



**For Clerk of Court Office Use Only**

This judgment was entered on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ and a copy mailed first class or placed in the appropriate attorney's box on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ to attorneys of record or to parties (when appearing pro se) as follows:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**ATTORNEY FOR THE STATE**  
**NANCY LIVESAY**

**ATTORNEY FOR THE DEFENDANT**  
**ERIC FOX**  
**HORRY COUNTY PUBLIC DEFENDER**

\_\_\_\_\_  
**CLERK OF COURT**

**Court Reporter:**  
\_\_\_\_\_

*Melissa Kingman-Allen*  
CLERK OF COURT  
HORRY COUNTY  
2015 SEP -1 PM 4: 33  
CERTIFIED COPY

STATE OF SOUTH CAROLINA )  
COUNTY OF HORRY )

IN THE COURT OF GENERAL SESSIONS  
OF THE FIFTEENTH JUDICIAL CIRCUIT

STATE OF SOUTH CAROLINA, )

-VS- )

**MOTION TO RECONSIDER**

**BRANDON LITTELL**

DEFENDANT )

**RECEIVED**

SEP 04 2015

SC Court of Appeals

FILE # 26A13-00001970

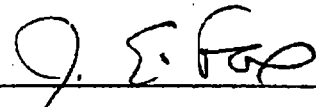
CLERK OF COURT  
Horry County  
2015 SEP 27 PM 1:35

TO: ASSISTANT SOLICITOR NANCY LIVESAY: YOU WILL PLEASE TAKE NOTICE  
that as soon as he may be heard by the court, Defendant, by and through his attorney,  
J. Eric Fox, will move as follows:

Defendant entered a plea of Guilty on the charge below on Febraury 26,  
2015 before the Honorable Larry B. Hyman, Jr. and received a sentence of Life  
Imprisonment:

2013A2610201579 Murder / Murder

Defendant hereby moves for a Reconsideration of said sentence.



ERIC FOX  
Public Defender  
Attorney For The Defendant  
Horry County Public Defender  
203 Laurel Street  
Conway, SC 29526  
843-915-5385

2015 SEP -1 PM 4: 33

CERTIFIED COPY

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

(30 - WIFE)

COUNTY OF Horry  
STATE VS.

INDICTMENT/CASE#: 2015GS2600428

Brandon James Littell

A/W#: 2013A2610201579

AKA:

Date of Offense: 6/19/2013

Race: Sex: M Age: 20

S.C. Code §: 16-03-0010, 0020

DOB: SS#:

CDR Code #: 0116

Address:

RECEIVED

City, State, Zip: Atlantic Beach, SC 29582-4766

SENTENCE SHEET

DL#: SID#:

\*CDL Yes  No  CMV Yes  No  Hazmat Yes  No  SEP 04 2015

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

TO: Murder SC Court of Appeals

in violation of § 16-03-0010, 0020 of the S.C. Code of Laws, bearing CDR Code # 0116

NON-VIOLENT  VIOLENT  SERIOUS  MOST SERIOUS  Mandatory GPS(CSC  §17-25-45 w/minor 1st or Lewd Act)

The charge is:  As Indicted,  Lesser Included Offense,  Defendant Waives Presentment to Grand Jury. (defendant's initials)

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

ATTEST: Nancy Livesay, SCB75159 SC Bar# Defendant J. E. Fop, 15123 Attorney for Defendant SC Bar#

WHEREFORE, the Defendant is committed to the  State Department of Corrections,  County Detention Center,

for a determinate term of LIFE days/months/years or  under the Youthful Offender Act not to exceed \_\_\_\_\_ years and/or to pay a fine of \$ \_\_\_\_\_; provided that upon the service of \_\_\_\_\_ days/months/years and/or payment of \$ \_\_\_\_\_; plus costs and assessments as applicable\*; the balance is suspended probation for \_\_\_\_\_

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

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

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

SPECIAL CONDITIONS:

RESTITUTION:  Deferred  Def. Waives Hearing  Ordered PTUP \_\_\_\_\_ days/hours Public Service Employment

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

Set by SCDPPPS  
Obtain GED   
Attend Voc. Rehab. or Job Corp. \_\_\_\_\_

Recipient: \_\_\_\_\_  
May serve W/E beginning \_\_\_\_\_

\*Fine: \_\_\_\_\_ \$  
§ 14-1-206 (Assessments 107.5 %) \_\_\_\_\_ \$  
§ 14-1-211(A)(1) (Conv. Surcharge) \$100 \_\_\_\_\_ \$  
§ 14-1-211(A)(2) (DUI Surcharge) \$100 \_\_\_\_\_ \$  
§ 56-5-2995 (DUI Assessment) \$12 \_\_\_\_\_ \$  
§ 56-1-286 (DUI Breath Test) \$25 \_\_\_\_\_ \$  
Proviso 47.9 (Public Def/Prob) \$500 \_\_\_\_\_ \$

