

The State of South Carolina
COURT OF APPEALS
TYRONE LORENZO ROBINSON APPEAL CASE NO:
2015-002236

VS

TOP DOLLAR PAWN & SALES
AND
RAYMOND CLARK

RECEIVED

JAN 25 2016

SC Court of Appeals

PROPOSED
COMPLAINT

STATE OF SOUTH CAROLINA

COUNTY OF Beaufort

TYRONE LORENZA ROBINSON

Plaintiff(s)

TOP DOLLAR PAWN & SALES
AND
RAYMOND CLARK, owner
OF TOP DOLLAR PAWN & SALES

Defendant(s)

IN THE COURT OF COMMON PLEAS

CIVIL ACTION COVERSHEET

2015-CP-07-1749

RECEIVED

JAN 25 2016

(Please Print)

Submitted By TYRONE LORENZA ROBINSON

SC Bar # _____

Telephone # _____

Address: PERAY CORRECTIONAL INSTITUTION

Court of Appeals

Other: _____

E-mail: _____

NOTE: The coversheet and information contained herein neither replaces nor supplements the filing and service of pleadings or other papers as required by law. This form is required for the use of the Clerk of Court for the purpose of docketing. It must be filled out completely, signed, and dated. A copy of this coversheet must be served on the defendant(s) along with the Summons and Complaint.

DOCKETING INFORMATION (Check all that apply)

*If Action is Judgment/Settlement do not complete

JURY TRIAL demanded in complaint.

NON-JURY TRIAL demanded in complaint.

This case is subject to ARBITRATION pursuant to the Court Annexed Alternative Dispute Resolution RULES

This case is subject to MEDIATION pursuant to the Court Annexed Alternative Dispute Resolution RULES

This case is exempt from ADR. (Proof of ADR/Exemption Attached)

NATURE OF ACTION (Check One Box Below)

Contracts

- Constructions (100)
- Debt Collection (110)
- Employment (120)
- General (130)
- Breach of Contract (140)
- Other (199)

Torts - Professional Malpractice

- Dental Malpractice (200)
- Legal Malpractice (210)
- Medical Malpractice (220)
- Previous Notice of Intent Case # 20-CP-
- Notice/ File Med Mal (230)
- Other (299)

Torts - Personal Injury

- Assault/Slander/Libel (300)
- Conversion (310)
- Motor Vehicle Accident (320)
- Premises Liability (330)
- Products Liability (340)
- Personal Injury (350)
- Wrongful Death (360)
- Other (399)

Real Property

- Claim (370)
- Condemnation (380)
- Foreclosure (390)
- Mechanical (400)
- Partition (410)
- Possession (420)
- Building Code Violation (460)
- Other (499)

Inmate Petitions

- PCR (500)
- Habeas Corpus (520)
- Habeas Corpus (530)
- Other (599)

Administrative Law/Relief

- Reinstate Drv. License (800)
- Judicial Review (810)
- Relief (820)
- Permanent Injunction (830)
- Forfeiture-Petition (840)
- Forfeiture-Consent Order (850)
- Other (899)

Judgments/Settlements

- Death Settlement (700)
- Foreign Judgment (710)
- Magistrate's Judgment (720)
- Minor Settlement (730)
- Transcript of Judgment (740)
- Lis Pendens (750)
- Transfer of Structured Settlement Payment Rights Application (760)
- Confession of Judgment (770)
- Petition for Workers Compensation Settlement Approval (780)
- Other (799)

Appeals

- Arbitration (900)
- Magistrate-Civil (910)
- Magistrate-Criminal (920)
- Municipal (930)
- Probate Court (940)
- SCDOT (950)
- Worker's Comp (960)
- Zoning Board (970)
- Public Service Commission (990)
- Employment Security Commission (991)
- Other (999)

Special/Complex /Other

- Environmental (600)
- Automobile Arb. (610)
- Medical (620)
- Other (699)
- Sexual Predator (510)
- Pharmaceuticals (630)
- Unfair Trade Practices (640)
- Foreign Subpoenas (650)
- Motion to Quash Subpoena in Out-of-County Action (660)

Submitting Party Signature: Tyrone Lorenza Robinson

Date: _____

Note: Frivolous civil proceedings may be subject to sanctions pursuant to SCRCP, Rule 11, and the South Carolina Frivolous Civil Proceedings Sanctions Act, S.C. Code Ann. §15-36-10 et. seq.

1st CLAIM
sued FOR

MALICIOUS PROSECUTION

SUPPORTING case law merits

Barber v. Whirlpool Corp 34 F.3d

1268 "quoting"

where defendant does not prosecute
a warrant personally, he may still
be liable under South Carolina law
for malicious prosecution if causes
one to be maintained or voluntarily
atds or assists in its prosecution

COMPLAINT 3.
FOR CLAIM OF MALICIOUS PROSECUTION
ON INDICTMENT # 2012-65-07-1890

1st and 2nd Element
PROVEING CLAIM OF MALICIOUS PROSECUTION
- 1st element IS: INSTITUTION OR CONTINUATION OF ORIGINAL PROCEEDING
- 2nd Element IS: by, OR AT THE instance OF DEFENDANT

CONFESION

INSIDE OF THERE POLICE REPORT BEAUFORT COUNTY SHERIFF DEPARTMENT AND BEAUFORT COUNTY SHERIFF OFFICE, ACTING IN A RESPONDENT SUPERIOR CAPACITY WITH THERE EMPLOYEE POLICE OFFICER DAVID SIEFERT STATED AND CONFESSED "QUOTE"
ON 09-01-2012 AT APPROXIMATELY 2155 HOURS CPL COVANT CONTACTED RAY CLARK AND ADVISED HIM THE UPDATED INFORMATION "CLARK ADVISED CPL COVANT" THAT HE STILL WANTS TO PERSUE CHARGES ON SINGLETON & ROBINSON & COMPLETED TWO SEPERATE COUNTY TICKETS AND BOTH SINGLETON AND ROBINSON WERE TRANSPORTED TO BEAUFORT COUNTY DETENTION CENTER WITHOUT INCIDENT.
ON 09-02-2012 AT APPROXIMATELY 0315 HOURS & MET WITH JUDGE CONKEE AT HER RESIDENCE AND OBTAINED TWO ARREST WARRANTS FOR SINGLETON (# 2012A072 03 00085) AND ROBINSON (# 2012-A07 203 00086) FOR BURGLARY SECOND DEGREE AND THEY WERE IMMEDIATELY SERVED.
INDICTMENT # 2012-65-07-1890 REVEALS THAT THE DEFENDANT GOT TYRONE WRENZA ROBINSON INDICTED ON ARREST WARRANT # 2012 A07 203 00086 BY THE GRAND JURY FOR FALSE BURGLARY SECOND DEGREE CHARGE ON DATE OF OCTOBER 18TH 2,012.
THE PRIMARY PURPOSES OF AN INDICTMENT ARE TO PUT THE DEFENDANT ON NOTICE OF WHAT HE IS CALLED UPON TO ANSWER TO APPRISE HIM OF THE ELEMENTS OF THE OFFENSE AND TO ALLOW

him to decide whether to plead guilty or stand trial, and to enable the circuit court to know what judgement to pronounce if the defendant is convicted as decided by the south carolina supreme court in case of Lucas Bailey vs. State of south carolina opinion no: 26975

Therefore I Tyrone Lorenza Robinson sue the defendants Top Dollar Pawn Sales and its owner Raymond Clark for malicious prosecution for ordering, instructing and proximately causing, I Tyrone Lorenza Robinson to be falsely imprisoned and maliciously prosecuted on false charge of burglary second degree. That is charged and alleged inside of the written write up of indictment # 2012-GJ-07-1890.

