

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF Florence
STATE VS.

Diondrae Emanuel Jackson

AKA:

Race: Black Sex: M Age: 41

DOB: SS#: ?

Address:

City, State, Zip:

DL#: SID#:

\*CDL Yes No CMV Yes No Hazmat Yes No

In disposition of the said indictment comes now the Defendant who was TO: Manslaughter / Voluntary manslaughter

INDICTMENT/CASE#: 2018-GS-21-01599

A/W#: 2018A2110200378

Date of Offense: 5/6/2018

S.C. Code § : 16-03-0010; 16-03-0020

CDR Code #: 0116

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 §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.

ATTEST: Solicitor SC Bar# 13601 Defendant Attorney for Defendant SC Bar# 73788

WHEREFORE, the Defendant is committed to the State Department of Corrections, County Detention Center, for a determinate term of 28 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 SCDOC.

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 (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) \$ 375

TOTAL \$ 128.75

Clerk of Court/ Deputy Clerk E. Ragni

Court Reporter: K Smith

SCCA/217 (04/2018)

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:

RECEIVED JUN 04 2019 SC Court of Appeals

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

Presiding Judge 2018

Judge Code: 2157

Sentence Date: April 18, 2019

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF FLORENCE )

INDICTMENT FOR  
  
MURDER,  
ATTEMPTED MURDER

At a Court of General Sessions, convened on AUGUST 23, 2018 the Grand Jurors of FLORENCE County present upon their oath:

**COUNT ONE- MURDER**

That DIONDRAE EMANUEL JACKSON did in Florence County, on or about May 6, 2018, willfully, feloniously, and intentionally kill the victim, MALCOLM D. SPATES, with malice aforethought, either express or implied, by means of shooting him with a handgun, and the victim did die as a proximate result thereof on or about May 6, 2018 in Florence County, in violation of Section 16-03-0010, S. C. Code of Laws, 1976, as amended.

**COUNT TWO- ATTEMPTED MURDER**

That DIONDRAE EMANUEL JACKSON did in Florence County on or about May 6, 2018 with intent to kill RONALD OLIVER, attempt to kill the victim with malice aforethought, either expressed or implied by shooting him with a handgun in violation of Section 16-3-29, 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.



---

**E.L. Clements, III**  
TWELFTH CIRCUIT SOLICITOR

ARREST WARRANT

2018A2110200379

STATE OF SOUTH CAROLINA

County/  Municipality of

Florence

THE STATE 2018-05-0142  
against

Diondrae Emanuel Jackson

Address:

Phone: \_\_\_\_\_ SSN: \_\_\_\_\_  
Sex: M Race: B Height: 5 9 Weight: 150  
DL State: SC DL #: \_\_\_\_\_  
DOB: \_\_\_\_\_ Agency ORI #: SC0210000  
Prosecuting Agency: Florence County Sheriff  
Prosecuting Officer: Roger W Tilton - S00232  
Offense: Assault / Attempted Murder

Offense Code: 3410  
Code/Ordinance Sec: 16-03-0029

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 Diondrae Emanuel Jackson  
on May-6-2018

Signature of Constable/Law Enforcement Officer

RETURN WARRANT TO:

General Sessions Court  
181 North Irby Street, Suite 1100  
Florence, SC 29501

ORIGINAL

ORIGINAL

ORIGINAL

ORIGINAL

STATE OF SOUTH CAROLINA )  
 County/  Municipality of )  
Florence )

AFFIDAVIT

ORIGINAL

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

Personally appeared before me the affiant Roger W Tilton who  
being duly sworn deposes and says that defendant Diondrae Emanuel Jackson  
did within this county and state on or about 5/6/2018 violate the criminal laws of the  
State of South Carolina (or ordinance of  County/  Municipality of Florence )  
in the following particulars:

DESCRIPTION OF OFFENSE: Assault / Attempted 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:

That on or about May 6th, 2018 while in Florence County the defendant did attempt to kill the victim with malice aforethought. The  
defendant did shoot Ronald Oliver with a handgun causing serious bodily harm. The incident did occur at 586 west CW Robinson  
Road Coward SC at a nightclub known as The Downbeat. The defendant was positively identified using witness statements and was  
apprehended by law enforcement immediately after fleeing from the location. This case was investigated by the FCSO. The case  
number is 2018-05-0142.

Signature of Affiant

STATE OF SOUTH CAROLINA )  
 County/  Municipality of )  
Florence )

Affiant's Address 6719 Friendfield Road  
Effingham, SC 29541-  
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 5/6/2018 defendant Diondrae Emanuel Jackson  
did violate the criminal laws of the State of South Carolina (or ordinance of  
 County/  Municipality of Florence ) as set forth below:

DESCRIPTION OF OFFENSE: Assault / Attempted 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 5/6/2018  
David Sharpe Kelley (L.S.)  
Signature of Issuing Judge  
David Sharpe Kelley  
Judge Code: 7374

Judge's Address Post Office Box 362  
Olanta, SC 29114-  
Judge's Telephone (843)396-9056  
Issuing Court:  Magistrate  Municipal  Circuit

