

ORIGINAL

STATE OF SOUTH CAROLINA
In The Supreme Court

APPEAL FROM GREENVILLE COUNTY
Court of Common Pleas

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The Honorable C. Victor Pyle, Jr., Guilty Plea Judge
The Honorable D. Garrison Hill, Post-Conviction Relief Judge

S.C. Supreme Court

Appellate Case No. 2014-001427

Patrick B. Connor Respondent,

v.

State of South Carolina, ...Petitioner.

APPENDIX

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STATE OF SOUTH CAROLINA

COUNTY OF GREENVILLE

STATE OF SOUTH CAROLINA

PLAINTIFF)

vs.

PATRICK CONNOR

KENNETH LIPSEY

CO-DEFENDANTS)

) COURT OF GENERAL SESSIONS
) 2010-GS-23-9063; 9065; 9055

ORIGINAL

TRANSCRIPT OF RECORD

January 11, 2012
Greenville, South Carolina

B E F O R E :

THE HONORABLE C. VICTOR PYLE, JR., Judge.

A P P E A R A N C E S :

MARK MOYER, ESQ.
Attorney for the State

LARRY COOKE, ESQ.
Attorney for the Defendant Connor

DANIEL FARNSWORTH, ESQ.
Attorney for the Defendant Lipsey

APRIL HERRON
Official Court Reporter

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Certificate of Reporter 22

1 MR. MOYER: May it please the Court. Your
2 Honor, the first case for today involve two co-defendants,
3 Patrick Connor and Kenneth Lipsey. And both have signed
4 sentencing sheets so I anticipate a plea soon.

5 THE COURT: All right.

6 MR. MOYER: May it please the Court, we'll call
7 that case first. Patrick Connor and Kenneth Lipsey.

8 THE CLERK: Your Honor, this is case number
9 2010-GS-23-9055, The State vs. Patrick Bouvier Demetric
10 Connor, indictment for armed robbery and possession of a
11 weapon during the commission of a violent crime. He is
12 pleading to the same. And it is a true bill.
13 2010-GS-23-9063, indictment for armed robbery and
14 possession of a weapon during the commission of a violent
15 crime, pleading to the same. It is also a true bill.
16 2010-GS-23-9065, indictment for armed robbery and
17 possession of a weapon during the commission of a violent
18 crime, pleading to the same. It is also a true bill.
19 2010-GS-23-8782, Kenneth Lipsey, Jr., indictment
20 for armed robbery, pleading to the same. It is a true
21 bill. 2010-GS-23-8783, indictment for armed robbery,
22 pleading to the same it is a true bill. 2010-GS-23-9045,
23 indictment for armed robbery, pleading to the same. It is
24 a true bill. I'm sorry, Your Honor, he's pleading to
25 armed robbery or armed or allegedly armed with a deadly

1 weapon. I'm sorry, it is a true bill as well.

2 2011-GS-23-4163, indictment for possession of marijuana
3 with intent to distribute, pleading to possession with
4 intent to distribute marijuana, second offense. It is a
5 true bill as well.

6 Would you raise your right hand to be sworn in,
7 please.

8 (WHEREUPON, the Defendants were sworn.)

9 THE COURT: All right, you are Patrick Connor?

10 MR. CONNOR: Yes, sir.

11 THE COURT: And how old are you, Mr. Connor?

12 MR. CONNOR: Twenty-three, sir.

13 THE COURT: And how much education do you have?

14 MR. CONNOR: Tenth grade level.

15 THE COURT: So you know how to read and write?

16 MR. CONNOR: Yes, sir.

17 THE COURT: And have you ever worked?

18 MR. CONNOR: Yes, sir. I'm currently working
19 right now, Your Honor, at Executive Cabinetry.

20 THE COURT: All right. And Mr. Cooke is your
21 lawyer?

22 MR. CONNOR: Yes, sir, Your Honor.

23 THE COURT: You're Kenneth Lipsey?

24 MR. LIPSEY: Yes, sir.

25 THE COURT: How old are you, sir?

1 MR. LIPSEY: Twenty-three.

2 THE COURT: How far did you go in school?

3 MR. LIPSEY: I graduated with a high school
4 diploma?

5 THE COURT: So you know to read and write?

6 MR. LIPSEY: Yes, sir.

7 THE COURT: Have you ever worked?

8 MR. LIPSEY: Yes, sir, I work at McGee Brothers.

9 THE COURT: All right. And Mr. Farnsworth is
10 your lawyer?

11 MR. LIPSEY: Yes, sir.

12 THE COURT: Now, have questions I'm going to
13 direct to both of you at same time and I'll need your
14 response to them. Have each of you talked to your lawyers
15 sufficient amount of time to plead guilty?

16 MR. CONNOR: Yes, sir.

17 MR. LIPSEY: Yes, sir.

18 THE COURT: I can't hear you.

19 MR. CONNOR: Yes, sir, Your Honor.

20 MR. LIPSEY: Yes, sir, Your Honor.

21 THE COURT: When you've talked with them have
22 you understood your talks with them?

23 MR. CONNOR: Yes, sir.

24 MR. LIPSEY: Yes, sir.

25 THE COURT: Have they done everything for you

1 that you've asked them to do?

2 MR. CONNOR: Yes, sir.

3 MR. LIPSEY: Yes, sir.

4 THE COURT: Have they done anything at all that
5 you don't like?

6 MR. CONNOR: No, sir.

7 MR. LIPSEY: No, sir.

8 THE COURT: Are you fully and completely
9 satisfied with their services?

10 MR. CONNOR: Yes, sir.

11 MR. LIPSEY: Yes, sir.

12 THE COURT: Either of you have any complaints to
13 make against your lawyer?

14 MR. CONNOR: No, sir.

15 MR. LIPSEY: No, sir.

16 THE COURT: Now, has any one used any force or
17 made any threats against you in order to get you to plead
18 guilty?

19 MR. CONNOR: No, sir.

20 THE COURT: Has anybody promised you a lighter
21 sentence if you pled guilty?

22 MR. CONNOR: No, sir.

23 MR. LIPSEY: No, sir.

24 THE COURT: Has anybody promised you anything
25 for pleading guilty?

1 MR. CONNOR: No, sir.

2 MR. LIPSEY: No, sir.

3 THE COURT: Are you pleading guilty voluntarily,
4 that is of your own freewill?

5 MR. CONNOR: Yes, sir.

6 MR. LIPSEY: Yes, sir.

7 THE COURT: Now you understand the maximum

8 sentence for armed robbery is up to 30 years in prison?

9 MR. CONNOR: Yes, sir.

10 MR. LIPSEY: Yes, sir.

11 THE COURT: Do you understand that? Five years
12 for possession of a weapon during the commission of a
13 violent crime, 10 years for assault and battery, and 10
14 years for possession of marijuana with intent to
15 distribute, second offense.

16 MR. CONNOR: Yes, sir.

17 MR. LIPSEY: Yes, sir.

18 THE COURT: Do you understand those maximum
19 sentences?

20 MR. CONNOR: Yes, sir.

21 MR. LIPSEY: Yes, sir.

22 THE COURT: And you still want to plead guilty?

23 MR. CONNOR: Yes, sir.

24 MR. LIPSEY: Yes, sir.

25 THE COURT: Now you don't have to plead guilty

1 you've got a perfect right to stand trial by jury. Do
2 each of you know that?

3 MR. CONNOR: Yes, sir.

4 MR. LIPSEY: Yes, sir.

5 THE COURT: You're on the trial docket today for
6 a jury trial. I understand you're going to give up that
7 right and plead guilty, is that correct?

8 MR. CONNOR: Yes, sir.

9 MR. LIPSEY: Yes, sir.

10 THE COURT: If you stood trial by jury you would
11 have no burden whatsoever, you would not have to take the
12 stand and testify or present evidence because that's your
13 Constitutional right. The burden would be on the State to
14 prove you guilty beyond a reasonable doubt. Do you
15 understand those rights?

16 MR. CONNOR: Yes, sir.

17 MR. LIPSEY: Yes, sir.

18 THE COURT: You give up all those rights when
19 you plead guilty, is that what you want to do?

20 MR. CONNOR: Yes, sir.

21 MR. LIPSEY: Yes, sir.

22 THE COURT: Are you under the influence of any
23 alcohol, or any other substance right at this moment?

24 MR. CONNOR: No, sir.

25 MR. LIPSEY: No, sir.

1 THE COURT: You're sober?

2 MR. CONNOR: Yes, sir.

3 MR. LIPSEY: Yes, sir.

4 THE COURT: You know what you're doing?

5 MR. CONNOR: Yes, sir.

6 MR. LIPSEY: Yes, sir.

7 THE COURT: And you want to plead guilty?

8 MR. CONNOR: Yes, sir.

9 MR. LIPSEY: Yes, sir.

10 THE COURT: All right, Solicitor, tell me about
11 it.

12 MR. MOYER: Thank you, Your Honor, may it please
13 the Court. The three armed robberies occurred on the
14 early morning hours of June 29th of 2010 in the space of
15 about an hour, hour and a half period of time. Somewhere
16 between about 1:30 and 2:30 in the morning. The testimony
17 the trial would have consisted of some friends of these
18 defendants who would say that they were with the
19 defendants that evening at their trailer in Greenville
20 County. That about somewhere around one o'clock in the
21 morning, the defendants borrowed a very distinctive
22 looking black Honda vehicle from one of their friends,
23 female friend. They also picked up a pistol and they left
24 and they came back somewhere around hour, hour and a half,
25 two hours later. And they had money and they had some

1 cell phones that did not belong to them and also admitted
2 to committing some robberies.

3 The testimony would be that the defendants first
4 went to some apartments in Greenville County on Cedar Lane
5 Road. And they pulled up to the apartments. The
6 Defendant, Patrick Connor got out of the car, approached
7 two people who were in the breezeway of the apartment, a
8 man and woman. The man turned and ran into the apartment
9 and Patrick Connor robbed the female of her purse
10 containing her wallet and some other personal items. He
11 then ran back to the car and the defendants left. And I
12 would add at this time that the Defendant, Kenneth Lipsey
13 was the driver for the entire evening and Patrick Connor
14 is the one who committed the -- actually committed the
15 robberies.

16 The defendants then went to a residence on Green
17 Avenue in Greenville County. Where a man had just gotten
18 off work. He was standing out by his car, listening to
19 some music before he went to bed. When the black Honda
20 came up, drove up, stopped. Patrick Connor got out of the
21 vehicle, approached the victim and robbed him of his of
22 his wallet, including money that was in the wallet.
23 During the course of that robbery Patrick Connor actually
24 punched the victim one time in the face, then he got back
25 in the car and they drove off again.

1 They then went up to -- to [REDACTED] Drive in
2 Greenville where they saw another man and woman standing
3 out next to a car. They stopped the car, Patrick Connor
4 again got out, armed with a pistol, approached the male,
5 robbed him of about \$300 cash that he had. And during the
6 course of that he punched the man, forced him to get on
7 the ground and hit him several times with the pistol. He
8 then went over to where the female was who was seated in
9 the car and he attempted to rob her as well. She did not
10 have any money on her. But he grabbed her, got her out of
11 the car, hit her as well as and knocked her to the ground
12 and then got back in the car where Kenneth Lipsey then
13 drove them back to the apartment.

14 The officers were able to identify the vehicle.
15 Based on that information they were able to identify the
16 owner of that vehicle. She gave up the information that
17 these defendants had been using the car that night that
18 led to the arrest of the defendants the following morning.
19 They found some of the property in their trailer, a couple
20 of the cell phones. Kenneth Lipsey gave a statement to
21 the police admitting his involvement in these three
22 robberies that day as well as. Your Honor, that
23 essentially would be the evidence that would come before
24 the trial.

25 Also, there is a charge against Kenneth Lipsey

1 that was not on the trial docket. That's the PWID
2 marijuana. And the facts for that case are that on
3 March 5th, 2011, he was pulled over by police on Woodruff
4 Road in Greenville. A search of his vehicle resulted in
5 bag of marijuana being found. The lab weight for that
6 marijuana was 220 grams.

7 THE COURT: All right, gentleman, you've heard
8 the facts related to me on these different occasions, is
9 that what happened?

10 MR. CONNOR: Yes, sir.

11 MR. LIPSEY: Yes, sir.

12 THE COURT: Mr. Lipsey, the statement you gave
13 to the police, did you give that to them freely and
14 voluntarily?

15 MR. LIPSEY: Yes, sir.

16 THE COURT: Did they promise you anything for
17 giving that statement?

18 MR. LIPSEY: No, sir.

19 THE COURT: And were you under the influence of
20 any alcohol, drugs or other substance when you gave that
21 statement?

22 MR. LIPSEY: No, sir.

23 THE COURT: So it was freely and voluntarily
24 given, is that correct?

25 MR. LIPSEY: Yes, sir.

1 THE COURT: I'll accept the pleas as being
2 voluntarily made and as having a substantial, factual
3 basis.

4 Who wants to go first?

5 MR. COOKE: I'll go first. First of all, Judge,
6 I'd like to point out that no one was hurt in this case.
7 Nobody was treated, nobody was taken to the hospital.

8 Just totally out of character for my client. I've kind of
9 got to know him for the last year. And he's really a
10 gentle, nice, young guy. Call him June bug. I asked him
11 the other day how he got that name. He said when he was
12 young he was always running into the wall and stuff like
13 that, like a June bug does. So anyhow his family's here,
14 good people, come from a good background.

15 Judge, he grew up in Greenville. He's 23 years
16 old. He has -- he has two children and one on the way.
17 He's working at Executive Cabinets and he is a good
18 employee. The -- he's really young. I mean, I know that
19 he's staring at jail time, Judge, no question about that.
20 He understands that. But he's awful young. And I would
21 ask the Court to please take that into consideration.
22 That he's going to have to do 85 percent of whatever you
23 give him. And that's a long time in prison. I hope that
24 he'll try to make something out of himself and learn a
25 trade while he's in prison.

1 Your Honor, the young girl in this case whose
2 car was used, I don't know that she had any involvement
3 but whatever it was she got pre-trial intervention. So
4 that's why she's not up here today. And I believe that
5 what she told everybody was the truth of the matter. Your
6 Honor, if you would just consider the minimum sentence in
7 this case. Taking into consideration that they're going
8 to have to do 85 percent. The family, everybody is behind
9 them. I mean, they really -- they really support them.
10 And they were quite shocked about this as well, Judge.

11 I don't know what makes these young kids, I get
12 these cases, a lot of them, where the young kids get to
13 fooling with guns and all of a sudden they feel like Wyatt
14 Earp. It's just incredible. But this gun did not belong
15 to my client. He borrowed it from another guy who was
16 involved in this case. The other guy didn't get charged
17 with anything. So I just wanted you to know that. It
18 wasn't a gun that he had, that he planned anything. It's
19 just that crazy night. And whatever you would do to help
20 him would be greatly appreciated, Judge. I'm, of course,
21 court appointed in the case. We worked pretty hard on
22 this. This file I have here is very thin compared to what
23 I have in my bag over there. But I've gone over this case
24 with my client, we went over it yesterday.

25 He said, I through myself at the mercy of the

1 Court and just ask the Judge to be as lenient as possible.

2 And I am very sorry for what I did.

3 Thank you, Judge.

4 THE COURT: Anything you want to say,

5 Mr. Connor?

6 MR. CONNOR: Yes, sir. I want to say sorry to
7 any of the victims. I mean, I wish I could take it all
8 back. If I had the chance to I would. That would be one
9 thing in my life that I would take back. Your Honor, I
10 just -- I just want to get home to my kids. And I don't
11 want to get a long time away. I know I did the crime. So
12 I know there's going to be a sentence, Your Honor. So I
13 just hope you have mercy on me, Your Honor. I'm very
14 sorry.

15 THE COURT: All right, Mr. Farnsworth.

16 MR. FARNSWORTH: Thank you, Your Honor, may it
17 please the Court. Your Honor, as the Solicitor said,
18 Mr. Lipsey admitted to his involvement with the State once
19 he was arrested. He was the driver in these three
20 incidents. He has offered to testify all along, Judge.
21 In fact, we had had scheduled a couple of different times
22 before this ever got on the plea docket to enter a plea
23 and defer sentencing. That ended up not happening until
24 the Solicitor, I think, decided to do these together once
25 he realized that Mr. Connor was demanding trial initially.

1 Judge, Mr. Lipsey is 23 years old, he's got one
2 child, one year old child, one on the way. Due in April.
3 He's been working construction jobs since he got released
4 from bond about 13 months ago, 12 months ago. He
5 understands, Judge, he made some very bad decisions that
6 night. He's has some of a prior record, not that much,
7 Judge. He's got, I think, a simple assault in his prior
8 record, a drug possession, marijuana possession and I
9 think a CDV first charge. But nothing like this, Judge.
10 And he understands that he's looking at 10 to 30 on this,
11 Judge. Then up to 10 on the marijuana charge.

12 Judge, I'd ask you to consider the minimum
13 sentence in this case. I think it's appropriate due to
14 the fact that he hasn't really been in much trouble before
15 now. The Solicitor, I think, will acknowledge that my
16 client is less culpable as not being the one that had the
17 pistol and assaulted the victims. He does know that he's
18 just as guilty as Mr. Connor. But I think I would just
19 ask the Court to consider that. I think with the 10 year
20 prison sentence, Judge, Mr. Lipsey will definitely be
21 making better decisions once he's released.

22 THE COURT: All right, Mr. Lipsey, anything you
23 to want say, sir?

24 MR. LIPSEY: I just want to say I know I did
25 wrong. I just want to apologize to everyone for putting

1 them through this. I just ask you to be lenient. And I
2 just want to make it home to my kids in a decent amount of
3 time.

4 THE COURT: All right, Solicitor, did I miss it
5 or did you tell me -- I see they were originally charged
6 with five cases rather than the three. As part of the
7 deal are you dismissing --

8 MR. MOYER: Well it's actually not part of the
9 deal, Your Honor, I mean, it's a strategic decision. If
10 we were going to go to trial today I was just going to go
11 forward on those three. There where two other incidents
12 that happened that night. The evidence was not -- I did
13 not believe was as strong as it was on these three cases.
14 And so it's not part of a deal, Your Honor, but just a
15 strategic decision.

16 THE COURT: All right, anything else?

17 MR. COOKE: I forgot to mention, Judge, my
18 client has no substantial record. He's got a driving
19 under suspension, I believe, he's got a simple possession
20 of marijuana, Judge.

21 What was the other one?

22 MR. MOYER: May it please the Court, Your Honor,
23 their records, Mr. Connor in 2008 was convicted of false
24 information to police, simple possession of marijuana and
25 DUS. Mr. Lipsey in 2008 was convicted of possession of

1 controlled substance. In 2010 was convicted of criminal
2 domestic violence.

3 The -- just want to make a couple other
4 comments. All the victims, they're five victims total to
5 these three cases, the victims are all present in the
6 courtroom. I've been told they do not want to address the
7 Court. Want to make a couple other comments. There was
8 mention the girl who owned the car and the guy whose gun
9 it was, who were not charged in this case. And that's
10 simply because there was no evidence that we had that
11 showed that they knew that these defendants were going to
12 commit armed robberies. With the car or the gun. So
13 that's the reason for that.

14 Your Honor, there was mention about injuries.
15 Although it's true no one went to the hospital, two of the
16 victims did have some cuts and scrapes and bruises. There
17 were photographs taken which I would just like to show the
18 Court briefly. Again, medical attention was not required,
19 they didn't have to go to the hospital. But from being
20 knocked on to the ground they did have some scrapes and
21 cuts to their arms and to their knees. Your Honor, the
22 jail -- both these defendants got out on bond. Mr. Lipsey
23 was in jail for 182 days. And Mr. Connor was in jail for
24 121 days before they made bond.

25 THE COURT: A 121 and how much on the other,

1 181?

2 MR. MOYER: Mr. Lipsey was 182. Mr. Connor was
3 121.

4 MR. FARNSWORTH: Judge, one other thing I'd like
5 to add as far as that marijuana charge. There were two
6 other passengers in the car when that car was pulled over.
7 My client was not the drive, he was the passenger. But he
8 did admit right away that was his marijuana. He didn't
9 try to avoid it or deny possession of it.

10 THE COURT: Now these offenses occurred back in
11 June of 2010?

12 MR. COOKE: Ten.

13 THE COURT: And you both fathered a child since
14 you got out on bond?

15 MR. CONNOR: Yes, sir.

16 MR. LIPSEY: Yes, sir.

17 MR. COOKE: Judge, my client has been on curfew
18 and he has not broken it since that day. Judge, he hadn't
19 had a child since he's been out on bond, no. He has one
20 on the way but he has not had a child.

21 THE COURT: When was that child conceived? When
22 is it due?

23 MR. COOKE: Sir?

24 MR. CONNOR: It's due in March, Your Honor.
25 March.

1 THE COURT: Okay. Well it occurred since.

2 MR. CONNOR: Yeah.

3 MR. COOKE: Right, I understand.

4 SENTENCING

5 THE COURT: All right, gentlemen, on the
6 indictments for armed robbery, the sentence on each of
7 those is that you be committed to the Department of
8 Corrections for a period of 25 years. Those sentences to
9 run concurrent. On the possession of a weapon during the
10 commission of a violent crime, five years, concurrent.

11 Mr. Lipsey, on the marijuana charge, five years,
12 concurrent.

13 Did I cover all them?

14 MR. COOKE: I think that covers it.

15 THE COURT: All right.

16 (WHEREUPON, the proceedings were concluded.)
17
18
19
20
21
22
23
24
25

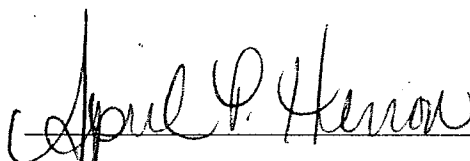
CERTIFICATE OF REPORTER

STATE OF SOUTH CAROLINA)
COUNTY OF GREENVILLE)

I, APRIL P. HERRON, Official Court Reporter for the
Thirteen Judicial Circuit of the State of South Carolina,
do hereby certify that the foregoing is a true, accurate
and complete Transcript of Record of the proceedings had
and evidence introduced in the trial of the captioned
case, relative to appeal, in the Court of General Sessions
for Greenville County, South Carolina, on the 11th day of
January, 2012.

I do further certify that I am neither of kin,
counsel nor interest to any party hereto.

April 17, 2013



APRIL P. HERRON, Court Reporter

FORM 5

STATE OF SOUTH CAROLINA)

COUNTY OF GREENVILLE)

Patrick Bouvier Connor, 329222)
Full name and prison number (if any) of Applicant.)

v.)

State of South Carolina)

IN THE COURT OF COMMON PLEAS

2013-CP-23- 00154

APPLICATION FOR
POST-CONVICTION RELIEFFILED-CLERK OF COURT
GREENVILLE CO S.C.
JAN 10 A 10:13
B WICKENSIMERINSTRUCTIONS - READ CAREFULLY

In order for this application to receive consideration by the Court, it shall be in writing (legibly handwritten or typewritten), signed by the applicant and verified (notarized), and it shall set forth in concise form the answers to each applicable question. If necessary, applicant may furnish his answer to a particular question on the reverse side of the page or on an additional page. Applicant shall make clear to which question any such continued answer refers.

Since every application must be sworn under oath, any false statement of a material fact therein may serve as the basis of prosecution and conviction for perjury. Applicants should, therefore, exercise care to assure that all answers are true and correct.

If the application is taken in forma pauperis, it shall include an affidavit (attached at the back of the form) setting forth information which establishes that applicant will be unable to pay the fees and costs of the proceedings. When the application is completed, the original shall be mailed to the Clerk of Court for the County in which the applicant was convicted.

1. Place of detention McCormick Correctional Institution
2. Name and location of Court which imposed sentence Greenville County General Sessions
3. Name(s) of co-defendant(s) (if any) Kenneth Lipsey, Jr.
4. The indictment number or numbers (if known) upon which and the offenses for which sentence was imposed:
 - (a) 2010GS239063 Armed Robbery/Possession of weapon during violent crime
 - (b) 2010GS239065 Armed Robbery/Possession of weapon during violent crime.
 - (c) _____
5. The date upon which sentence was imposed and the terms of the sentence:
 - (a) 01/17/2012; 25 years incarceration, parole ineligible
 - (b) 01/17/2012; 25 years incarceration, parole ineligible

- (c) _____
6. Check whether a finding of guilty was made:
- (a) after a plea of guilty x
- (b) after a plea of not guilty _____
- (c) after a plea of nolo contendere _____
7. Did you appeal from the judgment of conviction or the imposition of sentence?
No
8. If you answered "yes" to (7), list:
- (a) the name of each Court to which you appealed:
- i. _____
- ii. _____
- iii. _____
- (b) the result in each such Court to which you appealed:
- i. _____
- ii. _____
- iii. _____
- (c) the date of each such result:
- i. _____
- ii. _____
- iii. _____
- (d) if known, citations of any written opinion or orders entered pursuant to such results:
- i. _____
- ii. _____
- iii. _____
9. If you answered "no" to (7), state your reasons for not so appealing:
- (a) Appeal not appropriate from guilty plea.
- (b) _____
- (c) _____
10. State concisely the grounds on which you base your allegation that you are being held in custody unlawfully:

- (a) Ineffective assistance of trial counsel.
- (b) Failure of State to provide proper discovery under Rule 5 and Brady, etc.
- (c) Plea not knowingly, intelligently, freely entered.

11. State concisely and in the same order the facts which support each of the grounds set out in (10):

(a) Trial counsel failed to fully investigate the case, advise, prepare and/or present defenses or defend the case, failed to research, investigate and raise appropriate motions to discover or suppress evidence, challenge questionable evidence and testimony, make or obtain rulings on pretrial matters, engage in or convey discussions concerning plea offers or the potential for such offers, adequately meet with and explain the charges, evidence, and potential outcomes of the case with the Applicant. Trial counsel failed to ensure that the Applicant was properly counseled and that his plea was freely, voluntarily, and knowingly entered. Counsel further failed to ensure the Court was fully aware of the facts surrounding the plea and to ensure the colloquy between the Court and the Applicant fully explored the relevant facts that would have shown that the Applicant's plea was not freely, voluntarily, and knowingly entered and that the Applicant suffered from duress at the time which was a substantial factor in the Applicant's decision to enter a plea.

(b) That the State failed to turn over or disclose evidence that was subject to Brady or Rule 5, or otherwise subject to disclosure under State or Federal law, that was in their custody, control or possession, or which they knew or should have known of, including evidence which otherwise might not have been discoverable but for the fact that it would have led to the discovery of other evidence which was subject to discovery.

(c) The Defendant's plea was not knowingly, intelligently, and freely entered.

12. Prior to this application have you filed with respect to this conviction:

- (a) any petition in a State Court under South Carolina Law? No.
- (b) any petition in State or Federal Courts for habeas corpus or post-convictions relief? No.
- (c) any petition in the United States Supreme Court for certiorari other than petitions, if any, already specified in (8)? No.
- (d) any other petitions, motions or applications in this or any other Court? No.

13. If you answered "yes" to any part of (12), list with respect to each petition, motion or

application:

(a) the specific nature thereof:

i. _____

ii. _____

iii. _____

iv. _____

(b) the name and location of the Court in which each was filed:

i. _____

ii. _____

iii. _____

iv. _____

(c) the disposition thereof:

i. _____

ii. _____

iii. _____

iv. _____

(d) the date of each such disposition:

i. _____

ii. _____

iii. _____

iv. _____

(e) if known, citations of any written opinions or orders entered pursuant to each such disposition:

i. _____

ii. _____

iii. _____

iv. _____

14. Has any ground set forth in (10) been previously presented to this or any other Court, State or Federal, in any petition, motion or application which you have filed?

