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STATE OF SOUTH CAROLINA

S.C. SUPREME COURT

IN THE SUPREME COURT

CERTIORARI TO SPARTANBURG COUNTY

HONORABLE R. FERRELL COCHRAN
Circuit Court Judge

ANDREW BRENT SCOTT

PETITIONER

✓

STATE OF SOUTH CAROLINA

RESPONDENT

APPELLATE CASE NO. 2016-001569

PRO SE RESPONSE
JOHNSON PETITION
APRIL 25, 2017

(1)

1st ISSUE PRESENTED

THE TRIAL JUDGE ERRED IN VIOLATING MY DUE PROCESS OF THE 5th AMENDMENT BY - WILLFULLY PERMITTING THE ADMISSION OF THE REHEARSED IDENTIFICATION TESTIMONY AND ERRONEOUS DOCUMENTS OBTAINED FROM NON-CREDIBLE WITNESSES, WHICH LEAD TO IRREPARABLE MISTAKEN IDENTIFICATION DUE TO OVERLY SUGGESTIVE PROCEDURES.

2)

1st Argument

THE TRIAL JUDGE ERRED IN VIOLATING MY DUE PROCESS OF THE 5th AMENDMENT BY - WILLFULLY PERMITTING THE ADMISSION OF REHEARSED IDENTIFICATION TESTIMONY AND ERRONEOUS DOCUMENTS OBTAINED FROM NON-CREDIBLE WITNESSES, WHICH LEAD TO IRREPARABLE MISTAKEN IDENTIFICATION DUE TO OVERLY SUGGESTIVE PROCEDURES.

AT TRIAL, THE VICTIM, MS. BRIDGETTE JACKSON, TESTIFIED UNDER OATH, THAT SHE COULD NOT MAKE A PHYSICAL DESCRIPTION OF THE SUBJECT, WHO SUPPOSINGLY ROBBERED HER. SHE ALSO TESTIFIED THAT AT THE TIME OF THE ROBBERY, THE PERPETRATOR WORE A HAT AND SUNGLASSES, PREVENTING HER FROM MAKING A POSITIVE FACIAL DESCRIPTION.

(3)

THE VICTIM ALSO TESTIFIED THAT DURING AN ATTEMPT TO TAKE A KNIFE AND GUN FROM THE SUBJECT, NEITHER THE AGG NOR THE SUNGLASSES FELL FROM THE SUBJECT'S HEAD NOR FACE. DURING TRIAL, UNDER OATH, MS. JACKSON TESTIFIED THAT TWO (2) WEEKS PRIOR TO THE ROBBERY, HER MANAGER, MS. REGINA JONES, TOLD HER IN CONFIDENCE, THAT SOMEONE WAS SAYING THAT THE STORE WAS GOING TO GET ROBBED BY MR. SCOTT. IT WAS NEVER REVEALED BY MS. JACKSON, DURING TRIAL, WHO THAT "SOMEONE WAS". UNBELIEVABLY, MS. JACKSON NOR REGINA JONES, THOUGHT IT WAS SERIOUS ENOUGH, NOR CONVINCING ENOUGH TO REPORT IT TO STORE MANAGEMENT, NOR THE CHESSEE POLICE DEPARTMENT. MS. JACKSON ALSO TESTIFIED, UNDER OATH, THAT AT 2 pm, SEPT. 28, 2010, HER MANAGER, REGINA JONES, REMINDED

(4)

HER, ONCE AGAIN, THAT THE
STORE WAS GOING TO BE ROBBED
TODAY. NEVERTHELESS, NEITHER
REPORTED TO STORE MANAGEMENT
NOR THE CHESLEE POLICE DEPARTMENT.
BELIEVE IT OR NOT, THE STORE
DID GET ROBBED. LATER AFTER
THE ROBBERY, THE VICTIM, WAS
REMINDED, BY TWO DIFFERENT
INDIVIDUALS, SGT. KIP TEAL OF
THE CHESLEE POLICE DEPARTMENT,
AND HER STORE MANAGER, ONCE
AGAIN, REGINA JONES, THAT IT COULD
BE BY A "GUY NAMED SCOTT". SGT.
KIP TEAL TOLD THE VICTIM THAT HE
SAW A "GUY WHO LOOKED LIKE SCOTT"
RIDING A BICYCLE EARLIER. ALSO,
REGINA JONES, TOOK IT UPON HER
SELF TO COME TO THE POLICE STATION
TO REMIND BRIDGETTE JACKSON,
THE VICTIM, SAYING, "I CAN'T
BELIEVE HE DID THIS". MS. JACKSON
TESTIFIED THAT SHE THOUGHT THAT
REGINA JONES WAS TALKING AND
SAID THAT IT WAS MR. SCOTT.

5

MRS JACKSON TESTIFIED THAT THE ONLY DESCRIPTION THAT SHE COULD GIVE THAT THE SUBJECT HAD A "PUDGY NOSE AND FAT JOWLS". SHE COULD NOT GIVE ANY DISTINCTIVE FEATURES, NOR ANY OTHER — PHYSICAL DESCRIPTION. DUE TO THE TESTIMONY PRESENTED IN THIS TRIAL, PERTAINING TO THE IDENTIFICATION ADMISSIBILITY, IF THE PETITIONER MUST RELY ON DUE PROCESS PRINCIPLES TO — CHALLENGE UNNECESSARY SUGGESTIVE PROCEDURES THAT OCCUR AT NON-CRITICAL PRE-TRIAL STAGES. I DO BELIEVE THAT THE FOCUS OF THE INQUIRY MUST BE ON THE RELIABILITY OF THE IDENTIFICATION TESTIMONY RATHER THAN THE SUGGESTIVENESS OF THE IDENTIFICATION PROCESS. IN WELL V. BIGGERS, THE FACTORS TO DETERMINE THE RELIABILITY OF THE IDENTIFICATION SUGGEST AND ASK THE QUESTIONS:

6

(1) DID THE VICTIM HAVE AN AMPLE OPPORTUNITY TO VIEW THE SUSPECT AT THE TIME OF THE CRIME? THE VICTIM TESTIFIED THAT SHE WAS AFRAID FOR HER LIFE, AND BECAUSE THE SUBJECT HAD A HAT AND SUNGLASSES ON, SHE COULD NOT MAKE A POSITIVE DESCRIPTION.

(2) THE VICTIM'S DEGREE OF ATTENTION? MRS. JACKSON TESTIFIED THAT SHE WAS IN "STARK FEAR" FOR HER ~~HIFE~~ HUSBAND, BECAUSE OF THE PRESENCE OF THE KNIFE AND GUN.

(3) THE ACCURACY OF DESCRIPTION PRIOR TO THE IDENTIFICATION? THE VICTIM COULD NOT DESCRIBE ANY DISTINCTIVE FEATURES, ONLY HE HAD "A BODY LIKE A FAT BAWK."

(4) THE VICTIM'S LEVEL OF CERTAINTY DURING CONFRONTATION? MRS. JACKSON CERTAINTY WAS ENDANGERED BY THE TWO (2) INDIVIDUALS REMINDING HER "IT COULD BE A GUY NAME SCOTT." HER CERTAINTY WAS ENDANGERED BY THE "SUGGESTIVE ELEMENT ITSELF."

(7)

(5) THE LENGTH OF TIME BETWEEN THE CRIME AND IDENTIFICATION? THE VICTIM, MRS. BRICHETTE JACKSON, TESTIFIED THAT SHE DID NOT SEE A PHOTO-LINE UP UNTIL ABOUT 12 MIDNIGHT, THE DAY OF/AFTER THE ROBBERY. DUE TO THE TRIAL JUDGE ERROR IN JUDGEMENT, PERTAINING TO THE CREDIBILITY OF THE IDENTIFICATION PROCEDURE IN THIS CRIMINAL CASE, I THE PETITIONER WHOLE HEARTILY BELIEVE THAT, BUT FOR THE TRIAL JUDGE DEFICIENT ERROR OF JUDGEMENT, IT IS A REASONABLE LIKELIHOOD THAT THE OUTCOME OF MY TRIAL WOULD HAVE BEEN DIFFERENT.

CONCLUSION

BASED ON THE FOREGOING ARGUMENT AND ENCLOSED EXHIBITS, I AM REQUESTING THAT THIS COURT GRANT TO ME, THE PETITIONER, A FULL BRIEFING ON THE ABOVE RAISED ISSUE

(8)

AND CONCLUDE AND DECIDE THAT
THIS APPEAL BE REVERSED AND
REMANDED.

SEE EXHIBITS
AS FOLLOWS:

EXHIBITS: 1, 2, 69-72, 85, 86,
257, 258, 263, 264,
339, 340, 353-356,
AND 381-388

1 STATE OF SOUTH CAROLINA)
2 COUNTY OF SPARTANBURG) COURT OF GENERAL SESSIONS

3
4 STATE OF SOUTH CAROLINA,) TRANSCRIPT
5 PLAINTIFF,) OF
6 vs.) RECORD
7 ANDREW BRENT SCOTT,) 2010-GS-42-06835 - 6837
8 DEFENDANT.)

9
10
11 April 24th - 26th, 2012
12 Spartanburg, South Carolina

13
14 B E F O R E :

15 THE HONORABLE ROGER L. COUCH, Judge, and a jury.

16
17 A P P E A R A N C E S :

18 ZACH ELLIS
19 ASSISTANT SOLICITOR
Attorney for the State

20 BEVERLY JONES
21 Assistant Public Defender
Attorney for the Defendant

22
23
24 PAMELA E. GREEN
25 Circuit Court Reporter
Seventh Judicial Circuit

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Bridgette Jackson - Cross-examination
by Ms. Jones

1 office taken photographs of you by then?

2 A Yes.

3 Q Has any -- had anyone taken your clothes by then?

4 A Yes.

5 Q Okay. And was Regina Jones the first person to give
6 you the name of Andrew Scott that night?

7 A No.

8 Q Who was the first person to give you the name of Andrew
9 Scott that night?

10 A That night the first person to -- (he) didn't give me the
11 name. (she) said his name. (she) didn't give me the exact
12 name. As I clarified to Sergeant Teal what had happened,
13 the person, what he was wearing, (he) indicated I know -- he
14 said I know who you're talking about, he use to work there,
15 I just passed and waved at him.

16 Q Okay. Did he refer to him by name?

17 A I don't, I don't -- I can't remember.

18 Q Okay. Did -- but at some point later on Regina Jones
19 did refer to him as Andrew Scott? Why?

20 A They referred to him as just Mr. Scott.

21 Q Mr. Scott.

22 And what -- did you know at that point that Mr. Scott
23 had been an employee at the store?

24 A Yes.

25 Q Okay. Had you ever met Mr. Scott before?

Bridgette Jackson - Cross-examination
by Ms. Jones

1 A No.

2 Q How long had you been employed at the store at that
3 point?

4 A I started in May, 2010.

5 Q Okay. And this was --?

6 A September.

7 Q September. I'm sorry. I was thinking August.

8 A The only thing I knew about Mr. Scott was his name and
9 I had spoke with him once on the phone when I was employed
10 at the Money Tree at Boiling Springs because we had a person
11 from North Carolina trying to cash a check at the Boiling
12 Springs store. It was against company policy to cash a
13 check within so many miles of the state line.

14 I knew the Chesnee store was near the North Carolina
15 line. I spoke to Mr. Scott then on the phone to see if he
16 could cash the check. I had verified the check and
17 everything. When he spoke to me, you know, he was -- that
18 day he was telling me he -- I guess he thought I was trying
19 to scam him cause he was like I've never had a check come
20 back on me, and I was like, you know, I'm just sending a guy
21 up there to cash a check.

22 So, I had only spoke of him and I had only heard his
23 name from employees there referring to him.

24 Q Okay. So, prior to the procedure that we've heard
25 explained or you've explained that took place at Mary Black

Bridgette Jackson - Cross-examination
by Ms. Jones

1 with the officer Lovell or Lovell, Lovell, prior to that,
2 there had been suggestion made to you by two different
3 people that the person who assaulted you was Mr. Scott,
4 correct?

5 A Regina did not tell me the person that assaulted me was
6 Mr. Scott.

7 Q But you discussed Mr. Scott with Regina, did you not?

8 A Before the incident, yes. *WHY BEFORE THE INCIDENT?*

9 Q Okay. Did you not say a moment ago that when Regina
10 came to the City Hall after they put you in the back to
11 protect you y'all talked about this being Scott?

12 A Yes.

13 Q Okay.

14 A When Regina came in the store that night she told me I
15 had not said---

16 Q Let me stop you. Came in -- when she came in the store
17 or---

18 A City Hall.

19 Q ---she came in City Hall?

20 A When she came in City Hall that night I was there with
21 my mother. I was sitting in front of the sheriff's desk.

22 She came in the door saying I can't believe he did this.

23 So, I was, I was taking that she knew who had done it. *How?*

24 Q And how would she -- why did you believe she would know
25 that?

Bridgette Jackson - Cross-examination
by Ms. Jones

① She wasn't present, was she? *Probably so! Had to be!*

② A She -- I believe she would know that because, prior to
3 me being robbed that day, she had told me, while we were at
4 work, she was going home, I was coming to work, she said it
5 in a joking manner, but I asked, I asked her was she
6 serious. She said how about Mr. Scott is telling people
7 he's gonna rob the store, and I asked her are you serious,
8 and she was like yeah, ~~but I don't think he's gonna do~~
9 nothing, she didn't report it to Trace or anyone else that
10 someone had told her Mr. Scott was gonna rob the store.