The particular false charge of Burglary second degree that the defendant Top Dollar Pawn & Sales and its owner Raymond Clark got me arrested and charged on indictment # 2012-GJ-07-1890, that the defendants falsely imprisoned me on, maliciously prosecuted me and continuously falsely imprisoned me and continuously maliciously prosecuted me for at least seven hundred and thirty days on, that is charged and alleged inside of the written write up of indictment # 2012-GJ-07-1890 that I sue the defendants named for claim of malicious prosecution for specifically states "quote" BURGLARY 2ND DEGREE-VIOLENT

That Tyrone Robinson did, in Beaufort county on or about August 19, 2012 willfully and unlawfully enter the business of Top Dollar Pawn Shop, located at 11 Mathews Drive, Suite 7 Hilton Head Island, S.C. without consent and with intent to commit a crime there in. additionally, the entry did occur during the hours of darkness, and the defendant was in possession of a fire arm, all in violation of §16-11-312

By order and instructions of TOP DOLLAR pawn & sales and its owner Raymond Clark. I was charged and falsely imprisoned - maliciously prosecuted and continuously falsely imprisoned and maliciously prosecuted on this false charge that I charged and acceded inside of the written write up of indictment # 2012-65-07-1890. That I sue the defendants for claim of malicious prosecution for satisfying the first and second element to malicious prosecution case law merits

supreme court of south Carolina case law of Goodwin vs. Mett 885 F.2d 157 "quoteing"

Liability extends to anyone who instituted a criminal action against plaintiff "or had caused one to be maintained or had voluntarily ordered or assisted in its prosecution"

3rd Element

3rd element is MALICE proven as matter of law S.C. code of laws 16-9-10 (A)(2) for crime of perjury state "quote" It is UNLAWFUL FOR a person to willfully give false information - deny or incomplete information on a document, record report, or form required by the laws of this state

The defendant personally observed JONTA VFRYIL SINGLETON knock out the window and BURGLARIZE INTO the BUILDING OF TOP DOLLAR pawn & sales by himself without help from anyone else on August 19th 2012. Three police officer L. CPL. JACOBY The defendant positively identified JONTA VFRYIL SINGLETON knock out the window and BURGLARIZE INTO the BUILDING OF TOP DOLLAR pawn & sales by himself with out anyone else on August 19th 2012 Three police officer L. CPL. JACOBY The defendant positively identified JONTA VFRYIL SINGLETON. As the one and only suspect they observed on surveillance camera video BURGLARIZE INTO the BUILDING OF TOP DOLLAR pawn & sales on August 22nd 2012. on September 1st 2012 The defendants named. ALL knowing

-GLY/ INTENTIONALLY, WANTONLY, WILLINGLY, DELIBERATELY, PURPOSEFULLY WITH FULL WILL, EVIL INTENTIONS AND HATE AND EVIL HEART. WITH A RECKLESS DISREGARD FOR TYRONE LORENZA ROBINSON WITH AMENDMENT RIGHTS PRESSED CHARGES AND HAD TYRONE ROBINSON ARRESTED AND INDICTED AND CONTINUOUSLY FALSIFY IMPRISONED AND MALICIOUS PROSECUTED TYRONE LORENZA ROBINSON, FOR OVER TWO YEARS, WITHOUT PROBABLE CAUSE TO DO SO. AFTER THE DEFENDANTS HAD ALREADY IDENTIFIED JONTY VIRGIL SINGLETON AS THE SUSPECT THEY OBSERVED BURGLARIZE INTO TOP DOLLAR PAWN & SALES BY HIMSELF WITHOUT HELP FROM ANYONE ELSE. ALSO AFTER THE DEFENDANTS KNEW TYRONE LORENZA ROBINSON DID NOT BURGLARIZE INTO THE BUILDING OF TOP DOLLAR PAWN & SALES. THEREFORE THE EVIDENCE PROVES THE DEFENDANTS HAD TYRONE ROBINSON ARRESTED ON A LIE MADE UNDER SWORN OATH AND ACCUSED TYRONE ROBINSON ENTERED INTO THE BUILDING WITHOUT CONSENT WITH INTENT TO COMMIT A CRIME THEREIN - BY DOING SO COMMITTED CRIME OF PERJURY 16-9-10(A)(2).

TOP DOLLAR PAWN & SALES AND RAYMOND CLARK PRESSED CHARGES AND PERSUED CHARGES AGAINST TYRONE LORENZA ROBINSON AND ACTING THRU USE OF POLICE OFFICER DOUG SIEBERT AND BEAUFORT COUNTY SHERIFF DEPARTMENT, TOP DOLLAR PAWN & SALES AND RAYMOND CLARK OBTAINED ARREST WARRANT AND INDICTMENT AGAINST TYRONE ROBINSON. THRU USE OF FALSE MATERIAL FACT INFORMATION, IN VIOLATION OF CRIME OF PERJURY WITHOUT PROBABLE CAUSE TO DO SO. AFTER THE DEFENDANT PERSONALLY WITNESSED AND OBSERVED AND POSITIVELY IDENTIFIED JONTY VIRGIL SINGLETON AS THE ONE AND ONLY PERSON THEY PERSONALLY OBSERVED, WALK KNOCK OUT THE WINDOW AND ENTER INTO THE BUILDING OF TOP DOLLAR PAWN & SALES, BY JONTY VIRGIL SINGLETON SELF WITHOUT HELP FROM TYRONE LORENZA ROBINSON OR ANYONE ELSE, PROVING THAT THE DEFENDANT OBTAINED AND SECURED THE ARREST WARRANT AND INDICTMENT AGAINST TYRONE LORENZA ROBINSON THRU PERJURY 16-9-10(A)(2) AND THE DEFENDANTS ARRESTED

UNLAWFULLY RESTRAINED, DETAINED HELD UNREASONABLY SEIZED AND DEPRIVED OF HIS FREEDOM AND LIBERTY AGAINST HIS WILL, AND CONTINUOUSLY FALSELY IMPRISONED AND MALICIOUS PROSECUTED TYRONE WARENZA ROBINSON. FROM SEPTEMBER 1ST 2012 UNTIL OCTOBER 2ND 2014 FOR OVER TWO YEARS WITHOUT PROBABLE CAUSE TO DO SO. AS A MATTER OF LAW PROVEING THE ELEMENT OF "MALICE", STATEING A CLAIM FOR MALICIOUS PROSECUTION. FOR PROOK REVIEW CASE LAW MERITS

SUPREME COURT OF MISSOURI CASE OF, LINDY STAFFORD VS. JOHN MUSTER, PHILLIPE VELLOFF, H.C. "SONNY" MYERS AND HONORABLE WILLIAM H. KIMBERLIN 582 S.W.2D 670 (1979)

"QUOTE" IN THIS CASE, HOWEVER, PLAINTIFF ALLEGES DEFENDANT ACTED IN THESE PROCEEDINGS WITH MALICE, THAT IS KNOWINGLY THEY WERE WRONGFUL

4TH ELEMENT

4TH ELEMENT OF FAVORLY TERMINATED IN MY FAVOR PROVEN AS A MATTER OF LAW ON INDICTMENT # 2012-65-07-1890 IT STATES THIS INDICTMENT IS NOLLE PROSSO ON OCTOBER 2ND 2014 AS A MATTER OF LAW PROVEING. THAT INDICTMENT # 2012-65-07-1890 WAS DISMISSED FROM A FAST TYRONE WARENZA ROBINSON IN HIS FAVOR ON OCTOBER 2ND 2014. AS A MATTER OF LAW PROVEING THE FOURTH ELEMENT OF FAVORLY TERMINATED IN MY FAVOR. AS A MATTER OF LAW PROVEING A CLAIM OF MALICIOUS PROSECUTION

5TH ELEMENT

5TH ELEMENT OF "LACK OF PROBABLE CAUSE" PROVEING MALICIOUS PROSECUTION, AS A MATTER OF LAW SOUTH CAROLINA CODE OF LAWS STATUTE 16-11-312 (A) FOR BURGLARY SECOND DEGREE STATES "QUOTE" A PERSON IS GUILTY OF BURGLARY IN THE SECOND DEGREE IF THE PERSON ENTERS A BUILDING WITHOUT CONSENT AND WITH INTENT TO COMMITTE A CRIME THERE IN.

