

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

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May 28 2020

SC Court of Appeals

Appeal from Lexington County

Honorable Walton J. McLeod, IV, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

DEVONTRE CORTELL JACKSON,

APPELLANT.

APPELLATE CASE NO. 2019-000996

RECORD ON APPEAL

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STATE OF SOUTH CAROLINA

GENERAL SESSIONS COURT

COUNTY OF LEXINGTON

-----x

STATE OF SOUTH CAROLINA,)

)

vs.)

Transcript of Record

2019-GS-32-01153

2019-GS-32-01155

2019-GS-32-01158

2019-GS-32-01159

DEVONTRE COTRELL JACKSON,)

)

Defendant.)

-----x

March 13, 2019

B E F O R E:

The Honorable Walton J. McLeod, IV, Presiding Judge

A P P E A R A N C E S:

Sutania Fuller, Esq.
Assistant Solicitor for the State

Aimee Zmroczek, Esq.
Attorney for the Defendant

COURT REPORTER: Bethanie Creppon

TRANSCRIBED BY: Bobbi Fisher, RPR, CET

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E X H I B I T S

(None.)

1 P R O C E E D I N G S

2 (Whereupon, the following proceedings commenced as follows:)

3 THE CLERK: Indictment 2019-GS-32-01153, State versus
4 Devontre Cortell Jackson, indicted for armed robbery. He is
5 pleading to the same. It has been true-billed.

6 Indictment 2019-GS-32-01155, State versus Devontre
7 Cortell Jackson, indicted for armed robbery. He is pleading
8 to the same. It has been true-billed.

9 Indictment 2019-GS-32-01158, State versus Devontre
10 Cortell Jackson, indicted for armed robbery. He is pleading
11 to the same. It has been true-billed.

12 Indictment 2019-GS-32-01159, State versus Devontre
13 Cortell Jackson, indicted for armed robbery. He is pleading
14 to the same. It has been true-billed.

15 He's represented by Ms. Zmroczek.

16 Raise your right hand.

17 DEVONTRE CORTRELL JACKSON,
18 the witness, after having been duly sworn, was examined and
19 testified to as follows:

20 THE COURT: Mr. Zmroczek, good afternoon.

21 MS. ZMROCZEK: Good afternoon.

22 THE COURT: Have you had the opportunity to meet your
23 client, Mr. Jackson?

24 MS. ZMROCZEK: Yes.

25 THE COURT: Is he aware of the nature of the charges

1 pending against him today?

2 MS. ZMROCZEK: He is.

3 THE COURT: Has he been advised of the possible
4 punishments for those charges?

5 MS. ZMROCZEK: He has.

6 THE COURT: Have you advised your client of the possible
7 risk of future convictions, including sentencing enhancements?

8 MS. ZMROCZEK: I have, Your Honor.

9 THE COURT: Have you advised him of his constitutional
10 rights, including the right to a trial by jury?

11 MS. ZMROCZEK: Yes.

12 THE COURT: Do you believe he understands the charges?

13 MS. ZMROCZEK: I do.

14 THE COURT: Do you believe there's a factual basis for
15 the defendant's plea today?

16 MS. ZMROCZEK: I do.

17 THE COURT: And he's indicating a desire to plead guilty;
18 is that correct?

19 MS. ZMROCZEK: That's correct.

20 THE COURT: Do you believe it to be in his best interest?

21 MS. ZMROCZEK: Yes.

22 THE COURT: It's my understanding we're going to be
23 taking and qualifying this plea today and deferring sentencing
24 to another day; is that correct?

25 MS. ZMROCZEK: That's correct.

1 THE COURT: Mr. Jackson, what type of work have you done
2 in the past, sir?

3 THE DEFENDANT: Basically restaurant work.

4 THE COURT: The charge of armed robbery carries a
5 potential sentence of 10 to 30 years. Do you understand that?

6 THE DEFENDANT: Yes, sir.

7 THE COURT: Pleading guilty to four separate counts is
8 ordinarily -- you could be facing consecutive sentences for
9 each of those charges. Do you understand that?

10 THE DEFENDANT: Yes, sir.

11 THE COURT: It's my understanding that you've entered a
12 negotiated sentencing range with the State of 20 to 40 years
13 in exchange for not seeking life without parole; is that
14 correct?

15 THE DEFENDANT: Yes, sir.

16 THE COURT: Do you understand that, while you may not be
17 sentenced today, when you are sentenced, you'll be facing a
18 minimum of 20 years. Do you understand that?

19 THE DEFENDANT: Yes, sir.

20 THE COURT: Do you also understand you could be facing up
21 to 40 years in prison at the date that you are actually
22 sentenced?

23 THE DEFENDANT: Yes, sir.

24 THE COURT: And, knowing that, you still want to proceed
25 forward; is that correct?

1 THE DEFENDANT: Yes, sir.

2 THE COURT: Okay. Mr. Jackson, do you understand that
3 you have a right to remain silent, but you give up that right
4 to remain silent, you give up your right to say nothing at
5 all. In order to plead guilty today, you're going to have to
6 say that you're guilty. Do you understand that?

7 THE DEFENDANT: Yes, sir.

8 THE COURT: You understand that armed robbery is a most
9 serious offense?

10 THE DEFENDANT: Yes, sir.

11 THE COURT: Do you understand it's an 85 percent offense?

12 THE DEFENDANT: Yes, sir.

13 THE COURT: Do you understand that it's a no-parole
14 offense?

15 THE DEFENDANT: Yes, sir.

16 THE COURT: And knowing that, you still wish to proceed
17 forward with pleading today; is that correct?

18 THE DEFENDANT: Yes, sir.

19 MS. ZMROCZEK: And, Your Honor, in addition to the one --
20 to the range, there were also some dismissals.

21 MS. FULLER: That's correct. I was going to put that on
22 the record.

23 THE COURT: If I leave anything out, you can fill me in
24 later.

25 MS. ZMROCZEK: Thank you.

1 THE COURT: You also understand, Mr. Jackson, that you
2 have a right to a jury trial where your attorney could assert
3 defenses on your behalf and could confront the State's
4 witnesses, and the State would have to prove their case
5 against you beyond a reasonable doubt? You'd be entitled to
6 the presumption of innocence at your trial, but by entering a
7 plea of guilty, you're giving up your right to a jury trial
8 and you're giving up your right to certain offenses. Do you
9 understand that?

10 THE DEFENDANT: Yes, sir.

11 THE COURT: Do you want a jury trial?

12 THE DEFENDANT: No, sir.

13 THE COURT: There's no competency issues, are there?

14 MS. ZMROCZEK: Oh, none.

15 MS. FULLER: None that I'm aware of.

16 THE COURT: Mr. Jackson, have you had the opportunity to
17 meet with your attorney?

18 THE DEFENDANT: Yes, sir.

19 THE COURT: Has she answered all your questions?

20 THE DEFENDANT: Yes, sir.

21 THE COURT: Do you have any additional questions you want
22 to ask her now?

23 THE DEFENDANT: No, sir.

24 THE COURT: Are you satisfied with her services?

25 THE DEFENDANT: Yes, sir.

1 THE COURT: Okay. As to Indictment 2019-GS-32-1159,
2 armed robbery, while armed or allegedly armed with a deadly
3 weapon, as to that charge, how do you plead, sir?

4 THE DEFENDANT: Guilty.

5 THE COURT: As to Indictment 2019-GS-32-1155, armed
6 robbery, robbery while armed or allegedly armed with a deadly
7 weapon, how do you plead, sir?

8 THE DEFENDANT: Guilty.

9 THE COURT: As to Indictment 2019-GS-32-1153, armed
10 robbery, robbery while armed or allegedly armed with a deadly
11 weapon, how do you plead, sir?

12 THE DEFENDANT: Guilty.

13 THE COURT: As to Indictment 2019-GS-32-1158, armed
14 robbery, robbery while armed or allegedly armed with a deadly
15 weapon, how do you plead, sir?

