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STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

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SC Court of Appeals

22868

Appeal from Charleston County

Honorable Kristi Lea Harrington, Circuit Court Judge

THE STATE,

RESPONDENT,

v.

DAMEON LAMAR THOMPSON

APPELLANT

APPELLATE CASE NO 2015-001029

RECORD ON APPEAL

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STATE OF SOUTH CAROLINA
VS.
DAMEON LAMAR THOMPSON,
DEFENDANT.

held before the Honorable Kristi L. Harrington
Mia Perron, Circuit Court Reporter, 9th Judicial Circuit
in the Dorchester County Courthouse
St. George, South Carolina
on Monday, November 3, 2014, Commencing at 2:37 p.m.

SUSAN "MIA" PERRON, CVR-CM-M
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[None]

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PROCEEDINGS

1
2 MR. SHAHID: This is sort of the situation with
3 Mr. Thompson. This is Dameon Thompson. And I filed
4 two motions, Judge, I just handed up to you. One is a
5 motion for a change of venue, and the other motion is a
6 motion for continuance. And I recognize my motion for
7 change of venue may be a little creative, but I think
8 it's got some -- I think it has some merit to it.

9 Mr. Thompson is charged with several offenses that
10 took place back in January of 2013. And the incident
11 started over by Westcott Plantation, which is on just
12 the other side of the Charleston County line, into the
13 Dorchester County Line. There was a blue light
14 violation. There was a high-speed chase. I got the
15 tape from the solicitor's office last week about the
16 in-camera video, which shows how the chase went down.
17 Eventually comes to a rest, in Charleston County, in
18 this little subdivision. I have a map from Mapquest I
19 can show you just how close all of this really is. But
20 it ends up over in Charleston County.

21 When he is -- when the car comes to a stop, he gets
22 out of the car. North Charleston Police Department are
23 involved in this case and subsequent arrest. And when
24 they arrest him, he gets out of the car, tries to scale
25 a fence, and the police indicate that on him was some

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1 crack cocaine.

2 Later, when the car is being towed away, according
3 to the incident report they locate a firearm. And so
4 two of the charges relating to firearm offenses are
5 connected to the gun being located in this rental car.

6 No question the chase starts in Dorchester County,
7 and there's no question it ends in Charleston County.
8 The police are stopping him, according to the incident
9 report, for a moving traffic violation; that is, they're
10 pacing him for a distance. There's no indicating from
11 the incident reports that police have filed that he's a
12 suspect for burglary or he's a suspect for any other
13 offense that's happening in Dorchester County and is,
14 you know, I guess, arguably, a routine traffic stop.
15 Turns into this chase, turns into this accident, turns
16 into the recovery of guns and drugs.

17 Now, arguably, if he possessed the guns in
18 Dorchester, he would possess them in Charleston. The
19 same thing with both the firearm [phonetic] and the gun.
20 But they don't have any suspicion of that. There's no
21 indication of that. There's no investigation. There's
22 no indicia of that taking place until they stop the car.
23 So I'm asking for the venue to be changed because the
24 car ends up in Charleston County.

25 Now, the other part of this -- it's not in my

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1 motion, but it just sort of makes I think judicial
2 sense, Judge. He is also facing charges in Charleston
3 County.

4 THE COURT: Related to this stop?

5 MR. SHAHID: Not related to this stop.

6 They're all different instances that have occurred
7 in 2012, 2013 and 2014. 2012 and 2014. I'm sorry.

8 From a practical standpoint, we could resolve all
9 these cases. The solicitor can retain his jurisdiction,
10 if he wants, in the prosecution of this case if we can
11 somehow bring all these cases to bear in Charleston
12 County.

13 THE COURT: Why can't I take his plea here today on
14 these charges and then sentence him in Charleston?

15 MR. SHAHID: And I'm comfortable doing that, Judge,
16 with the understanding -- because this is --

17 THE COURT: Are you comfortable doing that?

18 MR. SORENSON: Yes, Your Honor.

19 Can I put my position on -- on kind of a little bit
20 on the record that I've talked to Mr. Shahid about? Is
21 he does have multiple charges in Charleston County
22 pending. Part of the problem at this point in time has
23 been his inability to get the Charleston assistant
24 solicitor basically to give him an offer or to get on
25 board.

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1 What I suggested doing, what I was going to do, was
2 to take his plea today -- there's been an offer -- to
3 take his plea today and my initial -- not actually doing
4 it in Charleston County, but was to basically withhold
5 sentencing for a month when Your Honor is back the week
6 of December 8th. That would give him a month to try to
7 see. Because there's no guarantee that he's going to
8 get -- I mean, I can't predict that he's going to get
9 what he wants out of the solicitor in Charleston. I
10 don't know if that's going to happen or not but, I mean,
11 I don't think that should --

12 THE COURT: You made an offer on these charges?

13 MR. SORENSON: Have I? Or he?

14 THE COURT: Have you.

15 MR. SORENSON: I have, yes.

16 THE COURT: What is the offer?

17 MR. SORENSON: It was a range of five to six years
18 on failure to stop for a blue light and trafficking, and
19 I would drop the other three charges.

20 MR. SHAHID: And we're amenable, Judge.

21 But the problem that I have -- and this has been
22 explained to Mr. Thompson -- I think, and I may just be
23 actually dead wrong with us. But I think that in
24 looking at a person's prior record, that you look at the
25 date of conviction and how that applies to his overall

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1 prior record. In other words, if he stands today and
2 enters a plea in front of you today on November the 3rd,
3 that's a conviction, no matter what that may be. If he
4 appears in front of you again on December 8th or January
5 3rd of 2015, and let's say you say I hereby sentence you
6 to blah years, whatever that may be, is the -- are we
7 going to treat that as two separate convictions.

8 And I'm just -- I'm uncomfortable with all that.
9 I think that -- I'm appreciative of Mr. Sorenson and
10 Ms. Savis working with me. We're trying to work this
11 out. We're trying to coordinate, and I think we're
12 all -- I'm trying to do what's in the best interest of
13 my client.

14 THE COURT: Are there any -- are there any
15 convictions that would subject him to LWOP at some later
16 time? That would be the only thing that I could --
17 would even contemplate. But I don't even know that --

18 MR. SORENSON: Obviously, this would be a serious.
19 It would be a strike under the three-strike laws.

20 MR. SHAHID: It would be a violent -- it's a
21 violent crime.

22 THE COURT: But I don't even know that if I -- even
23 if we package them all together and he pled in front of
24 me here today, that that would impact it, either. So --

25 MR. SHAHID: I know -- I am certain, Judge, that

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1 under certain jurisdictions, standing in front of a
2 judge and there were convictions on x date, regardless
3 of when the incidents took place, Courts normally look
4 at the date of conviction, not the date of the offense.
5 So if he's convicted on whatever that date is, there's a
6 line in the sand, that's considered one conviction.

7 THE COURT: But I'm not going to do that, and I'm
8 going to be the one that sentences him in Charleston
9 County. And I'm chief admin for criminal -- for general
10 sessions next year, so --

11 MR. SHAHID: Which is what I was hoping to do, is
12 just postpone this either until December, the next term
13 of court in December, or the first term of court in
14 January.

15 THE COURT: But we're set for trial here.

16 MR. SHAHID: I know. I know. And it's a jam, and
17 I understand.

18 THE COURT: If his decision today is -- we can
19 enter a plea today. I'll withhold sentencing. We'll be
20 back here the week of the 8th --

21 Is that right?

22 MR. SORENSON: Yes, ma'am.

23 THE COURT: -- in December.

24 So I can sentence him in Dorchester County on the
25 Dorchester County charges and/or we can make some -- I

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1 am in Charleston general sessions almost every other
2 week for the next six months. So we could sentence --
3 do a one-sentence thing --

4 MR. SORENSON: And I've got --

5 THE COURT: -- once he pleads in Charleston.

6 MR. SORENSON: I've got no objection to that if we
7 come upon December 8th and I'm told that, you know, give
8 us three more weeks to kind of work everything out. I
9 mean, I've got no issue with --

10 THE COURT: What's the holdup in Charleston?
11 What's the holdup?

12 MR. SORENSON: I don't --

13 MR. SHAHID: It's a lack of -- I mean, we've batted
14 back and forth. And I'm trying just to get his
15 assistant to work with all that. I mean, it's not a
16 lack of cooperation, just a lack of --

17 THE COURT: Would it be beneficial if we call her?

18 MR. SORENSON: We had a conference call between the
19 three of us last week and I think --

20 THE COURT: What three? What three?

21 MR. SORENSON: Me, Mr. Shahid, and Ms. Savis in the
22 Charleston solicitor's office.

23 THE COURT: Do you think it would be beneficial to
24 add me into your conversation?

25 MR. SHAHID: It wouldn't hurt, Judge.

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1 MR. SORENSON: And, I mean, it might, I guess. I
2 don't know.

3 I mean, her position -- and I don't know her, so I
4 don't -- I feel like we were kind of springing a whole
5 lot on her and she kind of felt kind of pushed a little
6 bit. While it was something I've been looking at for a
7 couple of weeks at doing, you know, kind of all -- I'm
8 not sure she even was aware there was a Dorchester
9 County charge pending against him.

10 MR. SHAHID: She was. She was aware.

11 She -- when these charges -- I got retained and I
12 found out about your charges, I told her that --

13 THE COURT: Let me ask you this, Mr. Sorenson. You
14 made your recommendation with the understanding -- you
15 knew of the Charleston County charges?

16 MR. SORENSON: Yes, ma'am.

17 My recommendation was -- I told Peter that if he
18 pled to just the Dorchester County stuff and wasn't
19 resolving anything with the Charleston County stuff,
20 that I would recommend a range of five to six years. It
21 would be on a trafficking, so it would be violent, with
22 the understanding, obviously, that if we got to a point
23 where he was also resolving all the Charleston stuff, I
24 would expect that he would be getting more time on that
25 because it's a lot of the same type offenses but if it

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1 were just resolving the Dorchester County charges,
2 that's what I would be asking for on the Dorchester
3 County charges.

4 Ms. Savis sent him a plea offer that encompassed
5 kind of moving everything, and it's my understanding
6 there was not a meeting of the minds there between them
7 as to that offer that was made.

8 MR. SHAHID: There was a condition that was just
9 unacceptable to my client, Judge.

10 THE COURT: Which one?

11 MR. SHAHID: She wanted him to cooperate on some
12 other charges.

13 MR. SORENSON: There's a codefendant on one of the
14 charges he has pending in Charleston County, Your Honor.

15 MR. SHAHID: So I made a response back to them and
16 hoping we could still work all this out together. And
17 that's sort of where we are.

18 THE COURT: So what does your client want to do
19 here today on these charges?

20 MR. SHAHID: Well, he understands he's in the vice
21 right now, Judge, and he's looking for me to advise him
22 what to do.

23 The offer from Dorchester is amenable to him. He's
24 looking to me to guide him through this because it is
25 such a -- of a maze on this business with the parole

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1 eligibility in a county of prior convictions. And
2 that's what I'm concerned about. That's honestly what
3 I'm concerned about.

4 I know my comfort level with all this rises
5 significantly if we plead everything at one time. If I
6 can't -- and that's just what I'm trying to do. I'm
7 just trying to make this as simple as I possibly can.

8 If the Court is comfortable -- but I don't know how
9 much we can bind everybody to this. If the Court is
10 comfortable that this is one conviction, as opposed to
11 standing in front of a judge and completing at one --
12 two different dates as one conviction, I'm okay.

13 But I'm just trying to look out for my best
14 interest of my client. And he understands. He's got to
15 plead guilty. He's got to resolve these charges.

16 MR. SORENSON: I mean, I don't see how, Your Honor,
17 if he pled guilty today and withheld sentencing and
18 then, ultimately, forty-five days from now appeared
19 before Your Honor to resolve the Charleston County
20 charges and be sentenced on the Dorchester County charge
21 at the same time --

22 THE COURT: In Charleston.

23 MR. SORENSON: -- in Charleston, here -- or even if
24 we did it here and they brought the charges here. I
25 mean, either/or. I don't see --

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1 THE COURT: I'm not back here. I'm only back here
2 one more time.

3 MR. SORENSON: Right. December 8th. That's why I
4 said -- I said forty-five days. But, I mean, if we
5 either did it on December 8th or in the week following
6 that in Charleston County.

7 But needless to say, if he was pleading on his
8 Charleston County charges and being sentenced then on
9 this -- these Dorchester County charges, I don't see how
10 anybody could make an argument that it should be treated
11 as the -- the Charleston stuff should be treated as a
12 second drug offense.

13 But I'm sure -- I assume that's what your concern
14 is --

15 MR. SHAHID: Yes.

16 MR. SORENSON: -- is obviously it increasing the
17 penalty.

18 I don't see how anybody could make that -- at
19 least, I would not make that argument. And I don't
20 really see how, quite frankly, anybody could make that
21 argument.

22 MR. SHAHID: I've seen that happen, Judge. That's
23 why I'm concerned.

24 I mean, this is -- it is considered -- it is a
25 separate event. And maybe I'm overplaying it. I'm not

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1 trying to do that. I'm just trying to see --

2 MR. SORENSON: Because you could, obviously, at
3 that point in time, let him withdraw this plea and then
4 basically just re-plea him at the same time, in which
5 case it would clearly be a first anyway. So I don't --

6 THE COURT: All right. Do you want to call the
7 Charleston solicitor?

8 MR. SORENSON: I mean, I'm fine with that, if Your
9 Honor wants to. I mean, I --

10 THE COURT: I need to know if your client is going
11 to plea today.

12 MR. SHAHID: Okay. Let me -- can I take him back
13 outside --

14 THE COURT: You may.

15 MR. SHAHID: -- and we can chat a little bit
16 longer?

17 THE COURT: Mr. Thompson, you are not free to go.
18 All right? You're not free to go. I'm going to let you
19 step outside and let you talk to your client [sic] but
20 you're not free to go today.

21 MR. THOMPSON: Yes, ma'am.

22 THE COURT: So you'll see me again. Okay?

23 MR. THOMPSON: Yes, ma'am.

24 THE COURT: Thank you.

25 MR. SHAHID: Thank you, Judge.

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1 [Whereupon, a recess is taken from 2:50 p.m. to
2 3:38 p.m.]

3 MR. SORENSON: I think it's a plea. I gave the
4 paperwork to Ramsey. I don't know if she's --

5 THE COURT: All right. We're ready to enter into a
6 plea; is that correct?

7 MR. SHAHID: Yes, ma'am.

8 MR. SORENSON: The one thing that at least can be
9 maybe just amended on the -- before we start: on the
10 trafficking indictment, when it was indicted they -- and
11 I don't ever do this on my drug cases, but I wasn't the
12 one that did the indictment -- they put a specific
13 weight in the indictment. It was like 27-point
14 something. When the analysis came back, it was 24.3
15 grams. So we may just amend that to reflect the
16 accurate amount.

