

THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

APPEAL FROM RICHLAND COUNTY
COURT OF COMMON PLEAS

JOCELYN NEWMAN, CIRCUIT COURT JUDGE

CASE No. 2012-CP-40-02456
APPELLATE CASE No. 2017-001124

RECEIVED
MAY 17 2019
SC Court of Appeals

REGINALD ANDRE BLANDING, WANDA
BLANDING, AND BRITTANI BLANDING,
BY AND THROUGH HER GUARDIAN AD
LITEMS, REGINALD ANDRE BLANDING
AND WANDA BLANDING,

PLAINTIFFS,

OF WHOM REGINALD ANDRE BLANDING
WANDA BLANDING, AND BRITTANI
BLANDING ARE

APPELLANTS,

v.

LEON LOTT, IN HIS OFFICAL
CAPACITY,

RESPONDENT.

SUPPLEMENTAL RECORD ON APPEAL

Robert J. Butcher
Deborah J. Butcher
Attorney for Appellants
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Facsimile: (803) 432-7466
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S.C. Bar No.: 74722

Attorney for Appellants

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Columbia, South Carolina 29260

Robert Garfield
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Post Office Box 1149
Columbia, South Carolina 29202

Attorney for Respondent

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SEARCH WARRANT, OCTOBER 20, 2011 617

EXCERPT OF DEPOSITION OF ADAM CORNWELL 629

EXCERPT OF DEPOSITION OF RICKY JOHNSON 632

I certify that this Supplemental Record on Appeal contains no matter which was not requested through the Court's Amended Order dated May 9, 2019.

Respectfully submitted,

THE CAMDEN LAW FIRM, PA



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DEBORAH J. BUTCHER
ATTORNEY FOR APPELLANTS
509 WALNUT STREET
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ATTORNEY FOR RESPONDENT

x Copy 2

STATE OF SOUTH CAROLINA

County of Richland

SEARCH WARRANT

402 Gibbs Rd.
Elgin, SC 29045

12:20pm
CWS

Date: October 20, 2011

Officer: Senior Deputy Ricky Johnson

ROA 0008178

STATE OF SOUTH CAROLINA}

COUNTY OF RICHLAND }

SEARCH WARRANT

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

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

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

The location to be searched is located at 402 Gibbs Rd. which is located in Richland County. The premise to be searched is described as a single story residence with the front door facing Majorie Ct. The residence has a burgundy roof and four steps leading up to a porch. The front door of the residence and the window shutters are all green in color. The numbers 402 are clearly visible on a cream in color post in front of the porch. If you are traveling north on Two Notch Rd. from Clemson Rd., make a left turn onto Bookman Rd. Continue to travel on Bookman Rd until it becomes Cherokee Blvd, then make a left onto Gibbs Rd. The residence will be the first house on the left when you turn left onto Majorie Ct. The search is to further include all persons at this location as it is common for drug users to be present at residences that are selling narcotics and vehicles at the location if owned or operated by persons at this location, or if owned or operated by person(s) residing at the location temporarily absent and all outbuildings on the curtilage.

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

DESCRIPTION OF PROPERTY

The substances known as crack cocaine, cell phones, pagers, hand held "PDA" type digital storage devices, gang/ drug paraphernalia and paperwork associated with the manufacture, sale, storage, use and distribution of said substances, as well as documentation of involvement in a gang; weapons; US currency; and articles of personal property to establish the identity of persons in control of areas where aforementioned items are found.

This Search Warrant shall not be valid for more than ten days from the date of issuance. A written inventory of all property seized pursuant to this Search Warrant shall be made to

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

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

Columbia, S.C.
Oct 20, 2011

Signature of Judge (L.S.)

