

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

Certiorari to Greenville County
Robin B. Stilwell, Circuit Court Judge

ORLANDO PARKER

PETITIONER,

V.

STATE OF SOUTH CAROLINA

RESPONDENT.

APPELLATE CASE NO. 2014-001911

PETITION FOR WRIT OF CERTIORARI

ORLANDO PARKER, SCDC #346628
Pro se
Lee C.I. -- F5 B-278
990 Wisacky Hwy.
Bishopville, S.C. 29010-1775

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ISSUES PRESENTED

- (1) Trial counsel was ineffective for failing to research and investigate the facts of the case.
- (2) Trial counsel was ineffective for not objecting to Mr. Parker not being read his constitutional Miranda rights prior to his being questioned by deputies.
- (3) Trial counsel was ineffective for failing to object to Georgia deputy's unauthorized presence in South Carolina and for failing to interview and investigate this State's witness.
- (4) Trial counsel was ineffective for his failure to object to inadmissible hearsay and character evidence testimony regarding petitioner's demeanor.

STATEMENT

Petitioner, Orlando Parker, SCDC #346628, was convicted of trafficking in cocaine after a jury trial held before the Honorable Edward Miller June 23-24, 2011 in Greenville County. A thirty (30) year sentence was imposed. Richard Warder, Esq., was trial counsel. Ryan Holloway, Esq., was the assistant solicitor. (App. p.1-229). Petitioner appealed his conviction and it was affirmed by the Court of Appeals May 8, 2013. State v Parker, Op. No. 2013-UP-180. (App. p.230-294).

Petitioner filed an application for post-conviction relief (PCR) August 2, 2013. (App. p.295-305). Respondent filed its return April 8, 2014. (App. p.306-311). An evidentiary hearing was held June 18, 2014 before the Honorable Robin B. Stilwell. Brian P. Johnson, Esq., was post-conviction relief counsel for the petitioner herein. Karen Ratigan, Esq., was senior assistant Deputy Attorney General. Petitioner testified and presented the testimony of Shatana Alexander. Trial counsel testified for the respondent. (App. p.312-340). August 1, 2014, Judge Stilwell issued an order denying and dismissing petitioner's application for post-conviction relief. (App. p.314-348).

Petitioner received a copy of the Order of Dismissal August 13, 2014. (See Attachments 1 and 2). At which time he wrote his PCR counsel and asked him to file a Rule 59(e) Motion to Alter or Amend Judgment. Petitioner's PCR counsel responded in a letter dated August 19, 2014 ... "I cannot file a motion to reconsider as you have ten days to file...." (See Attachment 3).

This petition follows.

Trial counsel was ineffective for failing to research and investigate the facts of the case.

There were several obvious red flags in the police report alone that had trial counsel investigated he would not have only known these issues but he would/should have been prepared at trial to attack them.

The police report states: The officers followed Parker's vehicle "...for approximately a mile while pacing the jeep at 68 mph in a 60 mph zone..." (See Attachment 5). Officer Blair testified to the same at trial. (App. p.29, lines 18-19 and p.87, lines 7-8). However, the vehicle and equipment sheet shows that the vehicle Blair was issued was equipped with radar. (See Attachment 7). That makes pacing a vehicle very strange and very unnecessary. (Question, "what does police procedure say" for this tactic?) The radar could have and should have been examined to substantiate whether it had been used at the time of the stop, and if so, what was the recorded speed clocked. Potentially, this could have "and would have" shown that the vehicle was not speeding at all, thereby, showing reason for a authorized stop not to exist and therefore unauthorized. An illegal stop, without probable cause taints any evidence secured as illegally obtained. "A citizen has the legal right to the reasonable expectation of privacy from the invasion by the State while driving it's highways ... from a random stop and search ... without probable cause."

The police report also states: "Detective Tra Skardon, DEA liaison, advised us to transport the suspects, vehicle, and drugs to the DEA office for evaluation." (See Attachment 6). In court, both Officer Blair and Estes adamantly testified that the vehicle was towed from mile marker 52. (App. p.58, lines 17-25 and p.64, line 17 thru p.66, line 14). In addition to the contradictory testimony, the defendants were questioned while they were in

custody and before any order of commitment was made in flagrant disregard of policy and procedure. The arresting officers were required by 18 U.S.C.S. § 595 and S.C. Code 1942, §§ 907, 920 to take the defendants before the nearest judicial officer having jurisdiction under existing laws for a hearing, commitment or taking bail for trial.

The police report states: At the detention center "...Both suspects were given their copies of the warrants as well as copies of their citations..." (See Attachment 6). Officers are required by law to conclude the purpose of the initial stop, i.e. the issuance of citations, before any further detention for investigative questioning. State v Morris, 395 S.C. 600, 720 S.E.2d 468 (S.C. App.2011). Blair reported the completion of the stop at 1945. (See Attachment 4). A full 3 hours and 39 minutes after the stop began, the defendants were given their citations for the initial stop in clear violation of the law and petitioners right to due process.

Lastly, the police report says: " The cocaine was measured, one package weighed 1138.1 grams and one 1161.2 grams." ((See Attachment 6). The total of 2299.3 grams is marked in the SEIZED box on Attachment 4. The Property and Evidence Report, State's Exhibit #7, lists the weight at 2299.3 grams. (See Attachment 8). Yet, the Drug Analysis Report, State's Exhibit #8, lists the weight as being 1998.10 grams. (See Attachment 9). Not only did trial counsel not challenge the difference in the initial reported weights and that later testified to, he conceded to the weight as being accurate stated at 1998.10 grams. (App. p.136-37, lines 11 thru 3). At petitioner's PCR hearing, his trial counsel was asked about Rule 6, Chain of Custody report and he testified: "I'm sure we looked over how the chain existed. And they proved it at trial in the same manner." (App. p.333, lines 20-21). Because of trial counsel's incompetence, vital to this issue, the State was allowed to proceed without having to prove it's chain of custody at trial or answer as to why

there was over 300 grams missing from the stated initial weight of cocaine seized from the illegal stop and search. See App. p.347 ... Even the Order of Dismissal erroneously addresses the weight. "The officers searched the vehicle and ultimately found 1998.10 grams of cocaine."

Petitioner contends, there is a reasonable probability that but for counsel's errors, the result of the proceeding would have had a different outcome. Cherry v State, 300 S.C. ____, 386 S.E.2d 624 (1989). A "reasonable probability" is simply a probability sufficient to undermine confidence in the outcome of the trial. Johnson v State, 325 S.C. 182, 480 S.E.2d 733 (1997).

Trial counsel was ineffective for not objecting to Mr. Parker not being read his constitutional Miranda rights prior to his being questioned by deputies.

A suspect is "in custody" for Miranda purposes if the suspect has been formally arrested or if he is questioned under circumstances in which his freedom of action is curtailed "of the degree associated with a formal arrest." California v Beheler, 483 U.S. 1121, 1125 (1983).

In the present case, petitioner was immediately ordered from the vehicle. At that time, Officer Blair testified that he smelled the odor of "burnt marijuana". After being patted down it is clear that petitioner was not free to leave during the interrogation at the front of the patrol car. Petitioner had been asked all of the questions pertaining to his driving without a license before Blair questioned him further about there being marijuana in the car.

To determine whether a defendant was in custody for purposes of Miranda, courts are to determine "first, what were the circumstances surrounding the interrogation; and second, given the circumstances, would a reasonable person have felt he or she was not at liberty to terminate the interrogation and leave." Thompson v Keohane, 516 U.S. 99, 112, 116 S.Ct. 457, 133 L.Ed.2d 383 (1995).

At the time petitioner was questioned about marijuana being in the car ... Blair had not only detained him but clearly determined he would be arrested for driving offenses. Despite having verified petitioner's identity and license status by radio and having Alexander's divers licence. Blair testified: "I got his information and I was able to verify that. At which point I asked him I could smell the marijuana in the car, where is it?" (App. p.32, lines 8-11). Mr. Parker, the petitioner herein, was clearly not going to be released with just citations only. It was therefore evident to Mr. Parker

that he was being arrested and that he was already in the States custody at the time, as he was being questioned while standing there, on the highway next to the patrol car.

