

ARREST WARRANT

2015A2610202870

STATE OF SOUTH CAROLINA

[X] County/ [ ] Municipality of

Horry

THE STATE 15-110965

against

Leon Edward Collier, III

Address:

Little River, SC 29566-7044

Phone: SSN:

Sex: M Race: Height: 5 10 Weight: 190

DL State: SC DL #:

DOB: Agency ORI #: SC0260400

Prosecuting Agency: Horry County Police Department

Prosecuting Officer: Heather Adkins - 0799

Offense: Murder / Murder

Offense Code: 0116

Code/Ordinance Sec: 16-03-0010

This warrant is CERTIFIED FOR SERVICE in the

[ ] County/ [ ] Municipality of

The accused is to be arrested and brought before me to be dealt with according to the law.

(L.S.)

Signature of Judge

Date:

RETURN

A copy of this arrest warrant was delivered to

defendant Leon Collier III

on 12/2/15

Signature of Constable/Law Enforcement Officer

Signature of Constable/Law Enforcement Officer

Signature of Constable/Law Enforcement Officer

RETURN WARRANT TO:

General Sessions
PO Box 677
1301 2nd Avenue
Conway, SC 29528

ORIGINAL

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ORIGINAL

STATE OF SOUTH CAROLINA

[X] County/ [ ] Municipality of

Horry

Personally appeared before me the affiant Heather Adkins who

being duly sworn deposes and says that defendant Leon Edward Collier, III

did within this county and state on or about 12/23/2015 violate the criminal laws of the

State of South Carolina (or ordinance of [X] County/ [ ] Municipality of Horry)

in the following particulars:

DESCRIPTION OF OFFENSE: Murder / Murder

I further state that there is probable cause to believe that the defendant named above did commit the crime set forth and that probable cause is based on the following facts:

On or about the 23rd day of November 2015 at 4250 Pinchurst Circle, Building P, Unit 9 located in the Little River section of Horry County one, Leon Edward Collier III did, without cause or adequate provocation, and with malice aforethought, cause the death of one Christian Hope Phipps. Said information is based on evidence produced by the investigation into this matter including witness statements, statements made by the defendant, and physical evidence collected pursuant to lawful search warrants. Based on the above, the Affiant is informed and believes that probable cause exists to establish that the defendant did commit the offense of Murder. Case # 15-110965

Signature of Affiant

Heather Adkins

STATE OF SOUTH CAROLINA

[X] County/ [ ] Municipality of

Horry

Affiant's Address 2560 N. Main Street

Conway, SC 29526-

Affiant's Telephone (843)915-5350

ARREST WARRANT

TO ANY LAW ENFORCEMENT OFFICER OF THIS STATE OR MUNICIPALITY OR ANY CONSTABLE OF THIS COUNTY:

It appearing from the above affidavit that there are reasonable grounds to believe that

on or about 12/23/2015 defendant Leon Edward Collier, III

did violate the criminal laws of the State of South Carolina (or ordinance of

[X] County/ [ ] Municipality of Horry) as set forth below:

DESCRIPTION OF OFFENSE: Murder / Murder

Having found probable cause and the above affiant having sworn before me, you are empowered and directed to arrest the said defendant and bring him or her before me forthwith to be dealt with according to law. A copy of this Arrest Warrant shall be delivered to the defendant at the time of its execution, or as soon thereafter as is practicable.

Sworn to and subscribed before me

on 12/2/2015

Signature of Issuing Judge

Aaron C. Butler

Judge Code: 5022

Judge's Address J. Ruben Long Detention Center

Conway, SC 29526-1071

Judge's Telephone (843)365-9222

Issuing Court: [X] Magistrate [ ] Municipal [ ] Circuit

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AFFIDAVIT

Form Approved by S.C. Attorney General April 21, 2003 SCCA 516

FILED Horry County SC 2015 DEC 5 AM 8:00 SC Court of Appeals RECEIVED MAR 11 2019

