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SC SUPREME COURT

THE STATE OF SOUTH CAROLINA
In The Supreme Court

APPEAL FROM GREENVILLE COUNT
Court of Common Pleas

Edward W. Miller, Circuit Court Judge

Case No. 2014-CP-23-03381

Shane Kelly Young,
#001310

Petitioner,

v.

State of South Carolina,

Respondent.

APPENDIX

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) COURT OF GENERAL SESSIONS

) Case No(s) : 2013GS2306411,

2013GS2306413,

2013GS2306414,
2013GS2306415

2013GS2306416,
2013GS2306419

2013GS2306420,

2013GS2306423,
2013GS2306423

2013GS2306424,
2013GS2306425

2013GS2306426

TRANSCRIPT OF RECORD

October 06, 2011

Greenville, South Carolina

B E F O R E:

HONORABLE LETITIA H. VERDIN, Judge.

A P P E A R A N C E S:

W. WALTER WILKINS, Esquire
Attorney for the Plaintiff

JOHN I. MAULDIN, Esquire
Attorney for the Defendant

Teresa B. Johnson
 Certified Verbatim Reporter
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 Greenville, S.C. 29602

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produced via



CAT 7

I N D E X

DIRECT CROSS REDIRECT RECROSS

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EXHIBITS PAGE

NO.

DESCRIPTION

ID EV

PLAINTIFF EXHIBITS

(No exhibits offered.)

DEFENSE EXHIBITS

(No exhibits offered.)

COURT EXHIBITS

(No exhibits offered.)

P R O C E E D I N G S

(WHEREUPON, the proceedings begin on the 19th day of November, 2013 at approximately 10:05 a.m.)

THE COURT: All right. Our first matter for today is the State versus Shane Young, is that right?

MR. WILKINS: That's correct, Your Honor.

THE CLERK: Your Honor, this is case number 2013-GS-23-6424, Shane Kelly Young indictment for Murder and Possession of a Weapon during the Commission of a Violent Crime pleading to Murder. It is a true bill.

2013-GS-23-6411, 6413, 6414, 6416, 6420, 6423, 6425 and 6426, all indictments for Attempted Murder. 2013-GS-23-6419 indictment for Burglary first degree. They are all true billed, Your Honor.

(WHEREUPON, the defendant is first duly sworn.)

THE COURT: All right, Mr. Young. You are here today to plead to burglary first degree. That carries a minimum of 15 years up to life. You are also here to plead to eight counts of Attempted Murder. That carries up to 30 years. And you are also here today to plead to Murder. That carries a minimum of 30 years up to a life

1 sentence. Is that your understanding?

2 MR. YOUNG: Yes, ma'am.

3 THE COURT: Have you discussed these
4 charges with your attorney?

5 MR. YOUNG: Yes, ma'am.

6 THE COURT: Well, your attorneys. Are you
7 satisfied with the services of both of your
8 attorneys?

9 MR. YOUNG: Yes, ma'am.

10 THE COURT: Do you have any complaint to
11 make against your attorneys, law enforcement or
12 the solicitors office as a result of these
13 charges whatsoever?

14 MR. YOUNG: No, ma'am.

15 THE COURT: Are you under the influence of
16 drugs or alcohol here today?

17 MR. YOUNG: No, ma'am.

18 THE COURT: Uh, how old are you?

19 MR. YOUNG: 31.

20 THE COURT: How far have you gone in
21 school?

22 MR. YOUNG: 11th grade.

23 THE COURT: Before you were incarcerated,
24 did you work?

25 MR. YOUNG: Yes, ma'am.

1 **THE COURT:** What kind of work did you do?
2 **MR. YOUNG:** I worked at a glass company.
3 **THE COURT:** What kind of work did you do
4 there?
5 **MR. YOUNG:** I was what they call a shooter
6 in the glass.
7 **THE COURT:** So it sounds like you had a
8 job that had some skill to it, is that right?
9 **MR. YOUNG:** Yes, ma'am.
10 **THE COURT:** And you feel like you've
11 understood your conversations with your
12 attorneys?
13 **MR. YOUNG:** Yes, ma'am.
14 **THE COURT:** Has anybody forced you to
15 plead guilty?
16 **MR. YOUNG:** No, ma'am.
17 **THE COURT:** Has anybody promised you
18 anything to get you to plead guilty other than
19 the plea negotiations in this case?
20 **MR. YOUNG:** No, ma'am.
21 **THE COURT:** Those plea negotiations are,
22 Solicitor?
23 **MR. WILKINS:** Your Honor, he's agreeing to
24 plead guilty to the burglary first that you
25 said, the two murders, as well as eight

1 attempted murders in return for a sentence of
2 two life sentences plus 240 years.

3 **THE COURT:** Plus how much?

4 **MR. WILKINS:** 240 years.

5 **THE COURT:** 240 years.

6 **MR. WILKINS:** So it would be a maximum
7 sentence of 30 years on each Attempted Murder
8 and life for the Burg first and life on the
9 Murder.

10 **THE COURT:** All right. Mr. Mauldin,
11 that's your understanding of the negotiations?

12 **MR. MAULDIN:** The remaining charges --
13 there were eight additional charges -- will be
14 dismissed. We do understand that the court
15 will follow the recommendation for a life
16 sentence. As to whether or not other sentences
17 run concurrent or consecutive has never been a
18 discussion but we anticipate a life sentence in
19 court today.

20 **THE COURT:** All right. Mr. Young, is that
21 your understanding of the negotiations?

22 **MR. YOUNG:** Yes, ma'am.

23 **THE COURT:** Other than that, anything else
24 been promised to you to get you to plead guilty
25 here today?

1 MR. YOUNG: No, ma'am.

2 THE COURT: When you plead guilty, you
3 give up certain constitutional rights. One is
4 your right to remain silent about these
5 charges, do you understand that?

6 MR. YOUNG: Yes, ma'am.

7 THE COURT: You also give up your right to
8 a jury trial on these charges. At that trial,
9 your attorneys could call witnesses for you,
10 could cross-examine witnesses against you. You
11 would not be compelled to testify against
12 yourself. The State would have to prove your
13 guilt beyond a reasonable doubt. But when you
14 plead guilty, you give up your right to a jury
15 trial. Do you know that?

16 MR. YOUNG: Yes, ma'am.

17 THE COURT: Is that what you want to do
18 here today, plead guilty and give up your right
19 to a trial in this matter?

20 MR. YOUNG: Yes, ma'am.

21 THE COURT: And how do you plead to each
22 of these charges, guilty or not guilty?

23 MR. YOUNG: Guilty.

24 THE COURT: You have 10 days from today's
25 date to appeal this plea if you so choose, but

1 you must do so in writing to this court. All
2 right. I want you to listen to the facts that
3 are read by the Solicitor.

4 Yes, sir.

5 **MR. WILKINS:** Your Honor, may it please
6 the Court.

7 **THE COURT:** Yes, sir.

8 **MR. WILKINS:** The defendant, Shane Young
9 had previously been dating an individual named
10 Kayla Atkinson and they had recently broken up.
11 After the break up, the defendant would
12 continuously follow the victim and anyone that
13 she was with. On October 15th, 2012, which is
14 the date of the incident, the victim was at a
15 mom and pop's store outside of Greenville
16 county when she and her friends were approached
17 by the defendant who threatened to kill her.
18 Kayla was able to speed off and avoid
19 confrontation with the defendant at that time.

20 She later went to her grandmother's home on
21 Skyland Drive in Greer, which is located in
22 Greenville county. Also present at this
23 location was her grandmother, Sandra Hand, her
24 mother Cheryl Mann, her sister, Summer Mann,
25 who was 10 years old at the time, and a friend,

1 Kenneth Horton.

2 The defendant was seen in his truck parked
3 outside of the residence and was told to leave
4 by at least two separate individuals. The
5 defendant then left.

6 Fearing that the defendant would return,
7 Kenneth Horton went outside to a shed to locate
8 a flashlight or anything with which he could
9 protect himself and others. He was returning
10 to the residence. As he was returning to the
11 residence, the defendant returned and had a
12 long gun according to at least two witnesses.
13 This was shortly after 9 p.m.

14 A shot was fired and Kenneth Horton came
15 running into the house yelling that Shane was
16 back. He and Ms. Hand shut and locked the
17 front door. The defendant approached the front
18 door firing his weapon. One of the shots hit
19 Kenneth Horton in the chest. Kenneth was able
20 to stumble back to one of the bedrooms where he
21 collapsed and ultimately died.

22 During this time, Kayla Atkinson went into
23 the bathroom to hide. Ms. Hand was in her
24 bedroom on her phone with 911. The defendant
25 then entered the house and began asking for

1 Kayla. He is told that she ran out of the back
2 door. He goes looking in parts of the house
3 for Kayla and sees Ms. Hand on the phone and
4 forces her and others to get into the hallway
5 and into the bathroom. He is unaware that
6 Kayla, the person whom he's looking for, is
7 hiding behind the shower curtain in the very
8 bathroom where he made everyone go.

9 Since 911 had been called by Ms. Hand,
10 members of the Greenville County Sheriff's
11 Office responded as did members of the
12 Greenville County SWAT team. The SWAT members
13 positioned themselves in various locations
14 around the residence and negotiations were
15 attempted with the defendant. They started at
16 approximately 10:30 and continued until the
17 SWAT team made entry into the house at
18 approximately 12:30.

19 During the negotiations, law enforcement
20 was attempting to learn how many people were
21 being held, if there were any injuries to
22 anyone inside and was told by the defendant
23 that an individual, Kenneth Horton, was dead
24 and he was threatening to kill the rest of the
25 individuals remaining in the house.

1 At one point during the standoff, the
2 defendant called his father and told him that
3 he was in trouble. The father called his
4 stepson who had been in law enforcement and
5 asked the stepson to help. The stepson called
6 the defendant and talked to him. At which
7 time, the defendant admitted to killing Kenneth
8 Horton and that he was holding three other
9 people hostage. At that time, the stepson
10 called the police and subsequently talked to
11 negotiators via phone about what had been said.

12 Once it determined that negotiations were
13 not going to be successful, a decision to enter
14 the residence was made. It was determined that
15 they would enter simultaneously through the
16 front and the back doors. According to Ms.
17 Hand, the defendant was in the threshold of the
18 bathroom when he began firing towards the
19 kitchen. Then he turned and began firing into
20 the bathroom towards the victims and then
21 turned and started firing at the officers who
22 had entered the residence. The defendant
23 continued to fire at officers until he was
24 finally subdued.

25 According to SWAT officers, Officers

1 McConnell, Maxwell, Ward and Grice, who entered
2 through the back door, they were immediately
3 confronted by gunfire from the defendant as
4 soon as they entered the residence. Officer
5 Grice and Maxwell were hit multiple times.
6 Specifically, Grice was shot through his bicep
7 and Officer Maxwell was shot in the leg in
8 addition to being shot in their Kevlar vests.
9 They both required extensive medical treatment
10 for their wounds.

11 Officers Ward and McConnell described
12 hearing and feeling bullets firing past them as
13 they pushed down the wall towards where they
14 believed the defendant to be. They quickly
15 located the defendant in the bathroom and the
16 defendant continued to fire at the officers.
17 The officers returned fire and, ultimately,
18 subdued him in the bathroom. At that point,
19 they were able to get the victims to safety.

20 It was determined that Kayla Atkinson was
21 not injured although she was in the bathroom at
22 the time the defendant was firing his weapon
23 into the bathroom. Sandra Hand had been shot
24 through the hip by the defendant requiring
25 multiple surgeries. Cheryl Mann received

1 shrapnel in knees and her leg. And Summer Mann
2 who was only 10 years old at the time was shot
3 through the leg. The bullet went through her
4 growth plate and she's had to have multiple
5 surgeries to date. She may need future
6 surgeries as she grows. Kenneth Horton died
7 from a single gunshot wound to the chest.

8 The investigation by the Greenville county
9 Sheriff's Office revealed the defendant was
10 shooting a 30/30 rifle using hollow point
11 bullets he had just purchased from Walmart at
12 approximately five o'clock that day.

13 Throughout the three-hour ordeal, the defendant
14 certainly had threatened to kill everyone in
15 the house.

16 Your Honor, we have all the victims here in
17 the back of the courtroom and a large number of
18 the Greenville County Sheriff's Office are here
19 along with Officers Maxwell and Grice who were
20 injured in the takedown of the defendant.

21 **THE COURT:** All right. All right. Thank
22 you.

23 Mr. Young, you've heard the facts as
24 recounted by the Solicitor. Is that what
25 happened?

1 MR. YOUNG: Sure.
2 THE COURT: I need you to say yes or no.
3 MR. YOUNG: Yes, ma'am.
4 THE COURT: And once again, how do you
5 plead to each of these charges ---
6 MR. YOUNG: Guilty.
7 THE COURT: --- eight counts of Attempted
8 Murder, one count of Burglary first degree and
9 one count of Murder, how do you plead?
10 MR. YOUNG: Guilty.
11 THE COURT: I'll accept the plea as being
12 freely and voluntarily made with the advice of
13 extremely competent counsel with whom the
14 defendant says he's well satisfied and the plea
15 has a substantial factual basis. You say that
16 there's some --
17 MR. WILKINS: There's some individuals who
18 would like to address the court, Your Honor.
19 THE COURT: All right. Certainly. Very
20 well.
21 MR. WILKINS: Would you like to do that
22 now?
23 THE COURT: Certainly.
24 MR. WILKINS: Okay. Thank you, Your
25 Honor.

1 **THE COURT:** Tell me your name, ma'am, and
2 take your time.

3 **SPEAKER:** Judge, my name is Sandy Hand.

4 **THE COURT:** Yes, ma'am.

5 **SPEAKER:** I can't judge anybody but my
6 lord and savior. I can not completely put into
7 words all that I want to say. I can not convey
8 with words the deep feelings I have towards
9 this man and what he has done, but I will try.
10 To say that he affected my family would be an
11 understatement. He has destroyed us all in one
12 night.

13 He took away my 10-year-old granddaughter's
14 innocence. She will never look at the world
15 the same again. He almost took my life. I've
16 had to have four surgeries because of that
17 night. I'm going to have to let her speak,
18 ma'am.

19 **THE COURT:** I understand. I understand.
20 I admire you for trying to be here.

21 **SPEAKER:** I can't go to sleep for two
22 hours at a time. The nightmares are endless.
23 My oldest granddaughter will not speak to any
24 of us now. I pray every night for God to give
25 me the ability to forgive him, but that

1 forgiveness will not come.

2 I have no words to give to Kenny's parents.
3 All Kenny was trying to do was protect my
4 family and he was shot and killed for that.

5 The grief that he has caused is real. The
6 destruction he has caused I hope will be a
7 daily reminder of what he did to us. No one is
8 to blame for this except Shane Young. Prison
9 is too good for him but death is too quick. I
10 hope that every night he thinks about what he
11 has done to us. Thank you.

12 **THE COURT:** Thank you, ma'am. I'm so
13 sorry for what's happened to you and what's
14 happened to your family.

15 Yes, ma'am. Tell me your name please.

16 **SPEAKER:** My name is Cheryl Mann.

17 **THE COURT:** Yes, ma'am.

18 **SPEAKER:** This horrible night has
19 affected me more than I can say. I feel as
20 though my whole family has been destroyed. I
21 cry all the time. I cry for myself. I cry for
22 my mother who has endured numerous surgeries,
23 has horrible nightmares and constantly reminded
24 of the events of the horrible night. I cry for
25 my youngest daughter, Summer, who has forever

1 changed because of this. Not just physically
2 but emotionally too. Her innocence has been
3 taken away by him. I'm afraid that she'll
4 never look at the world in the same way again.
5 He has destroyed her and, for that, I do not
6 think I will ever be able to forgive him for
7 that.

8 I cry for my oldest daughter Kayla who has
9 completely shut us out after what he did. I
10 believe that she may even feel responsible in
11 some way or thinks that we feel she is
12 responsible for what happened. Shane Young is
13 the only one who is responsible for what
14 happened. Kayla moved to try to get away from
15 the memories and would not talk to me or her
16 grandmother at all.

17 I cry for Kenny and the lost of Kenny. He
18 was a good man who died protecting me and my
19 family. I also cry for Shane's son who will
20 now have to grow up and know that his father is
21 a murderer. His innocence has been taken away
22 too because of Shane's actions. No amount of
23 punishment will ever be good enough for him.
24 But I do hope that everyday he remembers why he
25 is there at prison. I hope that every day, he

1 remembers each and every one of us and
2 remembers Kenny, the man he shot down. I hope
3 that Shane Young could feel a small amount of
4 the pain that he has caused my family and
5 Kenny's family.

6 THE COURT: Thank you, ma'am, for being
7 here. Again, I'm so sorry for what this man
8 has done to you and your family.

9 MR. WILKINS: And Your Honor, Sheriff
10 Loftis would like to speak to the court.

11 THE COURT: Certainly.

12 Yes, sir, Sheriff.

13 SPEAKER: Good morning.

14 THE COURT: Good morning. Yes, sir.

15 SPEAKER: How are you this morning,
16 Judge?

17 THE COURT: Fine. How are you?

18 SPEAKER: I would like to say that on the
19 night in question, the defendant showed a total
20 disregard for human life. Not only did he kill
21 one individual before law enforcement arrived,
22 he shot a little 10-year-old girl. As my SWAT
23 team members attempted to enter the back door,
24 he ambushed two of them with the intent to
25 kill. Thank God both of them have recovered

1 and are back to normal duty. I would like to
2 see the most severe punishment that you could
3 possibly hand out so this defendant will never
4 be allowed to be in a situation like that
5 again.

6 **THE COURT:** I thank you for being here.
7 Let me just take a moment to thank your men for
8 what they did to bravely confront this
9 situation and to bring it to an end. I'm
10 sorry, so sorry for what this man did to them,
11 but I commend them on their bravery and what
12 they've done to help protect the community.

13 **SPEAKER:** Thank you, Your Honor.

14 **THE COURT:** Thank you.

15 Solicitor, anything else from the State?

16 **MR. WILKINS:** That's all from the state,
17 Your Honor.

18 **THE COURT:** All right. Mr. Mauldin?

19 **MR. MAULDIN:** Your Honor, uh, the, uh, --
20 it goes without further saying that this is an
21 extraordinarily tragic complete breakdown. I
22 guess we can each thank God that it wasn't
23 worse. We had the lost of an innocent life
24 and, fortunately, only one person was killed.
25 We can't go back and change what happened. We

1 got to hope that we can learn something from
2 what happened but also, uh, we have to try to
3 move forward.

4 It's not my intention at this time or under
5 any circumstances to offer any excuses on
6 behalf of Shane. We've talked at length about
7 this case. No excuses are available, possible
8 or will be offered or suggested. I would like
9 to tell the Court a little bit so that you
10 could see how such a horrible incident could
11 have occurred.

12 During the time we had been representing
13 Shane -- he was put in jail in October of 2012
14 at the time this incident occurred. As we
15 started working with him on the case, there was
16 a tremendous level of depression and remorse,
17 total remorse by what he had done. He couldn't
18 go back and change it. But it was
19 extraordinarily difficult for us to work with
20 and all because of the level of depression and
21 remorse that he was in at the time that we were
22 seeing him.

23 Under those circumstances, we began the
24 process of trying to connect, what I will call,
25 the dots in the case. We, uh, obtained the

1 services of a forensic psychologist and a
2 forensic psychiatrist to try to give us some
3 information about our client. The forensic
4 psychologist evaluation discovered that on two
5 occasions prior to this incident, Shane had
6 been involved in automobile accidents where he
7 had related-head injuries. Analysis of that
8 lead to an irregularity of his frontal lobe
9 that is directly correlated with mood disorders
10 relating to anger management, anxiety and
11 blackouts.

12 As a result of this analysis, we then had a
13 forensic psychiatrist evaluation. And for the
14 last eight months, Shane has been under that
15 psychiatrist treatment for mood disorders and
16 panic disorders.

17 He mentioned that he is not on medication.
18 He is on medication. The medication that he
19 takes or is given because of these psychiatric
20 conditions does not affect his understanding of
21 what we're doing here today. We've had lengthy
22 conversations with Shane. He's given us every
23 impression that he understands what we're
24 doing.

25 Joey Maxwell who has been working

1 extensively with me, in fact, doing the
2 majority of the work, we don't have any
3 question about Shane's competency, his
4 competency to be before the court this morning.
5 I'm not offering this information to raise any
6 such question.

7 **THE COURT:** All right.

8 **MR. MAULDIN:** Or I don't offer this to
9 offer any excuse. Law enforcement acted
10 appropriately and we're all proud to have them
11 protect us in this county. But we can't change
12 what happened but I did want to offer this
13 information to you so that you can understand
14 how a person who is essentially a good person
15 just explodes and just go completely out of
16 control during that night.

17 The folks that are here with him, Your
18 Honor, we've got his father, his stepmother,
19 his sister. We've got friends of the family.
20 Jack Howard is here with that family. They are
21 here in support. They've been supportive of
22 Shane ever since he was incarcerated and, of
23 course, before that and will continue to
24 maintain a relationship with him.

25 Finally, Your Honor, I do appreciate the,

1 uh, state's willingness to, over the last
2 several months, try to work out a resolution to
3 this case without a trial. This case was very
4 difficult. There's a lot of pain and suffering
5 that people go through. We have attempted to
6 try to resolve the case.

7 A life sentence is forever for Shane Young,
8 but we believe that it could have been worse.
9 We believe that what happened out there could
10 have been worse. We wanted to try to get some
11 finality to this case and end this case so that
12 everybody involved on both sides can start
13 rebuilding and trying to restore their lives.
14 I appreciate the opportunity to speak to the
15 court on that behalf.

