

 ORIGINAL

STATE OF SOUTH CAROLINA

In The Court of Appeals

APPEAL FROM YORK COUNTY

Lee S. Alford, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

BRANDON A. DAVIS,

APPELLANT

Appellate Case No. 2011-204147

RECORD ON APPEAL

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STATE OF SOUTH CAROLINA)
) IN THE COURT OF GENERAL SESSIONS
COUNTY OF YORK)

THE STATE) TRANSCRIPT OF RECORD
) 2011-GS-46-02600
-vs-) 2011-GS-46-02600-A
) 2011-GS-46-2601
BRANDON ALEXANDER) 2011-GS-46-2603
DAVIS,) 2011-GS-46-2608
) 2011-GS-46-2608-A
DEFENDANT.) 2011-GS-46-2609
) 2011-GS-46-2610
) 2011-GS-46-2612
) NOVEMBER 3, 2011
) YORK, SOUTH CAROLINA

B E F O R E :

THE HONORABLE LEE S. ALFORD, JUDGE.

A P P E A R A N C E S :

KEVIN BRACKETT, SOLICITOR
JENNY DESCH, ASSISTANT SOLICITOR
ATTORNEYS FOR THE STATE

DEON O'NEIL, ESQUIRE
ATTORNEY FOR THE DEFENDANT

MICHAEL R. WATTS
CIRCUIT COURT REPORTER

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(NO WITNESSES CALLED)

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NO. DESCRIPTION

ID. EV.

(NO EXHIBITS MARKED)

1 (PROCEEDINGS, NOVEMBER 3, 2011)

2 MR. BRACKETT: May it please the court?

3 THE COURT: Solicitor.

4 MR. BRACKETT: Your Honor, this is State of South
5 Carolina versus Brandon Davis, Indictment 2011-GS-46-2600,
6 an indictment for murder. He is pleading guilty on that
7 indictment to the lesser included offense of voluntary
8 manslaughter.

9 2011-GS-46-2600-A, the second count of that
10 indictment, being possession of a firearm during the
11 commission of a violent crime.

12 2011-GS-46-2601, attempted murder.

13 2011-GS-46-2603, armed robbery.

14 These indictments all relate to one incident that
15 I would be presenting the facts on.

16 The second incident is 2011-GS-46-2608, attempted
17 murder.

18 2011-GS-46-2608-A, which is possession of a
19 firearm during the commission of the aforementioned
20 attempted murder.

21 2001-GS-46-2609, attempted murder.

22 2011-GS-46-2610, armed robbery.

23 2011-GS-46-2612, conspiracy.

24 The defendant is represented by Deon O'Neil, who
25 is present in court with his client. Mr. O'Neil is from the

1 Richland County Bar.

2 And the State of South Carolina have entered into
3 negotiations with regard to these charges. The defendant
4 has signed indicating that he will enter pleas of guilt to
5 these charges for a recommended sentencing range between 25
6 and 40 years without parole.

7 At the conclusion, the successful conclusion of
8 this plea, the State will dismiss the following accompanying
9 charges:

10 2001-GS-46-2601-A, which is a Count II, possession
11 of a firearm during the commission of a violent crime; 2602,
12 kidnapping;

13 2602-A, possession of a firearm during the
14 kidnapping;

15 2604, possession of a pistol by a person under 18;

16 And 2605, unlawful carrying of a pistol;

17 2609, possession of a pistol during a violent
18 crime;

19 And 2611, conspiracy.

20 At the appropriate time I will give the facts on
21 the homicide, and Ms. Desch with my office will give the
22 facts on the second incident, which relates to an armed
23 robbery shooting at the Haunted Trail.

24 And, Your Honor, sentencing will be deferred until
25 the end of this month. We will just take the guilty pleas

1 at this time. And at the appropriate time, of course, the
2 victims will be present and able to speak on the issue of
3 sentencing on the related factual issues, which will be, we
4 anticipate, the final term of the month of November.

5 BRANDON ALEXANDER DAVIS, having been first duly
6 sworn, testified as follows:

7 THE COURT: All right, sir, you are Brandon
8 Alexander Davis, is that right?

9 THE DEFENDANT: Yes, sir.

10 THE COURT: How old are you, sir?

11 THE DEFENDANT: 17.

12 THE COURT: How far have you gone in school?

13 THE DEFENDANT: 11th grade.

14 THE COURT: Do you work anywhere or have you
15 worked anywhere?

16 THE DEFENDANT: No, sir.

17 THE COURT: You are not married, are you, sir?

18 THE DEFENDANT: No, sir.

19 THE COURT: Do you have any children?

20 THE DEFENDANT: No, sir.

21 THE COURT: How much time have you served in jail
22 on these charges? Well, we will just hold off on that. We
23 will get on that when we get to the sentencing portion of
24 this.

25 Now, Mr. Davis, you are charged today with a

1 number of offenses. You are charged with attempted murder.

2 THE DEFENDANT: Yes, sir.

3 THE COURT: Three counts of attempted murder.

4 THE DEFENDANT: Yes, sir.

5 THE COURT: Each of which is classified as a
6 felony; each of which carries a maximum punishment of 30
7 years in prison.

8 Each of them is classified as a violent offense.

9 Each of them does not allow for probation or
10 suspension of the sentence, and no-parole offenses.

11 Each of them is classified as a most-serious
12 offense. The importance of that classification is should
13 you get two most-serious offenses on your record, or a
14 combination of three serious and most-serious offenses on
15 your record, upon receiving the second such offense, or the
16 third such offense, you could get a sentence life without
17 parole, the so called Two Strikes and Three Strikes Rules;
18 so that if you picked up another most-serious offense in the
19 future, you could get a sentence of life without parole; or
20 a serious offense, for that matter. Do you understand that?

21 THE DEFENDANT: Yes, sir.

22 THE COURT: You are also charged today with
23 voluntary manslaughter, which the offense is classified as a
24 felony and it carries a minimum sentence of two years, a
25 maximum sentence of 30 years.

1 It also is classified as a most-serious offense, a
2 violent offense, and a no-parole offense. Do you understand
3 that?

4 THE DEFENDANT: Yes, sir.

5 THE COURT: You are also charged with two counts
6 of armed robbery; each of which is classified as a felony;
7 each of which carries a minimum sentence -- a mandatory
8 minimum sentence of 10 years, a maximum sentence of 30
9 years.

10 Each of them is classified as a most-serious
11 offenses, a violent offense and a no-parole offense. Do you
12 understand that?

13 THE DEFENDANT: Yes, sir.

14 THE COURT: You are also charged with two counts
15 of possession of a weapon during the commission of a violent
16 crime; each of which is classified as a felony and carry a
17 maximum punishment of five years. Do you understand that?

18 THE DEFENDANT: Yes, sir.

19 THE COURT: You are also charged today with
20 criminal conspiracy, which offense is classified as a felony
21 and it carries a maximum punishment of five years. Do you
22 understand that?

23 THE DEFENDANT: Yes, sir.

24 THE COURT: Now, understanding all these charges
25 and the maximum punishment that you could receive on each

1 charge, the implications of having most-serious offenses on
2 your record, violent offenses on your record, no-parole
3 offenses on your record, understanding all of that, how do
4 you plead to these charges today, guilty or not guilty?

5 THE DEFENDANT: Guilty, sir.

6 THE COURT: Do you understand that by pleading
7 guilty you give up your right to remain silent?

8 THE DEFENDANT: Yes, sir.

9 THE COURT: Do you understand that by pleading
10 guilty you give up your right to a trial by jury?

11 THE DEFENDANT: Yes, sir.

12 THE COURT: And if you give up your right to a
13 trial by jury, you also give up your right to assert any
14 legal defenses that you might have in a jury trial.

15 THE DEFENDANT: Yes, sir.

16 THE COURT: I know your attorney has gone over
17 your rights in a jury trial with you and I'm going to do so
18 as well.

19 If you requested a trial by jury, the State would
20 give you a trial. At trial you would have the right to
21 confront and cross-examine all witnesses against you.

22 You would have the right to present any witnesses
23 and/or evidence in your own defense.

24 You would have the right to testify in your own
25 defense, if you wished to do so, but no one could make you

1 testify in your own trial.

2 If you decided to go to trial and not testify, the
3 judge would tell the jury they could not hold your failure
4 to testify against you. In fact, the jury couldn't even
5 consider your failure to testify in their deliberations on
6 your guilt or innocence.

7 You would be presumed innocent throughout your
8 trial. The State would have to prove you guilty beyond a
9 reasonable doubt to a jury of twelve people.

10 All twelve people would have to unanimously agree
11 that you were guilty in order for you to be convicted. And
12 even if you were convicted, you would still have the right
13 to appeal that conviction.

14 Do you understand your rights with regard to a
15 trial by jury?

16 THE DEFENDANT: Yes, sir.

17 THE COURT: Understanding that right, do you still
18 want to plead guilty, or do you want me to set your cases
19 for trial?

20 THE DEFENDANT: Guilty, sir.

21 THE COURT: Now, the State has agreed -- in return
22 for your plea in this case, they have agreed to a sentence
23 range of 25 to 40 years. They have agreed to dismiss
24 several other charges, which have been placed on the record
25 today.

1 Is that your understanding of the agreement that
2 you had with the solicitor's office in order to plead guilty
3 to these charges?

4 THE DEFENDANT: Yes, sir.

5 THE COURT: Has anybody promised you anything
6 other than that in order to get you to plead guilty?

7 THE DEFENDANT: No, sir.

8 THE COURT: Has anybody threatened you, coerced
9 you, or forced you to plead guilty against your will?

10 THE DEFENDANT: No, sir.

11 THE COURT: Are you satisfied with the manner in
12 which your attorney has advised and represented you in these
13 cases?

14 THE DEFENDANT: Yes, sir.

15 THE COURT: Have you and your attorney fully
16 discussed the charges against you?

17 THE DEFENDANT: Yes, sir.

18 THE COURT: Has your attorney told you the
19 witnesses and evidence the State has available to present at
20 trial to prove your guilt?

21 THE DEFENDANT: No, sir.

22 THE COURT: Your attorney has not discussed the
23 witnesses and evidence the State has with you?

24 THE DEFENDANT: Oh, my motion?

25 THE COURT: No, sir. Has your attorney discussed

1 with you the evidence that the State has --

2 THE DEFENDANT: Oh, yes, sir.

3 THE COURT: -- prepared to present at trial,
4 including the witnesses? Has he discussed that with you?

5 THE DEFENDANT: Yes, sir.

6 THE COURT: Okay. And has your attorney discussed
7 with you any possible legal defenses that might be available
8 to you, if you were to go to trial?

9 THE DEFENDANT: Yes, sir.

10 THE COURT: Have you told your attorney the names
11 of any and all witnesses you know of that your attorney
12 could subpoena and bring to trial to assist in your defense,
13 if you were to go to trial?

14 THE DEFENDANT: No, sir.

15 THE COURT: Do you know of any witnesses that you
16 need to tell him about?

17 THE DEFENDANT: No, sir.

18 THE COURT: Are you today under the influence of
19 any mind-altering substance, such as alcohol, drugs, or
20 prescription medications, which interfere with your judgment
21 or ability to understand what you are doing in court today?

22 THE DEFENDANT: No, sir.

23 THE COURT: Do you have any mental, emotional, or
24 nervous condition that interferes with your judgment or
25 ability to understand what you are doing in court today?

1 THE DEFENDANT: No, sir.

2 THE COURT: Are you pleading guilty today of your
3 own free will?

4 THE DEFENDANT: Yes, sir.

5 THE COURT: Are you, in fact, guilty of these
6 several charges.

7 THE DEFENDANT: Yes, sir.

8 THE COURT: Please give me the facts.

9 MR. BRACKETT: Yes, sir. Assistant solicitor
10 Jenny Desch will give you the facts on the first incident.
11 I will relate the facts on the second.

12 MS. DESCH: May it please the court, Your Honor.

13 THE COURT: Solicitor.

14 MS. DESCH: Your Honor, for the purpose of this
15 plea I'll give you a brief rendition of the facts that
16 started on October 16th, 2010. There are victims, Mr.
17 Rockholt and Mr. Miller, were working at Haunted Trail here
18 in Rock Hill, York County. At some point during the night,
19 around ten p.m., the defendant approached the table. He
20 pulled out a gun and he fired at Mr. Rockholt, struck him in
21 the chest and in the arm area. Mr. Rockholt fell to the
22 floor. At that point the defendant turned his gun on Mr.
23 Miller. He was able to get a shot off but Mr. Miller threw
24 a chair at him. It deflected the bullet enough that it hit
25 the chair and grazed the shirt and hit a flashlight that Mr.

1 Miller was holding. At that point the defendant reaches
2 down, grabs the money box from the table that had
3 approximately a \$1,000 in that money box. Mr. Miller was
4 able to get to his car, grab his own gun and returned fire
5 as the defendant and another co-defendant ran towards the
6 SUV that was waiting in the parking lot. Those two got in
7 the back of the SUV as Mr. Miller was firing back at them.

