

RECEIVED

MAY 13 2019

SC Court of Appeals

STATE OF SOUTH CAROLINA

) IN THE SOUTH CAROLINA

) COURT OF APPEALS

COUNTY OF CHARLESTON

) Case No: 2017GS1005922

) Warrant No: 2017A1820500330

) Charge: Murder

STATE OF SOUTH CAROLINA

)

VS.

)

**REQUEST FOR REPRESENTATION
ON APPEAL**

Carmie Nelson,

)

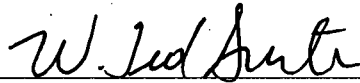
Defendant.

)

On behalf of the request of the above-named Defendant, to be represented by the South Carolina Commission of Appellate Defense, the undersigned attorney would show unto this Honorable Court that:

1. He is the appointed attorney for the defendant-appellant in the above captioned case. The defendant-appellant was placed in custody immediately following conviction and sentence and was not available to personally sign this Request.
2. The defendant-appellant was represented by the Charleston County Public Defender's Office as an indigent, pursuant to the Defense of Indigent Act.
3. The defendant-appellant has been informed that she may request assistance from the South Carolina Commission of Appellate Defense in perfecting her appeal.
4. A timely Notice of Appeal has been filed on the defendant's-appellant behalf.
5. The defendant-appellant has been informed that nothing requires that office to pursue this appeal unless that office's Chief Attorney is satisfied that there is arguable merit to this appeal and that she cannot afford to hire an attorney.

At this time, the defendant-appellant requests the aid of the South Carolina Commission of Appellate Defense in perfecting her appeal to the South Carolina Court of Appeals.



W. Ted Smith, Appointed Counsel for
Carmie Nelson

Charleston, South Carolina

Dated: 5/10, 2019.

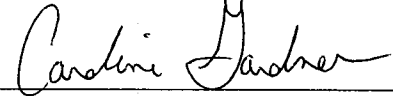
STATE OF SOUTH CAROLINA)
)
COUNTY OF CHARLESTON)

VERIFICATION

RECEIVED
MAY 13 2019
SC Court of Appeals

Personally appeared before me the above-signed attorney, who being first duly sworn, deposes and says that he has read the foregoing Request for Representation on Appeal and knows the allegations contained therein are true, except as to those which may be alleged to be upon information and belief and as to those he believes them to be true.

SWORN to and subscribed before me
this 10 day of May, 2019.



NOTARY PUBLIC FOR SOUTH CAROLINA

My Commission Expires: 7/28/24

COUNTY OF CHARLESTON

STATE VS.

CARMIE JOSETTE NELSON

AKA: Camrie Josette Nelson, Carmie J Nelson

Race: White Non-Latino/Caucasian

Sex: [REDACTED]

DOB: [REDACTED] SS#: [REDACTED]

Address: [REDACTED]

City, State, Zip: [REDACTED]

DL# [REDACTED] SID# [REDACTED]

*CDL Yes No CMV Yes No Hazmat Yes No

In disposition of the said indictment comes now the Defendant who was

TO: Murder

In violation of § 16-03-0010 of the S.C. Code of Laws, bearing CDR Code # 0116

NON-VIOLENT VIOLENT SERIOUS MOST SERIOUS Mandatory GPS §17-25-45 (CSC w/minor 1st or CSC w/minor 3rd)

The charge is: As indicted, Lesser Included Offense,

The plea is: Without Negotiations or Recommendation,

ATTEST:

[Signature]
1801
D. Bruce DuRant, Chief Deputy Solicitor SC Bar #

Defendant

Attorney for Defendant

70744
SC Bar #

WHEREFORE, the Defendant is committed to the State Department of Corrections County Detention Center, for a determinate term of LIFE 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 Service 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 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 PTUP _____ days/hours Public Service Employment
Total: \$ _____ plus 20% fee: _____ \$ _____
Payment Terms: _____
Obtain GED

Set by SCDPPPS _____

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 (Public Def/Probation) \$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/ca \$ _____

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

TOTAL \$ 128.75

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

Clerk of Court/Deputy Clerk: *[Signature]*

Court Reporter: Amanda Hatfield

Presiding Judge: *[Signature]*

Judge Code: 2117

Sentence Date: 5/9/19

DBD/0328822
WITNESSES

DOCKET NO. 2017-GS-10-05922

Summerville Police Department

The State of South Carolina
County of Charleston

AGENCY CASE NUMBER

2017-030334

COURT OF GENERAL SESSIONS

OCTOBER TERM 2017

ARREST WARRANT NUMBER

2017A1820500330

DATE OF ARREST

04/05/2017

THE STATE

VS.

