

STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

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Certiorari to Beaufort County
Perry M. Buckner, Circuit Court Judge
2011-CP-07-01538

S.C. Supreme Court

Appellate Case No. 2014-002155

DeAngelo C. Mickell, #340668,

PETITIONER,

v.

State of South Carolina,

RESPONDENT.

SUPPLEMENTAL APPENDIX

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10. The parties hereby agree that this Plea Agreement supersedes all prior promises, representations and statements of the parties; that this Agreement may be modified only in writing signed by all parties; and that any and all other promises, representations and statements, whether made prior to or after this Agreement, are null and void.

1/25/10
DATE

DeAngelo Mickell
DeAngelo Christopher Mickell
Defendant

1-25-110
DATE

Anthony O. Dore
Anthony O. Dore
Attorney for Defendant

Henry McMaster
Attorney General of South Carolina

1/21/10
DATE

By: Susan O. Porter
Susan O. Porter
Chief of Prosecution

STATE OF SOUTH CAROLINA
14TH JUDICIAL CIRCUIT
COUNTY OF BEAUFORT
COURT OF COMMON PLEAS
CASE NO. 2011-CP-07-01538

DEANGELO MICKELL

APPLICANT

VERSUS

APRIL 1, 2013

TRANSCRIPT OF MOTION HEARING

BEAUFORT, SOUTH CAROLINA

STATE OF SOUTH CAROLINA

DEFENDANT

B E F O R E:

HON. PERRY M. BUCKNER, JUDGE.

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

ORIGINAL

ON BEHALF OF APPLICANT:

HON. JAMES BROWN, JR.

ON BEHALF OF THE STATE:

HON. ASHLEY A. MCMAHAN
HON. S. CREIGHTON WATERS

WANDA H. ROWE, CVR-M
OFFICIAL COURT REPORTER

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EXHIBITS

APPLICANT'S:

- 1 Copies of Documents Titled
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Premises, Person, Place, or
Thing to be Searched,
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- 2 Copy of Search Warrant
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BEGINNING 11:30 A.M.

BY THE COURT:

THE COURT: Next matter for hearing is 2011 at 1538.
It's a Beaufort County case. Deangelo -- and I don't
know -- is it Mickell?

MR. BROWN: It is Mickell, yes, sir.

THE COURT: Mickell versus State of South Carolina.
Scheduled only for a motion. I've reviewed the file
during the break. I've read Mr. Brown's motion of March
28. And I understand that the State has a motion, as
well as -- I've lost my -- there we go. Mr. Brown,
present before me is James Brown, Jr., representing Ms.
Mickell. Also present is Ashley McMahan, representing
the State of South Carolina. Who else is present?

MR. WATERS: Your Honor, I'm Assistant Deputy
Attorney General Craig Waters. Ms. McMahan will be
handling the motion today, your Honor.

THE COURT: Wonderful. Well, Ms. McMahan, I
understand you have a motion, as well. Is that right?

MS. MCMAHAN: Yes, your Honor.

THE COURT: All right. Mr. Brown, I understand
basically what you're moving for is to provide your
client with access to certain discovery.

MR. BROWN: Yes, sir.

THE COURT: Is that right?

1 MR. BROWN: That is correct, your Honor.

2 THE COURT: And you cite as authority 17-27-150. Is

3 that correct?

4 MR. BROWN: That is correct, your Honor.

5 THE COURT: And I understand, Ms. McMahan, that you

6 oppose that motion on the basis of 14-7-1720(A). Is

7 that correct, Ms. McMahan?

8 MS. MCMAHAN: If you are referencing the State Grand

9 Jury.

10 THE COURT: No, I'm representing what you wrote, Ms.

11 McMahan.

12 MS. MCMAHAN: Oh, yes, sir, your Honor.

13 THE COURT: Are you not familiar with the statute

14 number? You referred to it in your pleadings.

15 MS. MCMAHAN: I've referenced a lot of statute

16 numbers in my head.

17 THE COURT: You see, Ms. McMahan, this is another

18 example that lawyers don't believe that judges read the

19 pleadings. But I can assure you that this judge does.

20 Is that correct?

21 MS. MCMAHAN: Yes, your Honor.

22 THE COURT: Very well. All right. I'll hear you

23 first, Mr. Brown. We're running behind schedule. Oral

24 argument is limited to ten minutes. Proceed.

25 MR. BROWN: And this will be even shorter than that,

1 your Honor.

2 THE COURT: Mr. Brown, you've never been shorter
3 than that.

4 MR. BROWN: And I will try to prove this the
5 exception. It was a search warrant, and the basis of
6 the search warrant related to a transaction that led to
7 the discovery of some drugs. And they got a search --

8 THE COURT: What was the offense?

9 MR. BROWN: My client was charged with, basically,
10 two -- he pled to two counts. Conspiracy, and then
11 trafficking in cocaine. Essentially, the evidence
12 against him was 350 some odd grams of cocaine found in
13 the trunk of the car at his mother's house. And the
14 search warrant issue comes without -- the body of the
15 warrant references the purchase of some drugs. And we
16 wanted the opportunity to depose the officers about the
17 information they gathered to put in the search warrant
18 and about the signing of the search warrant with the
19 magistrate, because there seems to be different copies
20 of the signature page that have handwritten notes about
21 allowing search of the car. The typed part says they
22 searched the house.

23 THE COURT: Show me what you're referring to, to
24 make sure Ms. McMahan has a copy.

25 MR. BROWN: I certainly will. Yes. Yes, sir.

1 Certainly.

2 MS. MCMAHAN: I have it, your Honor.

3 THE COURT: Very well.

4 MR. BROWN: And the best copies I can give you --

5 THE COURT: If you'll hand that to my clerk, please,
6 she'll hand it up.

7 MR. BROWN: Yes. Yes, sir. And if I'd get them
8 marked as Applicant's 1 and 2.

9 THE COURT: Any objection, Ms. McMahan?

10 MS. MCMAHAN: Your Honor, the only objection I've
11 got is if we could have them put in under seal, since
12 they are grand jury material.

13 THE COURT: Any objection to putting it under seal
14 because of the grand jury?

15 MR. BROWN: It's been filed with the magistrate's
16 court next door without being, but I have no objection.

17 THE COURT: All right.

18 MR. BROWN: They've already been published.

19 THE COURT: Wanda, Applicant's -- let's make them
20 one exhibit, and then I'll identify what these both are
21 for the record. Take a seat, Mr. Brown, while the court
22 reporter does her work.

23 MR. BROWN: Yes, sir.

24 COURT REPORTER: One page?

25 THE COURT: No, he handed you two.

1 MR. BROWN: They're different signatures. They're
2 different signatures, your Honor. That's why I'd ask
3 that they be marked separately, but as your Honor sees
4 fit.

