

*State of South Carolina
In the Supreme Court*

RECEIVED

*Certiorari to Laurens County
Frank R. Addy, Circuit Court Judge*

SEP 24 2015

S.C. SUPREME COURT

Marcus S. Young,

Petitioner,

v.

State of South Carolina,

Respondent,

*Appellate Case No. 2014-002631
Petition for Writ of Certiorari*

Index

Index	1
Issues Presented	2
Argument	3
Conclusion	11

ISSUES PRESENTED

TRIAL COURT LACKED SUBJECT MATTER JURISDICTION TO ACCEPT PETITIONER'S PLEA OF GUILTY.

PCR JUDGE ERRED IN HIS RULING OF PETITIONER'S ALLEGATIONS BY FAILING TO STATE SPECIFIC FACTS AND CONCLUSIONS OF LAW RELATING TO EACH ISSUE PRESENTED.

ARGUMENT

TRIAL COURT LACKED SUBJECT MATTER JURISDICTION TO ACCEPT PETITIONER'S PLEA OF GUILTY.

PETITIONER WAS INDICTED AT THE NOVEMBER 2008 TERM OF THE LAURENS COUNTY GRAND JURY. (APP. 287-292) PETITIONER PLED GUILTY TO ONE COUNT OF ASSAULT AND BATTERY WITH INTENT TO KILL AS INDICTED, ONE COUNT OF ASSAULT AND BATTERY OF A HIGH AND AGGRAVATED NATURE AS INDICTED, AND TWO COUNTS OF ASSAULT AND BATTERY OF A HIGH AND AGGRAVATED NATURE AS A LESSER INCLUDED OFFENSE OF ASSAULT AND BATTERY WITH INTENT TO KILL BEFORE THE HONORABLE JUDGE S. BERHAM COLE ON OCTOBER 20, 2010. (APP 187-213).

ON OCTOBER 3, 2013 PETITIONER WROTE THE LAURENS COUNTY CLERK OF COURT REQUESTING EMPANELMENT DOCUMENTS PURSUANT TO EVANS V. STATE. PETITIONER RECEIVED SAID DOCUMENT ON OCTOBER 4, 2013. (DOCUMENTS ENCLOSED MARKED EXHIBIT A, B, C).

DOCUMENT MARKED (EXHIBIT C) PROVIDES A LIST OF GRAND JURORS WHO TRUE BILLED PETITIONER'S INDICTMENTS. THERE ARE A TOTAL OF SIXTEEN NAMES LISTED IN THIS ~~INDICTMENT~~^{INDICTMENT} DOCUMENT.

PETITIONER ASSERTS, "THAT WHILE IT IS TRUE THAT THERE NEED BE ONLY TWELVE MEMBERS PRESENT TO TRUE

BILL AN INDICTMENT, S.C. CONST. ART. 5 § 22 STATES IN PERTINENT PART: "THE GRAND JURY OF EACH COUNTY AND THE STATE GRAND JURY, AS THE GENERAL ASSEMBLY MAY ESTABLISH BY GENERAL LAW, SHALL CONSIST OF EIGHTEEN MEMBERS, TWELVE OF WHOM MUST AGREE IN A MATTER BEFORE IT CAN BE SUBMITTED TO THE COURTS."

§ PETITIONER ASSERTS THE CIRCUIT COURT LACKS SUBJECT MATTER JURISDICTION TO CONDUCT A TRIAL OF A CRIMINAL CHARGE WHERE THERE HAS BEEN NO PRESENTMENT OF AN INDICTMENT BY THE GRAND JURY, SEE EVANS V. STATE, 307 S.C. 477, 415 S.E.2d 816 (1992) "VALID INDICTMENT OR WAIVER OF PRESENTMENT PREREQUISITE FOR CIRCUIT COURT'S SUBJECT MATTER JURISDICTION." AND THE CIRCUIT COURT LACKS SUBJECT MATTER JURISDICTION TO ACCEPT A GUILTY PLEA UNLESS THERE HAS BEEN A PRESENTMENT OR A WRITTEN WAIVER OF PRESENTMENT, SEE S.C. CONST. ART 1 § 11 "NO PERSON MAY BE HELD TO ANSWER FOR ANY CRIME THE JURISDICTION OVER WHICH IS NOT WITHIN THE MAGISTRATE'S COURT, UNLESS ON A PRESENTMENT OR INDICTMENT OF A GRAND JURY OF THE COUNTY WHERE THE CRIME HAS BEEN COMMITTED."; S.C. CODE ANN. § 17-19-10 (2003) "NO PERSON SHALL BE HELD TO ANSWER IN ANY COURT FOR AN ALLEGED CRIME OR OFFENSE, UNLESS UPON INDICTMENT BY A GRAND JURY."