17 THE COURT: Any objection?

18 MR. SHAHID: No objection, Your Honor.

19 THE COURT: Are you Dameon Thompson?

20 MR. THOMPSON: Yes, ma'am.

21 THE COURT: Please swear the defendant.

22 THE CLERK OF COURT: Please raise your right hand.
23 State your full name for the record.

24 MR. THOMPSON: Dameon Lamar Thompson.

25 [Whereupon, Mr. Thompson is duly sworn by the clerk

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1 of court as follows: do you solemnly swear or affirm to
2 tell the truth, the whole truth, and nothing but the
3 truth, so help you God]

4 THE WITNESS: Yes, ma'am.

5 THE CLERK OF COURT: Thank you.

6 THE COURT: Mr. Thompson, I have two indictments
7 that you are here to plead guilty; is that correct?

8 MR. THOMPSON: Yes, ma'am.

9 THE COURT: Indictment 2013-GS-18-437, which is a
10 true billed indictment for failure to stop for a blue
11 light. I can sentence you from ninety days up to three
12 years, fine you not less than \$500.

13 Do you understand that's the possible punishment?

14 MR. THOMPSON: Yes, ma'am.

15 THE COURT: Knowing that, do you still wish to go
16 forward here today?

17 MR. THOMPSON: Yes, ma'am.

18 THE COURT: You are also here to plead guilty on
19 2013-GS-18-438, which is a true billed indictment for
20 trafficking cocaine base, ten to twenty-eight grams,
21 first offense.

22 You understand I can punish you from three years up
23 to ten years?

24 MR. THOMPSON: Yes, ma'am.

25 THE COURT: Knowing that, do you still wish to go

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1 forward here today?

2 MR. THOMPSON: Yes, ma'am.

3 THE COURT: You also understand that the
4 trafficking is a violent offense?

5 MR. THOMPSON: Yes, ma'am.

6 THE COURT: And a serious offense?

7 MR. THOMPSON: Yes, ma'am.

8 THE COURT: Do you understand what those two
9 classifications mean?

10 MR. THOMPSON: Yes, ma'am.

11 THE COURT: In your own words, explain that to me.

12 MR. THOMPSON: It's a violent charge.

13 THE COURT: What does that mean?

14 MR. THOMPSON: That it can be, like, violent.

15 THE COURT: And what does all that mean for you, as
16 far as the potential sentence that you will serve?

17 MR. THOMPSON: It's probably going to be violent.
18 And I hope that it can get to be nonviolent.

19 THE COURT: It is violent. There is no way it's
20 going to be nonviolent.

21 Do you understand that, sir?

22 MR. THOMPSON: Yes, ma'am.

23 THE COURT: And just in a general sense -- there's
24 probably a more legal definition. But just so that you
25 understand what that does -- means for you, and it has

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1 to do with your classification at the department of
2 corrections and how much time you would serve before you
3 would be eligible for parole.

4 Do you understand?

5 MR. THOMPSON: Yes, ma'am.

6 But, I mean, like as far as for parole, so it's
7 violent, that mean like it's a whole violent -- you
8 wouldn't be eligible for parole until what?

9 MR. SHAHID: Eighty-five.

10 MR. THOMPSON: Like eight-five. Right?

11 THE COURT: Well, I am not the department of
12 corrections, and so what the classification means for
13 you is it will be classified a certain way.

14 What I tell every defendant is I'm going to
15 sentence you to a particular time, all right? And the
16 recommendation that the solicitor has made is from five
17 to six years. So I can sentence you up to ten years in
18 the department of corrections.

19 Do you understand that, sir?

20 MR. THOMPSON: Yes, ma'am.

21 THE COURT: And a minimum of three. I am assuming
22 your attorney is going to ask me for the lessor end over
23 to three.

24 But regardless of the number of years that I
25 sentence you, I always tell defendants they should

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1 assume that they're going to serve that day for day.

2 MR. THOMPSON: Yes, ma'am.

3 THE COURT: But what the -- what I'm indicating
4 to you is the violation classification means there will
5 be -- there could be the potential that you would serve
6 less.

7 Do you understand that?

8 MR. THOMPSON: Kind of. You can explain it again?

9 THE COURT: I'm not sure I can explain it in any
10 other terms.

11 MR. THOMPSON: I think I -- I think I understand.

12 MR. SHAHID: We've had extensive discussions about
13 this, Judge, and --

14 THE COURT: It's a tricky concept only because --
15 for a variety of reasons. I can't tell him how much
16 time he is going to serve. I mean, the classification
17 is typically eighty-five percent, but I don't ever want
18 any defendant to say the judge told me I was only going
19 to do eighty-five percent. All right?

20 MR. SHAHID: What I've explained to him is that --

21 MR. SORENSON: It's actually not an eighty-five
22 percent offense, even though it carries a maximum of
23 ten. It's not -- it doesn't fall under the eighty-five
24 percent provision.

25 THE COURT: All right. Stay with me.

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1 MR. SORENSON: I think he would be eligible in the
2 third, for parole.

3 THE COURT: In the third?

4 MR. SORENSON: Yes, ma'am.

5 THE COURT: So do you see? Do you understand?

6 MR. THOMPSON: Yes, ma'am.

7 THE COURT: Even I and the solicitor do not agree.

8 MR. THOMPSON: Yes, ma'am.

9 THE COURT: Do you understand what the
10 classification of serious means?

11 MR. THOMPSON: Yes, ma'am.

12 THE COURT: Tell me what that means.

13 MR. THOMPSON: It means it's a serious offense.

14 THE COURT: Right.

15 And what does that mean? What does that mean for
16 you in your future?

17 MR. THOMPSON: I got a very serious offense on my
18 record.

19 THE COURT: Right.

20 And how will that -- how could that possibly impact
21 you later?

22 MR. THOMPSON: May be kind of hard for me to get a
23 job, or such as.

24 THE COURT: Well, that will be.

25 But let's assume you receive another serious or

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1 most serious offense. Do you know what will happen
2 then?

3 MR. SHAHID: That's a strike.

4 MR. THOMPSON: Yes, ma'am.

5 THE COURT: Tell me what will happen.

6 MR. THOMPSON: It will count as another strike.

7 THE COURT: And then what happens?

8 MR. THOMPSON: It'll probably be worse on my
9 behalf.

10 THE COURT: It's going to be worse. Do you know
11 how, potentially, it could be worse?

12 MR. THOMPSON: It would be a lot worse.

13 THE COURT: The State can seek to impose a life
14 without parole sentence on you if you get another
15 combination of a serious or most serious offense.

16 Do you understand?

17 MR. THOMPSON: Yes, ma'am.

18 THE COURT: How old are you?

19 MR. THOMPSON: Twenty-one.

20 THE COURT: Twenty-one.

21 How long do you anticipate that you are going to
22 live?

23 MR. THOMPSON: I hope as long as I can.

24 THE COURT: We all hope that we can live as long as
25 we can; correct?

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1 MR. THOMPSON: Yes, ma'am.

2 THE COURT: So life means life.

3 You agree with that, Mr. Sorenson; right?

4 MR. SORENSON: I do. I do, Your Honor.

5 THE COURT: So a life without parole notice, if
6 that is imposed, you will spend the rest of your life in
7 the department of corrections. I think the life
8 expectancy table for somebody your age, at age twenty-
9 one, is probably seventy-nine years. So you're looking
10 at another almost sixty years in the department of
11 corrections.

12 Do you understand?

13 MR. THOMPSON: Yes, ma'am.

14 THE COURT: So that is serious, isn't it?

15 MR. THOMPSON: That's a lot serious.

16 THE COURT: Do you want -- do you still wish to
17 enter into this plea?

18 MR. THOMPSON: Well, how would it affect my other
19 charges I have?

20 THE COURT: A very good question, Mr. Thompson,
21 because I don't know what the other charges are.

22 MR. SORENSON: He has in Charleston County, Your
23 Honor -- and I --

24 MR. SHAHID: There's a trafficking, Judge, a blue
25 light violation, an assault charge, and possession with

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1 intent, and manufacturing charge.

2 So related to these charges, as well, so it's --

3 THE COURT: So there is at least --

4 MR. SHAHID: -- conceivably --

5 THE COURT: -- at least one serious, if not most
6 serous, offense in that pack of charges --

7 MR. SHAHID: That's correct.

8 THE COURT: -- from Charleston?

9 MR. SHAHID: Right.

10 MR. SORENSON: Yes.

11 THE COURT: And so you have advised your client
12 that the life without parole -- to calculate prior
13 convictions is the date of conviction, not date of
14 offense?

15 MR. SHAHID: And that was the reason for the
16 pretrial motions, Your Honor, is to try to get a handle
17 on those classifications and how a conviction today and
18 conviction we're expecting on resolving the other
19 charges in Charleston County are going to impact and be
20 interpreted as a one-strike or two-strike violation.
21 And that's -- we've had extensive discussions about
22 that.

23 THE COURT: Did that answer your question, Mr.
24 Thompson?

25 MR. THOMPSON: Yes, ma'am.

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1 So you're saying as -- it's not going to count
2 as -- it's going to count as one strike today, and then
3 that's going to count as another strike for my other
4 charges?

5 THE COURT: I'm not -- again, I'm not sure what you
6 and the solicitor, through your attorney, have worked
7 out, but I need you to understand this is a strike.

8 MR. SHAHID: And what I have explained to him,
9 Judge, that that is something that's a possibility,
10 depending on the nature of the conviction and how this
11 Court may treat the convictions on different days, but
12 the sentencing on one day being interpreted as just one
13 conviction, one strike.

14 THE COURT: Correct.

15 MR. SHAHID: Okay? You understand?

16 MR. THOMPSON: It will count as one conviction, one
17 strike.

18 MR. SHAHID: It might. That's what we're working
19 hard to resolve. Today is one strike, for certain.
20 Okay?

21 THE COURT: But you're not going to be convicted
22 today. I'm going to take your plea and then I'm going
23 to impose sentence at a later time.

24 MR. THOMPSON: Okay. So you would sentence as like
25 only one? Is that it?

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1 THE COURT: Am I going to sentence with your
2 Charleston charges?

3 MR. THOMPSON: Yes, ma'am.

4 THE COURT: That's the plan.

5 MR. THOMPSON: Okay. I understand.

6 THE COURT: But are you pleading guilty to these
7 charges because you are hoping to wrap up all your
8 charges together, or are you pleading guilty to these
9 charges because you, in fact, are guilty?

10 MR. THOMPSON: Well, I'm pleading guilty to these
11 charges because I know for a fact I am guilty. But like
12 you said, it's going to come as a second strike or
13 however it may be. Like you said, it's very serious so
14 it'll be much more serious for a plea today of a
15 conviction. And then the next time as another
16 conviction it'll be a strike. And it's not like I get
17 convicted, I would ever finish time and then got out and
18 then caught charges again when it was a second strike.

19 THE COURT: Mr. Thompson, what I need you to
20 understand is I'm not going to take this plea if you're
21 just pleading guilty in hopes of getting some sort of
22 package deal. It is important for me to hear you tell
23 me that you're pleading guilty because you are, in fact,
24 guilty.

25 MR. THOMPSON: Right.

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1 THE COURT: If you're not guilty, we have a jury
2 coming tomorrow and we can try these cases to a jury
3 tomorrow.

4 Are you pleading guilty because you are guilty?

5 MR. THOMPSON: Yes, ma'am.

6 THE COURT: You understand that we do have a jury
7 coming tomorrow?

8 MR. THOMPSON: Yes, ma'am.

9 THE COURT: Do you give up your right to a jury
10 trial on these two charges?

11 MR. THOMPSON: Yes, ma'am.

12 THE COURT: Are you giving up your right to have
13 that jury determine your guilt beyond a reasonable doubt
14 based upon the evidence the State presents, as well as
15 any evidence you may introduce?

16 MR. THOMPSON: Yes, ma'am.

17 THE COURT: Are you giving up your right against
18 self-incrimination, which simply means your right to say
19 nothing at all?

20 MR. THOMPSON: Yes, ma'am.

21 THE COURT: Are you giving up your right to
22 confront and be confronted by the witnesses against you,
23 as well as the right to call witnesses on your own
24 behalf?

25 MR. THOMPSON: Yes, ma'am.

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1 THE COURT: By pleading guilty here today, you're
2 giving up your right to a defense on-- or you're giving
3 up your defense to either of these charges.

4 Do you understand that, sir?

5 MR. THOMPSON: Yes, ma'am.

6 THE COURT: Do you understand all of those rights?

7 MR. THOMPSON: Yes, ma'am.

8 THE COURT: And do you give up all of those rights
9 at this time?

10 MR. THOMPSON: Yes, ma'am.

11 THE COURT: How old are you?

12 MR. THOMPSON: Twenty-one years old.

13 THE COURT: And how far did you go in school?

14 MR. THOMPSON: Tenth grade. But before I came
15 here, I'm in a GED program right now, Palmetto Youth
16 Connection at Palmetto One Stop on Rivers.

17 THE COURT: And when do you take your test?

18 MR. THOMPSON: Well, I already take like a pretest,
19 but you got to study for a prep and you take classes.

20 THE COURT: What type of work do you do?

21 MR. THOMPSON: Well, I was working with my dad, but
22 I just was going to class.

23 THE COURT: So you're not working?

24 MR. THOMPSON: No, ma'am.

25 THE COURT: What kind of work does your dad do?

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1 MR. THOMPSON: He do like stucco, like construction
2 work.

3 THE COURT: Are you under the influence of any
4 drugs or alcohol here today?

5 MR. THOMPSON: No, ma'am.

6 THE COURT: If I drug test you today, what's the
7 result going to be?

8 MR. THOMPSON: Marijuana.

9 THE COURT: When is the last time you smoked
10 marijuana?..

11 MR. THOMPSON: Early this morning.

12 THE COURT: Early this morning? How much marijuana
13 did you smoke this morning?

14 MR. THOMPSON: Like a half a blunt I had.

15 THE COURT: Sir, I don't know what that means. Is
16 that a lot of marijuana, or a little bit?

17 MR. THOMPSON: No, ma'am.

18 THE COURT: Do you understand what we're doing here
19 today?

20 MR. THOMPSON: Yes, ma'am.

21 THE COURT: Have you understood all of your
22 conversations with your attorney?

23 MR. THOMPSON: Yes, ma'am.

24 THE COURT: Do you need anymore time to talk to him
25 before we go forward with this plea?

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1 MR. THOMPSON: No, ma'am.

