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JUL 22 2019

SC Court of Appeals

STATE OF SOUTH CAROLINA

) IN THE SOUTH CAROLINA
) COURT OF APPEALS

COUNTY OF CHARLESTON

) Case No: 2017GS1007616
) Warrant No: 2017A1010205848
) Charge: Attempted Armed Robbery

STATE OF SOUTH CAROLINA

)
)

VS.

)
)

REQUEST FOR REPRESENTATION
ON APPEAL

Kheali Gregory Aneas Brown,

)
)

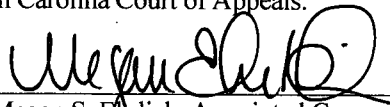
Defendant.

)
)

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. She 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 he 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 his appeal to the South Carolina Court of Appeals.


 Megan S. Ehrlich, Appointed Counsel for
 Kheali Gregory Aneas Brown

Charleston, South Carolina

Dated: July 19, 2019.

ARREST WARRANT

2017A1010205848

STATE OF SOUTH CAROLINA

County/ Municipality of

Charleston

THE STATE against

Kheali Gregory Aneas Brown

Address: [Redacted]

Sex: Race: Height: Weight: SSN: DL State: DL #:

DOB: Agency ORI #: SC0100100

Prosecuting Agency: Charleston City Police Department

Prosecuting Officer: Officer Mellette - 1705

Offense: Robbery / Attempted armed, or allegedly armed, robbery

Offense Code: 0026

Code/Ordinance Sec: 16-11-0330(B)

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 on

Signature of Constable/Law Enforcement Officer

RETURN WARRANT TO:

General Sessions Charleston County Judicial Center 100 Broad Street, Suite 106 Charleston, SC 29401

ORIGINAL

ORIGINAL

ORIGINAL

ORIGINAL

STATE OF SOUTH CAROLINA County/ Municipality of Charleston

AFFIDAVIT

ORIGINAL

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

Personally appeared before me the affiant Officer Mellette being duly sworn deposes and says that defendant Kheali Gregory Aneas Brown did within this county and state on or about 10/1/2017 violate the criminal laws of the State of South Carolina (or ordinance of County/ Municipality of Charleston) in the following particulars:

DESCRIPTION OF OFFENSE: Robbery / Attempted armed, or allegedly armed, robbery

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:

Signature of Affiant

[Signature]

STATE OF SOUTH CAROLINA County/ Municipality of Charleston

Affiant's Address 180 Lockwood Blvd. Charleston, SC 29403- Affiant's Telephone (843)577-7434

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 10/1/2017 defendant Kheali Gregory Aneas Brown did violate the criminal laws of the State of South Carolina (or ordinance of County/ Municipality of Charleston) as set forth below:

DESCRIPTION OF OFFENSE: Robbery / Attempted armed, or allegedly armed, robbery

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 10/3/2017

Signature of Issuing Judge Priscilla Bridges Baldwin Judge Code: 5749

(L.S.)

Judge's Address 3831 Leeds Avenue, Ste 200 North Charleston, SC 29405-7469 Judge's Telephone (843)746-9822

Issuing Court: Magistrate Municipal Circuit ORIGINAL ORIGINAL ORIGINAL

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SC Court of Appeals

BAIL set by

WITNESSES

Judge Priscilla B. Baldwin
on 10-3-17
Type and Amount: NO BOND
Name of Surety: _____

Name: _____
Address: _____
Telephone: _____
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: _____

JURORS

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

CODEFENDANTS



FILED

OCT 09 2017

JULIE J. ARMSTRONG
CLERK, C.P. & G.S.

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SC Court of Appeals

Charleston Police Department

STATE OF SOUTH CAROLINA

COUNTY OF CHARLESTON

AFFIDAVIT

Personally appear before me, a magistrate of this county one, *Sgt. Steven Hood* who first being duly sworn deposed and says that, Kheali Gregory Aneas Brown, did within this county and state on the 1st October 2017 violate the criminal laws of the State of South Carolina in the following particular:

DESCRIPTION OF OFFENSE

Attempted Armed Robbery
16-11-330

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

That on Sunday, October 1, 2017, at approximately 3:30pm, while at 1770 Bozo Ln. (Johns Island City Park) which is in the City and County of Charleston, SC, the defendant, Kheali Gregory Aneas Brown, did knowingly, willingly, and unlawfully violate SC Statute 16-11-330, Attempted Armed Robbery, in the following manner:

That on the above date and time, the juvenile victim was at the Johns Island City Park with several friends when they were approached by the defendant, who the victim recognized as a former middle school classmate. The defendant inquired about whether he could purchase marijuana from anyone in the group and when they declined, the defendant appeared to leave the area.

