

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF Georgetown
STATE VS. John Nathan Linen II
AKA:
Race: BLACK Sex: M Age: 37
DOB: SS#:
Address:
City, State, Zip:
DL#: SID#:

INDICTMENT/CASE#: 2017GS2200669
A/W#: 2017A2210500168
Date of Offense: 3/20/2017
S.C. Code § : 16-03-0910
CDR Code #: 0095

RECEIVED
NOV 25 2019
SC Court of Appeals

SENTENCE SHEET

*CDL Yes No CMV Yes No Hazmat Yes No
In disposition of the said indictment comes now the Defendant who was TO: Kidnapping

CONVICTED OF or PLEADS

in violation of § 16-03-0910 of the S.C. Code of Laws, bearing CDR Code # 0095
NON-VIOLENT VIOLENT SERIOUS MOST SERIOUS
Mandatory GPS(CSC §17-25-45 w/minor 1st or Lewd Act)

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

ATTEST: Powell, W. Keith SC Bar# SCB04523 Defendant Edgeworth, William Josh SC Bar# SCB73788 Attorney for Defendant

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 X years and/or to pay a fine of \$ X; provided that upon the service of X days/months/years and/or payment of \$ X; plus costs and assessments as applicable*; the balance is suspended with probation for X 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: 11/14/2019

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.
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 3 columns: Description, Amount, Total. 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) \$ 3.75. TOTAL \$ 128.75

Obtain GED
Attend Voc. Rehab. or Job Corp.
May serve W/E beginning
Substance Abuse Counseling
Random Drug/Alcohol testing
Fine may be pd. in equal, consecutive weekly/monthly pmts. of \$ beginning
\$ paid to Public Defender Fund
Other:
- Without Parole
- No Sex offense or attempted sex offense.

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

Clerk of Court/ Deputy Clerk
Court Reporter: Kaj H. Richardson

Presiding Judge Margaret Culbertson
Judge Code: 2143
Sentence Date: Nov. 14, 2019

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF George Town
STATE VS. John Nathan Linen II
AKA:
Race: BLACK Sex: M Age: 37
DOB: SS#:
Address:
City, State, Zip:
DL#: SID#:

INDICTMENT/CASE#: 2017GS2200670
A/W#: 2017A2210500169
Date of Offense: 3/20/2017
S.C. Code § : 16-23-0490
CDR Code #: 0549

RECEIVED
NOV 25 2019
SC Court of Appeals

SENTENCE SHEET

*CDL Yes No CMV Yes No Hazmat Yes No
In disposition of the said indictment comes now the Defendant who was
TO: Possession of a Firearm During Commission of a Violent Crime

CONVICTED OF or PLEADS

in violation of § 16-23-0490 of the S.C. Code of Laws, bearing CDR Code # 0549
NON-VIOLENT VIOLENT SERIOUS MOST SERIOUS Mandatory GPS(CSC §17-25-45
w/minor 1st or Lewd Act)

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

ATTEST: Powell, W. Keith SCB04523 Defendant Edgeworth, William Josh SCB73788
SC Bar# Attorney for Defendant

WHEREFORE, the Defendant is committed to the State Department of Corrections, County Detention Center,
for a determinate term of 5 days/months/years or under the Youthful Offender Act not to exceed X years
and/or to pay a fine of \$ X; provided that upon the service of X days/months/years and/or payment
of \$ X; plus costs and assessments as applicable*; the balance is suspended with probation for X
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: 11/14/2019
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.
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

Table with 3 columns: Description, Amount, Total. 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) \$ 3.75.