§ 14-1-212 (Law Enforce. Funding) \$25 \_\_\_\_\_ \$  
§ 14-1-213 (Drug Court Surcharge) \$150 \_\_\_\_\_ \$  
§ 50-21-114(BUI Breath Test Fee) \$50 \_\_\_\_\_ \$  
§ 56-5-2942(J) (Vehicle Assessment) \$40/ea \_\_\_\_\_ \$  
Proviso 90.5 (SCCJA Surcharge) \$5 \_\_\_\_\_ \$  
3% to County (if paid in installments) \_\_\_\_\_ \$

TOTAL \$ \_\_\_\_\_  
Random Drug/Alcohol testing   
Fine may be pd. in equal consecutive weekly/monthly pmts. of \$ \_\_\_\_\_ beginning \_\_\_\_\_

\$ \_\_\_\_\_ paid to Public Defender Fund  
Other: \_\_\_\_\_  
 Appointed PD or appointed other counsel.  
§ 47.12 requires \$500 be paid to Clerk during probation.

CERTIFIED COPY  
Clerk of Court/Deputy Clerk Melanie Huggins-Ward  
Court Reporter Kay Richardson  
Presiding Judge Judge Code: 2152  
2-26-15

2015 FEB 26 PM 4:53  
CLERK OF COURT

1944

1944

1944

DOCKET NO. 2015-GS-26-00428

The State of South Carolina  
County of Horry

Nancy Livesay 13H03124

COURT OF GENERAL SESSIONS

JANUARY, 2015 TERM

THE STATE

vs.

Brandon James Littell  
/ M  
[REDACTED]  
Atlantic Beach, SC 29582-4766  
DOB: [REDACTED]  
SSN: [REDACTED]

ATTORNEY: J. Eric Fox

Indictment for  
Murder

Jimmy A. Richardson, II, Solicitor

ORIGINAL

WITNESSES

Troy Large Horry County Police Department

ARREST WARRANT NUMBER

2013A2610201579  
CDR: 0116 16-03-0010, 0020  
DOA: 6/20/2013

ACTION OF GRAND JURY  
**TRUE BILL**

*[Signature]*  
Foreperson of Grand Jury  
Date: JAN 22 2015

VERDICT

Foreperson of Petit Jury  
Date:

FILED  
HORRY COUNTY

2015 JAN 27 AM 8:53

MELANIE HUGGINS-WARD  
CLERK OF COURT

DATE RECEIVED FROM:

GRAND JURY

PLED GUILTY/TRIAL

CLERK OF COURT  
HORRY COUNTY

2015 FEB 26 PM 4:53  
2015 SEP - 1 PM 4:33

HORRY COUNTY

CERTIFIED COPY

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF HORRY )

INDICTMENT

At a Court of General Sessions, convened on JANUARY 22, 2015, the Grand Jurors of Horry County present upon their oath:

MURDER

CDR: 0116 16-03-0010,0020

That Brandon James Littell did in Horry County, on or about June 19, 2013, willfully, feloniously, and intentionally kill the victim, Kelsie Ann Monin, with malice aforethought, either express or implied, by means of gun shot, and the victim did die as a proximate result thereof on or about June 19, 2015 in Horry County, in violation of Section 16-03-0010, S. C. Code of Laws, 1976, as amended.

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

  
\_\_\_\_\_  
JIMMY A. RICHARDSON, II  
FIFTEENTH CIRCUIT SOLICITOR

CERTIFIED COPY  
2015 SEP - 1 PM 4: 33  
*Melissa Huggins-Blair*  
CLERK OF COURT  
HORRY COUNTY

1900

1901

1902

ARREST WARRANT

2013A2610201579

STATE OF SOUTH CAROLINA

[X] County/ [ ] Municipality of

Horry

THE STATE against

13055059

Brandon James Littell

Address:

Atlantic Beach, SC 29582-4766

Phone: SSN: Sex: M Race: Height: 6 Weight: 143 DL State: SC DL #: DOB: Agency ORI #: SC0240400 Prosecuting Agency: Horry County Police Department Prosecuting Officer: Troy Large - 2906 Offense: Murder / Murder

Offense Code: 0116 Code/Ordinance Sec: 16-03-0010

This warrant is CERTIFIED FOR SERVICE in the [ ] County/ [ ] Municipality of

The accused is to be arrested and brought before me to be dealt with according to the law.