ARREST WARRANT

2015A2610202871

STATE OF SOUTH CAROLINA

[X] County/ [ ] Municipality of

Horry

THE STATE

15110965

against

Leon Edward Collier, III

Address:

Little River, SC 29566-7044

Phone: \_\_\_\_\_ SSN: \_\_\_\_\_

Sex: M Race: \_\_\_\_\_ Height: 5 10 Weight: 190

DL State: SC DL #: \_\_\_\_\_

DOB: 02/01/1970 Agency ORI #: SC0260400

Prosecuting Agency: Horry County Police Department

Prosecuting Officer: Heather Adkins - 0799

Offense: Children / Legal custodian, unlawful neglect of child or helpless person

Offense Code: 2481

Code/Ordinance Sec: 63-05-0070

This warrant is CERTIFIED FOR SERVICE in the

[ ] County/ [ ] Municipality of

The accused

is to be arrested and brought before me to be dealt with according to the law.

(L.S.)

Signature of Judge

Date: \_\_\_\_\_

RETURN

A copy of this arrest warrant was delivered to defendant Leon Collier III on 12/21/15

Signature of Constable/Law Enforcement Officer

RETURN WARRANT TO:

General Sessions PO Box 677 1301 2nd Avenue Conway, SC 29528

ORIGINAL

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ORIGINAL

STATE OF SOUTH CAROLINA ) [X] County/ [ ] Municipality of ) Horry )

AFFIDAVIT

ORIGINAL

Form Approved by S.C. Attorney General April 21, 2003 SCCA 518

Personally appeared before me the affiant Heather Adkins who

being duly sworn deposes and says that defendant Leon Edward Collier, III

did within this county and state on or about 12/23/2015 violate the criminal laws of the

State of South Carolina (or ordinance of [X] County/ [ ] Municipality of Horry )

in the following particulars:

DESCRIPTION OF OFFENSE: Children / Legal custodian, unlawful neglect of child or helpless person

I further state that there is probable cause to believe that the defendant named above did commit the crime set forth and that probable cause is based on the following facts:

Between the dates of November 23- December 1, 2015 at 4250 Pinchurst Circle, Building P, Unit 9 located in the Little River section of Horry County one, Leon Edward Collier III did, while in charge and guardian of a 6 year old child place said child in unreasonable risk of harm affecting the child's physical and mental health and safety. The child was placed at risk due to unsanitary home conditions and lack of food in the residence. Based on the above listed facts there is probable cause the defendant violated SC 20-7-50, Unlawful conduct towards a child. Case # 15110965

Signature of Affiant

Heather Adkins

STATE OF SOUTH CAROLINA ) [X] County/ [ ] Municipality of ) Horry )

Affiant's Address 2560 N. Main Street

Conway, SC 29526-

Affiant's Telephone (843)915-5350

ARREST WARRANT

TO ANY LAW ENFORCEMENT OFFICER OF THIS STATE OR MUNICIPALITY OR ANY CONSTABLE OF THIS COUNTY:

It appearing from the above affidavit that there are reasonable grounds to believe that

on or about 12/23/2015 defendant Leon Edward Collier, III

did violate the criminal laws of the State of South Carolina (or ordinance of

[X] County/ [ ] Municipality of Horry ) as set forth below

DESCRIPTION OF OFFENSE: Children / Legal custodian, unlawful neglect of child or helpless person

Having found probable cause and the above affiant having sworn before me, you are empowered and directed to arrest the said defendant and bring him or her before me forthwith to be dealt with according to law. A copy of this Arrest Warrant shall be delivered to the defendant at the time of its execution, or as soon thereafter as is practicable

Sworn to and subscribed before me on 12/2/2015

Signature of Issuing Judge (L.S.)