TOTAL \$ 128.75

Random Drug/Alcohol testing
Fine may be pd. in equal, consecutive weekly/monthly
pmts. of \$ beginning
\$ paid to Public Defender Fund
Other:

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

Clerk of Court/ Deputy Clerk
Court Reporter: Kay H. Richardson

Presiding Judge: [Signature]
Judge Code: 2148
Sentence Date: Nov. 14, 2019

COUNTY OF George m
STATE VS.
John Nathan Linen II
AKA:
Race: BLACK Sex: M Age: 38
DOB: SS#:
Address:
City, State, Zip:
DL#: SID#:

INDICTMENT/CASE#: 2017GS0200487
A/W#: 2017A2210500167
Date of Offense: 3/20/2017
S.C. Code § : 16-11-0330(A)
CDR Code #: 0137

RECEIVED
NOV 25 2019
SC Court of Appeals

SENTENCE SHEET

*CDL Yes No CMV Yes No Hazmat Yes No
In disposition of the said indictment comes now the Defendant who was TO: Robbery

CONVICTED OF or PLEADS

in violation of § 16-11-0325 of the S.C. Code of Laws, bearing CDR Code # 0137
NON-VIOLENT VIOLENT SERIOUS MOST SERIOUS Mandatory GPS(CSC §17-25-45 w/minor 1st or Lewd Act)

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

ATTEST: SCB04523 SCB73788
Powell, W. Keith SC Bar# Defendant Edgeworth, William Josh SC Bar#
Attorney for Defendant

WHEREFORE, the Defendant is committed to the State Department of Corrections, County Detention Center,
for a determinate term of 15 days/months/years or under the Youthful Offender Act not to exceed X years
and/or to pay a fine of \$ X; provided that upon the service of X days/months/years and/or payment
of \$ X; plus costs and assessments as applicable*; the balance is suspended with probation for X
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: 11/14/2019
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.
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 3 columns: Description, Amount, Total. 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) \$ 3.75. TOTAL \$ 128.75

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

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

Clerk of Court/ Deputy Clerk
Court Reporter: Kay H. Richardson

Presiding Judge: Margaret T. Caldwell
Judge Code: 2148
Sentence Date: Nov. 14, 2019

WITNESSES

Georgetown County Sheriff's Office

DOCKET NO. 2017-GS-22-00669

The State of South Carolina

County of Georgetown

W. Keith Powell

17G00257

COURT OF GENERAL SESSIONS

MAY, 2017 TERM

RECEIVED

NOV 25 2019

SC Court of App

ARREST WARRANT NUMBER

2017A2210500168

CDR: 0095 §16-03-0910

DOI: 3/20/2017

THE STATE

vs.

JOHN NATHAN LINEN II

DOB:

SSN: (

B / M

ACTION OF GRAND JURY

TRUE BILL

ATTORNEY: Wyn Bessent

Indictment for

KIDNAPPING

Jimmy A. Richardson, II, Solicitor

person of Grand Jury

Date:

5-31-17

VERDICT

Foreperson of Petit Jury

Date:

WITNESSES

Georgetown County Sheriff's Office

DOCKET NO. 2017-GS-22-00670

The State of South Carolina

County of Georgetown

W. Keith Powell

17G00257

COURT OF GENERAL SESSIONS

MAY, 2017 TERM

ARREST WARRANT NUMBER

2017A2210500169

CDR: 0549 §16-23-0490

DOI: 3/20/2017

THE STATE

vs.

JOHN NATHAN LINEN II

DOB:

SSN:

B / M

RECEIVED

NOV 25 2019

SC Court of Appeals

ACTION OF GRAND JURY

TRUE BILL

ATTORNEY: Wyn Bessent

Indictment for

POSSESSION OF A WEAPON
DURING THE COMMISSION
OF A VIOLENT CRIME

Jimmy A. Richardson, II, Solicitor

person of Grand Jury

Date:

5-31-17

VERDICT

Foreperson of Petit Jury

Date:

WITNESSES

Georgetown County Sheriff's Office

DOCKET NO. 2017-GS-22-00487

**The State of South Carolina
County of Georgetown**

W. Keith Powell

17G00257

COURT OF GENERAL SESSIONS

MAY, 2017 TERM

ARREST WARRANT NUMBER

2017A2210500167

CDR: 0139 §16-11-0330(A)

DOI: 3/20/2017

THE STATE

vs.

