him that was lying. See (Randolph investigation of Joshua Brown, Rosalyn Brown) see also (2nd Randolph investigation of Doris Brown mother of Shakerra Brown). Also see (Shakerra Brown Affidavit) and (Thompson White Affidavit) see also (John R. Cusack evaluation). They were all on me, until I was able to get into my fence gate. They forced they way through. See (Trans audio phone pg. 4 Ln. 7-11). I then ran to the porch of my house. Mr. Evans pulled me back as I tried to enter my house. We fought I somehow got the best of Mr. Evans though he was on top of me. I begged the others to get Doris and Shakerra house so this fight could stop. See (S.C.-V-Thompson White-Audio transcription pg.15. line 10-11 and pg. 17 line 20-24). Instead they came up the stairs at me and beat me unconscious. See (S.C.-V-Thompson White pg. 4 line 22-25 through pg.5 line 1-2) and (S.C.-VS Thompson White pg.3 line 19-23) also see Randolph investigation of Rosalyn Brown and Joshua Brown) and (Thompson White Affidavit). Also (Dr. Cusack's evaluation). After I regain conscious three of them were standing at the foot of the porch on the ground. As I got up Mr. Evans asked the others, "Where's the gun". I ran in the house and told Shakerra to call the police that I've just been assaulted outside by her family. See (Affidavit of Thompson White) also see (Dr. Cusack evaluation), also see (Case supplement report-pg.10 2<sup>nd</sup> paragraph). As I Was explaining to Shakerra and her mother Doris what happen I saw some people walk pass my bedroom window, looking in. See (S.C.-VS-Thompson White pg.5 line16). I thought they were trying to shoot me through the window and that they were going to come in my house. I didn't know that they had entered my house while I was unconscious on the porch. When I entered they exit the back door. This is what happen that made me think they were trying to enter my home or shoot me through the window. I proceed to my bedroom closet and retrieved the riffle. I grabbed the riffle and the

Magazine. See (Randolph investigation of Shakerra Brown pg.4). I cautiously looked through the window of my house to make sure no one was still out there. Then I exit my house to ensure my home was secured. I then step outside the gate of my yard to see if there were any damages done to my car, where I was first attacked (S.C.-VS-Thompson White audio transcription pg.3. line21-23). I was at the car when I saw someone coming down the street in a hurry as if something was wrong. I had no idea that it was the same guy that assaulted me. I then step away from my car with the rifle, his appearance was different. See (Case supplemental report pg.10 paragraph 1). When I realized it was the man that had assaulted me I fired the warning shot while stating that the police was in the way and that they were going to jail. He charged and I fired several warning shots. See (Randolph investigation of Thompson White pg.2 underlined statement) also (Dr. Cusack Evaluation pg.1 paragraph 2). I thought that Mr. Evans was armed and was coming to kill me. I could see he had something wrapped up in his hands. After I fired the warning shot I was certain he had a fire arm. I had left the keys to my car in the house and was not certain where in my car the spare keys was. I was never so scared in my entire life as I was that night. After I fired the shoots Mr. Evans fled sown Nunan Street towards Rutledge Avenue. See (case supplemental report pg10 paragraph2). I ran into my car found the keys drove of as fast as I could to the corner of Nunan and President Street, where I waited for the police to go to my house. They never came after observing down the street towards my house I decided to go home and gather some cloth and leave the house that night, I thought maybe they would come back. I return home gather some clothes grabbed my keys. I told Shakerra I'll be back when things calm down. See (Randolph report pg. 2 underline paragraph) see (Transcription of 2<sup>nd</sup> of two-recorded phone call date 9/23/10 (pg8 line 3-10) also (pg. 8 line3-10) also (pg.7 line 12-16) and CSR pg.10~~20~~. paragraph 4 through pg.11).

As can be seen I left my house only with the intention to ensure the safety of those who were in my home. Disregarding my own safety for the sake of those I loved. I was certain they all had left....It's my theory that Mr. Evans saw me when I exit my home and yard. It's stated that all the group left after I went into my house except Mr. Evans (CSR pg.14 paragraph 4 through pg.15). I stated to Mr. Randolph in his investigation that all my attackers had left with the exception of Mr. Evans. (Randolph investigation pg.2 underline paragraph). This is no coincident, the indictment affidavit alleged that I retrieved my riffle from the trunk of my car which show malice, but I didn't retrieve the riffle from my car but out of my house for the purpose of protecting those who live there. Therefore, rendering my indictment in violation of the constitution. My attorney never challenged the indictment of murder he knows the law backward and forward. My indictment should have been without malice. Mr. Savage never challenged the indictment affidavit.

This witness sworn that I was at my car after I exit my yard. The state charges are in violation of the constitution because the stated that I fired my weapon after I exit my home causing my attacker to flee. This is an inferential fact. See (preliminary hearing pg.6 line 3-4) for direct evidence see (CSR pg.14, 3<sup>rd</sup> paragraph through pg.15). This fabricated evidence by the state is in violation of the constitution of the United States. Therefore I ask the court of render me the appropriate charge in this appeal for justice, and grant me the immunity under the protection of person and property act a person has the right to act on appearances, even if the person belief is ultimately mistaken. State V. Fuller, 297 S. C. 440,443-44, 377 S.E. 2d 328, 331 (1989) once the right to fire in self-defense arises, A defendant is not required to wait until his adversary is on equal terms or until he has fired or aimed his weapon in order to act. I fire in the air is clear indication that I didn't want to harm Mr. Evans. See (Randolph investigation pg.2 underline paragraph) see direct evidence of Rosalyn Brown (CSR pg. 14 last line) also (Thompson White Affidavit).



CASE SUPPLEMENTAL REPORT

Printed: 12/16/2010 09:04

Charleston Police Department

OCA: 1015937

THE INFORMATION BELOW IS CONFIDENTIAL - FOR USE BY AUTHORIZED PERSONNEL ONLY

Case Status: CLEARED

Case Mng Status: CLEARED BY ARREST

Occured: 09/21/2010

Offense: MURDER / NON-NEGLIGENT MANSLAUGHTER

Investigator: POLITE, A. T. (1744)

Date / Time: 09/22/2010 01:57:12, Wednesday

Supervisor: GAMARD, R. E. (857)

Supervisor Review Date / Time: 09/22/2010 03:24:00, Wednesday

Contact:

Reference: Supplemental Report

On 09/21/2010 at approximately 2105 hours, while responding to Nunan Street Apartment A (verbal altercation), R/O was flagged down by the complainant Velma Smalls. The complainant advised that there was a unknown black male wearing black slacks and a white t-shirt lying in the roadway near the curb at Nunan Street. R/O approached the victim and found him lying on his stomach bleeding from what appeared to be a gunshot wound to the head and he was unresponsive. The crime scene was contained by responding officers Polite, Jackson, Davidson, French, Duren, Voges, and Gamard. During a search of the area several shell casings were observed in the roadway in front of 22 Nunan Street. There was also damage caused by a round to the windshield of a vehicle (2004 Yukon Denali SUV) parked on the street. At this time responding officers do not have any suspect information.

EMS supervisor Dunlap arrived on scene and the victim was pronounced deceased at 2123 hours. Brittany Miller from the coroner's office arrived on scene and retrieved identification off of the victim and he was identified as Eugene Lamar Evans (B/M). The coroner's officer took possession of the victim. Crime Scene Technitions Charles and Miller processed the scene. The complainant was turned over to central for interviewing.

CDO Lt. Thomas was advised and responded to the scene as well as Chief Mullen, Major Taylor, Major Elder, Captain Tillman, Captain Broughton, Lt. Middleton, and PIO Francis.

The investigation continues.



**DEPARTMENT OF VETERANS AFFAIRS**  
**Ralph H. Johnson Medical Center**  
 109 Bee Street  
 Charleston, SC 29401-5799  
 September 16, 2011

Carolina Neurological

In Reply Refer To: VA534/136D  
 Patient's Name: WHITE, THOMPSON  
 Social Security Number: XXX-XX-2287  
 Date of Birth: 01/27/1959

**VETERAN'S REQUEST:**

I request and authorize the above need provider/facility to release the information specified below to the VAMC for the purpose of examination and/or treatment. I understand the information to be released includes information regarding the following condition(s):

DRUG ABUSE  <input type="checkbox"/>	ALCOHOLISM OR ALCOHOL  <input type="checkbox"/>	TESTING FOR OR INFECTION WITH HUMAN IMMUNODEFICIENCY VIRUS (HIV)  <input type="checkbox"/>	SICKLE CELL ANEMIA  <input type="checkbox"/>
--	--	---	--

**INFORMATION REQUESTED:**

- Final summary or report of hospitalization \_\_\_\_\_  
(Specify Dates)
- Brief report of examination of treatment \_\_\_\_\_  
(Specify Dates)
- X-Ray films and report \_\_\_\_\_  
(Specify Dates)
- Other (specify) Copy of all information pertaining to the above patient

X-ray films and laboratory slides will be returned after review.