ROA 000618

STATE OF SOUTH CAROLINA}

COUNTY OF RICHLAND }

AFFIDAVIT

The Affiant first began a career in law enforcement in March of 2007 as a patrol unit with the Richland County Sheriff's Department. In 2009, the Affiant was promoted to the Burglary Suppression Team where he investigated burglaries for approximately one year. In March of 2010, the Affiant was promoted to the Drug Suppression Team where currently he is responsible for investigating drug activity in Richland County. During this time, the Affiant has made over 800 drug related cases. The Affiant has attended and successfully completed several continuing education courses to include:

1. Bachelors Degree in Criminal Justice from the University of South Carolina - 2006
2. Prescription Drug Course - 2010
3. Street Gang Investigation Course - 2010
4. In-House RCSD Training on Confidential Informants - 2011

Currently, the Affiant is a member of the RCSD Drug Suppression Team where he is responsible for investigating drug activity in the Richland County area. The Affiant has assisted with numerous investigations involving drugs, leading to the arrests of well over 800 subjects involved in drugs and drug activity. Based upon my training, experience and participation in controlled substance investigations involving the sale and distribution of controlled substances, I know that individuals who sell and distribute illegal controlled substances store these substances at their residence, in vehicles and in various locations on their property or curtilage. Based upon my training, experience and participation in controlled substance investigations involving the sale and distribution of controlled substances, I know that individuals who deal in al controlled substances maintain books, records, receipts, notes, ledgers and other papers related to the manufacture, sportation, ordering, sale and distribution of illegal controlled substances. These books, records, notes, ledgers, etc. are maintained where the individual has ready access to them, such as on his person or place of operation. Individuals who deal in illegal controlled substances commonly maintain addresses and/or telephone numbers in books, papers or in electronic communication devices which reflect names, addresses and/or phone numbers for their associates in their illegal organization. In addition, these individuals utilize telephone systems to maintain contact with their associates in their illegal business. These names, addresses, and/or telephone numbers are commonly kept on their persons or at their residences.

Sworn to and Subscribed before me }
This 26 day of Oct, 2011 }

[Signature]
Signature of Judge

17627 (L.S.)

12:20 PM

[Signature]
Affiant

Address Richland County Sheriff's Department
5623 Two Notch Road, Columbia, S.C. 29223
Phone (803) 576-3000

ROA 000619

STATE OF SOUTH CAROLINA}

AFFIDAVIT

COUNTY OF RICHLAND }

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

DESCRIPTION OF PROPERTY SOUGHT

The substances known as crack cocaine, cell phones, pagers, hand held "PDA" type digital storage devices, gang/ drug paraphernalia and paperwork associated with the manufacture, sale, storage, use and distribution of said substances, as well as documentation of involvement in a gang; weapons; US currency; and articles of personal property to establish the identity of persons in control of areas where aforementioned items are found.

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

The location to be searched is located at 402 Gibbs Rd. which is located in Richland County. The premise to be searched is described as a single story residence with the front door facing Majorie Ct. The residence has a burgundy roof and four steps leading up to a porch. The front door of the residence and the window shutters are all green in color. The numbers 402 are clearly visible on a cream in color post in front of the porch. If you are traveling north on Two Notch Rd. from Clemson Rd., make a left turn onto Bookman Rd. Continue to travel on Bookman Rd until it becomes Cherokee Blvd, then make a left onto Gibbs Rd. The residence will be the first house on the left when you turn left onto Majorie Ct. The search is to further include all persons at this location as it is common for drug users to be present at residences that are selling narcotics and vehicles at the location if owned or operated by persons at this location, or if owned or operated by person(s) residing at the location temporarily absent and all outbuildings on the curtilage.