2 THE COURT: Understanding the charges that you are
3 facing, the possible punishment, as well as the
4 consequences of this plea, how do you plea to
5 trafficking in cocaine base ten to twenty-eight grams?

6 MR. THOMPSON: Guilty.

7 THE COURT: How do you plea to failure to stop for
8 a blue light first offense?

9 MR. THOMPSON: Guilty.

10 THE COURT: Are you pleading guilty because you, in
11 fact, are guilty?

12 MR. THOMPSON: Yes, ma'am.

13 THE COURT: You have the right to appeal this plea,
14 and you will also have the right to appeal the sentence
15 that I do impose, but you would have to do so within ten
16 days.

17 Do you understand that?

18 MR. THOMPSON: Yes, ma'am.

19 THE COURT: Did you go over your appellate rights
20 and the opportunity to appeal with your attorney?

21 MR. THOMPSON: Yes, ma'am.

22 THE COURT: Any questions about that?

23 MR. SHAHID: Yeah, but I think the right to appeal
24 the convictions aren't until after the sentencings.

25 THE COURT: Correct. And that's what I said. He

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1 may appeal this plea and then at the appropriate time
2 that he --

3 MR. SHAHID: Right.

4 THE COURT: -- then ten days within this
5 sentencing.

6 Please listen to the facts. I have just a few more
7 questions for you.

8 Mr. Sorenson?

9 MR. SORENSON: Thank you. May it please the Court,
10 Your Honor.

11 This occurred on the afternoon of January 31st,
12 2013, about one o'clock or so in the afternoon. Officer
13 Bolenzium [phonetic], with the North Charleston Police
14 Department, was out basically just doing some
15 surveillance on a house that they had suspected there be
16 some drug activity in, observed this defendant come out
17 of that house and get into a vehicle. Ended up pulling
18 out behind him onto Patriot Boulevard in Dorchester
19 County, and ended up pacing him doing I think it was
20 about forty-two in a thirty-five.

21 Initiated a traffic stop at that point in time.
22 The defendant initially pulled over kind of into a kind
23 of a dead-end cul-de-sac area. When the officer got out
24 of the vehicle and took a couple of steps towards the
25 vehicle, he at that point in time took off on him. Got

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1 back in the vehicle. Gave pursuit. Headed down Patriot
2 Boulevard, across, and went through a couple of lights
3 and across Ashley Phosphate, hitting speeds in excess of
4 a hundred miles an hour through that intersection.

5 At that point in time, a couple other North
6 Charleston police officers got involved in the chase
7 that ultimately went kind of across Dorchester Road into
8 a neighborhood, doing about fifty through a
9 neighborhood. Came back, looped back around, crossed
10 over Dorchester Road, back into another neighborhood
11 and, as Mr. Shahid had indicated earlier, ultimately by
12 this point in time has now gone into Charleston County.

13 He ultimately ends up attempting to take a left-
14 hand turn and losing control of the vehicle. Slammed
15 into a vehicle parked in a driveway. He exited the
16 vehicle I believe through the passenger side of the
17 vehicle and was apprehended, trying to climb over a
18 fence in the backyard, by a K-9 officer and a couple of
19 other North Charleston police officers that were pretty
20 much right behind him when he wrecked. He did have some
21 injuries from that accident where his head had hit the
22 windshield of the vehicle.

23 He was taken into custody and they found in his
24 pocket, a search of him, what ended up testing out
25 positive out at SLED as 24.3 grams of cocaine base.

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1 THE COURT: Prior record?

2 MR. SORENSON: Your Honor, he has a couple of
3 simple possession of marijuana convictions.

4 He does have a prior failure to stop for a blue
5 light conviction, which he is currently on probation
6 for. I'm not sure when this case was indicted
7 initially, that the -- Mr. Hilton was aware of that. So
8 technically it would be a second offense. But since it
9 got indicted as a first offense, I'm allowing him to
10 plea to that. But he is currently on probation for
11 that.

12 And then I believe he has a reckless driving and a
13 driving under suspension, also, all from the 2011, 2012
14 range.

15 And I have checked with Probation and they do
16 indicate he is still on probation at this point in time
17 and it predated this incident, so it would be a
18 violation.

19 THE COURT: Is that what you did, sir?

20 MR. THOMPSON: Yes, ma'am.

21 THE COURT: Why were you driving so fast?

22 MR. THOMPSON: I got scared.

23 THE COURT: What were you scared of?

24 MR. THOMPSON: Well, when I actually got stopped, I
25 wasn't actually driving fast.

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1 And like I hear them say that they see me came out
2 of a house and all this and that. Like, they didn't see
3 me came out of the house because I -- like, when he -- I
4 seen him from across the street after he -- like driving
5 down the road coming outside of my neighborhood.

6 And then he say that they see me coming from out of
7 the house over there. Well, like that right there, he
8 didn't even see. Like he just pull -- I was like across
9 from him. He just -- I turned out, he turned the street
10 behind me and threw on the blue light. And there's no
11 way. I know there was a speed limit of thirty-five. I
12 don't even get -- like even do forty-two miles per hour.
13 He just down the street behind me. Threw on the blue
14 lights. I stopped.

15 And then I did commit the crime of the failure to
16 stop. I did a high speed limit.

17 THE COURT: How fast were you going?

18 MR. THOMPSON: I'm not sure.

19 THE COURT: What did you think was going to happen?

20 MR. THOMPSON: It turned out pretty bad.

21 THE COURT: Well, how, in your mind, did you think
22 running from the police was going to turn out good?

23 MR. THOMPSON: Ain't nothing turn out good about
24 it.

25 THE COURT: I find a substantial factual basis for

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1 your plea. Your decision to plead guilty has been
2 freely, voluntarily, knowingly, and intelligently made.
3 You have indicated to the Court you have had the advice
4 and counsel of a competent attorney with whom you've
5 told the Court you were satisfied. I hereby accept your
6 plea of guilt.

7 I am going to defer sentencing to the week of
8 December 8th. I'm back here. If we need to transfer it
9 to Charleston, I will not be in Charleston until
10 December 15th because there's no week available. I
11 could do his Charleston pleas and sentencings then.

12 Does that work for you, Mr. Sorenson?

13 MR. SORENSON: I can make it work either --

14 THE COURT: If we don't impose sentence here, maybe
15 she could come here, or you could just get the
16 indictments and we could do it all here at the same
17 time. Then it will be the first of the year. December
18 15th is the last term before the end of the year.

19 MR. SHAHID: We'll work it all out, Judge.

20 THE COURT: Mr. Thompson, I am going to order that
21 you are held in custody until December 8th. All right?

22 MR. THOMPSON: Yes, ma'am.

23 THE COURT: I'm going to have Probation start
24 working on a pre-sentence investigation, to utilize his
25 time, and so that will give me an indication.

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1 I'm sure you're going to ask for the lower end of
2 the sentence so this will be -- this will give your
3 client the benefit of the doubt, and he'll be available
4 for Probation.

5 Good luck to you, sir. Thank you.

6 MR. THOMPSON: Yes, ma'am.

7 MR. SHAHID: Thank you, Judge.

8 MR. SORENSON: Thank you, Your Honor.

9 MR. SHAHID: Thank you for your patience, as well,
10 Your Honor.

11 [PLEA ADJOURNS AT 3:57 P.M.]
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C E R T I F I C A T E

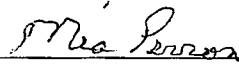
STATE OF SOUTH CAROLINA

COUNTY OF DORCHESTER

I, the undersigned Mia Perron, Circuit Court Reporter for the 9th Judicial Circuit of the State of South Carolina, do hereby certify that the foregoing is a true, accurate, and complete transcript of the plea held before the Honorable Kristi L. Harrington, on Monday, November 3, 2014.

I do further certify that I am neither kin nor counsel to any of the parties and have no interest in the outcome of this action.

Dated this 15th day of February, 2016.



Mia Perron, CVR-CM-M
Circuit Court Reporter
9th Judicial Circuit

MIA PERRON, CVR-CM-M

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STATE OF SOUTH CAROLINA

COUNTY OF CHARLESTON

STATE OF SOUTH CAROLINA

vs.

DAMEON L. THOMPSON

Defendant

COURT OF GENERAL SESSIONS

DOCKET NO. 2013-GS-10-7493;
2014-GS-10-7267; 7270-7271;
2014-GS-10-7273, 7275, 7276

TRANSCRIPT OF RECORD

January 8, 2015
Charleston, South Carolina

B E F O R E:

THE HONORABLE KRISTI LEA HARRINGTON, JUDGE

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

NINA SAVAS, ESQ.
Attorney for the State

PETER SHAHID, ESQ.
Attorney for the Defendant

JOYCE C. RUEGER, CVR-M
Circuit Court Reporter

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No exhibits were introduced

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PROCEEDINGS

THE COURT: Are you Dameon Thompson?

MR. THOMPSON: Yes, ma'am.

THE COURT: Please swear the defendant.

[Whereupon, the defendant is duly sworn by the Clerk
of Court]

THE COURT: Mr. Thompson, I'm going to need you to
speak loudly. I'm sitting right under a heating vent and
I need to make sure that not only do I hear you but that
my court reporter hears you as well. Do you understand?

MR. THOMPSON: Yes, ma'am.

THE COURT: Louder.

MR. THOMPSON: Yes, ma'am.

THE COURT: Thank you. All right Mr. Thompson, I
have seven indictments here in Charleston County. You
pled guilty in front of me in Dorchester County about six
weeks ago do you recall that?

MR. THOMPSON: Yes, ma'am.

THE COURT: Thank you. And Mr. Thompson I have a
presentence investigation report. Are you prepared to go
forward on sentencing as well as pleading on these seven
indictments?

MR. THOMPSON: Yes, ma'am.

THE COURT: Thank you. Mr. Thompson, you're here
to plead guilty on 2014-GS-10-7267 which is a true billed

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1 indictment. The State is allowing you to plead to the
2 lesser included possession with intent to distribute
3 cocaine base or methamphetamine. I can sentence you up
4 to 15 years; fine you up to 25,000 dollars or both. Do
5 you understand that is a possible punishment?

6 MR. THOMPSON: Yes, ma'am.

7 THE COURT: You're here to plead guilty on 2014-GS-
8 10-7270 which is the State is allowing you to plead to
9 the lesser included P-W-I-D. I can sentence you on that
10 15 years, up to 25,000 dollars. Do you understand that
11 is a possible punishment?

12 MR. THOMPSON: Yes, ma'am.

13 THE COURT: You're also here to plead guilty on
14 indictment 2014-GS-10-7271 which is failure to stop for a
15 blue light second offense. Do you agree you have a
16 previous conviction for failure to stop for a blue light?

17 MR. THOMPSON: Yes, ma'am.

18 THE COURT: I can sentence you up to five years in
19 the Department of Corrections. Do you understand that?

20 MR. THOMPSON: Yes, ma'am.

21 THE COURT: You will also lose your driving
22 privileges for up to one year do you understand?

23 MR. THOMPSON: Yes, ma'am.

24 THE COURT: You're also here to plead guilty on
25 indictment 2014-GS-10-7275 which a true billed indictment

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1 for failure to stop for a blue light second offense. As
2 I indicated to you before I can sentence you up to five
3 years in the Department of Corrections and you will lose
4 your driving privileges. Do you understand that is the
5 possible punishment?

6 MR. THOMPSON: Yes, ma'am.

7 THE COURT: You're also here to plead guilty on
8 2014-GS-10-7276 which is a true billed indictment for hit
9 and run. I can sentence you from 30 days up to one year;
10 fine you 100 to 5,000 dollars or both. Do you understand
11 that is a possible punishment?

12 MR. THOMPSON: Yes, ma'am.

13 THE COURT: You're also here to plead guilty on
14 indictment 2014-GS-10-7273 which is a true billed
15 indictment for possession with intent to distribute
16 marijuana. Do you understand that I could sentence you
17 on that indictment up to five years, fine you up to 5,000
18 dollars or both?

19 MR. THOMPSON: Yes, ma'am.

20 THE COURT: You're also here to plead guilty on
21 2013-GS-10-7493 which the State is allowing you to plead
22 to the lesser included P-W-I-D cocaine. I can sentence
23 you on that indictment up to 15 years; fine you up to
24 25,000 dollars or both. Do you understand that is a
25 possible punishment?

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1 MR. THOMPSON: Yes, ma'am.

2 THE COURT: Ms. Savas, if you're going to go
3 forward on all these indictments you need to make my
4 forms as easy to read as possible.

5 MS. SAVAS: Yes, ma'am.

6 THE COURT: Mr. Thompson, do you understand all the
7 charges that you are facing?

8 MR. THOMPSON: Yes, ma'am.

9 THE COURT: Do you understand the possible
10 punishment on each of these indictments?

11 MR. THOMPSON: Yes, ma'am.

12 THE COURT: Did your attorney explain to you the
13 collateral consequences of all of these charges? You
14 have a drug plea; the penalties will increase with each
15 subsequent offense. Do you understand that?

16 MR. THOMPSON: Yes, ma'am.

17 THE COURT: Any concerns about his understanding of
18 what is happening here today Mr. Shahid?

19 MR. SHAHID: No ma'am, Your Honor. And just for a
20 point of clarification as you alluded to a moment ago,
21 Your Honor that he appeared in front of you in Dorchester
22 back on November 3rd and pled to a trafficking. And at
23 that time we all understood that that would not be
24 considered a prior conviction as to -- to effect -- this
25 is all -- we'll have it consolidated ---

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1 THE COURT: --- we're going to sentence at the same
2 time because even though he had entered into his plea on
3 the Dorchester charges this is all one sentencing.

4 MR. SHAHID: Right. And for purposes of counting
5 the prior convictions its all one conviction happening on
6 today's date.

7 THE COURT: And we clearly articulated that on the
8 record in Dorchester County I believe but again we'll do
9 it here.

10 MR. SHAHID: Yes, ma'am.

11 THE COURT: Is that your understanding Mr. Giese?

12 MR. GIESE: Yes, ma'am.

13 THE COURT: Ms. Savas?

14 MS. SAVAS: Yes, ma'am.

15 THE COURT: How old are you?

16 MR. THOMPSON: I just turned 22 on New Year's Day.

17 THE COURT: And I have read your presentencing
18 investigation so I know a little bit about you but remind
19 me what type of work do you do?

20 MR. THOMPSON: I worked at Wendy's and I worked at
21 like a little installation place in Mount Pleasant. I
22 work with my dad a little bit.