CONFESSTION 8.

INSIDE OF THERE POLICE REPORT BEAUFORT COUNTY SHERIFF DEPARTMENT, BEAUFORT COUNTY SHERIFF OFFICE ACTING IN RESPONDENT SUPERIOR CAPACITY WITH THERE EMPLOYEE POLICE OFFICER CPC.S. NELSON CONFESSTED "QUOTEING" UPON ARRIVAL AT THE INCIDENT LOCATION. OFFICERS OBSERVED THAT AN UNKNOWN PERSON SHATTERED THE RIGHT SIDE FRONT GLASS WITH AN UNKNOWN OBJECT THAT ALLOWED ENTRY TO GRAB MERCHANDISE FROM THE SPECIFIC AREA OF THE BUSINESS. OFFICERS OBSERVED A PAIR OF SUNGLASSES ON THE PAYVEMENT NEAR THE SHATTERED WINDOW. OFFICERS DID NOT OBSERVE ANY OTHER TANGIBLE OR PHYSICAL EVIDENCE AT THE INCIDENT LOCATION. OFFICERS WERE ABLE TO REVIEW THE VIDEO SURVEILLANCE OF THE INCIDENT, WHILE WATCHING THE VIDEO OFFICERS OBSERVED THAT AN UNKNOWN BLACK MALE WHO WAS WEARING A SHORT SLEEVE BLACK AND LIGHT COLORED STRIPE COLORED SHIRT AND A PAIR OF JEAN SHORTS WALKED FROM THE RIGHT SIDE OF THE BUILDING AND CHECKED THE FRONT DOOR WITH HIS HANDS PLACED INSIDE HIS SHIRT. THE UNKNOWN BLACK MALE SUSPECT FACE WAS COVERED WITH WHAT APPEARED TO BE A WHITE T-SHIRT. THE BLACK MALE SUSPECT THEN HIT THE GLASS WITH AN UNKNOWN OBJECT THAT ALLOWED ENTRY FOR HIM TO GRAB SEVERAL FLAT SCREEN TELEVISIONS. OFFICER DID NOT OBSERVE ANY OTHER PERSON IN THE VIDEO.

CONFESSTION

INSIDE OF THERE POLICE REPORT BEAUFORT COUNTY SHERIFF DEPARTMENT, BEAUFORT COUNTY SHERIFF OFFICE ACTING IN A RESPONDENT SUPERIOR CAPACITY WITH THERE EMPLOYEE POLICE OFFICER L. CPL. JACOBY CONFESSTED "QUOTEING" NELSON OBTAINED VIDEO SURVEILLANCE FOOTAGE OF THE SUSPECT WALKING IN FRONT OF THE STORE PULLING ON THE FRONT DOOR & OBSERVED THE VIDEO SURVEILLANCE VIDEO AND OBSERVED A SKINNY BLACK MALE WITH A SHIRT OVER HIS FACE. THE SUSPECT WAS WEARING A

short sleeve shirt⁹ with dark stripes /
light colored blue jeans shorts and white
nike Air Jordan sneakers.

OFFICER ACTION: on 08-22-12 at 0653 hours
I observed a black male walking into
The Oaks (400 William Hilton Parkway)
wearing the identical outfit of the
suspect observed on the video surveil-
-ance video from the Top Dollar Pawn
shop. I made contact with individual
and identified him as JONTV VERGIL SINGLE-
-TON by his South Carolina identification
card (002334739). I took six photographs
of Singleton and had my in-car camera
on while obtaining his information

As a matter of law proving that acting three
use of police paug siefert and Beaufort
county sheriff department. Top Dollar
Pawn & Sales and Raymond Clark committed
crime of perjury 16-9-10 and tracked and
deceived the magistrate judge and grand
jury in order for the defendants to obtain
-in and secure arrest warrant # 2012 A07-
-207 00086 and indictment # 2012-65-07-
-1890 against Tyrone Lorenza Robinson, with
out probable cause. After the defendants
had already identified JONTV VERGIL
Singleton as the suspect they observed
burglarize into Top Dollar Pawn & Sales
by himself without help from anybody else.
Also after all defendants personally
knew Tyrone Lorenza Robinson did not
burglarize into the building of Top
Dollar Pawn & Sales. As the evidence in
this case proves satisfiering the elements
for lack of probable cause against all
defendants.

As a matter of law proving all defendants
named are liable for claim of malfeasance
prosecution. For proof review United States
of America Supreme Court case law of Malley
v. Briggs and state of South Carolina case of

ANTHONY GIST VS. BERKLEY COUNTY SHERIFF
DEPARTMENT THAT IS ATTACHED AS EVIDENCE
TO THIS COMPLAINT AND IS CITED FOR MERITS
CASE LAW MERITS

ANTHONY GIST VS. BERKLEY COUNTY SHERIFF
DEPARTMENT OPINION NO: 3031 "QUOTE"
ACCORDINGLY WE FIND THE TRIAL COURT ERRED
IN FINDING, AS A MATTER OF LAW, PROBABLE
CAUSE EXISTED FOR GIST ARREST. BECAUSE
ISSUES OF MATERIAL FACT EXIST, WE REVERSE
THE TRIAL COURT'S GRANT OF SUMMARY JUDGE-
MENT TO THE SHERIFFS DEPARTMENT, AND SO
DOING, WE EXPRESS NO OPINION ON THE MERITS
OF GIST CLAIMS.

CASE LAW MERITS

SOUTH CAROLINA SUPREME COURT CASE LAW
OF THE STATE VS. MITCHELL 506 S. E. 2d 523 "QUOTE"
A PERSON IS GUILTY OF BURGLARY IN THE FIRST
DEGREE IF HE ENTERS A DWELLING WITHOUT
CONSENT, WITH THE INTENT TO COMMIT A
CRIME "FURTHER QUOTE"
THE STATE WAS THEREFORE REQUIRED TO PROVE ENTRY
INTO THE DWELLING WITHOUT CONSENT AND WITH
INTENT TO COMMIT A CRIME IN THE DWELLING
"FURTHER QUOTE"

THE STATE WAS THEREFORE REQUIRED TO PROVE
ENTRY INTO THE DWELLING WITHOUT CONSENT
AND WITH INTENT TO COMMIT A CRIME IN
THE DWELLING "FURTHER QUOTE"
THE STATE WAS THEREFORE REQUIRED TO PROVE
ENTRY INTO THE DWELLING WITHOUT CONSENT
WITH THE INTENT TO COMMIT A CRIME.
"FURTHER QUOTE"

THE FACT THAT RESPONDENT FINGER PRINT
WAS ON THE SCREEN THAT WAS PROPPED UP AGAINST
THE HOUSE DOES NOT PROVE ENTRY "FURTHER QUOTE"
THE DECISION OF THE COURT OF APPEALS
HOLDING RESPONDENT WAS ENTITLED TO A DIRECT-
ED VERDICT IS AFFIRMED

110
CASE LAW MERPTS

SUPREME COURT OF SOUTH CAROLINA CASE
LAW OF

GOODWIN VS. METT 885 F.2D 157 "QUOTEING"
LIABILITY EXTENDS TO ANYONE WHO INSTI-
-TUTED A CRIMINAL ACTION AGAINST PLAINT-
-IFF "OR HAD CAUSED ONE TO BE MAINTAINED"
OR HAD VOLUNTARILY ORDERED OR ASSIST-
-ED IN ITS PROSECUTION

AGENCY I.D.
SCO 070000

12.

