

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF Horry VS. STATE

INDICTMENT/CASE#: 2017GS2604254

Kenneth Wayne Carlisle

A/W#: 2017A2610202126

AKA:

Date of Offense: 7/3/2017

Race: WHITE Sex: Age: 30

S.C. Code § : 16-03-0010, 0020

DOB: SS#:

CDR Code #: 0116

Address:

City, State, Zip:

DL#: SID#:

SENTENCE SHEET

\*CDL Yes No CMV Yes No Hazmat Yes No

CONVICTED OF or PLEADS

In disposition of the said indictment comes now the Defendant who was TO: Murder (30-LIFE)

in violation of § 16-03-0010, 0020 of the S.C. Code of Laws, bearing CDR Code # 0116

The charge is: As Indicted, Lesser Included Offense, Defendant Waives Presentment to Grand Jury, Negotiated Sentence, Recommendation by the State.

ATTEST: Oskin, Seth Defendant Spratlin, Martin D Attorney for Defendant

WHEREFORE, the Defendant is committed to the State Department of Corrections, for a determinate term of Life days/months/years or under the Youthful Offender Act not to exceed years and/or to pay a fine of \$ No fine; 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 SCDOC. 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. May serve W/E beginning Substance Abuse Counseling Random Drug/Alcohol testing Fine may be pd. in equal, consecutive weekly/monthly pmts. of \$ beginning \$ paid to Public Defender Fund Other:

Table with 3 columns: Description, Amount, Total. Includes items like Assessments, Conv. Surcharge, DUI Surcharge, DUI Assessment, DUI Breath Test, Proviso, Law Enforce. Funding, Drug Court Surcharge, BUI Breath Test Fee, Vehicle Assessment, 3% to County.

TOTAL \$ Clerk of Court/Deputy Clerk Renee Elvig Court Reporter Grace Hurby

Other: Appointed PD or appointed public defender Proviso requires \$500 be paid to Clerk during probation and shall be collected before any other fees.

RECEIVED OCT 09 2019 SC Court of Appeals Presiding Judge P. Craig Judge Code: 2160 Sentence Date: 10-3-19

COUNTY OF Horry
STATE VS.
Kenneth Wayne Carlisle
AKA:
Race: WHITE Sex: Age: 30
DOB: SS#:
Address:
City, State, Zip:
DL#: SID#:

INDICTMENT/CASE#: 2017GS2604255
A/W#: 2017A2610202128
Date of Offense: 7/3/2017
S.C. Code § : 16-03-0010, 0020
CDR Code #: 0116

SENTENCE SHEET

\*CDL Yes No CMV Yes No Hazmat Yes No
In disposition of the said indictment comes now the Defendant who was TO: Murder (30- LIFE)

CONVICTED OF or PLEADS

in violation of § 16-03-0010, 0020 of the S.C. Code of Laws, bearing CDR Code # 0116
NON-VIOLENT VIOLENT SERIOUS MOST SERIOUS Mandatory GPS/GSC §17-25-45

The charge is: As Indicted, Lesser Included Offense, Defendant Waives Presentment to Grand Jury.
The plea is: Without Negotiations or Recommendation, Negotiated Sentence, Recommendation by the State.

ATTEST: Oskin, Seth 102340 SC Bar# Defendant Spratlin, Martin D. Attorney for Defendant SCB77061 SC Bar#

WHEREFORE, the Defendant is committed to the State Department of Corrections, County Detention Center,
for a determinate term of Life days/months/years or under the Youthful Offender Act not to exceed years
and/or to pay a fine of \$ w/o parole 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 SCDOP.
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

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 (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) \$.

TOTAL \$

Clerk of Court/ Deputy Clerk Renee Travis
Court Reporter: Grace Flanley

Obtain GED
Attend Voc. Rehab. or Job Corp.
May serve W/E beginning
Substance Abuse Counseling
Random Drug/Alcohol testing
Fine may be pd. in equal, consecutive weekly/monthly pmts. of \$ beginning
\$ paid to Public Defender Fund
Other:

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SC Court of Appeals

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

Presiding Judge D. King
Judge Code: 2160
Sentence Date: 10-3-19

WITNESSES

Matthew C Singleton Horry County Police  
Department

*Tim caught*

CERTIFIED COPY

DOCKET NO. 2017-GS-26-04254

The State of South Carolina

County of Horry

RENEE N. ELVIS  
CLERK OF COURT  
Seth Oskin  
HORRY COUNTY, SC

17H04264

COURT OF GENERAL SESSIONS

NOVEMBER, 2017 TERM

ARREST WARRANT NUMBER

2017A2610202126

CDR: 0116 16-03-0010, 0020

DOA: 7/16/2017

ACTION OF GRAND JURY

**TRUE BILL**

*Bill 11/15*

Foreperson of Grand Jury NOV 29 2017

Date:

VERDICT

Foreperson of Petit Jury

Date:

THE STATE

vs.

Kenneth Wayne Carlisle  
6001 South Kings Hwy  
Myrtle Beach, SC 29575

W/M

DOB: ~~REDACTED~~

SSN:

ATTORNEY: Martin D. Spratlin

Indictment for

**MURDER**

Jimmy A. Richardson, II, Solicitor

**ORIGINAL**

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SC Court of Appeals

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF HORRY )

INDICTMENT

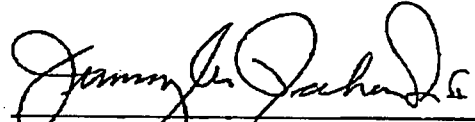
At a Court of General Sessions, convened on **November 15, 2017**, the Grand Jurors of Horry County present upon their oath:

**MURDER**

CDR: 0116 16-03-0010,0020

That **Kenneth Wayne Carlisle** did, in Horry County, on or about July 3, 2017, willfully, feloniously, and intentionally kill the victim, Linda McAllister (deceased), with malice aforethought, either express or implied, by means of circumstances of peril, and the victim did die as a proximate result thereof on or about July 3, 2017 in Horry County, in violation of Section 16-03-0010, S. C. Code of Laws, 1976, as amended.

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

  
\_\_\_\_\_  
JIMMY A. RICHARDSON, II  
FIFTEENTH CIRCUIT SOLICITOR

CERTIFIED COPY  
RENEE N. ...  
CLERK OF ...  
HORRY COUNTY

**WITNESSES**

Matthew C Singleton Horry County Police  
Department

*Tim Knight*

**DOCKET NO. 2017-GS-26-04255**

**The State of South Carolina**

**County of Horry**

Seth Oskin

17H04264

**COURT OF GENERAL SESSIONS**

**NOVEMBER, 2017 TERM**

**ARREST WARRANT NUMBER**

2017A2610202128

CDR: 0116 16-03-0010, 0020

DOA: 7/16/2017

**ACTION OF GRAND JURY**

**TRUE BILL**

*P.11 11/29*  
Foreperson of Grand Jury

Date: **NOV 29 2017**

**VERDICT**

Foreperson of Petit Jury

Date:

**THE STATE**

**vs.**

**Kenneth Wayne Carlisle  
2611 Pleasant Union Road  
Aynor, SC 29511**

**W/M**

DOB: ~~REDACTED~~  
SSN:

**ATTORNEY: Martin D. Spratlin**

**Indictment for**

**MURDER**

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

**ORIGINAL**

**RECEIVED**  
OCT 09 2019  
SC Court of Appeals

RENEE N. ELVIS  
CLERK OF COURT  
HORRY COUNTY, SC

CERTIFIED COPY

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF Horry )

INDICTMENT

At a Court of General Sessions, convened on **November 15, 2017**, the Grand Jurors of Horry County present upon their oath:

**MURDER**

CDR: 0116 16-03-0010,0020

RENEE N. ELSON  
CLERK OF COURT  
HORRY COUNTY  
CERTIFIED COPY

That **Kenneth Wayne Carlisle** did, in Horry County, on or about July 3, 2017, willfully, feloniously, and intentionally kill the victim, **William Clemmons (deceased)**, with malice aforethought, either express or implied, by means of circumstances of peril, and the victim did die as a proximate result thereof on or about July 3, 2017 in Horry County, in violation of Section 16-03-0010, S. C. Code of Laws, 1976, as amended.