Improperly obtained statements that resulted from an illegal interrogation are subject to suppression. A person is "interrogated for Miranda purposes not only when the police expressly question him, but also when the police use any words or actions that they should know are reasonably likely to elicit an incriminating response." Rhode Island v Innis, 446 U.S. at 301, 100 S.Ct. 1682 (1980) "...the definition of interrogation can extend only to words or actions on the part of police officers that they should have known were reasonably likely to elicit an incriminating response." *Id.* at 301-02, 100 S.Ct. 1682. There can be no doubt that Blair's questions in this case were intended to obtain an incriminating response. "...I said I smelled the marijuana and it would be best to just let me know where it was..." (App. p.93, lines 12-13).

Statements obtained from a defendant during custodial interrogation are presumptively compelled in violation of the Fifth Amendment, unless the Government shows that law enforcement officers adequately informed the defendant of his Miranda rights and obtained a waiver of those rights. U.S. v Cardwell, 433 F.3d 378, 388-89 (4th Cir.2005).

Trial counsel was ineffective for not objecting to officer Blair's testimony about never reading petitioner his Miranda rights under Miranda. (App. p.43, lines 21-23, pgs.46-47, lines 25-2). Petitioner's trial counsel should have asked for the evidence to be suppressed due to the Miranda violations. Trial counsel didn't cite any case law pertaining to Miranda during the Jackson v Denno hearing although petitioner had told him numerous times, months in advance, that he was never read his rights under the Miranda law.

Trial counsel was ineffective for failing to object to Georgia deputy's unauthorized presence in South Carolina and for failing to interview and investigate this State's witness.

At App. p.344, the Order of Dismissal says: "Trial counsel testified he was aware (from the discovery materials) that two of the arresting Officers were from Georgia." However, there is no mention of a second Georgia deputy in any of the discovery materials. The second deputy was only mentioned at trial once, and his name was never put on the record. At trial, the officers offered conflicting accounts. At App. p.28, lines 24-25, Blair testified: "Most of the K-9 officers within our department were each assigned." Then at App. p.132, lines 11-12, Officer Reider, a non K-9 officer, testified: "I had a sergeant from the Butt's County Sheriff's Office riding with me on that day." When asked about not having "any kind of written jurisdictional contracts, agreements or anything like that?" Blair answered: "Not that I'm aware of." (App. p.28, lines 19-21). And "...all that was taken care of through administration." (App. p.29, line 1). When pressed by Alexander's counsel, he testified: "...once again that would be handled by my chief or the administration above me." (App. p.55, lines 9-10). Contrary to Blair's testimony, Greenville Chief of Police, Terri Wilfong, states in a letter dated March 15, 2012, "there is not a joint venture agreement between the Greenville police department and the Butt's County Sheriff's Office. (See Attachment 10).

Trial counsel received the discovery materials in November of 2010, seven months before trial. Although he knew of the unprecedented presence of out-of-state deputies, he never interviewed them or investigated their presence and involvement in the State of South Carolina. In Ard v Catoe, 372 S.C. 318, 642 S.E.2d 590 (2007), the court wrote that a criminal defense attorney had a duty to investigate. This includes interviewing potential witnesses. The failure to investigate can lead to a failure of effective cross

examination of a witness which can result in ineffective assistance of counsel. Had trial counsel investigated, he would have, or a least should have, known that South Carolina Code of Law § 23-23-40 provides in part: "No law enforcement officer employed or appointed on or after July 1, 1989 by any law enforcement agency in this state is authorized to enforce the laws or ordinances of this State or any political subdivision thereof unless he has been certified as qualified by the Law Enforcement Training council."

South Carolina Code of Law § 23-1-210 provides for the temporary transfer of South Carolina officers within South Carolina, but it does not provide for the transfer of an officer from any of the other states to be transferred into South Carolina, even for multi-jurisdictional task forces. The State offered no proof as to Butt's County Georgia Sheriff's Deputy Broce's qualifications as a certified officer, nor did the State offer evidence of compliance within § 23-1-210 as to written agreement stating the conditions and terms of the temporary employment of out-of state officers. Absent proof of a valid written agreement to give Broce legal police authority within the state of South Carolina, he could not act in any official law enforcement capacity. See State v Burgess, 393 S.C. 396, 712 S.E.2d 1 (Ct. App.2011).

The case law cited in the Order of Dismissal, (State v Hammond, Kirby v Bento, and State v Boswell ... App. p.346) are all cases involving officers within the same state with the properly obtained and documented paperwork in accordance with South Carolina laws and procedure. The presence of out-of-state officers is so unusual that not one case could be found to be included in the order for dismissal. Broce did not have the paperwork necessary authorizing him to be acting in any official capacity within the borders of South Carolina because there is not any paperwork that authorizes out-of-state officers to enforce the laws in South Carolina. The dismissal

order tries to minimize Broce's involvement, but the record is clear that he initiated the search and was the deputy who found the drugs used at petitioner's trial. (App. p.37-42, line 7-6; p.97-100, line 7-19; p.128-130, line 12-13). The officers were acting in bad faith and any investigation by petitioner's attorney would have quickly uncovered that fact. Law officers from neighboring counties must follow strict procedures and protocol when crossing over into other jurisdictions, but an "out-of-state" officer cannot come into the state of South Carolina without documented permission or administrative knowledge and do as he pleases....

Trial counsel had knowledge of these out-of-state officers for over 7 months yet it never crossed his mind to find out who authorized this illegal task force. Nor did he object to Broce being in South Carolina without any authorizing paper work. When questioning Broce he only asked him 3 questions ... none-of-which pertained to how he came to be in South Carolina or about the drugs he found. (App. p.131, lines 3-12).

"...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." Strictland 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). Resulting in the ineffective assistance of trial counsel.

Trial counsel was ineffective for his failure to object to inadmissible hearsay and character evidence testimony regarding petitioner's demeanor.

Petitioner's, Mr. Parker, right to due process of law as guaranteed by the fourth and fifth amendments to the United States Constitution and South Carolina law was violated when trial counsel failed to object to evidence regarding witnesses opinions about Mr. Parker's demeanor in that the evidence was inadmissible as hearsay and character evidence. See e.g., S.C. Const. Ann. art. I, § 14 (2004); Player v Thompson, 259 S.C. 600, 193 S.E.2d 531 (1972); State v Williams, 285 S.C. 544, 548, 331 S.E.2d 354, 356 (Ct. App.1985); SCRE, Rule 404(b) and Rule 802.

Officer Blair testified at App. p.99, lines 18-20: "I thought he was crying. He said he wasn't but he was sweating profusely." State and federal law prohibits the introduction of this type of evidence because such evidence allows the jury to rely on the opinions of the witness. It is the jury's province to determine guilt or innocence. These statements constitute hearsay and improper lay opinions and inherently harmed petitioner's trial, therefore, trial counsel should be held accountable for his ineffectiveness for not objecting to their admissibility. A trial counsel's failure to object to improper hearsay testimony constitutes ineffective assistance of counsel. The comments and statements were not admissible, and the fact that they were admitted constitutes error. Trial counsel should have objected to the admissibility of these statements and if he was overruled, he would have safeguarded the issues in the record for appeal, for which he did not, and therefore became ineffective as counsel for petitioner as written in Strickland v Washington, supra.

CONCLUSION

Petitioner argues this Honorable Court to consider the four (4) issues presented, herein, of which he feels any one standing alone or in conjunction with his predominate claim of ineffective assistance of counsel, require the vacating of his conviction and that he should be given his opportunity at a fair and just trial.

Dated this 15 day of April, 2015.

