

STATE OF SOUTH CAROLINA
COUNTY OF DORCHESTER
STATE OF SOUTH CAROLINA,

vs.

CARLYLE HUGH COHEN, JR.
Defendant.

IN THE COURT OF GENERALSESSIONS
FIRST JUDICIAL CIRCUIT

INDICTMENT Nos. 2018-GS-18-0973;
2018-GS-10-3558

NOTICE OF INTENT TO APPEAL

2019 SEP 16 PM 5:13
CERTIFIED COPY
CLERK OF COURT
DORCHESTER COUNTY

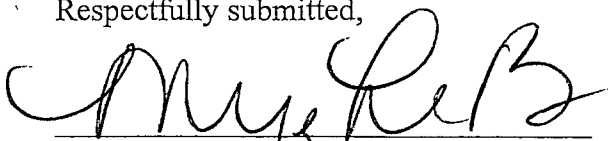
THE DEFENDANT, CARLYLE HUGH COHEN, JR, by and through his undersigned attorneys, hereby appeals the Order Denying Motion to Reconsider.

The Defendant filed a motion to reconsider the denial of a pre-sentence investigation report prior to the imposition of a sentence pursuant to Rule 29 (a) of the South Carolina Rule of Criminal Procedure.

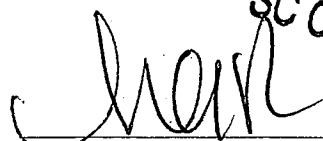
Judge Murphy denied Defendant's post-trial motion and the Order denying the motion was filed July 23, 2019. The Defendant went to the courthouse and retrieve a copy of the Order Denying Motion to Reconsider Sentence on September 12, 2019.

The Defendant seeks to appeal the Court's decision pursuant to Rule 203 of the South Carolina Appellate Court Rule.

Respectfully submitted,



The MLB Law Firm, Inc.
Myesha L. Brown, Attorney for the Defendant
712 North Cedar Street
Summerville, South Carolina 29483
Office: (843) 420-1191
Fax: (843) 755-4130



The Pizarro Law Firm, Inc.
Margie A. Pizarro, Attorney for Defendant
712 North Cedar Street
Summerville, South Carolina 29483
Office: (843) 420-1191
Fax: (843) 755-4130

RECEIVED
OCT 02 2019
SC Court of Appeals

Summerville, South Carolina
September 12, 2019

ARREST WARRANT

2018A1021000014

STATE OF SOUTH CAROLINA

County/ Municipality of

North Charleston

2018000189 THE STATE

against

Carlyle Hugh Melvin Cohen, Jr

Address:

Phone: SSN: Sex: M Race: B Height: 6 3 Weight: 170

DL State: DL #: Agency ORI #: 184

DOB: Agency ORI #: 184

Prosecuting Agency: North Charleston Police Department

Prosecuting Officer: David Pritchard # 4274-2895

Offense: Armed Robbery 16-11-0330(A)

Offense Code: 00139

Code/Ordinance Sec: 16-11-0330A

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 Carlyle Cohen on APR 24 2018

C. McAlhane

Signature of Constable/Law Enforcement Officer

RETURN WARRANT TO:

North Charleston Municipal Court 2500 City Hall Lane North Charleston, SC 29406

STATE OF SOUTH CAROLINA

County/ Municipality of

North Charleston

Personally appeared before me the affiant Gary Zimmer

being duly sworn deposes and says that defendant Carlyle Hugh Melvin Cohen, Jr

did within this county and state on 01/03/2018

State of South Carolina (or ordinance of County/ Municipality of North Charleston)

in the following particulars:

DESCRIPTION OF OFFENSE: Armed Robbery 16-11-0330(A)

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:

Dorchester County 2018000189

See Attached Affidavit

(gps)

Signature of Affiant

STATE OF SOUTH CAROLINA

County/ Municipality of

North Charleston

Affiant's Address 2500 City Hall Lane North Charleston, SC 29405-

Affiant's Telephone (843)554-5700

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 01/03/2018 defendant Carlyle Hugh Melvin Cohen, Jr

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

County/ Municipality of North Charleston) as set forth below:

DESCRIPTION OF OFFENSE: Armed Robbery 16-11-0330(A)

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 01/05/2018

Signature of Issuing Judge

Judge Code: 8031

John L. Duffy ORIGINAL

Judge's Address 2500 City Hall Lane North Charleston, SC 29406-

Judge's Telephone (843)740-2601

Issuing Court: Magistrate Municipal Circuit

AFFIDAVIT

S.C. Attorney General April 21, 2003 SCCA 518

SCC IN

OPR

NCIC 1/5/18

OPR 836

NCIC #W792798747

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2018A1010200044

STATE OF SOUTH CAROLINA

County/ Municipality of

Charleston

THE STATE
against

Carlyle Hugh Melvin Cohen, Jr

Address:

Phone: SSN:
Sex: M Race: B Height: 6 4 Weight: 170

DL State: DL #:

DOB: Agency ORI #: SC0100800

Prosecuting Agency: North Charleston Police Department

Prosecuting Officer: D. Pritchard - 0326

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

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

Judge Perry
on 1.6.18
Type and Amount: 50,000
Name of Surety:

PRELIMINARY HEARING held by

Judge
on
Defendant Attorney:

Disposition:

DISPOSITION before

Judge
on
by
(Indicate jury trial, bench trial, plea, nol. pros., etc.)

Disposition:

Sentence:

JURORS

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SC Court of Appeals

R5
14

STATE OF SOUTH CAROLINA)

COUNTY OF DORCHESTER)

STATE OF SOUTH CAROLINA)

VS.)

Carlyle Hugh Melvin Cohen Jr.
Defendant.

IN THE COURT OF GENERAL SESSIONS

NINTH JUDICIAL CIRCUIT

Indictments: 2018-GS-10-03558, 2018-GS-10-
~~03559~~

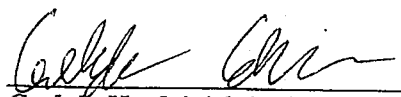
Charges: Armed Robbery & Kidnapping

Waiver of Venue and Jurisdiction

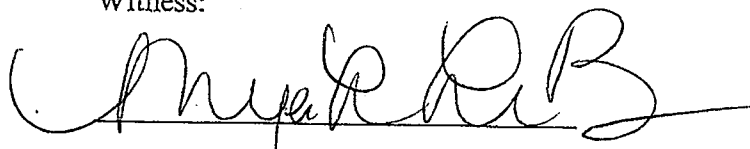
I have been advised that I have the legal right to have my case heard and tried in Charleston County, South Carolina, and I understand this right. But, I give up and waive this right.

I want to plead guilty in Dorchester County, South Carolina. This is my decision, and I know what I am doing. I have been advised, and I know that I cannot be forced or made to plead guilty in Dorchester County. I am the only person who can make this decision.

It is my decision, and I ask the Judge to let me plead guilty in Dorchester County. I do not want to be tried or plead guilty in Charleston County. This is my decision and my choice, and I understand what I am doing.


Carlyle Hugh Melvin Cohen Jr., Defendant

Witness:


Attorney for Defendant

Date: 5/3/2019

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SC Court of Appeals

STATE OF SOUTH CAROLINA)
 COUNTY OF Dorchester)
 STATE VS.)
Carlyle Hugh Melvin Cohen Jr)
 AKA:)
 Race: BLACK Sex: M Age: 23)
 DOB: SS#:)
 Address:)
 City, State, Zip:)
 DL#: SID#:)

IN THE COURT OF GENERAL SESSIONS

INDICTMENT/CASE#: 2018GS18-0973
 A/W#: 2018A1021000014
 Date of Offense: 1/3/2018
 S.C. Code §: 16-11-330(A)
 CDR Code #: 0139

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

CONVICTED OF or PLEADS

in violation of § 16-11-330(A) of the S.C. Code of Laws, bearing CDR Code # 0139.
 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 Presentation to Grand Jury. (defendant's initials)
 The plea is: Without Negotiations or Recommendation, Negotiated Sentence, Recommendation by the State.
 ATTEST: [Signature] 101877 [Signature] [Signature]
 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 25 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: 6/3/19
 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 PTUP _____
 Total: \$ _____ plus 20% fee: \$ _____ days/hours Public Service Employment

Payment Terms: _____
 Set by SCDPPPS _____ Obtain GED
 Attend Voc. Rehab. or Job Corp. _____

Recipient: _____ May serve W/E beginning _____
 Substance Abuse Counseling

*Fine: _____ \$ _____ Random Drug/Alcohol testing
 § 14-1-206 (Assessments 107.5%) \$ _____ Fine may be pd. in equal, consecutive weekly/monthly
 § 14-1-211(A)(1) (Conv. Surcharge) \$100 \$ 100 prmts. of \$ _____ beginning _____
 § 14-1-211(A)(2) (DUI Surcharge) \$100 \$ _____ \$ _____ paid to Public Defender Fund
 § 56-5-2995 (DUI Assessment) \$12 \$ _____ Other: _____
 § 56-1-286 (DUI Breath Test) \$25 \$ _____

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/ca \$ _____

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

TOTAL \$ 128.75

Clerk of Court/ Deputy Clerk [Signature] Presiding Judge [Signature]
 Court Reporter: [Signature] Judge Code: 21076
 SCCA/217 (04/2018) Sentence Date: 6/3/19

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SC Court of Appeals

STATE OF SOUTH CAROLINA)	IN THE COURT OF GENERAL SESSIONS
)	
COUNTY OF DORCHESTER)	IN THE FIRST JUDICIAL CIRCUIT
)	Warrant No.: 2018A1021000014
State of South Carolina)	Indictment No.: 2018-GS-18-0973
)	
vs.)	Warrant No.: 2018A10102000044
)	Indictment No.: 2018-GS-10-03558
)	(Charleston County Case)
)	
CARLYLE HUGH COHEN, JR.,)	DEFENDANT'S MOTION TO RECONSIDER
)	
Defendant.)	

2019 JUN 23 PM 1:10
 CHARLESTON COUNTY
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THE HONORABLE MAITÉ MURPHY, CIRCUIT COURT JUDGE, AND RYAN TEMPLETON, ASSISTANT SOLICITOR FOR FIRST JUDICIAL CIRCUIT:

MOTION FOR RECONSIDERATION on this date came the Defendant, Carlyle Hugh Melvin Cohen, Jr., by his counsels Myesha L. Brown, Esquire and Margie A. Pizarro, Esquire move the Honorable Court, pursuant to Rule 29 of South Carolina Rules of Criminal Procedure, to reconsider the Defendant's request for a Pre-Sentence Investigation Report before imposing a sentence for the plea of guilty to Dorchester County Indictment No.: 2018-GS-18-0973 Armed Robbery and Charleston County Indictment No.: 2018-GS-10-3558 Armed Robbery. In support of this motion, the Defendant asserts the following:

1. This Motion is being filed within the proper time limits.
2. On June 3, 2019, Defendant pled guilty to two (2) counts of Armed Robbery for the indictments listed above. Prior to the Defendant's plea, the Court was provided with a Plea Mitigation Report prepared by counsel for the Defendant which is attached hereto as Exhibit 'A' and incorporated herein by reference.

