

STATE OF SOUTH CAROLINA)
)
COUNTY OF CHARLESTON)

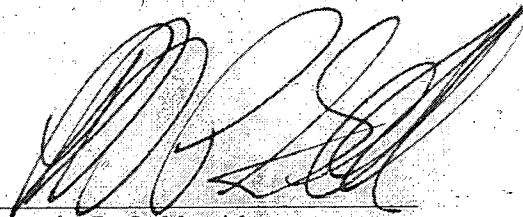
IN THE COURT OF GENERAL SESSIONS
NINTH JUDICIAL CIRCUIT
Warrants: 2015A1010203808;
2015A1010203809; 2015A1010203810;
2015A1010203811; 2015A1010203912

STATE OF SOUTH CAROLINA,)
)
vs.)
)
Gussie Henry Hilton)
)
)
Defendant.)
)

This matter came before the Court pursuant to Defendant's Motion For Reconsideration Of Sentence filed on May 19, 2017 and forwarded to this court on October 4, 2017. Both parties submitted briefs.

Based on the information and argument set forth in the briefs, I find no reason to reconsider or modify the sentence imposed by this court on May 18, 2017. The Motion of Defendant is HEREBY DENIED

AND IT IS SO ORDERED!



Brooks P. Goldsmith
PRESIDING JUDGE

November 20, 2017

FILED
2017 NOV 21 PM 2:33
CLERK OF COURT

FILED

STATE OF SOUTH CAROLINA
COUNTY OF CHARLESTON
2017 MAY 19 AM 10:26
JULIE J. ARMSTRONG
CLERK OF COURT
By *[Signature]*

) IN THE COURT OF GENERAL SESSIONS
) FOR THE NINTH JUDICIAL CIRCUIT
)

Warrant No(s): 2015A1010203808;
2015A1010203809; 2015A1010203810;
2015A1010203811; 2015A1010203812
Charge(s): Sex / Criminal sexual conduct with
minor or Attempt - victim under 11 yrs of age -
First degree; Sex / Criminal sexual conduct -
First degree; Kidnapping / Kidnapping (3
Counts)

STATE OF SOUTH CAROLINA)
)
vs.)
)
Gussie Henry Hilton,)
)
Defendant)
)
_____)

**MOTION FOR RECONSIDERATION
OF SENTENCE**

PLEASE TAKE NOTICE that the above captioned Defendant, by and through the undersigned attorney, moves this Honorable Court for a reconsideration of the sentence of Life; 30 years consecutive; 30 years concurrent, imposed upon the Defendant on May 18, 2017 by the Honorable Brooks Goldsmith, pursuant to the above-mentioned charges.

The within motion will be made upon the grounds that the sentence imposed is unnecessarily severe under the circumstances, and upon such other and further grounds as may be hereinafter presented.

I SO MOVE:
[Signature]
John J. Kozelski
Attorney for Defendant

Charleston, South Carolina
Dated: 5-19-17

CERTIFICATE OF SERVICE

I hereby certify that this Motion to Reconsider Sentence was served on the Solicitor for the Ninth Judicial Circuit on May 19, 2017

Rebecca Williams

FILED

2017 MAY 19 AM 10:26

JULIE J ARMSTRONG
CLERK OF COURT

BY

ML

STATE OF SOUTH CAROLINA

COUNTY OF CHARLESTON

STATE OF SOUTH CAROLINA

) IN THE COURT OF GENERAL SESSIONS
) FOR THE NINTH JUDICIAL CIRCUIT

) Warrant No(s): 2015A1010203808; -3809;
) -3810; -3811; -3812

) Charge(s): Criminal Sexual Conduct with minor
) First Degree; Criminal Sexual Conduct First
) Degree; Kidnapping (3 counts)

vs.

GUSSIE HENRY HILTON JR.,

RECEIVED

MEMORANDUM IN SUPPORT OF
DEFENDANT'S MOTION TO
RECONSIDER LIFE SENTENCE

NOV 30 2017

Defendant SC Court of Appeals

This matter is before the Court upon the motion of the Defendant, **Gussie Henry Hilton Jr.**, for a reconsideration of the sentence of Life; 30-years consecutive; 30-years concurrent, imposed upon the Defendant for the above-referenced charges on May 18, 2017, by the Honorable Brooks Goldsmith. The motion is made upon the grounds that the sentence imposed after a plea of guilty is unnecessarily severe and neglects to take into account (1) the significant emotional toll and legal burden avoided by Mr. Hilton accepting responsibility through a guilty plea; and (2) Mr. Hilton's profound mental health issues in conjunction with the statutory protections of the South Carolina Sexually Violent Predator Act.¹

PROCEDURAL HISTORY

On August 30, 2015, Mr. Hilton is arrested without incident and charged with First Degree Criminal Sexual Conduct with a Minor, First Degree Criminal Sexual Conduct, and three counts of Kidnapping. All of Mr. Hilton's charges occur on the same day of his arrest and spawn from what could only be described as a psychotic break. Once in police custody, Mr. Hilton is fully cooperative

¹ S.C. Code Ann. §44-48-10.

FILED
2017 NOV -3 PM 2:55
CLERK OF COURT

with members of the Charleston County Sheriff's Office (CCSO). In confessing his crimes, Mr. Hilton is able to direct investigators to the scene of his crime, as well as his home, where responders are able to locate and tend to Tatiyanna Washington, Mr. Hilton's cousin and victim of the First Degree Criminal Sexual Conduct with a Minor charge.²

During pre-trial incarceration, Mr. Hilton's attorney requested that he be evaluated by Dr. Leonard W. Mulbry, Jr., of South Carolina Forensic Psychiatry. Dr. Mulbry preformed several psychiatric evaluations, including Mr. Hilton's competency to stand trial, criminal responsibility and capacity to conform, as well as an evaluation for mitigation. While ultimately concluding that Mr. Hilton was competent to stand trial and did have a capacity to conform at the time of his crimes, Dr. Mulbry also notes "multiple mitigating factors", relating to Mr. Hilton's mental illness and childhood upbringing. See Exhibit A – Psychiatric Evaluation for Mitigation. This evaluation was presented to the court prior to Mr. Hilton's plea.

Mr. Hilton was placed on the General Session Plea Docket for the first time on May 18, 2017. Although discussions between the State and Mr. Hilton's defense counsel were ongoing prior to the scheduling of the plea, the State ultimately refused to negotiate or recommend any sentence. Furthermore, the State declined to reduce or dismiss any of the charges, leaving Mr. Hilton with very little incentive to plead guilty in a case with problematic non-disclosure. On the day of the plea, however, the State eventually agreed not to ask the court to impose a life-sentence if Mr. Hilton plead guilty to all of his charges.

In a genuine effort to avoid further trauma to the victims, their families, and his community, Mr. Hilton agreed to plea to all of his charges without negotiations or recommendations at the first

² It should be noted that on September 2, 2015, Tatiyanna was interviewed by Kate Austin of the Dee Norton Lowcountry Children's Center (DNLCC) regarding the allegations against Mr. Hilton. In her CAFTA Interview Summary, Ms. Austin describes problematic non-disclosure writing, "Tatiyanna denied all typologies of abuse and neglect."

opportunity he was afforded to do so. During the plea, the State delivered a lengthy rendition of the facts surrounding the charges, but true to word, did not ask the court to impose the maximum punishment allowable—life. When given the opportunity to speak, Mr. Hilton tearfully expressed a sincere apology for his actions and the pain that he caused. Mr. Hilton further acknowledged his continuous struggle with mental illness, as well as a desire to cure his affliction by getting proper treatment if made available to him.

Defense counsel asked the court to impose a substantial, but non-life sentence, citing primarily to Mr. Hilton's acceptance of responsibility, which avoided a long, painful, and unnecessary trial. Counsel also cited to Dr. Mulbry's psychiatric evaluation for mitigation, adding that the State's Sexually Violent Predator Act (SVP) would ensure that, regardless of the length of Mr. Hilton's sentence, he would not be released from confinement unless and until a judge or jury found that his mental abnormality has so changed that he is safe to be released. Despite this plea of mercy upon the court, Mr. Hilton was given a life sentence. A motion for reconsideration of the life sentence was filed on May 19, 2017.

DISCUSSION

I. Mr. Hilton's Guilty Plea Saved Considerable Emotional Trauma and Legal Resources

Mr. Hilton's decision to plead guilty to all of his charges, ultimately avoiding what would have been an emotionally-charged and traumatic trial for all those involved, stands alone in warranting a punishment less than the maximum available to the court. Instead, the court should square the significant burden of proof that was lifted from the State as a result of Mr. Hilton's plea with the basic notions of equity to fashion a more appropriate sentence.

The State will concede that Mr. Hilton's guilty plea has saved substantial time and resources in prosecuting this case. Most importantly, the plea alleviates any issues of the victim's denial of

abuse that undoubtedly would have presented a problem for the State in trial. As a result, Mr. Hilton's plea affords each victim relative peace by not forcing them to relive these traumatic events through direct and cross examination, as well as avoiding a long and arduous appeal.

By the same token, a life sentence after a plea will undoubtedly have a chilling-effect on similarly-situated defendants who are encourage to plead guilty and avoid a trial. This especially rings true in cases involving criminal sexual conduct with minors, where the stigma of a conviction alone will deter most defendants from entertaining a plea. This chilling-effect could also be felt by the Defense Bar, who may be less inclined to advise their clients to plead guilty if the incentive for accepting responsibility is no longer present.

II. Mr. Hilton's Mental Health and Childhood Upbringing Are Major Mitigating Factors.

According to Dr. Mulbry's psychiatric evaluation, Mr. Hilton has multiple mitigating factors relating to his mental illness, as well as his childhood upbringing:

The most significant is Intellectual Disability, which is well documented. He also has a history of Attention Deficit Hyperactivity Disorder and Depression. Significantly, Mr. Hilton grew up in a home that was remarkably unstable. His mother reportedly has difficulty with crack cocaine. His father suffers from a major mental illness. He was sexually molested as a child. He was removed from the home, reportedly based on allegation of violence, neglect and that his father had inappropriately touched a child. He lived in the homes of relatives or group homes until he returned to live with his father. Mr. Hilton became quite depressed as a child requiring hospitalizations. (Ex. A, at 1)

Dr. Mulbry's evaluation is replete with evidence that Mr. Hilton is a profoundly mentally ill, with a history of sexual and physical abuse. (Ex. A, at 3). These problematic behaviors were documented at an early age and culminated in multiple suicide attempts and severe bouts of depression that went untreated throughout his childhood and young-adult life. This evaluation shows that Mr. Hilton needs proper treatment, which he so desperately wants and could be made available to him through the SC SVP Treatment Program. A life-sentence, however, substantially limits the

type of treatment available through South Carolina Department of Corrections, leaving Mr. Hilton in the same predicament of his neglected youth.

a. A Life Sentence Precludes Mr. Hilton from SVP Treatment Program

As it currently stands, Mr. Hilton will never be reviewed for the SVPTP given his life sentence because reviews are conducted shortly before a person's release date. However, if Mr. Hilton was given a sentence less than life, he could be considered for treatment in the SVPTP, which is broken down into four (4) phases:

Phase I – Preparation for Change: Treatment engagement and Risk Reduction Strategies. This phase of the treatment program provides the resident with the opportunity to improve his general self-management skills and to work to ameliorate personality disorder symptoms or other general factors that may interfere with his effective participation in treatment.

Phase II – Awareness: Disclosure and Discovery. This phase involves the residents working with clinical staff to develop an agreed and comprehensive identification of the main factors that contributed to their past offending, including identifying the operation of these factors in the here and now. Residents first make a polygraph-assisted disclosure of their life history, patterns of offending, and current functioning. They then use this to identify the factors in the way they live their lives that put them at risk for future sexual offending. Each resident must complete a Disclosure Group that covers his full offending, relationship, and sexual history.

Phase III – Healthy Alternative Behaviors. Development and Consolidation: Upon satisfactory completion of Disclosure and Discovery, residents advance to Phase II of the Correct Care Comprehensive Treatment Program. During the course of Phase III, offense specific content elements are covered in depth. Each of these elements is dealt with through individual processing specific to each resident's offense pattern and cycle, as well as through group interaction and peer feedback.