16 **THE COURT:** All right. Mr. Young, let me
17 ask you just one or two questions. I
18 understand you are taking some medication for
19 psychiatric condition, is that correct?

20 **MR. YOUNG:** Yes, ma'am.

21 **THE COURT:** Do those medications leave you
22 feeling clearheaded?

23 **MR. YOUNG:** Yes, ma'am.

24 **THE COURT:** Do you have any questions
25 about what we're doing here today?

1 MR. YOUNG: No, ma'am.

2 THE COURT: Who is this man here?

3 MR. YOUNG: John Mauldin.

4 THE COURT: And what is his job?

5 MR. YOUNG: My attorney.

6 THE COURT: All right. And what does your

7 attorney do?

8 MR. YOUNG: Defend me in court.

9 THE COURT: All right. Well said. Do you

10 know what my job is?

11 MR. YOUNG: Yes, ma'am.

12 THE COURT: What is that?

13 MR. YOUNG: The judge.

14 THE COURT: And what do I do?

15 MR. YOUNG: Inflict the punishment.

16 THE COURT: All right. Well, I don't have

17 any concerns about his competency. Is there

18 anything you would like to say, Mr. Young?

19 MR. YOUNG: No, ma'am.

20 THE COURT: All right. Anything else from

21 the State?

22 MR. WILKINS: Nothing from the State, Your

23 Honor.

24 THE COURT: Anything else from the

25 defense?

1 MR. MAULDIN: No, ma'am.

2 THE COURT: All right. Mr. Young, on
3 2013-GS-23-6411, Attempted Murder, the sentence
4 is 30 years. That is consecutive to 2013-GS-
5 23-6413, Attempted Murder, also 30 years
6 consecutive. On 2013-GS-23-6414, Attempted
7 Murder, 30 years consecutive. On 2013-GS-23-
8 6416 the sentence is 30 years. That is also
9 consecutive. On GS-- excuse me 2013-GS-23-
10 6420, also Attempted Murder, consecutive 30
11 years. Consecutive to that is 2013-GS-23-6423,
12 Attempted Murder, the sentence is 30 years
13 consecutive. Attempted Murder, 30 years, GS-
14 20-- excuse me -- 2013-GS-23-6425. Uh, 2013-
15 GS-23-6426, Attempted Murder, also consecutive,
16 30 years. On 2013-GS-23-6424 on the charge of
17 Murder, uh, the sentence is life in prison.
18 Consecutive to that, Burglary first degree,
19 2013-GS-23-6419, Burglary first degree, the
20 sentence is life in prison. Thank you all for
21 being here. I wish you continued luck with
22 your recovery.

23 MR. WILKINS: Thank you, Judge.

24 (WHEREUPON, the proceedings conclude at
25 approximately 10:31 a.m.)

CERTIFICATE

27

STATE OF SOUTH CAROLINA)
)
COUNTY OF GREENVILLE)

I, the undersigned, Teresa B. Johnson, Official Court Reporter for the Thirteenth Judicial Circuit of the State of South Carolina, do hereby certify that the foregoing is a true, accurate and complete Transcript of Record of all the proceedings had and evidence introduced in the trial of the captioned case, relative to appeal, in the Court of Common Pleas for Greenville, South Carolina, on this 6th day of October, 2014.

I do further certify that I am neither of kin, counsel nor interest to any party hereto.


Teresa B. Johnson
Official Court Reporter

FORM 5

STATE OF SOUTH CAROLINA

COUNTY OF GREENVILLE

Shane K. YOUNG, #357849

Full name and prison number (if any) of Applicant.

v.

State of South Carolina

IN THE COURT OF COMMON PLEAS

2014-CP-23-

APPLICATION FOR

POST-CONVICTION

FILED-CLERK OF COURT
GREENVILLE CO. S.C.
PAUL B. WICKENS
2014 JUN 17 PM 3:36

INSTRUCTIONS - READ CAREFULLY

In order for this application to receive consideration by the Court, it shall be in writing (legibly handwritten or typewritten), signed by the applicant and verified (notarized), and it shall set forth in concise form the answers to each applicable question. If necessary, applicant may furnish his answer to a particular question on the reverse side of the page or on an additional page. Applicant shall make clear to which question any such continued answer refers.

Since every application must be sworn under oath, any false statement of a material fact therein may serve as the basis of prosecution and conviction for perjury. Applicants should, therefore, exercise care to assure that all answers are true and correct.

If the application is taken in forma pauperis, it shall include an affidavit (attached at the back of the form) setting forth information which establishes that applicant will be unable to pay the fees and costs of the proceedings. When the application is completed, the original shall be mailed to the Clerk of Court for the County in which the applicant was convicted.

1. Place of detention S.C.D.O.C. at Perry Corr Institution; 400 Oaklawn Rd.; Pelzer, S.C. 29669.
2. Name and location of Court which imposed sentence Greenville, S.C. 29601. Greenville County Courthouse; 305 E. North St.;
3. Name(s) of co-defendant(s) (if any) none
4. The indictment number or numbers (if known) upon which and the offenses for which sentence was imposed:
 - (a) B-65-23-006424/Court One-Murder
 - (b) B-65-23-006419/Burglary 1 St degree
 - (c) B-65-23-006420/Attempted Murder
5. The date upon which sentence was imposed and the terms of the sentence:
 - (a) Nov. 19, 2013/life
 - (b) Nov. 19, 2013/life (consecutive)

"turn over on the back of page two (2)!"

4. d) 13-65-23-006423/Attempted Murder
e) 13-65-23-006425/Attempted Murder
f) 13-65-23-006426/Attempted Murder
g) 13-65-23-006411/Attempted Murder
h) 13-65-23-006414/Attempted Murder
i) 13-65-23-006413/Attempted Murder
j) 13-65-23-006416/Attempted Murder

5. d) Nov. 18, 2013/ 30 years(consecutive)
e) Nov. 18, 2013/ 30 years(consecutive)
f) Nov. 18, 2013/ 30 years(consecutive)
g) Nov. 18, 2013/ 30 years(consecutive)
h) Nov. 18, 2013/ 30 years(consecutive)
i) Nov. 18, 2013/ 30 years(consecutive)
j) Nov. 18, 2013/ 30 years(consecutive)

(c) Nov. 19, 2013 / 30 years consecutive

6. Check whether a finding of guilty was made:
- (a) after a plea of guilty ✓
 - (b) after a plea of not guilty _____
 - (c) after a plea of nolo contendere _____
7. Did you appeal from the judgment of conviction or the imposition of sentence?
No.
8. If you answered "yes" to (7), list:
- (a) the name of each Court to which you appealed:
 - i. _____
 - ii. _____
 - iii. _____
 - (b) the result in each such Court to which you appealed:
 - i. _____
 - ii. _____
 - iii. _____
 - (c) the date of each such result:
 - i. _____
 - ii. _____
 - iii. _____
 - (d) if known, citations of any written opinion or orders entered pursuant to such results:
 - i. _____
 - ii. _____
 - iii. _____
9. If you answered "no" to (7), state your reasons for not so appealing:
- (a) Counsel failed to file for appeal as requested.
 - (b) _____
 - (c) _____
10. State concisely the grounds on which you base your allegation that you are being held in custody unlawfully:

(a) Ineffective Assistance of Counsel

(b) _____

(c) _____

11. State concisely and in the same order the facts which support each of the grounds set out in (10):

(a) counsel failed to file for appeal as requested.

(b) _____

(c) _____

12. Prior to this application have you filed with respect to this conviction:

(a) any petition in a State Court under South Carolina Law? NO

(b) any petition in State or Federal Courts for habeas corpus or post-convictions relief? NO

(c) any petition in the United States Supreme Court for certiorari other than petitions, if any, already specified in (8)? NO

(d) any other petitions, motions or applications in this or any other Court? NO

13. If you answered "yes" to any part of (12), list with respect to each petition, motion or application:

(a) the specific nature thereof:

i. _____

ii. _____

iii. _____

iv. _____

(b) the name and location of the Court in which each was filed:

i. _____

ii. _____

iii. _____

iv. _____

(c) the disposition thereof:

i. _____

ii. _____

iii. _____

iv. _____

(d) the date of each such disposition:

i. _____

ii. _____

iii. _____

iv. _____

(e) if known, citations of any written opinions or orders entered pursuant to each such disposition:

i. _____

ii. _____

iii. _____

iv. _____

14. Has any ground set forth in (10) been previously presented to this or any other Court, State or Federal, in any petition, motion or application which you have filed?
no

15. If you answered "yes" to (14) identify:

(a) which grounds have been presented:

i. _____

ii. _____

iii. _____

(b) the proceedings in which each ground was raised:

i. _____

ii. _____

iii. _____

16. If any ground set forth in (10) has not previously been presented to any Court, State or Federal, set forth the ground and state concisely the reasons why such ground has not previously been presented:

(a) Ineffective Assistance of Counsel/must be raised in the Court of Common Pleas.

(b) _____

(c) _____

17. Were you represented by an attorney at any time during the course of:

- (a) your arraignment and plea? ☒
- (b) your trial, if any? _____
- (c) your sentencing? ☒
- (d) your appeal, if any, from the judgment of conviction or the imposition of sentence? _____
- (e) preparation, presentation or consideration of any petitions, motions or applications with respect to this conviction, which you filed? _____

18. If you answered "yes" to one or more parts of (17), list:

- (a) the name and address of each attorney who represented you:
 - i. John I. Maudin, Public Defender; 305 E. North St (Rm 123); Greenville, S.C. 29601.
 - ii. _____
 - iii. _____
- (b) the proceedings at which each such attorney represented you:
 - i. guilty plea and sentencing
 - ii. _____
 - iii. _____

19. State clearly the relief you seek in filing this application:

Reverse and/or Remanded

20. Are you now under sentence from any other court that you have not challenged?
No.

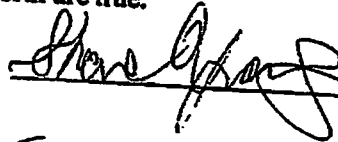
STATE OF SOUTH CAROLINA

County of Greenville

VERIFICATION

Shane K. Young #

1,357,849, being duly sworn upon my oath, depose and say that I have subscribed to the foregoing application; that I know the contents thereof; that it includes every ground known to me for vacating, setting aside or correcting the conviction and sentence attacked in this application; and that the matters and allegations therein set forth are true.



SWORN to and subscribed before me this 5
day of June, 2014.

Lamarcia Conwell

Notary Public

(L.S.)

My Commission Expires
September 25, 2023

My Commission Expires: _____

**APPLICATION TO PROCEED WITHOUT PAYMENT
OF COSTS AND AFFIDAVIT
IN SUPPORT THEREOF**

~~Shane K. Young~~ #

1,357,849, hereby apply for leave to proceed in this action without prepayment of fees or costs or security therefor. In support of my application I declare under penalty of perjury that the following facts are true:

- (1) I am the applicant in this action and I believe I am entitled to redress.
- (2) Because of my poverty I am unable to pay the costs of said proceeding or give security thereof.


Applicant

SWORN or affirmed to and subscribed before me this
5 day of June, 2014.


Notary Public

My Commission Expires: September 25, 2028

My Commission Expires

STATE OF SOUTH CAROLINA)
COUNTY OF GREENVILLE)
Shane Kelly Young,)
S.C.D.C. No. 357849,)
Applicant,)
v.)
State of South Carolina,)
Respondent.)

IN THE COURT OF COMMON PLEAS
C.A. No. 2014-CP-23-3381

RETURN

In response to the post-conviction relief application filed June 17, 2014, the Respondent would show this Court:

I.

The Applicant is incarcerated with the South Carolina Department of Corrections pursuant to the Greenville County Clerk of Court's orders of commitment. The Greenville County Grand Jury indicted the Applicant at the July 2013 term of General Sessions for 8 counts of attempted murder (2013-GS-23-6411, -6413, -6414, -6416, -6420, -6423, -6425, -6426), first-degree burglary (2013-GS-23-6419), murder (2013-GS-23-6424, count 1), and possession of a weapon during commission of a violent crime (2013-GS-23-6424, count 2). John I. Mauldin, Esquire represented the Applicant.

On November 19, 2013, the Applicant pled guilty to 8 counts of attempted murder, first-degree burglary, and murder. The Honorable Letitia H. Verdin sentenced the Applicant to consecutive sentences of 30 years for each count of attempted murder, life imprisonment for first-degree burglary, and life imprisonment for murder. The Applicant did not appeal.

Attached herewith and incorporated herein by reference are the records of the Greenville

County Clerk of Court regarding the subject convictions, the Applicant's records from the South Carolina Department of Corrections, and the guilty plea transcript.

II.

In his application for post-conviction relief, the Applicant alleges he is being held in custody unlawfully for the following reason:

1. Ineffective assistance of counsel:
 - a. Failed to file a notice of appeal as requested.

III.

The Respondent asserts the Applicant's allegation that his attorney was ineffective is without merit. The Respondent asserts the Applicant's attorney rendered effective assistance well within the standard of "reasonableness within professional norms" for a defense attorney.

Where ineffective assistance of counsel is alleged as a ground for relief, the Applicant must prove that "counsel's conduct so undermined the proper functioning of the adversarial process that the trial cannot be relied on as having produced a just result." Strickland v. Washington, 466 U.S. 668, 686, 104 S. Ct. 2052, 2064 (1984); Butler v. State, 286 S.C. 441, 442, 334 S.E.2d 813, 814 (1985).

The proper measure of performance is whether the attorney provided representation within the range of competence required in criminal cases. The courts presume counsel "rendered adequate assistance and made all significant decisions in the exercise of reasonable professional judgment." Strickland, 466 U.S. at 690, 104 S. Ct. at 2066. The Applicant must overcome this presumption in order to receive relief. See Cherry v. State, 300 S.C. 115, 118, 386 S.E.2d 624, 625 (1989).

A two-pronged test is used in evaluating allegations of ineffective assistance of counsel.

First, the applicant must prove counsel's performance was deficient. Under this prong, attorney performance is measured by its "reasonableness under prevailing professional norms." Cherry v. State, 300 S.C. at 117, 386 S.E.2d at 625 (quoting Strickland, 466 U.S. at 688, 104 S. Ct. at 2065). Second, counsel's deficient performance must have prejudiced the Applicant such that "there is a reasonable probability that, but for counsel's unprofessional errors, the result of the proceeding would have been different." Cherry, 300 S.C. at 117-18, 386 S.E.2d at 625. "A reasonable probability is a probability sufficient to undermine confidence in the outcome of trial." Johnson v. State, 325 S.C. 182, 186, 480 S.E.2d 733, 735 (1997) (citing Strickland v. Washington, 466 U.S. 668, 104 S. Ct. 2052 (1984)).

The Respondent submits the Applicant cannot satisfy either requirement of the Strickland v. Washington test. However, the allegation of ineffective assistance of counsel probably raises questions of fact that cannot be conclusively refuted by the record. The Respondent requests an evidentiary hearing to fully resolve this issue. See Sharper v. State, 279 S.C. 264, 265, 305 S.E.2d 247, 248 (1983) (citing Norman v. State, 276 S.C. 278, 277 S.E.2d 707 (1981)).

IV.

The Respondent denies each allegation not expressly admitted, qualified or explained.

V.

WHEREFORE, having made its Return, the Respondent requests that a hearing be held and counsel appointed to represent the Applicant.

Respectfully submitted,

ALAN WILSON
Attorney General

JOHN W. MCINTOSH
Deputy Attorney General

KAREN C. RATIGAN
Senior Assistant Deputy Attorney General

P.O. Box 11549
Columbia, S.C. 29211

By:


Attorneys for Respondent

October 30, 2014

STATE OF SOUTH CAROLINA	)	COURT OF COMMON PLEAS
	)	2014-CP-23-3381
COUNTY OF GREENVILLE	)	
	)	
	)	
	)	
	)	
SHANE K. YOUNG,	)	
PLAINTIFF,	)	
	)	
vs.	)	TRANSCRIPT OF RECORD
	)	
STATE OF SOUTH CAROLINA,	)	
DEFENDANT.	)	
	)	

April 23, 2015
Greenville, South Carolina

B E F O R E:

THE HONORABLE JUDGE EDWARD W. MILLER

A P P E A R A N C E S:

BRIAN P. JOHNSON, ESQ.
L. WHITNEY THWAITES, ESQ.
Attorney for the Plaintiff

KAREN C. RATIGAN, ESQ.
Attorney for the Defendant

CHERYL A. SMITH
Circuit Court Reporter

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(PW) - Denotes Plaintiff's Witness
(SW) - Denotes State's Witness

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EXHIBITS

There were no exhibits introduced.

P R O C E E D I N G S

MS. RATIGAN: Thank you, Your Honor. May it please the Court. This is the case of Shane Young vs. The State of South Carolina. Docket number is 2014-CP-23-3381

Mr. Young was indicted for eight counts of attempted murder and one count of first-degree burglary, one count of murder and one count of possession of a weapon during the commission of a violent crime. He was represented on these charges by Mr. Mauldin and Mr. Maxwell.

On November 19th of 2013, he pled guilty to eight counts of attempted murder, first-degree burglary and murder. Judge Verdin sentenced him to consecutive terms of 30 years for each count of attempted murder, life for the first-degree burglary, and life for murder. Mr. Young did not file an appeal.

The State is ready to proceed; however, I've been advised there is a motion at this time.

THE COURT: Who did you say the judge was?

MS. RATIGAN: Judge Verdin.

THE COURT: Verdin? Okay. All right.

Yes, ma'am.

MS. THWAITES: Good afternoon, Your Honor. May it please the Court. My name is Whitney Thwaites, and I was approached on Monday by Mr. Young's father to retain me as counsel in this case. I was then later made aware that

1 there was a hearing today, and I have not had an
2 opportunity to prepare. And I believe that it would be
3 extremely prejudicial to my client to move forward with
4 this hearing today with the counsel that he has chosen to
5 represent him.

6 THE COURT: Okay. The State's position?

7 MS. RATIGAN: Your Honor, we'd object at this point.
8 We've got members -- actually, two victims are here today,
9 the ladies in the back. We've got a representative from
10 the sheriff's department here. This case was scheduled for
11 the February term of court, but at that point it was
12 continued at Mr. Johnson's request. At that point, I
13 advised him that I would be rescheduling for the April term
14 of court. I routinely send the rosters out for these cases
15 one month in advance, so there should have been adequate
16 notice that this case was going to be called today. And
17 due to -- and also, it's very difficult to get Mr. Mauldin
18 here. He has a very difficult schedule. The State is not
19 willing to consent to any kind of continuance and, in fact,
20 we would like to go forward today.

21 THE COURT: Okay. Well, Ms. Thwaites, I'm going to
22 deny your motion for a continuance. He's had adequate
23 notice. He can't wait to the last minute to try and get
24 new counsel. So I guess I'll ask him. I'm just going to
25 require Mr. Johnson to continue representation in this

1 matter, okay?

2 MS. THWAITES: Okay. Thank you, Your Honor.

3 THE COURT: Anything you want to say, Mr. Young?

4 PETITIONER YOUNG: No, sir.

5 THE COURT: Okay. All right. Mr. Johnson?

6 MR. JOHNSON: Thank you, Your Honor. May it please
7 the Court. Before we go forward, I think it might assist
8 the Court if I can tell you the issues that Mr. Young and I
9 have narrowed to this proceeding.

10 THE COURT: All right.

11 MR. JOHNSON: First of all, Mr. Young states that he
12 did not waive or knowingly and voluntarily waive the right
13 to a directed appeal of a guilty plea. He wishes to
14 present testimony concerning that.

15 Furthermore, Judge, he also wishes to express that the
16 guilty plea wasn't knowingly and voluntarily given, that he
17 had suffered from head-related injuries in the past, and he
18 would have liked to expand upon that before -- instead of
19 pleading guilty, Judge.

20 And I will call just one witness, and that will be
21 Shane Young.

22 THE COURT: Okay. All right. Come on around.

23 THE CLERK: Mr. Young, step around to the witness
24 stand, please.

25 ///

1 WHEREUPON,

2 SHANE KELLY YOUNG,

3 after first having been duly sworn, testified as follows:

4 THE CLERK: Please state your name for the record.

5 THE WITNESS: Shane Kelly Young.

6 THE CLERK: Thank you. You may be seated.

7 DIRECT EXAMINATION

8 BY MR. JOHNSON:

9 Q Shane, how old are you?

10 A 32.

11 Q Where are you currently housed?

12 A At Perry Correctional Institution.

13 Q Do you know why you're there?

14 A Yeah.

15 Q And was this as a result of a guilty plea?

16 A Yes, sir.

17 Q Do you recall what you pled guilty to?

18 A 10 counts.

19 Q Of what?

20 A One murder, eight attempted murders, and I believe it
21 was a first-degree burglary.

22 Q And you're testifying from memory currently, correct?

23 A Yes.

24 Q So you're just having the time to think about it; is
25 that also correct?

1 A Yes, sir.

2 Q Now, with regards to the charges themselves, after you
3 pled guilty, what was your sentence?

4 A Two life sentences with 240 years.

5 Q And were those consecutive or concurrent sentences?

6 A I'm not sure the terminology, but you have to do one
7 and -- before you start the other.

8 Q Now, with regards to the guilty plea and the
9 sentencing, who was your representation?

10 A Mr. Mauldin and Mr. Maxwell.

11 Q Do you know their first names?

12 A Joey Maxwell and John Mauldin.

13 Q And that was through the Public Defender's Office?

14 A Yes, sir.

15 Q And after you pled guilty, did you have any
16 conversations with either Mr. Mauldin or Mr. Maxwell?

17 A In the courtroom after the judge told me about the
18 ten-day deadline to file the appeal, I turned to
19 Mr. Maxwell to ask him to file the appeal. He told me he
20 would come see me in the morning.

