

# SOUTH CAROLINA LAW ENFORCEMENT DIVISION FORENSIC SERVICES LABORATORY REPORT

MARK SANFORD  
Governor



ROBERT M. STEWART  
Chief

## DRUG ANALYSIS DEPARTMENT

Capt. Ricky Quick  
Chesterfield County Sheriff's Office  
200 W. Main Street  
Chesterfield, SC 29709

February 3, 2003  
SLED Lab No: L02-15130  
Your Case No: Not Listed  
Incident Date: 11/20/02  
(S) Gaithers, Kenyon

This is an official report of the South Carolina Law Enforcement Division Forensic Services Laboratory and is to be used in connection with an official criminal investigation. These examinations were conducted under your assurance that no previous examinations of person(s) or evidence submitted in this case have been or will be conducted by any other laboratory or agency.

Robert M. Stewart, Chief  
South Carolina Law Enforcement Division

### ITEMS OF EVIDENCE:

Item 1: Rock like substance

### RESULTS:

Cocaine (Crack) found, 0.08 grams (1.23 grains), C-II



I am a chemist employed and certified by the South Carolina State Law Enforcement Division (SLED) to perform chemical and physical examination(s) on evidence submitted by law enforcement agencies in criminal cases, and have been qualified in courts of record in the state of South Carolina to testify on such examination(s).

On **JANUARY 06, 2003**, **SLED Drug Box** submitted the above item(s) to me for examination(s) in SLED DRUG ANALYSIS SECURITY ENVELOPE(S), Control Number(s) **B151590**. I tested this (these) item(s) submitted to me using accepted reliable forensic procedures approved by SLED and the above results reflect my conclusions based on my examination(s).

Chemical Test  
Gas Chromatography  
Mass Spectroscopy  
Physical Test

Sworn to me this 6 day of

February, 2003

Janet P. [Signature]  
Notary Public

Chemical Analyst(s)

Marjorie A. Wilson  
Marjorie A. Wilson

February 6, 2003  
Date

My commission expires 10-16-2011

SLED  
Location

MAW

CC: Chesterfield County Solicitor's Office



Form A

REPORT OF ANALYSIS FOR  
CONTROLLED DANGEROUS SUBSTANCES  
(Substance Found)

I, Marjorie A. Wilson, am a Chemical Analyst employed by the South Carolina State Law Enforcement Division (SLED), certified by SLED as a chemist or analyst qualified to perform testing and analyses for controlled dangerous substances prohibited by law in this State by Title 44, Chapter 53 of the Code of Laws and Rule 61-4 of the Department of Health and Environmental Control.

I have 10 years and 7 months experience as a Chemical Analyst. During that period, I have been qualified as an expert witness and testified in court no less than 25 times. I have received the following training as a chemical analyst:

BS in Biology and Criminal Science	Russell Sage College; Troy, NY	1979
Training in Forensic Drug Analysis	New York State Police Crime Laboratory	1979 - 1980
Training in Forensic Drug Analysis	Drug Enforcement Administration	1980
Forensic Scientist in Drug Analysis	New York State Police Crime Laboratories	1979 - 1987
Training in Law Enforcement	South Carolina Criminal Justice Academy	2000 - 2001
Training in Forensic Drug Analysis	South Carolina Law Enforcement Division	2000 - 2001
Marijuana Analysis Certification	South Carolina Law Enforcement Division	2000
Member of the Northeastern Association of Forensic Scientists		1979 - Present

On January 6, 2003, the SLED Drug Box submitted the following items to me for testing or analysis:

102-15130

I tested this (these) item(s) using the following legally reliable forensic laboratory procedures:

Approved by SLED:

- Chemical Test
- Microscopic Test
- Infrared Spectroscopy
- Ultraviolet Spectroscopy

- Gas Chromatography
- Mass Spectroscopy
- Liquid Chromatography
- Other Physical Test

and am of the opinion the item(s) contain(s) the controlled substance(s):

See 102-15130  
(Substance Found and amount or Proportion)

Sworn before me this 6 day of February, 2003

Marjorie A. Wilson  
Marjorie A. Wilson  
Chemical Analyst

[Signature]  
Notary Public for South Carolina

SLED

My Commission expires: 10-16-2011

February 6, 2003  
(Date)