I certify that this request has been made freely, voluntarily and without coercion and that the information given above is accurate and complete to the best of my knowledge. I may revoke this authorization in writing at any time, except to the extent that action has already been taken to comply with it. Written revocation is effective upon receipt by the Release of Information Unit at the facility housing of records. Rediscovery of my medical records by those receiving the above authorized information may be accomplished without my further written authorization and may no longer be protected. Without my express revocation, the authorization will automatically expire upon disclosure of requested information to the VA.

*[Signature]* \_\_\_\_\_  
 (Signature of Patient or Authorized Representative) \_\_\_\_\_ (Date)

**NOTE:** The information requested on this form letter is solicited under Title 38, U.S.C. The form authorizes release of information in accordance with the Health Insurance Portability and Accountability Act, 45 CFR Parts 160 and 164, U.S.C. 552a, and 38 U.S.C. 5701 and 7332 that you specify and will authorize the addressee to disclose the information you specify to the VAMC. The information will be used to assist our medical staff in your examination and treatment. Your disclosure of the information requested is voluntary. However, your failure to give your consent may result in incomplete information on which to base your treatment.

# Progress Notes

Printed On Oct 26, 2011

LOCAL TITLE: PRIMARY CARE PROVIDER  
STANDARD TITLE: PRIMARY CARE NOTE &  
DATE OF NOTE: SEP 16, 2011@13:23      ENTRY DATE: SEP 16, 2011@13:23:07  
AUTHOR: JESUP,ALEXIS      EXP COSIGNER:  
URGENCY:      STATUS: COMPLETED

\*\*\* PRIMARY CARE PROVIDER Has ADDENDA \*\*\*

Today's Date: SEP 16, 2011  
SERVICE CONNECTED % - NONE FOUND

REASON FOR VISIT:

To establish care he has only been seen at the VA in 2003 in the ER.

HISTORY OF PRESENT ILLNESS:

Pt has presented to establish care today, he was previously seen by Carolina Neurological Associates, Dr. Thomas Dukes and Jacequeline Mendes at Angel Oak Family Practice. He has not been seen by any providers in the last 14 months. He reports he has been out of his medications for approximately one year.

He notes that he was incarcerated September 2010-Sept 1, 2011, for shooting someone because he reports he was "assaulted by 5 guys on my front porch." He reports that the person he shot died. He notes that he was afraid of what "they might of done to me besides beat me up or if one of them decided to come back." He was getting medications in jail but does not know what he was on. He has been without any medications for the last two weeks.

He notes that he starts "a school" at MUSC for drug and alcohol and depression. He notes that he does not know why he is going there.

Depression Screen: +feelings of guilt, +decr interest, +decr energy  
No change in sleep habits, no difficulty concentrating, No SI or HI

For his L arm/wrist "nerve pain" He was previously stable on lyrica, he failed gabapentin. He has been using ibuprofen that helps "a little bit, better than nothing at all."

His prior outpatient medications (before incarceration):

Lisionpril 20mg po Daily  
Lyrica 150mg po BID  
Simvastatin 20mg po qhs  
tiamteren/HCTZ 37.5/25mg  
Vitamin D 50,000 units

PMH

PATIENT NAME AND ADDRESS (Mechanical imprinting, if available)

WHITE, THOMPSON  
CANARY DR.  
CHARLESTON, SOUTH CAROLINA 29414

VISTA Electronic Medical Documentation

Printed at CHARLESTON VAMC

# Progress Notes

Printed On Oct 26, 2011

HTN

HLP

L arm, s/p laceration at inner wrist on the job was seeing Neruology was well controlled on Lyrica (did not tolerate Neurontin)  
Does wear prescription

Past Surgical Hx

L wrist surgery-October 2009

Teeth extractions

I have addressed each diagnosis under MEDICAL DECISION MAKING (below)

NOTE: some elements of the HPI may also be incorporated into my MEDICAL DECISION MAKING (below)

\*\*\*\*\*

REVIEW OF SYSTEMS:

ROS is incorporated in the MEDICAL DECISION MAKING by system/diagnosis.

I have reviewed the nurses CDI/PI today as well.

\*\*\*\*\*

PAST MEDICAL and SURGICAL HISTORY:

No active problems in computerized problem list as of 9/16/11@13:23

Social Hx

Tob: Cigarettes, currently 1/4 ppd, h/o 1.5ppd x 30 years

ETOH: 2-3 beers, 2x a week

Drugs of abuse: Denies

Employment/Education: Currently unemployed recently released from prison, previously a sheet metal mechanic

Military service: Army, 1980-1984

Marital Status: Lives with his sister, Rosiland Edwards; Has 5 children and 8 grandchildren

Family Hx

Mother: Deceased in her 70s; Dementia

Father: Deceased in his 70s; stomach ca

Siblings: 1 brother, 8 sisters; 1 sister died as a child; 1 siser deceased 2/2 unknown ca; another sister deceased 2/2 to CVA; brother deceased 2/2 "something with the heart"

ALLERGIES: Patient has answered NKA. Denies new allergies today.

MEDICATIONS:

Active Inpatient and Outpatient Medications (including Supplies):

As above

PATIENT NAME AND ADDRESS (Mechanical Imprinting, if available)

WHITE, THOMPSON  
? CANARY DR.  
CHARLESTON, SOUTH CAROLINA 29414

VISTA Electronic Medical Documentation

Printed at CHARLESTON VAMC

# Progress Notes

Printed On Oct 26, 2011

## TEST RESULTS:

I have reviewed the patient's labs with patient personally while in clinic. Copy provided upon patient request.

Pt to go to Release of information to get records from outside providers sent to the VA for review.

## OPHTHO:

Pt wears glasses and is requesting to have his eyes recheck (reports last outside opto was 1.5 years ago or more).

## NEURO:

Pt with nerve injury to L wrist s/p trauma and repair. He has reportedly failed neurontin 2/2 to side effects. I will place a NF request for lyrica 150 bid with hopes it will be approved as it has been very successful for him in the past.

## PYSCH:

Pt seems depressed and it appears he is having a hard time dealing with taking someone's life, my depression screen is above. He declines SSRI or MH at this time. Pt given info about the suicide prevention line.

## ENDO:

No dx of DM or thyroid dysfunction. A1C is currently pending. Pt denies polyuria/dipsia/phagia, heat/cold intolerance. Will be ordering labs for monitoring for DM.

## CV:

HTN/HLP-Both above goal, pt has had medication changes and has subsequently been off meds for at least 2 weeks, I will restart the meds he was receiving from his previous provider. Lisinopril 20, Triamterene/HCTZ 37.5/25 and simvastatin 20. Patient denies chest pain, palpitations, pnd, orthopnea, pedal edema.

## PULM:

Smoker. Pre-contemplative. Discussed smoking cessation and advised smoking cessation clinic is available on as walk in basis; handout provided. No chronic cough, hemoptysis.

## GI:

Appetite is good. No dysphagia, chronic GERD, melena, hematochezia. No FH colon cancer.

FOBT x 3 ordered today

## GU:

No hematuria, dysuria, nocturia. No FH prostate cancer. Plan to check PSA as indicated; we have reviewed his PSAs and they have been stable.

