

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF Horry VS. STATE

Dwayne Lamont Geddis

AKA:

Race: BLACK Sex: M Age: 36

DOB: SS#:

Address:

City, State, Zip:

DL#: SID#:

*CDL Yes No CMV Yes No Hazmat Yes No

In disposition of the said indictment comes now the Defendant who was TO: Possession With Intent To Distribute Cocaine Base, 1st Offense

INDICTMENT/CASE#: 2020GS160012

A/W#: 2019A2620601797

Date of Offense: 5/30/2019

S.C. Code § : 44-53-0375(B)(1)

CDR Code #: 3014

RECEIVED APR 30 2020 COURT OF APPEALS

SENTENCE SHEET

CONVICTED OF or PLEADS (0-15 yr +/or \$25,000)

in violation of § 44-53-0375 (B) (1) of the S.C. Code of Laws, bearing CDR Code # 3014 [X] NON-VIOLENT [] VIOLENT [] SERIOUS [] MOST SERIOUS [] Mandatory GPS(CSC w/minor 1st or Lewd Act) [] §17-25-45

The charge is: [] As Indicted, [] Lesser Included Offense, [X] Defendant Waives Presentment to Grand Jury. (defendant's initials) The pleas: [] Without Negotiations or Recommendation, [X] Negotiated Sentence, Recommendation by the State.

ATTEST: Ryan M. Waller, SCB77524 SC Bar# Dwayne Geddis, Defendant, Sharde Crawford, Attorney for Defendant, SCB100518 SC Bar#

WHEREFORE, the Defendant is committed to the [X] State Department of Corrections, [] County Detention Center, for a determinate term of 320 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: [X] 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 § 16-25-135. 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. May serve W/E beginning

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/ca, 3% to County (if paid in installments) \$8.25.

TOTAL \$283.25 + 40.00 = 323.25

Clerk of Court/ Deputy Clerk: Renee Elvis, Court Reporter: Grace Hurley

Substance Abuse Counseling [] Random Drug/Alcohol testing [] Fine may be pd. in equal, consecutive weekly/monthly pmts. of \$ 25.00 beginning 5/15/2020 \$ 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.

Presiding Judge: [Signature], Judge Code: [Blank], Sentence Date: 4/15/2020

FILED APR 15 PM 1:10 CLERK OF COURT Horry County, SC

320 days

STATE OF SOUTH CAROLINA

COUNTY OF Horry
STATE VS.

Dwayne Lamont Geddis

AKA: _____

Race: BLACK Sex: M Age: 36

DOB: _____ SS#: _____

Address: _____

City, State Zip: _____

DL#: _____ SID#: _____

*CDL Yes No CMV Yes No Hazmat Yes No

In disposition of the said indictment comes now the Defendant who was TO: Possession With Intent To Distribute Heroin, 1st offense

IN THE COURT OF GENERAL SESSIONS

INDICTMENT/CASE#: 2019GS2604164

A/W#: 2019A2620601372

Date of Offense: 5/3/2019

S.C. Code § : 44-53-0370(b)(1)

CDR Code #: 0183

RECEIVED
APR 30 2020
SC COURT of Appeals

SENTENCE SHEET

(0-15 yr +/per \$ 25,000)

in violation of § 44-53-0370(b)(1) of the S.C. Code of Laws, bearing CDR Code # 0183
 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, DG (defendant's initials)
The plea is: Without Negotiations or Recommendation, Negotiated Sentence, Recommendation by the State, TS

ATTEST: Ryan M. Waller SCB77524 Dwayne Geddis SCB100518
Waller, Ryan M. SC Bar# Defendant Crawford, Sharde D. SC Bar#
Attorney for Defendant

WHEREFORE, the Defendant is committed to the State Department of Corrections, County Detention Center, for a determinate term of 289 (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: Time served deduction of 289 days

The Defendant is to be given credit for time served pursuant to S.C. Code §24-13-40 to be calculated and applied by SODOC.
 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 _____ days/hours Public Service-Employment

Total: \$ _____ plus 20% fee: \$ _____
Payment Terms: _____
 Set by SCDPPPS _____

*Fine:		\$
§14-1-206 (Assessments 107.5 %)		\$
§14-1-211(A)(1) (Conv. Surcharge)	\$100	\$ 100.00
§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	\$ 25.00
§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 \$ 25.00 beginning 5/15/2020

\$ _____ 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.