§ PETITIONER ASSERTS THE WORD "SHALL" USED IN S.C. CONST. ART 5 § 22 AND S.C. CODE ANN. § 17-19-10 (2003) INDICATES THE LEGISLATURE'S INTENT TO ENACT A

MANDATORY REQUIREMENT. SEE BRABLEY V. DOE, 649 S.E. 2d 157 (2007).

PENAL STATUTES ARE STRICTLY CONSTRUED AGAINST THE STATE AND IN FAVOR OF THE DEFENDANT. SEE STATE V. DUPREE, 354 S.C. 676, 583 S.E. 2d 437 (2003) CITING STATE V. MORGAN, 352 S.C. 359, 574 S.E. 2d 203 (CT. APP. 2002); STATE V. FOWLER, 322 S.C. 157, 470 S.E. 2d 393 (CT. APP. 1996). ALL RULES OF STATUTORY CONSTRUCTION ARE SUBSERVIENT TO THE ONE THAT LEGISLATIVE INTENT MUST PREVAIL IF IT CAN BE REASONABLY DISCOVERED IN THE LANGUAGE USED, AND THAT LANGUAGE MUST BE CONSTRUED IN THE LIGHT OF THE INTENDED PURPOSE OF THE STATUTE. SEE STATE V. DUPREE II CITING STATE V. HUDSON, 336 S.C. 239, 579 S.E. 2d 577 (CT. APP. 1999) THE DETERMINATION OF LEGISLATIVE INTENT IS A MATTER OF LAW. SEE STATE V. DUPREE II CITING CITY OF SUMTER POLICE DEPT V ONE 1992 BLUE MAZDA TRUCK, 330 S.C. 371, 498 S.E. 894 (CT. APP. 1998) THE LEGISLATURE'S INTENT SHOULD BE ASCERTAINED PRIMARILY FROM THE PLAIN LANGUAGE OF THE STATUTE. SEE STATE V. DUPREE II CITING STEPHEN V AVINS CONSTR. CO, 324 S.C. 334, 478 S.E. 2d 74 (CT. APP. 1996) WORDS MUST BE GIVEN THEIR PLAIN AND ORDINARY MEANING WITHOUT RESORTING TO SUBTLE OR FORCED CONSTRUCTION WHICH LIMITS OR EXPANDS THE STATUTE'S OPERATION. SEE STATE V. DUPREE II CITING ROWE V HYATT, 321 S.C. 366, 468 S.E. 2d 649 (1996); CITY OF SUMTER POLICE DEPT, 330 S.C. AT 375, 498 S.E. 2d AT 896. IF A STATUTE'S LANGUAGE IS

AND UNAMBIGUOUS, AND CONVEYS A CLEAR AND DEFINITE MEANING, THERE IS NO NEED TO EMPLOY RULES OF STATUTORY ~~CONSTRUCTION~~^{INT} INTERPRETATION AND THE COURT HAS NO RIGHT TO LOOK FOR OR IMPOSE ANOTHER MEANING. SEE STATE V. DUPREE ID. CITING PASCAL V. STATE ELECTION COMM., 317 S.C. 434, 454 S.E. 2d 890 (1995); WHEN THE TERMS ~~OF~~ A STATUTE ARE CLEAR, THE COURT MUST APPLY THOSE TERMS ACCORDING TO THEIR LITERAL MEANING. SEE STATE V. DUPREE ID. CITING HOLLEY V. MOUNT VERNON MILLS, INC. 312 S.C. 320, 440 S.E. 2d 373 (1994)

§ PETITIONER ASSERTS S.C. CONST. ART. 5 § 22 IS A MANDATORY REQUIREMENT THAT THE GRAND JURY BE COMPOSED OF EIGHTEEN MEMBERS. AND IN FAILURE TO COMPLY WITH THIS CONSTITUTIONAL LAW NOT ONLY MAKES THE GRAND JURY BODY AS A WHOLE UNLAWFUL AND UNCONSTITUTIONAL BUT ALSO THE INDICTMENTS AS WELL.

PETITIONER FURTHER ASSERTS THAT BECAUSE THE GRAND JURY BODY AS A WHOLE WAS ILLEGALLY AND UNCONSTITUTIONALLY EMPANELED THE INDICTMENTS SHOULD BE NULL AND VOID.