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3. At the conclusion of the Defendant's mitigation summary in Court, the undersigned informed the Court that Co-Defendant James Creason pled guilty in December 2018 to similar charges in this same transaction. The Presiding Judge of Co-Defendant Creason's plea ordered a Pre-Sentence Investigation Report. Co-Defendant Creason had not been sentenced at the time of Defendant's hearing on June 3, 2019.
4. During the June 3, 2019 plea hearing, the Court was provided with a letter from Co-Defendant Creason which stated the following:

[I full responsibility for the charges. My co-defendan [sic] was just following my demand. Befor [sic] this I never even knew him]....I took my plea already mainly because it was all me.]

5. During the June 3, 2019, plea hearing, the undersigned referred the Court to the victim, Kristen Thorsten, witness statement dated January 3, 2018 at 6:00 a.m. Ms. Thorsten's stated as follows:

[I looked up at the black guy to show him the time on the safe. All I could see was fear in his eyes....It seemed like the white guy with the gun was in charge because one he had the gun and said all the demands.]

6. During the June 3, 2019, plea hearing, the undersigned presented an inmate visitation video between Co-Defendant Creason and an unknown male. During the visit, Co-Defendant Creason told the visitor that the Defendant "*just had a bag. It was all me, Gee*".
7. During the June 3, 2019, plea hearing, the State offered evidence that showed the Sphinx surveillance recording. At all times during the robbery, Co-Defendant Creason possessed the weapon and the Defendant possessed the backpack. The undersigned reiterated this vital difference as it relates to each defendant's involvement in the armed robberies.

several mitigating factors to be considered for sentencing purposes as outlined in the attached Plea Mitigation Report, to include that Defendant has no prior criminal convictions involving the use of violence against another person, Defendant's participation in the committed acts was relatively minor, Defendant offered the State assistance in procuring charges for an uncharged participant, and his ability for successful rehabilitation.

15. In order to avoid the miscarriage of justice, disproportion sentencing and unequal protection under the law, the undersigned requests that the imposition of Defendant's sentence be stayed until such time as the Court receives and considers a Pre-Sentence Investigation Report to be conducted by the Probation Department and the Co-Defendant Creason's judgement is rendered.

WHEREFORE, the undersigned respectfully requests that the Court stay the imposition of the twenty-five (25) year sentence, orders a Pre-Sentence Investigation Report, and render a judgement in this case after the Co-Defendant Creason's sentence has been imposed, and any other relief that the Court deems equitable under the circumstances.

Respectfully submitted,

6/13/2019
Date

The MLB Law Firm, LLC

Myesha L. Brown, Esquire
712 North Cedar Street
Summerville, South Carolina 29483
(843) 420-1191 office
(843) 755-4130 facsimile
mbrown@themlblawfirm.com

AND

6/13/2019
Date

The Pizarro Law Firm, LLC


Margie A. Pizarro, Esquire
712 North Cedar Street
Summerville, South Carolina 29483
(843) 420-1191 office
(843) 755-4130 facsimile
Margie@pizarrolawfirm.com

ATTORNEYS FOR THE DEFENDANT

STATE OF SOUTH CAROLINA)
)
COUNTY OF DORCHESTER)
)
State of South Carolina)
)
vs.)
)
)
)
CARLYLE HUGH COHEN, JR.,)
)
)
Defendant.)

IN THE COURT OF GENERAL SESSIONS
)
IN THE FIRST JUDICIAL CIRCUIT
Warrant No.: 2018A1021000014
Indictment No.: 2018-GS-18-0973
)
Warrant No.: 2018A10102000044
Indictment No.: 2018-GS-10-03558
(Charleston County Case)

**DEFENDANT'S MOTION TO RECONSIDER
EXHIBIT A**

Charles E. Cohen
CLERK OF COURT
DORCHESTER COUNTY

2018 JUN 13 PM 1:10

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SC Court of Appeals

STATE OF SOUTH CAROLINA) IN THE COURT OF GENERAL SESSIONS
)
 COUNTY OF DORCHESTER) IN THE FIRST JUDICIAL CIRCUIT
) Warrant No.: 2018A1021000014
 State of South Carolina) Indictment No.: 2018-GS-18-0973
)
 vs.) Warrant No.: 2018A10102000044
) Indictment No.: 2018-GS-10-03558
) (Charleston County Case)
)
 CARLYLE HUGH COHEN, JR.,) **PLEA MITIGATION REPORT**
)
 Defendant.)

2019 JUN 13 PM 1:11
 DORCHESTER COUNTY
 CERTIFIED COPY

TO: THE HONORABLE MAITÈ MURPHY, CIRCUIT COURT JUDGE, AND RYAN TEMPLETON, ASSISTANT SOLICITOR FOR FIRST JUDICIAL CIRCUIT:

The Defendant named herein Carlyle Hugh Cohen, Jr., by and through his undersigned attorney, respectfully submits these Mitigation Materials to be considered for sentencing purposes for the guilty plea to two (2) counts of Armed Robbery pursuant to South Carolina Code § 16-11-330. The Defendant respectfully requests that this Honorable Court considers the following information when imposing a sentence:

Defendant's Name and Current Age

Carlyle is currently twenty-three (23) years of age.

Charges

Carlyle is pleading guilty to an Armed Robbery that occurred on January 3, 2018, at approximately 3:11 a.m. at the Kangaroo Gas Station located at 7500 Dorchester Road, North Charleston, Charleston County, South Carolina. Carlyle is waiving venue and jurisdiction and desires to resolve this charge in Dorchester County, South Carolina, with the agreement of Charleston County Assistant Solicitor David Osborne and Dorchester County Assistant Solicitor Ryan Templeton. A Waiver of Venue and Jurisdiction was signed by Carlyle on May 30, 2019. See Exhibit "A"

Carlyle is also pleading guilty of an Armed Robbery that took place on January 3, 2018, at approximately 4:43 a.m. at the Sphinx Gas Station located at 4895 Ashley Phosphate Road, North Charleston, Dorchester County, South Carolina.

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Relevant Facts

Carlyle and Co-Defendant James Creason (hereinafter "Co-Defendant Creason") met for the first time on January 3, 2018, the night of these occurrences. The two attended a gathering of a mutual friend where drugs and alcohol were being consumed. Carlyle arrived alone at the gathering at approximately 10:00 p.m. When he arrived, there were already about eight (8) people at the location. Carlyle consumed alcohol and smoked marijuana blunts throughout the evening and into the morning. He also consumed approximately five (5) Xanax tablets. At the time of his arrest, Carlyle was in possession of 170 Xanax tablets.

Co-Defendant Creason arrived at the gathering at about 1:00 a.m. Co-Defendant Creason was accompanied by a mutual friend of both him and Carlyle, Michael Buchanan (a/k/a "Tyler Buchanan"). The three spent the next several hours consuming drugs and alcohol before leaving the gathering to head to a gas station to purchase cigarettes. Tyler Buchanan drove the parties in his vehicle, a black Volkswagen, with Co-Defendant Creason is seated in the front passenger seat of the vehicle, and Carlyle is seated in the rear of the vehicle. The robberies subsequently occurred at the Kangaroo Gas Station and the Sphinx Gas Station, respectively.

The weapon used in both robberies was a PA-15 Rifle owned by Tyler Buchanan. At all times during the commission of these offenses, the weapon was under the possession and control of Co-Defendant Creason exclusively. Carlyle had a green backpack at all times during the incidents.

According to the Incident Report detailing the Charleston County case, Co-Defendant Creason pointed the weapon in the direction of the clerk and demanded cigarettes and money. Carlyle placed the cigarette cartons and money in the backpack. The value of the money and items stolen was One Hundred (\$100.00) Dollars or less.

The Dorchester County case investigation revealed that the Co-Defendant Creason pointed the weapon in the direction of the store clerks and that the weapon was discharged several times during the robbery. At no time did Carlyle use or possess the weapon, but he was in possession of the green backpack. He placed money in the backpack. When law enforcement arrived to the scene, Co-Defendant Creason placed the weapon in a storage room and exited the store with his hands behind his head. Carlyle ran outside the store and directly into the line of fire from law enforcement. He was struck several times and transported to Trident Hospital for medical attention.

Co-Defendant Creason pled guilty to all charges in December 2018. He will be sentenced upon completion of a Pre-Sentence Investigation.

Mitigation Factors

Defendant has no prior criminal convictions involving the use of violence against another person. Carlyle's criminal history is directly related to his use of drugs and his subsequent drug addiction. On July 7, 2015, Carlyle pled guilty to possession of 28 grams or less of marijuana.

On September 15, 2016, Carlyle pled guilty to Possession of a Controlled Substance Schedule I and possession of 28 grams or less of marijuana. He was sentenced by the Honorable Diane Schafer Goodstein under the Youthful Offender Act Not to Exceed 90 days suspended to 6 months' probation and the Youthful Offender Act Not to Exceed 30 days suspended to 6 months' probation.

April 26, 2017, Carlyle pled guilty to possession of 28 grams or less of marijuana.

Defendant's participation in the committed acts was relatively minor. Carlyle entered the Kangaroo and Sphinx stores with Co-Defendant Creason. Despite driving the parties to the locations, Tyler Buchanan remained in the vehicle during both incidents. Again, Co-Defendant Creason had possession of the weapon while Carlyle had possession of the green backpack. According to the Incident Report, the witness in the Charleston County case confirmed that Co-Defendant Creason was armed with the rifle and made all the demands during the robbery. Carlyle's participation was collateral to the actions of Co-Defendant Creason and Tyler Buchanan.