④ Q Okay. So, at two o'clock on the day of the robbery,
12 Regina already thinks there's gonna be a robbery? *How?*

⑬ A No, this happened probably about maybe two weeks before
14 the robbery. *THEY PLANNED THE ROBBERY!*

⑮ Q Okay. And she never told the owner of the company
16 this?

17 A No.

18 THE COURT: Are we gonna talk about her---

19 MS. JONES: Yes.

20 THE COURT: ---identification of the individual?

21 MS. JONES: Yes, sir.

22 THE COURT: Let's get to that.

23 MS. JONES: Thank you.

⑰ Q So, prior to the identification, Ms. Jones reminded
25 you, in some way, of a discussion about Mr. Scott, correct?

Stephanie Lovell - Direct examination
by Solicitor Ellis

1 Q All right. Please answer any questions Ms. Jones may
2 have.

3 THE COURT: Your witness, Ms. Jones.

4 MS. JONES: Thank you.

5 CROSS-EXAMINATION

6 BY MS. JONES:

7 Q The lineup -- on the lineup itself, No. 38, 37, sorry,
8 there are numbers one through six on it.

9 Did you number those?

10 A Yes, ma'am.

11 Q When did you number those?

12 A when I got to the, to Mary Black Hospital.

13 Q Okay. And you had what, picked this up at the
14 Sheriff's Office or where?

15 A I picked it up at the Spartanburg County Jail.

16 Q Okay. And how did you order that?

17 Did you call them and say I need so and so put in a
18 lineup or how did you do that?

19 A Oh, when I got to the jail I just told them I needed a
20 photo lineup with a person, with Brent Scott in it.

21 Q Okay. And who had provided you the name Brent Scott? *Yes, who?*

22 A The detention center did. *Those photos did not
Come from the jail.*

23 Q No.

24 A Oh, I'm sorry.

25 Q Who provided you the name?

*SHE IS LYING. SHE JUST SAID
SHE TOLD THEM THE NAME BRENT SCOTT*

Stephanie Lovell - Cross-examination
by Ms. Jones

- 1 Not the lineup.
- 2 A I apologize.
- 3 Q I'm sorry.
- 4 A Sergeant---
- 5 Q That's all right.
- 6 A sergeant Kip Teal. *THIS BAD COP FRAMED ME!*
- 7 Q Okay. So, you came by, picked up that lineup, and when
- 8 you got to Mary Black you numbered it cause you, you felt
- 9 like there needed to be a number reference on it?
- 10 A I asked Sergeant Teal what I needed to do and he told
- 11 me to make sure to align each one of these with a number.
- 12 Q Okay. And did you do that in her presence?
- 13 A I did, yes. *MY GOD!*
- 14 Q Okay. And then you presented it to her, and as best,
- 15 best you can recollect, tell me exactly what you told her to
- 16 do with it.
- 17 A I told her to take her time, look at it carefully, and
- 18 tell me, you know, see if she believed the person that
- 19 robbed her and attacked her was in it, in the lineup.
- 20 Q Okay. And who was present with her when you were, the
- 21 two of you were doing that?
- 22 A Her mother.
- 23 Q Okay. Was there anybody else there?
- 24 A Not that I can recall.
- 25 Q Okay. And did you watch her as she examined it?

Kip Teal - Cross-examination
by Ms. Jones

1 bed, and I went to, around the front of the bed and I
2 handcuffed him and we walked to the living room.

3 Q Okay. So, are you saying he was completely compliant
4 after jumping out of the bed, and when you said lay down he
5 laid down?

6 A Yes. Yes, ma'am.

7 Q You deny hitting him or striking him to make him get on
8 the bed so you could cuff him?

9 A No, ma'am.

10 Q Okay. He was agitated enough to jump up, but then he
11 just immediately says okay, I'm gonna go down?

12 A Yes, ma'am.

13 Q Okay. Had you -- and you have him handcuffed and
14 that's when you noticed his nose was bleeding?

15 A No, I noticed his nose bleeding whenever I walked, when
16 I come in, when I looked to the right side and I seen him
17 sit up in the bed I noticed a cut on his nose---

18 Q Was that---

19 A ---and blood.

20 Q ---at the time he was jumping out of the bed---

21 A Yes, ma'am.

22 Q ---at you?

23 A Yes, ma'am, now he didn't jump at me.

24 Q Okay. Now, you indicated you got to -- well, let me
25 back up.

Kip Teal - Cross-examination
by Ms. Jones

1 The first time you saw him, the person you claim is
2 Mr. Scott on a bicycle, you specifically said you were
3 driving very slowly.

4 A Yes, ma'am.

5 Q And you said that was because there's a lot of traffic
6 on that Main Street and I got to be careful?

7 A It's not the traffic. It's the way our parking is in
8 downtown Chesnee. You have to park at an angle, and when
9 there's a car beside you, a lot of times you can't see. You
10 have to back out real slow so you don't get hit, and you --
11 not everybody does it, but if you've lived there long enough
12 or worked there, you know to drive slow because people are
13 backing out, they have to creep backwards to keep from
14 hitting anybody and I was going in a slow pace.

15 Q Okay. When you first saw the individual on the
16 bicycle, what location were they in, was that person in?

17 A Right there next to the ATM. Right coming in front of
18 the ATM machine at Arthur State Bank.

19 Q Okay. So, the person you say you saw on the bike had
20 not yet gotten on Alabama?

21 A No, he was on Alabama.

22 Q Okay. And---

23 A The, the front, the front of Arthur State Bank is on
24 South Alabama.

25 Q Okay. Is the ATM machine on South Alabama?

Kip Teal - Cross-examination
by Ms. Jones

1 Q How did you judge that?

2 A Because when you sit there and you observe somebody
3 riding a bicycle you can tell if they're going faster than
4 they was the first time.

5 Q What speed were you going when you passed the bicycle?

6 A Probably two miles cause I was crossing the railroad
7 tracks. You can't go too fast going across the railroad
8 tracks unless you want to tear your car up.

9 Q But you indicated that the bicycle was going across the
10 railroad tracks.

11 A He was in a bigger hurry than what he was when he was
12 on, when I seen him on Alabama in front of Arthur State
13 Bank.

14 Q Okay. You responded to Ms. Copeland's home and you
15 indicated that when you went in you did a complete and
16 thorough or, excuse me, a thorough search of the inside of
17 the house?

18 A Yes, ma'am.

19 Q Okay. And you've indicated to Mr. Ellis you found no
20 money, correct?

21 A Yes, ma'am.

22 Q You found no gun?

23 A Correct.

24 Q You found no knife?

25 A Correct.

Kip Teal - Cross-examination
by Ms. Jones

1 Q Did you find any bloody clothing?

2 A No, ma'am.

3 Q Okay. Did you find any clothing at all that you
4 seized?

5 A No, ma'am.

6 Q Okay. If you had found black clothing in that home,
7 you would have seized it, wouldn't you?

8 A Yes. Yes, ma'am.

9 Q Okay. Did you observe, in the 45 minutes you said you
10 were outside trying to get into this home, any of the
11 vehicles that were under the carport at that residence?

12 A No, ma'am.

13 Q Okay. You didn't see a truck?

14 A No, ma'am. **HE LIED**

15 Q Okay. And you indicated that when you first got there
16 you saw a bicycle?

17 A On the, on the front porch.

18 Q Okay. And did you take any photographs of that
19 bicycle?

20 A No, ma'am.

21 Q Okay. And why not?

22 A That's a mistake that I had made I guess. **CORRECT**

23 Q Okay. The individual that you saw on the bicycle was
24 wearing now you say dark glasses?

25 A Yes, ma'am.

**HE NEVER SEEN ME RIDING A BICYCLE!
HE LIED AND MADE THEM UP. IT HAD
TO BE SOMEONE ELSE. THEY DID NOT INVESTIGATE**

Lathier Graham - Cross-examination
by Ms. Jones

1 in two different photographs showing the two different
2 spots.

3 was there a swab for each spot?

4 A No, there was not.

5 Q well, what -- you combined them?

6 A No, ma'am, I do not.

7 Q Okay. well, how -- explain what you did then.

8 A The one -- excuse me. The one spot that had the most
9 concentration on it was the spot I swabbed. The other spot
10 I did not swab.

11 Q Okay. And do you know which, whether it was the cat
12 spot or the bat spot?

13 A The cat spot.

14 Q Okay. So, what do you do -- what did you do with the
15 bat swab?

16 A I didn't swab the bat swab.

17 Q You did not?

18 A No, ma'am, I did not.

19 Q You presumptive tested it with the, what you call quick
20 Test, but then you did not swab it?

21 A Yes.

22 Q Okay. Now, did you -- you saw and responded, in
23 reference to a question by Mr. Ellis, about the glasses and,
24 and a pen.

25 Did you not think it was necessary to take those items

Lathier Graham - Cross-examination
by Ms. Jones

1 into evidence, that the, the glasses you said might of been
2 glasses or shades.

3 Do you recollect those --

4 A Yes, ma'am, I do.

5 Q -- from the photograph?

6 You didn't think it was necessary to take those into
7 evidence?

8 A No, ma'am, I did not.

9 Q Okay. Did you also see not only the bent pen cap that
10 was near the glasses, but a broken pen out in the lobby?

11 Do you recollect that or do you want me to show you a
12 photo?

13 A I remember taking a photo of it. I don't -- I didn't
14 collect it. I did not collect it at all.

15 Q Okay. So, the fact that there was a pen that, where
16 the front was crushed in, broken, you didn't think it was
17 necessary to take that into evidence?

18 A No, ma'am, I did not. Why not?

19 Q And you didn't swab it or anything to if it---

20 A No, ma'am, I didn't. Why not? It's evidence

21 Q ---what was on it?

22 Now, finally, let me ask you, you went over, once you
23 finished photographing everywhere, you went down to the City
24 Hall or the police department where you again encountered
25 Ms. Jackson and you photographed her wearing her clothing.

Ian Stowell - Direct examination
by Solicitor Ellis

1 A Yeah.

2 Q Do you think you -- do you think you know who that
3 person on the bike was?

4 A The person on the bike reminded me of Andrew, and I
5 thought it was odd because he usually would holler or
6 something like that, and I just -- but, you know, it's just
7 the character, the physique of the guy. I didn't think
8 anything about after it, you know.

9 Q But normally when he'd come by or you'd see him just
10 whenever, he, he'd wave at you or say hi or whatever?

11 A He was always a friendly guy.

12 Q But that day he didn't do that?

13 A The person on the bike didn't, no.

14 Q Right.

15 The person on the bike did not wave or say hi?

16 A No.

17 Q And you felt it was probably him?

18 A I won't say probably, but I thought it looked like,
19 looked like him.

20 Q Okay. Again, you only had a few seconds to see him,
21 right?

22 A Yeah.

23 Q Right.

24 Okay. Did you, did you think it was odd, if it was
25 Andrew, that he didn't say hi to you?

Ian Stowell - Direct examination
by Solicitor Ellis

1 A Yes, I did.

2 Q Did, did the person on the bike appear to be in a hurry
3 or just kind of leisurely pedaling along?

4 A Not really in a hurry. They were just, you know,
5 cruising on by like that. Not hustling or anything.
6 Just---

7 Q Okay. But, again, it was all right around dusk when
8 you saw him for a few seconds?

9 A Yeah.

10 Q Okay. And you thought at least it looked like Andrew?

11 A Yeah.

12 Q Thank you. Please answer any questions Ms. Jones has.

13 THE COURT: Ms. Jones, your witness.

14 MS. JONES: Thank you, Your Honor.

15 CROSS-EXAMINATION

16 BY MS. JONES:

17 Q Mr. Stowell, it's nice to see you again.

18 A Good to see you.

19 Q Did you get that day, in the three to four seconds
20 glimpse you've called it twice of this individual, did you
21 get a full face on look at that person?

22 A No, I didn't.

23 Q Okay. Is it correct to say you're hesitant to sit
24 there and commit that that individual on the bicycle was the
25 person you know as Andrew?

Ian Stowell - Cross-examination
by Ms. Jones

1 A Repeat that again.

2 Q Okay. Are you gonna, under oath, absolutely swear
3 positively that the person you glimpsed that day was Andrew?

4 A I can't swear that it was, no, I can't.

5 Q Okay. In addition to it being unusual that he didn't
6 speak to you, do you know whether the person you know as
7 Andrew has one or more vehicles?

