

Exhibit L

STATE OF SOUTH CAROLINA

County of Dorchester
Summerville Police Department
OCA: 14007165

SEARCH WARRANT

Date April 10, 2014
Officer Detective Cpl. A. Martin

DORCHESTER COUNTY
CLERK OF COURT

2015 OCT 29 PM 4:42

EM-RECORDED

STATE OF SOUTH CAROLINA

AFFIDAVIT

COUNTY OF Dorchester

Personally appeared before me, one Detective Cpl. B. Allen who, being duly sworn, says that there is probable cause to believe that certain property subject to seizure under provisions of Section 17-13-140, 1976 Code of laws of South Carolina, as amended, is located on the following premises in this County:

DESCRIPTION OF PROPERTY SOUGHT

A quantity of off white rock like substance commonly referred to as Cocaine Base, but not limited to. Any items utilized to facilitate the distribution, trafficking or sale of illicit substances but not limited to. Any items listed on Exhibit A. Any quantity of US currency.

DESCRIPTION OF PREMISES (PERSON, PLACE OR THING)
TO BE SEARCHED

The place to be searched is 403 East 3rd North St, Apt 9 Summerville, County of Dorchester. The residence is a multiple complex residence, light brown brick structure with tan shutters. The apartment is clearly labeled nine (9), and has a brown door with the number nine (9) affixed to the front door.

REASON FOR AFFIANT'S BELIEF THAT THE
PROPERTY SOUGHT IS ON THE SUBJECT PREMISES

The Dorchester County Metro Narcotics Unit has conducted controlled purchases from the residence in the past 72 hours. Dorchester Metro Narcotics utilized a confidential informant to purchase cocaine base from Antonio Terrill Jacobs on multiple occasions during the investigation. Antonio Terrill Jacobs resides at the above mentioned address. The confidential informant was outfitted with an audio/video transmitter/receiver to monitor and record the controlled purchases. The CI was searched prior to the controlled purchase for any illegal contraband. The CI was then issued prerecorded US currency commonly referred to as buy money. The CI arrived at the above mentioned address and exchanged the prerecorded US currency with Antonio Jacobs for a quantity of off white rock like substance that field tested presumptive for cocaine base. Through Detective Martin's training and experience as a Narcotics Investigator it is probable to believe based upon the investigation conducted by Dorchester County Metro Narcotics, that illegal narcotics, and items utilized to facilitate the distribution of illegal narcotics will be located in the residence. The recovery of the items is vital to the investigation.

Sworn to and Subscribed before me

this 10th day of April, 20 14

[Signature]
Signature of Judge

(L.S.)

5:58 pm

[Signature]
Affiant

Address: 300 West 2nd North Street
Summerville, S.C. 29483

Phone: (843) 871-2463

#2

STATE OF SOUTH CAROLINA

AFFIDAVIT

COUNTY OF Dorchester

Personally appeared before me, one Detective Cpl. Andy Martin who, being duly sworn, says that there is probable cause to believe that certain property subject to seizure under provisions of Section 17-13-140, 1976 Code of laws of South Carolina, as amended, is located on the following premises in this County:

DESCRIPTION OF PROPERTY SOUGHT

A quantity of off white rock like substance commonly referred to as Cocaine Base, green plant material commonly referred to as marijuana, cocaine, but not limited to. Any items utilized to facilitate the distribution, trafficking or sale of illicit substances but not limited to. Any items listed on Exhibit A. Any quantity of US currency.

DESCRIPTION OF PREMISES (PERSON, PLACE OR THING) TO BE SEARCHED

The interior and exterior and all compartments of a maroon Dodge Magnum bearing South Carolina tag JPZ 183.

REASON FOR AFFIANT'S BELIEF THAT THE PROPERTY SOUGHT IS ON THE SUBJECT PREMISES

The Dorchester County Metro Narcotics Unit has conducted controlled purchases from the residence located at 403 East 3rd North Street, Ashley Gardens Apartment #9, Summerville SC, Dorchester County, in the past 72 hours. The maroon Dodge Magnum, and the operator Grady Ashe Jr. were at the residence prior to executing the court ordered search warrant for the residence. A Summerville K-9 was called to the location and under the control of a qualified handler alerted on the drivers side door of the vehicle. Through my training and experience as a Narcotics Officer it is probable to believe that illegal narcotics will be located inside the maroon Dodge Magnum. The recovery of the items is vital to the investigation.

Sworn to and Subscribed before me this 10th day of April, 20 14 Signature of Judge (L.S.)

Andy Martin #204 Affiant

Address: 300 West 2nd North Street
Summerville, S.C. 29483
Phone: (843) 871-2463

Exhibit L

STATE OF SOUTH CAROLINA

AFFIDAVIT

COUNTY OF Dorchester

Personally appeared before me, one _____ who, being duly sworn, says that there is probable cause to believe that certain property subject to seizure under provisions of Section 17-13-140, 1976 Code of laws of South Carolina, as amended, is located on the following premises in this County:

DESCRIPTION OF PROPERTY SOUGHT

Pg. 2 of 2

DESCRIPTION OF PREMISES (PERSON, PLACE OR THING) TO BE SEARCHED

Pg. 2 of 2

REASON FOR AFFIANT'S BELIEF THAT THE PROPERTY SOUGHT IS ON THE SUBJECT PREMISES

See Attached Affidavit

Sworn to and Subscribed before me this 10 day of 4, 20 14 Signature of Judge (L.S.)

Andy Martin #204 Affiant

Address: _____
Phone: _____

DORCHESTER COUNTY CLERK OF COURT

2015 OCT 29 PM 4:42 RECORDED

STATE OF SOUTH CAROLINA

Page of

COUNTY OF Dorchester

AFFIDAVIT

Personally appeared before me, one _____ who, being duly sworn, says that there is probable cause to believe that certain property subject to seizure under provisions of Section 17-13-140, 1976 Code of laws of South Carolina, as amended, is located on the following premises in this County:

DESCRIPTION OF PROPERTY SOUGHT

Pg. 2 of 2

DESCRIPTION OF PREMISES (PERSON, PLACE OR THING) TO BE SEARCHED

Pg. 2 of 2

REASON FOR AFFIANT'S BELIEF THAT THE PROPERTY SOUGHT IS ON THE SUBJECT PREMISES

See Attached Affidavit

Sworn to and Subscribed before me this 10th day of Aug, 2014
[Signature] (L.S.)
Signature of Judge

[Signature] #204
Affiant

Address: _____

Phone: _____

5:58 pm

STATE OF SOUTH CAROLINA

COUNTY OF Dorchester

SEARCH WARRANT

Form Approved by
S.C. Attorney General
Section 17-13-102
March 15, 1978

TO ANY BONDED LAW ENFORCEMENT OFFICER OF THIS STATE OR COUNTY OR OF THE MUNICIPALITY OF Summerville

It appearing from the attached affidavit that there are reasonable grounds to believe that certain property subject to seizure under provisions of Section 17-13-140, 1976 Code of Laws of South Carolina, as amended, is located on the following premises:

DESCRIPTION OF PREMISES (PERSON, PLACE OR THING) TO BE SEARCHED

Now, therefore, you are hereby authorized to search the subject premises for the property described below, and to seize such property if found:

DESCRIPTION OF PROPERTY

See Attached Affidavit

This Search Warrant shall not be valid for more than ten days from the date of issuance.

A written inventory of all property seized pursuant to this Search Warrant shall be made to

Issuing Judge

within ten days from the date of this warrant, such Inventory to be signed by the officer executing this warrant, and a copy of such inventory shall be furnished to the person whose premises are searched if demand for such copy is made.

A copy of this Search Warrant shall be delivered to the person in charge of the premises searched at the time of such search if practicable, and, if not, to such person as soon thereafter as is practicable; in the event the identity of the person in charge is not known or if such person cannot be found after reasonable diligence in attempting to locate the person, a copy shall be attached to a prominent place on such premises.