ORIGINAL
SUPPLEMENTAL INCIDENT REPORT

CASE NUMBER

20120819-132

NCIC
INQ. ENT.
BTJ

ORIGINAL REPORT
 MODIFIES ORIGINAL

SUPPLEMENTAL REPORT
 CASE STATUS CHANGE

ADDITIONAL VICTIMS
 ADDITIONAL OFFENDERS

ADDITIONAL STOLEN PROPERTY
 ADDITIONAL RECOVERED PROPERTY

PAGE 1 OF 1 PAGES.

REFERENCE A:

BCSO INCIDENT REPORT #:20120819-132

INCIDENT TYPE: Burglary 2nd Degree

INCIDENT LOCATION: 11 Mathews Drive Suite 7, Hilton Head Island, South Carolina 29926

REPORTING OFFICER: Cpl. Nelson

COMPLAINANT: Michael Moody

VICTIM: Top Dollar Pawn

SUSPECT: Unknown

ASSIGNED OFFICER:

SYNOPSIS:

Synopsis:

On 08-19-12 at 0635 hours Cpl. Nelson responded to an activated alarm and a report of two black males breaking the front window of the Top Dollar Pawn Shop located at 11 Mathews Drive, Suite 7, Hilton Head Island, South Carolina 29926. Cpl. Nelson obtained video surveillance footage of the suspect walking in front of the store pulling on the front door. I observed the video surveillance video and observed a skinny black male with a shirt over his face. The suspect was wearing a white short sleeve shirt with dark stripes, light colored blue Jean shorts and white Nike Air Jordan sneakers.

Officer Actions:

On 08-22-12 at 0653 hours I observed a black male walking into the Oaks (400 William Hilton Parkway) wearing the identical outfit of the suspect observed on the video surveillance video from the Top Dollar Pawn Shop. I made contact with the individual and identified him as Jontu Virgil Singleton by his South Carolina Identification card (007334739). I took six photographs of Singleton and had my in-car camera on while obtaining his information. I will submit the photographs and in-car camera footage into the BCSO evidence division. I did not interview Singleton about him possibly being the suspect in the Top Dollar Pawn Shop burglary.

Person of Interest Information:

Singleton, Jontu Virgil
09-14-79 600 / 176
Black Hair / Brown Eyes
SCDL: 007334739

Current Residence:

8 Duey Hill Drive
Hilton Head Island
South Carolina 29926

Certified to be a true and correct
copy of the original document on file
with the Office of Sheriff for Beaufort County.

Michael M. Hatfield
Chief Deputy, Beaufort County Sheriff's Office

SUBJECT IDENTIFIED <input type="checkbox"/> YES <input type="checkbox"/> NO		SUBJECT LOCATED <input type="checkbox"/> YES <input type="checkbox"/> NO		<input checked="" type="checkbox"/> ACTIVE	<input type="checkbox"/> ADM. CLOSED	<input type="checkbox"/> ARRESTED UNDER 18	<input type="checkbox"/> EX-CLEAR UNDER 18
				<input type="checkbox"/> UNFOUNDED		<input 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"/> EXTRADITION DENIED. 4. <input type="checkbox"/> VICTIM DECLINES COOPERATION. 5. <input type="checkbox"/> JUVENILE - NO CUSTODY							
REPORTING OFFICER(S)		DATE	UNIT NUMBER	APPROVING OFFICER		DATE	UNIT NUMBER
Lcpl. Jacoby		08-22-12	J5923	<i>Al</i>		8-22-12	6894
FOLLOW-UP				OFFICER			

13.

AGENCY I.D.
SCO 070000

ORIGINAL SUPPLEMENTAL INCIDENT REPORT

CASE NUMBER

201208190132

NCIC

INQ. ENTD.

<input checked="" type="checkbox"/> ORIGINAL REPORT	<input type="checkbox"/> SUPPLEMENTAL REPORT	<input type="checkbox"/> ADDITIONAL VICTIMS	<input type="checkbox"/> ADDITIONAL STOLEN PROPERTY	PAGE 3 OF 3 PAGES.
<input type="checkbox"/> MODIFIED ORIGINAL	<input type="checkbox"/> CASE STATUS CHANGE	<input type="checkbox"/> ADDITIONAL OFFENDERS	<input type="checkbox"/> ADDITIONAL RECOVERED PROPERTY	

INTERVIEW OF COMPLAINANT: Mike Moody stated he resides at 30 Mathews Drive (Tabby Walk Apartments) unit 616 located on Hilton Head Island, South Carolina. Moody stated he woke up on 08-19-2012 at approximately 0630 hours due to hearing approximately three to four gun shots on Mathews Drive. Moody stated he looked out his rear patio door and heard the sound of glass breaking from the area of 11 Mathews Drive. Moody stated he contacted The Beaufort County Sheriff's Office to immediately report the incident. Moody stated that while he was on the telephone with dispatch, he heard approximately two to three people screaming. Moody stated he observed an unknown black male who was wearing a white t-shirt and a pair of black shorts run pass his apartment toward US Highway 278. Moody stated he did not observe a weapon in the black male's hand. Moody stated he then observed an unknown vehicle with an unknown registration drive towards Beach City Road from the incident location. Moody stated he has no further information.

INTERVIEW OF COMPLAINANT: Raymond Clark stated he is the owner of Top Dollar Pawn & Sales. Clark stated he received a telephone call on 08-19-2012 at approximately 0630 hours from Hilton Head Security informing him of an active audio alarm at his business. Clark stated he later received a telephone call from the Beaufort County Communications Center asking him to respond to the Top Dollar Pawn & Sales Shop. Clark stated he arrived at the business and observed that the right side glass was shattered. Clark stated it appears to him that the unknown suspect did not gain entry into the business due to the front door still being secured. Clark stated it appears that the suspect stole approximately three flat screen televisions through the shattered window that were placed on the television stand. Clark stated he can not provide the exact name brand for the televisions that were stolen at this time. Clark stated he will provide the exact model and serial numbers for the stolen televisions to the Beaufort County Sheriff's Office at a later time. Clark stated that the approximate value for the stolen televisions are about \$1500.00. Clark stated that his business is equipped with a video surveillance camera system that shows the inside of the store, the front door and the front left side glass areas. Clark advised that the Beaufort County Sheriff's Office will need a specific software to download the video for evidence purposes. Clark stated he does not believe that any other items were taken from the business at this time. Clark stated he will contact the Beaufort County Sheriff's Office if other items are missing after completing an inventory.

OFFICER'S OBSERVATIONS:

Upon arrival at the incident location, officers observed that an unknown person shattered the right side front glass with an unknown object that allowed entry to grab merchandises from that specific area of the business. Officers observed a pair of sunglasses on the pavement near the shattered window. Officers did not observe any other tangible or physical evidence at the incident location. Officers were able to review the video surveillance of the incident. While watching the video officers observed that an unknown black male who was wearing a short sleeve black and light colored strip collared shirt and a pair of jean shorts walked from the right side of the building and checked the front door with his hands placed inside his shirt. The unknown black male suspect face was covered with what appeared to be a white t-shirt. The black male suspect then hit the glass with an unknown object that allowed entry for him to grab several flat screen televisions. Officer did not observe any other persons in the video.

