

THE SOUTH CAROLINA COURT OF APPEALS - COLUMBIA

Demetrius D. Henderson; Prose

Petitioner

VS

ALAN-M-WILSON - The State

Respondance

C/A 2015-001075 Appeal

RECEIVED

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Prose Memorandum Brief

SC Court of Appeals

of

Supporting documents, Exhibits used at Court

Supplemental Amended to Appeal

Exhibits 1 to 18 A

Defendants

Prose

Alan M. Wilson

D. D Henderson #363944

Atty. General

Perry Corr Inst.

P.O. Box 11549

ALU-182-A

Columbia S.C. 29211

430 Oaklawn Rd

Pelzer S.C. 29669 (3-6-17)

(Cover sheet)

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Question for Release

1. The court erred by not dismissing charges & granting direct verdict once it heard facts? below Jackson, 443 U.S. 327 (1979)?

2. The court erred by allowing Sol. B. All to vouch for shooter T. Brimfield, in her closing arguments, Smart 299 SE 2d 686 (S.C. 1983)?

3. The court erred by allowing Sol. B. All to put herself up as a state witness to vouch for A. Jenkins (her window wasn't left open not Sol's B. All, because it cold out. Smart 299 SE 2d 686 (S.C. 1983)

4. The court erred by allowing GPS-Tracking hearsay evidence to be used in violation of Old Chief holding Jury not to hear Prose has prior convictions, Old Chief 117 S.Ct. 644 (1997)?

5. The court erred by allowing (GPS) hearsay to be used at Trial by Ms Tucker of (GPS-Providers? when) by back door circumventing Thomas business records of Probation & Parole Board, are they a Business now? & isn't this hearsay Green 564 SE 2d 83 (S.C. 2003)

6. The court erred by allowing Sol. B. All to tell Jury in closing Arguments that (Prose confessed, he said charges by shooter words yes of T. Brimfield, self-serving words (were you up in my shit) and he Prose was silent 3 times, Then "Yeah" shooter said, Prose said did this violated Prose 5th amend. by back door circumventing Miranda 984 U.S. 436 (1966) see Exhibits 17-18-4 perjury

Questions Continued)

7. Question for Court to answer, Can the word "Yeah" be considered a confession? when such word doesn't count as a guilty plea Andrades 169 F.3d 131 (2cd Cr 1999)?

8. Question for Court to answer & clarify is Prose's said confession Voluntary when ones life in danger by gun pointed at them Perdue 8 F.3d 1455, 1466-47 (10th Cr 1993)?

9. The court erred by allowing Sol's B. All & J. Shenkar to manipulate the jury's verdicts by calling on jury passions by making it look like Prose wears a GPS-tracker device, because he's a dangerous person & could be a sex offender) when he wasn't one & (a slick trick to Circumvent to get wrongful convictions, Floyd 907 F2d 347, 345-355 (2cd. Cr 1990)?

10. The court erred by not asking jury what they know a (GPS) tracker device to be used for & what kind of crimes it meant to them, Stranger 417 SE 2d 609 (S. Ct App 1992) our Supreme Ct reversed when burden-shifting?

11. The court erred by not dismissing Ind. 14-6877 exhibit 5Z, The said Marijuana charges, tested by B. Mead, Exhibit 78 his test finding by said Pat was at Columbia Police Dept. at time of mishandling & falsifying tests. That caused? person to be fired there 2019 & caused lab to be shut down Chapman 386 U.S. 73 (1991)

Question Continued)

12. The court erred by not dismissing Ind. 14-6874 above, because Cocaine Trafficking 10g or more but less than 28g, 1st offense when State failed to prove there was (20.87g grams) of cocaine by tester D. Robinson, never sought to see how much was pure cocaine & how much was (cutting Agent) to reduce its strength & stated they didn't have to Jackson, 443 U.S. 307 (1979)?

13. Question for court to answer & mandate & to apply all present & past case, does cocaine drug have to be tested to see how much is pure & how much is (cut Agent) so convictions will be upon the proper amount & not an almost all (cutting agent) Green 564 SE 2d 83 (S.C. 2003)?

14. The court erred by not dismissing Ind. 14-6874 for violating The 4th amend. By illegal search of Probe pants, which weren't on his body Boack, 36 F. 3d 14, 18 (10th Cr 1994)?

15. The court erred by not dismissing Ind. 14-6874 above, because Cocaine had been tampered with by when at SLED? or where it's been held Ramos, 12 F3d 1019, 1226 (11th Cr 1994)?

16. The court erred by not dismissing Ind 14-6874 for lack of proof it was dark. Jackson 443 U.S. 307 (1979)?

17. The court erred by not dismissing all Four Inds for being -

Questions Continued ... 17

17. defective by no street address nor name of apartment in their 4 corners, Bowers 532 U.S. 949 (2001)

18. The court erred by failing to dismiss all four Inds. because state fail to prove venue by evidence & witnesses & by consenting were said apartments were, (for some big owner?) & are they tied to Prose's cases & was it broken into before reason by said window, Bowers 532 U.S. 949 (2001)?

19. The court erred by not dismissing all four Inds. by illegal 4th amend. search when M. McCoy - said he served warrants on the none speaking car & can the car except it how? by Prose in a Medical induced coma for months & silence U.S. v. Crow 920 F.2d 224, 228 (4th Cir. 1990)

20. The court erred by allowing Sgt. Shenkar to proceed with a (None qualified expert) T.D. Moore - master patrol crime scene Investigator. who came 4 hrs. after Prose gunned down & framed by shooters from Hospital, China Hut - C. Johnson, Ferguson 186 F.3d 469 (4th Cir. 1999)

21. The court erred by not dismissing all four Inds. by illegal 4th Amend. & privacy right violations. by seizure of his clothes & boots at Palmetto Hosp. without warrants by T.D. Moore & they knew within 20 mins by one of the shooters C. Johnson told they gun down Prose saying he broke into A. Jenkins's apartment. State v. Calif. 376 U.S. 483 490 (1964)?

Questions Continued)

22. (Major) The court erred by not dismissing all four Inds because no one appointed him a (GAL) to protect his rights while in a medical Induced Coma. Thereby violating his 4th, 6th & privacy rights by searching & seizure of his properties & his car. Jennings 417 SE 2d 646 (S.C. App. 1992)

23. Question for Court to answer & clarify, when Prose is in a Coma at any Hosp, or place or at a crime scene, does the Hosp, or care giver or authority have to have him or her a (GAL) Appointed before any taking of properties or searches are done or serving of any warrants & 4th & 6th amend. rights. Jennings 417 SE 2d 646 (S.C. App. 1992)?

24. (Major Issue) The court erred by not dismissing all four Inds & suppressing all said planted evidence, by Sgt B. All & M. McCoy & T. D. Moore put 2 cars up as Prose's & searched someone else's? Oldsmobile green color at police impound lock-up served (again 5:40 pm Dec. 19, 13) Remmer 317 U.S. 227, 229 (1954)?

25. (Major Question) Question for Court to answer & clarify was set up Prose guilty of 1st degree burglary, If he's gunned down outside said apartment, at daylight by shooters testimony T. Brimfield at work in public common area when no one saw him inside The A. Jenkins Apartment. Jackson, 443 U.S. 307 (1979)?

26. (Major Question) Question for Court to answer & clarify is there a

Questions Continued)... 26

26. Burglary if said victims gets their items right back, Jackson 443 US 307 (1979)

27. The court erred by not dismissing 3 Inds 14-06877 & 06872 & 06873 for Jeopardy violations by all said crimes related as one Continuing acts? by being sentenced on Ind. 06784 first the void one Elliott 849 F2d 886, 890 (4th Cr 1988)? Th

28. Question for court to answer isn't the Ind. 06784 10yr sentence for Trafficking in Cocaine no parole offense void, by lack of proof & There was no trafficking to any one by ProSe Laying gunned down "no Intent" if ProSe was being accused of burglary 1st Degree where is the buyer Jackson 443 US 307 (1979)?

29. The Court erred by unconstitutional charge to Jury on they had to be unanimous & was it reversible error Hyman 824 F.2d 1405, 1409-10 (4th Cr 1987)?

30. The court erred by not ruling ProSe never committed 1st degree burglary by it was daylight if said crime happened by the sun & Moon were out-shining, because the moon is the sun shining off it & cant shine any other way Stranger 417 SE 2d 609 (S.C. App 1992)?

31. The Court erred by not dismissing all charges once it heard T. Brumfield never made a citizen arrest, before gunning ProSe down & for court clarify does one have to say these words "I'm making a citizen arrest" "you are under arrest" Jackson 443 US 307 (1979)?

(State of the Case)

Prose incorporates his appellate counsel's pages here & below facts he greatly argues, for reliefs & release, & for Appeal to be granted to under an injustice trial, it was a sham upon Prose, all laws were bent & circumvented, because he had prior convictions, had to be the reason? & Prose wasn't placed under any citizen arrest by shooter T. Brimfield, see M. McCoy typed up state of his as proof, to, court has in records of trial Exhibits, see Exhibits 1-8-A. Below that proves perjury at trial & amount of Items only 2200.00 to 2462.00 value but no proof of cost nor of ownership were they stole by shooters before? No one ran their serial numbers on hot sheets? Prose know of.

(Arguments)

(Argument 1) The court committed reversible errors not granting direct verdict by

1. (Prose witness) states (he came upon unknowingly) 2 person set up a Burglary at a apartment & it turned out to be 2 Armed & Dangerous ones (T. Brimfield & C. Johnson) when gunned me down (Dec 18, 13) at about 5:30 pm - 6:10 pm) where they visited same times at Ms A. Jenkins. Once they heard Prose near woods Tri Trans Pg 168 Ls 8-11 (Exhibit of pgs 4 mdy) of him gunning Prose down after He & C. Johnson lawyered up. & (3 dys later) & they all called each other & met & as Court can see Sols. Tried to make it look like they were making a citizen arrest & Police were to, at no time did either say I'm making a (citizen arrest) you are under arrest. Tri Trans Pgs 176-185 gunning Prose down on public area Property at woods. see Tri Trans Pg 183. Ls 2-11 (Q) might that have been why you were scared? (A) I don't feel like I can answer that question.) when ask about his sex charge to a mirror. That didn't scare him into gunning down Prose, when Sol. B. All Q'ed him!