20215730ms

CONTROL NO. B151590

PRINT ALL INFORMATION EXCEPT WHERE SIGNATURE IS REQUIRED

# FORM B (RULE 6)

## CERTIFICATE OF PROOF OF CHAIN OF PHYSICAL CUSTODY OR CONTROL (Initial Custody)

This is to certify that I CI # 2927 am employed by \_\_\_\_\_

(Name of Agency or Department)

and that on \_\_\_\_\_

On 11-20, 02, I seized from Kenyon Gaithers

(Date)

(Name)

pursuant to Controlled Drug Buy

(State Whether Subject to a Warrant, Lawful Arrest or Otherwise)

at or near Pops Club Hwy 207 PogeLand SC

(Place Where Seized)

the following substance(s) or container(s):

(Describe substance or container with sufficient particularity to distinguish it.)

1 yellowish white Rock like object believed to be Crack Cocaine

On 11-20, 02, I made delivery of the above described

(Date)

substance(s) or container(s) to Eric Hewitt of \_\_\_\_\_

(Name)

CCSO  
(Law Enforcement Agency)

in substantially the same condition

as when I received it.

CI # 2927  
(Signature)

Place: \_\_\_\_\_  
Date: \_\_\_\_\_

Sworn before me on this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_

Notary Public for South Carolina  
My Commission expires: \_\_\_\_\_

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

INDICTMENT/CASE#:

COUNTY OF Chesterfield  
STATE \_\_\_\_\_

2003 -GS- 13 - 0031

VS. Kenyon Maithner

A/W#: H-068655

AKA: \_\_\_\_\_

Date of Offense: 11-20-2002

Race: B Sex: M Age: 24

S.C. Code §: 44-53-0375 (B)(8)

DOB: 3/30/78 SS#: \_\_\_\_\_

CDR Code #: 011114

Address: \_\_\_\_\_

CASE RESTORED

DL# \_\_\_\_\_ SID#: \_\_\_\_\_

SENTENCE

PLEA  TRIAL

In disposition of the said indictment comes now the Defendant who was  CONVICTED OF or  PLEADS

TO: Distribution of Powder Cocaine

in violation of § 44-53-370 of the S.C. Code of Laws, bearing CDR Code # 0111813

NON-VIOLENT  VIOLENT  SERIOUS  MOST SERIOUS  17-25-45

The charge is:  As Indicted,  Lesser Included Offense,  Defendant Waives Presentment to Grand Jury.

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

ATTEST:

Don Blake  
Solicitor

Kenyon Maithner  
Defendant

Patricia Paris  
Attorney for Defendant  
*3yrs susp 90 days, 3yrs pica*

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 90 days/months/years and/or payment of \$ \_\_\_\_\_; plus costs and assessments as applicable\*; the balance is suspended with probation for 3 months/years and subject to South Carolina Department of Probation, Parole and Pardon Services standard conditions of probation, which are incorporated by reference.

The Defendant is to be given credit for 58 days/months-jail time.

CONCURRENT or  CONSECUTIVE to sentence on: \_\_\_\_\_

SPECIAL CONDITIONS:

RESTITUTION:  Heard,  Waived,  Ordered

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

Payment Terms: \_\_\_\_\_

set by SCDPPPS \_\_\_\_\_

Recipient: \_\_\_\_\_

\*Fine: \_\_\_\_\_ \$

\$14-1-206 (Assessments 100%) \_\_\_\_\_ \$

\$14-1-211(A)(1) (Surcharge) \_\_\_\_\_ \$ 100.00

\$14-1-211(A)(2) (Surcharge) \_\_\_\_\_ \$

\$56-5-2995 (DUI Assessment) \_\_\_\_\_ \$

3% to County (if paid in installments) \_\_\_\_\_ \$ 3.00

TOTAL \_\_\_\_\_ \$ 103.00

PTUP \_\_\_\_\_

\_\_\_\_\_ days/hours Public Service Employment

Obtain GED \_\_\_\_\_

Attend Voc Rehab. or Job Corps \_\_\_\_\_

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 \_\_\_\_\_

Other: \_\_\_\_\_

*True Copy, Attest*  
*Patricia Paris*  
CLERK OF COURT C.P. & G.S.  
CHESTERFIELD COUNTY, SC