8 A I knew of the girlfriend, lady friend of his had a
9 vehicle that he drove sometimes.

10 Q Okay.

11 A He had a -- I thought he had a Dodge Dakota truck. I'm
12 not sure what color it was.

13 Q Okay. You do vehicle work and you said---

14 A Yes.

15 Q ---specifically you sell tires.

16 Have you done some work on one or both of those
17 vehicles?

18 A Yeah.

19 Q Okay. And the, the lady friend that you've referred
20 to, is that Ms. Copeland who's in the cream sweater set---

21 A Yeah.

22 Q ---sitting there on the front row?

23 A Yes.

24 Q Okay. And you've known her for a number of years?

25 A I've known her for 20 something years probably.

Ian Stowell - Cross-examination
by Ms. Jones

1 Q Okay. Thank you. That's all I have.

2 A Okay.

3 THE COURT: Mr. Ellis, any other questions of the
4 witness?

5 SOLICITOR ELLIS: No, sir, Your Honor.

6 THE COURT: All right, sir. You may step down.

7 WITNESS: Thank you.

8 SOLICITOR ELLIS: May the witness be excused, Your
9 Honor?

10 THE COURT: Any objection to his being excused?

11 MS. JONES: Certainly.

12 THE COURT: Sir, you're free to go. Thank you very
13 much for coming today.

14 WITNESS: Thank you.

15 THE COURT: Ladies and gentlemen of the jury, my
16 understanding is the next witnesses or perhaps next couple
17 of witnesses will involve people who are involved with some
18 forensic testing. They're coming from Columbia. They
19 expect to be here tomorrow.

20 So, for that reason, we're going to go ahead -- and
21 we're already to 4:30. So, it's a good time for us to stop.
22 We've had a fairly long day.

23 Same instructions that I gave you yesterday when you
24 left the courthouse. That is, don't discuss the case with
25 anyone. Don't allow anyone to discuss it with you. Don't

Tony Crawford - Cross-examination
by Ms. Jones

1 BY MS. JONES:

2 Q Now, Mr. Crawford, ultimately, once you went -- let me
3 move again. That bag's in the way. There we go.

4 Once you went to the police department after you found
5 out your name had been drug into this, you actually gave a
6 statement, a written statement to Sergeant Teal, didn't you?

7 A Yes, ma'am.

8 Q Okay. And on your statement it says Sergeant Teal is
9 writing this for Tony Crawford because he can't spell or
10 write good.

11 So, you trusted Sergeant Teal enough to write down what
12 you were telling him, is that right?

13 A Yes, ma'am.

14 Q Did, did you -- could you read it enough to okay it
15 when you were done?

16 A Yes, ma'am.

17 Q Okay. So, you did go through it. You just didn't
18 completely have to rely on him.

19 Do you remember, in the statement, telling Sergeant
20 Teal that this conversation that you say you had with
21 Mr. Scott took place at the house that Mr. Scott lives at?

22 A Yes, ma'am.

23 Q Okay. Didn't you just say that it happened at the
24 Money Tree?

25 A I -- that's where the robbery happened at.

Tony Crawford - Cross-examination
by Ms. Jones

1 Q Okay.

2 A That's where I---

3 Q Okay.

4 A ---met Mr. Scott, at the Money Tree.

5 Q Okay. Well, you indicated to Mr. Ellis that at some
6 point Mr. Scott, when talking to you about this, showed you
7 a gun, and you said that happened at the Money Tree, didn't
8 you?

9 A Yes, that's when I first seen his gun was the Money
10 Tree.

11 Q Okay. So, now you've -- y'all have had -- you've had
12 multiple discussions with him about this event?

13 A Well, he, he called me over to his house sometimes.

14 Q Okay. So, you've been over and visited it?

15 A Yes.

16 Q How many times have y'all actually talked about this
17 robbery?

18 A Well, once.

19 Q So, was that at the Money Tree or was that at the
20 house?

21 A That was at his house.

22 Q Okay. What was the reason for showing you the gun and
23 talking about the gun at the Money Tree?

24 A Cause we always go on and tease each other at the Money
25 Tree. *I DO NOT KNOW THIS PERSON.*

Tony Crawford - Cross-examination
by Ms. Jones

1 Q Okay. Did he show you the gun at the Money Tree before
2 you had been to the house and talked about the robbery?

3 A Yes, ma'am.

4 Q Okay. So, in, in the discussion of the robbery, you --
5 he didn't talk about the gun and show it to you?

6 A Run that by me again, ma'am.

7 Q At the house when you're talking about the robbery --

8 A Uh-huh. (Affirmative).

9 Q -- he didn't show you the gun, did he?

10 A No, cause his gun sometimes be laying on the table.

11 Q No, because it will be laying on the table.

12 Did you talk about it or not talk about it?

13 A Talk about --?

14 Q The robbery when he showed you the gun.

15 A Oh, when he showed me the gun he didn't talk -- well,
16 we had talked about the robbery.

17 Q Okay. So, he's just showing you a gun to show you a
18 gun. Not saying okay, Tony, this is the job I want you to
19 do. We're gonna rob the Money Tree. We're gonna use this
20 gun.

21 That's not how it happened, right?

22 A No, ma'am. *NOTHING HAPPENED AT ALL.*

23 Q Okay. So, the conversation about the gun was totally
24 separate?

25 A Yes.

Tony Crawford - Cross-examination
by Ms. Jones

1 Q Didn't have anything to do with a robbery?

2 A Well---

3 Q Right?

4 A He say he was gonna hit her in the back of the head
5 with the gun.

6 Q Okay. But did he show you the gun at that time?

7 A No, ma'am.

8 Q Okay. And how many times do you say you talked to him
9 about this robbery?

10 A I think we talked once.

11 Q Okay. And you went home and told your wife?

12 A Yes.

13 Q And she told you to go to the police?

14 A No, not exactly. She told me to do, do what I think I
15 need to do.

16 Q Okay. And you didn't think you needed to go to the
17 police?

18 A No, I went and told Regina.

*Regina Jones
STORE manager*

19 Q Okay. And Regina is who?

20 A She was the manager at the time.

21 Q Of what?

22 A Money Tree.

23 Q Okay. Did you take it seriously enough to go tell the
24 police?

25 A That's after it had happened. You see, I took it

AFTER WHAT HAPPENED?

Tony Crawford - Cross-examination
by Ms. Jones

1 serious enough to tell her and she should of told the police
2 I thought.

③ Q Shouldn't you have told the police if you really
4 believed there was gonna be a robbery and somebody was gonna
5 get hit with a gun?

6 A No, I, I told her. ~~Why not the police?~~

7 Q So, you really didn't believe it?

8 You just wanted to say Regina, this is something that
9 I'm hearing about your store, you need to know as the
10 manager cause she's not a policeman, is she?

11 A No. No, ma'am.

12 Q So, you really didn't take it that seriously or you'd
13 of picked up the phone and called your friend, Sergeant
14 Teal, and told him about it, right?

15 A Yes, ma'am. ~~My God!~~

16 Q That's all.

17 THE COURT: Yes, Mr. Ellis, you may redirect.

18 SOLICITOR ELLIS: Thank you, Your Honor.

19 THE COURT: Yes, sir.

20 REDIRECT EXAMINATION

21 BY SOLICITOR ELLIS:

22 Q Mr. Crawford, the first time you saw Mr. Scott's gun
23 was at the Money Tree, is that right?

24 A Yes, sir.

25 Q Okay. And, again, what did that gun look like?

Tony Crawford - Redirect examination
by Solicitor Ellis

1 A Oh, it was black with a brown handle.

2 Q Okay. Did you, at the Money Tree though, you're saying
3 now you did not discuss the robbery at that time, is that
4 right?

5 A No, ma'am. No, sir.

6 Q Did you see that same black gun with a brown handle at
7 Mr. Scott's house?

8 A Yes, sir.

9 Q Did you see it on the date you discussed the robbery?

10 A No, sir.

11 Q Okay. But you had seen it at the house before?

12 A Yes, sir.

13 Q Was it the same gun you'd seen at the Money Tree?

14 A Yes, sir.

15 Q So, at the house though, is that where Mr. Scott
16 discussed the robbery with you?

17 A Yes, sir.

18 Q And did he tell you that he was going to use the gun in
19 the robbery?

20 A Well, he just say he gonna hit her on the back of the
21 head with the gun to buy some time.

22 Q And you knew that he had the gun cause you'd seen it
23 already?

24 A Yes, sir.

25 Q Thank you very much.

Tony Crawford - Recross examination
by Ms. Jones

1 THE COURT: Recross.

2 MS. JONES: Yes, sir.

3 RECCROSS EXAMINATION

4 BY MS. JONES:

5 Q You, you said originally that you go, had gone into the
6 Money Tree every Thursday cause that's when the cigarettes
7 were cheaper.

8 A Yes, sir. Yes, ma'am.

9 Q And did you know there were cameras in there?

10 MS. JONES: Objection, Your Honor.

11 THE COURT: That's beyond the scope of the redirect I
12 believe.

13 MS. JONES: I was gonna ask him about the gun being
14 produced in the store even though there were cameras.

15 THE COURT: I'll allow you to ask that question.

16 MS. JONES: Thank you.

①7 Q Did you, did you know there were cameras in the store?

①8 A Yes, ma'am.

19 Q Okay. where in the store was it that you say Mr. Scott
20 showed you the gun?

21 A well, he was behind the counter.

22 Q okay. where were you?

23 A I was over behind the glass, in front of the glass.

24 Q In the lobby area?

25 A Yes.

Tony Crawford - Recross examination
by Ms. Jones

1 Q Okay. And you know there's cameras in the lobby?

2 A Yes, sir. Yes, ma'am.

3 Q Cameras in there watching, watching the window to the
4 lobby?

5 A Yes, ma'am.

6 Q Okay. But he pulled the gun out right there with the
7 cameras around?

8 A No, he just laid it out and put it on the counter.

9 Q Okay. In open sight though right there?

10 A Yes, ma'am.

11 Q okay. Thank you. *WHERE IS THE Video?*
12 That's all I have, Your Honor.

13 THE COURT: Anything further, Mr. Ellis?

14 SOLICITOR ELLIS: No, sir, Your Honor.

15 THE COURT: Sir, you may step down.

16 Do you wish to excuse the witness?

17 SOLICITOR ELLIS: Yes, sir, please.

18 THE COURT: Any objections?

19 MS. JONES: No, sir.

20 THE COURT: Sir, you're free to go if you'd like.

21 Thank you for coming today.

22 The state may call its next witness.

23 SOLICITOR ELLIS: Thank you, Your Honor.

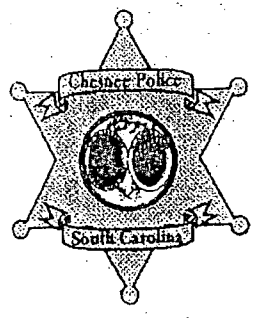
24 The State calls Crystal Thompson.

25 THE COURT: Come forward please, ma'am, to my left and

3/14/2012

Chesnee Police Department

201 West Cherokee Street
Chesnee, South Carolina 29323
Phone 864-461-2225



AFFIDAVIT FOR PHOTO LINEUP

I, Bridgette Jackson, HAVE VIEWED THE LINEUP PROVIDED BY THE
CHESNEE POLICE DEPARTMENT AND HAVE POSITIVELY IDENTIFIED THE
SUBJECT IN QUESTION AS NUMBER 5

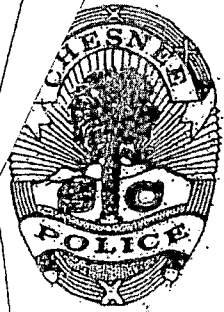
Alexander Brent Scott ← THAT IS NOT MY NAME

SUBJECT: ~~Bridgette Jackson~~

AFFIANT: ~~Stephanie White~~ Bridgette Jackson

WITNESS: Stephanie Guller

DATE: 0127110



3/17/2012
Case # 10-09-28-82
0109/15/11 00008
Page 3 of 10 03/13/2012
City of Chesnee

POLICE DEPARTMENT

201 WEST CHEROKEE STREET
CHESNEE, SOUTH CAROLINA 29323

CHESNEE CITY POLICE DEPARTMENT
PAUL S. SMITH, CHIEF OF POLICE

I swear that the statement I am about to give is the truth, the whole truth and nothing but the truth, so help me God. I also understand that giving a false or untrue statement to a Chesnee Police Officer or to the Chesnee Police Department is a violation of South Carolina code of law section 16-17-725. Violation of this section is punishable by a fine of not more than \$465.00 and/or 30 days in jail.