16 THE DEFENDANT: Guilty.

17 THE COURT: As to all four of these charges, are you
18 pleading guilty of your own free will?

19 THE DEFENDANT: Yes, sir.

20 THE COURT: Are you doing so freely and voluntarily?

21 THE DEFENDANT: Yes, sir.

22 THE COURT: Are you doing so knowingly and intelligently?

23 THE DEFENDANT: Yes, sir.

24 THE COURT: Has anyone forced you, threatened you, or
25 coerced you into entering this plea of guilty today?

1 THE DEFENDANT: No, sir.

2 THE COURT: Other than the State's offered negotiated
3 range of 20 to 40 years, has anyone offered you anything in
4 exchange for pleading guilty?

5 THE DEFENDANT: No, sir.

6 MS. ZMROCZEK: And that's just where the dismissal of the
7 other charges would come in.

8 THE COURT: Okay. I'll let the State address that.

9 To be very clear, you're pleading guilty to these charges
10 because you are guilty to these charges; is that correct, Mr.
11 Jackson?

12 THE DEFENDANT: Yes, sir.

13 THE COURT: At the time of your sentencing, you'll have
14 ten days from that date to appeal that sentencing -- you'll
15 have ten days to appeal that sentence to a higher court, but
16 you'll have to do so in writing to that Court; do you
17 understand?

18 THE DEFENDANT: Yes, sir.

19 THE COURT: Madam solicitor?

20 MS. FULLER: Thank you, Your Honor. In exchange for
21 today's plea, which is pleading to those four counts of armed
22 robbery, the State is dismissing companion charges here in
23 Lexington County, which amount to 27 warrants. Those would be
24 five additional armed robberies as well as several counts of
25 kidnapping, criminal conspiracy and possession of a weapon.

1 Also, in exchange for today's plea, Richland County is
2 dismissing their armed robbery and companion charges.

3 Your Honor, this is a sad and unfortunate case. The
4 defendant here committed ten armed robberies from the dates of
5 June 16th to June 27th of last summer. Law enforcement --
6 several agencies here in Lexington County, Lexington County
7 Sheriff's Department, West Columbia Police Department, Cayce,
8 as well as Springdale, along with the Richland County
9 Sheriff's Department actually worked together to solve this
10 case.

11 Because of the similar nature, all of these armed
12 robberies, they used the same shotgun. And I will hand you a
13 picture up shortly.

14 Your Honor, this case actually took the news, took social
15 media. It was just this heightened fear because you had two
16 to three individuals going around the county and the Midlands
17 area robbing several different convenience stores as well as
18 an attempt at the Wendy's as well as the Waffle House.

19 Your Honor, I'll start with the cases that he's actually
20 pleading to, and I will just highlight certain facts for the
21 ones that are being dismissed.

22 Starting on June 16th, which was the first string of
23 armed robberies, that was on Leaphart Road at the Best Stop in
24 West Columbia. On this particular day, the defendant, along
25 with his co-defendant, Jason Timmons -- those were the only

1 two involved in this one -- entered the Best Stop roughly
2 10:15 that evening, presented that shotgun. What really
3 caught me from watching this particular video, Jason Timmons,
4 he's 18 years old -- he's younger than the defendant in this
5 case -- he comes in, armed with that shotgun, pointing at the
6 clerk. He would angle it kind of like this over the counter,
7 and then Jackson comes over, takes it to show him how to angle
8 it and goes even further over the counter, robbing the clerk
9 that day.

10 They both were wearing masks, but their descriptions were
11 given. And that was essentially the first one there. There
12 were no prints or any physical evidence.

13 Your Honor, the next one that he's pleading to occurred
14 on June 20th. This was the Circle K in West Columbia. In
15 this particular one, Jason Timmons, again, had the shotgun.
16 They go inside. They're wearing black clothing with masks and
17 gloves, and the teller there hears the defendants in this case
18 stating, "Give me all your money. I ain't effing playing.
19 Give me all your money."

20 She describes that she was turned around, and when she
21 turns around, that long shotgun was in her face. And that's
22 where it was held, and you can see that on the surveillance
23 camera the entire time.

24 The next one he's pleading to is the June 25th one. This
25 is on Edmund Highway in Pelion. All three individuals go in

1 on this particular one, Your Honor, and rob that pit stop.

2 The next one -- I believe that's all four that he's
3 pleading to.

4 Your Honor, the facts of the other one, particularly one
5 of the West Columbia ones, which was probably truly
6 traumatizing that's being dismissed for -- the Wendy's
7 employee. The defendant in this case, along with Timmons,
8 they're at closing time, so the employees are walking out, and
9 they hear someone say, "Get them." And they actually rush to
10 the door with the long shotgun, and the employees had to get
11 back inside the building and lock the door.

12 The witnesses or the victims indicated that, at that
13 point, they attempted to pull on the door. From there, that's
14 when they left and committed the next armed robbery that
15 night.

16 Your Honor, this was a truly -- in terms of the amount of
17 victims that were impacted in the string of armed robbery and
18 considering Mr. Jackson's position, which he is eligible for
19 life without parole, the reason why the State is not seeking
20 that in this case is because we're already considering his
21 youthfulness and considering his sad beginning, necessarily.
22 He went into the Department of Corrections at 16, doing ten
23 years on armed robbery, and he gets out a short time later,
24 just a few months later, and he starts these.

25 And so it's like he's never really enjoyed freedom as an

1 adult, but when you have ten armed robberies, it just causes
2 you concern when you had an opportunity to be reformed and
3 come out and then you commit ten more. So it's really -- it's
4 a sad case for Mr. Jackson, but I can't ignore the actual
5 facts of this case.

6 Looking at the last one that occurred, which was on June
7 27th, this was at the Waffle House on Airport Boulevard. This
8 one, they enter the store. They, of course, had their faces
9 covered. They ordered the victims to the floor at gunpoint.
10 They indicated that the person that was carrying the shotgun
11 gave the verbal commands. They indicated the female victim
12 was ordered to put the money in a to-go bag, and then all
13 three flee on foot. Watching that video, you can see one
14 person at the door, one person go into the restroom, and
15 another one standing up on top of the seat, one of the chairs,
16 the booths in Waffle House, leaning over the register. It was
17 truly a sad case.

18 How they were caught: On June 28th of 2018, Investigator
19 Chris Morris with West Columbia received a call from a clerk
20 at Speedway. There were two individuals in there that were
21 just acting suspicious. They were looking at cameras when
22 they came in earlier that day. And since these cases were all
23 over the news, all over social media, people were on high
24 alert, she called in because, later on that night, the same
25 individuals came and attempted to open the door and come in.

1 At that point, Mr. Jackson actually used his cellphone to
2 call the number where it states if you need assistance and the
3 door is locked. And he used that number, (803) 673-██████████. The
4 clerk was able to give that to law enforcement. They were
5 able to, from that point, also there were still shots from
6 earlier that day because they weren't covering their faces.

7 Investigator Morris was able to search several Facebook
8 profiles. And I'll approach to hand you how this case
9 actually came to light, as this photograph was posted on
10 Facebook, and those two individuals were wearing similar
11 clothing when they went -- attempted -- when they went into
12 the Speedway earlier that day. They were able to locate the
13 female first, Dee Dee Fulmer [verbatim]. He recognized the
14 background of the photograph as being the McGregor's Down
15 mobile home. They went out there, and they were able to
16 locate what essentially -- what lot number the photo was taken
17 in front of.

18 They met with the office manager, and she was able to
19 identify Devontre Jackson as well as Dee Dee Young as the two
20 individuals in the photograph.

21 At that point, they made contact with Mr. Jackson's
22 mother, gave them a calling card, and then he ended up calling
23 them from the (803) 673-██████████ phone number, identifying himself
24 as Devontre Jackson.

25 They went to Young's house, and almost, I guess, left the

1 calling card, but then, later on, went back and was able to
2 meet with her mother and showed her stills from one of the
3 armed robberies, I believe. And she was able -- the two on
4 the 19th, and she was able to identify her daughter, as well
5 as her clothing, and they were able to recover the clothing
6 she wore in the armed robberies.

