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SEP 12 2016

SC Court of Appeals

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HORRY COUNTY  
2016 SEP -9 PM 2:24  
MELANIE HUGGINS-WARD  
CLERK OF COURT

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

APPEAL FROM HORRY COUNTY  
Court of General Sessions  
Honorable Larry B. Hyman, Jr., Circuit Court Judge

Indictment Number(s):

2015GS2605552 and 2015GS2605556

The State of South Carolina, Respondent,

v.

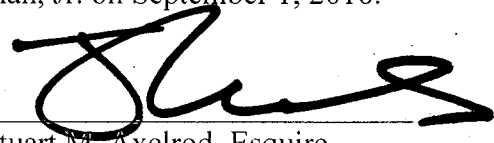
Daishon Javon Deas-Green, Appellant.

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2016 SEP -9 PM 2:30  
Melanie Huggins-Ward  
CLERK OF COURT  
HORRY COUNTY

NOTICE OF APPEAL

Daishon Javon Deas-Green appeals the conviction and sentence in this matter. The sentence was imposed by the Honorable Larry B. Hyman, Jr. on September 1, 2016.

September 9, 2016



Stuart M. Axelrod, Esquire  
Jeffrey T. Lucas, II, Esquire  
AXELROD & ASSOCIATES P.A.  
4701 Oleander Drive  
Myrtle Beach, SC 29577  
(843) 916-9300 Phone  
(843) 916-9311 Fax

Other Counsel of Record:  
George Debusk, Assistant Solicitor  
Horry County Solicitor's Office  
Post Office Box 1276  
Conway, SC 29528  
Phone: 843-915-5460  
*Attorney for Respondent*

STATE OF SOUTH CAROLINA )  
 )  
 COUNTY OF HORRY )  
 )  
 STATE OF SOUTH CAROLINA, )  
 )  
 -VS- )  
 )  
 DAISHON JAVON DEAS-GREEN, )  
 )  
 Defendant. )

IN THE COURT OF GENERAL SESSIONS  
 FIFTEENTH JUDICIAL CIRCUIT

Indictment No(s): 2015GS2605552,  
 2015GS2605553, 2015GS2605554,  
 2015GS2605555, 2015GS2605556,  
 2015GS2605557, 2015GS2605558,  
 2015GS2605559, 2015GS2605560,  
 2015GS2605561

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 HORRY COUNTY  
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AFFIDAVIT ATTENDANT TO APPEAL  
 FROM GUILTY PLEA

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SC Court of Appeals

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 HORRY COUNTY

PERSONALLY APPEARED BEFORE ME Jeffrey T. Lucas, II, who being duly sworn  
 deposes and says:

Per Appellate Rule 203(B)(iv) regarding an appeal from a guilty plea I hereby attest the  
 following:

1. Defendant was charged with Possession with Intent to Distribute Schedule I – III Drug (§ 44-53-0370(b)(2)), Receiving Stolen Goods (§ 16-13-0180(3)), Resisting Arrest (§ 16-09-0320(A)) and Financial Transaction Card Theft (§16-14-0020,0100(b)) on September 14, 2015.
2. Defendant was charged with two (2) counts of Attempted Murder (§ 16-03-0029) and one (1) count of Possession of a Weapon during Commission of a Violent Crime (§ 16-23-0490) on September 30, 2015.
3. Defendant was subsequently served additional warrants for two (2) counts of Armed Robbery (§ 16-11-0330(A)) and one (1) count of Kidnapping (§ 16-03-0910) on October 1, 2015.

4. Defendant retained Axelrod & Associates, P.A. on May 27, 2016 for the charges of Attempted Murder (x2), Armed Robbery (x2), Kidnapping, and Possession of a Weapon during the Commission of a Violent Crime. The firm was subsequently hired for the additional charges of Possession with Intent to Distribute Schedule III Drug, Receiving Stolen Goods, Resisting Arrest and Financial Transaction Card Theft on August 18, 2016.

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CLERK OF COURT  
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CLARE HUGGINS WARD

5. Defendant's negotiated plea was qualified by the Court and accepted on September 1, 2016 with a fifteen (15) year recommendation from the State. The State, at the completion of the plea to one (1) count of Armed Robbery and one (1) count of Attempted Murder, would dismiss the following indictments: 2015GS2605553 (Possession of a Weapon During the Commission of a Violent Crime), 2015GS2605554 (Attempted Murder), 2015GS2605555 (Armed Robbery), 2015GS2605557 (Kidnapping), 2015GS2605558 (Possession with Intent to Distribute Schedule I-III Drug), 2015GS2605559 (Receiving Stolen Goods), 2015GS2605560 (Resisting Arrest) and 2015GS2605561 (Financial Transaction Card Theft).