X Tony Crump A
(Signature)

10-01-2010
(Date)

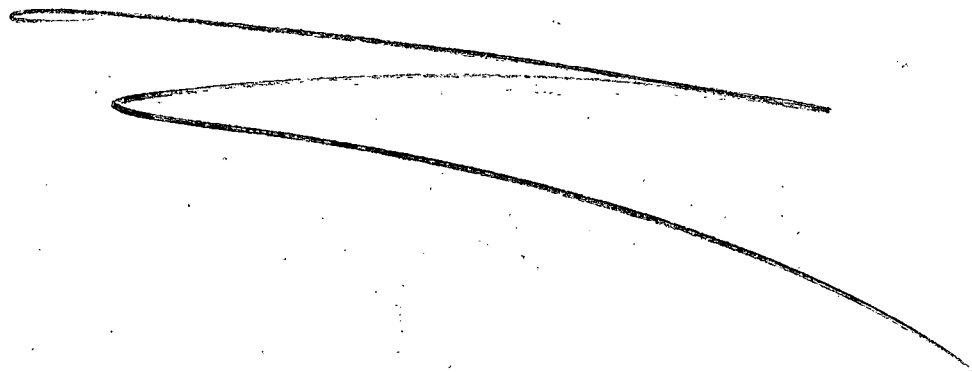
SWORN to before me this _____

Day of _____, 20_____

(SEAL)
Notary Public for South Carolina

My commission expires: _____

REVERSED + REMANDED



Chesnee PD
SC 0420600

VOLUNTARY STATEMENT

STATE OF SOUTH CAROLINA

COUNTY OF SIX, who states:

PERSONALLY appeared before me Toney Earl Crawford

"My name is Toney Earl Crawford. My address is 312 Richland St. Lot #3 Chesnee SC

Date of Birth 7-25-1964, Social Security Number: 247-27-1255, Phone Number 461-1123

I completed the 10th grade in school, and I can cannot read and write."

Before answering any questions or making any statements Sgt. Kip Teal

a person who identified himself as Chesnee Police Dept.

duly warned and advised me, and I know and understand that I have the following rights: That I have the right to remain silent and I do not have to answer any questions or make any statements at all; that any statement I make can and will be used against me in a court or courts of law for the offense or offenses concerning which the following statement is hereinafter made; that I have the right to consult with a lawyer of my own choice before or at anytime during any questioning or statements I make; that if I cannot afford to hire a lawyer, I may request and have a lawyer appointed for me by the proper authority before or at anytime during any questioning or statements that I make, without cost or expense to me; that I can stop answering any questions or making any statements at any time that I choose, and call for the presence of a lawyer to advise me before continuing any more questioning or making any more statements, whether or not I have already answered some questions or made some statements.

I do not want to talk to a lawyer, and I hereby knowingly and purposely waive my right to remain silent, and my right have a lawyer present while I make the following statement to the aforesaid person, knowing that I have the right and privilege to terminate any interview at any time hereafter and have a lawyer present with me before answering any more questions or making any more statements, if I choose to do so.

I declare that the following voluntary statement is made of my own free will without promise or hope of reward, without fear or threat of physical harm, without coercion, favor, without leniency, by any person or persons whomsoever.

I SGT. K. Teal is writing this for Toney E. Crawford because he can't spell or write good. T.C. HE STATED THAT Andrew Scott called him the DAY AFTER he GOT Fined From the money tree and ASKED him to come over to his house that he had A JOB For them to do. T.C. HE STATED THAT when he got to Andrews house hes started TALKING ABOUT why he got Fined. T.C. HE STATED THAT Andrew told him that he WANTED him to help him Rob the money tree and that Regina who works at the Money tree Always has the safe open, that when she goes to the BANK and comes Back she Always has around \$15,000 on her That All they had to do was hit her over the BACK OF Her head with his gun to Buy some Time to get away. T.C. Mr. Crawford STATED THAT Andrew Scott showed him a Revolver that was BLACK with a Brown Handle. Mr. Crawford STATED THAT he told Regina at the store when Andrew asked him to help him Rob the store. T.C

Toney Crawford End of STATEMENT.

I have read each page of this statement consisting of 1 page(s), each page of which bears my signature, and corrections, if any, bear my initials, and I certify that the facts contained herein are true and correct. I further certify that I made no request for the advice or presence of a lawyer before or during any part of this statement, nor at any time before it was finished did I request that this statement be stopped. I also declare that I was not told or prompted what to say in this statement.

This statement was completed at 12:25 P.M. on the 1st day of October, 2010
Toney Crawford
Signature of person giving voluntary statement

SWORN TO AND SUBSCRIBED TO BEFORE
ME THIS _____ DAY OF _____, 20____

NOTARY PUBLIC FOR SOUTH CAROLINA
My Commission Expires: _____

WITNESS: [Signature]
WITNESS: _____

I Certify that I have been given a copy of this statement consisting of _____ pages.

1)

2nd ISSUE PRESENTED

MS. BEVERLY TOWERS, MY TRIAL COUNSEL, FAILED TO BRING TO THE COURT'S ATTENTION THE VALIDITY OF THE CONSENT TO SEARCH PROCEDURE, IT'S ACCOMPANIED LEGAL DOCUMENT. TRIAL COUNSEL FAILED TO BRING TO THE COURT'S ATTENTION, THE 4th AMENDMENT RIGHTS AND PROTECTION OF ALL OF THE OCCUPANTS OF THE HOME TO BE SEARCHED. TRIAL COUNSEL FAILED TO BRING TO THE COURT'S ATTENTION OF THE CONSEUTER'S RIGHT TO REFUSE CONSENT (MIRANDA RIGHTS) THE CONSEUTER'S AGE, LEVEL OF EDUCATION, STATE OF MIND, AND HER KNOWLEDGE OF LAW. TRIAL COUNSEL FAILED TO BRING TO THE COURT'S ATTENTION PROBABLE CAUSE FOR THE ACTIONS OF THE POLICE DEPARTMENT. TRIAL COUNSEL FAILED TO MAKE A MOTION TO HAVE ALL CHARGES DROPPED AND/OR DISMISSED FOR THE ILLEGAL ACTIONS LEADING TO ARREST.

②

2nd ARGUMENT

Mrs. Beverly Jones, my Trial Counsel, failed to bring to the Court's attention the validity of the consent to search procedure, a's accomp-
awied legal document. Trial Counsel failed to bring to the Court's attention the 4th Amendment -
Rights and Protection of Cell of
the occupants of the Home to
be searched. Trial Counsel failed to bring to the Court's attention the Counselor's Right to Refuse Consent
(Miranda Rights), the Counselor's Age, level of education, state of mind,
and her knowledge of law. Trial Counsel failed to bring to the Court's attention, Probable Cause
for the actions of the Police
Department. Trial Counsel failed to make a motion to have all charges dropped and/or Dis-
missed for the illegal actions
leading to the arrest.

THE 4th Amendment Provides:

(3)

THE RIGHT OF THE PEOPLE TO BE
SECURE IN THEIR PERSONS,
HOUSES, PAPERS, AND EFFECTS
AGAINST UNREASONABLE SEARCHES
AND SEIZURES, THIS RIGHT SHALL
NOT BE VIOLATED, AND NO WAR-
RANTS SHALL BE ISSUED BUT
UPON PROBABLE CAUSE, SUPPORTED
BY OATH AND AFFIRMATION, AND
PARTICULARLY DESCRIBING THE
PLACE TO BE SEARCHED AND THE
PERSONS OR THINGS TO BE SEIZED,
BASED UPON MY RIGHTS UNDER THE
4TH AMENDMENT, MY PERSON AND
HOME WAS VIOLATED AND RESULTED
IN DIRE CONSEQUENCES. MY
TRIAL ATTORNEY FAILED TO BRING
THIS ILLEGAL ACT TO THE COURT'S
ATTENTION. THIS WAS THE RESULT
OF AN INEFFICIENT ACT OF OM-
ISSION. THE CONSENTED WAS 72
YEARS OF AGE AT THAT TIME, WAS
UNDER STRESS AND DURESS BY HER
96 YEAR OLD MOTHER BENJ IN
THE HOSPITAL IN ICU, WAS NOT

(H)

GIVEN HER CONSTITUTIONAL RIGHT
TO REFUSE CONSENT, AND WAS
DEFINITELY NOT IN HER PROPER
STATE OF MIND, AS TO PER-
FORMING TO MATTERS OF THE LAW.
MS. VIRDIA COPELAND WAS NOT
IN A PROPER STATE OF MIND TO
MAKE ANY RATIONAL DECISIONS.
IN THE CASE OF SCHLESCHLOTH
VS BUSTAMONTE (1973) THE U.S.
SUPREME COURT RULED THAT A
SEARCH CONDUCTED WITHOUT
A WARRANT ISSUED UPON
PROBABLE CAUSE, IS PER SE -
UNREASONABLE. A WARRANTLESS
SEARCH WITHOUT PROBABLE CAUSE,
IS AN INVASION OF A PERSON'S
PRIVACY. MY TRIAL COUNSELOR FAILED
TO ASK THE TRIAL COURT, PROSECUTOR,
AND THE CHESWEE POLICE DEPART-
MENT, IF THEY HAD PROBABLE CAUSE
TO ARREST ME, WHY COULDN'T
THEY GET AN ARREST WARRANT
INSTEAD OF A CONSENT TO SEARCH
FORM? THE COURT MUST

3)

MUST AdHERE TO THE Rule THAT
Probable Cause is THE Level of
Suspicion Required to justify
INTRUSIONS into a Person's Home.

It is also a Reasonable Ground for
supposing that a Criminal Charge is
well-founded. The United States
Supreme Court defines Probable Cause
as to a Search - A Fair Probability
that Contraband OR Evidence of
a Crime will Be Found in a Part.
icular Place. In the Search of my
Home, NO articles were any ev-
idence of a Crime was found.

The Constitutional Law of the
United States suggests that a Court
of law may be more legally ready
to accept the judgement of a
law enforcement official if back-
ed by a warrant issued by a mag-
istrate. My Trial Attorney failed
miserably by NOT bringing to the
Court's attention the tactics
used by the Chief of Police, from
the Chessee Police Department,

6)

THE COERCIVENESS AND THREATS THE POLICE CHIEF USED IN GETTING MR. MADIE COPELAND TO UNWILLINGLY SIGN A CONSENT TO SEARCH FORM. MR. COPELAND REFUSED TWICE TO GIVE HER HOUSE KEYS TO THE CHIEF. ONCE SHE REFUSED, THE POLICE CHIEF SHOULD HAVE SOUGHT OTHER LEGAL WAYS. WHEN HE KEPT, HE SHOWED HIS AUTHORITY BY TELLING MR. COPELAND THAT HE DID NOT WANT TO RESULT IN "TEARING HER HOUSE UP TO A CLEAN EMPTY". THAT WAS PURE COERCION AND A FURTHER THREAT. BECAUSE OF TRIAL COUNSEL DEFICIENT REPRESENTATION I DO BELIEVE WITH ALL MY HEART THAT THE OUTCOME OF MY TRIAL WOULD HAVE BEEN DIFFERENT.

CONCLUSION

AN ARREST WARRANT AND A SEARCH WARRANT PROTECTS DIFFERENT THE AMENDMENT

(4)

INTERESTS AND THAT EACH REQUIRES A DIFFERENT FACTUAL SHOWING. AN ARREST WARRANT PROTECTS AN INDIVIDUAL FROM AN UNLAWFUL AND UNREASONABLE SEIZURE, AND ISSUES UPON A SHOWING OF PROBABLE CAUSE TO BELIEVE A SUSPECT IS COMMITTING OR HAS COMMITTED AN OFFENSE. A SEARCH WARRANT PROTECTS AN INDIVIDUAL PRIVACY INTEREST IN HIS/HER HOME AND POSSESSIONS AGAINST UNJUSTIFIED POLICE INTRUSIONS. IT ISSUES UPON A SHOWING OF PROBABLE CAUSE TO BELIEVE THAT THE LEGITIMATE OBJECTS OF THE SEARCH IS LOCATED IN A PARTICULAR PLACE. THE 4TH AMENDMENT REQUIRES THAT A WARRANT DESCRIBE WITH PARTICULARITY THE PLACE TO BE SEARCHED AND/OR THE THINGS TO BE SEIZED. THIS LIMITATION SAFEGUARDS THE INDIVIDUAL PRIVACY INTERESTS AGAINST "THE WIDE-RANGING EXPLORATORY SEARCHES" IN TRIAL COURSE.

(8)

Failed to bring to the Court's attention that the point of the 4th Amendment is NOT that it DELIES law enforcement the support of the usual inferences which reasonable men draw from evidence, its protection consists in requiring that those inferences be drawn by a neutral and detached magistrate, instead of being judged by the police officer being engaged in the often competitive enterprise of searching out crimes. In my conclusion from understanding the procedure of law, that a warrant is necessary because law enforcement officers may lack sufficient objectivity to weigh correctly the strength of the evidence supporting the contemplated action against the individual interests, in protecting his own liberty, the magistrate must consider the

(9)

Facts and Circumstances
in a Practical, Common-Sense
manner and make an independent
assessment regarding
probable cause. The evidence
must provide the magistrate
with a substantial basis for
this determination. A sworn
affidavit must establish —
circumstances for issuing a warrant.
Failure and neglect of my trial
counsel to bring these crucial and
important matters before the
trial court and the appeals court,
hindered a different outcome
of my trial. I do request and
entreat the State Supreme Court
to grant to me a full briefing
on the above raised issue and
to conclude a ruling of reverse
and remanded.