He knows they gunned Prose down, because they thought he saw them burglarizing A. Jenkins apt, & (wasn't to have no key) See A. Jenkins Tri Trans Pg 215 Ls 12-30 to Pg 218 Ls 1-14, she doesn't know gun is there, she trying to not be charged with a FED gun charge violation. Once they all Lawyered up. See M. McCoy Inv Tri Trans Pgs 409-410 (Atty Chaplin) & (Prose in a Med. induced coma for months.) C. Johnson has been at China Hut over 2 hrs? before T.D. Moore did GSR tests on him see proof (pages 5-A) Exhibit of Mr. McCays. Shes at palmetto Hosp. & then see C. Johnson & at scene at 8:30 or 9 pm or later, so from 6:23 pm to 8:30 pm, & time to wash up & call

(Argument Continued) #1

... Chaplin Atty & A. Jenkins & T. Brimfield, to frame Prose, to cover up gunning Prose down at woods, see facts

(Facts of being illegally Gunned down on Public access land Time Frame)

1. (wit - C. Branham) was to have called 911 (Dec. 18, 13 at 6:23pm) Tr. Trans Pg. 90 Ls 15-19 & (It's not dark) Ls 1-25 & sees shooters running Pg. 94 Ls 6-25 & Pg 95 Ls 1-22 by path to Lawyer up & make calls.

2. (wit - D. Stallings) & Lots of others called courtesy officers George & Megan Tr Trans Pgs 104-107 pgs (Megan Kowsky)

3. (M. McCoy - Inv) said he got there at 7:10pm before Moore & he put gunning down of Prose at 6:18pm Tr. Trans Pg. 404 Ls 22-25 & Pg 405 Ls 1-2

4. (EMS) got there at (6:47pm & left at 6:55pm) for Palmetto Hosp. by M. McCoy Inv Tr Trans Pg 382 Ls 2-9. & Exhibits SA below

5. (C. Johnson) at China Hut "10min" after he & T. Brimfield gunned Prose down Tr. Tran Pg. 440 Ls 19-25 & Pg 441 Ls 1-13 & Lawyered up

6. (T.D. Moore Inv) went to China Hut of coming from Palmetto Hosp. & did Gun (GSK) Tests. on C. Johnson (which is too late already washed up & did he get rid of his gun?) Tr. Trans. Pg 226 Ls 6-25 & Pg 227 Ls 1-15 she'd be gone over 30 to 45 min there. see exhibit; M. McCoy's 4pg so she got to gunning-

(Arguments Continued) #6

...down scene at (8:30 to 9pm) around 4 hrs After shooting because she at Palmetto to Tri Trans Pg 223 Ls 3-11 & it took (EMS) about 25 mins to get to scene. See Exhibits 5Apg shows she's at Hosp.

7. (T. Everett - Patrol man) got there at (6:34. 42 PM) after Prose gunned down at 6:08 or 6:12 pm by wit - C. Branham. Call to 911 above it took a while for him to get around on floor Tr. Trans Pg 89 Ls 13-24.

8. We know shooters T. Brimfield & C. Johnson are still there after gunning Prose down 25 mins. by Prose gunned down at 6:08 or by above wits testimony & They see them going in A. Jenkins Apts & into car & out & ran down Path where (Prose was moved by them) Prose can't move) but see (GPS) tracker M. Tucker) Tri Tran Pg 266-267. Proves these facts. having 30 caliber bullets holes in my buttock & back impossible to move by an (Altered illegal unregistered assault rifle by a convicted febnry of delinquency to minors 2012) Tr. Trans. Pg. 183 Ls 2-11 owner T. Brimfield said when Sjt. B. All Q-ed him I own the gun he said.

⌋ (Proof Prose being set up) ⌋

9. (T. Brimfield shooter himself) stated (it takes 2 persons to carry a Samsung 50 inch TV) (He in C. Johnson had been carrying it. Tr. Trans Pg. 192 Ls 1-13 & admitted he had never lift it before) when M. Eigenbrot Q-ed him, see M. McCoy Inv Tri. Tran Pg 390 Ls 21-25 & Pg 391 Ls 1 "its big"

(T. Brimfield) pg 192 Ls 1-13 (Q). Did you help install it? (A) No Ma'am. (Q) would you say one person could carry that TV? Ms B. All objection your honor, speculation. The court, overruled. I'll allow you to answer it if you know the

(Argument Continued) #9

... Answer. The witness "ask me again". (Q) would more than one person need to carry that TV? (A) Depends on how big it is And-maybe you can, but not likely you can't "Its really heavy" (Q) All right. And Then so once you realize The TV's gone, you still don't call the police right? (A) yes Ma'am.
T. Brimfield stated "Its really heavy" above, he should know he & Cr. Johnson put it in a Green Oldsmobile of somebody's? see Argument #24 as proof cops mixed up Prosc's properties with the planted Items. A. Jenkins

10. (B. Byrd-deputy) he's called at 6:27 pm & its not dark Dec. 18, 13 Tri Trans Pg. 140 Ls. 19-25 to 148 Ls 1-10 & shooters not arrested. Pgs 153, 154 to 156, For illegal gun. (Main Issue it's not dark)

By The above & below state fail to prove their charges & Misdemeanor Jury on being unanimous & it charges Tri Trans Pgs 479 to 489

see, Garza, 608 F.2d 689, 662 (5th Cir 1979) reversible error)

see, Mc Home 435 S.E. 2d 296, 334 N.C. 627 (1993) error by court failure to dismiss)

see, Jackson, 443 U.S. 307 (1979) insufficient evidence to convict-we vacated

(Argument 2)

The court committed reversible error allowing Sol's. to vouch for T. Brimfield in her closing. Tri Trans. Pg 524 Ls. 5-22 this was a major error. & Thereby vouch for all witness & evidence, Tri Trans Pgs. 501 Ls 7-25 to 525 Ls 1-11. & see all arguments to support.

see: Smart, 299 S.E. 3d 686 (S.C. 1983) we vacated by Sol's personal opinion injected into Jury deliberations.)

(Argument Continued) #2

... See: McHome, 435 SE2d 296, 334 N.C. 627 (1993) Sol. arguments were grossly improper due process & plain error violations & error by court Failure to dismiss
See: Green 564 SE2d 83 (S.C. 2003) relief granted for Constal. Violations that Shocks the universal source of Justice)
see: Abual, 395 F.Supp.2d 388, 379-380 (E.D. VA. 2005) appd. 528 F3d 210 (4th Cir. 2008)
evid. obtained by extreme physical caution has no place in the American system of Justice & see NO# 6 & 7 below shot down "Yeah"

(Argument 3) major error

The court committed reversible errors by allowing Sols B. All to put her self up as a state witness to vouch for A. Jenkins, by Cher window wasn't left open nor Sols B. All's because it was cold out Tri Trans Pgs 501 LS 7-25 to 525 LS 1-11 by this improper act & The others denied Prase fail Trial & sought jury passion to again. See: Floyd 907 Fd 347, 354-55 (2d. Cir. 1990) seeking jury's passion, we vacate) see: Green 564 SE 2d 83 (S.C. 2003) relief granted for Constal. Violations Shocking to universal sense of Justice

(Argument 4) major error

The court committed reversible errors by allowing (GPS-hearsay) evidence to be used in violation of Old Chief, Jury cant hear Prase has prior convictions, by backdooring this holding, U.S. Supreme Court law overrides state law, Tri Tran Pg. 129 LS 14-15 T. Everatt. Prase has Ankle Bracelet on & object to Tri Tran pg. 130 LS 23-25 to pg 135 LS 1-5 & motion for mistrial denied, & Judge fail to ask

(Argument Continued) #4

... Jury what they thought it meant to them, because Jury could never get it out of their minds once heard. Fact & didn't

See: Old Chief 117 S.Ct 644 (1997) Jury will convict just because they think is a very bad person & needs punishment, & we hold Jury not to be allowed to hear Prose has prior convictions)... And only a new trial could cover this error that prejudiced Prose & caused wrongful convictions, & Prose incorporates his Appellate Counsel arguments into this one also for relief.

(Argument 5)

The court committed reversible error (GPS)-hearsay to be used at trial by M. Tucker of (GPS-provides when?) letting it in as business records, when Probation & Parole Board isn't a business by law & doesn't pay taxes, nor get a license to operate. See Green 564 S.E 2d 83 (S.C. 2003) we grant relief when constal. violations. The (GPS-record) was created to use in court in can't be used. By Crawford, 124 U.S. 1354 (2001) we hold out of court in ~~Statement~~ - wasn't admissible simply because the truthfulness of it was corroborated by other evidence at trial. Not even if (maker of it) testifies to some matter at court we change what can be used.

(Argument 6) major Error

The court committed reversible error allowing Sgt B. All to tell Jury in closing (Prose confessed he did said burglary) by shooter's word's yes T. Brimfield self serving words (were you up in my shift) and he said Prose is silent three times.

(Arguments Continued) #6

... & Then "Yeah" shooter said Prose said this violated Prose rights to remain silent & no one can enter a guilty plea for Prose in such a manner, not ever if court seeks a guilty plea Brown holdings & below ones ~~and~~ see: Miranda, 384 U.S. 436 (1966) Prose has a Constal. 5th amend. right to remain silent), see Exhibit 17-18-A; Proof of Perjury at Court.

see: Brown 297 U.S. 278, 286-87 (1936) confession extracted through coercion & Brutality violated due process (cause of 4th amend).

see: Perdue 8 F.3d 1455, 1466-67, (10th Cr 1993) confession involuntary because (Questioned Prose at Gun point) then gun him down! Prose see: Exhibits 10 to 18A as proof.

see: Smart 299 SE 2d 684 (S.C. 1983) we vacated by Sol's personal opinion injected into the Jury verdicts).