Phase IV – Discharge Planning: It is important to realize that discharge from the SVPTP is solely a legal determination. Residents in treatment work toward a successful discharge throughout their stay. Preparation for discharge begins during the intake/assessment process at the SVPTP. Upon completion of the Comprehensive Treatment Program, drawing upon all treatment components, each resident being considered for discharge (assisted by the Clinical Therapist and treatment team) develops a comprehensive and personalized plan including all the following elements with specific behavioral goals and dates:

- Comprehensive relapse avoidance and “new me life planning” prevention plan;
- Approved living situation.
- Specification of family and community support network.
- Identification of approved individuals in the community who serve as behavioral monitors.
- Planning for ongoing treatment and support in specified areas.
- Approved employment and financial plan.
- A plan to receive need social services, health care, etc.
- Registration as a sexual predator with law enforcement agencies.
- Arrangements for any other special needs.

Criteria for Discharge: Have mastered and achieved each objective in his Comprehensive Care Plan. Have demonstrated at least *one-year exemplary behavior*³ in every dimension of life within the facility-in treatment, at work, on the living unit, in relationships with other residents, in professional relationships with staff, during recreational activities etc. Have developed an approved and specific discharge plan as described above. Have received a court order for community release or discharge consistent with statutory requirements.

South Carolina Department of Mental Health, *South Carolina SVP Treatment Program: Resident Handbook*, December 2016: http://www.correctcarers.com/wp-content/uploads/2017/06/SC-SVPTP-Handbook_5.31.17.pdf

b. The Sexually Violent Predator Act Will Serve to Protect Society

The SVP Act addresses the special needs of sexually violent predators and the risks that they present to society. In recognizing the needs and risks of these individuals, the SVP Act establishes a separate, involuntary civil commitment process for the long-term control, care, and treatment of sexually violent predators. If Mr. Hilton is resentenced and able to get treatment through the SVPTP, he will still be subject to the strict guidelines of the Act.

The commitment process under the SVP Act utilizes a multi-faceted approach to determine whether an individual meets the criteria of a sexually violent predator. The first step of the process involves a Multi-Disciplinary Team (MDT), which consists of five members including: a representative from the Department of Corrections; (2) a representative from the Department of

³ Although not enrolled in the SVPTP, Mr. Hilton has proven to be an excellent inmate throughout his incarceration and has no disciplinary infractions. See Exhibit B – Inmate Detail Report, dated Nov. 2, 2017.

Probation, Parole and Pardon Services; (3) a representative from the Department of Mental Health who is a trained, qualified mental health clinicians with expertise in treating sexually violent offenders; (4) a retired judge appointed by the Chief Justice; and (5) a criminal defense attorney. These individuals will review records and determine whether the person satisfies the definition of a sexually violent predator. See S.C. Code Ann. § 44-48-40. If the MDT determines that the person is a SVP, the case is then referred to the Prosecutor's Review Committee. S.C. Code Ann. § 44-48-60

The Prosecutor's Review Committee (PRC) is another three member review board consisting of the Attorney General or his designee, an elected Circuit Solicitor, and a Victim's Representative. This PRC will review records from the MDT and information from the prosecuting solicitor to determine whether there is probable cause to believe the person is a sexually violent predator. If the PRC finds that probable cause exists to support the allegations, it will petition the court for a probable cause hearing. If the Court find probably cause after the hearing, the Court must direct transfer to a secure facility for an evaluation to be conducted by an approved, qualified expert. S.C. Code Ann. § 44-48-80.

Ultimately, the court or jury must determine whether, beyond a reasonable doubt, the person is a sexually violent predator. If the court or jury determines that the person is a sexually violent predator, the person must be committed to the custody of the Department of Mental Health for control, care, and treatment until such time as the person's mental abnormality or personality disorder has so changed that the person is safe to be at large and has been released. S.C. Code Ann. § 44-48-100.

A person committed under the SVP Act must have an examination of his mental condition performed once every year. The court must conduct an annual hearing to review the status of the committed person. If the court determines that probable cause exists to believe that the person's mental abnormality or personality disorder has so changed that the person is safe to be at large and, if

released, is not likely to commit acts of sexual violence, the court must schedule a trial on the issues.

S.C. Code Ann. § 44-48-110.

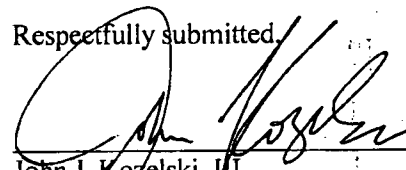
Each and every step of this process must be followed before a person is granted a release hearing, where further experts and SCDMH representatives must testify. Persons released from commitment must register on the sex offender registry as a "Sexually Violent Predator," and must verify registration and be photographed every ninety (90) days. S.C. Code Ann. § 44-48-160. Many offenders, like Mr. Hilton, would also be subject to lifetime GPS monitoring stemming from their original conviction.

As evident from its rigorous review process, the SVP Act is a shield that protects society from those persons that are not safe to be at large and likely to engage in acts of sexual violence. This remains the case even after a person has fully completed their original prison sentence. The use of the SVP Act in conjunction with the SVPTP, will safeguard the public from Mr. Hilton or any future harm they believe he may cause.

CONCLUSION

For all the foregoing reasons, the Court should grant the Defendant's motion to reconsider the life-sentence imposed and sentence of 30 years, concurrent on all charges.

Respectfully submitted,



John J. Kozelski, III
Assistant Public Defender
Attorney for Gussie Henry Hilton,

Charleston, South Carolina

Dated: November 3, 2017.

2017 NOV -3 PM 2:56
FILED
SOUTH CAROLINA
CLERK OF COURT
2017 NOV -3 PM
FILE

1. 10/1/2017

2. 10/1/2017

3. 10/1/2017

4. 10/1/2017

5. 10/1/2017

6. 10/1/2017

7. 10/1/2017

8. 10/1/2017

9. 10/1/2017

10. 10/1/2017

11. 10/1/2017

12. 10/1/2017

13. 10/1/2017

14. 10/1/2017

15. 10/1/2017

16. 10/1/2017

17. 10/1/2017

18. 10/1/2017

19. 10/1/2017

20. 10/1/2017

21. 10/1/2017

22. 10/1/2017

23. 10/1/2017

EXHIBIT A

24. 10/1/2017

25. 10/1/2017

PSYCHIATRIC EVALUATION FOR MITIGATION

NAME: Gussie Henry Hilton

DATE OF BIRTH:

DATE OF EVALUATION: December 28, 2015 and July 26, 2016

PRIMARY EXAMINER: Leonard W. Mulbry, Jr., M.D.

IDENTIFYING DATA: Mr. Hilton is a 28-year-old gentleman seen at the request of his attorney, Mr. John Kozelski, Esquire, of the Charleston County Public Defender's Office. Mr. Hilton is currently charged with Criminal Sexual Conduct with a Minor First Degree, two counts: and Kidnapping three counts.

OPINION REGARDING MITIGATION: Mr. Hilton has multiple mitigating factors as case. These can be separated into those related to mental illness and those related to his childhood:

The most significant is Intellectual Disability, which is well documented. He also has a history of Attention Deficit Hyperactivity Disorder and Depression.

Significantly Mr. Hilton grew up in a home that was remarkably unstable. His mother reportedly has difficulty with crack cocaine. His father suffers from a major mental illness. He was sexually molested as a child. He was removed from the home, reportedly based on allegations of violence, neglect and that his father had inappropriately touched a child. He lived in the homes of relatives or group homes until he returned to live with his father. Mr. Hilton became quite depressed as a child requiring hospitalizations. Mr. Hilton has a history of self-medication with cannabis.

SOURCES OF INFORMATION:

1. Clinical Psychiatric Evaluation of Mr. Hilton on December 28, 2015, lasting approximately three and a half hours.
2. Clinical Psychiatric Evaluation of Mr. Hilton on July 26, 2016, lasting approximately three hours.
3. Medical University of South Carolina Discharge Summary, dictated on August 8, 1994
4. Records from SCDC for the period January 3, 2013 to October 15, 2014
5. Prosecutive Request, Jennifer Shealy, undated.
6. Charleston County Arrest Warrant 2015A1010203808, CSC with Minor Attempt, Victim under 11, GHH, dated August 31, 2015, with affidavit.
7. Charleston County Arrest Warrant 2015A1010203809, GHH, Criminal Sexual Conduct first degree, dated August 31, 2015, with affidavit.
8. Charleston County Arrest Warrant 2015A1010203810, GHH, Kidnapping, dated August 31, 2015, with affidavit.
9. Charleston County Arrest Warrant 2015A1010203811, GHH, Kidnapping, dated August 31, 2015, with affidavit.

10. Charleston County Arrest Warrant 2015A1010203812, GHH, Kidnapping, dated August 31, 2015, with affidavit.
11. Prosecutive Summary by Muirheid, W., dated October 15, 2015.
12. Charleston County Sheriff's Office (CCSO) Incident Report by Hamil, dated August 30, 2015.
13. CCSO Supplement by Hamil, R., dated August 30, 2015.
14. CCSO Supplement by Powell, M., dated August 30, 2015.
15. CCSO Incident Supplement by Biggs, R., dated August 30, 2015.
16. CCSO Incident Supplement by King, J.J., dated September 7, 2015.
17. CCSO Supplement Report by Quinn, dated August 30, 2015.
18. CCSO Incident Supplement by Buenting, dated August 30, 2015.
19. CCSO Incident Supplement by Herriott, K., dated September 15, 2015.
20. CCSO Incident Supplement by Muirheid, W., dated October 14, 2015.
21. Callout Synopsis, CCSO, by Muirheid, dated August 30, 2015.
22. Three-year Driver Record, GHH.
23. CCSO Arrest Report, dated August 30, 2015.
24. CCSO Advisement of Rights, dated August 30, 2015.
25. Three-year Driver Record, Margaret Campbell, dated August 30, 2015.
26. CCSO Statement, Margaret Campbell, dated August 30, 2015.
27. Three-year Driver Record, Courtney Washington, dated August 30, 2015.
28. Three-year Driver Record, L. Middleton, dated September 14, 2015.
29. Three-year Driver Record, Travis Haynes, dated October 14, 2015.
30. Incident Detail Report.
31. Evidence, five pages.
32. Charleston County Search Warrant, dated August 30, 2015, home.
33. Charleston County Search Warrant, dated September 1, 2015, Nissan.
34. Charleston County Search Warrant, undated, medical records (2).
35. IRIS-CAFTA Interview Summary, prepared September 3, 2015.
36. MUSC Medical Records, RJ.
37. DSS Records, RJ.
38. IRIS-CAFTA Interview Summary, TW, dated September 10, 2015.
39. MUSC Progress Notes, TW, date of evaluation September 14, 2015.
40. Criminal Record, Gussie Hilton, Jr.
41. Records from Charleston County School System for the period September 10 2004 to July 28, 2011
42. Telephone interview with Mr. Gussie Hilton, Sr. on September 21, 2016, lasting approximately 40 minutes
43. Medical Records from Charleston County Detention Center for the period September 5, 2012 to July 27, 2016
44. Palmetto Summerville indicates they do not have any records November 28, 2016
45. Requests for records from Palmetto Lowcountry Behavioral Health x4 did not yield any answer.
46. SCDC indicates no records

47. Records from Charleston Dorchester County Mental Health for the period May 14, 2002 to December 2005
48. Discharge Summary, TW, from August 30, 2015, to September 2, 2015,
49. MUSC Pediatric Outpatient Note for RJ date of birth is obscured, age 12 years 8 months,
50. Records from South Carolina Department of Social Services related to RJ, dated March 17, 2016.
51. There is an IRIS-CAFTA Interview Summary for RJ, dated August 31, 2015.

DISCLOSURE OF NON-CONFIDENTIALITY: Prior to each interview, Mr. Hilton was provided information regarding the purpose and non-confidential nature of the evaluation. He was informed that any information he provided would not be confidential and would be used to prepare a report for his attorney, which at his attorney's discretion may be distributed to the solicitor and the judge. He was also informed that the nature of the evaluation did not include a treatment relationship with this examiner and treatment would not be provided. Mr. Hilton appeared to understand the parameters of the evaluation and limits of confidentiality. He agreed to proceed with each interview, signed a consent form and willingly proceeded with the evaluation.