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CLARE HUGGINS WARD  
CLERK OF COURT  
HARRY SOUTHWICK

6. The sentence for Armed Robbery (§ 16-11-0330(A)) is a Class A felony punishable by a sentence of ten to thirty (10-30) years. The sentence for Attempted Murder (§ 16-03-0029) is a Class A felony punishable by a sentence of zero to thirty (0-30) years.

7. At the September 1, 2016 plea and sentencing Defendant was sentenced to a negotiated fifteen (15) years in the South Carolina State Department of Corrections.

8. During the Plea Judge's qualification of the Defendant the defendant was made aware that he has a right to an appeal within ten (10) days of accepting the plea (pursuant to Appellate Rule 203(B)(iv)).

9. This appeal is tendered solely at the request of the Defendant pursuant to Appellate Rule 203(B)(iv), as defense counsel is not aware of independent legal grounds for appeal.

Respectfully Submitted,



Signature of Affiant: Jeffrey T. Lucas, II

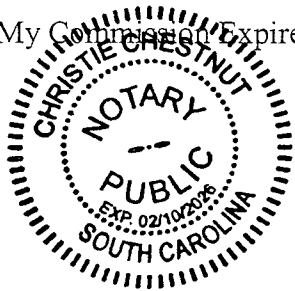
SWORN AND SUBSCRIBED TO before me this

9th day of September, 2016.

Christie Chestnut  
Notary Public for the State of South Carolina

My Commission Expires

02/10/2026



MELANIE HUGGINS-WARD  
CLERK OF COURT  
HORRY COUNTY

FILED  
2016 SEP -9 PM 2:24

Melanie Huggins-Ward  
CLERK OF COURT  
HORRY COUNTY

2016 SEP -9 PM 2:30

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ARREST WARRANT

2015A2620602337

STATE OF SOUTH CAROLINA

County/ Municipality of

Myrtle Beach

THE STATE 16-021789 against

Daishon Javon Deas-Green

Address: 504 Cooperhawk Court

Myrtle Beach, SC 29588-

Phone: (843)304-0644 SSN:

Sex: M Race: B Height: 5 11 Weight: 145

State: DL #:

DOB: Agency ORI #: SC0260600

Prosecuting Agency: Myrtle Beach Police Department

Prosecuting Officer: H Jones - 6912

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 9-29-15

Signature of Court Clerk

RETURN WARRANT TO:

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

ORIGINAL

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ORIGINAL

ORIGINAL

STATE OF SOUTH CAROLINA

County/ Municipality of

Myrtle Beach

Personally appeared before me the Plaintiff: H Jones

being duly sworn deposes and says that defendant Daishon Javon Deas-Green

did within this county and state on or about 9/28/2015 violate the criminal laws of the

State of South Carolina (or ordinance of County/ Municipality of Myrtle Beach)

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 9/28/2015, officers of the Myrtle Beach Police Department were dispatched for a shooting that occurred in the area of 33rd Ave N and Hwy 17 Bypass within the city limits of Myrtle Beach. Through investigation, it was learned that the defendant and co-defendants were in a 2003 Chevy Tahoe with TNT Auto tags driven by the Defendant. The victim's exited their residence at 1631 Arundel Rd and upon seeing the vehicle, believed they were breaking into vehicles. The vehicle fled and the victim's did follow to get a tag number. After getting the tag number, they pulled up beside the vehicle to look at the occupants and a verbal altercation happened between the defendants and victims. The co-defendant produced a handgun from the vehicle and threatened the victims. The defendant began to fire at the victims, then fled the area. Since the defendant did fire a firearm with intent to kill another with malice aforesaid, there is probable cause to believe that the defendant did commit the offense of Attempted Murder.

