

THE STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

RECEIVED

OCT 29 2019

APPEAL FROM GREENVILLE COUNTY
Court of General Sessions

S.C. SUPREME COURT

G. Thomas Cooper, Circuit Court Judge

Case No 2019-GS-23-001146A

The State, Respondent,


vs.

William D. Lewis Appellant.

NOTICE OF INTENT TO APPEAL

William D. Lewis appeals the Order of the Honorable G. Thomas Cooper dated October 24, 2019. This Appeal is filed in the South Carolina Supreme Court pursuant to Rule 203(d)(1)(A)(ii) of the South Carolina Rules of Appellate Practice as the primary issue involved in this appeal is the constitutionality under federal and state constitutions of S. C. Code § 8-1-80.

October 24, 2019



C. Rauch Wise
Attorney at Law
305 Main Street
Greenwood, SC 29646
(864) 229-5010

Attorney for Appellant

OTHER COUNSEL OF RECORD

Kevin S. Brackett
Sixteenth Circuit Solicitor's Office
1675-1A York Highway
York, SC 29745

THE STATE OF SOUTH CAROLINA
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APPEAL FROM GREENVILLE COUNTY
Court of General Sessions
G. Thomas Cooper, Jr., Circuit Court Judge

S.C. SUPREME COURT

Case No 2019-GJS-23-01146A

The State, Respondent,

vs.

William D. Lewis Appellant.

AFFIDAVIT OF SERVICE

PERSONALLY appeared before me Sandy Traynham who, after being duly sworn, deposes and says that she is the Secretary for C. Rauch Wise, Attorney for the Appellant in the above entitled case. That on October 25, 2019, she did deposit in the United States Mail with proper postage affixed thereto, a copy of the Notice of Appeal in the above case addressed to Kevin S. Brackett, Solicitor, Sixteenth Judicial Circuit, 1575-1A York Hwy, York, SC 29745, Greenville County Clerk, Paul B. Wichensimer, Clerk, Greenville County, 305 E. North Street, Ste. 232, Greenville, SC 29601, and Hon G. Thomas Cooper, Jr., P.O. Box 1557, Camden, SC. 29021.

SWORN to and Subscribed

Sandy Traynham

before me this 24th day

of October, 2019.)

C. Rauch Wise (L.S.)

Notary Public for South Carolina

My Commission expires: 12/7/2019

STATE OF SOUTH CAROLINA
COUNTY OF GREENVILLE

INDICTMENT

At a Court of General Sessions, convened on March 19, 2019, the Grand Jurors of Greenville County present upon their oath:

William D. Lewis did, on or about January 3, 2017, through April 17, 2018, commit the crime of Misconduct of a Public Officer. During the above listed dates, William D. Lewis was the Greenville County Sheriff who is a public officer whose authority is limited to the single election district of Greenville County, South Carolina. William D. Lewis committed the crime of misconduct of a public officer by performing acts of official misconduct, habitual negligence, corruption, fraud, or oppression. To wit:

Count One A

William D. Lewis did, from the date he took office through April 24, 2017, misuse public resources and abuse the power and authority of his office for the corrupt purpose of pursuing or facilitating an adulterous relationship;

Count Two B

William D. Lewis, on or about January 11, 2017, committed an act of fraud in violation of State law by falsely asserting to the South Carolina Criminal Justice Academy that a complete background investigation had been performed on Derrick L. Pendergrass;

Count Three C

William D. Lewis throughout his term as Sheriff engaged in official misconduct by disposing of seized assets in violation of law;

Count Four D

William D. Lewis on or about February 2017 through November 2, 2017, committed official misconduct and fraud by equipping an unqualified employee with a badge in violation of State law;

Count Five E

William D. Lewis on or about March 7, 2017, through April 17, 2018, abused the power and authority of his office to oppress and intimidate his employees. These employees were potential witnesses in an investigation into his conduct by the South Carolina Law Enforcement Division (SLED). This

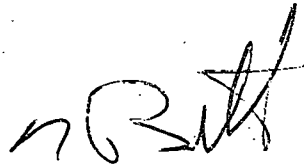
conduct was intended to prevent these potential witnesses from speaking freely during the investigation, thus obstructing the administration of justice; and

Count Six F

William D. Lewis throughout his term as Sheriff committed official misconduct and engaged in corruption by using the Office of Professional Responsibility of the Greenville Sheriff's Department to advance or oppress the careers of deputy sheriffs according to his personal bias rather than their professional performance.

William D. Lewis committed this crime in Greenville County, South Carolina, all in violation of section 8-1-80, *Code of Laws of South Carolina* (1976, as amended).

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



KEVIN S. BRACKETT,
SOLICITOR

WITNESSES

SLED / *AS*

ARREST WARRANT NUMBER

DOB [REDACTED] *AS*

Superseding Indictment

**ACTION OF GRAND JURY
TRUE BILL**

[Signature]

FOREMAN GRAND JURY

Foreperson of Grand Jury

Date:

VERDICT

Foreperson of Petit Jury

Date:

**SUPERSEDING INDICTMENT
DOCKET NO. 2019-GS-23-001146A - F**

**THE STATE OF SOUTH CAROLINA
COUNTY OF GREENVILLE**

COURT OF GENERAL SESSIONS

MARCH 19TH, TERM 2019

THE STATE

VS.

WILLIAM D. LEWIS

INDICTMENT FOR

**MISCONDUCT OF A
PUBLIC OFFICER**

(SIX COUNTS)

SC Code: § 8-1-80

CDR Code: 0115

After being fully advised as to my legal rights, I hereby waive presentment to the Grand Jury.

Defendant

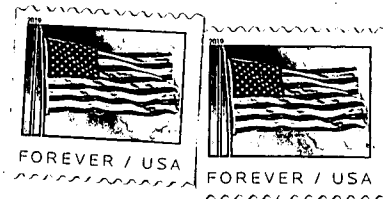
I hereby appear in my own proper person and plead guilty to the within indictment or to

Defendant

Witness:

C.C.C. PLS. AND G.S.

LAW OFFICE OF
C. RAUCH WISE
Attorney & Counselor at Law
305 Main Street
Greenwood, SC 29646



Hon. Daniel E. Shearouse, Clerk.
Supreme Court of South Carolina
P.O. Box 11330
Columbia, SC 29211

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