OFFICER'S ACTIONS:

Upon arrival BCSO checked the outer and inner perimeter of the business and met with negative contact of any persons in the area. Officers checked the area for shell casings and met with negative results. Moody and Clark were interviewed in reference to the incident. Clark was provided with the case number and advised how to obtain a copy of the incident report. Clark was advised to contact the Beaufort County Sheriff's Office for further assistance if needed. Moody completed a written statement and was provided with a copy of the statement form.

OFFICER'S NOTES:

The business was secured by Clark on 08-19-2012 with a sheet of ply board. Four digital photographs were taken at the incident location and a pair of sunglasses was collected for evidence purposes. All collected evidence will be submitted to the Beaufort County Sheriff's Office Evidence Department as soon as possible.

STOLEN PROPERTY:

(3) Flat Screen Televisions Estimated Value \$1500.00

Certified to be a true and correct copy of the original document on file with the Office of Sheriff for Beaufort County.

Michael M. Heston

ATTACHMENT: (1) Written Statement

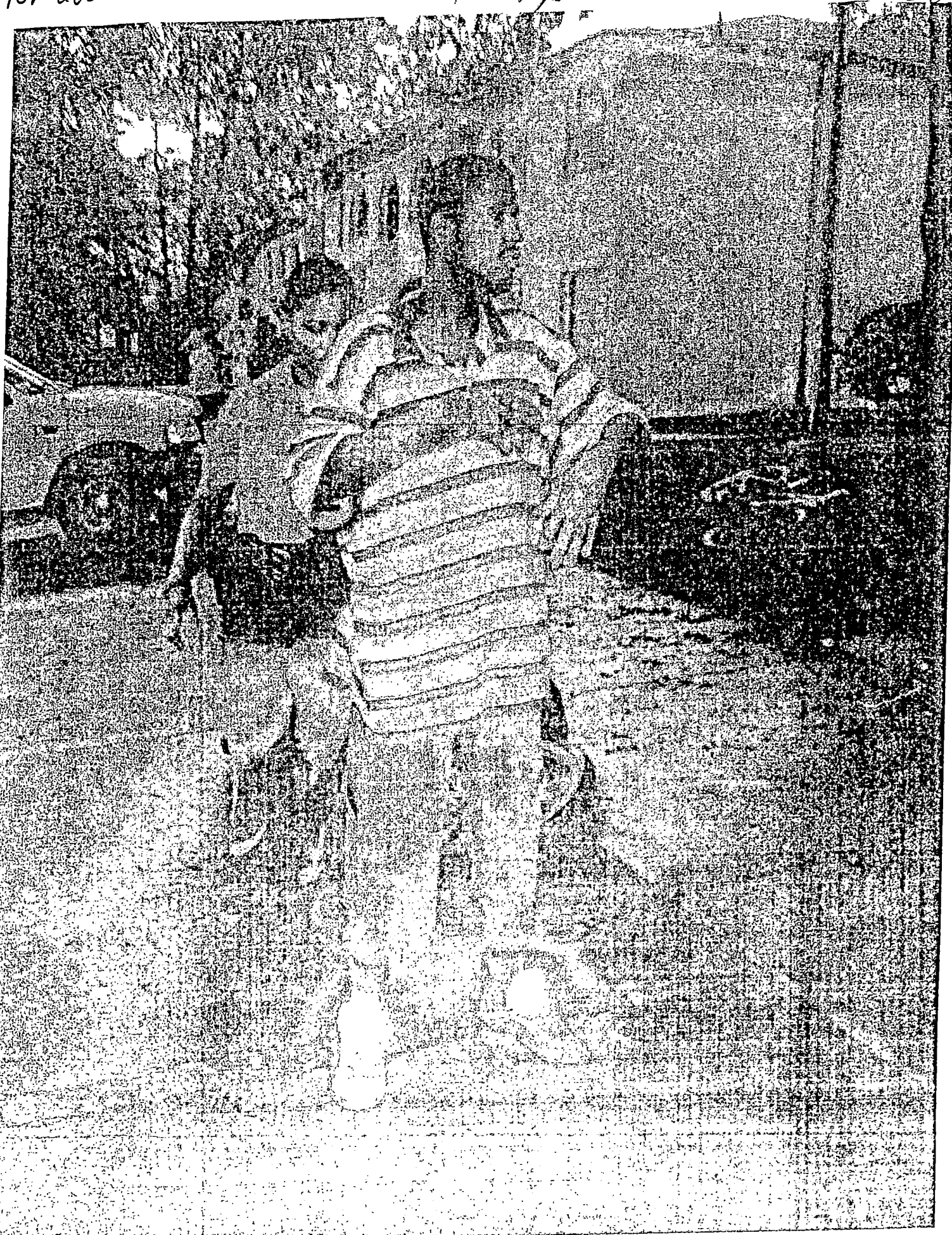
SUBJECT IDENTIFIED <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	SUBJECT LOCATED <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input type="checkbox"/> ACTIVE	<input type="checkbox"/> ADM. CLOSED	<input type="checkbox"/> ARRESTED UNDER 18	<input type="checkbox"/> EX. CLEAR UNDER 18
		<input type="checkbox"/> UNFOUNDED	<input type="checkbox"/> ARRESTED 18 AND OVER	<input type="checkbox"/> EX. CLEAR 18 AND OVER	

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

REPORTING OFFICER(S)	DATE	UNIT NUMBER	APPROVING OFFICER	DATE	UNIT NUMBER
Cpl. S. Nelson	08-19-12	N0606			

FOLLOW-UP INVESTIGATION YES NO

PICTURE OF JONTU VERGIL SINGLETON, WITH SAME OUTFIT ON
POLICE OFFICER NELSON, JACOBY AND RAYMOND CLARK AND TOP
DOLLAR PAWN AND SALES OBSERVED JONTU SINGLETON BURGLARIZE
TOP DOLLAR PAWN AND SALES INC. 14 20



AGENCY I.D.
SCO 070000

SUPPLEMENTAL INCIDENT REPORT

CASE NUMBER

20120819-132

NCIC

INQ. ENTD.
DJS

<input type="checkbox"/> ORIGINAL REPORT	<input checked="" type="checkbox"/> SUPPLEMENTAL REPORT	<input type="checkbox"/> ADDITIONAL VICTIMS	<input type="checkbox"/> ADDITIONAL STOLEN PROPERTY	PAGE 2 OF 3 PAGES.
<input type="checkbox"/> MODIFIES ORIGINAL	<input checked="" type="checkbox"/> CASE STATUS CHANGE	<input type="checkbox"/> ADDITIONAL OFFENDERS	<input type="checkbox"/> ADDITIONAL RECOVERED PROPERTY	

On 09-01-2012 at approximately 2135 hours, I met with Tyrone Robinson at the BCSO Hilton Head Office in reference to a shots fired incident that occurred somewhere on Allen Road (reference to case #20120901-707). I read Robinson his Miranda Warning, at which time he waived them. During our interview, I asked Robinson about the Top Dollar Pawn & Sales burglary that occurred on the morning of 08-19-2012. Robinson stated, "I know nothing about a burglary". Robinson stated that he didn't want to talk with me. I advised Robinson that I would be obtaining an arrest warrant for Burglary 2nd Degree as soon as possible.