Signature of Affiant

STATE OF SOUTH CAROLINA

County/ Municipality of

Myrtle Beach

Affiant's Address 1101 Oak Street Myrtle Beach, SC 29577-

Affiant's Telephone

ARREST WARRANT

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

I appearing from the above affidavit that there are reasonable grounds to believe that

on or about 9/28/2015 defendant Daishon Javon Deas-Green

did violate the criminal laws of the State of South Carolina (or ordinance of County/ Municipality of Myrtle Beach) 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 9/28/2015

Signature of Clerk: Cheryl Schlegel Anderson Judge Code: 8065

Judge's Address 1101 Oak Street Myrtle Beach, SC 29577-

Judge's Telephone (843)918-1356

Issuing Court: Magistrate/ Municipal/ Circuit

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Form Approved by S.C. Attorney General April 21, 2009 00CA 018

AFFIDAVIT

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Court of Appeals

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BOND DENIED

ARREST WARRANT

2015A2620800208

STATE OF SOUTH CAROLINA

County/ Municipality of

Surfside Beach

THE STATE 15009732

against

Daishon Javon Deas Green

Address: 504 Coopers Hawk Ct

Myrtle Beach, SC 29588-7292

Phone: SSN:

Sex: M Race: B Height: 6 Weight: 144

DL State: SC DL #:

DOB: Agency Off #: SC0260800

Prosecuting Agency: Surfside Police Department

Prosecuting Officer: Vince Canfora - 0961

Offense: Robbery / Armed Robbery, robbery while armed or allegedly armed with a deadly weapon

Offense Code: 0139

Code/Ordinance Sec: 16-11-0330(A)

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 Daishon J. Deas Green

on 0-5-15

Signature of Constable Law Enforcement Officer

RETURN WARRANT TO:

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

ORIGINAL

ORIGINAL

ORIGINAL

ORIGINAL

STATE OF SOUTH CAROLINA

County/ Municipality of

Surfside Beach

AFFIDAVIT

ORIGINAL

Form Approved by S.C. Attorney General April 21, 2003 SCCA 918

Personally appeared before me the affiant Vince Canfora being duly sworn deposes and says that defendant Daishon Javon Deas Green

on or about 9/27/2015 violate the criminal laws of the State of South Carolina (or ordinance of County Municipality of Surfside Beach) in the following particulars:

DESCRIPTION OF OFFENSE: Robbery / Armed Robbery, robbery while armed or allegedly armed with a deadly weapon

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:

SEE ATTACHED AFFIDAVIT

Signature of Affiant

STATE OF SOUTH CAROLINA

County/ Municipality of

Surfside Beach

Affiant's Address 811 Pine Drive Surfside Beach, SC 29575-3825

Affiant's Telephone (843)913-6368

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 9/27/2015 defendant Daishon Javon Deas Green

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

County/ Municipality of Surfside Beach) as set forth below:

DESCRIPTION OF OFFENSE: Robbery / Armed Robbery, robbery while armed or allegedly armed with a deadly weapon

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

of 10/1/2015

Signature of Issuing Judge Valeric R. Riley Judge Code: 6872

Judge's Address 115 US Highway 17, North Surfside Beach, SC 29575-6096

Judge's Telephone (843)913-6338

Issuing Court: Magistrate Municipal Circuit

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Clerk of Court  
Horry County

Myrtle Beach, South Carolina  
2015 OCT 15 AM 9:29

**AFFIDAVIT OF PROBABLE CAUSE**

B


State of South Carolina )  
County of Horry )  
Town of Surfside Beach )

Warrant Number : 2015A2620800208  
Affiant : Officer Vincent Canfora  
Defendant : Daishon Javon Deas-Green  
Case Number : 15009732

South Carolina Code Section: 16-11-330  
Offense: Armed Robbery

On 9/27/2015 at approximately 2310 hours Surfside Beach Police officers were dispatched to River City Café 11 N. Seaside Dr., within the city limits of Surfside beach, SC, in response to the report of an armed robbery. Upon their arrival they were met by the victims who stated a black male wearing a camouflage bandana across his face made his presence known to them as they were exiting the establishment. Upon the victims walking under the building to make sure the lights and television were off the subject pointed a firearm at them, holding them at gunpoint which prevented them from leaving, and stated "give me the money". The male victim (Blackwell) stepped between the subject and the female victim (French) and held out his car keys which the subject then took. The subject then refocused on the female victim and again demanded "give me the money" at which time she gave him her purse and gym bag. The subject then fled north on Seaside Dr. As the subject fled the victims noticed a white Chevrolet Tahoe exited the parking lot adjacent to the scene of the crime. During the course of the investigation of the armed robbery at 11 N. Seaside Dr., it was learned that the subjects in the White Chevrolet Tahoe were wanted by another agency for crimes committed prior to the incident at River City Café. While conducting that investigation one of the subjects arrested confessed to being involved in the incident at 11 N. Seaside Dr. and implicated the others who were also in the vehicle, providing names, details, and physical evidence associated with the crimes as well as details on how the criminal activity was planned in advance. Jordan Immanuel Powell, B/M, DOB 04/13/1998, was identified as the subject on scene with the firearm he received from Daishon Javon Deas-Green, B/M, DOB 04/02/1996, who has been convicted of a violent crime in the past, preventing him from legally possessing a firearm. During an interview with the owner of the vehicle, who was also present during the commission of the crimes, the subject stated that they waited for approximately one hour in the parking lot next to River City Café while planning the details of the criminal activity. Parties to the crime who were present in the vehicle were Daishon Javon Deas-Green, 4/2/1998, BM, Brandon Jordan, 10/30/1995, WM, Dominick R'Shad Andrews, 11/2/1996, B/M, Jordan Powell, BM, DOB 4/13/1998, and Joseph Gianni Bardelli, WM, 12/6/1997. Search of the vehicle conducted by Myrtle Beach Police Department provided the bandana used by Powell to conceal his identity. This property was then transferred from Myrtle Beach Police Investigators to the Surfside beach Police and this investigation.