Kristen Thorsten, the witness/clerk in the Dorchester County case stated in writing, "...it seemed like the white guy with the gun was in charge because one he had the gun and said all the demands". Thorsten also stated, "I looked up at the black guy to show him the time on the safe and all I could see was fear in his eyes, his black nose and the hoodie around his face." See Exhibit "B"

Co-Defendant Creason stated during an inmate visitation on January 5, 2018 (visitation # 430074 at 18:37 recording) "*The other boy didn't do nothing. He just had a bag. It was all me, Gee.*"

Co-Defendant Creason has always maintained that Carlyle's involvement in the incidents were relatively minor. He re-emphasized this position on May 24, 2019, in a letter addressed to Carlyle's counsel. In the letter, Co-Defendant Creason stated that "*I full responsibility for the charges. My co-defendant was just following my demands. Befor this I never even knew him..... I know he did not know I had a gun in the front seat with me. When I pulled it out he looked nevuous. He honestly went along with everything out of fear. Im sorry about the victims and I sorry about my co-defendant cause now he is facing charges for no reason*" See Exhibit 'C'

Defendant has offered the State assistance in procuring charges and a conviction for all parties involved. Defendant's counsel contacted Assistant Solicitor Ryan Templeton and informed him that Carlyle was willing and prepared to provide the State assistance in confirming

the ownership of the weapon involved in the incidents as well as the name of the driver of the getaway vehicle. This request was extended to Assistant Solicitor Templeton long before the case was placed on the trial docket. The State did not aggressively pursue an investigation concerning additional pertinent facts related to two (2) armed robberies including the names of all participants in the incidents. While the State obtained a statement from Tyler Buchanan, the State never confirmed the veracity of same with Defendant despite his knowledge of the facts pertaining to both incidents. Defendant does not believe the Co-Defendant Creason offered any assistance in this regard.

As recently as Friday, May 30, 2019, Defendant's counsel provided the State direct evidence that connects the uncharged driver Tyler Buchanan to both armed robberies based on information that was acquired in the Defendant's discovery documents which was previously undetected by the State. This evidence was derived from the Co-Defendant's inmate visits with various individuals, including Tyler Buchanan himself.

Historical Background of Defendant. Carlyle was born in New York in 1995. His parents, Charmaine Cohen and Carlyle Cohen, Sr. have been married since June 16, 1990. Carlyle is the second of three children and the only son to both parents.

Spiritual and Religious Involvement

Carlyle's family are devoted members of the Shiloh Church of Seventh Day Adventists, and Carlyle was raised in the Seventh Day Adventist principles. In 1996, Carlyle's life was dedicated to the Faith, and he baptized on May 3, 2003. See Exhibits "D" and "E"

Carlyle and his family were actively involved in the church. Over the years, Carlyle played basketball for the church, fed the homeless through the Path Finders Program, and was an usher during services. See Exhibit 'F'

Carlyle's family remains committed members of the Shiloh Church of Seventh Day Adventist to this date.

At the age of 11, Carlyle's family relocated to South Carolina. There are no extended family members in South Carolina.

Education

Carlyle attended Oakbrook Middle School and Fort Dorchester High School in the Dorchester County School District. While enrolled in Oakbrook Middle, Carlyle performed well. He obtained no school infractions, and he was very interested in excelling academically. See Exhibit "G"

Carlyle's interest in school declined while attending Fort Dorchester High School. He was no longer achieving academically, and he surrounded himself with students who did not take school

seriously. Carlyle was scheduled to graduate in 2013, but he did not. He attended Dorchester County Adult/Community Program to complete his high school requirements. See Exhibit "H". He eventually earned his high school diploma from Fort Dorchester High School on May 27, 2015. See Exhibit "T" Carlyle has always expressed an interest in becoming a physical therapist. Despite same, Carlyle did not enroll or earn any training or education beyond high school.

Emotional Disturbances and Drug Abuse

Carlyle's first showed signs of troubled behavior in high school when his parents' marriage began to suffer. None of Carlyle's behavior suggested any serious disturbances. He would occasionally receive an administrative action for arguing, skipping classes, and talking back to his teachers at Fort Dorchester High School. He was never suspended from school or accused of harming a student or an adult.

Carlyle's parents eventually separated in May of 2016. The separation resulted in Carlyle's regular consumption of Xanax tablets, marijuana and cigarettes. Carlyle reports consuming 2-4 Xanax pills each day, smoking 4 or more marijuana blunts each day and smoking 1 pack of cigarettes each day. He also reports excessively consuming alcohol every Thursday, Friday, and Saturday.

In early 2016, Carlyle's mother, Charmaine, noticed Carlyle's struggle with drugs. She researched several inpatient drug treatment facilities but was unable to afford any of them. Although Charmaine had an employer-sponsored health insurance plan, none of the inpatient drug programs suitable for Carlyle was covered under her health insurance plan. Charmaine continued to encourage Carlyle to reduce his drug consumption, but he was never able to do so as he had no medical or psychological intervention.

At the age of 19, Carlyle became homeless after his father refused to allow him to return home. His drug dependency left him homeless often, unfocused, confused, lost, and in despair. He began living with friends and strangers to conceal his drug dependency from his family.

Employment History

Carlyle acquired few job skills as a result of his drug dependency. His employment consisted of McDonalds in 2015, Five Guys in the summer of 2016, and Gun Slinger Power Washing Company in 2016.

In 2017, Carlyle actively sought job opportunities with Lowe's, Harris Teeter, Marshalls and Chick-Fil-la. However, he had no success in gaining employment in 2017, and he was unemployed at the time of his arrest on January 3, 2018.

Childhood Abuse

Carlyle's parents separated after years of physical and verbal abuse by the father. Carlyle reports witnessing his father verbally abusing his oldest sister and mother while physically abusing him. Carlyle remembers years of physical attacks, punches to his body, and being struck in the face many times. He recalls his father using derogatory language to describe his mother and threatening language towards his sister. None of these issues were ever addressed in any therapeutic setting and the departure of Carlyle's father from the family home only exacerbated Carlyle's personal destruction. Carlyle not only felt abused by his father, he now felt abandoned.

Carlyle last saw his father in 2016.

Defendant's Health

Despite the physical and psychological effects of prolonged and sustained drug abuse, Carlyle has been relatively healthy over the years. As a result of the January 3, 2018, incident, Carlyle underwent a total of four (4) surgeries. Carlyle suffered a gunshot wound to his right forearm and right foot. He sustained paralysis in the right forearm for approximately six (6) months. A bone graft procedure took place which resulted in the removal of bone marrow from his hip and placed it in the right forearm. This procedure began the recovery process for the use of his right forearm. He ultimately had reconstructive bone surgery that consisted of the placement of a rod, plate and screws in his arm.

Carlyle also underwent surgery to remove bullet fragments from his right foot, and he was in a wheelchair for approximately five (5) months. He regained strength to his foot only after an extensive period of physical therapy. He continues to have numbness in his right foot and will forever suffer from nerve pain.

The Defendant has demonstrated positive signs of successful rehabilitation and has a supportive family to assist in his reintroduction to society. Carlyle's mother, Charmaine, is gainfully employed as an Administrative Nursing Supervisor with Roper St. Francis Healthcare. Charmaine has been in the healthcare field since 1988. Both of Carlyle's sisters are graduates of Fort Dorchester High School and now reside in Charlotte, North Carolina. Carlette is employed as an Investigative Workers' Compensation Claims Adjuster with Travelers Insurance. She earned a Bachelor's Degree in Business Administration from Oakwood University in Alabama. Cayla graduated from high school two weeks ago and is beginning her college career. No one in Carlyle's immediate family have any criminal convictions nor has anyone ever been accused of any illegal behavior besides the physical abuse that occurred in the home.

Since Carlyle's incarceration, there have been no issues at the detention centers. He expressed an interest and enrolled in two (2) programs administered at the detention center. He was denied acceptance in to the DAODAS (Department of Alcohol and Other Drug Abuse Sentence) program

because of his medical condition and placed on a waitlist for Turning Leaf. He has not been contacted by Turning Leaf.

Carlyle's incarceration has resulted in a drug-free, clear minded and determined individual. He fully accepts his role in the incidents that led to his incarceration, and he expresses deep regret and contrition for his conduct. He no longer feels in a state of despair and hopelessness as he did on January 3, 2018. He is no longer under the influence of others or illicit drugs, as he was on January 3, 2018. Carlyle's past good conduct as observed by family and friends demonstrates that he has the ability to be a productive and committing member of society in the future. He no longer struggles with feelings of rejection by his father but acknowledges that he must seek therapeutic help to address many underlying issues that left him despondent, including childhood abuse. Carlyle is now optimistic about his future and intends to use each day to advance his interests in helping people, and one day hopes to earn that physical therapy degree.

Carlyle has served 516 days in the detention center.

Statutory Criteria

Armed robbery is a felony, and a conviction carries a mandatory minimum sentence of not less than ten (10) years or more than thirty (30) years, no part of which may be suspended, or probation granted. A person convicted for armed robbery is not eligible for parole until he has served at least seven (7) years of the sentence.

Purpose of Sentence

The Criminal Justice Act 2003 s. 142 outlines the purposes of sentencing, and they are to punish the offenders, the reduce crime (deterrence), to reform and rehabilitate the offender, to protect the public, and to ensure that the offender makes reparation to persons affected by their offences.

South Carolina Sentencing Guidelines Commission January 2001 Report

The mission of the South Carolina Sentencing Guidelines Commission is to prescribe advisory sentencing guidelines for use in the General Sessions Courts. The Commission's guiding purpose is to develop guidelines that will decrease disparity and increase fairness in sentencing across the state. The South Carolina Sentencing Grid suggests a sentencing imposition between 12-16 years.

Suggested Sentence

Defendant requests that the Court considers the information provided in this report along with the supporting documentation attached as exhibits. Further, the Defendant requests that the Court

require the preparation of a Pre-Sentencing Report as Co-Defendant James Creason is currently awaiting sentencing pending the Pre-Sentencing Report.

Considering the information provided the Defendant along with the Pre-Sentencing Report, Defendant's past character, childhood and family dynamics, his offered assistance relating to the driver, and the likelihood of successful rehabilitation, Defendant is requesting the mandatory minimum of ten (10) years be imposed for each charge to be served concurrently.

Respectfully submitted,

Date

The MLB Law Firm, LLC
Myesha L. Brown, Attorney for the Defendant
712 North Cedar Street
Summerville, South Carolina 29483
(843) 420-1191 office
(843) 755-4130 facsimile
mbrown@themlblawfirm.com

STATE OF SOUTH CAROLINA)
COUNTY OF DORCHESTER)
STATE OF SOUTH CAROLINA)

IN THE COURT OF GENERAL SESSIONS
NINTH JUDICIAL CIRCUIT

Indictments: 2018-GS-10-03558, 2018-GS-10-
~~03559~~

VS.

Charges: Armed Robbery & ~~Kidnapping~~

Carlisle Hugh Melvin Cohen Jr.
Defendant.

Waiver of Venue and Jurisdiction

2019 JUN 13 PM 1:11
DORCHESTER COUNTY

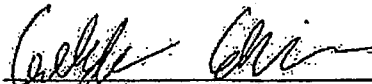
2019 JUN 13 PM 1:11

CERTIFIED COPY

I have been advised that I have the legal right to have my case heard and tried in Charleston County, South Carolina, and I understand this right. But, I give up and waive this right.