JOHN NATHAN LINEN II

DOB:

SSN:

B / M

ACTION OF GRAND JURY

TRUE BILL

ATTORNEY: Wyn Bessent

Indictment for

ARMED ROBBERY

Jimmy A. Richardson, II, Solicitor

RECEIVED

NOV 25 2019

SC Court of Appeals

Wyn Bessent
person of Grand Jury
Date: 5-31-17

VERDICT

Foreperson of Petit Jury
Date:

ARREST WARRANT

2017A2210500167

STATE OF SOUTH CAROLINA

Georgetown

Georgetown

THE STATE 17007565

against

John Nathan Linen, II

Address:

Phone: SSN:

Sex: M Race: B Height: 5 10 Weight: 185

DL: SC DL #:

DOB: Agency ORI #: SC0220000

Prosecuting Agency: Georgetown County Sheriff

Prosecuting Officer: William J Magann - S00056

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

DE:

RETURN

A copy of this arrest warrant was delivered to defendant JOHN NATHAN LINEN II on 3-20-17

Signature of Constable/Law Enforcement Officer

RETURN WARRANT TO:

General Sessions P. O. Box 479 401 Cleland Street, Room 115 Georgetown SC 29442

MAR 29 2017

Signature of Issuing Judge

Isaac Lester Pyatt

Judge Code: 5899

(L.S.)

Judge's Address 333 Cleland Street Georgetown, SC 29442

Judge's Telephone (843)545-3381

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

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STATE OF SOUTH CAROLINA

[X] County/ [] Municipality of

Georgetown

Personally appeared before me the affiant William J Magann

being duly sworn deposes and says that defendant John Nathan Linen, II

did within this county and state on or about 3/20/2017 violate the criminal laws of the

State of South Carolina (or ordinance of [X] County/ [] Municipality of Georgetown)

in the following particulars:

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

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

On or about March 20th 2017 located in Plantersville section of Georgetown County, the defendant, John Linen did commit the act of armed robbery of the victim Tyesha Sparkman while she was acting as clerk for Dollar General located at 8003 North Fraser St. During the commission of the crime the defendant presented a firearm and demanded the all available monies from the cash register. The defendant then took the victim into storage room area and mechanically restrained her to a chair preventing her from calling for help. The defendant was positively identified through a sled produced lineup. This being against the peace and dignity of the State of South Carolina and a violation of SC code of law 16-11-0330(A). Inv. J. Magann Case# 17007565

Signature of Affiant

STATE OF SOUTH CAROLINA

[X] County/ [] Municipality of

Georgetown

Affiant's Address 430 N. Fraser Street

Georgetown, SC 29440

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 3/20/2017 defendant John Nathan Linen, II

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

[X] County/ [] Municipality of Georgetown) as set forth below.

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

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

Sworn to and subscribed before me

on 3/20/2017

Judge's Address 333 Cleland Street

Georgetown, SC 29442

Judge's Telephone (843)545-3381

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

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AFFIDAVIT

AAR

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

RECEIVED

NOV 25 2019

SC Court of Appeals

ARREST WARRANT

2017A2210500168 ✓

STATE OF SOUTH CAROLINA

County/ Municipality of

Georgetown

2017 MAR 28 PM 4:02

ATHE STATE WHITE
CLERK OF COURT

17007565

John Nathan Linen, II

Address:

Sex: M Race: B Height: 5 10 Weight: 185

DL #: SC DL #: _____

DOB: _____ Agency ORI #: SC0220000

Prosecuting Agency: Georgetown County Sheriff

Prosecuting Officer: William J Magann - S00056

Offense: Kidnapping / Kidnapping

Offense Code: 0095

Code/Ordinance Sec: 16-03-0910

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

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

(L.S.)