23 THE COURT: Have you ever been treated for the
24 abuse of drugs or alcohol?

25 MR. THOMPSON: No, ma'am.

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1 THE COURT: Ever been treated for mental illness?

2 MR. THOMPSON: No, ma'am.

3 THE COURT: Sir, how long have you been in custody?

4 MR. THOMPSON: I went on house arrest on September
5 5th but I've been in custody on November 3rd when you
6 arrested me.

7 THE COURT: Were you on house arrest when this
8 second set of charges...

9 MR. SHAHID: No, ma'am. He was -- the prosecutor
10 moved to revoke his bond on the August 11th incident.
11 From that we had a bond hearing and Judge Hayes modified
12 his bond and he was allowed to be on house arrest until
13 his appearance in front of you on November 3rd. Your
14 Honor, I totaled excluding the house arrest count we
15 totaled 172 days as pretrial confinement. If you count
16 the house arrest, that would be another 60 days.

17 THE COURT: Sir, you do not have to plead guilty.
18 By pleading guilty you're giving up certain rights; your
19 right to a jury trial, your right to have a jury
20 determine your guilt beyond a reasonable doubt based upon
21 the evidence the State presents as well as any evidence
22 you may introduce, your right against self-incrimination,
23 your right to say nothing at all. Your right to confront
24 and be confronted by the witnesses against you as well as
25 the right to call witnesses on your behalf. By pleading

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1 guilty here today you give up any defense you have to any
2 of these charges. Do you understand those rights?

3 MR. THOMPSON: Yes, ma'am.

4 THE COURT: And do you waive those rights at this
5 time?

6 MR. THOMPSON: Yes, ma'am.

7 THE COURT: Have you been satisfied with the
8 services of your attorney?

9 MR. THOMPSON: Yes, ma'am.

10 THE COURT: Any complaints about the way he has
11 handled your matters?

12 MR. THOMPSON: No, ma'am.

13 THE COURT: You have the right to appeal this plea
14 and I will impose sentencing at this time but you or your
15 attorney must do so within 10 days. Do you understand?

16 MR. THOMPSON: Yes, ma'am.

17 THE COURT: Has anybody promised you anything,
18 threatened you to get you to plead guilty here today?

19 MR. THOMPSON: No, ma'am.

20 THE COURT: Whose decision was it for you to plead
21 guilty?

22 MR. THOMPSON: My decision, Your Honor.

23 THE COURT: How do you plead to possession with
24 intent to distribute cocaine?

25 MR. THOMPSON: Guilty, Your Honor.

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1 THE COURT: How do you plead to P-W-I-D cocaine?

2 MR. THOMPSON: Guilty, Your Honor.

3 THE COURT: How do you plead to P-W-I-D cocaine?

4 MR. THOMPSON: Guilty, Your Honor.

5 THE COURT: How do you plead to failure to stop for
6 a blue light second offense?

7 MR. THOMPSON: Guilty, Your Honor.

8 THE COURT: How do you plead to P-W-I-D marijuana?

9 MR. THOMPSON: Guilty, Your Honor.

10 THE COURT: How do you plead to failure to stop for
11 a blue light?

12 MR. THOMPSON: Guilty, Your Honor.

13 THE COURT: How do you plead to hit and run?

14 MR. THOMPSON: Guilty, Your Honor.

15 THE COURT: Are you pleading guilty because you in
16 fact did commit those offenses?

17 MR. THOMPSON: Yes, ma'am.

18 THE COURT: Please listen to the facts. Ms. Savas?

19 MS. SAVAS: Thank you, Your Honor. May it please
20 the court; Nina Savas on behalf of the State. Your
21 Honor, the defendant is pleading guilty to seven charges
22 that arise out of three different incidents. For clarity
23 I will go through each one in chronological order.
24 Beginning on October 17, 2012 in Charleston County a
25 traffic stop was initiated on a motor vehicle that the

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1 defendant was driving for an improper turn. Officers
2 initiated blue lights and sirens and the defendant pulled
3 over in the parking lot of a convenience store. As
4 officers approached the vehicle the defendant then fled
5 speeding away.

6 Officers turned back on their blue lights and sirens
7 and the defendant sped over 100 miles per hour and failed
8 to yield. The defendant then crashed his vehicle into
9 three other cars and fled on foot. The defendant was
10 observed throwing a bag containing approximately 26 grams
11 of cocaine. E-M-S and fire emergency were called to the
12 scene at the time.

13 The victims in that incident, Your Honor, only
14 sustained minor injuries and the defendant was charged
15 with failure to stop for a blue light and P-W-I-D
16 cocaine. The State as part of the plea agreement has
17 agreed to nolle prosequere the failure to stop for a blue
18 light and -- I'm sorry he was charged with trafficking
19 cocaine and lowering it to the P-W-I-D cocaine.

20 Subsequently on January 16, 2014 in Charleston
21 County officers attempted to initiate a traffic stop for
22 a speeding violation on a motor vehicle the defendant was
23 driving. Officers turned on their blue lights and sirens
24 and he failed to yield. The defendant sped away, parked
25 in a garage located at 7671 Kingston Street. Officers

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1 obtained consent to search the house for the driver. In
2 plain view officers located narcotics and items used to
3 manufacture cocaine base. Officers then sought to call
4 narcotics and obtained a search warrant for that house.
5 During the execution of the search warrant the driver,
6 the defendant, was located hiding in a closet in that
7 house and admitted to, after post Miranda, to being the
8 driver and was in possession of the car keys.

9 During that search warrant officers had located
10 approximately 17 grams of cocaine base, 108 grams of
11 cocaine and scales and paraphernalia throughout the
12 house. Four co-defendants total were charged at that
13 time. The defendant was then charged with the failure to
14 stop for a blue light second and trafficking cocaine,
15 trafficking cocaine base, and P-W-I-D cocaine base. As
16 part of the plea agreement the State has agreed to nolle
17 prosequere the P-W-I-D cocaine base and lower the
18 traffickings to P-W-I-D's.

19 Lastly on August 11, 2014 in Charleston County
20 officers had located a vehicle that was declared to be
21 BOLO be on the lookout by other officers from speeding
22 from a prior traffic stop. Officers initiated a stop on
23 the vehicle but the defendant failed to yield and blue
24 lights and sirens were activated. During the flee the
25 defendant crashed into a Kia SUV at an intersection

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1 failing to yield and the defendant had caused bodily
2 injury to the two victims in the car. The defendant and
3 a co-defendant fled on foot. Inside the vehicle officers
4 located 241 grams of marijuana and the defendant was
5 apprehended after a foot chase. The highway patrol came
6 and worked on scene of the accident.

7 In this case, Your Honor the defendant was charged
8 with assault and battery first, which the State has
9 agreed to nolle prosequere as well as P-W-I-D marijuana, hit
10 and run, and failure to stop for a blue light second,
11 which he is pleading guilty to those last three.

12 In this case, Your Honor the officer, the reporting
13 officer was injured during the chase. He had broken his
14 wrist during this incident.

15 THE COURT: Was he notified?

16 MS. SAVAS: He was notified yes, Your Honor. He
17 has been in contact with our office however he was unable
18 to be here today.

19 THE COURT: What's his name?

20 MS. SAVAS: His name is Officer Snipe.

21 THE COURT: One more time.

22 MS. SAVAS: I'm sorry?

23 THE COURT: What was his name?

24 MS. SAVAS: Snipe -- or Quick; I'm sorry, Joshua
25 Quick.

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1 THE COURT: Any restitution?

2 MS. SAVAS: No, Your Honor, there is no restitution
3 in any of these cases. The victims in the other car
4 crash cases have also been notified and been in contact
5 but their insurance has handled it and they did not wish
6 to be present but the State has reached out and spoken to
7 them.

8 Your Honor, it was brought to our attention by North
9 Charleston Police Department that this defendant has been
10 well-known in the Charleston County area. They had also
11 notified our office that he is a member and a leading
12 member in a North Charleston gang called the Perp
13 [phonetic] gang.

14 MR. SHAHID: Your Honor, I'm going to object to any
15 reference at all to him being well-known in a gang. This
16 is not part of any discovery and not -- for this
17 sentencing hearing.

18 THE COURT: I'll note your objection for the record
19 but I'm going to allow her to fully articulate. I can't
20 imagine how in four separate incidents that he would not
21 be well-known to any member of law enforcement. So you
22 may continue.

23 MS. SAVAS: Yes, Your Honor, thank you. In the
24 case on January 16, 2014 Your Honor where he had taken
25 the car to a house officers had explained that the

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1 defendant -- what often times happens and they have
2 stated that what they believed happened in this instance
3 is when the co-defendants were involved he was fully
4 aware of where he was going. He knew that they were
5 manufacturing cocaine base at this house location. And
6 he apparently was very well integrated with other houses
7 that do the same thing throughout the county.

8 So it is something that they have been knowledgeable
9 of and they wanted to have me emphasize that here today
10 for you. Your Honor, the defendant's prior record if you
11 would like?

12 THE COURT: Most certainly.

13 MS. SAVAS: In 2011 he was charged three times with
14 possession of marijuana, two times for failure to appear,
15 in 2012 reckless driving and then driving under
16 suspension and in 2012 again a failure to stop for a blue
17 light.

18 Your Honor, as part of this plea agreement the State
19 is recommending eight years. This is in addition to the
20 three year minimum that he had pled guilty to for the
21 trafficking in Dorchester County. The State -- it is a
22 fair offer. We are doing these all as first offenses so
23 the defendant does not get a second strike on his record
24 as he has a first one from the trafficking that was part
25 of our agreement here today with the defense that the

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1 State is willing to do. And we feel that eight years is
2 a very minimal amount in consideration of the severity of
3 these crimes and the severity of the drug charges.
4 They're not simple possession cases; they are trafficking
5 cases that are brought down to manufacturing and
6 distributing due to the weights and the blatant disregard
7 for the community's safety. In each of these failure to
8 stop -- two of the three failure to stops he had hit
9 innocent people on the roads ---

10 THE COURT: --- tell me where the trafficking is
11 that he is pleading to?

12 MS. SAVAS: He's not pleading to trafficking within
13 Charleston County; it is within the Dorchester charge.
14 They were dropped down as the lesser included offense
15 that he is pleading to.

16 THE COURT: All right. Thank you.

17 MS. SAVAS: Yes, Your Honor.

18 THE COURT: Anything further?

19 MR. GIESE: No, Your Honor.

20 THE COURT: I don't need to hear from you Mr.
21 Giese. With all due respect I don't need to hear from
22 you.

23 MR. GIESE: Yes, ma'am.

24 MS. SAVAS: Nothing further, Your Honor.

25 THE COURT: Thank you. Mr. Thompson, you heard

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1 the facts. Tell me is that what you did, sir?

2 MR. THOMPSON: Yes, ma'am. I plead guilty.

3 THE COURT: Okay. Do you plead guilty to all of
4 the indictments?

5 MR. THOMPSON: Yes, ma'am.

6 THE COURT: Do you plead guilty to possessing
7 cocaine base January 16th of 2014?

8 MR. THOMPSON: Yes, ma'am.

9 THE COURT: Do you plead guilty to possession of
10 cocaine base January 16, 2014?

11 MR. THOMPSON: Yes, ma'am.

12 THE COURT: Do you plead guilty to failure to stop
13 for a blue light second offense January 16, 2014?

14 MR. THOMPSON: Yes, ma'am.

15 THE COURT: Do you plead guilty to possession with
16 intent to distribute marijuana August 11th, 2014?

17 MR. THOMPSON: Yes, ma'am.

18 THE COURT: Do you plead guilty to failure to stop
19 for a blue light August 11th, 2014?

20 MR. THOMPSON: Yes, ma'am.

21 THE COURT: Do you plead guilty to leaving the
22 scene of an accident on August 11th, 2014?

23 MR. THOMPSON: Yes, ma'am.

24 THE COURT: Do you plead guilty to possession with
25 intent with cocaine base October 17th, 2012?

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1 MR. THOMPSON: Yes, ma'am.

2 THE COURT: I find a substantial factual basis for
3 your plea. Your decision to plead guilty has been
4 freely, voluntarily, knowingly and intelligently made.
5 You've indicted to the court you've had the advice of
6 counsel of a competent attorney with whom you've told the
7 court you're satisfied. You've also indicated that you
8 have reviewed the presentencing investigation with your
9 attorney and you need no further time to meet with him.
10 I'll be happy to hear from you regarding sentencing Mr.
11 Shahid.

12 MR. SHAHID: Your Honor, I have not seen the
13 presentence report.

14 THE COURT: I thought I had indicated that...

15 MR. SHAHID: I know you said you had it but I have
16 not reviewed it. I'm sorry.

17 THE COURT: I thought I had asked your client if he
18 was ready to go forward with...

19 MR. SHAHID: You did, Your Honor, but I...

20 THE COURT: All right.

21 [Whereupon, Mr. Shahid reviews documents]

22 AGENT HOLMES: Your Honor, may I approach in
23 reference to his violation report because he is currently
24 on probation.

25 THE COURT: He's currently on...

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1 [Whereupon, Agent Holmes provides documents to the
2 court]

3 THE COURT: Is this the only violation?

4 AGENT HOLMES: Yes, Your Honor, it appears so.

5 [Whereupon, the court reviews documents]

6 MR. SHAHID: Thank you.

7 THE COURT: Do you need any additional time to meet
8 with your client to discuss the report?

9 [Whereupon, Mr. Shahid confers with his client]

10 MR. SHAHID: No, ma'am.

11 THE COURT: Mr. Shahid, you were aware your client
12 is on probation?

13 MR. SHAHID: Yes, Your Honor.

14 THE COURT: We'll handle that matter at this time.
15 Mr. Thompson, are you currently on probation?

16 MR. THOMPSON: Yes, ma'am.

17 THE COURT: You understand that when I accepted
18 your plea in Dorchester that in and of itself violated
19 the terms and conditions of your probationary sentence?

20 MR. THOMPSON: Yes, ma'am.

21 THE COURT: And by entering into a plea here today
22 on seven new indictments that also violated the terms and
23 conditions of your probationary sentence.

24 MR. THOMPSON: Yes, ma'am.

25 THE COURT: Do you wish to handle that matter at

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1 this time?

2 MR. THOMPSON: Yes, ma'am.

3 THE COURT: Agent Holmes, are there any other
4 violations or is this of itself the basis of the
5 violation?

6 AGENT HOLMES: That's correct, Your Honor.

7 THE COURT: He's been in custody 172 days. It
8 appears the timeframe he was placed October 2012 --
9 excuse me April 2012 on probation for a failure to stop
10 for a blue light?