§ PETITIONER ALSO ASSERTS THAT DUE TO THE VOID INDICTMENTS HE WAS NEVER PRESENTED WITH A VALID INDICTMENT WHICH IS A PREREQUISITE TO CONFER SUBJECT MATTER JURISDICTION TO THE CIRCUIT COURT. SEE STATE V. EVANS ID. AND THAT PURSUANT TO S.C. CODE ANN. § 17-19-10 (2003) HIS GUILTY PLEA SHOULD NEVER HAVE BEEN ACCEPTED.

PETITIONER ASSERTS THAT HE IS AFFORDED THE OPPORTUNITY TO RAISE THE ISSUE OF THE TRIAL COURT'S JURISDICTION IN WHICH HE WAS CONVICTED FOR THE FIRST TIME ON APPEAL. SEE STATE V. GENTRY, 363 S. C. 93, 610 S.E.2d 494 (2005)

PCR JUDGE ERRED IN HIS RULING OF PETITIONER'S ALLEGATIONS BY FAILING TO STATE SPECIFIC FACTS AND CONCLUSIONS OF LAW RELATING TO EACH ISSUE PRESENTED.

ON OCTOBER 14, 2014 AN EVIDENTIARY HEARING WAS HELD CONCERNING PETITIONER'S ALLEGATIONS OF HIS UNLAWFUL CONVICTION AND SENTENCE. THE ALLEGATIONS ARE AS FOLLOWS:

COUNSEL PROVIDED INADEQUATE REPRESENTATION BY FAILING TO CHALLENGE THE ARREST WARRANTS IN THAT THEY FAILED TO ESTABLISH PROBABLE CAUSE. (ENCLOSED ARE ARREST WARRANTS MARKED EXHIBIT D, E, F, G).

PETITIONER ASSERTS THAT THE AFFIDAVITS FAILED TO SET FORTH ANY FACTS AS TO WHY THE POLICE BELIEVED HE COMMITTED THE CRIMES AND THAT OFFICERS RELIED ON INFORMATION TO PROVE PROBABLE CAUSE, BUT FAILED TO INDICATE WHERE THE INFORMATION WAS OBTAINED. SEE STATE V. SENKINS, 727 S. E. 2d 761 (S.C. APP. 2012); S.C. CODE ANN. § 17-13-140(). PETITIONER

ASSERTS THAT CONSIDERING THE TOTALITY OF THE CIRCUMSTANCES, THE LACK OF SPECIFICITY, THE MERE CONCLUSORY STATEMENTS, AND NO INDICATION AS TO WHERE THE OFFICERS OBTAINED THE INFORMATION, THE AFFIDAVITS FAILED TO PROVIDE THE MAGISTRATE WITH A SUBSTANTIAL BASIS FOR CONCLUDING THERE WAS PROBABLE CAUSE THAT HE COMMITTED THE CRIMES. See ILLINOIS v GATES, 462 U.S. 213, 103 S. CT. 2317, 76 L. Ed 2d 527 (1983); U.S. v LEON, 468 U.S. 897 (1984). PETITIONER ASSERTS THAT HIS LIBERTY IS CONSTITUTIONALLY PROTECTED BY THE FOURTH AMENDMENT AND THAT HE IS ENTITLED TO THE PROTECTION OF THE DUE PROCESS CLAUSE. See U.S.C.A. FOURTH AMENDMENT. PETITIONER ASSERTS THAT HE WAS DEPRIVED OF HIS PROTECTED LIBERTY INTEREST BY THE ISSUANCE OF THE ILLEGAL ARREST WARRANTS. PETITIONER FURTHER ASSERTS THAT THE DUTY OF A REVIEWING COURT IS SIMPLY TO ENSURE THAT THE MAGISTRATE HAD A 'SUBSTANTIAL BASIS' FOR CONCLUDING THAT PROBABLE CAUSE EXISTED. See ILLINOIS v GATE ID AT 238-39, 103 S. CT AT 2332, 76 L. Ed 2d AT 548.

§ PROSECUTOR COMMITTED PROSECUTORIAL MISCONDUCT BY FAILING TO DISCLOSE EVIDENCE TO THE DEFENSE.