(Argument 7) major Error

The court committed reversible error by not stopping trial & stoppin Sol B. All from using word "Yeah" as Prose's guilty plea, when his was not guilty by Miranda see NO #6 Arguments to support one can not be convict up on some one else entering a yes for Prose. Tri Trans. Pgs 176ls 22-25 & 177ls 1-24 & 179ls & 182 - T. Brimfield Pled) see: Andrade 169 F.3d 131 (2d. Cr 1999) The word (Yes sir) isn't a plea, that gives court Jurisd. to except a guilty plea. & If done the Judge, is word) Jury convicted on no plea & by T. Brimfield Pleads! Pg 40 Tri-Trans Judge said Prose plead not guilty, see Exhibit 17-A. T. Brimfield

(Argument 8) major Error

(Arguments Continued) #8

#8 The court committed reversible error allowing the jury to hear Prose had confessed to burglary, when he said he wasn't guilty & chose to remain silent. Tri. Trans Pg. 489 on words, T. Brimfield Exh. 17-A

See: Miranda, 384 U.S. 436 (1966) (court can't violate Prose 5th Amendments right to remain silent.)

See Green, 564 SE 2d 83 (S.C. 2003) (we grant relief when constal. viols. are shocking to the sense of Justice) (Fail Trial)...

(Argument 9)

The court committed Reversible error allowing SOLs to call on Jury passions by making him look like he's a dangerous person by using GPS-device hearsay & court never cured its use see above & Below arguments to support claim Tri. Trans Pg. 504 Ls 5-22 see: Flayd 807 F2d 347-348-355 (2d Cir 1990) SOL-seeking jury passion we vacate Judgt.)

See: SOL whole improper arguments Pgs 501 Ls 7-25 to 525 Ls 1-11

(Argument 10)

The court committed reversible error by not asking jury's what they believed a (GPS) device was used for & by whom & what it meant to them; Tri. Trans Pgs 118 Ls 15-25 to 130 Ls 23-25 objected to & sought mistrial when they heard "Ankle Bracelet", see: Tri. Trans Pg. 479 to 489 by denying direct verdict again to & court then put burden on Prose to prove himself not guilty. See: Stranger 417 SE 2d 609 (S.C. App. 1992) Sup. Ct. reversed when

(Argument Continued) #10

burden shifting to Prose off state to prove their case in Chief).

(Argument 11)

The court committed reversible error by failing to dismiss Ind. 14-6877 The said marijuana charges, by tests & Pct, had been mishandled & by not allowing Prose by his Atty, to Question P. Mead about it Tri Trans Pg. 462 Ls 19-25 to Pg 470 to 475 & state rest Pg. 477. Judge was protecting & wasn't Neutral & turned Bias. See: Chapman 386 U.S. 23 (1991) right to impartial Judge not subject to harmless error review)

(Argument 12) major Error

The court committed reversible error by not dismissing Ind. 14-6874 above because cocaine charge wasn't proven to be pure cocaine & D. Robinson (said they didn't have to prove how much was (cutting Agent). Automatic voided this charge for Lack of Proof beyond reasonable doubt, & court should have removed it from Jurys reviews, & how could Prose be selling it if he was accused of burglary & there were no buyers & he's gunned down can't move to sell anything. Tri Trans Pg 280-281 Ls 1-16, see all D. Robinson Pgs. 268 Ls 14-25 to Pg. 281 Ls 1-16.

See: Jackson 443 U.S. 307 (1979) insufficient evidence to convict - we vacate (Judges) are void Pgs 589 to 591 10 yrs. by law. how much has to be proven beyond a reasonable doubt not half doubt.

(Arguments Continued)

(Argument 13)

The honorable court should mandate that past & present cases involving cocaine has to be tested to see how much is pure & how much is (cutting agent) so convictions will be upon the proper standard of laws, Tri Trans Pg. 280-281 Ls 1-16 (we dont have to prove how much was (cutting agent) & what's pure cocaine)

See: Green 564 SE 2d 23 (S.C. 2003) constal. viols are shocking to the sense of justice

(Argument 14)

The courts committed reversible error by not dismissing Ind. 6874 for police violating his 4th amend. rights by illegal search of Prose cut off pants & by he was gun shot victim & in coma, see above & below arguments no (GAL) given, Tri Trans Pg 410-411, M. McCoy says see Roark, 36 F.3d 14, 18 (6th cr 1994) seized marijuana in plain view only as direct result of invalid entrance in to house & warrantless seizure of it has to be suppressed, were discovered in course of unconstal. search) see Balaron 156 F.3d 963, 968 (9th cr 1998) plain view seizure of drug found inside def's bag invalidated, as items.

(Argument 15)

The court erred by committing reversible error not dismissing Ind. 6874 for cocaine had been tampered with by when at SLED or Sols by T.L.D. Moore said it isn't in the same package, Tri Trans Pgs 246-247 & its state Exhibits 51, see all her Moore's testimony Pgs 220 to 258 Ls 1-8 Plus crime scene been changed by (EMS) tampered

(Argument Continued) #15

15 ... everything. Tri Trans Pg 157 Ls 9-25 to 164 Ls 1-14 & TV control not in pants.

Pg 161. it had to be prove said crimes.

See Ramos, 12 F. 3d 1019, 1026 (11th Cir 1994) Prose didn't relinquish Their property nor abandoned it with his belongings. One still as reasonable expectation of privacy in their clothes & items.

(Argument 16)

The court committed reversible error by not dismissing Ind. 6879 for lack of Proof it was dark, everyone except the shooter said it was day light & they could see prose at woods gunned down. Tri Tran pg 88 to 95 C. Braitham, it not dark & lights on & B. Byrd deputy say not dark yet 6:27pm Tri Tran Pg 140 Ls 19-25 to pg 148 Ls 1-10 & shooter wasn't charged wrongly, because they lawyered up before being ask to come in 3dys later. (to give them time to get their stories the same) see arguments NO#1 above proof not dark. See: Jackson 413 U.S. 307 (1979) Lack Proof charged we vacate) is & The sun was shining by the moon being full light by the sun only & had not fully. ~~set~~ The law only requires that the sun be shining & it what's the witness testify to that counts it's not dark

(Arguments 17)

The court committed reversible error by failing to dismiss all 4 Inds. for being defective by no street address nor name of apartment in their 4 corners. & U.S. Sup Ct. requires there be. See: Bowers 532 U.S. 944 (2001) quoting Barsant, 943 F. 2d 428 434 (4th Cir. 1991) venue only proper where crime committed & Government proves it)

(Argument Continued) 11

(Argument 18)

The court committed reversible error by failing to dismiss all 4 Inds because State never proved venue by witnesses & by concealing where Apartments are at & removed from Trial Transcript. Why was it a Crime Scene many times? See whole Trial Transcripts parts missing & words (---) see Bowers, 532 U.S. 944 (2001) Gov. has to prove venue where crime happened) Trial Transcripts 2 are improper incomplete.

(Argument 19)

The court committed reversible error by failing to dismiss all 4 Inds: by Illegal 4th amend. search, when M. McCoy said he served the warrant on a non speaking car & no testimony was given that Prose was took out of Med. Induced coma & served nor served upon a (GAL) to act on Prose behalf they let shooter lawyer up but fail to appoint (GAL) for coma Prose Tri Trans Pg 441 (Johnson called) see U.S. v. Crow 920 F.2d 224, 228 (4th Cr 1990) warrant clause of 4th amend. privacy protections surrounding in one home or car or hotel Room are temporary living spaces or bags & ones body & search is invalid) & items seized items have to be suppressed) Barry 853 F.2d 1479, 1484 (8th Cr 1988).

(Argument 20)

The court committed reversible error by allowing Sgt. J. Shankar to proceed with a (None qualified expert) T. Moore, Only Patrol Investigator when came 4hrs

(Arguments Continued) # 20

20 After Prose gunned down & did illegal taking of Prose Hosp. Clothes see above NO#1 & Tri Trans Pg. 220 to 258 Ls 1-18

See: Jackson 443 U.S. 307 (1979) (lack of evidence to convict - we vacate)

see: Ferguson, 186 F.3d 469 (4th Cr. 1999) 4th Amend. Viols. Constal. right to privacy state Hosp. & made staff turned over urine tests, to test for Drugs.)

(Argument 21)

The Court committed reversible error by not dismissing all 4 Inds. by illegal 4th amend. & privacy violations by seizure of his clothes at Palmetto Hosp. without warrant by T.L.D. Moore after being shot. C. Johnson - said they shot Prose for breaking into A. Jenkins's apartment. & Prose in Med. Induced coma & no (GAL)

given, Tri Trans Pg. 441 his call. see: Argument Stone v. Calif 376 U.S. 453, 490 (1964) 4th Amend. Protections apply equal force to Hotel & Hosp. Rooms Et. al.) & Coach (6 F.3d 676 78 78 (9th Cr. 1993) all places..