7 Also going on at the same time, another officer was
8 working an investigation where the Daveian Young and Jason
9 Timmons, which are the co-defendants in this case, were
10 suspects in a burglary. And so they were able to identify
11 rather quickly the three individuals that were responsible for
12 these armed robberies.

13 Daveian Young initially would not cooperate, then she
14 would identify herself, and then, ultimately, she wouldn't
15 give up who her co-defendants were. She eventually did.
16 Jason Timmons and Devontre Jackson, standing before you, then
17 fled to New Jersey. They were apprehended and brought back.
18 They were located in New Jersey on July 10th of last year and
19 brought back down, and that's when they were arrested.

20 Devontre Jackson at first denied any involvement. He
21 told law enforcement that he just did ten years in armed
22 robbery and he wouldn't get involved in anything like that
23 again.

24 Then, when he was finally questioned or being served on
25 warrants from Springdale, he sent a message back for these two

1 to come talk to him again, and they did, and he ultimately
2 confessed.

3 He also took them to where the shotgun was hidden in the
4 woods. And I'll hand you a picture of the shotgun. So we can
5 tell you that it's off the streets. And that's the long
6 shotgun used. And that's the shotgun that was used in all ten
7 armed robberies here in Lexington and in Richland County, Your
8 Honor.

9 I think that's enough for a factual basis. Law
10 enforcement has been present all morning. They're definitely
11 interested in this case due to the amount of manpower and work
12 it took to apprehend all three of them. We know we're
13 deferring sentencing, so we'll save their presentation as well
14 as additional stuff for the sentencing hearing.

15 And I apologize, Your Honor. Defendant's prior record is
16 a 2009 armed robbery where he received a ten-year sentence in
17 exchange for a dismissal of several charges, as well as two
18 counts of burglary second nonviolent and grand larceny, three
19 counts of that.

20 THE COURT: Those were all from the same year; right?

21 MS. FULLER: All pled in 2009, yes. He had charges from
22 Lexington and Richland County then.

23 Just so you're aware -- sorry -- the other two
24 co-defendants have not been sentenced yet. They have not
25 pled --

1 THE COURT: They have not pled either.

2 MS. FULLER: This is the first individual.

3 THE COURT: Okay. And there are a total of three
4 defendants or two?

5 MS. FULLER: Three defendants.

6 THE COURT: Three defendants total?

7 MS. FULLER: Total.

8 THE COURT: Okay. Mr. Jackson, you've heard the State's
9 allegations in this matter. Do you agree with the State's
10 allegations -- the general allegations, that is?

11 THE DEFENDANT: The general allegations, yes, sir, but --

12 MS. ZMROCZEK: There were some details, Your Honor, that
13 were mixed up. But, at this point, I don't know that those
14 were necessarily --

15 THE COURT: Well, just to be clear, do you agree with the
16 general allegations that support your plea of guilty here
17 today?

18 THE DEFENDANT: Yes, sir.

19 THE COURT: Okay. I'll accept the plea, find there's a
20 substantial factual basis for the plea. The defendant's
21 decision to plead guilty today has been freely, voluntarily,
22 knowingly, and intelligently made. The defendant's had the
23 advice of counsel, of a competent attorney with whom which
24 he's satisfied. So the record will show I have accepted the
25 plea today.

1 Ms. Zmroczek, I don't think you need to do anything for
2 the record, unless you want to say something.

3 MS. ZMROCZEK: No, not today, Your Honor.

4 THE COURT: All right. Then I'll sign the sentencing
5 sheet, the plea is accepted and be noted, and the sentencing
6 is deferred.

7 MS. FULLER: Thank you, Your Honor. I think we looked at
8 the March 26th date, if that works for your schedule that
9 afternoon for sentencing.

10 THE COURT: As far as I know.

11 MS. ZMROCZEK: Yeah, I have a federal sentencing in the
12 morning, but in the afternoon, I'm free, Your Honor.

13 THE COURT: If you're here that week, we'll make it work.

14 MS. FULLER: Thank you, Your Honor.

15 MS. ZMROCZEK: Thank you.

16 (The above hearing concluded.)

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CERTIFICATE OF TRANSCRIBER

CASE/NO.: State of SC vs. Devontre Cotrell Jackson

2019-GS-32-1153, 1155, 1158, and 1159

DATE OF PROCEEDING: March 13, 2019

COURT REPORTER: Bethanie Creppon

I, Bobbi J. Fisher, do hereby certify that the foregoing transcript is a true and correct record of the recorded proceedings; that said proceedings were transcribed to the best of my ability from the audio recording and supporting information; and that I am neither counsel for, related to, nor employed by any of the parties to this case, and I have no interest, financial or otherwise, in its outcome.

Bobbi Fisher

Bobbi J. Fisher, RPR, CET

NCRA Registered Professional Reporter (RPR)

AAERT Certified Electronic Transcriber No. CET-1148

Prepared: November 15, 2019

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STATE OF SOUTH CAROLINA

GENERAL SESSIONS COURT

COUNTY OF LEXINGTON

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STATE OF SOUTH CAROLINA,)

vs.)

Transcript of Record

2019-GS-32-01153

2019-GS-32-01155

2019-GS-32-01158

2019-GS-32-01159

DEVONTRE COTRELL JACKSON,)

Defendant.)

-----x

March 29, 2019

B E F O R E:

The Honorable Walton J. McLeod, IV, Presiding Judge

A P P E A R A N C E S:

Sutania Fuller, Esq.
Assistant Solicitor for the State

Aimee Zmroczek, Esq.
Attorney for the Defendant

COURT REPORTER: Bethanie Creppon

TRANSCRIBED BY: Bobbi Fisher, RPR, CET

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I N D E X

WITNESS

PAGE

Sentencing Hearing

3

E X H I B I T S

(None.)

1 P R O C E E D I N G S

2 (Whereupon, the following proceedings commenced as follows:)

3 MS. FULLER: 2019-GS-32-1153, 2019-GS-32-1155,
4 2019-GS-32-1158, and 2019-GS-32-1159, The State versus
5 Devontre Cortell Jackson, indicated for armed robbery. He is
6 pleading as charged on all indictments, all indictments are
7 true-billed, and he is represented by Ms. Zmroczek.

8 Raise your right hand, please.

9 DEVONTRE CORTELL JACKSON,
10 the defendant, after having been duly sworn, was examined and
11 testified to as follows:

12 THE DEFENDANT: Yes, ma'am.

13 MS. FULLER: Thank you, Your Honor. This is one where
14 you've accepted the plea already. We've previously put all
15 the facts on the record, if there's anything additional you
16 need me to present. The only thing the State has left is
17 brief victim impact as well as hearing from law enforcement in
18 this case.

19 THE COURT: Okay. I'd be -- so I accepted the plea and
20 we deferred sentencing, so I'll be happy to hear from law
21 enforcement victim impact and then we'll turn it over to
22 Ms. Zmroczek.

23 MS. FULLER: Thank you, Your Honor. The other
24 co-defendant, Daveian Young, has pled guilty, and this is the
25 victim impact I handed up to the judge, which are video clips

1 from a couple of armed robberies, Your Honor. It's been
2 provided in discovery.

3 The last two videos have volume on it. The first would
4 be the first robbery. Are you able to hit "play"?

5 THE COURT: Yes, ma'am. I'm not listening to sound. Do
6 you want me to?

7 MS. FULLER: Yes, sir. There is no sound on the first 30
8 seconds of that clip. This would be the first robbery, Your
9 Honor --

10 THE COURT: Can you tell me which one is the defendant?

11 MS. FULLER: The defendant is the camouflage --

12 THE COURT: Thank you.

13 MS. FULLER: -- in this one. Timmons, the co-defendant,
14 who was supposed to plead today but is being rescheduled until
15 April 11th, he's the one initially carrying the shotgun. The
16 defendant standing before you, I think at this point, might be
17 grabbing the shotgun and leaning further over the counter in
18 this case.

19 THE COURT: I'll come down there and watch it. Y'all can
20 watch it with me if you want.

21 MS. FULLER: Okay.

22 (Video viewed by the Court.)

