

COUNTY OF Horry
STATE VS.
Malik Nasheem Sherman
AKA:
Race: BLACK Sex: M Age: 24
DOB: SS#:
Address:
City, State, Zip:
DL#: SID#:

INDICTMENT/CASE#: 2017GS2600747
A/W#: 2016A2610203182
Date of Offense: 11/26/2016
S.C. Code § : 16-11-0330(A)
CDR Code #: 0139

RECEIVED
JUL 24 2019
SC Court of Appeals

SENTENCE SHEET

\*CDL Yes No CMV Yes No Hazmat Yes No
In disposition of the said indictment comes now the Defendant who was TO: Armed Robbery (10 to 30 years)

CONVICTED OF or PLEADS

in violation of § 16-11-0330(A) of the S.C. Code of Laws, bearing CDR Code # 0139
NON-VIOLENT VIOLENT SERIOUS MOST SERIOUS
Mandatory GPS(CSC) §17-25-45 w/minor 1st or Lewd Act

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: DeBusk, Jr., George H. SCB16182 SC Bar#
Malik Nasheem Sherman 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 15 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 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 PTUP
Total: \$ plus 20% fee: \$
Payment Terms:
Set by SCDPPPS
Recipient:

Table with 2 columns: Description and Amount. Includes items like § 14-1-206 (Assessments 107.5 %), § 14-1-211(A)(1) (Conv. Surcharge) \$100, § 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, § 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

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 7/18/19
\$ 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.

Clerk of Court/ Deputy Clerk Renee Elvis
Court Reporter: Kay Richardson
SCCA/217 (07/2016)

Presiding Judge
Judge Code:
Sentence Date: 7/18/19

FILED
2017 JUL 18 4:47 PM
CLERK OF COURT
Horry County, SC

COUNTY OF Horry  
STATE VS.

Malik Nasheem Sherman

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

Race: BLACK Sex: M Age: 24

DOB: [REDACTED] SS#: [REDACTED]

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: Kidnapping (0-30 years)

INDICTMENT/CASE#: 2017GS2600748

A/W#: 2016A2610203183

Date of Offense: 11/26/2016

S.C. Code § : 16-03-0910

CDR Code #: 0095

RECEIVED  
JUL 24 2019  
SC Court of Appeals

SENTENCE SHEET

CONVICTED OF or  PLEADS

in violation of § 16-03-0910 of the S.C. Code of Laws, bearing CDR Code # 0095

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

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: [Signature] SCB16182 [Signature] SCB08386

DeBusk, Jr., George H.

SC Bar#

Defendant

Galtmore, James Cullen  
Attorney for Defendant

SC Bar#

WHEREFORE, the Defendant is committed to the  State Department of Corrections,  County Detention Center, for a determinate term of 15 ~~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: 207-62-26-747

The Defendant is to be given credit for time served pursuant to S.C. Code §24-13-40 to be calculated and applied by SCDOC. 1 day

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. no by Offender Keyring

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 \$ 100.00 Fine may be pd. in equal, consecutive weekly/monthly

§14-1-211(A)(2) (DUI Surcharge) \$100 \$ \_\_\_\_\_ pmts. of \$ 25.00 beginning 8/18/2014

§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 \$ 25.00

§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 \$ 128.75

Clerk of Court/ Deputy Clerk Benee Elvis

Court Reporter: May Richardson

Presiding Judge [Signature]

Judge Code: \_\_\_\_\_

Sentence Date: 7/18/19

FILED  
JUL 18 PM 4:18  
Horry County Clerk's Office

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF Horry
STATE VS.
Malik Nasheem Sherman
AKA:
Race: BLACK Sex: M Age: 27
DOB:
Address:
City, State, Zip:
DL#:
SID#:

INDICTMENT/CASE#: 2017GS2600750
A/W#: 2016A2610203185
Date of Offense: 11/26/2016
S.C. Code §: 44-53-0370 (d)(3)
CDR Code #: 3011

RECEIVED
JUL 24 2019
SC Court of Appeals

SENTENCE SHEET

\*CDL Yes No CMV Yes No Hazmat Yes No
In disposition of the said indictment comes now the Defendant who was
TO: Possession of cocaine, 1st offense (Up to 3 years and/or \$5,000)

CONVICTED OF or PLEADS

in violation of § 44-53-0370 (d)(3) of the S.C. Code of Laws, bearing CDR Code # 3011
NON-VIOLENT VIOLENT SERIOUS MOST SERIOUS
Mandatory GPS(CSC) §17-25-45 w/minor 1st or Lewd Act

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: DeBusk, Jr., George H. SCB16182 Defendant
Main Sherman Judge Attorney for Defendant
8386 SC Bar#

WHEREFORE, the Defendant is committed to State Department of Corrections, County Detention Center,
for a determinate term of 3 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: 2017-GS-26-747 # 748
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. 1 day

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 PTUP
Total: \$ plus 20% fee: \$
Payment Terms:
Set by SCDPPPS

Recipient:

Table with 2 columns: Description and Amount. Includes items like § 14-1-206 (Assessments 107.5%), § 14-1-211(A)(1) (Conv. Surcharge) \$100, § 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, § 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) \$8.25. TOTAL \$283.25

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 8/18/2022
\$ 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.

