

ORIGINAL

STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM YORK COUNTY
Lee S. Alford, Circuit Court Judge

Appellate Case No. 2013-002617

RECEIVED

JUN 03 2015

SC Court of Appeals

THE STATE,

Respondent,

vs.

JEFFREY DAVIS,

Appellant.

**SUPPLEMENTAL
RECORD ON APPEAL**

LANELLE CANTEY DURANT
Appellate Defender

South Carolina Commission on Indigent Defense
Division of Appellate Defense
Post Office Box 11589
Columbia, SC 29211-1589
(803) 734-1330

Attorney For Appellant

ALAN WILSON
Attorney General

MEGAN HARRIGAN JAMESON
Assistant Attorney General
S.C. Bar No. 100108

Post Office Box 11549
Columbia, South Carolina 29211
(803) 734-3727

KEVIN S. BRACKETT
Solicitor, Sixteenth Judicial Circuit

1675-1A York Highway
Moss Justice Center
York, South Carolina 29745
(803) 628-3020

Attorneys For Respondent

STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM YORK COUNTY
Lee S. Alford, Circuit Court Judge

Appellate Case No. 2013-002617

THE STATE,

Respondent,

vs.

JEFFREY DAVIS,

Appellant.

**SUPPLEMENTAL
RECORD ON APPEAL**

LANELLE CANTEY DURANT
Appellate Defender

South Carolina Commission on Indigent Defense
Division of Appellate Defense
Post Office Box 11589
Columbia, SC 29211-1589
(803) 734-1330

Attorney For Appellant

ALAN WILSON
Attorney General

MEGAN HARRIGAN JAMESON
Assistant Attorney General
S.C. Bar No. 100108

Post Office Box 11549
Columbia, South Carolina 29211
(803) 734-3727

KEVIN S. BRACKETT
Solicitor, Sixteenth Judicial Circuit

1675-1A York Highway
Moss Justice Center
York, South Carolina 29745
(803) 628-3020

Attorneys For Respondent

TABLE OF CONTENTS

Page 111	1
Page 183	2
Page 184	3
Page 187	4
Certificate of Counsel	5

1 Q. And are there different types of confidential
2 informants?

3 A. Yes, you have your individuals that are not in law
4 enforcement that are confidential informants, and then you
5 have police officers that can be confidential informants.

6 Q. And are some confidential informants paid informants?

7 A. Yes.

8 Q. And are there some confidential informants trying to
9 assist themselves and work off charges?

10 A. That's correct.

11 Q. Okay. Where they are arrested and they try to help
12 themselves out to do something in a better position by
13 cooperating with law enforcement?

14 A. That's correct.

15 Q. And is that typically -- I don't know the best way to
16 ask this question. When you arrest somebody, do you
17 encourage them to try to cooperate?

18 A. Yes.

19 Q. Okay. And why is that?

20 A. It helps us and it helps them as well.

21 Q. And do you utilize that to move up the chain, so to
22 speak?

23 A. That's correct.

24 Q. Okay. And back in August of 2012, were you still with
25 the Multi-Jurisdictional Drug Enforcement Unit?

1 Q. Investigator Ervin, could you state your full name for
2 the record?

3 A. Rayford Lewis Ervin, Jr..

4 Q. As opposed to Tanya Ervin, you are Rayford Ervin?

5 A. That's correct.

6 Q. Okay. What's your current title?

7 A. My current title is commander with the York County
8 Multi-Jurisdictional Drug Enforcement Unit.

9 Q. Okay. And how long have you been a commander with the
10 Drug Enforcement Unit?

11 A. I was gave that title back in January.

12 Q. Of this year?

13 A. Yes, ma'am.

14 Q. Okay. How long have you been policing?

15 A. Right at twenty years.

16 Q. And where did you start policing?

17 A. I started policing up in Clover, South Carolina.

18 Q. And what police agency do you currently work for?

19 A. The City of York.

20 Q. How long have you been with the City of York?

21 A. Since 1999.

22 Q. And are you currently -- you said that you were
23 currently assigned to the Drug Enforcement Unit. How long
24 have you been with the Drug Enforcement Unit?