DORCHESTER COUNTY
CLERK OF COURT

Summerville, S.C.

2014

[Signature] (L.S.)
Signature of Judge

5:58 pm

FILED-RECORDED
OCT 29 PM 4:42

Exhibit L

Dorchester County Metro Narcotics
VOLUNTARY STATEMENT FORM

- Victim
- Witness
- Accused

OCA# 14007165 DATE 2/4/14 TIME 1600
 NAME _____ CUI#197
 ADDRESS _____ PHONE _____
 EMPLOYMENT _____ PHONE _____
 RACE _____ SEX _____ DATE OF BIRTH _____

On February 4, 2014 I contacted Detective Martin and told him for the second time; I would be able to buy drugs from an individual I know as Antonio Jacobs aka "Tony".

I met with Detective Martin with the Metro Narcotics Unit at an undisclosed meeting location. I was searched and outfitted with an audio/video recorder/transmitter to monitor and record the controlled purchase.

I then was issued one hundred dollars of prerecorded U.S. currency by Detective Martin. I then placed a telephone call to Antonio Jacobs aka "Tony". I asked if I could get a "Yard of turkey". Which means one hundred dollars of crack cocaine. He told me to come that way.

I was driven to the Ashely Gardens Apartments, and met with Antonio Jacobs aka "Tony" at the second set of apartments. I gave him the \$100 of prerecorded buy money, and he gave me three small packs of crack cocaine. When I got back into the truck; I gave the drugs to the Detective.

The Detective drove me back to meet with Detective Martin. I was searched and the audio/video recorder/transmitter used to monitor and record the controlled purchase was removed.

I HAVE READ (HAD READ TO ME) THE FOREGOING STATEMENT WHICH I HAVE MADE FREELY AND VOLUNTARILY THE FACTS CONTAINED THEREIN ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

WITNESS:
 SIGNATURE _____
 SIGNATURE _____

SIGNATURE _____
 I HAVE RECEIVED A COPY OF THIS STATEMENT
 SIGNATURE _____

DORCHESTER COUNTY SHERIFF'S OFFICE

SUMMERVILLE
 312 Deming Way, Box #9
 Summerville, SC 29483
 Office (843) 832-0300
 Fax (843) 832-0308



ST. GEORGE
 100 Sears Street
 St. George, SC 29477
 Office (843) 563-0259
 Fax (843) 563-0263

SHERIFF L.C. KNIGHT

MEMORANDUM:

TO: SCE&G: Security
 FROM: Detective A. Martin
 DATE: February 3, 2014
 SUBJECT: Letter of Demand

Pursuant to our agreement, the Dorchester County Sheriff's Office is requesting information concerning the below named individual/address. He / She is considered suspects/witnesses in an ongoing criminal investigation and they currently reside at the following address:

Apartment: Ashley Gardens Apartment, [REDACTED], Summerville, South Carolina 29483.

Persons of interest:

- Antonio Jacobs - Drivers License [REDACTED], SSN# [REDACTED]
- Donnell Jacobs - Drivers [REDACTED]
- Last known address: [REDACTED], Summerville S.C. 29483

I received information that the Jacobs are living in APARTMENT#9.

The information provided by your organization will be held in the strictest confidence and will be used in the pursuit of criminal prosecution only.

Please forward reply to: Detective A. Martin, Dorchester County/Summerville Metro Narcotics Unit.

[REDACTED]

Telephone (843) 285-7539
 Cell Phone (843) 518-3-077
 FAX (843) 821-7698
 Email: amartin@dorchestercounty.net

Same address
 Provided by
 C.I.

SEARCHED
 SERIALIZED
 INDEXED
 FILED
 FEB 15 2014
 CLERK OF COURT
 COUNTY

RECEIVED
 2014
 OCT 29 PM 4:40

Exhibit C 25

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS

DIVISION OF INMATE SERVICES

NOTICE TO WITHHOLD INCOMING/OUTGOING CORRESPONDENCE AND DISPOSITION OF CORRESPONDENCE

LEGAL

| | | |
|--|--------------------------|------------------------|
| INMATE NAME: <i>Antonio T. Jacobs</i> | SCDC #: <i>306881</i> | DATE: <i>6/2/15</i> |
|--|--------------------------|------------------------|

This notice is to advise you that you have received/attempted to send correspondence to/from *Office of the Public Defender* which contained *Crime Scene Photos* *1st Judicial Circuit, Summerville, SC*

1919
This is deemed questionable and requires further review by the Correspondence Review Committee (CRC) pursuant to SCDC Policy PS-10-08, "Inmate Correspondence Privileges." The Committee has 60 days (excluding weekends and holidays) to advise you of the decision.

DISPOSITION:

YES (Crime scene photos are separated & flagged a couple SSNs) Agree FW

This notice is to advise you that the Correspondence Review Committee (CRC) has reviewed and disapproved the following correspondence: _____

_____ The correspondence is being returned to sender at your expense by using Form 10-14, "Agreement to Debit E. H. Cooper Account." (Attached)

_____ There are insufficient funds in your E. H. Cooper Trust Account to cover the cost of returning this correspondence. You have 30 days to advise the Mailroom of available funds or provide a pre-paid envelope. If funds are not available, the correspondence will be disposed of pursuant to SCDC Policy OP-22-03, "Authorized Inmate Property and Disposition of Unauthorized Property."

RECEIVED

JUN 10 2015

APPROVED

JUN 08 2015

SCDC CORRESPONDENCE REVIEW COMMITTEE

Postal Director/Staff/Designee

Institution

KIRKLAND R&E CENTER MAILROOM

RECEIVED

JUN 03 2015

GENERAL COUNSEL

White - Inmate
 Canary - Mailroom
 Pink - CRC/Sender/Property Control

--[Response: DORS0006 -]--

TO: DORS0006-2565 20140124 16:10:17 001E16BD63
FROM: DMV-1490275 20140124 16:10:11 2711000420
TXREF SC01800002711000420

XREF
ID NO 0007750546
JACOBS, ANTONIO TERRELL
235 FOREST CIR LOT 91
SUMMERVILLE SC 294832851 DORC CNTY
SEX M HGT 5 09 WGT 185 BIRTH 03/07/1978
SSN ***-**-6774 RACE BLACK
STATUS-DL: SUSPENDED CDL: DISQUALIFIED
*** IDENTIFICATION ONLY *** ISSUED 04/01/2013
DRIVER LICENSE CLASS D ISSUED 02/06/2012
** MORE **

TO: DORS0006-2566 20140124 16:10:18 001E16BD64
FROM: DMV-1490276 20140124 16:10:11 2711000420
TXREF SC01800002711000420

XREF
OLN = 0007750546
SUSP FR Accident BEG 11/15/2012 END INDEFINITE CAU 05/12/2012
SUSP Cancellation of Insurance BEG 06/21/2012 END INDEFINITE CAU 05/14/2012
SUSP Controlled Substance Violation BEG 01/25/2011 END 07/25/2011 CAU 12/02/2010
SUSP Driving Under Suspension - FTP BEG 02/25/2010 END 05/25/2010 CAU 11/08/2009
SUSP Failure to Pay Property Tax BEG 11/03/2009 END 11/09/2009 CAU 10/14/2009
SUSP Driving Under Suspension BEG 07/23/2007 END 07/23/2008 CAU 02/26/2004
SUSP Controlled Substance Violation BEG 07/22/2006 END 07/22/2007 CAU 06/10/2004
SUSP Driving Under Suspension BEG 07/21/2005 END 07/21/2006 CAU 08/15/2003
SUSP Controlled Substance Violation BEG 07/20/2004 END 07/20/2005 CAU 02/19/2003
SUSP Controlled Substance Violation BEG 07/19/2003 END 07/19/2004 CAU 01/27/2003
SUSP Controlled Substance Violation BEG 07/18/2002 END 07/18/2003 CAU 10/03/2001