No.

15. If you answered "yes" to (14) identify:

- (a) which grounds have been presented:
 - i. _____
 - ii. _____
 - iii. _____
 - (b) the proceedings in which each ground was raised:
 - i. _____
 - ii. _____
 - iii. _____
16. If any ground set forth in (10) has not previously been presented to any Court, State or Federal, set forth the ground and state concisely the reasons why such ground has not previously been presented:
- (a) This is the first opportunity to properly raise the issues contained herein.
 - (b) _____
 - (c) _____
17. Were you represented by an attorney at any time during the course of:
- (a) your arraignment and plea? Yes
 - (b) your trial, if any? _____
 - (c) your sentencing? Yes
 - (d) your appeal, if any, from the judgment of conviction or the imposition of sentence? _____
 - (e) preparation, presentation or consideration of any petitions, motions or applications with respect to this conviction, which you filed? Yes
18. If you answered "yes" to one or more parts of (17), list:
- (a) the name and address of each attorney who represented you:
 - i. Larry Cooke, POB 10032, Greenville, SC 29603
 - ii. J. Falkner Wilkes, 114 Whitsett Street, Greenville, SC 29601
 - iii. _____
 - (b) the proceedings at which each such attorney represented you:
 - i. Plea
 - ii. Preparation of this PCR action.
 - iii. _____

19. State clearly the relief you seek in filing this application:

Reversal of conviction and sentence.

20. Are you now under sentence from any other court that you have not challenged?

No.

STATE OF SOUTH CAROLINA

)

VERIFICATION

)

County of Greenville

)

I, Patrick Bouvier Connor, being duly sworn upon my oath, depose and say that I have subscribed to the foregoing application; that I know the contents thereof; that it includes every ground known to me for vacating, setting aside or correcting the conviction and sentence attacked in this application; and that the matters and allegations therein set forth are true.

Patrick Connor

SWORN to and subscribed before me this 8th
day of January, 2013.

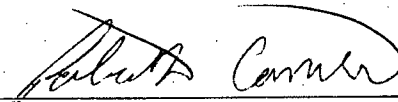
[Signature] (L.S.)
Notary Public

My Commission Expires: 2-12-14

**APPLICATION TO PROCEED WITHOUT PAYMENT
OF COSTS AND AFFIDAVIT
IN SUPPORT THEREOF**

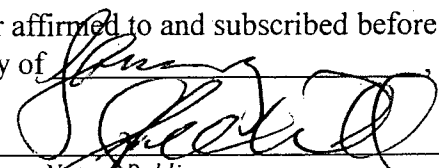
I, Patrick Bouvier Connor, hereby apply for leave to proceed in this action without prepayment of fees or costs or security therefor. In support of my application I declare under penalty of perjury that the following facts are true:

- (1) I am the applicant in this action and I believe I am entitled to redress.
- (2) Because of my poverty I am unable to pay the costs of said proceeding or give security thereof.



Applicant

SWORN or affirmed to and subscribed before me this
8th day of June, 2013.



Notary Public

My Commission Expires: 2-12-14

STATE OF SOUTH CAROLINA	)	IN THE COURT OF COMMON PLEAS
	)	C.A. No. 2013-CP-23-0154
COUNTY OF GREENVILLE	)	
	)	
Patrick Bouvier Connor,	)	
S.C.D.C. No. 329222,	)	
	)	
Applicant,	)	
	)	RETURN
v.	)	
	)	
State of South Carolina,	)	
	)	
Respondent.	)	
_____	)	

In response to the post-conviction relief application filed January 10, 2013, the Respondent would show this Court:

I.

The Applicant is incarcerated with the South Carolina Department of Corrections pursuant to the Greenville County Clerk of Court's orders of commitment. The Applicant was indicted at the June 2011 term of the Greenville County Grand Jury for three (3) counts of armed robbery (2010-GS-23-9055, count 1; -9063, count 1; -9065, count 1) and three (3) counts of possession of a weapon during the commission of a violent crime (2010-GS-23-9055, count 2; -9063, count 2; -9065, count 2). Larry Cooke, Esquire represented the Applicant.

On January 11, 2012, the Applicant pled guilty. The Honorable C. Victor Pyle, Jr. sentenced the Applicant to concurrent terms of twenty-five (25) years for each count of armed robbery and five (5) years for each count of possession of a weapon during the commission of a violent crime. The Applicant did not appeal.

Attached herewith and incorporated herein by reference are the records of the Greenville County Clerk of Court regarding the subject convictions and the Applicant's records from the

South Carolina Department of Corrections. The plea transcript will be forwarded upon receipt.

II.

In his application for post-conviction relief the Applicant alleges he is being held in custody unlawfully for the following reasons:

1. Ineffective assistance of counsel:
 - a. Failed to fully investigate the case, advise, prepare and/or present defenses or defend the case, failed to research, investigate and raise appropriate motions to discover or suppress evidence, challenge questionable evidence and testimony, make or obtain rulings on pretrial matters, engage in or convey discussions concerning plea offers or the potential for such offers, adequately meets with and explain the charges, evidence, and potential outcomes with the Applicant.
 - b. Failed to ensure that the Applicant was properly counseled and that his plea was freely, voluntarily, and knowingly entered.
 - c. Failed to ensure the Court was fully aware of the facts surrounding the plea and to ensure the colloquy between the Court and the Applicant fully explored the relevant facts that would have shown that the Applicant's plea was not freely, voluntarily, and knowingly entered and that the Applicant suffered from duress at the time which was a substantial factor in the Applicant's decision to enter a plea.
2. Involuntary guilty plea.
 - a. Applicant's plea was not knowingly, intelligently, and freely entered.
3. State failed to disclose all Brady or Rule 5 materials.

III.

The Respondent asserts the Applicant's allegation that his attorney was ineffective is without merit. The Respondent asserts the Applicant's attorney rendered effective assistance well within the standard of "reasonableness within professional norms" for a defense attorney.

Where ineffective assistance of counsel is alleged as a ground for relief, the Applicant must prove that "counsel's conduct so undermined the proper functioning of the adversarial process that the trial cannot be relied on as having produced a just result." Strickland v.

Washington, 466 U.S. 668, 686, 104 S. Ct. 2052, 2064 (1984); Butler v. State, 286 S.C. 441, 442, 334 S.E.2d 813, 814 (1985).

The proper measure of performance is whether the attorney provided representation within the range of competence required in criminal cases. The courts presume counsel "rendered adequate assistance and made all significant decisions in the exercise of reasonable professional judgment." Strickland, 466 U.S. at 690, 104 S. Ct. at 2066. The Applicant must overcome this presumption in order to receive relief. See Cherry v. State, 300 S.C. 115, 118, 386 S.E.2d 624, 625 (1989).

A two-pronged test is used in evaluating allegations of ineffective assistance of counsel. First, the applicant must prove counsel's performance was deficient. Under this prong, attorney performance is measured by its "reasonableness under prevailing professional norms." Cherry v. State, 300 S.C. at 117, 386 S.E.2d at 625 (quoting Strickland, 466 U.S. at 688, 104 S. Ct. at 2065). Second, counsel's deficient performance must have prejudiced the Applicant such that "there is a reasonable probability that, but for counsel's unprofessional errors, the result of the proceeding would have been different." Cherry, 300 S.C. at 117-18, 386 S.E.2d at 625. "A reasonable probability is a probability sufficient to undermine confidence in the outcome of trial." Johnson v. State, 325 S.C. 182, 186, 480 S.E.2d 733, 735 (1997) (citing Strickland v. Washington, 466 U.S. 668, 104 S. Ct. 2052 (1984)).

The Respondent submits the Applicant cannot satisfy either requirement of the Strickland v. Washington test. However, the allegation of ineffective assistance of counsel probably raises questions of fact that cannot be conclusively refuted by the record. The Respondent requests an evidentiary hearing to fully resolve this issue. See Sharper v. State, 279 S.C. 264, 265, 305

S.E.2d 247, 248 (1983).

IV.

The Applicant's assertion that his guilty plea was involuntary is without merit. In post-conviction relief cases, an applicant asserting a constitutional violation must frame the issue as one of ineffective assistance of counsel. See Al-Shabazz v. State, 338 S.C. 354, 363, 527 S.E.2d 742, 747 (1999) (citing Drayton v. Evatt, 312 S.C. 4, 9, 430 S.E.2d 517, 520 (1993)). An Applicant who pleads guilty on the advice of counsel may collaterally attack the plea only by showing that (1) counsel was ineffective and (2) there is a reasonable probability that but for counsel's errors, the Applicant would not have pled guilty and would have insisted on going to trial. Roscoe v. State, 345 S.C. 16, 20, 546 S.E.2d 417, 419 (2001) (citations omitted). An Applicant alleging his guilty plea was induced by ineffective assistance of counsel must prove that counsel's advice was not "within the range of competence demanded of attorneys in criminal cases." Hill v. Lockhart, 474 U.S. 52, 56, 106 S. Ct. 366, 369 (1985); Bennett v. State, 371 S.C. 198, 204, 638 S.E.2d 673, 675 (2006).

To find a guilty plea is voluntarily and knowingly entered into, the record must establish the applicant had a full understanding of the consequences of his plea and the charges against him. See Boykin v. Alabama, 395 U.S. 238, 243-44, 89 S. Ct. 1709, 1712 (1969). In Boykin, the United States Supreme Court held that before a court can accept a guilty plea, a criminal defendant must be advised of the constitutional rights he is waiving. Id. at 243, 89 S. Ct. at 1712. Specifically, the accused must be aware of the privilege against self-incrimination, the right to a jury trial, and the right to confront one's accusers. Id. Moreover, a criminal defendant entering a guilty plea "must be aware of the nature and crucial elements of the offense, the

maximum and any mandatory minimum penalty, and the nature of the constitutional rights being waived.” Pittman v. State, 337 S.C. 597, 599, 524 S.E.2d 623, 624 (1999) (citation omitted). A criminal defendant’s knowing and voluntary waiver of statutory or constitutional rights in a guilty plea “must be established by a complete record, and may be accomplished by colloquy between court and defendant, between court and defendant’s counsel, or both.” Roddy v. State, 339 S.C. 29, 34, 528 S.E.2d 418, 421 (2000).

When determining issues relating to guilty pleas, the court will consider the entire record, including the transcript of the guilty plea, and the evidence presented at the post-conviction relief hearing. Anderson v. State, 342 S.C. 54, 57, 535 S.E.2d 649, 657 (2000).

The Respondent submits the record fully supports the knowing and voluntary nature of the Applicant’s plea. However, allegations regarding ineffective assistance of counsel and the voluntariness of the plea may raise a question of fact that is not conclusively refuted by the record. Accordingly, the Respondent requests an evidentiary hearing to fully resolve this issue. See Sharper v. State, 279 S.C. at 265, 305 S.E.2d at 248.

V.

The Respondent construes ground three to allege that the State withheld favorable evidence in violation of Rule 5, SCRCrimP and Brady v. Maryland, 373 U.S. 83, 83 S. Ct. 1194 (1963). In evaluating post-trial Brady claims, the Applicant must show that (1) the prosecution suppressed evidence, (2) the evidence would have been favorable to the accused, and (3) the suppressed evidence is material. United States v. Wolf, 839 F.2d 1387 (10th Cir. 1988). A Brady violation does not warrant reversal if the evidence is merely cumulative or impeaching. Clark v. State, 315 S.C. 385, 434 S.E.2d 266 (1993). “Impeachment or exculpatory evidence is

material only if there is a reasonable probability that, had the evidence been disclosed to the defense, the result of the proceeding would have been different." Id. at 388, 434 S.E.2d at 268.

The Respondent submits that this ground for relief is totally without merit. However, this allegation may raise a question of fact that is not conclusively refuted by the record. Accordingly, the Respondent requests an evidentiary hearing to fully resolve this issue. See Sharper v. State, 279 S.C. at 265, 305 S.E.2d at 248.

VI.

The Respondent denies each allegation not expressly admitted, qualified or explained.

VII.

WHEREFORE, having made its Return, the Respondent requests that a hearing be held and counsel appointed to represent the Applicant.

Respectfully submitted,

ALAN WILSON
Attorney General

JOHN W. McINTOSH
Chief Deputy Attorney General

SALLEY W. ELLIOTT
Senior Assistant Deputy Attorney General

KAREN C. RATIGAN
Assistant Deputy Attorney General
P.O. Box 11549
Columbia, S.C. 29211

By:


Attorneys for Respondent

May 7, 2013

STATE OF SOUTH CAROLINA)

COUNTY OF GREENVILLE)

IN THE COURT OF COMMON PLEAS

2013-CP-23-0154

PATRICK BOUVIER CONNOR, 329222)

Applicant,)

vs)

AFFIDAVIT OF SERVICE BY MAIL

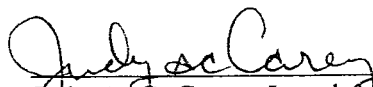
STATE OF SOUTH CAROLINA,)

Respondent.)

1. I am an employee of the Respondent in the above-captioned action.
2. Regular communication by mail exists throughout the State of South Carolina and that this is a proper circumstance of service by mail.
3. I have this day served a copy of the **Return** in the above-captioned matter on the following person by depositing same in the United States mail, postage prepaid:

Jeff F. Wilkes, Esquire
114 Whitsett Street
Greenville SC 29601

DATED this 7th day of May, 2013.


 Judy A.C. Carey, Legal Assistant
 For Respondent

STATE OF SOUTH CAROLINA)

COUNTY OF GREENVILLE)

COURT OF COMMON PLEAS
2013-CP-23-00154

PATRICK BOUVIER DEMETRI
CONNOR,

APPLICANT,

vs.

TRANSCRIPT OF RECORD

STATE OF SOUTH CAROLINA,
RESPONDENT.

ORIGINAL

April 23, 2014
Greenville, South Carolina

B E F O R E:

THE HONORABLE D. GARRISON HILL, JUDGE.

A P P E A R A N C E S:

J. FALKNER WILKES, ESQ.
Attorney for the Applicant

KAREN C. RATIGAN, ESQ.
Attorney for the Respondent

HOLLIE M. JENKINS
Circuit Court Reporter

I N D E X

(AW) - Denotes Applicant's Witness
(RW) - Denotes Respondent's Witness

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<u>(AW) PATRICK BOUVIER DEMETRI CONNOR:</u>	
Direct Examination by Mr. Wilkes.....	4
Cross-Examination by Ms. Ratigan.....	15
<u>(RW) LARRY HOLMES COOKE:</u>	
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E X H I B I T S

<u>NO.</u>	<u>DESCRIPTION</u>	<u>ID.</u>	<u>EVD.</u>
(Applicant's Exhibits)			
A-1	Letter dated 5/24/11.....	4	6
A-2	Letter dated 1/2/11.....	4	6
A-3	Letter dated 10/3/11.....	4	6
A-4	Bail Proceeding Form.....	4	6
A-5	Letter dated 10/29/10.....	42	

All Exhibits were retained by the Clerk of Court for Greenville County.

P R O C E E D I N G S

THE COURT: Yes, ma'am, Ms. Ratigan.

MS. RATIGAN: Thank you, Your Honor.

May it please the Court.

This is the case of Patrick Connor v. the State of South Carolina. The docket number is 2013-CP-23-0154. Mr. Connor was indicted for three counts of armed robbery, and three counts of possession of a weapon during the commission of a violent crime. He was represented on these charges by Mr. Cooke.

On January 11th of 2012, he pled guilty before Judge Pyle. He received concurrent sentences of 25 years for each count of armed robbery, and five years for each weapons charge. He did not file an appeal.

And the State is ready to proceed.

THE COURT: Yes, sir, Mr. Wilkes.

MR. WILKES: May it please the Court, Your Honor.

We covered a lot of ground in our application. We're narrowing our request for relief down to the issue of inadequate advice and conveyance of a guilty -- or a plea offer. And we're seeking relief under Davie v. State, which I think would allow the Court to tailor a remedy to go back to a good faith negotiation on the plea, if we convince the Court of our grounds.

So that's -- we're narrowing it significantly.

1 THE COURT: Okay.

2 MR. WILKES: And I'm going to pre-mark a couple of
3 things before I get started.

4 (WHEREUPON, Applicant's Exhibit Nos. 1, 2, 3, and 4
5 were marked for identification only.)

6 MR. WILKES: Your Honor --

7 THE COURT: Yes, sir.

8 MR. WILKES: -- at this time, I call Mr. Patrick
9 Connor to the stand.

10 THE CLERK: Mr. Connor, please, place your left hand
11 on the Bible and raise your right hand the best you can.
12 WHEREUPON,

13 PATRICK BOUVIER DEMETRI CONNOR,
14 after first having been duly sworn, testified as follows:

15 THE CLERK: Thank you.

16 Please be seated.

17 State your full name for the record.

18 THE WITNESS: Patrick Bouvier Demetri Connor.

19 THE CLERK: Thank you.

20 DIRECT EXAMINATION

21 BY MR. WILKES:

22 Q Mr. Connor, you were charged with a whole bunch of
23 crimes back in 2010, I think?

24 A Yes.

25 Q And Mr. Cooke represented you?

1 A Yes.

2 Q Okay. Tell me, when did you first meet with
3 Mr. Cooke.

4 A The first time I met with Mr. Cooke was my first
5 General Sessions court appearance and --

6 Q Okay. Let me -- okay. Let me show you what is
7 marked as Applicant Exhibit No. 4. Would that be the bond
8 in your case?

9 A Oh, yeah. Well, the bond hearing, yes, outside of
10 the jail. That's the first time I met with him.

11 Q All right. Did you meet with him inside the jail?

12 A Yes. He did come see me one time for a preliminary
13 hearing.

14 Q Okay. And did you have a preliminary hearing?

15 A Yes.

16 Q And, at the jail meeting, did you go over discovery,
17 any evidence at that time?

18 A No.

19 Q How long was that meeting?

20 A It was -- I'd say real brief, about ten minutes.

21 Q Okay. And, subsequently, how long did you sit in
22 jail on all of those charges?

23 A I'd say approximately four months.

24 Q Okay. Now, what's marked as Applicant Exhibit No. 4,
25 is that your bond sheet?

1 A Yes, sir.

2 MR. WILKES: We'd move to offer -- or offer that as
3 an exhibit, Your Honor, into evidence. As a matter of
4 fact, we'll just move Applicant's Exhibit Nos. 1, 2, 3,
5 and 4 in at this time, if there's no objection.

6 MS. RATIGAN: I have no objection, Your Honor.

7 THE COURT: All right. They're in evidence.

8 (WHEREUPON, Applicant's Exhibit Nos. 1, 2, 3, and 4
9 were admitted into evidence.)

10 BY MR. WILKES:

11 Q On Applicant's Exhibit No. 4, what is the date? Do
12 you see the date that you had a first appearance?

13 A January 21st.

14 Q Okay. And what was the date you, actually, got out?

15 A Like November -- I can't remember the exact date.

16 Is it on Applicant's Exhibit No. 4?

17 Q It may be.

18 November 28th, does that sound right?

19 A November 28th.

20 Q Now, you see there, there's two other exhibits up
21 there that are letters from the Solicitor's Office to
22 Mr. Cooke. Look at the one from January.

23 A (There was no response.)

24 Q This one right here. It's marked Applicant's Exhibit
25 No. 2. What's the date of that letter?

1 A The date of that letter is January 2nd, 2011.

2 Q Okay. So that letter came out a week -- two or three
3 weeks before your initial appearance; right?

4 A Yes.

5 Q Okay. Now, is the next time you saw Mr. Cooke at the
6 initial appearance?

7 A Yes.

8 Q Okay. At the initial appearance -- tell me what
9 happened at the initial appearance.

10 A I came in a regular General Sessions hearing. And
11 Mr. Cooke was sitting at the front desk. And he came in
12 and I talked to him briefly. He said that it was a
13 14-year plea, but we didn't never get to go over any of
14 the statutes or the -- any lesser included offenses that I
15 could -- anything else that I could get out of not getting
16 the 14-year plea.

17 Q Okay. Well, tell me what happened. Where were you?
18 Were you in the courtroom?

19 A Yes. We were in General Sessions.

20 Q Okay. This is during roll call?

21 A Yeah, roll call.

22 Q Okay. So I assume there were other people there?

23 A Yes, there was.

24 Q A whole bunch of people?

25 A Yes, there was.

1 Q Okay. So you didn't discuss the details of your
2 case?

3 A No. We never discussed the details. All he told me
4 was there was a 14-year plea and --

5 Q Okay. And did he show you that letter?

6 A Yes. He showed me the letter.

7 Q Okay. And did he give you any indication of what you
8 should do in response to that letter?

9 A No, sir.

10 Q Okay. Now, when is the next time that you see
11 Mr. Cooke?

12 A The next time I see Mr. Cooke --

13 Q Or let me back up. Let me stop you.

14 Tell me the next time you either saw Mr. Cooke or
15 tried to see Mr. Cooke.

16 A I tried to see Mr. Cooke around the time of April,
17 late April. And he wasn't at his office. He had his -- I
18 was coming to get the motion of discovery. He wasn't at
19 his office.

20 So one of his clerks printed out the motion. And I
21 guess they called him and let him know that I was up
22 there. And I guess he was busy in another court.

23 Q But you got some discovery material from his office?

24 A Yes, from his office.

25 Q All right. And then when did you either try to see

1 him, or see him next?

2 A Yes. I tried to see him next -- I think this was the
3 time around when he was in surgery. And he told me he was
4 going to send me a letter to my address. And I never
5 received a letter. And Mr. Larry Cooke can verify that.
6 Because he never mailed it to the right address the whole
7 time. And he realized that at the last minute,
8 approximately two weeks before trial.

9 Q Okay. You're saying you got a letter two weeks
10 before trial -- or at some point before trial?

11 A Well, it was like five days -- four or five days
12 before trial, to be exact.

13 Q Look at what's marked as Applicant's Exhibit No. 3.
14 Do you recognize that letter?

15 A Yes. This is the letter that was mailed to me -- my
16 house after he realized that he didn't have the right
17 address and was mailing the letters to come see him to the
18 wrong address. This is the letter I, finally, got. And
19 it was -- it's dated October 13th. And my trial date was
20 on October 17th, so.

21 Q Okay. Now, so you're saying you received no other
22 letters from Mr. Cooke's office --

23 A Never.

24 Q -- before that letter?

25 A No, none whatsoever.

1 Q What's the address on that letter?

2 A [REDACTED] Road.

3 Q Okay. Is that the correct mailing address?

4 A Yes. That's all the addresses [sic] I get my General
5 Sessions cards to.

6 Q And is that the address on the bond in front of you?

7 A Yes, sir, it is.

8 Q All right. Now, did you ever give Mr. Cooke's office
9 another address to send your letters to?

10 A No, sir, I have not.

11 Q Okay. Now, if you will, look at both of those
12 letters from the Solicitor that are in front of you. And
13 will you tell me -- am I correct that the expiration date
14 on the plea offer was in -- on both of them was in May of
15 2011? Is that correct?

16 A Yes.

17 MS. RATIGAN: Can I get some clarification as to what
18 exhibits he's looking at, what numbers?

19 MR. WILKES: Yes.

20 MS. RATIGAN: Thanks.

21 BY MR. WILKES:

22 Q On Applicant's Exhibit Nos. 1 and 2, the expiration
23 date on both of these is in May of 2011; correct?

24 A Yes.

25 Q And the first letter that you got from Mr. Cooke's

1 office didn't come until?

2 A October the 13th.

3 Q Of 2011?

4 A 2011, yes.

5 Q Okay. Now, did you -- prior to May of 2011, when the
6 offer expired, did you attempt to go see Mr. Cooke about
7 the offers -- or about the case?

8 A Yes, I did. And from the dates after the -- well,
9 the expiration was well overdue the first time I seen him
10 after the offer he told me that was on the table. And
11 that was because of him being busy in court, or the
12 surgery that he had during the time the case was going on.

13 Q But you made more than one attempt to go and see him
14 about --

15 A Yes.

16 Q Okay. Now, during -- how many times did you meet
17 with Mr. Cooke in his office and have a detailed
18 discussion about the case?

19 A One. And that was before the trial.

20 Q And we're talking about after you received the
21 October letter?

22 A Yes.

23 Q When you did that, was -- as far as you know, was
24 there still any offer on the table?

25 A As far as I know, I didn't think there was any offer

1 on the table.

2 Q Now, when -- how many times did you meet with
3 Mr. Cooke in his office, actually, sit down with him and
4 talk to him in his office even for a minute?

5 A Even for a minute, it was once.

6 Q All right.

7 A Yeah. I remember once.

8 As a matter of fact, when I printed up the -- when
9 the secretary printed up the motion, I think I -- he came
10 in later -- or he was leaving out. And he said he was
11 going to schedule an appointment so that we can get
12 together, that he had other court --

13 Q Okay.

14 A -- things going on. And after that, I met with him
15 one time close to my trial date. And that's the first
16 time we ever sat down and went over anything that had to
17 do with my case.

18 Q Okay. When you say that, you had picked up your --
19 some of your discovery material?

20 A Yes.

21 Q Early on at some point, at least?

22 A Yes.

23 Q Okay. Do you remember about when that was?

24 A Excuse me. Can you repeat the question?

25 Q Do you remember roughly when you picked up the

1 discovery material, went by to see him and picked up the
2 discovery material?

3 A The date -- exact date, I'm not sure. It was around
4 late April or --

5 Q Okay. It would have been before the May cutoff date
6 for the offer?

7 A Yes.

8 Q Okay. And can you tell me -- you said that, in
9 October, you sat down with him and had a detailed
10 discussion; is that right?

11 A Yes.

12 Q Now, at any other time up until then, did you sit
13 down with Mr. Cooke and go over the charges and the
14 evidence?

15 A No, sir. That is the first time we had a sit-down
16 conversation.

17 Q Okay. And, now, if you had had the opportunity to
18 sit with him and have the evidence reviewed and knew the
19 strength of the case or cases before May before the offer
20 expired, if you knew the strength of the cases and what
21 you were facing in maximum penalties, would you have taken
22 the 14-year plea offer?

23 A Yes, sir, I would have.

24 Q Okay. Now, when you went into the office and any
25 other time when you did not get to sit down with

1 Mr. Cooke, but you went to the office to either see him or
2 pick something up, did you speak with other people and let
3 them know you were there?

4 A Yes, his secretary.

5 Q Okay. And do you remember who she was?

6 A That has the -- the head one when you first -- I
7 don't know her name.

8 Q Okay. But they would have known you were there?

9 A Yes.

10 Q Okay. And any question, any doubt in your mind that
11 there was any other time when you sat down and went over
12 all the evidence with Mr. Cooke, and the charges, and
13 discussed it?

14 A No, sir. There was not any other time, but the time
15 that he sends out the letter four days before my trial
16 date --

17 Q Okay.

18 A -- to sit down.

19 Q And that's in October of 2011?

20 A Yes.

21 Q Okay. Now, tell me, in October of 2011, when you got
22 the letter, you went in and you sat down and you talked to
23 him?