Aaron C. Butler

Judge's Telephone (843)365-9222

Judge Code: 5022

Judge's Address J. Ruben Long Detention Center

Conway, SC 29526-1071

Judge's Telephone (843)365-9222

Issuing Court: [X] Magistrate [ ] Municipal [ ] Circuit

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FILED Horry County 2015 DEC 15 AM 8:00 MELANIE HODGENTRIANO CLERK OF COURT SC Court of Appeals MAR 11 2019 RECEIVED

ARREST WARRANT

2015A2610202872

STATE OF SOUTH CAROLINA

County/ Municipality of

Horry

THE STATE 15110965 against

Leon Edward Collier, III

Address: Little River, SC 29566-7044

Phone: SSN:

Sex: M Race: Height: 5 10 Weight: 190

DL State: SC DL #:

DOB: Agency ORI #: SC0260400

Prosecuting Agency: Horry County Police Department

Prosecuting Officer: Heather Adkins - 0799

Offense: Children / Legal custodian, unlawful neglect of child or helpless person

Offense Code: 2481

Code/Ordinance Sec: 63-05-0070

This warrant is CERTIFIED FOR SERVICE in the County/ Municipality of

The accused is to be arrested and brought before me to be dealt with according to the law.

(L.S.)

Signature of Judge

Date:

RETURN

A copy of this arrest warrant was delivered to defendant Leon Collier III on 12/2/15

Signature of Constable/Law Enforcement Officer

RETURN WARRANT TO:

General Sessions PO Box 677 1301 2nd Avenue Conway, SC 29528

ORIGINAL

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STATE OF SOUTH CAROLINA

County/ Municipality of

Horry

Personally appeared before me the affiant Heather Adkins who

being duly sworn deposes and says that defendant Leon Edward Collier, III

did within this county and state on or about 12/23/2015 violate the criminal laws of the

State of South Carolina (or ordinance of County/ Municipality of Horry)

in the following particulars:

DESCRIPTION OF OFFENSE: Children / Legal custodian, unlawful neglect of child or helpless person

I further state that there is probable cause to believe that the defendant named above did commit the crime set forth and that probable cause is based on the following facts:

Between the dates of November 23- December 1, 2015 at 4250 Pinehurst Circle, Building P, Unit 9 located in the Little River section of Horry County one, Leon Edward Collier III did, while in charge and guardian of a 10 year old child place said child in unreasonable risk of harm affecting the child's physical and mental health and safety. The child was placed at risk due to unsanitary home conditions and lack of food in the residence. Based on the above listed facts there is probable cause the defendant violated SC 20-7-50, Unlawful conduct towards a child. Case # 15110965

Signature of Affiant

Signature of Affiant

STATE OF SOUTH CAROLINA

County/ Municipality of

Horry

Affiant's Address 2560 N. Main Street

Conway, SC 29526-

Affiant's Telephone (843)915-5350

ARREST WARRANT

TO ANY LAW ENFORCEMENT OFFICER OF THIS STATE OR MUNICIPALITY OR ANY CONSTABLE OF THIS COUNTY:

It appearing from the above affidavit that there are reasonable grounds to believe that

on or about 12/23/2015 defendant Leon Edward Collier, III

did violate the criminal laws of the State of South Carolina (or ordinance of

County/ Municipality of Horry) as set forth below:

DESCRIPTION OF OFFENSE: Children / Legal custodian, unlawful neglect of child or helpless person

Having found probable cause and the above affiant having sworn before me, you are empowered and directed to arrest the said defendant and bring him or her before me forthwith to be dealt with according to law. A copy of this Arrest Warrant shall be delivered to the defendant at the time of its execution, or as soon thereafter as is practicable

Sworn to and subscribed before me on 12-2-2015

Signature of Issuing Judge

Aaron C. Butler

Judge Code: 5022

Judge's Address J. Ruben Long Detention Center

Conway, SC 29526-1071

Judge's Telephone (843)365-9222

Issuing Court: Magistrate Municipal Circuit

ORIGINAL

Form Approved by S.C. Attorney General April 21, 2003 SCCA 518

AFFIDAVIT

FILED Horry County 2015 DEC 15 AM 8:00 CLERK OF COURT MELANIE J. JONES-WARD RECEIVED MAR 11 2019 9C Court of Appeals

CERTIFIED COPY

WITNESSES

Heather Adkins Horry County Police Department

*B. Thompson*

ARREST WARRANT NUMBER

2015A2610202870

CDR: 0116 16-03-0010, 0020

DOA: 12/2/2015

ACTION OF GRAND JURY

TRUE BILL

*Bob Harris*

Foreperson of Grand Jury  
Date: APR 21 2016

VERDICT

Foreperson of Petit Jury  
Date:

DOCKET NO. 2016-GS-26- 01736

The State of South Carolina

County of Horry

Joshua D. Holford

15H05697

COURT OF GENERAL SESSIONS

APRIL, 2016 TERM

THE STATE

vs.