PETITIONER ASSERTS THAT THE PROSECUTION HAS A DUTY TO DISCLOSE EXCULPATORY EVIDENCE. SEE UNITED STATES V BRADY, 373 U.S. 83, 83 S. CT 1193 (1963). A DEFENDANT IS ENTITLED TO REVIEW EMPANELMENT DOCUMENTS IN ORDER TO DETERMINE BY A TIMELY MOTION TO QUASH AN INDICTMENT MADE BEFORE THE JURY RENDERS ITS VERDICT, WHETHER THE GRAND JURY WHICH INDICTED HIM WAS LEGALLY ESTABLISHED OR SUFFERED FROM ANY LESSER IRREGULARITY WHICH IMPLICATES THE DEFENDANT'S CONSTITUTIONAL RIGHT TO HAVE HIS CASE CONSIDERED BY A GRAND JURY WHICH IS PROPERLY CONSTITUTED BY LAW. SEE EVANS V STATE, 611 S.E.2D 510 (2005).

PETITIONER ASSERTS THAT (EXHIBIT C) WAS NOT DISCLOSED TO THE DEFENSE. PETITIONER ASSERTS HIS DECISION WHETHER OR NOT TO PLEAD GUILTY IS OFTEN HEAVILY INFLUENCED BY HIS APPRAISAL OF THE PROSECUTION'S CASE. AND A DEFENDANT'S LACK OF KNOWLEDGE OF MATERIAL EVIDENCE IN THE PROSECUTION'S POSSESSION DOES NOT SEEM THE WAIVER OF HIS CONSTITUTIONAL RIGHTS KNOWING AND VOLUNTARY.

PETITIONER ASSERTS HE IS ENTITLED TO MAKE THAT DECISION WITH FULL AWARENESS OF FAVORABLE EVIDENCE KNOWN TO THE GOVERNMENT. SEE GIBSON V. STATE, 514 S.E.2D 230 (1999)

PETITIONER ASSERTS THAT IN THE SPECIFIC CONTEXT OF POST-CONVICTION RELIEF S.C. CODE ANN. § 17-27-80 REQUIRES A PCR COURT TO "MAKE SPECIFIC FINDINGS OF FACT AND STATE EXPRESSLY IT'S CONCLUSIONS OF LAW RELATING TO EACH ISSUE PRESENTED" TO IT. IN CITING THIS PROVISION OF STATE LAW, THE SOUTH CAROLINA SUPREME COURT HAS CONSISTENTLY VACATED AND REMANDED THE PCR COURT JUDGMENTS THAT DO NOT CONTAIN FINDINGS ON ISSUES PRESENTED TO THE PCR COURT. SEE PEARSON v. HARRISON, 9 FEB. APPX 85 (4TH CIR. 2001)

PETITIONER CONTENTS THAT EVERY ISSUE CONTAINED WITHIN THIS BRIEF RAISES A NOVEL QUESTION OF LAW AND HUMBLY REQUESTS THAT THIS COURT TREAT THEM AS SO. SEE MALISON ex REL. BRYANT v. BABCOCK CENTER INC., 371 S.C. 123, 638 S.E.2d 650 (S.C. 2006); LONGSHORE v. SABER SEC. SERVICES, INC., 365 S.C. 554, 619 S.E.2d 5 (S.C. APP. 2005); CROFT v. OLD REPUBLIC INS. CO., 365 S.C. 402, 618 S.E.2d 909 (S.C. 2005). PETITIONER CONTENTS THAT THE PCR COURT MADE KNOWN IT'S INTENTIONS BY NOT RULING ON THESE ISSUES AND PETITIONER RESPECTFULLY REQUESTS THAT IF THIS COURT DECIDES TO REMAND THIS CASE THAT IT BE DONE WITH INSTRUCTIONS.

CONCLUSION

BASED ON THE FOREGOING ARGUMENT,
PETITIONER REQUESTS THAT THIS COURT GRANT THE
PETITION. PETITIONER ALSO REQUESTS THAT THE
LOWER COURT'S DECISION BE REVERSED AND HIS PLEA
AND SENTENCE VACATED.

RESPECTFULLY SUBMITTED,
Mars B. Younger
MARCUS B. YOUNGER
PETITIONER PRO SE

EXHIBIT A

LAURENS COUNTY
CLERK OF COURT

DEAR Mrs. LANCASTER:

10-3-2013

2013 OCT -4 A 11: 33

~~IN~~ CITING ^{LYNN W. LANCASTER} EVANS V. STATE 611 S.C. 200 510 (2005)
AS AN APPLICANT OF A PENDING PCR I AM ENTITLED
TO THE IMPANELMENT DOCUMENTS INCLUDING THE
STATE'S PETITION, SUPPORTING MATERIALS, AND THE
IMPANELING JUDGE'S ORDER WHICH I AM NOW
REQUESTING FROM YOU.