21 Q Okay. Did you have a conversation with Mr. Maxwell
22 after the guilty plea?

23 A No, sir.

24 Q Are you stating to the Court now that when you told
25 Mr. Maxwell that you wanted to file the appeal, that's what

1 you indeed wanted him to do?

2 A I was in the process of that, yes, sir. And he told
3 me he would come see me in the morning.

4 Q But you never had those conversations?

5 A No, sir.

6 Q Would you have liked for him to file an appeal ---

7 A Yes, sir.

8 Q --- to the guilty plea itself?

9 A Yes, sir.

10 Q Okay. Because he did not file the appeal, do you
11 believe you were prejudiced by not having the right to an
12 appeal?

13 A Yes, sir.

14 Q And at this time, are you asking the Court to grant
15 you a belated appeal on the guilty plea?

16 A Yes, sir.

17 Q Now, Mr. Young, I believe also there was some allusion
18 to a head injury from a car accident during the guilty
19 plea; is that correct?

20 A Yes, sir.

21 Q Do you have the transcript before you?

22 A Yes, sir.

23 Q And the transcript is part of the record.

24 I'm going to ask you some questions. During the
25 guilty plea, was there any reference made to a head injury

1 that you may have had?

2 A Yes, sir.

3 Q Can you please portray to the Court what your
4 understanding of that issue is.

5 A What do you mean, my understanding of it?

6 Q Well, what happened?

7 A My lawyer at the time, Mr. Mauldin, was speaking to
8 the Court, and the transcript, page 22, lines 1 through 25,
9 he was telling the Court about how I had frontal lobe
10 damage due to a car accident which was, I guess, related to
11 him by the psychologist that was working with me.

12 Q Do you recall the name of the psychologist?

13 A No, sir.

14 Q Now, with regards to the head injury, do you think
15 that affected your ability to voluntarily plead guilty?

16 A No, sir.

17 Q Do you wish to retract your guilty plea at this time?

18 A Yes, sir.

19 Q When having a discussion with Mr. Maxwell and
20 Mr. Mauldin, were you able to go over the discovery with
21 regard to the charges?

22 A Parts of it, yes, sir.

23 Q So you didn't go over the whole discovery?

24 A No, sir.

25 Q Okay. When we say "discovery," what are you referring

1 to? Are you talking about the paperwork of the evidence
2 presented by the solicitor? Is that correct?

3 A I believe so, yes, sir.

4 Q Okay. Now, you stated that you didn't get a chance to
5 go over all of it initially?

6 A No, sir.

7 Q Did you later?

8 A Yes, sir.

9 Q When?

10 A After my father received it from the Public Defender's
11 Office and sent it to me via the mail.

12 Q And then were you able to go through it at that time?

13 A Yes, sir.

14 Q Do you believe that if you would have had it before
15 you pled guilty, it would have helped you make a voluntary
16 decision on whether to plead guilty or not, things of that
17 nature?

18 A Yes, sir.

19 Q And do you wish to have the opportunity to be
20 subjected to the trial process again after going through
21 the discovery --

22 A Yes, sir.

23 Q -- in full?

24 A Yes, sir.

25 Q And you believe after you going through it, you would

1 be able to assist the attorneys in maybe your defense or
2 otherwise?

3 A Yes, sir.

4 MR. JOHNSON: Mr. Young, please answer any questions
5 that Ms. Ratigan has at this time, okay?

6 THE WITNESS: Yes, sir.

7 CROSS EXAMINATION

8 BY MS. RATIGAN:

9 Q When you testified that you reviewed parts of the
10 discovery, what did you actually look at with your
11 attorneys?

12 A It wasn't anything looked in. They gave me a packet
13 to take to my cell and read after the visits with them.
14 But it was a SLED report, victim witness statements, and, I
15 guess, some reports from other people that were called out
16 there.

17 Q SLED report, do you mean like the ballistics?

18 A No.

19 Q What SLED report then?

20 A Like the SLED, the officer-involved shooting
21 investigation.

22 Q And your testimony is that you never discussed any of
23 this information with your lawyers? They just gave it to
24 you?

25 A Well, I discussed some, yes.

1 Q Did you tell them your version of what had happened
2 that day?

3 A No. When I would try to tell Joey, he told me he
4 didn't need to get into that right now.

5 Q So you never told either Mr. Maxwell or Mr. Mauldin
6 your version of what happened at the residence that day?

7 A No.

8 Q Didn't you think that was weird?

9 A Yeah.

10 Q Why didn't you push the matter with them?

11 A I don't know. I was under the impression that they
12 were there to defend me, to work for me, and they were
13 professionals. I wasn't sure about what all was going on.
14 I didn't know if it was just early in the phase, they
15 didn't need to know right now, or there were other things
16 they were trying to take care of first.

17 Q You stated you received your full discovery later. Is
18 that after you pled guilty?

19 A Yes, ma'am.

20 Q And I believe you said your father got it from the
21 Public Defender's Office?

22 A Yes, ma'am.

23 Q Now, what was in there that you had not seen before?

24 A The handwritten victim witness statements versus --
25 that were with the typed handwritten victim witness

1 statements, the sketches and drawings.

2 Q And your testimony today is if you had seen this
3 information before, it would have changed your decision to
4 plead guilty?

5 A Yes, ma'am.

6 Q Why is that?

7 A There was a lot of consistencies [sic]. I was already
8 wanting to go to trial, and then I was later convinced that
9 I would be better off pleading guilty.

10 Q What do you mean when you said there were lots of
11 inconsistencies? Can you give me some specifics?

12 A On the handwritten statements, they were -- they
13 didn't say that I turned a gun on them to where when you
14 get to the typed statements, they say that I turned the gun
15 on them.

16 Q So if you had had these handwritten statements to
17 compare with the typed statements, do you think you would
18 have gone to trial instead?

19 A Yes, ma'am. I think it would have been a factor.

20 Q Why did you decide to go ahead and plead guilty?

21 A For my family's sake.

22 Q But you're saying today that was an involuntary
23 decision?

24 A Yes, ma'am.

25 Q Did the judge ask you if you were feeling any kind of

1 pressure to plead guilty?

2 A No. She didn't ask me pressure. She asked if
3 anything was promised to me to plead guilty.

4 Q And you didn't feel like you could tell the judge that
5 you were feeling some pressure, that you were only pleading
6 guilty for your family?

7 A No.

8 Q Why did you want an appeal in this case?

9 A To go back.

10 Q Be more specific. Why --

11 A I wanted a trial.

12 Q But what basis? What did the judge do incorrectly
13 that would have given you a new trial?

14 A I'm not sure.

15 Q When you went to Court that day, did you know that you
16 were facing at least one life sentence?

17 A Yes, ma'am.

18 Q So why would you want an appeal if you knew you were
19 facing at least one life sentence and you received what
20 extends to be a life sentence? Why would you want an
21 appeal on that?

22 A I think things should have been done differently.

23 Q Be more specific.

24 A The psychologist, I think that he should have been
25 asked to testify there, that there should have been more

1 Testing done.

2 Q So there were no errors with the actual plea that
3 you're upset about. You're upset about your lawyers'
4 performance?

5 A Well, no.

6 Q At the end of the day, you just feel like you got too
7 much time? Is that it?

8 A No.

9 Q Well, then you really need to explain, this is your
10 one chance to explain it, why you think you needed an
11 appeal. If you're saying it has nothing to do with the
12 time and it has nothing to do with your lawyers'
13 performance, why did you think you needed an appeal?

14 A I'm not sure.

15 MS. RATIGAN: Okay. That's all I have, Your Honor.

16 THE COURT: Anything else?

17 MR. JOHNSON: One redirect question, Judge.

18 THE COURT: Okay.

19 REDIRECT EXAMINATION

20 BY MR. JOHNSON:

21 Q Mr. Young, she asked you why you thought you needed an
22 appeal. Did you understand the question completely?

23 A No. I mean, she's asking why I need to appeal. I
24 don't -- am I supposed to say some legal term as to why I
25 need to appeal?

1 Q I can't answer the question for you. I can ask you
2 questions, okay? And I'm asking you, you're here today
3 because you want to have the opportunity to start over and
4 have a trial, correct?

5 A Yes, sir.

6 Q And that was the same purpose for your appeal; is that
7 correct?

8 A Yes, sir.

9 MR. JOHNSON: All right. I have no further questions.

10 THE COURT: Mr. Young ---

11 THE WITNESS: Yes, sir.

12 THE COURT: --- I can't help but notice that the
13 sentence you received was a negotiated sentence. It's
14 different from a recommendation. A negotiated sentence is
15 where all the parties agree. So you knew before going into
16 court what the sentence was going to be; is that right?

17 THE WITNESS: A life sentence is what I was under the
18 impression it was going to be.

19 THE COURT: Eight life sentences.

20 THE WITNESS: A, single, yeah.

21 THE COURT: Well, it was related to you on the record
22 that it was going to be two life sentences plus 240 years,
23 okay? Is there some part of this sentence that is not
24 covered in the negotiations you had? Are you saying the
25 Court did not impose the same sentence that was negotiated?

1 THE WITNESS: I'm not sure.

2 THE COURT: Okay. Well, did your lawyers explain to
3 you before the guilty plea what the sentence was going to
4 be?

5 THE WITNESS: A life sentence.

6 THE COURT: Okay. All right. That's all I've got.
7 Thank you very much.

8 MR. JOHNSON: Your Honor, the applicant has no further
9 witnesses.

10 THE COURT: All right. Anything from the State?

11 MS. RATIGAN: Your Honor, we call Mr. Mauldin.

12 THE COURT: Okay.

13 WHEREUPON,

14 JOHN INGLES MAULDIN,
15 after first having been duly sworn, testified as follows:

16 THE CLERK: Please state your full name for the
17 record.

18 THE WITNESS: John Ingles Mauldin.

19 THE CLERK: Thank you.

20 DIRECT EXAMINATION

21 BY MS. RATIGAN:

22 Q Mr. Mauldin, do you recall representing Mr. Young on
23 these charges?

24 A I do.

25 Q Were you appointed as the public defender?

1 A Yes.

2 Q Did you file the usual discovery motions in this case?

3 A I did.

4 Q Was Mr. Young at the detention center or had he bonded
5 out?

6 A He was very seriously injured the night of the event
7 and was in Greenville Memorial Hospital. He never made
8 bond. He was in the hospital, I'm thinking, maybe as much
9 as about a month or so. And then when he was released from
10 the hospital, he was brought to the Greenville County
11 Detention Center.

12 Q Did you meet with him at the detention center?

13 A At that point, I believe Joey Maxwell would have met
14 with him. Joey, I think, probably met with him countless
15 times. I had assigned the case. As long as it was
16 noncapital, the case was being handled by Joey, and I was
17 working with him in consultation on preparation for the
18 case.

19 Q Did you review the discovery materials with Mr. Young?

20 A I did along with Mr. Maxwell. Wait. Let me make sure
21 my answer is correct. I reviewed the discovery material
22 with Mr. Maxwell. If I'm not mistaken, Mr. Maxwell then
23 reviewed the discovery material with Shane. I don't think
24 I actually went through the discovery material with the
25 client.

1 Q Okay. Do you recall there being inconsistencies
2 between the handwritten victim witness statements and the
3 typed victim witness statements?

4 A Without actually looking at the two statements, I
5 cannot say that I have a specific recollection of an
6 inconsistency. I will tell you that the -- the -- just
7 briefly, the incident involved the shooting of the murder
8 victim and the taking of a number of hostages in a
9 residence leading to a number of hours of negotiation. And
10 then the sheriff's office apparently deciding that the
11 negotiations were not going to be successful. They stormed
12 the house. The SWAT team stormed the house. So it was --
13 there was a very, very chaotic matter of minutes there to
14 end the incident, and so there was some confusion about
15 exactly who shot who and when and so forth. There was a
16 lot of confusion. I recall that.

17 Q Were you at the point where you were preparing this
18 case for trial or had it not reached that point yet?

19 A I'm not -- I do not recall the case being actually set
20 for a trial date. We were concentrating very -- in a very
21 focused way to prevent the case from resulting in a death
22 penalty notice. There was a -- there was a murder and a
23 burglary first degree along with the numerous attempted
24 murders and kidnappings. But those two charges, the murder
25 and the burglary, made this case death penalty eligible.

1 And so my focus, with Joey Maxwell's help, was to attempt
2 to prevent the State from serving the notice. And they
3 never served it, but there were months of very, very
4 serious negotiation in an attempt to prevent that from
5 happening.

6 Q But ultimately, an agreement was reached such that
7 Mr. Young would plead guilty?

8 A That's right.

9 Q Did you explain to him the potential sentences on each
10 of these charges, what he could receive?

11 A The negotiation was a negotiated life-without-parole
12 sentence. There is some -- and this is just the best of my
13 recollection. I don't recall whether or not the
14 negotiations included consecutive sentences for the
15 attempted murder charges. Whether they were consecutive or
16 concurrent, I just cannot recall whether or not there was
17 actually an agreed-upon consecutive 240 years. There was
18 no question everyone, the client, Mr. Maxwell, me, the
19 solicitor, the judge, everyone knew that the negotiation
20 was for a life-without-parole sentence on the murder and
21 the burglary charges.

22 Q Did Mr. Young ever tell you the basis for his decision
23 to go ahead and enter a plea instead of going to trial?

24 A I don't think Shane really wanted to go to trial. I
25 mean, he -- in fact, the first several months of our

1 representation, he was deeply depressed, extraordinarily
2 remorseful. We went to the Court and asked for funding for
3 a forensic psychiatrist to treat Shane while he was in the
4 jail, and that was granted. And for several months leading
5 up to the plea, he was under the care of a private
6 psychiatrist that we were paying for.

7 But I simply -- and I will say Mr. Maxwell had more
8 direct contact with Shane than I did, but I will tell you
9 that I never got the impression that Shane Young was
10 demanding a trial in these cases. Never had that
11 impression. He was extremely sorry for what he did to the
12 point where we actually had a psychiatrist treating him.

13 Q You mentioned he had some prior head injuries. You
14 mentioned that during the mitigation portion of the plea.

15 A We were aware -- we were made aware of that by the
16 psychiatrist and also by a forensic psychologist who did an
17 original screening at our request. Both the psychiatrist
18 and the psychologist were aware of and advising us of
19 evidence of injuries.

20 Q In your opinion, do you think it would have changed
21 the outcome of the plea if either of these doctors had
22 spoken at the mitigation portion of the plea?

23 A No, no. I mean, it was a negotiated life sentence.
24 So I tried to explain during my presentation the existence
25 of these conditions and the treatment by the psychiatrist,

1 but I really cannot say that I -- it would not have changed
2 the imposition of the sentence, in my view.

3 MS. RATIGAN: That's all I have, Your Honor.

4 MR. JOHNSON: Thank you, Your Honor.

5 CROSS EXAMINATION

6 BY MR. JOHNSON:

7 Q Mr. Mauldin, did you ever question whether or not
8 Shane should be evaluated for competency to stand trial?

9 A We had him privately evaluated, so we -- we were -- we
10 were professionally informed that he was competent.

11 Q That he was competent?

12 A Yes.

13 Q Did you ever have any questions in your mind going up,
14 say, for instance the day of the guilty plea whether or not
15 he was going through any sort of depression or mental issue
16 that would have affected his competency?

17 A As to his competency?

18 Q Yes, sir.

19 A I had no question about it, personally. I felt that
20 the professionals -- the mental health professionals that
21 we had hired had given us a clear impression that Shane had
22 anger management problems, very serious mood disorder
23 problems. But he was on medication the day of the plea to
24 treat those conditions, and we were assured that those
25 medications did not affect his understanding of what was

1 going on nor that he was not competent.

2 Q Do you recall whether or not Shane wanted you to
3 appeal the guilty plea?

4 A I'm sorry, Mr. Johnson. I ---

5 Q Do you recall whether or not Shane asked you or
6 Mr. Maxwell to appeal the guilty plea?

7 A He did not say anything of that nature to me. I don't
8 know what he may or may not have said to somebody else.

9 MR. JOHNSON: I have no further questions, Judge.

10 MS. RATIGAN: I have nothing further, Your Honor.

11 THE COURT: Okay. Thank you.

12 MS. RATIGAN: The State would call Mr. Maxwell.

13 WHEREUPON,

14 JOSEPH BRANTLEY MAXWELL,

15 after first having been duly sworn, testified as follows:

16 THE CLERK: Please state your full name for the
17 record.

18 THE WITNESS: Joseph Brantley Maxwell.

19 THE CLERK: Thank you.

20 DIRECT EXAMINATION

21 BY MS. RATIGAN:

22 Q Mr. Maxwell, do you recall representing Mr. Young on
23 these charges?

24 A I do.

25 Q And Mr. Mauldin said you kind of had primary contact

1 with Mr. Young; would that be fair to say?

2 A Very fair to say.

3 Q Did you meet with him at the jail?

4 A I did. I tried to do a brief accounting real quick at
5 least 30 times over the course of our representation.

6 Q And did you review the State's discovery with him?

7 A We had a kind of system. The discovery was
8 voluminous. It was a large amount.

9 So what we would do is I would make a packet for him,
10 say I would get about 100 pieces of discovery, give it to
11 him, and then I'd come back a week later, I would ask him
12 if he had any questions about it, and then I would take
13 that packet back, and then I would give him a new packet.
14 We did that until we were through -- until we had gone
15 through the entire discovery.

16 Q Did he ever tell you his version of what happened that
17 day?

18 A We talked about it. Most of the time when we
19 discussed it, he said that he couldn't remember. He didn't
20 remember this or that. And through all the evaluations
21 that we had done, there was a reoccurring issue kept coming
22 up, this dissociation, you know, that this didn't happen or
23 that didn't happen, I didn't remember this. So that was --
24 the focus of our discussions were do you remember this or
25 that, not so much of how did it exactly happen.

1 Q Did you look at both the handwritten victim witness
2 statements and the typed versions?

3 A The way that I remember it, and I haven't looked at
4 this in a long time, was that the victims had initially
5 given a written statement in close proximity to the actual
6 incident. They were later called in to the police
7 department and given a thorough interview there. That
8 interview was audiotaped, and we received a copy of that.
9 And then the secondary typed statements, I believe, were as
10 a result of that audiotaped interview.

11 Q If the case had gone to trial, would you have
12 attempted to contrast the handwritten versus the eventual
13 typed, or is that a path you would not have gone down?

14 A I don't remember it thoroughly enough to say "yes" or
15 "no," but I do remember that there was -- and this -- I
16 don't believe it would have made much of a difference, but
17 we did have some concerns of whether or not the police
18 officers had possibly shot some of the victims or not.
19 Now, as far as the outcome of whether or not he ultimately
20 would have been found guilty, I don't think that would have
21 had a large effect.

22 Q In your dealings with Mr. Young, did he discuss a
23 preference for a trial versus a plea?

24 A Initially, as Mr. Mauldin stated, he was very
25 depressed, and depressed to the point where he wanted to

1 die. He said, you know, "I want the death penalty. I want
2 to die. I want to die." And, of course, he inferred he
3 wanted a trial. As we kind of progressed through the
4 representation after he had met with Dr. Richards, he
5 started kind of coming around.

6 He was talking to his father. His father was saying,
7 you know, "This isn't the end of everything, you know. You
8 still have some life to live." That was the message that I
9 was promoting to him as well. And so he ultimately kind of
10 came around and said that he was satisfied with life --
11 life in prison.

12 Q And did you explain to him the sentence ranges on each
13 of these charges?

14 A I did. I actually made a little chart with him. I
15 listed all the charges, I listed the sentence ranges,
16 whether or not parole eligible. All those types of things.

17 Q What were the terms of the negotiated agreement with
18 the State; do you recall?

19 A Their terms, we initially submitted an offer to the
20 Solicitor's Office for life without parole. They included
21 several charges. I don't remember exactly, but the murder,
22 the burglary and then one or two of the attempted murders.
23 They came back and said, "We will accept your offer, but we
24 want to have more of the attempted murders in this part of
25 the plea."

1 Of course, with the mindset that a life sentence is a
2 life sentence, we discussed it with Shane and said that,
3 you know, practically speaking, it doesn't have any effect.
4 And he agreed to go forward with the plea on that.

5 So when we discussed a sentence, we were discussing
6 life without parole. I don't remember a conversation with
7 him as to whether or not the attempted murders would be
8 consecutive or concurrent. Again, we were just talking
9 about life without parole.

10 Q Is there any doubt in your mind that he understood
11 when he pled guilty that basically he was never getting out
12 of prison?

13 A Yeah. He understood that.

14 Q At the end of the plea hearing, did you tell Mr. Young
15 that you would meet with him in the morning?

16 A I did tell him that I would meet with him in the
17 morning. And I called over to professional visitation that
18 next day, and he had already been transported out. But he
19 did not ask me for an appeal.

20 Q In your opinion, did you see any appealable issues
21 from the plea hearing?

22 A No.

23 MS. RATIGAN: That's all I have, Your Honor.

24 MR. JOHNSON: Thank you, Your Honor.

25 ///

CROSS EXAMINATION

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BY MR. JOHNSON:

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Q Mr. Maxwell, with regards to going down to see Shane the day after the plea, after he was transported, did y'all exchange any letters or any sort of correspondence of any sort?

A I don't remember. I don't think so. I don't remember.

Q So you don't remember speaking to him again after that?

A No. I -- no.

MR. JOHNSON: I have no further questions.

THE COURT: Mr. Maxwell, could you or would you have certified to an appellate court that there was a viable appellate issue had you filed a notice of appeal?

THE WITNESS: No. I could not have.

THE COURT: Okay. So you followed your ethical duties in the procedure that you -- in the path you took; is that fair to say?