FILED
2020 APR 15 PM 2:10
RENEE M. ELVIS
CLERK OF COURT
HORRY COUNTY, SC
CERTIFIED COPY

Clerk of Court/ Deputy Clerk: Renee Davis
Court Reporter: Grace Hurley

Presiding Judge: _____
Judge Code: _____
Sentence Date: 4/15/2020

DOCKET NO. 2019GS2604159

WITNESSES

Ryan R Alvarado Myrtle Beach Police Department

Lester Cook

**The State of South Carolina
County of Horry**

Ryan M. Waller

18H02852

COURT OF GENERAL SESSIONS

August, 2019 TERM

ARREST WARRANT NUMBER

2019A2620601626

CDR: 3014 §44-53-0375 (B) (1)

DOA: 5/21/2019

THE STATE

vs.

Dwayne Lamont Geddis
B/ M

DOB: [REDACTED]
SSN: [REDACTED]

ACTION OF GRAND JURY

AUG 21 2019

TRUE BILL

ATTORNEY:

Foreperson of Grand Jury
Date:

VERDICT

Indictment for

**Possession With Intent To Distribute Cocaine
Base**

Jimmy A. Richardson, II, Solicitor

Foreperson of Petit Jury
Date:

RENEE N. ELVIS
CLERK OF COURT
HORRY COUNTY, SC

CERTIFIED COPY

ORIGINAL

RECEIVED
APR 30 2020
SC Court of Appeals

STATE OF SOUTH CAROLINA)
)
COUNTY OF Horry)

INDICTMENT

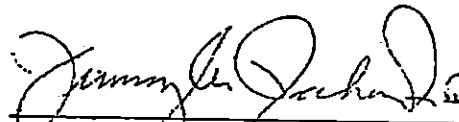
At a Court of General Sessions, convened on August 21, 2019, the Grand Jurors of Horry County present upon their oath:

POSSESSION WITH INTENT TO DISTRIBUTE COCAINE BASE

CDR: 3014 §44-53-0375(B)(1)

That Dwayne Lamont Geddis did in Horry County on or about May 21, 2019, possess with intent to distribute, a quantity of Cocaine Base, a controlled substance under the provisions of Section 44-53-110, et seq., Code of Laws of South Carolina, 1976, as amended, such distribution not having been authorized by law, and being in violation of Section 44-53-375(B), 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

RENEE M. ELVIS
CLERK OF COURT
HORRY COUNTY, SC

CERTIFIED COPY

DOCKET NO. 2019GS2804162

The State of South Carolina
County of Horry

Ryan M. Waller

19H02852

COURT OF GENERAL SESSIONS

August, 2019 TERM

THE STATE

vs.

Dwayne Lamont Geddis
B/ M

DOB: [REDACTED]
SSN: [REDACTED]

ATTORNEY:

Indictment for
Trafficking in Heroin

Jimmy A. Richardson, II, Solicitor

ORIGINAL

WITNESSES

Ryan R Alvarado Myrtle Beach Police Department

Leslie Cook

ARREST WARRANT NUMBER

2019A2620601627

CDR: 2361 §44-53-0370(e)(3)(a)1

DOA: 5/21/2019

ACTION OF GRAND JURY

AUG 21 2019

TRUE BILL

Foreperson of Grand Jury

Date:

VERDICT

RENEE M. ELVIS
CLERK OF COURT
HORRY COUNTY, SC

Foreperson of Petit Jury

Date:

SC Court of Appeals

APR 30 2020

RECEIVED

STATE OF SOUTH CAROLINA)
)
COUNTY OF HORRY)

INDICTMENT

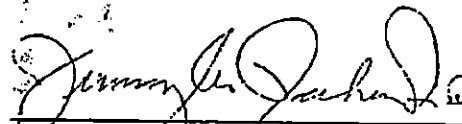
At a Court of General Sessions, convened on August 21, 2019, the Grand Jurors of Horry County present upon their oath:

TRAFFICKING IN HEROIN

CDR: 2361 §44-53-0370(e)(3)(a)1

That Dwayne Lamont Geddis did in Horry County on or about May 21, 2019 sell, deliver, purchase, or bring into this state, or did aid, abet, attempt or conspire to sell, deliver, purchase or bring into this state, or was knowingly in actual or constructive possession of a quantity of Heroin in an amount of four grams or more but less than fourteen grams, same being a controlled substance all within the meaning of Section 44-53-110, et. seq., S. C. Code of Laws, 1976, as amended, in violation of Section 44-53-0370(e)(3), S. C. Code of Laws, 1976, as amended, for the crime of Trafficking.

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

RENEE N. ELYS
CLERK OF COURT
HORRY COUNTY, SC

CERTIFIED COPY

ARREST WARRANT

2019A2620601797

STATE OF SOUTH CAROLINA

County/ Municipality of

Myrtle Beach

THE STATE

19011202

against

Dwayne Lamont Geddis

Address:

Phone:

SSN:

Sex: M Race: B Height: 5 9 Weight: 137

DL State: DL #:

Agency ORI#: SC0260600

Prosecuting Agency: Myrtle Beach Police Department

Prosecuting Officer: Jackson S Lange - S01083

Offense: Drugs / Manufacture, distribution, etc. of cocaine base, 1st

Offense Code: 3014

Code/Ordinance Sec: 44-53-0375(B)(1)

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 Dwayne Lamont Geddis

on 5-30-19

RETURN WARRANT TO:

General Sessions

PO Box 677

1301 2nd Avenue

Conway, SC 29528

ORIGINAL

ORIGINAL

STATE OF SOUTH CAROLINA

County/ Municipality of

Myrtle Beach

Personally appeared before me the affiant Jackson S Lange

being duly sworn deposes and says that defendant Dwayne Lamont Geddis

did within this county and state on or about 5/30/2019

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

In the following particulars:

DESCRIPTION OF OFFENSE: Drugs / Manufacture, distribution, etc. of cocaine base, 1st

ORIGINAL

AFFIDAVIT

Form Approved by S.C. Attorney General April 21, 2003 SCCA 510

FILED

AM 8:31

RENEE H. ELVIS CLERK OF COURT Horry County, SC

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 05-30-2019 Affiant conducted a traffic stop in the area of 101 Flagg St, which is within the city limits of Myrtle Beach. The defendant was the driver of the vehicle. While conducting the stop the Affiant was able to see narcotics within plain view, center console area, which lead to the search of the vehicle. Through the search the Affiant located a white rock like substance. The white rock like substances weighed of 1.3 grams and field tested positive for the presence of cocaine. Furthermore, several different types of narcotics were located, as well as 1 digital scales; all of which are consistent with the illicit sales of narcotics. Based on the aforementioned facts, the affiant believes there is sufficient probable cause that the defendant did commit the crime of Possession with Intent to Distribute Crack Cocaine.

Signature of Affiant

STATE OF SOUTH CAROLINA

County/ Municipality of

Myrtle Beach

Affiant's Address 1101 Oak Street

Myrtle Beach, SC 29577-

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

on or about 5/30/2019 defendant Dwayne Lamont Geddis

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

County/ Municipality of Myrtle Beach

) as set forth below:

DESCRIPTION OF OFFENSE: Drugs / Manufacture, distribution, etc. of cocaine base, 1st

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 5/30/2019

Signature of Issuing Judge

Amy Heather Sutter

Judge Code: 6840

(L.S.)