(Argument 22)

The court committed major reversible error by not dismissing all 4 Inds. because no one appointed him a (GAL) to protect his rights while in a Med. Induced coma. which violated his 4th, 6th, Amends, & privacy rights, by searching & seizure of his properties & his car Tri Trans Pgs. 447 to 448 see Stone v. Calif 376 U.S. 453, 490 (1964) 4th amend. Protect Prose places & Items) see: Dunkins 17 F.3d 399, 407 (D.C. Cr. 1994) search invalid because officers were not chasing the suspect in a literal sense & had no knowledge that he entered house) see: Barry, 853 F.2d

(Arguments Continued) #22

22 1479, 1484 (8th cr. 1988) search Invalid & not Justified by fear Prose would flee, because agent knew suspect was in custody & can't flee).
See Jennings 417 SE2d 646 (S.C. App 1992) (GAL) is a arm of the court & exist to protect interest of one whom can't protect self & such a person must be given a (GAL) see Exhibits 1-18A illegal searches on going by no (GAL) given

(Argument 23)

Court should answer these Question of Law when Prose in Coma at any Hosp. or place, authority have to appoint him or her a (GAL) to act on their behalf. & 4th & 6th Amends, rights & even 1st Access to Ct. see: Tri Trans Pg 417-418
see: Jennings 417 SE 2d 646 (S.C. App 1992) (GAL) has to be given one when can't protect self

(Argument 24) Major Error (Wrong Car)

The Court committed reversible error by not dismissing all 4 Inds & suppressing all said planted Evidence, by SOL B. Hill & M. McCoy & T. Moore put 2 cars up as Prose's & searched someones elses (oldsmobile green color) Tri Trans 401 Ls 13-25 at police Inpound Lock up & Found no finger prints of Prose Tri Trans Pg 410-411 (Prose owns Blue Buick Lesabre) & Pg 447 & M. McCoy whole Testimony Pg 377 to End & T. Moore Pg 220+252 Ls 118 & Pg 240 no finger prints in car nor on T.V.s but see why by T. Brimfield testimony, Pg. 192 (it takes Two people to carry T.V. 50" which one its real heavy -but I have never touch nor lifted it) & Vouch for him ownself Pg. 186 SOLs pulled off & SOLs call for him to come in Pg 184 & 185 & 186 3dys later Lawyered up Pg 409-410

(Arguments Continued) #24

24

200. Atty Chaplin handled everybody Involved in ganning down Prose & Gun kept in A. Jenkins A. Jenkins Apartment? Big Question was it or in Car? Prose says that they had it in there car, most likely? or hands Standing guard robing A. Jenkins Apt. see Exhibit 17-18A
see: Barry, 853 F.2d 1479, 1484 (8th Cir 1988) agent knew Prose in Hosp.)
see: Best, 135 F.3d 1223, 1225 (8th Cir 1998) invalid search & item suppressed)
see: Remmer 347 U.S. 227, 229 (1954) Jury exposure to extraneous material creates a presumption of prejudice & GOV. bears heavy burden to rebut it

(Argument 25)

Court should clarify if Prose is ganned down outside of a common area for public use. is it 1st degree burglary if theirs no proof he was inside a apt. but only the person's who shot him down saying he was & doesn't one have to be inside a place to be counted as burglary 1st? Trial Judge errored by not dismissing this charge. once court heard Prose is at woods, & being moved once shot down. see above arguments to support. & Tri Trans Pgs 118 to 140 & Pgs. 164 to 202 see: Jackson 443 U.S. 307 (1979) Lack of Evidence to convict we vacate

(Argument 26)

Court should answer & Clarify is there a burglary if said victim get their losses right back & their could be no losses given to the jury & doesn't state have to prove by evidence the value of said items not just hearsay Tri Trans Pgs 202 to 218 see Jackson 443 U.S. 307 (1979) Lack of Evidence to Convict

(Argument Continued) #26

26 ... We vacate) And perjury at trial value Jacked up to 8 to 10. Thousand. From 2,200.00 to 2,400.00 date Dec. 18, 13 (Exhibits 4-A & 8-A & 15-A pgs)

(Argument 27)

Court committed reversible error by not dismissing 3 Inds. 14-068776 06872 & 06873, for Jeopardy violations by all crimes related as one continuing Acts & by being sentenced 1st on Ind. 06784 A void one Tri Trans Pg 583 to 584 see: Adesida, 129 F.3d 846, 849 (6th Cr 1997) Inds. duplications see: Hawkes 753 F.2d 355, 357, 358 (4th Cr 1985) duplications when same Evidence proved Both offenses on drugs charges & must dismiss Inds (t. does). See: Elliott, 849 F.2d 886, 890 (4th Cr 1988) multiple acts, controlled drugs at same place & time & same persons, are to be considered as a single offense, are violate Jeopardy clause) & see: Swatigen, 275 E.2d 339 (S.C. 1980) we vacate excessive sentence)

(Argument 28)

Court should rule & clarify if no proof exist, of trafficking in drugs There has to be a "Intent" to sell them, & if one is accused of another crime burglary 1st degree & gunned down & Then police find drugs in pants those couldn't be charged by law because the lacking of Intent to sell didn't exist during a burglary if Prose did such, all Prose is guilty of is being ground public common wooded area at the wrong time. See NO #1, above to support this relief sought. Tri Trans Pgs: 157 to 164, ... 6. Nunnery (EMS)

(Argument Continued) #28

... See: Matana, 442 U.S. 510, 515 (1979) for jury to presume a person intend creates a Unconstal, mandate presumption an element of intend & shifts burden to Def. wrongly.

(Argument 29) Major Error

The Court committed reversible error telling-forcing Jury they have to be Unanimous court should have said (one or two of you or nine or ten could find Refs. Mr. Henderson guilty or not guilty & Thereby would have a hung Jury.) so Judge gave a Unconstal. charge to jury & caused a wrongful convictions four. Prose ask court to clarify this & it was Ineff. assist. by Strickland 466 U.S. 668 (1984) to no task court to give this charge. TriTrans Pg 553 Ls 8-13 to 23

See: Hyman, 824 F.2d 1405, 1409-10 (4th Cir 1987) court errored shifting burden. See: Evatt 500 U.S. 391, 408-11 (1991) reversal required for erroneous - Jury Instructions) may have contributed to guilty verdict).

(Argument 30) (Major vouching by Court)

The court committed reversible error by failing rule Prose never committed 1st degree burglary, by it was daylight if said crime happen by the sun & moon were out-shining because the moon is the sun. shining off it & can't shine any other way & court by talking Judicial notice of Navel weather & sun moon & night & daytimes set up vouched for state evidence & discredited all witnesses whom said it was daylight outside & we could see shooter

(Argument Continued) #30

000 running in thereby Court commented on the evidence Tri Trans Pg 283 to 290 over Prose's Objections.

See: Stanger 417 SE 2d 609 (S.C. App. 1992) we reverse because burden was shifted to Prose to prove self Innocents by improper Jury Charge.

See: Carella 491 U.S. 263, 265-66 (1989). Judge Unconstal. imposed a conclusive mandatory presumption as to the core elements of the crimes charged & fore-closed Independent Jury consideration of the facts. see: Well 163 F.3d 889, 896 (4th Cir 1998) error in Jury instruction Ct must look at the whole record to see if it effected outcome of the trial

(Argument 31)

The Court committed reversible error by failing to dismiss charges when it heard T. Brimfield never made a citizen arrest before gunning Prose down. See M. McCoy typed up statement he gave, & his Testimony Tri Trans Pg 164 to 202 Ls 1-15 as proof & what's in the typed up statement is diff. because he was lying & couldn't remember each lie. he told to stop his & C. Johnson & A. Jenkins arrests

see: Jackson 413 U.S. 307 (1979) no evidence to support conviction we vacate) And & to make a citizen arrest, one has to say, so & tell that person you are under arrest, & Prose seek for court to clarify this point of law to ensure loop hole is closed & Justice will be given to gunned down victims now, and in future. See Exhibit 10-A page.

Conclusion

1.) By the above arguments, Court should reverse Prose conviction & vacate & dismiss all charges & Indictments with prejudice against the state & bar any attempts to recharge or retrial & bar state by Jeopardy, clause & order state or County to do full Investigations into Prose being gunned down & set up, by They have The Transcript evidence now & hopefully clarify Questions of laws that needs answering & Prose prays Court will do speedily to restore his Liberties - freedom denied him with unjustified Acts & grant Prose an Appeal Bond if court finds he has grounds for Appeals to proceed, & Prejury was committed at trial verdict can't stand.

Respectfully Submitted:

x Demetrius Henderson #363944

Dated March 6 2017,

Demetrius D. Henderson #363944

Perry Corr Inst / ALU-182-A / 430 Oaklawn Rd / Pelzer, S.C. 29669

"Certificate of Service"

2.) Prose certifies he served Def. A.M. Wilson - A. Gen, at P.O. Box 11549
Cola, S.C. 29211, & Clerk J.A. Kitchings, at P.O. Box 11629 Cola, S.C. 29211
& one copy to Appellate K.H. Hudgins, P.O. Box 11589, Cola S.C. 29211 on
3-6-2017, of 32 pages of Prose's Memorandum Brief by Ms-Conwell -
mail staff from below address & sworn to under penalty of perjury as
true & correct to the best of my knowledge.

Respectfully Submitted

Dated March 6, 2017

x Demetrius Henderson #363944

Perry Corr. Inst / ALU-182-A / 430 Oaklawn Rd / Pelzer S.C. 29669

RICHLAND COUNTY PUBLIC DEFENDER

RICHLAND COUNTY JUDICIAL CENTER

Suite 403-B

1701 MAIN STREET
POST OFFICE BOX 192
COLUMBIA, SC 29201

PHONE (803) 929-6150

FAX (803) 929-6156

TDD # (803) 748-499

Mr. Demetrius Henderson
SCID: 363944
Perry Correctional Institution
430 Oaklawn Road
Pelzer, SC 29664

get 2-21-17

Dear Mr. Henderson,

I am in receipt of your letter requesting discovery in your case. It is included in this envelope. Unfortunatley, I am not allowed to send you pictures, and must redact portions of the discovery per the Department of Corrections policies. The only information that has been redacted was contact information, and personal information, like birthdates.

Please let me know if I can be of further assistance.