BACKGROUND HISTORY: Mr. Hilton is 28 years old and was born on November 8, 1987, in Charleston, and he has always lived in the Charleston area. His father was Gussie Hilton, Sr. and his mother was Peggy. His father was disabled for a back injury as long as he can remember and his mother did not work. He has seven sisters, of which six are living. Five live in the Charleston area, and he reported that he is closest to Precious Hilton.

His childhood was marked by a mother who was "in and out," of his life due to an addiction to crack, and "she was dating someone else." There was fighting between his mother and father, but he does not remember much about it, as she lived in the house when he was very young. At about the age of 8 he was taken out of the household and placed with relatives, Alice and Eddie Ingram and their four children. He described this as being due to allegations that his father had touched one of his sisters. There was no violence in the Ingram home, but he reported that things were difficult there, as he was unhappy and did not relate well to the Ingrams and tended to run away, occasionally sleeping in the woods, and was "getting in a lot of trouble," in school.

Mr. Hilton reported that at age 6 he witnessed his cousin rape his mother, and at age 7 he started having suicidal thoughts. At age 8, he was molested by a 15-year-old female neighbor. One of his older sisters, Mary, molested him when he was between the ages of 10 and 11 and she was about 16 or 17 years old. He did not describe the use of force, but "perhaps coercion." He described having problematic sexual behaviors at about the age of 12 and sexual fantasies at about age 13. He described multiple suicide attempts and severe depression as a teenager. At about the age of

18, he went back to live with his father, grandmother, and sister. Again, he had multiple suicidal thoughts and attempts and was hospitalized.

ADDITIONAL BACKGROUND HISTORY ON JULY 26, 2016: Mr. Hilton added the history that he had been removed from the home where he lived because his sister, Jessica, accused his father of molesting her. His father was charged, but was not convicted, but DSS did not let them return to the house. He lived with relatives then group homes until he returned home to live with his father when he was 18 years old when he aged out of group homes.

He reported that his mother never had any legal charges, but did have difficulty with crack. His father had trouble with marijuana, but not other drugs, and he does not know if his father had any legal problems or psychiatric problems.

He lived with Alice and Eddie Ingram. They were his mother's sister's family. He reported no drugs or alcohol, violence, or mental illness in that family.

He added that both he and his sister receive SSI, but he is not sure why.

COROLLARY HISTORY: Mr. Hilton's father is treated for Schizophrenia.

EDUCATIONAL HISTORY: Mr. Hilton reported that he finished high school in the twelfth grade and received a diploma from Baptist Hill High School in 2005. He was in Regular Classes "until I stopped doing my work." He was then in Special Education for the last two years of his education. He did have to repeat the eighth grade "due to behavior." He reported that he was never expelled, but was suspended multiple times for harassing females and cursing teachers. He has had no further education.

Records from Charleston County School System for the period September 10 2004 to July 28, 2011:

Psychological Evaluation of Gussie Hilton, Jr., evaluation dated July 28, 2011, by Valerie Holmstrom, Ph.D., ABPP: This test includes cognitive testing, in which WAIS-4 scores were done with verbal comprehension index of 72 in the third percentile, perceptual reasoning index 69 in the second percentile, working memory index 77 in the sixth percentile, and processing speed index 74 in the fourth percentile, with a full scale IQ of 71 or the third percentile. A WRAT-3 subtest and scores was also done, indicating a reading standard score in the eighth percentile or fourth grade, spelling standard score 67 in the second percentile in the third grade, arithmetic standard score 68 in the second percentile fourth grade. It indicates the defendant currently performed in the lower end of the Borderline Range of Intelligence with a full scale IQ of 71. Dr. Holmstrom also did an evaluation for Competency to Stand Trial and concluded that the patient was Competent to Stand Trial.

There are Records from Charleston County School District, which include a Parental Consent for Graduation from Baptist Hill High School dated May 25, 2006.

Charleston County School District Placement Form in Alternative Education/Community Setting with the diagnosis "Mental Disability, Mild," dated September 12, 2005.

Parental consent for Placement in Alternate Education, Mildly Mentally Disabled, dated September 10, 2004.

Re-evaluation Review/Plan dated August 24, 2005.

Charleston County School District Confidential Psychological Re-evaluation Report dated August 30, 2005. It indicates that Mr. Hilton was in twelfth grade in Self-Contained Classes with Mild Mental Disabilities, and that he had received Special Education since preschool. She did a Universal Nonverbal Intelligence Test (UNIT), which provided a full scale IQ of 72, which was described as being low average to very delayed. He had an Adaptive Behavior Composite in the mild deficiency range. There was an assessment that Mr. Hilton was manifesting behavior assessments supporting the presence of borderline or greater levels of overall behavior problems that were most often manifested in conduct problems involving aggression or unusual behaviors. This was done by Judy Moore, EdS NCSP, School Psychologist 2.

There is a Student Profile Sheet, school year 2005-2006, that notes Mentally Disabled/Mild; skills range grade equivalent 3-4. It notes that he was in a schoolwork program with a job coach.

Individualized Education Program, school year 2005-2006. This describes multiple behavioral problems, including inappropriate behavior toward a female student.

Progress Report, IEP exit date June 1, 2006.

Behavior Intervention Plan dated May 11, 2005. This indicates multiple interventions, including lessons in sexual harassment.

VOCATIONAL HISTORY: Mr. Hilton reported that he has worked at a carwash, at a number of fast food restaurants, and has done construction. His longest job was at McDonald's for three and a half years. He was fired once when something disappeared out of a car and he was accused of taking it, though he denied doing so.

RELATIONSHIP HISTORY: Mr. Hilton has never been married. He has one 5-year-old child. While he was in jail, he did stay in contact with that child. The woman with whom he has a child is 33 years old and they do not maintain a relationship.

MEDICAL HISTORY: Mr. Hilton reported that he has no significant medical problems. His only operation has been on his knee for an injury. He has no medication allergies and he does not currently take any medications. He has never had any seizures or loss of consciousness.

There is a **Discharge Summary from MUSC for the period August 5 1994 to August 6 1994**. It indicates that at six years old Mr. Hilton was brought in by his family. His grandmother had called EMS. He had been seen on the floor at home drooling and was noted to have "crawled up fingers" of both hands. This resolved and he went back outside, but his cousins came back and reported that he was outside crying. He came in was acting similarly. When EMS arrived he was noted to be lying on the floor and was felt to have extensor posturing of both upper extremities. He was crying constantly. His father was with him but was a poor historian and provided a confused presentation. His father had medications including Haldol and Cogentin. In the emergency room the patient's behavior was bizarre agitated and pursing lips. The CT scan of the head was normal. He was admitted on August 4, 1994 and discharged on August 5, 1994.

There is an Operative Note dated November 12, 2002 for traumatic left knee arthrotomy (opening the knee joint) with surgical repair having been lacerated on a rock.

There is a Surgical Repair Note dated February 24th 2003 for a deformed nail left long fingertip amputation.

There are the results of an MRI of the brain with the indication dated February 22, 2003, which is read as normal. It includes an EEG study dated February 25, 2003, indicated as normal. It indicates, as an indication, "Patient is a 15-year-old male with a several-month history of acoustic and visual hallucinations. He appears apathetic and anhedonic

PSYCHIATRIC HISTORY: Mr. Hilton reported that he has been admitted to MUSC Institute of Psychiatry and Palmetto Lowcountry Behavioral Medicine for suicidal ideation. He has taken medications including Risperdal as an outpatient, but it was from someone who came to his house and he does not remember who it was or who they represented. He is not currently receiving any psychiatric care at the detention center.

When asked about depression, he reported that he often gets stressed and depressed, "Go into a shell..." He reported that he did have trouble with repeated suicidal thoughts, but these are not currently present, as "you don't get help

anyway. He has trouble sleeping sometimes. He has trouble with energy, concentration, and focus when he becomes depressed.

Mr. Hilton reported that there are nights that he has difficulty sleeping and he lies on the bed looking at the ceiling. At times, he gets up and walks around the neighborhood when he is out on the street. The longest was about two and a half days, and that was because "my cousin had a knife at my throat and I was scared."

When asked about worry, he reported that he worries about everything about his family and it causes lots of different thoughts in his head and he has a hard time keeping track of his thoughts, "They pull me in about ten directions."

When asked about nightmares and flashbacks, he did report that he had some related to the past traumas that he has suffered. They sometimes wake him up at night and he thinks back to them during the day, though he had difficulty describing what sets off these flashbacks. He did not describe symptoms consistent with obsessions and compulsions.

He reported that he used to hear voices when he was having suicidal thoughts as a teenager, but that the last time he heard voices was at about age 17. He reported no history of visual hallucinations, though he has concerns that "everybody is out and against me." He is not sure why. He did not report any ideas of reference. He did believe that he probably had ADHD as a child because "I was angry at everybody."

On July 26, 2016 Mr. Hilton clarified his psychiatric history, noting that it began in middle school, though he had counseling back to the sixth grade. He was treated with Ritalin for ADHD. He stopped the counseling in about the ninth grade. He was hospitalized in about the ninth or tenth grade for about two weeks, "They were trying to figure out why I had a bad attitude." He was subsequently treated at Palmetto for three to four months. He is not sure whether this was Palmetto Summerville or Palmetto Charleston.

COROLLARY INFORMATION: Record Requests to both Palmetto Summerville and Palmetto Lowcountry Behavioral Center indicate no records are available.

Records from Charleston Dorchester County Mental Health for the period May 14, 2002 to December 2005: These include a face sheet indicating an admission age of 18, with the problems listed as depression and runaway. This is dated May 14, 2002. It indicates voluntary admission. There is an intake form for CIS, which indicates a prior MUSC IOP admission, again noting depression and runaway. This form is dated March 4, 2003.

There is a History and Evaluation Adolescents dated March 4, 2003, indicating that Mr. Hilton, at 15, was in BHHS. The referral was to MUSC IOP, and the family's perception of the problem was "per dad, he doesn't call me when he is thinking

negative." The child's perception was "I try to tell them something on *illegible*." It indicates, under risk taking behaviors, he was driving a car without a driver's license, running away, and leaving home without them knowing where. It indicates that he had a history of treatment at Charleston Mental Health in 2000 and psychiatric hospitalizations at Palmetto in 2001 and MUSC in 2003. It indicates he had a history of drinking beer. They felt that he had normal development for language, motor skills, and social development. He had a knee injury at age 14, and his medications included Zoloft 50 mg. He was being seen at St. Paul's Medical and going to school at Baptist Hill High in the ninth grade in EMH classes. He had eight or nine suspensions for cutting classes. He was not getting to class on time, did not like school.

There were concerns about impulsivity, shouting when angry, unable to handle anger, and difficulty expressing his feelings. It was reported that he did have support of family, attended church. They noted that he was teased. He was given the diagnoses Oppositional Defiant Disorder and Depressive Disorder Not Otherwise Specified.

They noted that the client was 15 years old and was referred by MUSC IOP subsequent to an admission. He had been reporting auditory hallucinations and homicidal ideation. They indicated he had been arrested and incarcerated for Grand Larceny and Trespassing. He reported that a voice told him to take the car and drive. They indicated that he had a history of being sexually aggressive and impulsive behavior.

The Health Evaluation Form dated September 22, 2005, indicates medications as Concerta 54 mg in the morning, Zoloft 50 two in the morning.

There are a series of notes between 2003 and January 2005. In early 2003, he was taking Strattera 60, raised to 80. In mid 2014, this was changed to Concerta 54 and Zoloft 50. The note of August 26, 2004, indicates "hypertension meds."

There are intake forms that are undated. One asks a series of questions about witness trauma and notes that he had witnessed life-threatening violence in the community.

These records include a Traumatic Event Screening Inventory (TESI-C) dated August 4, *illegible*.

It indicates that Mr. Hilton was 15 years old. It indicates that "client messed with radio, car got out of control. Client was driving at speed 103. Car *illegible* and went down an embankment. Car later exploded." It indicates that the client was taken to the emergency room. No one else was involved. It also indicates, "Witnessed a side collision. Client didn't know individual. The person was hurt, unable to move arm, passenger." It indicates that at age 11 a maternal

grandmother died of a long illness. He also gave a history of being admitted to a psychiatric hospital for two days. When asked if he had ever been attacked it indicates, "Grabbed client from back and dropped on rocks."