24 A Yes.

25 Q Did you go over all the evidence then?

1 A Yes. We went over a majority. But it was really a
2 quick briefing. I mean, just the first time of going over
3 it, just writing down, okay, yeah, they have this on you
4 and they have that. Therefore, I mean, it was real quick,
5 brief. I mean, it wasn't really like a sit down that I
6 can really fully understand if I really wanted to take it
7 to trial or not.

8 Q But, at that point, you understood that there was a
9 lot of evidence against you?

10 A Yes, I did. Yes, I did.

11 Q And that conversation, had it occurred in May, would
12 have had a different outcome?

13 A Yes.

14 MR. WILKES: All right. No further questions.

15 CROSS-EXAMINATION

16 BY MS. RATIGAN:

17 Q Mr. Connor, I just want to make sure I have the
18 timeline correct. So the first time you met with
19 Mr. Cooke was at your first General Sessions court
20 appearance?

21 A Prior to it all and sitting in the county detention
22 center when the preliminary hearing was coming up.

23 Q Okay. So was that your first meeting, or was that --

24 A That was just for the preliminary hearing.

25 Q Okay. So you met with him at the first court -- you

1 met with him at the jail for the preliminary hearing?

2 A Yes.

3 Q And that was your first meeting?

4 A Yes. You could say that.

5 Q Okay. And when would that have been?

6 A Around -- I'd say October or -- I can't really
7 remember the date of that.

8 Q Would it be the fall of 2011, sometime that fall?

9 A Yeah.

10 Q And then, at some point, you had a bond hearing;
11 correct?

12 A Yes.

13 Q And when was that bond hearing?

14 A Around the time of October, late October.

15 Q Was it -- so you had the preliminary hearing and then
16 you had the bond hearing?

17 A Yes.

18 Q Okay. So, again, sometime that fall around October,
19 you had the bond hearing?

20 A Yes.

21 Q And did you make bond?

22 A Yes.

23 Q And when were you released?

24 A November, I think, the 28th.

25 Q And, again, that's still in 2011?

1 A Yes.

2 Q Okay. And your testimony is that between the time
3 you were released in November and when you got that letter
4 from Mr. Cooke the following October, you didn't have any
5 meetings with him, or -- I'm confused.

6 A No. I didn't have any meetings with him, no sit-down
7 meeting, period. I think he was coming in his office one
8 time when I came to see him where -- actually, I came to
9 see him, but I was getting my motion. And I think he was
10 leaving out saying he was going to have his secretary send
11 out a letter to come see me.

12 Q Let me back up a little bit. I think we might be a
13 little confused. You were released in November of 2011 or
14 2010?

15 A 2010.

16 Q So you made bond in October of 2010?

17 A I made bond in -- on November the 28th --

18 Q I'm sorry. Your bond hearing was in October of 2010?

19 A Yes.

20 Q Okay. So your first meeting with Mr. Cooke would
21 have been in the fall of 2010, not 2011?

22 A Yes.

23 Q Okay. That is where I was getting confused. So you
24 had your first meeting in the fall of 2010. Then in
25 October, you had a bond hearing in 2010. Then you were

1 released in November of 2010. And then the next time you
2 saw him was --

3 A It was the first General Sessions appearance.

4 Q Okay. And that would have been about when? Do you
5 remember?

6 A January 11th, I think. In January.

7 Q Of 2011?

8 A Yeah, 2011.

9 Q And is that when Mr. Cooke told you about that
10 14-year deal?

11 A Yes.

12 Q Okay. And your testimony is that he told you about
13 it, but you didn't really talk about things like lesser
14 included offenses, or anything like that?

15 A No. Because we were -- I'm sorry. We were in
16 General Sessions where there was roll call. And there
17 were other people. So he had other clients coming in for
18 the roll call, so, no.

19 Q Okay. Did he tell you at that time there was any
20 kind of date that you had to get back with him about, an
21 expiration date?

22 A He mentioned the expiration date. But we never just
23 went over what kind of evidence and what they had on me to
24 even understand the expiration date.

25 Q Okay. And then I believe your testimony was about

1 three months later, sometime in late April, you went by
2 his office and you got a copy of the discovery; is that
3 correct?

4 A Yes. I think April or late May.

5 Q And did you have any meetings with Mr. Cooke or
6 anyone in his office between April of 2011 and October of
7 2011?

8 A The first time I had a meeting with him was when he
9 sent me the letter.

10 Q Right. But, prior to that, you hadn't had any
11 meetings with him?

12 A No, no.

13 Q During that six months, did you try and go by his
14 office again, try and call and make an appointment?

15 A Yes, I did. And he was going through surgery at the
16 time.

17 Q And when you picked up your discovery materials in
18 April, did you look through them yourself?

19 A Yes. I mean, I really don't [sic] know too much
20 about the law at that time, so.

21 Q Okay. But you knew that your co-defendant had made a
22 statement against you. Was that in there?

23 A Yes. But I didn't know how to go about it. I didn't
24 know if it was a true statement.

25 Q But you did see it in there?

1 A Yeah. I seen it.

2 Q Okay. And you saw in there that the police had
3 recovered some of the property at your residence. You saw
4 that was in there?

5 A No. I really didn't go through that.

6 Q So you had it, you just didn't really look through it
7 with any kind of detail?

8 A Yeah. I was really trying to wait until I got with
9 him to fully understand like the motion and the law.

10 Q So you didn't look through there to see just kind of
11 how serious the evidence was against you?

12 A No, not really.

13 Q Okay. And when did you give Mr. Cooke your correct
14 address?

15 A I think it was around the -- I think I was on the
16 trial docket in October. And he gave -- well, we were
17 ready to go. Well, I was on the trial docket. I could
18 have went to trial that day. But he said, well, have you
19 been -- well, I have sent letters, but we never got up.

20 So I'm telling him this is not my right address.
21 And, therefore, he got like a 20-day or a 30-day
22 extension.

23 Q Okay. Had that ever been your address? The address
24 he had been sending that mail to you, had you ever lived
25 there?

1 A I don't remember what address it was, to be exact.

2 Q Okay. Well, once you got out of the detention
3 center, did you change addresses at all between then and
4 the trial?

5 A No. I had the same address. The same address they
6 would come to find me if I didn't show up for General
7 Sessions. The same address that the detention center has.
8 They have access to it.

9 Q Okay. So the case was put on the trial docket in
10 October. And that's when you, finally, found out that the
11 address was wrong, and all that stuff?

12 A Yes.

13 Q Okay. Now, between October of 2011 and January of
14 2012, that's when you had that one like detailed sit-down
15 meeting with Mr. Cooke?

16 A Yes.

17 Q And that was in October, you say?

18 A Yes.

19 Q Okay. And, at that point, did you talk about this
20 14-year offer?

21 A It was off the table after I -- after he told me, it
22 was no longer on the table.

23 Q But you had already known that it had an expiration
24 date; right?

25 A Yes. But I wasn't fully informed of what the lesser

1 included offenses or any other acts that could -- that I
2 could get lesser time, or lesser offense, or any other way
3 or option before he fully explained anything to me.

4 Q Okay. Well, when you had that detailed sit down with
5 him in October of 2011, were you talking about still
6 trying to plead guilty?

7 A Yes.

8 Q Were you talking about going to trial?

9 A Yes. I was -- yes.

10 Q And did you ask Mr. Cooke to see if he could get you
11 maybe a new deal?

12 A Yes, I did.

13 Q And what did he tell you?

14 A He said he would try. I guess he called, or I guess
15 it was over with then when I fully understood the
16 evidence, and the seriousness of it, and the reasons that
17 I would be getting a lot of time.

18 Q And so when did Mr. Cooke tell you the State wasn't
19 going to make another offer?

20 A On the day I had a sit down with him.

21 Q Okay. So you went to talk to him in October. He
22 told you the plea was off the table. And, at that point,
23 he, also, told you the State wasn't going to make any kind
24 of other offers?

25 A I was asking for the 14-year plea so --

1 Q Right. But that's when he told you the State was
2 done?

3 A Yeah.

4 Q Okay. So did you have any other kind of meetings, or
5 phone calls, or letters with him between October of 2011
6 and when you pled guilty in January of 2012?

7 A No. I don't think so, no.

8 Q So when you came back into court in January of 2012,
9 what did you think was going to happen that day?

10 A Well, the advice that I got was to beg for the
11 mercy -- well, beg for the mercy of the Court for the
12 lessest [sic] time, which armed robbery carries a minimum
13 of 10. And that's what I was begging for to get, at
14 least, 10 or -- but I got 25 years.

15 Q Okay. Well, but when you came to court on
16 January 11th, you knew it was to plead guilty?

17 A Yeah. I really didn't know like if I really wanted
18 to. We really --

19 Q Okay. Well, let me -- let's get to that in a second.
20 But you knew when you went to court that day it was to
21 plead guilty?

22 A Yes.

23 Q Okay. How did you know to go to court?

24 A I got a General Sessions card.

25 Q But how did you know you were there to plead guilty

1 that day?

2 A Because me and Mr. Cooke went over this the first
3 time in October --

4 Q So when you had that meeting with him in October, he
5 told you the next time you came to court, you'd be
6 pleading guilty?

7 A Yeah. He said the best thing would be for you to
8 plead guilty because of the seriousness of this. They
9 have a lot on you and...

10 Q So even though you didn't have another conversation
11 with Mr. Cooke, you knew you were there to plead guilty
12 that day?

13 A Yes.

14 Q All right. And did you meet with him that morning?

15 A Yes, I did.

16 Q And that's when he told you, basically, your best
17 shot was to go in there and to beg for mercy?

18 A Yeah.

19 Q And why didn't you tell the Judge that day about this
20 plea offer that, you know, Mr. Cooke didn't give me this
21 offer in time. He had my wrong address. I should have
22 taken this offer. Why didn't you tell the Judge that?

23 A I mean, I felt that the seriousness of the crime -- I
24 mean, I'm nervous. I'm young. This is my first time
25 being in any serious trouble like this. So I don't want

1 to say anything to make the Judge mad or make him feel
2 like he should give me more time just because I want to
3 stand up for myself. I really was nervous at the time.
4 And I wish -- if I could take it back, I wish I would have
5 said everything that I needed to.

6 Q So, basically, you just went along with the plea to
7 get it over with?

8 A Yes. I didn't want the seriousness of getting my
9 life took away completely over my first offense charge.
10 So I didn't even try to risk anything or try to do
11 anything out of the way that would make the Judge mad or
12 anything.

13 So, I mean, I didn't expect to get 25 years, but.

14 Q But you knew you were facing up to 30 on each of
15 these charges?

16 A Yes.

17 Q Each of the armed robbery charges?

18 A Yes.

19 MS. RATIGAN: That's all I have, Your Honor.

20 THE COURT: Any redirect?

21 MR. WILKES: None, Your Honor.

22 THE COURT: Thank you, sir.

23 Do you have any more witnesses?

24 MR. WILKES: No. We'll rest with that.

25 I understand Mr. Cooke will be called.

1 THE COURT: Okay.

2 MS. RATIGAN: Yes, Your Honor.

3 The State would call Mr. Cooke.

4 THE CLERK: Mr. Cooke, place your left hand on the
5 Bible and raise your right hand.

6 WHEREUPON,

7 LARRY HOLMES COOKE,

8 after first having been duly sworn, testified as follows:

9 THE CLERK: Thank you.

10 Please state your full name for the record.

11 THE WITNESS: Larry Holmes Cooke.

12 DIRECT EXAMINATION

13 BY MS. RATIGAN:

14 Q Mr. Cooke, do you recall representing Mr. Connor on
15 these charges?

16 A Yes, ma'am.

17 Q And were you appointed through the PD's office?

18 A Yes, ma'am.

19 Q And do you recall when you would have been appointed?

20 A On July the 2nd, 2010, the file was opened. I'm not
21 sure exactly what the appointment -- well, wait a minute.
22 It was -- we were, actually -- yeah. That was it. That
23 was when we opened our file.

24 Q Okay. And when would have been the first time that
25 you met with Mr. Connor? Do you recall?

1 A According to our records, I went to see him on July
2 the 6th of 2010 at the jail. And I got the basic
3 information from him that I -- we put on our little form
4 here.

5 Q Okay. And, at that point, I assume you would not
6 have received discovery?

7 A Ma'am?

8 Q I assume you would not have received --

9 A No, ma'am. No, ma'am. We would have filed for all
10 of that after I saw him. Well, actually, probably Piper
11 had already done it. She's pretty quick on the job on
12 that.

13 Q So when is the next time you met with him after that
14 July 6th visit?

15 A Well, all I can do is just look at my notes and my
16 file here. And I have a notation here on 10/10 of '10. I
17 made a notation they didn't bring him. I don't even know
18 what that was about, to be quite honest with you. I don't
19 know if they didn't bring him for a bond hearing, or they
20 didn't bring him for some other reason, maybe it was a
21 preliminary hearing. I don't know.

22 But the next time after that, I show that I talked to
23 his mother on 8/16 of 2011, and advised her that we were
24 going to have a preliminary hearing. And we did, in fact,
25 have a preliminary hearing right after I had talked with

1 her.

2 And Mr. Farnsworth, Jr., represented one of the
3 co-defendants. And we both did the preliminary hearing at
4 the same time. The longest one -- I've been practicing
5 law for over 40 years. And it took more time to do those
6 preliminary hearings than any I've ever had. So we
7 went -- they went through every case piece by piece, and
8 sent them all to the Grand Jury, except one.

9 Q Okay.

10 A That was on the 16th. I guess that would have been
11 August of 2010.

12 Q Okay. And did you ever represent Mr. Connor at a
13 bond hearing?

14 A I did. We had a bond hearing on that. Let's see.
15 On 9/10 of 2010, we had a bond hearing in front of Judge
16 Miller. Judge Miller set a \$50,000 surety bond, curfew,
17 no contact with the victims. And I assume he got out. He
18 did get out.

19 Because the next time I saw him was March of 2011. I
20 guess they had sent him a bond card. I've got about one,
21 two, three, four, five, six, seven, eight bond cards that
22 were sent to him throughout this process.

23 And the next time I saw him was on 3/1 of '11. And
24 he appeared and said he will make an appointment. And he
25 needs his discovery. At that time, we didn't have his

1 discovery. As a matter of fact, I only got his discovery
2 on October the 18th of 2011. And that was everything I'm
3 holding right here. So it took them a while to put it
4 altogether.

5 Q So he said --

6 A And then I gave him a copy of the discovery on 3/8 of
7 2011. And we had a meeting in my office. I gave him a
8 copy of the discovery.

9 Quite honestly, I don't know what all we talked about
10 at my office. Based on the amount of discovery here, I
11 doubt that we went through it all. But he knew what the
12 charges were. He had attended the preliminary hearing, so
13 he pretty much knew what was going on.

14 Q Okay. And so that was in?

15 A 3/8 of '11.

16 Q Okay. March of 2011?

17 A Yeah.

18 Q At any point during this time, had you received a
19 plea offer from the State?

20 A Yeah. I must have. Because on 3/29 of '11, he
21 appeared in court and told me that he would take probation
22 and -- or a sentence of three to five years. And I'm sure
23 if I was in my right mind, I would have told him, based on
24 the case, there was no way he was going to get probation
25 or three to five years. But I have no notation. I don't

1 know what I said.

2 The next time I saw him was a month later. That
3 would have been in April of 2011. He showed in General
4 Sessions court. I know I showed him the plea offer
5 because I have a notation here that says, No deal. That
6 was 4/26 of '11.

7 Then 8/9 of '11, another notation, The Defendant
8 appeared, no deal. And I let them go. Once they tell me
9 that, I just let them go.

10 Well, after that, I get a notice from -- they're
11 going to try this case in October of 2011. And we sent
12 out letters to Mr. Connor. And I -- he probably didn't
13 get them. I'm not saying that he did. But they were
14 all -- they were both -- we sent them to two addresses.
15 We were having trouble getting in touch with him. And all
16 of this is sent from the Public Defender's Office, not my
17 private office.

18 But we sent one letter advising him -- to get in
19 touch with him. We've not been able to reach him. And
20 it's very important, very imperative that he get in touch
21 with us to prepare for trial. We sent two letters out on
22 October the 3rd, one to [REDACTED] Road, Greenville.
23 And I think -- and it says, Return to sender, not
24 deliverable address. I haven't even opened it.

25 But I think here -- I'm just looking at a circle.

1 They had the wrong zip code on it. It says 29609. Well,
2 I don't know if that's 29609 or not. Is it? I mean, I
3 don't know.

4 Then in order to cover all bases, we sent a -- I
5 don't know where we got this address, [REDACTED] Lane,
6 Piedmont, 29673. And that was returned.

7 Then my secretary at that time, Piper, made a
8 notation here when we got these back, she checked into it
9 and said that the client did not provide correct info to
10 the ID intake at the jail. Because they had him listed as
11 [REDACTED] Road in Greenville. So I don't
12 know what that was all about.

13 Then after we sent out that letter, he must have
14 gotten something. Because John Abdalla called me on 10/13
15 and said they were talking to him about hiring him. And
16 he wanted to know where we stood on the trial docket. And
17 I told him about a week away. And he said he'd get back
18 to me. I never did hear back from him. So I assume he
19 didn't hire him.

20 Well, between that date and January of 2012, I talked
21 with Mr. Connor. I talked with his mother. And they
22 advised me that his first cousin was Rodney -- I can't
23 even think now, the lawyer.

24 Q Richey?

25 A Richey, Rodney Richey. And they wanted Rodney to

1 look at the discovery. I said, fine with me. I never
2 heard back from them on that.

3 So, at some point after that, I talked with him in
4 December of 2012 -- I mean January of 2012, and told him
5 to get in touch with me or come in the following Monday
6 morning, which would have been the 9th of January.

7 On the 9th of January, I was at my office. And he
8 didn't show up. And I called his mother. And she said
9 she would try to find him. She must have found him.
10 Because he showed up on January the 10th, 2012, right
11 before the trial. And we went over this stuff. And, you
12 know, I just -- I said, it's gone. I mean, we're on the
13 trial docket. And I told him what the rules were around
14 here. If you get on the trial docket, there's no more
15 recommendations.

16 So that's where we ended up. And we pled guilty in
17 front of Judge Pyle. I must admit I was shocked at the
18 sentence. But that's got nothing to do with the case.

19 Q So your notes reflect that you did pass along that
20 14-year offer?

21 A I did a couple of times. And he turned it down.

22 Q And had you -- when you were talking to him about
23 that offer, did you explain to him kind of what he was
24 facing, the risks and disadvantages, things like that?

25 A Yeah. I mean, it -- you know, he was -- I mean, he

1 was facing a lot of stuff. But I -- at the same time,
2 they were going to dismiss a lot of stuff. I mean, he had
3 a number of armed robberies and possession of a weapon
4 during the commission of a crime. He had some failure to
5 appears on there. That's how I got the case to begin
6 with. He didn't come to court when he wanted [sic] to and
7 they issued bench warrants.

8 So I was having a hard time even getting a bond
9 hearing set up because of those bench warrants, and one
10 thing or another.

11 Q And I believe you testified you had notes saying that
12 he had said no deal to you a couple of times?

13 A Yeah. Well, that's what I wrote down, yeah, no deal.

14 Q Do you recall --

15 A That's my words now.

16 Q Right.

17 A I mean, he didn't say no deal.

18 Q Right, right.

19 A He probably said I'm not going to take that. But I
20 just write no deal.

21 Q Right. But do you recall why he told you he was
22 turning down those plea offers? Did he give you a reason
23 why?

24 A I'm going to tell you something. In my opinion, he's
25 young and wet behind the ears and didn't know what the

1 hell he was doing. He was getting too much advice from
2 too many people. And that's how he ended up where he
3 ended up. If everybody had stayed out of it and left it
4 up to my client and myself, we probably would have come
5 out a lot better. But it didn't happen that way.

6 MS. RATIGAN: That's all I have, Your Honor.

7 MR. WILKES: May it please the Court.

8 THE COURT: Yes, sir, Mr. Wilkes.

9 CROSS-EXAMINATION

10 BY MR. WILKES:

11 Q Mr. Cooke, you said several times the defendant
12 appeared and no deal is noted in your file. But is that
13 your writing or a secretaries writing?

14 A That's all my writing.

15 Q And the Defendant appeared, where would he have
16 appeared at? Did those dates coincide with bond cards?

17 A I don't know. I'll look at these bond cards and tell
18 you.

19 Q If you can. Because that's kind of an important
20 issue is --

21 A Let's start off here. We had a -- Tuesday, March the
22 1st was one bond card in 2011. And these may not be in
23 order. But I'm going to call them out. And then we can
24 put them in order.

25 Q Okay.

1 A All right. April the 26th, 2011; August 9th, 2011;
2 August the 10th, 2010; March the 29th of 2011. And then
3 the last one we've got was January the 11th of 2012. So
4 I -- as I say, I don't know. I mean, they're not in order.
5 But that's how many appearances I have.

6 Q Okay. Can you match those up to your --

7 A Yeah. I'm going to -- okay. I'll tell you what.
8 You can write these down. This is -- all right. He
9 appeared on 3/1 of '11.

10 Q And does that coincide to a bond card?

11 A I don't know. You'll have to look at it. I didn't
12 write that down.

13 Q It does. Okay.

14 A All right. And on 3/8 of '11, he came to the office
15 and got his discovery and had a meeting with me. Now,
16 I -- that had nothing to do with court, I don't think.
17 But he did appear on 3/29/11.

18 Q Okay.

19 A That's when he told me he'd take probation, or if we
20 couldn't get that, maybe three to five years.

21 Q Okay.

22 A Then he came to court on 4/26 of '11.

23 Q Okay.

24 A He said no deal.

25 Q Okay.

1 A He came to court again on 8/9/11. It says, No deal.

2 Q Okay.

3 A And then I don't know if he came to court on 10/13/11
4 and then went to see Abdalla or not. All I remember is
5 Abdalla called and wanted to know where he was on the
6 trial docket.

7 Q Okay. But the gist of that is if I'm -- tell me if
8 I'm wrong. But all of your notations of defendant
9 appeared, no deal correlate to court appearances; correct?

10 A That's what I've got here. I don't know. I didn't
11 look at these cards to see if they do. But if you say
12 they do, I assume they do.

13 Q By my calculations, they appear to all correlate.
14 Can you tell me any -- if you -- if he had come to roll
15 call, would his recounting of how roll call works sound
16 accurate?

17 A Like what do you mean?

18 Q If you spoke with him at roll call, would you have
19 been in here and he'd show up and tell you I'm still not
20 taking a deal, or would you have taken him downstairs to
21 your office?

22 A I'd say adios.

23 Q Okay. So I guess my -- the question is, do any of
24 your notes there indicate a sit-down conversation with him
25 where you went through all of the evidence, discussed the

1 plea offer in detail, and did all of that at one time at
2 length?

3 A My notes don't indicate that. From what I see, the
4 only thing I can tell you is he attended the preliminary
5 hearing. I've never -- I don't recall if I sat down and
6 talked to him about every single case, and every single
7 charge, and every possibility in the -- involved in this
8 thing. Probably not.

9 They had so many cases and so much evidence on him,
10 he knew and I knew what it was all about. And I have
11 nothing to indicate that I sat down and went over
12 everything piece by piece, nothing.

13 Q Okay. The letters that you were -- well, you know
14 you did that in October; correct?

15 Because that's when you had -- I think you said you
16 had a discussion sometime in October, November. And
17 that's when it became apparent that he would plead guilty.

18 A No. Actually -- no, no. October, that's when
19 Abdalla called me.

20 Q At what point did he --

21 A And he was shopping around. And then about the same
22 time is when he said he was going to let his cousin,
23 Rodney, look at the case and he'd get back to me. And I
24 didn't talk with him again until the -- I, finally, had to
25 call his mother to get him. She said she'd try to find

1 him. And I, finally, got him back in the office on the
2 10th of January.

3 Q In the office. So you sat down in January in the
4 office. You explained things to him --

5 A Well, I talked to him about the trial was -- I mean,
6 the trial was like the next day.

7 Q I understand. But you got him in the office and
8 talked to him about the case --

9 A I did.

10 Q And what did he decide to do?

11 A He decided to plead guilty. And because of his
12 age -- he's a nice kid. I mean, I don't even -- I just
13 can't imagine how that he did something like this. I
14 mean, he's a nice, nice young man.

15 And I sat down and I talked with him. And I said,
16 look, they've got us. You know, there ain't no use in
17 going to trial. I'm telling you, it's -- the evidence is
18 overwhelming.

19 They had people who were going to come and testify
20 about all this. They had -- they picked him out of
21 lineups. They found evidence at -- the whole nine yards.
22 I talked to him about all of that. But I said, let's
23 throw ourselves at the mercy of the Court.

24 Q Okay. I understand that.

25 A And that's what I told him. I said, that's the only

1 way we've got a chance.

2 Q I understand. But you sat him down and you talked
3 about all of that stuff with him. And he understood it
4 and decided he was going to plead guilty?

5 A Probably not. He probably didn't understand --

6 Q But he decided to plead guilty; right?

7 A Beg your pardon?

8 Q But he did decide to plead guilty?

9 A Oh, yeah, yeah, he did.

10 Q Now, is that the first time that you had that sit
11 down at length discussion with him where you told him what
12 you just said you told him? Was that the first time in
13 the office?

14 A Yeah. But there was some times we couldn't even find
15 him. We couldn't get in touch with him, that we wrote him
16 letters --

17 Q Well, let me ask you this.

18 A Okay.

19 Q Look in your file and tell me. Other than what you
20 said about your secretary having made some note that
21 somebody gave the wrong information, what do you have in
22 your file showing that incorrect address? Does it -- for
23 instance, where -- do you have anything in your file
24 indicating that he gave you that wrong zip code?

25 A No. What we -- I don't know how they work it in the

1 Public Defender's Office. I think what they do is we get
2 these cases assigned to us. And we get an initial
3 assignment sheet that Zach gives us. And it's got an
4 address on it.

5 Q All right.

6 A In this case, let me see what it said.

7 Q All right. Well, let me ask you this. When is the
8 first letter you sent that came back marked undeliverable?

9 A Let's see.

10 Q What's the date of the earliest one?

11 A Okay. December the 12th of 2011, we wrote him --

12 Q Okay. And --

13 A Well, let me --

14 Q Okay. I just need the earliest date of one that came
15 back returned.

16 A Oh, okay. We got -- I called them off, [REDACTED]
17 Road, that came back not deliverable, his address. And
18 then I got another, [REDACTED] Lane, Piedmont, South
19 Carolina. What we did is we mailed them to both
20 addresses --

21 Q Okay.

22 A -- just in case. Because he had been saying he
23 hadn't been getting his mail.

24 Q What's the earliest date of the letter you sent him
25 that came back not deliverable?

1 A It would have been -- it looks like October of 2011.

2 Q Okay. And by then, the plea deals had already
3 expired; correct?

4 A Well, actually, probably the reason we did that is I
5 had gotten -- I didn't get the discovery until October the
6 18th. And I think he just came by and picked it up. But
7 that's the only two that came back not able to deliver.

8 Q Okay. Well, let me show you, if I can. I'm going to
9 show you two letters. And you tell me if -- those are
10 letters from the Solicitor's Office delivering discovery;
11 correct?