Clerk of Court/ Deputy Clerk: Renee Elvis
Court Reporter: Kay Richardson
SCCA/217 (07/2016)

Presiding Judge:
Judge Code:
Sentence Date: 7/18/19

RENEE ELVIS
CLERK OF COURT
Horry County, SC
FILED
JUL 18 4:17

DOCKET NO. 2017-GS-26-00747

**WITNESSES**

D J Dudley Horry County Police Department

*B. Wilson*

CERTIFIED COPY

**The State of South Carolina**

**County of Horry**

RENEE H. ELVIS  
CLERK OF COURT  
HORRY COUNTY, SC

George H. DeBusk, Jr.  
16H06242

**COURT OF GENERAL SESSIONS**

**February, 2017 TERM**

**ARREST WARRANT NUMBER**

2016A2610203182

CDR: 0139 16-11-0330(A)

DOA: 11/27/2016

**ACTION OF GRAND JURY**

**TRUE BILL**

*Richard Currell*

Foreperson of Grand Jury

Date: FEB 23 2017

**VERDICT**

Foreperson of Petit Jury

Date:

**ATTORNEY:** *James Galmore*

**Indictment for**

**Armed Robbery**

**Jimmy A. Richardson, II, Solicitor**

**ORIGINAL**

FILED  
HORRY COUNTY

2017 MAR -1 AM 8:46

RENEE H. ELVIS  
CLERK OF COURT  
HORRY COUNTY, SC

DATE RECEIVED FROM

GRAND JURY

RECEIVED

JUL 24 2019

SC Court of Appeals

ARREST WARRANT

2016A2610203182

STATE OF SOUTH CAROLINA

County/ Municipality of

Horry

THE STATE 16109408

against

Malik Nasheem Sherman

Address:

Phone: SSN:

Sex: M Race: B Height: 5 11 Weight: 170

DL State: SC DL #:

Agency ORI #: SC0260400

Prosecuting Agency: Horry County Police Department

Prosecuting Officer: D J Dudley - 4760

Offense: Robbery / Armed Robbery, robbery while armed or allegedly armed with a deadly weapon

Offense Code: 0139

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

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

Malik Sherman

11-27-16

Signature of Constable/Law Enforcement Officer

RETURN WARRANT TO:

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

ORIGINAL

ORIGINAL

STATE OF SOUTH CAROLINA

County/ Municipality of

Horry

Personally appeared before me the affiant D J Dudley

being duly sworn deposes and says that defendant Malik Nasheem Sherman

did within this county and state on or about 11/26/2016

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

in the following particulars:

RENEE N. ELVIS CLERK OF COURT HORRY COUNTY, SC

DESCRIPTION OF OFFENSE: Robbery / Armed Robbery, robbery while armed or allegedly armed with a deadly weapon

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 November 26th, 2016 in the Conway section of Horry County, the defendant, along with several co-defendants, did order the victim, Chris Shmidt, out of his vehicle at gun point and tell him to have the clerks open the door. Once inside, the defendants did order the patrons to the ground and demand the money from the registers and safe to be put in a backpack. The defendants then fled the scene and were stopped a short time later, and attempted to throw the backpack containing the money out of the window. Search incident to arrest found the defendant to be in possession of a white powder that did field test positive for Cocaine. R/O DJ DUDLEY

Signature of Affiant

STATE OF SOUTH CAROLINA

County/ Municipality of

Horry

Affiant's Address 2560 N. Main Street Conway, SC 29526-

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 11/26/2016 defendant Malik Nasheem Sherman

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: Robbery / Armed Robbery, robbery while armed or allegedly armed with a deadly weapon

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 11/27/2016

62:0111 12 030 9107

Judge's Address

Conway, SC 29526-5105

Judge's Telephone (843)915-5290

Issuing Court: X Magistrate Municipal Circuit

Signature of Issuing Judge

Bradley Dwyer Mayers

Judge Code: 5081

(L.S.)