Leon Edward Collier III W/M  
808 Highway 57 S  
Little River, SC 29566-7044  
DOB: 1970-08-26  
SSN: 132686002

ATTORNEY: W. Thomas Floyd

Indictment for

MURDER

JIMMY A. RICHARDSON III, Solicitor  
BENEE N. ELVIS

2016 MAR -7 AM 9:54

FILED  
ORIGINAL  
HORRY COUNTYIFIED COPY

RECEIVED  
MAR 11 2019  
SC Court of Appeals

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF HORRY )

INDICTMENT


At a Court of General Sessions, convened on APRIL 21, 2016, the Grand Jurors of Horry County present upon their oath:

**MURDER**

CDR: 0116 16-03-0010,0020

That Leon Edward Collier III did in Horry County, on or about November 23, 2015, willfully, feloniously, and intentionally kill the victim, Christian Phipps, with malice aforethought, either express or implied, by means of asphyxiation/strangulation, and the victim did die as a proximate result thereof on or about November 23, 2015 in Horry County, in violation of Section 16-03-0010, S.C. Code of Laws, 1976, as amended.

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

  
\_\_\_\_\_  
JIMMY A. RICHARDSON, II  
FIFTEENTH CIRCUIT SOLICITOR

FILED  
HORRY COUNTY CERTIFIED COPY  
2019 MAR -7 AM 9:54  
RENEE N. ELVIS  
CLERK OF COURT  
HORRY COUNTY, SOUTH CAROLINA

WITNESSES

Heather Adkins Horry County Police Department

*B. Thompson*

ARREST WARRANT NUMBER

2015A2610202871

CDR: 2481 63-05-0070

DOA: 12/2/2015

ACTION OF GRAND JURY

TRUE BILL

*Bob Harrison*

Foreperson of Grand Jury  
Date: APR 21 2016

VERDICT

Foreperson of Petit Jury  
Date:

FILED  
HORRY COUNTY  
2016 MAR -7 AM 9:54  
RENEE N. ELVIS  
CLERK OF COURT  
HORRY COUNTY, SC

DOCKET NO. 2016-GS-26- 01736

The State of South Carolina  
County of Horry

Joshua D. Holford

15H05697

COURT OF GENERAL SESSIONS

APRIL, 2016 TERM

THE STATE

vs.

Leon Edward Collier III W/M  
808 Highway 57 S  
Little River, SC 29566-7044  
DOB: 1970-08-26  
SSN: 132686002

ATTORNEY: W. Thomas Floyd

Indictment for

UNLAWFUL CONDUCT TOWARDS A  
CHILD

JIMMY A. RICHARDSON, II, Solicitor  
CLERK OF COURT  
HORRY COUNTY, SC

ORIGINAL  
CERTIFIED COPY

RECEIVED  
MAR 11 2016  
SC Court of Appeals

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF HORRY )

INDICTMENT

At a Court of General Sessions, convened on APRIL 21, 2016, the Grand Jurors of Horry County present upon their oath:

**UNLAWFUL CONDUCT TOWARDS A CHILD**

CDR: 2481 63-5-0070

That Leon Edward Collier III did in Horry County on or about November 23, 2015, while having charge or custody, or being the parent or guardian, or being responsible for the welfare of the minor child, Jane Doe, age 6, place the child-at-unreasonable risk of harm affecting the child's life, physical or mental health, or safety; or did unlawfully or maliciously cause or cause to be done bodily harm to the child so that the life or health of the child was endangered or was likely to be endangered; or did willfully abandon the child, in violation of Section 63-5-70, S. C. Code of Laws, 1976, as-amended.