25 A. Approximately thirteen years.

1 Q. And back in August of 2012 where were you assigned?

2 A. To the York County Multi-Jurisdictional Drug
3 Enforcement Unit.

4 Q. To the York office?

5 A. Yes, ma'am.

6 Q. Okay. And were you able to develop a confidential
7 informant named Shari Jennings?

8 A. Yes, ma'am.

9 Q. And how did you come to have Ms. Jennings as your
10 informant?

11 A. She came in and talked to me about possibly doing some
12 undercover purchase of illegal substance.

13 Q. Okay. And did she indicate where she could make those
14 purchases from?

15 A. Yes, ma'am.

16 Q. And can you tell the jury where that was?

17 A. It's called the valley inside the city limits of York,
18 which is also located in York County. It's on the south end
19 of the city.

20 Q. And are you familiar, from being involved in the work
21 with the York Police Department and the DEU on the York
22 side, where the valley area is?

23 A. Yes, ma'am.

24 Q. Can you tell the jury a little bit about the area?

25 A. It's pretty much I would say maybe middle class low

1 that she would come and testify?

2 A. Yes, ma'am.

3 Q. Now, on August 16th did you meet with Ms. Jennings?

4 A. Yes, ma'am.

5 Q. And did you ask Investigator Tanya Ervin to be involved
6 in this investigation as well?

7 A. Yes, I did.

8 Q. And how come you did that?

9 A. Because a lot of the areas that we work know the
10 narcotic officers that worked that area. By Officer Ervin,
11 Tanya Ervin, being from Rock Hill, there would probably be
12 maybe one percent, if that, that they would know that she
13 was an actual officer, so that's why we brought her over.

14 Q. Okay. Investigator Ervin, did you have an opportunity
15 to review the buy in this case?

16 A. Yes, ma'am.

17 Q. Okay. And you were actually the case agent. Can you
18 tell the jury what the case agent is?

19 A. The case agent is the person that's in charge of
20 running the operation. They are pretty much -- their
21 responsibility is everything that goes on. If anything
22 happens to go wrong, it falls back on them.

23 Q. You organize it?

24 A. Yes, ma'am.

25 Q. You basically give people their roles and what to do?

STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM YORK COUNTY
Lee S. Alford, Circuit Court Judge

Appellate Case No. 2013-002617

THE STATE,

Respondent,

vs.

JEFFREY DAVIS,

Appellant.

CERTIFICATE OF COUNSEL

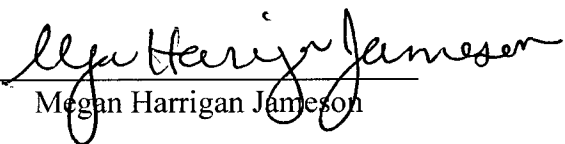
The undersigned certifies that this Final Brief of Respondent complies with Rule 211(b), SCACR, and the April 15, 2014, order from the South Carolina Supreme Court entitled "Revised Order Concerning Personal Identifying Information and Other Sensitive Information in Appellate Court Filings."

ALAN WILSON
Attorney General

MEGAN HARRIGAN JAMESON
Assistant Attorney General
S.C. Bar No. 100108

KEVIN S. BRACKETT
Solicitor, Sixteenth Judicial Circuit

1675-1A York Highway
Moss Justice Center -
York, South Carolina 29745
(803) 628-3020

BY: 
Megan Harrigan Jameson

Office of the Attorney General
Post Office Box 11549
Columbia, SC 29211
(803) 734-3727

ATTORNEYS FOR RESPONDENT

June 3, 2015

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

Appeal From York County
The Honorable Lee S. Alford, Circuit Court Judge

Appellate Case No: 2013-002617

RECEIVED

JUN 03 2015

SC Court of Appeals

THE STATE,

Respondent,

v.

JEFFREY DAVIS,

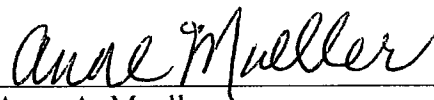
Appellant.

PROOF OF SERVICE

I, Anne Mueller, certify that I have served the Supplemental Record on Appeal and Motion to Serve and File a Supplemental Record on Appeal on Appellant by depositing two copies of the same in the United States mail, postage prepaid, addressed to his attorney of record LaNelle C. DuRant, Esquire, S.C. Commission on Indigent Defense, Division of Appellate Defense, Post Office Box 11589, Columbia, South Carolina 29211-1589.

I further certify that all parties required by Rule to be served have been served.

This 3rd day of June, 2015.



Anne A. Mueller
Legal Assistant
Office of Attorney General
Post Office Box 11549
Columbia, SC 29211
(803) 734-3727