## OBESITY: BODY MASS INDEX

28.6 (SEP 16, 2011@12:54:38)

PATIENT NAME AND ADDRESS (Mechanical imprinting, if available)

WHITE, THOMPSON  
CANARY DR.  
CHARLESTON, SOUTH CAROLINA 29414

VISTA Electronic Medical Documentation

Printed at CHARLESTON VAMC

PATIENT PRESCRIPTION RECORD

Date: 09/08/2011 Time: 10:58:22 AM

01/01/2010 THRU 12/31/2010

PHARMACY NAME: 03564 # 03564  
 ADDRESS: 1015 KING ST.  
 CITY, ST, ZIP: CHARLESTON, SC, 29403  
 PATIENT KEY: 11202470427  
 PATIENT NAME: WHITE, THOMPSON  
 ADDRESS: HERRY POINT RD  
 CITY, ST, ZIP: LAW ISLAN, SC, 294870000

TELEPHONE: (000) 000-0000  
 BIRTHDATE: 01/27/1959  
 GENDER: M  
 RELATIONSHIP: Card Holder

CURRENT ALLERGIES ON RECORD: No Information Available  
 CURRENT CONDITIONS ON: No Information Available

STORE NO	RX NUMBER	RFL NUMBER	NDC NUMBER	DRUG DESCRIPTION	PRESCRIBER NAME	DATE FILLED	RPH INT	QUANT DISP	TOTAL PRICE	TP # 1 PD AMT	TP # 2 PD AMT	TP # 3 PD AMT	TP # 4 PD AMT	PATIENT PD AMT
03564	0427574 000	1ST PYR #:	00093310905	AMOXICILLIN 500 MG CAPSULE	COOVER, MULLEN	08/17/2010 J.DANC		30.00	17.29					17.29
		TP1 AUTH #:												
		2ND PYR #:												
		TP2 AUTH #:												
03564	0406421 000	1ST PYR #:	59762502701	GABAPENTIN 300 MG CAPSULE	DUKES, THOMAS	03/11/2010 J.MJ		90.00	96.99	96.99				0.00
		TP1 AUTH #:												
		2ND PYR #:												
		TP2 AUTH #:												
01039	0195439 000	1ST PYR #:	00406035705	HYDROCODONE-APAP 5-500 TABLET	JAUCH, EDWARD	04/02/2010 J.SJ		10.00	4.30	4.30				0.00
		TP1 AUTH #:												
		2ND PYR #:												
		TP2 AUTH #:												
03564	0427573 000	1ST PYR #:	00406035805	HYDROCODONE-APAP 7.5-500 TAB	COOVER, MULLEN	08/17/2010 J.DANC		10.00	11.99					11.99
		TP1 AUTH #:												
		2ND PYR #:												
		TP2 AUTH #:												
03564	0413811 000	1ST PYR #:	68180051503	LISINAPRIL 20 MG TABLET	MENDES, JACQUELINE	05/03/2010 J.MJ		30.00	8.31	0.00				8.31
		TP1 AUTH #:												
		2ND PYR #:												
		TP2 AUTH #:												
03564	0413811 001	1ST PYR #:	68180051503	LISINAPRIL 20 MG TABLET	MENDES, JACQUELINE	06/12/2010 J.DANC		30.00	8.31	0.00				8.31
		TP1 AUTH #:												
		2ND PYR #:												
		TP2 AUTH #:												
03564	0415956 000	1ST PYR #:	00071101668	LYRICA 150 MG CAPSULE	DUKES, THOMAS	05/20/2010 K.KD		60.00	166.54	166.54				0.00
		TP1 AUTH #:												
		2ND PYR #:												
		TP2 AUTH #:												
03564	0429319 000	1ST PYR #:	00071101668	LYRICA 150 MG CAPSULE	DUKES, THOMAS	08/31/2010 J.DANC		90.00	260.86	260.86				0.00
		TP1 AUTH #:												
		2ND PYR #:												
		TP2 AUTH #:												
03564	0410227 000	1ST PYR #:	00071101468	LYRICA 75 MG CAPSULE	DUKES, THOMAS	04/07/2010 J.JD		90.00	248.55	248.55				0.00
		TP1 AUTH #:												
		2ND PYR #:												
		TP2 AUTH #:												
03564	0413812 000	1ST PYR #:	00093715498	SIMVASTATIN 20 MG TABLET	MENDES, JACQUELINE	05/03/2010 J.MJ		30.00	11.19	1.19				10.00
		TP1 AUTH #:												
		2ND PYR #:												
		TP2 AUTH #:												
03564	0411236 001	1ST PYR #:	00378135201	TRIAM/HCTZ 37.5/25 TAB	MENDES, JACQUELINE	06/12/2010 J.DANC		30.00	5.16	0.00				5.16
		TP1 AUTH #:												
		2ND PYR #:												
		TP2 AUTH #:												
03564	0411236 000	1ST PYR #:	00378135201	TRIAMTERENE-HCTZ 37.5-25 MG TB	MENDES, JACQUELINE	04/14/2010 J.MJ		30.00	5.16	0.00				5.16
		TP1 AUTH #:												
		2ND PYR #:												
		TP2 AUTH #:												
03564	0413813 000	1ST PYR #:	50111099001	VITAMIN D 50,000 UNITS SOFTGEL	MENDES, JACQUELINE	05/03/2010 J.JW		18.00	21.19	11.19				10.00
		TP1 AUTH #:												
		2ND PYR #:												
		TP2 AUTH #:												

13 TOTAL AMOUNTS :

865.84 789.62 76.22

Private and Confidential Intended for Addressee only

# IMPORTANT FACTS

**LYRICA**  
PREGABALIN

(LEER-i-kah)

## IMPORTANT SAFETY INFORMATION ABOUT LYRICA

LYRICA may cause serious, even life threatening, allergic reactions. Stop taking LYRICA and call your doctor right away if you have any signs of a serious allergic reaction:

- Swelling of your face, mouth, lips, gums, tongue, throat or neck
- Have any trouble breathing
- Rash, hives (raised bumps) or blisters

Like other antiepileptic drugs, LYRICA may cause suicidal thoughts or actions in a very small number of people, about 1 in 500.

Call your doctor right away if you have any symptoms, especially if they are new, worse or worry you, including:

- suicidal thoughts or actions
- new or worse depression
- new or worse anxiety
- feeling agitated or restless
- panic attacks
- trouble sleeping
- new or worse irritability
- acting aggressive, being angry, or violent
- acting on dangerous impulses
- an extreme increase in activity and talking
- other unusual changes in behavior or mood

If you have suicidal thoughts or actions, do not stop LYRICA without first talking to your doctor.

LYRICA may cause swelling of your hands, legs and feet.

This swelling can be a serious problem with people with heart problems.

LYRICA may cause dizziness or sleepiness.

Do not drive a car, work with machines, or do other dangerous things until you know how LYRICA affects you. Ask your doctor when it is okay to do these things.

## ABOUT LYRICA

LYRICA is a prescription medicine used in adults 18 years and older to treat:

- Pain from damaged nerves that happens with diabetes or that follows healing of shingles, or spinal cord injury
- Partial seizures when taken together with other seizure medicines
- Fibromyalgia (pain all over your body)

Who should NOT take LYRICA:

- Anyone who is allergic to anything in LYRICA

## BEFORE STARTING LYRICA

Tell your doctor about all your medical conditions, including if you:

- Have had depression, mood problems or suicidal thoughts or behavior
- Have or had kidney problems or dialysis
- Have heart problems, including heart failure
- Have a bleeding problem or a low blood platelet count
- Have abused prescription medicines, street drugs or alcohol in the past
- Have ever had swelling of your face, mouth, tongue, lips, gums, neck, or throat (angioedema)
- Plan to father a child. It is not known if problems seen in animal studies can happen in humans
- Are pregnant, plan to become pregnant or are breastfeeding. It is not known if LYRICA will harm your unborn baby.

You and your doctor should decide whether you should take LYRICA or breast-feed, but you should not do both.

Tell your doctor about all your medicines. Include over-the-counter medicines, vitamins, and herbal supplements.

LYRICA and other medicines may affect each other causing side effects. Especially tell your doctor if you take:

## BEFORE STARTING LYRICA, continued

- Angiotensin converting enzyme (ACE) inhibitors. You may have a higher chance for swelling and hives.
- Avandia® (rosiglitazone)\*, Avandamet® (rosiglitazone and metformin)\* or Actos® (pioglitazone)\*\* for diabetes. You may have a higher chance of weight gain or swelling of your hands or feet.
- Narcotic pain medicines (such as oxycodone), tranquilizers or medicines for anxiety (such as lorazepam). You may have a higher chance for dizziness and sleepiness.
- Any medicines that make you sleepy.

## POSSIBLE SIDE EFFECTS OF LYRICA

LYRICA may cause serious side effects, including:

- See "Important Safety Information About LYRICA."
- Muscle problems, pain, soreness or weakness along with feeling sick and fever
- Eyesight problems including blurry vision
- Weight gain. Weight gain may affect control of diabetes and can be serious for people with heart problems.
- Feeling "high"

If you have any of these symptoms, tell your doctor right away.