Respectfully submitted,



Orlando Parker, SCDC #346628

Pro se

Lee C.I. — F5 B-278

990 Wisacky Hwy.

Bishopville, S.C. 29010-1775

Attachment # 1

LAW OFFICE OF BRIAN P. JOHNSON, LLC

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F. 864.672.4009
www.brianpjohnsonlaw.com

522 North Church Street
Greenville, SC 29601
brian@brianpjohnsonlaw.com

August 6, 2014

VIA U.S. POSTAL

Orlando Parker
SCDC# 346628
Lee Correctional Institute, RIC – 278
990 Wisacky Hwy
Bishopville, SC 29010

Re: Orlando Parker vs. State of South Carolina
Case No.: 2013-CP-23-04175

Dear Mr. Parker:

Please find a copy of the Order of Dismissal regarding your application for Post Conviction Relief. Note, that we have thirty (30) days to appeal the decision of the Court. Please let me know if you wish for me to file an appeal.

If you have any questions or concerns feel free to write me at the above address.

Thank you.

Sincerely,



Brian P. Johnson, Esquire

BPJ/lf

Attachment #2

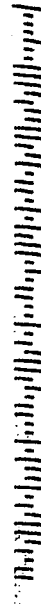
Law Office of Brian P. Johnson
522 North Church Street
Greenville, SC 29601

RECEIVED

AUG 11 2014

LEE CI MAIL ROOM

Orlando Parker
SCDC# 346628
Lee Correctional Institute, RIC - 278
990 Wisacky Hwy
Bishopville, SC 29010



2901031775 0002

Attachment # 3

LAW OFFICE OF BRIAN P. JOHNSON, LLC

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522 North Church Street
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August 19, 2014

VIA U.S. POSTAL

Orlando Parker
SCDC# 346628
Lee Correctional Institute, RIC - 278
990 Wisacky Hwy
Bishopville, SC 29010

Re: PCR Case No.: 2013-CP-23-04175

Dear Mr. Parker:

I am writing in response to your letter received on August 19, 2014.

Please note that we received notice of the Order of Dismissal on August 6, 2014, and as such, I cannot file a motion to reconsider as you have ten (10) days to file a Rule 59(e) Motion to Alter or Amend Judgment.

In any case, I will take this letter as notice that you wish to appeal and will file an appeal on your behalf.

If you have any questions or concerns feel free to write me at the above address.

Thank you.

Sincerely,



Brian P. Johnson, Esquire

BPJ/lf

Attachment #4

AGENCY I.D. OFFENSE CLASS DAY GREENVILLE POLICE DEPARTMENT CASE NUMBER NCIC ENTRY
SCO230200 35A 09D 09 GREENVILLE POLICE DEPARTMENT INCIDENT REPORT 09000023262

INCIDENT TYPE	OFFENSE COMPLETED	FORCED ENTRIES	PRESSURE TYPE	UNITS ENTERED	TYPE VICTIM
TRAFFICKING COCAINE	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	13 Highway/Road/Alley	0	<input type="checkbox"/> INDIVIDUAL <input type="checkbox"/> BUSINESS <input type="checkbox"/> FINANCIAL EST. <input type="checkbox"/> GOVERNMENT <input type="checkbox"/> RELIG. ORG. <input type="checkbox"/> SOC/PUBLICUS <input type="checkbox"/> OTHER <input type="checkbox"/> UNKNOWN <input type="checkbox"/> POLICE OFF.
SIMPLE POSSESSION OF MARIJUANA	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	13 Highway/Road/Alley	0	
NO STATE DL	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	13 Highway/Road/Alley	0	
INCIDENT LOCATION (BUILDING, NEIL VILLAGE, APARTMENT AND NUMBER, STREET NAME AND NUMBER)				ZIP CODE	
I-85 NORTH AND WOODRUFF ROAD				29607	
INCIDENT DATE	TIME	TO DATE	TIME	WEAPON TYPE	TIME ARRIVED
03122009	1606				1606
DEPARTMENT'S NAME (LAST, FIRST, MIDDLE)				RELATIONSHIP TO SUBJECT	RESIDENT
GPD UNIT #255				ST Stranger	J A M 37 N
ADDRESS				CITY	STATE
MC GEE STREET				GREENVILLE	SC
VICTIM'S NAME LAST, FIRST, MIDDLE				RELATIONSHIP TO SUBJECT	RESIDENT
SOCIETY & PUBLIC					
ADDRESS				CITY	STATE
				GREENVILLE	SC

VEHICLE MAKE (VICT. 1)	VEHICLE MODEL (VICT. 1)	VEHICLE YEAR (VICT. 1)	VEHICLE COLOR (VICT. 1)	VEHICLE TYPE (VICT. 1)
VEHICLE LICENSE (VICT. 1) YES <input type="checkbox"/> NO <input type="checkbox"/> EXPLAIN				
COMPLAINT OF ANY NON-VEHICLES CHARGED YES <input type="checkbox"/> NO <input type="checkbox"/>				
VICTIM (NO. 1) USING ALCOHOL YES <input type="checkbox"/> NO <input type="checkbox"/> UNK. DRIVER: YES <input type="checkbox"/> NO <input type="checkbox"/> UNK. TYPE				
SUSPECT NAME (LAST, FIRST, MIDDLE)				
PARKER, ORLANDO				
RACE SEX AGE ETH DATE OF BIRTH HEIGHT WEIGHT HAIR EYES				
B M 39 N 11231969 602 210 BALD BRO				
WANTED				
SYLVANIA AVENUE				
FACIAL HAIR, SCARS, TATTOOS, GLASSES, CLOTHING, PHYSICAL, PSYCHIATRY, ETC.				
PITTSBURGH PA 15210 OJ				
SUBJECT (NO. 1) USING ALCOHOL YES <input type="checkbox"/> NO <input type="checkbox"/> UNK. ARRESTED NEAR OFFENSE SCENE YES <input type="checkbox"/> NO <input type="checkbox"/>				
DATE/TIME OF OFFENSE: 03122009 1606 DATE/TIME OF ARREST: 03122009 1615				
ARRESTED ARMED: YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> WEAPON TYPE: UNK. TYPE: E Marijuana TOTAL # ARRESTED: 2				
ARRESTED ON CURRENT OFFENSE <input type="checkbox"/> CLEARED BY ARREST ON PRIOR OFFENSE <input type="checkbox"/>				
JUVENILE DISPOSITION: 1: <input type="checkbox"/> HANDLED, RELEASED <input type="checkbox"/> REFERRED TO OTHER AUTHORITY <input type="checkbox"/> ON VIEW ARREST <input type="checkbox"/> SUMMONED <input type="checkbox"/> CUSTODY <input type="checkbox"/>				

CHARGES			WARRANTS	TICKET
TRAFFICKING COCAINE 400 GRAMS OR MORE			M-068707	
TRAFFICKING COCAINE 400 GRAMS OR MORE			M-068708	
SIMPLE POSSESSION OF MARIJUANA				41539 EF
STOLEN	TAO NUMBER	STATE	YEAR	VIA
	HBK 6951	PA	09	1J4GR48K06C356497
RECOVERED	YEAR	MAKE	MODEL	STYLE
	06	JEEP	LAREDO	4-DR
SUSPECT	TAO ONLY	ADDITIONAL VEHICLE DESCRIPTION		
TWO-BAR VEH. <input type="checkbox"/> ONE-BAR VEH. <input type="checkbox"/> DETECTIVE/EM-ALERT. <input type="checkbox"/> OTHER <input type="checkbox"/>				
ALONE <input type="checkbox"/> ASSISTED <input type="checkbox"/> 2 - THIS JURISDICTION 3-STATE 0-OUT OF STATE UNKNOWN				

SEE SUPPLEMENTAL

JURISDICTION OF THEFT		JURISDICTION OF RECOVERY	
TYPE	10 Drugs/Narcotics	TOTAL VALUE	
STOLEN			
DAMAGED			
CURSED			
RECOVERED			
SEIZED	2299.3 GRAMS	2299.3 GRAMS	