12 A Delivering, what, discovery?

13 Q Yes.

14 A Probably some supplemental -- it looks like it must
15 have been some supplemental discovery.

16 Q Okay. So -- and the dates on those letters are?

17 A One of them says October the 4th.

18 Q Of what year?

19 A Of 2010.

20 Q Okay. And the other one?

21 A And the big package I've got here -- oh, another one
22 you gave me?

23 Q Yes, sir.

24 A It's October the 29th, 2010.

25 MR. WILKES: Can I mark those, please? Let me mark

1 those.

2 THE WITNESS: Our notation shows we gave him copies
3 of the discovery on 3/8 of 2011. Pursuant to his
4 request --

5 BY MR. WILKES:

6 Q Wait just a second.

7 (WHEREUPON, Applicant's Exhibit No. 5 was marked for
8 identification only.)

9 BY MR. WILKES:

10 Q If you'll look at Applicant's Exhibit No. 5, two
11 letters from the Solicitor on discovery, October 4th and
12 October 29th of 2010. You would agree that you,
13 certainly, had a lot of discovery at the end of 2010?

14 A I mean, if this came out of our office, you're
15 probably right. I couldn't begin to tell you.

16 Q Okay.

17 A I don't necessarily see all this stuff.

18 Q Okay. So let me ask you this. What's the earliest
19 date, again, of the letter -- the first letter that you
20 have that came back returned was in October of 2011?

21 A Correct.

22 Q That's -- that is, also, the time that he came in.
23 So -- right? He came in in October of 2011?

24 A He came in -- yep. He came in on October the 9th.
25 But, prior to that, he came in March of '11. He came in

1 March 8th of 2011, and got his discovery.

2 Q Okay. But you didn't talk to him about the discovery
3 at that time?

4 A Yeah. I had a meeting. It says, A meeting in the
5 office.

6 Q Okay. And what did you discuss?

7 A I don't know. I guess the discovery. I really can't
8 remember. I'll be honest with you.

9 Q Okay. But you're saying that was in March of 2011?

10 A Right.

11 Q Okay. Now, if you will look at the -- Applicant's
12 Exhibit Nos. 1 and 2. And if you'll take a look at
13 Applicant's -- excuse me just one second.

14 A You know, I misspoke, I guess. This discovery I'm
15 looking at right here, I said October the 18th, but it
16 wasn't all the discovery. It was just part of the
17 discovery.

18 Q Right. Okay.

19 A Yeah.

20 Q But --

21 A But I had gotten some prior to that.

22 Q I understand.

23 A Okay.

24 Q When did the offers expire? When did the 14-year
25 offer expire?

1 A I have no idea. I can't remember that.

2 Q Okay. If you will look on Applicant's Exhibit Nos. 1
3 and 2 there in front of you from the Solicitor.

4 A Okay.

5 Q It will --

6 A Okay. 5/8 of 2011. Then there was another one.
7 This must -- let's see. 5/3 of 2011.

8 Q Okay. And --

9 A But they're all the same, 14 years. Some of them, he
10 agreed just to knock some charges off.

11 Q Right. And change the charges up?

12 A Right.

13 Q Will you look at the date of the offers, the date
14 that they were, actually, made?

15 A It looks like January of 2011.

16 Q Right. And the other one was sent?

17 A 5/24/2011.

18 Q Okay. So the offer that was sent on 5/24/2011, would
19 you have -- do you have anything to indicate that you sat
20 down with Mr. Connor in your office and went over the plea
21 offer, the evidence, the case?

22 A Nothing in my file to indicate it until -- now, I
23 don't know. Let me just -- not -- he didn't talk to me
24 about a period, no, he didn't. There's nothing in here
25 that indicates I talked with him until he appeared on 8/9

1 of '11 in court.

2 Q Okay.

3 A And that's when -- and that was after I had gotten
4 the offer, I guess. And I told him what it was. And it
5 was no deal.

6 Q But the offers had expired in May, had they not?

7 A Of '11?

8 Q Yes.

9 A No. One of them was -- well, wait a minute. On 4/26
10 of '11, he showed and said no deal, too.

11 Q Okay. But that's before the last plea offer?

12 A Well, let's see here. He had one that expired on 5/8
13 of '11. So I talked to him prior to that expiration.

14 Q No, no. That's a mistype. Look at the date it was
15 sent to you. The Solicitor --

16 A 5/24/2011.

17 Q Okay. So the expiration date is the old expiration
18 date from the -- January. Do you see that? They didn't
19 change the expiration date.

20 A One was 5/3 of 2011. I got this in January of 2011.

21 Q Right. And it would -- stayed open until May. And
22 then another letter -- another offer was sent out at the
23 end of May; right?

24 A It looks like he sent me another one.

25 Q He sent you another one.

1 A Okay.

2 Q And the expiration date on that one, actually -- it
3 runs out before it even was sent to you, so --

4 A Well, Mark -- I mean, but the deal was the deal. I
5 mean, he wouldn't have sent it, unless he was going to
6 stick with the 14 years.

7 Q Right. And so the question is, after the May -- the
8 May offer changed the first offer substantially. The
9 date -- the time didn't change, but a whole lot of charges
10 disappeared; correct?

11 A Yeah.

12 Q Okay. So that was -- although the sentence remained
13 the same, there was a substantial change in the offer. My
14 question is, after May when that offer was sent in May,
15 did you sit down with him before the offer expired?

16 A (There was no response.)

17 Q Or did you send him a letter saying here is an offer,
18 let me explain it to you. Even if it went to the wrong
19 address, anything after May when you got that second offer
20 showing where you had a talk with him?

21 A The only thing I have in my file -- my notes are on
22 8/9 of '11.

23 Q He appeared?

24 A He appeared. And I went back over it with him, and
25 no deal.

1 Q Well, when you say you went back over it with him, he
2 appeared at a roll call; right?

3 A I guess.

4 Q Okay. So we've got to be clear that he appeared at a
5 roll call in the courtroom with you. And he says no deal.
6 But that's not the same as you going back to the office
7 and sitting down with him and having the October talk with
8 him?

9 A There's no way I could have done that. I mean, I've
10 got --

11 Q No. I understand.

12 A You're right. No question about it.

13 Q Okay.

14 A I mean, I couldn't have talked to him then.

15 Q Okay. Now, is there -- looking back at the
16 correspondence -- not agreeing that it's his fault y'all
17 didn't have the right address. But let's just take that
18 out for a minute and say, regardless of whose error it
19 was, what was sent to him that would have changed anything
20 after that May offer? Is there anything you tried to send
21 to him about the May offer? Did you send a letter saying
22 here's the May offer?

23 A I don't know. All I know is what the letters in the
24 file -- copies that the secretary put in the file.

25 Q Okay. After May, what's the first letter you sent?

1 That was back in October, wasn't it? Actually, that
2 was -- let's see. You get an offer in May of 2011. It
3 wasn't until October of 2011 when he's running up on the
4 trial docket that you send a letter; is that right?

5 A Like I say, the only thing I can tell you is what
6 I've got notated in the file --

7 Q No. I --

8 A -- I mean, I can't --

9 Q I understand. I'm just -- I just -- I'm trying to
10 make sure I'm not confused.

11 A Okay. Well, you tell me what dates you need covered.

12 Q All right. There's an offer letter that comes in
13 January. There's another offer letter that comes in
14 May --

15 A What year are we talking about?

16 Q 2011.

17 A Okay. 2011.

18 Q I think it's Applicant's Exhibit Nos. 1 and 2. I
19 think they're up there on the thing.

20 A Okay.

21 Q The offer letter that you get in May of 2011, is
22 there anything other than the time he showed up in August,
23 other than that when he showed up in the courtroom for
24 roll call and you didn't -- you couldn't see him? Other
25 than that, is there any indication that the May plea offer

1 was communicated to him, explained to him in your file?

2 A Nothing in my file, no.

3 Q Okay. That's --

4 A All I can tell you is he had discovery. He went to
5 the preliminary hearing. I mean, I have no detailed notes
6 here that I sat down and went over everything with him.

7 Q I understand. And there's no dates in there that
8 would even indicate that you did. The only time you saw
9 him after May of '11 before the October meeting was in the
10 courtroom briefly?

11 A Let's see. You're probably correct.

12 Let me just say this. And, I mean, we get about
13 maybe 20-something bond cards. And I can assure you that
14 during those times, I can't discuss anything. So I'm sure
15 every time he appeared, I didn't discuss it in detail with
16 him.

17 Q I understand. And we know how that works.

18 A But I had -- I did -- he did talk to Abdalla. And he
19 did talk with his first cousin, I assume. And they went
20 over it with him. Because I never heard from him again
21 until January of 2011.

22 Q But that's speculation. We don't know that.

23 A Oh, I don't know. I don't know whether he talked to
24 them or not.

25 Q Okay. Now, if you will, you do have a copy of his

1 bond -- or you would have a copy of his bond in the file?

2 A Probably somewhere in this discovery, yeah.

3 Q Okay. And that would indicate a correct address, I
4 assume, not the one y'all are using. Y'all just used --
5 you're telling me you used whatever it is you get from the
6 jail, initially?

7 A Yeah, I guess.

8 Q Okay.

9 A That's how they do it. I don't know. I mean, I
10 assume they do it that way. Because we wrote Mark Moyer.
11 He didn't even have the right address. Because I made an
12 excuse for him not showing up for one of the trial dates.
13 And I told -- we didn't have the right address and it's
14 our fault, I assume. So we turned around and wrote Mark
15 Moyer a letter and gave him what we thought was a correct
16 address.

17 Q Okay.

18 A It still didn't work.

19 Q Okay. Wait a minute now.

20 A Okay.

21 Q He showed up at all of those bond card dates.

22 A I don't know.

23 Q You've got it in your file. You just said in May of
24 '11 --

25 A Wait a minute. Wait a minute. Hold on. You asked

1 me how many bond cards and what dates, and I gave them to
2 you.

3 Q Right, right.

4 A That doesn't mean in every case they didn't show up.
5 It means, sometimes, if they don't show up and we -- they
6 didn't get the proper notice and we talk the Solicitor out
7 of issuing a bench warrant.

8 Q Okay. Well, let's look back at your notes as far
9 back as August of 2010, or August 9th of 2011, March of
10 2011, all of those dates that you said where he showed up,
11 that was in roll call, which meant he got his bond card
12 and he showed up; right?

13 A As far as I know, he was there every time. I mean, I
14 don't have anything other than the fact that there's a
15 letter in here from my secretary to Mark Moyer right after
16 one of the trial dates that we sent him what we thought
17 was my client's address.

18 Q And it came back?

19 A No -- well, yeah. It did, ultimately, come back. We
20 told Mark Moyer on October the 17th -- I don't know if
21 it's because he didn't show up for trial and we were
22 trying to make an excuse, or get -- keep him from issuing
23 a bench warrant, or whatever. But we wrote him a letter
24 and said our client's proper address is [REDACTED]
25 Road, Mauldin, South Carolina, 29662.

1 Q And is that what's on the bond sheet?

2 A I don't know. I told you --

3 Q Well, let's look.

4 A -- I don't have a copy of it in front of me. I'm
5 just going to show you what I have here to indicate his
6 addresses. You're asking me a lot of stuff my secretary
7 does.

8 Q I understand that. I understand.

9 A What do you need now?

10 Here's what Piper wrote on one of these.

11 Q Well, I --

12 A You can figure it out.

13 Q He -- we can assume that if he shows up from the
14 Solicitor's Office sending him bond cards -- and every
15 time, you've got it noted in your file. Because you
16 didn't send anything for him to appear. So he was getting
17 his bond cards and appearing. I mean, that's the only
18 thing we can draw from that, isn't it?

19 A That he was doing what now?

20 Q That he was showing up. On all those times you've
21 got appeared in your notes, handwritten notes, appeared in
22 the courtroom for roll call, he was getting the bond card
23 to appear?

24 A Yeah, I guess.

25 Q Okay. Well --

1 A I mean, he's supposed to --

2 Q Y'all didn't send --

3 A We get a copy and they get a copy.

4 Q Okay. And you don't send him a notice to appear,
5 because he gets a bond card; right?

6 A No. I don't know how it works down there. We notify
7 them of trial dates. But we don't notify I guess -- I
8 don't know --

9 Q Right.

10 A -- if they notify everybody about their date or not.

11 Q Okay. Well, you don't see anything in the file that
12 says you got a bond card -- a roll call --

13 A No.

14 Q Okay. So as far as somebody having the right date
15 and getting -- or the right address, clearly, the bond
16 card, wherever that address comes from, that was correct.
17 And he's showing up like he's supposed to; right?

18 A I'm all for it. I mean, if he showed up, fine. I --

19 Q Okay.

20 A -- don't have anything to indicate in here --

21 Q Okay.

22 A -- that he tried to avoid court at all --

23 Q I'm just --

24 A -- except the failure to appear that I got assigned
25 when he didn't show up for court on some old charges that

1 I got assigned.

2 Q It may not matter. But I'm just trying to make a
3 point. There's nothing to indicate that he gave the wrong
4 address, for sure?

5 A Other than -- I mean, other than this note here that
6 the client did not provide correct info to ID at intake.

7 Q Okay. Well, he has -- how do we know that he
8 didn't --

9 A I don't know.

10 Q Okay. Okay.

11 A I'm just saying -- you're asking me. And I'm telling
12 you what's in this file.

13 Q All right. So -- and it may be irrelevant. Because
14 the first letter that you sent him that came back was in
15 October; is that correct?

16 A About a trial.

17 Q About the trial?

18 A Yeah.

19 Q Is there any other letter you sent him that came back
20 before that?

21 A Before October?

22 Q Yes.

23 A No. Because the trials were scheduled for October,
24 December, and January. And --

25 Q Okay.

1 A -- we notified him of all of them.

2 Q I just want to be clear.

3 A Okay.

4 Q You did not send him a letter saying in May, I just
5 received a plea offer -- a second plea offer, you need to
6 come in. You didn't send that letter. It didn't come
7 back unreturned, or anything like that. That's my point.

8 A Yeah. I have no notations on here.

9 Q Okay.

10 A But let me tell you what my policy is. It probably
11 wasn't back then. But I tell my secretary as soon as they
12 get a plea offer, send a copy to the Defendant advising
13 them that enclosed is an offer --

14 Q Sure.

15 A -- and I'll get with them at a later.

16 Q Okay.

17 A Tracy at that -- at the time this all came about, a
18 girl named Tracy was my secretary.

19 Q Right.

20 A She didn't do that.

21 Q Okay.

22 A But since I have Piper now, we do that. We let them
23 know right off the bat --

24 Q Sure.

25 A -- as soon as that letter hits us, we give it to

1 them.

2 Q Okay. But there's no question that didn't happen in
3 this case?

4 A It absolutely didn't, probably.

5 Q Okay. Do you know when the May offer expired? It
6 was -- no -- you -- it was expired by the time he
7 approached the plea docket. By the time he hit the plea
8 docket, that was -- or the trial docket, that was it?

9 A Yeah.

10 MR. WILKES: Okay. No further questions.

11 Thank you, Mr. Cooke.

12 MS. RATIGAN: I have no redirect, Your Honor.

13 And the State would rest at this time.

14 THE COURT: Thank you, Mr. Cooke.

15 THE WITNESS: Thank you.

16 THE COURT: All right. Any argument?

17 MR. WILKES: I would like to be heard briefly, Your
18 Honor.

19 THE COURT: Yes, sir.

20 MR. WILKES: Your Honor, in this case, I believe that
21 the Applicant has, clearly, established a case based on
22 his lack of having had that sit-down meeting that came in
23 October. By that time -- prior to October. The sit-down
24 meeting that came in October was the here's the evidence,
25 here's why you're likely to get convicted, here's what the

1 sentences are going to be if you get convicted.

2 In October, when Mr. Cooke had the opportunity to sit
3 down and go through the whole case, and all of the
4 evidence, and the plea -- or not plea offers but the
5 sentences, it was apparent to him that pleading guilty was
6 the appropriate choice, even though there was no offer
7 open at that time. The point of this is had he had that
8 discussion in May after the May offer or even as early as
9 January for the first offer, either one, it wouldn't
10 matter. And had that same meeting -- because that is
11 truly, as they say in the south, the come-to-Jesus moment.
12 It was.

13 And when he had that and had it put down before him
14 in no uncertain terms, he knew that the right thing to do
15 was plead guilty. He might not have wanted to, but he
16 did. And he chose to plead guilty in this case, which is
17 a good indicator that when he had that October meeting, he
18 understood.

19 The problem is -- and, unfortunately, it's not a
20 matter of Mr. Cooke can't do it. It's a matter of the
21 process, and the system, and the work load that he faces
22 is one that it just didn't happen. And had at any of
23 those days when he appeared to say no deal, or whatever
24 they -- you know, whatever the response was that he wasn't
25 pleading guilty, had he had that opportunity to sit down

1 and take Mr. Connor back and say let's go to my office and
2 have this meeting, have that October meeting now, here is
3 a plea deal for 14 years. It's pretty clear that he would
4 have made that decision at that time. He didn't because
5 he didn't have the opportunity to have that meeting.

6 And, as Mr. Cooke indicated, there was absolutely no
7 way Mr. Cooke could take the time to do that. He was
8 loaded up in court. He's got so many clients. And he
9 just can't do that. The Public Defender's Office can't
10 take the time for each client on those days and do that.

11 It's not a question that my client wasn't diligent.
12 He did try to go in and have meetings with Mr. Cooke
13 several times and was unsuccessful. He even went in and
14 picked up his own discovery.

15 But the bottom line is, he's got to have a plea offer
16 conveyed to him. When it's received, it's got to be
17 conveyed timely. Even if it had been conveyed three
18 months later, it still would have been okay as long as it
19 was enough time to have it explained to him, have the
20 October meeting. Had the plea offer still been open in
21 October and he had that meeting and he said, okay, I'm
22 going to plead guilty, we wouldn't be here.

23 But it came at a point when the plea offer was no
24 longer in effect. And there's no sit-down meeting from
25 the date of that second plea offer. And there just needed

1 to be that sit down, that discussion, and the conveying of
2 the plea offer.

3 I don't -- there's not even a letter. And Mr. Cooke
4 says there was -- the plea offer was not mailed out to
5 Mr. Connor. So even if they had the right address, we
6 don't even have to talk about whose fault it is. It
7 doesn't matter. Nothing was mailed out. Had it been, we
8 could talk about it. But it wasn't even mailed out. And,
9 therefore, you know, the plea offer has not been conveyed.

10 Even if it had been simply mailed out, you still have
11 to sit down with your client and explain the plea offer,
12 why the plea offer is important, how the plea offer has
13 changed from the first plea offer. He never had any of
14 those discussions. And he, certainly, needed that to get
15 into the same point that he got to in October when he had
16 that sit-down moment.

17 Now, most importantly, in this case, the relief that
18 we seek is the Davie v. State relief where I think the
19 Court has said in this situation where there's a problem
20 with conveying the plea offer and having it explained, if
21 a case has to be -- if relief has to be granted in a
22 situation like that, the relief should be tailored to the
23 wrong.

24 And it's not that the whole case is undone to go back
25 to trial. But as in Davie v. State, the case is remanded

1 back to the point it was on May of 2011 or January of 2011
2 where the plea office -- the plea offer was outstanding.
3 And I think in that case, the Court said it should be
4 remanded back to allow good faith attempts to consummate
5 that agreement in light of the fact that it wasn't really
6 the client's fault for not having accepted the deal that
7 he, clearly, should have accepted. There's no question he
8 should have accepted it. And Larry conveyed that to him
9 in October, that he should plead guilty, and it was the
10 right thing to do under the circumstances.

11 Well, it was even more right in January and May. And
12 that is our point. And we're asking the Court to give us
13 that narrow relief to send us back to engage in that plea
14 negotiation in good faith with the State, which I think
15 that they would most likely do and should do under Davie.

16 THE COURT: Thank you, Mr. Wilkes.

17 Ms. Ratigan.

18 MS. RATIGAN: Thank you, Your Honor.

19 I'm going to abstain from making legal arguments as
20 that's, obviously, Your Honor's purview. I'm just going
21 to point out some of the facts.

22 Mr. Connor testified he knew of a plea offer in
23 January of 2011. He, also, testified he knew of the
24 expiration date. That's something he testified to today.
25 He, also, testified he did not try to go into the office

1 to speak with Mr. Cooke until between April of 2011 and
2 October of 2011. I, specifically, asked him what period
3 of time he attempted to go by and speak to Mr. Cooke. And
4 that was three months after receiving notice of that plea
5 offer.

6 Mr. Cooke's notes indicated he refused the deal
7 twice, once would have been after the first offer was
8 conveyed. And the second would have been after the second
9 offer was conveyed. Let's see. Mr. Cooke testified that
10 on his 3/8/11 meeting, he could not recall specifics, but
11 that he would guess they would have just reviewed
12 discovery at that time and gone over the case.

13 Mr. Connor never told the plea judge, you know, he
14 was unsatisfied with the way Mr. Cooke had handled the
15 case, that he felt Mr. Cooke had not, you know, discussed
16 this offer with him. He never said that, you know, he had
17 somehow been cheated out of this offer.

18 And while Mr. Wilkes says there's no question he
19 should have accepted the plea, you can't force your client
20 to accept a guilty plea. It's even written into the Rules
21 of Professional Conduct. You can't -- no matter how much
22 you want to act for them, you can't act for them.

23 So, again, Your Honor, as the Judge of the law, I
24 would just state that the facts today do not support
25 Mr. Connor's claim for relief.

1 MR. WILKES: Your Honor, there's -- if I may in
2 rebuttal.

3 He did, I believe, go in prior to the expiration of
4 the January plea offer. He did go in before that. And
5 his testimony was he was told that when -- at some point,
6 one of those attempts to go in and see Mr. Cooke -- and
7 there were more than one -- that they would let him know
8 when he was out of surgery.

9 When she said that they -- you know, Mr. Connor
10 refused plea deals. He never knew about the May in a way
11 that he could intelligently make a refusal. You can't say
12 he refused something if he's not advised as to pleading.
13 So the refusal -- there's no intelligent refusal. And I
14 don't think she can say it was refused. Because it just
15 wasn't -- it's not a knowing and intelligent decision if
16 he hasn't received competent advice on it at that time, if
17 he hadn't had that full discussion that came in October.

18 So he didn't refuse it. Because he never was fully
19 advised on it. So I don't think that can be held against
20 him. But he did exercise diligence in trying to go in and
21 see Mr. Cooke. And he did appear at all of his
22 appearances.

23 So, you know, we stand by the fact that I think the
24 evidence was pretty clear that nothing was mailed to him
25 about the first or the second offer, I don't think, to

1 explain it, or to have that talk with him. And I think
2 that's failing, Your Honor.

3 THE COURT: Well, didn't Mr. Cooke establish that he
4 gave him the discovery in March of 2011? They had a
5 historically long preliminary hearing. And that
6 Mr. Connor decided that he would only take probation or a
7 three- to five-year sentence?

8 I mean, that has to demonstrate that he was given the
9 pro's and con's of plea --

10 MR. WILKES: Your Honor, if I --

11 THE COURT: -- negotiations, doesn't it?

12 MR. WILKES: Well, no, sir, not at all.

13 The fact that he appeared at some extended prelim --
14 I think he was still incarcerated when they transported
15 him over for that prelim. That's not an office meeting.
16 You can't say just because you went to a prelim -- there's
17 probably a lot of things said at a prelim that -- you
18 know, there's numerous charges that were not prosecuted.
19 You can't say that sitting in your own prelim is adequate
20 advice on a plea offer. It's not.

21 THE COURT: Well, I'm not saying that. I'm saying --
22 what I'm saying is he knew what was going on by that
23 point.

24 MR. WILKES: Well, he picked up his own discovery,
25 yes. He even testified he had to go and get his

1 discovery, which he did.

2 But the question is, in light of the discovery, I
3 mean, that does not -- that's a completely different
4 question than has a plea offer, one, been conveyed.

5 Because there's two plea officers -- plea offers that were
6 never mailed to him. Were they conveyed? And were they
7 discussed in terms of the October 2011 meeting? No. They
8 never were. Obviously, had they been, he would have taken
9 it.

10 So if that is the case, then he is, clearly, entitled
11 to relief. He may have had discovery. He may have known
12 from the prelim what the police officers might say. But
13 that does not have any impact on whether or not he was --
14 had that same meeting that occurred in October. That does
15 not mean he had that meeting. He did not have that
16 meeting. And Mr. Cooke was very clear that he did not
17 have that meeting.

18 THE COURT: Well, even assuming that he got
19 meaningful communication of the offer that was, initially,
20 made in January, your position, Mr. Wilkes, is that no
21 such communication was made about the subsequent offer
22 and, in fact, no expiration date was provided to him that
23 would allow him to make an intelligent choice within the
24 time frame set by the State; is that right?

25 MR. WILKES: That is correct. Because of the

1 technical error that the Solicitor -- the way he did it,
2 it would not have allowed my client to know when he had to
3 do anything.

4 But the point is it doesn't matter what he conveyed
5 it to him. I mean, they did not mail it to him. And
6 they, certainly, should have. And they do now, but they
7 didn't then. And that is the dilemma. And even if they
8 had simply mailed it to him, that still wouldn't even be
9 enough. That's the problem.

10 So we haven't even crossed the hurdle of him getting
11 it to start with, much less having that meeting that,
12 ultimately, came. It just didn't come in time before the
13 offer expired.

14 THE COURT: So Davie and other cases say what exactly
15 constitutes a meaningful conveyance of the offer?

16 MR. WILKES: Oh, there's tons of case law on being
17 advised, I think on a plea offer, that you have to convey
18 the plea offer.

19 THE COURT: I understand that. But what does that
20 mean? Is there any case that says simply mailing your
21 client a letter with a cover sheet that says, enclosed
22 please find the State's offer, is that enough --

23 MR. WILKES: No.

24 THE COURT: -- or do you have to do more?

25 MR. WILKES: No. And I'm -- I can't name the case

1 off the top of my head. But I think it stands to reason,
2 quite obviously, that you can send something from the
3 State and say, here is your plea offer. You're not giving
4 any legal advice. That's not legal advice.

5 Now, if he had -- if there had been a letter
6 accompanying it saying, let me explain this plea offer to
7 you, here's the evidence, and here's my opinion of the
8 evidence. Here's your sentences, here's what they've got
9 to prove. Even if they can't prove, you know, 17 of these
10 charges, even if there's, clearly, not even probable
11 cause, you know, for 17 charges, they can convict you on
12 these three. You would be exposed to this much time.
13 That is -- if that letter was there and was sent along
14 with a plea offer, then we would have a debate on whether
15 or not that's sufficient.

16 But simply mailing a plea offer with no legal advice,
17 that would not -- that's not even -- shouldn't even be a
18 question. Because there's nothing for him to go on, other
19 than the Solicitor simply saying, here's the charge and
20 here's what we recommend, and nothing more.

21 So to answer the Court's question, there's no legal
22 advice that would be given in just mailing the plea offer.
23 But we don't even have to reach that, because that wasn't
24 done. So -- and, you know, it's not that -- Mr. Cooke is
25 absolutely competent. There's no question about it. But,

1 unfortunately, the Public Defender's Office systematically
2 is so overworked that it just creates a problem that
3 happened in Mr. Connor's case that wouldn't happen today.
4 Because the process has now changed and filled in that
5 potential for disaster. And they've fixed that. But,
6 unfortunately, that didn't happen in Mr. Connor's case.