5 THE COURT: Mr. Brown, when did you become a
6 handwriting expert?

7 MR. BROWN: I think it's so obvious, in fact, for
8 what it's worth, I did talk to the magistrate.

9 THE COURT: Well, I'd better hand these back to you.
10 She's marked Applicant's -- this will be under seal,
11 too, without objection. Both of these documents are
12 entitled Exhibit C, even though that's not the exhibit
13 number for this hearing, and it is described as
14 *Description of Premises, Person, Place, or Thing to be*
15 *Searched.*

16 Now, Mr. Brown, you tell me what it is you believe
17 are -- I'm assuming I'm holding the right two documents.
18 Do you want to look at those again and make sure?

19 THE COURT: Madam Clerk, hand those to him, and
20 then --

21 MR. BROWN: Yes, sir.

22 THE COURT: And Ms. McMahan, you look at this, also,
23 and make sure the court reporter's handed me the two
24 documents that we're referring to, so everybody knows
25 what I'm being shown for the record.

1 MS. MCMAHAN: Yes.

2 THE COURT: All right. Now, these are being
3 admitted, Wanda, without objection, Applicant's Number
4 1, under seal, both of which are entitled *Exhibit C,*
5 *Description of Premises, Person, Place, or Thing to be*
6 *Searched.*

7 COPIES OF TWO DOCUMENTS TITLED
8 EXHIBIT C, DESCRIPTION OF PREMISES,
9 PERSON, PLACE, OR THING TO BE SEARCHED,
10 MARKED APPLICANT'S EXHIBIT NUMBER 1,
11 TO BE UNDER SEAL, ENTERED AS EXHIBIT.

12 THE COURT: Now, Mr. Brown, tell me what you think
13 raises your qualifications as a handwriting expert in
14 the State of South Carolina. I wasn't aware you'd ever
15 been qualified on that basis, but I have no doubt that
16 you feel you are.

17 MR. BROWN: Your Honor, it doesn't, but in
18 relationship to what the search warrant that was
19 provided in discovery from the Attorney General's
20 Office, your Honor, which I have some other things,
21 including a copy that I plan to hand up. It only has
22 one of those things. The initial line and signature are
23 not the same on those two. Even if they're from the
24 same person, it has not been signed at the same time.
25 But in the one that they provided, there's only one of

1 those signature pages. And if I may have this marked as
2 Applicant's 2 at the appropriate time.

3 THE COURT: Show it to the attorney.

4 MR. BROWN: I've given them a copy.

5 THE COURT: Any objection? Ms. McMahan?

6 MS. MCMAHAN: No objection, your Honor.

7 THE COURT: You also want it under seal?

8 MS. MCMAHAN: Yes, your Honor.

9 THE COURT: Applicant's Number 2 under seal, without
10 objection. Hand it to the court reporter.

11 COPY OF SEARCH WARRANT DATED 9-17-08

12 MARKED APPLICANT'S EXHIBIT NUMBER 2,

13 ENTERED AS EVIDENCE.

14 THE COURT: Thank you.

15 COURT REPORTER: Yes, your Honor.

16 THE COURT: Applicant's Number 2 is numerous pages,
17 beginning with the cover page that says *Search Warrant*.
18 All right, Mr. Brown, since you're past ten minutes now,
19 exactly what is it you want to tell me?

20 MR. BROWN: I'd like to depose the two officers.
21 The one that gives some discovery information about
22 vehicles, which I'm assuming is how that was added, his
23 name's Officer Menendez. He's now at SLED. He was
24 formerly with the Beaufort Sheriff's Department. And
25 Officer Cris Sankowski, who's the affiant listed on both

1 of the different signature pages that are in Applicant's
2 1, and one of which is actually in Applicant's 2.

3 THE COURT: All right. So you seek to take the
4 depositions of the affiants pursuant to the search
5 warrant. Is that correct?

6 MR. BROWN: Yes, sir.

7 THE COURT: Thank you. Be seated.

8 MR. BROWN: Yes, sir.

9 THE COURT: Ms. McMahan, I'm happy to hear from you
10 now. I understand that this is an application for post-
11 conviction relief that resulted in a plea. Is that
12 correct, Ms. McMahan?

13 MS. MCMAHAN: That is correct, your Honor.

14 THE COURT: But it also resulted as a result of a
15 statewide grand jury investigation. Is that also
16 correct?

17 MS. MCMAHAN: That's also correct.

18 THE COURT: Which is the reason that you cited to me
19 14-7-1720, concerning the fact that state grand jury
20 proceedings are secret. Is that correct?

21 MS. MCMAHAN: That's correct, your Honor.

22 THE COURT: All right. Now, I'm happy to hear from
23 you because Mr. Brown has determined, in his infinite
24 ability to be a handwriting analysis, that he believes
25 there's an inconsistency on the two documents, State's

1 Exhibit Number -- or Applicant's Exhibit Number -- or
2 Applicant's Exhibit Under Seal Number 1. He also tells
3 me that he has ascertained from you Applicant's Number
4 2, which is the search warrant, and he seeks to take a
5 deposition for purposes of this post-conviction relief
6 proceeding, of the affiants on the search warrant. What
7 is the State's position?

8 MS. MCMAHAN: Your Honor, I believe, in lieu of
9 deposition, the best way to handle this would be his
10 direct, live testimony in courtroom. Both of the
11 applicants are planning on being here on Wednesday, if
12 we do get to that point.

13 THE COURT: You got to speak up a little, bit, Ms.
14 McMahan. Come on up here to my microphone. I can
15 handle that, because I can't hear you. Let me tell you
16 about judges and age, Ms. McMahan, something that you
17 have not experienced mac? yet, I might add. I'm 63
18 years old, which my sons say means that I'm way past the
19 speed limit. And as a result of which, I've hunted all
20 my life. There's no one that knows me that doesn't know
21 about my hunting love. And I've shot a shotgun all my
22 life, which is the reason I have a hearing aid in this
23 ear right here, because I wasn't smart enough to wear
24 ear protection.

25 However, my lawyers do this.

1 REPORTER'S NOTE: Judge mumbling.

2 THE COURT: And unfortunately, Wanda has to take it
3 down because you all love to spread out 600 documents on
4 the table, and then talk while you're reading them. And
5 it makes it impossible to be able to hear, even if you
6 aren't as deaf as Judge Buckner. So accommodate me, if
7 you would, please, ma'am.

8 MS. MCMAHAN: I'll be happy to, your Honor. Can you
9 hear me?

10 THE COURT: I can hear you just fine. Can you hear
11 her, Wanda?

12 COURT REPORTER: I can hear her, sir.

13 THE COURT: Isn't that great. All right.

14 MS. MCMAHAN: In this particular instance, I believe
15 the best case scenario would be to have the affiant and
16 Sergeant -- well, now Special Agent Menendez come into
17 court and testify live. That would save the Court money
18 in depo -- I mean, the State money in deposition costs
19 that we don't necessarily have.