The most common side effects of LYRICA are:

- Dizziness
- Blurry vision
- Weight gain
- Sleepiness
- Trouble concentrating
- Swelling of hands and feet
- Dry mouth

If you have diabetes, you should pay extra attention to your skin while taking LYRICA.

## HOW TO TAKE LYRICA

Do:

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25 June 2011

Mr. Andrew J. Savage, III  
Savage & Savage, P.A.  
15 Prioleau Street  
P.O. Box 1002  
Charleston, SC 29402

RE: Mr. Thompson S. White

Dear Mr. Savage:

This forensic evaluation includes a clinical summation, diagnoses, psychiatric and competency evaluation and commentary regarding Mr. Thompson S. White.

Mr. White is a 52 year old, divorced, previously employed, African American male who is incarcerated at the Charleston County Detention Center. Mr. White is charged with Murder and Use of a Firearm During Commission of a Violent Crime. He was evaluated on 25 June 2011.

Police and legal records were reviewed. Background information was also provided by his sister, Ms. Rosalyn Edwards. Mr. White is aware this report is not confidential.

*Crime:* Mr. White admitted to his crime. In explaining events leading to the crime, he said "There were five of them. He (Eugene L. Evans) was younger than me and bigger than me by about 40 pounds. He started it. He hit me. He was whipping my tail." He added, "I heard one say, 'Where's the gun?' I ran into my house and told my girlfriend to call the police...."

Mr. White then armed himself with a .22 caliber firearm and left his home looking for his assailants in a reported effort to protect his person, girlfriend and property. He described his assailants as "rowdy, loud, disrespectful and a menace to society." He said that he twice 'shot in the air' and then saw an adult male, "Coming down the street with something in his hand in an awful hurry. He was coming straight at me." Mr. White said he was unsure what the victim had in his hand, but he suspected it was a firearm. He maintained he was sober and not under the influence of drugs or alcohol at the time of the crime.

Mr. White admitted firing his weapon. He surrendered the next day at the Police Station, 180 Lockwood Boulevard, Charleston, SC.

*Social History:* Mr. White was born and spent his formative years in Charleston, SC. His parents are deceased. They died in their 70s. His mother was a homemaker, and his father worked as a cook on the U.S. Air Force Base Charleston. He has seven siblings; three are deceased. Mr. White described his childhood affectionately. "I wouldn't trade it, Lord. Too much love. I wish I could go back," he said. There is no history of childhood physical, sexual or emotional abuse. Family religion is Methodist.

In 1977, Mr. White graduated from St. John's High School and then worked as a cook until enlistment in the U.S. Army. He served in the military from 1980 to 1984 and attained the rank of Specialist Five, E-5. His military service was unblemished by disciplinary problems. The character of his service was honorable.

Mr. White married in 1982 while in the military. The couple have five children ages 31, 30, 23, and 22. The marriage terminated in divorce in 1995. He described his relationship with his former spouse as amiable. Since divorce, Mr. White had a daughter, age 6.

VENDOR  
WENT I  
SAW

*Competency:* In my opinion, within a reasonable degree of medical certainty, Mr. White is competent. This opinion is based on the following:

1. He does not lack rational or factual understanding of the charges against him. He is medicated but does not presently exhibit psychotic or physical symptoms that would compromise his competency. He is capable of consulting with his attorney with rational understanding.

2. He appreciates the range and nature of possible penalties if convicted and possesses keen understanding of the adversarial nature of the legal process.

3. He is capable of disclosing to his attorney the pertinent facts surrounding the alleged offense. He is capable of providing assistance to his attorney in the planning of his defense. He is capable of challenging prosecution witnesses. He described the role of his attorney as, "To help me get off this crime that I committed." He viewed the task of the prosecution as, "To see that I'm punished for the crime that was committed." Regarding the function of the jury, he said, "They decide whether what happened was self-defense or negligence. He conceptualized the role of the judge as, "To make sure that justice is fair."

4. He is capable of relevantly testifying and is motivated to assist in the legal process.

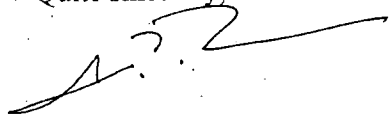
*Commentary:* Mr. White knows he has broken the law. He is not sociopathic and is remorseful and contrite. When asked if he would be violent in the future, he said, "I'll be a pussycat; I'm not trying to come back to this place! Not no way! First thing, I'm going to do is to go back to work. If I get into an argument, I'm running in the other direction. I got no malice in my heart."

In conversation with Ms. Rosalyn Edwards, the sister of Mr. White, she affirmed Mr. White's risk of future violence to be minimal or nil. She repeatedly said, "He is not a violent person. Everybody was shocked! He's more afraid than anything."

If released, I believe Mr. White is a minimal threat to the community. I say this for the following reasons:

1. He is old and has no previous history of violent behavior.
2. His illicit substance abuse has essentially abated since earlier substance-related arrests.
3. He is conscionable and not sociopathic.
4. He harbors no malice.

Quite sincerely,



John R. Cusack, D.O.  
Clinical Professor of Psychiatry  
Medical University of South Carolina  
Ralph H. Johnson VA Medical Center Charleston  
Captain, Medical Corps, U.S. Navy, (Ret.)



**MUSC Health**  
INSTITUTE OF PSYCHIATRY

Center for Drug and Alcohol Programs  
CDAP

67 President Street  
MSC 861  
Charleston SC 29425  
Tel 843 792 5200

10/27/11

To: Savage and Savage, Attorneys at Law  
Attn: Andrew Savage

Per the condition of his bond, Mr. Thompson White was admitted to outpatient substance abuse treatment at MUSC's Center for Drug and Alcohol Programs (CDAP) on 09/16/11. At the time of admission, based on self-report, he did not meet criteria for a substance abuse or dependence diagnosis. He was admitted for further assessment and was seen for individual therapy appointments on 09/20/11, 10/04/11, and 10/27/11. At each of these appointments, he provided a urine drug screen. While Mr. Thompson admits to recreational alcohol use, he continues to show no evidence of substance abuse or dependence as evidenced by his self-report. In addition, all of his drug screen results have come back negative for all substances. He will be discharged from treatment as of today (10/27/11).

If you have further questions, you may contact me at (843)792-5200.

Sincerely,

Karen Perlmutter, LISW-CP  
Clinical Instructor  
Center for Drug and Alcohol Programs  
MUSC

STATE OF SOUTH CAROLINA

COUNTY OF CHARLESTON

AFFIDAVIT

Personally appear before me, a magistrate of this county one Detective Jerome Fleming who first being duly sworn deposed and says that Thompson White

Did with in this county and state on the 21 September 2010 violate the criminal laws of the State of South Carolina in the following particular:

DESCRIPTION OF OFFENSE

Murder  
16-3-10

The affiant states there is probable cause to believe that the defendant named did commit the crime set forth and that such probable cause is based on the following facts:

That on 09/21/2010 the above named defendant Thompson White b/m dob 01/27/1959 while at 22 Nunnan Street which is located within the city and county of Charleston, SC 29403 did knowingly willingly and maliciously violate SC State Staute (16-3-10) Murder.

To Wit: That on 09/21/2010 at approximately 2105 hours while at Nunnan Street. The above named defendant did engage in a physical fight with victim Eugene Lamar Evans. After they finished fighting, the defendant did retrieve a long gun from the trunk of his vehicle, a burgandy Pointac GrandAm 4 door and fire approximately four rounds striking victim Evans in the face. The victim ran down Nunnan Street and collapsed near the intersection of Rutledge Ave. He was pronounced dead on scene by EMS from the fatal gunshot wound he received. Crime Scene responded and recovered three spent .22 caliber shell casings and one live .22 cal. round. The defendant also left a blue ballcap and eye glasses at the scene. The above is true and believeable based on eye witness statements and the investigation of the Charleston Police Department. The defendant was positively identified by the witnesses who have known him over five years by name and face through a photo.