11 AGENT HOLMES: Yes, ma'am.

12 THE COURT: And then within -- his first set of
13 charges was within six months is that correct?

14 AGENT HOLMES: That's correct, Your Honor.

15 THE COURT: And then has had three separate
16 incidents?

17 AGENT HOLMES: That's correct, Your Honor.

18 THE COURT: All right, just so I'm clear. I find
19 that you have willfully and substantially violated the
20 terms and conditions of your probationary sentence.

21 All right Mr. Shahid, I think we have all of the
22 procedural matters so this should -- is there anything
23 outstanding for your client? I'd like to go since we --
24 it seems like this will tie up all of his charges, any
25 outstanding indictments and probationary matters so

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1 hopefully this will be a resolution to everything that he
2 has outstanding.

3 MR. SHAHID: And Your Honor, quite frankly that was
4 our goal from the outset was to try to work all this
5 together at one time and we discussed that in Dorchester
6 as well so that today would be a new start for him.

7 If I may now go into the mitigation part, Your
8 Honor? Your Honor, in the courtroom today is several
9 members of his family. His Dad Oliver Green is present,
10 and his step-mother Cynthia Davis, his Mom is here and
11 this is Ruth Thompson. And I've talked to all three; his
12 Mom, his Dad, and his step-mother throughout the course
13 of my involvement with the family.

14 He also has five sisters and I think several of them
15 are here; three of the five are here. He has two
16 children; McKenzie is two years old and DaMerra
17 [phonetic] is one and Shanerra [phonetic]. She's the
18 mother of the youngest child. We also have other friends
19 who are in the courtroom as well.

20 Your Honor, this was a negotiated case. And while I
21 objected to what Ms. Savas has said this was negotiated
22 for a lot of reasons. The police had had Dameon on their
23 radar screen. And a lot of the instances have led to the
24 attempted stops on him. Your Honor, it's something we
25 could have challenged further on down the road. One of

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1 the big contentions that Ms. Savas and I had concerning
2 this case was the incident involving the January 14th
3 stop and the search warrant that led to the discovery of
4 the large amount of drugs in the house.

5 He was found as I understand the facts, Your Honor,
6 he got to the house, parked the car in the garage and hid
7 in the closet. The house was not his house, the house
8 was not any connection to him except for the police
9 believe that he has some kind of other connection to the
10 house ---

11 THE COURT: --- but he's here pleading guilty to
12 that.

13 MR. SHAHID: He is. I'm not disputing that ---

14 THE COURT: --- and by pleading guilty he gives up
15 any defense he has to any of these charges is that right
16 Mr. Thompson?

17 MR. SHAHID: That's correct.

18 THE COURT: Those were your drugs ---

19 MR. SHAHID: --- and Judge I'm not saying this in
20 any way to ---

21 THE COURT: --- I just want to make sure because
22 what happens as you well know is everybody wants to enter
23 into a plea and hopefully get the best deal they can and
24 then in a month or two months from now all of a sudden
25 you have become ineffective and the plea was not entered

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1 into freely, voluntarily, knowingly, and intelligently.
2 I want to make sure that Mr. Thompson is very aware of
3 what he is entering into.

4 MR. SHAHID: Your Honor, he is very much aware of
5 what he's entering into. And I'm not trying to undermine
6 the factual basis for the plea. The facts support the
7 plea. I think the court just needs to be aware of that
8 you know ---

9 THE COURT: --- that there were some challenges ---

10 MR. SHAHID: --- there were some challenges ---

11 THE COURT: --- and so you're coming in here to get
12 the benefit of not bringing it to trial. I understand
13 what you're saying.

14 MR. SHAHID: And sometimes, Judge we get
15 unfortunately I think we just see what's on the report
16 and get involved in the black and white of what is on the
17 report. There is always another side to all of that and
18 I think I just wanted the court to be aware of that that
19 there is another side to these things.

20 He's doing this; this is in his best interest as
21 well for these things to be consolidated and to get a
22 combined sentence. As I said and as you pointed out in
23 the very beginning, Your Honor, the idea here is to wrap
24 all this up and to have a clean slate forward with all
25 these charges. I will say, Judge obviously he is an

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1 impulsive young man. He's 22 years old. And all of
2 these blue light violations are the result of him being
3 afraid, not having -- having a suspended license. It's
4 stupid and he truly acknowledges and recognizes the harm
5 that he caused and could have caused with this driving,
6 which I think is why ---

7 THE COURT: --- well the harm that he did cause,
8 correct?

9 MR. SHAHID: That's as I said he did and could have
10 caused to others with this driving, Your Honor. I
11 watched the video tape on these things and they're not
12 pretty by any stretch of the imagination. He is young,
13 he is impulsive. He got himself involved. He -- as I
14 said earlier I talked with his parents, I've met with his
15 parents. He comes from good people, they are loving of
16 him.

17 THE COURT: I can tell. Mr. Thompson, how many
18 times have you appeared in court; off the top of your
19 head? I don't mean an exact but more than once?

20 MR. THOMPSON: This is the second time.

21 THE COURT: This is the second time.

22 MR. SHAHID: In General Sessions he has.

23 THE COURT: Mr. Thompson, how many people do you
24 think appear in front of me and have this much support
25 behind them in court?

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1 MR. THOMPSON: Probably none.

2 THE COURT: None. Your Mom is here, your Dad is
3 here, you have two of your five sisters here. Rarely --
4 there are many times I have conducted entire trials and a
5 defendant does not have anybody supporting them.

6 MR. SHAHID: And I don't think his father can speak
7 Judge. I think his father is upset ---

8 THE COURT: --- I'll be happy to hear from a family
9 member.

10 MR. SHAHID: I've asked them and they have
11 indicated to me that they can. His Dad indicated to me
12 that he didn't think he could address the court. He's so
13 upset about the whole situation. Dameon is at your
14 mercy, Your Honor, for all of this obviously. We would
15 ask the court for the recommendation of the probation
16 office to provide for a split sentence. We'd ask Your
17 Honor considering his age and he does have two children
18 he has been involved in supporting.

19 He does have a good work history. I talked to his
20 father today and confirmed that he has a stucco related
21 construction type business and Dameon has worked with him
22 from time to time and when he has done that he has been
23 out of trouble doing that. He had worked at Wendy's as
24 he said earlier and a lawn care service and he worked for
25 an installation company. Not glamorous jobs by any

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1 stretch of the imagination but they are jobs that he
2 earned income and was able to support him and provide
3 support to his two children.

4 THE COURT: What do you want to tell me Mr.
5 Thompson?

6 MR. THOMPSON: I definitely apologize for being in
7 your courtroom.

8 THE COURT: You shouldn't apologize for being in my
9 courtroom. You should apologize for committing all these
10 offenses.

11 MR. THOMPSON: Yes, I take full responsibility for
12 my actions. I just want to apologize to my family --

13 THE COURT: You want to apologize for doing what to
14 your family?

15 MR. SHAHID: He said he wants to apologize for
16 letting his family down.

17 THE COURT: All right. Well Mr. Thompson at what
18 point did you realize that you had let your family down?
19 I have four separate incidents that you committed an
20 offense that you pled guilty to. You were arrested for
21 those offenses and you were released on those offenses
22 because you committed the very same offense again. We
23 placed you on probation and gave you a chance. At what
24 point did you realize that you had let somebody down?
25 Now that you're standing in front of me and facing almost

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1 a hundred years in the Department of Corrections?

2 MR. THOMPSON: No, ma'am.

3 THE COURT: When?

4 MR. THOMPSON: After I realized how bad I had built
5 up a lot of charges on me and I realized that my kids who
6 I'm supposed to be taking care of or whatever and I'm
7 being selfish --

8 THE COURT: How old are your children?

9 MR. THOMPSON: Three and one.

10 THE COURT: So you had at least your three year old
11 when you committed your first offense right? And she
12 wasn't important enough to you at that time?

13 MR. THOMPSON: She was important. I just been
14 going down the wrong path thinking I just had no --
15 people been telling me that ---

16 THE COURT: --- Mr. Thompson, the biggest predictor
17 that I have of your future behavior is how you've
18 conducted yourself in the past. What have you shown me
19 that would prevent me from not imposing the maximum
20 sentence upon you and running all these consecutive?

21 MR. THOMPSON: I mean before I got arrested -- when
22 I was placed on house arrest I actually changed -- I
23 actually was in the JV program or whatever at Trident One
24 Stop and then I went in front of you on November 3rd and
25 I couldn't attend the class no more because you took me

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1 into custody.

2 MR. SHAHID: He did, Your Honor. He started
3 working after the August arrest. He had one of the
4 restraints on him obviously. He was living with his
5 mother.

6 THE COURT: But by the time we had reached his
7 August arrest he had already been on probation for two
8 years Mr. Shahid.

9 MR. SHAHID: I understand, Judge. That's why I
10 said earlier he ---

11 THE COURT: --- I just don't know at what point Mr.
12 Thompson you deserve a fifth break. These offenses just
13 aren't affecting you. They're just not affecting your
14 children or your family. They're affecting law
15 enforcement; everybody. Reaching speeds of 100 miles an
16 hour.

17 MR. THOMPSON: Yes, ma'am.

18 THE COURT: That's a deadly weapon that you're in
19 at 100 miles an hour. Do you understand that?

20 MR. THOMPSON: Yes, ma'am.

21 THE COURT: Would you put your children in a car
22 going 100 miles an hour?

23 MR. THOMPSON: No, ma'am.

24 THE COURT: Then why would you subject the rest of
25 us to that?

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1 MR. THOMPSON: Just being selfish...

2 THE COURT: I'm sorry?

3 MR. THOMPSON: I just was being selfish. I thought
4 I had all the sense.

5 THE COURT: Well I haven't seen anything Mr.
6 Thompson that indicates to me that you have gotten any
7 more sense since November.

8 MR. THOMPSON: I've been sitting inside a jail.
9 I'm not at the same kind of place I was ---

10 THE COURT: --- it's easy to sit inside the jail.
11 You can't drive a car; you don't have access to drugs
12 that I have knowledge about. It's easy to do the right
13 thing in jail wouldn't you agree?

14 MR. THOMPSON: Right. But after I caught my last
15 charge I actually didn't get involved with no drugs or
16 anything after that.

17 THE COURT: Didn't you tell me you would test
18 positive for marijuana when you came in front of me in
19 November?

20 MR. THOMPSON: For smoking; not selling.

21 THE COURT: You understand that's illegal?

22 MR. THOMPSON: Yes, ma'am.

23 THE COURT: All right. Anything further Mr.
24 Shahid?

25 MR. SHAHID: He was, Your Honor, we were surprised

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1 when he answered that question as bluntly and honestly as
2 he did. He wasn't drug tested but you asked him and he
3 straight up answered you. He was not hiding. I think
4 Your Honor the other part of this that is important he is
5 here taking full responsibility. He is here and he is as
6 I said earlier 60 days after his August arrest showed a
7 change and an inclination from him.

8 I think that for a 22 year old man who what he is
9 facing right now is a lot; it's a whole lot. And I
10 simply would ask the court to accept the recommendations
11 that have been brought before you. I think it's fair and
12 it satisfies all the criteria that we're looking at to
13 getting him off the street and serving as a deterrent and
14 I think it's an appropriate set of recommendations, Your
15 Honor.

16 THE COURT: Anything else you wish to tell me.

17 MR. THOMPSON: I just want to apologize to my
18 family. That's it, Your Honor.

19 THE COURT: And one last time Mr. Shahid does the
20 Dad wish to address or the Mom wish to address the court?

21 MS. THOMPSON: I'm his mother Ruth Thompson. I just
22 want to say that ---

23 THE COURT: --- ma'am, I need you just for the
24 record this is my court reporter, she's writing down
25 everything that we say so I need you to state your full

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1 name for the record and please spell your last name
2 loudly.

3 MS. THOMPSON: Ruth, last name Thompson, T-H-O-M-P-
4 S-O-N.

5 THE COURT: Yes, ma'am.

6 MS. THOMPSON: I stand before this court asking that
7 you have mercy not just because he is my son but because
8 he is a young man. And I just on hearing the things that
9 I've heard and seeing and have known that the behavior is
10 truly reckless. That I truly agree with and have
11 constantly told Dameon several times you know that I'm a
12 Christian woman and I know that he believes also in God
13 also. And I just pray that even in such a case that the
14 court and God finds favor that he is rehabilitated and
15 rehabilitatable that he could live a productive life and
16 do what is right.

17 We work hard; we're hard working people. I don't
18 live the scheme and scam or do anything underhanded in
19 this world in this life. I work in customer service.
20 I've worked every day since I was 17 years old. And I've
21 raised my kids to the best of my ability and I've tried
22 to do the same with Dameon. Like I said I don't ask that
23 he be you know granted anything that is not worthy but I
24 just pray that you guys would look favorably and that he
25 could be rehabilitated so whatever comes that he would be

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1 able to maybe get a high school diploma and get capable
2 of a job. He does have two children, two adorable
3 children. I have a lot of grandkids but him being
4 removed and locked up doesn't necessarily change -- you
5 know you'll grow behind bars and yes it does put you in
6 solitary so yes, you're going to be good.

7 But he has to know that there is a whole world out
8 here beautiful and he can live a good life in this world
9 working hard at it. And that's all that I have to say.
10 Thank you.

11 THE COURT: Thank you, Ms. Thompson.

12 MR. SHAHID: One more, Your Honor.

13 THE COURT: Same thing; I need you to state your
14 full name for the record and please spell your last name.

15 MS. GREEN: My name is Regina, last name Green, G-R-
16 E-E-N.

17 THE COURT: Yes Ms. Green?

18 MS. GREEN: I am one of Dameon's older sisters. And
19 I sat back and again just like his mother listened to
20 what he has done and also had conversations. I'm pretty
21 sure that all of us have had conversations with Dameon in
22 reference to his behavior, his actions. It's just like
23 his mother said the actions are definitely reckless and I
24 understand that he does need to be punished. I just ask
25 for a little bit of leniency when it comes to his actual

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1 sentencing. Just like how the lawyer said there is more
2 to him than what is on black and white. By what you're
3 seeing or what you have in front of you you don't have
4 the other side of him in front of you.

5 But Dameon is my little brother. He is not what
6 all's on paper, he is not a hurtful person, he is not a
7 dangerous person, and he's not an evil person. But I
8 just definitely ask that you show a little bit of
9 leniency with him. Again, he does have two children who
10 absolutely adore him and I just pray everything works out
11 for him.

12 THE COURT: Thank you, Ms. Green. Anything further
13 Mr. Shahid?

14 MR. SHAHID: Anybody else?

15 MR. SNIPE: My name is Glenn Snipe, S-N-I-P-E. I'm
16 his uncle. We all realize that he has done wrong.
17 Sometimes in life we all have the tendency of doing wrong
18 sometimes and I've done it myself.