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

  
\_\_\_\_\_  
JIMMY A. RICHARDSON, II  
FIFTEENTH CIRCUIT SOLICITOR

RENEE N. ELVIS  
CLERK OF COURT  
HORRY COUNTY, S.C.

CERTIFIED COPY

RENEE N. ELVIS  
CLERK OF COURT  
HORRY COUNTY, S.C.

2019 MAR -7 AM 9:51

FILED  
HORRY COUNTY

WITNESSES

Heather Adkins Horry County Police Department

*B. Thompson*

ARREST WARRANT NUMBER

2015A2610202872

CDR: 2481 63-05-0070

DOA: 12/2/2015

ACTION OF GRAND JURY

TRUE BILL

*Bob Harris*

Foreperson of Grand Jury  
Date: APR 21 2016

VERDICT

Foreperson of Petit Jury  
Date:

RENEE N. ELVIS  
CLERK OF COURT  
HORRY COUNTY, SC  
FILED  
HORRY COUNTY  
2019 MAR -7 AM 9:54

DOCKET NO. 2016-GS-26-01737

The State of South Carolina

County of Horry

Joshua D. Holford

15H05697

COURT OF GENERAL SESSIONS

APRIL, 2016 TERM

THE STATE

VS.

Leon Edward Collier III W/M  
808 Highway 57 S  
Little River, SC 29566-7044  
DOB: 1970-08-26  
SSN: 132686002

ATTORNEY: W. Thomas Floyd

Indictment for

UNLAWFUL CONDUCT TOWARDS A  
CHILD

RENEE N. ELVIS  
CLERK OF COURT  
HORRY COUNTY, SC

Jimmy A. Richardson, II, Solicitor

CERTIFIED COPY

ORIGINAL

RECEIVED  
MAR 11 2019  
SC Court of Appeals

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF Horry )

INDICTMENT


At a Court of General Sessions, convened on APRIL 21, 2016, the Grand Jurors of Horry County present upon their oath:

**UNLAWFUL CONDUCT TOWARDS A CHILD**

CDR: 2481 63-5-0070

That Leon Edward Collier III did in Horry County on or about November 23, 2015, while having charge or custody, or being the parent or guardian, or being responsible for the welfare of the minor child, John Doe, age 10, place the child at unreasonable risk of harm affecting the child's life, physical or mental health, or safety; or did unlawfully or maliciously cause or cause to be done bodily-harm to the child so that the life or health of the child was endangered or was likely to be endangered; or did willfully abandon the child, in violation of Section 63-5-70, S. C. Code of Laws, 1976, as amended.

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

  
\_\_\_\_\_  
JIMMY A. RICHARDSON, II  
FIFTEENTH CIRCUIT SOLICITOR

RENEE N. ELVIS  
CLERK OF COURT  
HORRY COUNTY, SC

CERTIFIED COPY

RENEE N. ELVIS  
CLERK OF COURT  
HORRY COUNTY, SC

2019 MAR - 7 AM 9:54

FILED  
HORRY COUNTY

STATE OF SOUTH CAROLINA )  
COUNTY OF Horry )

IN THE COURT OF GENERAL SESSIONS  
OF THE FIFTEENTH JUDICIAL CIRCUIT

STATE OF SOUTH CAROLINA )

CERTIFICATE OF REPRESENTATION  
(APPOINTING AS COUNSEL)

-VS-

LEON COLLIER

W. THOMAS FLOYD

DEFENDANT

RECEIVED

MAR 11 2019

FILE NO: 26A15-00004779

SC Court of Appeals

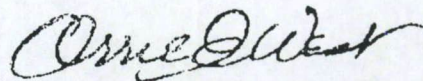
TO: Clerk of Court of General Sessions of the Fifteenth Judicial Circuit  
Office of the Solicitor  
Appointed Counsel  
Defendant

This certifies that the above captioned Defendant is eligible for the services of the Public Defender, such determination having been made on, 9th day of December, 2015, regarding the charge(s) of:

2015A2610202870 Murder / Murder

2015A2610202871 Children / Legal custodian, unlawful neglect of child or helpless person

The Defendant's Counsel is **W. Thomas Floyd**. The office of the Public Defender requests on the Defendant's behalf any and all evidence in the possession of you and or your agents pursuant to S.C. Criminal Practice Rule 5, and Brady v. Maryland 373 U.S. 383 (1963). The formal Motion for Discovery is attached.