23 MS. FULLER: Thank you, Your Honor. In terms of victim
24 impact, as you can see, these were definitely traumatizing --
25 a traumatizing occurrence for all the victims in this case,

1 especially that last one that you heard on the June 25th
2 robbery, Your Honor.

3 It's the State's position, you know, the negotiations in
4 this case is a negotiated range of 20 to 40 years in prison.
5 Devontre Jackson, I think he's had a birthday since we took
6 the plea, so I think he's 27 now. His prior record is a 2009
7 armed robbery. He was sentenced to ten years on that. He had
8 three counts of grand larceny that he received a five-year
9 sentence, and he had two counts of burglary, second degree.
10 He received a five-year sentence, Your Honor.

11 The State's position is that, since he was the oldest in
12 this case, he even admitted to law enforcement of acquiring
13 the shotgun a month prior and he's made it into a pistol grip
14 and sawed it off. He ensured that it was fully loaded during
15 all of the robberies. This was a total of ten robberies that
16 took place in Richland County, Lexington County involving
17 Lexington County Sheriff's Department, Cayce, Springdale, as
18 well as West Columbia.

19 I just want the Court to know that this was probably the
20 longest, most violent, aggressive string of armed robberies
21 we've had in a very long time in the county.

22 Your Honor, at this time, law enforcement does wish to be
23 heard.

24 MR. ANDORO: Thank you, Your Honor. Joseph Andoro (ph).
25 Detective with Lexington County Sheriff's Department. May it

1 please the Court. I appreciate your time, Your Honor.

2 I would like to say that Devontre Jackson did eventually
3 own up to all the robberies and provide information to law
4 enforcement as far as the intimate knowledge of each robbery.
5 He did lead us to Fred Rash (ph) Road. We took him from the
6 jail, and we did recover the shotgun that was used in all ten
7 robberies, the nine in Lexington and the one in Richland, as
8 well as several other clothing items and shoes used during the
9 commission of the robberies.

10 With that said, Mr. Jackson had only been out of jail for
11 a few months for doing the home invasions and armed robberies
12 in both Lexington and Richland County and might have even
13 recruited a 17-year-old, 18-year-old with him, and then went
14 on a rash on ten robberies, only being out of jail a few
15 months.

16 Your Honor, I trust your judgment, and I trust the
17 decision you'll make, but I want you to have that in your mind
18 that he was only out of a jail for a few months. And this is
19 just the paper -- amount of work that created just for four of
20 the robberies, as well as all the discs and computer stuff,
21 obviously added, and things that we were prepared to go
22 forward if it would have gone to trial, being an LWOP.

23 Thank you so much for your time, Your Honor.

24 THE COURT: Thank you.

25 MS. FULLER: That's correct, Your Honor. The plea

1 negotiations did take into account the State not asking for a
2 life sentence. I did that based on the fact that he was young
3 when he went in, but I know, in any other situation, I know
4 the State probably would be seeking a life sentence in this
5 case based on his prior record giving him a chance, and that's
6 why we negotiated that 20 to 40. Of course we're asking for
7 the high end of that negotiation.

8 THE COURT: Anything else from the State?

9 MS. FULLER: That's it from the State at this time.

10 THE COURT: Ms. Zmroczek?

11 MS. ZMROCZEK: Thank you, Judge. Obviously, we'll be
12 asking for the lower end of that negotiation. And I'll tell
13 you why. 20 to 40 years is an incredible negotiation range,
14 one that I've not entered into very lightly. My client -- and
15 he -- his mom is here and would like to opportunity to address
16 the Court as well.

17 When she says "very young," he was 16 -- 16 years old
18 when he entered into the prison system, Your Honor. And I
19 know that he was able to be waived up because of the nature of
20 the crimes.

21 But he is someone that, when I talk to him, it blows my
22 mind to know that he was involved in all of this, because when
23 I first met him, I didn't have the discovery, and then when I
24 had the discovery, I was like, "Huh," because there's
25 something not right.

1 And, Your Honor, you'll have an opportunity to talk to
2 him as well because he wanted an opportunity to address the
3 Court. He soon called me after first getting assigned and
4 volunteered to plead to 20, which, to me -- I mean, that's a
5 long time. He's -- he was 26 at the time; he's 27 now. But
6 still doing 85 percent of that, I mean, he won't get out until
7 he's my age, not that there's not life at my age and after.

8 But, Your Honor, what's really concerning -- and I'll
9 give his mom an opportunity to speak -- but when he did get
10 out of prison, he attempted to commit suicide. And what I'm
11 concerned about is the State of SCDC right now and what it's
12 going to do to him. And certainly that's something that he
13 will address and that they will address once he gets in there.
14 And I told them to be forthcoming with his mental health
15 issues.

16 Obviously, he had a difficult childhood growing up, and I
17 know that you hear these stories a lot. But a lot of the
18 clients that I've had who have difficult childhoods growing up
19 are very disrespectful even to me, trying to help them. And
20 that's something I've never experienced with Mr. Jackson.

21 And as you did hear from the police officers, he did --
22 once he was caught, of course, he did help them, got the gun
23 off the street, did things, you know, that he could do at that
24 point.

25 I told him, you know, how did we end up here? And it's

1 really -- and if you watch that first video, even though he
2 was older, I think he was older chronologically but definitely
3 not older mentally, because you can see the other,
4 Mr. Timmons, I mean, he was up close to the victim. And
5 certainly Mr. Jackson was holding a gun, but the dynamics --
6 simply because of the age, the dynamics were not the same.

7 Even though he was older, that doesn't necessarily mean
8 he was the leader. And I think you can see that, at least
9 watching the first video, and if you look at all of the other
10 videos, I think that they show a similar stature in the
11 people. It's not just because he was chronologically older,
12 because, I assure, you he was not mentally older than these
13 children.

14 And I know his mother wants an opportunity to speak. Do
15 you want to do that at the -- okay, if you can come forward.
16 And speak loud because the court reporter needs to be able to
17 hear you.

18 MS. AIKENS: How are you doing, Your Honor?

19 MS. ZMROCZEK: Go ahead and put your name on.

20 MS. AIKENS: My name is Julia Aiken. I'm Devontre
21 Jackson's mother.

22 The first time he went to prison, he just turned 16 years
23 old -- we -- after he turned 16 years old, when I took him up
24 there to turn himself in. The society, when he got out, his
25 mind was still as a 16-year-old child. I tried to get him

1 help. They said I couldn't do nothing because he's an adult
2 at that age. He tried to commit suicide, because he didn't --
3 couldn't comprehend how to get himself help. He tried to keep
4 a job. He tried, but he always came back, you know -- I try
5 to give him advice, but his mind was still working as a
6 16-year-old.

7 And then when he got with those other 17- and
8 18-year-olds that influence -- his mind was influenced by
9 them. I'm just trying to say just please, his -- his mind is
10 not working -- functioning as a 27-year-old man. It's not.
11 They put him on medication and everything. But I couldn't do
12 nothing. I tried. I tried to help him.

13 Once he got with those people, he just said he was trying
14 to be a people person, please other people. Because his world
15 stopped when he went into prison. His world stopped. Our
16 world kept going on.

17 But, please, Your Honor, he need help. He need -- his
18 mind -- he need mental help too. But I'm just saying please,
19 don't give him all of those years, Your Honor. Please. If I
20 could help him when he got out, I would have helped him, but
21 the system told me I couldn't do nothing. His mind was still
22 as a 16-year-old child. They said I couldn't do nothing. I
23 tried. I tried. That's it, Your Honor. Thank you.

24 THE COURT: Thank you, ma'am.

25 MS. ZMROCZEK: And, Your Honor, I know that we've talked

1 about mental. There's no issue of competency. It's certainly
2 -- that's not the issue that we're raising. It's kind of --
3 unfortunately, depression and those issues don't fall under
4 the competency problems.