SWORD TO AND SUBSCRIBED BEFORE ME

THIS 22 DAY OF Sept, 2010

[Signature] (L.S.)  
SIGNATURE OF JUDGE

COMPLAINT #: 1015937

[Signature]  
AFFIANT

Charleston Police Department  
180 Lockwood Blvd  
Charleston, SC 29403  
(843) 577-7434

ARREST WARRANT

K-404180

STATE OF SOUTH CAROLINA

County of Charleston Municipality of Charleston

THE STATE against

Thompson White Query Pointe Rd

Address: 1271459 Agency ORIF

Phone: SSN: 1

Sex: M Age: 36 Height: 5'10" Weight: 170

DL State: SC DL#: 1271459 Agency ORIF: CPD

DOB: 1/27/1959 Agency ORIF: CPD

Prosecuting Officer: JEROME FLEMING

Offense: MURDER Offense Code: 16-3-10

Code/Ordinance Sec: \_\_\_\_\_

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 law.

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

RETURN A copy of this arrest warrant was delivered to defendant Thompson White on 4/21/2010

Signature of Constable/Law Enforcement Officer: [Signature]

RETURN WARRANT TO: \_\_\_\_\_

STATE OF SOUTH CAROLINA

County of Charleston Municipality of Charleston

AFFIDAVIT

Personally appeared before me the affiant Det. Jerome Fleming being duly sworn deposes and says that defendant Thompson White did with this county and state on 4/21/2010 violate the criminal laws of the State of South Carolina (or ordinance of Charleston County/  Municipality of Charleston) in the following particulars:

DESCRIPTION OF OFFENSE: MURDER 16-3-10

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:

SEE AFFIDAVIT

Signature of Affiant

[Signature]

Affiant's Address: 180 Colwood Dr, Charleston SC 29401  
Affiant's Telephone: 577-7434

STATE OF SOUTH CAROLINA  County of Charleston Municipality of Charleston

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 Thompson White did violate the criminal laws of the State of South Carolina (or ordinance of Charleston County/  Municipality of Charleston) as set forth below:

DESCRIPTION OF OFFENSE: MURDER

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 his execution, or as soon thereafter as is practicable.

Sworn to and subscribed before me on 4/21/2010

Judge's Address: 3870 Lucks Rd, A. Char SC

Judge's Telephone: 745-2398

Signature of Issuing Judge: [Signature] (L.S.)  
Judge Code: 5724

Magistrate  Municipal  Circuit

ORIGINAL





1 that argument did become physical. Shakira, following  
 2 that, contacted her family. Some of her relatives nearby  
 3 heard that this argument had gotten physical. They were  
 4 understandably very upset about that.

5 Evans, Joshua Brown, Christopher Brown and a  
 6 Roslyn Brown went over to where the defendant was staying  
 7 at the time, that is Noonan Street, and confronted him  
 8 about this earlier incident between him and Shakira  
 9 Brown. That confrontation became physical.

10 A blood swab was secured at that scene, which  
 11 came back to match the defendant. Whereas on the booking  
 12 photos from the next day, there are very few physical  
 13 injuries, we do acknowledge that that physical  
 14 confrontation between the victim and his family and the  
 15 defendant did at least arise to the point where the  
 16 defendant was bleeding at the time.

17 At some point the defendant was able to free  
 18 himself from this fight, went into the home, got a 22  
 19 bolt action rifle. Testimony would establish that he  
 20 came out of the house and fired a couple of shots into  
 21 the air, initially. Those shots had their desired  
 22 effect. The individuals who were there at the property  
 23 fled.

24 I would like to approach if I could, Your  
 25 Honor.

1 THE COURT: Are you?

2 THE DEFENDANT: Yes, Your Honor.

3 THE COURT: Has anybody promised you  
4 anything, threatened you to plead guilty other than this  
5 cap of 15 years?

6 THE DEFENDANT: No, sir.

7 THE COURT: Are you entering this plea then  
8 freely and voluntarily?

9 THE DEFENDANT: Yes, Your Honor.

10 THE COURT: I ask, again, would you like to  
11 have a jury trial on this?

12 THE DEFENDANT: No, Your Honor.

13 THE COURT: I ask you, again, are you  
14 pleading guilty?

15 THE DEFENDANT: Yes, sir.

16 THE COURT: All right. I'll accept your plea  
17 then. Solicitor?

18  
19 THE ASSISTANT SOLICITOR: Thank you, Your  
20 Honor. The facts as alleged by the State are as follows:  
21 In the early evening of September 21, 2010, the defendant  
22 and his girlfriend at the time, Shakira Brown, got into  
23 an argument over dinner that evening. That argument  
24 escalated, and at some point -- although we have heard  
25 some varying degrees of physicality, but at some point

1 TRANSCRIPT OF AUDIO/PHONE CALL

2

3

4 DATE OF CALL: UNKNOWN

5

6

7 CASE: STATE v. THOMPSON WHITE

8

9

10 ARREST WARRANT NOS: K-404180/MURDER  
11 K-404181/POSSESSION OF A WEAPON  
12 DURING CRIME

13

14

15 DATE OF ARREST: SEPTEMBER 22, 2010

16

17

18 ARRESTING AGENCY: CITY OF CHARLESTON POLICE DEPARTMENT

19

20

21 PARTICIPANTS: THOMPSON WHITE  
22 SHAKERRA BROWN  
23 ROSALYN  
24 KIM  
25 UNIDENTIFIED MALE #1  
UNIDENTIFIED MALE #2

26

27

28 TRANSCRIPTIONIST: J. COLLINS REPORTING, LLC

1 MR. WHITE: Well, go outside.

2 Kim and them go on back home?

3 MS. BROWN: No.

4 MR. WHITE: Huh?

5 MS. BROWN: No.

6 MR. WHITE: Where's she at, right there?

7 MS. BROWN: Yeah.

8 MR. WHITE: Go ous -- go on the porch. That  
9 way, ain't nobody overhear your conversations.

10 MS. BROWN: Well, all right. It's cold out  
11 there, boy. (Laughter.)

12 MR. WHITE: Oh.

13 (Laughter.)

14 MR. WHITE: Oh.

15 MS. BROWN: All right. Now what?

16 MR. WHITE: Tell me -- tell me what you see.

17 MS. BROWN: Ah, like I said, first of all, I  
18 ain't sayin' nuttin' about -- about when -- I  
19 said, well, he came y'all -- (inaudible), they  
20 come and talk to him.

21 Well, Lee done had them on his car. They came  
22 up, they beat him up, um, leave the boy on the  
23 po -- um, they get him on the porch.

24 And I ain't say nuttin' else today. Actually,  
25 that's all I say to the police.

1 MR. WHITE: I ain't asked you nuttin' about  
2 the police. I asked you about these two. I  
3 can't -- I -- and what -- what the police got to  
4 do with this right here?

5 MS. BROWN: What -- what is you axin'?

6 MR. WHITE: I'm makin' --

7 MS. BROWN: What are you axin'?

8 MR. WHITE: I bet you that you'll see them  
9 force their way in there.

10 MS. BROWN: Sure I did. That's what I told  
11 them. And that -- and -- and that why we're  
12 tryin' to work with the, um -- the, um -- the --  
13 the -- the lawyer told me to go to the um . . .  
14 the -- the may -- the man mamma house, and I was  
15 talkin' to her. And she said she has to think  
16 about.

17 MR. WHITE: Well, she has to think about it.  
18 What the devil does she got to think about it?

19 Anyway . . . Raw -- Raw -- Raw -- Ronald Lee  
20 had nuttin' to do with that. I mean, Ronald name  
21 just like me. Shoot.

22 MS. BROWN: Yeah, an -- and Rosalyn was  
23 standin' at the porch.

24 MR. WHITE: Hmm.

25 MS. BROWN: It was Chuck and, um -- and Cliff,

1 and -- and them came up the -- up the stairs at  
2 ya.

3 MR. WHITE: And Josh?

4 MS. BROWN: That (inaudible) was in it.

5 MR. WHITE: Josh there?

6 MS. BROWN: Jo -- Josh had worked, wasn't even  
7 in the gate. Rosalyn shut the gate on him.

8 MR. WHITE: Yeah? So where he been, that's  
9 talking to Chris?

10 MS. BROWN: Uh-huh.

11 MR. WHITE: Well, somebody scratched me over  
12 my eye.

13 MS. BROWN: That was Cliff.

14 MR. WHITE: And you saw them fightin' me on  
15 the porch, right? Right?

16 MS. BROWN: ~~They all runnin' in here.~~

17 Let me tell ya, I already tell  
18 (indistinguishable), I'm tryin' to talk to the  
19 people for you to get out.

20 She said she had to talk about -- that she has  
21 to think about it.

22 MR. WHITE: Talk to who people? That boy  
23 mama?

24 MS. BROWN: Yeah.

25 MR. WHITE: You need to talk to the police.

1 beat me (inaudible). You know that been for  
2 nuthin', right?