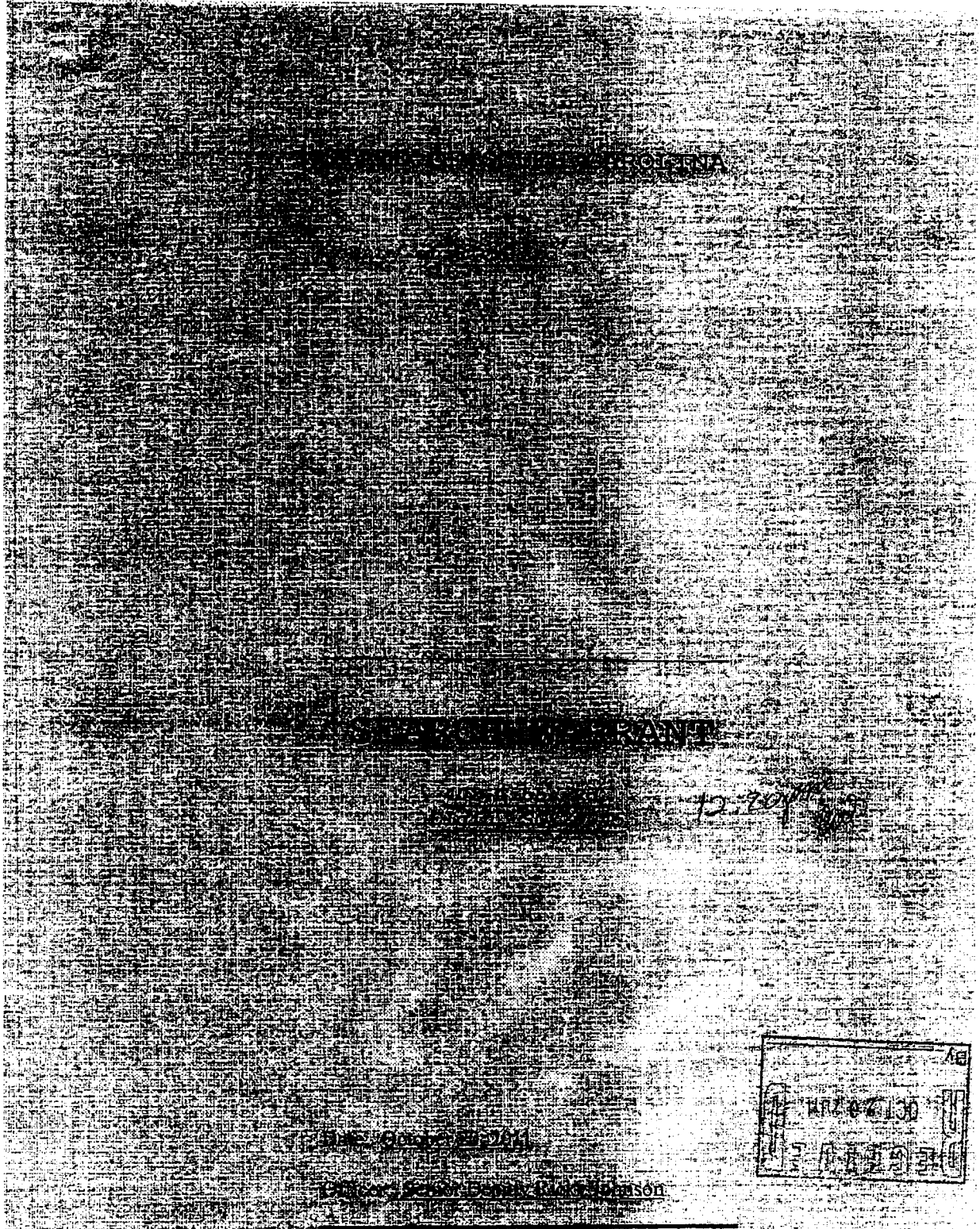
Sworn to and Subscribed before me }
This 20 day of Oct, 2011 }

[Signature] (L.S.) }
Signature of Judge 12:20 pm

[Signature]
Affiant

Address Richland County Sheriff's Department
5623 Two Notch Road, Columbia, S.C. 29223
Phone (803) 576-3000

ROA 000620



STATE OF SOUTH CAROLINA)

SEARCH WARRANT

COUNTY OF RICHLAND)

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

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

DESCRIPTION OF PROPERTY

The substances known as crack cocaine, cell phones, baggies, hand held "PDA" type digital storage devices, gang/ drug paraphernalia and paperwork associated with the manufacture, sale, storage, use and distribution of said substances, as well as documentation of involvement in a gang, weapons, US currency, and articles of personal property to establish the identity of persons in control of areas where aforementioned items are found.