When asked about being threatened, he indicated that age 15 a peer "threatened to cut client's neck off and sell to Africa."

When asked about people in the family fighting or attacking each other he indicated at age 13 "uncle tried to fight in grandmother. Uncle was intoxicated, used his bare hands, no striking as another uncle intervened." It also notes that dad and sister got into an argument, other relative

When asked about fighting outside of the home he indicated, "Cousins were fighting, male and female. Female cousin hit male cousin between the legs. Male cousin tried to break her neck."

He also noted, among relatives, "arguments with loud yelling, not sure what led to the situation. This was indicated as daily yelling and screaming at each other.

When asked about being touched, he indicated that at age 10 or 11 older girl made touch body part sexually, threatened to beat him up if he didn't illegible person. It indicates the perpetrator was five years older, force or violence was used, oral/genital contact. It happened one time.

The clinical scales on the T-scores were elevated for anger at 71, sexual concerns at 81, sexual preoccupation at 75, and sexual distress at 110.

There is a note dated March 25, 2003, indicating that Mr. Hilton was having trouble with his aunt. He had run away overnight. He stated he was hearing voices, no evidence of this found by the hospital. He was given the diagnoses of ADHD and Psychosis Not Otherwise Specified.

There is an adjacent note. These handwritten notes indicate self-destructive when angry, does not care about self or anyone else, angry a cousin hit him the night before because he asked aunt for food. Aunt gave permission, but cousin hit client when no food there illegible agrees aunt impulsive.

It indicates, "I love my mom, but she isn't around when I need her. I want my mom to be there 24/7." Much of the note is illegible.

There are notes from December 2005 suggesting that he was doing well. They indicate that the client was doing well, but "dad is confused at times as to his role. Thus, client takes advantage of him." There is a somewhat illegible note indicating a discussion with father in his role as parent.

There are notes from June 14, 2005, and September 1, 2005. These appear to be discussions between the staff, Mr. Hilton, and his father. They describe impulsivity and impulsive behaviors, and the father was having trouble implementing consequences.

There is a Twelve-Month Individual Plan dated March 8, 2004, with the diagnoses Oppositional Defiant Disorder, Depressive Disorder NOS, and Sexual Abuse of a Child (Perpetrator),

The Treatment Review/Progress Summary dated March 4, 2004, indicates, "Client continues to have infractions of a sexual nature, most recently kicked a female peer in the presence of a school board member and is having reported would do it again." The notes are largely illegible. There are a series of notes suggesting they reflect Family Therapy from January to November 2005. Dad is mentioned in most all of the notes. These refer to applying structure in school and ways to improve parenting. Many of these reflect phone calls. These appear to have taken place at the client's home. There are numerous references to medications. There are numerous suggestions that the father was having trouble following through with discipline and structure.

Records from **SCDC for the period January 3 2013 to October 15 2014** do not indicate any psychiatric care.

Records have been repeatedly requested from both Palmetto Lowcountry Behavioral who have not responded. Palmetto Summerville indicates they have no record of him being there.

Medical Records from Charleston County Detention Center for the period September 5, 2012 to July 27, 2016:

There are Suicide Watch Logs for August 14, 2102, and September 4 to 6 2012,

On September 4 to September 10, 2012, there are notes indicating he was on suicide watch:

There is also a Psychiatric Progress Note dated September 6, 2012, indicating that at age 24 Mr. Hilton had been there for six weeks and was complaining of voices, "Want to kill myself." It notes a history of ADHD on Adderall. It provides the impression rule out Schizophrenia. He was placed on Risperdal 1 mg. They described him as reporting a history of suicidal gestures and other suicide attempts "plenty of times.", the last at age 13 or 14 when he tried to "jump off a moving tram."

He was seen back on September 10, 2012. He was given the diagnosis Rule Out Psychosis NOS versus MDD (Major Depressive Disorder) with Psychotic

Features. He was placed on a list to be seen by psychiatry, and was felt to be stable.

The follow-up note of October 8, 2012, indicates that he was doing better, that the meds were helping, and his thinking was better. He was still provided the diagnosis Rule Out Schizophrenia, felt to be responding to the medications, and continued on Risperdal 1 mg. He was seen back on December 6, 2012. The diagnosis was Rule Out Schizophrenia versus Brief Reactive Psychosis, as he was doing well. There was consideration that this might be his first psychotic break. They noted a family history of schizophrenia and noted that he was doing well and wanted to stop the Risperdal. This was done.

When seen back on December 6, 2012, it was considered that it might be his first psychotic break. He was felt to be stable and given the diagnosis Rule Out Schizophrenia versus Brief Psychotic Reaction. It was noted that he was doing well and wanted to stop the Risperdal, which was discontinued.

When seen back on January 10 2013 he indicated that he was doing well and did not want psychiatric medications. He was felt to be stable. He was seen back on January 10, indicated as 2012, likely 2013, and noted to be doing well, felt to be stable, and was given the diagnosis rule out Schizophrenia versus Brief Reactive Psychosis.

The Intake Screening History dated August 30, 2015, indicates no major illnesses and no mental illness with a normal exam. These records included his master problem list, which included the medications metformin 500 mg, Humulin 100 units, Claritin 10, and Flonase 50 mcg. It indicated that Mr. Hilton reported that he did use drugs, but not injectable drugs. He denied significant medical problems. His physical examination was largely unremarkable. He denied past or current mental illness complaints and answered no to history of suicide attempts, hopeless or helpless, suicidality, history of suicide in his family, history of psychotropic medications or hearing voices or seeing things. He reported no history of mental illness, special education.

An Initial Mental Health Contact dated December 15, 2015, indicated a history of having been raped at age 8 and 11 and being sexually abused. It described a history of Special Education and a history of drug abuse and dependency, depression, suicidal ideation, anxiety, sleep difficulties, auditory hallucinations, paranoia, impulsiveness, disorientation and confusion. He was described as feeling blue, wishing he were dead, having an urge to kill himself, feeling hopeless and angry. Methods include car, bus, hang to tree, run into persons with a gun, and knife to throat. He reported an inpatient history from Palmetto Behavioral. He reported a history of twelve prior suicide attempts and an admission to Palmetto. The impression was depression, and he was referred to psychiatry.

These records indicate that at 24 years old he was seen on multiple charges and was on suicide watch, complaining of voices and wanting to kill himself. He had a past psychiatric history that included ADHD and was taking Adderall. He was given the impression of Rule Out Schizophrenia and was started on Risperdal 1 mg in the evening.

Patient Visit Reports from September 30, 2015, through July 27, 2016, indicate only prescriptions for decongestants and antihistamines.

SUBSTANCE USE HISTORY: Mr. Hilton reported that he started drinking alcohol when he was quite young, but never became a regular drinker. He never drank on a daily basis or any large quantities.

Mr. Hilton started smoking marijuana at about age 9 and was smoking on a daily basis by the age of 15. He estimated this at about 2 grams a day, perhaps \$100 a week, and at times up to \$60 a day. He distinctly remembers withdrawal, "Angry when you don't have it...frustrated...tantrums when you don't have it." He felt that the marijuana was important because it helped calm him down.

Mr. Hilton reported no use of any cocaine, pills, any other illicit substance or inhalants. He has never been treated for substance abuse.

MENTAL STATUS EXAM: Mr. Hilton was evaluated at the Charleston County Detention Center in the professional booth. He was pleasant, calm, cooperative, and forthcoming throughout the evaluation. He displayed no abnormal movements. He was appropriately dressed and groomed. He described his mood as "all right." He appeared generally euthymic. His thought processes were linear, goal-direct, and appropriate. His speech was of normal rate, volume, and prosody. His thought content did not suggest suicidality, homicidality, hallucinations, delusions, paranoia, or unseen others. His memory and concentration were good. His judgement and insight were mildly impaired. On cognitive exam, Mr. Hilton was oriented to time, place, person, and situation. He correctly registered three unrelated items and remembered all three after four minutes. He correctly spelled the word "world" forwards and backwards. He gave somewhat concrete, but generally appropriate identification of similarities between unrelated items, though a watch and a ruler was "numbers." He named the current and past President of the United States, but could not name any others. He made change from a dollar, but thought 0.35 was six nickels. He knew that New York was north and that there was an ocean to the side, but did not know which side it was on or the name of the ocean. He gave extremely concrete interpretations of simple proverbs and could not interpret the proverb "read a book by its cover." He rather easily subtracted 7 serially from 100 with just one error. He gave good answers to a commonsense question.

Telephone interview with Mr. Gussie Hilton, Sr. on September 21, 2016, lasting approximately 40 minutes: Mr. Hilton provided the information that his son was born on time from a normal pregnancy, about 6 pounds. He does not believe there were any problems with the delivery. He reported that Gussie had problems in school early and was in "special education." It was his impression that he saw counselors and psychiatrists at an early age and had trouble in school. He felt that these problems related to "schizophrenia," which began at about the age of 13 or 14 years old. He could not describe Mr. Hilton's symptoms and could not provide much information on his upbringing and mental illness. He reported, "He is challenged, but in high school he was a smart guy...he had a lot of trouble in high school...used to get beat up in school...he was arrested and had to go to prison for five years..."

He then began a long discussion with somewhat pressured and tangential and circumstantial thinking stating, "He snapped...we know his girlfriend...maybe somebody put drugs in his drink...I don't know why he snapped...he has a 4-year-old daughter...he needs his family and his life and he needs doctors to be there every day...we don't know why he did this. We need to help him get through the situation...Jesus would come down here and help the blind man see..." Mr. Hilton then gave a somewhat disorganized discussion, but came back repeatedly to the theme that he believes that his son is mentally ill and should be in a hospital and not sent to a prison, and that he needs help from psychiatrists to determine what happened to him. It was very difficult to get much more factual information from Mr. Hilton, who became very emotional about his son.

DIAGNOSTIC FORMULATION: Based on the above data, the following is opined regarding Mr. Hilton's psychiatric diagnoses according to the *Diagnostic and Statistical Manual of Mental Disorders, 5th Edition, (DSM V)*.

DIAGNOSES:

Intellectual Disability, Mild
Attention Deficit Hyperactivity Disorder.
Depression Unspecified, with Psychotic Features (Provisional) in Partial Remission
Cannabis Use Disorder Severe in a Controlled Environment

The diagnosis Intellectual Disability, Mild, is given based on Mr. Hilton's examination evaluations and testing data. His records indicate that he was in special education. It is well documented in his childhood that he had scores that, by DSM IV standards, would place him at the dividing line between Borderline Intellectual Functioning and Mild Mental Retardation. It would meet the criteria Intellectual Disability, Mild, by DSM V criteria. This was recognized as a child, and he has spent most of his career in Special Education and Resource Classes.

His testing from 2011 indicates a full scale IQ of 71 on WAIS-4 scores. He did slightly better on working memory, but slightly worse on perceptual reasoning. He was, at

the time of his testing, given the diagnosis Borderline Intellectual Functioning. There are no apparent adaptive scores present and Mr. Hilton's functioning appears to be below that stated score. They allude to an Adaptive Behavior Composite in the Mild Deficiency Range and recognized at that time he was having difficulties with conduct involving aggression and unusual behaviors.

The diagnosis Attention Deficit Hyperactivity Disorder is given. This diagnosis was provided at an early age and Mr. Hilton was treated with stimulants from an early age. He describes a long history of impulsive poorly thought out acts, difficulty sitting still, and difficulty thinking out consequences of his actions. He has a long history of impulsive poorly thought out acts that have led to compromise of his educational opportunities and predisposed him toward impulsive behaviors.

The diagnosis Depressive Disorder, Unspecified with Psychotic Features (Provisional), in Partial Remission, is given. Currently, Mr. Hilton does not describe significant depressive symptoms, though he currently has some mild ones related to his recent acts and incarceration. He has, in the past, however, had periods of depressed mood, difficulty with focus, concentration, and energy, hopelessness, and helplessness. He has had suicidal ideation as a child that has caused the need for psychiatric admissions to the hospital. He reports that he has been admitted for suicidal thinking multiple times, though I have not been able to obtain records to document this. This may reflect the length of time between these admissions and the present date. This was also the diagnosis made at Charleston County Detention Center when he was seen.