19 Coming up I had the issue of child support. And I
20 lost my job as a matter of fact when the child support
21 came up I wasn't working so I came and asked my baby's
22 mother to put me on child support so they would have some
23 support until I get another job. And I was supposed to
24 get it and everything then it got to the point where I
25 lost my job again. And Mr. Crosby used to be the guys

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1 who come up and get you here, Mr. Crosby and Mr.
2 Gailliard, and I would run from them and run from them.
3 They left a note on my grandmother's door that says you
4 know what? You can't run forever. You need to come and
5 get clean and we'll help you. We'll give you another
6 chance.

7 And I thought about it. I was hiding under the
8 house at this time and it was raining and it was cold
9 watching Sanford and Son when they came. And I sat under
10 that house and I listened to them walk above my head and
11 was freezing so when I came out my grandmother gave me
12 the note and I thought about it and I thought about it
13 and I finally called them.

14 They said we're not going to shackle you but we're
15 going to lock you up and I said okay. So they didn't
16 shackle me when they put me in the car but when we got
17 here and put the cuffs on me. They kept their word so
18 when that man loved me so I kept mine. And I would keep
19 in contact with Mr. Crosby and Mr. Gailliard.

20 And I went to Roper Hospital as a painter and they
21 were talking to me and I started working at Roper. I
22 worked in Radiology -- I was in the paint department for
23 six months and then I found out about the Radiology
24 school and I went to that school and I was at Roper from
25 '85 until now. I travelled all over the U.S. as a

State v Dameon Lamar Thompson
Guilty Plea
January 8, 2015

1 travelling tech when I worked at Roper and special
2 procedures at the O.R.

3 And I thought about it if they didn't give me that
4 chance and talked to me I don't know what I would have
5 done because I was running; I was really running. But my
6 point is sometimes people give you a chance, you set your
7 heart to it and it can be done and I ---

8 THE COURT: --- you set your heart to it Mr. Snipe.

9 MR. SNIPE: Yes, ma'am, right.

10 THE COURT: You set your heart to it.

11 MR. SNIPE: Yes ma'am, thank you.

12 THE COURT: Thank you Mr. Snipe. Anything further
13 Mr. Shahid? I think I've heard enough from the family.
14 I've seen this before and it really does warm my heart
15 and Mr. Thompson you should as I indicated to you be very
16 thankful for the family support that you have. Anything
17 further? Anything else you wish to say to me?

18 MR. THOMPSON: No, ma'am.
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State v Dameon Lamar Thompson
Sentencing
January 8, 2015

1 THE COURT: Mr. Thompson, your uncle Mr. Snipe
2 brought up a really good point. It's how you handle the
3 situation and unfortunately you have been given more than
4 most. You have a very supportive family behind you that
5 is intelligent and hard working and obviously they love
6 you very much.

7 We placed you on probation; Judge Dennis gave you a
8 chance on probation. Judge Hughston gave you a chance
9 and didn't revoke you and what did you do with those
10 chances? You didn't change your heart like your uncle
11 did. You continued to go out and put people in danger
12 and put others at risk.

13 I find that you have willfully and substantially
14 violated the terms and conditions of your probationary
15 sentence revoke in full and give credit for 172 days.
16 All these indictments are to run concurrent with the
17 probation and with each other.

18 It's the order of the court on 2013-GS-18-437 that
19 you be committed to the State Department of Corrections
20 for a term of three years.

21 It's the order of the court on 2013-GS-18-438 that
22 you be committed to the State Department of Corrections
23 for a term of ten years.

24 It's the order of the court on 2013-GS-10-7493 that
25 you be committed to the State Department of Corrections

State v Dameon Lamar Thompson
Sentencing
January 8, 2015

1 for a term of fifteen years. It's the order of the court
2 on 2014-GS-10-7267 that you be committed to the State
3 Department of Corrections for a term of fifteen years.

4 It's the order of the court on 2014-GS-10-7270 that
5 you be committed to the State Department of Corrections
6 for a term of fifteen years.

7 It's the order of the court on 2014-GS-10-7271 that
8 you be committed to the State Department of Corrections
9 for a term of five years.

10 It's the order of the court on 2014-GS-10-7273 that
11 you be committed to the State Department of Corrections
12 for a term of five years.

13 It's the order of the court on 2014-GS-10-7275 that
14 you be committed to the Department of Corrections for a
15 term of five years.

16 It's the order of the court on 2014-GS-10-7276 that
17 you be committed to the State Department of Corrections
18 for a term of one year.

19 I'll give you credit for 172 days on all of these
20 indictments. They are all to run concurrent with each
21 other.

22 It is important just for the record again to clarify
23 that this is for purposes if it should become necessary
24 since a strike is involved that this is one sentence and
25 will be one conviction date for purposes if it should

State v Dameon Lamar Thompson
Sentencing
January 8, 2015

1 ever become applicable. I order ATU. Good luck to you
2 Mr. Thompson. Thank you. Thank you, Mr. Shahid.

3 MR. SHAHID: Thank you, Judge.

4 *****END OF TRANSCRIPT OF RECORD*****
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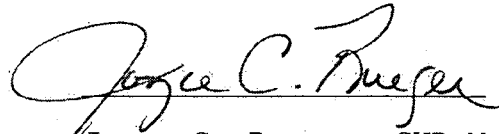
State v Dameon Lamar Thompson
Certificate of the Court Reporter
January 8, 2015

C E R T I F I C A T E

I, the undersigned, Joyce C. Rueger, Official
Circuit Court Reporter for the Ninth Judicial Circuit of
the State of South Carolina, do hereby certify that the
foregoing is a true, accurate, and complete Transcript of
Record of the proceedings had and evidence introduced in
the trial of the captioned case, relative to appeal, in
the Court of General Sessions for Charleston County,
South Carolina on the 8th day of January, 2015.

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

March 28, 2016



Joyce C. Rueger, CVR-M

Court Reporter

STATE OF SOUTH CAROLINA) IN THE COURT OF GENERAL SESSIONS

COUNTY OF CHARLESTON) INDICTMENT NO. 2013GS1007493
 2014GS1007267
 2014GS1007270
 2014GS1007271
 2014GS1007273
 2014GS1007275
 2014GS1007276

COUNTY OF DORCHESTER) INDICTMENT NO.: 2013GS18-0437
 2013GS18-0438

STATE OF SOUTH CAROLINA,)

vs.)

DAMEON LAMAR THOMPSON,)

Defendant.)

MOTION FOR RECONSIDERATION

NOW COMES THE DEFENDANT, Dameon Lamar Thompson, in the above-captioned cases, and moves for reconsideration of his sentence of a total of fifteen (15) year imprisonment imposed on January 8, 2015. Defendant would respectfully request a Hearing in this regard so that additional evidence and argument may be presented.

The Defendant appeared before The Honorable Kristi Lea Harrington, in St. George, Dorchester County, South Carolina, on November 3, 2014, and entered a plea to failure to stop for a blue light, indictment number 2013GS180437 and trafficking in cocaine base, indictment number 2013GS180438. The State agreed that sentencing on those two charges would be deferred until the resolution of the pending charges in Charleston County. It was further represented and agreed that for purposes of sentencing these above charges would be considered and interpreted as not being a prior conviction for any enhancement or other reason.

FILED
 2015 JAN 9 11:23
 CLERK OF COURT
 BY

The Defendant entered a plea on January 8, 2015, possession with intent to distribute cocaine, Case Number 2013GS1007493, possession with intent to distribute cocaine, Case Number 2014GS1007270, failure to stop for a blue light, Case Number 2014GS1007271, possession with intent to distribute marijuana, Case Number 2014GS1007273, failure to stop for a blue light, Case Number 2014GS1007275, hit and run, Case Number 2014GS1007276, and possession with intent to distribute cocaine base, Case Number 2014GS1007277.

The Defendant was previously convicted for failure to stop for a blue light, and received a sentence of probation on April 17, 2012, in Case Number 2011-GS-10-05783. As a result of the Defendant entering a plea to the above charges the probation office submitted a report recommending that his probation be revoked and any new sentence run concurrent with any time received as a result of the current conviction. The only violation of his probation cited by this probation officer was "... appearing in General Sessions Court on this date."

Unbeknownst to defense counsel a pre-sentence investigation report was prepared prior to the entry of the guilty plea on January 8, 2015. The report was then presented to defense counsel at the January 8, 2015, hearing. The probation sentence report recommended a split sentence of ten (10) years suspended upon the service of six (6) years.

As part of the negotiated plea the State recommended a sentence of a total of eight (8) years.

As represented by the State, the Defendant was initially charged with trafficking in cocaine and trafficking in crack cocaine. The maximum penalty for trafficking is a sentence of three to ten years. The Defendant has no prior criminal drug conviction. As part of the

negotiated plea the Defendant pled to the lesser included offense from trafficking to possession with intent to distribute and intent to distribute cocaine base.

The Court imposed the maximum sentence of fifteen (15) years on the possession with intent to distribute cocaine and cocaine base in indictment numbers 2014GS1007270, 2014GS1007267, and 2013GS1007493. These sentences were ordered to run concurrent with each and to run concurrent with the sentences imposed in the above-referenced cases. The sentence imposed in those other matters was the maximum sentence allowed by law.

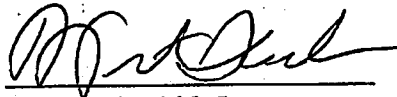
The sentence imposed by this Court was a maximum sentence even though the State negotiated a lesser included offense and recommended a sentence of almost one-half of the maximum possible sentence. In addition, the fifteen-year sentence imposed is a third more severe than the maximum sentence for the greater offense of trafficking as opposed to possession with intent to distribute.

The negotiated plea was construed so that the Defendant would be treated as a first time drug offender, however, this Court's sentence treated the Defendant as a repeat offender. While the Defendant recognizes the Court has a wide discretion in imposing a sentence of up to fifteen years for the possession with intent to distribute charges, the Court did not announce its reason for deviating from the recommended negotiated sentence of eight (8) years and for the recommended sentence by the probation office of ten years suspended upon the service of six years.

Therefore for the foregoing reasons the Defendant respectfully submits his request that This Honorable Court grant him a hearing and reconsider its sentence and impose one within the

recommendation of the State and the probation office. In the alternative the Defendant respectfully requests that he be allowed to withdraw his plea and proceed with trial.

Respectfully submitted,



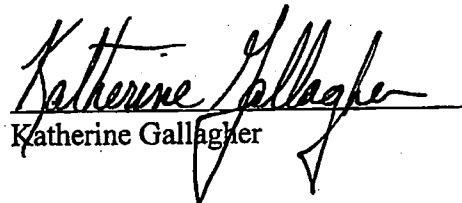
A. Peter Shahid, Jr.
Attorney for Defendant
89 Broad Street
Charleston, SC 29401
Phone 843/853-4500

Charleston, SC

January 9, 2015

Certificate of Service

I HEREBY CERTIFY that a true and correct copy of the foregoing has been served via U.S. Mail this 9th day of January 2015 to: **The Honorable Kristi Lea Harrington**, 300B California Ave., Moncks Corner, SC 29461, **Nina Savas**, Assistant Solicitor, 101 Meeting St., Charleston, SC 29401; and **Don Sorenson**, Assistant Solicitor, Suite 102, 140 North Main St, Summerville, SC 29483.



Katherine Gallagher

BY _____

JOHN J. ARMSTRONG
CLERK OF COURT

2015 JAN -9 PM 12: 23

FILED

FILED

STATE OF SOUTH CAROLINA) IN THE COURT OF GENERAL SESSSIONS
COUNTY OF CHARLESTON)
2015 JAN 20 PM 1:49) NINTH JUDICIAL CIRCUIT
STATE OF SOUTH CAROLINA)
CLERK OF COURT)
BY [Signature]) Indictment #s: 2013GS1007493, 2014GS1007267,
) 2014GS1007270, 2014GS1007271,
) 2014GS1007273, 2014GS1007275,
) 2014GS1007276, 2013GS18-0437,
) 2013GS18-0438
) DAMEON LAMAR THOPMSON)
) Defendant.) **STATE'S RESPONSE TO DEFENSE'S**
) **MOTION FOR RECONSIDERATION**

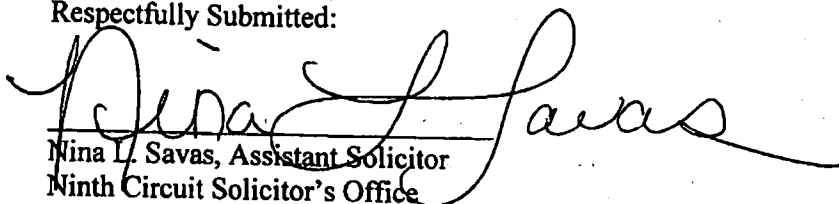
On January 8, 2015, before this Court, Defendant Dameon Lamar Thompson pled guilty to the above mentioned indictments and was sentenced to fifteen year imprisonment. On January 12, 2015, the State received the Defense's Motion for Reconsideration. The State respectfully requests the Court to summarily deny the Defense's motion.

The Defendant pled to: (1) count of Trafficking in Cocaine Base; (1) count of Failure to Stop for Blue Lights, First Offense; (2) counts of Failure to Stop for Blue Lights, Second Offense; (2) counts of Possession with Intent to Distribute Cocaine; (1) count of Possession with Intent to Distribute Cocaine Base; (1) count of Possession with Intent to Distribute Marijuana; and (1) count of Hit and Run. The open penalty range is zero to fifteen years. The Court sentenced the Defendant within the statutory penalty range.

Although the State recommended an eight year sentence, the plea was *not* a negotiated sentence. It was indicated on all sentencing sheets as a recommendation, and was signed by the State, Defense counsel, and the Defendant as such. The Court has full discretion in sentencing. The Defendant is not a first time drug offender and has prior criminal drug convictions. The Defendant's prior record includes (3) counts of possession of marijuana in 2011.

Conclusively, The State asks the Court to summarily deny the Defense's Motion for Reconsideration. However, if the Court is inclined to set a hearing, the State requests for at least 10 day notice to properly notify victims.