ORRIE E. WEST  
FIFTEENTH CIRCUIT  
PUBLIC DEFENDER

CONWAY, SC

DATED: December 09, 2015

2015 DEC 22 AM 11:18  
Horry County  
JENNIE M. ELVIS  
CLERK OF COURT  
HORRY COUNTY, SC  
CERTIFIED COPY

STATE OF SOUTH CAROLINA)  
COUNTY OF HORRY )

IN THE COURT OF GENERAL SESSION  
OF THE FIFTEENTH JUDICIAL CIRCUIT

STATE OF SOUTH CAROLINA)

NOTICE AND MOTION FOR PRODUCTION  
OF SPECIFIC EVIDENCE AND  
DISCLOSURE OF WITNESSES

-VS-

**RECEIVED**

MAR 11 2019

**SC Court of Appeals**

LEON E COLLIER

DEFENDANT )

FILED  
2018 DEC 22 AM 11:18  
CLERK OF COURT  
HORRY COUNTY

FILE NO: 26A15-00004779

TO: SOLICITOR FOR THE FIFTEENTH JUDICIAL CIRCUIT

YOU WILL PLEASE TAKE NOTICE that unless the prosecution responds to the Defendant's request for disclosure within 30 days, or within such time as may be ordered by the Court, Counsel for the Defendant will move this Court for an Order compelling that the State:

1. Make available for Defendant any and all written and oral statements by the Defendant which are, or may come to be, in the possession of the State.
2. Make available for purposes of inspection, and copying, any and all police reports relating to the investigation and circumstances surrounding the crime which the Defendant is charged with, including any and all statements taken from witnesses and the Defendant.
3. Make available to the Defendant all tangible objects obtained during the investigation of this case, including, but not limited to:
  - (a) All tangible objects obtained from the scene of the crime; and
  - (b) All tangible objects obtained from the State's witnesses in this case
  - (c) All tangible objects the State intends to introduce into evidence at Trial which are relevant to the offense charged.
4. Make available any witnesses known to the State who have knowledge of facts which might be favorable to the Defendant.
5. Make available any promises made or actions taken by the State which caused or might have caused any witnesses for the State to testify on behalf of the State.
6. Make available any inconsistent statements made by witnesses for the State or any statements made by witnesses for the State which tend to exculpate the Defendants or to negate participation by the Defendants in the alleged crime.
7. Make available to the Defendant all results of laboratory tests, scientific tests, or physical examinations conducted in connection with this case, including but not limited to:
  - (a) Analysis of handwriting
  - (b) Photographs secured of the scene of the crime
  - (c) Comparison of fingerprints
8. Make available any facts which tend to exculpate the Defendant.

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2019 MAR 11 AM 11:18  
CLERK OF COURT  
HORRY COUNTY

9. Make available any and all scientific or medical, psychiatric, legal or other information, reports or records which might tend to reflect on the credibility or competence of any of prospective witnesses for the State.

10. Make available to the Defendant the names and addresses of all persons who have knowledge of this case or who have been interviewed by the investigating officers in connection with this case.

11. Make available to the Defendant, the SLED, FBI, and local arrest and conviction records of all persons, including the Defendant, named in connection with this proceeding.

12. Make any chemist, analyst, and all persons within the chain of custody appear in Court for the purpose of personally testifying. Attorney for the Defense thus objects to the introduction of any chemist's or analyst's report pursuant to Rule 6, S.C. Rules of Criminal Procedure.