Sworn to and subscribed to before me )  
on October 15, 2015 )  
Colore Kelly )  
Signature of Issuing Judge )

  
Signature of Affiant  
811 Pine Drive  
Surfside Beach, SC 29575  
843-913-6368

DOCKET NO. 2015-GS-26- 05552

**WITNESSES**

Andrew Baro Myrtle Beach Police Department

**The State of South Carolina  
County of Horry**

George H. DeBusk, Jr.  
15H04857

**COURT OF GENERAL SESSIONS**

**DECEMBER, 2015 TERM**

**ARREST WARRANT NUMBER**

2015A2620602337  
CDR: 3410 16-03-0029  
DOA: 9/30/2015

**THE STATE**

vs.

**ACTION OF GRAND JURY**

**TRUE BILL**

Daishon Javon Deas-Green  
B/ M  
504 Cooperhawk Court  
Myrtle Beach, SC 29588  
DOB: 1996-04-02  
SSN: 248997210

*Bob Harris*

Foreperson of Grand Jury  
Date:

DEC 17 2015

**ATTORNEY: Johnny Gardner**

**VERDICT**

**Indictment for**

**ATTEMPTED MURDER**

**Jimmy A. Richardson, II, Solicitor**

CLERK OF COURT  
HORRY COUNTY

*Melanie Huggins-Ward*

Foreperson of Petit Jury  
Date:

2016 SEP -9 PM 2:30

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MELANIE HUGGINS-WARD  
CLERK OF COURT

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HORRY COUNTY

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF HORRY )

INDICTMENT


At a Court of General Sessions, convened on December 17, 2015 the Grand  
Jurors of Horry County present upon their oath:

ATTEMPTED MURDER

CDR: 3410 16-03-0029

That Daishon Javon Deas-Green, along with others, did in Horry County on or about  
September 28, 2015 with intent to kill Misty Pate, attempt to kill the victim with malice  
aforethought, either expressed or implied in violation of Section 16-3-29, S. C. Code of  
Laws, 1976, as amended.

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

  
JIMMY L. RICHARDSON, II  
FIFTEENTH CIRCUIT SOLICITOR

Melanie Huggins Ward  
CLERK OF COURT  
HORRY COUNTY

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MELANIE HUGGINS WARD  
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HORRY COUNTY

FILED  
WITNESSES  
HORRY COUNTY

Vince Canfora Surfside Beach Police Department

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MELANIE HUGGINS-WARD  
CLERK OF COURT

REST WARRANT NUMBER

2015A2620800208  
CDR: 0139 16-11-0330(A)  
DOA: 10/5/2015

ACTION OF GRAND JURY

TRUE BILL

*Bo Harris, Jr.*  
Foreperson of Grand Jury  
Date: DEC 17 2015

VERDICT

Foreperson of Petit Jury  
Date:

DOCKET NO. 2015-GS-28-05556

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The State of South Carolina  
County of Horry

2016 SEP -9 PM 2: 30

*Melanie Huggins-Ward*  
CLERK OF COURT  
HORRY COUNTY

George H. DeBusk, Jr.  
15H04703

COURT OF GENERAL SESSIONS

DECEMBER, 2015 TERM

THE STATE

vs.