3 ROSALYN: No, 'cause --

4 MR. WHITE: 'Cause you know I --

5 ROSALYN: -- they say --

6 MR. WHITE: -- you know I lift my hands over  
7 (inaudible).

8 (Cross-talk.)

9 ROSALYN: Uh-uh. Listen. Uh-uh.

10 (Cross-talk.)

11 ROSALYN: No, they said --

12 MR. WHITE: Somebody's a lyin'.

13 ROSALYN: -- Shakerra head been bust.  
14 That's why he come over here.

15 MR. WHITE: I know that, but Shakerra with  
16 that (inaudible), 'cause ain't nobody never put  
17 their (indistinguishable) or touched the  
18 (inaudible).

19 ROSALYN: Shakerra supposed to bring me  
20 some food. Remember, I asked them to bring me  
21 sumin' to eat?

22 MR. WHITE: I don't have no idea.

23 ROSALYN: Uh-huh.

24 But I miss you, Tucker.

25 MR. WHITE: Yeah, right.

1 MR. WHITE: (Inaudible) call it, you the  
2 stooge. (Inaudible) David the one will call it,  
3 that David called (inaudible).

4 ROSALYN: (Inaudible.)

5 MR. WHITE: Who tell y'all -- who tell  
6 y'all -- somethin' about -- about me and Shakerra  
7 (inaudible) --

8 ROSALYN: You, but --

9 MR. WHITE: -- and Shaniqua, right?

10 ROSALYN: You but -- no, you bust Shakerra  
11 head.

12 MR. WHITE: (Inaudible.)

13 ROSALYN: And everybody run out that door.

14 MR. WHITE: Like a bunch'a damned fools. For  
15 nuttin. Yeah, 'cause they know she's like that.

16 Shakerra says she told me that -- that I made  
17 her bump her head. You tell Shaniqua she be -- I  
18 had to push Shaniqua out the damn house before  
19 she come home.

20 ROSALYN: Really? Damn.

21 MR. WHITE: What?

22 ROSALYN: And she -- I ain't been no -- I  
23 was real sick.

24 MR. WHITE: You ain't been sick, you ain't  
25 bring your behind to the house, (laughs), with

1 the (inaudible).

2 ROSALYN: Yes, I --

3 MR. WHITE: Yeah, you bit me.

4 ROSALYN: Now I have to, dog gone, get my  
5 daddy's family out dis. And he's dead.

6 MR. WHITE: Yep.

7 I don't know what -- I don't know why the hell  
8 that shit even happened. And -- and -- and I'd  
9 rather you to know.

10 And, you know, when I ax y'all over and over  
11 to get (inaudible) --

12 ROSALYN: Uh-uh, uh-uh.

13 (Cross-talk.)

14 MR. WHITE: Why ain't ya'll get all this,  
15 Boo --

16 ROSALYN: Uh-uh. Yeah, listen, Boo.

17 (Cross-talk.)

18 MR. WHITE: (Inaudible.)

19 ROSALYN: Noooo (inaudible). I know.

20 These people call my brother house and tell  
21 them that you -- my niece said, "Bust," and  
22 everybody run out the house.

23 MR. WHITE: (Inaudible), but that's not true.

24 You said -- if I give you the message --  
25 Shaniqua, right?

1 her head and -- and slammin' her head against the  
2 door. (Inaudible.) Shit like that.

3 ROSALYN: (Inaudible.)

4 (Cross-talk.)

5 MR. WHITE: Listen.

6 (Cross-talk.)

7 ROSALYN: I ain't did nuthin', Boo.

8 MR. WHITE: Listen. Shakerra --

9 ROSALYN: I mean, ah, Tucker.

10 MR. WHITE: I know, but Shakerra told David I  
11 made her bump her head. And David told --

12 ROSALYN: Yeah.

13 MR. WHITE: -- Erin whatever, Erin tells  
14 Shaniqua whatever, and then Shaniqua be real --

15 ROSALYN: Yeah.

16 MR. WHITE: -- (inaudible) does her crazy ass  
17 thing and then y'all come over there like a bunch  
18 of fools. And I don't know what the hell was  
19 goin' on.

20 Why y'all just didn't let me get (inaudible) *Doris*  
21 and Shakerra outta the house just to -- to --  
22 (inaudible) prove that shit to y'all so bad  
23 'cause I know Shaniqua done been -- been the one  
24 who goin' over there to tell a lie.

25 ROSALYN: Well, she here now.

*Randolph & Habersham Investigations, LLC*

P.O. Box 900

Mt. Pleasant, SC 29465

843-343-7007

*james@tanenbaumlaw.com*

November 2, 2010

Law Offices  
Savage & Savage  
Andrew J. Savage, III  
15 Prioleau Street  
Charleston, SC 29401

Re: The State -vs- Thompson White

Dear Mr. Savage:

Pursuant to your request, I initiated an investigation into the above reference matter. As a result, the following interviews were conducted.

Thompson White B/M  
DOB 1-27-59 SS#  
Nunan Street  
Charleston, SC 29403  
Employed: A & R Sheet Metal  
Johns Island, SC

Above was completely debriefed at the law office of Attorney Andrew J. Savage on September 22, 2010. Client stated he and his live in girlfriend who share an apartment together at Nunan Street have a history of domestic violence and alcohol abuse. Mr. White states his live in girlfriend Shakerre Brown has extended family members who reside Peekson Court approx. four blocks away that have a documented history of violence towards him which Mr. White alleges the City of Charleston Police Dept has a record of. Mr. White states on the evening of the incident he was at his residence Nunan Street when he and his girlfriend got into a verbal argument regarding his not wanting her to go to her aunt's house while she was in an intoxicated state. Mr. White said he thought there might be a chance of one of Shakerre family members that may want to take advantage

of her sexually because he said that fit some of their character. Thompson stated the argument escalated between himself and his girlfriend who wanted to leave the home. Thompson said he proceeded outside his residence which is on the first floor and faces President Street. Thompson said he was at his vehicle which was parked in front of his home when he was approached in a threatening manner by his girlfriend family members who he list as Christopher Brown, Joshua Brown, an unknown B/M large build and his girlfriend ~~Adia~~ Rosalyn Brown who said by Thompson to all have a history of violence towards him and others they come in contact with. Thompson said he was approached at his vehicle on the street face to face by the unknown B/M of the group and thus was asked why he (Thompson) hit his cousin. Thompson said he responded to the B/M and told him he had no knowledge of who he is and that he was not welcome at his home. Thompson stated the unknown B/M of the group of Shakerre family members struck him about the head and the two began fighting. Thompson states that immediately thereafter the entire group of Shakerre family began to beat on him with their hands and he was in fear for his life. Thompson said he struggled to defend himself and was able to get into his fenced area of his yard as the attackers continue to punch and kick him about his head, face and body. Thompson said he was able to break free from the lynch mob and was able to enter his residence. Thompson said after entering the house he saw Shakerre inside and told her that her family had attacked him and she did not respond. Thompson stated he was afraid the group would come inside and continue to attack him so he proceeded to his bedroom closet and retrieved his 22 caliber rifle that his dad had given him sometime ago. Thompson proceeded back outside where all the lynch mob had left for the exception of the unknown named initial attacker that approached Thompson first. Thompson said he fired a warning shot in the air and that this individual then fled the area traveling on Nunan Street towards Rutledge Ave. Thompson said he placed the rifle into the trunk of his Pontiac Grand Prix and left the house and proceeded to the corner store located at President and Line Street, where he had a few drinks and later found out that someone had been found shot in the area where he fired the warning shot. Thompson said he didn't know what to do so he parked his vehicle in the area of the Gadsden Green projects near Norman Street and left the vehicle there with the rifle still in the truck. The following day Thompson and this investigator looked for the vehicle but it was not present and City Police had already confiscated the vehicle.