20 Secondly, since this particular matter was
21 bifurcated into the motions today and a full hearing, if
22 so needed, on Wednesday. They are on call to be here on
23 Wednesday. That allows both me and Mr. Brown the
24 ability to afford the *Rules of Evidence* and the Court to
25 rule on the credibility of the witnesses that are here

1 to testify.

2 THE COURT: I see. So you believe that Mr. Brown's
3 going to have the ability to discover their testimony
4 during the hearing, rather than take a deposition prior
5 to the hearing.

6 MS. MCMAHAN: Yes, your Honor.

7 THE COURT: Very well. Thank you very much. Mr.
8 Brown, anything in reply to their position, since you're
9 now past 15 minutes, after you told me you wouldn't take
10 ten.

11 MR. BROWN: Your Honor, the only other thing is that
12 their -- we served subpoena that included, that asked
13 for, the entire copy of the prosecutor's file.
14 Coincidentally, the prosecutor's agency and the
15 respondent's agency is the same, which --

16 THE COURT: Which ought to make it easier for them
17 to respond. Mr. Brown, what's your point?

18 MR. BROWN: They didn't give me everything.

19 THE COURT: How do you know that, Mr. Brown? Are
20 you also a prosecutor now, as well as a handwriting
21 expert?

22 MR. BROWN: Well, coincidentally, your Honor, in the
23 search warrant, it lists some purchase of drugs
24 conducted within 72 hours. And when I finally got the
25 file roughly 19 months after subpoena was served, and

1 after repeated letters asking for it, it was received in
2 October, your Honor, this was a 2011 filing, the file
3 was received, a disk of it, in October 2012, and it
4 doesn't include any material related to a sale within 72
5 hours. About, oh, I guess, maybe 45 to 50 minutes ago,
6 we received information for the first time related to
7 it, which Mr. Dore has been presented, because he was
8 trial counsel. And your Honor, so we know this was
9 missing. And we've just had a chance to look at it.

10 THE COURT: All right. I understand. I can handle
11 that. Ms. -- thank you, Mr. Brown.

12 MR. BROWN: Yes.

13 THE COURT: Ms. McMahan, I understand that this has
14 been an ongoing process and that materials were just
15 provided to Mr. Brown, with a hearing scheduled for
16 Wednesday. It would appear to me that the remedy for
17 that is to now insure he has everything before there's a
18 hearing, which might mean I have to postpone his hearing
19 on Wednesday. So let me hear from you, because Mr.
20 Brown believes, having talked to Mr. Dore, who is seated
21 in my courtroom now, that he just got some additional
22 material that was in the prosecutor's file just today.

23 MS. MCMAHAN: Your Honor, if I may begin. First
24 off, Mr. Brown sent some subpoenas duces tecum to our
25 office back in November. Those were then forwarded to

1 the PCR section. I actually got this file in September
2 2002 from the PCR Division. At that --

3 THE COURT: 2002?

4 MS. MCMAHAN: I mean, I'm sorry, 2012. I'm off a
5 whole decade. September 2012. At that time, I obtained
6 a disclosure order for Mr. Brown so that I could send
7 him the materials related to this underlying case. Also
8 in October, I asked if he was going to file a discovery
9 motion, which he did not file until March 1st. Finally,
10 I was told what he wanted through discovery on March
11 21st.

12 THE COURT: I see.

13 MS. MCMAHAN: Some of that said *certain documents*.
14 I was not told specifically what those certain documents
15 were that he was looking for until this very morning,
16 which I obtained from the police officer within ten
17 minutes.

18 THE COURT: I understand, Ms. McMahan. Now, you
19 going -- you haven't answered my question yet.

20 MS. MCMAHAN: Sorry.

21 THE COURT: You've given me a history. Have you
22 provided Mr. Brown with everything in the prosecutor's
23 file for purposes of this hearing as of this morning?

24 MS. MCMAHAN: Absolutely. I even brought the whole
25 file with me.

1 THE COURT: All right. Mr. Brown, here's what I'll
2 offer you.

3 MR. BROWN: Yes, sir.

4 THE COURT: I'll deny your request to take
5 depositions.

6 MR. BROWN: Yes, sir.

7 THE COURT: But I will certainly extend to you the
8 opportunity to continue your hearing for Wednesday, in
9 order that you can go through her file today, --

10 MR. BROWN: Yes, sir.

11 THE COURT: -- and review it. And I'll reschedule
12 for the next PCR term, so that you can be prepared to go
13 forward, since you were just given documents today. You
14 understand that?

15 MR. BROWN: Yes, sir.

16 THE COURT: Ms. McMahan, I'm going to give him time
17 to look at it. I realize you didn't know exactly what
18 he wanted, but when you send a subpoena -- and I
19 understand there's a little bit of delicacy here, in
20 that we are dealing with a statewide grand jury
21 proceeding. On the other side of that fence, he
22 certainly is entitled to have the information necessary
23 to adequately represent his client for purposes of post-
24 conviction. Therefore, the hearing for Wednesday is
25 continued. Mr. Brown will be given the opportunity to

1 look through your file today, and I'll reschedule that
2 hearing for the next PCR term. Mr. Brown's motion to
3 take a deposition is respectfully denied, because he's
4 going to have adequate time to look at the file, and
5 he'll have the opportunity to cross-examine these
6 officers at the post-conviction relief hearing.

7 Now, are there any other matters from the State
8 concerning this hearing that you need to take up that I
9 have not -- Mister, you don't stand up in my courtroom
10 and walk up there. One lawyer speaks at a time, one
11 lawyer stands at a time. Have a seat.

12 MR. WATERS: Yes, sir.

13 THE COURT: Yes, ma'am.

14 MS. MCMAHAN: Your Honor, just in regards to my
15 amended return, --

16 THE COURT: Yes, ma'am.

17 MS. MCMAHAN: -- regarding the plea agreement
18 between Mr. Mickell and the State, in that plea
19 agreement, which is analogous to *Spoone* case, -- I
20 stopped so that you could hear me.

21 THE COURT: Thank you, Ms. McMahan. That was very
22 thoughtful of you. And that's another thing lawyers
23 like to do. Mr. Dore's very guilty of that. He'll turn
24 around and walk with his back to the court reporter and
25 look at his file and talk. And it makes it real

1 difficult to hear. Go ahead.

2 MS. MCMAHAN: Your Honor, which is analogous to the
3 *Spoone* case I'm handing up to you.

4 THE COURT: Hand it to Mr. Brown. What is analogous
5 to the *Spoone* case, since I hadn't had a chance to read
6 it. Let the record reflect she's handed me 379 South
7 Carolina 138, *Spoone* versus State of South Carolina.

8 MS. MCMAHAN: Your Honor, in that particular case,
9 Mr. *Spoone* waived his right to file an appeal or a PCR
10 in his written plea agreement at his plea. The judge
11 asked him about it on the record, you're waiving that
12 right?