8 There was four people in the SUV. All four of
9 them have been charged in this incident. That car got away
10 that night, but during the investigation the identity of the
11 people at the scene were given by witnesses and the identity
12 of the driver of the SUV was also identified.

13 During the investigation it was found that once
14 Mr. Davis, the defendant here before you, got into the car
15 with the money box, he took some of the money out. He split
16 it up between the people in the car. He gave some money
17 directly to the driver of the car, Mr. Timas Nelson. They
18 drove away. They tossed the money box into the woods. It
19 was later recovered by law enforcement, and they fled the
20 scene.

21 Three days later Mr. Davis was involved in the
22 Anthony Whitlock murder, which Mr. Brackett will get into
23 those facts, and during that investigation he was identified
24 as the shooter in this case and the shooter in that case.

25 THE COURT: Solicitor.

1 MR. BRACKETT: Yes, sir.

2 As Ms. Desch has alluded to, on October 19th of
3 2010, about five o'clock, this defendant did get into a
4 vehicle with Anthony and Thomas Whitlock. Thomas Whitlock
5 was the uncle of Anthony Whitlock, and had been asked by the
6 younger Whitlock, his nephew, to give him a ride somewhere
7 to pick somebody up. They went to a park. This defendant
8 got into the car. They drove around for a brief period of
9 time, during the course of which the defendant here, Mr.
10 Davis, pulled a small revolver out from his pocket, pointed
11 it at the back of Mr. Whitlock's head, fired a shot into his
12 head killing him.

13 Mr. Thomas Whitlock, the uncle, was then
14 instructed to rifle the pockets of Anthony Whitlock, recover
15 some money and hand it over. He did this, after which the
16 defendant turned the gun on the uncle, firing a shot and
17 striking him, before exiting the vehicle and fleeing.

18 The surviving Mr. Whitlock, Thomas Whitlock, was
19 able to actually identify this defendant as being the
20 shooter that day because pictures of him related to this
21 other incident were on the television during that time
22 period and he saw Mr. Davis' photograph on the television
23 and was able to identify him as the individual who had
24 gotten in the car, killed his nephew and robbed him.

25 In addition to Mr. Whitlock, another witness who

1 was nearby also identified Mr. Davis as being the individual
2 who had gotten out of the car and fled that day.

3 So those are the factual basis for both of these
4 incidents, Your Honor. There are many more details and what
5 we believe to be salient facts that bear on the issue of
6 sentencing that we will present at the appropriate time when
7 the victims are here. We will go into a much more richly
8 detailed accounting of exactly what happened that day on the
9 date of sentencing.

10 THE COURT: Mr. Davis, you have heard the facts
11 recited to the court by the solicitor's office with regard
12 to these several charges. Do you disagree in any way with
13 what they say happened as to each of these charges?

14 THE DEFENDANT: No, sir.

15 THE COURT: I find the decision of the defendant,
16 Brandon Alexander Davis, to plead guilty to these several
17 charges to be made freely, voluntarily, and intelligently.

18 He's had the representation of a competent
19 attorney with whom he says he is satisfied.

20 I find the facts presented to the court by the
21 solicitor's office, concurred in by the defendant, fully
22 support the guilty pleas in this case and I will accept the
23 pleas as freely and voluntarily made.

24 Now, Mr. Davis, if you disagree with the
25 proceeding in which we are currently involved, you would

1 have ten days from the date that you are actually sentenced
2 on these charges to file a notice of intent to appeal. In
3 other words, once sentencing takes place, you would have ten
4 days after that if you wanted to appeal today's proceeding.

5 Do you understand your right to appeal today's
6 proceeding?

7 THE DEFENDANT: Yes, sir.

8 THE COURT: Counsel, is there anything that you
9 wish to say at this time?

10 MR. O'NEIL: No, Your Honor.

11 THE COURT: We are deferring sentence.

12 All right. The court accepts the pleas, their
13 freely and voluntarily made.

14 We will defer sentencing until a later date.

15 MR. BRACKETT: Thank you, Your Honor.

16 MS. DESCH: Thank you, Your Honor.

17 (END OF REQUESTED TRANSCRIPT OF RECORD)
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CERTIFICATE

I, the undersigned, Michael R. Watts, Official Court Reporter for the Sixteenth Judicial Circuit of the State of South Carolina, do hereby certify that the foregoing is a true, accurate and complete Transcript of Record of the proceedings had and the evidence introduced in the trial of the captioned case in the Court of General Sessions for YORK County, South Carolina, on the 3RD day of NOVEMBER, 2011.

I do further certify that I am neither of kin, counsel nor interest to any party hereto.

MAY 31, 2012



Michael R. Watts
Circuit Court Reporter

STATE OF SOUTH CAROLINA)	GENERAL SESSIONS
)	
County of York)	2011-GS-46-2600,
)	2600A, 2601, 2603
)	2608, 2608A, 2609A
State of South Carolina,)	
)	
)	
vs.)	TRANSCRIPT OF RECORD
)	
Brandon Alexander Davis.)	
)	
)	
)	

November 30th, 2011
York, South Carolina

BEFORE:

THE HONORABLE LEE S. ALFORD, JUDGE.

APPEARANCES:

KEVIN BRACKETT, SOLICITOR
Attorney for the State

JENNY DESCH, ASSISTANT SOLICITOR
Attorney for the State

DEON O'NEIL, ESQ.
Attorney for the Defendant

AMINAH R. HARDY, RPR
Official Court Reporter

EXHIBITS

No.	Description	Page
C-1	Guilty plea	4

PROCEEDINGS

1
2 BRANDON ALEXANDER DAVIS, having first been duly
3 sworn, testified under oath as follows:

4 MR. BRACKETT: Brandon Davis. May it please the
5 Court.

6 THE COURT: Solicitor.

7 MR. BRACKETT: Your Honor we're back on the record in
8 regards to 2011-GS-46-2600, 2601, 2603, 2608, 2609, 2610
9 and 2612; State of South Carolina versus Brandon Alexander
10 Davis. He is in court represented by his counsel, Deon
11 O'Neil, of the Richland County bar. Your Honor will
12 recall on November 3rd in this courtroom in front of
13 Your Honor, Mr. Davis entered pleas of guilt to the above
14 indictments, and indicated that he wished to accept
15 responsibility for these in exchange for a negotiated
16 sentencing range of between 25 and 40 years without
17 parole. We withheld sentencing at that time in order to
18 make sure we had ample opportunity to ensure that the
19 victims could be present at the time of sentencing to
20 present the impact the crime has had on them. We have
21 contacted the victims. They are in this courtroom present
22 and ready to be heard.

23 The State is prepare to go forward with the
24 sentencing in the matter. We have a copy of the
25 transcript of the plea from November the 3rd, which we

1 would at this time introduce as a court's exhibit so that
2 it can be made a part of the record for the proceeding for
3 today. As Your Honor will recall, there were two
4 indictments embraced. One of them was an armed robbery
5 shooting around the -- what was called the Haunted Trail.
6 It was around Halloween. There was a haunted trail set
7 up, and there was an armed robbery shooting at that
8 location. Ms. Desch with my office will be giving the
9 facts in more detail in regard to that situation. And
10 then the second incident involved the shooting and robbery
11 of Anthony Whitlock, who died as a result of the shooting.
12 And his uncle, Thomas Whitlock, who survived the shooting,
13 is present in the courtroom and wishes to be heard at the
14 appropriate time.

15 (Court's Exhibit Number 1 was marked.)

16 THE COURT: Counsel ready to proceed with the
17 sentencing?

18 MR. O'NEIL: Yes, Your Honor.

19 THE COURT: All right. Please proceed and give me
20 the facts.

21 MR. BRACKETT: Thank you, Your Honor. Ms. Desch.

22 MS. DESCH: May it please the Court, Your Honor.
23 Your Honor, with regards to the Haunted Trail shooting
24 that occurred on October 16th, 2010, on Tuckaway Road
25 down near Rock Hill in York County. The defendant, Alex

1 Davis, was with some other friends, some codefendants,
2 Ladarrian Fewell, Kwamane King, and Timas Nelson. There
3 were some others that were out there, friends of his from
4 the Sunset Park area. They had been hanging out during
5 the day and decide at some point to go to the Haunted
6 Trail, which was literally a haunted trail that was set up
7 at the back of the house.

8 When they arrived at the Haunted Trail, there was
9 lots of people standing around. It was an evening close
10 to Halloween, and they were hanging out with friends. And
11 at some point it was mentioned it was \$12 a person to get
12 in. And some of those that arrived decided that that was
13 too much money, but they realize all the people standing
14 around have now paid \$12 to get in the door.

15 At some point Kwamane King, who was a codefendant in
16 this case, stated that he heard Alex talking about how
17 much money was being made and that he wanted to get a part
18 of it. Mr. King tells law enforcement at that point after
19 he hears about this possible robbery, he says to Alex, "I
20 don't want to be a part of it," and he goes back to the
21 Suburban in which they came. It was a Suburban that
22 belonged to Timas Nelson. Your Honor, Timas Nelson also
23 at some point in the evening got back into the Suburban.

24 Ladarrian Fewell was hanging out, kind of lingering
25 around. Some people that were standing around, bystanders

1 said that he had his hoodie up, he was sort of standing
2 back, acting shady. There was a lot of other South Pointe
3 high school students there. They recognized all the
4 people that were there. They said Ladarrian was acting
5 weird. He's usually very charming, but he was acting
6 shady, had his hood up, and was standing back, and Alex
7 was also out there.

8 There was a disturbance at one point. One of the
9 girls that had paid and gone through came out. She got
10 incredibly scared and just almost passed out and had to be
11 cared for. At one point one of the workers took her to
12 the side, so there was a lot of attention that was paid to
13 this girl that had gotten really scared and was taken off
14 to the side.

15 At that point when all this is going on, Ladarrian
16 Fewell goes to Timas Nelson in the Suburban and says, "I
17 need the gun. You still got that gun?" And he says,
18 "Yeah, it's in the car," gets out, and they've described
19 it as a .22 pistol that was found at Timas Nelson's old --
20 grandfather's house and they had it. It was kind of a
21 rusty .22. Ladarrian Fewell gets that out of the car and
22 it's given or retrieved by Alex Davis, the defendant that
23 is before you.

24 Alex approached the table, Your Honor, where the
25 money is being retrieved. There's no security there.

1 It's just Mr. Rockholt and Mr. Miller who are taking
2 money. They're shepherding all the people through the
3 Haunted Trail, and it's a money box just sitting right out
4 in the open. Mr. Davis approaches. What he does
5 immediately is hold up the gun at Mr. Rockholt.
6 Mr. Rockholt reacts quick enough that he's able to get a
7 hand on it, miraculously, and when the shot goes off,
8 strikes him in the shoulder. He falls back, and at that
9 point, the gun is turned to Mr. Miller, who is standing
10 there. Mr. Miller has the wherewithal to throw a chair,
11 and block it. And again, miraculously, the bullet
12 ricochets off the chair and off the flashlight that
13 Mr. Miller was holding.

14 At that point, it's enough that it knocks Mr. Miller
15 back. Alex Davis, with Ladarrian Fewell still behind him,
16 after the shots go off, grabs the money box that's sitting
17 there and taking off running. And Ladarrian Fewell takes
18 off running and they go to the Suburban where Timas Nelson
19 and Kwamane King are sitting already. The car is pointed
20 toward the exit of the parking lot. They jump in the back
21 and yell, "Go, go, go, go, go." Timas Nelson flies out of
22 the parking lot. Mr. Miller goes back to his car. He's a
23 worker there, so he has his car right there, grabs his own
24 gun, and is firing back, chasing after them, trying to get
25 them to stop. The bullets ricochet off. One actually

1 hits the Suburban.

2 The guy -- the four of them are not caught on that
3 evening. The investigation starts. Officers are called
4 out. They deal with the medical issues at the scene and
5 the evidence issues, and at some point, the Suburban is
6 linked to Timas Nelson. When Timas Nelson sees -- when
7 Timas and his uncle, Thomas, are confronted about this,
8 they do give statements, and the bullet holes actually
9 covered up with a piece of tape. But it was the uncle
10 that pulled it off and realized that's a bullet hole.
11 They hired an attorney, came in and talked to law
12 enforcement, and gave statements. Timas admitted he was
13 there, he put himself in the car, and he gave the full
14 names of everyone else that was involved.

15 At that point throughout the next two weeks, the four
16 that were involved were -- gotten down and Ladarrian
17 Fewell was the last one that was arrested at the end of
18 the month, actually on Halloween. He was arrested in a
19 hotel that is up on the border of the North Carolina
20 border. The money box that was taken, it had about
21 thousand, \$1,200. They took the money box, they got in
22 the car, and inside the car as they're driving away, Alex
23 and Ladarrian are getting through the money and they've
24 divvying it up, and then the money box is tossed out the
25 Suburban as they're going down the road.