ALSO, I AM REQUESTING A COPY OF THE ORIGINAL
INDICTMENT(S) PREPARED BY THE SOLICITOR THAT
WERE PRESENTED TO YOU FOR FILING, THE
ASSIGNMENT OF A CRIMINAL CASE NUMBER, AND
PRESENTMENT TO THE GRAND JURY PURSUANT TO
RULE 3 OF THE S.C. RULES OF CRIMINAL PROCEDURES.

WARRANT #'S ARE: I 808 712, 717-719

INDICTMENT #'S ARE: 08 GS 30-1634-1637

My PENDING PCR CASE NUMBER IS 2011-CP-30-559.

Will you PLEASE CLOCK STAMP TIME AND DATE THIS
REQUEST?

THANK YOU FOR YOUR ASSISTANCE,

Marcus S. Young
Marc S. Young

Lynn W. Lancaster
Laurens County Clerk of Court
P. O. Box 287
Laurens, SC 29360

October 4, 2013

Marcus D. Young #321875
Turbeville Correctional Institution
Taw Caw A Room 111
P. O. Box 252
Turbeville, SC 29162

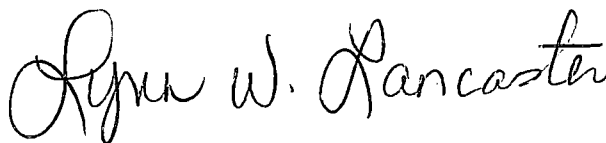
Dear Mr. Young:

I am in receipt of your recent correspondence. I have enclosed certified copies of the True Billed Indictments. I am also enclosing previous correspondence from me because it appears that you are requesting the same information again.

I have also enclosed a clocked copy of your letter dated 10/3/2013.

Finally, I have enclosed a copy of an Order of Substitution of Counsel.

Sincerely,



Lynn W. Lancaster

/lw
Enclosures

Lynn W. Lancaster
Laurens County Clerk of Court
P. O. Box 287
Laurens, SC 29360

October 19, 2011

Marcus D. Young #321575
McCormick Correctional Institution
F4/270
386 Redemption Way
McCormick, SC 29899

Dear Mr. Young:

In response to your request for empanelment information regarding the grand jurors who true billed your indictments, I provide the following:

Anthony W. Ceder – W M
John R. Sparkman – W M
Susan L. Brown – W F
Jack D. Watts, III – W M
Rita Self – W F
Nedra T. Seymour – W F
Larry D. Poole – W M
Jason J. Godfrey – W M
Holly A. Coutch – W F
Randy S. Davis – W M
Margarie Kelley – B F
Jason Taylor – W M
Jerome Guest – B M
Patricia A. Stevens – W F
Donna F. Hughes – W F
Jonathan P. Mann – W M

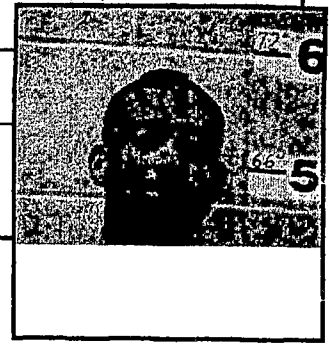
Grand Jury votes are not public record. It only requires 12 of the above named members who were present that day to True Bill an indictment; therefore, 12 of those above voted to true bill your indictments as evidenced by the foreman's signature.

EXHIBIT D

ARREST WARRANT

1-808719

STATE OF SOUTH CAROLINA
[X] County/ [] Municipality of
LAURENS



THE STATE
against

ARCUS DEANDRUS YOUNG
Address: 309 S BELL STREET
LINTON SC 29325
Phone: 864-833-1340 SSN: 249-63-0572
Sex: M Race: B Height: 5-11 Weight: 180
State: DL#: NONE
DOB: 06/13/1985 Agency ORI#: SC0300000
Prosecuting Agency: LAURENS COUNTY SHERIFF'S
Prosecuting Officer: LT. ROBERT PLAXICO
Offense Code: 0013
Offense/Ordinance Sec. C/L

This warrant is CERTIFIED FOR SERVICE in the
[] County/ [] Municipality of
The accused
to be arrested and brought before me to be
dealt with according to law.

Signature of Judge (L.S.)