I want to plead guilty in Dorchester County, South Carolina. This is my decision, and I know what I am doing. I have been advised, and I know that I cannot be forced or made to plead guilty in Dorchester County. I am the only person who can make this decision.

It is my decision, and I ask the Judge to let me plead guilty in Dorchester County. I do not want to be tried or plead guilty in Charleston County. This is my decision and my choice, and I understand what I am doing.



Carlisle Hugh Melvin Cohen Jr., Defendant

Witness:



Attorney for Defendant

Date: 5/3/2019

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OCT 02 2019

SC Court of Appeals

NORTH CHARLESTON POLICE DEPARTMENT WITNESS STATEMENT

STATEMENT OF Kristen Thorsten DATE OF BIRTH [redacted] AGE 43
 HOME ADDRESS [redacted] HOME PHONE [redacted] BUS. PH. [redacted]
 EMPLOYER Spinx BUS. ADDRESS [redacted]

THIS STATEMENT IS IN REFERENCE TO Robbery
 WHICH OCCURS AT 4895 Ashley phosphate Rd, N. Char, SC, ON OR ABOUT 01-03-2018
 AT APPROXIMATELY 0440 HOURS, IN NORTH CHARLESTON, SOUTH CAROLINA.

THIS STATEMENT IS GIVEN 01-03-2018 (DATE) AT 0600 (TIME), AT 4895 Ashley phosphate Rd, N. Char, SC 29418 (LOCATION)

I was standing by the food case in the middle of the store by the front door. I looked up and saw 2 guys walk in and the white guy had a gun and yelled I am robbing you, get down on the ground. The 2nd man was black kept yelling for us to get down. Then the black guy came next to me and said open the registers and the vault. ^{Both men + myself} We walked behind the counter and he told me to open the vault. I kept telling ^{the black guy} him it takes 5 minutes to open. I then told the black guy that the register key was in the office and that I need to get it out of the office. while in the office I heard a loud boom. I then went & opened the middle register. I then kept checking for the time on the vault. I looked

I HAVE READ THE FOREGOING STATEMENT OR HAVE HAD IT READ TO ME AND IT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE. I HAVE GIVEN THIS STATEMENT FREELY AND VOLUNTARILY AND HAVE BEEN PROVIDED A COPY OF MY STATEMENT.

WITNESS: [Signature]

WITNESS: [Signature]

SIGNATURE: Kristen Thorsten

up at the black guy to show him the time on the safe. All I could see was fear in his eyes, his black nose, and the hoodie around his face. The white guy then pointed the long ^{black} gun closer to me and told me to hurry up and open the vault. I noticed his eyes squinted with a hoodie around his face. Both men looked to be about 5ft 11 inches or taller. By looking at the white guy, he looked to be about early 30's and the black guy looked to be late 30's early 40's. The black man told me to put the money from the registers into a spin ~~paper~~ bag and he then stuffed the money into a ^{dark} bookbag. I heard someone say they would take some cigarettes too. I'm not sure if they got any or not. I was never unable to open the safe because they left and my cashier, Terri rushed the 3 of us into the office and told us to duck down. Terri and Tonya then watched the camera to see if they had left. Everything happened so fast but felt like eternity for it to be over.

It seemed like the white guy with the gun was in charge because one he had the gun and ^{said all} ordered the demands. I never looked at them because I was trying to get the vault opened, but the one chance that I saw the black guy he bent down to look at the time on the safe. He kept telling the

I HAVE READ THE FOREGOING STATEMENT OR HAVE HAD IT READ TO ME AND IT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE. I HAVE GIVEN THIS STATEMENT FREELY AND VOLUNTARILY AND HAVE BEEN PROVIDED A COPY OF MY STATEMENT.

WITNESS:

[Signature] #108

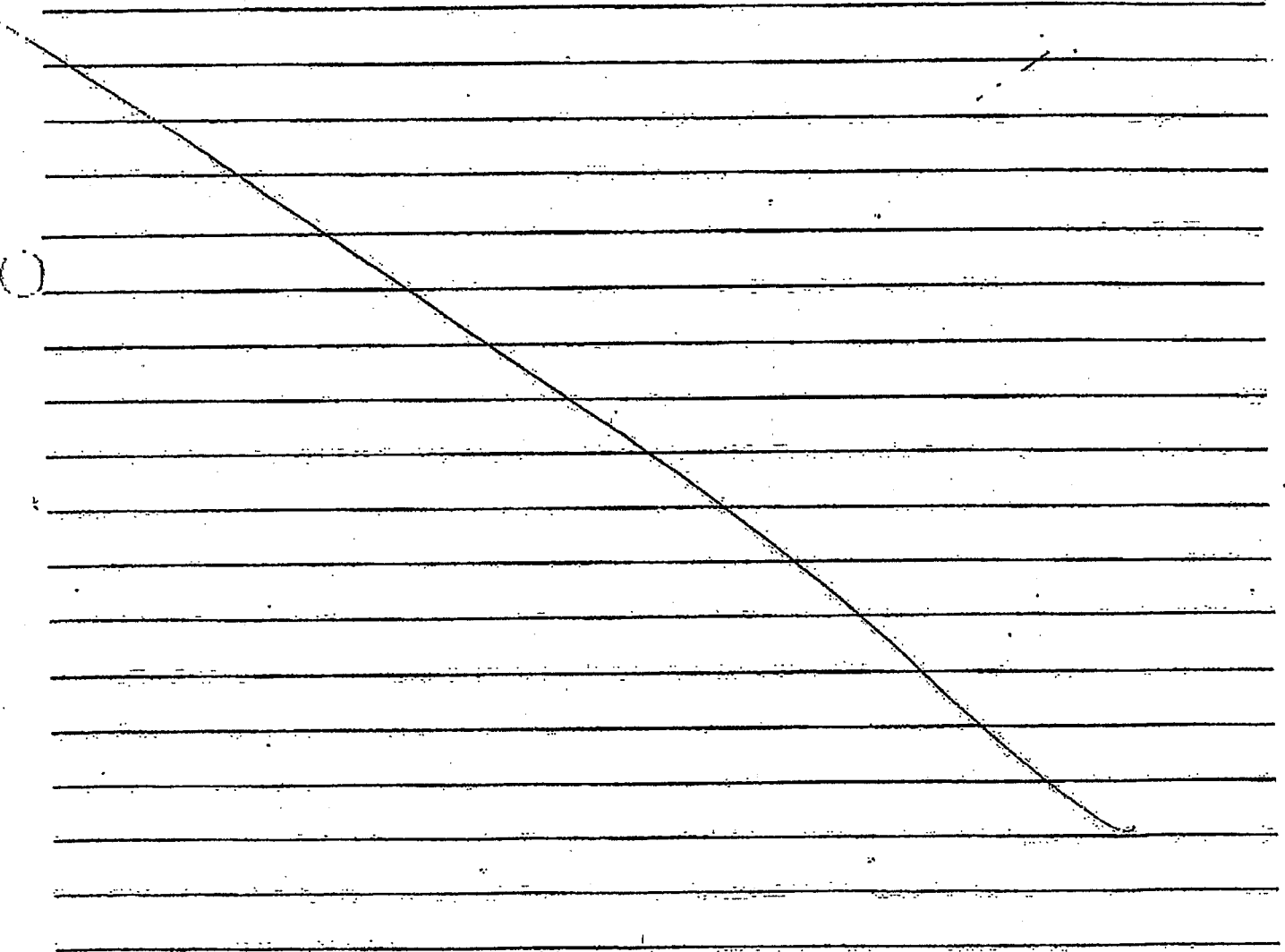
WITNESS:

[Signature] #114

SIGNATURE:

[Signature]

the white guy the time left on the vault. I did hear two booms but I can't remember how much time between. I do remember looking outside seeing customers getting gas but I was praying they wouldn't come inside. I kept praying that it could just go home so I tried to stay calm. END OF STATEMENT



I HAVE READ THE FOREGOING STATEMENT OR HAVE HAD IT READ TO ME AND IT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE. I HAVE GIVEN THIS STATEMENT FREELY AND VOLUNTARILY AND HAVE BEEN PROVIDED A COPY OF MY STATEMENT.

WITNESS: [Signature] #108
WITNESS: [Signature] #14

SIGNATURE: [Signature]

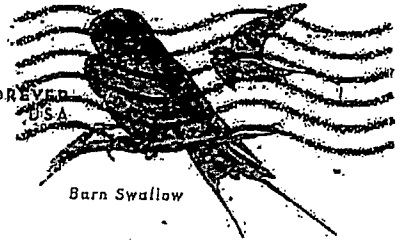
I Just want to Start by Saying I
Full Responsibility for the Charges. My Co-defendant
was just following my demands. Before this I Never
Even knew him. I met him At a Party that
same Night. I Never even knew his Name till
we got Arrested. When I got to the Party he was
under the influence and so was I. We ended up
ruining the Party because we needed Cigarettes but
I know he did not know I had A Gun in the
back Seat with me. When I Pulled it out he
looked nervous. He honestly went along with everything
out of fear I'm Sorry about the Victims and
I'm Sorry about my Co-defendant Cause now he
is facing Charges for no reason. I took my Place
already mainly because it was all me he
honestly felt probably like I could shoot him.
It makes no sense for both of us to go
down for my Actions he is innocent. I pray and
hope you take this into consideration and let
him go he was also shot with no weapon
behind and he has to deal with physical
problems for the rest of his life. I am ready to
let my time and start bettering myself as a
person.

James Crason
220. Hedge RD
Summerville SC 29483

CHARLESTON SC 294

24 MAY 2019 PM 3 L

FOREVER
USA



Barn Swallow

Alyesha Brown
The MIB Law Firm, LLC
712 North Cedar Street
Summerville, SC 29483

28483-6604



C E R T I F I C A T E O F

Baptism

symbolizes
confession of faith in Christ
adoption into the family of God
commissioned for service

In harmony with our Lord's command,

Carlyle Cohen Jr.

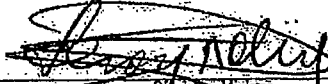
was baptized at 418 E 45th Street, Brooklyn N.Y.


on the 3rd day of May 2003

and received into the Elim Seventh-day Adventist Church

of the Northeastern Conference

on the 10th day of May 2003


Of Calling Minister
Leroy Daley


Church Clerk
Patsy Maughan



Certificate

Carlyle Cohen

(Child Name)

is an Official Helper of the

Elim S. D. A. Church

(Name of your church)

LINDEN SDA SCHOOL

Hereby Presents

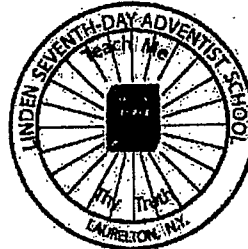
Carlyle Cohen, Jr.