Daishon Deas Green  
B/ M  
9570 Scipio Lane  
Myrtle Beach, SC 29588  
DOB: 1996-04-02  
SSN:

ATTORNEY: Johnny Gardner

Indictment for  
ARMED ROBBERY

Jimmy A. Richardson, II, Solicitor

ORIGINAL

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF HORRY )

INDICTMENT


At a Court of General Sessions, convened on December 17, 2015, the Grand Jurors of Horry County present upon their oath:

**ARMED ROBBERY**

CDR: 0139 16-11-0330(A)

That Daishon Deas Green, along with others, did in Horry County on or about September 27, 2015, while armed with a deadly weapon, to wit: a firearm, take and carry away personal property of Zackary Blackwell from or in the immediate presence of Zackary Blackwell with intent to deprive Zackary Blackwell of possession by use of force, threats or intimidation, in violation of Section 16-11-0330(A), S. C. Code of Laws, 1976, as amended.

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

  
JIMMY K. RICHARDSON, II  
FIFTEENTH CIRCUIT SOLICITOR

*Melanie Higgins-Ward*  
CLERK OF COURT  
HORRY COUNTY

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HORRY COUNTY  
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MELANIE HIGGINS-WARD  
CLERK OF COURT

# AXELROD & ASSOCIATES, P.A.

Attorneys and Counselors at Law

Stuart Mark Axelrod†  
Caitlin M. Epley  
W. Christopher Castro  
Craig Anderson Snook  
Jeffrey T. Lucas, II  
William J. Nowicki (Rock Hill Office)\*

"Success is all that Matters"

4701 Oleander Drive  
Myrtle Beach, SC 29577  
P: 843.916.9300  
F: 843.916.9311

www.GotAxelrod.com

†Certified Family Court Mediator  
\*Licensed in SC and NC

June 27, 2016

Honorable Melanie Huggins-Ward  
Clerk of Court for Horry County  
PO Box 677  
Conway, SC 29528

Re: State of South Carolina v. Daishon Ja'von Deas-Green  
Warrant(s): 2015A2620602347 (Attempted Murder), 2015A2620602337  
(Attempted Murder), 2015A2620800204 (Armed Robbery)  
,2015A2620800205 (Kidnapping), 2015A2620602338 (Poss. of  
weapon), 2015A2620800208 Armed Robbery

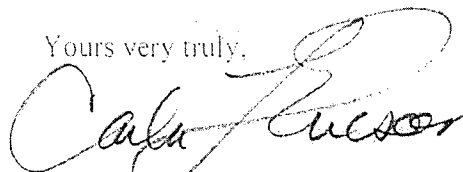
Dear Madame Clerk:

Please be advised that this office has been retained to represent Daishon Ja'von Deas-Green on the above listed charge(s) presently pending in General Sessions court.

I have enclosed for filing the original and one (1) copy of a *Notice of Appearance and Defendant's Notice and Motion for Production of Evidence, Disclosure of Witnesses, and Request for Speedy Trial* along with a *Certificate of Service* evidencing this Motion has been properly served upon the Prosecution. Kindly file the originals and return a clock copy of each in the enclosed self-addressed, stamped envelope.

With kind regards, I am

Yours very truly,



Carla L. Ericson, Administrative Legal Assistant  
Criminal Defense Division

Enc

cc: George H. DeBusk, Horry County Solicitor's Office

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HORRY COUNTY  
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CLERK OF COURT

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CLERK OF COURT  
HORRY COUNTY

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF HORRY )

IN THE COURT OF GENERAL SESSIONS  
FIFTEENTH JUDICIAL CIRCUIT

STATE OF SOUTH CAROLINA. )  
 )

NOTICE OF APPEARANCE

v. )  
 )

Daishon Ja'von Deas-Green. )  
 )  
\_\_\_\_\_ )

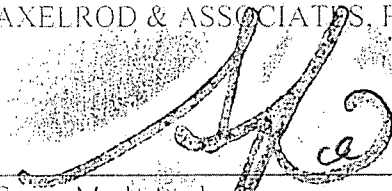
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HORRY COUNTY  
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MELANIE HESSE  
CLERK OF COURT

WARRANT(S): 2015A2620602347 (Attempted Murder), 2015A2620602337  
(Attempted Murder), 2015A2620800204 (Armed Robbery), 2015A2620800205  
(Kidnapping), 2015A2620602338 (Poss. of weapon), 2015A2620800208 (Armed  
Robbery)

TO: George H. DeBusk, Assistant Solicitor for the Horry County Solicitor's Office

PLEASE TAKE NOTICE that the undersigned attorney, Stuart M. Axelrod, is admitted or otherwise authorized to practice in this court and hereby makes appearance as counsel for Defendant, Daishon Ja'von Deas-Green.

AXELROD & ASSOCIATES, P.A.