Faye J. Sellers  
Clerk of Court/ Deputy Clerk

PRESIDING JUDGE Patricia Paris

Judge Code: 0101418

Sentence Date: 2-3-03

Court Reporter: Hattie Gordon

WITNESSES

5  
*[Signature]*

Officer: Hewett, Eric  
Agency: Chesterfield Sheriff's Department

DOCKET NO. 2003-GS-13-31

The State of South Carolina

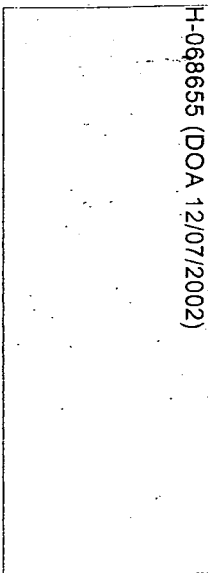
County of Chesterfield

COURT OF GENERAL SESSIONS

JANUARY TERM 2003

WARRANT NUMBERS

H-069855 (DOA 12/07/2002)



THE STATE

VS.

Kenyon Gaither

ACTION OF GRAND JURY

*True Bill*

*[Signature]*

Foreperson of Grand Jury

VERDICT

CDR CODE 114

Indictment for  
\$44-53-0375(B)(3)

DISTRIBUTION OF CRACK COCAINE

Foreperson of Petit Jury

Date

A True Copy, Attest

*[Signature]*

CLERK OF COURT C.P. & G.S.  
CHESTERFIELD COUNTY, SC

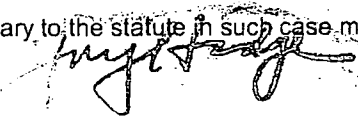
STATE OF SOUTH CAROLINA  
County of Chesterfield

) INDICTMENT FOR  
) **§44-53-0375(B)(3)**  
) **POSSESSION WITH INTENT TO DISTRIBUTE CRACK COCAINE**  
)  
)

At a Court of General Sessions, convened in January 2003 the Grand Jurors of Chesterfield County present upon their oath:

That KENYON GAITHER did in Chesterfield County on or about December 7, 2002, possess with intent to distribute a quantity of crack cocaine, a controlled substance, at Pop's Place, Pageland, South Carolina, such possession with intent to distribute not having been authorized by law. This is in violation of Section 44-53-375(B)(3) of the Code of Laws of South Carolina (1976), as amended.

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



DOCKET NO. 2003-GS-13-34

Solicitor

A True Copy, Attest  
*Loye S. Sellers*  
CLERK OF COURT C.P. & G.S.  
CHESTERFIELD COUNTY, SC

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

INDICTMENT/CASE#:

COUNTY OF Chesterfield

2003 -GS- 13 - 32

STATE VS.

A/W#: H - 068654

Kenyon Mathew

Date of Offense: 11-20-2002

AKA:

S.C. Code §: 44-53-0375(B)(3)

Race: B Sex: M Age: 24

CDR Code #: 011114

DOB: 3/30/78 SS#:

CASE RESTORED

Address:

SENTENCE

DL# \_\_\_\_\_ SID# \_\_\_\_\_

PLEA  TRIAL

In disposition of the said indictment comes now the Defendant who was  CONVICTED OF or  PLEADS

TO: Distribution of Powder Cocaine

in violation of § 44-53-370 of the S.C. Code of Laws, bearing CDR Code # 0111813

NON-VIOLENT  VIOLENT  SERIOUS  MOST SERIOUS  17-25-45

The charge is:  As Indicted,  Lesser Included Offense,  Defendant Waives Presentment to Grand Jury.

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

ATTEST:

[Signature]  
Solicitor

[Signature]  
Defendant

[Signature]  
Attorney for Defendant

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 90 ~~days/months~~ years and/or payment of \$ \_\_\_\_\_; plus costs and assessments as applicable\*; the balance is suspended with probation for 3 ~~months~~ years and subject to South Carolina Department of Probation, Parole and Pardon Services standard conditions of probation, which are incorporated by reference.

The Defendant is to be given credit for 58 ~~days~~ months jail time.