SUBJECT IDENTIFIED	SUBJECT LOCATED	ACTIVE	ADMS CLOSED	ARRESTED UNDER 18	EL-CLEAR UNDER 18
YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
REASON FOR EXCEPTIONAL CLEARANCE: 1. <input type="checkbox"/> OFFENDER DEATH 2. <input type="checkbox"/> NO. PROSECUTION 3. <input type="checkbox"/> VICTIM/DECLINES COOPERATION 4. <input type="checkbox"/> EXTRADITION DENIED 5. <input type="checkbox"/> JUVENILE, NO ARREST		ARRESTED 18 AND OVER <input type="checkbox"/> EL-CLEAR 18 AND OVER <input type="checkbox"/>			

REPORTING OFFICER	STAR #	DATE	UNIT #	APPROVING OFFICER	DATE	UNIT NO
BLAIR, CM *457	457	03122009	255	<i>[Signature]</i>	03-12-09	257
REASON FOR EXCEPTIONAL CLEARANCE: 1. <input type="checkbox"/> OFFENDER DEATH 2. <input type="checkbox"/> NO. PROSECUTION 3. <input type="checkbox"/> VICTIM/DECLINES COOPERATION 4. <input type="checkbox"/> EXTRADITION DENIED 5. <input type="checkbox"/> JUVENILE, NO ARREST				Follow Up Investigator: YES <input type="checkbox"/> NO <input type="checkbox"/>		

CRIME ANALYSIS PIO RECORDS DETECTIVES ROLL CALL

273

Mf 8/16/09 e

India

15 NOV 07 06

AGENCY I.D.
SCO230200

GREENVILLE POLICE DEPARTMENT
SUPPLEMENTAL REPORT

CASE NUMBER

09, 000, 02, 3, 2, 6, 2

NCIC
INO. ENT.

ORIGINAL REPORT STATUS CHANGE ADDITIONAL VICTIMS ADDITIONAL STOLEN PROPERTY INCIDENT TYPE: **TRAFFICKING COCAINE 400 GRAMS OR MORE**

SUPPLEMENTAL REPORT ADDITIONAL OFFENDERS ADDITIONAL RECOVERED PROPERTY PATROL DISTRICT: **INTERSTATE** PAGE **2** OF **4** PAGES

COMPLAINANT NAME (LAST, FIRST, MIDDLE): **ALEXANDER, SHATANA LYNN**

VICTIM RELATIONSHIP TO SUBJECT: #1 #2 #3

RESIDENT RACE SEX AGE D.O.B. ETH: **O B F 24 09291984**

ADDRESS CITY STATE ZIP CODE PATROL DISTRICT: **CEDARHURST STREET PITTSBURGH PA 15210 OJ**

HEIGHT WEIGHT HAIR EYES: **508 145 BRO BRO**

FACIAL HAIR, SCARS, TATTOOS, GLASSES, CLOTHING, PHYSICAL PECULIARITIES, ETC.:

COMPLAINT OF NON-VISIBLE INJURIES: NO YES

VICTIM USING ALCOHOL: NO YES UNK

DRUGS: NO YES TYPE: **E Marijuana**

ARRESTEE ARMED: YES NO WEAPON TYPE: SEMI-AUTO FULL-AUTO

JUVENILE DISPOSITION: 1. HANDLED, RELEASED REFERRED TO OTHER AUTHORITY

On 3-12-2009 at approximately 4:00 pm I was watching the traffic traveling on I-85 North when I saw a black Jeep travelling in the center lane of three. As the jeep passed my location I noticed it was traveling less than one car length from the vehicle in front of it. I pulled into traffic and followed the jeep for approximately a mile while pacing the jeep at 68 mph in a 60 mph zone. I initiated my emergency equipment for a traffic stop. The jeep stopped at I-85 North mile marker 52. I approached the passenger's side door and noticed a black female, Shatana Lynn Alexander, seated in the front passenger seat. I looked to the driver's seat and saw a black male, Orlando Parker. The passenger's side window was down so I leaned my head forward and could smell what I know through my experience and training as burnt marijuana. I asked Mr. Parker to grab his driver's license, insurance, and registration and meet me at the rear of the jeep. When Mr. Parker came to the rear of the jeep he did not have any of the information I had asked for. I again asked him for his license and he stated that he did not have one. As I was speaking with Mr. Parker, Deputy Broce (BCSO) was speaking with Ms. Alexander. I brought Mr. Parker to my fully marked patrol vehicle and asked him if he had any weapons and he said he did not. I asked him to turn around so I could perform a pat down. Mr. Parker was compliant. I then asked him if he had any weapons, large sums of currency or any drugs in the vehicle and he said he did not. I asked him where he was traveling from and he said he had been in Atlanta visiting his 16 year old son. I then explained to Mr. Parker that I had smelled the burnt marijuana coming from the inside of the jeep and asked him where it was located in the vehicle. Mr. Parker said, "My girl has it. Tell her to give it to you. She's trying to hide it." I again asked him if there was anything other than the marijuana she was trying to hide in the vehicle. Mr. Parker stated there was not. I told Mr. Parker to turn around and placed him into custody (handcuffs double locked). I then told Deputy Broce what Mr. Parker had said. We had Ms. Alexander get out of the vehicle and she walked to the front of my patrol vehicle. She was asked where she had hid the marijuana. She looked at Mr. Parker. He said, "Go ahead, give it up." Ms. Alexander then unzipped her pants and reached into her crotch area. She removed a clear plastic bag containing a green plant substance that did field test positive as marijuana. Ms. Alexander was then placed into custody (handcuffs double locked). Officer Reider arrived on scene and watched the suspects as we began a search of the vehicle. During the search we located several wood screws lying on the floor board behind the front passenger seat and one wooden screw on the floor area in the rear hatch area next to a speaker box. We, Deputy Broce and myself, noticed that the screws lying around in the vehicle were the same as the screws used to mount the speakers into the speaker box. We also located a multi-tool located in the center console of the jeep. We then pulled the speaker box toward the rear bumper of the jeep. I turned around and walked back to my vehicle. As I passed the two suspects Ms. Alexander looked at Mr. Parker and said, "I love you." I watched Mr. Parker lower his head and stare at the ground. It also looked like he had a tear rolling down his right cheek. I asked Mr. Parker if he was crying. He said he was not and I noticed that he was sweating profusely although the weather was quite cool and he was standing on the side of the interstate wearing a t-shirt and blue jeans. I removed his ball cap and sweat poured down his face. I replaced his ball cap on his head and returned to the speaker box. The right speaker was removed and placed to the right side of the box. As the screws were being removed from the left speaker I heard Ms. Alexander begin to dry heave. I turned around and asked her if she was going to be sick and she shook her head yes. I looked at Mr. Parker and he put his chin down to his chest. The left speaker was completely removed from the speaker box and

PROPERTY	TYPE	STOLEN	DAMAGED	BURNED	RECOVERED	SEIZED	TOTAL VALUE

SUBJECT IDENTIFIED: YES NO **SUBJECT LOCATED:** YES NO

ACTIVE ADMIN. CLOSED UNFOUNDED ARRESTED UNDER 18 ARRESTED 18 AND OVER

EX-CLEAR UNDER 18 EX-CLEAR 18 AND OVER

REASON FOR EXCEPTIONAL CLEARANCE: 1. OFFENDER DEATH 2. NO PROSECUTION 3. VICTIM/DECLINES COOPERATION 4. EXTRADITION DENIED 5. JUVENILE-NO ARREST

REPORTING OFFICER (BY STAR #): **BLAIR, CM *457** DATE: **03122009** UNIT NO.: **255**

APPROVING OFFICER: *[Signature]* DATE: **03-14-09** UNIT NO.: **27**

FOLLOW UP YES NO (OFFICER)

CRIME ANALYSIS PIO **RECORDS** DETECTIVES ROLL CALL

JB

m7 3/16/09e

15 MAR 2009 07 06

AGENCY I.D.
SCO230200

GREENVILLE POLICE DEPARTMENT
SUPPLEMENTAL REPORT

CASE NUMBER 091000023262 NCIC INO. ENT.