13 THE COURT: I remember this case very well as to
14 whether or not you could do that during the plea.

15 MS. MCMAHAN: Waiving that right, which he did, the
16 Supreme Court ruled that, pursuant to the plea
17 agreement, his PCR -- excuse me -- his PCR was to be
18 denied and dismissed. And that is exactly what's
19 happening here. Mr. Mickell did file a written plea
20 agreement where he waived his right to file a PCR appeal
21 in it. And it was also questioned by Judge Mullen on
22 the record that he was, in fact, waiving his right to a
23 PCR and to a belated appeal.

24 THE COURT: Have you filed a written motion to
25 dismiss on this grounds?

1 MS. MCMAHAN: Yes, your Honor. It's the Amended
2 Return and Motion to Dismiss. Therefore, the State is
3 requesting that the plea agreement be enforced, and that
4 this PCR be dismissed.

5 THE COURT: All right. And I understand that
6 completely. Thank you, Ms. McMahan. Now, your co-
7 counsel, who thinks he can jump and run up here and talk
8 to you behind your back, wants to speak with you before
9 you're finished. You can talk to her now that she's
10 sitting beside you, Counsel.

11 MR. WATERS: Thank you, Judge.

12 THE COURT: Courtesy. Anything else, Ms. McMahan?

13 MS. MCMAHAN: Nothing further from the State, your
14 Honor.

15 THE COURT: I know you received a pearl of wisdom.
16 All right. Ms. McMahan, I don't think it's actually
17 fair to rule on a motion to dismiss before Mr. Brown has
18 had the opportunity to see his discovery. However, I
19 completely understand your motion, based on *Spoone*, and
20 I will look forward to scheduling this hearing at the
21 next PCR term and hearing your motion before we take
22 testimony on the record, after he's reviewed the file in
23 its entirety, although, Mr. Brown, that does not mean
24 you're going to argue the merits on this motion, because
25 it's going to be a matter of law.

1 MR. BROWN: Yes.

2 THE COURT: You understand that?

3 MR. BROWN: Yes sir.

4 THE COURT: All right. Ms. McMahan, I understand
5 completely your motion. I'm very familiar with the
6 Spoone, which I believe can prevent sometimes, under
7 appropriate circumstances, additional and unnecessary
8 litigation expense in the Court of Common Pleas
9 involving post conviction. I'm certain Mr. Brown is
10 familiar with the Spoone case, as well, although you
11 were kind enough to hand it to him. I will look forward
12 to hearing your motion in the future.

13 Now, Mr. Brown's request for discovery is
14 respectfully denied. The Court, of it's own motion, has
15 continuing the case. Mr. Brown, you don't leave. You
16 go to my window room.

17 MR. BROWN: Yes, sir.

18 THE COURT: And Ms. McMahan's going to join you
19 there, because she doesn't have any other hearing.
20 She's going to open her file. You're not going to take
21 anything out of the file. If you want to copy
22 something, and if there's a question about whether it's
23 under seal, I'm going to be in Beaufort all week, and
24 Ms. McMahan, I invite you to let me know if there are
25 any problems, because I expect my lawyers to be

1 courteous to one another and to work together.

2 MR. BROWN: Yes, sir.

3 THE COURT: I will hear your motion, Ms. McMahan,
4 when we schedule this on the merits. You understand?

5 MS. MCMAHAN: Yes, your Honor.

6 THE COURT: Thank you so much. I look forward to
7 seeing both of you again real soon. This concludes the
8 motion hearing. Wanda, I'm handing you Applicant's
9 Exhibit Number 1, Applicant's Exhibit Number 2, and I'm
10 handing my law clerk the packet which Ms. McMahan gave
11 me with the *Spoone* case and other documents attached
12 thereto. And I'm assuming, Ms. McMahan, you're going to
13 handle the post-conviction hearing, and not Ms. Wilson?

14 MS. MCMAHAN: Yes, your Honor.

15 THE COURT: All right, now, I think I've got the
16 next post-conviction term, in August.

17 MS. MCMAHAN: You do, your Honor.

18 THE COURT: All right. In that case, do you want me
19 to take the packet, or do you want me to give the packet
20 back to you so you can hand it up in case circumstances
21 change, because, as we all know, court administration
22 changes schedules. You understand that? But I think
23 I'm scheduled to be the judge. What would you prefer?

24 MS. MCMAHAN: You're welcome to hang onto it. I can
25 always make another one if I need to.

1 THE COURT: Perfect. In that case, I'll give it to
2 my law clerk so we'll be prepared. Thank you all very
3 much. This concludes the hearing in connection with
4 this matter.

5 MR. BROWN: Thank you, your Honor.

 ENDING 11:53 A.M.

CERTIFICATE OF REPORTER

APRIL 1, 2013 TRANSCRIPT OF MOTION HEARING

STATE OF SOUTH CAROLINA

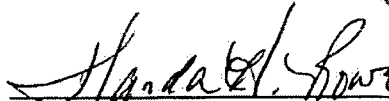
COUNTY OF BEAUFORT

I, Wanda H. Rowe, CVR-M, Official Court Reporter for the State of South Carolina, do hereby certify that the foregoing April 1, 2013 Transcript of Motion Hearing is a true, accurate, and complete record of the proceedings had and evidence introduced and/or admitted at said proceeding in the case of Deangelo Mickell versus State of South Carolina, Beaufort County, Court of Common Pleas, Case Numbers 2011-CP-07-01538.

I further certify that I am of neither kin, counsel, or interest to any party hereto.

The original of this transcript, nor any copy of same, is not certified, nor authorized for use by me, to be true, accurate, and complete without my original signature and stamp affixed hereto.

Witness my signature May 2, 2013.


Wanda H. Rowe, CVR-M
Official Court

ORIGINAL

STATE OF SOUTH CAROLINA	)	IN THE COURT OF COMMON PLEAS
	)	FOURTEENTH JUDICIAL CIRCUIT
COUNTY OF BEAUFORT	)	
	)	CASE NO.: 2011-CP-07-1538
Deangelo Mickell	)	
	)	MOTION AND ORDER INFORMATION
vs.	)	FORM AND COVERSHEET
	)	
State of South Carolina	)	
Plaintiff,	)	
	)	
Defendant.	)	