ACTION OF GRAND JURY

CARMIE JOSETTE NELSON

DOB: [REDACTED]

TRUE BILL

W. B. Myers
Foreperson of Grand Jury

OCT 10 2017 Date

VERDICT

Guilty

Indictment for

MURDER

SC Code: § 16-03-0010
CDR Code: 0116

A. Jones
Foreperson of Petit Jury

5/9/19 Date

A. Jones

STATE OF SOUTH CAROLINA)
)
COUNTY OF CHARLESTON)
)
STATE OF SOUTH CAROLINA)
)
 vs.)
)
CARMIE JOSETTE NELSON)
)
 Defendant)
_____)

IN THE COURT OF GENERAL SESSIONS
NINTH JUDICIAL CIRCUIT

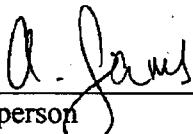
Case No. 2017-GS-10-05922
Arrest Warrant No. 2017A1820500330

VERDICT

1. ON THE CHARGE OF MURDER:

WE THE JURY, ON THE CHARGE OF MURDER, BY UNANIMOUS CONSENT, FIND
THE DEFENDANT CARMIE JOSETTE NELSON:

GUILTY
 NOT GUILTY



Foreperson

May 9, 2019

DBD/0328822
WITNESSES

Summerville Police Department

AGENCY CASE NUMBER

2017-030334

ARREST WARRANT NUMBER

2017A1820500330

DATE OF ARREST

04/05/2017

ACTION OF GRAND JURY

TRUE BILL

W. B. Myers
Foreperson of Grand Jury

OCT 10 2017

Date:

VERDICT

Foreperson of Petit Jury

Date:

DOCKET NO. 2017-GS-10-05922

The State of South Carolina

County of Charleston

COURT OF GENERAL SESSIONS

OCTOBER TERM 2017

THE STATE

VS.

CARMIE JOSETTE NELSON

DOB: [REDACTED]

Indictment for

MURDER

SC Code: § 16-03-0010

CDR Code: 0116

FILED

10/17/2017 4:34:37 PM

JULIE J. ARMSTRONG

CLERK OF COURT

STATE OF SOUTH CAROLINA

INDICTMENT

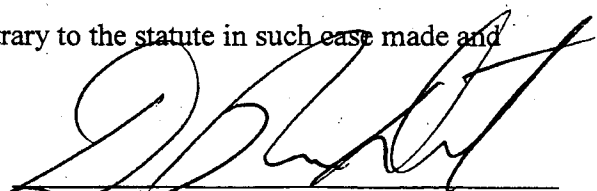
COUNTY OF CHARLESTON

At a Court of General Sessions, convened October 2017, the Grand Jurors of Charleston County present upon their oath:

MURDER

That in Charleston County, South Carolina on or about April 2, 2017, the defendant, Carmie Josette Nelson, feloniously, willfully and with malice aforethought, did kill and murder Jordan Brooke Lum by means of stabbing and/or cutting her with a knife and beating her with a hammer, and Jordan Brooke Lum did die in Charleston County as a proximate result thereof on or about April 2, 2017; in violation of §16-3-10 of the South Carolina 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.



D. BRUCE DURANT
CHIEF DEPUTY SOLICITOR

ARREST WARRANT

2017A1820500330

STATE OF SOUTH CAROLINA

County/ Municipality of

Summerville

THE STATE 17030334 against

Carmie Josette Nelson

Address:

Phone: Race: Height: SSN: Weight:

DL State: DL #: Agency ORI #: SC0180200

DOB: Prosecuting Agency: Summerville Police Department

Prosecuting Officer: Kenneth T Driscoll - A03149

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 Carmie J. Nelson

on 4/5/2017

Signature of Constable/Law Enforcement Officer

RETURN WARRANT TO:

General Sessions 100 Broad Street Charleston SC 29401

ORIGINAL

ORIGINAL

ORIGINAL

ORIGINAL

STATE OF SOUTH CAROLINA

County/ Municipality of

Summerville

Personally appeared before me the affiant Kenneth T Driscoll

being duly sworn deposes and says that defendant Carmie Josette Nelson

did within this county and state on or about 4/3/2017 violate the criminal laws of the

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

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:

see attached affidavit

Signature of Affiant

Signature of Affiant (Handwritten)

STATE OF SOUTH CAROLINA

County/ Municipality of

Summerville

Affiant's Address 300 West 2Nd North Street

Summerville, SC 29483-

Affiant's Telephone

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 4/3/2017 defendant Carmie Josette Nelson

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

County/ Municipality of Summerville) 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 4/5/2017

Signature of Issuing Judge (L.S.)