5 THE COURT: Are you addressing maturity as well?

6 MS. ZMROCZEK: I'm sorry?

7 THE COURT: Are you addressing maturity as well?

8 MS. ZMROCZEK: Yes, yeah. Okay.

9 THE DEFENDANT: Devontre Jackson. First off, I take full
10 responsibility. At the same time, I'm still an adult. I
11 messed up. It's like I wasn't thinking. Honestly, I wasn't
12 thinking. It was more comfortable for me to live being
13 younger because I thought it was fun. I just wasn't -- not
14 thinking that I was going to have to face this again, not
15 thinking that I have to deal with this again.

16 Everything the solicitor said is not 100 percent true.
17 You can't say I was the leader because, honestly, it was never
18 my idea to do. You notice I'm not in it. They saying that,
19 okay, I gave them the gun, I told him -- I didn't tell nobody
20 to do anything. The whole thing was -- I had a place to lay
21 my head at night. I had a place -- I was working. The whole
22 thing was they didn't have a place to lay their head. They
23 wasn't working. So they came up, Okay, bro, this is it. I
24 had a gun. I should have never gave it to them. That's my
25 fault. I should not have gave it to them. I never should

1 have even agreed to do it. I should have said no. I should
2 have been like, okay, I'm older, I feel as though they do look
3 up to me because I am older, but at the same time, I wanted to
4 look up to them. I was infatuated with the music they
5 listened to. I was infatuated with the style of their
6 clothes. It was like I felt like I missed out on it. And I
7 was so -- I don't know, but I was just so wrapped around it
8 and wanting to be in it again and forgetting that I just came
9 out of prison.

10 I tried. I tried. And when I say "I tried," Your Honor,
11 I tried so hard. It got to the point where I tried -- I tried
12 to isolate myself from everybody, even getting myself
13 together. It's like I don't know. My decision-making is
14 messed up. It's really messed up. I tried to kill myself.
15 The only reason why I did that is because I didn't feel I had
16 a place in the world. It was like I'm working, I'm trying to
17 do this. I got a car. I'm trying to get a house. I still
18 felt like I didn't have a place in the world. I felt like
19 nobody cared about me. When I talked with somebody, nobody
20 want to listen to my problems. I just felt like I was the
21 outcast, like nobody understood me because nobody knew went
22 through what I had went through.

23 I don't know. Maybe I was overplaying my problems.
24 Maybe I was looking at my situation from the wrong angle.
25 That's probably what happened. And I got caught up in it.

1 And then I found some people that was younger than me, and it
2 felt like that's where I belonged.

3 Honestly, I apologize. I apologize to every victim. No
4 victim should have to deal with that. That's like -- I've
5 been robbed before. I've been robbed since I've been home.
6 I've been robbed. It's scary. You don't know if you're going
7 to make it out. You don't know what's going to happen,
8 staring down a narrow gun and scared. It's real scary.

9 So I know they're going through a traumatic experience.
10 They might not be able to sleep at night, and I apologize for
11 that. I swear, I apologize for that. Day in and day out, I
12 pray to God that they make it through that.

13 I apologize to my mom. I hate to see my mom cry. That's
14 one that that I'm afraid that, when I go here -- that's the
15 reason I said I wanted to go ahead and plead to get it over
16 with, and hopefully I will be out and get home and see my mom,
17 you know, alive. I don't want to be home and have my mama
18 gone. That's the problem. That's why I want to get it over
19 with.

20 MS. ZMROCZEK: Thank you, Your Honor.

21 So, in conclusion, I think that, obviously, it is a tough
22 case. Certainly, you know, I know that he gets upset even
23 hearing the victims cry because I do believe that he
24 empathizes with them, which is difficult, because, at the same
25 time, he still takes responsibility for it, and he knows that

1 he's the reason they were put in that position, or at least
2 part of the reason.

3 Anyway, Your Honor, that's why we were asking for
4 possibly 20, 25 years, which is a long time.

5 THE COURT: Okay. Anything else from anyone?

6 MS. FULLER: Nothing further from the State, Your Honor.

7 THE COURT: All right. There's a lot of paperwork up
8 here, so I'm just going to step out so I can --

9 MS. FULLER: Certainly.

10 THE COURT: So y'all can stand at ease.

11 (Pause in the proceedings from 10:36 a.m. to 10:49 a.m.)

12 THE COURT: All right. I thank everyone -- the State,
13 Ms. Zmroczek, Mr. Jackson, Ms. Jackson for their appearance
14 and what they've provided to the Court today.

15 It's very tough to try to formulate a sentence for
16 someone with previous offenses for the same serious offense.
17 Taking into account also the nature of the videos I saw during
18 victim impact and, obviously, there were various other
19 incidences involved here in addition to what we're pleading
20 for, is my understanding, all I can say is I hope, when you do
21 get out, Mr. Jackson, I hope you will not re-offend again.

22 I've filled out several sentencing sheets. I'll just
23 read out the number. They're consecutive and concurrent. But
24 Mr. Jackson, you'll be committed to the Department of
25 Corrections for a period of 33 years.

1 Good luck, sir.

2 MS. FULLER: Thank you, Your Honor.

3 (At 10:51 a.m., the above hearing concluded.)

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CERTIFICATE OF TRANSCRIBER

CASE/NO.: The State vs. Devontre Cortell Jackson

2019-GS-32-01153, et al.

DATE OF PROCEEDING: March 29, 2019

COURT REPORTER: Bethanie Creppon

I, Bobbi J. Fisher, do hereby certify that the foregoing transcript is a true and correct record of the recorded proceedings; that said proceedings were transcribed to the best of my ability from the audio recording and supporting information; and that I am neither counsel for, related to, nor employed by any of the parties to this case, and I have no interest, financial or otherwise, in its outcome.



Bobbi J. Fisher, RPR, CET

NCRA Registered Professional Reporter (RPR)

AAERT Certified Electronic Transcriber No. CET-1148

Prepared: November 16, 2019

STATE OF SOUTH CAROLINA)
)
 COUNTY OF RICHLAND)
)
)
)
 vs.)
)
 Devontre Jackson,)
)
 Defendant.)

IN THE COURT OF GENERAL SESSIONS
 ELEVENTH JUDICIAL CIRCUIT

Indictment No.'s: 2019GS3201153, 55, 58-59

MOTION TO RECONSIDER
 SENTENCE

RECEIVED
 JUN 17 2019
 SC Court of Appeals

Date of Sentencing: March 29, 2019
 Hearing Judge: Honorable Walton J. McLeod, IV
 Attorney for the State: Sutania Fuller
 Attorney for the Defendant: Aimee J. Zmroczek

YOU WILL PLEASE TAKE NOTICE that counsel will move before this Court as the next available opportunity to reconsider the sentence for the above-named Defendant pursuant to Rule 29 of the South Carolina Rules of Criminal Procedure.

Defendant originally was sentenced to thirty-three (33) years.¹ After the hearing, defendant asked of counsel to file a motion to reconsider.

This notice is also a formal request for the Solicitor's Office to have the above-named Defendant transported to the Lexington County Judicial Center from the South Carolina Department of Corrections.

Respectfully,



Aimee J. Zmroczek, Esq. (S.C. Bar #77193)
 Attorney for Defendant
 A.J.Z. Law Firm, LLC
 PO Box 11961
 Columbia, SC 29211
 (803) 400-1918

Columbia, South Carolina
 April 1, 2019.

¹ See attached

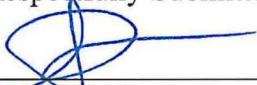
STATE OF SOUTH CAROLINA	)	IN THE COURT OF GENERAL SESSIONS
	)	ELEVENTH JUDICIAL CIRCUIT
COUNTY OF LEXINGTON	)	Indictment No.'s: 2019GS3201153,55,58-59
STATE OF SOUTH CAROLINA,)	
)	
-v-)	
	)	BRIEF OF DEFENDANT IN SUPPORT
DEVONTRE JACKSON,	)	OF MOTION TO RECONSIDER SENTENCE
Defendant.)	
)	

NOW COMES, the Defendant, by and through his undersigned counsel, and submits this brief in support of a motion to reconsider sentence. For the reasons discussed below, Defendant is seeking the Court to reduce his sentence of thirty-three (33) years.