RETURN

A copy of this arrest warrant was delivered to
defendant MARCUS DEANDRUS YOUNG
8-1-08
Signature of Constable/Law Enforcement Officer

RETURN WARRANT TO:

STATE OF SOUTH CAROLINA
[X] County/ [] Municipality of
LAURENS

AFFIDAVIT

Form Approved by
S.C. Attorney General
July 26, 1990
SCCA 518

Personally appeared before me the affiant LT. ROBERT PLAXICO
being duly sworn deposes and says that defendant MARCUS DEANDRUS YOUNG
did within this county and state on 07/31/2008
violate the criminal laws of the
State of South Carolina (or ordinance of [X] County/ [] Municipality of LAURENS
in the following particulars:
DESCRIPTION OF OFFENSE: C/L / ABHAN

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:

LT, ROBERT PLAXICO STATES UNDER OATH ON INFORMATION AND BELIEF THAT MARCUS DEANDRUS YOUNG DID
INTENTIONALLY COMMIT A BATTERY UPON LINDSEY D. SMITH BY BEATING THE VICTIM REPEATEDLY, THE ACT BEING
AGGRAVATED IN THAT THE VICTIM IS A FEMALE AND SUSTAINED SERIOUS INJURIES. THIS OCCURRED ON DRAGON TRAIL
IN LAURENS SC, COUNTY OF LAURENS.

Signature of Affiant

P.O. BOX 68
LAURENS SC 29360
864-984-4967
LAURENS COUNTY
CLERK OF COURT
2008 AUG - 14 P 14: 20
YANN W LANCASTER

STATE OF SOUTH CAROLINA
[X] County/ [] Municipality of
LAURENS

ARREST WARRANT

TO ANY LAW ENFORCEMENT OFFICER IN 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 07/31/2008 defendant MARCUS DEANDRUS YOUNG
did violate the criminal laws of the State of South Carolina (or ordinance of
[X] County/ [] Municipality of LAURENS) as set forth below:

DESCRIPTION OF OFFENSE: ASSAULT / ASSAULT AND BATTERY OF A HIGH AND AGGRAVATED
NATURE (ABHAN)

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 the 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 08/01/2008
Paul D. Tyler (L.S.)
Judge Code: 787

Judge's Address PO BOX 925
LAURENS SC 29360
Judge's Telephone 864-683-4485
Issuing Court: [X] Magistrate [] Municipal [] Circuit

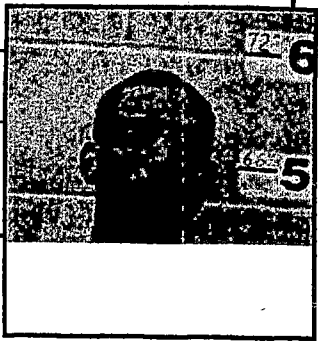
ORIGINAL

Case: 08000548

EXHIBIT 2

ARREST WARRANT

1-808712



STATE OF SOUTH CAROLINA

County/ Municipality of

LAURENS

THE STATE

against

STATE OF SOUTH CAROLINA

County/ Municipality of

LAURENS

AFFIDAVIT

Form Approved by
S.C. Attorney General
July 26, 1990
SCCA 518

Personally appeared before me the affiant LT. ROBERT WILKIE who

being duly sworn deposes and says that defendant MARCUS DEANDRUS YOUNG

did within this county and state on 07/31/2008

violate the criminal laws of the State of South Carolina (or ordinance of County/ Municipality of LAURENS)

in the following particulars:

DESCRIPTION OF OFFENSE: 16-03-0620 / ABWIK

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:

LT. ROBERT WILKIE STATES UNDER OATH ON INFORMATION AND BELIEF THAT MARCUS DEANDRUS YOUNG DID WITH MALICE AFORETHOUGHT AND WITH THE INTENT TO KILL, COMMIT A BATTERY UPON A TWO YEAR OLD CHILD WHOSE DATE OF BIRTH IS 03-24-06. THIS OCCURRED ON DRAGON TRAIL IN LAURENS SC, COUNTY OF LAURENS.

ARCUS DEANDRUS YOUNG

Address: 309 S BELL STREET

LINTON SC 29325

Phone: 864-833-1340 SSN: 249-63-0572

Sex: M Race: B Height: 5-11 Weight: 180

DL State: SC DL#: NONE

DOB: 06/13/1985 Agency ORI#: SC0300000

Prosecuting Agency: LAURENS COUNTY SHERIFF'S

Prosecuting Officer: LT. ROBERT WILKIE

Offense: ABWIK

Offense Code: 0014

Code/Ordinance Sec. 16-03-0620

This warrant is CERTIFIED FOR SERVICE in the

County/ Municipality of

The accused

is to be arrested and brought before me to be held in custody according to law.