CONCURRENT or  CONSECUTIVE to sentence on: \_\_\_\_\_

SPECIAL CONDITIONS:

RESTITUTION:  Heard,  Waived,  Ordered

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

Payment Terms: \_\_\_\_\_

set by SCDPPPS \_\_\_\_\_

Recipient: \_\_\_\_\_

\*Fine: ..... \$ \_\_\_\_\_

§14-1-206 (Assessments 100%) ..... \$ \_\_\_\_\_

§14-1-211(A)(1) (Surcharge) ..... \$ 100.00

§14-1-211(A)(2) (Surcharge) ..... \$ \_\_\_\_\_

§56-5-2995 (DUI Assessment) ..... \$ \_\_\_\_\_

3% to County (if paid in installments) ... \$ 3.00

TOTAL ..... \$ 103.00

PTUP \_\_\_\_\_  
\_\_\_\_\_ days/hours Public Service Employment  
Obtain GED \_\_\_\_\_  
Attend Voc Rehab. or Job Corps \_\_\_\_\_  
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: \_\_\_\_\_

A True Copy, Attest  
[Signature]  
CLERK OF COURT, Employment  
CHESTERFIELD COUNTY, SC

[Signature]  
Clerk of Court/ Deputy Clerk

Court Reporter: [Signature]

PRESIDING JUDGE [Signature]  
Judge Code: 0101418  
Sentence Date: 2-3-03

White - Clerk

Green - Corrections

Canary - Probation

Pink - Defendant

WITNESSES

5  
*Eric Hewett*

Officer: Hewett, Eric  
Agency: Chesterfield Sheriff's Department

DOCKET NO. 2003-GS-13-32

The State of South Carolina

County of Chesterfield

COURT OF GENERAL SESSIONS

JANUARY TERM 2003

WARRANT NUMBERS

H-068654 (DOA 12/07/2002)

[Empty box for warrant numbers]

ACTION OF GRAND JURY

*True Bill*

*Justine Childs*  
Foreperson of Grand Jury

VERDICT

DISTRIBUTION OF CRACK COCAINE

Kenyon Gaither

THE STATE

VS.

CDR CODE 114

Indictment for  
§44-53-0375(B)(3)

Foreperson of Petit Jury

Date

A True Copy, Attest  
*Jaye S. Sellers*  
CLERK OF COURT C.P. & G.S.  
CHESTERFIELD COUNTY, SC

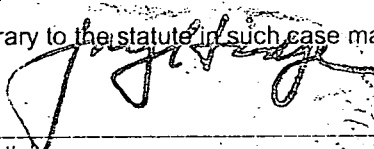
STATE OF SOUTH CAROLINA  
County of Chesterfield

) INDICTMENT FOR  
)  
) **§44-53-0375(B)(3)**  
) DISTRIBUTION OF CRACK COCAINE  
)  
)

At a Court of General Sessions, convened in January 2003 the Grand Jurors of Chesterfield County present upon their oath:

That KENYON GAITHER did in Chesterfield County on or about November 20, 2002, distribute to a confidential informant who was working for the Chesterfield County Sheriff's Department and Pageland Police Department while at POP'S Place on North Elm Street, Pageland, South Carolina, a quantity of Crack Cocaine, a controlled substance, and such distribution not having been authorized by law. This is in violation of Section 44-53-375(B)(3) of the Code of Laws of South Carolina (1976), as amended.

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



DOCKET NO. 2003-GS-13-32

Solicitor

A True Copy, Attest  
*Loye S. Sellers*  
CLERK OF COURT, C.P. & G.S.  
CHESTERFIELD COUNTY, SC

STATE OF SOUTH CAROLINA

COUNTY OF Chesterfield  
STATE VS.  
Kenyon Haither  
AKA: \_\_\_\_\_  
Race: B Sex: M Age: 24  
DOB: 3/30/78 SS#: \_\_\_\_\_  
Address: \_\_\_\_\_  
DL# \_\_\_\_\_ SID#: \_\_\_\_\_

IN THE COURT OF GENERAL SESSIONS  
INDICTMENT/CASE#:

2003-GS-13-0034  
A/W#: F849519  
Date of Offense: 12-7-2002  
S.C. Code §: 44-53-0325(B)(3)  
CDR Code #: 011114  
 CASE RESTORED

SENTENCE

PLEA  TRIAL

In disposition of the said indictment comes now the Defendant who was  CONVICTED OF or  PLEADS

TO: Possession With Intent to Distribute Powder Cocaine  
in violation of § 44-53-370 of the S.C. Code of Laws, bearing CDR Code # 0111813

NON-VIOLENT  VIOLENT  SERIOUS  MOST SERIOUS  17-25-45

The charge is:  As Indicted,  Lesser Included Offense,  Defendant Waives Presentment to Grand Jury.