THE WITNESS: Yes. I believe so. And if he would have asked for an appeal, I would have attempted to do one. I've, in the past, attempted to do that when I feel like there's no issue to raise on appeal and make that aware to the Court that it's my belief that there isn't but the client wishes to have the appeal.

1 THE COURT: Okay. All right. Thank you very much.

2 MS. RATIGAN: The State would rest, Your Honor.

3 THE COURT: Anything in reply?

4 MR. JOHNSON: No, sir, Your Honor.

5 THE COURT: Okay. Well, Mr. Young, I have to tell you
6 this is a pretty easy decision for me to make. I am going
7 to deny your petition. I don't think that you presented
8 any evidence to show that your attorneys' representation
9 has fallen below an objective standard of reasonableness
10 and that you were not prejudiced in a negative way by
11 anything that they did, and I'll ask the attorney general
12 to prepare an order reflecting that.

13 MS. RATIGAN: Thank you, Your Honor.

14 THE COURT: All right. Best of luck to you.

15 MR. JOHNSON: Thank you, Judge.

16 *****END OF TRANSCRIPT OF RECORD*****
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1 CERTIFICATE OF REPORTER

2
3 STATE OF SOUTH CAROLINA)4 COUNTY OF GREENVILLE)
5
6

7 I, CHERYL A. SMITH, Official Court Reporter for the
8 Thirteenth Judicial Circuit of the State of South Carolina,
9 do hereby certify that the foregoing is a true, accurate
10 and complete Transcript of Record of the proceedings had
11 and evidence introduced in the trial of the captioned case,
12 relative to appeal, in the Court of Common Pleas for
13 Greenville County, South Carolina, on the 23rd day of
14 April, 2015.

15 I do further certify that I am neither of kin,
16 counsel, nor interest to any party hereto.

17
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June 29, 2015

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25



Cheryl A. Smith, CVR-M

Court Reporter

STATE OF SOUTH CAROLINA)
COUNTY OF GREENVILLE)
Shane Kelly Young,)
S.C.D.C. No. 357849,)
Applicant,)
v.)
State of South Carolina,)
Respondent.)

IN THE COURT OF COMMON PLEAS
C.A. No. 2014-CP-23-3381

ORDER OF DISMISSAL

ENTERED COMPUTER

FILED-CLERK OF COURT
GREENVILLE CO. S.C.
PAUL N. WICKENHUISER
2015 JUN 8 PM 2 15

This matter comes before the Court by way of an application for post-conviction relief (PCR) filed June 17, 2014. The Respondent made its return on October 30, 2014. An evidentiary hearing was held on April 23, 2015 at the Greenville County Courthouse. The Applicant was present and represented by Brian P. Johnson, Esquire. Karen C. Ratigan, Esquire of the South Carolina Office of the Attorney General represented the Respondent.

The Applicant testified on his own behalf at the PCR hearing. Also testifying were the Applicant's plea attorneys: Joseph B. Maxwell, Esquire and John I. Mauldin, Esquire. The Court had before it the transcript of the guilty plea hearing, the Greenville County Clerk of Court records, the South Carolina Department of Corrections records, the PCR application, and the return.

PROCEDURAL HISTORY

The Applicant is confined in the South Carolina Department of Corrections pursuant to orders of commitment from the Greenville County Clerk of Court. The Applicant was indicted at the July 2013 term of the Greenville County Grand Jury for 8 counts of attempted murder (2013-GS-23-6411, -6413, -6414, -6416, -6420, -6423, -6425, -6426), first-degree burglary

(2013-GS-23-6419), murder (2013-GS-23-6424, count 1), and possession of a weapon during commission of a violent crime (2013-GS-23-6424, count 2). He was represented by Joseph B. Maxwell, Esquire and John I. Mauldin, Esquire.

On November 19, 2013, the Applicant pled guilty – pursuant to a negotiated plea agreement – to 8 counts of attempted murder, first-degree burglary, and murder. The Honorable Letitia H. Verdin sentenced the Applicant to consecutive sentences of 30 years for each count of attempted murder, life imprisonment for first-degree burglary, and life imprisonment for murder. The Applicant did not appeal.

ALLEGATIONS

In his application, the Applicant alleges he is being held in custody unlawfully for the following reasons:

1. Ineffective assistance of counsel:
 - a. Failed to file a notice of appeal as requested.

At the beginning of the PCR hearing, counsel for the Applicant stated they were proceeding upon only two grounds: (1) that the Applicant did not waive his right to an appeal and (2) the Applicant's guilty plea was involuntary because he had prior "head-related injuries." This Court finds the Applicant has abandoned any and all other issues.

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This Court has had the opportunity to review the record in its entirety and has heard the testimony and arguments presented at the PCR hearing. This Court has further had the opportunity to observe each witness who testified at the hearing, and to closely pass upon their credibility. This Court has weighed the testimony accordingly. Set forth below are the relevant findings of fact and conclusions of law as required by S.C. Code Ann. § 17-27-80 (2003).

Involuntary Guilty Plea

The Applicant alleges his guilty plea was involuntary. In a PCR action, "[t]he burden of proof is on the applicant to prove his allegations by a preponderance of the evidence." Frasier v. State, 351 S.C. 385, 389, 570 S.E.2d 172, 174 (2002).

To find a guilty plea is voluntarily and knowingly entered into, the record must establish the applicant had a full understanding of the consequences of his plea and the charges against him. See Boykin v. Alabama, 395 U.S. 238, 243-44, 89 S. Ct. 1709, 1712 (1969). In Boykin, the United States Supreme Court held that before a court can accept a guilty plea, a criminal defendant must be advised of the constitutional rights he is waiving. Id. at 243, 89 S. Ct. at 1712. Specifically, the accused must be aware of the privilege against self-incrimination, the right to a jury trial, and the right to confront one's accusers. Id. Moreover, a criminal defendant entering a guilty plea "must be aware of the nature and crucial elements of the offense, the maximum and any mandatory minimum penalty, and the nature of the constitutional rights being waived." Pittman v. State, 337 S.C. 597, 599, 524 S.E.2d 623, 624 (1999) (citation omitted). A criminal defendant's knowing and voluntary waiver of statutory or constitutional rights in a guilty plea "must be established by a complete record, and may be accomplished by colloquy between court and defendant, between court and defendant's counsel, or both." Roddy v. State, 339 S.C. 29, 34, 528 S.E.2d 418, 421 (2000) (citation omitted). When determining issues relating to guilty pleas, the court will consider the entire record, including the transcript of the guilty plea, and the evidence presented at the post-conviction relief hearing. Anderson v. State, 342 S.C. 54, 57, 535 S.E.2d 649, 657 (2000) (citing Harres v. Leeke, 282 S.C. 131, 318 S.E.2d 360 (1984)).

The Applicant stated he did not review all of the discovery materials with plea counsel.

The Applicant admitted plea counsel gave him a packet of discovery materials to read and that they reviewed some of this. The Applicant stated he never saw the handwritten victim/witness statements or sketches before the plea hearing. The Applicant stated these documents had inconsistencies and would have been a factor in deciding whether to go to trial. The Applicant acknowledged attorney Mauldin mentioned his prior head injury during the plea hearing but that a doctor should have spoken at the plea. The Applicant stated he pled guilty for his family's sake but admitted he did not say this at the plea hearing.

Attorney Mauldin testified this case was primarily handled by Attorney Maxwell. Mauldin testified they engaged in serious negotiations with the State to prevent the service of a notice of intent to seek the death penalty. Mauldin testified he received the discovery materials and reviewed them with Maxwell and that Maxwell reviewed them with the Applicant. Mauldin testified he never had the impression the Applicant wanted to go to trial. Mauldin testified the Applicant was evaluated for competency. Mauldin testified two mental health professionals (a psychologist and a psychiatrist) spoke with the Applicant, so he was aware of the Applicant's prior head injuries. Mauldin testified that having doctors testify at the plea hearing would not have changed the outcome because it was a negotiated plea.

Attorney Maxwell confirmed he was the primary contact person in this case and met with the Applicant at the jail at least thirty times. Maxwell testified the discovery materials in this case were voluminous and that he would make a packet of documents and give it to the Applicant to review. Maxwell testified he would later return to discuss the information in that packet and also give a new packet of discovery to the Applicant. Maxwell testified he reviewed the initial, handwritten victim/witness statements and the subsequent typed statements. Maxwell

testified any differences between the two would not have affected the case. Maxwell testified the Applicant knew he was receiving a negotiated life sentence.

This Court finds the Applicant entered a knowing and voluntary guilty plea. See Boykin v. Alabama, 395 U.S. at 243-44, 89 S. Ct. at 1712. The Applicant admitted to the plea judge that the facts recited by the solicitor were true. (Plea transcript, p.15). The Applicant also told the plea judge that he understood the trial rights he was waiving in pleading guilty, was satisfied with counsel, and had not been coerced in any way. (Plea transcript, pp.5-6; p.8). This Court finds there is no evidence in the guilty plea transcript to support the Applicant's assertion that he was pressured into entering a guilty plea; therefore the transcript has refuted this allegation. See Stalk v. State, 375 S.C. 289, 300, 652 S.E.2d 402, 407 (Ct. App. 2007); see also Rayford v. State, 314 S.C. 46, 48-49, 443 S.E.2d 805, 806 (1994) (where transcript of guilty plea proceeding refuted applicant's claim that he did not understand the terms of a plea bargain, grant of PCR was inappropriate notwithstanding applicant's claim lawyer misadvised him).¹

This Court finds the Applicant failed to meet his burden of proving an expert should have testified at his guilty plea hearing about his prior head injuries. Mauldin testified he was aware of the prior injuries through the two mental health experts he retained to examine the Applicant. Mauldin also testified such testimony at the plea would not have changed the outcome because it was a negotiated guilty plea. This Court agrees. This Court also notes Mauldin mentioned the

¹ This Court finds the Applicant's allegation that he did not view the initial victim/witness statements before the plea is not credible and – regardless – did not affect the voluntariness of his pleas. This Court finds credible Maxwell's testimony both that he reviewed discovery with the Applicant and that any discrepancies in the statements would not have impacted the case. The Applicant failed to articulate how these statements would have changed the outcome of his case. Cf. Skeen v. State, 325 S.C. 210, 481 S.E.2d 129 (1997) (holding applicant not entitled to relief where no evidence presented at PCR hearing to show how additional preparation would have had any possible effect on the result at trial).

Applicant's prior head injuries during his mitigation argument at the plea hearing. (Plea transcript, p.22). The Applicant failed to demonstrate that expert testimony at the guilty plea hearing would have changed the outcome of this negotiated guilty plea. See Lorenzen v. State, 376 S.C. 521, 530, 657 S.E.2d 771, 777 (2008) (finding that, as the applicant failed to present any expert testimony at the PCR hearing, "it is merely speculative that these allegedly favorable expert witnesses would have aided in his defense").

Accordingly, this Court finds the Applicant has failed to meet his burden of proving his guilty pleas were not entered knowingly and voluntarily. See Frasier v. State, 351 S.C. at 389, 570 S.E.2d at 174.

Right to Appeal

The Applicant acknowledged the plea judge advised him that he could file an appeal within ten days. The Applicant stated he asked Maxwell about this and Maxwell stated he would come to see him the next day but he did not do so. The Applicant stated he was "not sure" why he wanted an appeal – and did not articulate any errors made by the plea judge – but stated he wanted "to go back."

Mauldin indicated the Applicant wanted to plead guilty and never wanted to go to trial. Maxwell confirmed he told the Applicant after the plea hearing that he would go see him the following day but explained the Applicant had already been transported out of the jail. Maxwell testified the Applicant never asked him to file an appeal. Maxwell testified there were no appealable issues from the guilty plea hearing and he would have stated as much to the South Carolina Court of Appeals if he had filed a notice of appeal.

This Court finds the Applicant has failed to meet his burden of proving he is entitled to

an appeal of his direct appeal issues from his guilty plea hearing. This Court finds credible Maxwell's testimony that the Applicant never asked him to file an appeal. This Court finds it is not believable the Applicant – or any reasonable defendant – would have wanted to file an appeal from a negotiated guilty plea on these charges. This Court further finds the Applicant has failed to articulate what legal errors or omissions should have been appealed.

All Other Allegations

As to any and all allegations that were raised in the application or at the hearing in this matter and not specifically addressed in this Order, this Court finds the Applicant failed to present any testimony, argument, or evidence at the hearing regarding such allegations. Accordingly, this Court finds the Applicant has abandoned any such allegations.

CONCLUSION

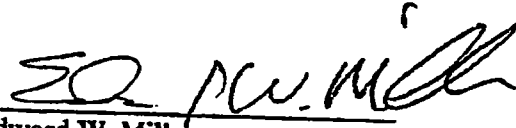
Based on all the foregoing, this Court finds and concludes the Applicant has not established any constitutional violations or deprivations before or during his guilty plea and sentencing proceedings. Counsel was not deficient in any manner and the Applicant was not prejudiced by counsel's representation. Furthermore, the Applicant's guilty plea was entered knowingly and voluntarily within the mandates of Boykin. Therefore, this PCR application must be denied and dismissed with prejudice.

This Court advises the Applicant that he must file a notice of intent to appeal within thirty (30) days from the receipt of this Order if he wants to secure appropriate appellate review. His attention is also directed to Rules 203, 206, and 243 of the South Carolina Appellate Court Rules for the appropriate procedures to follow after notice of intent to appeal has been timely filed.

IT IS THEREFORE ORDERED:

1. That the application for post-conviction relief be denied and dismissed with prejudice; and
2. That the Applicant be remanded to the custody of the Respondent.

AND IT IS SO ORDERED this 4 day of June, 2015.



Edward W. Miller
Presiding Judge
Thirteenth Judicial Circuit

Gille South Carolina.

STATE OF SOUTH CAROLINA
COUNTY OF GREENVILLE
IN THE COURT OF COMMON PLEAS

JUDGMENT IN A CIVIL CASE
CASE NO: 2014CP2303381

2015 JUN 8 PM 2:15
PAUL B. WICKENSIMER
CLERK OF COURT
GREENVILLE CO. SC.

Shane K Young vs. South Carolina State Of

CHECK ONE:

- ☐ **JURY VERDICT.** This action came before the court for a trial by jury. The issues have been tried and a verdict rendered.
- ☐ **DECISION BY THE COURT.** This action came to trial or hearing before the court. The issues have been tried or heard and a decision rendered.
- ☐ **ACTION DISMISSED (CHECK REASON):** ☐ Rule 12(b), SCRPC; ☐ Rule 41(a), SCRPC (Vol. Nonsuit); ☐ Rule 43(k), SCRPC (Settled); ☐ Other: _____
- ☐ **ACTION STRICKEN (CHECK REASON):** ☐ Rule 40(j) SCRPC; ☐ Bankruptcy: ☐ Binding arbitration, subject to right to restore to confirm, vacate or modify arbitration award; ☐ Other: _____
- ☐ **DISPOSITION OF APPEAL TO THE CIRCUIT COURT (CHECK APPLICABLE BOX):**
☐ Affirmed; ☐ Reversed; ☐ Remanded; ☐ Other: _____

NOTE: ATTORNEYS ARE RESPONSIBLE FOR NOTIFYING LOWER COURT, TRIBUNAL, OR ADMINISTRATIVE AGENCY OF THE CIRCUIT COURT RULING IN THIS APPEAL.

IT IS ORDERED AND ADJUDGED:

☐ See attached order;

☐ Statement of Judgment by the Court;

Dated at Greenville, South Carolina, this .

Court Reporter:

PRESIDING JUDGE - Edward W Miller

This judgment was entered on the , and a copy mailed first class this . to attorneys of record or to parties (when appearing pro se) as follows:

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

ATTORNEY(S) FOR THE PLAINTIFF(S)

Karen Christine Ratigan PO Box 11549 Columbia,
SC 29211

ATTORNEY(S) FOR THE DEFENDANT(S)

Paul B. Wickensimer Greenville County Clerk Of Court
- Clerk of Court

STATE OF SOUTH CAROLINA

COUNTY OF Greenville
STATE VS.
Shans Kelly Young

AKA:

Race: WHITE Sex: M Age: 31DOB: 1982 SS#: Address: City, State, Zip: SIMPSONVILLE, SC 29681DL#: SID#: *CDL Yes ☐ No ☐ CMV Yes ☐ No ☐ Hazmat Yes ☐ No ☐In disposition of the said indictment comes now the Defendant who was
TO: Murder / Attempted Murder

IN THE COURT OF GENERAL SESSIONS

INDICTMENT/CASE#: 2013GS2306411A/W#: 2012A2330203150Date of Offense: 10/14/2012S.C. Code §: 16-03-0029CDR Code #: 3410SENTENCE SHEET 0-304☐ CONVICTED OF or ☒ PLEADSin violation of § 16-03-0029 of the S.C. Code of Laws, bearing CDR Code # 3410☐ NON-VIOLENT ☒ VIOLENT ☐ SERIOUS ☒ MOST SERIOUS ☐ Mandatory GPS(CSC w/minor 1st or Lawd Act) ☐ §17-25-45The 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:

Shawn, Bary

SC Bar#

Defendant

Attorney for Defendant

SC Bar#

WHEREFORE, the Defendant is committed to the ☒ State Department of Corrections, ☐ County Detention Center,
for a determinate term of 30 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 with 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. Waiver Hearing ☐ OrderedTotal: \$ plus 20% fee: \$ Payment Terms: ☐ Set by SCDPPPS Recipient:

*Fine:		\$
§ 14-1-206 (Assessments 107.5 %)		\$
§ 14-1-211(A)(1) (Conv. Surcharge)	\$100	\$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	\$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		\$

Clerk of Court/ Deputy Clerk

Court Reporter: Johnson

SCCA/217 (03/2011)

PTUP

 days/hours Public Service EmploymentObtain GED ☐Attend Voc. Rehab. or Job Corp. May serve W/E beginning Substance Abuse Counseling ☐Random Drug/Alcohol testing ☐Fine may be pd. in equal, consecutive weekly/monthly
pmts. of \$ beginning \$ paid to Public Defender FundOther: ☐ Appointed PD or appointed other counsel,
§ 47.12 requires \$500 be paid to Clerk
during probation.Presiding Judge: Judge Code: 2162Sentence Date: 11-19-2013

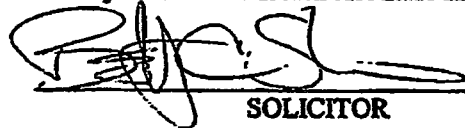
STATE OF SOUTH CAROLINA)
)
COUNTY OF GREENVILLE)

INDICTMENT FOR
ATTEMPTED MURDER

At a Court of General Sessions, convened on **JUL 23 2013** the Grand Jurors of Greenville
County present upon their oath:

That SHANE KELLY YOUNG did in Greenville County, on or about the 14th day of October 2012,
unlawfully, with malice aforethought, and with the intent to kill, attempt to kill Jeffery Maxwell. This is
in violation of § 16-03-0029 of the South Carolina 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.


SOLICITOR

006411

DOCKET NO. 2013-GS-23-
BCS

✓ The State of South Carolina

County of Greenville

COURT OF GENERAL SESSIONS

July

TERM 2013

THE STATE

vs.

SHANE KELLY YOUNG



WITNESSES

Lloyd C Newman

Greenville County Sheriffs Office

11/26/2012

ARREST WARRANT NUMBER

2012A2330203150

ACTION OF GRAND JURY

TRUE BILL

McF

GRAND JURY

Foreperson of Grand Jury

VERDICT

Foreperson of Petit Jury

Date:

Indictment for

3410

ATTEMPTED MURDER

VIOLATION § 16-03-0029

ARREST WARRANT

2012A2330203150

STATE OF SOUTH CAROLINA

☒ County/ ☐ Municipality of

Greenville

THE STATE

1-12-151851

against

Shane Kelly Young

Address:

Simpsonville, SC 29680-6810

Phone:

SSN

Sex: M Race: W Height: 5 7 Weight: 130

DL State: SC DL #:

DOB: /1982 Agency ORI #: SC0230000

Prosecuting Agency: Greenville County Sheriff's Office

Prosecuting Officer: L. Newman - 1173

Offense: Murder / Attempted Murder

Offense Code: 3-110

Code/Ordinance Sec: 16-03-0029

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.)

Signature of Judge

Date:

RETURN

A copy of this arrest warrant was delivered to

defendant Shane Kelly Youngon 11/26/12J.M. B. Sullivan
Signature of Constable/Law Enforcement Officer

RETURN WARRANT TO:

Greenville General Sessions
305 E. North Street
Greenville County Courthouse
Greenville, SC 29601-2120

ORIGINAL

ORIGINAL

ORIGINAL

ORIGINAL

STATE OF SOUTH CAROLINA

☒ County/ ☐ Municipality of

Greenville

Personally appeared before me the affiant L. Newman whobeing duly sworn deposes and says that defendant Shane Kelly Youngdid within this county and state on or about 10/14/2012 violate the criminal laws of theState of South Carolina (or ordinance of ☒ County/ ☐ Municipality of Greenville)

in the following particulars:

DESCRIPTION OF OFFENSE: Murder / Attempted 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 or about October 14th 2012 while at Greer, SC 29651 the defendant, Shane Kelly Young, did commit the offense of attempted murder in that he, with malice and aforethought, did directly attempt to cause the shooting death of Jeffery Maxwell. The affiant has statements from victims to support the affiant's probable cause. This incident occurred within the jurisdiction of Greenville County South Carolina.

Signature of Affiant

STATE OF SOUTH CAROLINA

☒ County/ ☐ Municipality of

Greenville

Affiant's Address: 4 McGee Street
Greenville, SC 29601-Affiant's Telephone: (864)467-5210

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 10/14/2012 defendant Shane Kelly Young

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

☒ County/ ☐ Municipality of Greenville) as set forth below:

DESCRIPTION OF OFFENSE: Murder / Attempted 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 10/16/2012Signature of Issuing Judge
Leila FosterJudge Code: 5762

(L.S.)