ORIGINAL REPORT STATUS CHANGE ADDITIONAL VICTIMS ADDITIONAL STOLEN PROPERTY
 SUPPLEMENTAL REPORT ADDITIONAL OFFENDERS ADDITIONAL RECOVERED PROPERTY
 INCIDENT TYPE: **TRAFFICKING COCAINE 400 GRAMS OR MORE**
 PATROL DISTRICT: **INTERSTATE** PAGE **2** OF **4** PAGES

COMPLAINANT: VICTIM # SUBJECT **2** RUNAWAY
 NAME (LAST, FIRST, MIDDLE): **ALEXANDER, SHATANA LYNN**
 VICTIM RELATIONSHIP TO SUBJECT: #1 #2 #3
 RESIDENT: **O** RACE: **B** SEX: **F** AGE: **24** D.O.B.: **09291984**
 ADDRESS: **CEDARHURST STREET** CITY: **PITTSBURGH PA** STATE: **PA** ZIP CODE: **15210** PATROL DISTRICT: **OJ**
 DAY PHONE: **B** H EVENING PHONE: **B**

HEIGHT: **508** WEIGHT: **145** HAIR: **BRO** EYES: **BRO** FACIAL HAIR, SCARS, TATTOOS, GLASSES, CLOTHING, PHYSICAL PECULIARITIES, ETC.
 COMPLAINT OF VICTIM NO. **2** VISIBLE INJURY: YES NO
 COMPLAINT OF NON-VISIBLE INJURIES: NO YES
 VICTIM USING ALCOHOL: NO YES UNK
 DRUGS: NO YES TYPE: **E Marijuana**
 USING DRUGS: NO YES TYPE: **E Marijuana**
 ARRESTEE ARMED: YES NO WEAPON TYPE: **SEM-AUTO FULL-AUTO**
 JUVENILE DISPOSITION: 1. HANDLED, RELEASED REFERRED TO OTHER AUTHORITY

On 3-12-2009 at approximately 4:00 pm I was watching the traffic traveling on I-85 North when I saw a black Jeep travelling in the center lane of three. As the jeep passed my location I noticed it was traveling less than one car length from the vehicle in front of it. I pulled into traffic and followed the jeep for approximately a mile while pacing the jeep at 68 mph in a 60 mph zone. I initiated my emergency equipment for a traffic stop. The jeep stopped at I-85 North mile marker 52. I approached the passenger's side door and noticed a black female, Shatana Lynn Alexander, seated in the front passenger seat. I looked to the driver's seat and saw a black male, Orlando Parker. The passenger's side window was down so I leaned my head forward and could smell what I know through my experience and training as burnt marijuana. I asked Mr. Parker to grab his driver's license, insurance, and registration and meet me at the rear of the jeep. When Mr. Parker came to the rear of the jeep he did not have any of the information I had asked for. I again asked him for his license and he stated that he did not have one. As I was speaking with Mr. Parker, Deputy Broce (BCSO) was speaking with Ms. Alexander. I brought Mr. Parker to my fully marked patrol vehicle and asked him if he had any weapons and he said he did not. I asked him to turn around so I could perform a pat down. Mr. Parker was compliant. I then asked him if he had any weapons, large sums of currency or any drugs in the vehicle and he said he did not. I asked him where he was traveling from and he said he had been in Atlanta visiting his 16 year old son. I then explained to Mr. Parker that I had smelled the burnt marijuana coming from the inside of the jeep and asked him where it was located in the vehicle. Mr. Parker said, "My girl has it. Tell her to give it to you. She's trying to hide it." I again asked him if there was anything other than the marijuana she was trying to hide in the vehicle. Mr. Parker stated there was not. I told Mr. Parker to turn around and placed him into custody (handcuffs double locked). I then told Deputy Broce what Mr. Parker had said. We had Ms. Alexander get out of the vehicle and she walked to the front of my patrol vehicle. She was asked where she had hid the marijuana. She looked at Mr. Parker. He said, "Go ahead, give it up." Ms. Alexander then unzipped her pants and reached into her crotch area. She removed a clear plastic bag containing a green plant substance that did field test positive as marijuana. Ms. Alexander was then placed into custody (handcuffs double locked). Officer Reider arrived on scene and watched the suspects as we began a search of the vehicle. During the search we located several wood screws lying on the floor board behind the front passenger seat and one wooden screw on the floor area in the rear hatch area next to a speaker box. We, Deputy Broce and myself, noticed that the screws lying around in the vehicle were the same as the screws used to mount the speakers into the speaker box. We also located a multi-tool located in the center console of the jeep. We then pulled the speaker box toward the rear bumper of the jeep. I turned around and walked back to my vehicle. As I passed the two suspects Ms. Alexander looked at Mr. Parker and said, "I love you." I watched Mr. Parker lower his head and stare at the ground. It also looked like he had a tear rolling down his right cheek. I asked Mr. Parker if he was crying. He said he was not and I noticed that he was sweating profusely although the weather was quite cool and he was standing on the side of the interstate wearing a t-shirt and blue jeans. I removed his ball cap and sweat poured down his face. I replaced his ball cap on his head and returned to the speaker box. The right speaker was removed and placed to the right side of the box. As the screws were being removed from the left speaker I heard Ms. Alexander begin to dry heave. I turned around and asked her if she was going to be sick and she shook her head yes. I looked at Mr. Parker and he put his chin down to his chest. The left speaker was completely removed from the speaker box and

PROPERTY	TYPE	STOLEN	DAMAGED	BURNED	RECOVERED	SEIZED	TOTAL VALUE

SUBJECT IDENTIFIED: YES NO SUBJECT LOCATED: YES NO
 ACTIVE ADMIN. CLOSED UNFOUNDED APPREHENDED UNDER 18 ARRESTED 18 AND OVER
 EX-CLEAR UNDER 18 EX-CLEAR 18 AND OVER
 REASON FOR EXCEPTIONAL CLEARANCE: 1. OFFENDER DEATH. 2. NO PROSECUTION. 3. VICTIM/DECLINES COOPERATION 4. EXTRADITION DENIED 5. JUVENILE-NO ARREST
 REPORTING OFFICER(S) BY STAR #: **BLAIR, C.M. *457** DATE: **03122009** UNIT NO.: **255** APPROVING OFFICER: **[Signature]** DATE: **03-14-09** UNIT NO.: **27**
 FULLY SET UP: YES NO (OFFICER)