Mr. Hilton complains of auditory and visual hallucinations. He indicates that these occur along with paranoia at times that he is most depressed and so may best be reflected by the diagnosis Major Depressive Disorder with Psychotic Features. He has been treated with anti-psychotic medications at CCDC. He did not receive treatment while he was at SCDC.

The diagnosis Cannabis Use Disorder is given. Mr. Hilton began smoking marijuana at age 9, reports smoking very heavily, and very accurately describes withdrawal symptoms from marijuana in the past. The modifier Severe is, therefore, provided

MITIGATION

Mr. Hilton has multiple mitigating factors. The most significant are his mental disabilities. Mr. Hilton has Intellectual Disability. His level of intellect was measured at roughly the dividing line between the older diagnosis Borderline Intellectual Functioning and Mild Mental Retardation. The diagnosis is based on past testing, which indicates his IQ upon testing at roughly 70. Again, this is on the borderline of Mild Mental Retardation.

Adaptive scores are reportedly "mildly disabled," but his overall functioning in life would not suggest that his adaptive functioning is any higher than this testing data suggests. This is not surprising considering his childhood where he was afforded little opportunity to learn adaptive coping skills. This Intellectual Disability gives Mr. Hilton a distinct disadvantage in coping with his very fractious family life as a child.

A significant group of mitigating factors also relates to Mr. Hilton's childhood. This has been remarkably difficult. He relates the history that his mother consistently used crack and this is noted in past historical data. His father is treated for schizophrenia. He reported that his mother and father fought, he reports witnessing violence, both physical and sexual. This would create a remarkably chaotic situation during his childhood. Though he lived transiently with relatives, he was removed and placed in group homes. At age 8, he was removed from the home to live with relatives due to allegations of sexual abuse against his family members. At the age of 18, he aged-out of the group homes and returned to live with his father, who, based on my interview remains symptomatic. The records from CCDC and Berkeley Mental Health appear consistent.

Mr. Hilton grew up in an environment that did not model the ability to conform behaviors, avoid impulsive acts, and develop coping skills that would serve him appropriately.

To have been exposed to these types of stressors with limited cognitive abilities would place Mr. Hilton at extreme risk for future difficulties in life. Despite efforts by his extended family it is not clear that appropriate coping mechanisms were ever modeled.

The combination of Intellectual Disability and a chaotic childhood have hampered Mr. Hilton's educational potential and function in school, which causes estrangement from peer groups, makes an individual prone to being bullied, and impairs the formation of normal social interactions with peer groups.

Additionally, as a child, Mr. Hilton was diagnosed and treated for Attention Deficit Hyperactivity Disorder. This disorder makes the individual prone to impulsive poorly thought out acts, impairs judgment, and is an established risk factor for disruptive behaviors. Not only is it, in and of itself, a risk factor, but again, it impairs the ability of school age children to interact normally with their environment, learn in school, and establish good social bonds with others in their peer group.

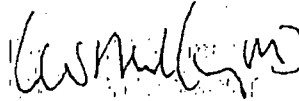
As is not uncommon with those with intellectual disabilities, Mr. Hilton has manifested significant symptoms of depression in the past. He has carried that diagnosis and been treated with anti-depressant medications. As a child he was hospitalized for evaluation of being suicidal.

Depression is not at all uncommon in those with intellectual disabilities, again reflecting their difficulties at competing with peers, forming social bonds, and developing positive self-image as they struggle to compete with others who are more successful.

Additionally, Mr. Hilton manifests evidence of some inappropriate affect and some circumstantial and tangential thinking. His thinking can be, at best, characterized as strange. Though I could not definitively make the diagnosis of schizophrenia, it is possible that Mr. Hilton is manifesting symptoms of this disorder. The fact that he grew up in a home with a father manifesting symptoms of the disorder confounds the diagnosis.

SUMMARY: Mr. Gussie Hilton, Jr. is a 29-year-old gentleman seen at the request of Mr. Kozelski of the Charleston County Public Defender's Office. Mr. Hilton has the psychiatric diagnoses: Intellectual Disability, Mild, Attention Deficit Hyperactivity Disorder, Depression Unspecified, with Psychotic Features (Provisional) in Partial Remission and Cannabis Use Disorder Severe in a Controlled Environment. It is my opinion, to a reasonable degree of medical certainty that multiple mitigating factors apply in Mr. Hilton's case.

Respectfully submitted,

 04/27/17

Leonard W. Mulbry, Jr., M.D.

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF CHARLESTON
STATE VS.

GUSSIE HENRY HILTON, JR

AKA: Gussie H Hilton, Gussie Hilton
Race:
DOB:
SS#:
Address:
City, State, Zip:
DL# SID#

INDICTMENT/CASE#: 2016-GS-10-01514
A/W: 2015A1010203808
Date of Offense: 08/30/2015
S.C. Code §: 16-03-0655(A)(1)
CDR Code #: 0385

SENTENCE SHEET

*CDL Yes No CMV Yes No Hazmat Yes No

In disposition of the said indictment comes now the Defendant who was CONVICTED OF or PLEADS

TO: Criminal Sexual Conduct With A Minor, First Degree
In violation of § 16-03-0655(A)(1) of the S.C. Code of Laws, bearing CDR Code # 0385

NON-VIOLENT VIOLENT SERIOUS MOST SERIOUS Mandatory GPS §17-25-45

The charge is: As indicted, Lesser Included Offense, Defendant Waives Presentment to Grand Jury, Recommendation by the State.
The plea is: Without Negotiations or Recommendation, Negotiated Sentence.

ATTEST: Jennifer Kennedy Healy, Assistant Solicitor SC Bar # 7919
Defendant: Gussie Henry Hilton
Attorney for Defendant: John Kozelski SC Bar # 100153

WHEREFORE, the Defendant is committed to the State Department of Corrections or County Detention Center,
for a determinate term of life days/months/years or under the Youthful Offender Act not to exceed years
and/or to pay a fine of \$; provided that upon the service of days/months/years and or payment
of \$; plus costs and assessments as applicable*; the balance is suspended with probation for
months/years and subject to South Carolina Department of Probation, Parole and Pardon Service standard conditions of probation, which
are incorporated by reference.

CONCURRENT or CONSECUTIVE to sentence on:
The Defendant is to be given credit for time served pursuant to S.C. Code §24-13-40 to be calculated and applied by the State
Department of Corrections.
The Defendant is to be placed on 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 (Domestic
Violence) to ship, transport, possess, or receive a firearm or ammunition.

SPECIAL CONDITIONS:

RESTITUTION: Deferred Def. Waives Hearing Ordered PTUP
Total: \$ plus 20% fee: \$ days/hours Public Service Employment
Payment Terms: Obtain GED

Set by SCDPPPS
Recipient:

Table with 3 columns: Description, Amount, Total. Includes items like §14-1-206 (Assessments 107.5%), §14-1-211 (A)(1)(Conv. Surcharge) \$100, §14-1-211 (A)(2)(DUI Surcharge) \$100, §56-5-2995 (DUI Assessment) \$12, §56-1-286 (DUI Breath Test) \$25, Proviso 61.6 (Public Def/Prob) \$500, §14-1-212 (Law Enforce. Funding) \$25, §14-1-213 (Drug Court Surcharge) \$150, §50-21-114 (BUI Breath Test Fee) \$50, §56-5-2942(J) (Vehicle Assessment) \$40/ea, 3% to County (if paid in installments) \$, TOTAL \$128.75

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

RECEIVED

NOV 30 2017

SC Court of Appeals

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

Clerk of Court/Deputy Clerk: Della M. Hankins
Court Reporter: Karen Anderson

Presiding Judge: 2139
Judge Code:
Sentence Date: May 18, 2017

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF CHARLESTON

STATE VS.

GUSSIE HENRY HILTON, JR

AKA: Gussie H Hilton, Gussie Hilton

Race: [redacted] Sex: [redacted]

DOB: [redacted] SS#: [redacted]

Address: [redacted]

City, State, Zip: [redacted]

DL# [redacted] SID# [redacted]

*CDL Yes No CMV Yes No Hazmat Yes No

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

CONVICTED OF or PLEADS

TO: **Criminal Sexual Conduct First Degree**

In violation of § 16-03-0652 of the S.C. Code of Laws, bearing CDR Code # 0160

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

The charge is: As indicted, Lesser Included Offense, Defendant Waives Presentment to Grand Jury, _____ (def.'s initials)

The plea is: Without Negotiations or Recommendation, Negotiated Sentence, Recommendation by the State.

ATTEST:

Jennifer Kneece Shelby, Assistant Solicitor SC Bar # 7919

[Signature] Defendant

[Signature] Attorney for Defendant SC Bar # 100153
John Kozelski

WHEREFORE, the Defendant is committed to the State Department of Corrections County Detention Center, for a determinate term of 30 days/months/years or under the Youthful Offender Act not to exceed _____ years and/or to pay a fine of \$ _____; provided that upon the service of _____ days/months/years and or payment of \$ _____; plus costs and assessments as applicable*; the balance is suspended with probation for _____ months/years and subject to South Carolina Department of Probation, Parole and Pardon Service standard conditions of probation, which are incorporated by reference.

CONSECUTIVE to sentence on: May 18, 2017

The Defendant is to be given credit for time served pursuant to S.C. Code §24-13-40 to be calculated and applied by the State Department of Corrections.

The Defendant is to be placed on 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 (Domestic Violence) to ship, transport, possess, or receive a firearm or ammunition.

SPECIAL CONDITIONS:

RESTITUTION: Deferred Def. Waives Hearing Ordered PTUP _____ days/hours Public Service Employment

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

Payment Terms: _____

Set by SCDPPS _____

Recipient: _____

*Fine: _____ \$ _____

§14-1-206 (Assessments 107.5%) \$ _____

§14-1-211 (A)(1)(Conv. Surcharge) \$100 --- \$ 200.00

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

§56-5-2995 (DUI Assessment) \$12 \$ _____

§56-1-286 (DUI Breath Test) \$25 --- \$ _____

Proviso 61.6 (Public Def/Prob) \$500 --- \$ _____

§14-1-212 (Law Enforce. Funding) \$25 \$ 25.00

§14-1-213 (Drug Court Surcharge) \$150 \$ _____

§50-21-114 (BUI Breath Test Fee) \$50 \$ _____

§56-5-2942(J) (Vehicle Assessment) \$40/ea \$ _____

3% to County (if paid in installments) \$ \$ 3.75

TOTAL \$ 128.75

Clerk of Court/Deputy Clerk: [Signature] Kara Anderson
Court Reporter: [Signature]

Presiding Judge: [Signature] Judge Code: 2139 Sentence Date: May 18, 2017

Appointed PD or appointed other court reporter \$47.12 requires \$500 be paid to Clerk during probation.

RECEIVED

NOV 30 2017

COUNTY OF CHARLESTON
STATE VS.

GUSSIE HENRY HILTON, JR

AKA: Gussie H Hilton, Gussie Hilton

Race: [redacted] Sex: [redacted]

DOB: [redacted] SS#: [redacted]

Address: [redacted]

City, State, Zip: [redacted]

DL# [redacted] SID# [redacted]

INDICTMENT/CASE#: 2016-GS-10-01525
A/W: 2015A1010203810
Date of Offense: 08/30/2015
S.C. Code §: 16-03-0910
CDR Code #: 0095

SENTENCE SHEET

*CDL Yes [] No [] CMV Yes [] No [] Hazmat Yes [] No []

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

[] CONVICTED OF or [x] PLEADS

TO: Kidnapping

In violation of § 16-03-0910 of the S.C. Code of Laws, bearing CDR Code # 0095

[] NON-VIOLENT [x] VIOLENT [] SERIOUS [x] MOST SERIOUS [] Mandatory GPS [] §17-25-45 (CSC w/minor 1st or Lewd Act)

The charge is: [x] As indicted, [] Lesser Included Offense, [] Defendant Waives Presentation to Grand Jury, [] Recommendation by the State.
The plea is: [x] Without Negotiations or Recommendation, [] Negotiated Sentence,

ATTEST:

Jennifer Kneede Shealy, Assistant Solicitor SC Bar # 7919

[Signature] Defendant

[Signature] Attorney for Defendant SC Bar # 100153

WHEREFORE, the Defendant is committed to the [x] State Department of Corrections [] County Detention Center, for a determinate term of 30 days/months/years or [] under the Youthful Offender Act not to exceed [] years and/or to pay a fine of \$ []; provided that upon the service of [] days/months/years and or payment of \$ []; plus costs and assessments as applicable*; the balance is suspended with probation for [] months/years and subject to South Carolina Department of Probation, Parole and Pardon Service standard conditions of probation, which are incorporated by reference.

