

STATE OF SOUTH CAROLINA) IN THE COURT OF APPEALS
County of Cherokee) Reviewing Authority
) Case No. 2017-001777

Alonzo Columbus Jeter, III) Indictment No. 2015-GS-11-00461
) Indictment No. 2015-GS-11-00462
) Indictment No. 2015-GS-11-00463
V) Indictment No. 2015-GS-11-00464
) Indictment No. 2015-GS-11-00465
State of South Carolina)
) MOTION TO SUPPRESS
) S.C. Code Ann. 17-30-110

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MOTION TO REVIEWING AUTHORITY

NOW COMES the above captioned appellant, Alonzo Columbus Jeter, III, who would move for this Honorable Court to suppress all evidence garnered from an illegal controlled buy, and investigation by Officer Brandon Gardener of the Cherokee County Sheriff's Office / Narcotics Office.

To wit, Officer Brandon Gardener, in violation of S.C. Codes Ann. Sections 17-30-70 and 17-30-80, did cause the Appellant to be charged with Trafficking in Methamphetamine S.C. Code Ann. 44-53-375(C)(1)(B) - (Indictment No. 2015-GS-11-00465), Distribution of Methamphetamine S.C. Code Ann. 44-53-475(B)(2) - (Indictment No. 2015-GS-11-00463), Distribution of Methamphetamine S.C. Code Ann. 44-53-475(B)(2) - (Indictment No. 2015-GS-11-00461), Distribution of Methamphetamine Within One-Half Mile Of A Park/School S.C. Code Ann. 44-53-445 - (Indictment No. 2015-GS-11-00462) and Distribution of Methamphetamine Within One-Half Mile Of A Park/School S.C. Code Ann. 44-53-445 - (Indictment No. 2015-GS-11-00464).

It would appear that the extent of Officer Brandon Gardener's violations in this matter should extend to the scope to include but not limited to S.C. Code sections 17-30-20 through 17-30-145. Furthermore, I was not aware, nor did my attorney make me privy to Title 17, Chapter 30 and/or the exclusive remedy for the violation of this chapter.


In addition due to Officer Brandon Gardener's breach of proper procedure and/or protocol, as well as illegal actions, any and all evidence produced in this matter by this investigator should be suppressed and excluded from this case.

Officer Brandon Gardener's violations should include:

- (1.) Officer Brandon Gardener violated my 4th Amendment right to privacy.
- (2.) Officer Brandon Gardener illegally garnered evidence in violation of Title 17, Chapter 30 to include but not limited to subsection 70 (S.C. Code Ann. Section 17-30-70, by no application being processed and/or authorizing Order issuing for S.C. Code Ann. Section 17-30-80).
- (3.) Officer Brandon Gardener illegally disclosed said evidence in violation of Title 17, Chapter 30, subsection 75.
- (4.) Officer Brandon Gardener also failed to report said evidence to the Administrative United States Court as outlined in 18 U.S.C.A. subsection 2519, and in violation of Title 17, Chapter 30, subsection 130.
- (5.) Officer Brandon Gardener failed to furnish and/or afford a copy of the court Order authorizing such actions against Appellate and/or the application that was to have been processed to obtain said court Order under with interception would have been authorized, in violation of Title 17, Chapter 30, subsection 105, as is required by Federal Law: not less than ten (10) days prior to any hearing and/or not less than thirty (30) days prior to trial.
- (6.) Officer Brandon Gardener also acted against protocol of Federal Title III of the Omnibus Crime Control and Safe Streets Act of 1968 (Act) as is codified in U.S.C.A. section 2510 through 2522.
- (7.) Officer Brandon Gardener violated my 14th Amendment right to due process by failing to adhere to these promulgated steps to obtain such authorization.
- (8.) Due to these violations and illegal acts by Officer Brandon Gardener in this matter, he could be subject to prosecution pursuant to Title 17, Chapter 30, subsection 20, prohibited acts, as a matter of law.

CONCLUSION

Therefore, the Appellant would respectfully ask this Honorable Court to suppress and exclude all garnered evidence in this case produced by Officer Brandon Gardener.