Judge's Address: 4 Mc Gee Street Room 116-AGreenville, SC 29601-2256Judge's Telephone: (864)467-5315Issuing Court: ☒ Magistrate ☐ Municipal ☐ Circuit

ORIGINAL

ORIGINAL

ORIGINAL

ORIGINAL

AFFIDAVIT

Form Approved by
U.S. Attorney General
April 21, 2003
CCCA 018

STATE OF SOUTH CAROLINA)
COUNTY OF GREENVILLE)

INDICTMENT FOR
ATTEMPTED MURDER

At a Court of General Sessions, convened on JUL 23 2013 the Grand Jurors of Greenville
County present upon their oath:

That SHANE KELLY YOUNG did in Greenville County, on or about the 16th day of October 2012,
unlawfully, with malice aforethought, and with the intent to kill, attempt to kill Bradley Grice. This is in
violation of § 16-03-0029 of the South Carolina 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.


SOLICITOR

WITNESSES

Lloyd C Newman

Greenville County Sheriffs Office

11/26/2012

ARREST WARRANT NUMBER
2012A2330203153

ACTION OF GRAND JURY

TRUE BILL

Ph C Tyle

FOREMAN GRAND JURY

Foreperson of Grand Jury

VERDICT

Foreperson of Petit Jury
Date:

DOCKET NO. 2013-GS-23-
BCS

006413

The State of South Carolina

County of Greenville

COURT OF GENERAL SESSIONS

July
TERM 2013

THE STATE
vs.
SHANE KELLY YOUNG


Indictment for

3410
ATTEMPTED MURDER
VIOLATION § 16-03-0029

ARREST WARRANT 7081
11-28-12
2012A2330203153

STATE OF SOUTH CAROLINA
☒ County/ ☐ Municipality of
Greenville

THE STATE 1-12-151851
against

Shane Kelly Young

Address: Simpsonville, SC 29680-6810

Phone: SSN: [REDACTED]
Sex: M Race: W Height: 5 7 Weight: 130

DL State: SC DL #: [REDACTED]

DOB: 1/19/82 Agency ORI #: SC0230000

Prosecuting Agency: Greenville County Sheriff's Office

Prosecuting Officer: L. Newman - 1173

Offense: Murder / Attempted Murder

Offense Code: 3410

Code/Ordinance Sec: 16-03-0029

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.)

Signature of Judge

Date:

RETURN

A copy of this arrest warrant was delivered to
defendant Shane Kelly Young
on 11/28/12

J.M.B. 544-1162
Signature of Constable/Law Enforcement Officer

RETURN WARRANT TO:

Greenville General Sessions
305 E. North Street
Greenville County Courthouse
Greenville, SC 29601-2120

ORIGINAL

ORIGINAL

ORIGINAL

ORIGINAL

STATE OF SOUTH CAROLINA
☒ County/ ☐ Municipality of
Greenville

AFFIDAVIT

ORIGINAL

Form Approved by
SC Attorney General
April 21, 2009
SCCA 516

Personally appeared before me the affiant L. Newman who
being duly sworn deposes and says that defendant Shane Kelly Young
did within this county and state on or about 10/16/2012 violate the criminal laws of the
State of South Carolina (or ordinance of ☒ County/ ☐ Municipality of Greenville)
in the following particulars:

DESCRIPTION OF OFFENSE: Murder / Attempted 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 or about October 14th 2012 while at [REDACTED], Greer, SC 29651 the defendant, Shane Kelly Young, did commit the
offense of attempted murder in that he, with malice and aforethought, did directly attempt to cause the shooting death of Bradley
Grice. The affiant has statements from victims to support the affiant's probable cause. This incident occurred within the jurisdiction
of Greenville County South Carolina.

Signature of Affiant

STATE OF SOUTH CAROLINA
☒ County/ ☐ Municipality of
Greenville

Affiant's Address 4 Mcgee Street
Greenville, SC 29601-

Affiant's Telephone (864)467-5210

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 10/16/2012 defendant Shane Kelly Young
did violate the criminal laws of the State of South Carolina (or ordinance of
☒ County/ ☐ Municipality of Greenville) as set forth below.

DESCRIPTION OF OFFENSE: Murder / Attempted 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 10/16/2012

Signature of Issuing Judge

Leila Foster

Judge Code: 5762

(L.S.)

Judge's Address 4 Mc Gee Street Room 116-A
Greenville, SC 29601-2256

Judge's Telephone (864)467-5315

Issuing Court ☒ Magistrate ☐ Municipal ☐ Circuit

ORIGINAL

ORIGINAL

ORIGINAL

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF Greenville
STATE VS.
Shane Kelly Young

INDICTMENT/CASE#: 2013GS2306414

AKA: _____

A/W#: 2012A2330203152Race: WHITE Sex: M Age: 31Date of Offense: 10/16/2012DOB: 1982 SS#: [REDACTED]S.C. Code § : 16-03-0029Address: [REDACTED]CDR Code #: 3410City, State, Zip: SIMPSONVILLE, SC 29681DL#: [REDACTED] SID#: _____SENTENCE SHEET 0-30 y*CDL Yes ☐ No ☐ CMV Yes ☐ No ☐ Hazmat Yes ☐ No ☐In disposition of the said indictment comes now the Defendant who was
TO: Murder / Attempted Murder☐ CONVICTED OF or ☒ PLEADSin violation of § 16-03-0029 of the S.C. Code of Laws, bearing CDR Code # 3410
☐ NON-VIOLENT ☒ VIOLENT ☐ SERIOUS ☒ MOST SERIOUS ☐ Mandatory GPS(CSC w/minor 1st or Lowd Act) ☐ §17-25-45
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:

[Signature]
Sharon, Betty015305
SC Bar#[Signature]
Defendant[Signature]
Attorney for Defendant3696
SC Bar#

WHEREFORE, the Defendant is committed to the ☒ State Department of Corrections, ☐ County Detention Center,
for a determinate term of 30 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 with 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 _____

Total: \$ _____ plus 20% fee: \$ _____

_____ days/hours Public Service Employment

Payment Terms: _____

Obtain GED ☐☐ Set by SCDPPPS _____

Attend Voc. Rehab. or Job Corp. _____

Recipient: _____

May serve W/E beginning _____

Substance Abuse Counseling ☐

*Fine:

\$

Random Drug/Alcohol testing ☐

§ 14-1-206 (Assessments 107.5 %)

\$

Fine may be pd. in equal, consecutive weekly/monthly pmts. of \$ _____ beginning _____

§ 14-1-211(A)(1) (Conv. Surcharge)

\$100

\$

\$ _____ paid to Public Defender Fund

§ 14-1-211(A)(2) (DUI Surcharge)

\$100

\$

Other: _____

§ 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(f) (Vehicle Assessment)

\$40/ea

\$

Proviso 90.5 (SCCJA Surcharge)

\$5

\$

3% to County (if paid in installments)

\$

TOTAL

\$

Clerk of Court/ Deputy Clerk

Court Reporter: Johnson

SCCA/217 (03/2011)

Presiding Judge

Judge Code: 2162Sentence Date: 11-19-2013

STATE OF SOUTH CAROLINA)
)
COUNTY OF GREENVILLE)

INDICTMENT FOR
ATTEMPTED MURDER

JUL 23 2013

At a Court of General Sessions, convened on
County present upon their oath:

the Grand Jurors of Greenville

That SHANE KELLY YOUNG did in Greenville County, on or about the 16th day of October 2012,
unlawfully, with malice aforethought, and with the intent to kill, attempt to kill Jeffery Ward. This is in
violation of § 16-03-0029 of the South Carolina 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.



SOLICITOR

WITNESSES

Lloyd C Newman

Greenville County Sheriffs Office

11/26/2012

ARREST WARRANT NUMBER
2012A2330203152

ACTION OF GRAND JURY
TRUE BILL

Shane Kelly Young

MAN GRAND JURY

Foreperson of Grand Jury

VERDICT

Foreperson of Petit Jury
Date:

DOCKET NO. 2013-GS-23-BCS 006414

The State of South Carolina

County of Greenville

COURT OF GENERAL SESSIONS

July

TERM 2013

THE STATE

vs.

SHANE KELLY YOUNG

Shane Kelly Young

Indictment for

3410

ATTEMPTED MURDER

VIOLATION § 16-03-0028

ARREST WARRANT

2012A2330203152

STATE OF SOUTH CAROLINA

☒ County/ ☐ Municipality of

Greenville

THE STATE

1-12-161851

against

Shane Kelly Young

Address:

Simpsonville, SC 29680-6810

Phone:

SSN:

Sex: M Race: W Height: 5 7 Weight: 130

DL State: SC DL #:

DOB: 1/1982 Agency ORI #: SC0230000

Prosecuting Agency: Greenville County Sheriff's Office

Prosecuting Officer: L Newman - 1173

Offense: Murder / Attempted Murder

Offense Code: 3410

Code/Ordinance Sec: 16-03-0029

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.)

Signature of Judge

Date:

RETURN

A copy of this arrest warrant was delivered to defendant on 11/26/12

Signature of Constable/Claw Enforcement Officer

RETURN WARRANT TO:

Greenville General Sessions
305 E. North Street
Greenville County Courthouse
Greenville, SC 29601-2120

ORIGINAL

ORIGINAL

ORIGINAL

ORIGINAL

STATE OF SOUTH CAROLINA

☒ County/ ☐ Municipality of

Greenville

Personally appeared before me the affiant L Newman

who

being duly sworn deposes and says that defendant Shane Kelly Young

did within this county and state on or about 10/16/2012

violate the criminal laws of the

State of South Carolina (or ordinance of ☒ County/ ☐ Municipality of

Greenville

In the following particulars:

DESCRIPTION OF OFFENSE: Murder / Attempted 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 or about October 14th 2012 while at 4 Mcgee Street, Greer, SC 29651 the defendant, Shane Kelly Young, did commit the offense of attempted murder in that he, with malice and aforethought, did directly attempt to cause the shooting death of Jeffery Ward. The affiant has statements from victims to support the affiant's probable cause. This incident occurred within the jurisdiction of Greenville County South Carolina.

Signature of Affiant

STATE OF SOUTH CAROLINA

☒ County/ ☐ Municipality of

Greenville

Affiant's Address 4 Mcgee Street

Greenville, SC 29601-

Affiant's Telephone (864)467-5210

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 10/16/2012 defendant Shane Kelly Young

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

☒ County/ ☐ Municipality of Greenville) as set forth below:

DESCRIPTION OF OFFENSE: Murder / Attempted 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 10/16/2012

Signature of Issuing Judge

Leila Foster

Judge Code: 5762

(L.S.)

Judge's Address 4 Mc Gee Street Room 116-A

Greenville, SC 29601-2256

Judge's Telephone (864)467-5315

Issuing Court: ☒ Magistrate☐ Municipal☐ Circuit

ORIGINAL

ORIGINAL

ORIGINAL

ORIGINAL

Form Approved by
S.C. Attorney General
April 21, 2003
SCCA 518

AFFIDAVIT

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF Greenville
STATE VS.
Shane Kelly Young

INDICTMENT/CASE#: 2013GS2306416

AKA: _____

A/W#: 2012A2330203160Race: WHITE Sex: M Age: 31Date of Offense: 10/14/2012DOB: -1982 SS#: [REDACTED]S.C. Code § : 16-03-0029CDR Code #: 3410Address: [REDACTED]City, State, Zip: SIMPSONVILLE, SC 29681DL#: [REDACTED]

SID#: _____

*CDL Yes ☐ No ☐ CMV Yes ☐ No ☐ Hazmat Yes ☐ No ☐In disposition of the said indictment comes now the Defendant who was
TO: Murder / Attempted MurderSENTENCE SHEET 0-30y☐ CONVICTED OF or ☒ PLEADSin violation of § 16-03-0029of the S.C. Code of Laws, bearing CDR Code # 3410☐ NON-VIOLENT☒ VIOLENT☐ SERIOUS☒ MOST SERIOUS☐ Mandatory GPS(CSC
w/minor 1st or Lewd Act)☐ §17-25-45The 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:

[Signature]
Clerk, Court015305
SC Bar#[Signature]
Defendant[Signature]
Attorney for Defendant3696
SC Bar#

WHEREFORE, the Defendant is committed to the

☒ State Department of Corrections,☐ County Detention Center,for a determinate term of 30

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 with 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

Total: \$ _____ plus 20% fee: \$ _____

Payment Terms: _____

☐ Set by SCDPPPS _____

Recipient: _____

*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)

\$30

\$

§ 56-5-2942(J) (Vehicle Assessment)

\$40/ea

\$

Proviso 90.5 (SCCJA Surcharge)

\$5

\$

3% to County (if paid in installments)

\$

TOTAL

\$

_____ days/hours Public Service Employment

Obtain GED ☐

Attend Voc. Rehab. or Job Corp. _____

May serve W/E beginning _____

Substance Abuse Counseling ☐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.

Clerk of Court/Deputy Clerk

Court Reporter: Johnson

SCCA/217 (03/2011)

Presiding Judge

Judge Code: 21162Sentence Date: 11-19-2013

STATE OF SOUTH CAROLINA)
)
COUNTY OF GREENVILLE)

INDICTMENT FOR
ATTEMPTED MURDER

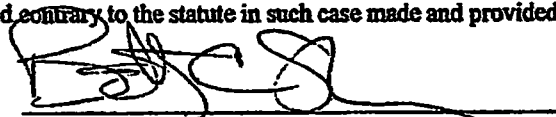
At a Court of General Sessions, convened on JUL 23 2013

the Grand Jurors of Greenville

County present upon their oath:

That SHANE KELLY YOUNG did in Greenville County, on or about the 14th day of October 2012, unlawfully, with malice aforethought, and with the intent to kill, attempt to kill Cheryl Mann. This is in violation of § 16-03-0029 of the South Carolina 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.


SOLICITOR

WITNESSES

Lloyd C Newman

Greenville County Sheriffs Office

11/26/2012

ARREST WARRANT NUMBER
2012A2330203160

ACTION OF GRAND JURY

TRUE BILL

McFly

MAN GRAND JURY

Foreperson of Grand Jury

VERDICT

Foreperson of Petit Jury

Date:

DOCKET NO. 2013-GS-23-

BCS

006416

/ **The State of South Carolina**

County of Greenville

COURT OF GENERAL SESSIONS

July

TERM 2013

THE STATE

vs.

SHANE KELLY YOUNG



Indictment for

3410

ATTEMPTED MURDER

VIOLATION § 16-03-0029

ARREST WARRANT
2012A2330203160

STATE OF SOUTH CAROLINA
☒ County/ ☐ Municipality of
Greenville
THE STATE 1-12-151851
against

Shane Kelly Young
Address:
Simpsonville, SC 29680-6810
Phone:
SSN:
Sex: M Race: W Height: 5 7 Weight: 130
DL State: SC DL #:
DOB: 1/1982 Agency ORI #: SC0230000
Prosecuting Agency: Greenville County Sheriffs Office
Prosecuting Officer: L Newman - 1173
Offense: Murder / Attempted Murder

Offense Code: 3410
Code/Ordinance Sec: 16-03-0029
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.)
Signature of Judge

Date:

RETURN
A copy of this arrest warrant was delivered to
defendant on Shane Kelly Young
11/20/12

S.M.B. 544 #62
Signature of Constable/Law Enforcement Officer

RETURN WARRANT TO:
Greenville General Sessions
305 E. North Street
Greenville County Courthouse
Greenville, SC 29601-2120

ORIGINAL ORIGINAL

STATE OF SOUTH CAROLINA
☒ County/ ☐ Municipality of
Greenville

AFFIDAVIT
Personally appeared before me the affiant L Newman who
being duly sworn deposes and says that defendant Shane Kelly Young
did within this county and state on or about 10/14/2012 violate the criminal laws of the
State of South Carolina (or ordinance of ☒ County/ ☐ Municipality of Greenville)
in the following particulars:

DESCRIPTION OF OFFENSE: Murder / Attempted 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 or about October 14th 2012 while at Greenville, South Carolina 29651 the defendant, Shane Kelly Young, did
commit the offense of attempted murder in that he, with malice and aforethought, did directly attempt to cause the shooting death of
Cheryl Mann. The affiant has written statements in support of probable cause. This incident occurred within the jurisdiction of
Greenville County South Carolina.

Signature of Affiant
STATE OF SOUTH CAROLINA
☒ County/ ☐ Municipality of
Greenville
Affiant's Address 4 McGee Street
Greenville, SC 29601-
Affiant's Telephone (864)467-5210

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 10/14/2012 defendant Shane Kelly Young
did violate the criminal laws of the State of South Carolina (or ordinance of
☒ County/ ☐ Municipality of Greenville) as set forth below:

DESCRIPTION OF OFFENSE: Murder / Attempted 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 10/16/2012

(L.S.)
Signature of Issuing Judge
Leila Foster
Judge's Address 4 Mc Gee Street Room 116-A
Greenville, SC 29601-2256
Judge's Telephone (864)467-5315
Issuing Court: ☒ Magistrate ☐ Municipal ☐ Circuit

ORIGINAL ORIGINAL ORIGINAL ORIGINAL ORIGINAL ORIGINAL ORIGINAL

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF Greenville
STATE VS.
Shane Kelly YoungINDICTMENT/CASE#: 2013GS2306419

AKA: _____

A/W#: 2012A2330203127Race: WHITE Sex: M Age: 31Date of Offense: 10/14/2012DOB: 1982 SS#: [REDACTED]S.C. Code §: 16-11-0311Address: [REDACTED]CDR Code #: 0079City, State, Zip: SIMPSONVILLE, SC 29681DL#: [REDACTED] SID#: _____SENTENCE SHEET 1542 - 1.6*CDL Yes ☐ No ☐ CMV Yes ☐ No ☐ Hazmat Yes ☐ No ☐In disposition of the said indictment comes now the Defendant who was
TO: Burglary / Burglary (After June 20, 1985) - First degree☐ CONVICTED OF or ☒ PLEADSin violation of § 16-11-0311 of the S.C. Code of Laws, bearing CDR Code # 0079☐ NON-VIOLENT ☒ VIOLENT ☐ SERIOUS ☒ MOST SERIOUS ☐ Mandatory GPS(CSC w/minor 1st or Lewd Act) ☐ §17-25-45The 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: _____

Strom, Betty

SC Bar# 15305Defendant Shane Kelly YoungAttorney for Defendant John H. HaldenSC Bar# 3696WHEREFORE, 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 with 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 _____

Total: \$ _____ plus 20% fee: \$ _____

Payment Terms: _____

☐ Set by SCDPPPS _____

Recipient: _____

*Fine:

§ 14-1-206 (Assessments 107.5 %)	\$	\$
§ 14-1-211(A)(1) (Conv. Surcharge)	\$100	\$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	\$25
§ 14-1-213 (Drug Court Surcharge)	\$150	\$
§ 50-21-114 (DUI Breath Test Fee)	\$50	\$
§ 56-5-2942(J) (Vehicle Assessment)	\$40/ea	\$
Proviso 90.5 (SCCJA Surcharge)	\$5	\$5
3% to County (if paid in installments)	\$	\$
TOTAL	\$	\$

_____ days/hours Public Service Employment

Obtain GED ☐

Attend Voc. Rehab. or Job Corp. _____

May serve W/E beginning _____

Substance Abuse Counseling ☐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.Clerk of Court/Deputy Clerk Paul B. WichersCourt Reporter: Johnson

SCCA/217 (03/2011)

Presiding Judge [Signature]Judge Code: 2162Sentence Date: 11-19-2013

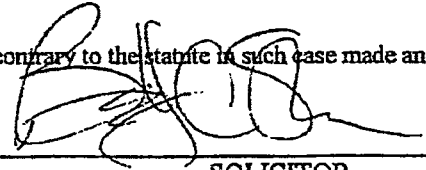
STATE OF SOUTH CAROLINA)
COUNTY OF GREENVILLE)

INDICTMENT FOR
BURGLARY FIRST DEGREE

At a Court of General Sessions, convened on **JUL 23 2013** the Grand Jurors of Greenville
County present upon their oath:

That SHANE KELLY YOUNG did in Greenville County, on or about the 14th day of October 2012, willfully and unlawfully enter the dwelling of Sandra Hand located at [REDACTED], Greer, South Carolina without consent and with the intent to commit a crime therein, and the burglary was accompanied by circumstances of aggravation, to wit: The entering or remaining occurred during the nighttime hours and/or while armed with a deadly weapon and/or did cause physical injury to a person who was not a participant in the crime. This is in violation of §16-11-0311 of the South Carolina 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.


SOLICITOR

WITNESSES

Lloyd C Newman

Greenville County Sheriffs Office

10/15/2012

ARREST WARRANT NUMBER
2012A2330203127

ACTION OF GRAND JURY

TRUE BILL

REMAN GRAND JURY

Foreperson of Grand Jury

VERDICT

Foreperson of Petit Jury

Date:

DOCKET NO. 2013-GS-23- 006419
BCS

The State of South Carolina

County of Greenville

COURT OF GENERAL SESSIONS

July

TERM 2013

THE STATE

vs.

SHANE KELLY YOUNG

Indictment for

0079

BURGLARY FIRST DEGREE

VIOLATION § 16-11-0311

ARREST WARRANT

2012A2330203127

STATE OF SOUTH CAROLINA

☒ County/ ☐ Municipality of

Greenville

THE STATE

1-12-181851

against

Shane Kelly Young

Address:

Simpsonville, SC 29680-6810

Phone:

SSN:

Sex: M Race: W Height: 5 7 Weight: 130DL State: SC DL #: DOB: / 1982 Agency ORI #: SC0230000Prosecuting Agency: Greenville County Sheriffs OfficeProsecuting Officer: L Newman - 1173Offense: Burglary / Burglary (After June 20, 1985) - First degreeOffense Code: 0079Code/Ordinance Sec: 16-11-0311

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.)