[x] CONCURRENT or [] CONSECUTIVE to sentence on: []
[x] The Defendant is to be given credit for time served pursuant to S.C. Code §24-13-40 to be calculated and applied by the State Department of Corrections.
[] The Defendant is to be placed on 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 (Domestic Violence) to ship, transport, possess, or receive a firearm or ammunition.

SPECIAL CONDITIONS:

[] RESTITUTION: [] Deferred [] Def. Waives Hearing [] Ordered PTUP [] days/hours Public Service Employment
Total: \$ [] plus 20% fec: \$ []
Payment Terms: [] Obtain GED []

[] Set by SCDPPPS []

Recipient: []

Table with 2 columns: Description and Amount. Includes items like §14-1-206 (Assessments 107.5%), §14-1-211 (A)(1)(Conv. Surcharge) \$100, §14-1-211 (A)(2)(DUI Surcharge) \$100, §56-5-2995 (DUI Assessment) \$12, §56-1-286 (DUI Breath Test) \$25, Proviso 61.6 (Public Def/Prob) \$500, §14-1-212 (Law Enforce. Funding) \$25, §14-1-213 (Drug Court Surcharge) \$150, §50-21-114 (BUI Breath Test Fee) \$50, §56-5-2942(J) (Vehicle Assessment) \$40/ea, 3% to County (if paid in installments) \$, TOTAL \$128.75

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

RECEIVED

NOV 30 2017

SC Court of Appeals

[] 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]

Presiding Judge: [Signature]
Judge Code: 2139
Sentence Date: May 18, 2017

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF CHARLESTON
STATE VS.

GUSSIE HENRY HILTON, JR

AKA: Gussie H Hilton, Gussie Hilton
Race:
DOB:
SS#:
Address:
City, State, Zip:
DL#
SID#

INDICTMENT/CASE#: 2016-GS-10-01526
A/W: 2015A1010203811
Date of Offense: 08/30/2015
S.C. Code §: 16-03-0910
CDR Code #: 0095

SENTENCE SHEET

*CDL Yes No CMV Yes No Hazmat Yes No

In disposition of the said indictment comes now the Defendant who was CONVICTED OF or PLEADS

TO: Kidnapping
In violation of § 16-03-0910 of the S.C. Code of Laws, bearing CDR Code # 0095

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

The charge is: As indicted, Lesser Included Offense, Defendant Waives Presentment to Grand Jury, Negotiated Sentence, Recommendation by the State.
The plea is: Without Negotiations or Recommendation.
ATTEST

Jennifer Kneccc Shalay, Assistant Prosecutor SC Bar # 7919
Defendant
Attorney for Defendant SC Bar # 100153
John Kocalski

WHEREFORE, the Defendant is committed to the State Department of Corrections or County Detention Center,
for a determinate term of 30 days/months/years or under the Youthful Offender Act not to exceed years
and/or to pay a fine of \$; provided that upon the service of days/months/years and or payment
of \$; plus costs and assessments as applicable*; the balance is suspended with probation for
months/years and subject to South Carolina Department of Probation, Parole and Pardon Service standard conditions of probation, which
are incorporated by reference.

CONCURRENT or CONSECUTIVE to sentence on:
The Defendant is to be given credit for time served pursuant to S.C. Code §24-13-40 to be calculated and applied by the State
Department of Corrections.
The Defendant is to be placed on 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 (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:
Obtain GED

Set by SCDPPPS

Recipient:

Table with 2 columns: Description and Amount. Includes items like §14-1-206 (Assessments 107.5%), §14-1-211 (A)(1)(Conv. Surcharge) \$100, §14-1-211 (A)(2)(DUI Surcharge) \$100, §56-5-2995 (DUI Assessment) \$12, §56-1-286 (DUI Breath Test) \$25, Proviso 61.6 (Public Def/Prob) \$500, §14-1-212 (Law Enforce. Funding) \$25, §14-1-213 (Drug Court Surcharge) \$150, §50-21-114 (BUI Breath Test Fee) \$50, §56-5-2942(J) (Vehicle Assessment) \$40/ea, 3% to County (if paid in installments) \$, TOTAL \$128.75

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

RECEIVED
NOV 30 2017
SC Court of Appeals

Other: NOV 30 2017

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

Clerk of Court/Deputy Clerk:
Court Reporter: Karen Anderson

Presiding Judge: 2139
Judge Code:
Sentence Date: May 18, 2017

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF CHARLESTON

STATE VS.

GUSSIE HENRY HILTON, JR

AKA: Gussie H Hilton, Gussie Hilton

Race: [redacted] Sex: [redacted]

DOB: [redacted] SS#: [redacted]

Address: [redacted]

City, State, Zip: [redacted]

DL# [redacted] SID# [redacted]

*CDL Yes No CMV Yes No Hazmat Yes No

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

CONVICTED OF or PLEADS

TO: Kidnapping

In violation of § 16-03-0910 of the S.C. Code of Laws, bearing CDR Code # 0095

NON-VIOLENT VIOLENT SERIOUS MOST SERIOUS Mandatory GPS §17-25-45

The charge is: As indicted, Lesser Included Offense, Defendant Waives Presentment to Grand Jury. _____ (def.'s initials)

The plea is: Without Negotiations or Recommendation, Negotiated Sentence, Recommendation by the State.

ATTEST:

Jennifer Kneece Sholly, Assistant Solicitor SC Bar # 7919

Hilton Defendant

John Koalske Attorney for Defendant SC Bar # 100153

WHEREFORE, the Defendant is committed to the State Department of Corrections County Detention Center, for a determinate term of 30 days/months/years or under the Youthful Offender Act not to exceed _____ years and/or to pay a fine of \$ _____; provided that upon the service of _____ days/months/years and or payment of \$ _____; plus costs and assessments as applicable*; the balance is suspended with probation for _____ months/years and subject to South Carolina Department of Probation, Parole and Pardon Service standard conditions of probation, which are incorporated by reference.

CONCURRENT or CONSECUTIVE to sentence on:

The Defendant is to be given credit for time served pursuant to S.C. Code §24-13-40 to be calculated and applied by the State Department of Corrections.

The Defendant is to be placed on 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 (Domestic Violence) to ship, transport, possess, or receive a firearm or ammunition.

SPECIAL CONDITIONS:

RESTITUTION: Deferred Def. Waives Hearing Ordered PTUP _____ days/hours Public Service Employment

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

Payment Terms: _____

Set by SCDPPPS _____

Recipient: _____

*Fine:		\$	
§14-1-206 (Assessments 107.5%)		\$	
§14-1-211 (A)(1)(Conv. Surcharge)	\$100	\$	100.00
§14-1-211 (A)(2)(DUI Surcharge)	\$100	\$	
§56-5-2995 (DUI Assessment)	\$12	\$	
§56-1-286 (DUI Breath Test)	\$25	\$	
Proviso 61.6 (Public Def/Prob)	\$500	\$	
§14-1-212 (Law Enforce. Funding)	\$25	\$	25.00
§14-1-213 (Drug Court Surcharge)	\$150	\$	
§50-21-114 (BUI Breath Test Fee)	\$50	\$	
§56-5-2942(J) (Vehicle Assessment)	\$40/ea	\$	
3% to County (if paid in installments)	\$	\$	3.45
TOTAL		\$	128.75

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: _____
RECEIVED
NOV 30 2017
SC Court of Appeals
 Appointed PD or appointed other counsel, \$47.12 requires \$500 be paid to Clerk during probation.

Clerk of Court/Deputy Clerk: Dallas M. Stewart
Court Reporter: Karen Andersen

Presiding Judge: [Signature]
Judge Code: 2139
Sentence Date: May 18, 2017

ARREST WARRANT

2015A1010203808

STATE OF SOUTH CAROLINA

County/ Municipality of

Charleston

THE STATE

against

Gussie Henry Hilton, Jr

Address: [Redacted]

[Redacted]

Phone: [Redacted] SSN: [Redacted]

Sex: [Redacted] Race: [Redacted] Height: [Redacted] Weight: [Redacted]

DL State: [Redacted] DL #: [Redacted]

DOB: [Redacted] Agency ORI #: [Redacted]

Prosecuting Agency: Charleston County Sheriff

Prosecuting Officer: W. Muirheid - 0190

Offense: Sex / Criminal sexual conduct with minor or Attempt - victim under 11 yrs of age - First degree

Offense Code: 0385

Code/Ordinance Sec: 16-03-0655(A)(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
Charleston County Judicial Center
100 Broad Street, Suite 106
Charleston, SC 29401

ORIGINAL ORIGINAL

STATE OF SOUTH CAROLINA)

County/ Municipality of)

Charleston)

Personally appeared before me the affiant W. Muirheid who being duly sworn deposes and says that defendant Gussie Henry Hilton, Jr did within this county and state on or about 8/30/2015 violate the criminal laws of the State of South Carolina (or ordinance of County/ Municipality of Charleston) in the following particulars:

DESCRIPTION OF OFFENSE: Sex / Criminal sexual conduct with minor or Attempt - victim under 11 yrs of age - First degree

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

SEE ATTACHED AFFIDAVIT

Signature of Affiant

STATE OF SOUTH CAROLINA

County/ Municipality of

Charleston

Affiant's Address 3691 Leeds Avenue
North Charleston, SC 29405-
Affiant's Telephone (843)202-1700

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 8/30/2015 defendant Gussie Henry Hilton, Jr did violate the criminal laws of the State of South Carolina (or ordinance of County/ Municipality of Charleston) as set forth below:

DESCRIPTION OF OFFENSE: Sex / Criminal sexual conduct with minor or Attempt - victim under 11 yrs of age - First degree

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

on 8/31/2015

[Signature] (L.S.)

Signature of Issuing Judge
Priscilla Bridges Baldwin
Judge Code: 5749

Judge's Address 3831 Leeds Avenue, Ste 200
North Charleston, SC 29405-7469
Judge's Telephone (843)746-9822

Issuing Court: Magistrate Municipal Circuit

ORIGINAL ORIGINAL ORIGINAL ORIGINAL ORIGINAL ORIGINAL ORIGINAL

RECEIVED
NOV 30 2017
SC Court of Appeals

BAIL set by

WITNESSES



Judge **Priscilla B. Baldwin**

on **8/31/2015**

Type and Amount: **No BOND**

Name of Surety:

PRELIMINARY HEARING held by

Judge

on

Defendant Attorney:

Decision:

DISPOSITION before

Judge

on

by
(indicate jury trial, bench trial, plea, nol. pros., etc.)

Disposition:

Sentence:

JURORS

Name: _____

Address: _____

Telephone: _____

Name: _____

Address: _____

Telephone: _____

Name: _____

Address: _____

Telephone: _____

Name: _____

Address: _____

Telephone: _____

Name: _____

Address: _____

Telephone: _____

Name: _____

Address: _____

Telephone: _____

Name: _____

Address: _____

Telephone: _____

Name: _____

Address: _____

Telephone: _____

CODEFENDANTS

2015 SEP -9 PM 8:46
JULIE J. ARMSTRONG
CLERK OF COURT

FILED

Personally appeared before me, a magistrate of this County, on Detective W. Muirheid, who, first being duly sworn, deposes and says that

GUSSIE HENRY HILTON JR

did within this County and State on August 30, 2015 at or around 1130 hrs violate the criminal laws of the State of South Carolina in the following particulars:

**CRIMINAL SEXUAL CONDUCT WITH A MINOR FIRST DEGREE
16-3-655 (A)**

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

That on August 30, 2015 while off the roadway on Miley Hill Road Ravenel, SC located in County of Charleston, State of South Carolina, the defendant **GUSSIE HENRY HILTON JR**, did commit the offense of **CRIMINAL SEXUAL CONDUCT WITH A MINOR FIRST DEGREE**, in violation of section **16-3-655 (A)** of the South Carolina Code of Laws of 1976, as amended in that the defendant engaged in sexual battery with a victim who was less than eleven years of age.