7 So I think we're entitled to relief.

8 THE COURT: All right.

9 MS. RATIGAN: The only other thing I would add, Your
10 Honor, is the companion cases from a couple years ago of
11 Missouri v. Frye and Lafler v. Cooper. They're United
12 States Supreme Court cases. They deal with plea offers
13 either being unconveyed or conveyed incorrectly.

14 And I can't remember which is which for the life of
15 me. But one of those cases -- I don't know that specific
16 performance would be the remedy under those cases. I
17 believe the case says it would go back and allow the State
18 to reoffer that. But I don't think they're bound to that
19 offer, because so many things happen subsequent.

20 But I want to say it's the Lafler case and not the
21 Frye case that it wouldn't necessarily be a remedy of
22 specific performance. The State, I believe, would be
23 allowed to make the offer again. But I don't know that
24 they'd be bound to that offer. But, again, like I said,
25 this is just coming off the top of my head.

1 MR. WILKES: And I can't say that it's a requirement
2 of specific informance [sic]. I know that in the case I
3 cited, Davie, there's talk about good faith presumption of
4 plea negotiations. And it cites other cases in there.

5 But I don't know that the Court's order -- whatever
6 it said, I don't know if it could bind them or not. But
7 it is intended that there be a good faith presumption of
8 plea negotiations. And I think that's what it is. If the
9 State refused, I don't know where we would be. We might
10 be at an appeal. But I don't know that that would happen.

11 So the remedy is the reversal for him to be allowed
12 to engage in good faith plea negotiations, which resume I
13 think is the language, resumption, good faith resumption
14 of plea negotiations.

15 THE COURT: Okay. Well, thank you for your excellent
16 presentations.

17 I'm going to look at these cases in light of what
18 I've heard here today. I'll let you know as soon as I
19 can.

20 Thank you.

21 *****END OF TRANSCRIPT OF RECORD*****
22
23
24
25

CERTIFICATE OF REPORTER

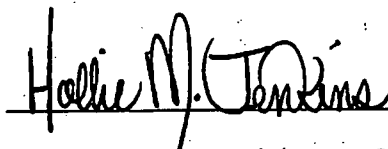
STATE OF SOUTH CAROLINA)

COUNTY OF GREENVILLE)

I, HOLLIE JENKINS, Official Court Reporter for the Thirteenth Judicial Circuit of the State of South Carolina, do hereby certify that the foregoing is a true, accurate, and complete Transcript of Record of the proceedings had and the evidence introduced in the captioned case, relative to appeal, in the Court of Common Pleas for Greenville County, South Carolina, on the 23rd day of April, 2014.

I do further certify that I am neither of kin, counsel, nor interest to any party hereto.

August 13, 2014



Hollie M. Jenkins, Court Reporter

My Commission Expires: 09/24/20

MAY 26 2011

State of South Carolina
Solicitor, Thirteenth Judicial Circuit

Initials: JB

Telephone: 864-467-8647
Telefax: 864-467-8610



Solicitor
W. Walter Wilkins

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

5/24/2011

LARRY COOKE
GREENVILLE COUNTY COURTHOUSE
GREENVILLE, SC 29601

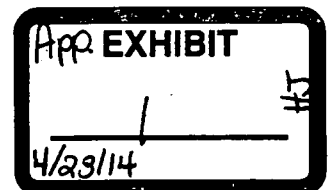
RE: Plea Offer for State v. Patrick Bouvier demetria Connor Jr

Dear Larry Cooke :

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

The Defendant will plead guilty to the following:

<u>Warrant Number:</u>	<u>Charge:</u>
I481025	Conspiracy
I481024	Poss. weapon during violent crime
I481023	Armed Robbery
M383385	Poss. weapon during violent crime
M383384	Assault & Battery 1st degree
M383383	Armed Robbery

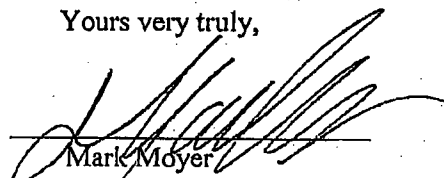


The State will make the following sentence recommendations/negotiation:

If defendant pleads guilty to one of these armed robberies, I will recommend 14 years, concurrent with the 14 years I am recommending on the other charges.

Please contact me as soon as possible with your client's response as plea negotiations must be concluded and the guilty plea entered before 5/8/2011 or this and any other offers are automatically withdrawn. If your client does not plead guilty by this date, the case(s) will be placed on the trial calendar for disposition without further negotiation.

Yours very truly,



Mark Moyer
Assistant Solicitor

JAN 07 2011

Initials: RB

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

State of South Carolina
Solicitor, Thirteenth Judicial Circuit

Telephone: 864-467-8647
Telefax: 864-467-8610



Solicitor
Robert M. Ariail

1/2/2011

LARRY COOKE
GREENVILLE COUNTY COURTHOUSE
GREENVILLE, SC 29601

RE: Plea Offer for State v. Patrick Bouvier demetri Connor

Dear Larry Cooke :

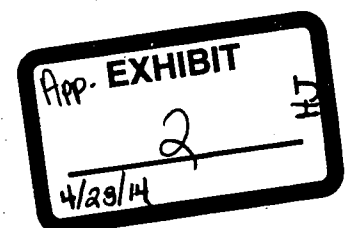
I am willing to make the following proposal to your above-referenced client in order to dispose of these charges by way of a guilty plea:

The Defendant will plead guilty to the following:

<i>Warrant Number:</i>	<i>Charge:</i>
1481052	Armed Robbery
1481062	Armed Robbery
1481078	Armed Robbery

The State will dismiss the following:

<i>Warrant Number:</i>	<i>Charge:</i>
1481053	Poss. weapon during violent crime
1481054	Conspiracy
1481063	Conspiracy
1481064	Poss. weapon during violent crime
1481069	Attempted armed robbery
1481070	Conspiracy



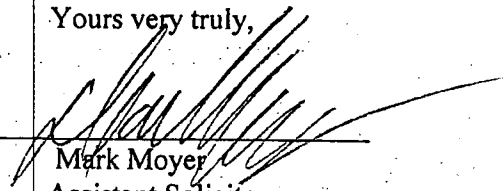
I481071	Poss. weapon during violent crime
I481079	Kidnapping
I481080	Stealing from a person who is using a bank night depository, an ATM machine or another automated banking device
I481114	Armed Robbery
I481115	Armed Robbery
I481116	Conspiracy
I481117	Poss. weapon during violent crime
I481120	Armed Robbery
I481121	Poss. weapon during violent crime

The State will make the following sentence recommendations/negotiation:

If defendant pleads guilty to 3 counts of armed robbery by the due date, does not get into further trouble, and agrees to cooperate with the prosecution of the co-defendants I will dismiss the other charges and recommend 14 years

Please contact me as soon as possible with your client's response as plea negotiations must be concluded and the guilty plea entered before 5/3/2011 or this and any other offers are automatically withdrawn. If your client does not plead guilty by this date, the case(s) will be placed on the trial calendar for disposition without further negotiation.

Yours very truly,


Mark Moyer
Assistant Solicitor

OFFICE OF THE PUBLIC DEFENDER

13th JUDICIAL CIRCUIT
Greenville County Courthouse
305 East North Street (Rm 123)
GREENVILLE, SOUTH CAROLINA 29601

John I. Mauldin
Public Defender

TEL (864) 467-8522
FAX (864) 467-8521

October 3, 2011

Patrick Bouvier Connor
[REDACTED] Road
Greenville, SC 29609

Re: State v. Patrick Bouvier Connor
Warrant/Ticket No(s):

Dear Mr. Connor:

I am scheduling you an appointment to meet with me on October 13, 2011 at 2:00 p.m. to discuss your case. I need a witness list and any other information to prepare for trial as scheduled on October 17, 2011 at 8:30 a.m.

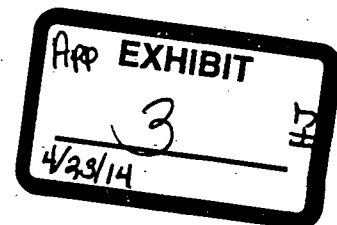
Should you have any questions, please do not hesitate to contact me.

Very truly yours,
GREENVILLE COUNTY PUBLIC DEFENDER

By:

Larry Cooke
Larry Cooke, Esq.
Attorney for Defendant
305 E. North Street, Suite 123
Greenville, SC 29601
(864) 467-8522

cc: file



APR-EXHIBIT
4
WASH

111

11-3-10

BAIL PROCEEDING
FORM II

Criminal Charging Document No.

(OFB)

STATE OF SOUTH CAROLINA
COUNTY OF Greenville

IN THE Greenville General Sessions

STATE OF SOUTH CAROLINA

ORDER SPECIFYING METHODS AND CONDITIONS OF RELEASE

405025

Connor, Patrick Olivier Demetria
NAME OF DEFENDANT

Offense Charged: Robbery / Attempted armed, or allegedly armed, robbery-[I481069]; Conspiracy / Criminal Conspiracy, Common Law conspiracy defined-[I481025, I481116, I481054, I481070, I481063]; Kidnapping / Kidnapping-[I481079]; Robbery / Armed Robbery, robbery while armed or allegedly armed with a deadly weapon-[I481023, I481114, I481115, I481052, I481082, I481120, I481078, M383383]; Weapons / Poss. weapon during violent crime, if not also sentenced to life without parole or death-[I481024, I481117, I481053, I481064, I481121, I481071, M383385]; Robbery / Stealing from a person who is using a bank night depository, an ATM machine or another automated banking device-[I481080]; Assault / Assault & Battery 1st degree-[M383384]

At a bail proceeding conducted by undersigned Judge, for the defendant named above, it was determined by the court (check one or both):

- ☐ The release of the defendant on recognizance will not reasonably assure his appearance as required.
☐ The release of the defendant on recognizance will result in an unreasonable danger to the community.

This determination was based upon the following findings of fact:

[Considerations: Nature and Circumstances of the offense charged, the defendant's family ties, employment, financial resources, character and mental condition, the length of his residence in the community, his record of convictions, and any record of flight to avoid prosecution or failure to appear at other court proceedings.]

THEREFORE, IT IS HEREBY ORDERED:

- That the above named defendant be released from custody on the condition that he will personally appear before the designated court at the place, date and time required to answer the charge made against him and do what shall be ordered by the court and not depart the State without the permission of the court and be of good behavior.
- That the above named defendant be released from custody provided as follows:

CASH IN LIEU OF BOND

☐ The defendant, acknowledges himself to be indebted to the State of South Carolina in the sum of \$ _____ to secure his release from custody. Should the defendant fail to comply with all terms and conditions of this Order, this sum of money is subject to being forfeited to the State.

CASH PERCENTAGE IN LIEU OF BOND

☐ The defendant, acknowledging himself to be indebted to the State of South Carolina in the full amount of \$ _____, his release to be obtained by payment to the court of _____ % (not to exceed 10%) of the full amount of the bond, deposits \$ _____ to secure his release from custody. Should the defendant fail to perform the conditions of this Order, the full amount shall be levied on his real and personal property for the use of the state.

APPEARANCE RECOGNIZANCE WITH SURETY

☒ The defendant will provide good and sufficient surety approved by the court, in the form hereinafter set forth in this Order, acknowledging an indebtedness to the State in the amount of \$ 50,000.00.

That the defendant shall appear at (check one):

☒ the term of COURT OF GENERAL SESSIONS beginning on January 21, 2011 at 9:00 o'clock, A.M. at Greenville General Sessions - 305 E. North Street/Greenville County Courthouse/Greenville, SC 29601-2120 / (864) 467-8745 and remain there throughout that term of court. If no disposition is made during that term, the defendant shall appear and remain throughout each succeeding term of court until final disposition is made of his case, unless otherwise ordered by the court.

☐ the session of ☐ MAGISTRATE COURT ☐ MUNICIPAL COURT beginning on _____ at _____ o'clock, M. at _____
If no final disposition is made during that session, the defendant shall appear at such other times and places as ordered by the court.

Bond Amount(s): \$50,000.00 (SB)

INITIALS OF DEFENDANT

[Signature]

4. That the defendant will notify the court promptly if he changes his address from the one contained in this order and he will comply with those conditions hereinafter in the Order.

SIGNATURE OF JUDGE

DATE

ORIGINAL AND ONE COPY OF THIS FORM ARE TO BE COMPLETED IN EVERY BAIL PROCEEDING IN WHICH IT IS USED

Original Copy For The Trial Court - Copy For The Defendant

ENTERED
COMPUTER

ACKNOWLEDGEMENT BY DEFENDANT

I understand that if I violate any condition of this Order, a warrant for my arrest will be issued.

I understand and have been informed that I have a right and obligation to be present at trial and should I fail to attend the court, the trial will proceed in my absence.

It has been explained to me that if I fail to appear before the court as required, a warrant for my arrest will be issued.

506 Old Mill Rd

ADDRESS

Mauldin, SC 29862

(864) 430-2823

CITY/STATE/ZIP

TELEPHONE

100559370 (SC)

SOCIAL SECURITY NUMBER

DRIVER'S LICENSE OR ID NUMBER

SIGNATURE OF DEFENDANT

DATE

ATTORNEY REPRESENTING ACCUSED (IF KNOWN)

SPECIAL CONDITIONS OF RELEASE

a. ☐ Placement in custody. The defendant is placed in the custody of:

NAME OF PERSON OR ORGANIZATION

ADDRESS

CITY/STATE

ZIP

TELEPHONE

who agrees (1) to supervise the defendant as set forth by the court, (2) to use every effort to assure the appearance of the defendant at all scheduled hearings before the court, and (3) to notify the court immediately in the event the defendant violates any conditions of his release or disappears.

SIGNATURE OF CUSTODIAN (IF APPROVED)

DATE

b. ☐ Restrictions on Travel, Association or Residence. The defendant will comply with each of the following conditions:

c. ☐ Part-time Release. The defendant will be released from custody from

o' clock,

to

o' clock,

TIME

AM/PM

TIME

AM/PM

on _____ on condition that he return to the custody of

DATE(S)

NAME OF PERSON OR ORGANIZATION

at

LOCATION

as designated.

d. ☒ Other conditions. The defendant will comply with the following other conditions of release:

ORDER FOR BAIL; Curfew dusk to dawn; No Contact With Victims

APPEARANCE RECOGNIZANCE WITH SURETY

On the 28th day of October, 2010, personally appeared before the undersigned judge the surety named below who acknowledged himself indebted to the State of South Carolina, in the sum of \$ 50,000.00, such sum to be levied on his real and personal property for the use of the State, should named defendant fail in performing the conditions of this Order.

The surety, being duly sworn, says that he is a resident and free holder within the State and is worth the sum acknowledged and underwritten herein, over all his debts and liabilities, and exclusive of property exempt from execution.

Thompson, Lamal J - International

(864) 271-7386

NAME OF SURETY BONDSMAN

TELEPHONE

P O Box 16133

ADDRESS OF SURETY BONDSMAN

Greenville, SC 29606

CITY/STATE/ZIP

International Fidelity Insurance

NAME OF INSURANCE COMPANY

23901 Calabasas Rd Ste 1085

ADDRESS OF INSURANCE COMPANY

Calabasas, CA 91302

CITY/STATE/ZIP

SIGNATURE OF SURETY BONDSMAN

SIGNATURE OF JUDGE

DATE

Only the original Power of Attorney
will bind this Surety.

POWER OF ATTORNEY
INTERNATIONAL FIDELITY INSURANCE COMPANY
P.O. BOX 9810, CALABASAS, CA 91372-9810 (800) 935-2245

POWER NUMBER **IS50K-57899**

THIS POWER VOID IF NOT USED BY: December 31, 2011

POWER AMOUNT \$ 50,000

KNOW ALL MEN BY THESE PRESENTS, that INTERNATIONAL FIDELITY INSURANCE COMPANY, a corporation duly organized and existing under the laws of the State of New Jersey, has constituted and appointed, and does hereby constitute and appoint, its true and lawful Attorney-in-Fact, with full power and authority to sign the company's name and affix its corporate seal to, and deliver on its behalf as surety, any and all obligations as herein provided, and the execution of such obligations in pursuance of these presents shall be as binding upon the company as fully and to all intents and purposes as if done by the regularly elected officers of said company at its home office in their own proper person; and the said company hereby ratifies and confirms all and whatsoever its said Attorney-in-Fact may lawfully do and perform in the premises by virtue of these presents.

THIS POWER OF ATTORNEY IS VOID IF ALTERED OR ERASED, THE OBLIGATION OF THE COMPANY SHALL NOT EXCEED THE SUM OF FIFTY THOUSAND*****

AND MAY BE EXECUTED FOR RECOGNIZANCE ON CRIMINAL BAIL BONDS ONLY.

Authority of such Attorney-in-Fact is limited to the execution of appearance bonds and cannot be construed to guarantee defendant's future lawful conduct, adherence to travel limitation, fines, restitution, payments or penalties, or any other condition imposed by a court not specifically related to court appearances. A separate Power of Attorney must be attached to each bond executed. Powers of Attorney must not be returned to Attorney-in-Fact, but should remain a permanent part of the court records.

Bond Amt \$ 50,000.00 Date Executed 10-28-2010

Defendant Patrick Connor DOB 7-21-10

Case # 1481025-23, 114-416 Appearance Date 053, 84, 52, 10, 10, 62, 14, 10 see date

Offense Civil - See Charges

Court County Civil

Court City _____ Court State SC Div./Dept. CS

If rewrite, give orig. power # _____ ☐ Increase ☐ Decrease

Executing Agent [Signature] Signature if applicable, add your COURT assigned Agent #



Form# IF1.0100 (3/06)

ORIGINAL

NOTICE: Stacking of Powers is strictly prohibited. No more than one power from this Surety may be used to post any one bail amount.

IN WITNESS WHEREOF, said INTERNATIONAL FIDELITY INSURANCE COMPANY, by virtue of authority conferred by its Board of Directors, has caused these presents to be sealed with its corporate seal, signed by its Chairman of the Board and attested by its Secretary, this 23rd day of March, 1998.

[Signature]
Francis M. Harkins, Chairman of the Board

[Signature]
Norman Koevle, Secretary



**NOT VALID FOR
IMMIGRATION**



01178061

State of South Carolina
Solicitor, Thirteenth Judicial Circuit

Telephone: 864-467-8647
Telefax: 864-467-8610

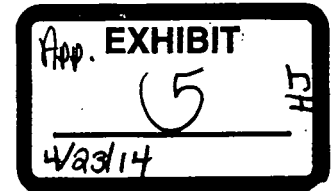


Solicitor
Robert M. Ariail

October 29, 2010

RECEIVED
11-2-10

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



Larry Cooke, Esq.
Greenville County Courthouse
Greenville, SC 29601

Re: **STATE OF SOUTH CAROLINA vs. PATRICK B. D. CONNOR**

Warrant/Ticket # (s) I481120, I481121, I481062, I481063, I481064, I481116, I481117, I481114, I481115, I481023, I481024, I481025, I481052, I481053, I481054, I481078, I481079, I481080, I481069, I481070, I481071, M383383, M383384, M383385

Dear Mr. Cooke:

Pursuant to Rule 5 (C) South Carolina Rules of Criminal Procedure, Continuing Duty to Disclose, the State has recently received additional evidence or material previously requested or ordered, which is subject to discovery or inspection under this rule. The additional discovery is as follows:

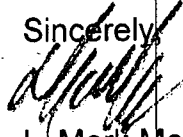
1. Supplemental Report for **case #10-100833** by Inv. Michael Jarvis dated 07/08/10 (5 pages).
1. Supplemental Report for **case #10-099279** by Inv. David Weiner dated 07/07/10 (3 pages).
2. Supplemental Report by Deputy Johnny M. Brown dated 07/07/10 (6 pages).
3. Supplemental Report for **case #10-100842** by Deputy Johnny M. Brown dated 07/07/10 (6 pages).
4. Supplemental Report by Inv. David Weiner dated 07/08/10 (2 pages).
5. Supplemental Report for **case #10-100850** by Deputy Johnny M. Brown dated 07/07/10 (6 pages).
6. Supplemental Report by Deputy Matthew Anderson dated 08/29/10 (2 pages).
7. Supplemental Report by Inv. D. Hoover dated 07/02/10 (5 pages).
8. Supplemental Report by Inv. D. Hoover dated 07/08/10 (2 pages).
9. Supplemental Report for **case #10-100856** by Deputy M. Lovelace dated 06/29/10 (1 page).
10. Supplemental Report by Deputy Wannemacher dated 06/29/10 (1 page).
11. Supplemental Report by Deputy Johnny M. Brown dated 06/30/10 (1 page).

12. Supplemental Report by Inv. Tracy King dated 07/01/10 (2 pages).
13. Supplemental Report by Inv. David Weiner dated 06/30/10 (5 pages).
14. Statement of Christopher Williams dated 04/29/10 (1 page)
15. Photo Line-up by Christopher Williams dated 06/29/10 (2 pages).
16. Property & Evidence Sheets (3 pages).

Please note that the State may introduce video recording(s) relevant to this case, which are also available for viewing and downloading on the internet, at www.greenvillecounty.org, using the attorney log-in screen in the Solicitor's Department. Instructions for downloading and viewing video(s) can be found at the log-in screen. Please let me know if you have problems accessing this information, and I will assist you. (VIDEO AVAILABLE IN GREENVILLE COUNTY CASES ONLY AT THIS TIME). There may also be a 911 recording available in this case. Please provide a blank CD to receive a copy. Otherwise, you may contact my investigator to make an appointment to listen to the recording.

If you have any questions regarding this defendant's case(s) or need any further assistance, please do not hesitate to contact me.

Sincerely,



L. Mark Moyer
Assistant Solicitor

State of South Carolina
Solicitor, Thirteenth Judicial Circuit

116
RECEIVED

10-6-10

Telephone: 864-467-8647
Telefax: 864-467-8610



Solicitor

Robert M. Ariail

October 4, 2010

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

Larry Cooke, Esq.
Public Defender's Office
Greenville County Courthouse
305 E. North Street, Suite 123
Greenville, SC 29601

RE: STATE OF SOUTH CAROLINA vs. PATRICK BOUVIER DEMETRI CONNOR
Armed Robbery X8, Possession of a Weapon During the Commission of a Violent
Crime X7, Criminal Conspiracy X5, Kidnapping, Robbery, Attempted Armed Robbery,
Assault and Battery 1st Degree
Warrant/Ticket # (s) I481120, I481121, I481062, I481063, I481064, I481116, I481117,
I481114, I481115, I481023, I481024, I481025, I481052, I481053, I481054, I481078,
I481079, I481080, I481069, I481070, I481071, M383383, M383384, M383385

Dear Larry:

Enclosed please find the following discoverable material, pursuant to Rule 5, South Carolina
Rules of Criminal Procedure:

1. Copy of **Warrant # I481120 and I481121.**
2. Copy of the Greenville County Sheriff's Office Incident Report for case # 10-99283 by Officer Shane Cooke dated 6/26/2010, 3 pages.
3. Copy of a statement from Priscilla Green dated 6/26/2010, 1 page.
4. Copy of the Greenville County DPS Forensic Investigation Report by Officer A. J. Deitz dated 6/26/2010, 1 page.
5. Copy of the Greenville County Forensics – Crime Scene Display/Maintenance/Latent Print Maintenance/Latent Notes Maintenance/Latent Compared Data Maintenance screens, 5 pages.
6. Copy of **Warrant # I481062, I481063, I481064.**
7. Copy of the Greenville County Sheriff's Office Incident Report for case # 10-99279 by Officer Laura Campbell dated 6/27/2010, 4 pages.
8. Copy of GCSO Supplemental Report by Officer Brandt McQueen dated 6/28/2010, 2 pages.
9. Copy of a statement from Robert V. Bermudez dated 6/25/2010, 1 page.

Larry Cooke, Esq.
October 4, 2010
Page 2

10. Copy of a statement from Kevin Lee Lewis dated 6/26/2010, 2 pages.
11. Copy of a statement from Kevin Lewis dated 7/1/2010, 2 pages.
12. Copy of a photo lineup, 1 page.
13. Photo copy of the location of crime scene, 1 page.
14. Copy of an itemized list of stolen items, 3 pages.
15. Copy of the Greenville County DPS Forensic Investigation Report by Officer A. J. Deitz dated 6/28/2010, 1 page.
16. Copy of the Greenville County Dept. of Public Safety – Property Report, 1 page.
17. Copy of the Greenville County Forensics – Crime Scene Display and Maintenance screen, 2 pages.
18. Copy of **Warrant # I481116, I481117, I481114, I481115.**
19. Copy of the Greenville County Sheriff's Office Incident Report for case # 10-100775 by Officer Bradley Griffin dated 6/28/2010, 3 pages.
20. Copy of a statement from Kim Lee Butler dated 7/1/2010, 2 pages.
21. Copy of a statement from Keith Shawn Volzka, Sr. dated 6/30/2010, 1 page.
22. Copy of a statement from Asya Monique Robinson dated 6/29/2010, 1 page.
23. Copy of a statement from Katlin Glenn dated 6/29/2010, 2 pages.
24. Copy of the GCSO Vehicle Impoundment and Inventory Record, 1 page.
25. Copy of **Warrant # I481023, I481024, I481025.**
26. Copy of the Greenville County Sheriff's Office Incident Report for case # 10-100856 by Officer Chad Maltby dated 6/29/2010, 3 pages.
27. Copy of a statement from Shanika Terry dated 6/29/2010, 1 page.
28. Copy of the photo line-up, 1 page.
29. Copy of the Waiver of Miranda Rights signed by Katlin Glenn dated 6/29/2010, 1 page.
30. Copy of a statement from Katlin Glenn dated 6/29/2010, 2 pages.
31. Copy of the GCSO Mugshot Profile of Patrick Bouvier Connor, 1 page.
32. Copy of the GCSO Mugshot Profile of Kennith Lipsey, Jr. 1 page.
33. Copy of the GCSO Mugshot Profile of Ashton Tema Scott, 1 page.
34. Copy of the Greenville County DPS Forensic Investigation Report by Officer J. M. Days dated 7/1/2010, 1 page.
35. Copy of the Greenville County Dept. of Public Safety – Property Reports, 8 pages.
36. Copy of the Greenville County Forensics – Crime Scene Display and Maintenance screen, 2 pages.
37. Copy of crime scene photos, 2 pages.
38. Copy of **Warrant # I481052, I481053, I481054.**
39. Copy of the Greenville County Sheriff's Office Incident Report for case # 10-100833 by Officer Bryan Leppard dated 6/29/2010, 3 pages.
40. Copy of the GCSO Supplemental Report by Officer Johnny M. Brown dated 7/7/2010, 5 pages.
41. Copy of a statement from Diana Teutle dated 6/30/2010, 1 page.
42. Copy of **Warrant # I481078, I481079, I481080.**
43. Copy of the Greenville County Sheriff's Office Incident Report for case # 10-100850 by Officer Stan Whitten dated 6/29/2010, 3 pages.