13. Make available to the Defendant all video and audio recordings and/or notarized affidavits made pursuant to South Carolina Code § 56-5-2953 and any other applicable South Carolina Statute or regulation, including but not limited to:

- (a) Police and booking reports;
- (b) Police logs;
- (c) Alcohol influence reports;
- (d) Accident reports
- (e) Reports dealing with defendant's refusal to submit to testing;
- (f) Notes taken from any recording by Law Enforcement regarding conversations with potential prosecution witnesses
- (g) Any notes taken by Law Enforcement with regards to this case which the officer intends to rely on, or make us of, at trial.
- (h) The names of the officers or other witnesses who were with the Defendant within one hour of the arrest who had the opportunity to observe the appearance and behavior of the Defendant, to include the identity of any officer present at the scene of arrest.
- (i) The time and place where the Defendant was given the Miranda warning and the name of the officer who advised him/her of the same.
- (j) Any reports made by any laboratory or hospital concerning any examination made of any physical (urine, blood, etc.), photographic, or written evidence related to the Defendant's case.
- (k) The records of analysis and the results of any chemical, urine, or breathalyzer tests administered to the Defendant.

14. Make available to the Defendant following information regarding the person(s) who administered the Defendant's chemical/breathalyzer tests:

- (a) The person's name and the name of his/her employer;
- (b) The date of his/her original certification to give chemical/breathalyzer tests and the grade he/she received on the exam;
- (c) The date of his/her most recent certification to give said tests; And his/her compliance with statutes and regulations providing for standards of training for person(s) administering such tests.

15. If the Defendant's blood alcohol concentration was determined on the basis of a test involving the use of any machine, provide the following information:

- (a) The type of machine used and the make, model, and serial number of particular machine;

CERTIFIED COPY  
CLERK OF COURT  
FOR YORK COUNTY, SC

- (b) The manufacturer and the date of manufacture of the machine;
- (c) The owner's manual and the instruction manual;
- (d) The software program used in said machine;
- (e) The date of purchase by the agency owning the machine;
- (f) The location of machine;
- (g) The number of prior tests conducted on the machine;
- (h) All maintenance information for the last two years, including all repairs done and all calibrations made on the machine;
- (i) The results of all tests performed in the thirty (30) days prior to the date of the Defendant's arrests, including any tests in which the machine malfunctioned;
- (j) Any checklist to be used by the operator of the machine, either before, during, or after the admission of a test.

This information is requested pursuant to Rule 5 of the South Carolina Rules of Criminal Procedure. This information is further requested pursuant to Brady vs Maryland, 373 U.S. 383, 10 L. Ed. 2d 215, 83 S. Ct. 1194 (1963), U.S. vs Agurs, 427 U.S. 97, 49 L Ed 2nd 342, 96 S. Ct. 2392 1976, State vs Mixon 274 S.E. 2nd 406 (1981), City of Rock Hill vs Suchenski, 374 S.C. 12, 646 S.E.2d 879 (2007). Further this information is requested on the grounds that it is essential to insure the Defendant's right to a fair trial, right to confrontation of witnesses, the right to effective Counsel and due process of law guaranteed by the South Carolina Constitution, and the United States Constitution.

WHEREFORE, Defendant prays:

- (a) That the Solicitor be Ordered to produce all information described herein and allow the Defendant the right to examine, inspect, copy and photograph such materials and information at a specific time and place to be fixed by the Court.
- (b) That the information be provided no later than 30 days from the date of this request, as reflected by the Clerk of Court's time-stamp appearing on the face of this Document.
- (c) That the Court enter an Order requiring the Solicitor's Office to make continuing disclosure of all matters requested herein up to and during the Trial of the charges against the Defendant.