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AFFIDAVIT

ORIGINAL

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

RECEIVED JUL 24 2019 SC Court of Appeals

ARREST WARRANT

2016A2610203183

STATE OF SOUTH CAROLINA

County/ Municipality of

Horry

THE STATE against

16109408

Malik Nasheem Sherman

Address:

Phone: SSN: Sex M Race: B Height: 5 11 Weight: 170

State: SC DL #:

Agency ORI #: SC0260400

Prosecuting Agency: Horry County Police Department

Prosecuting Officer: D J Dudley - 4760

Offense: Kidnapping / Kidnapping

Offense Code: 0095

Code/Ordinance Sec: 16-03-0910

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 Malik Sherman on 11-27-16

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 D J Dudley

being duly sworn deposes and says that defendant Malik Nasheem Sherman

did within this county and state on or about 11/26/2016

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

in the following particulars:

CERTIFIED COPY RENE E. ELYS CLERK OF COURT HORRY COUNTY, SC

DESCRIPTION OF OFFENSE: Kidnapping / Kidnapping

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 November 26th, 2016 in the Conway section of Horry County, the defendant, along with several co-defendants, did order the victim, Chris Schmidt, out of his vehicle at gun point and tell him to have the clerks open the door. Once inside, the defendants did order the patrons to the ground and demand the money from the registers and safe to be put in a backpack. The defendants then fled the scene and were stopped a short time later, and attempted to throw the backpack containing the money out of the window. Search incident to arrest found the defendant to be in possession of a white powder that did field test positive for Cocaine. R/O DJ DUDLEY

Signature of Affiant

STATE OF SOUTH CAROLINA

County/ Municipality of

Horry

Affiant's Address 2560 N. Main Street Conway, SC 29526-

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 11/26/2016 defendant Malik Nasheem Sherman

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: Kidnapping / Kidnapping

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 11/27/2016

Signature of Issuing Judge Bradley Lawyer Mayers Judge Code: 5081

(L.S.)

Judge's Address Conway, SC 29526-5105

Judge's Telephone (843)915-5290

Issuing Court: X Magistrate Municipality Circuit

ORIGINAL

ORIGINAL

ORIGINAL

AFFIDAVIT

ORIGINAL

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

RECEIVED

JUL 24 2019

SC Court of Appeals

Handwritten signatures and stamps including '2016 DEC 29 10:22 AM' and '11/27/2016'

ARREST WARRANT

2016A2610203184

STATE OF SOUTH CAROLINA

County/ Municipality of

Horry

THE STATE against

16109408

Malik Nasheem Sherman

Address:

Sex: M Race: B Height: 5 11 Weight: 170

State: SC DL#

Agency ORI #: SC0260400

Prosecuting Agency: Horry County Police Department

Prosecuting Officer: DJ Dudley - 4760

Offense: Weapons / Possession of weapon during violent crime, if not also sentenced to life without parole

Offense Code: 0549

Code/Ordinance Sec: 16-23-0490

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 Malik Sherman on 11-27-16

Signature of Constabular Law Enforcement Officer

RETURN WARRANT TO:

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

ORIGINAL

ORIGINAL

STATE OF SOUTH CAROLINA

County/ Municipality of

Horry

Personally appeared before me the affiant DJ Dudley

being duly sworn deposes and says that defendant Malik Nasheem Sherman

did within this county and state on or about 11/26/2016

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

in the following particulars:

CERTIFIED

RENEE N. ELVIS CLERK OF COURT HORRY COUNTY, SC

DESCRIPTION OF OFFENSE: Weapons / Possession of weapon during violent crime, if not also sentenced to life without parole or death

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 November 26th, 2016 in the Conway section of Horry County, the defendant, along with several co-defendants, did order the victim, Chris Shmidt, out of his vehicle at gun point and tell him to have the clerks open the door. Once inside, the defendants did order the patrons to the ground and demand the money from the registers and safe to be put in a backpack. The defendants then fled the scene and were stopped a short time later, and attempted to throw the backpack containing the money out of the window. Search incident to arrest found the defendant to be in possession of a white powder that did field test positive for Cocaine. R/O DJ DUDLEY

Signature of Affiant

STATE OF SOUTH CAROLINA

County/ Municipality of

Horry

Affiant's Address 2560 N. Main Street Conway, SC 29526

Affiant's Telephone

RECEIVED JUL 24 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 11/26/2016 defendant Malik Nasheem Sherman

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: Weapons / Possession of weapon during violent crime, if not also sentenced to life without parole or death

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 11/27/2016

Signature of Issuing Judge Bradley Dwyer Mayers Judge Code: 3081

Judge's Address Conway, SC 29526-5105

Judge's Telephone (843)915-5290

Issuing Court: Magistrate Municipal Circuit

ORIGINAL

ORIGINAL

ORIGINAL

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

ORIGINAL

AFFIDAVIT

2016 DEC 27 10:28

ARREST WARRANT

2016A2610203185

STATE OF SOUTH CAROLINA

[X] County/ [ ] Municipality of

Horry

THE STATE against

16109408

Malik Nasheem Sherman

Address:

Sex: M Race: B Height: 5 11 Weight: 170

State: SC DL #: [redacted]