Gregory Lynn Hyland

Judge Code: 8183

Judge's Address 200 South Main Street

Summerville, SC 29483-

Judge's Telephone (843)875-2010

Issuing Court: Magistrate Municipal Circuit

ORIGINAL

ORIGINAL

ORIGINAL

ORIGINAL

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

AFFIDAVIT

BAIL set by

WITNESSES

Judge Bligen
on 4.5.17
Type and Amount: NO BOND
Name of Surety: _____

Name: _____
Address: _____
Telephone: _____



PRELIMINARY HEARING held by

Judge _____
on _____
Defendant Attorney: _____
Decision: _____

Name: _____
Address: _____
Telephone: _____
Name: _____
Address: _____
Telephone: _____

DISPOSITION before

Judge _____
on _____
by _____
(indicate jury trial, bench trial, plea, nol. pros., etc.)
Disposition: _____
Sentence: _____

Name: _____
Address: _____
Telephone: _____
Name: _____
Address: _____
Telephone: _____
Name: _____
Address: _____
Telephone: _____

JURORS

Name: _____
Address: _____
Telephone: _____
Name: _____
Address: _____
Telephone: _____

CODEFENDANTS

FILED
2017 APR 12 AM 9:03
JULIE J. ARMSTRONG
CLERK OF COURT
BY _____

STATE OF SOUTH CAROLINA)
COUNTY OF CHARLESTON)
TOWN OF SUMMERVILLE)

CASE # 17-030334

AFFIDAVITS

WARRANT#

20174 1820SD0 330

Personally appeared before me, one Det. K. Driscoll, first being duly sworn, deposes and says that

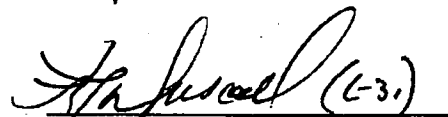
CARMIE JOSETTE NELSON

did within this town, county and state on April 3rd, 2017, violate section 16-3-10 of the criminal laws of the State of South Carolina in the following particulars:

**DESCRIPTION OF OFFENSE
MURDER
VIOLATION OF SECTION 16-3-10**

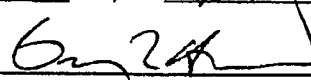
The affiant states that there is probable cause to believe that the defendant named above did commit the crime(s) set forth, and that such probable cause is based on the following facts:

That on April 3rd, 2017, located at 199 Angora Way, (Pines of Gahagan), within the town, county, and state aforesaid, the defendant one, **Carmie Josette Nelson**, did willfully, unlawfully, and feloniously violate section 16-3-10 of the South Carolina Code of Laws, as amended, **Murder**, in that the defendant did with malice or forethought, with the intent to kill, strike the victim (**Jordan-Brooke Lum**) with a hammer in the head, as well as stabbed the victim in the right torso and neck with a knife multiple times, which resulted in the victim's death. Facts to prove the above, the Summerville Police Department received a 911 telephone call from the co-defendant (**Daniel Nelson**) advising a murder had occurred at the aforementioned location and the victim was located on the premises within the garage area. Upon arrival, Officer's made contact with the defendant who had threatened herself with bodily harm and was subdued by responding officers. Under Miranda Warnings, the co-defendant admitted the defendant informed him, she struck the victim in the head with a hammer, and then sliced her neck with a knife, as well as stabbing her several times in her right torso. During a search of the residence, the victim was located deceased within the garage area, in a wooden crate wrapped in a blanket, and had wounds consistent with the co-defendants statement. All of which is against the form of the statute in such cases made and provided.



Affiant

Sworn to Subscribed before me
this 5th day of April 2017.

 (L.S.)
Signature of Judge

Address: 300 West 2nd North St.
Summerville, SC 29483
Phone: (843) 851-4100