On 09-01-2012 at approximately 2155 hours, Cpl. Conant contacted Ray Clark and advised him the updated information. Clark advised Cpl. Conant that he still wants to pursue charges on Singleton and Robinson. I completed two separate County tickets and both Singleton and Robinson were transported to the Beaufort County Detention Center without incident.

On 09-02-2012 at approximately 0315 hours, I met with Judge Coffey at her residence and obtained two arrest warrants for Singleton (#2012A0720300085) and Robinson (#2012A0720300086) for Burglary 2nd Degree and they were immediately served.

Attachments:

- 01-Tickets (2)
- 02-Prosecutorial Summaries (2)
- 03-Booking Reports (2)
- 04-Copy of Arrest Warrants (2)
- 05-Miranda Warning Forms (2)
- 06-Victim Notification Forms (2)

Case Status: Arrested 18 and Over

Certified to be a true and correct copy of the original document on file with the Office of Sheriff for Beaufort County.

Michael M. Hatfield
Chief Deputy, Beaufort County Sheriff's Office

SUBJECT IDENTIFIED <input checked="" type="checkbox"/> YES NO <input type="checkbox"/>		SUBJECT LOCATED <input checked="" type="checkbox"/> YES NO <input type="checkbox"/>		<input type="checkbox"/> ACTIVE	<input type="checkbox"/> ADM. CLOSED	<input type="checkbox"/> ARRESTED UNDER 18	<input type="checkbox"/> EX-CLEAR UNDER 18
				<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"/> EXTRADITION DENIED. 4. <input type="checkbox"/> VICTIM DECLINES COOPERATION. 5. <input type="checkbox"/> JUVENILE - NO CUSTODY							
REPORTING OFFICER(S)	DATE	UNIT NUMBER	APPROVING OFFICER	DATE	UNIT NUMBER		
Cpl. D. Seifert	09-07-12	S7154					

16.

AGENCY I.D.
SCO 070000

SUPPLEMENTAL INCIDENT REPORT
ORIGINAL

CASE NUMBER	NCIC
20120819132	INQ ENT

ORIGINAL REPORT MODIFIES ORIGINAL	<input checked="" type="checkbox"/> SUPPLEMENTAL REPORT CASE STATUS CHANGE	ADDITIONAL VICTIMS ADDITIONAL OFFENDERS	ADDITIONAL STOLEN PROPERTY ADDITIONAL RECOVERED PROPERTY	PAGE 1 OF 2 PAGES
--------------------------------------	-------------------------------------------------------------------------------	--------------------------------------------	-------------------------------------------------------------	-------------------

Reference: (A)

Case Number: 20120819132
 Incident Type: Burglary 2nd / Grand Larceny
 Incident Location: 11 Mathews Drive Suite 7 Hilton Head, SC
 Complainant: Moody, Mike
 Victim: Top Dollar Pawn
 Suspect: Singleton, Jontu / Robinson, Tyrone
 Reporting Officer: Cpl. S. Nelson
 Investigating Officer: Cpl. Seifert

Synopsis:

On 08-19-12, an unknown suspect broke a window to the business and stole televisions from inside.

Actions:

Contact was made with Top Dollar Pawn on 08-20-12 in an attempt to gather further information, however the store was busy and the associates could not speak with me. I advised them to call me back when I could speak with them. On 08-21-12, I returned to my office and had a voicemail from Top Dollar advising me they had information related to the case. I went to the store and was advised that only (1) television was stolen. I was advised that it was a Sharp Aquos television bearing Serial Number 910822268. I was also advised that the security video had already been taped over and was no longer available. I contacted BC Dispatch and had the television entered into NCIC under NIC # A-690465898.

On 08-29-12, I attempted to contact M. Moody (complainant) for more information but I was only able to leave him several messages to contact me. I also checked the regional pawn databases for the stolen television but met with negative results.

Case Status:

Cleared by Arrest 18 and over

Certified to be a true and correct
 copy of the original document on file
 with the Office of Sheriff for Beaufort County.

Michael M. Hatfield
 Chief Deputy, Beaufort County Sheriff's Office

SUBJECT IDENTIFIED <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	SUBJECT LOCATED <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	ACTIVE ADM CLOSED UNFOUNDED	ARRESTED UNDER 18 <input checked="" type="checkbox"/> ARRESTED 18 AND OVER	EX-CLEAR UNDER 18 EX-CLEAR 18 AND OVER	
REASON FOR EXCEPTIONAL CLEARANCE: 1. OFFENDER DEATH 2. NO PROSECUTION 3. EXTRADITION DENIED 4. VICTIM DECLINES COOPERATION 5. JUVENILE-NOCUSOTDY					
REPORTING OFFICER(S)	DATE	UNIT NUMBER	APPROVING OFFICER	DATE	UNIT NUMBER
SSgt. Chapman	09-15-12	C218Y			

STATE OF SOUTH CAROLINA)

INDICTMENT #: 2012-GS-07-1890
WARRANT #: 2012A0720300086

vs.)

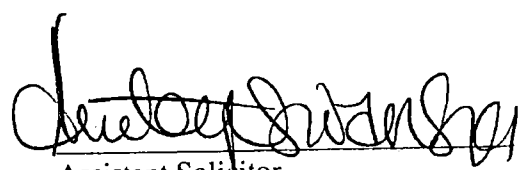
Tyrone Robinson)

Burg 2nd (Violent)

RECEIVED
CLERK OF COURT
SOUTH CAROLINA
AUGUST COUNTY S.C.
OCT -2 AM 9:21

THIS INDICTMENT IS NOLLE PROSSED ON 10/2/2014,
Assistant Solicitor H. Swanson FOR THE FOLLOWING REASONS:

Defendant serving a Life Sentence
on Murder.


Assistant Solicitor
Fourteenth Judicial Circuit

WITNESSES

Inv. D. Seifert-BCSO

ARREST WARRANT NUMBER

2012A0720300086

ACTION OF GRAND JURY

True Bill

Melissa Beere

Foreperson of Grand Jury

OCT 18 2012

Date:

VERDICT

Foreperson of Petit Jury

Date:

DOCKET NO: 2012-GS-07-1890

The State of South Carolina

County of Beaufort

COURT OF GENERAL SESSIONS

OCTOBER TERM 2012

THE STATE

vs.

TYRONE ROBINSON

Indictment for

BURGLARY 2ND DEGREE-VIOLENT

SC Code: 16-11-312(B)

CDR Code: 0086

After being fully advised as to my legal rights, I hereby waive presentment to the Grand Jury.

Defendant

I hereby appear in my own proper person and plead guilty to the within indictment or to

Defendant

Witness:

C.C.C. PLS. AND G.S.

10/2/14
NPIC [Signature]

18.

STATE OF SOUTH CAROLINA)
)
COUNTY OF BEAUFORT)

INDICTMENT 2012-GS-07-1890

At a Court of General Sessions, convened on October 18, 2012, the Grand Jurors of Beaufort County present upon their oath:

BURGLARY 2ND DEGREE-VIOLENT

That Tyrone Robinson did, in Beaufort County on or about August 19, 2012, willfully and unlawfully enter the business of Top Dollar Pawnshop, located at 11 Matthews Drive, Suite 7, Hilton Head Island, SC, without consent and with intent to commit a crime therein. Additionally, the entry did occur during the hours of darkness, and/or the Defendant was in possession of a firearm, all in violation of § 16-11-312.