Mr. Jackson is really as sad case. He has been incarcerated almost as many years as he has been alive and has not really had a chance to mature. Even though he was older chronologically than his co-defendants, he was the same, or even less, mature than both of them. The co-defendants, Timmons and Young, were sentenced to twenty years and ten years respectively. These sentences are certainly significantly less than the defendants. I understand his record may have been a little more than theirs but they were just as culpable as he. In fact, they went into more places with guns and robbing the places and placing the workers at fear than the defendant. The disparity is really great in this case. The defendant is seeking an eight (8) year reduction and believes that would provide some equity to the case. Obviously he will have to serve 85% of any time sentenced. He is certainly going to use his time to seeking behavior reformation and this sentence would serve to still be a deterrent to that type of behavior. Although the crimes were dangerous, no one was hurt, or really ever placed in a danger of being hurt, thankfully. As he expressed at sentencing he is certainly remorseful for placing anyone in fear and that they will have mental obstacles to overcome. He empathizes with them as he has

been placed in that very same position many times in his life. His parents are older and he certainly would like an opportunity to see them alive, outside of incarceration. He has a 9 month old child and a 1 month old child who he would like an opportunity to be a part of their lives. The defendant respectfully asks the court to reconsider and reduce his sentence.

Respectfully Submitted,



Aimee J. Zmroczek, Esq. #77193
P.O. Box 11961
Columbia, South Carolina 29211
(803) 403.1918 (telephone)
(803) 400.8005 (fax)
Attorney for Applicant

Columbia, South Carolina
May 31, 2019

FILED

STATE OF SOUTH CAROLINA)
COUNTY OF LEXINGTON)

2019 JUN -6 AM 9:30

IN THE COURT OF GENERAL SESSIONS
FOR THE ELEVENTH JUDICIAL CIRCUIT

STATE,

LISA M. COVER
CLERK OF COURT
LEXINGTON, SC

Indictment Numbers: 2019-GS-32-01153,
1155, 1158, 1159

v.

DEVONTRE JACKSON,

**MEMO IN OPPOSITION OF THE
DEFENDANT'S MOTION FOR
RECONSIDERATION**

DEFENDANT.

This matter comes before the Court on the Defendant's Motion for Reconsideration of the sentence of the Defendant to a consecutive sentence equating to thirty-three (33) years on multiple counts of armed robbery on March 29, 2019, and this Motion was filed on April 8, 2019. The Defendant was charged with thirty-one (31) warrants in Lexington County, which included eight (8) armed robberies and one (1) attempted armed robbery along with multiple kidnapping, weapon, and conspiracy charges. The Defendant also had another armed robbery from Richland County. On March 29, 2019, the Defendant pled guilty to four counts of armed robbery and all other charges were dismissed, including his Richland County charges.

The Defendant, along with De'Avian Young and Jason Timmons, committed a total of ten (10) armed robberies from June 16th to June 27th of 2018. In most of the robberies, Jackson was the planner and driver, Timmons was the person carrying the shotgun, and Young was the money grabber. Jackson did enter the establishments in a few of the robberies. All three conspired together to execute these armed robberies.

The Defendant was 26 years old with convictions from 2009 for Armed Robbery (10 years), three counts of Grand Larceny (5 years), and two counts of Burglary 2nd NV (5 years). He did have multiple other charges dismissed in 2009 in exchange for his plea back then. He had recently been released from prison when these armed robberies occurred. Timmons, was 18 years old and had a prior burglary second degree conviction. Young was 17 years old and had no prior record.

The Defendant submitted a brief on May 31, 2019, outlining the basis for the motion. It is the State's position that the contents of the brief were all before the Court at the time of sentencing. The Court was made aware of all of the facts of this case, including the ten (10) year sentence of

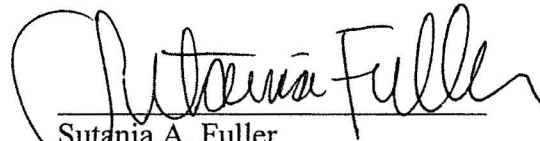
Young and the pending sentence of Timmons. Timmons was subsequently sentenced to twenty (20) years in prison for his role in the armed robberies.

The Court was aware of the age disparities between Young and Timmons with the Defendant as well as the fact the Defendant spent nearly ten years incarcerated from the age of sixteen. The Court was also aware that no one was physically injured, but that the clerks were emotionally and mentally impacted by this string of armed robberies. The Court was also aware of the fact that Jackson was the driver in several of the armed robberies.


The Defendant's brief fails to articulate any new facts to the Court supporting a reduction in sentence. Further, the disparity in the sentences amongst the three co-defendant is not so great to require reduction in the Defendant's sentence considering the ages, role, and prior records. The Defendant was also eligible for life without the possibility of parole if the State decided to make that election.

After having considered the facts of this case and the arguments of counsel in the submitted brief, it is the State's position that the Defendant's Motion for Reconsideration should be denied.

Respectfully submitted,


Sutania A. Fuller
Assistant Solicitor

June 6, 2019
Lexington, South Carolina

A TRUE COPY

Lex. Ct. C.C.C.P., G.S. & F.C.

ORIGINAL

STATE OF SOUTH CAROLINA)
)
 COUNTY OF LEXINGTON)
)
 The State of South Carolina,)
)
)
)
 vs.)
)
 Devontre Jackson,)
)
Defendant.)

IN THE COURT OF GENERAL SESSIONS
 THE ELEVENTH JUDICIAL CIRCUIT
 Indictment Numbers: 2019GS3201153, 1155,
 1158-1159

ORDER DENYING MOTION
 TO RECONSIDER SENTENCE

2019 JUN 12 AM 11:56
 HON. J. M. COMPTON
 CLERK OF COURT
 LEXINGTON

The Defendant filed a Motion to Reconsider Sentence on April 8, 2019. At the court's request, Defendant provided a Brief in Support of Motion to Reconsider Sentence on May 31, 2019, and the State filed a Memo in Opposition of the Defendant's Motion for Reconsideration on June 6, 2019. The Defendant argues that he was incarcerated for a number of years and was not given a chance to mature. The Defendant also argues that his sentence was lengthier than his co-defendants' sentences. The State counters that Defendant, a 26 year old, received a lengthier sentence than his co-defendants because he had previous convictions of armed robbery (of which he was sentenced to 10 years), three counts of grand larceny, and two counts of burglary 2nd, nonviolent. He had only recently been released from prison when these armed robberies occurred. The co-defendants were only 18 years old and 17 years old, both with little to no criminal record. Accordingly, the court disagrees that the disparity is great in this case and finds that Defendant is not entitled to a reduction of his sentence. THEREFORE, the court DENIES Defendant's Motion to Reconsider Sentence.

IT IS SO ORDERED.


 Walton J. McLeod, IV
 Presiding Judge

June 12, 2019
 Lexington, South Carolina

RECEIVED

JUN 17 2019

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM LEXINGTON COUNTY
Court of General Sessions

Walton J. McLeod, IV, Circuit Court Judge

Indictment Nos.: 2019GS3201153, 1155, 1158 - 1159

The State,

Respondent,

v.

Devontre Jackson,

Appellant.

RECEIVED


JUN 17 2019

SC Court of Appeals

STATEMENT OF BASIS FOR APPEAL FROM
GUILTY PLEA PURSUANT TO RULE 203(d)(1)(B)

Pursuant to South Carolina Appellate Court Rule 203(d)(1)(B), Defense counsel objected to the playing of several videos of armed robberies during the course of the guilty plea. The Court overruled Defense Counsel's objection. Defense Counsel is of the belief that the playing of the videos were cumulative and unnecessarily prejudicial to the Defendant. Additionally there was a great disparity amongst co-defendants sentencing.

June 12, 2019


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Fax: 803-403-8005
aimee@ajzlawfirm.com
Attorney for Appellant

Other Counsel of Record:
Sutania Fuller
Assistant Solicitor, Eleventh Judicial District
205 East Main Street, Suite 309
Lexington, SC 29072
Attorney for Respondent

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM LEXINGTON COUNTY
Court of General Sessions

Walton J. McLeod, IV, Circuit Court Judge

Indictment Nos.: 2019GS3201153, 1155, 1158 - 1159

State of South Carolina,

Respondent,

v.