Agency ORI #: SC0260400

Prosecuting Agency: Horry County Police Department

Prosecuting Officer: DJ Dudley - 4760

Offense: Drugs / Possession of cocaine, 1st offense

Offense Code: 3011

Code/Ordinance Sec: 44-53-0370(d)(3)

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 Malik Sherman on 11/27/16

[Signature] Signature of Constable/Law Enforcement Officer

RETURN WARRANT TO:

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

ORIGINAL

ORIGINAL

STATE OF SOUTH CAROLINA

[X] County/ [ ] Municipality of

Horry

Personally appeared before me the affiant DJ Dudley

being duly sworn deposes and says that defendant Malik Nasheem Sherman

did within this county and state on or about 11/26/2016

State of South Carolina (or ordinance of [X] County/ [ ] Municipality of Horry) violate the criminal laws of the

in the following particulars:

DESCRIPTION OF OFFENSE: Drugs / Possession of cocaine, 1st offense

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 November 26th, 2016 in the Conway section of Horry County, the defendant, along with several co-defendants, did order the victim, Chris Shmidt, out of his vehicle at gun point and tell him to have the clerks open the door. Once inside, the defendants did order the patrons to the ground and demand the money from the registers and safe to be put in a backpack. The defendants then fled the scene and were stopped a short time later, and attempted to throw the backpack containing the money out of the window. Search incident to arrest found the defendant to be in possession of a white powder that did field test positive for cocaine. R/O DJ DUDLEY

Signature of Affiant

[Signature]

STATE OF SOUTH CAROLINA

[X] County/ [ ] Municipality of

Horry

Affiant's Address 2560 N. Main Street Conway, SC 29526-

Affiant's Telephone

RECEIVED JUL 24 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 11/26/2016 defendant Malik Nasheem Sherman

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: Drugs / Possession of cocaine, 1st offense

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 11/27/2016

[Signature] Signature of Issuing Judge Bradley Dwyer Mayers Judge Code: 5081

(L.S.)

Judge's Address Conway, SC 29526-5105

Judge's Telephone (843)915-5290

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

ORIGINAL

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STATE OF SOUTH CAROLINA )  
COUNTY OF HORRY )  
STATE OF SOUTH CAROLINA )

IN THE COURT OF GENERAL SESSIONS  
OF THE FIFTEENTH JUDICIAL CIRCUIT

CERTIFICATE OF REPRESENTATION  
(APPOINTING AS COUNSEL)

-VS-

MALIK SHERMAN

JAMES C. GALMORE

DEFENDANT

RECEIVED

JUL 24 2019

SC Court of Appeals

FILE NO: 26A17-00000495

2017 FEB -3 AM 11:35

FILED  
HORRY COUNTY

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

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

CERTIFIED COPY

This certifies that the above captioned Defendant is eligible for the services of the Public Defender, such determination having been made on, 2nd day of February, 2017, regarding the charge(s) of:

- 2016A2610203182 Robbery / Armed Robbery, robbery while armed or allegedly armed with a deadly weapon
- 2016A2610203183 Kidnapping / Kidnapping
- 2016A2610203184 Weapons / Poss. weapon during violent crime, if not also sentenced to life without parole or death
- 2016A2610203185 Drugs / possession of cocaine, 1st offense

The Defendant's Counsel is **James C. Galmore**. 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*

ORRIE E. WEST  
FIFTEENTH CIRCUIT  
PUBLIC DEFENDER

CONWAY, SC  
DATED: February 02, 2017

FILED  
HORRY COUNTY

2017 FEB -3 AM 11:35

RENEE N. ELVIS  
CLERK OF COURT  
HORRY COUNTY, SC

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RENEE N. ELVIS  
CLERK OF COURT  
HORRY COUNTY, SC

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-

MALIK N SHERMAN

DEFENDANT

RECEIVED

JUL 24 2019

SC Court of Appeals

FILE NO: 26A17-00000495

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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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 standardized 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;

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HONOLULU, SC  
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- (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: February 02, 2017  
CONWAY, SOUTH CAROLINA

STATE OF SOUTH CAROLINA )  
COUNTY OF Horry )  
STATE OF SOUTH CAROLINA )

RULE 203 (B) (iv)  
WRITTEN EXPLANATION OF

-VS-

NO

BASIS FOR APPEAL

MALIK SHERMAN  
DEFENDANT

RECEIVED  
JUL 24 2019  
SC Court of Appeals

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

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PERSONALLY appeared before me James C. Galmore, who being duly sworn

deposes and says :

1. I represented the above named defendant before Steven H. John on July 18, 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.

Sworn to and Subscribed before me

22<sup>nd</sup> day of July, 2019

Charles Y. White

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

James C. Galmore  
Signature of Attorney for Defendant  
JAMES C. CALMORE  
Print name of Attorney for Defendant

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