Sincerely,



Megan Eigenprot
Assistant Public Defender

*1-A.
Exhibits*

1/118

CRIMINAL INVESTIGATION DIVISION
VIOLENT CRIME UNIT - VCAP
1 Justice Square Columbia South Carolina 29201



DISCOVERY CHECKLIST

STATE V. DEMETRIUS HENDERSON

1. PRELIMINARY HEARING AND CASE SUMMARY
2. ARREST NOTIFICATION FOR DEMETRIUS HENDERSON
3. COPIES OF ARREST WARRANTS (4 TOTAL)
4. COPY OF BOOKING REPORT
5. ARREST WARRANT AFFIDAVIT (2 TOTAL)
6. INITIAL INCIDENT REPORT
7. SUPPLEMENTAL INCIDENT REPORT
8. CRIME SCENE SUPPLEMENTAL INCIDENT REPORT
9. ADDITIONAL CSI SUPPLEMENTAL INCIDENT REPORT
10. INVESTIGATIONS SUPPLEMENTAL INCIDENT REPORT
11. SUPPLEMENTAL INCIDENT REPORT CLOSING CASE
12. LEAD INVESTIGATORS CASE NOTES
13. COPY OF SC CODE OF LAWS APPLICABLE IN THIS CASE
14. SEARCH WARRANT S13-542 - APARTMENT 5110 AT 4501 BENTLEY DR
15. SEARCH WARRANT S13-543 - 2000 BUICK LESABRE VEHICLE
16. PROPERTY RECORD OF EVIDENCE COLLECTED
17. SLED LABORATORY SUBMISSIONS
18. COPY OF TOW SLIP FOR 2000 BUICK LESABRE (2 COPIES)
19. COPY OF TOW BILL AT ALPINE BODY SHOP
20. VERIZON WIRELESS SUBMISSION FOR PHONE RECORDS
21. COLUMBIA PD DRUG ANALYSIS FORMS (2 TOTAL)
22. EMAIL REQUESTING 911 INFORMATION FROM COLUMBIA/RICHLAND COMMUNICATIONS
23. REQUESTED 911 INFORMATION
24. INDIVIDUALS INVOLVED
 - a. **DARYL STALLING** - DMV INFO AND WRITTEN STATEMENT
 - b. **SARA OLSTROM** - DMV INFO AND WRITTEN STATEMENT
 - c. **CALIPH BRANHAM (AKA CJ)** - DMV INFO AND WRITTEN STATEMENT
 - d. **COSTELL JOHNSON** - DMV INFO, ADVICE OF RIGHTS, CONSENT TO SEARCH FOR VEHICLE, AND WRITTEN STATEMENT
 - e. **TRAVIS BRIMFIELD** - DMV INFO, ADVICE OF RIGHTS, DNA CONSENT TO SEARCH, AND WRITTEN STATEMENT
 - f. **DEMETRIUS HENDERSON** - DMV INFO, ASGDC INFO, RAP SHEET, AND AMTEL INFORMATION

2-4
Exhibits

2



Columbia Police Department

Violent Crimes Against Persons - VCAP

Arrest Notification



Case Number: 130040646 Date: 04-18-2014 Incident Location: 4501 BENTLEY DRIVE

Investigator: M.D. MCCOY Original Reporting Officer M. BASKINS

1	BURGLARY 1ST DEGREE	2	GRAND LARCENY UNDER \$10,000
3	TRAFFICKING COCAINE	4	PWID MARIJUANA

Multiple Locations: Yes No Associated Case Numbers _____

Suspect #1

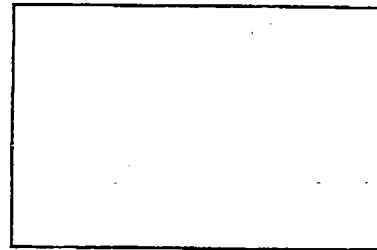
Name: HENDERSON, DEMETRIUS D. O. B. 11-24-1990
Address: 8012 RAILROAD AVE, COLUMBIA, SC



ASGDC# 583262

Suspect #2

Name: _____ D. O. B. _____
Address: _____



ASGDC# _____

Summary

ON 12-18-2013, WHILE AT 4501 BENTLEY DRIVE, APT. 5110, DEMETRIUS HENDERSON UNLAWFULLY ENTERED THE DWELLING AT THAT LOCATION, DURING THE HOURS OF DARKNESS. ONCE INSIDE, HE REMOVED APPROXIMATELY \$2200 WORTH OF ITEMS FROM THE RESIDENCE. VICTIM COSTELL JOHNSON AND A FRIEND, TRAVIS BRIMFIELD, ARRIVED AT THE LOCATION DURING THE COMMISSION OF THE BURGLARY. BRIMFIELD CONFRONTED HENDERSON IN THE PARKING LOT, NEAR HIS VEHICLE. BRIMFIELD WAS ARMED WITH A SEMI-AUTO SKS 7.62 MM RIFLE. DURING THE CONFRONTATION, HENDERSON REACHED INTO HIS RIGHT PANTS POCKET AND ATTEMPTED TO FLEE THE SCENE. BRIMFIELD, FEARING FOR HIS SAFETY, FIRED HIS RIFLE, STRIKING HENDERSON IN HIS ABDOMIN. HENDERSON WAS TRANSPORTED TO PALMETTO HEALTH RICHLAND HOSPITAL. INSIDE HENDERSON'S PANTS POCKET WAS A CLEAR, PLASTIC BAG CONTAINING APPROXIMATELY 21g OF COCAINE (FIELD TESTED POSITIVE). INSIDE HIS VEHICLE, 37.4g OF MARIJUANA (FILED TESTED POSITIVE) WAS FOUND IN A CLEAR JAR UNDERNEATH THE FRONT SEAT. HENDERSON WAS ARRESTED ON 04-18-2014 AT PALMETTO HEALTH RICHLAND AND TRANSPORTED TO ASGDC.

3-A Exhibits

6

CRIMINAL INVESTIGATION DIVISION
Violent Crimes Against Persons Unit - VCAP
1 Justice Square Columbia South Carolina 29201



PRELIMINARY HEARING/CASE SUMMARY

State v. Demetrius Henderson

Burglary 1st Degree

Warrant 2014A4021600098

Grand Larceny >\$2000, <\$10,000

Warrant 2014A4021600099

Trafficking Cocaine

Warrant 2014A4021600100

PWID Marijuana

Warrant 2014A4021600101

Incident location:

4501 Bentley Drive, Apt. 5110

Date / Time:

December 18th, 2013 @ 1818 hours

Victim:

1. April Jenkins
2. Costell Johnson

Witness:

1. Travis Brimfield
2. Daryl Stallings
3. Sara Olstrom
4. Caliph Branham
5. Taylor Branham

Case Summary:

On 12-18-2013, at 1818 hours, during the hours of darkness, and while at 4501 Bentley Drive, Apt. 5110, within the city limits of Columbia, SC, county of Richland, the defendant, Demetrius Henderson, unlawfully and without consent, entered the dwelling at that location with the intent to commit a crime therein. Once inside, Henderson removed approximately \$2200 worth of personal items (which belonged to victims April Jenkins and Costell Johnson) from the dwelling.

While the residence was being burglarized, Costell Johnson and a friend, Travis Brimfield, returned home. They realized that the apartment had been ransacked and was in disarray. They also noticed that a window in the rear most bedroom was standing open (this bedroom belongs to April Jenkins and Costell Johnson). While attempting to decipher what had occurred, they heard a noise outside the residence, near the open window. Brimfield retrieved a semi-auto SKS, 7.62 mm rifle (unknown make) from a second bedroom and headed outside. Mr. Johnson followed Brimfield.

Once outside, Brimfield confronted Henderson near the dumpster (which is by the parking lot in front of building 5000). There is a path leading from the dumpster to the open bedroom window of apartment 5110. According to Brimfield and Johnson, Henderson was wearing a hooded sweatshirt with the hood pulled up and had white gym

4-A
Exhibits

4

City of Columbia Police
SC0400100

SUPPLEMENTAL REPORT

INFORMATION ONLY

CASE NUMBER
130040846

NCIC
INQ. ENTD.

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

ORIGINAL INCIDENT TYPE		ORIGINAL INCIDENT		
ATT. MURDER		DATE	12/18/2013	
BURGLARY		TIME	18:18	
ORIGINAL INCIDENT LOCATION		LOCATION NO.		
4501 BENTLY DR		506		
NAME OF COMPLAINANT		EVERATT, T.		
SUSPECTS NAME	RACE	SEX	DATE OF BIRTH	AGE
UNKNOWN UNKNOWN				
SUSPECTS ADDRESS	HEIGHT	WEIGHT	HAIR	EYES
UNKNOWN				

CSI MOORE RESPONDED TO PHRMH (PALMETTO HEALTH RICHLAND MEMORIAL HOSPITAL) WHERE VICTIM WAS LOCATED. LISTED VICTIM WAS BEING TREATED BY SEVERAL ER WORKERS. VICTIM WAS WEARING AN ANKLE BRACELET (DPP # 1127812). CSI MOORE MADE CONTACT WITH LATISHA FLUDD (DEPARTMENT OF PROBATION AND PAROLE GPS OPERATION SYSTEM) AT 1950 HRS IN REFERENCE TO HAVING POSSESSION OF THE BRACELET. PHOTOS WERE TAKEN. THE FOLLOWING ITEMS OF THE VICTIM WERE COLLECTED: PAIR OF BLACK BOOTS AND ONE WHITE SOCK @ 1932 FROM RN A. VANCE BLACK SHORTS AND GREY UNDERWEAR @ 1940 FROM RN E.T. TAYLOR ANKLE BRACELET @ 1954 FROM RN E.T. TAYLOR PHOTOS WERE TAKEN OF COLLECTED ITEMS.