1 Your Honor, they -- three days later -- this occurred
2 on October 16th, and it was three days later that Alex
3 Davis shot Anthony Whitlock, and Mr. Brackett will get
4 into the detail of that murder charge.

5 We do have two victims, Your Honor, James Rockholt
6 and Chris Miller are here today. They would like to be
7 heard as far as sentencing is concerned.

8 THE COURT: Want to do that first?

9 MR. BRACKETT: Yes, sir. We'll take the victims for
10 each case in turn, so Mr. Rockholt, Mr. Miller?

11 SPEAKER: My name is James Douglas Rockholt. I was
12 the one he shot. If you see -- look at my arms. That's
13 as high as I can raise it. I can't make a fist.
14 I can't write. I was left-handed. And I just -- I'm hurt
15 24 hours a day, seven days a week since he shot me. I
16 still carry the bullet in my shoulder. And he deserves
17 every day that he gets. Every day.

18 THE COURT: Thank you, sir.

19 MR. BRACKETT: State your full name.

20 SPEAKER: Brian Christopher Miller, Jr. Only thing I
21 really got to say is that I feel that someone that could
22 do something like this to an honest person, and a man
23 could have his kids as me -- I had my child, both my kids
24 and my wife there at the time standing next behind
25 Mr. Rockholt, and him to shoot somebody and not to care.

1 And my child -- my -- both my kids still to this day have
2 I guess what would you call it dreams about it or whatever
3 you want to call it, but my daughter, I didn't get to see
4 my daughter for seven months because the incident that
5 happened had -- did not get to see her, period. She
6 actually lives in Myrtle Beach and I actually live here
7 now. But I didn't get to see her in no general way
8 because of it, because she was so frightened that when she
9 come back down here, something was actually going to
10 happen again, that I was going to get shot or somebody
11 else was going to get shot around her. And the point of
12 is it that you can't have your kids worried about going
13 outside, playing in the yard over some ignorant mess that
14 goes on. And that's really all I got to say about it.

15 THE COURT: Thank you, sir.

16 MR. BRACKETT: Your Honor, those are the operative
17 facts of the Haunted Trail shooting. The next incident
18 took place on October the 19th at about 5:20. Officers
19 with the Rock Hill Police Department were called to
20 Piedmont Medical Center at 222 Herlong Avenue in the city
21 of Rock Hill in reference to a shooting. They arrived
22 there and discovered that Mr. Anthony Whitlock had been
23 shot in the head, and he had died as a result of his
24 injuries. His uncle, Thomas Whitlock, who is in court
25 with us today and would like to be heard, was also

1 injured. He had been shot. But he survived, fortunately,
2 and officers interviewed, Mr. Whitlock, Mr. Thomas
3 Whitlock to find out what had happened. And he told him
4 he had been asked by his nephew, Anthony, to give Anthony
5 a ride. He had been asked to go over to Freedom Park
6 where he was going to pick up an individual he had to meet
7 with, so he did. And he said basically that the
8 individual got in the car, they drove around for a short
9 period of time, and the individual shot his nephew,
10 killing him in the car. At gunpoint, forced Mr. Whitlock
11 to rob his nephew, to take the money out of his pocket.
12 Basically what he said was -- in more detail what he said
13 was Anthony Whitlock asked him for a ride to Freedom Park
14 to meet the suspect. He described the suspect as a black
15 male with medium skin complexion, about 5 foot 7 inches
16 tall. He stated he thought the suspect was about 23 years
17 old. In fact, Mr. Davis at the time was 16 years old.

18 The suspect told him to drive to Baker Street and
19 asked him to pull over at a house on Baker Street, and
20 then told him to keep driving. He stated that as the car
21 neared Baker and Orr, the suspect started firing shots
22 from the backseat at Anthony Whitlock's head. Whitlock
23 stated the gun was a black revolver. He stated the
24 suspect instructed him to continue driving and told him to
25 stop at Orr Drive and Baker Street. The suspect told him

1 to take money from Anthony's pockets. Whitlock stated he
2 saw a bag with marijuana, but he did not give it to the
3 suspect.

4 The victim finally stated that the suspect exited the
5 vehicle and the suspect then shot him three times.
6 Whitlock said that he drove himself to the hospital for
7 injuries.

8 Investigators responded and interviewed him in more
9 detail, and also based on canvassing the neighborhood were
10 able to develop a possible suspect. And actually over
11 next couple of days, they had several individuals that
12 they were looking into, and they presented Mr. Thomas
13 Whitlock with a series of photo identification line ups.
14 Mr. Whitlock indicated that none of the individuals in any
15 of those line ups were the -- was the individual that had
16 shot his nephew and he that night.

17 Ultimately on October the 25th, six days later
18 about 7:30, Mr. Thomas Whitlock called Detective Cedrick
19 Stokes with the Rock Hill Police Department by telephone
20 and told him that the suspect who had shot him and his
21 nephew -- he saw his picture on television. There had
22 been a news report related to the Haunted Trail shooting
23 that Ms. Desch just related to you, and the defendant's
24 picture had been flashed on the television. Mr. Whitlock
25 saw the face and immediately recognized that that was the

1 person who shot his nephew and him.

2 They prepared a photo line up working with the
3 sheriff's department. They were able to get a picture.
4 They prepared a photo line up. The next day, Mr. Whitlock
5 came in and positively identified Brandon Davis as the
6 individual who had gotten into the car with he and his
7 nephew, had pulled the black revolver, shot and killed his
8 nephew, and also shot him.

9 There are individuals with the victim's family who
10 are here in courtroom would who like to be heard on this
11 case. The first two are -- they can come up two at a
12 time, so I'd like to ask Jervaris Whitlock, who is Anthony
13 Whitlock's brother, as well as Felicia Taylor, who is
14 Anthony's girlfriend. If you would come forward, please.

15 SPEAKER: I'm Felicia Taylor. I was the girlfriend
16 of Anthony Whitlock for eight years. We had -- we was
17 living together. We had a small child, and at the time
18 when he was killed, he was only five months old. And I
19 don't think that it's fair that I have to raise him alone
20 because of this. He will never know his father. He don't
21 remember the last time his father touched him. Only thing
22 that I can do is try to tell him things, because Anthony
23 Whitlock was a great man. He was a great father, and it
24 is not right that he was taken away from us. It is not
25 right, and I just want justice for him.

1 THE COURT: Thank you, ma'am.

2 SPEAKER: How you doing, Judge?

3 THE COURT: Yes, sir. Give us your name, please.

4 SPEAKER: My name is Jervaris L. Whitlock. I'm
5 Anthony's second to the oldest brother out of six of us.
6 I just stand to say that this has totally been a tragedy
7 to my family, and also I know to his family also. But I
8 just to say we have lost a big, huge part of our family.
9 Anthony was a smart, intelligent brother who had dreams,
10 who had plan for not only his family, his mother, his
11 brothers, his grandmother, his uncles, his aunts, but also
12 for his community. Me as being part of this -- our
13 community, we don't -- that -- just it was just crazy. It
14 was just crazy. I feel like this should be an example.
15 For an example with the law, for the example with family
16 and friends and victims and other families that have been
17 through this. I love my brother. I love my family, and I
18 just ask that he get an extended period of time due to
19 that we are still grieving. We still hurt. Our days are
20 longer, our nights are longer, and I'm pretty sure his
21 family too. So just sum it all up, I just ask that he get
22 the max, ask that he get the max.

23 THE COURT: Thank you, sir.

24 MR. BRACKETT: And, Your Honor, finally Mr. Thomas
25 Whitlock, the uncle of Anthony Whitlock. And Mr. Whitlock

1 was in the car and was also shot by Brandon Davis.

2 SPEAKER: My name is Thomas Whitlock, Jr., and I was
3 in the car when -- October the 19th with my nephew,
4 Anthony. We picked up Brandon and he got in the car with
5 us, and it took us like a block or two around the road in
6 the Sunset Park area. And all of a sudden, he just pulled
7 out a pistol and shot my nephew in the head twice. Then
8 he told me to rob my nephew. And before he shot me --
9 after he shot Anthony, I pled for my life. I told him, "I
10 don't know what's going on. I don't even know you." I
11 said, "Please let me live." Then after that, we went on
12 around the block a little bit and I robbed my nephew for
13 Davis. And as he took me -- as he told me to go to a stop
14 sign on the corner of Orr Drive and Baker, and that's when
15 I was letting him out because we was in a two-door car.
16 And after I pleaded for my life and everything, he got out
17 and he shot me twice, and he actually got out and reached
18 over and shot me a third time.

19 I just feel like whatever his penalty is or whatever
20 you decide, I hope he get the max. Because if I wouldn't
21 have identified him on TV or whatever to Detective Stokes
22 I don't know how much longer his rampage could have went
23 on. More people in our community could have been dead or
24 killed or wounded or whatever, and him to put my family
25 through a whole lot of stress, losing sleep and

1 everything. Day after day, I think about this. I can be
2 driving my car, my Suburban, and I feel a -- I could see
3 the whole incident again. You know, it's just -- that's
4 all I got to say.

5 THE COURT: Thank you, sir.

6 MR. BRACKETT: Just a couple more things briefly,
7 Your Honor. First, I want to relate to the Court because
8 he was 16, he had no adult record. He was -- his prior
9 record consisted of a couple minor assault and battery and
10 disturbing school, which he went through juvenile
11 arbitration on and he, in 2008, was convicted of malicious
12 injury to property in juvenile court and was put on
13 probation for that in June of 2008.

14 Your Honor, I think you've heard the facts. They
15 pretty much speak for themselves, but I want to sum up my
16 sentiments on exactly what Mr. Davis did here, because I
17 think it's pretty clear one thing is certain that you can
18 deduce from all the facts and circumstances that have been
19 laid before you. Mr. Davis has no regard for anybody
20 else's life. He doesn't care whether anybody else lives
21 or dies. Mr. Davis is a selfish man who pulled these guns
22 out and shot these people in both cases without warning,
23 without provocation. Nobody was trying to do anything.
24 They were going about their own business.

25 Mr. Rockholt was a innocent man. Mr. Miller is an

1 innocent man. They were running a business, an event, a
2 Halloween event for children to go to. The whole place
3 was filled with children, and this man shows up with a
4 revolver and decides that they don't get to keep the money
5 that they've rightfully earned because he wants it. And
6 he walks up and for no reason at all, shoots Mr. Rockholt
7 and disables him for the rest of his life. He will live
8 with those injuries for the rest of his life.

9 Then, not three days later, he gets into a vehicle
10 with Anthony Whitlock sitting in the backseat. With no
11 provocation to Mr. Anthony Whitlock, no provocation on
12 Mr. Thomas Whitlock's part, pulls the gun out while
13 they're driving around and executes Anthony Whitlock by
14 shooting him not once but twice because he wanted to be
15 sure that Mr. Whitlock died. There could be no question
16 about that.

17 So on this -- based on that, I don't know what more I
18 could possibly add or what eloquence I could bring to this
19 tragedy that would elaborate on the actions of this
20 defendant. If anybody deserved 40 years, it's this man
21 right here. And the State joins the victims in this case
22 in asking you to sentence Mr. Davis, remove him from our
23 midst and keep this community safe by taking him out of it
24 for the next 40 years without parole. Thank you, Your
25 Honor.

1 THE COURT: Counsel.

2 MR. O'NEIL: Thank you, Your Honor. May it please
3 the Court. Before I do any mitigation I want to, of
4 course, express my sympathy to both Mr. Rockholt and
5 Mr. Miller and the whole Whitlock family on behalf of
6 Alex. I know Alex wants to personally express his
7 feelings at the appropriate time.

8 Your Honor, I do want to pass up one bit of
9 information here. It's an evaluation and diagnosis that
10 was done on Alex when he had his juvenile charges. The
11 date of this diagnosis is March 4, 2009. I've already
12 shared this with Mr. Brackett. I just want to pass that
13 up to you, Your Honor. And I'll reference it a little bit
14 later on in my mitigation.

15 Thank you. I, too, join asking in Your Honor, to
16 provide justice today, but I'm asking Your Honor to
17 provide tempered with mercy. My very first experience in
18 the criminal system, I stood in front of a judge and the
19 judge kind of alluded to what their theory about
20 sentencing should be. And that judge said that in
21 sentencing a defendant, he would try to determine the
22 difference between those defendants who are truly bad or
23 truly evil, or those defendants who had just done bad or
24 evil things here. I think Brandon is one of those
25 individuals who is not truly evil, but certainly had done

1 bad or evil things here that has dire consequences to not
2 only the victim's family, but his family as well here..

3 As Your Honor is aware here and Brandon would admit
4 back -- as I would admit it back in the beginning of this
5 month, he made bad choices here. He's not going to say he
6 got caught up in the wrong crowd and got carried away. He
7 understands he made bad choices, and he's taking
8 responsibility for those choices, Your Honor.