TO: DORS0006-2567 20140124 16:10:18 001E16BD65
FROM: DMV-1490277 20140124 16:10:11 2711000420
TXREF SC01800002711000420

XREF
OLN = 0007750546
SUSP Failure to Maintain Proof of F BEG 03/07/2002 END 11/24/2008 CAU 02/25/2002
SUSP Failure to Pay Traffic Ticket BEG 11/01/2001 END 12/18/2008 CAU 11/06/2000
SUSP Operating or Allowing Operatio BEG 02/02/2001 END 03/03/2001 CAU 01/19/1999
SUSP Driving Under Suspension BEG 02/02/2000 END 02/02/2001 CAU 09/18/1999
SUSP Controlled Substance Violation BEG 02/02/1999 END 02/02/2000 CAU 10/10/1998
SUSP Controlled Substance Violation BEG 02/02/1999 END 08/02/1999 CAU 10/10/1998
SUSP Alcohol Violation BEG 07/23/1998 END 10/20/1998 CAU 04/29/1998
** END OF INQUIRY **

--[Response: DORS0006 -]--

TO: DORS0006-2583 20140124 16:12:35 003F03BF3F
FROM: SCCH-245567 20140124 16:12:35 2711000424
ICHS/QH INQUIRY OF SCLED CCH FILES USING:

ATN-MANNING, CRYSTAL
ORI-SC0180000 PUR-C
NAM-JACOBS, ANTONIO TERRELL
SEX-M RAC-B DOB-19780307

DATE-01/24/2014 TIME-16:09 PAGE-01 OF 01
ORI-SC0180000
SCLED IDENT RESPONSE TO ICHS/QH INQUIRY
THIS RESPONSE CONTAINS POSSIBLE HITS ONLY AND DOES NOT IMPLY A POSITIVE
MATCH WITH THE INDIVIDUAL IN QUESTION

NAME-JACOBS, ANTONIO TERRELL SEX-M RACE-B
HEIGHT-509 WEIGHT-145 EYES-BRO HAIR-BLK SKIN- BORN-SC
FPC: HENRY- 4 1 T 7 NCIC-04TT060907TT01TT0809

1PUT--
SID-SC01078201 FBI-214988DB0
PHOTOGRAPH AVAILABLE
1-FINGERPRINT IMAGES ON THIS SUBJECT ARE STORED ON SCAPIS
DATE RECORD ENTERED--09/11/1996 DATE OF LAST UPDATE--08/17/2013

ALIAS NAMES-JACOBS, TONY JACOBS, ANTONIO TERRELL
SIMMONS, TONY JACOBS, ANTONIO T
JACOBS, ANTONIO TERRELL

BIRTH DATES-03/07/1978 03/04/1978 10/10/1976

SOC SEC NUMBERS-250516774
SCLED CJIS CCH FILE INDICATES SUBJECT HAS NO OUT-OF-STATE ARRESTS

INDIVIDUAL PROHIBITED FROM POSSESSING OR ACQUIRING FIREARM OR AMMUNITION
PURSUANT TO FEDERAL GUN CONTROL ACT OF 1968

INFORMATION SUBMITTED TO SLED CCH INDICATES THIS INDIVIDUAL HAS BEEN
CONVICTED OF A FELONY ACCORDING TO THE SOUTH CAROLINA CODE OF LAWS.
THEREFORE, THIS PERSON IS INELIGIBLE TO SHIP, TRANSPORT, OR RECEIVE ANY
FIREARM OR AMMUNITION AFFECTED BY INTERSTATE OR FOREIGN COMMERCE, AS
DEFINED BY THE GUN CONTROL ACT OF 1968 (18.U.S.C 922(G)).

** END OF IDENT **

REQUESTED FOR CRIMINAL JUSTICE PURPOSES MAY OCCUR DAILY, A NEW INQUIRY
SHOULD BE MADE AND NO SUBSEQUENT USE OF THIS RECORD IS ALLOWED.

FOR COMPLETE CRIMINAL HISTORY, PERFORM ICHR INQUIRY USING SID NUMBER OR
FBI NUMBER.

REQUEST FORWARDED TO NCIC
ANY OUT-OF-STATE IDENT INFORMATION TO FOLLOW FROM NCIC VIA YOUR TERMINAL
** END OF MESSAGE **

TO: DORS0006-2584 20140124 16:12:39 00350609C9
FROM: III-395721 20140124 16:12:39 2711000425
7L0127110004252QH

Individual Arrest Report

Offense: CSSS, Cont Subst/Sale/Manu Synthetic
Offense Refmt: PENDING

Counts: 2
Related Incident: 14007169

FILED-RECORDED
2015 OCT 29 PM 4:42
CLERK OF COURT
DORCHESTER COUNTY

4/10/2014 9:08:25 PM

jlbook.agency = SPD jlbook.num = 31401
Name Number: 30811
ANTONIO TERRELL JACOBS, Black Male, DOB: 03/07/1978



Date: 04/10/2014 19:40:10

Mon: Yes
Tue: Yes
Wed: Yes
Thu: Yes
Fri: Yes
Sat: Yes
Sun: Yes

Arrest

Date: 04/10/2014 19:40:10
Location: 403 E 3rd N ST
Area: SPD NORTH EAST
Age at Arrest: 35
Arrest Type: Custody on Warrant or Incident
Disposition:
Pre-Sentence Class:
Arresting Officer: MARTIN, A
Arresting Agency: METRO NARCOTICS UNIT
Reference: 14007165
Tracking: Automatically Generated

Arrest Additional Info

PROPERTY
1 HTC CELLULAR PHONE
1 HOUSE KEY
1 BLUE AND GRAY NYLON BELT
1 YELLOW METAL NECKLACE W/ CROSS
1 ORANGE CAP

MONEY: \$224.10 INITIALS: _____

SUBJECT'S SIGNATURE: _____

CHARGE ID: CDR CODE 3039 DISTRIBUTION COCAINE BASE 3RD OFFENSE
CDR CODE 0450 TRAFFICKING COCAINE BASE
CDR CODE 0278 TRAFFICKING COCAINE
CDR CODE 0186 PWID MARIJUANA
CDR CODE 3014 MANUFACTURING COCAINE BASE

BOND REQUEST: \$1,000,000.00

RECEIVING OFFICIAL: _____

Report Includes:
All dates arrested, All booking numbers matching '31401', All arresting agencies, All arresting officers, All arrest types, All arrest area codes, All judicial age statuses, All inmate name numbers, All offense codes, All statute codes, All alcohol/drug codes, All crime class codes, All law jurisdictions, All court codes, All entry codes, All custody flags

04/10/14

spjtar:af

STATE OF SOUTH CAROLINA)
)
COUNTY OF DORCHESTER)

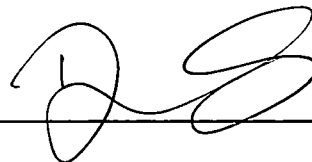
INDICTMENT
2014GS180498

As a Court of General Sessions, convened on October 9, 2014 the Grand Jurors of DORCHESTER County present upon their oath:

POSSESSION WITH INTENT TO DISTRIBUTE MARIJUANA

That in Dorchester County, South Carolina, on or about April 10, 2014, the Defendant, Antonio Terrell Jacobs, did manufacture, distribute, dispense, deliver, purchase, aid, abet, attempt, or conspire to do the same, or possess with the intent to distribute, dispense, or deliver, a quantity of Marijuana. This offense in violation of Section 44-53-370 of the South Carolina Code of Laws, as amended.