ORIGINAL

ORIGINAL

ORIGINAL

RECEIVED

JUN 04 2019

SC Court of Appeals

ARREST WARRANT

2018A2110200378

STATE OF SOUTH CAROLINA

County/  Municipality of

Florence

THE STATE

2018-05-0142

against

Diondrae Emanuel Jackson

Address:

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

Sex: M Race: B Height: 5 9 Weight: 150

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

DOB: \_\_\_\_\_ Agency ORI #: SC0210000

Prosecuting Agency: Florence County Sheriff

Prosecuting Officer: Roger W Tilton - S00232

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 Diondrae E. Jackson on 05-06-2018

*[Signature]*  
Signature of Constable/Law Enforcement Officer

RETURN WARRANT TO:

General Sessions Court  
181 North Irby Street, Suite 1100  
Florence, SC 29501

ORIGINAL

ORIGINAL

ORIGINAL

ORIGINAL

STATE OF SOUTH CAROLINA

County/  Municipality of

Florence

Personally appeared before me the affiant Roger W Tilton

being duly sworn deposes and says that defendant Diondrae Emanuel Jackson

did within this county and state on or about 5/ 6/2018

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

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:

That on or about May 6th, 2018 while in Florence County the defendant did kill the victim with malice aforethought. The defendant did shoot and kill Malcolm Devon Spates with a handgun. The incident did occur at 586 west CW Robinson Road Coward SC at a nightclub known as The Downbeat. The defendant was positively identified using witness statements and was apprehended by law enforcement immediately after fleeing from the location. This case was investigated by the FCSO. The case number is 2018-05-0142.

Signature of Affiant

*[Signature]*

STATE OF SOUTH CAROLINA

County/  Municipality of

Florence

Affiant's Address 6719 Friendfield Road  
Effingham, SC 29541-

Affiant's Telephone \_\_\_\_\_

RECEIVED  
JUN 04 2019  
SC Court of Appeals

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 5/ 6/2018 defendant Diondrae Emanuel Jackson

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

County/  Municipality of Florence)

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 5/ 6/2018

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

David Sharpe Kelcy

Judge Code: 7374

Judge's Address Post Office Box 362

Olanta, SC 29114-

Judge's Telephone (843)396-9056

Issuing Court:  Magistrate  Municipal  Circuit

ORIGINAL

ORIGINAL

ORIGINAL

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

AFFIDAVIT

ORIGINAL

STATE OF SOUTH CAROLINA  
COUNTY OF FLORENCE

State of South Carolina

v.

Diondrae Emanuel Jackson,

Defendant.

IN THE COURT OF GENERAL SESSIONS  
TWELFTH JUDICIAL CIRCUIT

CERTIFICATE OF REPRESENTATION

Re: Defendant: Diondrae Emanuel Jackson  
Date of Offense: May 6, 2018  
Charge(s): Murder; Attempted Murder  
Warrant(s): 2018A2110200378; 2018A2110200378  
Officer: Roger W. Tilton

2018 JUL 23 AM 11:13  
DORIS POULOS O'HARA  
CCCP & GS  
FLORENCE COUNTY, SC

FILED

YOU WILL PLEASE TAKE NOTICE that the undersigned hereby file this Certificate of Representation on behalf of the above-named Defendant regarding the above-referenced charge(s).

EDGEWORTH & CO. LAW FIRM, LLC



William F. Edgeworth, III  
Post Office Box 15337  
Quinby, SC 29506  
P: (843) 799-1020  
F: (843) 799-0021  
Email: josh.edgeworth@gmail.com  
SC Bar No.: 73788  
Attorney for Defendant

Dated: 7/20/18  
Quinby, South Carolina

CERTIFIED A TRUE COPY  
Doris Poulos O'Hara  
CLERK OF COURT C.P. & G.S.  
FLORENCE COUNTY, SC

STATE OF SOUTH CAROLINA  
COUNTY OF FLORENCE

State of South Carolina

vs.

Diondrae Emanuel Jackson,  
Defendant.

IN THE COURT OF GENERAL SESSIONS  
TWELFTH JUDICIAL CIRCUIT

**RULE 5 AND BRADY MOTION**

Re: Defendant: Diondrae Emanuel Jackson  
Date of Offense: May 6, 2018  
Charge(s): Murder; Attempted Murder  
Warrant(s): 2018A2110200378; 2018A2110200378  
Officer: Roger W. Tilton

TO: FLORENCE COUNTY SOLICITOR'S OFFICE

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 Trialwhich 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.
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.

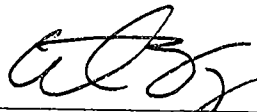
12. Make any chemist, analyst, and all persons within the chain of custody appear in Court for the purpose of personally testifying. Attorney for the Defense thus objects to the introduction of any chemist's or analyst's report pursuant to Rule 6, S.C. Rules of Criminal Procedure.

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 2<sup>nd</sup> 342, 96 S. Ct. 2392 1976, State vs. Mixon 274 S.E. 2<sup>nd</sup> 406 (1981). 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 is 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 made against the Defendant.

RESPECTFULLY SUBMITTED,



William F. Edgeworth, III  
Edgeworth & Co. Law Firm, LLC  
P.O. Box 15337  
Quinby, SC 29506  
P: (843) 799-1020  
F: (843) 799-0021

Dated: 7/20/13  
Quinby, South Carolina