(L.S.)

Date: Signature of Judge

A copy of this arrest warrant was delivered to defendant Brandon James Littell on 06-20-2013

Signature of District Law Enforcement Officer

RETURN WARRANT TO:

General Sessions PO Box 677 1301 2nd Avenue Conway, SC 29528

ORIGINAL

ORIGINAL

ORIGINAL

ORIGINAL

STATE OF SOUTH CAROLINA

[X] County/ [ ] Municipality of

Horry

Personally appeared before me the affiant Troy Large who being duly sworn deposes and says that defendant Brandon James Littell did within this county and state on or about 6/19/2013 violate the criminal laws of the State of South Carolina (or ordinance of [X] County/ [ ] Municipality of Horry) in the following particulars:

DESCRIPTION OF OFFENSE: Murder / Murder

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

On June 19th, 2013 around 3:49pm one Brandon James Littell did without just cause or reason of self defense did take part in the shooting death of another person at Old Crane Road in the Little River section of Horry County, SC. He along with two co-defendants did attack two victim leaving one dead and the other in a severe life threatening condition which required life saving surgery at a hospital. The defendant with malice did shoot the victims multiple times leaving one dead in the roadway and one who was able to get away for medical help. The defendant fled the scene and attempted to get away with this crime. They avoid law enforcement as they were chased through a wooded area and community. One of the defendants did provide the other two co-defendants and placed them at the crime scene. Therefore Brandon James Littell has committed the offense of murder.

Signature of Affiant

STATE OF SOUTH CAROLINA

[X] County/ [ ] Municipality of

Horry

Affiant's Address 2560 N. Main Street Conway, SC 29526 Affiant's Telephone (843)915-5350

ARREST WARRANT

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

It appearing from the above affidavit that there are reasonable grounds to believe that on or about 6/19/2013 defendant Brandon James Littell did violate the criminal laws of the State of South Carolina (or ordinance of [X] County/ [ ] Municipality of Horry) as set forth below:

DESCRIPTION OF OFFENSE: Murder / Murder

Having found probable cause and the above affiant having sworn before me, you are empowered and directed to arrest the said defendant and bring him or her before me forthwith to be dealt with according to law. A copy of this Arrest Warrant shall be delivered to the defendant at the time of its execution, or as soon thereafter as is practicable Sworn to and subscribed before me on 6/20/2013

Signature of Issuing Judge Aaron C. Butler Judge Code: 5022

Judge's Address J. Ruben Long Detention Center Conway, SC 29526-1071 Judge's Telephone (843)365-9222 Issuing Court: [X] Magistrate [ ] Municipal [ ] Circuit

ORIGINAL

ORIGINAL

ORIGINAL

STATE OF SOUTH CAROLINA )  
COUNTY OF HORRY )

IN THE COURT OF GENERAL SESSIONS  
OF THE FIFTEENTH JUDICIAL CIRCUIT

STATE OF SOUTH CAROLINA )

**AMENDED**  
CERTIFICATE OF REPRESENTATION  
(APPOINTING AS COUNSEL)

-VS- )

BRANDON LITTELL )

ERIC FOX

DEFENDANT )

FILE NO: 26A13-00001970  
SSN: 048-92-2701

TO: Court of General Sessions of the Fifteenth Judicial Circuit  
Office of the Solicitor  
Appointed Counsel  
Defendant

This certifies that the above captioned Defendant is eligible for the services of the Public Defender, such determination having been made on, 25th day of June, 2013, regarding the charge(s) of:

- 2013A2610201579 Murder
- 2013A2610201865 Robbery / Armed Robbery, robbery while armed with a deadly weapon
- 2013A2610201578 ATTEMPTED MURDER

The Defendant's Counsel is **Eric Fox**. The office of the Public Defender requests on the Defendant's behalf any and all evidence in the possession of you and or your agents pursuant to S.C. Criminal Practice Rule 5, and Brady v. Maryland 373 U.S. 383 (1963). The formal Motion for Discovery is attached.