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Columb, S.C.
Oct 20, 2011

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

STATE OF SOUTH CAROLINA }

AFFIDAVIT

COUNTY OF RICHLAND }

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Sworn to and Subscribed Before me }
This 20 day of Oct, 2011 }

[Signature] (L.S.)
Signature of Judge 12:20 pm

[Signature]
Affiant

Address Richland County Sheriff's Department
5623 Two Notch Road, Columbia, S.C. 29223
Phone (803) 576-3000

STATE OF SOUTH CAROLINA }
COUNTY OF RICHLAND }

AFFIDAVIT

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

RCSD Drug Suppression Team received a complaint about illegal drug sales at the place to be searched which is a single story residence in Richland County. In the past 72 hours, a confidential reliable informant working for the Richland County Sheriff's Department made a controlled purchase of crack cocaine from an unknown black male at the location. The confidential reliable informant returned and turned over one (1) white rock like substance which field tested positive for cocaine base. The confidential informant was deemed reliable after turning over evidence on at least 10 separate occasions which led to the arrests of at least 30 individuals and the seizure of approximately \$50,000.00 in narcotics. Further details as to specific cases involved would tend to disclose the informants identity. The identity of the informant should remain confidential because disclosure of its identity would impair its future usefulness to law enforcement and endanger its life. Through the affiant's experience in drug enforcement, it is known that there is a common connection between drug activity and weapons. Those engaged in illegal drug activity often carry, or have nearby, weapons ranging from razors to firearms for protection of themselves and their drugs. Additionally, through the affiant's experience in drug enforcement, it is known that subjects present at the scene of illegal drug distribution and/or possession commonly have drugs and or weapons concealed on their persons. Even those not directly selling illegal drugs are used to conceal, or "hold" drugs for those who are engaged in selling them. Through the affiant's experience in drug enforcement, it is known that vehicles owned or operated by subjects present at the scene of illegal drug distribution and/or possession are commonly used to transport and store illegal drugs. Additionally, through the affiant's in drug enforcement, it is known that cell phones, pagers, and hand held "PDA's" are commonly used to store phone numbers of others involved in illegal gang/ drug activities.

Sworn to and Subscribed before me
This 20 day of Oct, 2011

[Signature]
Signature of Judge
7027 (L.S.)
12/20/11

[Signature]
Affiant

Address Richland County Sheriff's Department
5623 Two Notch Road, Columbia, S.C. 29223
Phone (803) 576-3000

STATE OF SOUTH CAROLINA }
COUNTY OF RICHLAND }

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Sworn to and Subscribed before me)
This 20 day of Oct, 2011)

[Signature]
Signature of Judge 7027 (L.S.)
12:20pm

[Signature]
Affiant

Address Richland County Sheriff's Department
5623 Two Notch Road, Columbia, S.C. 29223
Phone (803) 576-3000

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
COLUMBIA DIVISION

Reginald Andre Blanding, Wanda)	
Blanding, and Brittani Blanding,	)	Civil Action No.:
by and through her Guardian ad	)	3:14-cv-00299-JFA-PGJ
Litems, Reginald Andre Blanding)	
and Wanda Blanding,)	
Plaintiffs,)	
Vs.)	
)	
Richland County Sheriff's)	
Department, Leon Lott,	)	Deposition of
Leon Lott, Lieutenant Cowan,	)	Adam Cornwell
Ricky E. Johnson, Jr., Frieda W.)	
Wyatt, Adrian P. Thompson, Adam	)	June 19, 2014
C. Cornwell, Sara N. Giron,)	
George C. Becker, Michael C.)	
Nawrockyj, and Unknown)	
Confidential Informant,)	
Defendants.)	
)	

Deposition on oral examination of ADAM CORNWELL,
reported by Cecelia P. Englert, Court Reporter and Notary
Public in and for the State of South Carolina; said
deposition taken pursuant to Rule 30 of the South
Carolina Rules of Civil Procedure, at Davidson &
Lindemann, P.A., 1611 Devonshire Drive, Second Floor,
Columbia, South Carolina, on the 19th day of June, 2014,
commencing at the hour of 2:13 p.m.