Signature of Judge

Date:

RETURN

A copy of this arrest warrant was delivered to defendant on

Shane Kelly Young
October 10, 2012
H. Peoples / S. Peoples #671/1024
Signature of Constable/Law Enforcement Officer

RETURN WARRANT TO:

Greenville General Sessions
305 E. North Street
Greenville County Courthouse
Greenville, SC 29601-2120

ORIGINAL

ORIGINAL

STATE OF SOUTH CAROLINA

☒ County/ ☐ Municipality of

Greenville

Personally appeared before me the affiant L Newman whobeing duly sworn deposes and says that defendant Shane Kelly Youngdid within this county and state on or about 10/14/2012State of South Carolina (or ordinance of ☒ County/ ☐ Municipality of Greenville)

in the following particulars:

DESCRIPTION OF OFFENSE: Burglary / Burglary (After June 20, 1985) - First degree

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 or about September 14th 2012 the defendant, Shane Kelly Young, did commit the offense of burglary first degree, in that he unlawfully forced entry into the occupied dwelling of Sandra Hand located at , Greer, South Carolina and did so with the intent to commit murder. The affiant has an audio recorded conversation taken during hostage negotiations where the defendant admits the aforementioned actions. The defendant was located inside of the dwelling by Greenville County Deputies. This offense occurred within the jurisdiction of Greenville County South Carolina.

Signature of Affiant

STATE OF SOUTH CAROLINA

☒ County/ ☐ Municipality of

Greenville

Affiant's Address 4 Mcgee Street
Greenville, SC 29601-Affiant's Telephone (864)467-5210

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 10/14/2012defendant Shane Kelly Young

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

☒ County/ ☐ Municipality of Greenville) as set forth below.DESCRIPTION OF OFFENSE: Burglary / Burglary (After June 20, 1985) - First degree

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 10/15/2012

Signature of Issuing Judge

James E. Hudson

Judge Code: 5031

(L.S.)

Judge's Address 4 Mcgee Street, Room 116-BGreenville, SC 29601-Judge's Telephone (864)467-5302Issuing Court: ☒ Magistrate ☐ Municipal ☐ Circuit

ORIGINAL

ORIGINAL

ORIGINAL

ORIGINAL

AFFIDAVIT

Form Approved by
U.S. Attorney General
April 21, 2000
SCCA 010

STATE OF SOUTH CAROLINA

COUNTY OF Greenville
 STATE VS.
Shane Kelly Young

AKA:

Race: WHITE Sex: M Age: 31DOB: -1982 SS#:

Address:

City, State, Zip: SIMPSONVILLE, SC 29681DL#: SID#: *CDL Yes ☐ No ☐ CMV Yes ☐ No ☐ Hazmat Yes ☐ No ☐

In disposition of the said indictment comes now the Defendant who was
 TO: Murder / Attempted Murder

IN THE COURT OF GENERAL SESSIONS

INDICTMENT/CASE#: 2013GS2306420A/W#: 2012A2330203146Date of Offense: 10/14/2012S.C. Code § : 16-03-0029CDR Code #: 3410SENTENCE SHEET 0-304☐ CONVICTED OF or ☐ PLEADSin violation of § 16-03-0029 of the S.C. Code of Laws, bearing CDR Code # 3410

☐ 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: [Signature] 015305 [Signature] [Signature] 3696
 Steno, Entry SC Bar# Defendant Attorney for Defendant SC Bar#

WHEREFORE, the Defendant is committed to the ☒ State Department of Corrections, ☐ County Detention Center,
 for a determinate term of 30 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 with 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. Waiver Hearing ☐ OrderedTotal: \$ plus 20% fee: \$

Payment Terms:

☐ Set by SCDPPPS

Recipient:

*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)	\$30
§ 56-5-2942(J) (Vehicle Assessment)	\$40/ea
Proviso 90.5 (SCCJA Surcharge)	\$5
3% to County (if paid in installments)	\$
TOTAL	\$

Clerk of Court/ Deputy Clerk

Court Reporter:

SCCA/217 (03/2011)

PTUP
 days/hours Public Service Employment

Obtain GED ☐Attend Voc. Rehab. or Job Corp. May serve W/E beginning Substance Abuse Counseling ☐Random Drug/Alcohol testing ☐

Fine may be pd. in equal, consecutive weekly/monthly
 pmts. of \$ beginning

\$ paid to Public Defender FundOther:

☐ Appointed PD or appointed other counsel,
 § 47.12 requires \$500 be paid to Clerk
 during probation.

Presiding Judge

Judge Code: 2162Sentence Date: 11-19-2013

STATE OF SOUTH CAROLINA)
)
COUNTY OF GREENVILLE)

INDICTMENT FOR
ATTEMPTED MURDER

At a Court of General Sessions, convened on

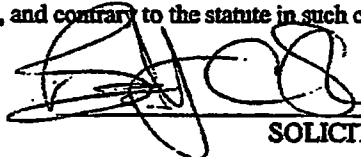
JUL 23 2013

the Grand Jurors of Greenville

County present upon their oath:

That SHANE KELLY YOUNG did in Greenville County, on or about the 14th day of October 2012, unlawfully, with malice aforethought, and with the intent to kill, attempt to kill Sandra Kay Hand. This is in violation of § 16-03-0029 of the South Carolina 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.


SOLICITOR

WITNESSES

Lloyd C Newman

Greenville County Sheriffs Office

11/26/2012

ARREST WARRANT NUMBER
2012A2330203146

ACTION OF GRAND JURY...

TRUE BILL

FOREMAN GRAND JURY

Foreperson of Grand Jury

VERDICT

Foreperson of Petit Jury
Date:

DOCKET NO. 2013-GS-23-
BCS

006420

The State of South Carolina

County of Greenville

COURT OF GENERAL SESSIONS

July

TERM 2013

THE STATE

VS.

SHANE KELLY YOUNG

Indictment for

3410

ATTEMPTED MURDER

VIOLATION § 16-03-0029

ARREST WARRANT

2012A2330203146

STATE OF SOUTH CAROLINA

☒ County/ ☐ Municipality of

Greenville

THE STATE

1-12-151551

against

Shane Kelly Young

Address

Simpsonville, SC 29680-6810

Phone:

SSN:

Sex: M

Race: W

Height: 5

Weight: 130

DL State: SC

DL #:

DOB: 1/1982

Agency ORI #: SC0230000

Prosecuting Agency: Greenville County Sheriff's Office

Prosecuting Officer: L. Newman - 1173

Offense: Murder / Attempted Murder

Offense Code:

3410

Code/Ordinance Sec:

16-03-0029

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.)

Signature of Judge

Date:

RETURN

A copy of this arrest warrant was delivered to defendant on

Shane Kelly Young
11/26/12
J.M. Bon 544 KB2
Signature of Constable Law Enforcement Officer

RETURN WARRANT TO:

Greenville General Sessions
305 E. North Street
Greenville County Courthouse
Greenville, SC 29601-2120

ORIGINAL

ORIGINAL

ORIGINAL

ORIGINAL

STATE OF SOUTH CAROLINA

☒ County/ ☐ Municipality of

Greenville

Personally appeared before me the affiant L. Newman

who

being duly sworn deposes and says that defendant Shane Kelly Young

did within this county and state on or about 10/14/2012

violate the criminal laws of the

State of South Carolina (or ordinance of ☒ County/ ☐ Municipality of Greenville)

in the following particulars:

DESCRIPTION OF OFFENSE: Murder / Attempted 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 or about October 14th 2012 while at Greer, SC 29651 the defendant, Shane Kelly Young, did commit the offense of attempted murder in that he, with malice and aforethought, did directly attempt to cause the shooting death of Sandra Kay Hand. The affiant has no statements from victims to support the affiant's probable cause. This incident occurred within the jurisdiction of Greenville County South Carolina.

Signature of Affiant

STATE OF SOUTH CAROLINA

☒ County/ ☐ Municipality of

Greenville

Affiant's Address 4 McGee Street

Greenville, SC 29601-

Affiant's Telephone (864)467-5210

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 10/14/2012 defendant Shane Kelly Young

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

☒ County/ ☐ Municipality of Greenville) as set forth below:

DESCRIPTION OF OFFENSE: Murder / Attempted 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 10/16/2012

Signature of Issuing Judge

Leila Foster

Judge Code: 5762

(L.S.)

Judge's Address 4 McGee Street Room 116-A

Greenville, SC 29601-2256

Judge's Telephone (864)467-5315

Issuing Court: ☒ Magistrate☐ Municipal☐ Circuit

ORIGINAL

ORIGINAL

ORIGINAL

ORIGINAL

Form Approved by
U.S. Attorney General
April 21, 2003
SCCA 516

STATE OF SOUTH CAROLINA

COUNTY OF
STATE

Greenville

VS.

Shane Kelly Young

AKA:

Race: WHITE Sex: M Age: 31

DOB: -1982 SS#:

Address:

City, State, Zip: SIMPSONVILLE, SC 29681

DL#: SID#:

*CDL Yes ☐ No ☐ CMV Yes ☐ No ☐ Hazmat Yes ☐ No ☐In disposition of the said indictment comes now the Defendant who was
TO: Murder / Attempted Murder

IN THE COURT OF GENERAL SESSIONS

INDICTMENT/CASE#: 2013GS2306423

A/W#: 2012A2330203147

Date of Offense: 10/14/2012

S.C. Code § : 16-03-0029

CDR Code #: 3410

SENTENCE SHEET D-30y

☐ CONVICTED OF or ☒ PLEADS

in violation of § 16-03-0029 of the S.C. Code of Laws, bearing CDR Code # 3410

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

Strom, Betty

SC Bar#

Defendant

Attorney for Defendant

SC Bar#

WHEREFORE, the Defendant is committed to the ☐ State Department of Corrections, ☐ County Detention Center,
for a determinate term of 30 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 with probation formonths/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

Total: \$ plus 20% fee: \$

Payment Terms:

☐ Set by SCDPPPS

Recipient:

*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(I) (Vehicle Assessment)	\$40/ea
Proviso 90.5 (SCJA Surcharge)	\$5
3% to County (if paid in installments)	\$
TOTAL	\$

Clerk of Court/ Deputy Clerk

Court Reporter:

SCCA/217 (03/2011)

PTUP

days/hours Public Service Employment

Obtain GED ☐

Attend Voc. Rehab. or Job Corp.

May serve W/E beginning

Substance Abuse Counseling ☐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.

Presiding Judge

Judge Code:

Sentence Date:

STATE OF SOUTH CAROLINA)
)
COUNTY OF GREENVILLE)

INDICTMENT FOR
ATTEMPTED MURDER

At a Court of General Sessions, convened on **JUL 23 2013** the Grand Jurors of Greenville
County present upon their oath:

That SHANE KELLY YOUNG did in Greenville County, on or about the 14th day of October 2012,
unlawfully, with malice aforethought, and with the intent to kill, attempt to kill Kayla Louise Atkinson.

This is in violation of § 16-03-0029 of the South Carolina 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.


SOLICITOR

WITNESSES

Lloyd C Newman

Greenville County Sheriffs Office

11/26/2012

ARREST WARRANT NUMBER
2012A2330203147

ACTION OF GRAND JURY

TRUE BILL

FOREMAN GRAND JURY

Foreperson of Grand Jury

VERDICTForeperson of Petit Jury
Date:DOCKET NO. 2013-GS-23-
BCS

006423

✓ The State of South Carolina
County of Greenville

COURT OF GENERAL SESSIONS

July TERM 2013

THE STATE

vs.

SHANE KELLY YOUNG



Indictment for

3410

ATTEMPTED MURDER

VIOLATION § 16-03-0029

ARREST WARRANT

2012A2330203147

STATE OF SOUTH CAROLINA

☒ County/ ☐ Municipality of

Greenville

THE STATE

1-12-151851

against

Shane Kelly Young

Address:

Simpsonville, SC 29680-6810

Phone:

SSN:

Sex: M Race: W Height: 5 7 Weight: 130

DL State: SC DL #:

DOB: 1/1982 Agency ORI #: SC0230000

Prosecuting Agency: Greenville County Sheriff's Office

Prosecuting Officer: L. Newman - 1173

Offense: Murder / Attempted Murder

Offense Code: 3410

Code/Ordinance Sec: 16-03-0029

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.)

Signature of Judge

Date:

RETURN

A copy of this arrest warrant was delivered to defendant on Shane Kelly Young 11/26/12

Signature of Constable/Law Enforcement Officer

RETURN WARRANT TO:

Greenville General Sessions
305 E. North Street
Greenville County Courthouse
Greenville, SC 29601-2120

ORIGINAL

ORIGINAL

STATE OF SOUTH CAROLINA

☒ County/ ☐ Municipality of

Greenville

Personally appeared before me the affiant L. Newman whobeing duly sworn deposes and says that defendant Shane Kelly Youngdid within this county and state on or about 10/14/2012State of South Carolina (or ordinance of ☒ County/ ☐ Municipality of Greenville)

in the following particulars:

DESCRIPTION OF OFFENSE: Murder / Attempted 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 or about October 14th 2012 while at Greer, SC 29651 the defendant, Shane Kelly Young, did commit the offense of attempted murder in that he, with malice and aforethought, did directly attempt to cause the shooting death of Kayla Louise Atkinson. The affiant has statements from victims to support the affiant's probable cause. This incident occurred within the jurisdiction of Greenville County South Carolina.

Signature of Affiant

STATE OF SOUTH CAROLINA

☒ County/ ☐ Municipality of

Greenville

Affiant's Address 4 McGee StreetGreenville, SC 29601-Affiant's Telephone (864)467-5210

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 10/14/2012 defendant Shane Kelly Young

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

☒ County/ ☐ Municipality of Greenville) as set forth below:

DESCRIPTION OF OFFENSE: Murder / Attempted 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 10/16/2012

Signature of Issuing Judge

Leila Foster

Judge Code: 5762

(L.S.)

Judge's Address 4 McGee Street Room 116-AGreenville, SC 29601-2256Judge's Telephone (864)467-5315Issuing Court: ☒ Magistrate ☐ Municipal ☐ Circuit

ORIGINAL

ORIGINAL

ORIGINAL

ORIGINAL

Form Approved by
S.C. Attorney General
April 21, 2003
SCCA 516

STATE OF SOUTH CAROLINA

COUNTY OF Greenville
 STATE VS.
Shane Kelly Young

AKA:

Race: WHITE Sex: M Age: 31DOB: 1982 SS#: [REDACTED]

Address:

City, State, Zip: SIMPSONVILLE, SC 29681DL#: [REDACTED] SID#: [REDACTED]*CDL Yes ☐ No ☐ CMV Yes ☐ No ☐ Hazmat Yes ☐ No ☐In disposition of the said indictment comes now the Defendant who was
 TO: Murder / Murder

IN THE COURT OF GENERAL SESSIONS

INDICTMENT/CASE#: 2013GS2306424A/W#: 2012A2330203145Date of Offense: 10/15/2012S.C. Code § : 16-03-0010, 0020CDR Code #: 0116SENTENCE SHEET 304 - 1.16☐ CONVICTED OF or ☒ PLEADSin 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:

[Signature] 015305 [Signature] [Signature] 3696
 Court Clerk SC Bar# Defendant 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 with 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 ☐ OrderedTotal: \$ plus 20% fee: \$

Payment Terms:

☐ Set by SCDPPPS

Recipient:

*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
§ 56-1-236 (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(I) (Vehicle Assessment)	\$40/ea
Proviso 90.5 (SCCJA Surcharge)	\$5
3% to County (if paid in installments)	\$
TOTAL	\$

 days/hours Public Service EmploymentObtain GED ☐Attend Voc. Rehab. or Job Corp. May serve W/E beginning Substance Abuse Counseling ☐Random Drug/Alcohol testing ☐Fine may be pd. in equal, consecutive weekly/monthly
 pmts. of \$ beginning \$ paid to Public Defender FundOther:
☐ Appointed PD or appointed other counsel,
 § 47.12 requires \$500 be paid to Clerk
 during probation.

Clerk of Court/ Deputy Clerk

Court Reporter: Johnson

SCCA/217 (03/2011)

Presiding Judge [Signature]Judge Code: 2162Sentence Date: 11-19-2013

GENERAL SESSIONS DOCKET TRACKING SHEET

fail ✓

Name: SHANE KELLY YOUNG

Indictment #: 2013GS2306424

Address: [REDACTED]

Warrant/Ticket # 2012A2330203161

City: SIMPSONVILLE State: SC ZIP: 29681

No Warrant: _____

SS#: [REDACTED] Sex: M Race: W

Offense Code: 0549

Date of Birth: [REDACTED] 1982

Offense Name: Weapons / Poss. Weapon Du

State: SC Driver's License #: [REDACTED]

Date of Arrest: November 26, 2012

DATE OF DISPOSITION: 11-19-13

FILED

NOV 20 2013

DISPOSITION:

Clerk of Court
Greenville County

____ 1. Guilty Plea

* ____ 7. Remanded

____ 2. Trial (Guilty)

____ 8. Dismissed at Prelim

____ 3. Trial (Not Guilty)

____ 8. No Bill

* xx 4. Dism/Nol Pros/Pros Ended

* ____ 9. Failure to Appear

* ____ 5. Judicial Commitment

* ____ 10. Other

____ 6. Judicial Dismissal

* Explain: pled guilty to other charges

Judge: _____

Ct. Reporter: _____

Defense Attorney: MAULDIN, JOHN

Solicitor: Betty Strom

Bar #: 0015305

Offense Code: 0549

Offense Name: Weapons / Poss. Weapon Du

Sentence: _____

STATE OF SOUTH CAROLINA)
)
COUNTY OF GREENVILLE)

**INDICTMENT FOR
MURDER AND POSSESSION OF A WEAPON DURING THE
COMMISSION OF A VIOLENT CRIME**

At a Court of General Sessions, convened on
County present upon their oath:

JUL 23 2013

the Grand Jurors of Greenville

COUNT ONE

MURDER

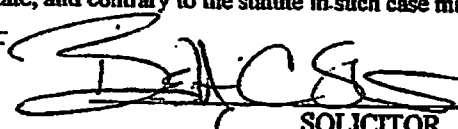
That SHANE KELLY YOUNG did in Greenville County, on or about the 14th day of October, 2012, unlawfully and with malice aforethought kill Kenneth Darrell Horton by means of shooting him with a handgun, and that Kenneth Darrell Horton died as a proximate result thereof. This is in violation of §16-03-0010 of the South Carolina Code of Laws (1976) as amended.

COUNT TWO

POSSESSION OF A WEAPON DURING THE COMMISSION OF A VIOLENT CRIME

That SHANE KELLY YOUNG did in Greenville County, on or about the 14th day of October, 2012, possess or visibly display a handgun during the commission or attempted commission of a violent crime, to wit: Murder. This is in violation of §16-23-0490 of the South Carolina 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.


SOLICITOR

WITNESSES

Lloyd C Newman

Greenville County Sheriffs Office

11/26/2012

ARREST WARRANT NUMBER

2012A2330203145

2012A2330203161

ACTION OF GRAND JURY

RUE BILL

Mc3

IN GRAND JURY

Foreperson of Grand Jury

VERDICT

Foreperson of Petit Jury

Date:

DOCKET NO. 2013-GS-23-

BCS

006424

The State of South Carolina

County of Greenville

COURT OF GENERAL SESSIONS

July

TERM 2013

THE STATE

vs.

SHANE KELLY YOUNG



Indictment for

0116, 0549

**MURDER AND POSSESSION OF A WEAPON
DURING THE COMMISSION OF A VIOLENT
CRIME**

VIOLATION § 16-03-0010 and §16-23-0490

ARREST WARRANT

2012A2330203145

STATE OF SOUTH CAROLINA

☒ County/ ☐ Municipality of

Greenville

THE STATE

1-12-161651

against

Shane Kelly Young

Address:

Simpsonville, SC 29680-6810

Phone:

SSN:

Sex: M

Race: W

Height: 5

7

Weight: 130

DL State: SC

DL #:

DOB: 1/1982

Agency ORI #: SC0230000

Prosecuting Agency: Greenville County Sheriffs Office

Prosecuting Officer: L Newman - 1173

Offense: Murder / Murder

Offense Code:

0116

Code/Ordinance Sec:

16-03-0010, 0020

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.)

Signature of Judge

Date:

RETURN

A copy of this arrest warrant was delivered to defendant on

J.M. Bean 544 xJ62
Signature of Constable/Law Enforcement Officer

RETURN WARRANT TO:

Greenville General Sessions
305 E. North Street
Greenville County Courthouse
Greenville, SC 29601-2120

ORIGINAL

ORIGINAL

ORIGINAL

ORIGINAL

STATE OF SOUTH CAROLINA

☒ County/ ☐ Municipality of

Greenville

Personally appeared before me the affiant L Newman

being duly sworn deposes and says that defendant Shane Kelly Young

did within this county and state on or about 10/15/2012

State of South Carolina (or ordinance of ☒ County/ ☐ Municipality of

Greenville

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 or about October 14th 2012 while at [redacted], Greer, SC 29651 the defendant, Shane Kelly Young, did commit the offense of murder in that he, with malice and aforethought, did directly cause the shooting death of Kenneth Darrell Horton. The affiant has an audio recorded conversation taken during hostage negotiations where the defendant admits shooting the victim as well as additional statements from victims to support the affiant's probable cause. This incident occurred within the jurisdiction of Greenville County South Carolina.