CRIME ANALYSIS PIO RECORDS DETECTIVES ROLL CALL

JB

MJ 3/16/09

15 MAR 2009 07 06

AGENCY I.D.
SCO230200

OFFENSE CLASS DAY
35A 09D

GREENVILLE POLICE DEPARTMENT INCIDENT REPORT

CASE NUMBER
09000023262

NCIC ENTRY

EVENT
VICTIM
SUBJECT
VEHICLE
PROPERTY
ADMIN

INCIDENT TYPE		OFFENSE COMPLETED	FORCED ENTRIES	PREMISE TYPE	UNITS ENTERED	TYPE VICTIM	
TRAFFICKING COCAINE		YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	13 Highway/Road/Alley	0	<input type="checkbox"/> INDIVIDUAL <input type="checkbox"/> BUSINESS <input type="checkbox"/> FINANCIAL INST. <input type="checkbox"/> GOVERNMENT <input type="checkbox"/> RELIG. ORG. <input type="checkbox"/> SOCI/PUBLE <input type="checkbox"/> OTHER <input type="checkbox"/> UNKNOWN <input type="checkbox"/> POLICE OFF.	
SIMPLE POSSESSION OF MARIJUANA		YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	13 Highway/Road/Alley	0		
NO STATE DL		YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	13 Highway/Road/Alley	0		
INCIDENT LOCATION (SUBDIVISION, HILL VILLAGE, APARTMENT AND NUMBER, STREET NAME AND NUMBER)					ZIP CODE		
1-85 NORTH AND WOODRUFF ROAD					29607		
INCIDENT DATE	TIME	TO	DATE	TIME	WEAPON TYPE	TIME ARRIVED	TIME COMPLETED
03122009	1606			1606		1945	INTERSTATE
COMPLAINANT'S NAME (LAST, FIRST, MIDDLE)		RELATIONSHIP TO SUBJECT		RESIDENT	RACE	SEX	AGE
GPD UNIT #255		ST Stranger		J	A	M	37
ADDRESS		CITY		STATE	ZIP CODE	PATROL DISTRICT	
4 MCGEE STREET		GREENVILLE		SC	29601	Fox	
VICTIM'S NAME (LAST, FIRST, MIDDLE)		RELATIONSHIP TO SUBJECT		RESIDENT	RACE	SEX	AGE
SOCIETY & PUBLIC							
ADDRESS		CITY		STATE	ZIP CODE	PATROL DISTRICT	
VISIBLE INJURY (VICT. 1) <input type="checkbox"/> YES <input type="checkbox"/> NO EXPLAIN -		COMPLAINT OF ANY NON-VISIBLE INJURIES <input type="checkbox"/> YES <input type="checkbox"/> NO					
VICTIM (NO. 1) USING ALCOHOL <input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> UNK.		DRUGS <input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> UNK.					
<input type="checkbox"/> SUSPECT	NAME (LAST, FIRST, MIDDLE)		RACE	SEX	AGE	ETH	DATE OF BIRTH
<input type="checkbox"/> RUNAWAY	PARKER, ORLANDO		B	M	39	N	11231969
<input type="checkbox"/> WANTED	SYLVANIA AVENUE		CITY	STATE	ZIP CODE	PATROL DISTRICT	
<input type="checkbox"/> WARRANT	FACIAL HAIR, SCARS, TATTOOS, GLASSES, CLOTHING, PHYSICAL, PSYCHIATRY, ETC.		PITTSBURGH	PA	15210	OJ	
<input type="checkbox"/> ARREST	SUBJECT (NO. 1) USING ALCOHOL <input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> UNK.		ARRESTED NEAR OFFENSE SCENE <input type="checkbox"/> YES <input type="checkbox"/> NO		DATE/TIME OF OFFENSE		DATE/TIME OF ARREST
<input type="checkbox"/> MISSING	DELIVERED <input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> UNK. TYPE: E Marijuana		TOTAL # ARRESTED: 2		03122009 1606		03122009 1615
ARRESTED ARMED: <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		WEAPON TYPE: E Marijuana		<input type="checkbox"/> RELEASED TO FULL-AUTO		<input checked="" type="checkbox"/> ARRESTED ON CURRENT OFFENSE <input type="checkbox"/> CLEARED BY ARREST ON PRIOR OFFENSE	
JUVENILE DISPOSITION: 1: <input type="checkbox"/> HANDLED, RELEASED <input type="checkbox"/> REFERRED TO OTHER AUTHORITY		<input type="checkbox"/> ON VIEW ARREST <input type="checkbox"/> SUMMONED <input checked="" type="checkbox"/> CUSTODY					
CHARGES							
TRAFFICKING COCAINE 400 GRAMS OR MORE		WARRANT#		TICKET#			
		M-068707					
TRAFFICKING COCAINE 400 GRAMS OR MORE		M-068708					
SIMPLE POSSESSION OF MARIJUANA		41539 EF					
<input type="checkbox"/> STOLEN	TAG NUMBER	STATE	YEAR	V.L.N.	VALUE		
<input type="checkbox"/> RECOVERED	HBK 6951	PA	09	1J4GR48K06C356497			
<input type="checkbox"/> SUSPECT	YEAR	MAKE	MODEL	STYLE	COLOR		
<input type="checkbox"/> VICTIM	06	JEEP	LAREDO	4 DR	BLACK		
TWO-MAN VEH. <input type="checkbox"/> ONE-MAN VEH. <input type="checkbox"/> DETECTIVE/PLASMT. <input type="checkbox"/> OTHER <input type="checkbox"/>							
ALONE <input type="checkbox"/> ASSISTED <input type="checkbox"/> J - THIS JURISDICTION 2-STATE 0-OUT OF STATE UNKNOWN							
SEE SUPPLEMENTAL							
JURISDICTION OF THEFT				JURISDICTION OF RECOVERY			
TYPE	10 Drugs/Narcotics				TOTAL VALUE		
STOLEN							
DAMAGED							
BURNED							
RECOVERED							
WEIGHTED	2299.3 GRAMS				2299.3 GRAMS		
SUBJECT IDENTIFIED		SUBJECT LOCATED		<input type="checkbox"/> ACTIVE <input type="checkbox"/> ACTIVE CLOSED		<input type="checkbox"/> ARRESTED UNDER 18 <input type="checkbox"/> EX-CLEAR UNDER 18	
<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO		<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO		<input type="checkbox"/> UNFOUNDED		<input checked="" type="checkbox"/> ARRESTED 18 AND OVER <input type="checkbox"/> EX-CLEAR 18 AND OVER	
REASON FOR EXCEPTIONAL CLEARANCE: 1: <input type="checkbox"/> OFFENDER DEATH 2: <input type="checkbox"/> NO PROSECUTION 3: <input type="checkbox"/> VICTIM/DECLINES COOPERATION 4: <input type="checkbox"/> EXTRADITION DENIED 5: <input type="checkbox"/> JUVENILE, NO ARREST							
REPORTING OFFICER	STAR #	DATE	UNIT #	APPROVING OFFICER		DATE	UNIT NO
BLAIR, CM	*457	457	03122009	255		03-12-09	257
				Follow Up <input type="checkbox"/> YES <input type="checkbox"/> NO (OFFICER)			

India

15 MAR 2009 07 06

CRIME ANALYSIS PIO **RECORDS** DETECTIVES ROLL CALL

273

mf 8/16/09 e

Attachment #6

AGENCY I.D.
SCO230200

GREENVILLE POLICE DEPARTMENT
SUPPLEMENTAL REPORT

CASE NUMBER

NCIC
INO. ENT.

0,9,000,0,2,3,2,6,2

ORIGINAL REPORT STATUS CHANGE ADDITIONAL VICTIMS ADDITIONAL STOLEN PROPERTY

SUPPLEMENTAL REPORT ADDITIONAL OFFENDERS ADDITIONAL RECOVERED PROPERTY

INCIDENT TYPE: **TRAFFICKING COCAINE 400 GRAMS OR MORE**

PATROL DISTRICT: **INTERSTATE** PAGE **3** OF **4** PAGES

COMPLAINANT NAME (LAST, FIRST, MIDDLE) VICTIM RELATIONSHIP TO SUBJECT RESIDENT RACE SEX AGE D.O.B. ETH

VICTIM # **SEE PAGE ONE** #1 #2 #3

SUBJECT ADDRESS CITY STATE ZIP CODE PATROL DISTRICT H DAY PHONE B H EVENING PHONE B

RUNAWAY

WANTED HEIGHT WEIGHT HAIR EYES FACIAL HAIR, SCARS, TATTOOS, GLASSES, CLOTHING, PHYSICAL PECULIARITIES, ETC.

WARRANT

ARREST

MISSING

JAIL

VICTIM NO. VISIBLE INJURY: YES NO COMPLAINT OF NON-VISIBLE INJURIES: NO YES

SUBJECT NO. USING ALCOHOL: NO YES UNK USING DRUGS: NO YES TYPE: UNK

VICTIM USING ALCOHOL: NO YES UNK DRUGS: NO YES TYPE: UNK

TWO-MAN VEHICLE DETECTIVE/SPL. ASMT. ALONE

ONE-MAN VEHICLE OTHER ASSISTED

ARRESTED ON CURRENT OFFENSE

CLEARED BY ARREST ON PRIOR OFFENSE

ARRESTEE ARMED YES NO WEAPON TYPE: SEMI-AUTO FULL-AUTO

JUVENILE DISPOSITION: 1. HANDLED, RELEASED REFERRED TO OTHER AUTHORITY

ON VIEW ARREST SUMMONED CUSTODY

two brick shaped packages were found taped to the rear interior of the box. The packages were removed from the box and did field test positive as cocaine. Both subjects were then placed into a patrol vehicle.