ADAM CORNWELL

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A. Yes.

Q. Tell me, how did that operation start, that day start with this CI?

A. We drove the CI into the area, dropped him off in the vicinity of the area that we directed him to travel to, gave him instructions before we dropped him off. He returned to us probably -- I'd say ballpark between 20 and 30 minutes. He told us what occurred in that area when he got back to the vehicle, and then we departed the area.

Q. Before you got into the area, you guys had already patted him down and searched him; is that correct?

A. That's correct.

Q. Deputy Johnson did that himself; is that correct?

A. As I recall, yes.

Q. What instructions were given to him before you dropped him off, before you set him loose?

A. I recall giving him a -- two locations that were possibly involved in selling narcotics, telling him to go into the vicinity of those areas, see what was going on, see if there were drugs for sale in the area, and return to us after he made a successful purchase.

ADAM CORNWELL

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any information?

A. Yes.

Q. What did he say?

A. What did the CI say to us?

Q. Yes, sir.

A. The CI said that he traveled into the area that we directed him to. Believe he encountered an individual on a bicycle, that took him towards the blue trailer, located behind 402 Gibbs. CI said that when he got back into that area, he observed a black male coming out of the back door of the residence at 402 Gibbs. He said that individual came out of the house and onto the back porch. He related that he purchased the drugs from the individual on that porch. Don't recall if he said he was standing on the porch. He basically related that the dealer served from the porch, that he made the purchase and came back to us.

Q. Did he give you the name of the dealer?

A. I believe he gave it to Deputy Johnson. I don't recall if -- if he told me directly. But I do remember discussing afterwards that he had purchased from Peanut.

Q. Did you conduct the -- were you part of the team that conducted the execution of the search

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
COLUMBIA DIVISION

Reginald Andre Blanding, Wanda)	
Blanding, and Brittani Blanding,	)	Civil Action No.:
by and through her Guardian ad	)	3:14-cv-00299-JFA-PGJ
Litems, Reginald Andre Blanding)	
and Wanda Blanding,)	
Plaintiffs,)	
Vs.)	
)	
Richland County Sheriff's)	
Department, Leon Lott,	)	Deposition of
Leon Lott, Lieutenant Cowan,	)	Ricky Johnson
Ricky E. Johnson, Jr., Frieda W.)	
Wyatt, Adrian P. Thompson, Adam	)	June 19, 2014
C. Cornwell, Sara N. Giron,)	
George C. Becker, Michael C.)	
Nawrockyj, and Unknown)	
Confidential Informant,)	
Defendants.)	

Deposition on oral examination of RICKY JOHNSON,
reported by Cecelia P. Englert, Court Reporter and Notary
Public in and for the State of South Carolina; said
deposition taken pursuant to Rule 30 of the South
Carolina Rules of Civil Procedure, at Davidson &
Lindemann, P.A., 1611 Devonshire Drive, Second Floor,
Columbia, South Carolina, on the 19th day of June, 2014,
commencing at the hour of 12:02 p.m.

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MR. GARFIELD: Object to the form. Go ahead, do the best you can on it. Can we agree to an approximation, Robert?

MR. BUTCHER: Yeah.

Q. Best of your knowledge, best of your ability.

A. Ten to fifteen.

Q. How did this confidential informant transport himself?

A. He was transported in a county vehicle.

Q. Was he let out some distance from the neighborhood? Or let out in the neighborhood?

A. Yes, in the neighborhood.

Q. In the neighborhood, okay. Do you know specifically where?

A. Yes.

Q. Where specifically?

A. On Gibbs Road.

Q. On Gibbs Road.

[PREVIOUSLY MARKED FOR IDENTIFICATION AS DEFENSE EXHIBIT NO. D-1 - GIS mapping of the Robin Hood Acres showing the incident location.]

Q. How far from my client's house? I'm going to hand you Exhibit D-1, Defendant's 1. Do you