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



Donald N. Sorenson, Solicitor

October 13, 2014 WITNESSES

A Martin

Dorchester County Sheriff
14-007165

ARREST WARRANT NUMBER
2014A1820500228

Arrested: April 11, 2014

ACTION OF GRAND JURY

TRUE BILL

Paehl Herber
Foreperson of Grand Jury
Date: October 9, 2014

VERDICT

Foreperson of Petit Jury
Date:

DOCKET NO. 2014GS180498

The State of South Carolina
County of DORCHESTER

COURT OF GENERAL SESSIONS

October 13, 2014 TERM

THE STATE
vs.

Antonio Terrell Jacobs

Indictment for

Possession with Intent to Distribute
Marijuana

SC Code: 44-53-370(b)

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.

FILED - RECORDS
2014 OCT - 9 PM 2:25
CHERYL GRAHAM
CLERK OF COURT
DORCHESTER COUNTY

General Sessions Tracking Sheet Indictment # 0000GS18

Name: Jacobs, Antonio Terrell
AKA:
Addr: 403 E 3Rd North St Apt 9
Summerville, SC 29483

SSN# 250-51-6774
Sex: M Race: B
DOB: 03/07/1978
DL# SC/ 0007750546

Warrant/Ticket #: 2014A1820500230
Date of Arrest: 04/11/2014
Date of Offense: 04/10/2014
Date Rcv by Clerk 04/16/2014
Magistrate: Clerk Of Court C P, G S, And Family Court
Counts: Code: 0278/Drugs / Trafficking in cocaine, 10 g or more, but less than 28 g - 1st offense

Indictment # ~~0000GS18~~ 2014 - 500

Disposition Information

- 1. Transmitted to SOL & SCCA:
- 2. Disp Received by Clerk:
- 3. Date of Disposition: 8/21/14

- Disposition
- 1. Guilty plea
 - 2. Trial -- guilty
 - 3. Trial -- not guilty
 - 4. Dism/Not Pros/Pros Ended
 - 5. Judicial Commitment
 - 6. Judicial Dismissal
 - 7. Remanded
 - 8. Dismissed at Prelim
 - 8. No Bill
 - 9. Failure to Appear
 - 10. Other

Explain: Pled other charges.
Explain: _____
Explain: _____
Explain: _____
Explain: _____

Judge: _____
Defense Atty: _____
Counts: _____
Sentence: _____

Court Reporter: _____
Solicitor: _____

2014 OCT 29 PM 4:14
CLERK OF COURT
DORCHESTER COUNTY

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS

DIVISION OF INMATE SERVICES

NOTICE TO WITHHOLD INCOMING/OUTGOING CORRESPONDENCE
AND
DISPOSITION OF CORRESPONDENCE

LEGAL

| | | |
|--|---------------------------|------------------------|
| INMATE NAME: <u>Antonio T. Jacobs</u> | SCDC #: <u>3068811</u> | DATE: <u>6/2/15</u> |
|--|---------------------------|------------------------|

This notice is to advise you that you have received/attempted to send correspondence to/from office of the Public Defender which contained Crime Scene Photos 1st Judicial Circuit Summerville, SC 19119

This is deemed questionable and requires further review by the Correspondence Review Committee (CRC) pursuant to SCDC Policy PS-10.08, "Inmate Correspondence Privileges." The Committee has 60 days (excluding weekends and holidays) to advise you of the decision.

DISPOSITION:

YES 30 (Crime scene photos are) separate & flagged a couple SSNs. Agree FW

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RECEIVED

JUN 10 2015

KIRKLAND R&E CENTER
MAILROOM

APPROVED

JUN 08 2015

SCDC CORRESPONDENCE
REVIEW COMMITTEE

Postal Director/Staff/Designee

Institution

RECEIVED

JUN 03 2015

GENERAL COUNSEL

AGENCY I.D. SC 0180200 SUPPLEMENTARY REPORT TOWN OF SUMMERVILLE POLICE DEPARTMENT

CASE NUMBER: 14-007165 INQ ENTD

ORIGINAL REPORT SUPPLEMENTAL REPORT ADDITIONAL VICTIMS ADDITIONAL STOLEN PROPERTY ADDITIONAL RECOVERED PROPERTY MODIFIED ORIGINAL CASE STATUS CHANGE ADDITIONAL OFFENDERS ADDITIONAL STOLEN PROPERTY ADDITIONAL RECOVERED PROPERTY PAGE 1 of 1 PAGES

Incident Date: April 10, 2014
 Incident Location: Ashley Gardens Apartment, 401 East 3rd North Street, Summerville S.C./Dorchester County
 Incident Type: Distribution Of Cocaine Base / Buy Walk #3
 Case Agent: Detective (Cpl) A. Martin
 Other Agents: Lt. S. Young, Sgt. F. Thompson, Det. H. Tanner, Det. R. Tanner, Det. B. Allen, Det. Strickland, Det. Lundberg

On this date April 10, 2014 a Confidential Informant was utilized to conduct the third controlled purchase from the suspect Antonio Terrell Jacobs at Ashley Gardens Apartment #9, Summerville South Carolina in Dorchester County. Upon successful completion of the controlled purchase an Arrest Warrant was obtained for Antonio Terrell Jacobs, and a Search Warrant for his residence located at Ashley Gardens Apartment #9, Summerville South Carolina in Dorchester County.

Antonio Terrell Jacobs, was apprehended during a traffic stop by Summerville Patrol Units, and transported to Summerville Police Department to await service of Arrest Warrant # H-619870

Prior to executing the Search Warrant, Detectives observed Grady Ashe Jr. drive into the apartment complex in a maroon Dodge Magnum bearing South Carolina IPZ 183, and entering apartment #9.

Detectives with the Dorchester / Summerville Metro Narcotics Unit executed the Search Warrant for 403 East 3rd North Street, Ashley Gardens Apartment #9, Summerville SC.

Upon entry into the residence, Detectives observed Grady Ashe Jr. sitting on the living room couch, and Donnell Jacobs at the kitchen table. Both were placed in handcuffs, and detained during the search of the residence. After miranda Donnell Jacobs stated to Detective R. Tanner she knew there was marijuana in the residence, and pointed out its location, but denied having knowledge of cocaine or cocaine base.

The following items were discovered inside the residence.
 Clear plastic bag containing white powder, clear plastic bag containing white powder, clear plastic bag containing off white rock type substance, clear plastic bag containing off white rock type substance, clear plastic bag containing off white rock type substance, clear plastic bag containing green plant material, clear plastic bag containing two smaller bags of green plant material, gallon clear plastic bag containing three smaller bags of green plant material, clear plastic bag containing green plant material, purple digital scale, black & silver digital scale, metal pipes with burnt tips commonly used to smoke cocaine base, small glass jar fitted with a metal pipe, and filter commonly used to smoke cocaine base, black bag containing chore boy, gallon zip lock bag containing loose green plant residue, box of new sandwich bag, two Pyrex cups with white powder residue; which tested presumptive for cocaine. The following weights from recovered drugs / narcotics are approximate: Cocaine, 18.7gg, 2.9gg, - Cocaine Base, 1.2gg, 3.0gg, 8.9gg, 2.8gg Marijuana, 60.8, 28.9gg, 8.3gg, 31.9gg, 87gg, 23.1gg, 1gg.

All items were documented on the Search Warrant Return, and submitted into evidence for testing.

A Search Warrant was obtained for the maroon Dodge Magnum; Grady Ashe Jr. was observed operating, after a K-9 under the control of a trained handler alerted on the driver's side door. However no contraband was discovered.

Antonio Jacobs was charged with the following: Trafficking Cocaine Base, Trafficking Cocaine, Manufacturing Cocaine Base, Possession With Intent to Distribute Marijuana, and Distribution of Cocaine Base Third.

Donnell Jacobs was charged with Trafficking Cocaine Base, Trafficking Cocaine, Manufacturing Cocaine Base, Possession With Intent to Distribute Marijuana.