On August 30, 2015 Charleston County Sheriff's Deputies responded to the area of Ellington School Road, Ravenel, SC 29470 in reference to a complaint of kidnapping and assault made by a female adult victim. Upon arrival the adult victim advised that she was held against her will along with her juvenile daughter and forced into the woods near Ellington School Road. The adult victim broke free and was able to phone 911 for emergency help. Deputies entered the woods and located the captive juvenile victim as well as her assailant, Gussie Henry Hilton Jr.

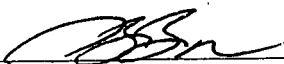
Upon exiting the woods the defendant made an unsolicited statement that he had done something bad. The defendant advised that there was another victim, a six year old female at his residence, 5747 Martin Street Ravenel, SC 29470. While explaining this he made a physical gesture simulating a sex act suggesting that he had sex with the juvenile victim that was located at his residence.

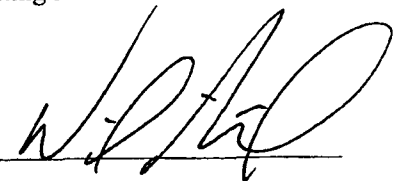
Deputies located the residence and found the six year juvenile victim inside. She was bloody and appeared to be shell shocked. There was blood throughout the residence and she complained of stomach pain. The juvenile victim was transported to the hospital for further medical evaluation. The victim's age was confirmed to be less than eleven years old.

On August 30, 2015 the defendant gave a post miranda confession advising that he had full sexual intercourse with the six year old juvenile victim near what he described as Miley Hill Road in Ravenel, SC while she was asking him not to, thus confining her against her will. Based on the description of the incident location given by the defendant a pair of panties and what appeared to be vomit were located at the incident location further corroborating his confession.

Sworn to and Subscribed before me

this 31 day of August 2015


Signature of Judge



Detective W. Muirheid
Charleston County Sheriff's Office
3691 Leeds Avenue
North Charleston, SC 29405
Phone # 843-200-1700

ARREST WARRANT

2015A1010203809

STATE OF SOUTH CAROLINA

County/ Municipality of

Charleston

THE STATE
against

Gussie Henry Hilton, Jr

Address: [Redacted]

Phone: [Redacted] SSN: [Redacted]
Sex: [Redacted] Race: [Redacted] Height: 6 Weight: [Redacted]

DL State: [Redacted] DL #: [Redacted]
DOB: [Redacted] Agency ORI #: [Redacted]

Prosecuting Agency: Charleston County Sheriff
Prosecuting Officer: W. Muirheid - 0190

Offense: Sex / Criminal sexual conduct - First degree

Offense Code: 0160
Code/Ordinance Sec: 16-03-0652

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
Charleston County Judicial Center
100 Broad Street, Suite 106
Charleston, SC 29401

ORIGINAL

ORIGINAL

ORIGINAL

ORIGINAL

STATE OF SOUTH CAROLINA

County/ Municipality of

Charleston

Personally appeared before me the affiant W. Muirheid who

being duly sworn deposes and says that defendant Gussie Henry Hilton, Jr did within this county and state on or about 8/30/2015 violate the criminal laws of the State of South Carolina (or ordinance of County/ Municipality of Charleston) in the following particulars:

DESCRIPTION OF OFFENSE: Sex / Criminal sexual conduct - First degree

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

SEE ATTACHED AFFIDAVIT

Signature of Affiant

STATE OF SOUTH CAROLINA

County/ Municipality of

Charleston

Affiant's Address 3691 Leeds Avenue
North Charleston, SC 29405-

Affiant's Telephone (843)202-1700

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 8/30/2015 defendant Gussie Henry Hilton, Jr did violate the criminal laws of the State of South Carolina (or ordinance of County/ Municipality of Charleston) as set forth below.

DESCRIPTION OF OFFENSE: Sex / Criminal sexual conduct - First degree

Having found probable cause and the above affiant having sworn before me, you are empowered and directed to arrest the said defendant and bring him or her before me forthwith to be dealt with according to law. A copy of this Arrest Warrant shall be delivered to the defendant at the time of its execution, or as soon thereafter as is practicable Sworn to and subscribed before me on 8/31/2015

Signature of Issuing Judge (L.S.)
Priscilla Bridges Baldwin
Judge Code: 5749

Judge's Address 3831 Leeds Avenue, Ste 200
North Charleston, SC 29405-7469

Judge's Telephone (843)746-9822

Issuing Court: Magistrate Municipal Circuit

ORIGINAL

ORIGINAL

ORIGINAL

RECEIVED

NOV 30 2017

SC Court of Appeals

BAIL set by
Priscilla B. Baldwin

WITNESSES



Judge _____
on 8/31/2015
Type and Amount: NO BOND
Name of Surety: _____

Name: _____
Address: _____
Telephone: _____
Name: _____
Address: _____
Telephone: _____

PRELIMINARY HEARING held by

Judge _____
on _____
Defendant Attorney: _____

Name: _____
Address: _____
Telephone: _____

Decision: _____

Name: _____
Address: _____
Telephone: _____

DISPOSITION before

Judge _____
on _____
by _____
(indicate jury trial, bench trial, plea, nol. pros., etc.)

Name: _____
Address: _____
Telephone: _____

Disposition: _____

Name: _____
Address: _____
Telephone: _____

Sentence: _____

JURORS

Name: _____
Address: _____
Telephone: _____
Name: _____
Address: _____
Telephone: _____

CODEFENDANTS

2015 SEP -9 PM 8:46
JULIE J. ARMSTRONG
CLERK OF COURT

FILED

Personally appeared before me, a magistrate of this County, on Detective W. Muirheid, who, first being duly sworn, deposes and says that

GUSSIE HENRY HILTON JR

did within this County and State on August 30, 2015 at or around 1400 hrs violate the criminal laws of the State of South Carolina in the following particulars:

**CRIMINAL SEXUAL CONDUCT 1ST DEGREE
16-3-652**

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

That on August 30, 2015 while in the woods off of Ellington School Road Ravenel, SC located in County of Charleston, State of South Carolina, the defendant **GUSSIE HENRY HILTON JR**, did commit the offense of **CRIMINAL SEXUAL CONDUCT 1ST DEGREE**, in violation of section 16-3-652 of the South Carolina Code of Laws of 1976, as amended in that the defendant engaged in sexual battery with a victim who was also the victim of kidnapping.

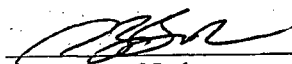
On August 30, 2015 Charleston County Sheriff's Deputies responded to the area of Ellington School Road, Ravenel, SC 29470 in reference to a complaint of kidnapping and assault made by a female adult victim. Upon arrival the adult victim advised that she was held against her will along with her juvenile daughter and forced into the woods near Ellington School Road. The adult victim broke free and was able to phone 911 for emergency help. Deputies entered the woods and located the captive juvenile victim as well as her assailant, Gussie Henry Hilton Jr.

The juvenile victim advised that she was forced to have full sexual intercourse with the Defendant and she was forcibly held against her will and at one time during the incident was bound by tape around her hands. The victim advised that a knife was shown throughout the incident and he threatened to use it several times.

On August 30, 2015 the defendant gave a post miranda confession advising that he had full sexual intercourse with the juvenile victim. The defendant further confessed that he was in the possession of a knife and was using that as a tactic to scare the juvenile victim as well as the adult victim, her mother. The victims' statements were corroboration of the defendant's confession.

Sworn to and Subscribed before me

this 31 day of August 2015


Signature of Judge



Detective W. Muirheid
Charleston County Sheriff's Office
3691 Leeds Avenue
North Charleston, SC 29405
Phone # 843-200-1700

ARREST WARRANT

2015A1010203810

STATE OF SOUTH CAROLINA

County/ Municipality of

Charleston

THE STATE
against

Gussie Henry Hilton, Jr

Address: [REDACTED]

Phone: [REDACTED] SSN: [REDACTED]

Sex: [REDACTED] Race: [REDACTED] Height: [REDACTED] Weight: [REDACTED]

DL State: [REDACTED] DL #: [REDACTED]

DOB: [REDACTED] Agency ORI #: [REDACTED]

Prosecuting Agency: Charleston County Sheriff

Prosecuting Officer: W. Muirheid - 0190

Offense: Kidnapping / Kidnapping

Offense Code: 0095

Code/Ordinance Sec: 16-03-0910

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
Charleston County Judicial Center
100 Broad Street, Suite 106
Charleston, SC 29401

ORIGINAL

ORIGINAL

ORIGINAL

ORIGINAL

STATE OF SOUTH CAROLINA

County/ Municipality of

Charleston

Personally appeared before me the affiant W. Muirheid who

being duly sworn deposes and says that defendant Gussie Henry Hilton, Jr

did within this county and state on or about 8/30/2015 violate the criminal laws of the

State of South Carolina (or ordinance of County/ Municipality of Charleston)

in the following particulars:

DESCRIPTION OF OFFENSE: Kidnapping / Kidnapping

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

SEE ATTACHED AFFIDAVIT

Signature of Affiant

STATE OF SOUTH CAROLINA

County/ Municipality of

Charleston

Affiant's Address 3691 Leeds Avenue

North Charleston, SC 29405-

Affiant's Telephone (843)202-1700

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 8/30/2015 defendant Gussie Henry Hilton, Jr

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

County/ Municipality of Charleston) as set forth below.

DESCRIPTION OF OFFENSE: Kidnapping / Kidnapping

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 8/31/2015

(L.S.)

Signature of Issuing Judge
Priscilla Bridges-Baldwin

Judge Code: 5749

Judge's Address: 3831 Leeds Avenue, Ste 200

North Charleston, SC 29405-7469

Judge's Telephone (843)746-9822

Issuing Court: Magistrate Municipal Circuit

ORIGINAL

ORIGINAL

ORIGINAL

RECEIVED

NOV 30 2017

SC Court of Appeals

BAIL set by
Priscilla B. Baldwin

Judge _____
on 8/31/2015
Type and Amount: NO BOND
Name of Surety: _____

PRELIMINARY HEARING held by

Judge _____
on _____
Defendant Attorney: _____
Decision: _____

DISPOSITION before

Judge _____
on _____
by _____
(indicate jury trial, bench trial, plea, nol. pros., etc.)
Disposition: _____
Sentence: _____

JURORS

WITNESSES

Name: _____
Address: _____
Telephone: _____
Name: _____
Address: _____
Telephone: _____
Name: _____
Address: _____
Telephone: _____
Name: _____
Address: _____
Telephone: _____
Name: _____
Address: _____
Telephone: _____
Name: _____
Address: _____
Telephone: _____
Name: _____
Address: _____
Telephone: _____
Name: _____
Address: _____
Telephone: _____

CODEFENDANTS



2015 SEP -9 PM 8:46
JULIE J. ARMSTRONG
CLERK OF COURT

FILED

AFFIDAVIT

Personally appeared before me, a magistrate of this County, on Detective W. Muirheid, who, first being duly sworn, deposes and says that

GUSSIE HENRY HILTON JR

did within this County and State on August 30, 2015 at or around 1130 hrs violate the criminal laws of the State of South Carolina in the following particulars:

**KIDNAPPING
16-3-910**

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

That on August 30, 2015 while off the roadway on Miley Hill Road Ravenel, SC located in County of Charleston, State of South Carolina, the defendant **GUSSIE HENRY HILTON JR**, did commit the offense of **KIDNAPPING**, in violation of section **16-3-910** of the South Carolina Code of Laws of 1976, as amended in that the defendant did seize and confine the juvenile victim against her will without any authority of law.

On August 30, 2015 Charleston County Sheriff's Deputies responded to the area of Ellington School Road, Ravenel, SC 29470 in reference to a complaint of kidnapping and assault made by a female adult victim. Upon arrival the adult victim advised that she was held against her will along with her juvenile daughter and forced into the woods near Ellington School Road. The adult victim broke free and was able to phone 911 for emergency help. Deputies entered the woods and located the captive juvenile victim as well as her assailant, Gussie Henry Hilton Jr.