Devontre Jackson,

Appellant.

RECEIVED

JUN 17 2019

SC Court of Appeals

PROOF OF SERVICE

I certify that I have served the STATEMENT OF BASIS FOR APPEAL FROM GUILTY PLEA PURSUANT TO RULE 203(d)(1)(B) on Sutania Fuller by depositing a copy of it in the United States Mail, postage prepaid, on June 12, 2019, addressed to her office at:

205 East Main Street, Suite 309
Lexington, SC 29072

June 12, 2019



Aimee J. Zmroczek, Esq.
P.O. Box 11961
Columbia, South Carolina 29211
Telephone: 803-400-1918
Fax: 803-403-8005
aimee@ajzlawfirm.com
Attorney for Appellant

WITNESSES

Lexington County Sheriffs Department

Joseph M Andoloro

Law Enforcement Case #: 18012782

DOCKET NO. 2019GSS3201153

The State of South Carolina

County of Lexington

ARREST WARRANT NUMBER

2018A3210800437

SF

COURT OF GENERAL SESSIONS

MARCH TERM 2019

ACTION OF GRAND JURY

1 2019 MARCH TERM
1 2019 MARCH TERM
1 2019 MARCH TERM

Devontre Cortell Jackson

Foreperson of Grand Jury

Date: 3-11-19

CDR #: 0139

Indictment for

Armed Robbery

§ 16-11-0330(A)

VERDICT

Foreperson of Petit Jury

Date:

S.R. Hubbard III, SOLICITOR

STATE OF SOUTH CAROLINA	)	INDICTMENT FOR
	)	Armed Robbery
COUNTY OF LEXINGTON)	
	)	§ 16-11-0330(A)

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

That **Devontre Cortell Jackson** did, along with others, in Lexington County, South Carolina, on or about June 25, 2018, knowingly and willfully while armed with a deadly weapon, to wit: a shotgun, feloniously take from the person or presence of the Pitt Stop located at 7909 Edmund Hwy, by means of force, threats, or intimidation goods or monies being described as follows: money and general merchandise, with intent to deprive the owner of the use of such property, in violation of Section 16-11-330 (A) of the 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.


 ASSISTANT SOLICITOR

WITNESSES

Cayce Department of Public Safety

Charles D Bramlett III

Law Enforcement Case #: 1804385

ARREST WARRANT NUMBER

2018A3220300256

SF

ACTION OF GRAND JURY

TRIPLE BILL

Edward K. Seely
Foreperson of Grand Jury

Date: 3-11-19

VERDICT

Foreperson of Petit Jury
Date:

DOCKET NO. 2019GSS3201155

The State of South Carolina

County of Lexington

COURT OF GENERAL SESSIONS

MARCH TERM 2019

**THE STATE
vs.**

Devontre Cortell Jackson

CDR #: 0139

Indictment for

Armed Robbery

§ 16-11-0330(A)

S.R. Hubbard III, SOLICITOR

STATE OF SOUTH CAROLINA)
)
COUNTY OF LEXINGTON)
)

INDICTMENT FOR
Armed Robbery
§ 16-11-0330(A)

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

That **Devontre Cortell Jackson** did, along with others, in Lexington County, South Carolina, on or about June 27, 2018, knowingly and willfully while armed with a deadly weapon, to wit: a shotgun, feloniously take from the person or presence of the Waffle House located at 1837 Airport Blvd, by means of force, threats, or intimidation goods or monies with intent to deprive the owner of the use of such property, in violation of Section 16-11-330 (A) of the 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.


ASSISTANT SOLICITOR

WITNESSES

Lexington County Sheriffs Department

Joseph M Andoloro

Law Enforcement Case #: 18012175

ARREST WARRANT NUMBER

2018A3210500087

SF

ACTION OF GRAND JURY

Devontre Cortell Jackson

Foreperson of Grand Jury
Date: 3-11-18

VERDICT

Foreperson of Petit Jury
Date:

DOCKET NO. 2019GSS3201158

The State of South Carolina

County of Lexington

COURT OF GENERAL SESSIONS

MARCH TERM 2019

THE STATE
vs.

Devontre Cortell Jackson

CDR #: 0139

Indictment for

Armed Robbery

§ 16-11-0330(A)

S.R. Hubbard III, SOLICITOR

STATE OF SOUTH CAROLINA	)	INDICTMENT FOR
	)	Armed Robbery
COUNTY OF LEXINGTON)	
	)	§ 16-11-0330(A)

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

That **Devontre Cortell Jackson** did, along with others, in Lexington County, South Carolina, on or about June 16, 2018, knowingly and willfully while armed with a deadly weapon, to wit: a shotgun, feloniously take from the person or presence of the Best Stop located at 3937 Leaphart Road, by means of force, threats or intimidation goods or monies with intent to deprive the owner of the use of such property, in violation of Section 16-11-330 (A) of the 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.


 ASSISTANT SOLICITOR

WITNESSES

West Columbia Police Department

Christopher J Morris

Law Enforcement Case #: 1817171

DOCKET NO. 2019GSS201159

The State of South Carolina

County of Lexington

COURT OF GENERAL SESSIONS

MARCH TERM 2019

ARREST WARRANT NUMBER

2018A3221100524

ACTION OF GRAND JURY

Devontre Cortell Jackson

TRIPLE BILL

Anthony K Seely
Foreperson of Grand Jury
Date: 3-11-19

CDR #: 0139

Indictment for

VERDICT

Armed Robbery

§ 16-11-0330(A)

Foreperson of Petit Jury

S.R. Hubbard III, SOLICITOR

Date:

STATE OF SOUTH CAROLINA	)	INDICTMENT FOR
	)	Armed Robbery
COUNTY OF LEXINGTON)	
	)	§ 16-11-0330(A)

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

That **Devontre Cortell Jackson** did, along with others, in Lexington County, South Carolina, on or about June 20, 2018, knowingly and willfully while armed with a deadly weapon, to wit: a shotgun, feloniously take from the person or presence of the Circle K located at 1190 Sunset Blvd, by means of force, threats, or intimidation goods or monies with intent to deprive the owner of the use of such property, in violation of Section 16-11-330 (A) of the 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.


 ASSISTANT SOLICITOR

STATE OF SOUTH CAROLINA)
 COUNTY OF Lexington)
 STATE VS.)
Devontre Cortell Jackson)
 AKA:)
 Race: Black Sex: M Age: 26)
 DOB: 03-██ SS#: ██)
 Address:)
 City, State, Zip:)
 DL#: ██ SID#: ██)

IN THE COURT OF GENERAL SESSIONS

INDICTMENT/CASE#: 2019GS3201153
 A/W#: 2018A3210800437
 Date of Offense: 6/25/2018
 S.C. Code § : 16-11-0330(A)
 CDR Code #: 0139

SENTENCE SHEET

*CDL Yes No CMV Yes No Hazmat Yes No
 In disposition of the said indictment comes now the Defendant who was CONVICTED OF or PLEADS
 TO: Robbery / Armed Robbery, robbery while armed or allegedly armed with a deadly weapon

in violation of § 16-11-0330(A) of the S.C. Code of Laws, bearing CDR Code # 0139
 NON-VIOLENT VIOLENT SERIOUS MOST SERIOUS Mandatory GPS §17-25-45
 (CSC w/minor 1st or CSC w/minor 3rd)

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

Sutava Full 100730 [Signature] [Signature]
 Solicitor SC Bar# Defendant Attorney for Defendant SC Bar# 77193

WHEREFORE, the Defendant is committed to the State Department of Corrections, County Detention Center,
 for a determinate term of 13 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: 1159; 1155; 1158
 The Defendant is to be given credit for time served pursuant to S.C. Code §24-13-40 to be calculated and applied by the 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 _____ days/hours Public Service Employment