Signature of Judge

RETURN

A copy of this arrest warrant was delivered to defendant John Nathan Linen II on 3-20-17

Signature of Constable/Law Enforcement Officer

RETURN WARRANT TO:

General Sessions
P. O. Box 479
401 Cleland Street, Room 115
Georgetown SC 29442

MAR 29 2017

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STATE OF SOUTH CAROLINA)
 County/ Municipality of)
Georgetown)

AFFIDAVIT

ORIGINAL

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

#17 G00257
AAR

Personally appeared before me the affiant William J Magann who

being duly sworn deposes and says that defendant John Nathan Linen, II

did within this county and state on or about 3/20/2017 violate the criminal laws of the

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

in the following particulars:

DESCRIPTION OF OFFENSE: Kidnapping / Kidnapping

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

On or about March 20th 2017 located in Plantersville section of Georgetown County, the defendant, John Linen did confine with the victim Tyesha Sparkman without her consent and the authority of law while the victim was being held against her will and mechanically restrained her to a chair during the commission of an armed robbery. The defendant was positively identified through a sled produced lineup. This being against the peace and dignity of the State of South Carolina and a violation of SC code of law 16-03-0910. Inv. J. Magann Case# 17007565

Signature of Affiant

STATE OF SOUTH CAROLINA)
 County/ Municipality of)
Georgetown)

Affiant's Address 430 N. Fraser Street

Georgetown, SC 29440-

Affiant's Telephone _____

RECEIVED

NOV 25 2019

SC Court of Appeals

ARREST WARRANT

TO ANY LAW ENFORCEMENT OFFICER OF THIS STATE OR MUNICIPALITY OR ANY CONSTABLE OF THIS COUNTY:

It appearing from the above affidavit that there are reasonable grounds to believe that

on or about 3/20/2017 defendant John Nathan Linen, II

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

County/ Municipality of Georgetown) as set forth below:

DESCRIPTION OF OFFENSE: Kidnapping / Kidnapping

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

Sworn to and subscribed before me on 3/20/2017

Signature of Issuing Judge Isaac Lester Pyatt (L.S.)
Judge's Address 333 Cleland Street
Georgetown, SC 29442

Judge's Telephone (843)545-3381

Issuing Court: Magistrate Municipal Circuit

Judge Code: 5899

ORIGINAL

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ARREST WARRANT

2017A2210500169 ✓

STATE OF SOUTH CAROLINA

County/ Municipality of

Georgetown

2017 MAR 28 PM 4:03

THE STATE OF SOUTH CAROLINA
against ALMA Y. WHITE
CLERK OF COURT 17007565

John Nathan Linen, II

Address:

Phone: SSN:

Sex: M Race: B Height: 5 10 Weight: 185

DL #: SC DL #:

DOB: Agency ORI #: SC0220000

Prosecuting Agency: Georgetown County Sheriff

Prosecuting Officer: William J Magann - S00056

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

Offense Code: 0549

Code/Ordinance Sec: 16-23-0490

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

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

(L.S.)

Signature of Judge

RETURN

A copy of this arrest warrant was delivered to defendant JOHN Nathan Linen II on 3-20-17

Signature of Constable/Law Enforcement Officer

RETURN WARRANT TO:

General Sessions
P. O. Box 479
401 Cleland Street, Room 115
Georgetown, SC 29442

MAR 29 2017

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ORIGINAL

ORIGINAL

STATE OF SOUTH CAROLINA)
 County/ Municipality of)
Georgetown)

AFFIDAVIT

ORIGINAL

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

17G00257

Personally appeared before me the affiant William J Magann who being duly sworn deposes and says that defendant John Nathan Linen, II did within this county and state on or about 3/20/2017 violate the criminal laws of the State of South Carolina (or ordinance of County/ Municipality of Georgetown) in the following particulars:

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

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

On or about March 20th 2017 located in Plantersville section of Georgetown County, the defendant, John Linen did commit the act of armed robbery of the victim Tyesha Sparkman while she was acting as clerk for Dollar General located at 8003 North Fraser St. During the commission of an armed robbery a violent crime the defendant presented a firearm to the victim and demanded all available monies in the cash register. The defendant was positively identified through a sled produced lineup. The defendant was positively identified through a sled produced lineup. This being against the peace and dignity of the State of South Carolina and a violation of SC code of law 16-23-0490. Inv. J. Magann Case# 17007565

Signature of Affiant

STATE OF SOUTH CAROLINA)
 County/ Municipality of)
Georgetown)

Affiant's Address 430 N. Fraser Street
Georgetown, SC 29440-
Affiant's Telephone

RECEIVED

NOV 25 2019

SC Court of Appeals

ARREST WARRANT

TO ANY LAW ENFORCEMENT OFFICER OF THIS STATE OR MUNICIPALITY OR ANY CONSTABLE OF THIS COUNTY:

It appearing from the above affidavit that there are reasonable grounds to believe that

on or about 3/20/2017 defendant John Nathan Linen, II did violate the criminal laws of the State of South Carolina (or ordinance of County/ Municipality of Georgetown) as set forth below:

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

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

Sworn to and subscribed before me on 3/20/2017

Signature of Issuing Judge Isaac Lester Pyatt (L.S.)

Isaac Lester Pyatt
Judge Code: 5899

Judge's Address 333 Cleland Street
Georgetown, SC 29442
Judge's Telephone (843)545-3381

Issuing Court: Magistrate Municipal Circuit

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STATE OF SOUTH CAROLINA) IN THE COURT OF GENERAL SESSIONS
COUNTY OF GEORGETOWN) OF THE FIFTEENTH JUDICIAL CIRCUIT

STATE OF SOUTH CAROLINA)

VS.)

ORDER
APPOINTING CONFLICT
ATTORNEY
PURSUANT TO
RULE 608 SCACR

JOHN LINEN, II
DEFENDANT

RECEIVED

NOV 25 2019

SC Court of Appeals

FILE NO: 22A17-00001730

FILED
GEORGETOWN COUNTY, S.C.
2018 MAR 22 PM 2: 16
ALEX Y WHITE
CLERK OF COURT

This matter comes before me regarding appointment of counsel for the defendant, pursuant to Rule 608 SCACR. The defendant was arrested for the offense(s) of:

- 2017A2210500167 Robbery / Armed Robbery, robbery while armed or allegedly armed with a deadly weapon
- 2017A2210500168 Kidnapping / Kidnapping
- 2017A2210500169 Weapons / Poss. weapon during violent crime, if not also sentenced to life without parole or death
- 2017A2210500170 Weapons / Possession of Firearm or Ammunition by person convicted of violent felony

It appears that there is a conflict with the staff of the Office of the Public Defender. After hearing from the Office of the Public Defender, the Court finds that the defendant is eligible for court-appointed counsel based on the attached Certificate of Representation. Inasmuch as a conflict exists with the Office of Public Defender, the Court must appoint a private attorney for the above list defendant.

The defendant is placed on notice that Defense of Indigents Act as contained in S.C. Code 17-3-30 (A), (1993 as amended), requires defendant to pay Forty (40.00) Dollars to the Clerk of Court for the services of the Public Defender.

IT IS ORDERED that, pursuant to Rule 608 SCACR, the following attorney is appointed to represent the defendant on the above-referenced offense(s):

1
BHC

William Josh Edgeworth
Attorney At Law
10698 OCEAN HIGHWAY SUITE 213
Pawleys Island 29585

PHONE: (843)799-1020

AND IT IS SO ORDERED.