Grady Ashe Jr. was charged with driving under suspension third.

This case is closed with three arrests, service of nine arrest warrants, two search warrants, and one citation.

| | | | | |
|--|--|--|--|---|
| SUBJECT IDENTIFIED <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO | SUBJECT LOCATED <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO | <input checked="" type="checkbox"/> ACTIVE <input type="checkbox"/> ADM CLOSED <input type="checkbox"/> UNFOUNDED | <input type="checkbox"/> ARRESTED UNDER 18 <input checked="" type="checkbox"/> ARRESTED 18 AND OVER | <input type="checkbox"/> EX-CLEAR UNDER 18 <input type="checkbox"/> EX-CLEAR 18 AND OVER |
| REASON FOR EXCEPTIONAL CLEARANCE 1 <input type="checkbox"/> OFFENDER DEATH 2 <input type="checkbox"/> NO PROSECUTION 3 <input type="checkbox"/> EXTRADITION DENIED 4 <input type="checkbox"/> VICTIM DECLINES COOPERATION 5 <input type="checkbox"/> JUVENILE - NO CUSTODY | REPORTING OFFICER(S) DATE: April 10, 2014 UNIT NUMBER: 204 | APPROVING OFFICER DATE: 4/10/14 UNIT NUMBER: 417 | FOLLOW-UP INVESTIGATION <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO | |

AGENCY I.D. SC 0180200 SUPPLEMENTARY REPORT TOWN OF SUMMERVILLE POLICE DEPARTMENT

CASE NUMBER: 14007165 INQ ENTD

ORIGINAL REPORT SUPPLEMENTAL REPORT ADDITIONAL VICTIMS ADDITIONAL STOLEN PROPERTY ADDITIONAL RECOVERED PROPERTY MODIFIED ORIGINAL CASE STATUS CHANGE ADDITIONAL OFFENDERS ADDITIONAL STOLEN PROPERTY ADDITIONAL RECOVERED PROPERTY PAGE 1 of 1 PAGES

Incident Date: April 10, 2014
 Incident Location: 403 East 3rd N. St. Apt # 9 (Ashley Gardens Apartments)
 Incident Type: Search Warrant Return
 Subjects Involved: Antonio Jacobs, Donnell Jacobs
 Case Agent Detective: Det. Cpl. Martin
 Assisting Detectives: Det. Lt. Gibbons, Det. Lt. Young, Det. Sgt. Thompson, Det. Cpl. H. Tanner, Det. Cpl. Allen, Det. Cpl. R. Tanner, Det. Cpl. Lundberg, Det. Strickland

On 4/10/14 Detectives with the Dorchester County / Summerville Police Metro Narcotics Unit executed a search warrant at the aforementioned residence and the following are the numerous findings.

Dining Room Floor:
 In a jean book bag: (1) gallon size zip lock bag w/ (3) clear plastic bags containing GPM, (1) small clear plastic bag w/ (2) clear plastic bags containing GPM, (1) clear plastic bag w/ (1) clear plastic bag containing GPM, (1) large clear plastic bag containing GPM, (1) small clear plastic bag containing GPM, (2) digital scales, (2) boxes of sandwich bags, (1) Goodsence sandwich bag box containing: (1) clear plastic bag containing an off white powder substance (large bag), (1) clear plastic bag containing an off white rock like substance (large bag), (1) clear plastic bag containing an off white powder like substance (small), (1) clear plastic bag containing an off white rock like substance (small bag), (2) gallon size zip lock bags containing GPM residue, (2) baby food jars that were made into smoking devices

In a black case inside the jean book bag: (1) black plastic bag containing chore boy (torn into shreds)

Kitchen:
 On the counter in a sugar container: loose GPM
 Cabinet (top shelf): (1) box of sandwich bags
 Drawers (left of the stove): (2) glass Pyrex measuring cups with white powder residue
 Table: (1) black Samsung cell phone

Bedroom # 1:
 In between the mattress & box spring: (2) metal smoking pipes (used to consume cocaine base)

All items were placed into evidence locker # 21 at the Summerville Police Department.

Nothing further at this time.

| | | | | |
|--|--|---|--|---|
| SUBJECT IDENTIFIED <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO | SUBJECT LOCATED <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO | <input type="checkbox"/> ACTIVE <input type="checkbox"/> ADM CLOSED <input type="checkbox"/> UNFOUNDED | <input type="checkbox"/> ARRESTED UNDER 18 <input checked="" type="checkbox"/> ARRESTED 18 AND OVER | <input type="checkbox"/> EX-CLEAR UNDER 18 <input type="checkbox"/> EX-CLEAR 18 AND OVER |
| REASON FOR EXCEPTIONAL CLEARANCE 1 <input type="checkbox"/> OFFENDER DEATH 2 <input type="checkbox"/> NO PROSECUTION 3 <input type="checkbox"/> EXTRADITION DENIED 4 <input type="checkbox"/> VICTIM DECLINES COOPERATION 5 <input type="checkbox"/> JUVENILE - NO CUSTODY | REPORTING OFFICER(S) DATE: 4/11/14 UNIT NUMBER: L 43 | APPROVING OFFICER DATE: 4/11/14 UNIT NUMBER: L 43 | FOLLOW-UP INVESTIGATION <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO | |

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF Dorchester
STATE VS.

INDICTMENT/CASE#: 2014GS180498

Antonio Terrell Jacobs

A/W#: 2014A1820500228

AKA: _____

Date of Offense: 4/10/2014

Race: BLACK Sex: M Age: 36

S.C. Code §: 44-53-370(b)

DOB: 03-07-1978 SS#: 250-51-6774

CDR Code #: 0188

Address: 403 E 3Rd North St Apt 9

City, State, Zip: Summerville, SC 29483

DL#: 0007750546 SID#: _____

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: Manuf., Poss. of Other sub. in Sch. I, II, III or Flunitrazepam, with Intent to Distribute - 3rd or sub. offense

in violation of § 44-53-370(b) of the S.C. Code of Laws, bearing CDR Code # 0188

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

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

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

ATTEST: Sorenson, Donald N. SC Bar# 9512 Antonio Terrell Jacobs Defendant Bob Attorney for Defendant 101420 SC Bar#

WHEREFORE, the Defendant is committed to the State Department of Corrections, County Detention Center,

for a determinate term of 20 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 Services standard conditions of probation, which are incorporated by reference.

CONCURRENT or CONSECUTIVE to sentence on: 2014-G-5-18-500

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 the 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 (Criminal 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 _____ Attend Voc. Rehab. or Job Corp. _____

Recipient: _____ May serve W/E beginning _____

*Fine: \$ _____ Substance Abuse Counseling

§ 14-1-206 (Assessments 107.5 %) \$ _____ Random Drug/Alcohol testing

§ 14-1-211(A)(1) (Conv. Surcharge) \$100 \$ 100 Fine may be pd. in equal, consecutive weekly/monthly

§ 14-1-211(A)(2) (DUI Surcharge) \$100 \$ _____ prmts. of \$ _____ beginning _____

§ 56-5-2995 (DUI Assessment) \$12 \$ _____ \$ _____ paid to Public Defender Fund

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

Proviso 47.9 (Public Def/Prob) \$500 \$ _____

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

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

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

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

Proviso 90.5 (SCCJA Surcharge) \$5 \$ 5

3% to County (if paid in installments) \$ 8.40

TOTAL \$ 288.40

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

Clerk of Court/ Deputy Clerk Cheryl Abraham

Court Reporter: Mia Peron

Presiding Judge Christine

Judge Code: 2151

Sentence Date: 12/9/14

October 13, 2014 WITNESSES

A Martin

Dorchester County Sheriff

14-007165

ARREST WARRANT NUMBER

2014A1820500228

Arrested: April 11, 2014

ACTION OF GRAND JURY

TRUE BILL

Robert Harlan

Foreperson of Grand Jury

Date: October 9, 2014

VERDICT

Foreperson of Petit Jury

Date:

DOCKET NO. 2014GS180498

The State of South Carolina
County of DORCHESTER

COURT OF GENERAL SESSIONS

October 13, 2014 TERM

THE STATE

vs.