Judge's Address 1101 Oak Street

Myrtle Beach, SC-29577-3599

Judge's Telephone (843)918-1356

Issuing Court: Magistrate

Municipal

Circuit

ORIGINAL

ORIGINAL

ORIGINAL

ORIGINAL

ORIGINAL

RECEIVED APR 30 2020 SC Court of Appeals

ARREST WARRANT

2019A2620601626

STATE OF SOUTH CAROLINA

County/ Municipality of

Myrtle Beach

THE STATE

19-010016

against

Dwayne Lamont Geddis

Address:

Phone:

SSN:

Sex: M Race: B Height: 5'9 Weight: 134

DL State: SC DL #: Agency ORI #: SC0260600

Prosecuting Agency: Myrtle Beach Police Department

Prosecuting Officer: Ryan R. Alvarado - S00241

Offense: Drugs / Manufacture, distribution, etc. of cocaine

base, 1st (PWID Crack Cocaine)

Offense Code: 3014

Code/Ordinance Sec: 44-53-0375(B)(1)

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 Dwayne Lamont Geddis

on 5/21/19

Signature of Constable or Other 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

Myrtle Beach

Personally appeared before me the affiant Ryan R. Alvarado

being duly sworn deposes and says that defendant Dwayne Lamont Geddis

did within this county and state on or about 5/21/2019 violates the criminal laws of the

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

in the following particulars:

DESCRIPTION OF OFFENSE: Drugs / Manufacture, distribution, etc. of cocaine base, 1st (PWID Crack Cocaine)

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 05/21/2019 the affiant in this case conducted a traffic stop near 7th Ave N and Flagg St, which is located within city limits, for tag lights that were not functioning. The defendant was the only occupant and the driver of the vehicle. The defendant placed under arrest for a separate charge. During search incident to arrest a small bag with white powdery substance was located in the defendant's hat and an inventory of the vehicle revealed a small black box with bags of white rock substance in it. It field tested positive for Cocaine. The total weight of the Crack Cocaine was 2.2 grams. Due to the above facts the affiant believes there to be probable cause to charge the defendant with Possession with intent to deliver Crack Cocaine.

Signature of Affiant

STATE OF SOUTH CAROLINA

County/ Municipality of

Myrtle Beach

Affiant's Address 1101 Oak Street

Myrtle Beach, SC 29577-

Affiant's Telephone (843)918-1382

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 5/21/2019 defendant Dwayne Lamont Geddis

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

County/ Municipality of Myrtle Beach) as set forth below.

DESCRIPTION OF OFFENSE: Drugs / Manufacture, distribution, etc. of cocaine base, 1st (PWID Crack Cocaine)

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 5/21/2019

Signature of Issuing Judge

Stacy Horscholder

Judge Code 8235

Judge's Address 1101 Oak Street

Myrtle Beach, SC 29577-

Judge's Telephone (843)918-1356

Issuing Court: Magistrate Municipality

Circuit

ORIGINAL

ORIGINAL

ORIGINAL

ORIGINAL

ORIGINAL

ORIGINAL

AFFIDAVIT

FILED

STATE OF SOUTH CAROLINA
S.C. Attorney General
April 21, 2003
GCCA 510

APR 30 2020

Myrtle Beach, SC
CLERK OF COURT
MYRTLE BEACH COUNTY, SC

RECEIVED
APR 30 2020
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)
V.)
DWAYNE GEDDIS)

NOTICE OF SUBSTITUTION
OF COUNSEL
PUBLIC DEFENDER TO PUBLIC DEFENDER

DEFENDANT)

NEW ATTORNEY: Sharde D. Crawford

File No. 26A19-00002480

RECEIVED

APR 30 2020

To: Court of General Sessions of the Fifteenth Judicial Circuit
Office of the Solicitor
Appointed Counsel
Defendant

SC Court of Appeals

Please be advised that Martin Spratlin, Public Defender for the above named defendant in the above-captioned matter has been replaced by Sharde D. Crawford, Public Defender:

Sharde D. Crawford
203 Laurel Street
P.O. Box 1666
Conway, SC 29526
Phone: 843-915-5385
Fax: 843-915-6385

RENEE H. ELYS
CLERK OF COURT
HORRY COUNTY, SC.