Respectfully Submitted:


Nina L. Savas, Assistant Solicitor
Ninth Circuit Solicitor's Office

FILED
2015 JAN 20 PM 1:49
JULIE J. ANDERSON
CLERK OF COURT
BY 

STATE OF SOUTH CAROLINA
COUNTY OF CHARLESTON

2015 FEB -2 AM 10:26

IN THE COURT OF GENERAL SESSIONS
FOR THE NINTH JUDICIAL CIRCUIT

STATE OF SOUTH CAROLINA

JULIE C. ARMS STRONG
CLERK OF COURT

Case Nos.: 2013-GS-10-7493
2014-GS-10-7267; -7270; -7271;
2014-GS-10-7273; -7275; -7276
2013-GS-18-437; -438

v.

BY

DAMEON THOMPSON,

Defendant.

ORDER

RECEIVED

MAY 12 2015

SC Court of Appeals

THIS MATTER IS BEFORE THE COURT on Defendant Dameon Thompson's Motion for Reconsideration of Sentence, or in the Alternative to Withdraw Plea and Proceed to Trial. On November 3, 2014, Defendant Dameon Thompson entered into a plea in Dorchester County on Indictment Nos. 2013-GS-18-437 (Failure to Stop for a Blue Light) and 2013-GS-18-438 (Trafficking in Cocaine Base). At the request of the parties, the Court deferred sentencing in order for Defendant to enter a guilty plea on his pending Charleston County charges.

On January 8, 2015, Defendant Dameon Thompson appeared before the Court in Charleston County to enter a plea on his pending charges and for sentencing on the Dorchester and Charleston charges. The State recommended an eight year sentence. The Defendant pled guilty to Indictment Nos. 2013-GS-10-7493 (Possession with Intent to Distribute Cocaine), 2014-GS-10-7267 (Possession with Intent to Distribute Cocaine Base), 2014-GS-10-7270 (Possession with Intent to Distribute Cocaine), 2014-GS-10-7271 (Failure to Stop for a Blue Light, 2nd Offense), 2014-GS-10-7273 (Possession with Intent to Distribute Marijuana), 2014-GS-10-7275 (Failure to Stop for a Blue Light, 2nd Offense), and 2014-GS-10-7276 (Hit and Run). The Court imposed the following sentence: Fifteen years on Indictment No. 2013-GS-10-7493; Fifteen years on Indictment No. 2014-GS-10-7267; Fifteen years on Indictment No. 2014-

11/30/15

GS-10-7270; Ten years on Indictment No. 2013-GS-18-438; Five years on Indictment No. 2014-GS-10-7271; Five years on Indictment No. 2014-GS-10-7275; Five years on Indictment No. 2014-GS-10-7273; Three years on Indictment No. 2013-GS-18-437; and One year on Indictment No. 2014-GS-10-7276. All charges were ordered to run concurrent and Defendant was given One Hundred Seventy-Two (172) days credit for time served.

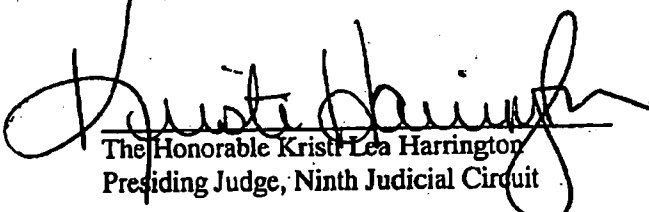
Defendant filed the instant Motion for Reconsideration of Sentence, or in the Alternative to Withdraw Plea and Proceed to Trial, on January 9, 2015. The State filed a Response to Defense's Motion for Reconsideration on January 20, 2015.

After a review of the case, together with Defendant's Motion and the State's Response, the Court finds that the sentence imposed January 8, 2015, shall remain in place and hereby denies Defendant's Motion.

THEREFORE, IT IS ORDERED that Defendant Dameon Thompson's Motion for Reconsideration, or in the Alternative to Withdraw Plea and Proceed to Trial is hereby **DENIED**.

IT IS ORDERED.

January 30, 2015
Charleston, South Carolina


The Honorable Kristi Lea Harrington
Presiding Judge, Ninth Judicial Circuit

2015 FEB -2 AM 10:26
JULIE L. ALMOND
CLERK OF COURT
B

FORM 4
NOTICE OF APPEAL FROM A SENTENCE IMPOSED BY THE COURT
OF GENERAL SESSIONS

THE STATE OF SOUTH CAROLINA
 In the Court of Appeals
 [In The Supreme Court]

APPEAL FROM CHARLESTON COUNTY
 Court of General Sessions

Kristi Lea Harrington, Circuit Court Judge

RECEIVED
 MAY 12 2015
 SC Court of Appeals

Case Nos. 2013GS1007493, 2014GS1007267, 2014GS1007270, 2014GS1007271,
 2014GS1007273, 2014GS1007275, 2014GS1007276, 2013GS18-0437, 2013GS18-0438

The State,

Respondent,

vs.

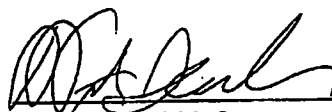
Dameon Thompson,

Appellant.

NOTICE OF APPEAL

Dameon Thompson appeals his conviction and sentence in this case. The sentence was imposed by the Honorable Kristi Lea Harrington on January 8, 2015. This appeal is taken from the order of the Honorable Kristi Lea Harrington, dated January 30, 2015, which denied appellant's motion for a new trial. Appellant received written notice of entry of this order on May 5, 2015.

May 7, 2015

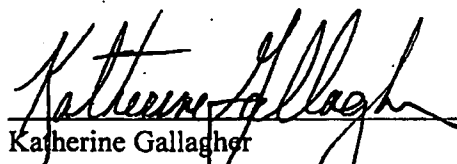


A. Peter Shahid, Jr.
 89 Broad St.
 Charleston, SC 29401
 843/853-4500
 Attorney for Appellant

Other Counsel of Record:
 Nina I. Savas, Assistant Solicitor
 Charleston County Solicitor's Office
 101 Meeting St.
 Charleston, SC 29401
 843/958-1905
 Attorney for Respondent

Certificate of Service

I HEREBY certify that a true and correct copy of the foregoing has been served via U.S. Mail this 7th day of May 2015 to: Nina I. Savas, Assistant Solicitor, Charleston County Solicitor's Office, 101 Meeting St., Charleston, SC 29401.


Katherine Gallagher

RECEIVED
MAY 12 2015
SC Court of Appeals

FORM 4
NOTICE OF APPEAL FROM A SENTENCE IMPOSED BY THE COURT
OF GENERAL SESSIONS

THE STATE OF SOUTH CAROLINA

In the Court of Appeals
 [In The Supreme Court]

RECEIVED

MAY 12 2015

APPEAL FROM CHARLESTON COUNTY
 Court of General Sessions

SC Court of Appeals

Kristi Lea Harrington, Circuit Court Judge

Case Nos. 2013GS1007493, 2014GS1007267, 2014GS1007270, 2014GS1007271,
 2014GS1007273, 2014GS1007275, 2014GS1007276, 2013GS18-0437, 2013GS18-0438

The State,

Respondent,

vs.

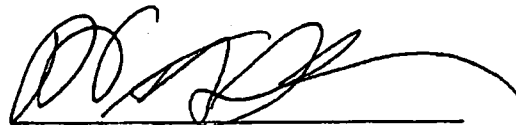
Dameon Thompson,

Appellant.

EXPLANATION OF ISSUE TO BE REVIEWED

The Defendant's due process rights were violated in the imposition of a sentence greater than the one negotiated between the State and the Defendant. In addition the Defendant was not afforded an opportunity to review the South Carolina Department of Probation Parole and Pardon Violation Report prior to sentencing.

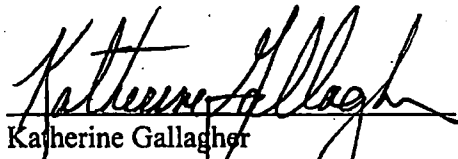
May 7, 2015



A. Peter Shahid, Jr.
 89 Broad St.
 Charleston, SC 29401
 843/853-4500
 Attorney for Appellant

Certificate of Service

I HEREBY certify that a true and correct copy of the foregoing has been served via U.S. Mail this 7th day of May 2015 to: **Nina I. Savas, Assistant Solicitor, Charleston County Solicitor's Office, 101 Meeting St., Charleston, SC 29401.**


Katherine Gallagher

RECEIVED
MAY 12 2015
SC Court of Appeals

South Carolina Department of Probation, Parole and Pardon Services
Violation Report

89

Offender's Name: DAMEON LAMAR THOMPSON
State of South Carolina, County of: CHARLESTON
SID#: 01928037

Warrant#:
Date of Birth: 1/1/1993
SCDC#:

Indictment Numbers:
11-GS-10-05783

Offense and Offense Code:
65 - Failure to stop for a blue light, no injury or death - 1st offense

Supervision Program: Probation
Supervision Level: High Supervision

Begin Date: 4/17/2012
Potential End Date:
End Date: 10/16/2017
Adjusted End Date:

Sentencing Judge: 060 - Dennis, Jr., R.
Sentencing Date: 4/17/2012
Location (Bold Response): SCDC

Sentencing County: CHARLESTON

Sentence:

Failure to stop for a blue light, no injury or death, 1st offense - 2 yrs ss upon the service of 18 months probation. Defendant also received 22 days straight time on IND#2011GS1005784 for Resisting Arrest/Resisting officer serving process. Credit for 22 days jail time; 22 days straight time on IND#2010GS1005040 for Possession Over an Ounce of Marijuana, 1st Offense. Credit for 22 days jail time.

Warrant W-10-14-0177 was withdrawn -AIC Ray 5-29/2014.

Admin. Sanc. form 9, dtd: 11/26/2013 Per Judge Hughston, Jr.: Continue PProbation. Dept. fees. Extend prob out to the full five years. New end date 10/15/2017. restructure ct fines to be pd @ rate of \$25/mo. beg 1/1/2014. Re-instate PSE. Prob mayg terminate once fine pd. PSE and SAC completed. kw/hss

6/27/14 consent order, Offender must comply with conditions of supervision, repot as instructed and always make agent aware of correct address. Complete pse, sac and ged. exempt sf arrears and set at 25 a month restructure fine. tf

Special Conditions:

Fine - Pay \$648.90 to the Charl.Co Clerk of Court.; GED - Obtain GED; PSE - PSE / Complete 50 hours Public Service Employment; RADT - RADT / Random Alcohol/Drug Testing; SAC - SAC / Substance Abuse Counseling

Current Address and Summary of Residence:

IOHNS ISLAND, SC 29455, CHARLESTON, USA,

JOHNS ISLAND, SC 29455, CHARLESTON, USA, ; 925 BANDTRY CIRCLE, CHARLESTON, SC ; CHARLESTON, USA,

Reporting:

last report on 9-25-2014

Employment Records While Under Supervision:

Employer	Dates (from -to)	Reason(s) for Leaving	Earnings
Unemploy	4/18/2012 -		

Financial Conditions:

	Total Amount ordered	Pay Period	Total Paid	Date Last Paid	Arrearage	Balance Due
Fees						
Drug Test Fee	\$20.00	\$2.00/M	\$0.00		\$20.00	\$20.00
PSE Fee	\$25.00	\$2.00/M	\$0.00		\$25.00	\$25.00

South Carolina Department of Probation, Parole and Pardon Services
Violation Report

Offender's Name: **DAMEON LAMAR THOMPSON**

Regular Supervision	\$1,000.00	\$25.00/M	\$25.00	8/28/2014	\$125.00	\$975.00
Fines						
Court Ordered Fines	\$648.90	\$25.00/M	\$37.00	5/7/2012	\$150.00	\$611.90

Prior Violation Dates	Prior Violations	Prior Violation Disposition
	Arrearages, non compliance pse, ged, drug counseling, non report, moving	
	By violating conditions 7,9,10 & special conditions of subjects probationary agreement.	
	Pos for THC	

Details of the Present Violation:

Failure to follow the advice and instructions of supervising agent. Failure to refrain from violating any federal, state, or local law by appearing in General Sessions Court on this date. These actions constitute a violation of subjects release agreement. Subject has received both written and oral instructions as to conditions of supervision and have failed to comply.

Agent's Recommendation:

Revocation to run concurrent with any new time received.

Agent's Justification:

Mr. Thompson has failed to comply with conditions of supervision as originally ordered. Therefore a recommendation of revocation is requested in this matter.

Date: _____

Supervisor's Signature _____ Date: _____

PROBATION CITATION

2013 NOV 26 PM 3: 00

No. C-10-13-0713

SOUTH CAROLINA		CLERK OF COURT		COUNTY: CHARLESTON	
V.		BY <i>PM</i>		SCDC #	SID #
DAMEON LAMAR THOMPSON					01928037
TO: DAMEON LAMAR THOMPSON					
YOU ARE HEREBY NOTIFIED to appear in the above named case at the time, date and place specified below.					
Place			Room		
			Date and Time		
YOU ARE HEREBY NOTIFIED that you are charged with violating the conditions of your supervision as stated below.					
Violations Charged By violating conditions 7,9,10 & special conditions of subjects probationary agreement.					
YOU ARE HEREBY NOTIFIED that you have the rights listed below.					
List of Rights: You have the right at the hearing to question any person who appears as a witness against you and to have witnesses appear on your behalf. You may present evidence on your behalf. You may have an attorney represent you. If you cannot afford an attorney, an attorney will be appointed for you. You must advise the agent or the court in writing of your desire for an attorney. It is your responsibility to make arrangements for your witnesses and your attorney to appear at the hearing.					
IF YOU FAIL TO APPEAR AT THE TIME, DATE AND PLACE SHOWN ABOVE, THE HEARING WILL BE HELD IN YOUR ABSENCE AND YOU MAY BE INCARCERATED.					
NORTH CHARLESTON, South Carolina			Probation and Parole Agent		Agent #
Date 10/11/2013			James Bingley		0257
A copy of the citation was served by the undersigned and given to the individual named therein at the time, date, and place indicated below.					
Place			Date and Time		
			10/11/13 10:24		
			Serving Officer's Signature		
			<i>[Signature]</i>		
Sworn to and subscribed before me this <u>11</u> day of <u>11</u>			<u>13</u>		
<i>[Signature]</i> Signature of Notary Public			My Commission Expires <u>6/4/13</u>		

STATE OF SOUTH CAROLINA

AFFIDAVIT

County of CHARLESTON

Personally appeared before me, James Bingley, who first being duly sworn, deposes and says that DAMEON LAMAR THOMPSON did within this county and State on the 11 day of October, 2013, violate certain conditions of release in the following particulars:

DESCRIPTION OF VIOLATION

By violating conditions 7,9,10 & special conditions of subjects probationary agreement.