9 As your Honor is aware, sentencing really has three
10 goals here, Your Honor. First two goals are punishment,
11 some sort of deterrence here. What I'm asking of the
12 Court is to consider a 25-year sentence for Alex here, and
13 I think that would accomplish the goal of punishment and
14 deterrence. We keep referring to Alex as a man, as an
15 adult, but truth be told, at the time this happened
16 Brandon was 16 years old, Your Honor. He was still a
17 juvenile and a child at this point. We realize that the
18 legal system considers his actions as one of those as a
19 adult here, but truth be told, he was only 16 years old.
20 And a 25-year sentence would be nine years longer than he
21 was alive at the time that he actually committed this
22 crime, Your Honor.

23 Your Honor, as Your Honor knows, the point of the
24 sentencing is not vengeance but more one of punishment
25 based on the deterrence and rehabilitation, Your Honor. I

1 think a 25-year sentence would be sufficient to deter the
2 public for any future act like this and also punish Alex
3 for his actions, Your Honor, as it relates to his ability
4 to be rehabilitated. I think he can be rehabilitated. I
5 think that's the reason why we recognize -- the Court
6 recognizes that juveniles have the ability to be
7 rehabilitated. That's why we have the family court system
8 itself, Your Honor.

9 I think he's -- took responsibility for his actions.
10 I think that's the first step to rehabilitation and
11 redemption is taking responsibility for your actions and
12 showing remorse. I've known Brandon for the last year.
13 I've interacted with him countless times over the last
14 year, and I've seen a remorseful young man here, Your
15 Honor. I've seen a man who is scared and remorseful and
16 truly sad of what has happened here, the pain he's caused
17 the Whitlocks, the Millers, the Rockholts, and also his
18 family as well. I think he wants to illustrate that to
19 Your Honor at the appropriate time.

20 I just want to refer a little bit to the evaluation
21 that I passed up to Your Honor. I think that
22 evaluation -- they diagnosed Brandon with attention
23 deficit/hyperactivity disorder, Your Honor. I think it --
24 they prescribed some medications for that. And there was
25 some -- I think Brandon in his childhood -- his parents

1 split at a relatively young age for Brandon. I think he
2 harbored some resentment because of that home life. He
3 was raised by a single mom here. But the evaluation
4 describe him as outgoing and confident and that he was
5 cooperative in the evaluation with him. I think that
6 shows future ability to be rehabilitated at the right
7 time, your Honor.

8 Those were some of the strengths, but some of the
9 weaknesses that he had, that he needed guidance, he needs
10 some help with anger management, he need a role model. I
11 think at some point like he was reaching out for some
12 guidance, some sort of support, and for whatever reason
13 the defendant never received that and kind of channeled
14 his energy into the wrong areas, Your Honor. He
15 understands he made bad decisions, not mistakes, but bad
16 decisions, and he has to pay for those decisions here as
17 well, Your Honor.

18 I think sometimes Brandon tries to project this image
19 he's some sort of tough guy. I talked to him. To me, it
20 comes off as more of a defense mechanism. I think he's
21 truly at heart a scared 17-year-old boy, Your Honor. I
22 think he made bad decisions, and I think he has the
23 ability to be rehabilitated.

24 He's been in jail at this point since October 24 of
25 2010, your Honor. I would ask you give him credit for

1 that time, and I would ask that you sentence him to a
2 25-year sentence here. Brandon has several people in the
3 audience here to support him here, some family members. I
4 would ask them to stand at this point. His family
5 members, his friends here to support him, Your Honor.
6 Thank you.

7 As you see, Your Honor, he has a strong support
8 system. I'm not going to belabor it and ask too many
9 people to talk to you. I do have four individuals that
10 would like to speak on Brandon's behalf, and Alex would
11 like to speak on his own behalf. So I would first ask his
12 father, Mr. Davis, to come forward along with a family
13 friend, Ms. Wingate. Both of them are here. And I'd ask
14 his father to speak, very next person is Wingate after his
15 father.

16 THE COURT: Just come right here. Give us your full
17 name for the record.

18 SPEAKER: Walter Davis.

19 THE COURT: Yes, sir.

20 SPEAKER: I want to apologize to the victims for the
21 trouble and the pain they're going through, and want to
22 let you know that I pretty much let my son down. I wasn't
23 a father that was there for him, and the streets absorbed
24 him, and I really didn't know what to do, you know. So I
25 just hope you have some mercy, and I apologize to you

1 guys. Really, I do. And I just -- want to say that, Your
2 Honor.

3 THE COURT: Thank you, sir.

4 SPEAKER: Charlene Meyers Wingate. And -- may I
5 read?

6 THE COURT: Yes, ma'am.

7 SPEAKER: I've been friends with Brandon's mother and
8 a part of his extended family since his mother and I were
9 in grade school. I have been a part of Brandon's life
10 since his birth. Over the course of Brandon's life, I
11 have celebrated both his academic achievements as well as
12 his success in sports. I have observed Brandon
13 interacting in a caring and helpful manner in the family
14 setting as well as in social settings. I have observed
15 him assisting his mother in different ways within their
16 home. I have also spent time with Brandon and his family
17 at his maternal grandmother's home as well.

18 Each time I was in Brandon's presence, he greeted me
19 with a smile, referring me to as Ms. Charlene or Auntie
20 Charlene. If he was snacking on something or had
21 something he could offer, he would share. On many
22 occasions I have mentioned to his mother about how polite
23 and respectful he was always toward me. I know Brandon as
24 a caring, intelligent, light-hearted young man with a
25 great sense of humor who loves to make you laugh. He is

1 also ambitious, resilient young man with great abilities
2 and potential. Thank you.

3 MR. O'NEIL: Your Honor, next I would ask Pastor
4 Crosby and Brandon's mother, Ms. Davis, to speak before
5 Your Honor. I think Pastor Crosby has counseled Brandon
6 in a previous setting, so I'll ask those two to come
7 forward now. I'd ask the pastor to go first, and then
8 Ms. Davis.

9 SPEAKER: My name is Seth Crosby. I had an
10 opportunity to work with Brandon, and I worked with youth
11 who have -- they come to me after they've been to DJJ.
12 Had got into something either from school, and haven't had
13 any -- my relationship with him has been he always
14 respected me and what he did. And my thing is in the
15 midst of that, this is what I do is to -- we don't see.
16 And I say to the family that have had a loss: To each
17 one, we apologize for that because that's what I do is to
18 make sure that families don't feel what they feel. And
19 that -- because if you look at the end of the day, there's
20 a loss on both sides of families. That's one of the
21 things that we want to be able to be sure that no family
22 have to go through either one of these things, a loss or a
23 being separated from the one.

24 So in the midst of that, we have -- I worked with
25 him, but he always respected me in the midst of that. I

1 got in the picture before, recognized some things and
2 began to share some different things I thought need to be
3 done. And need to say that when I come in, it's already
4 started. I never get there before it starts. I'm always
5 called after it starts. But in the time that we worked
6 with him, always been respectful in doing that to help
7 him. So anyone at a certain time can be rehabilitated
8 after they recognize what has happened in their life.

9 THE COURT: Thank you, sir.

10 SPEAKER: Hello, my name is Alicia Davis. I'm
11 Brandon's mom, and I want to definitely apologize to the
12 family. I sat where y'all are at in 1991. My brother was
13 24 years old, and he was killed by a 15-year-old. So I
14 know what y'all are going through. I can't sit here and
15 say I don't, because I do. My mom sat where Ms. Whitlock
16 sat; I sat where his brother sat, so I know what y'all are
17 going through. We have no siblings. I have no nephew, no
18 niece from my brother. I have -- we have no one to
19 remember my brother by, so I do -- I do truly apologize.

20 I do want to address the State. When, you know, I --
21 me and his dad divorced early and when I divorced him, he
22 divorced the kids. I did all that I could because when
23 you know people are searching for a father figure, it's
24 other guys out there that gets their ear. If someone else
25 gets your child ear, that's who has it because they're

1 looking for a male role model. I put my son away when I
2 noticed that he was getting a little out of hand. I put
3 him away because I was scared for his life. But when he
4 came out and I did all that I could, me and his probation
5 officer, Ms. Charlotte Carter, already had it in place
6 Alex was going to be on house arrest, he was going to be
7 on house arrest until he -- like for six months, then she
8 was going to do all kind of monitoring, going to his
9 school. She had already asked Pastor Crosby to be his
10 mentor.

11 It was all set in place because we both know he was
12 an at-risk kid because he was looking for a father figure,
13 and he knows he was the youngest one out of his family and
14 friends, and they was looking -- he would look to up to
15 them, and that's not what we wanted. When I got Alex out
16 of the program for six months, when we went to the
17 court -- when I went to see her and she said the court let
18 him go, I broke down. If you know this child is an
19 at-risk kid, how can you fail my son? The State failed me
20 and my son. Because I know eventually stuff happens, but
21 if you got something in guidelines with them, probation,
22 house arrest until he was 18, because every parent wants
23 their child to grow up, get a diploma so they can be able
24 to take care of himself. He didn't have that chance, and
25 when I walked out of there, I felt lost. Alex kind of

1 felt lost too because he was kind of looking for that,
2 someone to hold him because he knew I wasn't going to -- I
3 couldn't -- I can't -- you can't discipline your kid too
4 much because the State steps in. So this was our way of
5 getting the State to help me out. And I felt they failed
6 me, and all this is happening. And me and my daughter is
7 going to be without my child.

8 I'm just asking to have some mercy because he can't
9 be in jail for all that time. How will he be
10 rehabilitated? How can he come out after being in there
11 so long and be a citizen to society if he's been
12 incarcerated more time than he's been alive? I'm just
13 asking for some mercy. Not that I'm saying he shouldn't
14 be accountable, because he should. Anybody should be
15 accountable. But for the rest of his -- for that long --
16 for time -- is -- I just can't imagine. And I do feel
17 sorry for everything that y'all are going through.

18 THE COURT: Thank you, ma'am.

19 MR. O'NEIL: Thank you, Your Honor. I guess I would
20 close my portion here and have Alex speak. I would say
21 I'm a firm believer that we -- none of us become as much
22 of a success or failure on our own here. I think we all
23 can understand that. But I think Alex realizes at this
24 point now, the balance of his life I think -- the ball is
25 in his court. It's in his hands to make the decision as

1 to whether he's going to make something out of the
2 remainder of his life here. I think he can do that if
3 given the opportunity, Your Honor. I think Alex wants to
4 finally address the court on his own.

5 THE DEFENDANT: First and foremost, I want to say I'm
6 really sorry for what I did. I know my apology cannot
7 bring back the loved ones, but I hope it provides some
8 comfort. I really don't have the words to express how
9 remorseful I am for what I did, and the hurt that I caused
10 all y'all. Also, I'd like to apologize to my family and
11 friends for all I put them through. All they wanted from
12 me was the best, and I let -- I feel like I let them down.
13 I can do better if given a second chance.

14 Your Honor, I ask you to consider the 25-year
15 sentence. It would be hard to imagine what life would be
16 like for me -- 25 years in the future for me. But I know
17 by then I will have a positive mind frame. I ask God to
18 forgive me, and I pray that one day you all can do the
19 same as well. I'm sorry, Your Honor.

20 MR. O'NEIL: That's all from the defense, Your Honor.

21 THE COURT: Mr. Davis, it's hard for me to believe
22 that you're only 17 years old, and you're in here on these
23 kind of charges. You know, that disturbs me greatly, it
24 really does, that these were committed when you were 16,
25 17. It disturbs me. I just don't know how you're capable

1 of that at that age. I just don't understand that. I
2 think I do understand it in a sense.

3 But let me say before sentencing that my heart goes
4 out to all of the victims in the case and their families,
5 and I know this is very difficult for you, and my heart
6 goes out to you, and it's a great loss, tragedy. Let me
7 say to the defendant's family, it's also a great tragedy
8 for you and a great loss to you, and I'm sorry you're
9 going to have to go through this as well.

10 But it's all because of one person. And in my
11 opinion, I witnessed him here. We went through the plea,
12 when he pled guilty to this. I observed him during that
13 plea. I've observed him in court while everybody was
14 speaking today, and he came out with a written statement.
15 Probably had to write it out. I haven't seen any remorse
16 from him at all. None whatsoever. I really haven't.
17 That letter that he's sitting down and drafted out when he
18 had time to do it is one thing, but I've seen him all
19 throughout the courtroom proceedings, and I haven't seen
20 any remorse from him. I just can't imagine going up with
21 a gun, putting it up to somebody's head and shooting them
22 twice in the head. Cold, for no reason whatsoever is a
23 person totally devoid of any kind of social duty. I just
24 can't understand.

