

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

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APPEAL FROM ABBEVILLE COUNTY

R. Scott Sprouse, Circuit Court Judge

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Appellate Case Number 2016-000526

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**RECEIVED**

JUN 09 2017

**SC Court of Appeals**

State of South Carolina

Respondent

vs.

Trey Chavez Brown

Appellant.

**SUPPLEMENTAL RECORD ON APPEAL**

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STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF ABBEVILLE )  
 )  
State of South Carolina )  
 )  
vs. )  
 )  
Trey Chavis Brown )  
 )  
Defendant )

IN THE COURT OF GENERAL SESSIONS  
EIGHTH JUDICIAL CIRCUIT

CONSENT ORDER

This matter came before me upon motion of the State and with the consent of the Defendant, Trey Chavis Brown and his attorney Charles H.S. Lyons, III, requesting hospitalization in the Forensic Division of the Department of Mental Health for up to 60 days, pursuant to SC Code Section § 44-23-410 of said Defendant charged with Murder and Possession of a firearm during the commission of a violent crime. The Defendant was evaluated by South Carolina Department of Mental Health on August 15, 2007 and found to be suffering from Paranoid Type Schizophrenia. Doctors found him incompetent to stand trial but believe that he could reach competency through medical treatment

After hearing the motion, I find that the State is entitled to the hospitalization of the Defendant, THEREFORE IT IS ORDERED that the defendant be transported from Abbeville County Detention Center to Forensic Division of the Department of Mental Health for the purpose of mental health treatment.

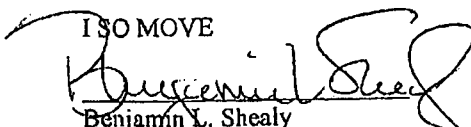
IT IS SO ORDERED, this 4<sup>TH</sup> day of ~~September~~ OCTOBER, 2007

  
The Honorable John C. Hayes III  
Presiding Judge /S/ WILLIAM P. KEESLEY

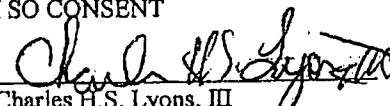
~~Abbeville, South Carolina~~  
~~2007~~

ATRUE COPY  
By Shandal Boggs  
Deputy Clerk of Court JB

I SO MOVE

  
Benjamin L. Shealy  
Deputy Solicitor

I SO CONSENT

  
Charles H.S. Lyons, III  
Attorney for the Defendant

STATE OF SOUTH CAROLINA  
COUNTY OF ABBEVILLE  
Filed 10-5 A.D. 2007  
at 8:30 o'clock A M  
Shandal Boggs  
Deputy Clerk of Court

Suppl. R. 1

*General Sessions Order following Blair Hearing on Defendant's Competency To Stand Trial  
Finding Defendant Not Competent, but Likely to Become Competent  
§44-23-430(3)*

STATE OF SOUTH CAROLINA	)	IN THE COURT OF GENERAL SESSIONS
COUNTY OF ABBEVILLE	)	Indictment No(s): 2006-GS01-582, 583
	)	A/Warrant No(s):
	)	
The State of South Carolina,	)	FINDING OF PRESENT LACK OF
	)	COMPETENCE TO STAND TRIAL
	)	BUT LIKELY TO BECOME COMPETENT
	)	WITH TREATMENT
vs.	)	
	)	
	)	ORDER OF COMMITMENT UP TO SIXTY DAYS
Trey Chavis Brown	)	
Defendant.	)	

This matter is before me pursuant to S.C. Code Ann. §44-23-430 (1976) for a hearing on the issue of Defendant's competence to stand trial.

Defendant is charged with Murder and Possession of a firearm during the commission of a violent crime. Pursuant to a previous Court order, Defendant's competence to stand trial has been evaluated. In a report dated April 4, 2009, the examiners found that Defendant is not currently competent to stand trial, but is likely with treatment to become competent in the foreseeable future. The report was statutorily admitted into evidence pursuant to S.C. Code Ann. § 44-23-420(C), and a copy of the report is attached hereto.

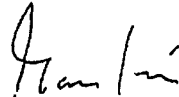
Based upon the examiner's report, I find that the Defendant is currently incompetent to stand trial for the reasons set forth in S.C. Code Ann. §44-23-410, but likely to become competent in the foreseeable future.

**THEREFORE IT IS ORDERED** that Defendant be hospitalized through the South Carolina Department of Mental Health (SCDMH) pursuant to S.C. Code Ann. §44-SCCA 221(b) (11/2007)

23-430(3) for up to sixty (60) days for observation and treatment in an effort to restore Defendant's competence to stand trial. The Defendant shall be immediately taken into custody by the Sheriff, and the Sheriff's office is hereby authorized and required to transport Defendant to the facility designated by SCDMH following confirmation that a treatment bed is available.

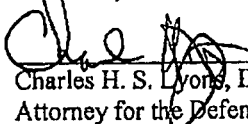
**IT IS FURTHER ORDERED** that examiners shall re-examine Defendant's capacity to stand trial following the period of hospitalization and treatment and subsequently render a report to the Court, solicitor, and defense counsel. Thereafter, upon motion by a party, this Court shall determine whether Defendant is at that time competent to stand trial, or whether final judicial commitment proceedings commenced by the Solicitor pursuant to S. C. Code Ann. § 44-17-510 et. seq. are appropriate.

**IT IS SO ORDERED.**



The Honorable D. Garrison Hill  
Presiding Judge  
Eighth Judicial Circuit

I Consent,



Charles H. S. Lyons, III  
Attorney for the Defendant

Date: 4/15/2009

FILED  
STATE OF SOUTH CAROLINA  
COUNTY OF ABBEVILLE  
2009 APR 15 PM 2 56  
EMILY Y MCMAHAN  
CLERK OF COURT

**A TRUE COPY**  
By *Shandal Boggs*  
Deputy Clerk of Court

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

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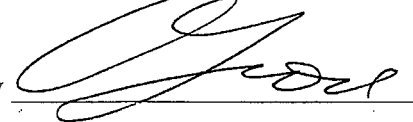
**Rule 210(g), SCACR Certification**

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Pursuant to Rule 210(g), SCACR, the undersigned counsel certifies that the Record on Appeal and Supplemental Record on Appeal contains all material proposed to be included by any of the parties and not any other material.

Respectfully Submitted,

By



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*Attorneys for the Appellant*

June 6, 2017  
Greenwood, South Carolina