Investigator Randolph met with Attorney Breen Stevens at the Charleston County Bond Hearing Court where Attorney Stevens was provided information on Mr. White family history and facts of the case. The victim's family was present and this investigator knew the mother of the victim Ann Evans who reside . Norman Street and additional family members who was in attendance at the bond hearing. Upon interviewing Ann Evans she stated she wasn't present at the shooting scene and that none of the individuals from the Brown family that were present at the altercation with Thompson was present at court, nor was Mr. White live in girlfriend Shakerre Brown present. After the Bond Hearing Investigator Randolph debriefed Client at the Charleston County Detention Center to give him information not to use the telephone nor communicate information about his case to any inmate at the detention center.

Joshua Brown B/M  
21 yoa DOB 10-4-1988  
Un employed  
Peppercorn Lane  
North Charleston, SC  
Cell phone # 926-

Above was interviewed on 10-27-10 at Nunan Street at the residence of Shakerre Brown and stated that he was present at Peekson Court with several family members including Rosalyn Brown, "Chop", Christopher Brown, and Lamar Evans when somehow they got the word that Thompson was assaulting their family member Shakerre Brown. Joshua stated they all proceeded to Shakerre house and upon their arrival Thompson was sitting in his car outside the fence parked in front of the residence. Joshua stated Lamar Evans and Thompson began fighting each other after Lamar punched Thompson as Thompson was sitting in the car. As they arrived, Rosalyn Brown, Chop, Lamar Evans, Christopher Brown and himself, Joshua said he and Chop tried to gouge Thompson in the eyes with their fingers and that Thompson was able to get away and run into the house. Joshua stated Thompson said he was going in the house to get a gun and shoot them. Joshua stated he, Rosalyn Brown, chop and the others were leaving and that he thought they all had run away when he heard shooting in his direction. Joshua doesn't recall where he was specifically when the shots were fired but said he was under the impression that Lamar Evans had taken off and run as well. Joshua said Thompson was shooting a gun in his and the group direction. Joshua said he saw police cars later and that he came to where the

police cars were and that Lamar Evans was laying in the street at Nunan and Ashley Ave. Joshua facts of the events were sketchy after he said Thompson went to retrieve the gun and he ran away. Joshua couldn't tell from where the shots were fired by Thompson he said. The altercation occurred between Shakerre and Thompson due to the fact Shakerre had some food she wanted to take to a family member house and Thompson didn't want Shakerre to take the food to the home so Thompson knocked the food out of Shakerre hands onto the ground and fought with Shakerre at their Nunan Street apartment. Joshua said he provided a written statement to the police and didn't want to give another statement.

Rosalyn Brown  
Peekson Court  
Charleston, SC 29403  
DOB 8-10-66  
958-

Above was interviewed at her residence listed above on 9-27-10 and stated she, her son Joshua Brown, Christopher Brown, Lamar Evans and "Chop" left her house after receiving a phone call from Shakerre Brown 843-642-... saying that Thompson White was assaulting her. Rosalyn stated they hurriedly left Peekson Court where she resides and proceeded to Nunan Street where Thompson White was confronted by the group and that Thompson and Lamar began fighting. Rosalyn said the men all were fighting with Thompson and that Thompson ran and went into the house. Rosalyn stated that when Thompson ran into the house and said he was going to get his gun both she and her son Joshua ran away from Thompson house. Rosalyn stated she doesn't know where Lamar and Chop ran to or if they stayed there. Rosalyn stated she didn't hear any shooting and she and Joshua Brown ran back to Peekson Court to her house. Rosalyn stated she saw the police cars on Nunan Street and Rutledge Ave and she went to see what was going on and that is when she knew that Lamar Evans was shot and killed by Thompson White. Rosalyn stated that she gave a statement to police but that she was not given a copy. Rosalyn said she hasn't seen Chop since the incident and the police would not let her get close enough to see the deace on the ground.

Shaneequa Brown  
Peekson Ct.  
Charleston, SC 29403  
Phone # 958-

Above was interviewed on September 27, 2010 at her residence and stated

that David Brown called her to tell he that there family member Shakerre Brown was being assaulted by Thompson. Shaneeque stated Rosalyn Brown, Aunt of Shakerre, Christ Brown, Joshua Brown, Lamar Evans and Chop were there and that they ran out of the house in a hurry when the message was relayed to them that Shakerre was being beaten up by Thompson. Shaneeque said she did not leave the house herself. She stated she heard about the incident on the news later that night.

David Brown B/M  
DOB 3-26-74  
-- Peekson Court  
Charleston, SC 29403  
843-642-

David was interviewed on September 27, 2010 at the residence of Shakerre Brown and Thompson White. He stated approx. 7:45 PM; he received the call from Shakerre and then relayed the message regarding Thompson assaulting Shakerre to Shaneequa Brown that someone needed to go check on their family member Shakerre.

Velma Smalls B/F  
DOB 3-28-64  
Nunan Street  
Charleston, SC 29403  
577-

Above was interviewed on September 29, 2010 by telephone after several failed attempts to locate her at her residence. Ms. Smalls states she was walking home on the night of September 21, 2010 at approx. 9:05 PM when she arrived on Nunan Street from Rutledge Ave and she saw a B/M lying down on the sidewalk. She attempted to talk to the individual who was unresponsive and no one else was present. Ms. Smalls walked to her house approx. two doors down and call 911 from her home phone. Ms. Smalls said she did not hear any shots nor did she see anyone in the area. Ms. Smalls left a copy of her written statement she made to the police with her sister for the investigator to retrieve on September 30, 2010. She wants nothing else to do with the incident.

Jerome Brown B/M  
- Peekson Court  
Charleston, SC 29403  
DOB 4-7-61  
958-

Above was interviewed at his residence 10-14-10 and stated that on the day of the shooting of Lamar Evans that earlier that evening he doesn't recall the exact time that Thompson White came over to Peekson Court. Jerome said he had given \$5.00 to Shakerre for a partial payment of a \$10.00 fee for a ride Thompson was to transport him to that he didn't go again. Jerome stated that Thompson got into an argument with Lamar who came out of the Peekson Court Apt. to confront Thompson who wanted the remainder of the allege money even though the trip didn't take place. Jerome said he defused the incident and made Lamar go back into the house and Thompson left. Later that night the call from Shakerre came into the house and Lamar and the group left to go aid Shakerre. After the shooting Jerome alleges he and his girlfriend Shirley Beaton was walking on Bogard and Rutledge Ave. when he was confronted by Thompson White who was riding in his (Thompson) car and that Thompson allegedly pointed a gun at him. Jerome allegedly told Thompson you already shot one person you going to kill me too. Jerome stated Thompson had traffic backed up while blocking the street with his vehicle and that Thompson drove off with out further incident.

10-28-10 Investigator Randolph proceeded to the Charleston Police Dept and attempted to locate Detective R.J. Burckhardt. While at the Charleston Police Dept Detective Burckhardt contacted this investigator by cell phone and stated he was still investigating the homicide of Lamar Evans and the murder stemmed from a plate of food getting knocked out of someone hands. Burckhardt stated the shell casing of the rifle that was used was found near the intersection of Thompson White house but he can't say what distance. Burckhardt said the riffle was a single shot and had to be reloaded. He said at least two 22 caliber spent shells were found and one that was not fired were located together in one area. Burckhardt said the victim was apparently shot in the face and may have run to the area where his body was located on the opposite end of the block. Burckhardt said he has no statements of anyone who saw the actual shooting. I asked Burckhardt where was the victim when he first was shot and Burckhardt doesn't know but said there was some blood where the victim fell and died near Nunan and Rutledge Ave. No indication that the decease had a weapon. Detective Burckhardt is aware that a fight took place prior to the shooting and was told by this investigator that Thompson was lynched by the attackers. Burckhardt isn't pursing charges of lynching against the other individuals that attacked Thompson White at this time but was encourage to do so by this investigator.

## Heather C. Hill

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**From:** James Randolph [james@tanenbaumlaw.com]  
**Sent:** Wednesday, February 08, 2012 2:39 PM  
**To:** Andrew J. Savage  
**Cc:** Heather C. Hill; Cheryl L. Savage; Dora L. Bell; Kimberly Brooks; J. Scott Bischoff, II; Thomas J. Rode  
**Subject:** RE: {Matter No.[201010116]}{State v. Thompson White (AJS/HCH)}James Randolph 843-343-7007

I located Shakerra Brown her brother David Brown phone # 843 329- and their mother Doris Brown phone # 843751- 7 at their residence line St Apt B today and conducted an interview.

