

STATE OF SOUTH CAROLINA
In The Supreme Court

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MAR 14 2016

APPEAL FROM RICHLAND COUNTY
Court of Common Pleas

SC SUPREME COURT

The Honorable Roger Couch, Trial Judge
The Honorable Robert E. Hood Post-Conviction Relief Judge

Appellate Case No. 2015-000424

David E. Carmichael Respondent,

v.

State of South Carolina, Petitioner.

SUPPLEMENTAL APPENDIX

ALAN WILSON
Attorney General

ROBERT M. DUDEK
Chief Appellate Defender

J. Clayton Mitchell
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Division of Appellate Defense
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ATTORNEY FOR RESPONDENT

ATTORNEY FOR PETITIONER

INDEX

INDICTMENT (2007-GS-40-337)..... 1

WITNESSES

(S) B.A. METZ, RCSD

ARREST WARRANT NUMBER

I-936400

ACTION OF GRAND JURY
TRUE BILL

Date: SEP 12 2007

VERDICT

Foreperson of Petit Jury
Date:

DOCKET NO. 2007-GS-40-3372

The State of South Carolina
County of Richland

COURT OF GENERAL SESSIONS

SEPTEMBER TERM 2007
116

THE STATE
vs.

DAVID LEE ELIJAH CARMICHAEL

Indictment for
LEWD ACT UPON CHILD

SC Code: 16-15-140
CDR Code: 2468
Class FEL/D

After being fully advised as to my legal rights, I hereby waive presentment to the Grand Jury.

Defendant

I hereby appear in my own proper person and plead guilty to the within indictment or to

Defendant

Witness:

C.C.C. PLS. AND G.S.

STATE OF SOUTH CAROLINA)
)
 COUNTY OF RICHLAND)

INDICTMENT

At a Court of General Sessions, convened on September 12, 2007, the Grand Jurors of Richland County present upon their oath:

LEWD ACT UPON CHILD

That DAVID LEE ELIJAH CARMICHAEL, ^{B.L.C.} did in Richland County on or ^{May 12, 2004} between JULY, 1999 AND AUGUST 31, 2002, being over the age of fourteen years, willfully and lewdly commit or attempt a lewd and lascivious act upon or with the body, or its parts, of one [REDACTED], a child under the age of sixteen years, with the intent of arousing, appealing to or gratifying the lust, passions or sexual desires of himself or such child; all in violation of S.C. Code of Laws § 16-15-140.

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


 WARREN B. GIESE, SOLICITOR

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

APPEAL FROM RICHLAND COUNTY
The Honorable Robert E. Hood, Circuit Court Judge

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Appellate Case No. 2015-000424

SO SUPREME COURT

David E. Carmichael,.....Petitioner,

v.

State of South Carolina,.....Respondent.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the **Supplemental Appendix** has been served upon the applicant by mailing two (2) copy in the United States mail, postage prepaid, addressed to Petitioner’s counsel:

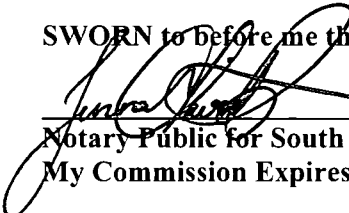
**Robert M. Dudek, Esquire
Chief Appellate Defender
S.C. Commission on Indigent Defense
PO Box 11589
Columbia, SC 29201**

This 14th day of March, 2016.



J. CLAYTON MITCHELL
ATTORNEY FOR RESPONDENT

SWORN to before me this 14th day of March, 2016.



Notary Public for South Carolina.
My Commission Expires: 04-28-2025



ALAN WILSON
ATTORNEY GENERAL

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March 14, 2016

SC SUPREME COURT

The Honorable Daniel E. Shearouse
Clerk, Supreme Court of South Carolina
Post Office Box 11330
Columbia, South Carolina 29211

Re: David Carmichael, #352788 v. The State of South Carolina
Appellate Case No. 2015-000424

Dear Mr. Shearouse:

Enclosed for filing are the original and six (6) copies of the **Supplemental Appendix** in the above-referenced case. By copy of this letter we are serving petitioner today.

Sincerely,

J. Clayton Mitchell
Assistant Attorney General
S.C. Bar No. 101443

JCM/jcb
Enclosures

cc: Robert M. Dudek, Esquire