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



JIMMY A. RICHARDSON, II  
FIFTEENTH CIRCUIT SOLICITOR

**RECEIVED**

OCT 09 2019

SC Court of Appeals

ARREST WARRANT

2017A2610202126

STATE OF SOUTH CAROLINA

County/  Municipality of

Horry

THE STATE  
against

Kenneth Wayne Carlisle

Address:

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

Sex: \_\_\_\_\_ Race: \_\_\_\_\_ Height: \_\_\_\_\_ Weight: \_\_\_\_\_

DL State: NC DL #: \_\_\_\_\_

DOB: \_\_\_\_\_ Agency ORI #: SC0260400

Prosecuting Agency: Horry County Police Department

Prosecuting Officer: Matthew C Singleton - S00407

Offense: Murder / Murder

Offense Code: 0116

Code/Ordinance Sec: 16-03-0010

This warrant is CERTIFIED FOR SERVICE in the  
 County/  Municipality of

The accused  
is to be arrested and brought before me to be  
dealt with according to the law.

(L.S.)

Signature of Judge

Date:

RETURN

A copy of this arrest warrant was delivered to  
defendant Kenneth Carlisle  
on 7/16/17

Signature of Constable/Law Enforcement Officer

RETURN WARRANT TO:

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

ORIGINAL

ORIGINAL

ORIGINAL

ORIGINAL

STATE OF SOUTH CAROLINA

County/  Municipality of  
Horry

Personally appeared before me the affiant Matthew C Singleton who  
being duly sworn deposes and says that defendant Kenneth Wayne Carlisle

did within this county and state on or about 7/3/2017 violate the criminal laws of the  
State of South Carolina (or ordinance of  County/  Municipality of Horry).

In the following particulars:

DESCRIPTION OF OFFENSE: Murder / Murder

I further state that there is probable cause to believe that the defendant named above did commit  
the crime set forth and that probable cause is based on the following facts:

(Female Victim) On 7/13/17 police began looking into missing persons ages (45 And 64) from 3016 Dewberry Drive in the Conway section of Horry County. Through investigation by interviews, phone records, bank records and searches of the the victim's residence it was determined that the victims were deceased due to circumstances of peril. On 7/15/17 bodies of a male and female were located on Brown Chapel Avenue in The Conway section of Horry County. This location was within the areas of the last phone pings and the bodies are believed to be the victims where foul play resulted in their death. Additionally there is probable cause that the suspect committed the act of murder due to being the last known contact with victims, providing statements which differ from fact, being in possession of multiple banking mechanisms (with excessive use) and the victim's truck which was saturated in blood, and final phone ping of the victim's phone in immediate vicinity of the suspect's Aynor residence on 7/3/17. R/D

Signature of Affiant

STATE OF SOUTH CAROLINA  
 County/  Municipality of  
Horry

Affiant's Address 2560 North 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 7/3/2017 defendant Kenneth Wayne Carlisle  
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: Murder / Murder

Having found probable cause and the above affiant having sworn before me, you are empowered and directed to arrest the said defendant and bring him or her before me forthwith to be dealt with according to law. A copy of this Arrest Warrant shall be delivered to the defendant at the time of its execution, or as soon thereafter as is practicable

Sworn to and subscribed before me  
on 7/16/2017

Signature of Issuing Judge  
Mark Ashley Harris (L.S.)

Judge Code: 7152

Judge's Address 3817 Walnut Street  
Loris, SC 29569

Judge's Telephone (843)915-5295

Issuing Court:  Magistrate  Municipal  Circuit

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Form Approved by  
S.C. Attorney General  
April 21, 2003  
SCCA 516

AFFIDAVIT  
FILED

HORRY COUNTY

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CLERK OF COURT  
HORRY COUNTY, SC

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OCT 09 2019  
SC Court of Appeals

ARREST WARRANT

2017A2610202128

STATE OF SOUTH CAROLINA
County/ Municipality of

AFFIDAVIT

ORIGINAL

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

STATE OF SOUTH CAROLINA

County/ Municipality of

Horry

Personally appeared before me the affiant Matthew C Singleton who
being duly sworn deposes and says that defendant Kenneth Wayne Carlisle
did within this county and state on or about 7/3/2017 violate the criminal laws of the

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

THE STATE

against

Kenneth Wayne Carlisle

RECEIVED ELVIS
CLERK OF COURT
HORRY COUNTY, SC

DESCRIPTION OF OFFENSE: Murder / Murder

Address:

11-

Phone: SSN:

Sex: Race: Height: Weight:

DL State: NC DL #: Agency ORI #: SC0260400

DOB: Agency ORI #: SC0260400

Prosecuting Agency: Horry County Police Department

Prosecuting Officer: Matthew C Singleton - S00407

Offense: Murder / Murder

Offense Code: 0116

Code/Ordinance Sec: 16-03-0010

This warrant is CERTIFIED FOR SERVICE in the

County/ Municipality of

The accused

is to be arrested and brought before me to be

dealt with according to the law.