* Please see enclosed exhibits:

Exhibits: 425-440 and 453+454, 1+2

1 MS. JONES: Thank you.

2 Verdia Copeland.

3 THE COURT: She stepped out. She I think she just --
4 she may be coming in the door now.

5 MS. JONES: I didn't even notice, Your Honor. I'm
6 sorry.

7 THE COURT: There she is.

8 Come forward please, ma'am, to my left and be sworn.

9 VERDIA COPELAND, being first duly
10 sworn, testified as follows:

11 THE COURT: Have a seat please. Once you're seated,
12 state your name.

13 WITNESS: Verdia Copeland.

14 MS. JONES: Okay.

15 THE COURT: Your witness, Ms. Jones.

16 MS. JONES: Thank you.

17 DIRECT EXAMINATION

18 BY MS. JONES:

19 Q Ms. Copeland, you're, you're very soft spoken. Make
20 sure you speak up so --

21 A Okay.

22 Q -- so that I can hear you and all the jurors can hear
23 you.

24 Tell us where you live, Ms. Copeland.

25 A I live in Chesnee at [REDACTED].

Verdia Copeland - Direct examination
by Ms. Jones

1 Q Okay. And Ms. Copeland, do you know Mr. Scott?

2 A Yes, ma'am.

3 Q Okay. How long have you known Andrew Scott?

4 A I known him for about four years.

5 Q Okay. How did you first meet Mr. Scott?

6 A I met him when I was working at Turner's Restaurant in
7 Chesnee.

8 Q Okay. And what -- how did you meet him through the
9 Turner's Restaurant?

10 A He came in there asking for a job.

11 Q Okay. And did you and he work together at Turner's for
12 sometime?

13 A Yes, ma'am.

14 Q okay. Once you met each other, started working
15 together, did you start seeing each other?

16 A Yes, ma'am, we did.

17 Q okay. And do you remember how long it was after you
18 met before you started going out with each other?

19 A I'm trying -- I'm thinking it was about maybe a, maybe
20 a month or two months. Maybe somewhere in that
21 neighborhood.

22 Q Okay. Do you remember how, what you did when you first
23 started seeing each other and going out?

24 A We met at church. It was our anniversary. My
25 anniversary -- I sang on the gospel choir CME Church and we,

Verdia Copeland - Direct examination
by Ms. Jones

1 he came there and we started dating from then.

2 Q Okay. And sometime after that did you and Mr. Scott
3 begin to live together?

4 A Yes, ma'am, we did.

5 Q Okay. Let's back up.

6 When you first met him and you were working at
7 Turner's, what did you do at Turner's?

8 A I was a cook.

9 Q Okay. Did you live at [REDACTED] at that point?

10 A Yes, ma'am, I'd been there for about 30 years.

11 Q Thirty years?

12 A Yes, ma'am.

13 Q So, you owned that residence?

14 A Yes, ma'am.

15 Q Okay. And when you and Mr. Scott began living together
16 was at that home, your home---

17 A Yes, ma'am.

18 Q ---your home of 30 years?

19 A Yes, ma'am.

20 Q Okay. And if you will, Ms. Copeland, I'll focus you to
21 the day of September 28th, 2010, on -- that when the event
22 that Mr. Scott is now charged with allegedly occurred.

23 Okay. Now, do you remember what you were doing that
24 day?

25 A That day I was at Mary Black Hospital with my mother.

Verdia Copeland - Direct examination
by Ms. Jones

1 She was in ICU at that time.

2 Q Okay. And how old was your mother then?

3 A My mother was 95 years old.

4 Q Okay. Is she now deceased, Ms. Copeland?

5 A Yes, ma'am.

6 Q Okay. Tell me what you remember about that day.

7 what were you planning and what did you do that day?

8 A That day, I left that morning and went and picked up my
9 sister. Mr. Scott was laying in the bed cause I had took
10 him to the emergency room a week or so before that with some
11 pains. He had kidney problems and chest pains --

12 Q Okay.

13 A -- and I took him to Mary Black. And that morning---

14 Q Do you remember what time you left that morning?

15 A I left that morning between 6:30 and 7:00.

16 Q That's very early?

17 A Yes, ma'am, because I wanted to be at Mary Black before
18 the, when the visiting hours started at the ICU---

19 Q And---

20 A ---and I wanted to catch the doctors when they went
21 around.

22 Q Okay. So, you -- before you went up to Spartanburg
23 though at Mary Black you had to go see your sister, correct?

24 A I went and picked up my sister.

25 Q How old is your sister?

Verdia Copeland - Direct examination
by Ms. Jones

1 A She's 54 years old.

2 Q And did you pick her up to take her with you to the
3 hospital?

4 A Yes, ma'am.

5 Q Tell me a little bit about your sister.

6 Does she require a lot of care?

7 A Yes, ma'am, she do.

8 Q And why is that, Ms. Copeland?

9 A She's kind of -- I don't know how I would describe it.
10 Kind of handicapped. She have a lady's body, but she have a
11 child's mind. So, I have to take care of her.

12 Q Okay. So, you got up and you went to -- where did she
13 live at that point?

14 A She lived over at [REDACTED] where my
15 mother lived.

16 Q Okay. She was living in your mother's apartment?

17 A Yes, ma'am.

18 Q And---

19 A My mother was at the hospital. So, I had---

20 Q Okay. So, you got the sister, your sister and y'all
21 came up to Mary Black, and did you stay in Spartanburg
22 pretty much all day long?

23 A I stayed there all day long.

24 Q Okay. And at any point during the daytime did you talk
25 to Mr. Scott on the phone?

Verdia Copeland - Direct examination
by Ms. Jones

- 1 A I called him earlier that day, but that night I called
2 him when I left the hospital.
- 3 Q Okay. Did you stay all the way through to the close
4 of, of---
- 5 A Yes, ma'am.
- 6 Q ---the hospital or visiting hours?
- 7 A I stayed there all day.
- 8 Q Okay. Do you know what time it was when you started to
9 leave Mary Black to come back up to Chesnee?
- 10 A I -- it was after the visiting house at the ICU. I'm
11 thinking that was around 7:00 or maybe a little after 7:00.
12 I called Mr. Scott and asked him did I need to pick up
13 anything from the store, and he said no, just pick up me a
14 pack of cigarettes.
- 15 Q Okay. And how did you call him?
- 16 A I called him on my cell phone.
- 17 Q Okay. And you, you called him Mr. Scott.
18 what do you normally call him?
- 19 A I call him Andrew.
- 20 Q Okay. And you -- he asked you for some cigarettes.
21 Did he sound unusual---
- 22 A No.
- 23 Q ---you?
- 24 A He said he was laying down. He asked me did I want
25 something to eat. I told him no cause I probably wouldn't

Verdia Copeland - Direct examination
by Ms. Jones

1 want anything when I got home I said cause I was just tired.

2 I been at the hospital all day long with my mother.

3 Q Okay. And you indicated when you left he was in the
4 bed.

5 was he still dressed for bed when you left?

6 A Well, he generally have on his t-shirt and some kind
7 of, you know, jogging, you know, sleeping pants.

8 Q Okay. And the sleeping pants, what are they?

9 Are they like flannel or what?

10 A Flannel like pajama, like pajama pants.

11 Q Pajama pants?

12 A Yes, ma'am.

13 Q Okay. The -- and on the way home to Chesnee did you
14 actually stop to get the cigarettes?

15 A I stopped at Li'L Cricket in Chesnee.

16 Q Okay. And at that point, once you got the cigarettes,
17 did you go on home to 101 Lexington?

18 A No, ma'am, I didn't go home. I was, I was -- I got a
19 call to come to Money Tree.

20 Q And do you remember who called you to come to Money
21 Tree?

22 A The -- Chief Scott I guess that was the chief at that
23 time.

24 Q Okay. Do you -- did you go to Money Tree?

25 A Yes, ma'am, I went.

Verdia Copeland - Direct examination
by Ms. Jones

1 Q And was one of your relatives there with the chief?

2 A Leroy.

3 Q Who is Leroy?

4 A That's my nephew.

5 Q Okay. And they asked you to go to Money Tree and you
6 went to Money Tree.

7 A Yes, ma'am.

8 Q You were---

9 A Yes, ma'am.

10 Q Were you close to it anyway?

11 A Well, just a little up the street just a little bit
12 from it.

13 Q Okay. And when you got there, did the chief talk to
14 you about wanting to go inside your house?

15 A Yes, ma'am, he did. WHY NOT A WARRANT?

16 Q Okay. And did he tell you he needed you to sign a form
17 cause he didn't want to mess up your house? THAT'S A THREAT!

18 A Yes, ma'am, he did.

19 Q Okay. And did he also try to get you to give him a
20 key? WHY? I HATE COERCION! WHY DIDN'T THEY GET
21 A Yes, ma'am. A WARRANT? IF PROBABLE CAUSE

22 Q And did you give him a key?

23 A No, ma'am, I did not give him my key. I told him I
24 rather not give him my key, and he said well, give it to
25 Leroy and let Leroy take, go over there, and I said no, sir,

VIRDIA REFUSED TWICE TO COERCION!
ANYTHING AFTERWARDS IS A THREAT!

Verdia Copeland - Direct examination
by Ms. Jones

1 I'm not gonna do that. I said cause I have to go back to
2 the hospital. THE CHIEF SHOULD HAVE LEFT HER ALONE!

3 Q Okay. Were you worried about getting your key back?

4 A Well, I didn't know where I would get it back or not
5 cause I had to go back to the hospital.

6 Q Okay. Now, did the -- and the chief gave you a form
7 and asked you to sign it and you signed it?

8 A Yes, ma'am. HE COERCED AND THREATENED HER!
THAT WAS WHY.

9 Q Did -- and where did you go after you signed the form
10 for him?

11 A I went over to where my sister lived at [REDACTED]
[REDACTED]. I went over there to be with my sister.

13 Q Okay. Had you taken her home earlier?

14 A My other sister had taken her home earlier.

15 Q Oh, so, another sister came.

16 Did she get her from Mary Black and bring her back?

17 A Yes, ma'am.

18 Q Okay.

19 A But we had been down there all day and I told her to go
20 home and rest and I was gonna stay there till visiting hours
21 were over at seven o'clock.

22 Q Okay. And you ultimately did not go back to your house
23 that night, did you?

24 A No, ma'am.

25 Q Okay. Why did you not go home with, go there knowing

Verdia Copeland - Direct examination
by Ms. Jones

1 the police were there?

2 A well, I didn't want to go there and I didn't want to
3 see them bringing him out of there in handcuffs. I just, I
4 just -- I had so much going on with me I didn't want to see
5 that. my God SHE WAS UNDER DURESS

6 Q Okay. You just didn't -- could you -- did you think
7 your heart could take it?

8 A I just couldn't. my God SHE WAS 72 YEARS OLD

9 Q Okay. So, you went to your sister's, I mean your
10 mother's, stayed with your sister?

11 A Yes, ma'am.

12 Q Did you, in fact, go back to your house the next
13 morning?

14 A I went there that morning.

15 Q Okay. And did they -- they had mess up the door to get
16 in or had they?

17 A Just the back-door. They didn't really mess it up real
18 bad. Just the back-door.

19 Q Okay. Was it busted open a little bit?

20 A Just a little bit.

21 Q Okay. And you went in and did you look around---

22 A Yes, ma'am.

23 Q ---just out of curiosity to see---

24 A Yes, ma'am, I did.

25 Q Okay. And did you notice anything out of place?

Verdia Copeland - Direct examination
by Ms. Jones

1 A No, ma'am, wasn't anything out of place.

2 Q What did the bed look like that you and Mr., you and
3 Andrew shared?

4 Was it made or unmade?

5 A It was unmade cause he had been laying in the bed.

6 Q Okay.

7 A It was unmade.

8 Q Did you notice anything about any clothing around?

9 A No, ma'am.

10 Q Okay.

11 A Wasn't anything in the, in the clothes hamper. wasn't
12 anything in the washing machine or the dryer.

13 Q Okay.

14 A I checked my house when I --.

15 Q Okay. And -- now, when you got back to your house that
16 morning, what car were you driving?

17 A I was driving my little gray car, Neon or whatever.

18 Q Neon?

19 A Yes, ma'am.

20 Q Okay. And do you have a carport at your house?

21 A Yes, ma'am.

22 Q And is that where you parked?

23 A Yes, ma'am.

24 Q Was there another vehicle?

25 A The truck. KIP TEDI LIED AND SAID THAT THERE
WAS NOT ANOTHER VEHICLE AT THE HOUSE

Verdia Copeland - Direct examination
by Ms. Jones

1 Q okay. Did, did you and/or Andrew own a truck?

2 A Yeah, I owned -- I have a truck.

3 Q okay.

4 A Yes, ma'am.

5 Q Is that a Dodge truck?

6 A Yes, ma'am.

7 Q And now, Ms. Copeland, you were in here yesterday
8 afternoon. You saw Ian Stowell come in here. He's the
9 mechanic.

10 A Yes, ma'am.

11 Q Tire man from Chesnee.

12 A Yes, ma'am.

13 Q You've known Ian for a long time---

14 A Yes, ma'am.

15 Q ---since he was a little fellow?

16 A Yes, ma'am.

17 Q okay. Has Ian, in fact, worked on both of your
18 vehicles---

19 A Yes, ma'am.

20 Q ---before?

21 okay. The -- Ms. Copeland, you had indicated that
22 you've been involved with or have known Mr. Scott for four
23 years.