25 But I fully believe that he doesn't need to be out in

1 general society. I really don't. And it's a shame, it's
2 a real shame at his age, and I hate it because of that.
3 But the fact of the matter is someone who can do these
4 kinds of things without any kind of provocation or
5 whatever, just shooting people for no reason whatsoever,
6 who is innocent and in cold blood, you know, deserves the
7 maximum punishment I think that the Court can give.

8 Attorneys have done a good job of negotiating with
9 him, because he really probably ought to be getting a life
10 sentence, period, with all of these charges. He ought to
11 be getting a life sentence. But you've done a good job in
12 negotiating it down to where you are.

13 Case number 2011-GS-46-2600, Brandon Alexander Davis,
14 having pled guilty to voluntary manslaughter, sentence of
15 the Court is to be committed the state Department of
16 Corrections for a determinate term of 30 years. This
17 sentence is to begin and given credit for time served by
18 beginning the sentence effective 10/24/2010.

19 In the case of 2011-GS-46-2600A, Brandon Alexander
20 Davis, having pled guilty to possession of weapon during
21 the commission of a violent crime, sentence of the Court
22 is to be committed to the state Department of Corrections
23 for a determinate term of five years. This sentence is
24 consecutive. Again, he's given credit for time served by
25 beginning this sentence 10/24/10.

1 Case number 2011-GS-46-2601, Brandon Alexander Davis,
2 having pled guilty to attempted murder, sentence of the
3 Court is to be committed to the state Department of
4 Corrections for a determinate term of five years. This
5 sentence is consecutive. He's again given credit for time
6 served since 10/24/10.

7 Case number 2011-GS-46-2608, Brandon Alexander Davis,
8 having pled guilty to attempted murder, sentence of the
9 Court is to be committed to the state Department of
10 Corrections for a determinate term of 30 years. This
11 sentence is concurrent, and again given time for time
12 served.

13 In case number 2011-GS-46-2608A, Brandon Alexander
14 Davis, having pled guilty to possession of a weapon during
15 the commission of a violent crime, sentence of the Court
16 is to be committed to the state Department of Corrections
17 for a determinate term of five years. This sentence is
18 concurrent. Credit for time served.

19 And case number 2011-GS-46-2609, Brandon Alexander
20 Davis, having pled guilty to attempted murder, sentence of
21 the Court is to be committed to the state Department of
22 Corrections for a determine term of 30 years. This
23 sentence is concurrent and he's given credit again for
24 time served.

25 And case number 2011-GS-46-2603, Brandon Alexander

1 Davis, having pled guilty to armed robbery, sentence of
2 the Court is to be committed to the state Department of
3 Corrections for a determinate term of 30 years. The
4 sentence is concurrent with credit for time served.

5 Case number 2011-GS-46-2610, Brandon Alexander Davis,
6 having pled guilty to armed robbery, sentence of the Court
7 is the same as the previous sentence to run concurrent,
8 with credit for time served.

9 Case number 2011-GS-46-2612, Brandon Alexander Davis,
10 having pled guilty to the criminal conspiracy, sentence of
11 the Court is to be committed to the state Department of
12 Corrections for determinate term of five years. This
13 sentence is concurrent with credit for time served.

14 MR. O'NEIL: Thank you, Your Honor.

15 MR. BRACKETT: May it please the Court, Your Honor.
16 If we can ask the victim's family --

17 THE COURT: Please everyone remain seated except the
18 victim's family, if you will exit first.

19 MS. DESCH: Thank you, Your Honor.

20 (Whereupon, the proceedings were concluded.)
21
22
23
24
25

STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM YORK COUNTY
Court of General Sessions

Judge Lee Alford, Circuit Court Judge

Indictment Number: 2011GS462600, 2011-GS-46-2600A, 2011-GS-46-2601, 2011-GS-2603
2011-GS46-2608, 2011- GS 46-2608A, 2011 GS462609, 2011GS462610, 2011GS462612,

The State,.....Respondent,

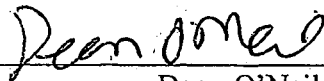
v.

Brandon Alexander Davis ...Appellant.

NOTICE OF APPEAL

Brandon Alexander Davis appeals his conviction and sentence in this case. The defendant plead guilty on November 3rd, 2011. The sentence was imposed by the Honorable Lee Alford on November 30, 2011.

December 8, 2011



Deon O'Neil
Attorney for Defendant
1720 Main St. Suite 202
Columbia, South Carolina 29201
803) 661-6758

Other Counsel of Record:

Assistant Solicitors Willie Thompson, Jenny Desch
Office of the Solicitor, 16th Judicial Circuit
1675-1a York Hwy
York, South Carolina 29745
Attorney for Respondent

RECEIVED

DEC 08 2011

SC Court of Appeals

STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM YORK COUNTY
Court of General Sessions

Judge Lee Alford, Circuit Court Judge

Indictment Number: 2011GS462600, 2011-GS-46-2600A, 2011-GS-46-2601, 2011-GS-2603
2011-GS46-2608, 2011- GS 46-2608A, 2011 GS462609, 2011GS462610, 2011GS462612

The State ...Respondent,

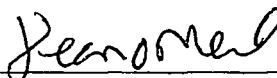
v.

Brandon Alexander Davis...Appellant.

CERTIFICATE OF SERVICE

The undersigned attorney hereby certifies that a true copy of the Notice of Intent to Appeal in the above-referenced case has been served upon opposing counsel by mail this date to his office at the Office of the Solicitor, 16th Judicial Circuit, 1675-1a York Hwy York, South Carolina 29745

December 8th 2011



Deon O'Neil

Attorney for Defendant

1720 Main St. Suite 202

Columbia, South Carolina 29201

(803) 661-6758

Attorney for Appellant

Other Counsel of Record:
Assistant Solicitors Willie Thompson, Jenny Desch
Office of the Solicitor, 16th Judicial Circuit
1675-1a York Hwy
York, South Carolina 29745
Attorney for Respondent

RECEIVED

DEC 08 2011

SC Court of Appeals

STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM YORK COUNTY
Court of General Sessions

Judge Lee Alford, Circuit Court Judge

Indictment Number: 2011GS462600,2011-GS-46-2600A,2011-GS-46-2601, 2011-GS-2603
2011-GS46-2608, 2011- GS 46-2608A, 2011 GS462609, 2011GS462610,2011GS462612,

The State,.....Respondent,

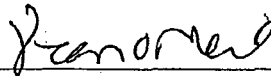
v.

Brandon Alexander Davis ...Appellant.

STATEMENT OF BASIS FOR APPEAL FROM GUILTY PLEA PURSUANT TO RULE
203 (D) (1) (B)

Pursuant to South Carolina Appellate Court Rule 203 (d) (1) (b) , the defendant was dissatisfied with his sentence and insisited on appealing. I am of the opinion that if the client insists on appealing, I am constrained to file an appeal. Weathers V. State 319 S. C. 59, 459 SE 2d 838 (1995)

December 8, 2011



Deon O'Neil
Attorney for Defendant
1720 Main St. Suite 202
Columbia, South Carolina 29201
803) 661-6758

Other Counsel of Record:

Assistant Solicitors Willie Thompson, Jenny Desch
Office of the Solicitor, 16th Judicial Circuit
1675-1a York Hwy
York, South Carolina 29745
Attorney for Respondent

RECEIVED
DEC 08 2011
SC Court of Appeals

WITNESSES

RHPD / Stokes

DOCKET NO. 2011-GS46-02600
2011-GS46-02600A

The State of South Carolina

County of York

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

Defendant

COURT OF GENERAL SESSIONS

AUGUST 18, TERM 2011

Brandon Davis
hereby appear in my own proper person and plead guilty to the within indictment or to
Voluntary Manslaughter and Possession of a firearm during a Violent Crime.

Brandon Davis
Defendant

ARREST WARRANT NUMBER

COUNT ONE: K617857

COUNT TWO: K617861

THE STATE

vs.

ACTION OF GRAND JURY

TRUE BILL

BRANDON ALEXANDER DAVIS

Witness:
James Aldous Campbell
C.C.C. CLS. AND G.S. Specialist

George M. White
Foreperson of Grand Jury
8/18/11

Indictment for

COUNT 1 - MURDER
SC Code: § 16-11-0330
CDR Code: 0139

VERDICT

COUNT 2 - POSSESSION OF A FIREARM DURING THE COMMISSION OF A VIOLENT CRIME

SC Code: 16-23-0490
CDR Code: 0549

Foreperson of Petit Jury
Date:

STATE OF SOUTH CAROLINA)
)
 COUNTY OF YORK)

INDICTMENT

At a Court of General Sessions, convened on August 18, 2011, the Grand Jurors of York County present upon their oath:

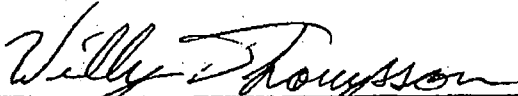
COUNT ONE - MURDER

Brandon Alexander Davis did in York County on or about October 19, 2010, feloniously, willfully and with malice aforethought, kill one Anthony Whitlock by means of shooting him and Anthony Whitlock died as a result thereof, all in violation of Section 16-3-10, *Code of Laws of South Carolina* (1976), as amended. The Murder occurred at or near Baker Street in the City of Rock Hill, South Carolina.

**COUNT TWO – POSSESSION OF A FIREARM DURING THE
 COMMISSION OF A VIOLENT CRIME**

Brandon Alexander Davis did in York County on or about October 19, 2010, possess a firearm while committing the violent crime of murder in Rock Hill, South Carolina, all in violation of Section 16-23-490, *Code of Laws of South Carolina*, (1976), as amended

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


 DEPUTY SOLICITOR

STATE OF SOUTH CAROLINA)
 COUNTY OF York Jail)
 STATE VS.)
 Brandon Alexander Davis)
 AKA:)
 Race: B Sex: M Age: 17)
 DOB: 05-31-1994 SS#: 247-95-7414)
 Address: 1255 Shenandoah Circle)
 City, State, Zip: Rock Hill, SC 29732)
 DL#: 101837953 SID#: SC 101837953)

INDICTMENT/CASE#: 2011-GS46-02600
 A/W#: K617857
 Date of Offense: 10/19/2010
 S.C. Code § : 16-03-0010, 0020
 CDR Code #: 0116

ORIGINAL

SENTENCE SHEET

CONVICTED OF or PLEADS

*CDL Yes No CMV Yes No Hazmat Yes No
 In disposition of the said indictment comes now the Defendant who was
 TO: VOLUNTARY MANSLAUGHTER

in violation of § 16-03-0050 of the S.C. Code of Laws, bearing CDR Code # 0217
 NON-VIOLENT VIOLENT SERIOUS MOST SERIOUS Mandatory GPS(CSC w/minor 1st or Lewd Act) §17-25-45

The charge is: As Indicted, Lesser Included Offense, Defendant Waives Presentation to Grand Jury. (defendant's initials)
 The plea is: Without Negotiations or Recommendation, Negotiated Sentence, Recommendation by the State.

ATTEST: Wally Thompson 65118 Brandon Davis Deon mee 74814
 Thompson, Walter W. SC Bar# Defendant Attorney for Defendant SC Bar#

WHEREFORE, the Defendant is committed to the State Department of Corrections, County Detention Center,
 for a determinate term of 30 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:
 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. Sentence to begin effective 10/24/2010
 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
 Total: \$ _____ plus 20% fee: \$ _____
 Payment Terms: _____
 Set by SCDPPPS _____

PTUP _____ days/hours Public Service Employment
 Obtain GED
 Attend Voc. Rehab. or Job Corp. _____
 May serve W/E beginning _____
 Substance Abuse Counseling
 Random Drug/Alcohol testing
 Fine may be pd. in equal, consecutive weekly/monthly pmts. of \$ _____ beginning _____
 \$ _____ paid to Public Defender Fund
 Other: _____

Recipient: _____
 *Fine:

§ 14-1-206 (Assessments 107.5 %)		\$
§ 14-1-211(A)(1) (Conv. Surcharge)	\$100	\$ 100-
§ 14-1-211(A)(2) (DUI Surcharge)	\$100	\$
§ 56-5-2995 (DUI Assessment)	\$12	\$
§ 56-1-286 (DUI Breath Test)	\$25	\$
Proviso 47.9 (Public Def/Prob)	\$500	\$
§ 14-1-212 (Law Enforce. Funding)	\$25	\$ 25-
§ 14-1-213 (Drug Court Surcharge)	\$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)		\$
TOTAL		\$ 130-

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

Clerk of Court/ Deputy Clerk David Hamilton
 Court Reporter: Aminah Hardy
 SCCA/217 (03/2011)