The Affiant states that there is probable cause to believe the defendant named committed the violations set forth and that such probable cause is based on the following facts:

By failing to follow the advice and instructions of supervising agent. Failure to satisfy financial obligations. Subject currently in arrears on supervision fees and court ordered fines. Failure to attend and complete required substance abuse treatment subject has failed to provide proof of attendance or completion. Failure to obtain GED. Failure to complete required PSE. Subject has failed to complete required hours. These actions constitute a violation of subjects original release agreement. Subject has been given both written and oral instructions as to conditions of supervision and have failed to comply.

Sworn to and subscribed
before me this 11 day of
October, 2013

[Signature]
Signature of Notary Public

My Commission Expires: 6/4/14

[Signature]
Affiant

NLS20140100628

WITNESSES

North Charleston Police Department

AGENCY CASE NUMBER

2014001743

ARREST WARRANT NUMBER

2014A1010200330

DATE OF ARREST

January 17, 2014

ACTION OF GRAND JURY

TRUE BILLForeperson of Grand Jury
Date: *Wanda Bess* DEC 2 - 2014

VERDICT

Foreperson of Petit Jury

Date:

INDICT

DOCKET NO. 2014GS1007267

The State of South Carolina

County of Charleston

COURT OF GENERAL SESSIONS

December Term 2014

THE STATE

vs.

DAMEON LAMAR THOMPSON

DOB:

B/M

Indictment for

Trafficking in Cocaine Base

FILED

12/11/2014 8:54:44 AM

JULIE J. ARMSTRONG

CLERK OF COURT

STATE OF SOUTH CAROLINA)
)
COUNTY OF CHARLESTON)

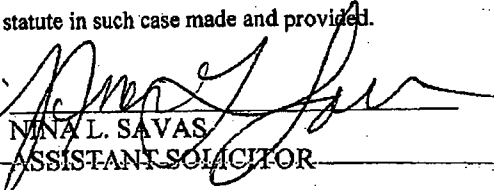
INDICTMENT

At a Court of General Sessions, convened on December 1, 2014 the Grand Jurors of Charleston County present upon their oath:

Trafficking in Cocaine Base

That in Charleston County, South Carolina, on or about January 16, 2014, the Defendant, DAMEON LAMAR THOMPSON, knowingly did sell, manufacture, deliver, purchase, or bring into this State; or did provide financial assistance or otherwise aid, abet, attempt, or conspire to sell, manufacture, deliver, purchase, or bring into this State; or did possess or attempt to possess a controlled substance or a controlled substance analogue, to wit: cocaine base, in excess of 10 grams; in violation of 44-53-375 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.


NINA L. SAVAS
ASSISTANT SOLICITOR

NLS20140100628

DOCKET NO. 2014GS1007270

WITNESSES

North Charleston Police Department

The State of South Carolina

County of Charleston

AGENCY CASE NUMBER

2014001743

COURT OF GENERAL SESSIONS

December Term 2014

ARREST WARRANT NUMBER

2014A1010200333

DATE OF ARREST

January 17, 2014

THE STATE

vs.

DAMEON LAMAR THOMPSON

DOB:

B/M

ACTION OF GRAND JURY

TRUE BILL

Foreperson of Grand Jury

Date:

DEC 2 - 2014

VERDICT

Indictment for
Trafficking in Cocaine

Foreperson of Petit Jury

Date:

INDICT

FILED12/11/2014 8:54:44 AM
JULIE J. ARMSTRONG
CLERK OF COURT

STATE OF SOUTH CAROLINA)
)
COUNTY OF CHARLESTON)

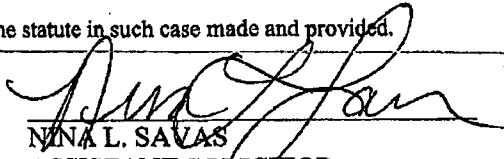
INDICTMENT

At a Court of General Sessions, convened on December 1, 2014 the Grand Jurors of Charleston County present upon their oath:

Trafficking in Cocaine

That in Charleston County, South Carolina, on or about January 16, 2014, the Defendant, DAMEON LAMAR THOMPSON, unlawfully and knowingly did sell, manufacture, cultivate, deliver, purchase, or bring into this State; or did provide financial assistance or otherwise aid, abet, attempt, or conspire to sell, manufacture, cultivate, deliver, purchase, or bring into this State; or did possess or attempt to possess a controlled substance or a controlled substance analogue, to wit: cocaine, in excess of 100 grams; in violation of 44-53-370 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.


NINA L. SAVAS
ASSISTANT SOLICITOR

NLS20140100628

WITNESSES

North Charleston Police Department

AGENCY CASE NUMBER

2014001743

ARREST WARRANT NUMBER

2014A1010200334

DATE OF ARREST

January 17, 2014

ACTION OF GRAND JURY

TRUE BILL

Foreperson of Grand Jury
Date: *[Signature]* DEC 2 - 2014

VERDICT

Foreperson of Petit Jury

Date:

INDICT

DOCKET NO. 2014GS1007271

The State of South Carolina

County of Charleston

COURT OF GENERAL SESSIONS

December Term 2014

THE STATE

vs.

DAMEON LAMAR THOMPSON

DOB:

B/M

Indictment for

Failure to Stop for Blue Lights 2nd Offense

FILED

12/11/2014 8:54:44 AM
JULIE J. ARMSTRONG
CLERK OF COURT

STATE OF SOUTH CAROLINA)
)
COUNTY OF CHARLESTON)

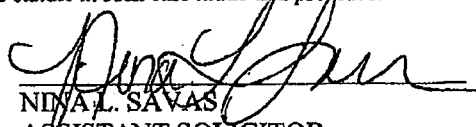
INDICTMENT

At a Court of General Sessions, convened on December 1, 2014 the Grand Jurors of Charleston County present upon their oath:

Failure to Stop for Blue Lights 2nd Offense

That in Charleston County, South Carolina, on or about January 16, 2014, the Defendant, DAMEON LAMAR THOMPSON, while driving a motor vehicle on a road, street, or highway of the State, did knowingly, willfully, intentionally, and in the absence of mitigating circumstances, fail to stop for a law enforcement vehicle after being signaled by a flashing light and/or a siren to do so; all in violation of Section 56-5-750 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.


NINA L. SAVAS
ASSISTANT SOLICITOR

NLS20140808530

WITNESSES

North Charleston Police Department

AGENCY CASE NUMBER

2014027264

ARREST WARRANT NUMBER

2014A1010204279

DATE OF ARREST

August 12, 2014

ACTION OF GRAND JURY

TRUE BILL

Foreperson of Grand Jury

Date: *C. P. D. Bill* DEC 2 - 2014

VERDICT

Foreperson of Petit Jury

Date:

INDICT

DOCKET NO. 2014GS1007273

The State of South Carolina

County of Charleston

COURT OF GENERAL SESSIONS

December Term 2014

THE STATE

vs.

DAMEON LAMAR THOMPSON

DOB:

B/M

Indictment for

Possession With Intent to Distribute
Marijuana**FILED**12/11/2014 8:54:44 AM
JULIE J. ARMSTRONG
CLERK OF COURT

STATE OF SOUTH CAROLINA)
COUNTY OF CHARLESTON)

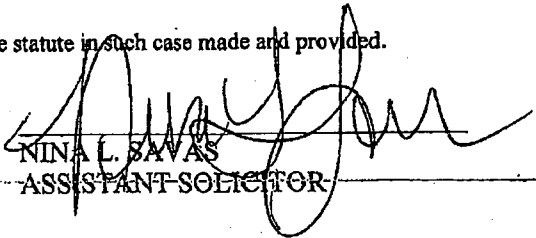
INDICTMENT

At a Court of General Sessions, convened on December 1, 2014 the Grand Jurors of Charleston County present upon their oath:

Possession With Intent to Distribute Marijuana

That in Charleston County, South Carolina, on or about August 11, 2014, the Defendant, DAMEON LAMAR THOMPSON, did manufacture, distribute, dispense, deliver, purchase; or did aid, abet, attempt, or conspire to manufacture, distribute, dispense, deliver, or purchase; or did possess with the intent to manufacture, distribute, dispense, deliver, or purchase a controlled substance or a controlled substance analogue, to wit: marijuana; in violation of 44-53-370 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.


NINA L. SAVAS
ASSISTANT SOLICITOR

NLS20140808530

WITNESSES

North Charleston Police Department

AGENCY CASE NUMBER

2014027264

ARREST WARRANT NUMBER

74786FP

DATE OF ARREST

August 11, 2014

ACTION OF GRAND JURY

TRUE BILLForeperson of Grand Jury
Date: *Wanda D. Bell* DEC 2 - 2014

VERDICT

Foreperson of Petit Jury

Date:

INDICT

DOCKET NO. 2014GS1007275

The State of South Carolina

County of Charleston

COURT OF GENERAL SESSIONS

December Term 2014

THE STATE

vs.

DAMEON LAMAR THOMPSON

DOB:

B/M

Indictment for

Failure to Stop for Blue Lights

FILED12/11/2014 8:54:44 AM
JULIE J. ARMSTRONG
CLERK OF COURT

STATE OF SOUTH CAROLINA)
)
COUNTY OF CHARLESTON)

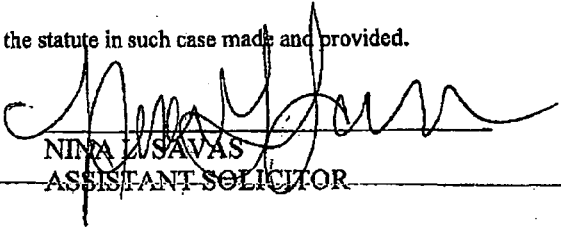
INDICTMENT

At a Court of General Sessions, convened on December 1, 2014 the Grand Jurors of Charleston County present upon their oath:

Failure to Stop for Blue Lights

That in Charleston County, South Carolina, on or about August 11, 2014, the Defendant, DAMEON LAMAR THOMPSON, while driving a motor vehicle on a road, street, or highway of the State, did knowingly, willfully, intentionally, and in the absence of mitigating circumstances, fail to stop for a law enforcement vehicle after being signaled by a flashing light and/or a siren to do so; all in violation of Section 56-5-750 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.


NINA L. SAVAS
ASSISTANT SOLICITOR

NI S20140808530

DOCKET NO. 2014GS1007276

WITNESSES

The State of South Carolina

North Charleston Police Department

County of Charleston

AGENCY CASE NUMBER

2014027264

COURT OF GENERAL SESSIONS

December Term 2014

FILED

12/11/2014 8:54:44 AM

JULIE J. ARMSTRONG

CLERK OF COURT

ARREST WARRANT NUMBER

74787FP

DATE OF ARREST

August 11, 2014

THE STATE

vs.

ACTION OF GRAND JURY

DAMEON LAMAR THOMPSON

DOB:

B/M

TRUE BILL

Foreperson of Grand Jury
Date: *[Signature]* DEC 2 - 2014

VERDICT

Indictment for

Leaving the Scene of an Accident

Foreperson of Petit Jury

Date:

INDICT

STATE OF SOUTH CAROLINA)
)
COUNTY OF CHARLESTON)

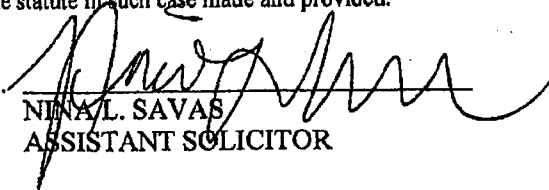
INDICTMENT

At a Court of General Sessions, convened on December 1, 2014 the Grand Jurors of Charleston County present upon their oath:

Leaving the Scene of an Accident

That in Charleston County, South Carolina, on or about August 11, 2014, and being the driver of a vehicle involved in an accident resulting in damage to an attended vehicle driven by Jarell Miller, the Defendant, DAMEON LAMAR THOMPSON, did fail to stop and remain at the scene of the accident and fulfill the requirements of Section 56-5-1230, in violation of Section 56-5-1220 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.


NINA L. SAVAS
ASSISTANT SOLICITOR

TAS20121007631

WITNESSES

North Charleston Police Department

AGENCY CASE NUMBER

2012037495

ARREST WARRANT NUMBER

2012A1010201982

DATE OF ARREST

October 18, 2012

ACTION OF GRAND JURY

TRUE BILL

Foreperson of Grand Jury Date: DEC 10 2013

VERDICT

Foreperson of Petit Jury

Date:

INDICT

DOCKET NO. 2013GS1007493

The State of South Carolina

County of Charleston

COURT OF GENERAL SESSIONS

December Term 2013

THE STATE

vs.

DAMEON LAMAR THOMPSON

DOB:

B/M

Indictment for

Trafficking In Cocaine Base

FILED

12/12/2013 11:38:32 AM
JULIE J. ARMSTRONG
CLERK OF COURT

STATE OF SOUTH CAROLINA)
COUNTY OF CHARLESTON)

INDICTMENT

At a Court of General Sessions, convened on December 9, 2013, the Grand Jurors of Charleston County present upon their oath:

Trafficking In Cocaine Base

That in Charleston County, South Carolina, on or about October 17, 2012, the Defendant, DAMEON LAMAR THOMPSON, knowingly did sell, manufacture, deliver, purchase, or bring into this State; or did provide financial assistance or otherwise aid, abet, attempt, or conspire to sell, manufacture, deliver, purchase, or bring into this State; or did possess or attempt to possess a controlled substance or a controlled substance analogue, to wit: Cocaine Base, in excess of ten grams but less than one hundred grams; in violation of 44-53-375 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.

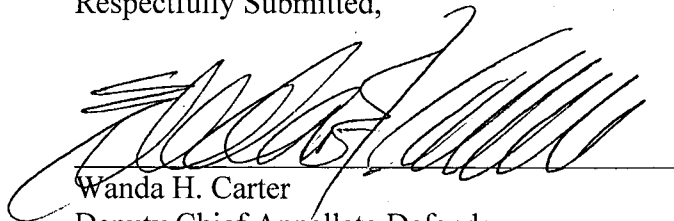


TYLER S. WHITAKER
ASSISTANT SOLICITOR

CERTIFICATE OF COUNSEL FOR APPELLANT

Counsel for appellant certifies that this Record on Appeal contains all material proposed to be included by any of the parties and not any other material and that this Record on Appeal complies to the best of my ability with the April 15, 2014 order from the South Carolina Supreme Court entitled "Revised Order Concerning Personal Identifying Information and Other Sensitive Information in Appellate Court Filings."

Respectfully Submitted,



Wanda H. Carter
Deputy Chief Appellate Defender

South Carolina Commission on Indigent Defense
Division of Appellate Defense
PO Box 11589
Columbia, S.C. 29211-1589

ATTORNEY FOR APPELLANT

This 2nd day of November, 2016.

RECEIVED
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SC Court of Appeals