Antonio Terrell Jacobs

Indictment for

Possession with Intent to Distribute
Marijuana

SC Code: 44-53-370(b)

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.

FILED - RECORDED
2014 OCT -9 PM 2:25
CHERYL GRAHAM
CLERK OF COURT
DORCHESTER COUNTY

STATE OF SOUTH CAROLINA)
)
COUNTY OF DORCHESTER)

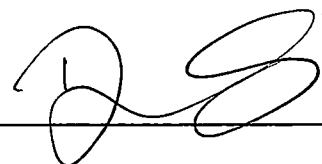
INDICTMENT
2014GS180498

As a Court of General Sessions, convened on October 9, 2014 the Grand Jurors of DORCHESTER County present upon their oath:

POSSESSION WITH INTENT TO DISTRIBUTE MARIJUANA

That in Dorchester County, South Carolina, on or about April 10, 2014, the Defendant, Antonio Terrell Jacobs, did manufacture, distribute, dispense, deliver, purchase, aid, abet, attempt, or conspire to do the same, or possess with the intent to distribute, dispense, or deliver, a quantity of Marijuana. This offense in violation of Section 44-53-370 of the South Carolina Code of Laws, as amended.

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



Donald N. Sorenson, Solicitor

1 understanding to the two charges you were pleading guilty
2 to?

3 A. I thought I pled guilty to second offenses.

4 Q. At any time during the guilty plea on the 8th or the
5 sentencing on the 9th, did your attorney ever object to the
6 charges in which were pleading guilty to?

7 A. No, he did not.

8 Q. Was there ever any discussion leading up to the plea
9 about your right to appeal?

10 A. I asked him about appeal after the fact. He told ---

11 Q. Okay. So let's go back, though. Leading up to the
12 guilty plea, was there any discussions about a potential
13 appeal?

14 A. No.

15 Q. Okay. Now, after the guilty plea, what, if any,
16 discussions did y'all have about an appeal?

17 A. I asked him about an appeal. But he told me that an
18 appeal wouldn't have been in my best interest. That my best
19 bet was to file for another PCR since I was ready familiar
20 with the PCR process.

21 MR. DAVIS: Your Honor, if we could have just a moment.

22 (Brief pause.)

23 Q. Mr. Jacobs, if Mr. Wehman had told you ahead of time
24 that the trafficking conviction was a strike setting up
25 potential life without parole in the future, would you have

Direct Examination of Mr. Jacobs by Mr. Davis

1 pled guilty to trafficking or would you have asked for a
2 jury trial?

3 A. I would have asked to go to trial.

4 Q. If you had been advised that -- I didn't ask this
5 awhile ago. Were there any discussions about the fact that
6 possession with intent to distribute marijuana, third
7 offense, is also a no-parole offense?

8 A. No, there was not.

9 Q. Or called an 85 percent offense?

10 A. No, he did not.

11 Q. On either of the trafficking or the possession with
12 intent to distribute marijuana, if you had been told those
13 were no-parole offenses or 85 percent offenses, would you
14 have pled guilty or gone to trial?

15 A. I would've went to trial.

16 Q. I'll ask this a little more open-ended. If Mr. Wehman
17 had made it clear that on the marijuana sentencing sheet
18 that it lists you're pleading guilty to possession, intent
19 to distribute marijuana, third or subsequent, if he had told
20 you that before you signed it, what would you have done?

21 A. I would've asked him what happened with the original
22 deal, the second offenses.

23 Q. Did the State -- prior to the guilty plea, did the
24 State ever serve on you what is called a Life Without Parole
25 Notice paperwork?

1 A. No, sir.

2 Q. If you had known that you were facing -- I believe we
3 added it up a while ago -- a 140 years but not a life
4 sentence and certainly not multiple life sentences, would
5 you have pled guilty or gone to trial?

6 A. I still would've went to trial.

7 Q. The judge explained this. But there were never any
8 discussions about you going to trial; right?

9 A. There wasn't. I brought it up -- I brought it to his
10 attention.

11 Q. What, if anything, had Mr. Wehman done to make you
12 believe that he was prepared to go to trial if had asked for
13 it?

14 A. He didn't do anything.

15 Q. And how did that influence your decision whether to
16 actually go to trial or plead guilty?

17 A. I mean, it made me decide to take this plea because I
18 didn't know if he was going to defend me properly or not.

19 Q. A few more specific questions, Mr. Jacobs. Had he
20 discussed with you at a trial his ability to try to suppress
21 evidence that was seized, would you have gone to trial or
22 would you have pled guilty?

23 A. I would've went to trial.

24 Q. If he had discussed with you his ability to try to
25 raise issues about the credibility or believability of the

Direct Examination of Mr. Jacobs by Mr. Davis

1 confidential informant involved in this case, would you have
2 gone to trial on those issues or pled guilty?

3 A. I would have went to trial.

4 Q. Now, you heard the judge earlier and we've discussed
5 about this, the potential remedies at the end of a PCR case.
6 Certainly, vacating your convictions and starting over is an
7 option. Is there another option you would like the judge to
8 consider?

9 A. What are my other options?

10 Q. Well, I'll ask it this way.

11 A. If I may ask.

12 Q. Was there an offer by the State -- did the State live
13 up to its offer that they stated on the record?

14 A. Oh, the 20-year offer?

15 Q. Do you recall what the State told . . .

16 A. Oh, you're talking about the second offense?

17 Q. Judge Harrington back in November, about a month before
18 your guilty plea. Do you recall what offer was stated on
19 the record?

20 A. Second offenses and 20 to 25 years.

21 Q. But in fact, the case that was presented at your guilty
22 plea was one second and one third. Isn't that right?

23 A. That's correct.

24 Q. Mr. Jacobs, I think we've covered everything you want
25 to complain about. Is there any other complaints you want

PROCEEDINGS

MR. SORENSON: May it please the Court, Your Honor?

THE COURT: Yes, sir.

MR. SORENSON: Before you is Antonio Jacobs, Antonio Terrell Jacobs. He is represented by Mr. Wehman. He currently has five indictments pending here in Dorchester County: 2014-GS-18-497, 498, 499, 500 and 501, indicting him for one count of distribution of cocaine base, third offense or greater That stems out of an incident that allegedly occurred back on February 4th of 2014, when he is alleged to have sold .7 grams of cocaine base to a confidential informant with the Dorchester County Sheriff's Office.

498, he's charged with possession with intent to distribute marijuana. 499, possession with intent to distribute cocaine base third offense or greater, 500 is trafficking cocaine third offense or greater, and then 501 is manufacturing cocaine base.

Those last four all stem out of a search warrant that was executed on the defendant's residence on April 10th of 2014. And that search warrant was obtained after -- there was that initial buy that he was charged with in February. There are also two additional control buys that were done from the defendant, or allegedly from the defendant, one prior to February, in January,

State vs. Antonio Jacobs
Bond Reduction Hearing
November 5, 2014

1 and then another one that occurred the afternoon of
2 April 10th of 2014, after they ultimately got the search
3 warrant, where he is alleged to have sold \$100 in
4 cocaine base to that confidential informant at the
5 apartment where they then subsequently searched.

6 The analyses have come back on them, Your Honor.
7 The possession with intent to distribute cocaine base,
8 based out of that, is going to be a little under 9 grams
9 of cocaine base. It's 8.78 grams of cocaine base that
10 was found during the search. The trafficking is going
11 to be 19.72 grams of cocaine that was found.