  
Stuart Mark Axelrod  
Attorneys for Defendant  
4701 Oleander Drive  
Myrtle Beach, SC 29577  
Office: (843) 848-6722  
Fax: (843) 848-6723

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Melanie Hesse  
CLERK OF COURT  
HORRY COUNTY

June 27, 2016  
Myrtle Beach, South Carolina

**COPY**



6. Make available any and all handwritten notes made by police or other investigating officers of their interview(s) or conversation(s) with any Defendant or any other witness;
7. Make available any and any and all photographs either taken by or within the care, custody, and/or control of the prosecution, law enforcement, and/or any agents thereof including, but not limited to photographs taken of the Defendant on any portion of his/her body, photographs taken at the scene of the alleged crime; photographs taken of the alleged victim or any prosecuting witness, photographs that have been exhibited to any person for the purpose of establishing the identity of the perpetrator of the crime charged and the name and current address of the person or persons to whom the photographs were shown.
8. Make available any and all scientific or medical reports which tend to establish the Defendant's innocence, to mitigate punishment, or to impeach, discredit, or contradict the testimony of any witness whom the State will or may call at trial. *Ashley v. Texas*, 319 F.2d 80 (5<sup>th</sup> Cir.), cert. Denied, 375 U.S. 931, 84 S.Ct. 331 (1963). This request shall include any reports by the State Law Enforcement Division (SLED) criminalistics laboratory, Federal Bureau of Investigation laboratories, Court Sheriff's Department laboratory or any other law enforcement laboratory concerning an examination made by said laboratories and/or personnel thereof, of any physical, photographic, or oral written evidence concerning the investigation of this case.
9. Make available any and all reports from the State Law Enforcement Division (SLED), Sheriff's Department, or any other law enforcement agency, including the Federal Bureau of Investigation, concerning fingerprints checked in connection with this case.
10. Make available any and all records of arrests or criminal convictions of the Defendant or any other co-Defendant and all state's witnesses in relation to this case. *Giglio v. U.S.* *supra*.
11. Make available any and all "inconsistent" statements made by a particular witness or between the witnesses, whether written or oral, that is known to the Solicitor's Office or any other law enforcement agency.
12. Make available any and all statement(s) or admission(s) by any witness for or on behalf of the State with respect to the witness' memory or loss thereof.
13. Indicate whether or not any witness called before the Grand Jury who has or will give testimony to any investigative agency or at trial has ever been psychiatrically hospitalized or undergone psychiatric treatment, examination, mental status examination or care, and

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 HORRAT COUNTY  
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 CLERK OF COURTS  
 HORRAT COUNTY

- if so, a list of names and addresses of the psychiatrists, hospitals and copies of any and all relevant records and reports.
14. Make available any and all notes or memoranda by psychiatrists or other mental health examiners regarding any conversation(s) and/or contact(s) with the Defendant.
  15. Make available any and all plea offers, promises, rewards, reductions, dismissals, or agreements not to bring criminal charges or any other inducements made to any witness herein, whether or not they have testified before any State or Federal Grand Jury, or other investigative agency, and regardless of whether or not they will testify at trial.
  16. Make available any and all offers or grants of immunity to any witness from loss of property, fine, forfeiture, prosecution or punishment in this case or any other case, related or otherwise.
  17. Make available any and all memoranda, reports and correspondence to and/or from the various law enforcement agencies regarding or in any way connected to the investigation herein.
  18. Make available any and all physical or tangible items in the possession, custody or control of which could reasonably be brought within the possession, custody or control of the Solicitor's Office, State, Federal or local law enforcement agency.
  19. Make any chemist, analyst, and all person(s) within the chain of custody appear in Court for the purposes of personally testifying. Attorney for the Defendant thus objects to introduction of any chemist's or analyst's report pursuant to Rule 6, SCR CrimP.

FILED  
 HARRY COUNTY  
 2018 JUN 28 PM 3:32  
 CLERK OF COURT  
 HARRY COUNTY  
 2018 SEP -9 PM 2:31  
 CLERK OF COURT  
 HARRY COUNTY  
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Further, Defendant contends that this Court should specifically direct the Prosecution, in the spirit of fairness and equity, to seek and produce for the Defendant the documents, letters, records, and other items sought, irrespective of the State's determination of whether a witness' statement or a particular letter or exhibit can "help" the Defendant. The Defendant and his attorney, not the Solicitor, should be the judge of this defense and the documents relevant thereto and necessary in support of same. To the extent the Defendant is specifically required to demonstrate the materiality of the requested information, the Defendant submits that this requirement is satisfied in this motion. *United States v. Agurs*, 427 U.S. 97 (1976).

