



*Cherise
Kotler Exhibit
(A)*

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S.C. SUPREME COURT

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DATED 11/7/2019

THE COURT: Very good. Mr. Durant, I'm going to have some discussion with you or your lawyer here momentarily. And but you've heard what Mr. Clements has said about the facts of this case, and I'm going to ask you about that momentarily.

But before that, Mr. Smith, you represent Mr. Durant?

MR. SMITH: Yes, Your Honor, I do.

THE COURT: Have you explained to him the offense of murder, the fact that he could receive up to life imprisonment for this, the fact that there's a minimum mandatory 30 years, the elements of the offense itself, potential defenses, and his constitutional rights?

MR. SMITH: Yes, Your Honor, I have.

THE COURT: And does he understand these things?

MR. SMITH: He does.

THE COURT: How does he wish to plead?

MR. SMITH: Guilty.

THE COURT: You agree with his decision to do so?

MR. SMITH: I do.

THE COURT: Do you feel if called upon to do so the State could prove him guilty beyond a

And Mr. Durant, on indictment
2009-GS-21-1584 on the offense of murder, the
sentence of the Court is that you be committed to
the State Department of Corrections for a period of
43 years and you're given 797 days credit for time
served. Good luck to you.

* * * END OF REQUESTED TRANSCRIPT OF RECORD * * *

reasonable doubt?

MR. SMITH: Yes, Your Honor, I do.

THE COURT: Have you explained to him the collateral consequences of this plea and the fact that it's a violent offense, would adversely affect his custody status, the fact that it's a most serious offense subject to the two and three strike rules of this state, and the fact that he perhaps, most importantly, the fact he'll have to serve this sentence day for day subject to the 85 percent rule?

MR. SMITH: Yes, sir, I have. Once when it was just he and I and again, when his sister and his brother-in-law joined us. And I believe he fully understands all of those different classifications and collateral consequences.

THE COURT: Very good. And he understands that this is a non-parolable offense and when and if he ever gets out of the incarceration that he would be subjected to community supervision?

MR. SMITH: Yes, sir.

THE COURT: All right. Let's place Mr. Durant under oath if we could.

CLERK OF COURT: Please raise your right hand.

WHEREUPON,

Chamber
Forbes Exhibit
(E)

CERTIFICATE OF REPORTER

STATE OF SOUTH CAROLINA)
COUNTY OF FLORENCE)

I, FRANCES BAKIS-RAY, Registered Professional Reporter (RPR), court reporter for the State of South Carolina, Twelfth Judicial Circuit, do hereby certify that the foregoing proceeding is a stenographic report and was transcribed through computer-aided transcription; that the foregoing transcript contains a true record of the proceedings.

I further certify that I am neither counsel for, nor related to nor employed by any of the parties connected to the action, nor am I financially interested in the action.

Witness my hand at Florence, South Carolina, this 20th day of March, 2012.

Frances B. Ray
FRANCES BAKIS-RAY, RPR