Plaintiff's Attorney: _____, Bar No. _____ Address: _____ Phone: _____ Fax _____ E-mail: _____ Other: _____	Defendant's Attorney: _____, Bar No. _____ Address: _____ Phone: _____ Fax _____ E-mail: _____ Other: _____									
☒ MOTION HEARING REQUESTED (attach written motion and complete SECTIONS I and III) ☐ FORM MOTION, NO HEARING REQUESTED (complete SECTIONS II and III) ☐ PROPOSED ORDER/CONSENT ORDER (complete SECTIONS II and III)										
SECTION I: Hearing Information Nature of Motion: Motion to Quash Subpoena Estimated Time Needed: 30 Minutes Court Reporter Needed: ☒ YES / ☐ NO										
SECTION II: Motion/Order Type ☐ Written motion attached ☐ Form Motion/Order I hereby move for relief or action by the court as set forth in the attached proposed order. Signature of Attorney for ☐ Plaintiff / ☐ Defendant Date submitted _____										
SECTION III: Motion Fee ☐ PAID – AMOUNT: \$ _____ ☒ EXEMPT: (check reason) <table style="margin-left: 20px; border: none;"> <tr> <td>☐ Rule to Show Cause in Child or Spousal Support</td> </tr> <tr> <td>☐ Domestic Abuse or Abuse and Neglect</td> </tr> <tr> <td>☐ Indigent Status ☒ State Agency v. Indigent Party</td> </tr> <tr> <td>☐ Sexually Violent Predator Act ☐ Post-Conviction Relief</td> </tr> <tr> <td>☐ Motion for Stay in Bankruptcy</td> </tr> <tr> <td>☐ Motion for Publication ☐ Motion for Execution (Rule 69, SCRCP)</td> </tr> <tr> <td>☐ Proposed order submitted at request of the court; or, reduced to writing from motion made in open court per judge's instructions</td> </tr> <tr> <td>Name of Court Reporter: _____</td> </tr> <tr> <td>☐ Other: _____</td> </tr> </table>		☐ Rule to Show Cause in Child or Spousal Support	☐ Domestic Abuse or Abuse and Neglect	☐ Indigent Status ☒ State Agency v. Indigent Party	☐ Sexually Violent Predator Act ☐ Post-Conviction Relief	☐ Motion for Stay in Bankruptcy	☐ Motion for Publication ☐ Motion for Execution (Rule 69, SCRCP)	☐ Proposed order submitted at request of the court; or, reduced to writing from motion made in open court per judge's instructions	Name of Court Reporter: _____	☐ Other: _____
☐ Rule to Show Cause in Child or Spousal Support										
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☐ Motion for Publication ☐ Motion for Execution (Rule 69, SCRCP)										
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Name of Court Reporter: _____										
☐ Other: _____										
JUDGE'S SECTION ☐ Motion Fee to be paid upon filing of the attached order. ☐ Other: _____	JUDGE CODE _____ Date: _____									
CLERK'S VERIFICATION Collected by: _____ Date Filed: _____ ☐ MOTION FEE COLLECTED: \$ _____ ☐ CONTESTED – AMOUNT DUE: \$ _____										

STATE OF SOUTH CAROLINA)
COUNTY OF BEAUFORT)

IN THE COURT OF COMMON PLEAS
FOURTEENTH JUDICIAL CIRCUIT
Civil Action No.: 2011-CP-07-1538

Deangelo Mickell,)
Applicant,)
v.)
State of South Carolina,)
Respondent.)

**NOTICE OF MOTION AND
MOTION TO QUASH SUBPOENA**

The undersigned attorney, appearing for and on behalf of the Custodian of Records for the South Carolina Law Enforcement Division (hereinafter "SLED"), hereby moves to quash the subpoena served upon said custodian by Plaintiff on the grounds set forth below. A Copy of the Subpoena is attached hereto, incorporated by reference, and identified herein as **Exhibit A**.

The Subpoena was emailed to the SLED Public Information Officer on April 30, 2014 and not only purports to compel the SLED Custodian of Records to appear in Court to testify in the above captioned matter, but also to locate and bring certain documents to Court. Accordingly, the undersigned, on behalf of the SLED Custodian of Records, requests that this Court quash the subpoena for the reasons set forth below:

1. The subpoena is defective on its face as it fails to comply with the mandatory form requirements set forth Rule 45(a)(1)(D). Specifically, this rule requires that every subpoena must set forth the entire text of subdivisions of (c) and (d) of Rule 45, SCRCP. The attached subpoena does not comply with this requirement and is defective on its face. Therefore, this subpoena should be quashed in its entirety.

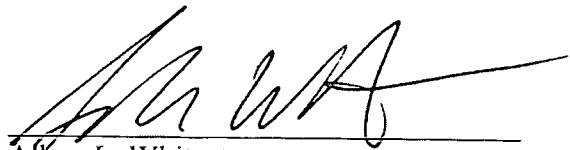
2. The subpoena also fails to comply with Rule 45(c)(1) SCRCP because the subpoena fails to any steps to avoid imposing undue burden on SLED. Upon information and

belief, the Honorable Perry M. Buckner denied the above-listed applicant's Motion for Discovery in this matter. A copy of this Order is attached hereto, incorporated by reference herein, and identified as **Exhibit B**. As such, this subpoena's request for documents blatantly violates this direct court order. As discovery is prohibited, a subpoena purporting to compel the production of documents is prohibited. As such, any compliance with a subpoena that violates a direct court order constitutes an undue burden on SLED. Accordingly, this subpoena, to the extent it seeks to compel the production of documents in direct contravention of a court order, should be quashed pursuant to Rule 45, SCRPC.

3. SLED further reserves any and all immunities and privileges that may apply to the subpoenaed materials or to the testimony sought in this matter.

Therefore, based on the foregoing and any additional memoranda that may be submitted in connection with the determination of this motion, and any argument that may be proffered at a hearing in this matter; the South Carolina Law Enforcement Division hereby requests that the attached subpoena be quashed in its entirety.

Respectfully submitted,



Adam L. Whitsett
General Counsel
South Carolina Law Enforcement Division
Post Office Box 21398
Columbia, South Carolina 29221
Phone: (803) 896-0647
Fax: (803) 896-7588
Email: AWhitsett@sled.sc.gov
South Carolina Bar Number 74888

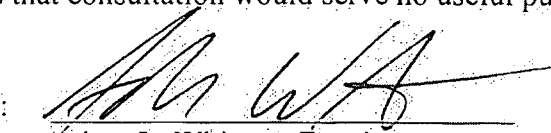
ATTORNEY FOR SLED

Columbia, South Carolina
May 5, 2014

RULE 11, SCRCP CERTIFICATION:

Undersigned counsel certifies that he did not contact opposing counsel to discuss this Motion because the undersigned believes that consultation would serve no useful purpose.

BY:


Adam L. Whitsett, Esquire

May 5, 2014

EXHIBIT A

Subp # 2014-032

STATE OF SOUTH CAROLINA FILED FOIA Office

ISSUED BY THE COMMON PLEAS COURT IN THE COUNTY OF COLLETON

Date Received 4/30/14

DEANGELO MICKELL

, Applicant

Due Date 5/7/14

SUBPOENA IN A CIVIL CASE

STATE OF SOUTH CAROLINA

Case Number: 2011-CP-07-1538

Pending in BEAUFORT County

, Respondent

TO: Custodian of Records, SLED

X YOU ARE COMMANDED to appear in the above named court at the place, date and time specified below to testify in the above case.