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

ATTEST:

Jan Blake  
Solicitor

Kenyon Haither  
Defendant

Patricia C. Ruis  
Attorney for Defendant  
*15yrs susp 90d 3yr.s.p.v.c.h*

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 90 days/months/years and/or payment of \$ \_\_\_\_\_; plus costs and assessments as applicable\*; the balance is suspended with probation for 3 months/years and subject to South Carolina Department of Probation, Parole and Pardon Services standard conditions of probation, which are incorporated by reference. (pmb)

The Defendant is to be given credit for 50 days/months jail time.

CONCURRENT or  CONSECUTIVE to sentence on: \_\_\_\_\_

SPECIAL CONDITIONS:

RESTITUTION:  Heard,  Waived,  Ordered  
Total: \$ \_\_\_\_\_ plus 20% fee: \$ \_\_\_\_\_  
Payment Terms: \_\_\_\_\_  
 set by SCDPPPS

Recipient: \_\_\_\_\_  
\*Fine: ..... \$ \_\_\_\_\_  
§14-1-206 (Assessments 100%)..... \$ \_\_\_\_\_  
§14-1-211(A)(1) (Surcharge) ..... \$ 100.00  
§14-1-211(A)(2) (Surcharge) ..... \$ \_\_\_\_\_  
§56-5-2995 (DUI Assessment)..... \$ \_\_\_\_\_  
3% to County (if paid in installments)..... \$ 3.00  
TOTAL ..... \$ 103.00

PTUP \_\_\_\_\_  
\_\_\_\_\_ days/hours Public Service  
Obtain GED \_\_\_\_\_  
Attend Voc Rehab. or Job Corps \_\_\_\_\_  
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: \_\_\_\_\_

A True Copy, Attest  
Jaye L. Sellers  
CLERK OF COURT, C.P. & G.S.  
CHESTERFIELD COUNTY, SC

Jaye L. Sellers  
Clerk of Court/ Deputy Clerk

Court Reporter: Walter Gordon  
White - Clerk Green - Corrections

PRESIDING JUDGE Paul...  
Judge Code: 0101418  
Sentence Date: 2-3-03  
Canary - Probation Pink - Defendant

WITNESSES

5  
Officer: *Shawn W. Ayers*  
Hewett, Eric  
Age: *34*  
Chesterfield Sheriff's Department

DOCKET NO. 2003-GS-13-34

The State of South Carolina

County of Chesterfield

WARRANT NUMBERS

F-849519 (DOA 12/09/2002)

COURT OF GENERAL SESSIONS

JANUARY TERM 2003

THE STATE

vs.

Kenyon Gaither

ACTION OF GRAND JURY

*True Bill*

*Shawn W. Ayers*  
Foreperson of Grand Jury

CDR CODE 114

VERDICT

Indictment for  
§44-53-0375(B)(3)

POSSESSION WITH INTENT TO  
DISTRIBUTE CRACK COCAINE

Foreperson of Petit Jury

Date

A True Copy, Attest

*Jaye S. Sellers*

CLERK OF COURT C.P. & G.S.  
CHESTERFIELD COUNTY, SC

STATE OF SOUTH CAROLINA

County of Chesterfield

)  
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INDICTMENT FOR

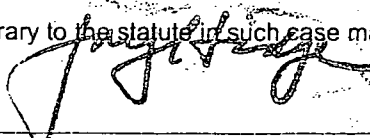
§44-53-0375(B)(3)

DISTRIBUTION OF CRACK COCAINE

At a Court of General Sessions, convened in January 2003 the Grand Jurors of Chesterfield County present upon their oath:

That KENYON GAITHER did in Chesterfield County on or about November 20, 2002, distribute to a confidential informant who was working for the Chesterfield County Sheriff's Department and Pageland Police Department while at POP'S Place on North Elm Street, Pageland, South Carolina, a quantity of Crack Cocaine, a controlled substance, and such distribution not having been authorized by law. This is in violation of Section 44-53-375(B)(3) of the Code of Laws of South Carolina (1976), as amended.

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



DOCKET NO. 2003-GS-13-32

Solicitor

A True Copy, Attest  
*Loye S. Sellers*  
CLERK OF COURT, C.P. & G.S.  
CHESTERFIELD COUNTY, SC