Presiding Judge Joe B. Beaufort
 Judge Code: 2113
 Sentence Date: 11/20/11

58 STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF York Jail
STATE VS.

INDICTMENT/CASE#: 2011-GS46-02600A

Brandon Alexander Davis

A/W#: K617861

AKA:
Race: B Sex: M Age: 17

Date of Offense: 10/19/2010

DOB: 05-31-1994 SS#: 247-95-7414

S.C. Code § : 16-23-0490

Address: 1255 Shenandoah Circle

CDR Code #: 0549

City, State, Zip: Rock Hill, SC 29732

SENTENCE SHEET ORIGINAL

DL#: 101837953 SID#: SC 101837953

*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: Weapons / Poss. weapon during violent crime, if not also sentenced to life with

in violation of § 16-23-0490 of the S.C. Code of Laws, bearing CDR Code # 0549

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

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: Walter W. Thompson 65118 Brandon Davis Renomeo 74814
Thompson, Walter W. SC Bar# Defendant Attorney for Defendant SC Bar#

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

for a determinate term of 5 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:

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 credits for time served 10/24/10

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 _____ days/hours Public Service Employment

Total: \$ _____ plus 20% fee: \$ _____

Payment Terms: _____

Set by SCDPPPS _____

Recipient: _____

*Fine: _____ \$ _____

§ 14-1-206 (Assessments 107.5 %) \$ _____

§ 14-1-211(A)(1) (Conv. Surcharge) \$100 \$ 100

§ 14-1-211(A)(2) (DUI Surcharge) \$100 \$ _____

§ 56-5-2995 (DUI Assessment) \$12 \$ _____

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

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

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

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

TOTAL \$ 130

Obtain GED

Attend Voc. Rehab. or Job Corp. _____

May serve W/E beginning _____

Substance Abuse Counseling

Random Drug/Alcohol testing

Fine may be pd. in equal, consecutive weekly/monthly pmts. of \$ _____ beginning _____

\$ _____ paid to Public Defender Fund

Other: _____

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

Clerk of Court/ Deputy Clerk David Hamilton

Court Reporter: Aminah Hardy

SCCA/217 (03/2011)

Presiding Judge Jay. [Signature]

Judge Code: 2113

Sentence Date: 11/30/11

WITNESSES

RHPD / Stokes

DOCKET NO. 2011-GS46-02601
2011-GS46-02601A

The State of South Carolina

County of York

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

Defendant

COURT OF GENERAL SESSIONS

AUGUST 18, TERM 2011

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

Attempted Murder

ARREST WARRANT NUMBER

COUNT ONE: K617862

COUNT TWO: DIR IND RE: K617862

THE STATE

vs.

Brandon Davis

Defendant

ACTION OF GRAND JURY

TRUE BILL

BRANDON ALEXANDER DAVIS

Witness:

James Childers Court
C.C.C. P.L.S. AND G.S. Spencer

George McWhites
Foreperson of Grand Jury

VERDICT

Indictment for

COUNT 1 - ATTEMPTED MURDER

SC Code: § 16-03-0029

CDR Code: 3410

COUNT 2 - POSSESSION OF A
FIREARM DURING THE COMMISSION
OF A VIOLENT CRIME

SC Code: 16-23-0490

CDR Code: 0549

Foreperson of Petit Jury

Date:

STATE OF SOUTH CAROLINA)
)
 COUNTY OF YORK)

INDICTMENT

At a Court of General Sessions, convened on August 18, 2011, the Grand Jurors of York County present upon their oath:

COUNT ONE – ATTEMPTED MURDER

Brandon Alexander Davis did in York County on or about October 19, 2010, feloniously, willfully and with malice aforethought, either express or implied, attempt to kill Thomas Whitlock, Jr. by means of shooting said victim all with the intent to kill him, all in violation of Section 16-3-0029 *Code of Laws of South Carolina* (1976, 2010), as amended. This occurred at or near Baker Street in the City of Rock Hill, South Carolina.

**COUNT TWO – POSSESSION OF A FIREARM DURING THE
 COMMISSION OF A VIOLENT CRIME**

Brandon Alexander Davis did in York County on or about October 19, 2010, possess a firearm while committing the violent crime of attempted murder in Rock Hill, South Carolina, all in violation of Section 16-23-490, *Code of Laws of South Carolina*, (1976), as amended

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


 DEPUTY SOLICITOR

STATE OF SOUTH CAROLINA

COUNTY OF York Jail
STATE VS.
Brandon Alexander Davis
AKA:
Race: B Sex: M Age: 17
DOB: 05-31-1994 SS#: 247-95-7414
Address: 1255 Shenandoah Circle
City, State, Zip: Rock Hill, SC 29732
DL#: 101837953 SID#: SC 101837953

INDICTMENT/CASE#: 2011-GS46-02601
A/W#: K617862
Date of Offense: 10/19/2010
S.C. Code §: 16-03-0029
CDR Code #: 3410

ORIGINAL

SENTENCE SHEET

*CDL Yes No CMV Yes No Hazmat Yes No
In disposition of the said indictment comes now the Defendant who was
TO: Murder / Attempted Murder

CONVICTED OF or PLEADS

in violation of § 16-03-0029 of the S.C. Code of Laws, bearing CDR Code # 3410
NON-VIOLENT VIOLENT SERIOUS MOST SERIOUS
Mandatory GPS(CSC w/minor 1st or Lewd Act) §17-25-45

The charge is: As Indicted, Lesser Included Offense, Defendant Waives Presentment to Grand Jury.
The plea is: Without Negotiations or Recommendation, Negotiated Sentence, Recommendation by the State.

Walter W. Thompson 65118 Brandon Davis Kenorneo 74814
Thompson, Walter W. SC Bar# Defendant Attorney for Defendant SC Bar#

WHEREFORE, the Defendant is committed to the State Department of Corrections, County Detention Center,
for a determinate term of 5 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:
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. Credit 10/24/10
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: \$
Payment Terms:
Set by SCDPPPS

Recipient:

*Fine:

Table with 3 columns: Code, Description, Amount. Includes § 14-1-206 (Assessments 107.5%), § 14-1-211(A)(1) (Conv. Surcharge) \$100, § 14-1-211(A)(2) (DUI Surcharge) \$100, § 56-5-2995 (DUI Assessment) \$12, § 56-1-286 (DUI Breath Test) \$25, Proviso 47.9 (Public Def/Prob) \$500, § 14-1-212 (Law Enforce. Funding) \$25, § 14-1-213 (Drug Court Surcharge) \$150, § 50-21-114 (BUI Breath Test Fee) \$50, § 56-5-2942(J) (Vehicle Assessment) \$40/ea, Proviso 90.5 (SCCJA Surcharge) \$5, 3% to County (if paid in installments) \$, TOTAL \$130-

days/hours Public Service Employment
Obtain GED
Attend Voc. Rehab. or Job Corp.
May serve W/E beginning
Substance Abuse Counseling
Random Drug/Alcohol testing
Fine may be pd. in equal, consecutive weekly/monthly
pmts. of \$ beginning
\$ paid to Public Defender Fund
Other:

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

Clerk of Court/ Deputy Clerk David Hamilton
Court Reporter: Aminah Horay
SCCA/21 7 (03/2011)

Presiding Judge Judge Code: Sentence Date: 11/30/11

62 STATE OF SOUTH CAROLINA)
 COUNTY OF York)
 STATE VS.)
 Brandon Alexander Davis)

IN THE COURT OF GENERAL SESSIONS

INDICTMENT/CASE#: 2011-GS46-02603
 A/W#: K617858
 Date of Offense: 10/19/2010
 S.C. Code § : 16-11-0330(A)
 CDR Code #: 0139

AKA: _____)
 Race: B Sex: M Age: 17)
 DOB: 05-31-1994 SS#: 247-95-7414)
 Address: 1255 Shenandoah Circle)
 City, State, Zip: Rock Hill, SC 29732)
 DL#: 101837953 SID#: SC 101837953)

SENTENCE SHEET

ORIGINAL

*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: Robbery / Armed Robbery, robbery while armed or allegedly armed with a deadly we

in violation of § 16-11-0330(A) of the S.C. Code of Laws, bearing CDR Code # 0139
 NON-VIOLENT VIOLENT SERIOUS MOST SERIOUS Mandatory GPS(CSC w/minor 1st or Lewd Act) §17-25-45

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: Walter Thompson 65118 Brandon Davis James 74114
 Thompson, Walter W. SC Bar# Defendant Attorney for Defendant SC Bar#

WHEREFORE, the Defendant is committed to the State Department of Corrections, County Detention Center,
 for a determinate term of 30 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:
 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. since 10/29/10
 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 _____ days/hours Public Service Employment
 Total: \$ _____ plus 20% fee: \$ _____
 Payment Terms: _____
 Set by SCDPPPS _____

Recipient: _____
 *Fine: _____

§ 14-1-206 (Assessments 107.5 %)		\$
§ 14-1-211(A)(1) (Conv. Surcharge)	\$100	\$ 100 -
§ 14-1-211(A)(2) (DUI Surcharge)	\$100	\$
§ 56-5-2995 (DUI Assessment)	\$12	\$
§ 56-1-286 (DUI Breath Test)	\$25	\$
Proviso 47.9 (Public Def/Prob)	\$500	\$
§ 14-1-212 (Law Enforce. Funding)	\$25	\$ 25 -
§ 14-1-213 (Drug Court Surcharge)	\$150	\$
§ 50-21-114(BUI Breath Test Fee)	\$50	\$
§ 56-5-2942(J) (Vehicle Assessment)	\$40/ea	\$
Proviso 90.5 (SCJA Surcharge)	\$5	\$ 5 -
3% to County (if paid in installments)		\$
TOTAL		\$130 -

Obtain GED
 Attend Voc. Rehab. or Job Corp. _____
 May serve W/E beginning _____
 Substance Abuse Counseling
 Random Drug/Alcohol testing
 Fine may be pd. in equal, consecutive weekly/monthly pmts. of \$ _____ beginning _____
 \$ _____ paid to Public Defender Fund
 Other: _____

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

Clerk of Court/ Deputy Clerk David Hamilton
 Court Reporter: Aminah Hardy
 SCCA/217 (03/2011)

Presiding Judge [Signature]
 Judge Code: 243
 Sentence Date: 11/30/11

WITNESSES

YCSO / Moore

ARREST WARRANT NUMBER

COUNT ONE: J176186

COUNT TWO: J176184

ACTION OF GRAND JURY

TRUE BILL

George M. White
Foreperson of Grand Jury
8/18/11

VERDICT

Foreperson of Petit Jury
Date:

DOCKET NO. 2011-GS46-02608
2011-GS46-02608A

The State of South Carolina

County of York

COURT OF GENERAL SESSIONS

AUGUST 18, TERM 2011

THE STATE

vs.

BRANDON ALEXANDER DAVIS

Indictment for

COUNT 1 - ATTEMPTED MURDER

SC Code: § 16-03-0029

CDR Code: 3410

COUNT 2 - POSSESSION OF A
FIREARM DURING THE COMMISSION
OF A VIOLENT CRIME

SC Code: 16-23-0490

CDR Code: 0549

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

Defendant

I Brandon Davis
hereby appear in my own proper person and plead guilty to the within indictment or to
Attempted Murder and Possession of a Firearm during a Violent Crime.

Brandon Davis
Defendant

Witness:

James Childers Cowf
C.C.C. P.S. AND G.S. *Special*

STATE OF SOUTH CAROLINA)
)
 COUNTY OF YORK)

INDICTMENT

At a Court of General Sessions, convened on August 18, 2011, the Grand Jurors of York County present upon their oath:

COUNT ONE – ATTEMPTED MURDER

Brandon Alexander Davis did in York County on or about October 16, 2010, feloniously, willfully and with malice aforethought, either express or implied, attempt to kill James Douglas Rockholt by means of shooting said victim all with the intent to kill said victim, all in violation of Section 16-3-0029, *Code of Laws of South Carolina* (1976, 2010), as amended. This occurring at or near 2794 Tuckaway Road in Rock Hill, South Carolina.