(L.S.)

Signature of Judge

Date:

RETURN

A copy of this arrest warrant was delivered to

defendant Kenneth Wayne Carlisle

on 7.16.17

Signature of Probation Law Enforcement Officer

RETURN WARRANT TO:

General Sessions

PO Box 677

1301 2nd Avenue

Conway, SC 29528

ORIGINAL

ORIGINAL

ORIGINAL

ORIGINAL

ORIGINAL

ORIGINAL

ORIGINAL

STATE OF SOUTH CAROLINA
County/ Municipality of

Horry

Signature of Affiant

Affiant's Address 2560 North 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 7/3/2017 defendant Kenneth Wayne Carlisle

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: Murder / Murder

Having found probable cause and the above affiant having sworn before me, you are empowered and directed to arrest the said defendant and bring him or
her before me forthwith to be dealt with according to law. A copy of this Arrest Warrant shall be delivered to the defendant at the time of its execution, or as
soon thereafter as is practicable. Sworn to and subscribed before me

on 7/16/2017 (L.S.)

Signature of Issuing Judge

Mark Ashley Harris

Judge Code: 7152

Judge's Address 3817 Walnut Street

Loris, SC 29569

Judge's Telephone (843)915-5295

Issuing Court: Magistrate Municipal Circuit

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SC Court of Appeals

STATE OF SOUTH CAROLINA )  
COUNTY OF HORRY )

IN THE COURT OF GENERAL SESSIONS  
OF THE FIFTEENTH JUDICIAL CIRCUIT

STATE OF SOUTH CAROLINA )

CERTIFICATE OF REPRESENTATION  
(APPOINTING AS COUNSEL)

-VS-

KENNETH CARLISLE

MARTIN SPRATLIN

DEFENDANT

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OCT 09 2019

FILE NO: 26A17-00003078

SC Court of Appeals

RENEE N. ELVIS  
CLERK OF COURT  
HORRY COUNTY, SC

CERTIFIED COPY

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, SC

2017 JUL 20 PM 2:41

FILED  
HORRY COUNTY

This certifies that the above captioned Defendant is eligible for the services of the Public Defender, such determination having been made on, 19th day of July, 2017 regarding the charge(s) of:

2017A2610202128 Murder / Murder

2017A2610202126 Murder / Murder

The Defendant's Counsel is **Martin Spratlin**. 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  
FIFTEENTH CIRCUIT  
PUBLIC DEFENDER

CONWAY, SC  
DATED: July 20, 2017

STATE OF SOUTH CAROLINA )  
COUNTY OF HORRY )  
)

IN THE COURT OF GENERAL SESSION  
OF THE FIFTEENTH JUDICIAL CIRCUIT

STATE OF SOUTH CAROLINA )  
-VS- )  
)

NOTICE AND MOTION FOR PRODUCTION  
OF SPECIFIC EVIDENCE AND  
DISCLOSURE OF WITNESSES

KENNETH W. CARLISLE  
DEFENDANT )

**RECEIVED**

OCT 09 2019

SC Court of Appeals

FILE NO: 26A17-00003078

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.

RENEEN M. ELVIN  
 CLERK OF COURT  
 HORRY COUNTY, SOUTH CAROLINA  
 CERTIFIED COPY HORRY COUNTY  
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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 notarized 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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Horry County  
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Horry County  
CLERK OF COURT  
JAMES M. ELVIS  
HORROR COUNTY, SC  
2017 JUL 28 09:12 AM

- (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. 2d 342, 96 S. Ct. 2392 (1976), State vs Mixon, 274 S.E. 2d 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: July 20, 2017  
 CONWAY, SOUTH CAROLINA

FILED  
 HORRY COUNTY  
 CLERK OF COURT  
 JUL 20 2017  
 11:24 AM