Signature of Affiant

STATE OF SOUTH CAROLINA

☒ County/ ☐ Municipality of

Greenville

Affiant's Address 4 McGee Street

Greenville, SC 29601-

Affiant's Telephone (864)467-5210

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 10/15/2012

defendant Shane Kelly Young

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

☒ County/ ☐ Municipality of Greenville

) 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 10/16/2012

Signature of Issuing Judge

Leila Foster

Judge Code: 5762

Judge's Address

4 Mc Gee Street Room 116-A

Greenville, SC 29601-2256

Judge's Telephone

(864)467-5315

Issuing Court:

☒ Magistrate☐ Municipal☐ Circuit

ORIGINAL

ORIGINAL

ORIGINAL

ORIGINAL

Form Approved by
S.C. Attorney General
Aug 21, 2003
SCGA 518

AFFIDAVIT

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF Greenville
 STATE VS.
Shane Kelly Young

AKA:

Race: WHITE Sex: M Age: 31DOB: -1982 SS#: Address: City, State, Zip: SIMPSONVILLE, SC 29681DL#: SID#: *CDL Yes ☐ No ☐ CMV Yes ☐ No ☐ Hazmat Yes ☐ No ☐In disposition of the said indictment comes now the Defendant who was
 TO: Murder / Attempted MurderINDICTMENT/CASE#: 2013GS2306425A/W#: 2012A2330203148Date of Offense: 10/16/2012S.C. Code § : 16-03-0029CDR Code #: 3410SENTENCE SHEET 0-30y☐ CONVICTED OF or ☒ PLEADSin violation of § 16-03-0029of the S.C. Code of Laws, bearing CDR Code # 3410☐ NON-VIOLENT☒ VIOLENT☐ SERIOUS☒ MOST SERIOUS☐ Mandatory GPS(CSC
w/minor 1st or Lewd Act)☐ §17-25-45The 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:

Betty
 Clerk

SC Bar#

Defendant

Attorney for Defendant

SC Bar#

WHEREFORE, the Defendant is committed to the

☒ State Department of Corrections,☐ County Detention Center,for a determinate term of 30 days/months/years or☐ under the Youthful Offender Act not to exceed yearsand/or to pay a fine of \$; provided that upon the service of days/months/years and/or paymentof \$; plus costs and assessments as applicable*; the balance is suspended with 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

Total: \$ plus 20% fee: \$ days/hours Public Service EmploymentPayment Terms: Obtain GED ☐Attend Voc. Rehab. or Job Corp. May serve W/E beginning Substance Abuse Counseling ☐Random Drug/Alcohol testing ☐Fine may be pd. in equal, consecutive weekly/monthly
 pmts. of \$ beginning \$ paid to Public Defender FundOther: Recipient:

*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 (SCCA Surcharge)

\$5

\$

3% to County (if paid in installments)

\$

TOTAL

\$

Clerk of Court/ Deputy Clerk

Court Reporter: Johnson

SCCA/217 (03/2011)

Presiding Judge

Judge Code: 2162Sentence Date: 11-19-2013

STATE OF SOUTH CAROLINA)
)
COUNTY OF GREENVILLE)

INDICTMENT FOR
ATTEMPTED MURDER

JUL 23 2013

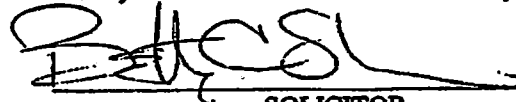
At a Court of General Sessions, convened on

the Grand Jurors of Greenville

County present upon their oath:

That SHANE KELLY YOUNG did in Greenville County, on or about the 16th day of October 2012, unlawfully, with malice aforethought, and with the intent to kill, attempt to kill Summer Mann. This is in violation of § 16-03-0029 of the South Carolina 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.


SOLICITOR

WITNESSES

Lloyd C Newman

Greenville County Sheriffs Office

11/26/2012

ARREST WARRANT NUMBER
2012A2330203148

ACTION OF GRAND JURY
TRUE BILL

Mc C
FOREMAN GRAND JURY

Foreperson of Grand Jury

VERDICT

Foreperson of Petit Jury
Date:

DOCKET NO. 2013-GS-23-^{BCS} 006425

✓ The State of South Carolina
County of Greenville

COURT OF GENERAL SESSIONS
July
TERM 2013

THE STATE

vs.
SHANE KELLY YOUNG *[Signature]*

Indictment for
3410
ATTEMPTED MURDER
VIOLATION § 16-03-0029

ARREST WARRANT 7881
2012A2330203148 11-28-12

STATE OF SOUTH CAROLINA
☒ County/ ☐ Municipality of
 Greenville

THE STATE 1-12-151851
 against
 Shane Kelly Young

Address: Simpsonville, SC 29680-6810

Phone: SSN
 Sex: M Race: W Height: 5 7 Weight: 130
 DL State: SC DL #: DOB: 1982 Agency ORI #: SC0230000
 Prosecuting Agency: Greenville County Sheriff's Office
 Prosecuting Officer: L Newman - 1173
 Offense: Murder / Attempted Murder

Offense Code: 3410
 Code/Ordinance Sec: 16-03-0029

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.)
 Signature of Judge
 Date:

RETURN
 A copy of this arrest warrant was delivered to
 defendant Shane Kelly Young
 on 11/28/12
J.M. R. 547 vbl
 Signature of Constable/Law Enforcement Officer

RETURN WARRANT TO:
 Greenville General Sessions
 305 E. North Street
 Greenville County Courthouse
 Greenville, SC 29601-2120

ORIGINAL ORIGINAL ORIGINAL ORIGINAL

STATE OF SOUTH CAROLINA)
☒ County/ ☐ Municipality of)
 Greenville)

AFFIDAVIT

Personally appeared before me the affiant L Newman who
 being duly sworn deposes and says that defendant Shane Kelly Young
 did within this county and state on or about 10/16/2012 violate the criminal laws of the
 State of South Carolina (or ordinance of ☒ County/ ☐ Municipality of Greenville)
 in the following particulars:

DESCRIPTION OF OFFENSE: Murder / Attempted 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 or about October 14th 2012 while at Greenville, SC 29651 the defendant, Shane Kelly Young, did commit the
 offense of attempted murder in that he, with malice and aforethought, did directly attempt to cause the shooting death of Summer
 Mann. The affiant has statements from victims to support the affiant's probable cause. This incident occurred within the jurisdiction
 of Greenville County South Carolina.

Signature of Affiant [Signature]

STATE OF SOUTH CAROLINA
☒ County/ ☐ Municipality of
 Greenville

Affiant's Address 4 McGee Street
Greenville, SC 29601-
 Affiant's Telephone (864)467-5210

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 10/16/2012 defendant Shane Kelly Young
 did violate the criminal laws of the State of South Carolina (or ordinance of
☒ County/ ☐ Municipality of Greenville) as set forth below:

DESCRIPTION OF OFFENSE: Murder / Attempted 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 10/16/2012

Signature of Issuing Judge [Signature] (L.S.)
 Leila Foster
 Judge Code: 5762

Judge's Address 4 Mc Gee Street Room 116-A
Greenville, SC 29601-2256
 Judge's Telephone (864)467-5315

Issuing Court: ☒ Magistrate ☐ Municipal ☐ Circuit

ORIGINAL ORIGINAL ORIGINAL ORIGINAL ORIGINAL ORIGINAL ORIGINAL

ORIGINAL

Form Approved by
 S.C. Attorney General
 April 21, 2003
 SCGA 518

STATE OF SOUTH CAROLINA

COUNTY OF
STATE

Greenville

VS.

Shane Kelly Young

AKA:

Race: WHITE Sex: M Age: 31

DOB: 1982 SS#: [REDACTED]

Address:

City, State, Zip: SIMPSONVILLE, SC 29681

DL#: [REDACTED] SID#: [REDACTED]

*CDL Yes ☐ No ☐ CMV Yes ☐ No ☐ Hazmat Yes ☐ No ☐

In disposition of the said indictment comes now the Defendant who was

TO: Murder / Attempted Murder

IN THE COURT OF GENERAL SESSIONS

INDICTMENT/CASE#: 2013GS2306426

A/W#: 2012A2330203149

Date of Offense: 10/16/2012

S.C. Code § : 16-03-0029

CDR Code #: 3410

SENTENCE SHEET D-304

☐ CONVICTED OF or ☒ PLEADS

in violation of § 16-03-0029

of the S.C. Code of Laws, bearing CDR Code # 3410

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

Shane Kelly Young

SC Bar#

Defendant

Attorney for Defendant

SC Bar#

WHEREFORE, the Defendant is committed to the

☒ State Department of Corrections,☐ County Detention Center,for a determinate term of 30 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 with 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

Total: \$ plus 20% fee: \$

Payment Terms:

☐ Set by SCDPPPS

Recipient:

*Fine:		\$
§ 14-1-206 (Assessments 107.5 %)		\$
§ 14-1-211(A)(1) (Conv. Surcharge)	\$100	\$ 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	\$ 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 (SCCA Surcharge)	\$5	\$ 5
3% to County (if paid in installments)		\$
TOTAL		\$

Clerk of Court/ Deputy Clerk

Court Reporter:

SCCA/217 (03/2011)

days/hours Public Service Employment

Obtain GED ☐

Attend Voc. Rehab. or Job Corp.

May serve W/E beginning

Substance Abuse Counseling ☐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.

Presiding Judge

Judge Code: 2162

Sentence Date: 11-19-2013

STATE OF SOUTH CAROLINA)
)
COUNTY OF GREENVILLE)

INDICTMENT FOR
ATTEMPTED MURDER

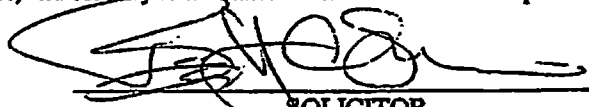
At a Court of General Sessions, convened on
County present upon their oath:

JUL 23 2013

the Grand Jurors of Greenville

That SHANE KELLY YOUNG did in Greenville County, on or about the 16th day of October 2012,
unlawfully, with malice aforethought, and with the intent to kill, attempt to kill Thomas E. McConnell.
This is in violation of § 16-03-0029 of the South Carolina 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.


SOLICITOR

006426

WITNESSES

Lloyd C Newman

Greenville County Sheriffs Office

11/26/2012

ARREST WARRANT NUMBER
2012A2330203149

ACTION OF GRAND JURY
TRUE BILL

Th O J L

FOREMAN GRAND JURY

Foreperson of Grand Jury

VERDICT

Foreperson of Petit Jury

Date:

DOCKET NO. 2013-GS-23-
BCS

The State of South Carolina

✓ **County of Greenville**

COURT OF GENERAL SESSIONS

July TERM 2013

THE STATE

vs.

SHANE KELLY YOUNG



Indictment for

3410

ATTEMPTED MURDER

VIOLATION § 16-03-0029

ARREST WARRANT

2012A2330203149

7081
11-28-12

STATE OF SOUTH CAROLINA

☒ County/ ☐ Municipality of

Greenville

THE STATE

1-12-161651

against

Shane Kelly Young

Address:

Simpsonville, SC 29680-6810

Phone:

SSN:

Sex: M

Race: W

Height: 5

7

Weight: 130

DL State: SC

DL #:

DOB: 7/1982

Agency ORI #: SC0230000

Prosecuting Agency: Greenville County Sheriff's Office

Prosecuting Officer: L Newman - 1173

Offense: Murder / Attempted Murder

Offense Code:

3410

Code/Ordinance Sec:

16-03-0029

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.)

Signature of Judge

Date:

RETURN

A copy of this arrest warrant was delivered to defendant on 11/28/12

J.M. B. 544 12
Signature of Constable/Law Enforcement Officer

RETURN WARRANT TO:

Greenville General Sessions
305 E. North Street
Greenville County Courthouse
Greenville, SC 29601-2120

ORIGINAL

ORIGINAL

STATE OF SOUTH CAROLINA

☒ County/ ☐ Municipality of

Greenville

Personally appeared before me the affiant L Newman who

being duly sworn deposes and says that defendant Shane Kelly Young

did within this county and state on or about 10/16/2012

violate the criminal laws of the

State of South Carolina (or ordinance of ☒ County/ ☐ Municipality of

Greenville)

In the following particulars:

DESCRIPTION OF OFFENSE: Murder / Attempted 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 or about October 14th 2012 while at [REDACTED], Greer, SC 29651 the defendant, Shane Kelly Young, did commit the offense of attempted murder in that he, with malice and aforethought, did directly attempt to cause the shooting death of Thomas E. McConnell. The affiant has statements from victims to support the affiant's probable cause. This incident occurred within the jurisdiction of Greenville County South Carolina.

Signature of Affiant

STATE OF SOUTH CAROLINA

☒ County/ ☐ Municipality of

Greenville

Affiant's Address 4 McGee Street

Greenville, SC 29601-

Affiant's Telephone (864)467-5210

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 10/16/2012 defendant Shane Kelly Young

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

☒ County/ ☐ Municipality of Greenville

) as set forth below:

DESCRIPTION OF OFFENSE: Murder / Attempted 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 10/16/2012

Signature of Issuing Judge

Lella Foster

Judge Code: 5762

(L.S.)

Judge's Address 4 Mc Gee Street Room 116-A

Greenville, SC 29601-2256

Judge's Telephone (864)467-5315

Issuing Court: ☒ Magistrate☐ Municipal☐ Circuit

ORIGINAL

ORIGINAL

ORIGINAL

ORIGINAL

ORIGINAL

ORIGINAL

Form Approved by
S.C. Attorney General
April 21, 2003
GCCA 510

AFFIDAVIT

11:32:08 Tuesday, August 19, 2014

QMTI330D SCDC OFFENDER MANAGEMENT SYSTEM 08/19/14
OMCOMITA RELEASE DATE SCREEN C023981
SCDC# > 357849 LOC: PERRY
YOUNG, SHANE KELLY SCDC CLASSIFICATION...: VIOLENT
OFFENDER TYPE....: ADULT-STRAIGHT SENTENCE SEXUAL REGISTRY...: N
SEXUAL PREDATOR...: NOT APP
DNA STATUS.....: COMPLETED
GPS REQUIREMENT...: N
PREA DECISION....:
CURRENT SENTENCE: CONSECUTIVE SENTENCE ...:
LIFE CURRENT SENT START DATE: 10/15/2012
PROJECTED COMPLETION DATES
MAXOUT DATE: 99/99/9999 CURRENT EWC ..:
YOA SIX YEAR DATE: CURRENT EEC ..:
INITIAL PAROLE DATE: 00/00/0000 NEXT PAROLE HEARING DATE: 00/00/0000

TOTAL GT DAYS EARNED: 000000 LABOR CREW/WORK PROG DATE: 99/99/9999
TOTAL EARNED WORK CREDITS ...: 000000 LABOR CREW DISQ REASON:
TOTAL EDUCATION CREDITS: 000000 CATEGORY 4 OR 5 OFFENSE
TOTAL EXTRA EARNED CREDITS ..: 000 SUPERVISED REENTRY DATE...: 00/00/00
TOTAL SERVICE TIME EARNED ...: 000000 ISS.....:

PFKEYS: 5:HISTORY OF DATE CHANGES

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS

RECORD SUMMARY REPORT DATED 08/19/14

C0239

YOUNG, SHANE KELLY FBI # 226692VB7 SID# SC01395124 SCDC # 357849

OFFENDER TYPE.: ADULT-STRAIGHT SENTENCE

INSTITUTION ... PERRY CORR INST

SECURITY/CUST.: 3 MINIMUM IN

CURR INCARC SENT...: 999 YRS 0 MOS 0 DYS

CENTRAL MONITORING.: YES

SOCIAL SECURITY #....: [REDACTED]

DORM.....: Q4B0108B

RACE....: W SEX...: M

PROJ MAXOUT DATE: 99/99/9999

PROJ PAROLE DATE: 00/00/0000

EWC JOB...: NO CURRENT JOB

EDUC PGM.: NO CURR EDUC PROGRAM

EWC LEVEL: 0 EEC LEVEL:

ASSIGNMENT...: GENERAL DETAIL UNEM

CURRENT PROGRAM...: NO CURRENT PROGRAM

AGE...: 32 DATE OF BIRTH...: [REDACTED]/82

PREVIOUS NUMBERS:

** NO PREVIOUS NUMBERS **

CURRENT OFFENSES	SENTENCE			COUNTY	SENTENCE			V/NV	CATEGORY
	YRS	MOS	DYS		START				
ATTEMPTED MURDER	30	0	0	GREENVILLE	10/15/2012	V		4	
ATTEMPTED MURDER	30	0	0	GREENVILLE	10/15/2012	V		4	
ATTEMPTED MURDER	30	0	0	GREENVILLE	10/15/2012	V		4	
ATTEMPTED MURDER	30	0	0	GREENVILLE	10/15/2012	V		4	
ATTEMPTED MURDER	30	0	0	GREENVILLE	10/15/2012	V		4	
ATTEMPTED MURDER	30	0	0	GREENVILLE	10/15/2012	V		4	
ATTEMPTED MURDER	30	0	0	GREENVILLE	10/15/2012	V		4	
BURGLARY-1ST DEGREE	999	99	999	GREENVILLE	10/15/2012	V		4	
MURDER	999	99	999	GREENVILLE	10/15/2012	V		5	

PRIOR COMMITMENTS OVER 90 DAYS:

NO PRIOR COMMITMENTS OVER 90 DAYS

DETAINERS (HOLD, WANTED, NOTIFY):

NO DETAINERS

ESCAPES:

NO ESCAPE HISTORY

CRIMINAL CHARGES:

NO CRIMINAL CHARGES HISTORY

ASSAULTIVE DISCIPLINARIES:

NO ASSAULTIVE DISCIPLINARY HISTORY

NON-ASSAULTIVE DISCIPLINARIES:

NO NON-ASSAULTIVE DISCIPLINARY HISTORY

HISTORY OF MOVEMENTS:

7/15/14	PERRY	INCARCERATED	ADMINISTRATIVE
7/14/14	KIRKLAND	INCARCERATED	MEDICAL
2/26/14	PERRY	INCARCERATED	ADMINISTRATIVE
11/20/13	KIRKLAND	INCARCERATED	R&E PROCESSING
11/20/13	PERRY	INCARCERATED	NEW ADMISSION

HISTORY OF EARNED WORK CREDIT ASSIGNMENTS:

JOB	START	END	TERMINATION	JOB
DESCRIPTION	DATE	DATE	REASON	LVL

*NO WORK ASSIGNMENTS *

HISTORY OF EARNED EDUCATION CREDITS:

EEC	START	END	TERMINATION
DESCRIPTION	DATE	DATE	REASON

NO SCHOOL ASSIGNMENTS

***** END OF REPORT *****

STATE OF SOUTH CAROLINA

COUNTY OF Greenville
STATE VS.Shane Kelly Young

AKA:

Race: WHITE Sex: M Age: 31DOB: 1982 SS#: [REDACTED]

Address:

City, State, Zip: SIMPSONVILLE, SC 29681DL#: [REDACTED] SID#: [REDACTED]*CDL Yes ☐ No ☐ CMV Yes ☐ No ☐ Hazmat Yes ☐ No ☐In disposition of the said indictment comes now the Defendant who was
TO: Murder / Attempted Murder

IN THE COURT OF GENERAL SESSIONS

INDICTMENT/CASE#: 2013GS2306411A/W#: 2012A2330203150Date of Offense: 10/14/2012S.C. Code §: 16-03-0029CDR Code #: 3410SENTENCE SHEET 0-304☐ CONVICTED OF or ☒ PLEADSin violation of § 16-03-0029 of the S.C. Code of Laws, bearing CDR Code # 3410☐ NON-VIOLENT ☒ VIOLENT ☐ SERIOUS ☒ MOST SERIOUS ☐ Mandatory GPS(CSC w/minor 1st or Lewd Act) ☐ §17-25-45The 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:

[Signature]
Sharon, Clerk015305
SC Bar#[Signature]
Defendant[Signature]
Attorney for Defendant3696
SC Bar#WHEREFORE, the Defendant is committed to the ☒ State Department of Corrections, ☐ County Detention Center,
for a determinate term of 30 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 with 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 ☐ OrderedTotal: \$ plus 20% fee: \$ Payment Terms: ☐ Set by SCDPPPS Recipient:

*Fine:

§ 14-1-206 (Assessments 107.5 %)	\$	
§ 14-1-211(A)(1) (Conv. Surcharge)	\$100	\$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	\$25
§ 14-1-213 (Drug Court Surcharge)	\$150	\$
§ 50-21-114(BUI Breath Test Fee)	\$30	\$
§ 56-5-2942(J) (Vehicle Assessment)	\$40/ea	\$
Proviso 90.5 (SCCJA Surcharge)	\$5	\$5
3% to County (if paid in installments)	\$	\$
TOTAL	\$	\$

PTUP

 days/hours Public Service EmploymentObtain GED ☐Attend Voc. Rehab. or Job Corp. May serve W/E beginning Substance Abuse Counseling ☐Random Drug/Alcohol testing ☐Fine may be pd. in equal, consecutive weekly/monthly
pmts. of \$ beginning \$ paid to Public Defender FundOther: ☐ Appointed PD or appointed other counsel,
§ 47.12 requires \$500 be paid to Clerk
during probation.Clerk of Court/ Deputy Clerk Paul B. WilliamsCourt Reporter: Johnson

SCCA/217 (03/2011)

Presiding Judge [Signature]Judge Code: 2162Sentence Date: 11-19-2013

STATE OF SOUTH CAROLINA

COUNTY OF GreenvilleSTATE VS.Shane Kelly Young

AKA: _____

Race: WHITE Sex: M Age: 31DOB: 1982 SS#: [REDACTED]Address: [REDACTED]City, State, Zip: SIMPSONVILLE, SC 29681DL#: [REDACTED] SID#: _____*CDL Yes ☐ No ☐ CMV Yes ☐ No ☐ Hazmat Yes ☐ No ☐

In disposition of the said indictment comes now the Defendant who was

TO: Murder / Attempted Murder

IN THE COURT OF GENERAL SESSIONS

INDICTMENT/CASE#: 2013GS2306413A/W#: 2012A2330203153Date of Offense: 10/16/2012S.C. Code §: 16-03-0029CDR Code #: 3410SENTENCE SHEET 0-30y☐ CONVICTED OF or ☒ PLEADSin violation of § 16-03-0029of the S.C. Code of Laws, hearing CDR Code # 3410☐ NON-VIOLENT ☒ VIOLENT ☐ SERIOUS ☒ MOST SERIOUS ☐ Mandatory GPS/CSC ☐ §17-25-45 w/minor 1st or Lowd 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: [Signature] 015305 [Signature] 3696
Strain, Betty SC Bar# Defendant Attorney for Defendant SC Bar#WHEREFORE, the Defendant is committed to the ☒ State Department of Corrections, ☐ County Detention Center, for a determinate term of 30 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 with 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

Total: \$ _____ plus 20% fee: \$ _____

Payment Terms: _____

☐ Set by SCDPPPS _____

Recipient: _____

*Fine:

§ 14-1-206 (Assessments 107.5 %)

§ 14-1-211(A)(1) (Conv. Surcharge)

§ 14-1-211(A)(2) (DUI Surcharge)

§ 56-5-2995 (DUI Assessment)

§ 56-1-286 (DUI Breath Test)

Proviso 47.9 (Public Def/Prob)

§ 14-1-212 (Law Enforce. Funding)

§ 14-1-213 (Drug Court Surcharge)

§ 50-21-114 (BUI Breath Test Fee)

§ 56-5-2942(J) (Vehicle Assessment)

Proviso 90.5 (SCCIA Surcharge)

3% to County (if paid in installments)

TOTAL

Clerk of Court/ Deputy Clerk

Court Reporter: Johnson

SCCA/217 (03/2011)

_____ days/hours Public Service Employment

Obtain GED ☐

Attend Voc. Rehab. or Job Corp. _____

May serve W/E beginning _____

Substance Abuse Counseling ☐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.Presiding Judge [Signature]Judge Code: 216 5Sentence Date: 11-19-2013

STATE OF SOUTH CAROLINA

COUNTY OF Greenville

STATE VS.