**COUNT TWO – POSSESSION OF A FIREARM DURING THE
 COMMISSION OF A VIOLENT CRIME**

Brandon Alexander Davis did in York County on or about October 16, 2010, possess a firearm while committing the violent crime of attempted murder in Rock Hill, South Carolina, all in violation of Section 16-23-490, *Code of Laws of South Carolina*, (1976), as amended

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


 DEPUTY SOLICITOR

STATE OF SOUTH CAROLINA)
 COUNTY OF York) *Joil*
 STATE VS.)
 Brandon Alexander Davis)
 AKA:)
 Race: B Sex: M Age: 17)
 DOB: 05-31-1994 SS#: 247-95-7414)
 Address: 1255 Shenandoah Circle)
 City, State, Zip: Rock Hill, SC 29732)
 DL#: 101837953 SID#: SC I01837953)
 *CDL Yes No CMV Yes No Hazmat Yes No

IN THE COURT OF GENERAL SESSIONS

INDICTMENT/CASE#: 2011-GS46-02608
 A/W#: J176186
 Date of Offense: 10/16/2010
 S.C. Code §: 16-03-0029
 CDR Code #: 3410

ORIGINAL

SENTENCE SHEET

CONVICTED OF or PLEADS

in violation of § 16-03-0029 of the S.C. Code of Laws, bearing CDR Code # 3410
 NON-VIOLENT VIOLENT SERIOUS MOST SERIOUS Mandatory GPS(CSC w/minor 1st or Lewd Act) §17-25-45

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: *Wally Thompson* 65118 *Brandon Davis* *James* 74814
 Thompson, Walter W. SC Bar# Defendant Attorney for Defendant SC Bar#

WHEREFORE, the Defendant is committed to the State Department of Corrections, County Detention Center,
 for a determinate term of 30 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:
 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. *same 10/24/10*
 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
 Total: \$ _____ plus 20% fee: \$ _____
 Payment Terms: _____
 Set by SCDPPPS _____

PTUP _____ days/hours Public Service Employment
 Obtain GED
 Attend Voc. Rehab. or Job Corp. _____
 May serve W/E beginning _____
 Substance Abuse Counseling
 Random Drug/Alcohol testing
 Fine may be pd. in equal, consecutive weekly/monthly pmts. of \$ _____ beginning _____
 \$ _____ paid to Public Defender Fund
 Other: _____

Recipient: _____
 *Fine:

§ 14-1-206 (Assessments 107.5%)		\$
§ 14-1-211(A)(1) (Conv. Surcharge)	\$100	\$ 100-
§ 14-1-211(A)(2) (DUI Surcharge)	\$100	\$
§ 56-5-2995 (DUI Assessment)	\$12	\$
§ 56-1-286 (DUI Breath Test)	\$25	\$
Proviso 47.9 (Public Def/Prob)	\$500	\$
§ 14-1-212 (Law Enforce. Funding)	\$25	\$ 25-
§ 14-1-213 (Drug Court Surcharge)	\$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)		\$
TOTAL		\$ 130-

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

Clerk of Court/ Deputy Clerk *David Hamilton*
 Court Reporter: *Aminan Hardy*
 SCCA/217 (03/2011)

Presiding Judge *Leah*
 Judge Code: *217*
 Sentence Date: *11/30/11*

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF York VS. Jail
STATE Brandon Alexasnder Davis

INDICTMENT/CASE#: 2011-GS46-02608A
A/W#: J176184
Date of Offense: 10/16/2010
S.C. Code § : 16-23-0490
CDR Code #: 0549

AKA:
Race: B Sex: M Age: 17
DOB: 05-31-1994 SS#: 247-95-7414
Address: 1255 Shenandoah Circle
City, State, Zip: Rock Hill, SC 29732
DL#: 101837953 SID#: SC 101837953

SENTENCE SHEET

ORIGINAL

*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: Weapons / Poss. weapon during violent crime, if not also sentenced to life witho

in violation of § 16-23-0490 of the S.C. Code of Laws, bearing CDR Code # 0549
 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: Walter Thompson 65118 Brandon Davis Kenmore 74214
Thompson, Walter W. SC Bar# Defendant Defendant Attorney for Defendant SC Bar#

WHEREFORE, the Defendant is committed to the State Department of Corrections, County Detention Center,
for a determinate term of 5 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:
 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
Total: \$ _____ plus 20% fee: \$ _____
Payment Terms: _____
 Set by SCDPPPS _____

PTUP _____
_____ days/hours Public Service Employment
Obtain GED
Attend Voc. Rehab. or Job Corp. _____
May serve W/E beginning _____
Substance Abuse Counseling
Random Drug/Alcohol testing
Fine may be pd. in equal, consecutive weekly/monthly
pmts. of \$ _____ beginning _____
\$ _____ paid to Public Defender Fund.
Other: _____

Recipient: _____
*Fine: _____
§ 14-1-206 (Assessments 107.5 %) \$ _____
§ 14-1-211(A)(1) (Conv. Surcharge) \$100 \$ 100-
§ 14-1-211(A)(2) (DUI Surcharge) \$100 \$ _____
§ 56-5-2995 (DUI Assessment) \$12 \$ _____
§ 36-1-286 (DUI Breath Test) \$25 \$ _____
Proviso 47.9 (Public Def/Prob) \$500 \$ _____
§ 14-1-212 (Law Enforce. Funding) \$25 \$ 25-
§ 14-1-213 (Drug Court Surcharge) \$150 \$ _____
§ 50-21-114 (DUI Breath Test Fee) \$50 \$ _____
§ 56-5-2942(J) (Vehicle Assessment) \$40/ca \$ _____
Proviso 90.5 (SCJA Surcharge) \$5 \$ 5-
3% to County (if paid in installments) \$ _____
TOTAL \$ 130-

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

Clerk of Court/ Deputy Clerk David Hamilton
Court Reporter: Aminah Hardy
SCCA/217 (03/2011)

Presiding Judge [Signature]
Judge Code: 2115
Sentence Date: 11/30/11

WITNESSES

YCSO / Moore

DOCKET NO. 2011-GS46-02609
2011-GS46-02609A

The State of South Carolina
County of York

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

Defendant

COURT OF GENERAL SESSIONS

AUGUST 18, TERM 2011

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

Attempted Murder

ARREST WARRANT NUMBER

COUNT ONE: M601154

COUNT TWO: M601152

THE STATE

vs.

Brandon Davis
Defendant

ACTION OF GRAND JURY
TRUE BILL

BRANDON ALEXANDER DAVIS

Witness:
[Signature]
C.C.C. PLS AND G.S.

Indictment for

COUNT 1 - ATTEMPTED MURDER
SC Code: § 16-03-0029
CDR Code: 3410

~~COUNT 2 - POSSESSION OF A
FIREARM DURING THE COMMISSION
OF A VIOLENT CRIME
SC Code: 16-23-0490
CDR Code: 0549~~

[Signature]
Foreperson of Grand Jury
8/18/11

VERDICT

Foreperson of Petit Jury
Date:

STATE OF SOUTH CAROLINA)
)
COUNTY OF YORK)

INDICTMENT

At a Court of General Sessions, convened on August 18, 2011, the Grand Jurors of York County present upon their oath:

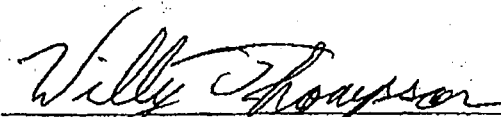
COUNT ONE – ATTEMPTED MURDER

Brandon Alexander Davis did in York County on or about October 16, 2010, feloniously, willfully and with malice aforethought, either express or implied, attempt to kill Brian Miller by means of shooting said victim all with the intent to kill said victim, all in violation of Section 16-3-0029 *Code of Laws of South Carolina* (1976, 2010), as amended. This occurring at or near 2794 Tuckaway Road in Rock Hill, South Carolina.

COUNT TWO – POSSESSION OF A FIREARM DURING THE COMMISSION OF A VIOLENT CRIME

Brandon Alexander Davis did in York County on or about October 16, 2010, possess a firearm while committing the violent crime of attempted murder in Rock Hill, South Carolina, all in violation of Section 16-23-490, *Code of Laws of South Carolina*, (1976), as amended

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


DEPUTY SOLICITOR

IN THE COURT OF GENERAL SESSIONS

STATE OF SOUTH CAROLINA)
 COUNTY OF York) *Jail*
 STATE VS.)
 Brandon Alexander Davis)
 AKA:)
 Race: B Sex: M Age: 17)
 DOB: 05-31-1994 SS#: 247-95-7414)
 Address: 1255 Shenandoah Circle)
 City, State, Zip: Rock Hill SC 29732)
 DL#: 101837953 SID#: SC 101837953)
 *CDL Yes No CMV Yes No Hazmat Yes No
 In disposition of the said indictment comes now the Defendant who was
 TO: Murder / Attempted Murder

INDICTMENT/CASE#: 2011-GS46-02609
 A/W#: M601154
 Date of Offense: 10/16/2010
 S.C. Code § : 16-03-0029
 CDR Code #: 3410

ORIGINAL

SENTENCE SHEET

CONVICTED OF or PLEADS

In violation of § 16-03-0029 of the S.C. Code of Laws, bearing CDR Code # 3410
 NON-VIOLENT VIOLENT SERIOUS MOST SERIOUS Mandatory GPS(CSC w/minor 1st or Lewd Act) §17-25-45

The charge is: As Indicted, Lesser Included Offense, Defendant Waives Presentment to Grand Jury. (defendant's initials)
 The pleas: Without Negotiations or Recommendation, Negotiated Sentence, Recommendation by the State.

ATTEST: *Walter W. Thompson* 65118 *Brandon Davis* *Yanome* 74814
 Thompson, Walter W. SC Bar# Defendant Attorney for Defendant SC Bar#

WHEREFORE, the Defendant is committed to the State Department of Corrections, County Detention Center,
 for a determinate term of 30 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:
 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. *since 10/24/10*
 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
 Total: \$ _____ plus 20% fee: \$ _____
 Payment Terms: _____
 Set by SCDPPPS _____

PTUP _____ days/hours Public Service Employment
 Obtain GED
 Attend Voc. Rehab. or Job Corp. _____
 May serve W/E beginning _____
 Substance Abuse Counseling
 Random Drug/Alcohol testing
 Fine may be pd. in equal, consecutive weekly/monthly pmts. of \$ _____ beginning _____
 \$ _____ paid to Public Defender Fund
 Other: _____

Recipient: _____
 *Fine:

§ 14-1-206 (Assessments 107.5 %)		\$
§ 14-1-211(A)(1) (Conv. Surcharge)	\$100	\$100-
§ 14-1-211(A)(2) (DUI Surcharge)	\$100	\$
§ 56-5-2995 (DUI Assessment)	\$12	\$
§ 56-1-286 (DUI Breath Test)	\$25	\$
Proviso 47.9 (Public Def/Prob)	\$500	\$
§ 14-1-212 (Law Enforce. Funding)	\$25	\$ 25-
§ 14-1-213 (Drug Court Surcharge)	\$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)		\$
TOTAL		\$130-

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

Clerk of Court/ Deputy Clerk *David Hamilton*
 Court Reporter: *Aminan Hardy*
 SCCA/21 7(03/2011)

Presiding Judge *[Signature]*
 Judge Code: *2113*
 Sentence Date: *11/30/11*

CO COUNTY OF York VS. Jail
STATE Brandon Alexasnder Davis

INDICTMENT/CASE#: 2011-GS46-02608A
A/W#: J176184
Date of Offense: 10/16/2010
S.C. Code § : 16-23-0490
CDR Code #: 0549

AKA:
Race: B Sex: M Age: 17
DOB: 05-31-1994 SS#: 247-95-7414
Address: 1255 Shenandoah Circle
City, State, Zip: Rock Hill, SC 29732
DL#: 101837953 SID#: SC 101837953

SENTENCE SHEET

ORIGINAL

*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: Weapons / Poss. weapon during violent crime, if not also sentenced to life witho

in violation of § 16-23-0490 of the S.C. Code of Laws, bearing CDR Code # 0549
 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: Walter W. Thompson 65118 Brandon Davis Yemone 74214
Thompson, Walter W. SC Bar# Defendant Attorney for Defendant SC Bar#

WHEREFORE, the Defendant is committed to the State Department of Corrections, County Detention Center,
for a determinate term of 5 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:
 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
Total: \$ _____ plus 20% fee: \$ _____
Payment Terms: _____
 Set by SCDPPPS _____

PTUP _____
_____ days/hours Public Service Employment
Obtain GED
Attend Voc. Rehab. or Job Corp. _____
May serve W/E beginning _____
Substance Abuse Counseling
Random Drug/Alcohol testing
Fine may be pd. in equal, consecutive weekly/monthly pmts. of \$ _____ beginning _____
\$ _____ paid to Public Defender Fund
Other: _____

Recipient: _____
*Fine: _____
§ 14-1-206 (Assessments 107.5 %) \$ _____
§ 14-1-211(A)(1) (Conv. Surcharge) \$100 \$ 100-
§ 14-1-211(A)(2) (DUI Surcharge) \$100 \$ _____
§ 56-5-2995 (DUI Assessment) \$12 \$ _____
§ 56-1-286 (DUI Breath Test) \$25 \$ _____
Proviso 47.9 (Public Def/Prob) \$500 \$ _____
§ 14-1-212 (Law Enforce. Funding) \$25 \$ 25-
§ 14-1-213 (Drug Court Surcharge) \$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) \$ _____
TOTAL \$ 130-

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

Clerk of Court/ Deputy Clerk David Hamilton
Court Reporter: Aminah Horay
SCCA/217 (03/2011)

Presiding Judge [Signature]
Judge Code: 215
Sentence Date: 11/30/11

WITNESSES

RHPD / Stokes

DOCKET NO. 2011-GS-46- 02603

The State of South Carolina

County of York

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

Defendant

COURT OF GENERAL SESSIONS

AUGUST 18, TERM 2011

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

as charged

ARREST WARRANT NUMBER

K617858

THE STATE

vs.