Upon exiting the woods the defendant made an unsolicited statement that he had done something bad. The defendant advised that there was another victim, a six year old female at his residence, 5747 Martin Street Ravenel, SC 29470. While explaining this he made a physical gesture simulating a sex act suggesting that he had sex with the juvenile victim that was located at his residence.

Deputies located the residence and found the six year juvenile victim inside. She was bloody and appeared to be shell shocked. There was blood throughout the residence and she complained of stomach pain. The juvenile victim was transported to the hospital for further medical evaluation. The victim's age was confirmed to be less than eleven years old.

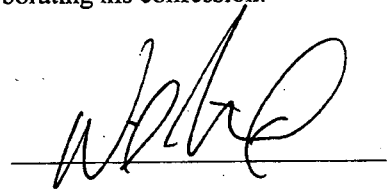
On August 30, 2015 the defendant gave a post miranda confession advising that he had full sexual intercourse with the six year old juvenile victim near what he described as Miley Hill Road in Ravenel, SC while she was asking him not to, thus confining her against her will. Based on the description of the incident location given by the defendant a pair of panties and what appeared to be vomit were located at the incident location further corroborating his confession.

Sworn to and Subscribed before me

this 31 day of August 2011



Signature of Judge



Detective W. Muirheid
Charleston County Sheriff's Office
3691 Leeds Avenue
North Charleston, SC 29405
Phone # 843-200-1700

ARREST WARRANT

2015A1010203811

STATE OF SOUTH CAROLINA

County/ Municipality of

Charleston

THE STATE

against

Gussie Henry Hilton, Jr

Address: [Redacted]

Phone: [Redacted] SSN: [Redacted]

Sex: [Redacted] Race: [Redacted] Height: [Redacted] Weight: [Redacted]

DL State: [Redacted] DL #: [Redacted]

DOB: [Redacted] Agency ORI #: [Redacted]

Prosecuting Agency: Charleston County Sheriff

Prosecuting Officer: W. Muirheid - 0190

Offense: Kidnapping / Kidnapping

Offense Code: 0095

Code/Ordinance Sec: 16-03-0910

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: [Redacted]

RETURN

A copy of this arrest warrant was delivered to

defendant

on [Redacted]

Signature of Constable/Law Enforcement Officer

RETURN WARRANT TO:

General Sessions
Charleston County Judicial Center
100 Broad Street, Suite 106
Charleston, SC 29401

ORIGINAL

ORIGINAL

ORIGINAL

ORIGINAL

STATE OF SOUTH CAROLINA

County/ Municipality of

Charleston

AFFIDAVIT

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

Personally appeared before me the affiant W. Muirheid who

being duly sworn deposes and says that defendant Gussie Henry Hilton, Jr

did within this county and state on or about 8/30/2015 violate the criminal laws of the

State of South Carolina (or ordinance of County/ Municipality of Charleston)

in the following particulars:

DESCRIPTION OF OFFENSE: Kidnapping / Kidnapping

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

SEE ATTACHED AFFIDAVIT

Signature of Affiant

STATE OF SOUTH CAROLINA

County/ Municipality of

Charleston

Affiant's Address 3691 Leeds Avenue

North Charleston, SC 29405-

Affiant's Telephone (843)202-1700

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 8/30/2015 defendant Gussie Henry Hilton, Jr

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

County/ Municipality of Charleston) as set forth below.

DESCRIPTION OF OFFENSE: Kidnapping / Kidnapping

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 8/31/2015

[Signature]

Signature of Issuing Judge (L.S.)

Priscilla Bridges Baldwin

Judge Code: 5749

Judge's Address 3831 Leeds Avenue, Ste 200

North Charleston, SC 29405-7469

Judge's Telephone (843)746-9822

Issuing Court: Magistrate Municipal Circuit

ORIGINAL

ORIGINAL

ORIGINAL

RECEIVED

NOV 30 2017

SC Court of Appeals

BAIL set by
Priscilla B. Baldwin

Judge _____
on 8/31/2015
Type and Amount: NO BOND
Name of Surety: _____

PRELIMINARY HEARING held by

Judge _____
on _____
Defendant Attorney: _____
Decision: _____

DISPOSITION before

Judge _____
on _____
by _____
(indicate jury trial, bench trial, plea, nol. pros., etc.)
Disposition: _____
Sentence: _____

JURORS

WITNESSES

Name: _____
Address: _____
Telephone: _____
Name: _____
Address: _____
Telephone: _____
Name: _____
Address: _____
Telephone: _____
Name: _____
Address: _____
Telephone: _____
Name: _____
Address: _____
Telephone: _____
Name: _____
Address: _____
Telephone: _____
Name: _____
Address: _____
Telephone: _____

CODEFENDANTS



2015 SEP -9 PM 8:46
JULIE J. ARMSTRONG
CLERK OF COURT

FILED

AFFIDAVIT

Personally appeared before me, a magistrate of this County, on Detective W. Muirheid, who, first being duly sworn, deposes and says that

GUSSIE HENRY HILTON JR

did within this County and State on August 30, 2015 at or around 1400 hrs violate the criminal laws of the State of South Carolina in the following particulars:

**KIDNAPPING
16-3-910**

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

That on August 30, 2015 while in the woods off of Ellington School Road Ravenel, SC located in County of Charleston, State of South Carolina, the defendant **GUSSIE HENRY HILTON JR**, did commit the offense of **KIDNAPPING**, in violation of section **16-3-910** of the South Carolina Code of Laws of 1976, as amended in that the defendant did seize and confine the juvenile victim against her will without any authority of law.

On August 30, 2015 Charleston County Sheriff's Deputies responded to the area of Ellington School Road, Ravenel, SC 29470 in reference to a complaint of kidnapping and assault made by a female adult victim. Upon arrival the adult victim advised that she was held against her will along with her juvenile daughter and forced into the woods near Ellington School Road. The adult victim broke free and was able to phone 911 for emergency help. Deputies entered the woods and located the captive juvenile victim as well as her assailant, Gussie Henry Hilton Jr.

The juvenile victim advised that she was forced to have full sexual intercourse with the Defendant and she was forcibly held against her will and at one time during the incident was bound by tape around her hands. The victim advised that a knife was shown throughout the incident and he threatened to use it several times.

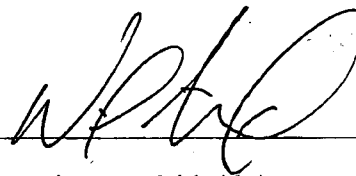
On August 30, 2015 the defendant gave a post miranda confession advising that he had full sexual intercourse with the juvenile victim. The defendant further confessed that he was in the possession of a knife and was using that as a tactic to scare the juvenile victim as well as the adult victim, her mother. The victims' statements were corroboration of the defendant's confession.

Sworn to and Subscribed before me

this 31 day of August 2015



Signature of Judge



Detective W. Muirheid
Charleston County Sheriff's Office
3691 Leeds Avenue
North Charleston, SC 29405
Phone # 843-200-1700

ARREST WARRANT

2015A1010203812

STATE OF SOUTH CAROLINA

County/ Municipality of

Charleston

THE STATE
against

Gussie Henry Hilton, Jr

Address: [REDACTED]

Phone: [REDACTED] SSN: [REDACTED]

Sex: [REDACTED] Race: [REDACTED] Height: [REDACTED] Weight: [REDACTED]

DL State: [REDACTED] DL #: [REDACTED]

DOB: [REDACTED] Agency ORI #: [REDACTED]

Prosecuting Agency: Charleston County Sheriff

Prosecuting Officer: W. Muirheid - 0190

Offense: Kidnapping / Kidnapping

Offense Code: 0095

Code/Ordinance Sec: 16-03-0910

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
Charleston County Judicial Center
100 Broad Street, Suite 106
Charleston, SC 29401

ORIGINAL

ORIGINAL

ORIGINAL

ORIGINAL

STATE OF SOUTH CAROLINA)

County/ Municipality of)

Charleston)

Personally appeared before me the affiant W. Muirheid who being duly sworn deposes and says that defendant Gussie Henry Hilton, Jr did within this county and state on or about 8/30/2015 violate the criminal laws of the State of South Carolina (or ordinance of County/ Municipality of Charleston) in the following particulars:

DESCRIPTION OF OFFENSE: Kidnapping / Kidnapping

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

SEE ATTACHED AFFIDAVIT

Signature of Affiant

STATE OF SOUTH CAROLINA)

County/ Municipality of)

Charleston)

Affiant's Address 3691 Leeds Avenue

North Charleston, SC 29405-

Affiant's Telephone (843)202-1700

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 8/30/2015 defendant Gussie Henry Hilton, Jr

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

County/ Municipality of Charleston) as set forth below:

DESCRIPTION OF OFFENSE: Kidnapping / Kidnapping

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 8/31/2015

Signature of Issuing Judge (L.S.)

Priscilla Bridges Baldwin

Judge Code: 5749

Judge's Address 3831 Leeds Avenue, Ste 200

North Charleston, SC 29405-7469

Judge's Telephone (843)746-9822

Issuing Court: Magistrate Municipal Circuit

ORIGINAL

ORIGINAL

ORIGINAL

RECEIVED

NOV 30 2017

SC Court of Appeals

BAIL set by

Priscilla B. Baldwin

Judge _____
on 8/31/2013
Type and Amount: NO BOND
Name of Surety: _____

PRELIMINARY HEARING held by

Judge _____
on _____
Defendant Attorney: _____
Decision: _____

DISPOSITION before

Judge _____
on _____
by _____
(indicate jury trial, bench trial, plea, nol. pros., etc.)
Disposition: _____
Sentence: _____

JURORS

WITNESSES

Name: _____
Address: _____
Telephone: _____
Name: _____
Address: _____
Telephone: _____
Name: _____
Address: _____
Telephone: _____
Name: _____
Address: _____
Telephone: _____
Name: _____
Address: _____
Telephone: _____
Name: _____
Address: _____
Telephone: _____

CODEFENDANTS



2015 SEP -9 PM 8:46
JULIE J. ARMSTRONG
CLERK OF COURT

FILED

AFFIDAVIT

Personally appeared before me, a magistrate of this County, on Detective W. Muirheid, who, first being duly sworn, deposes and says that

GUSSIE HENRY HILTON JR

did within this County and State on August 30, 2015 at or around 1400 hrs violate the criminal laws of the State of South Carolina in the following particulars:

**KIDNAPPING
16-3-910**

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

That on August 30, 2015 while in the woods off of Ellington School Road Ravenel, SC located in County of Charleston, State of South Carolina, the defendant **GUSSIE HENRY HILTON JR**, did commit the offense of **KIDNAPPING**, in violation of section **16-3-910** of the South Carolina Code of Laws of 1976, as amended in that the defendant did seize and confine the victim against her will without any authority of law.

On August 30, 2015 Charleston County Sheriff's Deputies responded to the area of Ellington School Road, Ravenel, SC 29470 in reference to a complaint of kidnapping and assault made by a female adult victim. Upon arrival the adult victim advised that she was held against her will along with her juvenile daughter and forced into the woods near Ellington School Road. The adult victim broke free and was able to phone 911 for emergency help. Deputies entered the woods and located the captive juvenile victim as well as her assailant, Gussie Henry Hilton Jr.

The adult victim advised she was forced to obey the defendant via the threat of a knife which the defendant did brandish. Furthermore she was forced to remove her clothing and walk into the woods against her will while accompanying her juvenile daughter into the woods.

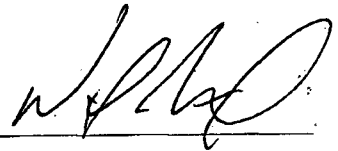
On August 30, 2015 the defendant gave a post miranda confession advising that he did hold the adult victim against her will and did force her to remove her clothes. He further advised that he forced both victims to walk into the woods against their will. According to defendant he freed the adult victim and allowed her to leave while he held the other victim captive.

Sworn to and Subscribed before me

this 31 day of August 2015



Signature of Judge



Detective W. Muirheid.
Charleston County Sheriff's Office
3691 Leeds Avenue
North Charleston, SC 29405
Phone # 843-200-1700