Larry Cooke, Esq.
October 4, 2010
Page 3

44. Copy of a statement from Ricky Steven Cuddy dated 6/30/2010, 1 page.
45. Copy of the Greenville County DPS Forensic Investigation Report by Sgt. D. L. Shaw dated 6/29/2010, 1 page.
46. Copy of the Greenville County Dept. of Public Safety- Property Report, 1 page.
47. Copy of the Greenville County Forensics – Crime Scene Display/Maintenance/Latent Print Maintenance/Latent Compared Data Maintenance screens, 4 pages.
48. Copy of **Warrant # I481069, I481070, I481071.**
49. Copy of the Greenville County Sheriff's Office Incident Report for case # 10-100842 by Officer Chad Maltby dated 6/29/2010, 3 pages.
50. Copy of a statement from Ashton Scott dated 7/2/2010, 1 page.
51. Copy of the Waiver of Miranda Rights signed by Kenneth Lipsey dated 7/8/2010, 1 page.
52. Copy of a statement from Kenenth Lipsey, 1 page.
53. Copy of the Greenville County Firearms/Tool Mark Report, 1 page.
54. Copy of the Greenville County Forensic Investigation Report by Officer I. R. Ooten dated 7/1/2010, 1 page.
55. Copy of the Greenville County Dept. of Public Safety – Property Reports, 3 pages.
56. Copy of the Greenville County Forensics- Crime Scene Display and Maintenance screens, 2 pages.
57. Copy of crime scene photos, 2 pages.
58. Copy of **Warrant # M383383, M383384, M383385.**
59. Copy of the Greenville Police Dept. for case # 10-0546623 by Officer C. Morton dated 6/29/2010, 2 pages.
60. Copy of the GPD Supplemental Report by Officer T. M. Conroy dated 7/8/2010, 2 pages.
61. Copy of the GPD Supplemental Report by Officer T. M. Conroy dated 7/9/2010, 2 pages.
62. Copy of a statement from Demarkus J. Johnson dated 6/29/2010, 2 pages.
63. Copy of the photo line-ups, 2 pages.
64. Copy of the Waiver of Miranda Rights signed by Patrick Connor dated 7/7/2010, 1 page.
65. Copy of the Waiver of Miranda Rights signed by Kenneth Lipsey, Jr. dated 7/9/2010, 1 page.
66. Copy of a statement from Kenneth Lipsey, Jr. dated 7/9/2010, 1 page.
67. Copy of the Greenville County Forensic Latent Print Analysis Report by Officer Bill Cromer dated 7/9/2010, 1 page.
68. Copy of the Greenville County Crime Scene Investigation Report by Sgt. D. L. Shaw dated 7/1/2010, 1 page.
69. Copy of the Search Warrant dated 6/29/2010, 4 pages.
70. Copy of the Greenville County Dept. of Public Safety – Property Reports, 2 pages.
71. Copy of the Greenville County Forensics- Crime Scene Display/Maintenance/Latent Print Maintenance/Latent Compared Data Maintenance screens, 4 pages.
72. Copy of crime scene photos, 4 pages.
73. NCIC Criminal History.

Larry Cooke, Esq.
October 4, 2010
Page 4

Pursuant to Rule 609(b) of the South Carolina Rules of Evidence, this shall serve as advance written notice of the State's intention to use all convictions of crimes in excess of ten (10) years old to impeach the Defendant in this matter. Those crimes are listed on the Defendant's NCIC report of criminal activity. This will be the only notification in this regard.

Please note that the State may introduce video recording(s) relevant to this case, which are also available for viewing and downloading on the internet, at www.greenvillecounty.org, using the attorney log-in screen in the Solicitor's Office. Instructions for downloading and viewing video(s) can be found at the log-in screen. Please let me know if you have problems accessing this information, and I will assist you. (VIDEO AVAILABLE IN GREENVILLE COUNTY CASES ONLY AT THIS TIME). There may also be a 911 recording available in this case. Please provide a blank CD to receive a copy. Otherwise, you may contact my investigator to make an appointment to listen to the recording.

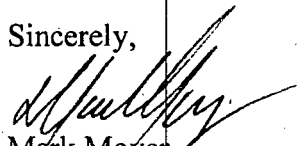
Please contact our office regarding a mutually convenient time for you to view evidence, which may be contained in the Property and Evidence Room at the Law Enforcement Center here in Greenville County. Pursuant to discovery rules, we will allow you to inspect the evidence that may be utilized at trial.

Please make every effort to protect the disclosure of any personal identifying information released to you through the discovery process. Such personal identifying information would include, but not limited to, names, addresses, date of birth, social security numbers, driver's license numbers, bank account numbers, credit card numbers and telephone numbers for any witness, victim or defendant.

Also, please find enclosed the State's Request for Reciprocal Discovery and the State's Request for Notice of Alibi and/or Insanity Defense, pursuant to Rule 5, South Carolina Rules of Criminal Procedure.

If you have any questions regarding this defendant's case(s), please do not hesitate to call me. I look forward to working with you.

Sincerely,



Mark Moyer
Assistant Solicitor

Larry Cooke, Esq.
October 4, 2010
Page 5

RE: PATRICK BOUVIER DEMETRI CONNOR

*** Please acknowledge receipt of discovery by signing here and returning a copy of this to me within 10 days. If I do not hear from you or receive a copy of this acknowledgement within the allotted time, I will assume you received the enclosed documents and have no objections.

Attorney for Defendant

STATE OF SOUTH CAROLINA)

COUNTY OF GREENVILLE)

Patrick B. Connor,)

Applicant,)

v.)

State of South Carolina,)

Respondent.)

THE COURT OF COMMON PLEAS
THIRTEENTH JUDICIAL CIRCUIT
Case No: 2013-CP-23-00154

ORDER GRANTING POST-
CONVICTION RELIEF

FILED - CLERK OF COURT
GREENVILLE CO. S.C.
PAUL B. WENCHINGER
2014 MAY 23 AM 10 21

I. Introduction

Patrick B. Connor (Connor) petitions for Post-Conviction Relief. At the April 23, 2014 evidentiary hearing, Connor was present and represented by Jeff F. Wilkes, Esquire, of the Greenville County Bar. Karen Ratigan, Esquire, of the South Carolina Attorney General's Office, appeared for the State.

At the hearing, Connor testified on his own behalf. Also testifying was his trial counsel Larry H. Cooke, Esquire. Based on the record and the applicable law, Mr. Connor's application for Post-Conviction Relief is granted.

II. Procedural History

Connor was indicted at the June 2011 term of the Greenville County Grand Jury for three (3) counts of armed robbery (2010-GS-23-9055, count 1; -9063, count 1; -9065, count 1) and three (3) counts of possession of a weapon during the commission of a violent crime (2010-GS-23-9055, count 2; -9063, count 2; -9065, count 2). On January 11, 2012, Connor pled guilty. The Honorable C. Victor Pyle, Jr. sentenced Connor to concurrent terms of twenty-five (25) years for

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each count of armed robbery and five (5) years for each count of possession of a weapon during the commission of a violent crime. Connor did not appeal.

III. PCR Allegations

Connor alleges he is being held in custody unlawfully for the following reasons: (1) he had ineffective assistance of counsel; (2) he gave an involuntary guilty plea; and (3) the State failed to disclose all Brady or Rule 5 materials.

This Court has reviewed the record and heard the testimony and arguments presented at the PCR hearing. The Court observed each witness, closely gauged their credibility, and weighed the testimony accordingly. Set forth below are the relevant findings of fact and conclusions of law as required by S.C. Code Ann. § 17-27-80.

IV. Standard of Review for Ineffective Assistance of Counsel Claims

In a PCR action, "[t]he burden of proof is on the Connor to prove his allegations by a preponderance of the evidence." The proper measure of performance is whether the attorney provided representation within the range of competence required in criminal cases. Courts presume that counsel rendered adequate assistance and made all significant decisions in the exercise of reasonable professional judgment. Butler, Id. Connor must overcome this presumption to receive relief. Cherry v. State, 300 S.C. 115, 386 S.E.2d 624 (1989). Frasier v. State, 351 S.C. 385, 389, 570 S.E.2d 172, 174 (2002) (citing Rule 71.1(e), SCRCP).

First, Connor must prove that counsel's performance was deficient. Under this prong, attorney performance is measured by its "reasonableness under professional norms." Cherry, 300 S.C. at 117, citing Strickland. Second, counsel's deficient performance must have prejudiced Connor such that "there is a reasonable probability that, but for counsel's unprofessional errors, the result of the proceeding would have been different." Cherry, 300 S.C.

9/14

at 117-18. "A reasonable probability is a probability sufficient to undermine confidence in the outcome of trial." Johnson v. State, 325 S.C. 182, 186, 480 S.E.2d 733, 735 (1997) (citing Strickland).

V. Findings of Fact and Conclusion

Connor contends his trial counsel was ineffective by not adequately communicating the second plea offer to him. The State's first plea offer for a sentence of fourteen (14) years was made in January 2011 and expired on May 8, 2011. A second offer—which recommended the same sentence but included dismissal of additional charges—was made in May 2011 and it contained no expiration date. The record demonstrates that Connor had consistently rejected the State's first offer, and had advised Mr. Cooke he desired a trial. At some point, he and Mr. Cooke lost contact.¹ Nevertheless, in the fall of 2011, their contact resumed when Connor's case was placed on the trial docket. As an automatic consequence, the May 2011 offer was off the table even though it is undisputed Connor had never been aware of it. Connor asked Mr. Cooke to renew negotiations, but by this point the Solicitor's Office policy prohibited plea negotiations.

While Mr. Cooke's failure to forward the second and more favorable offer to Connor was excusable neglect, it meets the standard for PCR relief established by Davie v. State, 381 S.C. 601, 675 S.E.2d 416 (2009). Prejudice has been shown by the significantly stiffer sentence Connor ultimately received without the benefit of the bargain contained in an offer never communicated to him. His desire to accept the fourteen (14) year deal is proven by his attempts to have Mr. Cooke renegotiate a plea agreement. Thus, Connor has shown "a reasonable probability that the end result of the criminal process would have been more favorable by reason of a plea to a lesser degree or a sentence of less prison time." Missouri v. Frye, 132 S.Ct. 1399,

¹ Mr. Cooke had surgery around this time.



1409 (2012). It is probable that the court would have accepted the plea.

The court need not get bogged down in the impossibly subjective inquiry of whether counsel's advice related to the plea offer was "meaningful," complete or reasonable, for here it is undisputed that the second offer was never communicated to Connor. Connor testified that he did not expect to get a twenty-five (25) year sentence. He has proven actual prejudice by demonstrating that, but for counsel's deficient performance, he would have accepted the second offer and benefitted from the bargain. See Davie, 381 S.C. at 613.

Connor has established both Strickland prongs. Therefore, his application for post-conviction relief is hereby granted, and the case is remanded for a new trial.

IT IS SO ORDERED!



D. Garrison Hill
Circuit Judge

May 30, 2014
Greenville, South Carolina

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF Greenville
STATE VS.
Patrick Bouvier Demetri Connor

INDICTMENT/CASE#: 2010GS2309055
A/W#: 1481052
Date of Offense: 6/29/2010
S.C. Code § : 16-11-0330(A)
CDR Code #: 0139

AKA:
Race: BLACK Sex: M Age: 23
DOB: 1988 SS#: [REDACTED]
Address: [REDACTED]
City, State, Zip: Piedmont, SC 29673
DL#: [REDACTED] SID#: [REDACTED]
*CDL Yes ☐ No ☐ CMV Yes ☐ No ☐ Hazmat Yes ☐ No ☐
In disposition of the said indictment comes now the Defendant who was
TO: Armed Robbery

SENTENCE SHEET

in violation of § 16-11-0330(A) of the S.C. Code of Laws, bearing CDR Code # 0139
☐ NON-VIOLENT ☒ VIOLENT ☐ SERIOUS ☒ MOST SERIOUS ☐ Mandatory GPS(CSC § 17-25-45 w/minor 1st or Lewd Act)

The charge is: ☒ As Indicted, ☐ Lesser Included Offense, ☐ Defendant Waives Presentment to Grand Jury. (defendant's initials)
The plea is: ☒ Without Negotiations or Recommendation, ☐ Negotiated Sentence, ☐ Recommendation by the State.
ATTEST: [Signature] 64155 [Signature] 1375
Moyer, Mark SC Bar# Defendant Attorney for Defendant SC Bar#

WHEREFORE, the Defendant is committed to the ☒ State Department of Corrections, ☐ County Detention Center,
for a determinate term of 24 days/months/years or ☐ under the Youthful Offender Act not to exceed _____ years
and/or to pay a fine of \$ _____; provided that upon the service of _____ days/months/years and/or payment
of \$ _____; plus costs and assessments as applicable*; the balance is suspended with probation for _____

months/years and subject to South Carolina Department of Probation, Parole and Pardon Services standard conditions of
probation, which are incorporated by reference.

☒ CONCURRENT or ☐ CONSECUTIVE to sentence on:
☒ The Defendant is to be given credit for time served pursuant to S.C. Code § 24-13-40 to be calculated and applied
by the State Department of Corrections.
☐ The Defendant is to be placed on the Central Registry of Child Abuse and Neglect pursuant to S.C. Code § 17-25-135.

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

SPECIAL CONDITIONS:

☐ RESTITUTION: ☐ Deferred ☐ Def. Waives Hearing ☐ Ordered
Total: \$ _____ plus 20% fee: \$ _____
Payment Terms: _____
☐ Set by SCDPPPS _____

PTUP _____ days/hours Public Service Employment

Obtain GED ☐
Attend Voc. Rehab. or Job Corp. _____
May serve W/E beginning _____
Substance Abuse Counseling ☐
Random Drug/Alcohol testing ☐
Fine may be pd. in equal, consecutive weekly/monthly
pmts. of \$ _____ beginning _____
\$ _____ paid to Public Defender Fund
Other: _____

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

Recipient: _____

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

Clerk of Court/ Deputy Clerk Paul B. Wickens
Court Reporter: Hamm
SCCA/217 (03/2011)

Presiding Judge C. Keith Ryan
Judge Code: 2070
Sentence Date: 1-11-2012

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF Greenville
 STATE VS.
Patrick Bouvier Demetri Connor

INDICTMENT/CASE#: 2010GS2309055A/W#: 1481053Date of Offense: 6/29/2010S.C. Code §: 16-23-0490CDR Code #: 0549

SENTENCE SHEET

AKA:

Race: BLACK Sex: M Age: 23JOB: 988 SS#: [REDACTED]Address: [REDACTED]City, State, Zip: Piedmont, SC 29673DL#: [REDACTED] SID#: [REDACTED]*CDL Yes ☐ No ☐ CMV Yes ☐ No ☐ Hazmat Yes ☐ No ☐In disposition of the said indictment comes now the Defendant who was
 TO: Possession of a weapon during commission of a violent crime,☐ CONVICTED OF or ☐ PLEADSin violation of § 16-23-0490of the S.C. Code of Laws, bearing CDR Code # 0549
☒ NON-VIOLENT ☐ VIOLENT ☐ SERIOUS ☐ MOST SERIOUS ☐ Mandatory GPS(CSC w/minor 1st or Lewd Act) ☐ §17-25-45
The charge is: ☒ As Indicted, ☐ Lesser Included Offense, ☐ Defendant Waives Presentment to Grand Jury. (defendant's initials)The plea is: ☒ Without Negotiations or Recommendation, ☐ Negotiated Sentence, ☒ Recommendation by the State.

ATTEST:

Moyer, Mark64159 X Patrice
SC Bar#

Defendant

Cooper
Attorney for Defendant1375
SC Bar#

WHEREFORE, the Defendant is committed to the ☒ State Department of Corrections, ☐ County Detention Center,
 for a determinate term of 5 days/months/year or ☐ under the Youthful Offender Act not to exceed _____ years
 and/or to pay a fine of \$ _____; provided that upon the service of _____ days/months/years and/or payment
 of \$ _____; plus costs and assessments as applicable*; the balance is suspended with probation for _____

months/years and subject to South Carolina Department of Probation, Parole and Pardon Services standard conditions of probation, which are incorporated by reference.

☒ CONCURRENT or ☐ CONSECUTIVE to sentence on:☐ The Defendant is to be given credit for time served pursuant to S.C. Code § 24-13-40 to be calculated and applied by the State Department of Corrections.☐ The Defendant is to be placed on the Central Registry of Child Abuse and Neglect pursuant to S.C. Code §17-25-135.

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

SPECIAL CONDITIONS:

☐ RESTITUTION: ☐ Deferred ☐ Def. Waives Hearing ☐ Ordered

PTUP

Total: \$ _____ plus 20% fee: \$ _____

Payment Terms: _____

☐ Set by SCDPPPS _____

Recipient: _____

_____ days/hours Public Service Employment

Obtain GED ☐

Attend Voc. Rehab. or Job Corp. _____

May serve W/E beginning _____

Substance Abuse Counseling ☐Random Drug/Alcohol testing ☐Fine may be pd. in equal, consecutive weekly/monthly
 pmts. of \$ _____ beginning _____

\$ _____ paid to Public Defender Fund

Other: _____

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

Presiding Judge

Judge Code: 2070Sentence Date: 1-11-2012

Clerk of Court/ Deputy Clerk

Court Reporter: Heron

SCCA/217 (03/2011)

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

Clerk of Court/ Deputy Clerk

Court Reporter: Heron

SCCA/217 (03/2011)

STATE OF SOUTH CAROLINA)
COUNTY OF GREENVILLE)

INDICTMENT FOR
ARMED ROBBERY AND POSSESSION OF A WEAPON DURING
THE COMMISSION OF A VIOLENT CRIME

At a Court of General Sessions, convened on **JUN 07 2011** the Grand Jurors of Greenville
County present upon their oath:

COUNT ONE

ARMED ROBBERY

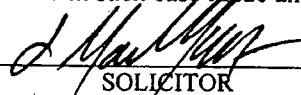
That PATRICK BOUVIER DEMETRI CONNOR did in Greenville County, on or about the 29th day of June, 2010, while armed with a deadly weapon, or while alleging either by action or words he was armed while using a representation of a deadly weapon or any object which a person present during the commission of the robbery would reasonably believe to be a deadly weapon, take by means of force or intimidation, goods or monies described as: Cell phones, purse, U. S. Currency, credit cards, and/or sunglasses from the person or presence of D [REDACTED] T [REDACTED] and D [REDACTED] G [REDACTED]. This is in violation of §16-11-330 of the South Carolina Code of Laws (1976) as amended.

COUNT TWO

POSSESSION OF A WEAPON DURING THE COMMISSION OF A VIOLENT CRIME

That PATRICK BOUVIER DEMETRI CONNOR did in Greenville County, on or about the 29th day of June, 2010, possess or visibly display a handgun during the commission or attempted commission of a violent crime, to wit: Armed Robbery. This is in violation of §16-23-0490 of the South Carolina Code of Laws (1976) as amended.

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


SOLICITOR

DOCKET NO. 2010-GS-23-
LMM 009055
The State of South Carolina
County of Greenville

COURT OF GENERAL SESSIONS

June TERM 2010 2011

THE STATE

vs.

PATRICK BOUVIER DEMETRI CONNOR

WITNESSES

Michael Jarvis

Greenville County Sheriffs Office

7/2/2010

ARREST WARRANT NUMBER
1481052, 1481053

ACTION OF GRAND JURY

Patrick Connor
Foreperson of Grand Jury

VERDICT

Indictment for

0139, 0549

ARMED ROBBERY AND POSSESSION OF A
WEAPON DURING THE COMMISSION OF A
VIOLENT CRIME
VIOLATION § 16-11-0330 and §16-23-0490

Foreperson of Petit Jury Date:

RECEIVED
JUL 17 2010

Clerk of Court
Greenville County

ARREST WARRANT

STATE OF SOUTH CAROLINA
County/ ☐ Municipality of Greenville
I-481052 5531 7-6-10

STATE OF SOUTH CAROLINA
County/ ☒ Municipality of Greenville

THE STATE
against
Patrick Bouvier-Demetri Connor
Address: [redacted]
Mauldin, SC 29662-

Phone: [redacted]
Sex: M Race: B Height: 6 3 Weight: 170
DL State: SC DL #: [redacted]
DOB: [redacted] Agency ORI #: SC0230000
Prosecuting Agency: Greenville County Sheriffs Office
Prosecuting Officer: Michael Jarvis - 0484
Offense: Robbery / Armed Robbery, robbery while armed or allegedly armed with a deadly weapon
Offense Code: 0139
Code/Ordinance Sec: 16-11-0330(A)

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

Date: _____ (L.S.)
Signature of Judge

RETURN

A copy of this arrest warrant was delivered to defendant on 7/2/10
J.M.B. suv / 7.0055 573
Signature of Court Clerk and Enforcement Officer

RETURN WARRANT TO:

Greenville General Sessions
305 E. North Street
Greenville County Courthouse
Greenville, SC 29601-2120

ORIGINAL

ORIGINAL

ORIGINAL

STATE OF SOUTH CAROLINA

County/ ☒ Municipality of Greenville

Personally appeared before me the affiant Michael Jarvis

being duly sworn deposes and says that defendant Patrick Bouvier-Demetri Connor

did within this county and state on or about 06/29/2010

State of South Carolina (or ordinance of ☒ County/ ☐ Municipality of Greenville) who

in the following particulars:

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

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

On 6/29/2010 at around 0124, victim D [redacted], and her friend D [redacted] were robbed at gunpoint by a tall black male subject with short hair. The subject was armed with a black, semi-automatic pistol and was in a black Honda Accord with black rims. The suspect who robbed them was the passenger in the vehicle. During the course of the robbery, victim T [redacted] was robbed of her Samsung Sprint cell phone. Later the same day, victim G [redacted] observed defendant driving the black Honda Accord which he positively identified as the same one which suspects were in. A search warrant of the defendants residence yielded the victims cell phone stolen during the robbery. Affiant has sworn statement from K [redacted] G [redacted], owner of the vehicle, stating that defendant and co-defendant Kenneth Lipsey Jr were in possession of vehicle during time of the incident. Descriptions given by victims matches that of the defendant as the gunman. Defendant did conspire with co-defendant to rob victims. This did occur in Greenville County.

Signature of Affiant

[Signature] Davis 625 4840

STATE OF SOUTH CAROLINA

County/ ☒ Municipality of Greenville

Affiant's Address 4 Mcgee Street

Greenville, SC 29601-

Affiant's Telephone (864)467-5300

ARREST WARRANT

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

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

on or about 6/29/2010 defendant Patrick Bouvier-Demetri Connor

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

County/ ☒ Municipality of Greenville) as set forth below:

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

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

Sworn to and subscribed before me

on 07/01/2010

Signature of Issuing Officer (L.S.)

James E. Haggart

Judge Code: 5031

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

Greenville, SC 29601-

Judge's Telephone (864)467-5302

Issuing Court: ☒ Magistrate ☐ Municipal ☐ Circuit

ORIGINAL

ORIGINAL

ORIGINAL

ORIGINAL

ORIGINAL

AFFIDAVIT

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

ARREST WARRANT

1-481053

STATE OF SOUTH CAROLINA

County/ ☒ Municipality of

Greenville

THE STATE

against

Patrick Bouvier-Demetri Connor

Address:

Mauldin, SC 29662-

Phone:

Sex M

Race: B

Height: 6 3

Weight: 170

DL State: SC

DL #: 1988

SSN: [REDACTED]

DOB: [REDACTED]

Agency ORI #: SC0230000

Prosecuting Agency:

Greenville County Sheriffs Office

Prosecuting Officer:

Michael Jarvis - 0484

Offense: Weapons / Poss. weapon during violent crime, if

not also sentenced to life without parole or death

Offense Code: 0549

Code/Ordinance Sec: 16-23-0490

This warrant is

CERTIFIED FOR SERVICE in the

County/ ☐ Municipality of

The accused

is to be arrested and brought before me to be

dealt with according to the law.

(L.S.)

Signature of Judge

Date:

RETURN

A copy of this arrest warrant was delivered to

defendant

on

7/2/10

J. M. [REDACTED] 544 / J. Davis 543
Signature of Constable/Clerk/Enforcement Officer

RETURN WARRANT TO:

Greenville General Sessions

305 E. North Street

Greenville County Courthouse

Greenville, SC 29601-2120

ORIGINAL

ORIGINAL

ORIGINAL

STATE OF SOUTH CAROLINA

County/ ☒ Municipality of

Greenville

Personally appeared before me the affiant Michael Jarvis

being duly sworn deposes and says that defendant Patrick Bouvier-Demetri Connor

did within this county and state on or about 06/29/2010

State of South Carolina (or ordinance of ☒ County/ ☐ Municipality of

in the following particulars:

violate the criminal laws of the

Greenville

DESCRIPTION OF OFFENSE

Weapons / Poss. weapon during violent crime, if not also sentenced to life without parole or death

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

On 6/29/2010 at around 0124, victim D [REDACTED], and her friend D [REDACTED] were robbed at gunpoint by a tall black male subject with short hair. The subject was armed with a black, semi-automatic pistol and was in a black Honda Accord with black rims. The suspect who robbed them was the passenger in the vehicle. During the course of the robbery, victim [REDACTED] was robbed of her Samsung Sprint cell phone. Later the same day, victim C [REDACTED] observed defendant driving the black Honda Accord which he positively identified as the same one which suspects were in. A search warrant of the defendants residence yielded the victims cell phone stolen during the robbery. Affiant has sworn statement from K [REDACTED], owner of the vehicle, stating that defendant and co-defendant Kenneth Lipsey Jr were in possession of vehicle during time of the incident. Descriptions given by victims matches that of the defendant as the gunman. Defendant did conspire with co-defendants to rob victims. This did occur in Greenville County.

Signature of Affiant

STATE OF SOUTH CAROLINA

County/ ☒ Municipality of

Greenville

Affiant's Address

4 McGehee Street

Greenville, SC 29601-

Affiant's Telephone (864)467-5300

ARREST WARRANT

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

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

on or about 6/29/2010

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

County/ ☒ Municipality of Greenville

defendant Patrick Bouvier-Demetri Connor

) as set forth below:

DESCRIPTION OF OFFENSE: Weapons / Poss. weapon during violent crime, if not also sentenced to life without parole or death

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

Sworn to and subscribed before me

on 07/01/2010

(L.S.)

Signature of Issuing Judge

James E. Hudson

Judge Code: 5031

Judge's Address

4 McGehee Street, Room 116-B

Greenville, SC 29601-

Judge's Telephone (864)467-5302

Issuing Court: ☒ Magistrate ☐ Municipal ☐ Circuit

ORIGINAL

ORIGINAL

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ORIGINAL

AFFIDAVIT

Form Approved by
S.C. Attorney General
April 21, 2003
SCCA 616

130

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF Greenville
STATE VS.
Patrick Bouvier Demetria Connor Jr

INDICTMENT/CASE#: 2010GS2309063

A/W#: M383383

Date of Offense: 6/29/2010

S.C. Code § : 16-11-0330(A)

CDR Code #: 0139

AKA:

Age: BLACK Sex: M Age: 23

DOB: 1988 SS#: [REDACTED]

Address: [REDACTED]

City, State, Zip: Piedmont, SC 29673

DL#: [REDACTED] SID#: [REDACTED]

*CDL Yes ☐ No ☐ CMV Yes ☐ No ☐ Hazmat Yes ☐ No ☐

In disposition of the said indictment comes now the Defendant who was
TO: Armed Robbery

SENTENCE SHEET

☐ CONVICTED OF or ☐ PLEADS

in violation of § 16-11-0330(A) of the S.C. Code of Laws, bearing CDR Code # 0139

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

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

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

ATTEST:

[Signature]
Moyer, Mark

64155
SC Bar#

[Signature]
Defendant

[Signature]
Attorney for Defendant

1375
SC Bar#

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

for a determinate term of 25 days/months/years or ☐ under the Youthful Offender Act not to exceed _____ years
and/or to pay a fine of \$ _____; provided that upon the service of _____ days/months/years and/or payment
of \$ _____; plus costs and assessments as applicable*; the balance is suspended with probation for _____

months/years and subject to South Carolina Department of Probation, Parole and Pardon Services standard conditions of
probation, which are incorporated by reference.

