

State of South Carolina  
County of Spartanburg  
Shannon M. Lancaster

In the Court of Appeals

Indictment # 2016-GS-420-5068

vs

Motion to Suppress

The State of S.C.

S.C. Code § 17-30-110

Respondent

### Motion to the Reviewing Authority

Now comes the above captioned appellant who would move for this court to suppress all evidence garnered from an illegal controlled buy, and unlawful audio/video recordings, by Investigator James Ruane (badge # 0890) (buy notes # 16040895).

To wit, Mr. James Ruane, in violation of S.C. Code § 17-30-70 application process, and § 17-30-80 authorizing order, did cause the appellant to be charged with Trafficking § 44-53-375(c). It would appear that the extent of Inv. James Ruane's violations in this matter should extend the scope to include but not limited to S.C. Code § 17-30-20 through § 17-30-145, and even § 23-1-210 Net agreement, since James Ruane drove me through multiple jurisdictions in the search for the drugs he wanted.

Furthermore, I was not aware, nor did my attorney make me privy to Title 17, Chapter 30, and/or exclusive remedy for the violation of this chapter.

In addition due to Investigator James Ruane'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.

(1)

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Investigator James Ruane's violations should include:

- (1.) Investigator James Ruane violated my 4th amendment right to privacy.
- (2.) Investigator James Ruane illegally garnered evidence in violation of Title 17, Chapter 30, to include but not limited to subsection 70, (S.C. Code § 17-30-70, By no application being processed and/or authorizing order issuing for S.C. Code § 17-30-80).
- (3.) Investigator James Ruane illegally disclosed said evidence in violation of Title 17, Chapter 30, subsection 75.
- (4.) Investigator James Ruane also failed to report said evidence to the Administrative United States Court as outlined in 18 U.S.C. subsection 2519, and in violation of Title 17, Chapter 30, subsection 130.
- (5.) Investigator James Ruane 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 which 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.) Investigator James Ruane also acted against the protocol of Federal Title III of the Omnibus crime control and safe streets act of 1968 (Act) as is codified in U.S.C. §§ 2510 thru 2522.
- (7.) Investigator James Ruane violated my 14th amendment right to Due Process by failing to adhere to these promulgated steps to obtain such authorization.

(2)

(8.) Due to these violations and illegal acts by the investigator James Ruane in this matter, he could be subjected 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 court to suppress and exclude all garnered evidence in this case produced by the investigator.

Subscribed and Sworn to before me

This 23 day of July 2018

Notary: Tamaia Cinwell

Expires: My Commission Expires  
September 25, 2023

Shannon Lancaster

Shannon Lancaster

Perry Corr. Inst.

430 Oaklawn Rd

Pelzer, SC 29669

cc: my file

Exhibit A

**LANCASTER, SHANNON M - Suspect**

DOB	[REDACTED]	Race	W-WHITE, NON-HISPANIC
Sex	M	Ethnicity	Non-Hispanic
Height	6'00"	Weight	175
Address	[REDACTED]	City	SPARTANBURG
State	SC	Zip	[REDACTED]
Phone	[REDACTED]	DL State	South Carolina
DL Number	7376763		

**NARCOTICS - Complainant**

DOB	[REDACTED]	Race	
Sex	[REDACTED]	Ethnicity	
Height	6'00"	Weight	180
Address	[REDACTED]	City	SPARTANBURG
State	SC	Zip	29303
Phone	[REDACTED]	DL State	
DL Number			

**Property**

**Drug - Evidence**

Quantity	27.6	Total Value	\$1.00
Measurement	Gram	Amount Recovered	\$0.00
IBR / UCR Code	Drug/Narc, Amphet or Methamphe	Date Recovered	04/15/2016
Status	Seized	Owner	