Tre Skardon, DEA liaison, was contacted and notified of the stop and amount of cocaine located. Detective Skardon advised us to transport the suspects, vehicle, and drugs to the DEA office for evaluation. When we got to the DEA office I was advised that the DEA was not going to adopt the case so the suspects were then transported to the Greenville County Detention Center. The Vehicle was transported to the Greenville City Impound/Seizure lot.

At the detention center I obtained Trafficking Cocaine > 400 grams against each subject from Judge Heaton. The warrants were signed and served by Officer Reimann. Both suspects were given their copies of the warrants as well as copies of their citations. Both subjects were then placed into the custody of the Greenville County Detention Center.

The cocaine was measured, one package weighed 1138.1 grams and one weighed 1161.2 grams. Both packages were placed into property and evidence for fingerprint processing and lab analysis.

The marijuana was measured and weighed 4.7 grams. The marijuana was also placed into property and evidence for lab analysis. All drugs were placed into property and evidence by Sgt Mike Estes with the proper paperwork completed.

The gold copy of the vehicle was sent to Lt. Dean Elliot to complete seizure processing.

1138.1
1161.2

* Note: The writing on Attachments #5 and #6 are trial counsel's made at trial. He obviously knew of the issues but did not argue them.

PROPERTY	TYPE						TOTAL VALUE
	STOLEN						
	DAMAGED						
	BURNED						
	RECOVERED						
SEIZED							

SUBJECT IDENTIFIED: YES NO SUBJECT LOCATED: YES NO

ACTIVE ADMIN. CLOSED UNFOUNDED

ARRESTED UNDER 18 ARRESTED 18 AND OVER EX-CLEAR UNDER 18 EX-CLEAR 18 AND OVER

REASON FOR EXCEPTIONAL CLEARANCE: 1. OFFENDER DEATH. 2. NO PROSECUTION. 3. VICTIM/DECLINES COOPERATION 4. EXTRADITION DENIED 5. JUVENILE-NO ARREST

REPORTING OFFICER(S) BY STAR # DATE UNIT NO. APPROVING OFFICER DATE UNIT NO.

BLAIR, C M *457 03122009 255 *[Signature]* 03-11-09 217

FORCLOSURE BY CREDITORS: YES NO (OFFICER)

CRIME ANALYSIS SLED RECORDS DETECTIVES ROLL CALL

[Handwritten initials]

[Handwritten signature] 3/16/09

15 MAR 2009 07 06

AGENCY I.D.
SCO230200

GREENVILLE POLICE DEPARTMENT
SUPPLEMENTAL REPORT

CASE NUMBER 0900023262
NCIC INQ. ENT.

ORIGINAL REPORT STATUS CHANGE ADDITIONAL VICTIMS ADDITIONAL STOLEN PROPERTY
 SUPPLEMENTAL REPORT ADDITIONAL OFFENDERS ADDITIONAL RECOVERED PROPERTY
 INCIDENT TYPE: **TRAFFICKING COCAINE 400 GRAMS OR MORE**
 PATROL DISTRICT: **INTERSTATE** PAGE **4** OF **4** PAGES

COMPLAINANT VICTIM # SUBJECT RUNAWAY WANTED WARRANT ARREST MISSING JAIL

NAME (LAST, FIRST, MIDDLE): **SEE PAGE ONE**
 VICTIM RELATIONSHIP TO SUBJECT: #1 #2 #3
 RESIDENT RACE SEX AGE D.O.B. ETH
 ADDRESS CITY STATE ZIP CODE PATROL DISTRICT H DAY PHONE B H EVENING PHONE B
 HEIGHT WEIGHT HAIR EYES FACIAL HAIR BEARD TATTOOS GLASSES CLOTHING PHYSICAL PROBATION/RESTRICTIONS
 VICTIM NO. VISIBLE INJURY: YES NO COMPLAINT OF NON-VISIBLE INJURIES: NO YES
 VICTIM USING ALCOHOL: NO YES UNK DRUGS: NO YES TYPE: UNK
 SUBJECT NO. USING ALCOHOL: NO YES UNK USING DRUGS: NO YES TYPE: UNK
 ARRESTED ON CURRENT OFFENSE CLEARED BY ARREST ON PRIOR OFFENSE
 ARRESTEE ARMED: YES NO WEAPON TYPE: SEMI-AUTO FULL-AUTO ON VIEW ARREST SUMMONED CUSTODY
 JUVENILE DISPOSITION: HANDLED, RELEASED REFERRED TO OTHER AUTHORITY

*****CHARGES*****
 Orlando Parker
 -Warrant M-068707
 Trafficking Cocaine > 400 grams
 Citations
 No State DL (41538 EF)
 Simple Possession Of Marijuana (41539 EF)
 Speeding < 10'68/60 (41540 EF)
 Following to Closely (41542 EF)
 Shatana Lynn Parker
 -Warrant M-068708
 Trafficking Cocaine > 400 grams
 Citation
 Simple Possession Of Marijuana (41541 EF)

PROPERTY	TYPE	TOTAL VALUE
	STOLEN	
DAMAGED		
BURNED		
RECOVERED		
SEIZED		

SUBJECT IDENTIFIED: YES NO SUBJECT LOCATED: YES NO UNFOUNDED
 ACTIVE ADMIN CLOSED ARRESTED UNDER 18 EX-CLEAR UNDER 18
 ARRESTED 18 AND OVER EX-CLEAR 18 AND OVER
 REASON FOR EXCEPTIONAL CLEARANCE: 1. OFFENDER DEATH 2. NO PROSECUTION 3. VICTIM DECLINES COOPERATION 4. EXTRADITION DENIED 5. JUVENILE-NO ARREST
 REPORTING OFFICER (BY STAR #): **BLAIR, C M *457** DATE: **03122009** UNIT NO.: **255**
 APPROVING OFFICER: *[Signature]* DATE: **03-17-09** UNIT NO.: **721**
 YES NO (OFFICER)

CRIME ANALYSIS SLED **RECORDS** DETECTIVES ROLL CALL
[Handwritten initials] *[Handwritten signature]*

15 MAR 2009 07 06

Attachment #7

LIEUTENANT T. Thompson

VEHICLE & EQUIPMENT INVENTORY/INSPECTION

MONTH/YEAR March/2009

VEH #	OFFICER	MILEAGE	PM MILEAGE	RIFLE/SHOTGUN NUMBER	CPR MASK	PPE KT	SHARPS KT	BLOOD PATH KT	1st AID KT	FIRE EXT	ICE SCRAPER	HAZ MAT GUIDE	CRIME SCENE TAPE	RADAR	MDT	MOBILE VIDEO CAMERA
722	[REDACTED]	98270 ✓	104003	T180999V	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	11362	N
1701	Blair-C. M.	49970 ✓	50754	D510636M	Y	Y	Y	Y	Y	Y	Y	Y	Y	Golden Eagle E19169	11555	N
774	[REDACTED]	45018 ✓	45509	B697082M	Y	Y	Y	Y	Y	Y	Y	Y	Y	Golden Eagle DE03294	11500	Mobile Vision D11138
1714	[REDACTED]	10787 ✓	16000	D959576M	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	11359	N
785	[REDACTED]	54283 ✓	60600	18685284 D965448M	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	11363	N
1709	[REDACTED]	26025 ✓	26000	D959583M	Y	Y	Y	Y	Y	Y	Y	Y	Y	Golden Eagle E19168	11755	Mobile Vision D1168
770	[REDACTED]	62862 ✓	67000	D510572M	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	N	N
1277	[REDACTED]	58111 ✓	61000	N	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	N	N
1248	[REDACTED]	8869 ✓	89625	N	N	Y	N	N	Y	Y	N	N	Y	N	N	N
58	[REDACTED]	117888 ✓	120642	N	N	Y	N	N	Y	Y	N	Y	N	N	N	N
1073	[REDACTED]	12767 ✓	130608	N	N	N	N	N	N	N	N	N	N	N	N	N
1718	[REDACTED]	9118 ✓	1212	N	N	N	N	N	Y	Y	N	Y	N	Golden Eagle EM15491	N	N