24 During that time, has he worn glasses or not?

25 A He wore glasses, yes, ma'am.

Verdia Copeland - Direct examination
by Ms. Jones

1 Q okay. And does he wear prescription glasses?

2 A Yes, ma'am.

3 Q Does he -- and you lived -- he's been living with you
4 for two years, three years?

5 A We've been together for four years.

6 Q okay. How long have you been living together?

7 A We been living together about two.

8 Q Two?

9 A Yes, ma'am.

10 Q Okay.

11 A Or three.

12 Q Two or three?

13 A Yes, ma'am, somewhere in there.

14 Q okay. During the time that he has, has lived with you,
15 has he ever owned any dark prescription sunglasses?

16 A No, ma'am.

17 Q okay. And can you tell, just from living with him,
18 observing him day-to-day, how well he can get around without
19 his glasses?

20 A well, he can see, but, you know, in the house. But
21 when he got ready to go out he would have to have his
22 glasses on.

23 Q okay. And after Mr. Scott was arrested and taken to
24 jail that night that you were not there, the first time --
25 well, you went to see him at the jail, correct?

Verdia Copeland - Direct examination
by Ms. Jones

1 A Yes, ma'am.

2 Q Okay. The first time you went to see him, did you have
3 to take his glasses to him --

4 A Yes, ma'am, I did.

5 Q -- cause he didn't have his glasses?

6 A No, ma'am.

7 Q Okay. And when -- did you find him in the house and
8 realize oh, gosh, Andrew doesn't have his glasses, I better
9 get them to him so he can see?

10 A Well, no, he, he called me and asked me would I bring
11 him his glasses.

12 Q Okay. He brought that to your attention?

13 A Yes, ma'am.

14 Q Okay. Now, also -- you mentioned briefly that, that
15 day when you left the hospital, Andrew was laying in the bed
16 not feeling good?

17 A Yes, ma'am.

18 Q Did he have any chronic problem like arthritis that you
19 were aware of?

20 A Well, he, he did because he went to Doctor Darrel Alec
21 in Cowpens. He passed here last, last, last Thursday. He
22 went to him for some back pains and things in his hip and
23 back.

24 Q Had you ever heard him complain about aching in his
25 back---

Verdia Copeland - Direct examination
by Ms. Jones

1 A Yes, ma'am---

2 Q ---and hip?

3 A ---I have.

4 Q Okay. Ms. Copeland, just one last thing.

5 Do you -- on this night when they called you about
6 coming to search your house and even now, do you, do y'all
7 have a dog?

8 A Yes, ma'am.

9 Q What kind of little dog is that?

10 A Little Chihuahua.

11 Q Okay. Thank you for answering my questions, Ms.
12 Copeland. Mr. Ellis is gonna answer you, gonna ask you
13 some. If you'll answer his too.

14 A All right. Thank you.

15 THE COURT: Mr. Ellis, your witness.

16 SOLICITOR ELLIS: Thank you, Your Honor.

17 THE COURT: Yes, sir.

18 CROSS-EXAMINATION

19 BY SOLICITOR ELLIS:

20 Q God morning, Ms. Copeland.

21 A Good morning.

22 Q Ms. Copeland, you testified a few moments ago that,
23 that you had known the defendant, Mr. Scott, for several
24 years now, is that right?

25 A Yes, about four years.

Verdia Copeland - Cross-examination
by Solicitor Ellis

- 1 Q About four?
- 2 A Yes, sir.
- 3 Q And you've been in a relationship with him---
- 4 A Yes.
- 5 Q ---most of that time?
- 6 A Yes.
- 7 Q And that he's lived with you for two years or so?
- 8 A We been together -- we been living together for about
9 three years.
- 10 Q Safe to say you're very fond of him, is that right?
- 11 A Oh, yes.
- 12 Q Now, that morning of the, of the incident,
13 september 28th, 2010, you said that you left your home
14 very early to go to the hospital in Spartanburg, is that
15 right?
- 16 A Yes, sir.
- 17 Q And that you left around I think it was 6:30 or 7:00?
- 18 A Yes.
- 19 Q So, very early in the morning, is that right?
- 20 A Yes.
- 21 Q Between that time and really till the next day you did
22 not come back to your house, did you?
- 23 A No, sir, I didn't.
- 24 Q You did not see Mr. Scott at any point during that
25 time, did you?

Tammy Landrie - Direct examination
by Ms. Jones

1 TAMMY LANDIRE, being first duly
2 sworn, testified as follows:

3 THE COURT: Have a seat please. Once seated, state
4 your name.

5 WITNESS: Tammy Landrie.

6 THE COURT: Ms. Jones, your witness.

7 MS. JONES: Thank you.

8 DIRECT EXAMINATION

9 BY MS. JONES:

10 Q Ms. Landrie, by whom are you employed?

11 A Upstate Services, Money Tree Check Cashing.

12 Q Okay. And, Ms. Landrie, do you know Andrew Scott?

13 A By employment, yes.

14 Q That's what I mean, yes, ma'am.

15 And you are aware, through your employment with Money
16 Tree, that Mr. Scott is a former employee of the Chesnee
17 branch of Money Tree?

18 A Correct.

19 Q Okay. And you know -- well, let me ask you this.

20 What is your actual position with Money Tree?

21 A Regional manager.

22 Q Okay. As the regional manager, what do you do?

23 A The employees from each of the branches phone me when
24 there's days off, trouble. I do paperwork, hire, fire.

25 Q Okay. So, it sounds like you are the person who

Tammy Landrie - Direct examination
by Ms. Jones

1 manages the employees of the branches of Money Tree
2 day-to-day?

3 A Pretty much. Unless there's something further up, then
4 I have to go to Trace Johnson.

5 Q Okay. Do you work directly below Mr. Johnson as far as
6 the change of command of the business?

7 A Yes.

8 Q Okay. And you are aware that Mr. Scott's employment
9 with Money Tree ended in September of 2010, is that correct?

10 A Yes.

11 Q Okay. Were you directly involved with the paperwork
12 aspect of the end of that employment?

13 A Yes.

14 Q Okay. And did you, as the designated regional manager
15 and personnel director I guess for Money Tree, was it your
16 responsibility to collect Mr. Scott's keys to the business
17 on the Chesnee branch of the Money Tree?

18 A Yes.

19 Q Did you, in fact, collect his keys---

20 A Yes.

21 Q ---when he ended his employment?

22 A Yes.

23 Q Okay. Thank you.

24 That's all I have, Your Honor.

25 THE COURT: Mr. Ellis, your witness.

2

Justices limit police searches in 5-3 vote

Supreme Court rules warrant required even if spouse consents

From Wire Reports:

WASHINGTON — The U.S. Supreme Court on Wednesday strengthened the rights of residents to bar police from entering and searching their homes, but the ruling drew a sharp dissent from new Chief Justice John G. Roberts Jr.

In a 5-3 decision, the justices said a homeowner can prevent officers from looking for evidence without a warrant, even if a spouse and co-owner consented to the search.

The ruling upholds a 2004 decision of the Georgia Supreme Court, but still makes a significant change in the law nationwide because most other courts previously said police could search with the consent of one of two adults living

IN SOUTH CAROLINA

State Attorney General Henry McMaster said Wednesday's U.S. Supreme Court ruling likely will not have a big impact in South Carolina, explaining that police usually won't search a home without a warrant if one of the occupants objects.

Still, McMaster said he thinks Chief Justice John Roberts' dissent is the "stronger reasoning."

ONLINE

For excerpts from Wednesday's ruling on police searches, go to www.thestate.com and click on Nation (Editor's Choice).

together. Now, officers must first get a warrant.

Before Wednesday, the court had handed down 11 consecutive unanimous decisions. The latest ruling sparked a sharp exchange among the justices.

The majority portrayed the decision as striking a blow for privacy rights and gender equality; dissenters said it could undermine police efforts against domestic violence.

The first major criminal law de-

cision of this term, the case split the court along ideological lines, with the new chief justice speaking for the conservatives in his first written dissent.

"Sharing space entails risk," Roberts said, including the risk of having your secrets and private items exposed to the police. In the Georgia case, the wife's wish "to cooperate with the government" in a drug investigation should not be thwarted by giving her husband a "veto power."

However, a moderate-to-liberal majority led by Justice David H. Souter cited the "ancient adage that a man's home is his castle."

"No sensible person" would think he was free to enter a house if one of its two occupants stood in the doorway and said "stay out," Souter said. That, in sum, is what happened in the case of Scott and Janet Randolph, an estranged couple from Americus, Ga.

In 2001, Janet Randolph called police to the home and — over her husband's objections — led the officer to evidence used to charge Scott Randolph with cocaine possession.

Georgia's Supreme Court ultimately ruled the evidence should be suppressed because it was gathered without a warrant. Wednesday's ruling concurred.

Souter said because there was no evidence of wrongdoing, Janet Randolph's invitation for police to enter the house did not trump her husband's refusal to let them search.

Consenting

Witness/Participant

Witness/Participant

Witness/Participant

Witness/Participant

Witness/Participant

Dw...
Job Title/Relationship to Premises

9-7-00 11:07
DATE TIME

④
3RD ISSUE PRESENTED

my Trial Counsel, Mrs. Beverly Jones, Failed to bring to the Court's attention, the Illegal and Unusual Document, Sup-
posedly to have been signed by
Magistrate Eber C. Gowen and
Sgt. Kip Teal, Chesnee Police,
Purporting to be an Affidavit
for DNA, Trial Counsel failed
to bring to the Court's attention
that there was not a Court
order nor a search warrant
to accompany the Affidavit.
Trial Counsel failed to bring
to the Court's attention the
results from that analysis
that was orchestrated on
September 29, 2010, most
importantly, Trial Counsel
failed to bring to the Court's
attention, why was it necessary
to order another DNA
analysis again on March 23,
2012?

2)

ARGUMENT

My Trial Counsel, Ms. Beverly Jones, Failed to bring to the Court's attention, the Illegal and Unusual Document, Supposedly to Have been Signed by Magistrate EBER C. Gowan and SGT. Kip Teal, Chesnee Police, Purporting to be an Affidavit for DNA. Trial Counsel Failed to bring to the Court's attention that there was NOT a Court Order nor a Search Warrant to Accompany the Affidavit. My Trial Counsel Failed to bring to the Court's attention the Results from their Analysis that was orchestrated on September 29, 2010. Most importantly, Trial Counsel Failed to bring to the Court's attention, as to why was it necessary to order another DNA Analysis again on March 23, 2012? At my DCB Hearing held on January

(3)

13, 2016, Mrs. Olive, who represented the Attorney General's Office, asked my trial attorney, Mrs. Beverly Jones, was the Affidavit from September 29, 2010, court ordered, and was there a search warrant to accompany the Affidavit? Mrs. Jones replied, "No, there was not a court order nor a search warrant."

Trial Counsel failed to bring to the court's attention the legitimacy of the document itself, the unusual handwriting, to be the handwriting of magistrate Eber C. Gowan. Trial Counsel failed to bring to the court's attention the results of the September 29, 2010 DNA analysis, and the reason for the need to do another, court ordered, DNA analysis, on March 23, 2012. Mrs. Olive asked my trial counsel, Mrs. Beverly Jones, were the results of the September 29, 2010

(4)

DUA Analysis Entered into the Trial? Ms. Jones replied, "No they were not, nor have she seen ~~me~~ given the results." Ms. Jones admitted, under oath, that the September 29, 2010 Affidavit was not a standardized form that the courts adopt. Ms. Jones admitted at the PCR Hearing that it was ~~her~~ mistake for omitting this piece of vital evidence. She said "she didn't think it was important." Trial Counsel admitted that the Solicitor, Zach Ellis, withheld the results, and also she never questioned state law enforcement Division about the results. My Trial Attorney, Ms. Beverly Jones, was so ineffective at trial, she knowingly and willfully violated my 6th Amendment Right to competent representation in my criminal case, and I do believe that, but for Counsel's deficient representation,

5
A reasonable likelihood exists
that the outcome of my trial
would have been different.

CONCLUSION

Ms. Beverly Jones, my trial
counsel, failed and neglected to
bring to the court's attention, mis-
conduct by the solicitor's office,
Chesnee Police Department, and
uncredible witnesses, to the fact
that they went to unusual lengths
to falsify illegal documents of
the court, purposely and deter-
mined to cover it up, to benefit the
County of Spartanburg and the
State of South Carolina. I do be-
lieve that this orchestrated
process was conspired, planned,
and activated by Sgt. Kip Teal,
Chesnee Police Department, Ms.
Bridgette Jackson, supposedly victim
and friend of Sgt. Kip Teal, Regina
Jones, manager of the money tree,

6)

WHO SET-UP, PASS-ON FALSE INFORMATION ABOUT THE ROBBERY, THE FACILITATOR, AND TONY CRAWFORD, A DRUG-ADDICT, CONVICTED FELLOW, WHO WAS SAUGHT-OUT TO BE A PARTICIPANT. I, THE PETITIONER, THE LAST SEVERAL YEARS, HAVE DILIGENTLY AND UNWAVERINGLY SEARCHED AND RESEARCHED, TO REVEAL THE TRUTH OF AN UNJUST JUSTICE SYSTEM WITHIN SPARTANBURG COUNTY. I HAD SOLICITED THE HELP OF A BIBLE STUDY FACILITATOR, FROM LEXINGTON BAPTIST CHURCH, WHO WAS AND IS A FORMER "DOG-HANDLER" WITH STATE LAW ENFORCEMENT DIVISION, A MR. JOHN "MIKE" MEEZE, WHO HEARD MY COMPLAINT, AND REFERRED ME TO HIS FRIEND AND FORMER COLLEAGUE, "ARANT CRICKET," AKA, PAUL GRANT OF SLED, TO ASSIST ME IN A FORENSIC EXAMINATION OF A DOCUMENT. I WROTE AND SENT THE DOCUMENTS ON APRIL 2015, AND AS OF TODAY, I HAVE NOT HEARD ANYTHING FROM HIM. SEVERAL MONTHS LATER HE DID RESPOND TO MY PCD ATTORNEY, KEATH MURPHY.