CSI MOORE RESPONDED TO INCIDENT LOCATION AND CORRESPONDED WITH LT. WHITE, INV. MCCOY AND CPL. GREEN. INCIDENT LOCATION WAS BEHIND THE FENCING OF THE TRASH DUMPSTERS LOCATED ON THE WEST SIDE AND IN FRONT OF BUILDING #5. CSI MOORE RESPONDED TO 900 RIVERHILL RD TO THE LOCATION OF SUBJECT: JOHNSON, COSTELL (BM, DOB: 11/07/1982) WHO WAS BEING DETAINED BY RESPONDING OFFICERS. SUBJECT JOHNSON CONSENTED TO A GSR (GUNSHOT RESIDUE) KIT. KIT WAS ADMINISTERED BY CSI MOORE AT 2014 HRS. CSI MOORE RETURNED TO INCIDENT LOCATION. ON THE EAST SIDE OF THE DUMPSTERS WAS A BLUE BUICK (SC TAG JPS 856) BACKED IN TO THE ADJACENT PARKING SPACE. NO BULLET HOLES WERE FOUND IN IT. ON THE GROUND AT THE DRIVER REAR TIRE, WERE TWO 7.62 X39 SHELL CASINGS (#1 AND #2). IN THE GRASS, AT THE BASE OF THE TRUNK WAS ANOTHER 7.62 X39 SHELL CASING (#3). A FEW INCHES SOUTH OF #3 WAS THE SAME TYPE SHELL CASING (#4). UP THE EMBANKMENT, DIRECTLY BEHIND THE VEHICLE, WAS SHELL CASING #5, SAME TYPE AS THE OTHERS. AT THE TOP OF THE EMBANKMENT DIRECTLY BEHIND LISTED VEHICLE, WAS AN ELECTRICAL UNIT. IN THE DIRT AT THE BASE OF THE UNIT (VEHICLE SIDE) WAS A GOUGE THAT RAN EAST TO WEST. DIRT PARTICLES WERE ON THE TRUNK AND ROOF OF LISTED VEHICLE. ON THE TOP OF THE UNIT, BUILDING SIDE, WAS ANOTHER GOUGE SIMILAR TO THAT OF A BULLET RICOCHET THAT WAS IN AN EAST WARD DIRECTION. AT THE SOUTHEAST CORNER OF THE DUMPSTER FENCING WAS ANOTHER 7.62 X39 TULAMMO SHELL CASING (#13). ON THE GROUND, SOUTH SIDE OF FENCING, WERE ITEMS #6-12. IN THE SOUTH SIDE FENCING WERE TWO BULLET HOLES, BUT NO PROJECTILES FOUND. THE FOLLOWING ITEMS WERE COLLECTED:

- #1-SHELL CASING (7.62 X39 TULAMMO) AT 2142 HRS
- #2-SHELL CASING (7.62 X39 TULAMMO) AT 2144 HRS
- #3-SHELL CASING (7.62 X39 TULAMMO) AT 2146 HRS
- #4-SHELL CASING (7.62 X39 TULAMMO) AT 2147 HRS
- #5-SHELL CASING (7.62 X39 TULAMMO) AT 2148 HRS
- #13-SHELL CASING (7.62 X39 TULAMMO) AT 2214 HRS
- #6-RED PULLOVER JACKET AND 2 WHITE SHIRTS @ 2149
- #7-ILUV (SILVER AND BLACK) SPEAKER STAND (MODEL #ISP245, SERIAL # 1BH009728) @ 2153 HRS
- #8-PANASONIC REMOTE CONTROL @ 2157 HRS
- #9- HDTV REMOTE CONTROL @ 2158 HRS
- #10- 1 WHITE SOCK @ 2159
- #11-KHAKI PANTS WITH BLACK BELT @ 2200 HRS

[CONTENTS: CLEAR BAGGY WITH WHITE POWDER LIKE SUBSTANCE FIELD TESTED POSITIVE

SUBJECT IDENTIFIED	SUBJECT LOCATED	S. F.	AI	ACTIVE UNFOUNDED	ADM. CLOSED	ARRESTED UNDER 18	EX-CLEAR UNDER 18
YES NO	YES NO					ARRESTED/BANDOVER	EX-CLEAR 18 AND OVER
REASON FOR EXCEPTIONAL CLEARANCE		1 OFFENDER DEATH 2 NO PROSECUTION 3 EXTRADITION DENIED		4 VICTIM DECLINES COOPERATION		5 JUVENILE NO CUSTODY	
REPORTING OFFICER(S)	DATE	UNIT NUMBER	APPROVING OFFICER		DATE	UNIT NUMBER	
DAVIS-MOORE TAMMIE L		07335	ROSE JR WALTER C		12/27/2013	9955	
FOLLOW UP INVESTIGATION		YES		OFFICER		NO	

← 6:18 PM

1950 hrs
7:50 PM
8:32 PM
8:40 PM
8:54 PM

← 2014 hrs
8:14 PM
China Hat
St. et

5A
Exhibit



socks covering his hands. It is of note that these white socks were recovered at the crime scene.

Brimfield pointed his rifle at Henderson and asked if he was the one who stole the items from the apartment. According to Brimfield, Henderson stated yes. By this time, Johnson had rounded the corner and was witnessing what was taking place. While Brimfield was detaining Henderson at gunpoint, Henderson began to back up. Brimfield stated that he observed Henderson put his hand in his pockets. Brimfield felt terrified that Henderson was reaching for a weapon. Brimfield stated that he fired his rifle, "until it was empty" (we believe he fired six (6) times because six shell casings were recovered at the scene). Brimfield also stated that he was, "going to get him before he got me." After being shot, Henderson fell to the ground and began moaning for help. Brimfield and Johnson got into Johnson's white Dodge Intrepid (Brimfield was the driver), and backed out of the parking space. Johnson got out of the car because he had left several personal items inside the apartment that he wanted to retrieve before they fled. Upon Johnson exiting the vehicle, Brimfield sped off. Johnson stated that he went into the apartment, retrieved his phone and keys, and left on foot. Approximately twenty minutes after the shooting, Johnson called Brimfield and told him that he was turning himself in to police. Brimfield drove to his residence in Gaston, SC, where he hid the rifle. Johnson fled the scene on foot.

✓ they call each other

Officers had initially been called out to the location in reference to a "shots fired" call. The 911 tapes are included in the case packet. Witnesses heard the gunshots and called police. We initially believed that Henderson was the victim of an attempted murder. Upon further investigation at the crime scene and speaking with witnesses, the burglarized apartment was discovered. While investigators were processing the scene, Costell Johnson called Columbia/Richland communications so he could turn himself in. Henderson's clothes were collected as evidence from the crime scene (they had been cut off by EMS prior to his transport to the hospital). CSI Moore located a clear baggy containing a white, powdery substance which field tested positive for cocaine – field weight of 21 grams – inside a pair of khaki pants that Henderson had been wearing. The burglary scene was processed with negative results for latents.

Clothes left on scene →

Also at the scene, parked next to the dumpster where Henderson was found, was a green Buick LeSabre. The vehicle owner is Sandriel Williams (Henderson's girlfriend, according to his mother). Henderson had previously owned the vehicle. According to Henderson's mother, he had sold it to Ms. Williams so they could get a title loan on the vehicle (Williams' credit rating was better). In plain view, lying across the back seat, was a flat screen TV. A search warrant was conducted on the vehicle at HQ on 12-19-2013. A clear jar containing a green leafy plant-like substance that was readily recognizable as marijuana was located underneath the front bench seat (in the middle). A digital scale was located next to the jar. Field weight of the marijuana was approximately 37.4 grams. Also located inside the vehicle were the stolen items from the burglary. April Jenkins identified the items as hers (see property list included in the case packet for an itemized list). She also valued the items.

On 04-18-2014, after a lengthy recovery at Palmetto Health Richland Hospital, Demetrius Henderson was arrested for the charges. He was transported to ASGDC. All witnesses gave sworn, written statements regarding the incident. Johnson's and Brimfield's interviews were audio recorded as well.

64 Exhibits

25. MEDIA DISKS

- a. DISC #1 - 911 RECORDINGS
- b. DISC #2 - CRIME SCENE PHOTOS AND AUDIO RECORDED INTERVIEWS

PREPARED BY INV. M.D. MCCOY

17-A
Exhibit

3

STATE OF SOUTH CAROLINA
COUNTY OF RICHLAND
CITY OF COLUMBIA

AFFIDAVIT

Personally appeared before me, judge of this court, one Inv. M.D. MCCOY
who, first being duly sworn, deposes and says that (name of defendant)

DEMETRIUS DERRICK HENDERSON

Did within this County and State on the 18TH day of DECEMBER 2013
violate the criminal laws of the State of South Carolina in the following particulars:

DESCRIPTION OF OFFENSE

BURGLARY 1ST DEGREE 16-11-311 (CDR CODE: 79)

GRAND LARCENY 16-13-30 (CDR CODE: 3420), UNDER \$10,000

The affiant states that there is probable cause to believe that the defendant above named did
commit the crime(s) set forth , and that such probable cause is based upon the following fact(s):

ON 12-18-2013, AT 1818 HOURS, WHILE AT 4501 BENTLEY DRIVE, APT. 5110, IN THE CITY OF COLUMBIA, CNTY
OF RICHLAND, THE DEFENDANT ENTERED THE DWELLING AT THAT LOCATION, DURING THE HOURS OF
DARKNESS, WITHOUT CONSENT, AND WITH THE INTENT TO COMMIT A CRIME THEREIN. HE ACCOMPLISHED
THIS BY FORCING THE OUTDOOR SCREEN ON A BEDROOM WINDOW OFF OF THE WINDOW'S FRAME AND
FORCING THE SAME WINDOW OPEN. ONCE INSIDE, HE REMOVED APPROXIMATELY \$2200 WORTH OF ITEMS
FROM THE DWELLING THAT BELONGED TO THE VICTIM. THE VICTIM'S BOYFRIEND AND A WITNESS
ARRIVED AT THE LOCATION DURING THE BURGLARY AND CONFRONTED THE DEFENDANT. DURING THE
CONFRONTATION, THE DEFENDANT WAS SHOT BY THE WITNESS. OFFICERS WITH CPD RESPONDED AND
IDENTIFIED DEFENDANT. THE ITEMS TAKEN IN THE BURGLARY WERE LOCATED INSIDE THE DEFENDANT'S
VEHICLE, WHICH WAS PARKED AT THE SCENE. BOTH WITNESSES PROVIDED SWORN STATEMENTS.