PLACE OF TESTIMONY Colleton County Courthouse 101 Hampton Street Walterboro, SC 29488	COURTROOM: TBA DATE AND TIME May 7, 2014 9:30 a.m. until released
--	--

YOU ARE COMMANDED to appear at the place, date and time specified below to testify at the taking of a deposition in the above case.

PLACE OF TESTIMONY	DATE & TIME

X YOU ARE COMMANDED to produce and permit inspection and copying of the following documents or objects in your possession, custody or control at the place, date and time specified below

Any and all documents regarding the chain of custody of drugs collected and submitted into evidence regarding indictment number 2009-GS-47-05.

PLACE: Colleton County Courthouse 101 Hampton Street Walterboro, SC 29488	DATE AND TIME May 7, 2014 9:30 a.m. until released
--	--

YOU ARE COMMANDED to permit inspection of the following premises at the date and time specified below.

PREMISES	DATE AND TIME

ANY SUBPOENAED ORGANIZATION NOT A PARTY TO THIS SUIT IS HEREBY DIRECTED PURSUANT TO RULE 30(b)(6), SOUTH CAROLINA RULES OF CIVIL PROCEDURE, TO FURNISH A DESIGNATION WITH THE COURT, SPECIFYING ONE OR MORE OFFICERS, DIRECTORS, OR MANAGING AGENTS, OR OTHER PERSONS WHO CONSENT TO TESTIFY ON ITS BEHALF, AND SHALL SET FORTH, FOR EACH PERSON DESIGNATED, THE MATTERS ON WHICH HE WILL TESTIFY OR PRODUCE DOCUMENTS OR THINGS. THE PERSON SO DESIGNATED SHALL TESTIFY AS TO MATTERS KNOWN OR REASONABLY AVAILABLE TO THE ORGANIZATION.

ISSUING OFFICER'S NAME, ADDRESS AND PHONE NUMBER

James A. Brown, Jr., PO Box 582 Beaufort, SC 29901 (843) 470-0003

I CERTIFY THAT THE SUBPOENA IS ISSUED IN COMPLIANCE WITH RULE 45(c)(1) AND THAT NOTICE AS REQUIRED BY RULE 45(b)(1) HAS BEEN GIVEN TO ALL PARTIES.

ISSUING OFFICER'S SIGNATURE AND TITLE

Attorney for Applicant

DATE 4/30/14

SCCA Form 254 (7/93)

(See Rule 45, South Carolina Rules of Civil Procedure, Parts (c) & (d) on Reversion)

PROOF OF SERVICE		
SERVED	DATE PLACE	FEE AND MILEAGE EXPENSE TO WITNESS YES NO
SERVED ON (PRINT NAME)		MANNER OF SERVICE
SERVED BY (PRINT NAME)		TITLE

DECLARATION OF SERVER

I certify that the foregoing information contained in the Proof of Service is true and correct.

Executed on _____ DATE _____ SIGNATURE OF SERVER _____
ADDRESS OF SERVER _____

Rule 15, South Carolina Rules of Civil Procedure, Parts (c) and (d)

(c) PROTECTION OF PERSONS SUBJECT TO SUBPOENAS.

(1) A party or an attorney responsible for the issuance and service of a subpoena shall take reasonable steps to avoid imposing undue burden or expense on a person subject to that subpoena. The court on behalf of which the subpoena was issued shall enforce this duty and impose upon the party or attorney in breach of this duty an appropriate sanction, which may include, but is not limited to, lost earnings and a reasonable attorney's fee.

(2)(A) A person commanded to produce and permit inspection and copying of designated books, papers, documents or tangible things, or inspection of premises need not appear in person at the place of production or inspection unless commanded to appear for deposition, hearing or trial.

(B) Subject to paragraph (2)(C) of this rule, a person commanded to produce and permit inspection and copying may, within 14 days after service of the subpoena or before the time specified for compliance if such time is less than 14 days after service, serve upon the party or the attorney designated in the subpoena written objection to inspection or copying of any or all of the designated materials or of the premises. If objection is made, the party serving the subpoena shall not be entitled to inspect and copy materials or inspect the premises except pursuant to an order of the court by which the subpoena was issued. If objection has been made, the party serving the subpoena may, upon notice to the person commanded to produce, move at any time in the court that issued the subpoena for an order to compel the production. Such an order to compel production shall protect any person or non-party or an officer of a party from a significant expense resulting from the inspection and copying commanded.

(3) (A) On timely motion, the court by which a subpoena was issued, or regarding a subpoena commanding appearance at a deposition or production or inspection directed to a non-party, the court in the county where the non-party resides or employed or regularly transacts business in person, shall quash or modify the subpoena if it

(i) fails to allow reasonable time for compliance, or
(ii) requires a person who is not a party or an officer, director or managing agent of a party to travel more than 50 miles from the county where that person resides, is employed or regularly transacts business in person, except that, subject to the provisions of clause (2)(3)(B)(iii) of this rule, such a person may in order to attend the trial be commanded to travel from the county where the subpoena was served to the place within the state where the trial is held, or

(iii) requires disclosure of privileged or otherwise protected matter and exception or waiver applies, or

(iv) subjects a person to undue burden.

(B) If a subpoena

(i) requires disclosure of a trade secret or other confidential research, development, or commercial information, or

(ii) requires disclosure of an unretained expert's opinion or information not describing specific events or occurrences in dispute and resulting from the expert's study conducted at the request of any party, or

(iii) requires a person who is not a party or an officer, director or managing agent of a party to incur substantial expense to travel from the county where that person resides, is employed or regularly transacts business in person, the court may, to protect a person subject to or affected by the subpoena, quash or modify the subpoena or, if the party in whose behalf the subpoena is issued shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship and assures that the person to whom the subpoena is addressed will be reasonably compensated, the court may order appearance only upon specified conditions.

(d) DUTIES IN RESPONDING TO SUBPOENA.

(1) A person responding to a subpoena to produce documents shall produce them as they are kept in the usual course of business or shall organize and label them to correspond with the categories in the demand.

(2) When information subject to a subpoena is withheld on a claim that it is privileged or subject to protection as trial preparation materials, the claim shall be made expressly and shall be supported by a description of the nature of the documents, communications, or things not produced that is sufficient to enable the demanding party to contest the claim.

EXHIBIT B

EXHIBIT A

STATE OF SOUTH CAROLINA) IN THE COURT OF COMMON PLEAS
COUNTY OF BEAUFORT) FOR THE 14th JUDICIAL CIRCUIT
Case No.: 2011-CP-07-01538

DeAngelo Christopher Mickell, #340668,)
Applicant,)
vs.)
State of South Carolina,)
Respondent.)