(7)
Please see Exhibits 1041) my family and I also sought the help of Mr. Mark H. Dawson, Forensic Document Examiner, from Spartanburg County, to do a Handwriting Analysis on the 2010 Affidavit and the signature of Eber C. Gowen, a Magistrate from Spartanburg County. Also, an initial appearance notice from a friend from the same magistrate. Several months later, Mr. Dawson responded to me and my mother stating that he was returning my mother's cashier's check, which he was paid in full, because my PCR attorney, Ms. Leah Moody, did not agree to this procedure and will not assist him in any way. The petitioner took it upon myself to call and speak with the office manager, Ms. Amy Bright at Dawson Laboratories, asking for an explanation as to why they could not go forward? Ms. Bright responded by saying, "They were advised, in a not-so-

(8)

FRIENDLY-way to Cease the jury
FORWARD IN THIS MATTER. I DO RE-
LIEVE THAT THIS CASE IS MORE ABOUT
A CONSPIRACY OF SUPPOSINGLY ROBBERY
A CHECK CASHING STORE. I DO BELIEVE
THAT THERE IS MUCH MORE THAN ME
BEING A SCARE-POW AS FALL-POW FOR
A CORRUPT POLICE DEPARTMENT AND
AN URBAN COUNTRY. SO BASED ON
MY FOREGOING ARGUMENTS AND THE
ENCLOSED EXHIBITS, I REQUEST OF
THIS COURT TO GRANT ME A FULL-BRIEFING
ON THE ABOVE RAISED ISSUE AND CON-
CLUDE A JUDGEMENT OF REVERSE AND
REMAND.

SEE ENCLOSED EXHIBITS
6-16

6

From:
Sent:
To:
Cc:
Subject: Affidavit for DNA - Andrew Brent Scott

ORIGINAL

STATE OF SOUTH CAROLINA

AFFIDAVIT FOR DNA

COUNTY OF SPARTANBURG, SC

DESCRIPTION OF PROPERTY SOUGHT

Any and all evidence that tends to prove the crime of Armed Robbery to include but not limited to blood, saliva, hair, body fluids, any body fluids that tend to have DNA.

DNA is to be obtained / collected via Buccal Swabs. The swabs are done on Andrew Scott by swabbing the interior left and right side of his mouth (interior side cheeks).

DESCRIPTION OF PREMISES (PERSON, PLACE OR THING) TO BE SEARCHED

The person of (Andrew Brent Scott) 52 YOA, D.O.B. 04/30/1960. S.S.# 249-17-0629.
B/M/ 5' 11" BALD, BRO EYES



This is a certified true copy of the records kept in the Spartanburg Magistrate's Court.

REASON FOR AFFIANT'S BELIEF THAT THE PROPERTY SOUGHT IS ON THE SUBJECT PREMISES

ON 09/23/2010, I SGT. K. TEAL RECEIVED A CALL AT THE CHESNEE POLICE DEPT. IN REFERENCE TO A FEMALE HAD BEEN ROBBED AT GUN POINT. WHEN I ARRIVED I OBSERVED THAT THE FEMALE VICTIM (BRIDGETT JACKSON) HAD BLOOD ON HER PANTS AND SHIRT. SHE STATED THAT SHE WAS THE CLERK AT THE MONEY TREE CHECK CASH LOCATED AT 120 ALABAMA AVE CHESNEE IN MY CITY. SHE STATED THAT SHE HAD BEEN ROBBED AT GUN

ARREST WARRANT

M-750366

STATE OF SOUTH CAROLINA

[X] County/ [] Municipality of

Spartanburg

THE STATE against

Andrew Brent Scott

Address: Eastover, SC 29044-

Phone: SSN: Sex: M Race: B Height: 5 11 Weight: 225

DL State: SC DL #: DOB: Agency ORI #: SC0420600

Prosecuting Agency: Chesnee Police Department Prosecuting Officer: - 2716

Offense: Assault / Assault & Battery of a High & Aggravated Nature

Offense Code: 3411 Code/Ordinance Sec: 16-03-0600(B)(1)

This warrant is CERTIFIED FOR SERVICE in the [] County/ [] Municipality of

The accused is to be arrested and brought before me to be dealt with according to the law.

(L.S.)

Signature of Judge

Date:

RETURN

A copy of this arrest warrant was delivered to defendant on

Signature of Constable/Law Enforcement Officer

RETURN WARRANT TO:

General Sessions 180 Magnolia Street P O Box 3483 Spartanburg, SC 29304

DEFENDANT COPY DEFENDANT COPY DEFENDANT COPY DEFENDANT COPY DEFENDANT COPY DEFENDANT COPY DEFENDANT COPY

STATE OF SOUTH CAROLINA [X] County/ [] Municipality of Spartanburg

AFFIDAVIT

DEFENDANT COPY

Form Approved by S.C. Attorney General April 21, 2003 SCCA 618

Personally appeared before me the affiant K. Teal being duly sworn deposes and says that defendant Andrew Brent Scott did within this county and state on or about 9/28/2010 violate the criminal laws of the State of South Carolina (or ordinance of [X] County/ [] Municipality of Spartanburg) in the following particulars:

DESCRIPTION OF OFFENSE: Assault / Assault & Battery of a High & Aggravated Nature

I further state that there is probable cause to believe that the defendant named above did commit the crime set forth and that probable cause is based on the following facts:

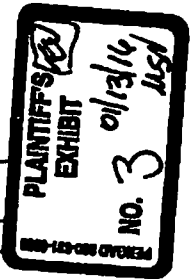
The defendant did intentionally commit a battery upon Bridgette Jackson by kidnapping the victim and did threatening to kill the victim and then striking her in the back of the head with a black handgun causing the victim to seek medical attention for her injuries.

Affiant's belief is based upon police investigation.

Signature of Affiant

STATE OF SOUTH CAROLINA [X] County/ [] Municipality of Spartanburg

Affiant's Address 201 W Cherokee Street Chesnee 29323- Affiant's Telephone



ARREST WARRANT

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

It appearing from the above affidavit that there are reasonable grounds to believe that on or about 9/28/2010 defendant Andrew Brent Scott did violate the criminal laws of the State of South Carolina (or ordinance of [X] County/ [] Municipality of Spartanburg) as set forth below.

DESCRIPTION OF OFFENSE: Assault / Assault & Battery of a High & Aggravated Nature

Having found probable cause and the above affiant having sworn before me, you are empowered and directed to arrest the said defendant and bring him or her before me forthwith to be dealt with according to law. A copy of this Arrest Warrant shall be delivered to the defendant at the time of its execution, or as soon thereafter as is practicable Sworn to and subscribed before me

on 9/29/2010 (L.S.)

Signature of Issuing Judge Eber Charles Gowan Jr. Judge Code: 5674

Judge's Address Spartanburg County Judicial Center Spartanburg, SC 29306-2335 Judge's Telephone (864)596-3424

Issuing Court: [X] Magistrate [] Municipal [] Circuit

POINT AND KNIFE POINT AND THAT THE SUSPECT HAD THREATENED TO KILL HER AND HIT 7
HER IN THE HEAD WITH A SMALL BLACK GUN? AFTER SPEAKING TO A WITNESS AT THE BP
GAS STATION NEXT DOOR HE STATED THAT HE OBSERVED A BLACK MALE GO THROUGH HIS
PARKING LOT WEARING A BLACK SHIRT ON A BIKE AND THAT IT LOOKED LIKE THE GUY
WHO USE TO WORK AT THE MONEY TREE. THE VICTIM STATED THAT HE HAD ON A BLACK
SHIRT AND WAS BALD AND HAD MESSED UP TEETH. SHE STATED THAT THEY GOT INTO A
SCUFFLE IN THE STORE AND THAT THE BLOOD ON HER WAS HIS. I LOCATED THE SUSPECT AT
HIS GIRLFRIENDS HOUSE AND HE HAD A FRESH CUT ON HIS NOSE.

ORIGINAL

This request is made pursuant to Section 17-13-140 of the Code of Laws of South Carolina, 1976, as amended,
and applicable case law governing nontestimonial identification evidence. The request for the non-testimonial
evidence is made on the following grounds:

1. There is probable cause to believe that the crime of Armed Robbery occurred on September, 28, 2010
at Money Tree located at 120 S. Alabama Ave. Chesnee, S.C. 29323.
2. There is probable cause to believe that Andrew Brent Scott committed the above-mentioned crimes.
3. The Spartanburg County Sheriff's Department has placed several items into evidence that
were handled, touched, or deposited by the Andrew Brent Scott during the commission of the above-
mentioned crimes. These items have been collected and are ready for analysis by the State Law
Enforcement Division.

The method used to secure this evidence is safe and reliable in that Sheriff's Office personnel will secure it and
no other alternative, less intrusive means of obtaining the evidence exists

Sgt. Kip Teal
 SGT. Kip Teal
 Affiant
 Address 201 W. Cherokee st.
 Chesnee, S.C. 29323
 Phone 864-461-2225

Spartanburg County
 Sept 29, 2010

[Signature]

0130

[Signature]
 Spartanburg County 9-29-2010 0230

[Signature]

WHO'S WRITING'S
 CASE - THESE?

WHERE IS THIS
 THIS IS THIS

This is a certified true copy
 of the records kept in the
 Spartanburg Magistrate's Court
 KIP
 WHO'S WRITING'S
 THIS IS THIS

STATE OF SOUTH CAROLINA

COUNTY OF SPARTANBURG
STATE VS.

Andrew Brent Scott

AKA:

Race: BLACK Sex: M Age: 51

DOB: [REDACTED] SS#: [REDACTED]

City, State, Zip: Clemens SC 29323

DL#: _____ SID#: _____

*CDL Yes No CMV Yes No Hazmat Yes No

In disposition of the said indictment comes now the Defendant who was
TO: Assault & Battery 1st Degree (0 - 10 years)

IN THE COURT OF GENERAL SESSIONS

INDICTMENT/CASE#: 2010GS4206835

A/W#: M750366

Date of Offense: 9/28/2010

S.C. Code § : 16-03-0600

CDR Code #: 3412

SENTENCE SHEET

CONVICTED OF or PLEADS

in violation of § 16-03-0600 of the S.C. Code of Laws, bearing CDR Code # 3412
 NON-VIOLENT VIOLENT SERIOUS MOST SERIOUS Mandatory GPS(CSC w/minor 1st or Lewd Act) §17-25-45

The charge is: As Indicted, Lesser Included Offense, Defendant Waives Presentment to Grand Jury. (defendant's initials)
The plea is: Without Negotiations or Recommendation, Negotiated Sentence, Recommendation by the State.

ATTEST:

[Signature]
CLERK, ZACHARY D

21919
SC Bar#

[Signature]
Defendant

[Signature]
Attorney for Defendant

07913
SC Bar#

WHEREFORE, the Defendant is committed to the State Department of Corrections, County Detention Center,
for a determinate term of 10 days/months/years or under the Youthful Offender Act not to exceed _____ years
and/or to pay a fine of \$ _____; provided that upon the service of _____ days/months/years and/or payment
of \$ _____; plus costs and assessments as applicable*; the balance is suspended with probation for _____

months/years and subject to South Carolina Department of Probation, Parole and Pardon Services standard conditions of
probation, which are incorporated by reference.

CONCURRENT or CONSECUTIVE to sentence on: 4/26/12
 The Defendant is to be given credit for time served pursuant to S.C. Code § 24-13-40 to be calculated and applied
by the State Department of Corrections. 518 days
 The Defendant is to be placed on the Central Registry of Child Abuse and Neglect pursuant to S.C. Code § 17-25-135.

Pursuant to 18 U.S.C Section 922, it is unlawful for a person convicted of a violation of Section 16-25-20 or 16-25-65 (Criminal
Domestic Violence) to ship, transport, possess, or receive a firearm or ammunition.