AFFIANT

ADDRESS 1 JUSTICE SQUARE COLUMBIA SC 29201
PHONE 803-545-3611

Name: HENDERSON, DEMETRIUS DERRICK Sex: M Height: 603
Address: 8012 RAILROAD AVE, COLUMBIA, SC Race: B Weight: 165
Case Number: 130040646 Date of Birth: 11-24-1990

Exhibits SA

STATE OF SOUTH CAROLINA

AFFIDAVIT

COUNTY OF RICHLAND
CITY OF COLUMBIA

Personally appeared before me, judge of this court, one Inv. M.D. MCCOY
who, first being duly sworn, deposes and says that (name of defendant)

DEMETRIUS DERRICK HENDERSON

Did within this County and State on the 18TH day of DECEMBER 2013
violate the criminal laws of the State of South Carolina in the following particulars:

DESCRIPTION OF OFFENSE

TRAFFICKING COCAINE 44-53-370 (CDR CODE: 278) - MORE THAN 10g, LESS THAN 28g - 1ST
OFFENSE

PWID MARIJUANA 44-53-370 - 1ST OFFENSE

The affiant states that there is probable cause to believe that the defendant above named did
commit the crime(s) set forth, and that such probable cause is based upon the following fact(s):

ON 12-18-2013, WHILE AT 4501 BENTLEY DRIVE, CITY OF COLUMBIA, CNTY OF RICHLAND, THE DEFENDANT WAS THE
VICTIM OF A SHOOTING IN FRONT OF BUILDING 5. RICHLAND COUNTY EMS ARRIVED ON SCENE AND CUT THE
DEFENDANT'S CLOTHES OFF BEFORE TRANSPORTING HIM TO THE HOSPITAL. CSI MOORE PROCESSED THE SCENE AND
LOCATED, INSIDE THE DEFANDANT'S PANTS POCKET, A CLEAR PLASTIC BAG CONTAINING A WHITE POWDERY
SUBSTANCE THAT FIELD TESTED POSITIVE FOR COCAINE. FIELD WEIGHT WAS APPROX. 21 GRAMS. THE DEFENDANT'S
VEHICLE WAS SECURED AT THE SCENE AND TOWED TO CPD HQ FOR PROCESSING. ON 12-19-2013, THE AFFIANT SERVED A
LAWFUL SEARCH WARRANT (S13-543) ON THE VEHICLE. UNDERNEATH THE CENTER CONSOLE, THE AFFIANT LOCATED A
CLEAR MASON JAR CONTAINING TWO PLASTIC BAGGIES CONTAINING A GREEN, LEAFY, PLANT-LIKE SUBSTANCE THAT
THE AFFIANT READILY RECOGNIZED AS MARIJUANA. FIELD WEIGHT WAS APPROX. 37.4 GRAMS. A DIGITAL SCALE WAS
ALSO LOCATED NEXT TO THE JAR.


AFFIANT

ADDRESS 1 JUSTICE SQUARE, COLUMBIA, SC 29201

PHONE 803-545-3611

Name: HENDERSON, DEMETRIUS DERRICK Sex: M Height: 603

Address: 8012 RAILROAD AVE, COLUMBIA, SC Race: B Weight: 165

Case Number: 130040646 Date of Birth: 11-24-1990

13

Exhibits 9A

SOUTH CAROLINA CODE OF LAWS

*to never
make a
citizen
and post*

SECTION 17-13-20. Additional circumstances where citizens may arrest; means to be used.

A citizen may arrest a person in the nighttime by efficient means as the darkness and the probability of escape render necessary, even if the life of the person should be taken, when the person:

- (a) has committed a felony;
- (b) has entered a dwelling house without express or implied permission;
- (c) has broken or is breaking into an outhouse with a view to plunder;
- (d) has in his possession stolen property; or
- (e) being under circumstances which raise just suspicion of his design to steal or to commit some felony, flees when he is hailed.

HISTORY: 1962 Code Section 17-252; 1952 Code Section 17-252; 1942 Code Section 908; 1932 Code Section 908; Cr. P. '22 Section 2; Cr. C. '12 Section 2; Cr. C. '02 Section 2; G. S. 2617; R. S. 2; 1866 (13) 406; 1995 Act No. 53, Section 1.

Exhibits 10-A

CRIMINAL INVESTIGATION DIVISION
1 Justice Square Columbia South Carolina 29201



Office of
Investigator M. McCoy
mdmccoy@columbiasc.net
(803) 545-3611

Case Notes

Case # 130040646

Investigator: McCoy

Incident Type: Burglary 1st Degree, Grand Larceny under \$10,000, Trafficking Cocaine,
PWID Marijuana

Incident Location: 4501 Bentley Drive, apt 5110 ✓

Date/Time of Incident: 12-18-2013 @1818

Date Assigned: 12-19-2013

Complainant:

Costell Johnson

[REDACTED]

Columbia, SC 29201

[REDACTED]

Victim:

April Jenkins

[REDACTED]

Columbia, SC 29210

[REDACTED]

Witness:

Travis Brimfield

[REDACTED]

Gaston, SC 29053

[REDACTED]

Daryl Stallings

[REDACTED]

Columbia, SC 29210

[REDACTED]

Exhibits (A-D)

Sara Olstrom

[REDACTED]
Columbia, SC 29210

Caliph Branham

[REDACTED]
Columbia, SC 29210

Taylor Branham

[REDACTED]
Columbia, SC 29210

Subject:

Demetrius Derrick Henderson
8012 Railroad Ave.
Columbia, SC 29203
B/M/DOB: 11-24-1990

Case Summary:

12-18-2013

1910: I was called out to 4501 Bentley Drive regarding a shooting. Upon arrival, I made contact with Cpl. Green who advised me what had occurred (see initial incident report prepared by Officer Baskins). The victim in the shooting (identified as Demetrius Henderson) had been transported to Palmetto Health Richland Hospital via EMS.

Responding officers were speaking with four witnesses (Daryl Stallings, Sara Olstrom, Caliph Branham, and Taylor Branham). I made contact with the witnesses and got a brief synopsis of what transpired prior to CPD's arrival:

- According to Stallings, he and the others were watching TV inside their apartment (525). They heard what they believed to be gunshots coming outside the apartment. Stallings went out on his porch and observed a white Dodge Intrepid backing out of a parking space. A "big black guy" jumped out of the passenger seat and ran back toward the back of building 5 while making the statement, "I left a lot of stuff in the apartment." The Dodge Intrepid then fled the scene. The "big black guy" emerged from behind building 5 and began walking toward building 12.
- Stallings is employed by the building complex as a maintenance tech. He described the black male subject as wearing an orange t-shirt, black jeans, between 300 and 400 lbs, 6' tall, and dark skinned. Stallings stated that he has seen the individual at the apartment on a regular basis. He also stated that the individual's girlfriend lives in apartment 5110 (he was unsure of her name at the time)
- Stallings did not see a firearm in this individual's possession.

7:10 AM

12-A

Exhibits

See written statements from Stallings, Olstrom, and Branham for what they observed during the incident. All witnesses gave a similar account of what transpired.

While speaking with the witnesses, a white in color Honda Accord pulled into the parking lot (we were standing in front of building 5). A black female got out of the vehicle, and Mr. Stallings pointed to her and stated, "That's the big guy's girlfriend." I approached the female and identified her as April Jenkins (confirmed via DMV). She identified her boyfriend as Deno Johnson (later, we would confirm his identity as Costell Deangelo Johnson). We went to her apartment so we could speak further. Upon entering her apartment, it became readily apparent that it had been ransacked. She was missing several TVs, Christmas gifts, and other various items. A window in her bedroom was open, and the screen had been forcefully removed. Her dresser drawers were open and had been rummaged through. ✓

I asked Ms. Jenkins to leave the apartment, and I secured it with an officer at the door. I contacted Inv. Narewski via telephone so he could assist me in obtaining a search warrant for the apartment (we believed at the time that Mr. Johnson was a suspect in the shooting). Inv. Scott would later serve search warrant S13-542 at 2240 hours on the apartment (see the warrant return for items removed from the apartment).

While waiting for the warrant to be signed, CSI Moore arrived on the scene and began processing the location where Demetrius Henderson had been shot. This area was located near a dumpster and the right corner of building 5, and backed up to the parking lot. See CSI Moore's supplemental incident report for a list of all evidence collected. Inside the shooting crime scene was a Green in color 2000 Buick Lesabre, SC Plate JPS856, VIN: 1G4HP54K7YU233252. In the backseat of the vehicle, in plain view, was a large flat screen TV. Upon running the vehicle's history through the SC DMV, it became apparent that the vehicle had once been registered to Demetrius Henderson. It is currently registered to Sandriel Williams – Williams was later identified as Henderson's girlfriend by his mother, Stephanie Day. According to Ms. Day, Henderson transferred the car into Ms. Williams' name so they could get a title loan on the vehicle. I confirmed that Titlemax of South Carolina does hold a lien on the car. – The vehicle was towed to HQ for processing by Alpine Body Shop. The apartment was also processed by CSI Moore as a burglary crime scene. ✓

While I was still at the scene, an individual named Costell Johnson called Columbia/Richland Communications and wanted to speak with investigators regarding the shooting. Officers made contact with Johnson at 900 Riverhill Road. He matched the description of the shooting suspect given by witnesses. Mr. Johnson agreed to go to HQ for questioning. I made contact with Mr. Johnson at HQ. He stated that he wanted to tell me what occurred, however, he wanted his attorney present. I contacted Mr. Johnson's attorney, Joenathan Chaplin, via telephone. Mr. Chaplin stated that he would bring Mr. Johnson up to police headquarters the next door to provide us with a statement. Mr. Johnson was not in custody and was free to leave. ✓

12-19-2013

1410: I faxed a letter of preservation to Verizon Wireless for Johnson's phone records (803-509-1783)

He never got why?

Exhibits (3A)

4-5 PM ✓
? *at 8:00 AM*
1600: I spoke with Mr. Chaplin via telephone. He identified the shooter as Travis Brimfield [REDACTED]. We agreed to meet at HQ the following day so I could obtain statements from Brimfield and Johnson.

1740: I served search warrant S13-543 on the Buick Lesabre towed to HQ from the scene the following evening. See the warrant's return for a list of all items removed from the vehicle.