ORDER

13 APR 19 PM 3:22
CLERK OF COURT
BEAUFORT COUNTY, S.C.

17
PMB
This matter comes before the Court by way of an Application for Post-Conviction Relief filed March 31, 2011. The Applicant filed a Motion for Discovery on or March 1, 2013. Respondent filed a Motion to Dismiss on or about March 26, 2013. A hearing into the Applicant's motion was convened on April 1, 2013, at the Beaufort County Courthouse. James A. Brown, Jr., Esquire, represented the Applicant. Ashley A. McMahan, Esquire, of the South Carolina Attorney General's Office, represented the Respondent.

Applicant's request for Discovery is to depose one officer with the Beaufort County Sheriff's Office and a SLED agent, both of whom were involved with the underlying investigation. Applicant also requested Discovery to depose the Magistrate Judge that signed one of the search warrants.

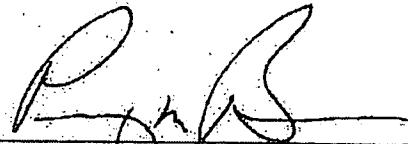
Also at the hearing, Applicant requested documents from the Beaufort County Sheriff's Office. These documents were provided to the Applicant prior to the start of the hearing. Further, the Applicant was given access to the entire investigative file and allowed to read the transcripts of the testimony presented to the State Grand Jury

immediately after the hearing.

Applicant's Motion for Discovery is denied. As to the request regarding the Magistrate, Applicant failed to meet the requirements of In re Whetstone, 580 S.E.2d 447, 354 S.C. 213 (2003). As to the request for the remaining depositions, the parties can be subpoenaed to testify at the PCR hearing.

IT IS THEREFORE ORDERED that this matter be continued and that the Respondent's Motion to Dismiss be heard at the next available term prior to any substantive testimony taken; and Applicant's Motion for Discovery is DENIED.

AND IT IS SO ORDERED!



Perry M. Buckner
Presiding 14th Circuit Court Judge

April 16, 2013

Walkers, South Carolina.

STATE OF SOUTH CAROLINA)
)
COUNTY OF BEAUFORT)

IN THE COURT OF COMMON PLEAS
FOURTEENTH JUDICIAL CIRCUIT
Civil Action No.: 2011-CP-07-1538

Deangelo Mickell,)
)
Applicant,)
)
v.)
)
State of South Carolina,)
)
Respondent.)
_____)

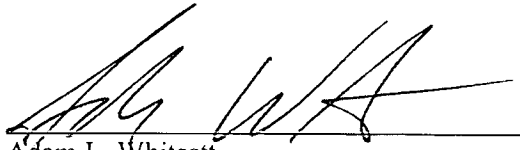
CERTIFICATE OF SERVICE

I hereby certify that this 5th day of May, 2014, I served a copy of the enclosed **Notice of Motion and Motion to Quash Subpoena** on the by depositing a copy of same in the U.S. Mail, postage prepaid and addressed as follows:

James A. Brown, Jr., Esquire
Law Offices of Jim Brown, P.A.
Post Office Box 592
Beaufort, SC 29901-0592.

In addition, I hereby acknowledge that, on May 5, 2014, I emailed the **Notice of Motion and Motion to Quash Subpoena** to Attorney Brown at the following email address:

jimbrownlaw@hargray.com



Adam L. Whitsett
General Counsel for SLED

STATE OF SOUTH CAROLINA)

COUNTY OF BEAUFORT)

DEANGELO MICKELL)

Applicant)

vs.)

STATE OF SOUTH CAROLINA,)

Respondent)

IN THE COURT OF COMMON PLEAS
FOURTEENTH JUDICIAL CIRCUIT

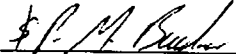
CASE NO. 2011-CP-07-01538

ORDER GRANTING MOTION TO
QUASH SUBPOENA

This matter comes before the Court by the way of a Motion to Quash Subpoena filed on May 2, 2014 by the undersigned attorney, appearing on behalf of the Honorable Mark F. Fitzgibbons, Beaufort County Magistrate Judge. The Applicant filed a Response to the Motion to Quash on May 5, 2014. A hearing was conducted May 6, 2014 via telephone conference. James A. Brown, Jr. Esquire, represented the Applicant. Ashley A. McMahan, Esquire, of the South Carolina Attorney General's Office, represented the respondent. Allison C. Coppage, Esquire, represented Judge Fitzgibbons, Beaufort County Magistrate. Adam L. Whitsett, Esquire, represented the South Carolina Law Enforcement Division.

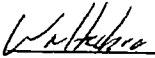
The County's motion to quash the subpoena of Judge Fitzgibbons is granted. The controlling case in this matter is In re Whetstone, 580 S.E.2d 447, 354 S.C. 213(2003). In In re Whetstone, the court held that a judge should not be compelled to testify regarding a case in which he previously presided unless the testimony is (1) critical and (2) can be obtained by no other means *Id* at 447. In this matter, the Applicant failed to show that the information sought to be obtained from Judge Fitzgibbons cannot be obtained from any other source. The search warrant at issue is signed by an attesting officer, Officer Sankowski. Officer Sankowski is currently employed with Beaufort County and can be available upon reasonable notice.

IT IS THEREFORE ORDERED that the Motion Quash Subpoena is granted as to Judge
Fitzgibbons, Beaufort County Magistrate



Perry M. Buckner
Presiding 14th Circuit Court Judge

May 14, 2014

 , South Carolina

CMTI330D SCDC OFFENDER MANAGEMENT SYSTEM 04/12/11
 OMCOMITA RELEASE DATE SCREEN C040481
 SCDC# > 340668 LOC: LEE
 MICKELL, DEANGELO CHRISTOPHE 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: 018-00-000 CONSECUTIVE SENTENCE ...: N
 018-00-000 CURRENT SENT START DATE: 04/29/2010
 PROJECTED COMPLETION DATES
 MAXOUT DATE: 09/14/2026 CURRENT EWC .: NOT CURRENTLY EARNING EWC
 YOA SIX YEAR DATE: / / CURRENT EEC .: NOT CURRENTLY EARNING EEC
 INITIAL PAROLE DATE: 00/00/0000 NEXT PAROLE HEARING DATE: 00/00/0000

 TOTAL GT DAYS EARNED: 000033 LABOR CREW/WORK PROG DATE: 99/99/9999
 TOTAL EARNED WORK CREDITS ..: 000000 LABOR CREW DISQ REASON:
 TOTAL EDUCATION CREDITS: 000000 CATEGORY 4 OR 5 OFFENSE
 TOTAL EXTRA EARNED CREDITS ..: 000
 TOTAL SERVICE TIME EARNED ...: 000343