12 He has, Your Honor, multiple prior drug
13 convictions. He's got a 1998 conviction for possession
14 of crack cocaine, a 2001 conviction for possession of
15 crack cocaine, a 2003 conviction for possession with
16 intent to distribute cocaine. There's two counts in
17 2003. Then a 2004 conviction for distribution of crack
18 cocaine second offense.

19 Additionally, I believe he has a marijuana
20 conviction from Dorchester, that occurred not too long
21 before he was arrested on these charges, that he may be
22 on probation for. I'm not sure what he got, as far as
23 the sentencing on that. Mr. Giese handled that and said
24 it was a time served, so I guess he had spent some time
25 in jail prior to that.

1 His current bond right now is at \$250,000 surety
2 bond. He was arrested on April 10th at the time of the
3 search warrant. He was stopped I believe in a traffic
4 stop in the vicinity of the apartment.

5 Additionally, his mother was charged because she
6 was present in the apartment, my understanding, during
7 that last controlled buy and then was in the apartment
8 when they executed the search warrant. So she also has
9 charges stemming out of basically the same charges from
10 the search warrant.

11 It's the State's position at this point in time
12 that this bond is an appropriate bond, based on the
13 allegations against Mr. Jacobs and his prior record.

14 I told Mr. Wehman -- I've made him a tentative plea
15 offer at this point in time that I'm not really sure
16 he's had an opportunity to talk too much to his client
17 about. But it would be my intention, if he does not
18 wish to plea, that I would be putting him on our trial
19 docket for December.

20 THE COURT: Do you want to place the offer on the
21 record?

22 MR. SORENSON: I had told him that I would
23 basically reduce the thirds down to seconds and allow
24 him to -- and recommend a range of twenty to twenty-five
25 years on second offenses, Your Honor.

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PROCEEDINGS

THE COURT: Are you Antonio Jacobs?

MR. JACOBS: Yes, ma'am.

THE COURT: Please swear Mr. Jacobs.

THE CLERK OF COURT: Please raise your right hand.

[Whereupon, Mr. Jacobs is duly sworn by the clerk of court as follows: do you solemnly swear or affirm to tell the truth, the whole truth, and nothing but the truth, so help you God]

MR. JACOBS: Yes, ma'am.

THE CLERK OF COURT: Thank you.

THE COURT: Mr. Jacobs, you're scheduled for a jury trial here on these two indictments.

Do you understand that?

MR. JACOBS: Yes, ma'am.

THE COURT: I understand you wish to plead guilty; is that correct?

MR. JACOBS: Yes, ma'am.

THE COURT: And there is a negotiated plea for twenty to twenty-five years, terms left up to the Court.

Do you understand that?

MR. JACOBS: Yes, ma'am.

THE COURT: And if after hearing the facts and your prior record I cannot accept that, I would allow you to withdraw this plea.

1 THE COURT: And as to serious, that classification
2 has to do with what most people commonly call strikes.

3 Do you understand what that means --

4 MR. JACOBS: Yes, ma'am.

5 THE COURT: -- and what the potential is for you?

6 MR. JACOBS: Yes, ma'am.

7 THE COURT: So at some point, I'm going to sentence
8 you to somewhere between twenty to twenty-five years.
9 Should you commit -- after that release, should you
10 commit a serious or most serious or a combination, the
11 State could seek for you to serve life without the
12 possibility of parole.

13 Do you understand what that classification means?

14 MR. JACOBS: Yes, ma'am.

15 THE COURT: Knowing that, do you still wish to go
16 forward here today?

17 MR. JACOBS: Yes, ma'am.

18 THE COURT: Have you been satisfied with the
19 services of your attorney?

20 MR. JACOBS: Yes, ma'am.

21 He spoke with me on several occasions about my
22 situation.

23 THE COURT: From where I sit, just looking at the
24 reductions, he has done a very good job for you.

25 MR. JACOBS: Yes, ma'am.

1 THE COURT: Any complaints about the way he has
2 handled this case?

3 MR. JACOBS: No, ma'am.

4 THE COURT: Do you think there's maybe something he
5 should have done, or perhaps should not have done, that
6 would have assisted you in your defense?

7 MR. JACOBS: Nothing that I can see.

8 THE COURT: He's also the one that asked the Court
9 to delay your sentencing until tomorrow.

10 MR. JACOBS: Yes.

11 THE COURT: You have the right to appeal this plea
12 and the sentence that I do impose -- we cannot do that
13 until tomorrow -- but you must do so within ten days of
14 the imposition of the sentence.

15 Do you understand?

16 MR. JACOBS: Yes, ma'am.

17 THE COURT: Knowing that, do you still wish to go
18 forward here today?

19 MR. JACOBS: Yes, ma'am.

20 THE COURT: I think I have covered all your
21 constitutional rights. Now we're going to listen to the
22 facts, so please listen carefully.

23 MR. SORENSON: Thank you. May it please the Court,
24 Your Honor.

25 This stems out of an investigation that the

1 Dorchester County-Summerville Metro Narcotics Unit
2 opened into regarding this defendant back in January of
3 this year.

4 They initially -- using a confidential informant,
5 they did an initial buy, controlled buy, from Mr. Jacobs
6 on January 24th of this year and that was for about
7 twenty-three grams of marijuana.

8 They subsequently, on February 4th of this year,
9 did another controlled buy where they purchased a little
10 over half a gram of crack cocaine from Mr. Jacobs.

11 And then subsequently, on April the 10th of 2014,
12 actually at his residence, Ashley Garden Apartments,
13 purchased \$100 worth of crack cocaine from Mr. Jacobs.
14 And that last buy was made at about four o'clock in the
15 afternoon.

16 They, subsequent to that last buy, got a search
17 warrant that was executed then later on that afternoon
18 and they did find kind of scattered throughout that
19 apartment what ultimately ended up coming back positive
20 -- it was right at about just under twenty grams of
21 powder crack cocaine that was found, and just under nine
22 grams of crack cocaine that were found within that
23 apartment, along with marijuana in various spots along
24 with various other paraphernalia and stuff of that
25 nature, consistent with the sale of those drugs within

1 A. That's correct.

2 Q. And the marijuana offense, I believe the maximum
3 penalty for the marijuana offense is 20 years?

4 A. That's correct.

5 Q. Right. And the plea deal that the solicitor put on the
6 record for you was a negotiated plea with a range of 20 to
7 25 years. Is that right?

8 A. That's correct.

9 Q. Okay. And what I'm hearing and what I'm understand you
10 say, you're not really challenging the fact that you're
11 guilty of these offenses; right?

12 A. Well, I mean ---

13 MR. DAVIS: Objection, Your Honor. Relevance of the
14 PCR hearing.

15 THE COURT: Overruled.

16 A. Well, if counsel would've advised me that I had these
17 other avenues, I would not have pled guilty anyway. I was
18 trying to go to trial. I mean, you know, but he never did
19 that. So how would I know that?

20 Q. And what are the other avenues that you're talking
21 about?

22 A. Like as far as, like, challenging the evidence and
23 things like that. He never told me that. I mean, so I
24 never had that option.

25 Q. And the other charges that the State dropped against

1 you, those were like the CI buys and the State alleged that
2 they had bought crack from you?

3 A. No. That was -- there was the CI buys as well as the
4 evidence.

5 Q. Okay.

6 A. Because some of the evidence was seized in the
7 apartment.

8 Q. Okay. And there were -- I believe the State alleged
9 that there were three different CI buys that they had
10 against you?