☒ CONCURRENT or ☐ CONSECUTIVE to sentence on:

☒ The Defendant is to be given credit for time served pursuant to S.C. Code § 24-13-40 to be calculated and applied
by the State Department of Corrections.

☐ The Defendant is to be placed on the Central Registry of Child Abuse and Neglect pursuant to S.C. Code §17-25-135.

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

SPECIAL CONDITIONS:

☐ RESTITUTION: ☐ Deferred ☐ Def. Waives Hearing ☐ Ordered PTUP

Total: \$ _____ plus 20% fee: \$ _____

Payment Terms: _____

☐ Set by SCDPPPS

Recipient: _____

*Fine:

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

_____ days/hours Public Service Employment

Obtain GED ☐

Attend Voc. Rehab. or Job Corp. _____

May serve W/E beginning _____

Substance Abuse Counseling ☐

Random Drug/Alcohol testing ☐

Fine may be pd. in equal, consecutive weekly/monthly
pmts. of \$ _____ beginning _____

\$ _____ paid to Public Defender Fund

Other: _____

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

Clerk of Court/ Deputy Clerk

Court Reporter: [Signature]

SCCA/217 (03/2011)

Presiding Judge

Judge Code: 2070

Sentence Date: 1-11-2012

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF Greenville
 STATE VS.
Patrick Bouvier Demetria Connor Jr

INDICTMENT/CASE#: 2010GS2309063

AKA:

A/W#: M383385ace: BLACK Sex: M Age: 23Date of Offense: 6/29/2010DOB: 1988 SS#: [REDACTED]S.C. Code §: 16-23-0490Address: [REDACTED]CDR Code #: 0549City, State, Zip: Piedmont, SC 29673DL#: [REDACTED] SID#: [REDACTED]

SENTENCE SHEET

*CDL Yes ☐ No ☐ CMV Yes ☐ No ☐ Hazmat Yes ☐ No ☐In disposition of the said indictment comes now the Defendant who was
 TO: Possession of a weapon during commission of a violent crime☐ CONVICTED OF or ☐ PLEADSin violation of § 16-23-0490 of the S.C. Code of Laws, bearing CDR Code # 0549
☒ NON-VIOLENT ☐ VIOLENT ☐ SERIOUS ☐ MOST SERIOUS ☐ Mandatory GPS(CSC w/minor 1st or Lewd Act) ☐ §17-25-45
The charge is: ☒ As Indicted, ☐ Lesser Included Offense, ☐ Defendant Waives Presentment to Grand Jury. (defendant's initials)The plea is: ☐ Without Negotiations or Recommendation, ☒ Negotiated Sentence, ☐ Recommendation by the State.

ATTEST:

[Signature]
Moyer, Mark64155
SC Bar#[Signature]
Defendant[Signature]
Attorney for Defendant1375
SC Bar#
 WHEREFORE, the Defendant is committed to the ☒ State Department of Corrections, ☐ County Detention Center,
 for a determinate term of 5 days/months/years or ☐ under the Youthful Offender Act not to exceed _____ years
 and/or to pay a fine of \$ _____; provided that upon the service of _____ days/months/years and/or payment
 of \$ _____; plus costs and assessments as applicable*; the balance is suspended with probation for _____

months/years and subject to South Carolina Department of Probation, Parole and Pardon Services standard conditions of probation, which are incorporated by reference.

☐ CONCURRENT or ☐ CONSECUTIVE to sentence on:☐ The Defendant is to be given credit for time served pursuant to S.C. Code § 24-13-40 to be calculated and applied by the State Department of Corrections.☐ The Defendant is to be placed on the Central Registry of Child Abuse and Neglect pursuant to S.C. Code §17-25-135.

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

SPECIAL CONDITIONS:

☐ RESTITUTION: ☐ Deferred ☐ Def. Waives Hearing ☐ Ordered PTUP _____

Total: \$ _____ plus 20% fee: \$ _____

Payment Terms: _____

☐ Set by SCDPPPS _____

Recipient: _____

*Fine:

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

_____ days/hours Public Service Employment

Obtain GED ☐

Attend Voc. Rehab. or Job Corp. _____

May serve W/E beginning _____

Substance Abuse Counseling ☐Random Drug/Alcohol testing ☐

Fine may be pd. in equal, consecutive weekly/monthly pmts. of \$ _____ beginning _____

\$ _____ paid to Public Defender Fund

Other: _____

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

Clerk of Court/ Deputy Clerk

Court Reporter: Heron

SCCA/217 (03/2011)

Presiding Judge

Judge Code: 2070Sentence Date: 1-11-2012

STATE OF SOUTH CAROLINA)
COUNTY OF GREENVILLE)

INDICTMENT FOR
ARMED ROBBERY AND POSSESSION OF A WEAPON DURING
THE COMMISSION OF A VIOLENT CRIME

At a Court of General Sessions, convened on

JUN 07 2011

the Grand Jurors of Greenville

County present upon their oath:

COUNT ONE

ARMED ROBBERY

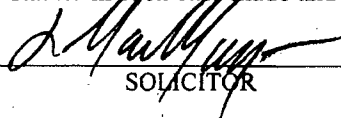
That PATRICK BOUVIER DEMETRIA CONNOR, JR. did in Greenville County, on or about the 29th day of June, 2010, while armed with a deadly weapon, or while alleging either by action or words he was armed while using a representation of a deadly weapon or any object which a person present during the commission of the robbery would reasonably believe to be a deadly weapon, take by means of force or intimidation, goods or monies described as: Cell phone, U. S. Currency, and/or wallet and contents from the person or presence of D [REDACTED] J [REDACTED]. This is in violation of §16-11-0330 of the South Carolina Code of Laws (1976) as amended.

COUNT TWO

POSSESSION OF A WEAPON DURING THE COMMISSION OF A VIOLENT CRIME

That PATRICK BOUVIER DEMETRIA CONNOR, JR. did in Greenville County, on or about the 29th day of June, 2010, possess or visibly display a handgun during the commission or attempted commission of a violent crime, to wit: Armed Robbery. This is in violation of §16-23-0490 of the South Carolina Code of Laws (1976) as amended.

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


SOLICITOR

DOCKET NO. 2010-GS-23-
LMIM 009063
The State of South Carolina
County of Greenville

COURT OF GENERAL SESSIONS
June TERM 28TH 2011

THE STATE

vs.

PATRICK BOUVIER DEMETRIA CONNOR, JR

WITNESSES

T M Conroy

Greenville Police Department

7/8/2010

ARREST WARRANT NUMBER
M383383, M383385

ACTION OF GRAND JURY

Billy Damm
Foreperson of Grand Jury

VERDICT

✓ ✓ Indictment for
0139, 0549

ARMED ROBBERY AND POSSESSION OF A
WEAPON DURING THE COMMISSION OF A
VIOLENT CRIME
VIOLATION § 16-11-0330 and § 16-23-0490

Foreperson of Petit Jury Date:

RECEIVED
JUL 17 2011
Clerk of Court
Greenville County

ARREST WARRANT

M-383383

6360

STATE OF SOUTH CAROLINA

County/ ☒ Municipality of Greenville

17-9-10

THE STATE

against

10-64623

Patrick Bouvier Demetria Connor, Jr

Address:

Mauldin, SC 29662-

Phone:

Sex: M Race: B Height: 6 2 Weight: 162 SSN: [REDACTED]

DL State: SC DL #: [REDACTED]

DOB: [REDACTED] Agency ORI #: SC0230200

Prosecuting Agency: Greenville Police Department

Prosecuting Officer: T M Conroy - 0273

Offense: Robbery / Armed Robbery, robbery while armed or allegedly armed with a deadly weapon

Offense Code: 0139

Code/Ordinance Sec: 16-11-0330(A)

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

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

(L.S.)

Signature of Judge

RETURN

A copy of this arrest warrant was delivered to defendant on Patrick Bouvier Demetria Connor, Jr. 7-8-10

Signature of Court Clerk 382

RETURN WARRANT TO:

City Of Greenville
426 North Main Street
P O Box 488
Greenville, SC 29601

ORIGINAL

ORIGINAL

ORIGINAL

STATE OF SOUTH CAROLINA

County/ ☒ Municipality of Greenville

Personally appeared before me the affiant T M Conroy

being duly sworn deposes and says that defendant Patrick Bouvier Demetria Connor, Jr

did within this county and state on or about 06/29/2010

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

in the following particulars: violate the criminal laws of the

DESCRIPTION OF OFFENSE

Robbery / Armed Robbery, robbery while armed or allegedly armed with a deadly weapon

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

The affiant states that on 6-29-10, an unknown person approached the victim, (D.J.), with a gun and pointed it at his face, demanding him to "give it up". When the victim stated he didn't have anything, the suspect punched him in the ear with a closed fist. The unknown person took the victim's cell phone and wallet, and attempted to get cash from the victim's pocket. The accused, Patrick Bouvier Demetria Connor Jr, was identified from a photo line-up as the person that robbed the victim. This incident occurred within the city limits of Greenville, SC.

Signature of Affiant

STATE OF SOUTH CAROLINA

County/ ☒ Municipality of Greenville

Affiant's Address

4 MCGEE STREET

GREENVILLE, SC 29601-

Affiant's Telephone

(864)467-4681 x 0000

ARREST WARRANT

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

It appearing from the above affidavit that there are reasonable grounds to believe that on or about 6/29/2010 defendant Patrick Bouvier Demetria Connor, Jr

did violate the criminal laws of the State of South Carolina (or ordinance of County/ ☒ Municipality of Greenville)

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

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

Sworn to and subscribed before me on 07/01/2010

Signature of Issuing Judge

Mark Hardie (L.S.)

Judge Code: 6511

ORIGINAL

ORIGINAL

ORIGINAL

ORIGINAL

ORIGINAL

ORIGINAL

AFFIDAVIT

Form Approved by
U.S. Attorney General
April 27, 2003
SCCA 518

ARREST WARRANT

M-383385

STATE OF SOUTH CAROLINA
County/ ☒ Greenville

THE STATE
Patrick Bouvier Demetria Connor, Jr
Address:
Mauldin, SC 29662

Phone: SSN:
Sex: M Race: B Height: 6 2 Weight: 162
DL State: SC DL #:
DOB: Agency ORI #: SC0230200
Prosecuting Agency: Greenville Police Department
Prosecuting Officer: T M Conroy - 0273
Offense: Weapons / Poss. weapon during violent crime, if
not also sentenced to life without parole or death
Offense Code: 0549
Code/Ordinance Sec: 16-23-0490

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

Date:
Signature of Judge (L.S.)

RETURN

A copy of this arrest warrant was delivered to
defendant Patrick Bouvier Demetria Connor, Jr.
on 7-8-10

James M. Oliver 382 #2
Signature of Constable/Law Enforcement Officer

RETURN WARRANT TO:

City Of Greenville
426 North Main Street
P O Box 488
Greenville, SC 29601

ORIGINAL

ORIGINAL

ORIGINAL

STATE OF SOUTH CAROLINA
☐ County/ ☒ Greenville

Personally appeared before me the affiant
being duly sworn deposes and says that defendant
did within this county and state on or about
State of South Carolina (or ordinance of ☐ County/ ☒ Greenville)
in the following particulars:

DESCRIPTION OF OFFENSE Weapons / Poss. weapon during violent crime, if not also sentenced to life without parole or death

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

The affiant states that on 6-29-10, an unknown person approached the victim, (D.J.), with a gun and pointed it at his face,
demanding him to "give it up". When the victim stated he didn't have anything, the suspect punched him in the car with a closed
fist. The unknown person took the victim's cell phone and wallet, and attempted to get cash from the victim's pocket. The accused,
Patrick Bouvier Demetria Connor Jr, was identified from a photo line-up as the person that robbed the victim. This incident
occurred within the city limits of Greenville, SC.

Signature of Affiant

STATE OF SOUTH CAROLINA
☐ County/ ☒ Greenville

Affiant's Address 4 MCGEE STREET
GREENVILLE, SC 29601-
Affiant's Telephone (864)467-4681 x 0000

ARREST WARRANT

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

It appearing from the above affidavit that there are reasonable grounds to believe that
on or about 6/29/2010 defendant Patrick Bouvier Demetria Connor, Jr
did violate the criminal laws of the State of South Carolina (or ordinance of
☐ County/ ☒ Greenville) as set forth below:

DESCRIPTION OF OFFENSE: Weapons / Poss. weapon during violent crime, if not also sentenced to life without parole or death

Having found probable cause and the above affiant having sworn before me, you are empowered and directed to arrest the said defendant and bring him or
her before me forthwith to be dealt with according to law. A copy of this Arrest Warrant shall be delivered to the defendant at the time of its execution, or as
soon thereafter as is practicable
Sworn to and subscribed before me
on 07/01/2010

Mark Harte (L.S.)
Signature of Issuing Judge
Judge Code: 6511

Judge's Address 426 North Main Street
Greenville, SC 29601-
Judge's Telephone (864)467-6657

Issuing Court: ☐ Magistrate ☒ Municipal ☐ Circuit

ORIGINAL

ORIGINAL

ORIGINAL

ORIGINAL

ORIGINAL

AFFIDAVIT

Form Approved by
S.C. Attorney General
April 21, 2003
SCCA 516

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF Greenville
STATE VS.
Patrick Olivier Demetria Connor

INDICTMENT/CASE#: 2010GS2309065
A/W#: 1481023
Date of Offense: 6/29/2010
S.C. Code § : 16-11-0330(A)
CDR Code #: 0139

AKA:
Race: BLACK Sex: M Age: 23
JOB: 1988 SS#:
Address:
City, State, Zip: Mauldin, SC 29662
DL#: SID#:

SENTENCE SHEET

*CDL Yes ☐ No ☐ CMV Yes ☐ No ☐ Hazmat Yes ☐ No ☐
In disposition of the said indictment comes now the Defendant who was
TO: Armed Robbery

☐ CONVICTED OF or ☐ PLEADS

in violation of § 16-11-0330(A) of the S.C. Code of Laws, bearing CDR Code # 0139
☐ NON-VIOLENT ☒ VIOLENT ☐ SERIOUS ☒ MOST SERIOUS ☐ Mandatory GPS(CSC w/minor 1st or Lewd Act) ☐ §17-25-45

The charge is: ☒ As Indicted, ☐ Lesser Included Offense, ☐ Defendant Waives Presentment to Grand Jury. (defendant's initials)
The plea is: ☒ Without Negotiations or Recommendation, ☐ Negotiated Sentence, ☐ Recommendation by the State.

ATTEST: Moyer Mark 64155 SC Bar# Patricia D Defendant C. V. B. B. Attorney for Defendant 1375 SC Bar#

WHEREFORE, the Defendant is committed to the ☒ State Department of Corrections, ☐ County Detention Center,
for a determinate term of 25 days/months/years or ☐ under the Youthful Offender Act not to exceed years
and/or to pay a fine of \$; provided that upon the service of days/months/years and/or payment
of \$; plus costs and assessments as applicable*; the balance is suspended with probation for

months/years and subject to South Carolina Department of Probation, Parole and Pardon Services standard conditions of probation, which are incorporated by reference.

☐ CONCURRENT or ☐ CONSECUTIVE to sentence on:
☒ The Defendant is to be given credit for time served pursuant to S.C. Code § 24-13-40 to be calculated and applied
the State Department of Corrections. 121 days
☐ The Defendant is to be placed on the Central Registry of Child Abuse and Neglect pursuant to S.C. Code §17-25-135.

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

SPECIAL CONDITIONS:

☐ RESTITUTION: ☐ Deferred ☐ Def. Waives Hearing ☐ Ordered
Total: \$ plus 20% fee: \$
Payment Terms:
☐ Set by SCDPPPS

PTUP days/hours Public Service Employment

Obtain GED ☐
Attend Voc. Rehab. or Job Corp.
May serve W/E beginning
Substance Abuse Counseling ☐
Random Drug/Alcohol testing ☐
Fine may be pd. in equal, consecutive weekly/monthly
pmts. of \$ beginning
\$ paid to Public Defender Fund
Other:

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

Presiding Judge C. V. B. B.
Judge Code: 2070
Sentence Date: 1-11-2012

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

Clerk of Court/ Deputy Clerk Paul B. Wilkins
Court Reporter: Henson
SCCA/217 (03/2011)

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF Greenville
 STATE VS.
Patrick Ouvia Demetria Connor

AKA:

Race: BLACK Sex: M Age: 23JOB: 1988 SS#: _____

Address: _____

City, State, Zip: Mauldin, SC 29662

DL#: _____ SID#: _____

*CDL Yes ☐ No ☐ CMV Yes ☐ No ☐ Hazmat Yes ☐ No ☐

In disposition of the said indictment comes now the Defendant who was
 TO: Possession of a weapon during commission of a violent crime

INDICTMENT/CASE#: 2010GS2309065A/W#: 1481024Date of Offense: 6/29/2010S.C. Code §: 16-23-0490CDR Code #: 0549

SENTENCE SHEET

☐ CONVICTED OF or ☐ PLEADSin violation of § 16-23-0490of the S.C. Code of Laws, bearing CDR Code # 0549

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

The charge is: ☒ As Indicted, ☐ Lesser Included Offense, ☐ Defendant Waives Presentment to Grand Jury. (defendant's initials)The plea is: ☐ Without Negotiations or Recommendation, ☐ Negotiated Sentence, ☐ Recommendation by the State.

ATTEST:

Moyer, MarkSC Bar# 64155Defendant Patrick ConnorAttorney for Defendant 1375

SC Bar#

WHEREFORE, the Defendant is committed to the ☒ State Department of Corrections, ☐ County Detention Center,
 for a determinate term of 5 days/months/years or ☐ under the Youthful Offender Act not to exceed _____ years
 and/or to pay a fine of \$ _____; provided that upon the service of _____ days/months/years and/or payment
 of \$ _____; plus costs and assessments as applicable*; the balance is suspended with probation for _____

months/years and subject to South Carolina Department of Probation, Parole and Pardon Services standard conditions of
 probation, which are incorporated by reference.

☒ CONCURRENT or ☐ CONSECUTIVE to sentence on:☐ The Defendant is to be given credit for time served pursuant to S.C. Code § 24-13-40 to be calculated and applied
 by the State Department of Corrections.☐ The Defendant is to be placed on the Central Registry of Child Abuse and Neglect pursuant to S.C. Code §17-25-135.

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

SPECIAL CONDITIONS:

☐ RESTITUTION: ☐ Deferred ☐ Def. Waives Hearing ☐ Ordered

PTUP

Total: \$ _____ plus 20% fee: \$ _____

Payment Terms: _____

☐ Set by SCDPPPS

Recipient: _____

*Fine:

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

_____ days/hours Public Service Employment

Obtain GED ☐

Attend Voc. Rehab. or Job Corp. _____

May serve W/E beginning _____

Substance Abuse Counseling ☐Random Drug/Alcohol testing ☐Fine may be pd. in equal, consecutive weekly/monthly
 pmts. of \$ _____ beginning _____

\$ _____ paid to Public Defender Fund

Other: _____

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

Clerk of Court/ Deputy Clerk

Court Reporter: Ammon

SCCA/217 (03/2011)

Presiding Judge

Judge Code: 2070Sentence Date: 1-11-2012

STATE OF SOUTH CAROLINA)
)
COUNTY OF GREENVILLE)

INDICTMENT FOR
ARMED ROBBERY AND POSSESSION OF A WEAPON DURING
THE COMMISSION OF A VIOLENT CRIME

At a Court of General Sessions, convened on **JUN 07 2011** the Grand Jurors of Greenville
County present upon their oath:

COUNT ONE

ARMED ROBBERY

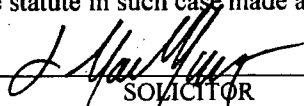
That PATRICK BOUVIER DEMETRIA CONNOR did in Greenville County, on or about the 29th day of June, 2010, while armed with a deadly weapon, or while alleging either by action or words he was armed while using a representation of a deadly weapon or any object which a person present during the commission of the robbery would reasonably believe to be a deadly weapon, take by means of force or intimidation, goods or monies described as: U. S. Currency from the person or presence of C [REDACTED] W [REDACTED] and/or S [REDACTED] T [REDACTED]. This is in violation of §16-11-0330 of the South Carolina Code of Laws (1976) as amended.

COUNT TWO

POSSESSION OF A WEAPON DURING THE COMMISSION OF A VIOLENT CRIME

That PATRICK BOUVIER DEMETRIA CONNOR did in Greenville County, on or about the 29th day of June, 2010, possess or visibly display a handgun during the commission or attempted commission of a violent crime, to wit: Armed Robbery. This is in violation of §16-23-0490 of the South Carolina Code of Laws (1976) as amended

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


SOLICITOR

DOCKET NO. 2010-GS-23-009065

LMM

The State of South Carolina

County of Greenville

COURT OF GENERAL SESSIONS

June

TERM 2010 2011

THE STATE

vs.

PATRICK BOUVIER DEMETRIA CONNOR

WITNESSES

Alvin King

Greenville County Sheriffs Office

6/29/2010

ARREST WARRANT NUMBER

1481023, 1481024

ACTION OF GRAND JURY

Foreperson of Grand Jury

VERDICT

Indictment for

0139, 0549

ARMED ROBBERY AND POSSESSION OF A
WEAPON DURING THE COMMISSION OF A
VIOLENT CRIME

VIOLATION § 16-11-0330 and § 16-23-0490

Foreperson of Petit Jury

Date:

RECORDED

NOV 17 2010

Clerk of Court
Greenville County

ARREST WARRANT 57623
7-1-10
1-481023

STATE OF SOUTH CAROLINA
☒ County/ ☐ Municipality of
Greenville

THE STATE 01-2010-000856
against
Patrick Ouvier Demetria Connor

Address:
Mauldin, SC 29662-

Phone: SSN:
Sex: M Race: B Height: 6 4 Weight: 170
DL State: SC DL #:
DOB: 1/1988 Agency ORI #: SC0230000
Prosecuting Agency: Greenville County Sheriffs Office
Prosecuting Officer: Alvin King - 0198

Offense: Robbery / Armed Robbery, robbery while armed
or allegedly armed with a deadly weapon

Offense Code: 0139
Code/Ordinance Sec: 16-11-0330(A)

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

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

(L.S.)
Signature of Judge

RETURN
A copy of this arrest warrant was delivered to
defendant on 6/29/10

J. M. B. 544 / T. PWS 543
Signature of Constable/Law Enforcement Officer

RETURN WARRANT TO:
Greenville General Sessions
305 E. North Street
Greenville County Courthouse
Greenville, SC 29601-2120

ORIGINAL ORIGINAL

STATE OF SOUTH CAROLINA
☒ County/ ☐ Municipality of
Greenville

Personally appeared before me the affiant Alvin King who
being duly sworn deposes and says that defendant Patrick Ouvier Demetria Connor
did within this county and state on or about 06/29/2010 violate the criminal laws of the
State of South Carolina (or ordinance of ☒ County/ ☐ Municipality of Greenville)
in the following particulars:

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

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:

Affiant has a report of an Armed Robbery that occurred at where the victim, C W ,
reported that he and his wife were robbed at gun point by an unknown black male who stole \$175.00 from him. Listed witness
positively identified the listed defendant from a 6 person photo line-up as a perpetrator in this crime. This Offense did occur within
Greenville County.

Signature of Affiant

STATE OF SOUTH CAROLINA
☒ County/ ☐ Municipality of
Greenville

Affiant's Address 4 McGehee Street
Greenville, SC 29601-
Affiant's Telephone

ARREST WARRANT

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

It appearing from the above affidavit that there are reasonable grounds to believe that
on or about 6/29/2010 defendant Patrick Ouvier Demetria Connor
did violate the criminal laws of the State of South Carolina (or ordinance of
☒ County/ ☐ Municipality of Greenville) as set forth below:

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

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

on 06/29/2010
Signature of Issuing Judge
Leila Foster
Judge Code: 5762

Judge's Address 4 Mc Gee Street Room 116-A
Greenville, SC 29601-2256
Judge's Telephone (864)467-5315

Issuing Court: ☒ Magistrate ☐ Municipal ☐ Circuit
ORIGINAL ORIGINAL ORIGINAL

ARREST WARRANT : 5762
I-481024 7-1-10

STATE OF SOUTH CAROLINA
☒ County/ ☐ Municipality of Greenville

THE STATE 01-2010-000856
against
Patrick Olivier Demetria Connor

Address:
Mauldin, SC 29662-

Phone: SSN:
Sex: M Race: B Height: 6 4 Weight: 170
DL State: SC DL #:
DOB: Agency ORI #: SC0230000
Prosecuting Agency: Greenville County Sheriffs Office
Prosecuting Officer: Alvin King - 0198

Offense: Weapons / Poss. weapon during violent crime, if not also sentenced to life without parole or death
Offense Code: 0549
Code/Ordinance Sec: 16-23-0490

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

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

Date: (L.S.)
Signature of Judge

RETURN
A copy of this arrest warrant was delivered to defendant on 6/29/10

J.M. Bow 544 / T. Bow 543
Signature of Constable/Law Enforcement Officer

RETURN WARRANT TO:
Greenville General Sessions
305 E. North Street
Greenville County Courthouse
Greenville, SC 29601-2120

ORIGINAL ORIGINAL

STATE OF SOUTH CAROLINA
☒ County/ ☐ Municipality of Greenville

Personally appeared before me the affiant Alvin King being duly sworn deposes and says that defendant Patrick Olivier Demetria Connor did within this county and state on or about 06/29/2010 violate the criminal laws of the State of South Carolina (or ordinance of ☒ County/ ☐ Municipality of Greenville) in the following particulars:

DESCRIPTION OF OFFENSE Weapons / Poss. weapon during violent crime, if not also sentenced to life without parole or death

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.

Affiant has a report of an Armed Robbery that occurred at where the victim, Q W reported that he and his wife were robbed at gun point by an unknown black male who stole \$175.00 from him. Listed witness positively identified the listed defendant from a 6 person photo line-up as the perpetrator who in possession of the handgun during this crime. This Offense did occur within Greenville County.

STATE OF SOUTH CAROLINA
☒ County/ ☐ Municipality of Greenville

Signature of Affiant
Affiant's Address 4 Mcgee Street
Affiant's Telephone Greenville, SC 29601-

ARREST WARRANT

TO ANY LAW ENFORCEMENT OFFICER OF THIS STATE OR MUNICIPALITY OR ANY CONSTABLE OF THIS COUNTY:
It appearing from the above affidavit that there are reasonable grounds to believe that on or about 6/29/2010 defendant Patrick Olivier Demetria Connor did violate the criminal laws of the State of South Carolina (or ordinance of ☒ County/ ☐ Municipality of Greenville) as set forth below.