PFKEYS: 5: HISTORY OF DATE CHANGES
 4-© 1 Sess-1 167.7.50.33 SCDC1424 3/11

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS

REPORT SUMMARY REPORT DATED 04/12/11

C0404

MICKEL, DEANFIELD CHRISTOPHER FNC # 983414MS4 BDM# SC012070R5 SENC # 340448

DEFENDER TYPE: ADULT-STRAIGHT SENTENCE

INSTITUTION : 1ST CORR INST

BDM# : SC012070R5

SECURITY/CRST: 3 MINIMUM TM

RACE: 18 SEX: 1M

CURR INCARC SENT: 18 YRS 0 MOS 0 DYS

PROB MAXOUT DATE: 09/14/2024

CENTRA: MONITORING: NO

PROB PAROLE DATE: 00/00/0000

SOCIAL SECURITY # : [REDACTED]

FWD LDR: NO CURRENT JOB

CURRENT PROGRAM: NO CURRENT PROGRAM

FWD PRG: NO CURR FWD PROGRAM

AGE: 33 DATE OF BIRTH: [REDACTED]

FWD : FUEL: 0 FWD : FUEL:

ASSIGNMENT: GENERAL DETAIL UNCH

PREVIOUS NUMBERS:

AA NO PREVIOUS NUMBERS AA

CURRENT OFFENSES	SENTENCE			COUNTY	SENTENCE		
	YRS	MOS	DYS		START	U/VU	CATEGORY
TRAFFICKING IN COCAINE	18	0	0	DEAFORT	4/29/2010	U	4
TRAFFICKING IN COCAINE	18	0	0	DEAFORT	4/29/2010	U	4

ENTER COMMITMENTS OVER 90 DAYS:

MISSING PRIOR DATA:

DETAINERS (HOW B, WANTED, NOTICE):

AND DETAINERS:

AND DETAINERS:

ESCAPES:

AND ESCAPE HISTORY:

CRIMINAL CHARGES:

AND CRIMINAL CHARGES UNTIL IN CUSTODY:

AND CRIMINAL CHARGES HISTORY:

ASSAULTIVE DISCIPLINARY CHARGES:

AND ASSAULTIVE DISCIPLINARY HISTORY:

NON-ASSAULTIVE DISCIPLINARY CHARGES:

AND NON-ASSAULTIVE DISCIPLINARY HISTORY:

HISTORY OF MOVEMENTS:

DATE	FROM	TO	REASON
7/ 0/10	LEE	INCARCERATED	ADMINISTRATIVE
5/ 4/10	KIRKLAND	INCARCERATED	RAF PROCESSING
5/ 4/10	LEFER	INCARCERATED	NEW ADMISSION

HISTORY OF EARNED WORK CREDIT ASSIGNMENTS:

JOB	START	END	TERMINATION	REASON
DESCRIPTION	DATE	DATE	REASON	REASON

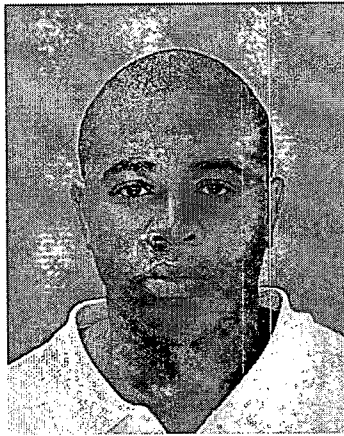
AND WORK ASSIGNMENTS:

HISTORY OF EARNED EDUCATION CREDITS:

EDC	START	END	TERMINATION
DESCRIPTION	DATE	DATE	REASON

AND SCHOOL ASSIGNMENTS:

***** END OF REPORT *****



INMATE DESCRIPTION		INMATE SENTENCE AND LOCATION	
SEX:	MALE	SCDC D:	00340668
RACE:	BLACK	SID:	SC01207035
HEIGHT:	6' 01"	OFFENDER TYPE:	ADULT-STRAIGHT SENTENCE
WEIGHT:	191 lbs.	ADMISSION DATE:	05/06/2010
AGE:	37	LOCATION:	LEE
CITIZENSH P:	CITIZEN - NATIVE BORN	SECURITY / CUSTODY:	3 / MINIMUM IN
BUILD:	LARGE	EWC LEVEL:	3F5
COMPLEXION:	MEDIUM BROWN	EEC LEVEL:	
HAIR COLOR:	BLACK	PROJECTED RELEASE DATE:	08/12/2025
EYE COLOR:	BROWN	PROJECTED PAROLE ELIG BILITY:	NOT ELIGIBLE
PICTURE DATE:	05/06/2010	SUP. FURLOUGH ELIG BILITY:	NOT ELIGIBLE

CURRENT OFFENSES

OFFENSE	SENTENCE TYPE	YRS	MOS	DYS	COUNTY	START DATE	V/NV	CAT	INDICT	STATUS
TRAFFICKING N COCA NE	ADULT-STRAIGHT SENTENCE	18	0	0	BEAUFORT	04/29/2010	V	4	09GS4705	ACTIVE
TRAFFICKING N COCA NE	ADULT-STRAIGHT SENTENCE	18	0	0	BEAUFORT	04/29/2010	V	4	09GS4705	ACTIVE

ESCAPES

NO ESCAPES DURING CURRENT INCARCERATION

DISCIPLINARIES

SANCTIONS NOT AVAILABLE IN THE AUTOMATED SYSTEM PRIOR TO JANUARY 2009

NO DISCIPLINARIES DURING CURRENT INCARCERATION

MOVEMENT

MOVEMENT DATE	TO LOCATION	STATUS	REASON
05/07/2014	LEE	INCARCERATED	RETURN FROM COURT
05/07/2014	COLLETON CO	AUTH ABSENCE (AWL)	TO COURT
02/20/2014	LEE	INCARCERATED	ADMINISTRATIVE
02/19/2014	KIRKLAND	INCARCERATED	RETURN FROM COURT
02/18/2014	BEAUFORT CO	AUTH ABSENCE (AWL)	TO COURT
04/03/2013	LEE	INCARCERATED	ADMINISTRATIVE
04/02/2013	KIRKLAND	INCARCERATED	RETURN FROM COURT
03/29/2013	BEAUFORT CO	AUTH ABSENCE (AWL)	TO COURT
03/28/2013	KIRKLAND	INCARCERATED	ADMINISTRATIVE
07/08/2010	LEE	INCARCERATED	ADMINISTRATIVE
05/06/2010	KIRKLAND	INCARCERATED	R&E PROCESSING
05/06/2010	LIEBER	INCARCERATED	NEW ADMISSION

EARNED WORK CREDITS

JOB DESCRIPTION	START DATE	END DATE	TERMINATION REASON	JOB LEVEL
LAUNDRY ROOM ATTENDANT	04/01/2014			3F5
LAUNDRY ROOM ATTENDANT	04/04/2013	02/20/2014	INSTIT TRANSFER	3F5
LAUNDRY ROOM ATTENDANT	02/28/2013	03/28/2013	INSTIT TRANSFER	3F5
MACH NE OPERATOR	04/21/2011	02/27/2013	LATERAL TRANSFER	3F5

EARNED EDUCATION CREDITS

NO EARNED EDUCATION CREDITS DURING CURRENT INCARCERATION