Shakerra tells me Thompson, her mom Doris and herself was in the home at Nunan St when an argument occurred between Thompson and Shakerra over Shakerra forgetting to put the pigs tails in the Lima Beans. Shakerra said That Thompson pushed her against the door of the house and Momma (Doris) ackloweges same happened. Shakerra called David Brown her brother on Davids cell phone and David was getting off work headed to a girlfriends house named Erin. Erin in turn called Jerome Brown who lived with Rosalyn Brown who Thompson has had altercations within the past. David had a conversation with Lamar Evans who tol;d Daci Brown to stay away and let him handle. Christopher Brown, Lamar Evans (Cousin) Joshua Brown and AKA Chop were at Jerome's house and unbeknown to Shekerra left the Peakson Ct residence of Jerome (Desease) and proceeded to Shakerra and Thompson house Nunan. Shakerra said she had a plate of the Lima Beans minus the pig tails to take to her uncle Jerome. Shakerra tells me Thompson knocked the plate out of her hand at which time Lamar and the group were seen by Shakerra approaching the house on Nunan St. Shakerra said Thompson was inside his car parked on the Nunan st side of the house when the group approached Thompson as Thomnson was sitting in the car. Lamar ordered Shakerra to go back into inside the residence at Nunan St but didn't give Shakerra a reason for making her go inside. Shakerra went indide the house at Nunan St. Doris said she could clearly hear some Scuffling on the porch near the front door and alerted shakerra to the noise. Shakerra heard the noise at the same location of the front door and knew it was a fight taking place. Shakerra said she could hear Thompson yelling "Get off me" Shakerra said Thompson came into the house after a unknown amount of fight time passes and said something about he was ganged and mentioned something to the effect (Im getting mine yall better go get yours.) (im working on developing this further) Shakerra and Momma Brown said Thompson walked hurriedly through the living room left of the front door and porck and into Thompson and Shakerra Bedroom and got a gun out of the closet in the bedroom. Shakerra said saw the gun she went in the bathroom. Doris said she heard rapid fire of about 3 shots. Shakerra said she heard twoshots then looked ouy the window closest to the porch and saw Thompson with the Gun and Thompson had the gun at waist level and fired the gun an additional time. Shakerra said at the time she looked out after the ist two shots she only saw Thompson and that Thompson was standing approx 1 feet (as shakerra demonstrated for me)away from the gate on the outside of the fence. Shakerra wants to think she saw Thompson running and shooting but after telling her all the shell casing were in t5he same area Shakerra said she took cover after seing Thompson shot one shot and then she ducked down and again for cover and didn't see what was happening outside. Shakerra said Thompson got into his car and drove away. Shakerra said Thopson called her that night not long after the body was found and she made Thompson aware that he shot someone. Shakerra said Thompson during this phone conversation the night of the shotting said he didn't recall shoting anyone. Let me know if you have any follow up questions

-----Original Message-----

From: Andrew J. Savage [mailto:Andy@savlaw.com]

*Randolph & Habersham Investigations, LLC*

*P.O. Box 900  
Mt. Pleasant, SC 29465  
843-343-7007  
randolphfam@bellsouth.net*

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April 9, 2012

Law Offices  
Savage & Savage  
Andrew J. Savage, III  
15 Prioleau Street  
Charleston, SC 29401

RE: State –vs- Thompson White

Dear Mr. Savage:

Pursuant to your request, we continued our investigation into the above reference matter. As a result, the following was conducted.

**1-31-2012** in preparation for the February 1, 2012 meeting, Investigator Randolph reviewed the file and highlighted the positive and negative aspects for discussion of Thompson's case.

**2-1-12** a lengthy meeting and review of Thompson White case was conducted with Thompson White being present along with some of his immediate family members. Physical evidence was examined and reviewed to assess its positive and negative effects on the case. After reviewing the information with the defense team, Investigator Randolph transported Thompson White to the area of the crime scene and reviewed the facts as Mr. White attempted to recall them. Mr. White recollection of the event was not in line with the physical evidences documented at the scene by the Charleston Police Investigators. Mr. White and Investigator Randolph walked the entire crime scene area prior to the arrival of the attorneys and discussed at length the crime scene evidence.

Later in the afternoon on February 1, 2012 Attorney Savage, Bischoff and Mastertuno arrived and the crime scene was again thoroughly examine with all parties present including defendant Thompson White. The vehicle with the bullet hole in the head rest was still present near 13 Nunan Street.

**Velma Smalls B/F** reside . Nunan Charleston, SC 29403 listed as a witness was located and interviewed during the canvass and stated she found the body lying on the side walk after she left work that night while on her way home. She had no further information to add.

**Harriett Allen B/F** Fishburne Street Charleston, SC phone 577- Thompson former landlord was interviewed at her residence February 1, 2012 and stated that Thompson White was vey protective of his home. She stated the first time she appeared at Thompson apartment as the landlord without advance notice that Thomson was not very welcoming and she and Thompson got into an argument. Mrs. Allen said sine that time she and Thompson became cordial and Thompson was a very good tenant. Mrs. Allen said Thompson and his girlfriend mother were on the lease at Nunan Street which give Thompson all the right of the castle doctrine allows.

**Nakesha Rivers B/F 30 YOA** Nunan Street upstairs phone 843-640- . Above was interviewed on February 1, 2012 at her residence which sits on the second floor above Thompson White former residence and crime scene location. She heard fighting on the porch down stairs near Thompson front door. The fighting ended and Thompson she believed entered his apartment for approx. 2- 5 minutes. She heard at least two people yelling outside near the front gate at some point after Thompson had come inside. She heard shots fired and called 911. She didn't see the shooting. She was not interviewed by the police.

**February 2, 2012** Investigator Randolph met with the Savage Team at the law office with Thompson White and his family in attendance. Evidence was examined and discussed with Mr. White. The jail house phone calls were displayed and reviewed for its value. Additional pre-trial strategy was discussed with Mr. White and his immediate family. Additional task were assigned to this Investigator.

**February 2, 2012** Investigator Randolph proceeded to 76 Spring Street to the Space Company Real Estate Office and met with Debbie Seabrook Rental Manager to discuss whether she had any documented reports of warnings made by Thompson to her advising any parties they should be on trespass notice etc. Debbie said there were none made that she could locate in the file.

**February 6, 2012** Investigator Randolph met with the Savage Team at the law office. Defendant Thompson White and his family were present. Again evidence was examined and pretrial strategy was discussed. Additional task were assigned to this Investigator.

**February 8, 2012** Investigator Randolph located Shakerra Brown 843-751- at her new residence located Line Street Apt B. See email February 9, 2012 11:19 AM for summary of that encounter.

**David Brown B/M** reside Line Street was interviewed and recalled getting a call while on his way home from work from Shakerra regarding Thompson behavior towards her but didn't think enough of the situation to come check on his sister Shakerra. David stated he told Crystal Brown his family member and that Crystal may have contacted additional family members regarding Thompson behavior towards Shakerra.

**February 8, 2012 Doris Brown B/F** reside Line Street mother of Shakerra Brown confirmed the incident between Thompson and Shakerra was not a fist fight but that Thompson pushed Shakerra in passing through the hallway and made an argument due to a lack of ingredients in the soup pot.

**February 8, 2012** Investigator Randolph proceeded to James Island in an attempt to locate the family of the deceased. Eugene Evans, Ann Evans mother of the decease and Anitra Evans Aunt of the decease were located and given insight on the case and Investigator Randolph made the family aware that Thompson White was sorry for having to take the life of Eugene. After an extended conversation, the family of Eugene Evans were thankful that Thompson felt remorse but felt that Thompson didn't have to kill Eugene. The Evans family was planning to attend the plea hearing to ask for the max sentence.

**February 14, 2012** Investigator Randolph met with Attorney Savage at the law office and met with defendant Thompson White. This Investigator proceeded to the Court House and assisted the Attorney regarding defendant's plea.

**February 23, 2012** Investigator Randolph met with Shakerra Brown and Doris Brown at their residence Line Street in reference to interviewing Shakerra Brown regarding information that maybe helpful in getting Thompson White an appeal of his sentence. After interviewing Shakerra Brown a hand written affidavit was obtained and turned over to Attorney Savage office. We will work with Shakerra at the notice of a hearing when it occurs to assist with preparing her for testimony when the time comes.

If you have any other request, please feel free to contact me. With kind regards,

Sincerely,

James L. Randolph  
Private Investigation