This

Certificate Of Honor

For Outstanding Attendance For The

First Marking Period of the 2006/2007 School Year



G. L. Lee

Principal

11/29/06

Date

M. Cloney

Class Teacher

LINDEN SDA SCHOOL

Hereby Awards

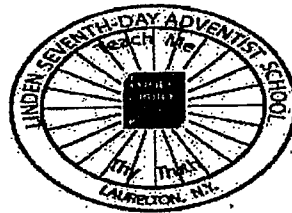
Carlisle Cohen, Jr.

This

Certificate of Honor

For Excellence in the following

Computer



Physical Education

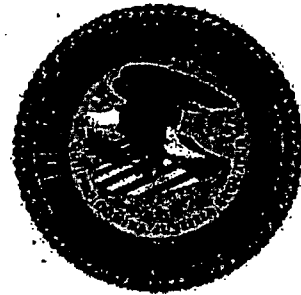
June 5, 2007

Date

Principal

Class Teacher

United States Department of Justice



Project Sentry Logo Contest Certificate of Appreciation

awarded to

Carlyle Cohen

Oakbrook Middle School

W. Walter Wilkins

United States Attorney

April 24, 2009

Date

Dorchester County Adult/Community Education

Proudly awards this

Certificate of Achievement

*in recognition of
successful completion
of all requirements for a*

South Carolina High School Credential



Making a Difference in
South Carolina

Terri Ann Koushner

Director of Adult/Community Education

May 27, 2015

Date

South Carolina High School Diploma



*The State Board of Education, on the recommendations of state officials,
and the administrators and faculty of*

Fort Dorchester High School

awards this diploma to

Carlisle Hugh Cohen

who has completed the required units of credit for graduation.

Given at North Charleston, South Carolina, this twenty-seventh day of May, 2015.

Walter D. Kelly
Governor

Joseph R. Be
Superintendent

Be
Superintendent

John J. Cooper
Chair, State Board of Education

Mark M. Spearman
S.D.

RECEIVED

OCT 02 2019

SC Court of Appeals

STATE OF SOUTH CAROLINA

COUNTY OF DORCHESTER

STATE OF SOUTH CAROLINA,

vs.

CARLYLE HUGH COHEN,

Defendant.

IN THE COURT OF GENERAL SESSIONS
FIRST JUDICIAL CIRCUIT

Warrant No(s): 2018A1021000014;
2018A1021000015; 2018A1021000016;
2018A1021000017

STATEMENT IN SUPPORT OF
CARLYLE HUGH COHEN, JR.

2019 JUN 13 PM 11
DORCHESTER COUNTY

CERTIFIED COPY

PERSONALLY APPEARED before me the undersigned, whose statement below was duly sworn, and to which the affiant confirmed, under penalty of perjury, he knows the facts stated are true and of his own knowledge except those matters which are provided upon "information and belief" that he believes them to be true: Charmaine Cohen. I am Carlyle Cohen's mother. I am writing this statement to tell you about my son Carlyle Cohen, CJ.

Born on July 24th, 1995, his delivery into this world was considerably difficult. I wondered back then, if this was a sign of things to come. After looking at his adorable little face, counting his ten fingers and toes, all I could do is be thankful for my son.

Growing up Carlyle was a happy child. Loved the outdoors, loved playing tricks on his sister who was a year older than him. Cj and his sister were close, in that we moved a lot and they never had time to established lasting friendships, so they became each other best friends. Everyone Cj met quickly became his friend. Cj is funny, always smiling, which over the years I have come to understand that this was a part of his charm. He smiles when he is nervous, afraid which I have been told on numerous occasion that he acquired that trait from me.

CJ was never academically alert when compared to his other siblings. The girls made "A,B" honor roll, while he just got by. Mathematics seem to have been his worst nightmare and he would

do everything not to entertain it. As a result, during his senior year in High School he was short of his Math credits he needed to graduate. So I enrolled him in Dorchester Adult Education program, where he was able to complete his High School Requirements. On May 27th, 2015 he was awarded his Certificate of Achievement.

Cj also participated in many church programs. Our church life was a major part of our family life. We observed the Seventh Day Sabbath, which was from sunset Friday to sunset on Saturday. During this time, we spent long days at church. We would attend sabbath school and stayed in the even for Adventist Youth Society. Cj also participated in Media Ministry, Health Ministry. His favorite time at church was the basketball games and practice after sabbath ended. Cj was very good at playing basketball, and as a result led the team to many successes.

Cj is one of the kindest persons I know. He would bring his friends home because they had nowhere else to go. He would feed them and even let them shower in our bathroom without asking for my permission. When I got angry at him, he would respond isn't it the christian thing to do? I came home from work on one occasion, there was a girl sleeping on my sofa, he introduced me to her and said she had been living out of her car and that she needed some food and feminine products. I couldn't yell at him, I just gave her what she needed, fed her and gave her some pocket change. This is a quality I have noticed with my son from he was about 9-19 yrs. He would actually bring mothers for me to share some baby formula or breast milk. He never understood then that the other church mothers couldn't have my breast milk for their children.

There were many afternoons he would call me from school to ask if his friends could hang out until later as they had nowhere else to go. That question would quickly follow another question "what's for dinner"? His regular dinner guest would include: Roscoe, Lizzy, tyler, Bryce and

Julian. They were pretty much part of the family. Whatever food was leftover they would take it with them.

Cj wanted to play basketball his senior year in High School, which I feel would have made a significant difference in his life today. Unfortunately this didn't happen. His father and I were never on the same page where this was concerned. Cj tried out for the team and made it, but he couldn't play because practice and some games required him playing on the sabbath. This was devastating for cj and immediately a change took place. He began hanging out on the sabbath, and not even coming home. This further created much tension within the home. This ultimately added to my marriage resulting in a separation. On May 15th, 2016 our family unit was completely dismantled. Cj has not seen or spoken to his father since the separation.

It was shortly after this that I noticed Cj was using drugs. Cj drug of choice was marijuana and Xanax. His drug usage was getting out of control. I tried on many occasions to get him into treatment, and although I had insurance It couldn't cover inpatient treatment. His grandparents sent him pocket money for birthdays, and major holidays but never seem to have been enough.

On January 3rd, I was expecting Cj to come by my apartment for food and change of clothing. I also had a pocket money for him. He never came. Only for 24hrs. Later to be told by one of his friends that he had been shot multiple times. I couldn't locate him and had not known if he was alive or dead. This was my worst nightmare.

I am thankful he is alive. He still has that loving smile and giggle he always do. He tells me every day we talk how sorry he was. Cj is sober and it is a pleasure just having a conversation with him. He is rationale and he is setting small goals for himself. He has always wanted to become a Physical Therapist and has ask me to help him get started when he gets out. I am always willing to help my children with their education.

Cj saved his youngest sister's life back in 2017. She was having some difficulties at school coupled with the breakup of our home and attempted to take her life. I was able to get Cj to go to her and he helped her to regurgitate the pills, saving her life. He later suggested that she needed a pet, because it would help in distracting her and giving her something to love and care for. I taught this was classic CJ who just wanted for us to get a cat. Cj brought home a baby kitten, which totally changed my daughters outlook on life. She has loved and nurtured that cat for two years now. She will not go anywhere without her cat. She recently brought home another kitten she found alone on the road and continues to love and care for them.

I am asking for mercy for cj. Let him use his kindness and love for people to help people. I know he is regretful of his actions and hopeful of a future where he can live up to his full potential.

Thank you Judge Murphy for giving me the opportunity to send this letter to you.

Charmaine Cohen, RN

RECEIVED

OCT 02 2019

SC Court of Appeals

STATE OF SOUTH CAROLINA

COUNTY OF DORCHESTER

STATE OF SOUTH CAROLINA,

vs.

CARLYLE HUGH COHEN,

Defendant.

IN THE COURT OF GENERAL SESSIONS
FIRST JUDICIAL

CIRCUIT

Warrant No(s): 2018A1021000014;
2018A1021000015; 2018A1021000016;
2018A1021000017

STATEMENT IN SUPPORT OF
CARLYLE HUGH COHEN, JR.

2019 JUN 13 PM 1:11
DORCHESTER COUNTY

CERTIFIED COPY

PERSONALLY APPEARED before me the undersigned, whose statement below was duly sworn, and to which the affiant confirmed, under penalty of perjury, he knows the facts stated are true and of his own knowledge except those matters which are provided upon "information and belief" that he believes them to be true:

My name is Carlette Cohen. I am Carlyle "CJ" Cohen's sister and the eldest of my parents' children they have had together. I grew up with CJ and spent much time around him, as I played a role in looking after and caring for him as our parents worked long hours.

Early in life, CJ and I grew up in an unconventional home. We frequently moved around (for no apparent reason that we are aware of). Therefore, it was hard to establish and maintain healthy relationships with our peers. We also grew up in a strict, religious and conservative household. We were unable to hang out with friends, attend sleepovers, parties. We grew up Adventist, so we could not participate in any extracurricular activities since we observed the Sabbath from Friday sunset to Saturday sunset (which is the prime time for most activities). We also could not listen to secular music aloud in the house. CJ loved basketball and he's naturally a social butterfly. Because these things were restricted, I believe this greatly impacted CJ as he developed into a young adult.

Our father ruled with an iron fist and all of us were afraid of him due to his anger. Often, CJ would be beat by our father as punishment for bad behavior, even for minor offenses such as lying about not completing his homework. I witnessed most of the beatings and can confirm that our father's actions were highly abusive. Our father would also be verbally abusive to CJ, calling him a dummy or even telling him to jump off a bridge and kill himself. To add, many of these moments occurred as a result of academic challenges CJ was having in school. Our father used to be a teacher in Jamaica, so he has a passion for academics and tried teaching CJ outside of the classroom. But our father severely lacks patience and only knew how to deal with "gifted" students who could pick up material quickly. By CJ's 7th grade year, our father gave up on parenting him and left all of the responsibility on our mother to raise him.

Our mother worked the most in the household. She worked 5-6 days a week. During the school weeks (during elementary school), we would only see her for about an hour before we went to school and maybe an hour when we came back from school. When she was home, she was either sleeping or taking care of the household. Much of what occurred, she did not witness because she was always busy or exhausted. When she was present, she also submitted to our father's authority, especially when it came to disciplining CJ. From CJ's 7th grade year and onward, our mother did what she could to help him, but I believe the damage was already done and no one was equipped to effectively help him at the time.

I believe there are 2 ways a child develops in the presence of trauma: (1) to live as a victim, or (2) live as a survivor. As a child, CJ did not have the tools or resources to get the help he needed in order to develop into a productive adult in America. As a result, he succumbed, very early in life, to living as a victim. I believe this is the reason why CJ's life has unraveled down this dark path.