S/ 
Alonzo C. Jeter, III, #282902

PETITIONER/APPELLANT

This 17th day of July, 2018

STATE OF SOUTH CAROLINA) IN THE COURT OF APPEALS
County of Cherokee) Reviewing Authority
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State of South Carolina)
) **CERTIFICATE OF SERVICE**
)

THE UNDERSIGNED, Alonzo Columbus Jeter, III, does hereby certify that on this 17th day of July, 2018; I have served the within MOTION TO SUPPRESS/MOTION TO REVIEWING AUTHORITY in the above referenced action upon Jenny A. Kitchens, Clerk of South Carolina Court of Appeals/ Reviewing Authority, by placing a copy of said motion inside of a postage prepaid envelope and placing said envelope in the hands of Perry Correctional Institution mailroom personnel addressed for mailing via the United States Mail to the following address:

South Carolina Court of Appeals
Reviewing Authority
Jenny A. Kitchens, Clerk
Post Office Box 11629
Columbia, South Carolina 29211

S/ Alonzo C. Jeter, III
Alonzo C. Jeter, III, #282902

PETITIONER/APPELLANT

SWORN to and Subscribed before me
this 17 day of July, 2018

Tamaia Conwell (L.S.)
Notary Public for South Carolina
My Commission Expires: ~~My Commission Expires~~
September 25, 2023

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STATE OF SOUTH CAROLINA
County of Cherokee

Alonzo Columbus Jeter, III

v

State of South Carolina

IN THE COURT OF APPEALS

Reviewing Authority

Case No: 2017-001777

Indictment No: 2015-GS-11-00461

Indictment No: 2015-GS-11-00462

Indictment No: 2015-GS-11-00463

Indictment No: 2015-GS-11-00464

Indictment No: 2015-GS-11-00465

CERTIFICATE OF SERVICE

THE UNDERSIGNED, Alonzo Columbus Jeter, III, does hereby certify that on this 17th day of July, 2018; I have served the within MOTION TO SUPPRESS / MOTION TO REVIEWING AUTHORITY in the above referenced action upon the State of South Carolina, by placing a copy of said motion inside of a postage prepaid envelope and placing said envelope in the hands of Perry Correctional Institution mailroom personnel addressed for mailing via the United States Mail to the following addresses:

Cherokee County Solicitor's Office
Attn: Kim Leskanic - Solicitor
Attn: Cliff Sams - Assistant Solicitor
125 E. Floyd Baker Blvd.
Gaffney, SC 29340

South Carolina Attorney General
Attn: Alan Wilson - Attorney General
Attn: Julie A. Coleman - Assistant AG
PO Box 11549
Columbia, SC 29211

S/ Alonzo C. Jeter, III

Alonzo C. Jeter, III, #282902

PETITIONER / APPELLANT

SWORN and Subscribed before me
this 17 day of July, 2018

Tamara Conwell

Notary Public for South Carolina
MY Commission Expires My Commission Expires
September 25, 2023

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SC Court of Appeals

July 17, 2018

Alonzo Columbus Jeter, III
Perry Correctional Institution
Q2 - A - 108 / #282902
430 Oaklawn Road
Pelzer, South Carolina 29669

South Carolina Court of Appeals
Reviewing Authority
Jenny Abbot Kitchins, Clerk
Post Office Box 11629
Columbia, South Carolina 29211

Re: Alonzo Columbus Jeter, III v State
Case No.: 2017-001777

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SC Court of Appeals

Dear Ms. Kitchins:

Please find enclosed, one (1) self-addressed envelope, one (1) original and one (1) true copy of the 'Motion To Suppress/Motion to Reviewing Authority' along with 'Certificate Of Service' in the above referenced case. Please return to me a copy of this motion and certificate of service, both bearing the Court's time stamp filed by way of the provided SASE.

Thank you for your assistance in this matter.

Sincerely, 
Alonzo Columbus Jeter, III

PETITIONER/APPELLANT

Cc: FILE

Alonzo C. Jeter, III
Perry Correctional Institution
Q2-A-108 / #282902
430 OAKLAWN ROAD
Pelzer, SC 29669

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JUL 17 2018

P.C.I. MAILROOM

RECEIVED

JUL 19 2018

SC Court of Appeals
South Carolina Court of Appeals
Reviewing Authority
Jenny A. Kitchings, Clerk
Post Office Box 11629
Columbia, South Carolina 29211

LEGAL MAIL