Recognizing that *Brady v Maryland*, *supra*, and other authorities cited require that information favorable to the Defendant be made available, and further recognizing that a genuine disagreement may arise as to whether or not a particular item of evidence is favorable, it will be requested that the Court provide for an in camera inspection of the items sought to be discovered

should you feel such items are not favorable to the Defendant. By permitting the Court to examine the items requested, the legitimate interests of the State will be protected in that no disclosure in excess of *Brady, et al* will occur. Further will be requested of the Court that said Order will be a continuing one, and if, prior to or during trial, the prosecution discovers additional evidence or material requested, the prosecution is hereby requested promptly to notify counsel for the Defendant of the existence of the additional evidence or material.

This information is requested pursuant to Rule 5 of the South Carolina Rules of Criminal Procedure. This information is further requested pursuant to Brady vs. Maryland 373 U.S. 83, 10 L. Ed. 2d 215, 83 S. Ct. 1194 (1963), U.S. vs. Agurs, 427 U.S. 97, 49 L Ed 2<sup>nd</sup> 379, 96 S. Ct. 2392 1976, State vs. Mixon 274 S.E. 2<sup>nd</sup> 406 (1981). Further this information is requested on the grounds that it is essential to insure the Defendant's right to a fair trial, the right to confrontation of witnesses, the right to effective Counsel and due process of law guaranteed by the South Carolina Constitution, and the United States Constitution.

FILED  
Horry County  
2016 JUL 28 PM 3:32  
CLERK OF COURT  
JERRY H. WATKINS

ADDITIONALLY DEFENDANT REQUESTS A SPEEDY TRIAL:

Defendant hereby demands that he be indicted and tried during the next term of General Sessions Court in this County pursuant to his right to a speedy trial under the United States and the South Carolina Constitutions and Under S.C. Code Ann. 17-23-90 (1976, as amended). Pursuant to 17-23-90 the Defendant requests that if the defendant "shall not be indicted and tried within the second term after his commitment...he shall be discharged from his imprisonment."


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JERRY H. WATKINS

WHEREFORE, Defendant prays:

1. That the Prosecuting Authority be Ordered to produce all information described here and allow the Defendant the right to examine, inspect, copy and photograph, such materials and information at a specific time and place to be fixed by the Court.
2. That the information be provided no later than 30 days from the date of this request.
3. That the Court enter an Order requiring the Prosecuting Authority to make continuing disclosure of all matters presently within their possession and knowledge concerning the matter set forth in this Motion and to make such Order requiring a continuing disclosure of all matters requested herein up to the trial of the charges against the Defendant(s).
4. That he be afforded his right to a speedy trial as requested.

[Signature block on following page]

AXELROD & ASSOCIATES, P.A.

  
Stuart Mark Axelrod  
Attorneys for Defendant  
4701 Oleander Drive  
Myrtle Beach, SC 29577  
Office: (843) 848-6722  
Fax: (843) 848-6723

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HORRY COUNTY  
2016 JUN 28 PM 3:32  
MELANIE J. HARRIS  
CLERK OF COURT

Myrtle Beach, South Carolina  
June 27, 2016

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2016 SEP -9 PM 2:31  
*Melanie Harris*  
CLERK OF COURT  
HORRY COUNTY

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF Horry )

IN THE COURT OF GENERAL SESSIONS  
FIFTEENTH JUDICIAL CIRCUIT

STATE OF SOUTH CAROLINA. )

CERTIFICATE OF SERVICE

v. )

Daishon Ja'von Deas-Green. )

Defendant. )

2015A2620602347 (Attempted  
Murder),2015A2620602337 (Attempted  
Murder),2015A2620800204 (Armed Robbery)  
,2015A2620800205 (Kidnapping)  
,2015A2620602338 (Poss. of weapon)  
2015A2620800208 Armed Robbery

CLERK OF COURT  
HORRY COUNTY

2016 JUN 28 PM 3:33

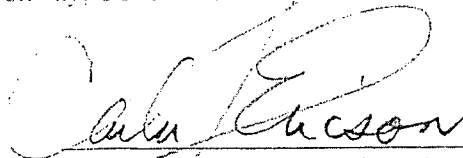
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I, Carla L. Ericson, Administrative Legal Assistant for Axelrod & Associates, P.A., hereby certify that I have this day properly served the foregoing Notice of Appearance and Motion for Production of Evidence, Disclosure of Witnesses, and Request for Speedy Trial upon the State via hand delivered to the addressee below:

George H. DeBusk  
Horry County Solicitor's Office  
PO Box 1276  
Conway, SC 29528



Carla L. Ericson, Administrative Legal Assistant  
AXELROD & ASSOCIATES, P.A.  
4701 Oleander Drive  
Myrtle Beach, SC 29577  
Office: (843) 848-6712  
Fax: (843) 848-6713  
Email: <mailto:carla@gotaxelrod.com>

Myrtle Beach, South Carolina  
June 27, 2016

**COPY**

**RECEIVED**

SEP 12 2016

SC Court of Appeals

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

APPEAL FROM HORRY COUNTY  
Court of General Sessions  
Honorable Larry B. Hyman, Jr., Circuit Court Judge

Indictment Number(s):

2015GS2605552 and 2015GS2605556

The State of South Carolina,

Respondent,

v.

Daishon Javon Deas-Green,

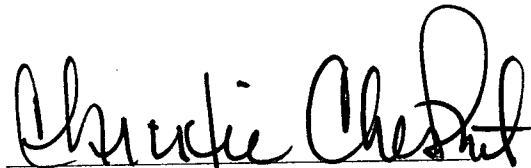
Appellant.

PROOF OF SERVICE

I certify that I have served the Notice of Appeal on the State of South Carolina by depositing a copy of the Notice via hand delivery addressed to the Assistant Solicitor of Record:

**George Debusk, Assistant Solicitor  
Horry County Solicitor's Office  
1301 2<sup>nd</sup> Avenue  
Conway, S.C. 29526**

September 9, 2016



Christie Chestnut, Paralegal  
AXELROD & ASSOCIATES P.A.  
4701 Oleander Drive  
Myrtle Beach, SC 29577  
Phone: (843) 848-6720  
Facsimile: (843) 916-6721  
[Christie@gotaxelrod.com](mailto:Christie@gotaxelrod.com)

NECLARE HUGGINS-WARD  
CLERK OF COURT

2016 SEP -9 PM 2: 24

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HORRY COUNTY

NECLARE HUGGINS-WARD  
CLERK OF COURT  
HORRY COUNTY

2016 SEP -9 PM 2: 30

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**AXELROD & ASSOCIATES, P.A.**  
Attorneys and Counselors at Law

Stuart Mark Axelrod†  
Caitlin M. Epley  
W. Christopher Castro  
Craig Anderson Snook  
Jeffrey T. Lucas, II  
William J. Nowicki (Rock Hill Office)\*

*"Success is all that Matters"*

4701 Oleander Drive  
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†Certified Family Court Mediator  
\*Licensed in SC and NC

September 9, 2016

The Honorable Jenny Abbott Kitchings  
Clerk of Court for South Carolina Court of Appeals  
1220 Senate Street  
Columbia, South Carolina 29201

**RECEIVED**

SEP 12 2016

SC Court of Appeals

RE: State of South Carolina vs. Daishon Javon Deas-Green  
Indictment Number: 2015GS2605552 and 2015GS2605556

Dear Ms. Kitchings:

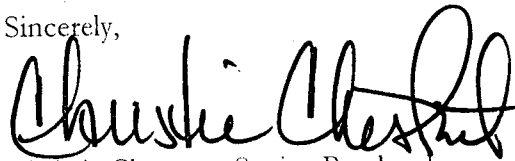
Enclosed for filing is a Notice of Appeal in the above referenced matter. Also enclosed are the following:

1. Proof of Service of the Notice of Appeal on the Respondent
2. A copy of the Sentence Sheet which is to be challenged

I would appreciate your filing of the Notice of Appeal, as well as the Proof of Service and returning to me the date-stamped copies in the enclosed self-addressed stamped envelope.

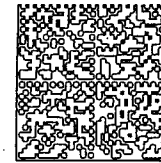
Should you have any questions concerning this matter, please do not hesitate to contact our office.


Sincerely,



Christie Chestnut, Senior Paralegal  
Criminal Defense Division

Enclosures as stated  
Cc: File



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**AXELROD**  
 & ASSOCIATES  
 ATTORNEYS AT LAW

4701 Oleander Drive ♦ Myrtle Beach, SC 29577

cdc

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 SEP 12 2016  
 SC Court of Appeals

The Honorable Jenny Abbott Kitchings  
 Clerk of Court for South Carolina Court of Appeals  
 1220 Senate Street  
 Columbia, South Carolina 29201