DATED: *March 8, 2018*

CONWAY, SC

Margaret Culbertson

JUDGE
FIFTEENTH JUDICIAL CIRCUIT
COURT OF GENERAL SESSIONS
FIFTEENTH JUDICIAL CIRCUIT

NOTICE: SC Supreme Court Order of September 29, 2006, requires appointed counsel entitled to payment from the Office of Indigent Defense (OID) to register the case online within fifteen (15) days of this appointment at www.sccid.sc.gov and further directs that reimbursement vouchers be submitted directly to SCCID and not to the trial judge or the clerk of court. See SCCID website for further details. 03/07/2018

Please indicate appointment was pursuant to Rule 608 SCACR

STATE OF SOUTH CAROLINA)
COUNTY OF GEORGETOWN)

IN THE COURT OF GENERAL SESSIONS
OF THE FIFTEENTH JUDICIAL CIRCUIT

STATE OF SOUTH CAROLINA)

CERTIFICATE OF REPRESENTATION
(APPOINTING AS COUNSEL)

-VS-

ATTORNEY: William Josh Edgeworth

JOHN LINEN, II

DEFENDANT)
_____)

FILE NO: 22A17-00001730

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

FILED
GEORGETOWN COUNTY, S.C.
2018 MAR 22 PM 2:16
ALLEN Y. WHITE
CLERK OF COURT

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

- 2017A2210500167 Robbery / Armed Robbery, robbery while armed or allegedly armed with a deadly weapon
- 2017A2210500168 Kidnapping / Kidnapping
- 2017A2210500169 Weapons / Poss. weapon during violent crime, if not also sentenced to life without parole or death
- 2017A2210500170 Weapons / Possession of Firearm or Ammunition by person convicted of violent felony

The Defendant's Counsel is
William Josh Edgeworth
Attorney At Law
10698 OCEAN HIGHWAY SUITE 213
Pawleys Island 29585

PHONE: (843)799-1020

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

GEORGETOWN, SC
DATE: March 07, 2018

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PAC

STATE OF SOUTH CAROLINA)
COUNTY OF GEORGETOWN)

IN THE COURT OF GENERAL SESSION
OF THE FIFTEENTH JUDICIAL CIRCUIT

STATE OF SOUTH CAROLINA)

NOTICE AND MOTION FOR PRODUCTION
OF SPECIFIC EVIDENCE AND
DISCLOSURE OF WITNESSES
AND REQUEST FOR A SPEEDY TRIAL

-VS-

JOHN LINEN, II

ATTORNEY: WILLIAM JOSH EDGEWORTH

DEFENDANT

WARRANTS: 2017A2210500167; 2017A2210500168; 2017A2210500169
2017A2210500170

FILE NO: 22A17-00001730

SSN: 075-66-7649

TO: SOLICITOR FOR THE FIFTEENTH JUDICIAL CIRCUIT

FILED
2019 MAR 22 PM 2:16
CLERK OF COURT
GEORGETOWN COUNTY, S.C.

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.
 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.

This information is requested pursuant to Rule 5 of the South Carolina Rules of Criminal Procedure. This information is further requested pursuant to Brady vs Maryland, 373 U.S. 383, 10 L. Ed. 2d 215, 83 S. Ct. 1194 (1963), U.S. vs Agurs, 427 U.S. 97, 49 L Ed 2nd 342, 96 S. Ct. 2392 1976, State vs Mixon 274 S.E. 2nd 406 (1981). 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.

ADDITIONALLY DEFENDANT REQUESTS A SPEEDY TRIAL:

The Defendant demands that he be indicted and tried during the next term of General Sessions Court in this County pursuant to his right to a speedy trial under the United States and the South Carolina Constitutions and under 17-23-90. Pursuant to 17-23-90, the defendant requests that if the defendant "shall not be indicted and tried the second term after his commitment.... he shall be discharged from his imprisonment".

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
PUBLIC DEFENDER
FIFTEENTH CIRCUIT

GEORGETOWN, SOUTH CAROLINA
DATE: March 07, 2018