11 A. Yes.

12 Q. And that's what they used to get a search warrant?

13 A. One of them.

14 Q. They used one of them to get a search warrant?

15 A. Yes, sir.

16 Q. Okay. And you were living with your mom?

17 A. No. I was not living with her.

18 Q. Okay.

19 THE COURT: Did you just say you were not living in the
20 house where the search took place?

21 THE WITNESS: No, I was not.

22 THE COURT: Okay.

23 Q. Sorry, go ahead.

24 A. No, I was about to show you -- I had a picture of the
25 address where I was, on my ID, where I was staying at.

1 Q. And do you recall him speaking about his mother's
2 charges to you?

3 A. We did talk about it. That was -- she was a
4 codefendant. If we had gone to trial, she would have most
5 likely been called as a defendant and it would have been a
6 joint trial. That was my understanding.

7 Q. Okay. Was that the -- the solicitor or just what you
8 thought?

9 A. The solicitor did mention that if it was a trial, he
10 intended to try them both. They both had connections to
11 that apartment. I believe it was her apartment that the
12 stuff was found in.

13 Q. Okay.

14 MR. NEELY: Beg the Court's indulgence.

15 Q. And did you speak with your client about credibility or
16 believability of a CI?

17 A. We talked about that only because the videos in this
18 case were poor based on the preliminary hearing we had and
19 discussions with the solicitor. The videos were
20 nonexistent, essentially. They didn't record. So we
21 would've had to have -- it would have been completely the
22 credibility of that CI. They didn't have a video to go by.

23 Q. And the credibility of a CI combined with a search
24 warrant?

25 A. Sure. We did talk about the search warrant and that

1 the fact that the video was not recorded didn't null the
2 search warrant. But that it was possible that the CI would
3 have to be called for the search warrant if we tried to
4 suppress it at trial.

5 Q. Okay. But the strength of the case wasn't in the audio
6 and video?

7 A. Correct. The strength was the search warrant,
8 everything got through the search warrant.

9 MR. NEELY: That's all the questions I have.

10 MR. DAVIS: Just one moment, Your Honor.

11 (Brief pause.)

12 CROSS-EXAMINATION

13 BY MR. DAVIS:

14 Q. Do you have -- Mr. Wehman, do you have a date on the
15 discussion you would've had with the solicitor following
16 bond court where you asked about altering the offer?

17 A. I believe you're referencing an e-mail that you had. I
18 do not. I was looking through my files. I don't have the
19 date of the conversation. It would've been about the time
20 that e-mail came through.

21 Q. Okay. Do you have a copy of the e-mail or no?

22 A. I can't find one through my file.

23 Q. Okay.

24 MR. DAVIS: May I have this marked, Your Honor?

25 THE COURT: Sure.

1 (Plaintiff's Exhibit No. 1, E-mail, was marked for
2 identification.)

3 Q. I'm gonna show you what's been marked as Plaintiff's
4 Exhibit Number 1. Take a look and see if that is the e-mail
5 in question.

6 A. Correct. So that e-mail came through, and as a result
7 of that, I would've gotten in contact with the solicitor
8 shortly after. And I don't know exactly the date, but it
9 would've been in response to this.

10 Q. Because that e-mail actually still talks about a
11 trafficking and cocaine and a distribution of cocaine. Is
12 that right?

13 A. Correct. Cocaine base.

14 Q. Okay. And what's the date of that e-mail?

15 A. The date of that would be November 7, 2014.

16 Q. Okay. And so it's your testimony that following that
17 e-mail is when you had discussions with the solicitor about
18 changing the possession from cocaine or crack-cocaine to
19 marijuana?

20 A. Correct. The dissolution of cocaine base to possession
21 with intent to distribute marijuana.

22 Q. That was of you own volition not after having met with
23 Mr. Jacobs in the interim; correct?

24 A. Correct. I would've replied and tried to get an
25 approved offer to take to him.

1 Q. And, again, your thinking was that the offer that's on
2 the e-mail consists of two strikes?

3 A. So it consists of two strikes. The maximum possible
4 penalty of the distribution would've been 30 years. The
5 maximum possible penalty of the PWID, third offense, is
6 actually 20 years, which was the bottom of the range we were
7 trying to get. The strike, I thought, was a benefit also.
8 I knew that the judge would be writing down at least one
9 20-year sentence. That was the thinking behind it.

10 Q. And the State would've then, when they agreed to that,
11 that's when they presented you with the proposed sentencing
12 sheets?

13 A. Correct. We actually got the proposed sentencing
14 sheets the day of the plea. That's when we typically get
15 those.

16 Q. Did you recall discussing with Mr. Jacobs the risks of
17 going to trial?

18 A. I remember this -- so I was actually appointed to
19 represent him, I want to say, it was in August, middle of
20 August. It was transferred to me. And up until that bond
21 hearing in November, we were working on a bond. We weren't
22 even talking about trial. It was getting the discovery. So
23 everything kind of came together on December 5th and
24 November 13th would be -- anything we talked about trial
25 would have been one of those two dates.

1 Q. And on State's Exhibit Number 1, can you tell by
2 looking at State's Exhibit Number 1 when you completed that
3 form?

4 A. It does not have a date on it. This would have been,
5 though, at the courthouse. The day of the plea is when I
6 bring these to do that.

7 Q. December 8, 2014?

8 A. Correct.

9 Q. You advised Mr. Jacobs he should plea guilty rather
10 than go to trial; correct?

11 A. I advised him of the risks of going to trial. The
12 solicitor had threatened if he were to try this case, to
13 break it up: distribution, distribution, distribution, and
14 then everything from the search warrant. And that his
15 intent would be once he acquired the number of strikes, to
16 serve him with an LWOP notice. That was the threat.

17 Q. And how was that conveyed to Mr. Jacobs?

18 A. We talked. That would've probably had been, like I
19 said, November 13th or December 5th, one of those two
20 meetings. We discussed the fact that the solicitor was
21 threatening to LWOP him at some point if he decided to go to
22 trial. But he was not LWOP eligible at the time of his
23 plea.

24 Q. So you've testified that you talked to him about the
25 risk of going to trial versus the plea offer. But,

1 they're on the public Index. But, no, they're not on his
2 official rap sheet.

3 Q. And so, it's for the record, when you say public index,
4 you're talking about an online website for the Clerk of
5 Court for Dorchester County?

6 A. And Charleston County, correct.

7 Q. And Charleston County. You would not have printed
8 anything from those websites when you reviewed them with
9 your client, would you?

10 A. I do not believe Mr. Jacobs saw those.

11 MR. DAVIS: May I have just a moment.

12 (Brief pause.)

13 Q. Mr. Wehman, just one final thing back to influencing
14 your advice whether to go to trial or not. There were
15 alleged three different buys; correct?

16 A. Correct.

17 Q. And the final one that led to the search warrant was
18 alleged to have occurred the day that the search warrant was
19 executed. Do you recall that?

20 A. I'd have to look back. If you say that's what the
21 discovery says, I mean, I have no reason to doubt you. But
22 I know it was close in time to when the search warrant was
23 sworn out.

24 Q. Well, let me rephrase it this way. Was the
25 final purchased alleged to have occurred the same day that

1 Mr. Jacobs was arrested. Do you recall that?

2 A. I do not specifically recall the date of the buy when
3 he was arrested.

4 Q. Do you recall, however -- he was arrested in the
5 vehicle; correct?

6 A. Correct.

7 Q. Do you recall that there was no buy money seized from
8 Mr. Jacobs?

9 A. Correct. That's correct.

10 Q. And despite the information, again, your advice based
11 on the offer was for him to accept the offer, not go to
12 trial on these charges?

13 A. Based on the charges all stemming from the search of
14 the home, yes.

15 Q. Okay.

16 A. And those distributions were dismissed.

17 Q. As part of the plea?

18 A. Correct.

19 Q. Okay.

20 MR. DAVIS: Thank you, Your Honor. That's all the
21 questions we have.

22 MR. NEELY: Nothing further from the State, Your Honor.

23 THE COURT: Anything else?

24 MR. NEELY: The State rests.

25 MR. DAVIS: If I could have just one moment.