Signature of Judge

(L.S.)

RETURN

A copy of this arrest warrant was delivered to defendant MARCUS DEANDRUS YOUNG

on 8-1-08

[Signature]
Signature of Constable/Law Enforcement Officer

RETURN WARRANT TO:

Signature of Affiant

[Signature]

STATE OF SOUTH CAROLINA

County/ Municipality of

LAURENS

Affiant's Address P.O. BOX 68

LAURENS SC 29360

Affiant's Telephone 864-984-4967

LYNN W. LASTER
2008 AUG - 11 P 4:20
CLERK OF COURT
LAURENS COUNTY

ARREST WARRANT

TO ANY LAW ENFORCEMENT OFFICER IN 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 07/31/2008 defendant MARCUS DEANDRUS YOUNG

did violate the criminal laws of the State of South Carolina (or ordinance of

County/ Municipality of LAURENS) as set forth below:

DESCRIPTION OF OFFENSE: ASSAULT / ASSAULT AND BATTERY WITH INTENT TO KILL (ABWIK)

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 the 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 07/31/2008

[Signature]
Judge's Address

PO BOX 925

LAURENS SC 29360

Judge's Telephone 864-683-4485

Judge Code: 7029

Issuing Court: Magistrate

Municipal

Circuit

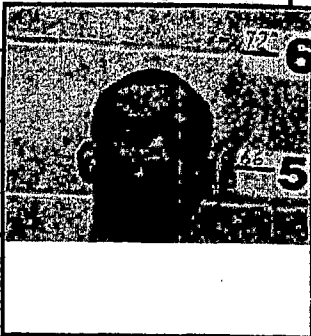
ORIGINAL

Case: 08000548

EXHIBIT F

ARREST WARRANT

1-808717



STATE OF SOUTH CAROLINA

County/ Municipality of

LAURENS

THE STATE

against

STATE OF SOUTH CAROLINA

County/ Municipality of

LAURENS

AFFIDAVIT

Form Approved by S.C. Attorney General July 28, 1990 SCCA 518

Personally appeared before me the affiant LT. ROBERT PLAXICO who

being duly sworn deposes and says that defendant MARCUS DEANDRUS YOUNG

did within this county and state on 07/31/2008 violate the criminal laws of the

State of South Carolina (or ordinance of County/ Municipality of LAURENS

in the following particulars:

DESCRIPTION OF OFFENSE: 16-03-0620 / ABWIK

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:

LT. ROBERT PLAXICO STATES UNDER OATH ON INFORMATION AND BELIEF THAT MARCUS D. YOUNG DID WITH MALICE AFORETHOUGHT AND WITH THE INTENT TO KILL, COMMIT A BATTERY UPON A THREE YEAR OLD CHILD WHOSE DATE OF BIRTH IS 10-27-04. THIS OCCURRED ON DRAGON TRAIL IN LAURENS SC, COUNTY OF LAURENS.

MARCUS DEANDRUS YOUNG

Address: 309 S BELL STREET

LINTON SC 29325

Phone: 864-833-1340 SSN: 249-63-0572

Sex: M Race: B Height: 5-11 Weight: 180

DL State: DL#: NONE

DOB: 06/13/1985 Agency ORI#: SC0300000

Prosecuting Agency: LAURENS COUNTY SHERIFF'S

Prosecuting Officer: LT. ROBERT PLAXICO

Offense: ABWIK

Offense Code: 0014

Code/Ordinance Sec. 16-03-0620

This warrant is CERTIFIED FOR SERVICE in the

County/ Municipality of

The accused

to be arrested and brought before me to be

sworn with according to law.

Signature of Judge

(L.S.)

RETURN

copy of this arrest warrant was delivered to defendant MARCUS DEANDRUS YOUNG

8-1-08

Signature of Constable/Law Enforcement Officer

RETURN WARRANT TO:

Signature of Affiant

Affiant's Address P.O. BOX 68 LAURENS SC 29360

Affiant's Telephone 864-984-4967

LYNN W. LANGASTER 2008 AUG -11 P 4:20 LAURENS COUNTY CLERK OF COURT

STATE OF SOUTH CAROLINA

County/ Municipality of

LAURENS

ARREST WARRANT

TO ANY LAW ENFORCEMENT OFFICER IN 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 07/31/2008 defendant MARCUS DEANDRUS YOUNG

did violate the criminal laws of the State of South Carolina (or ordinance of

County/ Municipality of LAURENS) as set forth below:

DESCRIPTION OF OFFENSE: ASSAULT / ASSAULT AND BATTERY WITH INTENT TO KILL (ABWIK)

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 the 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 08/01/2008

Paul D. Lyles (L.S.)