**Narratives**

**Original Narrative - Ruane, James - 04/18/2016 13:26:26**

On April 15, 2016 Investigator Ruane, acting in a undercover capacity contacted Shannon Lancaster in reference to purchasing an ounce of methamphetamine. Shannon Lancaster stated to Investigator Ruane to pick him up, and take him (Lancaster) to go get the methamphetamine. Investigator Ruane had \$1,250.00 of recorded Sheriff's Office Funds and an audio/video recording device. Investigator Ruane driving an uncover Spartanburg County vehicle was followed by other Investigators to pick up Shannon Lancaster. Once Investigator Ruane picked up Shannon Lancaster, he (Lancaster) told Investigator Ruane that he (Lancaster) had to go to Wellford for the methamphetamine. Investigator Ruane, followed by other Investigators, drove Shannon Lancaster to the buy location located at 112 Wild Oaks Drive, Wellford, SC. Investigator Ruane handed the recorded Sheriff's Office Funds to Shannon Lancaster who then exited the vehicle and walked inside the trailer. A short time later, Shannon Lancaster walked back to the vehicle and handed Investigator Ruane a plastic bag containing a pink crystal like substance. Investigator Ruane left and met with Investigators at a predetermined location. The pink crystal like substance weighed approximately 27.6 grams and did field test positive for methamphetamine. The pink crystal like was placed into Best Bag #S153095 and placed into evidence at the Sheriff's Office for further testing. The audio/video recording was transferred to a DVD for storage and still photo's were made for this case file.

This incident happened within 1/2 mile of Wellford Academy located at 684 Syphrit Road, Wellford, SC 29385.

Judge Blackley issued the following warrants on Shannon Lancaster: 2016A4210201358 PWID 1/2 Mile of School, 2016A4210201359 Trafficking Meth 2nd.

Exhibit A

## Buy Notes for Case #16040895

14:29—Investigator Ruane picked up Shannon Lancaster at 105 Saddle Drive, Gaffney, SC

14:24—Investigator Ruane and Shannon Lancaster leave 105 Saddle Drive, Gaffney, SC

15:05—pulled in trailer park in Wellford, SC. SC Tag MBT320 Jetta Volks parked at trailer. 1<sup>st</sup> trailer on right. Expedition with paper tag also parked at trailer

15:08—Investigator Ruane left Shannon Lancaster at trailer with buy money and went to Dollar General in Wellford and parked

15:28—Investigator Ruane returned to trailer to pick up Shannon Lancaster

15:40—Investigator Ruane and Shannon Lancaster left trailer. Shannon Lancaster informed Investigator Ruane that it would be about 1 hour before the methamphetamine would be at the trailer. Investigator Ruane and Shannon Lancaster decided to get something to eat in the area to wait for the methamphetamine.

15:43—Investigator Ruane and Shannon Lancaster went to Spinx/Burger King at Hwy 29 and Hwy 129. While waiting Shannon Lancaster informed Investigator Ruane that he would try to call "Chuncka", Larry Ralph White, to get the methamphetamine. Investigator Ruane informed Shannon Lancaster that Investigator Ruane would not want to purchase the methamphetamine from him. Investigator Ruane knows Larry Ralph White very well through other methamphetamine investigators and Investigator Ruane was worried that Larry Ralph White might recognize him as being a Narcotics Investigator. Shannon Lancaster also spoke with a unknown person on the phone who wanted to buy a small amount of methamphetamine that Shannon Lancaster had on his person. Shannon Lancaster told that person to meet us at the Spinx/Burger King. That person never showed up before we left.

17:05—Investigator Ruane and Shannon Lancaster left Spinx/Burger King

17:10—Investigator Ruane and Shannon Lancaster arrived back at the trailer, and left headed to Spartanburg, SC. Shannon Lancaster informed Investigator Ruane that his girlfriend would meet us on Asheville Hwy. in Spartanburg with the methamphetamine. Shannon Lancaster told Investigator Ruane that we would meet his girlfriend at the Pizza Hut on Asheville Hwy. Shannon Lancaster also called back the person who was going to buy the methamphetamine that Shannon Lancaster had on his person and told that person to meet us at the Pizza Hut on Asheville Hwy.

Exhibit B

## Buy Notes for Case #16040895 (continued)

17:34—Shannon Lancaster informed Investigator Ruane that the Hispanic would have the methamphetamine in Wellford, SC. Investigator Ruane turned around and headed back to Wellford, SC. Shannon Lancaster told Investigator Ruane that they would be pissed off if we didn't get the methamphetamine from Wellford since the guy was on his way. Shannon Lancaster stated that they would cut him off if we didn't get the methamphetamine from them.

17:42—Investigator Ruane and Shannon Lancaster arrived back at the Dollar General in Wellford, SC. Shannon Lancaster was attempting to meet an unknown person to sell him a small quantity of methamphetamine that Shannon Lancaster had on his person.