Shane Kelly Young

AKA:

Race: WHITE Sex: M Age: 31

DOB: 1982 SS#: [REDACTED]

Address: [REDACTED]
City, State, Zip: SIMPSONVILLE, SC 29681

DL#: [REDACTED] SID#: [REDACTED]

*CDL Yes ☐ No ☐ CMV Yes ☐ No ☐ Hazmat Yes ☐ No ☐In disposition of the said indictment comes now the Defendant who was
TO: Murder / Attempted Murder

IN THE COURT OF GENERAL SESSIONS

INDICTMENT/CASE#: 2013GS2306414

A/W#: 2012A2330203152

Date of Offense: 10/16/2012

S.C. Code §: 16-03-0029

CDR Code #: 3410

SENTENCE SHEET 0-304

☐ CONVICTED OF or ☒ PLEADS

in violation of § 16-03-0029

of the S.C. Code of Laws, bearing CDR Code # 3410

☐ 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:

[Signature]
Clerk, Court015305
SC Bar#[Signature]
Defendant[Signature]
Attorney for Defendant3696
SC Bar#

WHEREFORE, the Defendant is committed to the

☒ State Department of Corrections,☐ County Detention Center,

for a determinate term of 30 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 with 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

Total: \$ _____ plus 20% fee: \$ _____

Payment Terms: _____

☐ Set by SCDPPPS

Recipient: _____

*Fine:

§ 14-1-206 (Assessments 107.5%) \$

§ 14-1-211(A)(1) (Conv. Surcharge) \$100 \$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 \$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 (SCCA Surcharge) \$5 \$

3% to County (if paid in installments) \$

TOTAL \$

_____ days/hours Public Service Employment

Obtain GED ☐

Attend Voc. Rehab. or Job Corp. _____

May serve W/E beginning _____

Substance Abuse Counseling ☐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.

Clerk of Court/ Deputy Clerk

Court Reporter: [Signature]

SCCA/217 (03/2011)

Presiding Judge: [Signature]

Judge Code: 2162

Sentence Date: 11-19-2013

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF Greenville

STATE VS.

Shane Kelly Young

AKA:

Race: WHITE Sex: M Age: 31

DOB: 1982 SS#

Address:

City, State, Zip: SIMPSONVILLE SC 29681

DL#: SID#:

*CDL Yes ☐ No ☐ CMV Yes ☐ No ☐ Hazmat Yes ☐ No ☐

In disposition of the said indictment comes now the Defendant who was

TO: Murder / Attempted Murder

INDICTMENT/CASE#: 2013GS2306416

A/W#: 2012A2330203160

Date of Offense: 10/14/2012

S.C. Code §: 16-03-0029

CDR Code #: 3410

SENTENCE SHEET 0-30y

☐ CONVICTED OF or ☒ PLEADS

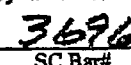
in violation of § 16-03-0029

of the S.C. Code of Laws, bearing CDR Code # 3410

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



WHEREFORE, the Defendant is committed to the ☒ State Department of Corrections, ☐ County Detention Center, for a determinate term of 30 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 with 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 PTUPTotal: \$ plus 20% fee: \$ days/hours Public Service Employment

Payment Terms:

☐ Set by SCDPPPS

Recipient:

*Fine:	\$
§ 14-1-206 (Assessments 107.5 %)	\$
§ 14-1-211(A)(1) (Conv. Surcharge)	\$100 \$100
§ 14-1-211(A)(2) (DUI Surcharge)	\$100 \$
§ 16-5-2995 (DUI Assessment)	\$12 \$
§ 16-1-286 (DUI Breath Test)	\$25 \$
Proviso 47.9 (Public Def/Prob)	\$500 \$
§ 14-1-212 (Law Enforce. Funding)	\$25 \$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 \$5
3% to County (if paid in installments)	\$
TOTAL	\$

Obtain GED ☐Attend Voc. Rehab. or Job Corp. May serve W/E beginning Substance Abuse Counseling ☐Random Drug/Alcohol testing ☐Fine may be pd. in equal, consecutive weekly/monthly pmts. of \$ beginning \$ paid to Public Defender FundOther:

☐ Appointed PD or appointed other counsel,
 § 47.12 requires \$500 be paid to Clerk
 during probation.

Presiding Judge

Judge Code: 2112

Sentence Date: 11-19-2013

Clerk of Court/ Deputy Clerk

Court Reporter: Johnson

SCCA217 (03/2011)

STATE OF SOUTH CAROLINA

COUNTY OF Greenville
 STATE VS.
Shane Kelly Young

AKA:

Race: WHITE Sex: M Age: 31

DOB: 1982 SS#: [REDACTED]

Address: [REDACTED]
 City, State, Zip: SIMPSONVILLE, SC 29681

DL#: [REDACTED] SID#: [REDACTED]

*CDL Yes ☐ No ☐ CMV Yes ☐ No ☐ Hazmat Yes ☐ No ☐

In disposition of the said indictment comes now the Defendant who was
 TO: Burglary / Burglary (After June 20, 1985) - First degree

IN THE COURT OF GENERAL SESSIONS

INDICTMENT/CASE#: 2013GS2306419

A/W#: 2012A2330203127

Date of Offense: 10/14/2012

S.C. Code § 16-11-0311

CDR Code #: 0079

SENTENCE SHEET 15 yrs - 1 yr

☐ CONVICTED OF or ☒ PLEADS

In violation of § 16-11-0311

☐ NON-VIOLENT ☒ VIOLENT ☐ SERIOUS ☒ MOST SERIOUS of the S.C. Code of Laws, bearing CDR Code # 0079

The charge is: ☒ As Indicted, ☐ Lesser Included Offense, ☐ Defendant Waives Presentment to Grand Jury, ☐ Mandatory GPS(CSC) ☐ §17-25-45
 The plea is: ☒ Without Negotiations or Recommendation, ☒ Negotiated Sentence, ☐ Recommendation by the State. (defendant's initials)

ATTEST: [Signature] 015305 [Signature] 3696
 Strum, Betty SC Bar# Defendant 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 with 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
 Total: \$ _____ plus 20% fee: \$ _____

Payment Terms: _____

☐ Set by SCDPPPS _____

Recipient: _____

*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 (SCCA Surcharge)	\$5	\$
3% to County (if paid in installments)	\$	\$
TOTAL	\$	\$

_____ days/hours Public Service Employment

Obtain GED ☐

Attend Voc. Rehab. or Job Corp. _____

May serve W/E beginning _____

Substance Abuse Counseling ☐

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.

Clerk of Court/Deputy Clerk

Court Reporter: Johnson

SCCA/217 (03/2011)

Paul B. Wickersham

Presiding Judge [Signature]

Judge Code: 2112

Sentence Date: 11-19-2013

STATE OF SOUTH CAROLINA

COUNTY OF Greenville
 STATE VS.
Shane Kelly Young

AKA:

Race: WHITE Sex: M Age: 31DOB: 12-1982 SS#: [REDACTED]Address: [REDACTED]City, State, Zip: SIMPSONVILLE, SC 29681DL#: [REDACTED] SID#: [REDACTED]*CDL Yes ☐ No ☐ CMV Yes ☐ No ☐ Hazmat Yes ☐ No ☐In disposition of the said indictment comes now the Defendant who was
 TO: Murder / Attempted Murder

IN THE COURT OF GENERAL SESSIONS

INDICTMENT/CASE#: 2013GS2306420A/W#: 2012A2330203146Date of Offense: 10/14/2012S.C. Code §: 16-03-0029CDR Code #: 3410SENTENCE SHEET 0-30 y☐ CONVICTED OF or ☐ PLEADSin violation of § 16-03-0029 of the S.C. Code of Laws, bearing CDR Code # 3410
☐ NON-VIOLENT ☒ VIOLENT ☐ SERIOUS ☒ MOST SERIOUS ☐ Mandatory GPS(CSC w/minor 1st or Lowd Act) ☐ §17-25-45
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:

[Signature]
 State Bar#

SC Bar#

Defendant

[Signature]
 Attorney for Defendant3696
 SC Bar#

WHEREFORE, the Defendant is committed to the ☒ State Department of Corrections, ☐ County Detention Center,
 for a determinate term of 30 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 with 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 16-25-63 (Criminal Domestic Violence) to ship, transport, possess, or receive a firearm or ammunition.

SPECIAL CONDITIONS:

☐ RESTITUTION: ☐ Deferred ☐ Def. Waives Hearing ☐ Ordered PTUPTotal: \$ plus 20% fee: \$

Payment Terms:

☐ Set by SCDPPPS

Recipient:

*Fines:

§ 14-1-206 (Assessments 107.5 %)		\$
§ 14-1-211(A)(1) (Conv. Surcharge)	\$100	\$ <u>100</u>
§ 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	\$ <u>25</u>
§ 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)	\$3	\$ <u>5</u>
3% to County (if paid in installments)		\$
TOTAL		\$

Clerk of Court/ Deputy Clerk

Court Reporter:

SCCA/217 (03/2011)

 days/hours Public Service EmploymentObtain GED ☐Attend Voc. Rehab. or Job Corp. May serve W/E beginning Substance Abuse Counseling ☐Random Drug/Alcohol testing ☐Fine may be pd. in equal, consecutive weekly/monthly pmts. of \$ beginning \$ paid to Public Defender FundOther:
☐ Appointed PD or appointed other counsel,
 § 47.12 requires \$500 be paid to Clerk
 during probation.

Presiding Judge

Judge Code: 2162Sentence Date: 11-19-2013

STATE OF SOUTH CAROLINA

COUNTY OF Greenville
 STATE VS.
Shane Kelly Young

AKA:

Race: WHITE Sex: M Age: 31

DOB: 1982 SS#: 1 2 3 4 5 6 7 8 9 0

Address:

City, State, Zip: SIMPSONVILLE, SC 29681

DL#: 1 2 3 4 5 6 7 8 9 0 SID#: 1 2 3 4 5 6 7 8 9 0

*CDL Yes ☐ No ☐ CMV Yes ☐ No ☐ Hazmat Yes ☐ No ☐

In disposition of the said indictment comes now the Defendant who was
 TO: Murder / Attempted Murder

IN THE COURT OF GENERAL SESSIONS

INDICTMENT/CASE#: 2013GS2306423

A/W#: 2012A2330203147

Date of Offense: 10/14/2012

S.C. Code §: 16-03-0029

CDR Code #: 3410

SENTENCE SHEET D-30y

☐ CONVICTED OF or ☒ PLEADS

in violation of § 16-03-0029

☐ NON-VIOLENT ☒ VIOLENT ☐ SERIOUS ☒ MOST SERIOUS of the S.C. Code of Laws, bearing CDR Code # 3410

☐ Mandatory GPS(CSC w/minor 1st or Lewd Act) ☐ §17-25-45

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: 1 2 3 4 5 6 7 8 9 0 015305 Shane Kelly Young John W. Wicks 3696
Shane Kelly Young SC Bar# John W. Wicks Attorney for Defendant SC Bar#

WHEREFORE, the Defendant is committed to the ☐ State Department of Corrections, ☐ County Detention Center,
 for a determinate term of 30 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 with 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 16-25-63 (Criminal Domestic Violence) to ship, transport, possess, or receive a firearm or ammunition.

SPECIAL CONDITIONS:

☐ RESTITUTION: ☐ Deferred ☐ Def. Waives Hearing ☐ Ordered PTUP

Total: \$ plus 20% fee: \$

Payment Terms:

☐ Set by SCDPPPS

Recipient:

*Fine:

§ 14-1-206 (Assessments 107.5 %)	\$	\$
§ 14-1-211(A)(1) (Conv. Surcharge)	\$100	\$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	\$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 (SCCA Surcharge)	\$5	\$
3% to County (if paid in installments)	\$	\$
TOTAL	\$	\$

Clerk of Court/ Deputy Clerk Paul B. Wicks

Court Reporter: Johnson

SCCA/217 (03/2011)

 days/hours Public Service Employment

Obtain GED ☐

Attend Voc. Rehab. or Job Corp.

May serve W/E beginning

Substance Abuse Counseling ☐

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.

Presiding Judge John W. Wicks

Judge Code: 2162

Sentence Date: 11-19-2013

STATE OF SOUTH CAROLINA

COUNTY OF
STATE

Greenville

VS.

Shane Kelly Young

AKA:

Race: WHITE

Sex: M

Age: 31

DOB: 1982

SS#: [REDACTED]

Address:

City, State, Zip: SIMPSONVILLE, SC 29681

DL#:

SID#:

*CDL Yes ☐ No ☐ CMV Yes ☐ No ☐ Hazmat Yes ☐ No ☐In disposition of the said indictment comes now the Defendant who was
TO: Murder / Murder

IN THE COURT OF GENERAL SESSIONS

INDICTMENT/CASE#: 2013GS2306424

A/W#: 2012A2330203145

Date of Offense: 10/15/2012

S.C. Code § 16-03-0010, 0020

CDR Code #: 0116

SENTENCE SHEET 304 - 116

☐ CONVICTED OF or ☒ PLEADS

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
w/minor 1st or Lewd Act)☐ §17-25-45The 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:

[Signature]

015305
SC Bar#

[Signature]

Defendant

[Signature]

Attorney for Defendant

3696
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 yearsand/or to pay a fine of \$; provided that upon the service of days/months/years and/or paymentof \$; plus costs and assessments as applicable*; the balance is suspended with 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

☐ 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

Total: \$ plus 20% fee: \$

Payment Terms:

☐ Set by SCDPPPS

Recipient:

*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

\$

 days/hours Public Service EmploymentObtain GED ☐Attend Voc. Rehab. or Job Corp. May serve W/E beginning Substance Abuse Counseling ☐Random Drug/Alcohol testing ☐Fine may be pd. in equal, consecutive weekly/monthly
pmts. of \$ beginning \$ paid to Public Defender FundOther: ☐ Appointed PD or appointed other counsel,
§ 47.12 requires \$500 be paid to Clerk
during probation.

Clerk of Court/ Deputy Clerk

Court Reporter: Johnson

SCCA/217 (03/2011)

Presiding Judge: [Signature]Judge Code: 2162Sentence Date: 11-19-2013

STATE OF SOUTH CAROLINA

COUNTY OF Greenville
 STATE VS.
Shane Kelly Young

AKA:

Race: WHITE Sex: M Age: 31

DOB: 1982 SS#: [REDACTED]

Address: [REDACTED]
 City, State, Zip: SIMPSONVILLE, SC 29681

DL#: [REDACTED] SID#: [REDACTED]

*CDL Yes ☐ No ☐ CMV Yes ☐ No ☐ Hazmat Yes ☐ No ☐

In disposition of the said indictment comes now the Defendant who was
 TO: Murder / Attempted Murder

IN THE COURT OF GENERAL SESSIONS

INDICTMENT/CASE#: 2013GS2306425

A/W#: 2012A2330203148

Date of Offense: 10/16/2012

S.C. Code §: 16-03-0029

CDR Code #: 3410

SENTENCE SHEET 0-30y

☐ CONVICTED OF or ☒ PLEADS

in violation of § 16-03-0029

☐ NON-VIOLENT ☒ VIOLENT ☐ SERIOUS ☒ MOST SERIOUS of the S.C. Code of Laws, bearing CDR Code # 3410

☐ 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:

[Signature]
 Clerk

05305
 SC Bar#

[Signature]
 Defendant

[Signature]
 Attorney for Defendant

3696
 SC Bar#

WHEREFORE, the Defendant is committed to the

☒ State Department of Corrections,

☐ County Detention Center,

for a determinate term of 30 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 with 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

FTUP

Total: \$ _____ plus 20% fee: \$ _____

Payment Terms:

☐ Set by SCDPPPS

Recipient:

*Fine:

§ 14-1-206 (Assessments 107.5%) \$

§ 14-1-211(A)(1) (Conv. Surcharge) \$100

§ 14-1-211(A)(2) (DUI Surcharge) \$100

§ 26-5-2995 (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(I) (Vehicle Assessment) \$40/ca

Proviso 90.5 (SCCA Surcharge) \$5

3% to County (if paid in installments)

TOTAL

_____ days/hours Public Service Employment

Obtain GED ☐

Attend Voc. Rehab. or Job Corp. _____

May serve W/E beginning _____

Substance Abuse Counseling ☐

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.

Clerk of Court/ Deputy Clerk

Court Reporter: [Signature]

SCCA/217 (03/2011)

Presiding Judge: [Signature]

Judge Code: 2162

Sentence Date: 11-19-2013

STATE OF SOUTH CAROLINA

COUNTY OF Greenville
 STATE VS.
Shane Kelly Young

AKA:

Race: WHITE Sex: M Age: 31
 DOB: 1982 SS#: [REDACTED]

Address: [REDACTED]
 City, State, Zip: SIMPSONVILLE, SC 29681
 DL#: [REDACTED] SID#: [REDACTED]

*CDL Yes ☐ No ☐ CMV Yes ☐ No ☐ Hazmat Yes ☐ No ☐
 In disposition of the said indictment comes now the Defendant who was
 TO: Murder / Attempted Murder

IN THE COURT OF GENERAL SESSIONS

INDICTMENT/CASE#: 2013GS2306426A/W#: 2012A2330203149Date of Offense: 10/16/2012S.C. Code §: 16-03-0029CDR Code #: 3410SENTENCE SHEET 0-304☐ CONVICTED OF or ☒ PLEADSin violation of § 16-03-0029☐ NON-VIOLENT ☒ VIOLENT ☐ SERIOUS ☒ MOST SERIOUSof the S.C. Code of Laws, bearing CDR Code # 3410The charge is: ☒ As Indicted, ☐ Lesser Included Offense,The plea is: ☐ Without Negotiations or Recommendation,☐ Defendant Waives Presentment to Grand Jury.

(defendant's initials)

ATTEST:

[Signature]
Clerk of Court015305
SC Bar#[Signature]
Defendant[Signature]
Attorney for Defendant3696
SC Bar#

WHEREFORE, the Defendant is committed to the

for a determinate term of 30 days/months/years or ☒ State Department of Corrections, ☐ County Detention Center,
 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 with 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 HearingTotal: \$ plus 20% fee: \$

Payment Terms:

☐ Set by SCDPPPS

Recipient:

*Fine:

§ 14-1-206 (Assessments 107.5%) \$ § 14-1-211(A)(1) (Conv. Surcharge) \$ § 14-1-211(A)(2) (DUI Surcharge) \$ 100§ 56-5-2995 (DUI Assessment) \$ § 56-1-286 (DUI Breath Test) \$ Proviso 47.9 (Public Def/Prob) \$ § 14-1-212 (Law Enforce. Funding) \$ § 14-1-213 (Drug Court Surcharge) \$ 25§ 50-21-114 (DUI Breath Test Fee) \$ § 56-5-2942(J) (Vehicle Assessment) \$ Proviso 90.5 (SCCA Surcharge) \$ 3% to County (if paid in installments) \$ TOTAL \$ days/hours Public Service EmploymentObtain GED ☐Attend Voc. Rehab. or Job Corp. May serve W/E beginning Substance Abuse Counseling ☐Random Drug/Alcohol testing ☐Fine may be pd. in equal, consecutive weekly/monthly
pmts. of \$ beginning \$ paid to Public Defender FundOther:

☐ Appointed PD or appointed other counsel,
 § 47.12 requires \$500 be paid to Clerk
 during probation.

Clerk of Court/ Deputy Clerk

Court Reporter: Johnson

SCCA/217 (03/2011)

Presiding Judge: [Signature]Judge Code: 2162Sentence Date: 11-19-2013