12-20-2013

0930: Brimfield and Johnson arrived at HQ. Their attorney, Mr. Chaplin, was also present. They arrived in a white in color Dodge Intrepid (SC Tag CHS384). Mr. Johnson signed a consent to search form for the vehicle, and I retrieved a SKS 7.62 mm semi-auto rifle (S/N: 9115346) from the rear, driver side floorboard. The rifle was wrapped in a white in color jacket. Mr. Brimfield identified the firearm as his. He stated that he purchased it "off the street." CSI Wise took photographs to document the search. I tagged the firearm into evidence. Johnson and Brimfield said that the vehicle was the same Dodge Intrepid Brimfield used to flee the scene of the shooting. ✓

1020: I interviewed Mr. Johnson in the conference room on the second floor of HQ. Mr. Chaplin was present during the interview. Johnson was read his rights under Miranda, which he did waive. The interview was audio recorded. He also provided me with a sworn, written statement. ✓

1145: I interviewed Mr. Brimfield in the conference room on the second floor of HQ. Mr. Chaplin was present during the interview. Brimfield was read his rights under Miranda, which he did waive. The interview was audio recorded. He also provided me with a sworn, written statement.

The following sequence of events was obtained from Mr. Johnson and Mr. Brimfield during the interview:

Johnson and Brimfield arrived at the apartment (5110) sometime after 1800 hours. They both frequently stay/sleep at this apartment, and Mr. Johnson's girlfriend (April Jenkins) resides there. Upon arriving, Johnson and Brimfield immediately noticed that someone had ransacked the apartment. They also observed the bedroom window open. Johnson and Brimfield both stated they heard footsteps outside the window. Brimfield went and retrieved his SKS rifle from the second bedroom of the apartment and headed outside to "see what was going on." Brimfield ran to the front of building 5, Mr. Johnson followed behind (he stated that it took him longer to reach the front of the building because he is so large). When Brimfield to the front of the building, he saw Henderson near the dumpster (there is a path leading from the dumpster to the window that was standing open in the apartment). Henderson was wearing a hooded sweatshirt with the hood pulled up and had white socks on his hands (white socks were recovered at the scene by CSI Moore). Both Brimfield and Johnson stated they do not know Henderson, nor have they ever seen him.

? *lying seat in car*

1 sock was recovered on the scene

Exhibits (#A)

Brimfield confronted Henderson and pointed his rifle at him. Brimfield asked Henderson if he was the one who stole the stuff from the apartment, and, according to Brimfield, Henderson stated yes. By this time, Johnson had rounded the corner and was witnessing what was taking place. While Brimfield was detaining Henderson at gunpoint, Henderson began to back up. Brimfield stated that he observed Henderson put his hand in his pockets. Brimfield felt terrified that Henderson was reaching for a weapon. Brimfield stated that he fired his rifle, "until it was empty." Brimfield also stated that he was, "going to get him before he got me." After being shot, Henderson fell to the ground and began moaning for help. Brimfield and Johnson got into Johnson's white Dodge Intrepid (Brimfield was the driver), and backed out of the parking space. Johnson got out of the car because he had left several person items inside the apartment that he wanted to retrieve before they fled. Upon Johnson exiting the vehicle, Brimfield sped off. Johnson stated that he went into the apartment, retrieved his phone and key, and left on foot. Twenty or Thirty minutes after the shooting, Johnson called Brimfield and told him that he was turning himself in to police. Brimfield drove to his residence in Gaston, SC, where he hid the rifle.

*at Christ
said yeah.*

✓

← here

After the interview, Brimfield consented to a buccal swab to obtain DNA. Johnson was allowed to leave headquarters on his own. Brimfield had an outstanding warrant from SC Probation Pardon & Parole. He was arrested, and agents with SCPPP took custody of him. He was not charged in this incident.

✓✓

01-10-2014

0936: I requested all available information from Columbia/Richland Communications via email. A copy of the email was placed in the case jacket.

01-14-2014

1130: April Jenkins (victim in the burglary) arrived at HQ to see if she could identify any of the items taken from the Mr. Henderson's vehicle during the execution of search warrant S13-543. Ms. Jenkins identified the following items:

- Ralph Lauren Polo shirts (2) - \$70 each
- 3 Tubes Colgate Toothpaste, 1 Tube Sensodyne Toothpaste, 12 unopened toothbrushes, 5 sticks of deodorant, 5 bottles of men's cologne - \$70 total
- HP netbook S/N: CNU0035G6S - \$400
- Silver Apple external drive - \$150
- Samsung TV - 50", S/N: Z1M83CQZB01 - \$1000
- Emerson TV - 39", S/N: DS1A1232381307 - \$400
- Emerson TV - 32", S/N: J1076322 - \$300

?

The items were released to Ms. Jenkins. Total value of the items stolen from her apartment is approximately \$2460.

As of this date, Demetrius Henderson is still under heavy sedation at Palmetto Health Richland Hospital. An interview with Mr. Henderson would be impossible at this time.

Exhibits (SFA)

V

01-14-2014

I signed arrest warrants 2014A4021600098, 099, 100, and 101 for the following offenses: Burglary 1st, Grand Larceny, Trafficking Cocaine, PWID Marijuana. The warrants were entered into NCIC on 01-23-2014. Mr. Henderson is still in the ICU at Palmetto Health Richland. The warrants will be served on Mr. Henderson at a later date. According to hospital staff, Henderson will more than likely be at the hospital for the next several months.

35 Exhibits (16A)

COLUMBIA S.C. POLICE DEPARTMENT
STATEMENT FORM

Page 1 of 2

Date: 12-20-2013 Time: 1220 Place: 1 Justice Sq

I am Travis D. Brimfield My birthday is [REDACTED]

My address and phone number are: [REDACTED]

I am giving this statement concerning Burglary and Shooting incident at 4501 Bentley
to Jim Mcloy who has identified himself as a Police Investigator

When I came to the house we ~~get~~^{got} out the car we heard some
in the wood. so when we both ~~look~~^{T.D.} so I that its was a
Animal' so when I get to the door in turn the key
the door wasnt open so I look at him and said wat
the fuck. so I turn the key agern and it did the sand
tathr. so I look arnd the house and seen that the T.V.
was gone. so I we to go get the gun n I walk outside
and I seen him n say him 3 time have u been and
my shid ~~He~~^{T.D.} He said "yea" all 3 time so weha he start
to back up n I seen ~~him~~^{T.D.} him reaching so I start
shorted. after I shot I did wit to my car and tack the
gun wid ~~me~~^{T.D.} me

Q: Where did this happen? ~~Dec~~^{T.D.} ~~girlfriend~~ house

A: Dec girlfriend hous

Sworn and subscribed to me this
20 day of December 20 13
[Signature]
NOTARY PUBLIC OF SOUTH CAROLINA
MY COMMISSION EXPIRES: 08-2-2022

[Signature] Travis Brimfield

ISI _____

Travis Brimfield received a copy of this statement consisting of 2 pages
from Jim Mcloy [Signature] Travis Brimfield

Exhibit (P.A)

Form 34:91

(2)

COLUMBIA S.C. POLICE DEPARTMENT
STATEMENT CONTINUATION

Q: Where was the guy reacting? What do you mean by that?

A: ~~He~~^{He} was reacting and pocket and I was Terrified.

Q: What was going through your mind during this?

A: I was terrified and was scared though I was gone to get ~~shot~~^{shot} shot.

Q: How often ~~are~~^{MDM} are you at D's Apartment?

A: Almost every day.

Sworn and subscribed to me this
20 day of December 20 13
Travis Brimfield
NOTARY PUBLIC OF SOUTH CAROLINA
MY COMMISSION EXPIRES: 08-22-2022

Travis Brimfield

ISI _____

Travis Brimfield received a copy of this statement consisting of 2 pages
from Travis Brimfield

Exhibits (A)

CERTIFICATE OF SERVICE

DATE: MARCH 6, 2017.

Respectfully SUBMITTED,
I AM: /s/ Demetrius Henderson

Print Name: Demetrius Henderson

SCDC NO. # 3636949

• NOTARY SERVICE •

SUBSCRIBE AND SUBMITTED BEFORE ME
On THIS 6th DAY OF MARCH, 2017
s/ Tamara Conwell, S.C. (NOTARY)
MY COMMISSION Expires Sept-25-2023

Prose Certifies he served Def. A.M. Wilson - A. Gen, at P.O. Box 11549 Colq, S.C. 29211 & Clerk J. A. Kitchings, at P.O. Box 11629 Colq, S.C. 29211 & one copy to Appellate K. H. Hudgins P.O. Box 11589, Colq S.C. 29211 on 3-6-2017 of 32 pages of Prose's Memorandum Brief by Ms-Conwell-Mail staff from below address & Sworn to under penalty of perjury as true & correct to the best of my knowledge

Respectfully Submitted

X Demetrius Henderson # 3636949

Perry Corr. Inst / ALU-182-A / 430 Oaklawn Rd / Petzer SC 29669

RECEIVED

MAR 09 2017

SC Court of Appeals

Dear Clerk Kitching &

March 6, 2017

A.M. Wilson - A-Gen

CA No: 2015-001075 Appellate Case:

(37 pages) & Exhibits (1-18A)

1. Please file my Prose Memorandum Brief & acknowledge it & reverse A.M. Wilson & whom ever has to be served. Thank you so much & I do hope to get Justice here, to stop what happen to me from happening to someone else.

Sincerely;

Demetrius R. Williams #363944

Perry Corr. Inst / AU-182-A / 430 Oaklawn Rd / Peizer S.C. 29669

RECEIVED

MAR 09 2017

SC Court of Appeals

(Cover Letter)

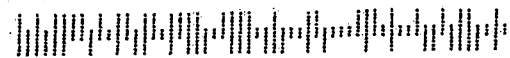
Demetrius Henderson #363944

Perry CI ALU 182

430 Oaklawn Rd

Peizer S.C. 29669

RECEIVED
MAR 09 2017
SC Court of Appeals



RECEIVED

MAR 06 2017

P.C.I. MAILROOM

Clerk of Court of Appeals
J.A. Kitchings
P.O. Box 11629
Columbia SC, 29211