In spite of his upbringing, CJ can be the most charismatic and hilarious person to be around. He does have aspirations to do better in life and does see the error in his ways. This is proof that he does have a moral compass and can be rehabilitated back into society to lead a productive life.

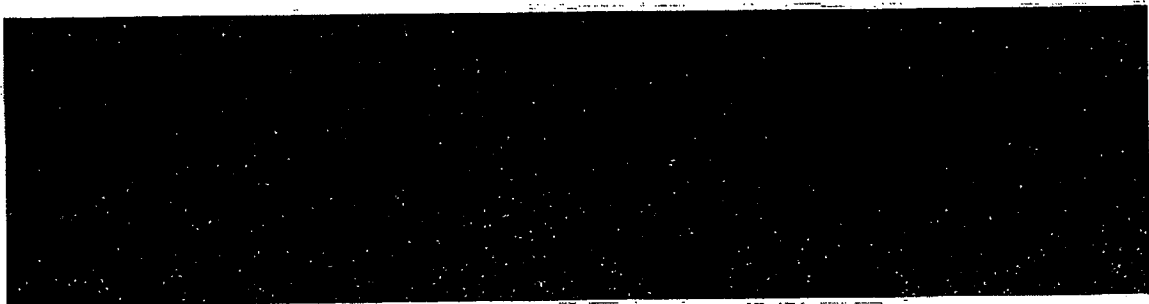
Judge Murphy, as you review CJ's case, please consider the factors listed above. CJ is still young and, in a position, where he can still turn his life around and amount to great things. Therefore, your decision on his case is monumental to his success moving forward.

Thank you,

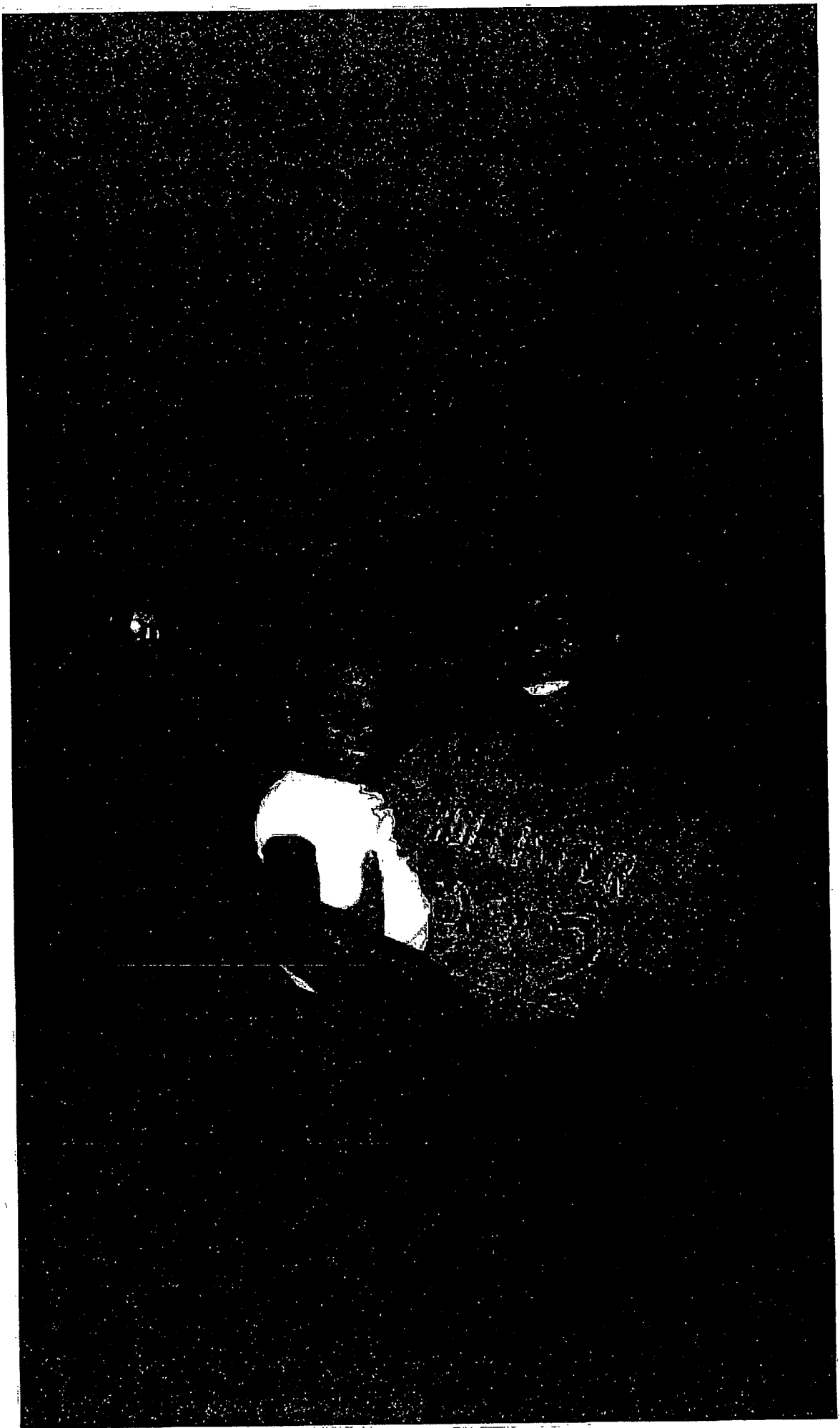
A handwritten signature in black ink, appearing to read 'Carlette C. Cohen', with a stylized flourish at the end.

Carlette C. Cohen















LaTasha L. Summers
11235 Oak Leaf Drive
Silver Spring, MD 20901

28 May 2019

Re: Carlyle Hugh Cohen, Jr.

To: The Honorable Judge,

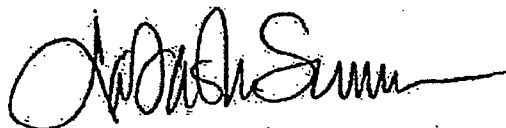
I have known Carlyle Hugh Cohen, Jr. for over ten years, several of those years as a neighbor and his Pathfinder director. I was caught off guard to learn about this case, as he has always exhibited the demeanor of an intelligent, sensitive, easy going, and respectful person. These traits are the reason I am submitting this letter of reference for Carlyle Jr. regarding this matter. I am aware of the seriousness of this case and ask the court to show leniency.

During our years as neighbors, Carlyle Jr. was always cheerful, well-mannered and willing to offer his assistance if there were anything I needed. His willingness to help in my yard or whatever I needed done around my home was authentic and always appreciated.

In addition to his being a great neighbor, Carlyle Jr. was also a great Pathfinder. As a member of the Charleston Seventh-day Adventist Church Pathfinder Club, Carlyle Jr. attended club meetings bi-weekly every Sunday in order to enhance his learning regarding the social, cultural, and religious education. As a part of the Pathfinder club, Carlyle Jr. exhibited the ability to arrive to club meetings on time and complete his book work. He also volunteered to visit with the elderly, ill children, and feeding the homeless in downtown Charleston.

While I do understand the seriousness of his case, Carlyle Jr. needs more medical help and guidance than punishment. It is my sincere hope the court takes into consideration all circumstances, to include family dynamics, into consideration at the time of sentencing. Despite the current case, I continue to believe Carlyle Jr. remains an intelligent, sensitive, easy going, and respectful person.

Respectfully,



LaTasha L. Summers

Letter of Support for
Carlyle Hugh Melvin Cohen Jr.

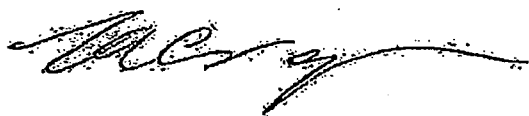
May 30, 2019

Honorable Judge,

My name is Marie Morgan and I serve as an elder at the Shiloh Seventh-day Adventist Church where Carlyle Hugh Melvin Cohen Jr. attended church since he was 12 years old. I still recall the many services he attended with his parents and the programs in which he participated. Carlyle was always a pleasant and enthusiastic young man but somewhere along the way, like so many, he made a terrible mistake.

As a Christian and a teacher, I believe in second chances and therefore, on the charge of armed robbery, I appeal for leniency in sentencing. I strongly believe that Carlyle will make use of any opportunity he is given to turn his life around.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Marie G. Morgan', with a long, sweeping flourish extending to the right.

Marie G. Morgan

RECEIVED

OCT 02 2019

STATE OF SOUTH CAROLINA

SC Court of Appeals

IN THE COURT OF GENERAL SESSIONS
FIRST JUDICIAL CIRCUIT

COUNTY OF DORCHESTER

STATE OF SOUTH CAROLINA,

Warrant No(s): 2018A1021000014;
2018A1021000015; 2018A1021000016;
2018A1021000017

vs.

STATEMENT IN SUPPORT OF
CARLYLE HUGH COHEN, JR.

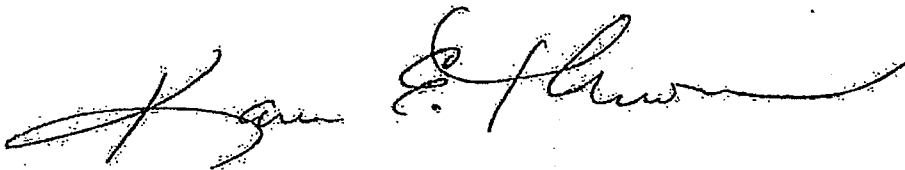
CARLYLE HUGH COHEN,

Defendant.

2019 JUN 13 PM 1:11
DORCHESTER COUNTY
CERTIFIED COPY

PERSONALLY APPEARED before me the undersigned, whose statement below was duly sworn, and to which the affiant confirmed, under penalty of perjury, he knows the facts stated are true and of his own knowledge except those matters which are provided upon "information and belief" that he believes them to be true:

My name is Karen Eustacia Thrower and I have known Carlyle Hugh Cohen, Jr. (CJ) and his family for at least fifteen (15) years. When I met CJ he was active in our churches youth ministries department, where he played basketball, volunteered around the church, worked with his father and mother in their health food store and was making good grades in school. As he grew into adulthood, I would sometimes take CJ to work, school and we would occasionally go grab something to eat just to catch up on his life. Unfortunately, CJ made poor choices that have placed him before this court but I do not believe he is the sum of his bad choices. CJ's choices are opportunities for him to build his character and find the courage to live out his own dreams and not live in the shadow of others. I know that CJ has learned from his mistakes and I plan to continue to support him through his incarceration.



STATE OF SOUTH CAROLINA

COUNTY OF DORCHESTER

STATE OF SOUTH CAROLINA,

vs.