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

[Handwritten Signature]

AS A MATTER OF LAW TYRONE LORENZA ROBINSON AM NOT GUILTY OF CHARGE OF SECOND DEGREE BURGLARY 16-11-312(A) AND TOP DOLLAR PAWN & SALES AND RAYMOND CLARK LACKED PROBABLE CAUSE TO INSTITUTE CASE AGAINST ME AS SURVEILLANCE CAMERA VIDEO EVIDENCE PROVES. THERE THE EVIDENCE PROVES THAT TYRONE LORENZA ROBINSON AM ENTITLED TO A JUDGEMENT AS A MATTER OF LAW IN MY FAVOR AGAINST TOP DOLLAR PAWN & SALES AND RAYMOND CLARK THRU USE OF SUPREME COURT OF SOUTH CAROLINA CASE LAW OF STATE VS MITCHELL 506 S.E. 2d 523

SOUTH CAROLINA CODE OF LAWS STATUTE 16-11-312 (A) STATES AND "QUOTE"
A PERSON IS GUILTY OF BURGLARY IN THE SECOND DEGREE IF THE PERSON ENTERS A BUILDING WITHOUT CONSENT AND WITH INTENT TO COMMIT A CRIME THEREIN.

THEFORE IN ORDER TO HAVE JUDGMENT AGAINST ME AND IN ORDER FOR ME TO BE GUILTY OF BURGLARY SECOND DEGREE 16-11-312 (A) THAT THE DEFENDANTS INSTITUTED AGAINST ME IN THIS CASE.

THE EVIDENCE MUST PROVE THAT TYRONE LORENZA ROBINSON ACTUALLY COMMITTED THE ELEMENTS OF ENTERING INTO THE BUILDING OF TOP DOLLAR PAWN & SALES WITHOUT CONSENT WITH INTENT TO COMMIT A CRIME THEREIN. THEREFORE THE EVIDENCE MUST PROVE THAT I ENTERED INTO THE BUILDING OF TOP DOLLAR PAWN & SALES. HOWEVER AS A MATTER OF LAW TOP DOLLAR PAWN & SALES VIDEO SURVEILLANCE EVIDENCE IN THIS CASE, SHOWED AND PROVED THAT JONNY VTRGTL SINGLETON

7) The one and only person, who entered
 # into the building of TOP dollar pawn
 & sales without consent with intent to
 commit a crime therein, by himself
 without any one else entering the
 building with him. As the TOP dollar pawn
 & sales surveillance camera recorded
 video show and proves. The surveillance
 camera recorded video of the burglary
 being committed at TOP dollar pawn &
 sales show and proves. That JONTV VIRGIL
 SINGLETON knocked out the window to TOP
 dollar pawn & sales and grabbed a flat screen
 television. from out of the window
 from inside of the building of TOP dollar
 pawn & sales by himself without help from
 any body else and no one else was observed
 in the surveillance camera recorded
 video entering into the building of
 TOP dollar pawn & sales along with JONTV
 VIRGIL SINGLETON. JONTV VIRGIL SINGLETON
 was recorded by TOP dollar pawn & sales and
 its owner RAYMOND CLARK, committed the
 elements of burglary second degree at
 TOP dollar pawn & sales by himself, as
 BEAUFORT COUNTY SHERIFF OFFICE INCIDENT
 REPORT REVEALS. ALSO AS BEAUFORT COUNTY
 SHERIFF OFFICE POLICE OFFICER NELSON
 and POLICE OFFICER JACOBY, stated in
 their police report. That they personally
 witnessed, observed and identified JONTV
 VIRGIL SINGLETON commit the burglary at
 TOP dollar pawn & sales by himself on
 August 19th 2/012 without help from
 anyone else. The conclusive surveillance
 camera evidence in this case, proves
 that TYRONE LORENZA ROBINSON, did not
 commit the elements of entering into
 a building without consent with
 intent to commit a crime therein.

Therefore AS a matter of law TOP dollar pawn & sales and its owner Raymond Clark, lack probable cause to have Tyrone Lorenza Robinson indicted, restrained, detained and unreasonably seized, on the charge of burglary second degree of TOP dollar pawn & sales. on indictment # 2012-65-07-1890.

AS a matter of law the undisputable evidence in this case proves that Tyrone Lorenza Robinson did not burglarize into the building of TOP dollar pawn & sales. Therefore the evidence in this case proves that Tyrone Lorenza Robinson is entitled to a judgement as a matter of law in my favor, against defendants TOP dollar pawn & sales and its owner Raymond Clark for proof review.

Case Law merits:

supreme court of south carolina case law of.

The state vs. Bennie Darren Mitchell 506 S.E. 2d 525 "quote in"

A person is guilty of burglary in the first degree if he enters a dwelling without consent and with intent to commit a crime in the dwelling "further quote in"

The state was therefore required to prove entry into the dwelling without consent with intent to commit a crime there "further quote in"

The fact that respondents finger print was on a screen that was propped up against the house does not prove entry. "further quote in"

The fact that respondents finger print was on a screen that was propped up against the house does not prove

entry. "Further quoting"
 The decision of the court of appeals
 holding respondent was entitled to
 a directed verdict is "AFFIRMED"

Undisputable FACT

JOHN VIRGIL STINGLETON PLEAD GUILTY IN
 COURT BEFORE THE JUDGE, TO THE CHARGE
 OF BURGLARY SECOND DEGREE AND CONFESSED
 THAT HE IS THE PERSON IN THE TOP DOLLAR
 PAWN & SALES SURVEILLANCE CAMERA RECOR-
 -DED VIDEO. THAT TOP DOLLAR PAWN &
 SALES SURVEILLANCE CAMERA RECORDED
 VIDEO RECORDED, KNOCK OUT THE WINDOW
 WITH A UNIDENTIFIED OBJECT AND BURGL-
 -ARIZE INTO THE BUILDING OF TOP DOLLAR
 PAWN & SALES WITHOUT CONSENT WITH
 THE INTENT TO COMMITTE A CRIME THEREIN.

24
CASE LAW MERITS

Shearouse Adv. Sh. No.
S.E. 2d

THE STATE OF SOUTH CAROLINA

In The Supreme Court

The State, Petitioner,

v.

Bennie Darren Mitchell, Respondent.

ON WRIT OF CERTIORARI TO THE COURT OF
APPEALS

Appeal From Newberry County

Edward B. Cottingham, Circuit Court Judge

Opinion No. 25166

Heard December 15, 1999 - Filed July 6, 2000

AFFIRMED

Attorney General Charles M. Condon, Chief Deputy
 Attorney General John W. McIntosh, Assistant
 Deputy Attorney General Salley W. Elliott, Assistant
 Attorney General G. Robert Deloach, III, all of
 Columbia; and Solicitor William Townes Jones, IV, of
 Greenwood, for petitioner.

Assistant Appellate Defender Robert M. Pachak, of
 Office of Appellate Defense, of Columbia, for
 respondent.

p.379

STATE v. MITCHELL

FINNEY, C.J.: This case is before the Court on a writ of
 certiorari to review the Court of Appeals' decision in *State v. Mitchell*, 332
 S.C. 619, 506 S.E.2d 523 (Ct. App. 1998). We affirm, finding as did the Court
 of Appeals that respondent was entitled to a directed verdict on the burglary
 charge.

28.

A person is guilty of burglary in the first degree if he enters a dwelling without consent and with intent to commit a crime in the dwelling, and at least one of three aggravating factors is proven. S.C. Code Ann. § 16-11-311 (Supp. 1999). Section 16-11-311(A)(2) lists one of the aggravating factors as burglary committed by a person with a prior record of two or more convictions for burglary or housebreaking or a combination of both. It was stipulated at trial that respondent had a prior record of two or more convictions. The State was therefore required to prove entry into the dwelling without consent, with the intent to commit a crime.

