

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Charleston County

Honorable Roger M. Young, Circuit Court Judge

ORIGINAL

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AUG 27 2019

SC Court of Appeals

THE STATE,

RESPONDENT,

v.

MARK EMIL DAY,

APPELLANT

APPELLATE CASE NO 2018-001918

SUPPLEMENTAL RECORD ON APPEAL

TAYLOR D GILLIAM
Appellate Defender

ALAN WILSON
Attorney General

South Carolina Commission on Indigent
Defense
Division of Appellate Defense
PO Box 11589
Columbia, SC 29211-1589
(803) 734-1330

WILLIAM M. BLITCH
Senior Assistant Deputy Attorney General
Rembert Dennis Building
1000 Assembly Street, Room 519
Columbia, SC 29201

ATTORNEY FOR APPELLANT

ATTORNEYS FOR RESPONDENT

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TRW/0319974
WITNESSES

North Charleston Police Department

AGENCY CASE NUMBER
2016-022504

ARREST WARRANT NUMBER
2016A1010203458

DATE OF ARREST
07/26/2016

ACTION OF GRAND JURY

Charlie Bill
CHARLIE BILL
Foreperson of Grand Jury Date: 10/13/2016

VERDICT

Guilty

Th...
Foreperson of Petit Jury Date: 10/13/18

DOCKET NO. 2016-GS-10-06621

The State of South Carolina
County of Charleston

COURT OF GENERAL SESSIONS
DECEMBER TERM 2016

THE STATE

VS.

MARK EMIL DAY
W/M DOB:

Indictment for

ASSAULTING POLICE OFFICER WHILE
RESISTING ARREST

SC Code: § 16-09-0320(B)
CDR Code: 0256

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OCT 24 2018
SC Court of Appeals

STATE OF SOUTH CAROLINA
COUNTY OF CHARLESTON


INDICTMENT

At a Court of General Sessions, convened December 2016, the Grand Jurors of Charleston County present upon their oath:

ASSAULTING POLICE OFFICER WHILE RESISTING ARREST

That in Charleston County, South Carolina, on or about July 25, 2016, the Defendant, Mark Emil Day, knowingly and willfully did assault, beat, or wound Sgt. Talbott, a law enforcement officer, while the officer was engaged in serving, executing or attempting to serve or execute a legal writ or process; or while resisting the efforts of the officer to make a lawful arrest of the defendant, when the defendant knew or reasonably should have known the officer was a law enforcement officer. This is in violation of Section 16-9-320(B), 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.


T. RICHARD WARING
ASSISTANT SOLICITOR

TRW/0319974
WITNESSES

North Charleston Police Department

AGENCY CASE NUMBER
2016-022504

ARREST WARRANT NUMBER
2016A1010203459

DATE OF ARREST
07/26/2016

ACTION OF GRAND JURY

Charlie Bill
TRIPLE BILL DEC 13 2016
Foreperson of Grand Jury Date:

VERDICT

Guilty

Thurtt
Foreperson of Petit Jury Date: 10/18/18

DOCKET NO. 2016-GS-10-06622

The State of South Carolina
County of Charleston

COURT OF GENERAL SESSIONS
DECEMBER TERM 2016

THE STATE

VS.

MARK EMIL DAY
W/M DOB:

Indictment for

ASSAULTING POLICE OFFICER WHILE
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INDICTMENT

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ASSAULTING POLICE OFFICER WHILE RESISTING ARREST

That in Charleston County, South Carolina, on or about July 25, 2016, the Defendant, Mark Emil Day, knowingly and willfully did assault, beat, or wound Officer Stewart, a law enforcement officer, (1) while the officer was engaged in serving, executing or attempting to serve or execute a legal writ or process; or (2) while resisting the efforts of the officer to make a lawful arrest of the defendant, when the defendant knew or reasonably should have known the officer was a law enforcement officer. This is in violation of Section 16-9-320(B), of the South Carolina Code of Laws (1976) as amended.

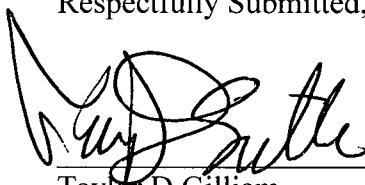
Against the peace and dignity of the State, and contrary to the statute in such case made and provided.


T. RICHARD WARING
ASSISTANT SOLICITOR

CERTIFICATE OF COUNSEL FOR APPELLANT

Counsel for appellant certifies that this Supplemental Record on Appeal contains all material proposed to be included by any of the parties and not any other material and that this Record on Appeal complies to the best of my ability with the April 15, 2014 order from the South Carolina Supreme Court entitled "Revised Order Concerning Personal Identifying Information and Other Sensitive Information in Appellate Court Filings."

Respectfully Submitted,



Taylor D Gilliam
Appellate Defender

South Carolina Commission on Indigent Defense
Division of Appellate Defense
PO Box 11589
Columbia, S.C. 29211-1589

ATTORNEY FOR APPELLANT

This 27th day of August, 2019.

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