DESCRIPTION OF OFFENSE: Weapons / Poss. weapon during violent crime, if not also sentenced to life without parole or death
Having found probable cause and the above affiant having sworn before me, you are empowered and directed to arrest the said defendant and bring him or her before me forthwith to be dealt with according to law. A copy of this Arrest Warrant shall be delivered to the defendant at the time of its execution, or as soon thereafter as is practicable
Sworn to and subscribed before me

on 06/29/2010
Judge's Address 4 Mc Gee Street Room 116-A
Greenville, SC 29601-2256
Judge's Telephone (864)467-5315
Issuing Court: ☒ Magistrate ☐ Municipal ☐ Circuit

ORIGINAL ORIGINAL

STATE OF SOUTH CAROLINA
☒ County/ ☐ Municipality of Greenville

Personally appeared before me the affiant Alvin King being duly sworn deposes and says that defendant Patrick Olivier Demetria Connor did within this county and state on or about 06/29/2010 violate the criminal laws of the State of South Carolina (or ordinance of ☒ County/ ☐ Municipality of Greenville) in the following particulars:

DESCRIPTION OF OFFENSE Weapons / Poss. weapon during violent crime, if not also sentenced to life without parole or death

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STATE OF SOUTH CAROLINA
☒ County/ ☐ Municipality of Greenville

Signature of Affiant
Affiant's Address 4 Mcgee Street
Affiant's Telephone Greenville, SC 29601-

ARREST WARRANT

TO ANY LAW ENFORCEMENT OFFICER OF THIS STATE OR MUNICIPALITY OR ANY CONSTABLE OF THIS COUNTY:
It appearing from the above affidavit that there are reasonable grounds to believe that on or about 6/29/2010 defendant Patrick Olivier Demetria Connor did violate the criminal laws of the State of South Carolina (or ordinance of ☒ County/ ☐ Municipality of Greenville) as set forth below.

DESCRIPTION OF OFFENSE: Weapons / Poss. weapon during violent crime, if not also sentenced to life without parole or death
Having found probable cause and the above affiant having sworn before me, you are empowered and directed to arrest the said defendant and bring him or her before me forthwith to be dealt with according to law. A copy of this Arrest Warrant shall be delivered to the defendant at the time of its execution, or as soon thereafter as is practicable
Sworn to and subscribed before me

on 06/29/2010
Judge's Address 4 Mc Gee Street Room 116-A
Greenville, SC 29601-2256
Judge's Telephone (864)467-5315
Issuing Court: ☒ Magistrate ☐ Municipal ☐ Circuit

ORIGINAL ORIGINAL

CMTI330D SCDC OFFENDER MANAGEMENT SYSTEM 03/08/13
OMCOMITA RELEASE DATE SCREEN C023981
SCDC# > 329222 LOC: MCCORMICK
CONNOR, PATRICK BOUVIER SCDC CLASSIFICATION...: VIOLENT
OFFENDER TYPE...: ADULT-STRAIGHT SENTENCE SEXUAL REGISTRY...: N
SEXUAL PREDATOR...: NOT APP
DNA STATUS...: COMPLETED
GPS REQUIREMENT...: N
PREA DECISION...:
CURRENT SENTENCE: 025-00-000 CONSECUTIVE SENTENCE ...: N
025-00-000 CURRENT SENT START DATE: 09/12/2011
PROJECTED COMPLETION DATES
MAXOUT DATE: 12/05/2032 CURRENT EWC ..: 2 F 5
YOA SIX YEAR DATE: / / CURRENT EEC ..: B4
INITIAL PAROLE DATE: 00/00/0000 NEXT PAROLE HEARING DATE: 00/00/0000

TOTAL GT DAYS EARNED: 000000 LABOR CREW/WORK PROG DATE: 12/07/2027
TOTAL EARNED WORK CREDITS ...: 000191 LABOR CREW DISQ REASON:
TOTAL EDUCATION CREDITS: 000030
TOTAL EXTRA EARNED CREDITS ..: 000 SUPERVISED REENTRY DATE...: 00/00/00
TOTAL SERVICE TIME EARNED ...: 000536 ISS.....

PFKEYS: 5:HISTORY OF DATE CHANGES

4-© 1 Sess-1 167.7.50.33 SCDC1370 3/11

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS

RECORD SUMMARY REPORT DATED 03/08/13

C0239

CONNOR, PATRICK BOUVIER FBI # 729561WC8 SID# SC01821129 SCDC # 329222

OFFENDER TYPE.: ADULT-STRAIGHT SENTENCE

INSTITUTION ... MCCORMICK CORR INST

SECURITY/CUST.: 3 MINIMUM IN

CURR INCARC SENT....: 25 YRS 0 MOS 0 DYS

CENTRAL MONITORING.: NO

SOCIAL SECURITY #....: [REDACTED]

DORM.....: F20141X

RACE....: B SEX....: M

PROJ MAXOUT DATE: 12/05/2032

PROJ PAROLE DATE: 00/00/0000

EWC JOB...: GENERAL WORKER

EDUC PGM.: GED/HS GRAD INDEPEND

EWC LEVEL: 2F5 EEC LEVEL: B4

ASSIGNMENT...: BLDING DETAIL BLDG.

CURRENT PROGRAM...: NO CURRENT PROGRAM

AGE...: 24 DATE OF BIRTH...: [REDACTED]/88

PREVIOUS NUMBERS:

** NO PREVIOUS NUMBERS **

CURRENT OFFENSES	SENTENCE			COUNTY	SENTENCE		
	YRS	MOS	DYS		START	V/NV	CATEGORY
ARMED ROBBERY	25	0	0	GREENVILLE	9/12/2011	V	4
FIREARMS PROVISION	5	0	0	GREENVILLE	9/12/2011	N	3
FIREARMS PROVISION	5	0	0	GREENVILLE	9/12/2011	N	3
ARMED ROBBERY	25	0	0	GREENVILLE	9/12/2011	V	4
ARMED ROBBERY	25	0	0	GREENVILLE	9/12/2011	V	4
FIREARMS PROVISION	5	0	0	GREENVILLE	9/12/2011	N	3

PREVIOUS SCDC OFFENSES (COMPLETE)	SENTENCE			COUNTY	SENTENCE		
	YRS	MOS	DYS		START	V/NV	CATEGORY
MARIJUANA POSSESS	0	0	30	GREENVILLE	6/24/20	8 N	2
NARC EQUIP POSSESS	0	0	30	GREENVILLE	6/24/20	8 N	2
DRIVING UNDER SUSPENSION	0	0	30	GREENVILLE	6/24/20	8 N	1
MAKING FALSE REPORT	0	0	30	GREENVILLE	6/24/20	8 N	2

PRIOR COMMITMENTS OVER 90 DAYS:

INMATE HAS NO PRIORS

DETAINERS (HOLD, WANTED, NOTIFY):

NO DETAINERS

ESCAPES:

NO ESCAPE HISTORY

CRIMINAL CHARGES:

NO CRIMINAL CHARGES HISTORY

ASSAULTIVE DISCIPLINARIES:

NO ASSAULTIVE DISCIPLINARY HISTORY

NON-ASSAULTIVE DISCIPLINARIES:

NO NON-ASSAULTIVE DISCIPLINARY HISTORY

HISTORY OF MOVEMENTS:

DATE	NAME	STATUS	REASON
9/27/12	MCCORMICK	INCARCERATED	ADMINISTRATIVE
9/27/12	PERRY	INCARCERATED	GED
4/30/12	MCCORMICK	INCARCERATED	ADMINISTRATIVE
1/17/12	KIRKLAND	INCARCERATED	R&E PROCESSING
1/17/12	PERRY	INCARCERATED	NEW ADMISSION
9/ 2/ 8	UNK	RELEASE	EXPIRATION OF SENTENCE
8/ 7/ 8	TYGER RIVER	INCARCERATED	ADMINISTRATIVE
6/30/ 8	KIRKLAND	INCARCERATED	R&E PROCESSING
6/30/ 8	PERRY	INCARCERATED	NEW ADMISSION

HISTORY OF EARNED WORK CREDIT ASSIGNMENTS:

JOB DESCRIPTION	START DATE	END DATE	TERMINATION REASON	JOB LVL
GENERAL WORKER	05/01/12	0/ 0/ 0		YF5
WARDKEEPER	08/15/08	9/ 2/ 8	RELEASED/PAROLED	YF5
WARDKEEPER	08/12/08	8/14/ 8	MI ELIGIBLE FOR LEVEL 2	YF5

HISTORY OF EARNED EDUCATION CREDITS:

EEC	START	END	TERMINATION
-----	-------	-----	-------------

DESCRIPTION

DATE

DATE

REASON

CONNOR, PATRICK BOUVIER FBI # 729561WC8 SID# SC01821129 SCDC # 329222 (CONTIN
BONUS 4-7 HRS/WK 09/14/12 0/ 0/ 0
BONUS 15 OR MORE 08/15/08 9/ 2/ 8 RELEASED/PAROLED
***** END OF REPORT *****

STATE OF SOUTH CAROLINA

COUNTY OF Greenville

STATE VS.

Patrick Bouvier Demetri Connor

AKA:

Race: BLACK Sex: M Age: 23

DOB: 1988 SS#: [REDACTED]

Address:

City, State, Zip: Piedmont, SC 29673

DL#: [REDACTED] SID#: [REDACTED]

*CDL Yes ☐ No ☐ CMV Yes ☐ No ☐ Hazmat Yes ☐ No ☐In disposition of the said indictment comes now the Defendant who was
TO: Armed Robbery

IN THE COURT OF GENERAL SESSIONS

INDICTMENT/CASE#: 2010GS2309055

A/W#: 1481052

Date of Offense: 6/29/2010

S.C. Code §: 16-11-0330(A)

CDR Code #: 0139

SENTENCE SHEET

☐ CONVICTED OF or ☐ PLEADS

in violation of § 16-11-0330(A) of the S.C. Code of Laws, bearing CDR Code # 0139

☐ NON-VIOLENT ☒ VIOLENT ☐ SERIOUS ☒ MOST SERIOUS ☐ Mandatory GPS(CSC w/minor 1st or Lewd Act) ☐ §17-25-45The charge is: ☒ As Indicted, ☐ Lesser Included Offense, ☐ Defendant Waives Presentment to Grand Jury. (defendant's initials)The plea is: ☐ Without Negotiations or Recommendation, ☐ Negotiated Sentence, ☒ Recommendation by the State.

ATTEST:

Moyer, Mark

64155 SC Bar#

Defendant

Attorney for Defendant

1375 SC Bar#

WHEREFORE, the Defendant is committed to the ☒ State Department of Corrections, ☐ County Detention Center,
for a determinate term of 24 days/months/years or ☐ under the Youthful Offender Act not to exceed _____ years
and/or to pay a fine of \$ _____; provided that upon the service of _____ days/months/years and/or payment
of \$ _____; plus costs and assessments as applicable*; the balance is suspended with probation for _____months/years and subject to South Carolina Department of Probation, Parole and Pardon Services standard conditions of
probation, which are incorporated by reference.☒ CONCURRENT or ☐ CONSECUTIVE to sentence on:☒ The Defendant is to be given credit for time served pursuant to S.C. Code § 24-13-40 to be calculated and applied
by the State Department of Corrections.☐ The Defendant is to be placed on the Central Registry of Child Abuse and Neglect pursuant to S.C. Code §17-25-135.Pursuant to 18 U.S.C Section 922, it is unlawful for a person convicted of a violation of Section 16-25-20 or 16-25-65 (Criminal
Domestic Violence) to ship, transport, possess, or receive a firearm or ammunition.

SPECIAL CONDITIONS:

☐ RESTITUTION: ☐ Deferred ☐ Def. Waives Hearing ☐ Ordered PTUP

Total: \$ _____ plus 20% fee: \$ _____

Payment Terms: _____

☐ Set by SCDPPPS

Recipient: _____

*Fine:

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

_____ days/hours Public Service Employment

Obtain GED ☐

Attend Voc. Rehab. or Job Corp. _____

May serve W/E beginning _____

Substance Abuse Counseling ☐Random Drug/Alcohol testing ☐Fine may be pd. in equal, consecutive weekly/monthly
pmts. of \$ _____ beginning _____

\$ _____ paid to Public Defender Fund

Other: _____

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

Clerk of Court/ Deputy Clerk

Court Reporter: Hamm

SCCA/217 (03/2011)

Presiding Judge: C. V. P. [Signature]

Judge Code: 2070

Sentence Date: 1-11-2012

01/11/12 10:58AM

COURT

8644678574

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF
STATE

Greenville

VS.

Patrick Bouvier Demetri Connor

AKA:

ace: BLACK Sex: M Age: 23

DOB: 1988 SS#: [REDACTED]

Address: [REDACTED]

City, State, Zip: Piedmont, SC 29673

DL#: [REDACTED] SID#: [REDACTED]

*CDL Yes ☐ No ☐ CMV Yes ☐ No ☐ Hazmat Yes ☐ No ☐In disposition of the said indictment comes now the Defendant who was
TO: Possession of a weapon during commission of a violent crime,

INDICTMENT/CASE#: 2010GS2309055

A/W#: 1481053

Date of Offense: 6/29/2010

S.C. Code §: 16-23-0490

CDR Code #: 0549

SENTENCE SHEET

☐ CONVICTED OF or ☐ PLEADS

in violation of § 16-23-0490

of the S.C. Code of Laws, bearing CDR Code # 0549

☒ NON-VIOLENT ☐ VIOLENT ☐ SERIOUS ☐ MOST SERIOUS ☐ Mandatory GPS(CSC w/minor 1st or Lewd Act) ☐ §17-25-45The charge is: ☒ As Indicted, ☐ Lesser Included Offense, ☐ Defendant Waives Presentment to Grand Jury. (defendant's initials)The plea is: ☒ Without Negotiations or Recommendation, ☐ Negotiated Sentence, ☒ Recommendation by the State.

ATTEST:

Moyer, Mark

64159 X
SC Bar#

Defendant

Attorney for Defendant

1375
SC Bar#

WHEREFORE, the Defendant is committed to the

☒ State Department of Corrections, ☐ County Detention Center,for a determinate term of 5 days/months/years or ☐ under the Youthful Offender Act not to exceed years
and/or to pay a fine of \$; provided that upon the service of days/months/years and/or payment
of \$; plus costs and assessments as applicable*; the balance is suspended with probation formonths/years and subject to South Carolina Department of Probation, Parole and Pardon Services standard conditions of
probation, which are incorporated by reference.☒ CONCURRENT or ☐ CONSECUTIVE to sentence on:☐ The Defendant is to be given credit for time served pursuant to S.C. Code § 24-13-40 to be calculated and applied
by the State Department of Corrections.☐ The Defendant is to be placed on the Central Registry of Child Abuse and Neglect pursuant to S.C. Code §17-25-135.Pursuant to 18 U.S.C Section 922, it is unlawful for a person convicted of a violation of Section 16-25-20 or 16-25-65 (Criminal
Domestic Violence) to ship, transport, possess, or receive a firearm or ammunition.

SPECIAL CONDITIONS:

☐ RESTITUTION: ☐ Deferred ☐ Def. Waives Hearing ☐ Ordered PTUP

Total: \$ plus 20% fee: \$

Payment Terms:

☐ Set by SCDPPPS

Recipient:

days/hours Public Service Employment

Obtain GED ☐Attend Voc. Rehab. or Job Corp. ☐

May serve W/E beginning

Substance Abuse Counseling ☐Random Drug/Alcohol testing ☐Fine may be pd. in equal, consecutive weekly/monthly
pmts. of \$ beginning

\$ paid to Public Defender Fund

Other:

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

Presiding Judge

Judge Code: 2070

Sentence Date: 1-11-2012

Clerk of Court/ Deputy Clerk

Court Reporter: Henon

SCCA/217 (03/2011)

STATE OF SOUTH CAROLINA

COUNTY OF
STATE

Greenville

VS.

Patrick Bouvier Demetria Connor Jr

AKA:

Race: BLACK Sex: M Age: 23

DOB: 1988 SS#:

Address:

City, State, Zip: Piedmont, SC 29673

DL#: SID#:

*CDL Yes ☐ No ☐ CMV Yes ☐ No ☐ Hazmat Yes ☐ No ☐

In disposition of the said indictment comes now the Defendant who was

TO: Armed Robbery

IN THE COURT OF GENERAL SESSIONS

INDICTMENT/CASE#: 2010GS2309063

A/W#: M383383

Date of Offense: 6/29/2010

S.C. Code §: 16-11-0330(A)

CDR Code #: 0139

SENTENCE SHEET

☐ CONVICTED OF or ☐ PLEADS

in violation of § 16-11-0330(A) of the S.C. Code of Laws, bearing CDR Code # 0139

☐ NON-VIOLENT ☒ VIOLENT ☐ SERIOUS ☒ MOST SERIOUS ☐ Mandatory GPS(CSC w/minor 1st or Lewd Act) ☐ §17-25-45The charge is: ☒ As Indicted, ☐ Lesser Included Offense, ☐ Defendant Waives Presentment to Grand Jury. (defendant's initials)The plea is: ☒ Without Negotiations or Recommendation, ☐ Negotiated Sentence, ☐ Recommendation by the State.

ATTEST:

Moyer, Mark

SC Bar# 64155

Defendant

Attorney for Defendant

SC Bar# 1375

WHEREFORE, the Defendant is committed to the ☒ State Department of Corrections, ☐ County Detention Center,for a determinate term of 25 days/months/years or ☐ under the Youthful Offender Act not to exceed years
and/or to pay a fine of \$; provided that upon the service of days/months/years and/or payment
of \$; plus costs and assessments as applicable*; the balance is suspended with probation formonths/years and subject to South Carolina Department of Probation, Parole and Pardon Services standard conditions of
probation, which are incorporated by reference.☒ CONCURRENT or ☐ CONSECUTIVE to sentence on:☒ The Defendant is to be given credit for time served pursuant to S.C. Code § 24-13-40 to be calculated and applied
by the State Department of Corrections.☐ The Defendant is to be placed on the Central Registry of Child Abuse and Neglect pursuant to S.C. Code §17-25-135.Pursuant to 18 U.S.C Section 922, it is unlawful for a person convicted of a violation of Section 16-25-20 or 16-25-65 (Criminal
Domestic Violence) to ship, transport, possess, or receive a firearm or ammunition.

SPECIAL CONDITIONS:

☐ RESTITUTION: ☐ Deferred ☐ Def. Waives Hearing ☐ Ordered PTUP

Total: \$ plus 20% fee: \$

Payment Terms:

☐ Set by SCDPPPS

Recipient:

*Fine:

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

days/hours Public Service Employment

Obtain GED ☐Attend Voc. Rehab. or Job Corp. ☐May serve W/E beginning ☐Substance Abuse Counseling ☐Random Drug/Alcohol testing ☐Fine may be pd. in equal, consecutive weekly/monthly
pmts. of \$ beginning

\$ paid to Public Defender Fund

Other:

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

Clerk of Court/ Deputy Clerk

Court Reporter:

SCCA/217 (03/2011)

Presiding Judge

Judge Code: 2070

Sentence Date: 1-11-2012

01/11/12 10:58AM COURT 8644678574

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF Greenville
STATE VS.

Patrick Bouvier Demetria Connor Jr

AKA:

Race: BLACK Sex: M Age: 23

DOB: 1988 SS#

Address:

City, State, Zip: Piedmont, SC 29673

DL#: SID#:

*CDL Yes ☐ No ☐ CMV Yes ☐ No ☐ Hazmat Yes ☐ No ☐

In disposition of the said indictment comes now the Defendant who was

TO: Possession of a weapon during commission of a violent crime

INDICTMENT/CASE#: 2010GS2309063

A/W#: M383385

Date of Offense: 6/29/2010

S.C. Code §: 16-23-0490

CDR Code #: 0549

SENTENCE SHEET

☐ CONVICTED OF or ☐ PLEADS

in violation of § 16-23-0490 of the S.C. Code of Laws, bearing CDR Code # 0549

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

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

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

ATTEST:

Mayer, Mark

64155 SC Bar#

Defendant

Attorney for Defendant

1375 SC Bar#

WHEREFORE, the Defendant is committed to the ☒ State Department of Corrections, ☐ County Detention Center, for a determinate term of 5 days/months/years or ☐ under the Youthful Offender Act not to exceed years and/or to pay a fine of \$; provided that upon the service of days/months/years and/or payment of \$; plus costs and assessments as applicable*; the balance is suspended with probation for

months/years and subject to South Carolina Department of Probation, Parole and Pardon Services standard conditions of probation, which are incorporated by reference.

☐ CONCURRENT or ☐ CONSECUTIVE to sentence on:

☐ The Defendant is to be given credit for time served pursuant to S.C. Code § 24-13-40 to be calculated and applied by the State Department of Corrections.

☐ The Defendant is to be placed on the Central Registry of Child Abuse and Neglect pursuant to S.C. Code §17-25-135.

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

SPECIAL CONDITIONS:

☐ RESTITUTION: ☐ Deferred ☐ Def. Waives Hearing ☐ Ordered PTUP

Total: \$ plus 20% fee: \$

Payment Terms:

☐ Set by SCDPPPS

Recipient:

*Fine:

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

days/hours Public Service Employment

Obtain GED ☐

Attend Voc. Rehab. or Job Corp. ☐

May serve W/E beginning

Substance Abuse Counseling ☐

Random Drug/Alcohol testing ☐

Fine may be pd. in equal, consecutive weekly/monthly pmts. of \$ beginning

\$ paid to Public Defender Fund

Other:

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

Clerk of Court/ Deputy Clerk

Court Reporter:

SCCA/217 (03/2011)

Presiding Judge

Judge Code:

Sentence Date:

2070
1-11-2012

COUNTY OF Greenville
STATE VS.
Patrick Ouvier Demetria Connor

AKA:

Race: BLACK Sex: M Age: 23

DOB: 1988 SS#:

Address:

City, State, Zip: Mauldin, SC 29662

DL#: SID#:

*CDL Yes ☐ No ☐ CMV Yes ☐ No ☐ Hazmat Yes ☐ No ☐In disposition of the said indictment comes now the Defendant who was
TO: Armed Robbery

INDICTMENT/CASE#: 2010GS2309065

A/W#: 1481023

Date of Offense: 6/29/2010

S.C. Code §: 16-11-0330(A)

CDR Code #: 0139

SENTENCE SHEET

☐ CONVICTED OF or ☐ PLEADSin violation of § 16-11-0330(A) of the S.C. Code of Laws, bearing CDR Code # 0139
☐ NON-VIOLENT ☒ VIOLENT ☐ SERIOUS ☒ MOST SERIOUS ☐ Mandatory GPS(CSC w/minor 1st or Lewd Act) ☐ §17-25-45The charge is: ☒ As Indicted, ☐ Lesser Included Offense, ☐ Defendant Waives Presentment to Grand Jury. (defendant's initials)The plea is: ☒ Without Negotiations or Recommendation, ☐ Negotiated Sentence, ☐ Recommendation by the State.

ATTEST:

Moyer, Mark

64155 SC Bar#

Defendant

Attorney for Defendant

1375 SC Bar#

WHEREFORE, the Defendant is committed to the ☒ State Department of Corrections, ☐ County Detention Center,
for a determinate term of 25 days/months/years or ☐ under the Youthful Offender Act not to exceed years
and/or to pay a fine of \$; provided that upon the service of days/months/years and/or payment
of \$; plus costs and assessments as applicable*; the balance is suspended with probation formonths/years and subject to South Carolina Department of Probation, Parole and Pardon Services standard conditions of
probation, which are incorporated by reference.☐ CONCURRENT or ☐ CONSECUTIVE to sentence on:☒ The Defendant is to be given credit for time served pursuant to S.C. Code § 24-13-40 to be calculated and applied
by the State Department of Corrections. 121 days☐ The Defendant is to be placed on the Central Registry of Child Abuse and Neglect pursuant to S.C. Code §17-25-135.Pursuant to 18 U.S.C Section 922, it is unlawful for a person convicted of a violation of Section 16-25-20 or 16-25-65 (Criminal
Domestic Violence) to ship, transport, possess, or receive a firearm or ammunition.

SPECIAL CONDITIONS:

☐ RESTITUTION: ☐ Deferred ☐ Def. Waives Hearing ☐ Ordered PTUP

Total: \$ plus 20% fee: \$

Payment Terms:

☐ Set by SCDPPPS

Recipient:

days/hours Public Service Employment

Obtain GED ☐Attend Voc. Rehab. or Job Corp. ☐

May serve W/E beginning

Substance Abuse Counseling ☐Random Drug/Alcohol testing ☐Fine may be pd. in equal, consecutive weekly/monthly
pmts. of \$ beginning

\$ paid to Public Defender Fund

Other:

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

Presiding Judge

Judge Code: 2070

Sentence Date: 1-11-2012

Clerk of Court/ Deputy Clerk

Court Reporter: Benson

SCCA/217 (03/2011)

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF Greenville
 STATE VS.
Patrick Ouvia Demetria Connor

AKA:

Race: BLACK Sex: M Age: 23DOB: 1988 SS#: _____

Address: _____

City, State, Zip: Mauldin, SC 29662

DL#: _____ SID#: _____

*CDL Yes ☐ No ☐ CMV Yes ☐ No ☐ Hazmat Yes ☐ No ☐

In disposition of the said indictment comes now the Defendant who was
 TO: Possession of a weapon during commission of a violent crime

INDICTMENT/CASE#: 2010GS2309065A/W#: 1481024Date of Offense: 6/29/2010S.C. Code §: 16-23-0490CDR Code #: 0549

SENTENCE SHEET

☐ CONVICTED OF or ☐ PLEADSin violation of § 16-23-0490of the S.C. Code of Laws, bearing CDR Code # 0549

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

The charge is: ☒ As Indicted, ☐ Lesser Included Offense, ☐ Defendant Waives Presentment to Grand Jury. (defendant's initials)The plea is: ☐ Without Negotiations or Recommendation, ☐ Negotiated Sentence, ☐ Recommendation by the State.

ATTEST:

Moyer, Mark64155
SC Bar#Palumbo
DefendantCooper
Attorney for Defendant1375
SC Bar#

WHEREFORE, the Defendant is committed to the ☒ State Department of Corrections, ☐ County Detention Center,
 for a determinate term of 5 days/months/years or ☐ under the Youthful Offender Act not to exceed _____ years
 and/or to pay a fine of \$ _____; provided that upon the service of _____ days/months/years and/or payment
 of \$ _____; plus costs and assessments as applicable*; the balance is suspended with probation for _____

months/years and subject to South Carolina Department of Probation, Parole and Pardon Services' standard conditions of
 probation, which are incorporated by reference.

☒ CONCURRENT or ☐ CONSECUTIVE to sentence on:☐ The Defendant is to be given credit for time served pursuant to S.C. Code § 24-13-40 to be calculated and applied by the State Department of Corrections.☐ The Defendant is to be placed on the Central Registry of Child Abuse and Neglect pursuant to S.C. Code § 17-25-135.

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

SPECIAL CONDITIONS:

☐ RESTITUTION: ☐ Deferred ☐ Def. Waives Hearing ☐ Ordered

Total: \$ _____ plus 20% fee: \$ _____

Payment Terms: _____

☐ Set by SCDPPPS

Recipient: _____

*Fine:

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

PTUP

_____ days/hours Public Service Employment

Obtain GED ☐

Attend Voc. Rehab. or Job Corp. _____

May serve W/E beginning _____

Substance Abuse Counseling ☐Random Drug/Alcohol testing ☐Fine may be pd. in equal, consecutive weekly/monthly
pmts. of \$ _____ beginning _____

\$ _____ paid to Public Defender Fund

Other: _____

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

Clerk of Court/ Deputy Clerk

Court Reporter: Ammon

SCCA/217 (03/2011)

Presiding Judge

Judge Code: 2070Sentence Date: 1-11-2012