The evidence relied upon by the State was entirely circumstantial. There was testimony from Hugh Mathis (victim) that on September 7, 1995, he came home for lunch and noticed that there were ten (10) bottles of beer in the refrigerator at noon but that night when he came home no beer was there. The victim testified that he questioned his children and determined that they has nothing to do with the disappearing beer. On September 13, 1995, the victim went into a spare room in his house and kicked a piece of glass. The victim testified that he pushed the blind back and noticed a hole in the glass, and that the window was unlocked. The victim then checked his valuables and noticed that two guns were missing. Victim reported this to the police.

Victim testified that respondent had been over to his residence on a couple of occasions. Respondent helped the victim's son unload furniture. Respondent had also attended a social gathering at the victim's home which lasted for about forty five (45) minutes to one hour.

A police officer testified that the day after the burglary was reported, he went to victim's home. He found glass on the spare room's floor covered by a blanket, and a broom against the wall where it appeared that someone attempted to sweep the glass up and conceal it beneath the blanket.

p.380

STATE v. MITCHELL

There was no glass on the exterior of the house, but there was a screen that the officer was able to get an identifiable fingerprint. The fingerprint matched that of the respondent.

28.

The respondent moved for a directed verdict on the burglary charge. The trial judge denied the motion and respondent was convicted. On appeal, the Court of Appeal concluded that the State failed to present substantial circumstantial evidence and therefore respondent was entitled to a directed verdict. *State v. Mitchell, supra*.

The State contends that the Court of Appeals applied an incorrect direct verdict standard. ¹ We disagree.

When a motion for a direct verdict is made in a criminal case where the State relies exclusively on circumstantial evidence, the lower court is concerned with the existence or nonexistence of evidence, not with its weight. *State v. Edwards*, 298 S.C. 272, 379 S.E.2d 888 (1989). The lower court should not refuse to grant the motion where the evidence merely raises a suspicion that the accused is guilty. *Id.* The trial judge is required to submit the case to the jury if there is "*any substantial evidence* which reasonably tends to prove the guilt of the accused, or from which his guilt may be fairly and logically deduced." *Id.*; *State v. Martin*, Op. No. 25096 (S.

C. Sup. Ct. refiled _____) (emphasis added). In reviewing a denial of a motion for a directed verdict, the appellate court must view the evidence in the light most favorable to the State. *State v. Childs*, 299 S.C. 471, 385 S.E.2d 839 (1989).

¹ To support this contention, the State relies upon *State v. Grippon*, 327 S.C. 79, 489 S.E.2d 462 (1997). In *Grippon*, we discussed circumstantial evidence jury charges, holding that if a jury is properly charged on reasonable doubt, then the trial judge may properly charge a jury that there is no distinction between the weight or value to be given to direct or circumstantial evidence. *Grippon* addresses jury charges, not the proper standard for a judge to use in ruling on directed verdict motions. Furthermore, a jury weighs evidence but when there is an absence of evidence, it becomes the duty of the trial judge to direct a verdict. *State v. Schrock*, 283 S.C. 129, 322 S.E.2d 450 (1984).

p.381

STATE v. MITCHELL

The evidence in this case is entirely circumstantial. The only evidence linking respondent to the burglary is the fingerprint. The State did not present any evidence whether the screen was on the window at the time



respondent's fingerprint was on a screen that was propped up against the *

house does not prove entry where respondent had been in and around the *

victim's house as least three times prior to the burglary. *Compare State v.*

Gilliam, 245 S.C. 311, 140 S.E.2d 480 (1965). The decision of the Court of *

Appeals holding respondent was entitled to a directed verdict is *

AFFIRMED. *

Toal, Moore, Waller and Burnett, JJ., concur.

6th ELEMENT

6th element for MALICIOUS PROSECUTION CLAIMS: RESULTING INJURY OR DAMAGES

ACTUAL DAMAGES

I TYRONE LORENZA ROBINSON sue the defendants for each and every and individual day they held me falsely imprisoned and proximately caused I TYRONE LORENZA ROBINSON to be held falsely imprisoned for seven hundred and sixty days for loss of income. There for I sue the defendants for malicious prosecution for damages of holding me falsely imprisoned for seven hundred and sixty days while maliciously prosecuting me for the amount of \$3,000,000.00 THREE MILLION DOLLARS IN ACTUAL DAMAGES

CASE LAW MERITS

UNITED STATES SUPREME COURT CASE LAW OF HECK VS. HUMPHREY 512 U.S. 477 (1994) OPINION NO. 93-6188 "QUOTE" A SUCCESSFUL MALICIOUS PROSECUTION PLAINTIFF MAY RECOVER IN ADDITION TO GENERAL DAMAGES "COMPENSATION FOR ANY ARREST OR IMPRISONMENT INCLUDING DAMAGES FOR DISCOMFORT OR INJURY TO HIS HEALTH OR LOSS OF TIME AND DEPRIVATION OF THE SOCIETY"

COMPENSATORY DAMAGES

I TYRONE LORENZA ROBINSON sue the defendants for mental and emotional pain and suffering and for emotional stress and distress, DISCOMFORT, HUMILIATION, and IDENTITY DEPRESSION, EMBARRASSMENT, and PHYSICAL PAIN AND SUFFERING

I suffered and sustained and endured from my neck injury, shoulder injury and ear infection as sustained while being held falsely imprisoned and maliciously prosecuted by top dollar pawn & sales and its owner Raymond Clark for over two years which I sue the defendants for two million dollars in compensatory damages \$2,000,000.00

PUNITIVE Damages

I Tyrone Lorenza Robinson sue the defendants for punitive damages to punish and deter the defendants from committing similar violations and or same violations against others. which I sue the defendants for two million dollar \$2,000,000.00

DISCOMFORT + DISCLOSURE Damages

In the defendants answer to the complaint I Tyrone Lorenza Robinson demand and the defendants to supply the name address and telephone number of the insurance company and or insurance companies top dollar pawn & sales and Raymond Clark are covered with tort liability and personal injury insurance by and supply a copy of the tort liability and personal injury insurance policy contract.

RELIEF

SUED FOR

TYRONE LORENZA ROBINSON SUE THE
 DEFENDANTS TOP DOLLAR PAWN &
 SALES AND ITS OWNER RAYMOND
 CLARK WHO IS THE OWNER OF TOP
 DOLLAR PAWN & SALES FOR THE
 AMOUNT OF

7 000 000,00

SEVEN MILLION DOLLARS
 SUBMITTED UNDER PENALTY OF
 PERJURY TO BE TRUE EXACT AND
 CORRECT BY TYRONE LORENZA ROBINSON
 PRINT: TYRONE L. ROBINSON
 DATE: 7/9TH/2/015

CERTIFICATE OF SERVICE

Numerous copies of this proposed complaint have already been sent to the defendant by certified mail with return receipt and by service of process by the sheriff's department. Addressed as follows

Raymond Clark
10 Bracken Fern
Bluffton, S.C. 29910

RECEIVED

JAN 25 2016

SC Court of Appeals

And
Top Dollar Pawn & Sales
11 Mathews Drive Suite 7
Central Plaza
Hilton Head Island, S.C. 29926

Signature: Tyrone L. Robinson
Print: TYRONE L. ROBINSON
Date: January / 20th / 2, 016

TYRONE LORENZA ROBINSON #235104
QZB-RM117
430 OAKLAWN ROAD
PELZER, S.C. 29669

RECEIVED

JAN 20 2016

P.C.I. MAILROOM

RECEIVED

JAN 25 2016

SC Court of Appeals

V. CLAIRE ALLEN
DEPUTY CLERK
SOUTH CAROLINA COURT OF APPEALS
POST OFFICE BOX 11629
COLUMBIA, SOUTH CAROLINA 29211