Judge Code: 787

Judge's Address PO BOX 925 LAURENS SC 29360

Judge's Telephone 864-683-4485

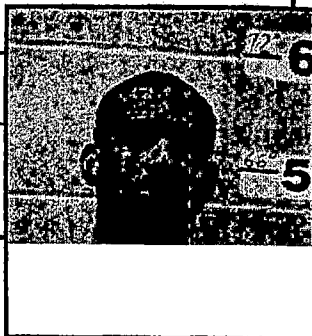
Issuing Court: Magistrate Municipal Circuit

ORIGINAL

Case: 08000548

ARREST WARRANT

I-808718



STATE OF SOUTH CAROLINA

[X] County/ [] Municipality of LAURENS

THE STATE against

STATE OF SOUTH CAROLINA

[X] County/ [] Municipality of LAURENS

AFFIDAVIT

Form Approved by S.C. Attorney General July 28, 1980 SCCA 518

Personally appeared before me the affiant LT. ROBERT PLAXICO who being duly sworn deposes and says that defendant MARCUS DEANDRUS YOUNG did within this county and state on 07/31/2008 violate the criminal laws of the State of South Carolina (or ordinance of [X] County/ [] Municipality of LAURENS) in the following particulars:

DESCRIPTION OF OFFENSE: 16-03-0620 / ABWIK

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:

LT. ROBERT PLAXICO STATES UNDER OATH ON INFORMATION AND BELIEF THAT MARCUS D. YOUNG DID WITH MALICE AFORETHOUGHT AND WITH THE INTENT TO KILL, COMMIT A BATTERY UPON A SEVEN YEAR OLD CHILD WHOSE DATE OF BIRTH IS 06/03/01. THIS OCCURRED ON DRAGON TRAIL IN LAURENS SC, COUNTY OF LAURENS.

MARCUS DEANDRUS YOUNG

Address: 309 S BELL STREET LINTON SC 29325 Phone: 864-833-1340 SSN: 249-63-0572 Race: B Height: 5-11 Weight: 180 DL#: NONE DOB: 06/13/1985 Agency ORI#: SC0300000 Prosecuting Agency: LAURENS COUNTY SHERIFF'S Prosecuting Officer: LT. ROBERT PLAXICO Offense Code: 0014 Code/Ordinance Sec. 16-03-0620

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

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

Signature of Judge (L.S.)

Date:

RETURN

A copy of this arrest warrant was delivered to defendant MARCUS DEANDRUS YOUNG

Signature of Constable/Law Enforcement Officer

RETURN WARRANT TO:

STATE OF SOUTH CAROLINA

[X] County/ [] Municipality of LAURENS

Affiant's Address P.O. BOX 68 LAURENS SC 29360 Affiant's Telephone 864-984-4967

ARREST WARRANT

TO ANY LAW ENFORCEMENT OFFICER IN 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 07/31/2008 defendant MARCUS DEANDRUS YOUNG did violate the criminal laws of the State of South Carolina (or ordinance of [X] County/ [] Municipality of LAURENS) as set forth below:

DESCRIPTION OF OFFENSE: ASSAULT / ASSAULT AND BATTERY WITH INTENT TO KILL (ABWIK)

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 the 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 08/01/2008 Paul O. [Signature] (L.S.)

Judge Code: 187

Judge's Address PO BOX 925 LAURENS SC 29360 Judge's Telephone 864-683-4485

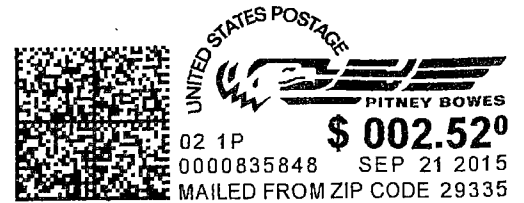
Issuing Court: [X] Magistrate [] Municipal [] Circuit

ORIGINAL

Case: 08000548

LAURENS COUNTY CLERK OF COURT LYNN W. LANCASTER 2008 AUG - 1 P. 4: 20

CUS YOUNG #321575
RIVER CORR. INST
ROOM 111A
PRISON ROAD
SC 29335



THE SUPREME COURT OF S.C.
P.O. BOX 11330
COLUMBIA, SC 29211