CARLYLE HUGH COHEN,

Defendant.

IN THE COURT OF GENERAL SESSIONS
FIRST JUDICIAL CIRCUIT

Warrant No(s): 2018A1021000014;
2018A1021000015; 2018A1021000016;
2018A1021000017

**STATEMENT IN SUPPORT OF
CARLYLE HUGH COHEN, JR.**

2019 JUN 13 11:11
DORCHESTER COUNTY
CERTIFIED COPY

PERSONALLY APPEARED before me the undersigned, whose statement below was duly sworn, and to which the affiant confirmed, under penalty of perjury, he knows the facts stated are true and of his own knowledge except those matters which are provided upon "information and belief" that he believes them to be true:

My name is Joyce Thrower and I have had the privilege of knowing Carlyle Hugh Cohen, Jr. (CJ) and his family for approximately fifteen (15) years and they are very respectable people with high standards and family morals.

CJ and his sisters have been raised by both parents in a loving Christian environment. In the years that I have known him he has always been kind and full of respect. In spite of the mistakes he has made, I believe he is remorseful and is ready to begin a life that will represent the values he has been taught. I have visited CJ during his incarceration and look forward to supporting him when he is released.

Respectfully;



Joyce Thrower

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SC Court of Appeals

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STATE OF SOUTH CAROLINA

SC Court of Appeals

IN THE COURT OF GENERAL SESSIONS
FIRST JUDICIAL CIRCUIT

COUNTY OF DORCHESTER

STATE OF SOUTH CAROLINA,

Warrant No(s): 2018A1021000014;
2018A1021000015; 2018A1021000016;
2018A1021000017

vs.

STATEMENT IN SUPPORT OF
CARLYLE HUGH COHEN, JR.

CARLYLE HUGH COHEN,

Defendant.

2019 JUN 13 PM 11
DORCHESTER COUNTY
CERTIFIED COPY

PERSONALLY APPEARED before me the undersigned, whose statement below was duly sworn, and to which the affiant confirmed, under penalty of perjury, he knows the facts stated are true and of his own knowledge except those matters which are provided upon "information and belief" that he believes them to be true;

My name is Rosemary Blevins *Rosemary Blevins*. I've known Caryle Cohen, better known to me personally as CJ, for several years after moving to South Carolina and becoming a member of the same church in which, I also belong. I know that Christian and moral values were taught to him by his parents and also the church.

I also know that there are twist and turns in the road of life that can carry any of us down a dark road and the temptations of life can overtake us and destroy us if we give in to it. CJ made a wrong choice and it almost took his life. But by the grace and power of God, He spared his life for a better purpose, one I know he can see much clearer know after seeing what wrong choices can do to you. I believe he can be a witness to others and especially to young people.

God said in Jeremiah 29:11, "For I know the thoughts that I think toward you, saith the Lord, thoughts of peace, and not of evil, to give you an expected end." CJ desires to fulfill his

dream of becoming a physical therapist. One may say no, your life is over, but NO, his life has just begun. What he has experienced in his life will help him develop into the man God wants him to be.

God is a restorer, we can see that in time past with Paul, Moses, and many others when they give their life back to God and let Him use CJ for His plan and purpose in life.

A physical therapist is one who helps restore a person back on their feet to walk a more productive life, and I believe CJ has been working hard by God's grace and others to walk in His purpose and to help restore others.

I believe God is working in CJ's life and I pray that the mercy of this court will see through the eyes of God, not only what CJ, Carlyle Cohen, has done by what CJ can be as God continues to work in his life.

As Prison Ministry Leader at my church, I believe that Isaiah 61:1 is truly the worker of God to help build up and not tear down. Let it be our job to be co-worker with God to fulfill Isaiah 61:1 as it says, "The Spirit of the Lord is upon me; because the Lord hath anointed me to preach good tidings unto the meek; he hath sent me to bind up the brokenhearted, to proclaim liberty to the captives, and the opening of the prison to them that are bound."

May God continue to bless you, Judge Murphy, and guide you in the decision that you have to make, that they all will be done for the glory of God.

Rosemary Blewin

Ron Hawkins <rdhcaf1357@gmail.com>

Thu, May 30, 7:36 AM (1 day ago)

to Charmaine

To whom it may concern

I am writing this letter on behalf for my young friend Carlyle Cohen (aka CJ)

I have known CJ for two and a half years now, I first met CJ when I was the Maintenance Supervisor at Latitude At Wescott in Summerville I was having a hard time moving appliances when he saw me and asked if I needed a hand, needless to say I said yes and he jumped in and help take them to the third floor of the building where I was working from then on we were pals. I would see him several times a week we would talk for awhile and he always seemed happy go lucky and that's what kinda drew me to him. every time I saw him he would ask if we were hiring, unfortunately we never had a opening for him.

Several weeks ha gone by I had not heard from him I called his phone his mother answered and gave me the unfortunate news, needless to say I was devastated upon learning what had happened to my friend. Something must have really gone wrong for him to have made such a serious mistake. I didn't think he was capable of doing anything like what he is being accused of.

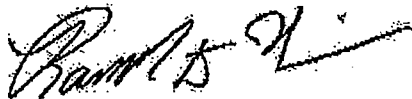
I have been asked to write this letter on his behalf and I am happy to do so.

I would hope and pray that you could show my young friend some leniency in your judgement of him. I know CJ is more than willing to take what ever punishment that is handed out to him, I only pray that you would consider his youth; and while it is a very serious crime please don't try and make an example out of him. Please allow him to return to us in a time where he can rebuild his life and hopefully mentor to other young people about making bad choices in life.

I thank you for the service you are doing for our community.

Respectfully

Ronald Hawkins

A handwritten signature in black ink, appearing to read "Ronald Hawkins", written in a cursive style.

Carlyle has been a great friend of mine for many years now. He has not only helped me grow as an individual but has also pushed each of his close friends and family members to better themselves each and every day. Since being locked up, he has had plenty of days and nights to come to the realization that the actions made were well beyond his character. He has reached out to God for help and guidance. Having all the faith in God, he hopes to have the opportunity to prove to not only himself, but everyone around him that he can make his dreams of becoming a Physical Therapist, a reality. He plans on going back to school to earn the degree as a Physical Therapist. Carlyle hopes to give his patients hands on care and wants to be the positive light in their time of struggle. I hope you give Carlyle the opportunity to prove his compassion and good-heart and to justify that he is far from a threat to society.

x. Alyssa Jurow

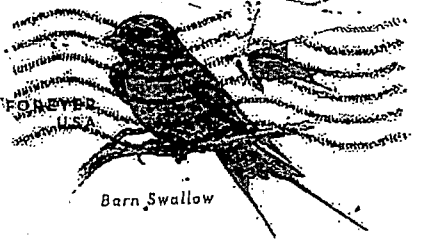
5/30/2019

O WASSUP with ya. You Probe Dont See my name
of this Yo Code Defendent. How You Pocking in here
ool. they set my Bond 250 TH. this shit
ack I working the case tho stay cool in there
working on our bonds Dont speak to no one
y Rule 5 come in this month so ill
now what we looking At But Dont take
the time Hard, what Pod you in? I in
13L in the old Jail UPstairs, Im trying
o Get to your Pod thats why I need to
know what Pod cause I Got that
Teen I can Break Break How many
times you get shot? ND where At, ND what
your case looking Like what your PID
aying Btw Dont Be Scared wright
back you know my name now. Imma yell
+ ya tho. thug it out.

1/20/11

JAMES Creason
3841 Leeds Ave
N. Charleston, SC 29405

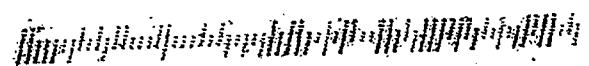
CHARLESTON SC 29405
17 MAR 2018 PM 2 T



Carlisle Cohen
3841 Leeds Ave.
N. Charleston, SC 29405

Handwritten signature: Carlisle Cohen

95057489



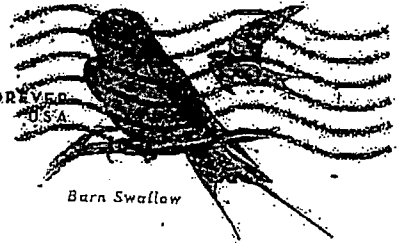
I just want to start by saying I
Full responsibility for the charges. My co-defendant
was just following my demands, before this I never
even knew him. I met him at a party that
same night. I never even knew his name till
we got arrested. When I got to the party he was
under the influence and so was I. We ended up
leaving the party because we needed cigarettes but
I know he did not know I had a gun in the
back seat with me. When I pulled it out he
looked in a daze. He honestly went along with everything
out of fear. I'm sorry about the victims and
I'm sorry about my co-defendant cause now he
is facing charges for no reason. I took my place
already mainly because it was all me he
honestly felt probably like I could shoot him
and it makes no sense for both of us to go
down for my actions he is innocent. I pray and
hope you take this into consideration and let
him go he was also shot with no weapon
aimed behind and he has to deal with physical
problems for the rest of his life. I am ready to
let my time and start bettering myself as a
person.

James Creason
220. Hodge RD
Summerville SC 29483

CHARLESTON SC 294

24 MAY 2019 PM 3 L

FOREVER
USA



Barn Swallow

Alyesha Brown
The MIB Law Firm, LLC

712 North Cedar Street
Summerville SC 29483

28483-660412



STATE OF SOUTH CAROLINA)
COUNTY OF DORCHESTER)

IN THE COURT OF GENERAL SESSIONS
FIRST JUDICIAL CIRCUIT

STATE OF SOUTH CAROLINA,)

Warrant No.: 2018A10102000044

vs.)

Indictment No.: 2018-GS-10-03558

(Charleston County GS Charge)

CARLYLE HUGH M. COHEN, JR.)

Warrant No.: 2018A1021000014

Indictment No.: 2018-GS-18-0973

Solicitor: Ryan Templeton

DEFENDANT.)

AFFIDAVIT OF GUILTY PLEA

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The Defendant states to the Court that he wants to plead guilty to two (2) counts of **ARMED ROBBERY**, Section 16-11-330, South Carolina Code of Law, 1976 states: A person who commits robbery while armed with a pistol, dirk, slingshot, metal knuckles, razor, or other deadly weapon, or while alleging either by action or words, he was armed while using representation of a deadly weapon, is guilty of a felony and, upon conviction, must be imprisoned for a mandatory minimum term of not less than ten years or more than thirty years, no part of which may be suspended or probation granted. A person convicted under this section is not eligible for parole until the person has served at least seven years of the sentence. 2

The State of South Carolina previously recommended an offer of 20-25 years for all pending charges, which included 2 counts of armed robbery and four (4) counts of kidnapping. Defendant rejected the State of South Carolina's recommended offer on the record on May 13, 2019.