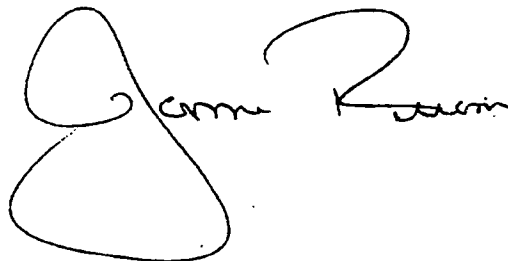
17:46—Investigator Ruane and Shannon Lancaster arrived back at the trailer in Wellford, SC. Shannon Lancaster informed Investigator Ruane to stay at the trailer this time and not to go back and wait at the Dollar General.

While waiting at the trailer, a Nissan Maxima bearing SC Tag LHW534 pulled into the trailer and parked directly behind Investigator Ruane. A dark complexed white male wearing a plaid shirt, gray slacks, clean cut, dark hair, and wearing sun glasses exited the vehicle and walked into the trailer. A female stayed in the vehicle in the drivers seat with the vehicle running. A short time later Shannon Lancaster exited the trailer and handed Investigator Ruane a plastic bag containing a pink crystal like substance and walked back into the trailer.

18:05—Investigator Ruane left the trailer alone. Shannon Lancaster stayed at the trailer.

Due to the length of time of this buy, the transaction was not recorded due to the equipment running out of battery. Investigator Ruane was able to get some of the details of the buy, but not the buy in its entirety. While Investigator Ruane was driving Shannon Lancaster to the buy, Shannon Lancaster pulled out two (2) chrome plated .25 pistols with wood grips. Shannon Lancaster informed Investigator Ruane that he (Lancaster) always carries a pistol with him during drug transactions. Shannon Lancaster also informed Investigator Ruane that he (Lancaster) was going to try to sell one of the pistols to the Hispanic male.

Exhibit C

A handwritten signature in black ink, appearing to read "James Ruane". The signature is written in a cursive, flowing style with large loops.

Certificate of Service

I "Shannon Lancaster", hereby certify that on this day, that I have served a "Motion to Suppress / § 17-30-110", upon the "Attorney General, Alan Wilson", and the "Clerk of court", at the below address, through the Perry Correctional legal mail system, and the United States postal service.

1) Alan Wilson (esq)  
S.C. Attorney General Office  
P.O. Box 11549  
Columbia, SC 29211-1549

2) Clerk of Court  
P.O. Box 11629  
Columbia, SC 29211

Subscribed and Sworn to before me

This 23 day of July 2018

Notary: Tamara Conwell

Expires: My Commission Expires September 25, 2023

S/ Shannon Lancaster

Shannon Lancaster

Perry Corr. Inst.

430 Oaklawn Rd.

Pelzer, SC 29669

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To: Clerk  
S.C. Court of Appeals  
P.O. Box 11629  
Columbia, SC 29211

From: Shannon Lancaster  
Perry Corr. Inst.  
430 Oaklawn Rd.  
Pelzer, SC 29669

Re: Motion to Reviewing Authority, "Motion to Suppress"  
§ 17-30-110 (indictment no: 2016-GS-420-5068)

Dear Clerk,

I am filing this pro-se with your office, and have also served a true copy to the Attorney General, Alan Wilson. This motion is to the Reviewing Authority, and is pursuant to S.C. Code § 17-30-110. Thank the Clerk for your time,

Sincerely,

Dated: June 23, 2018

yours truly,

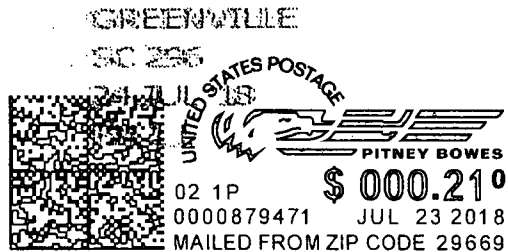
/s/ Shannon Lancaster  
Shannon Lancaster  
Perry Corr. Inst.  
430 Oaklawn Rd.  
Pelzer, SC 29669

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Shannon Lancaster # 341546 Q1B-209  
Perry Corr. Inst.  
430 Oaklawn Rd.  
Pelzer, SC 29669



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**P.C.I. MAILROOM**

S.C. Court of Appeals  
P.O. Box 11629  
Columbia, SC 29211

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**SC Court of Appeals**

29211-162929





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NOT CENSORED THIS ITEM, THEREFORE,  
THE DEPARTMENT DOES NOT ASSUME  
RESPONSIBILITY FOR ITS WRITTEN CONTENTS.  
S.C. DEPARTMENT OF CORRECTIONS

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