SPECIAL CONDITIONS:

RESTITUTION: Deferred Def. Waives Hearing Ordered PTUP
Total: \$ _____ plus 20% fee: \$ _____

Payment Terms: _____

Set by SCDPPPS _____

Recipient: _____

*Fine:		\$
§ 14-1-206 (Assessments 107.5 %)		\$
§ 14-1-211(A)(1) (Conv. Surcharge)	\$100	\$ <u>100.00</u>
§ 14-1-211(A)(2) (DUI Surcharge)	\$100	\$
§ 56-5-2995 (DUI Assessment)	\$12	\$
§ 56-1-286 (DUI Breath Test)	\$25	\$
Proviso 47.9 (Public Def/Prob)	\$500	\$
§ 14-1-212 (Law Enforce. Funding)	\$25	\$ <u>25.00</u>
§ 14-1-213 (Drug Court Surcharge)	\$150	\$
§ 50-21-114(BUI Breath Test Fee)	\$50	\$
§ 56-5-2942(J) (Vehicle Assessment)	\$40/ea	\$
Proviso 90.3 (SCCJA Surcharge)	\$5	\$ <u>5.00</u>
3% to County (if paid in installments)		\$ <u>3.90</u>
TOTAL		\$ <u>133.90</u>

_____ days/hours Public Service Employment

Obtain GED

Attend Voc. Rehab. or Job Corp. _____

May serve W/E beginning _____

Substance Abuse Counseling

Random Drug/Alcohol testing

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

\$ _____ paid to Public Defender Fund

Other: _____

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

Clerk of Court/ Deputy Clerk [Signature]

Court Reporter: [Signature]

SCCA/217 (03/2011)

Presiding Judge [Signature]

Judge Code: 2135

Sentence Date: 4/26/12

STATE OF SOUTH CAROLINA) IN THE COURT OF GENERAL SESSIONS
)
 COUNTY OF SPARTANBURG) FOR THE SEVENTH JUDICIAL CIRCUIT
)
 STATE OF SOUTH CAROLINA,)
)
 VS.) **ORDER TO COLLECT**
) **NONTESTIMONIAL EVIDENCE**
)
 ANDREW BRENT SCOTT,)
)
) WARRANT NO.: M750366 – 68, DIR. IND.
) IND. NO.: 10.6835 – 37, 10.6837(A)
)
 _____)
 DEFENDANT.)

This matter came before me upon the motion of Zach Ellis, Assistant Solicitor for the Seventh Judicial Circuit, for an order of this Court, pursuant to South Carolina Code Ann. Section 17-13-140 (1976) and applicable case law governing non-testimonial identification evidence, requiring the Defendant in this case, Andrew Brent Scott, to provide saliva samples to an Officer of the Spartanburg County Sheriff's Office and/or the Chesnee Police Department.

There is probable cause to believe the crimes of Armed Robbery, Kidnapping, Assault & Battery First Degree, and Possession of a Weapon During Commission of a Violent Crime occurred based on the facts surrounding an incident on September 28, 2010 at the Money Tree located at 120 South Alabama Avenue, Chesnee, South Carolina. There is probable cause to believe Andrew Brent Scott committed the above-mentioned crimes. The Spartanburg County Sheriff's Office and/or the Chesnee Police Department have placed items into evidence that were gathered from blood samples left at the scene and on the victim's clothing. Those samples are alleged to have been left by Andrew Brent Scott during the commission of the above-mentioned crimes. These items have been collected and have been analyzed by the State Law Enforcement Division. The method used to secure this evidence is safe and reliable in that licensed medical personnel will secure it, and no alternative, less intrusive means of obtaining the evidence exists.

I FIND the State has met the burden of demonstrating to this Court that probable cause exists to permit the acquisition of saliva from the defendant, Andrew Brent Scott, in that the State has demonstrated: (1) probable cause exists to believe the Defendant committed the crimes of Armed Robbery, Kidnapping, Assault & Battery First Degree, and Possession of a Weapon During Commission of a Violent Crime; (2) relevant and material evidence is involved which necessitates the comparison of the Defendant's DNA with the evidence gathered at the scene of the crime; (3) the crime involved is of a serious nature; and (4) no showing has been made by the Defendant which would justify the refusal of the Motion.

Furthermore, I find that acquiring a saliva swab from the Defendant is violative of neither the Defendant's Fifth Amendment right against self-incrimination nor his Fourth Amendment right to be free of unwarranted searches and seizures because blood, saliva, and hair are merely non-testimonial evidence. United States v. Mara, 410 U.S. 19 (1973); Schmerber v. California, 384 U.S. 757(1966); South Carolina Code Ann. Section 17-13-140 (1976). I find as a matter of law the State of South Carolina is entitled to require the Defendant to provide saliva samples in accordance with directions given by officers with the Spartanburg County Sheriff's Office and/or the Chesnee Police Department.

IT IS THEREFORE ORDERED that the Defendant, Andrew Brent Scott, immediately provide a saliva sample to the Spartanburg County Sheriff's Office and/or the Chesnee Police Department to enable comparison with the SLED samples. These samples shall be provided, forcibly if necessary, at the Spartanburg County Detention Center to independent medical personnel in the presence of a designated representative of the State. This evidence shall be forwarded to the State Law Enforcement Division for

M. HOPE BLACKEY

2012 MAR 23 AM 11:44


FILED
 CLERK OF COURT
 SPARTANBURG COUNTY

Bl
 11

9

analysis in connection with the above-captioned cases. The Defendant's attorney or his representative may be present when the Defendant provides the blood, saliva, and hair samples.

IT IS SO ORDERED.

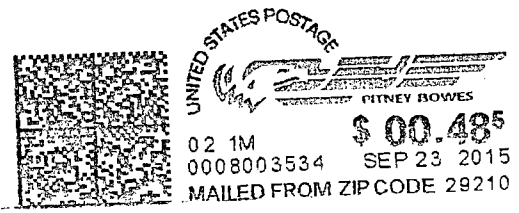

The Honorable L. Derham Cole
Seventh Judicial Circuit *Roger L. Couch*

March 23, 2012
Spartanburg, South Carolina

M. HOPE BLAUMLEY
2012 MAR 23 AM 11:44
SPARTANBURG COUNTY
COURT OF COURTS
FILED

10

MR. ANDREW B. SCOTT 192735
3RCJ Wat. 142
460 Broad River Rd.
Columbia, S.C. 29210



RECEIVED

SEP 23 2015

STATE LAW ENFORCEMENT DIVISION

SCDC

BRCI
MAIL ROOM

ATTN: A FENT CRICKETT/MARK KEELS

OCT 16 2015

POST OFFICE BOX 21398
COLUMBIA, SOUTH CAROLINA 29221

MAIL ROOM

(11)

SEPTEMBER 22, 2015

AGENT CRICKETT, I AM IN PRAYER THAT THE ARRIVAL OF THIS LETTER REACHES YOU IN THE BEST OF HEALTH. SIR, I WROTE YOU ON APRIL 30TH, 2015, ASKING YOU TO ASSIST ME IN A HANDWRITING ANALYSIS ON SOME ENCLOSED DOCUMENTS. IT HAS BEEN CLOSE TO FIVE (5) MONTHS, AND AS OF YET, I HAVE NOT RECEIVED ANY RESPONSE FROM YOU WHATSOEVER. I EARNESTLY ASKED THAT YOU SEND A RESPONSE LETTER, ACKNOWLEDGING THE RECEIPT OF THAT LETTER AND DOCUMENTS. AS OF TODAY, I HAVE NOT RECEIVED ANY. AGENT CRICKETT, THIS IS WHAT THIS LETTER IS ASKING ALSO: HAVE YOU RECEIVED THE LETTER AND DOCUMENTS THAT WAS SENT TO YOU BACK ON APRIL 30, 2015? SIR, I WAS REFERRED TO YOU BY A FORMER COLLEAGUE OF YOURS, WHO INSISTS THAT YOU WERE AND IS A GOD-FEARING MAN, AND WILL DO THE RIGHT THING. SIR, PLEASE LET ME KNOW BY RESPONDING TO THIS LETTER IF YOU ARE IN RECEIPT. THANK YOU, GOD BLESS

cc: DAVID THOMPSON
 ALAN WILSON
 LEAH MOODY

Andrew Z. A.

MY ADDRESS = LEAH MOODY
 235 E. MAIN ST. ROCK HILL, S.C.
 29730 (803) 327-4192

LEGAL MAIL

12

TO ANDREW BRENT SCOTT
LIEBER CORRECTIONAL INSTITUTE
FROM EBER C GOWAN, MAGISTRATE

MR. SCOTT

I AM ATTACHING AUDIT COPIES OF YOUR WARRANTS M750366, M750367, M750368
CHARGES OF ASSAULT AND BATTERY HIGH AND AGGRAVATED, KIDNAPPING AND ARMED ROBBERY,
ISSUED BY ME AND SIGNED BY OFFICER TEAL OF CHESNEE TOWN. NO INFORMATION STAYED IN
MY OFFICE WHEN THE WARRANT WAS ISSUED. I HAVE NOTHING ABOUT ANY DNA BENCH
WARRANTS. OFFICER TEAL SHOULD HAVE COPIES OF HIS INVESTIGATION IN HIS OFFICE.

THE SOLICITORS THAT PROSECUTED YOUR CASE WAS ZACHARY DAVID ELLIS. YOUR ATTORNEY
WAS BEVERLY JONES OF THE PUBLIC DEFENDER OFFICE. YOU MAY WANT TO CONTACT THOSE
PARTIES TO GET ANY MORE INFORMATION .

6-05-2013

SINCERELY EBER C GOWAN



MAGISTRATE

13

April 22, 2015

To Whom It May Concern,
I Mr. Evan R. Padgett, gave Mr. Andrew
Scott a copy of my (Bail Proceeding Form
and my (Notice Of Date and Time of
Initial Appearance), with your permission
to use in this legal case.

The purpose is to compare the hand-
writing of Judge Elye Gowan on this warrant
and my paperwork.

Hopefully this helps all involved,

May God Bless!
Mr. Evan R. Padgett.
4-22-15

copy (14)

STATE OF SOUTH CAROLINA)
)
 COUNTY OF SPARTANBURG)
)
 State of South Carolina)
)
 VS)
)
 Ivan Raydell Padgett)

NOTICE OF DATE AND TIME OF INITIAL APPEARANCE

You are charged with RSG / Receiving stolen goods, value \$2,000 or less
(Enhancement per 16-1-57) OPBFP

You must attend an initial appearance to be held at the Spartanburg County Judicial Center at a time and date that appears on your appearance bond. The location for this appearance is on the second floor of General Sessions Court in the Judicial Center, 180 Magnolia Street, Spartanburg, South Carolina.

THIS ATTENDANCE IS MANDATORY AND FAILURE TO APPEAR WILL RESULT IN A BOND VIOLATION AND A BENCH WARRANT ISSUED FOR YOUR ARREST.

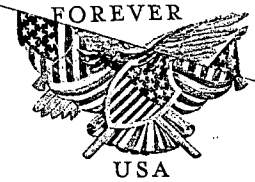
Should you not obtain a lawyer for any reason at the initial appearance, you must remain in court until excused by the court and you must report for each succeeding term of court until your case is ended.

The date and time of your initial appearance is 05/02/2013 at 9 AM.

Ivan R. Padgett
Ivan Raydell Padgett, Defendant
2-22-13
Date

ETB OR Gowan
, Judge
2-22-13
Date

MR. ANDREW B. SCOTT 142135
BRCI Wat. 142
4460 BROAD RIVER Rd.
Columbia, S.C. 29210



RECEIVED

AUG 19 2015

**BRCI
MAILROOM**

MR. MARVIN H. DAWSON
POST OFFICE BOX 5066
SPARTANBURG, SOUTH CAROLINA 29304

15

1.79

$$\begin{array}{r} 75.00 \\ - 3.78 \\ \hline 71.22 \\ + 1.79 \\ \hline 73.04 \end{array}$$

16



MARVIN H. DAWSON, JR.
FORENSIC DOCUMENT EXAMINER

DIPLOMATE AMERICAN BOARD
OF FORENSIC DOCUMENT EXAMINERS

AMERICAN ACADEMY
OF
FORENSIC SCIENCES

AMERICAN SOCIETY
OF
QUESTIONED DOCUMENTS EXAMINERS

SOUTHEASTERN ASSOCIATION
OF FORENSIC DOCUMENT EXAMINERS

September 3, 2015

Ms. Kissie M. Jacobs
312 Southwind Road
Eastover, South Carolina 29044

Re: Andrew Scott

Dear Ms. Jacobs,

Our office is returning to you Cashier's Check No. 4133851. Our office was contacted to conduct a document examination concerning Andrew Scott. We have requested additional standards to which the named attorney, Leah Moody, has not been able to retrieve. It is our understanding our services are not needed at this time.

If you have any questions, please do not hesitate to contact our office.

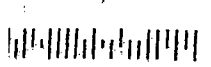
Sincerely,

Amy Bright
Office Manager
Dawson Document Laboratory, LLC

b ar mve

803 327 4192

Enclosure: As noted above



VER. 2d.
29210



THE SUPREME COURT OF SOUTH CAROLINA
DANIEL E. SHEAROUSE, CLERK OF COURT
POST OFFICE BOX 11330
COLUMBIA, SOUTH CAROLINA 29210 RECEIVED