Brandon Davis

Defendant

ACTION OF GRAND JURY

TRUE BILL

BRANDON ALEXANDER DAVIS

Witness:

James Childers Court
C.C.C. PLS. AND G.S. Special J

George White
Foreperson of Grand Jury
Date: 8/18/11

Indictment for

VERDICT

ARMED ROBBERY

SC Code: § 16-11-0330(A)
CDR Code: 0139

Foreperson of Petit Jury
Date:

STATE OF SOUTH CAROLINA)
COUNTY OF YORK)

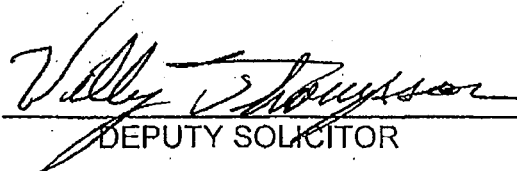
INDICTMENT

At a Court of General Sessions, convened on August 18, 2011, the Grand Jurors of York County present upon their oath:

ARMED ROBBERY

Brandon Alexander Davis did in York County on or about October 19, 2010, feloniously steal United States currency, drugs and/or other items of value from the person or presence of Anthony Whitlock by means of force or intimidation, while the Defendant was armed with a deadly weapon. The crime occurred at or near [REDACTED] in the City of Rock Hill, South Carolina; all in violation of Section 16-11-0330(A), *Code of Laws of South Carolina* (1976), as amended.

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


DEPUTY SOLICITOR

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF YORK VS. Brandon Alexander Davis

INDICTMENT/CASE#: 2011-GS46-02603

A/W#: K617858

Date of Offense: 10/19/2010

S.C. Code § : 16-11-0330(A)

CDR Code #: 0139

AKA: Race: B Sex: M Age: 17 DOB: [redacted] City, State, Zip: [redacted] DL#: 101837953 SID#: SC 101837953

SENTENCE SHEET

ORIGINAL

*CDL Yes [] No [] CMV Yes [] No [] Hazmat Yes [] No []

In disposition of the said indictment comes now the Defendant who was TO: Robbery / Armed Robbery, robbery while armed or allegedly armed with a deadly we

in violation of § 16-11-0330(A) of the S.C. Code of Laws, bearing CDR Code # 0139 [] NON-VIOLENT [X] VIOLENT [] SERIOUS [X] MOST SERIOUS [] Mandatory GPS(CSC w/minor 1st or Lewd Act) [] §17-25-45

The charge is: [X] As Indicted, [] Lesser Included Offense, [] Defendant Waives Presentment to Grand Jury. (defendant's initials) The plea is: [] Without Negotiations or Recommendation, [X] Negotiated Sentence, [] Recommendation by the State.

ATTEST: [Signature] Thompson, Walter M. SC Bar# 65118 Defendant Brandon Davis Attorney for Defendant [Signature] SC Bar# 74114

WHEREFORE, the Defendant is committed to the [X] State Department of Corrections, [] County Detention Center, for a determinate term of 30 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.

[X] CONCURRENT or [] CONSECUTIVE to sentence on: [X] 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 Total: \$ plus 20% fee: \$ Payment Terms: [] Set by SCDPPPS

PTUP days/hours Public Service Employment

Obtain GED [] Attend Voc. Rehab. or Job Corp. May serve W/E beginning Substance Abuse Counseling [] Random Drug/Alcohol testing [] Fine may be pd. in equal, consecutive weekly/monthly pmts. of \$ beginning \$ paid to Public Defender Fund Other:

Table with 3 columns: Description, Amount, Total. Includes items like § 14-1-206 (Assessments 107.5 %), § 14-1-211(A)(1) (Conv. Surcharge) \$100, § 14-1-211(A)(2) (DUI Surcharge) \$100, § 56-5-2995 (DUI Assessment) \$12, § 56-1-286 (DUI Breath Test) \$25, Proviso 47.9 (Public Def/Prob) \$500, § 14-1-212 (Law Enforce. Funding) \$25, § 14-1-213 (Drug Court Surcharge) \$150, § 50-21-114(BUI Breath Test Fee) \$50, § 56-5-2942(J) (Vehicle Assessment) \$40/ea, Proviso 90.5 (SCCJA Surcharge) \$5, 3% to County (if paid in installments), TOTAL \$130.

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

Clerk of Court/ Deputy Clerk: David Hamilton Court Reporter: Aminah Hardy SCCA/217 (03/2011)

Presiding Judge: [Signature] Judge Code: 213 Sentence Date: 11/30/11

WITNESSES

YCSO / Moore

ARREST WARRANT NUMBER

J176187

ACTION OF GRAND JURY

TRUE BILL

Foreperson of Grand Jury

Date:

VERDICT

Foreperson of Petit Jury

Date:

DOCKET NO. 2011-GS-46- 02610

The State of South Carolina

County of York

COURT OF GENERAL SESSIONS

AUGUST 18, TERM 2011

THE STATE

vs.

BRANDON ALEXANDER DAVIS

Indictment for

ARMED ROBBERY

SC Code: § 16-11-0330(A)

CDR Code: 0139

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

Defendant

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

as charged.

Brandon Davis
Defendant

Witness:

James Charles Cowart
C.C.C. PLS. AND G.S. Specialist

STATE OF SOUTH CAROLINA)
)
 COUNTY OF YORK)

INDICTMENT

At a Court of General Sessions, convened on August 18, 2011, the Grand Jurors of York County present upon their oath:

ARMED ROBBERY

Brandon Alexander Davis did in York County on or about October 16, 2010, feloniously steal US Currency and/or other personal property from James Douglas Rockholt by means of force or intimidation, while the Defendant was armed with a deadly weapon. The victim, James Douglas Rockholt, was shot during the commission of this crime. The crime occurred at or near [REDACTED] in Rock Hill, South Carolina; all in violation of Section 16-11-0330(A), *Code of Laws of South Carolina (1976)*, as amended.

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


 DEPUTY SOLICITOR

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF York VS. Jail

INDICTMENT/CASE#: 2011-GS46-02610

Brandon Alexander Davis

A/W#: J176187

AKA:

Date of Offense: 10/16/2010

Race: B Sex: M Age: 17

S.C. Code §: 16-11-0330(A)

DOB: [REDACTED]

CDR Code #: 0139

Address: [REDACTED]

City, State, Zip: [REDACTED]

DL#: 101837953 SID#: SC 101837953

*CDL Yes No CMV Yes No Hazmat Yes No

In disposition of the said indictment comes now the Defendant who was TO: Robbery / Armed Robbery, robbery while armed or allegedly armed with a deadly we

in violation of § 16-11-0330(A) of the S.C. Code of Laws, bearing CDR Code # 0139

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

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.

ATTORNEY: Thompson, Walter W. 65118 SC Bar# Defendant Brandon Davis 74814 Attorney for Defendant SC Bar#

WHEREFORE, the Defendant is committed to the State Department of Corrections, County Detention Center, for a determinate term of 30 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:

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. Date 10/24/10

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 %) \$

§ 14-1-211(A)(1) (Conv. Surcharge) \$100 \$ 100-

§ 14-1-211(A)(2) (DUI Surcharge) \$100 \$

§ 56-5-2995 (DUI Assessment) \$12 \$

§ 56-1-286 (DUI Breath Test) \$25 \$

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

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

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

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

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

Proviso 90.5 (SCJA Surcharge) \$5 \$ 5-

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

TOTAL \$130-

Random Drug/Alcohol testing

Fine may be pd. in equal, consecutive weekly/monthly

prmts. of \$ beginning

\$ paid to Public Defender Fund

Other:

Appointed PD or appointed other counsel,

§ 47.12 requires \$500 be paid to Clerk

during probation.

Clerk of Court/ Deputy Clerk David Hamilton

Court Reporter: Aminah Haray

SCCA/217 (03/2011)

Presiding Judge [Signature]

Judge Code: 2113

Sentence Date: 11-30-11

ORIGINAL

72

WITNESSES

YCSO / Moore

DOCKET NO. 2011-GS46- 02612

The State of South Carolina

County of York

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

Defendant

COURT OF GENERAL SESSIONS

AUGUST 18, TERM 2011

Brandon Davis

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

as charged

ARREST WARRANT NUMBER

J176185

THE STATE

vs.

Brandon Davis

Defendant

ACTION OF GRAND JURY

TRUE BILL

BRANDON ALEXANDER DAVIS

Witness:

James Aldous Court
C.C.C. RES. AND G.S. Spicer

Henry Williams
Foreperson of Grand Jury
8/18/11

VERDICT

Indictment for

CRIMINAL CONSPIRACY

SC Code: 16-17-410
CDR Code:0049

Foreperson of Petit Jury
Date:

STATE OF SOUTH CAROLINA)
)
COUNTY OF YORK)

INDICTMENT

At a Court of General Sessions, convened on August 18, 2011, the Grand Jurors of York County present upon their oath:

CRIMINAL CONSPIRACY

Brandon Alexander Davis did in York County on or about October 16, 2010, willfully, knowingly, and feloniously unite, combine, conspire, confederate, agree or have a tacit understanding with Laderrian Jaquelle Fewell for the purpose of committing Armed Robbery. The crime occurred at or near [REDACTED] in Rock Hill, South Carolina, all in violation of Section 16-17-410, *Code of Laws of South Carolina, 1976*, as amended.

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


DEPUTY SOLICITOR

STATE OF SOUTH CAROLINA)
 COUNTY OF York)
 STATE VS.)
 Brandon Alexander Davis)
 AKA:)
 Race: B Sex: M)
 Address:)
 City, State, Zip:)
 DL#: 101837953 SID#: SC 101837953)

INDICTMENT/CASE#: 2011-GS46-02612
 A/W#: J176185
 Date of Offense: 10/16/2010
 S.C. Code § : 16-17-0410
 CDR Code #: 0049

ORIGINAL

SENTENCE SHEET

CONVICTED OF or PLEADS

*CDL Yes No CMV Yes No Hazmat Yes No

In disposition of the said indictment comes now the Defendant who was TO: Conspiracy / Criminal Conspiracy, Common Law conspiracy defined

in violation of § 16-17-0410 of the S.C. Code of Laws, bearing CDR Code # 0049
 NON-VIOLENT VIOLENT SERIOUS MOST SERIOUS Mandatory GPS(CSC w/minor 1st or Lewd Act) §17-25-45

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: Walter W. Thompson 65118 SC Bar# Brandon Davis Defendant Jamone Attorney for Defendant 74814 SC Bar#

WHEREFORE, the Defendant is committed to the State Department of Corrections, County Detention Center,
 for a determinate term of 5 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:
 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. since 10/24/10
 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
 Total: \$ _____ plus 20% fee: \$ _____
 Payment Terms: _____
 Set by SCDPPPS _____

PTUP _____ days/hours Public Service Employment
 Obtain GED
 Attend Voc. Rehab. or Job Corp. _____
 May serve W/E beginning _____
 Substance Abuse Counseling
 Random Drug/Alcohol testing
 Fine may be pd. in equal, consecutive weekly/monthly pmts. of \$ _____ beginning _____
 \$ _____ paid to Public Defender Fund
 Other: _____

Recipient: _____
 *Fine:

§ 14-1-206 (Assessments 107.5 %)		\$
§ 14-1-211(A)(1) (Conv. Surcharge)	\$100	\$ 100-
§ 14-1-211(A)(2) (DUI Surcharge)	\$100	\$
§ 56-5-2995 (DUI Assessment)	\$12	\$
§ 56-1-286 (DUI Breath Test)	\$25	\$
Proviso 47.9 (Public Def/Prob)	\$500	\$
§ 14-1-212 (Law Enforce. Funding)	\$25	\$ 25-
§ 14-1-213 (Drug Court Surcharge)	\$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)		\$
TOTAL		\$ 130-

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

Clerk of Court/ Deputy Clerk David Hamilton
 Court Reporter: Aminah Hardy
 SCCA/217 (03/2011)

Presiding Judge [Signature]
 Judge Code: 2113
 Sentence Date: 11/30/11

CERTIFICATE OF COUNSEL FOR APPELLANT

Counsel for appellant certifies that this Record on Appeal contains all material proposed to be included by any of the parties and not any other material and that this Record on Appeal complies to the best of my ability, with the August 13, 2007, order from the South Carolina Supreme Court entitled "Interim Guidance Regarding Personal Data Identifiers and Other Sensitive Information in Appellate Court Filings."

This, 4th day of February, 2013

A handwritten signature in black ink, appearing to read "Breen Richard Stevens", with a long horizontal flourish extending to the right.

Breen Richard Stevens
Appellate Defender

South Carolina Commission on Indigent Defense
Division of Appellate Defense
PO Box 11589
Columbia, S. C. 29211-1589
(803) 734-1330

ATTORNEY FOR APPELLANT