6/20/09
BSP

Greenville County Department of Public Safety
Criminal Justice Support-Property Report

2-09-23262

Greenville SO
 Greenville PD
 DPS - Detention
 Other

1. Status - Check one only: Found Safekeeping
 GS Evidence MM Evidence Recovered Seizure/FF Other

2. Case No. 2362
09-23262

3. Date and Time Impounded 0312-09 1606 It is mandatory to submit a laboratory analysis request form for all articles requiring laboratory or forensic processing. P & E Use only VTT

4. Case Type Drugs

5. Found or Recovered From Location Suspect Complainant Victim
 Person reporting AKA Other

6. Where property was impounded (Give exact location - address)
Atlanta Packer I 85 N mile marker 52

7. Owner's Name _____ 8. Owner's Address _____ 9. Owner's Phone # _____

10. Item #	11. Quantity	12. Description (include make, model, serial numbers and drug weights)	13. NCIC Hit	
			Yes	No
AA	1	2 packages containing white powder-like substance wrapped in sealed plastic		
Note: Packaging from above item separated from powder substance by James Armstrong 5-4-09				

UNARMED FIREARM VERIFICATION: UFCV (clerk verified) Initials _____ Date _____ UFOV (officer verified) Initials _____ Date _____

Drug weight/grams 2299.3 grams Officer's initials (C) P & E Use only Gross weight _____ Evidence clerk's initials _____

14. I hereby acknowledge that the above lists represent all property taken from my possession and that I have received a copy of this report.

15. Impounding Officer (print full name) M. B. Ester 16. Star No. 312 17. Unit No. 201

18. Signature _____ 19. Investigating Officer _____

20. Received by (print name)	21. Signature	22. Reason	23. Date and Time Received
Q Flemmings	<i>[Signature]</i>	Temp storage - sealed	3-12-09 1952
T FNCKS	<i>[Signature]</i>	PE STORAGE sealed	3/13/09 803
James Armstrong	<i>[Signature]</i>	Lab	5-4-09 0830
T FNCKS	<i>[Signature]</i>	PERSONAL sealed	5/5/09 1530
HAMILTON S.F.	<i>[Signature]</i>	PACKAGED BY TRANSPORTED TO GSO	5-12-09 0807
R Bacon	<i>[Signature]</i>	PROCESSING	5/17/09 @ 1130
R Bacon	<i>[Signature]</i>	P & E	5/26/09 @ 0550
D Thompson	<i>[Signature]</i>	Sealed Temp Storage	5-26-09 0600
ISRAEL SFEWIBY	<i>[Signature]</i>	PE STORAGE (PACKAGED BY SEALS)	5-26-09 1107

AUTHORIZATION FOR DISPOSITION: It is the authorizing officer's responsibility to notify owners to claim property.

TYPE OF DISPOSITION: Cleared for destruction/auction Items _____
 Release item #s _____ to: _____

AUTHORIZED BY: Name (print) _____ Signature _____ Date _____

Name _____ Address _____ Firearm Release verification: NCIC/CCH check: _____ Name _____





County of Greenville

"...At Your Service"

DEPARTMENT OF PUBLIC SAFETY

Page 1 of 1

DRUG ANALYSIS REPORT

Department: **Greenville Police Department**
Officer: **Estes Blair**
Subject: **Parker, Orlando**

Case Number: **02-2009-023262**
Report Number: **1**
Incident Date: **03/12/2009**
Received From: **Property & Evidence**
Received Date: **05/04/2009**

This is an official report of the Greenville County Department of Public Safety Crime Laboratory and is to be used in connection with an official criminal investigation. These examinations were conducted under your assurance that no examinations of evidence submitted in this case have been or will be conducted by any other laboratory or agency.

*James M. Dorriety, Assistant County Administrator
Department of Public Safety*

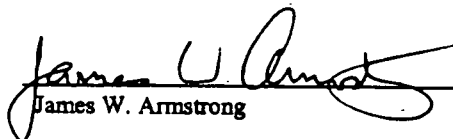
EXAMINATIONS CONDUCTED

CHEMICAL TEST MICROSCOPIC INFRARED SPECTROSCOPY
 ULTRAVIOLET SPECTROSCOPY GAS CHROMATOGRAPHY MASS SPECTROSCOPY

ITEMS OF EVIDENCE:

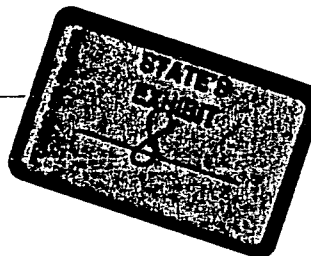
Item AA: Two blocks of powder substance wrapped in plastic
Results: Cocaine found, 1998.10 grams C-II

I am a Criminalist employed by Greenville County to perform chemical and physical examinations on evidence submitted by law enforcement agencies in criminal cases, and to testify in courts of record in the state of South Carolina on such examinations.


James W. Armstrong

05/05/2009

26 MAY 2009 12 07





March 15, 2012

Orlando Parker
South Carolina Department of Correction
Lee Correctional Institute
SCDC ID: 00346628
990 Wisacky Hwy
Bishopville, SC 29010

Dear Mr. Parker:

I am writing in response to your recent request, pursuant to the Freedom of Information Act, for any and all information in the possession of the Greenville Police Department regarding "the investigation and prosecution of Mr. Parker."

We have conducted a search for items associated with case number 09-23262 which is the case number associated with Indictment 2009-GS-23-06279.

We have checked with our property and evidence custodian and determined there are no video tapes in evidence.

We have checked with our communications department and have determined that there are audio recordings of radio transmissions and 911 calls or recorded calls associated with this case number in their possession. A copy of one CD will be provided to you at a cost of \$10.00.

* There is not a joint venture jurisdiction agreement between the Greenville Police Department and the Butt's County Sheriff's Office. There is nothing to provide. *

There are no specific guidelines of law enforcement as it pertains to Interstate 85.

The maintenance and inventory records of patrol car number 1701 will be provided to you at a cost of .25 cents a page for a total of \$2.00.



STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

Certiorari to Greenville County
Robin B. Stilwell, Circuit Court Judge

ORLANDO PARKER

PETITIONER,

Vs.

STATE OF SOUTH CAROLINA

RESPONDENT.

AFFIDAVIT OF SERVICE BY MAIL

1. I am the Petitioner 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 my Supplemental Brief in addition to Robert M. Pachak's (Appellate Defender) Johnson Petition submitted, March 10, 2015, on the above captioned matter to the Clerk of the Supreme Court by depositing same in the United States mail, postage prepaid:

SUPREME COURT
C/o Clerk of Court
P. O. Box 11330
Columbia, S.C. 29211

Sincerely,

Orlando Parker

Orlando Parker, SCDC #346628
Lee C.I. -- F5 B-278
990 Wisacky Highway
Bishopville, S.C. 29010-1775

~~SWORN TO BEFORE ME this ____ day
of _____, 2015.~~

~~(L.S.)~~

~~Notary Public for South Carolina
My Commission Expires:~~

Dated this 15th day of April, 2015.

Orlando Parker 346628

Lee C.I. FSR-278

990 Wsacky Hwy.

Bishopville, S.C. 29010-1775

Supreme Court

40 Clerk of Court

P.O. Box 11330

Columbia, S.C. 29211