A short time later, as the group began to disperse, the victim approached his vehicle and was again confronted by the defendant who produced a small, silver handgun from the front pocket of his hooded sweatshirt and pointed it at the victim. The defendant pointed the firearm at the victim and told him to "Give me everything you have". The victim, who was in fear for his life, refused. A physical struggle ensued in which the victim attempted to defend himself. It was at this point that the defendant, acting with clear intent, malice aforethought and extreme indifference to the victim's life, shot him one time in the chest. Afterwards, the defendant fled the scene.

The victim was able to drive his vehicle out of the park and flag down Charleston County EMS who began to perform life saving measures. The victim was subsequently transported to MUSC by Medic 14. During the course of transport, the victim made the statement "Keely shot me".

Continued

SWORN TO AND SUBSCRIBED BEFORE ME

THIS 3 DAY OF *October* 2017

Steven Hood

AFFIANT

180 Lockwood Blvd.
Charleston, SC 29403
843-577-7434

[Signature]

(L.S.)

SIGNATURE OF JUDGE

COMPLAINT # 17-17014

WARRANT #

INVESTIGATING OFFICER: Det. Mellette

CPD Form OT3

DLO/0335110
WITNESSES

Charleston City Police Department

AGENCY CASE NUMBER

2017-17014

ARREST WARRANT NUMBER

2017A1010205848

DATE OF ARREST

10/03/2017

ACTION OF GRAND JURY

TRUE BILL

[Signature]
Foreperson of Grand Jury Date:

DEC 04 2017

VERDICT

Foreperson of Petit Jury

Date:

DOCKET NO. 2017-GS-10-07616

The State of South Carolina

County of Charleston

COURT OF GENERAL SESSIONS

JANUARY TERM 2018

THE STATE

VS.

KHEALI GREGORY ANEAS

BROWN

DOB: [REDACTED]

Indictment for

ATTEMPTED ARMED ROBBERY

SC Code: § 16-11-0330(B)

CDR Code: 0026

FILED

12/7/2017 2:22:58 PM

JULIE J. ARMSTRONG

CLERK OF COURT

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SC Court of Appeals

STATE OF SOUTH CAROLINA

COUNTY OF CHARLESTON

INDICTMENT

At a Court of General Sessions, convened January 2018, the Grand Jurors of Charleston County present upon their oath:

ATTEMPTED ARMED ROBBERY

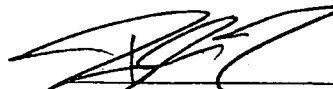
That on or about October 1, 2017, in Charleston County, South Carolina, the Defendant, Kheali Gregory Aneas Brown, by use of force, threats or intimidation and while armed with a deadly weapon, or while alleging, either by action or words, he was armed while using a representation of a deadly weapon or any object which a person present during the commission of the robbery reasonably believed to be a deadly weapon, did attempt to take and carry away goods and/or monies from the person or immediate presence of Ishmael Echeverria with the intent to permanently deprive the victim of possession thereof, in violation of §16-11-330(B) of the South Carolina Code of Laws (1976) as amended.

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



DAVID L. OSBORNE
ASSISTANT SOLICITOR

STATE OF SOUTH CAROLINA

COUNTY OF CHARLESTON
STATE VS.

KHEALI GREGORY ANEAS BROWN

AKA: [REDACTED]
Race: [REDACTED] 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: **Attempted Armed Robbery**

In violation of § 16-11-0330(B) of the S.C. Code of Laws, bearing CDR Code # 0026

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, Defendant Waives Presentment to Grand Jury, _____ (def.'s initials)

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

ATTEST: _____ 103329 _____ 10-year active time cap

David Franklin DuFrenble, Assistant Solicitor 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 10 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. 655 Days

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 _____
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%) \$ _____ Random Drug/Alcohol Testing

§14-1-211 (A)(1)(Conv. Surcharge) \$100 \$ 100 Fine may be pd. in equal consecutive weekly/monthly

§14-1-211 (A)(2)(DUI Surcharge) \$100 \$ _____ pmts. of \$ _____ Beginning _____

§56-5-2995 (DUI Assessment) \$12 \$ _____ \$ _____ Paid to Public Defender Fund

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

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/ea \$ _____

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

TOTAL \$ 125.75

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: Phyllis Norton

Presiding Judge: [Signature]
Judge Code: 2139
Sentence Date: 7/12/19

IN THE COURT OF GENERAL SESSIONS

INDICTMENT/CASE#: 2017-GS-10-07616
A/W: 2017A1010205848
Date of Offense: 10/01/2017
S.C. Code §: 16-11-0330(B)
CDR Code #: 0026

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JUL 22 2019

SENTENCE SHEET

SC Court of Appeals

CONVICTED OF or PLEADS