RESPECTFULLY SUBMITTED,



ORRIE E. WEST  
FIFTEENTH CIRCUIT  
PUBLIC DEFENDER

DATED: December 09, 2015  
CONWAY, SOUTH CAROLINA

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF Horry VS. STATE

Leon Edward Collier III

AKA: \_\_\_\_\_

Race: \_\_\_\_\_ Sex: M Age: 48

DOB: \_\_\_\_\_ SS#: \_\_\_\_\_

Address: \_\_\_\_\_

City, State, Zip: Little River, SC 29566-7044

DL#: \_\_\_\_\_ SID#: \_\_\_\_\_

\*CDL Yes  No  CMV Yes  No  Hazmat Yes  No

In disposition of the said indictment comes now the Defendant who was TO: Voluntary Manslaughter (0-30 years)

INDICTMENT/CASE#: 2016CS2601735

A/W#: 2015A2610202870

Date of Offense: 11/23/2015

S.C. Code § : 16-03-0010, 0020

CDR Code #: 0116

RECEIVED  
MAR 11 2019  
SC Court of Appeals

SENTENCE SHEET

CONVICTED OF or  PLEADS

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 Presentment to Grand Jury. (defendant's initials)

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

ATTEST:

Holford, Joshua D

SCB80071  
SC Bar#

Defendant

Attorney for Defendant

SC Bar# 8386

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 X years and/or to pay a fine of \$ X; provided that upon the service of X days/months/years and/or payment of \$ X; plus costs and assessments as applicable\*; the balance is suspended with probation for X

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: 3/4/2019

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 (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 \_\_\_\_\_

Recipient: \_\_\_\_\_

\*Fine: \_\_\_\_\_ \$ \_\_\_\_\_

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

§ 14-1-211(A)(1) (Conv. Surcharge) \$100 \$ 100.00

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

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

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

Proviso 61.6 (Public Def/Probation) \$500 \$ \_\_\_\_\_

§ 14-1-212 (Law Enforce. Funding) \$25 \$ 25.00

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

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

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

3% to County (if paid in installments) \$ 3.75

TOTAL \$ 28.75 + \$40.00 = \$168.75

Clerk of Court/ Deputy Clerk Renee Elvis

Court Reporter: Sallie Beth Todd

SCCA/217 (07/2016)

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 \$ 25.00 beginning 4/4/2019

\$ \_\_\_\_\_ paid to Public Defender Fund

Other: \_\_\_\_\_

Appointed PD or appointed other counsel, Proviso 61.6 requires \$500 be paid to Clerk during probation and shall be collected before any other fees.

Presiding Judge Margaret Culbertson

Judge Code: 2148

Sentence Date: March 4, 2019

RENEE M. ELVIS  
CLERK OF COURT  
Horry County  
2019 MAR - PM 4:31  
CERTIFIED COPY FILED  
HORRY COUNTY

STATE OF SOUTH CAROLINA )  
COUNTY OF HORRY )

STATE OF SOUTH CAROLINA )

-VS-

LEON COLLIER

DEFENDANT )  
\_\_\_\_\_ )

**RULE 203 (B) (iv)**  
**WRITTEN EXPLANATION OF**  
**NO**  
**BASIS FOR APPEAL**

**RECEIVED**  
MAR 11 2019  
SC Court of Appeals

PERSONALLY appeared before me James C. Galmore, who being duly sworn,  
deposes and says :

1. I represented the above named defendant before BENJAMIN H. CULBERTSON on March 4, 2019 at

which time the defendant enter a guilty plea to his/her pending charges.

2. No issues of law or fact, were raised before the Judge at that time that could be the basis for an Appeal in this matter.

3. The defendant requested this appeal be filed based on the language used by the plea judge informing the client he has the right to appeal his guilty plea within ten (10) days.

4. I informed defendant that there were no issues to appeal.

5. Defendant requested the Appeal be filed.

RENEEN, ELVIS  
CLERK OF COURT  
HORRY COUNTY, SC  
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HORRY COUNTY  
2019 MAR -7 AM 9:55

Sworn to and Subscribed before me  
17<sup>th</sup> day of March, 2019

Underwater  
Notary Public for South Carolina  
My Commission expires: 10/23/28

James Galmore  
Signature of Attorney for Defendant  
JAMES GALMORE  
Print name of Attorney for Defendant