CONWAY, SC

DATED: July 29, 2013

*[Signature]*  
 CLERK OF COURT  
 HORRY COUNTY  
 ORRIE E. WEST  
 FIFTEENTH CIRCUIT  
 PUBLIC DEFENDER  
 2013 AUG 29 10 26 AM  
 CERTIFIED COPY

HORRY COUNTY  
 13 AUG - 7 AM 10 26  
 MELANIE HUGGINS - WARD  
 CLERK OF COURT

STATE OF SOUTH CAROLINA )  
COUNTY OF HORRY )

IN THE COURT OF GENERAL SESSION  
OF THE FIFTEENTH JUDICIAL CIRCUIT

STATE OF SOUTH CAROLINA )

NOTICE AND MOTION FOR PRODUCTION  
OF SPECIFIC EVIDENCE AND  
DISCLOSURE OF WITNESSES

-VS-

BRANDON LITTELL )  
DEFENDANT )

FILED  
HORRY COUNTY  
2015 SEP - 1 PM 4: 32  
ELAMIE HUGGINS-WEARD  
CLERK OF COURT

FILE NO: 26A13-00001970  
SSN:: 048-92-2701

TO: SOLICITOR FOR THE FIFTEENTH JUDICIAL CIRCUIT

YOU WILL PLEASE TAKE NOTICE that unless the prosecution responds to the Defendant's request for disclosure within 30 days, or within such time as may be ordered by the Court, Counsel for the Defendant will move this Court for an Order compelling that the State:

1. Make available for Defendant any and all written and oral statements by the Defendant which are, or may come to be, in the possession of the State.
2. Make available for purposes of inspection, and copying, any and all police reports relating to the investigation and circumstances surrounding the crime which the Defendant is charged with, including any and all statements taken from witnesses and the Defendant.
3. Make available to the Defendant all tangible objects obtained during the investigation of this case, including, but not limited to:
  - (a) All tangible objects obtained from the scene of the crime; and
  - (b) All tangible objects obtained from the State's witnesses in this case
  - (c) All tangible objects the State intends to introduce into evidence at Trial which are relevant to the offense charged.
4. Make available any witnesses known to the State who have knowledge of facts which might be favorable to the Defendant.
5. Make available any promises made or actions taken by the State which caused or might have caused any witnesses for the State to testify on behalf of the State.
6. Make available any inconsistent statements made by witnesses for the State or any statements made by witnesses for the State which tend to exculpate the Defendants or to negate participation by the Defendants in the alleged crime.
7. Make available to the Defendant all results of laboratory tests, scientific tests, or physical examinations conducted in connection with this case, including but not limited to:
  - (a) Analysis of handwriting
  - (b) Photographs secured of the scene of the crime
  - (c) Comparison of fingerprints
8. Make available any facts which tend to exculpate the Defendant.

2015 SEP - 1 PM 4: 33  
CERTIFIED COPY

9. Make available any and all scientific or medical, psychiatric, legal or other information, reports or records which might tend to reflect on the credibility or competence of any of prospective witnesses for the State.

10. Make available to the Defendant the names and addresses of all persons who have knowledge of this case or who have been interviewed by the investigating officers in connection with this case.

11. Make available to the Defendant, the SLED, FBI, and local arrest and conviction records of all persons, including the Defendant, named in connection with this proceeding.

12. Make any chemist, analyst, and all persons within the chain of custody appear in Court for the purpose of personally testifying. Attorney for the Defense thus objects to the introduction of any chemist's or analyst's report pursuant to Rule 6, S.C. Rules of Criminal Procedure.

This information is requested pursuant to Rule 5 of the South Carolina Rules of Criminal Procedure. This information is further requested pursuant to Brady vs Maryland, 373 U.S. 383, 10 L. Ed. 2d 215, 83 S. Ct. 1194 (1963), U.S. vs Agurs, 427 U.S. 97, 49 L Ed 2nd 342, 96 S. Ct. 2392 1976, State vs Mixon 274 S.E. 2nd 406 (1981). Further this information is requested on the grounds that it is essential to insure the Defendant's right to a fair trial, right to confrontation of witnesses, the right to effective Counsel and due process of law guaranteed by the South Carolina Constitution, and the United States Constitution.

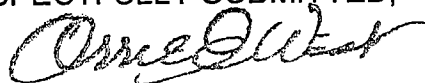
WHEREFORE, Defendant prays:

(a) That the Solicitor be Ordered to produce all information described herein and allow the Defendant the right to examine, inspect, copy and photograph, such materials and information at a specific time and place to be fixed by the Court.

(b) That the information be provided no later than 30 days from the date of this request, as reflected by the Clerk of Court's time-stamp appearing on the face of this Document.

(c) That the Court enter an Order requiring the Solicitor's Office to make continuing disclosure of all matters requested herein up to and during the Trial of the charges against the Defendant.

RESPECTFULLY SUBMITTED,



ORRIE E. WEST

FIFTEENTH CIRCUIT

PUBLIC DEFENDER

DATED: June 25, 2013

CONWAY, SOUTH CAROLINA

2015 SEP -1 PM 4:33

CERTIFIED COPY

HONORARY CLERK OF COURT

W. Mark Huggins