There is no recommendation by the State of South Carolina. Defendant will proceed with an open plea understanding that his exposure is between a minimum of ten (10) years and a maximum of thirty (30) years for each count. Maximum exposure is sixty (60) years.

In connection with the plea, I certify that the answers to the following questions are true:

Background of Defendant

1. How old are you? 23
2. How far did you go in school? High school diploma
3. (a) Can you read and write the English language
 yes no

(b) Are you able to read and understand this form?

yes no

(c) If not, who is explaining it to you and filling out your answers?

Name of the person: _____

4. What kind of work do you do? Fast food / cooking

5. Have you ever been treated for abuse of alcohol or drugs or for mental illness?

~~yes~~ no

If so, when? _____

For how long? _____

Did you successfully complete the program?

yes no

6. Have you taken any medication, drugs, or alcohol in the last 24 hours?

yes no

If yes, what? _____

How much? _____

When? _____

Does this affect your ability to know and understand what you are doing today?

yes no

7. Are you today under the influence of any medications, drugs, or alcohol?

yes no

8. Are you today aware of any physical, emotional, or nervous problem that might keep you from understanding what you are doing?

yes no

If yes, explain: _____

9. Have you been ordered by a judge to submit to a mental evaluation to determine your competency to stand trial?

yes no

Waiver of Constitutional Rights

1. Do you understand that you have the right to remain silent, that is, your right against self-incrimination? You cannot be compelled to testify or give evidence against yourself. Do you understand this right?

CC yes _____ no

Do you wish you give up this right and plead guilty? CC yes _____ no

2. Do you understand that you have a right to a jury trial; you have a right to have a jury decide whether or not you are guilty beyond a reasonable doubt. They would base their decisions upon evidence which the State of South Carolina presents and on any evidence you might wish to introduce. In a trial, you would be presumed to be innocent, and the state would have to produce evidence that would convince all 12 members of the jury that you were guilty beyond a reasonable doubt. Do you understand this right? CC yes _____ no

Do you wish to give up your right to a jury trial and plead guilty? CC yes _____ no

3. Do you understand that you have the right to confront and be confronted by the witnesses against you; that is, the right to see, hear, and cross-examine any witnesses that may be called against you during your trial and the right to subpoena and call witnesses in your own behalf. Do you understand these rights? CC yes _____ no

Do you wish to give up these rights and plead guilty? CC yes _____ no

4. If your case has not been before the grand jury, you have the right to have the case presented to the grand jury. After hearing evidence, 12 of the 18 people on the grand jury would have to agree that you were probably guilty before the charge against you could be reported out as a True Bill ready for trial. A grand jury might return a No Bill, which would mean that the charge would be dismissed. Do you understand this right?

CC yes _____ no

Do you wish to give up your right to have the grand jury examine your case?

CC yes _____ no

5. Do you understand that when you plead guilty you give up these constitutional rights?

CC yes _____ no

Is that what you want to do? CC yes _____ no

Do you understand that you will not get a jury trial if you plead guilty? CC yes _____ no

Nature of the Charge and Consequences of Pleading Guilty

1. Has your attorney discussed with you the charges and possible punishment for the charges? CC yes _____ no

2. What acts did you do which cause you to think that you are guilty of the charge or charges to which you now want to plead guilty?

I went into the store knowing my co-defendant had a weapon and still went into the store and helped him take money

3. Are you pleading guilty for any reason other than the fact that you are guilty?

4. _____ yes ✓ no

If so, what is the other reason? _____

4 As you understand, the penalty for Armed Robbery is a mandatory minimum imprisonment of ten (10) years and a maximum of thirty (30) years. Armed Robbery is a felony conviction and classified as a Most Serious Offense and Violent Offense.

5. **GRADUATED PENALTIES-** Do you understand that if you plead guilty of this offense and you are convicted at a later time of the same crime, the punishment will be higher next time? ✓ yes _____ no. **This conviction represents ONE STRUCK against your criminal record.**

6. Do you have any questions about the nature of the charge against you or the possible punishments? _____ yes ✓ no

If yes, please write your question here: _____

7. Do you understand that when you please guilty you admit the truth of the charge(s) against you? yes no
8. You may have defenses to the charge (s) against you. The judge does not know whether you do or not. Do you understand that if you plead guilty you will waive or give up any defenses to the charge (3)? yes no
9. You may have given an incriminating statement in this case. Do you understand that if you plead guilty you waive or give up the right to contest or challenge whether such a statement was freely and voluntarily given in accordance with your constitutional rights? yes no
10. Understanding the nature of the charge(s) against you and the consequences of a guilty plea, do you still wish to plead guilty? yes no

Plea Negotiations

1. Has any plea agreement been made by you with the solicitor's office? yes no
2. If so, exactly what do you understand the agreement to be? Carlyle Cohen will plead guilty to two (2) counts of Armed Robbery arising from the January 3, 2018 incident date. One Armed Robbery occurred in Charleston County at the Kangaroo Gas Station and the second Armed Robbery occurred in Dorchester County at the Spinx Gas Station. Charleston County Solicitor's Office will dismiss the Kidnapping Warrant No.: 2018-A1-010200046; and Unlawful Carrying of Pistol Warrant No: 2016A1010202783 from June 15, 2016. Dorchester County Solicitor's Office will dismiss three (3) counts of Kidnapping Warrants Nos.: 2018-A1-02100015; 2018-A1-02100016; 2018-A1-02100017; and Possession of Controlled Substance in Schedule I to V- 1st offense Warrant No.: 2017-A1-810300265.
3. Do you understand that the recommendation of the attorney is not binding on the court and that the judge could still sentence you up to the maximum if he/she felt it appropriate? yes no
4. Do you still wish to plead guilty? yes no

Voluntariness of Plea

1. Has anyone promised you anything or held out any hope of reward to get you to plead guilty? _____ yes no

If yes, explain: _____

2. Has anyone threatened you or used force to get you to plead guilty? Has anyone used any pressure or intimidation to cause you to plead guilty? _____ yes no

If yes, explain: _____

3. Have you had enough time to make up your mind as to whether or not you want to plead guilty? yes _____ no

4. Are you pleading guilty of your own free will and accord? yes _____ no

Satisfaction With Attorney

1. Has your attorney reviewed this form with you and answered any questions you have about it? yes _____ no

2. Are you satisfied with the manner in which your attorney has advised you and represented you? yes _____ no

3. Have you talked with your attorney as often and for as long as you feel necessary for her to properly represent you? yes _____ no

4. Do you need any more time to talk with your attorney? yes _____ no

5. Have you understood your talks with your attorney? yes no _____

6. Has your attorney done everything for you that you feel she could have done or should have done? yes no

If no, explain: _____

7. Has your attorney done everything in this case that you feel she should NOT HAVE DONE? yes no

If yes, explain: _____

8. Are you completely satisfied with your attorney's services? yes no

9. Do you have any complaint that you want to make about your attorney, the solicitor, or any of the police officers? yes no

If yes, explain: The police shot me 2 times from behind while I was unarmed.

10. Do you understand that you have a right to appeal your guilty plea and the sentence of the court and that you must do this within 10 days of the sentence? yes no

Concluding Questions

1. Do you understand all of these questions? yes no

If not, which ones do you not understand? _____

2. Do you now want to plead guilty? yes no


Carlyle Cohen

Carlyle Hugh Melvin Cohen, Jr. Defendant

Certificate of Counsel

1. Print your name and telephone number: Myesha L. Brown, Esquire 843-420-1191
2. I represent Carlyle Hugh Melvin Cohen, Jr.
3. I have read and fully explained to Carlyle Hugh Melvin Cohen, Jr. the allegations contained in the indictments in this case.
4. To the best of my knowledge and belief the statements, representations, and declarations made by the defendant in the foregoing petition are in all respects accurate and true.
5. I have explained to Carlyle Hugh Melvin Cohen, Jr. the charges contained in the indictments, the elements of each charge, the possible punishment, and his constitutional rights including his right to a jury trial.
6. Carlyle Hugh Melvin Cohen, Jr. and I have discussed any possible defenses to the charges.
7. In my opinion, Carlyle Hugh Melvin Cohen, Jr. understands the charge, the punishment, and the constitutional rights in this case.
8. Carlyle Hugh Melvin Cohen, Jr. has indicated to me that he wishes to plead guilty.
9. The plea of guilty by Carlyle Hugh Melvin Cohen, Jr. to Armed Robbery is consistent with the evidence provided to me pursuant to the discovery motion based on the South Carolina recognition of an accomplice liability law commonly referred to as the hand of one is the hand of all. Carlyle Hugh Melvin Cohen, Jr. has been informed that where a person who participates in a crime with another person or group of people can be charged with some or all of the crimes committed by the other person or group as if the person participated in the separate crimes. Under the doctrine of the hand of one is the hand of all, I support Carlyle Hugh Melvin Cohen's decision to plea guilty.

Signed by me in the presence of Carlyle Hugh Melvin Cohen, Jr. and after full discussions of the contents of this certificate with him this 2nd day June, 2019.


Myesha L. Brown, Attorney for Defendant

STATE OF SOUTH CAROLINA)
)
 COUNTY OF DORCHESTER)
)
 State of South Carolina)
)
)
 vs.)
)
 Carlyle Hugh Cohen, Jr.)
)
 Defendant.)

General Sessions
 IN THE COURT OF COMMON PLEAS *rid/mm*
 FOR THE FIRST JUDICIAL CIRCUIT
 Case Nos. 2018GS180973
 2018GS1003558

ORDER DENYING MOTION TO RECONSIDER SENTENCE

2019 SEP 12 23 PM 34
 REC'D
 CLERK OF COURT
 DORCHESTER COUNTY

Defendant's sentence was imposed in the above-referenced case on June 3, 2019. On June 13, 2019, Defendant moved this Court to reconsider their request for a Pre-Sentence Investigation Report before imposing the sentence. Without the need for an additional hearing, this Court hereby finds there are no new circumstances or material facts which would have had an impact on the sentencing had they been known at the original hearing. In fact, prior to the plea, counsel for Defendant submitted a lengthy plea mitigation package which contained a plea mitigation report and letters of support from family, friends, and Defendant's church community, among many other things.

NOW, THEREFORE, IT IS HEREBY ORDERED that Defendant's Motion to Reconsider is DENIED.

IT IS SO ORDERED.

Maite Murphy
 The Honorable Maite Murphy

July 23, 2019.

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OCT 02 2019

SC Court of Appeals

Maite Murphy
 CLERK OF COURT
 DORCHESTER COUNTY

2019 SEP 12 AM 11:19

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