2020 JAN 21 PM 1: 35

FILED

On the offense(s) listed below:

2019A2620601797 Drugs / manufacture, distribution, etc. of cocaine base, 1st

2019A2620601626 Drugs / manufacture, distribution, etc. of cocaine base, 1st

2019A2620601627 Drugs / Trafficking in Heroin, morph., etc., 4 g or more, but less than 14 g - 1st offense

Respectfully Submitted,

Orrie E. West

Conway, South Carolina

ORRIE E. WEST
CHIEF PUBLIC DEFENDER
203 Laurel St.
P.O. Box 1666
Conway, South Carolina 29526

January 16, 2020

RENEE H. ELYS
CLERK OF COURT
HORRY COUNTY, SC.

CERTIFIED COPY

STATE OF SOUTH CAROLINA)
COUNTY OF HORRY)

IN THE COURT OF GENERAL SESSIONS
OF THE FIFTEENTH JUDICIAL CIRCUIT

STATE OF SOUTH CAROLINA)

AMENDED
CERTIFICATE OF REPRESENTATION
(APPOINTING AS COUNSEL)

-VS-

DWAYNE GEDDIS

MARTIN SPRATLIN

DEFENDANT)

RECEIVED

FILE NO: 26A19-00002480

APR 30 2020

SC Court of Appeals

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

FILED
2019 AUG 21 AM 9:02
RENEE H. ELVIS
CLERK OF COURT
HORRY COUNTY, SC

This certifies that the above captioned Defendant is eligible for the services of the Public Defender, such determination having been made on, 11th day of June, 2019, regarding the charge(s) of:

- 2019A2620601797 Drugs / manufacture, distribution, etc. of cocaine base, 1st
- 2019A2620601626 Drugs / manufacture, distribution, etc. of cocaine base, 1st
- 2019A2620601627 Drugs / Trafficking in Heroin, morph., etc., 4 g or more, but less than 14 g - 1st offense

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: August 12, 2019

RENEE H. ELVIS
CLERK OF COURT
HORRY COUNTY, SC

CERTIFIED COPY

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

DWAYNE L. GEDDIS)
DEFENDANT)
_____)

RECEIVED

APR 30 2020

SC Court of Appeals

FILE NO: 26A19-00002480

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.

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2019 JUN 18 PM 4:07
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CLERK OF COURT
HORRY COUNTY
SC
GENERAL SESSION
COURT
HORRY COUNTY
SC
CERTIFIED COPY

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 use 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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- (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 2nd 342, 96 S. Ct. 2392 1976, State vs Mixon, 274 S.E. 2nd 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.

ADDITIONALLY DEFENDANT REQUESTS A SPEEDY TRIAL:

The Defendant requests and asserts his / her right to a speedy trial in General Sessions Court in this County pursuant to the United States and the South Carolina Constitutions and under the relevant South Carolina Code of Laws .

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

CONWAY, SOUTH CAROLINA
DATED: June 12, 2019

RENEE M. ELVIS
CLERK OF COURT
Horry County, SC

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STATE OF SOUTH CAROLINA)
COUNTY OF HORRY)
STATE OF SOUTH CAROLINA)
-VS-)
DWAYNE GEDDIS)
DEFENDANT)

RULE 203 (B) (iv)
WRITTEN EXPLANATION OF
NO
BASIS FOR APPEAL

FILED
2020 APR 23 AM 9:34
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HORRY COUNTY, SC

PERSONALLY appeared before me Sharde D. Crawford, who being duly sworn
deposes and says :

1. I represented the above named defendant before THE HONORABLE STEVEN H. JOHN on April 15, 2020 at which time the defendant entered a guilty plea to his pending charges.
2. No issues of law or fact, were raised before the Judge at that time that could be the basis for an Appeal in this matter.
3. The Defendant requested this appeal be filed based on the language used by the plea judge informing the client he has the right to appeal his guilty plea within ten (10) days.
4. I informed Defendant that there were no issues to appeal.
5. Defendant requested the Appeal be filed.

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RENEE N. ELVIS
CLERK OF COURT
HORRY COUNTY, SC

Sworn to and Subscribed before me
23rd day of April, 2020
Emmets Watson
Notary Public for South Carolina
My Commission expires: 10/23/28

Sharde Crawford
Signature of Attorney for Defendant
Sharde Crawford
Print name of Attorney for Defendant

RECEIVED

APR 30 2020
SC Court of Appeals