Total: \$ _____ plus 20% fee: \$ _____
 Payment Terms: _____

Set by SCDPPPS _____
 Obtain GED
 Attend Voc. Rehab. or Job Corp. _____
 May serve W/E beginning _____

Recipient: _____
 Substance Abuse Counseling

*Fine: _____ \$ _____
 § 14-1-206 (Assessments 107.5 %) \$ _____
 § 14-1-211(A)(1) (Conv. Surcharge) \$100 \$ 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 \$ 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) \$ _____

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

TOTAL \$ 125

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 Walter McLeod
 Judge Code: 2765
 Sentence Date: 3-13-2019

Clerk of Court/ Deputy Clerk [Signature]
 Court Reporter: [Signature]
 SCCA/217 (04/2018)
 SENTENCE IMPROVED 3-29-2019
 Walter McLeod
 PR on Accepted

10-30 yrs

STATE OF SOUTH CAROLINA)
 COUNTY OF Lexington)
 STATE VS.)
Devontre Cortell Jackson)
 AKA: _____)
 Race: Black Sex: M Age: 26)
 DOB: 03- [REDACTED] SS# [REDACTED])
 Address: [REDACTED] Woodberry Rd)
 City, State, Zip: West Columbia, SC 29170-2849)
 DL#: [REDACTED] SID#: _____)

IN THE COURT OF GENERAL SESSIONS

INDICTMENT/CASE#: 2019GS3201155
 A/W#: 2018A3220300256
 Date of Offense: 7/31/2018
 S.C. Code § : 16-11-0330(A)
 CDR Code #: 0139

SENTENCE SHEET

*CDL Yes No CMV Yes No Hazmat Yes No
 In disposition of the said indictment comes now the Defendant who was CONVICTED OF or PLEADS
 TO: Robbery / Armed Robbery, robbery while armed or allegedly armed with a deadly weapon

in violation of § 16-11-0330(A) of the S.C. Code of Laws, bearing CDR Code # 0139
 NON-VIOLENT VIOLENT SERIOUS MOST SERIOUS Mandatory GPS §17-25-45
 (CSC w/minor 1st or CSC w/minor 3rd)

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

ATTEST: Sutana Fuller 100730 [Signature] 7193
 Solicitor SC Bar# Defendant Attorney for Defendant SC Bar#

WHEREFORE, the Defendant is committed to the State Department of Corrections, County Detention Center,
 for a determinate term of 20 ^{TWENTY} 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: 1158; 1159
 The Defendant is to be given credit for time served pursuant to S.C. Code § 24-13-40 to be calculated and applied by the 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. _____
 May serve W/E beginning _____
 Substance Abuse Counseling
 Random Drug/Alcohol testing

Recipient: _____
 *Fine: _____ \$ _____
 § 14-1-206 (Assessments 107.5 %) \$ _____
 § 14-1-211(A)(1) (Conv. Surcharge) \$100 \$ 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 \$ 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 \$ 125
 \$ _____ paid to Public Defender Fund
 Other: LONG TERM MENTAL HEALTH COUNSELING
WHILE AT SC DEPT OF CORRECTIONS

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: 27CS
 Sentence Date: 3-13-2019

Clerk of Court/ Deputy Clerk [Signature]
 Court Reporter: [Signature]
 SCCA/217 (04/2018)

Sentence Imposed 3-29-2019
[Signature]
 Sentencing Deferral [Signature]

STATE OF SOUTH CAROLINA)
 COUNTY OF Lexington)
 STATE VS.)
Devontre Cortell Jackson)
 AKA: _____)
 Race: Black Sex: M Age: 26)
 DOB: [REDACTED] SS#: [REDACTED])
 Address: _____)
 City, State, Zip: _____)
 DL#: [REDACTED] SID#: [REDACTED])

10-30yrs
 IN THE COURT OF GENERAL SESSIONS

INDICTMENT/CASE#: 2019GS3201158
 A/W#: 2018A3210500087
 Date of Offense: 6/16/2018
 S.C. Code § : 16-11-0330(A)
 CDR Code #: 0139

SENTENCE SHEET

*CDL Yes No CMV Yes No Hazmat Yes No
 In disposition of the said indictment comes now the Defendant who was CONVICTED OF or PLEADS
 TO: Robbery / Armed Robbery, robbery while armed or allegedly armed with a deadly weapon

in violation of § 16-11-0330(A) of the S.C. Code of Laws, bearing CDR Code # 0139
 NON-VIOLENT VIOLENT SERIOUS MOST SERIOUS Mandatory GPS §17-25-45
 (CSC w/minor 1st or CSC w/minor 3rd)

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

Sutain Fuller 100730 [Signature] [Signature]
 Solicitor SC Bar# Defendant Attorney for Defendant SC Bar# 77193

WHEREFORE, the Defendant is committed to the State Department of Corrections, County Detention Center,
 for a determinate term of 20 ^{twentry} 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: 1155; 1159
 The Defendant is to be given credit for time served pursuant to S.C. Code §24-13-40 to be calculated and applied by the 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
 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: _____

Recipient: _____

*Fine:		\$
§ 14-1-206 (Assessments 107.5 %)		\$
§ 14-1-211(A)(1) (Conv. Surcharge)	\$100	\$ <u>100</u>
§ 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	\$ <u>25</u>
§ 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 \$ 125
 Clerk of Court/ Deputy Clerk [Signature]
 Court Reporter: [Signature]
 SCCA/217 (04/2018)

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: 2265
 Sentence Date: 3-13-2019 Plead accepted
SENTENCE ISSUED 3-29-2019 Sentencing Default
Wab A M 2nd

10-30415

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF Lexington
STATE VS.

INDICTMENT/CASE#: 2019GS3201159

Devontre Cortell Jackson

A/W#: 2018A3221100524

AKA:

Date of Offense: 8/8/2018

Race: Black Sex: M Age: 26

S.C. Code § : 16-11-0330(A)

DOB: 03-███ SS#: ███

CDR Code #: 0139

Address:

City, State, Zip:

DL#: ███ SID#: ███

*CDL Yes No CMV Yes No

SENTENCE SHEET

In disposition of the said indictment comes now the Defendant who was CONVICTED OF or PLEADS TO: Robbery / Armed Robbery, robbery while armed or allegedly armed with a deadly weapon

in violation of § 16-11-0330(A) of the S.C. Code of Laws, bearing CDR Code # 0139

NON-VIOLENT VIOLENT SERIOUS MOST SERIOUS Mandatory GPS §17-25-45 (CSC w/minor 1st or CSC w/minor 3rd)

The charge is: As Indicted, Lesser Included Offense, Defendant Waives Presentment to Grand Jury. (defendant's initials)

The plea is: Without Negotiations or Recommendation, Negotiated Sentence, Recommendation by the State.

ATTEST:

Sutana Fuller 100730 SC Bar# Defendant Attorney for Defendant SC Bar# 77193

WHEREFORE, the Defendant is committed to the State Department of Corrections, County Detention Center, for a determinate term of 20 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: 1155; 1158
 The Defendant is to be given credit for time served pursuant to S.C. Code §24-13-40 to be calculated and applied by the SCDP.

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: \$ Obtain GED
Payment Terms: Attend Voc. Rehab. or Job Corp.

Set by SCDPPPS May serve W/E beginning

Recipient: Substance Abuse Counseling

*Fine: \$ Random Drug/Alcohol testing
§ 14-1-206 (Assessments 107.5 %) \$
§ 14-1-211(A)(1) (Conv. Surcharge) \$100 \$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 \$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) \$
Other: \$ paid to Public Defender Fund

TOTAL \$

Clerk of Court/ Deputy Clerk: Lisa Corneilme

Court Reporter: Cleppa

SCCA/217 (04/2018) Presiding Judge: [Signature] Judge Code: 2765 Sentence Date: 3-13-2019

SENTENCE IMPROVED 3-29-2019 [Signature] Plea accepted Sentencing Defunct.

CERTIFICATE OF COUNSEL FOR APPELLANT

Counsel for appellant certifies that this Record on Appeal contains all material proposed to be included by any of the parties and not any other material and that this Record on Appeal complies to the best of my ability with the April 15, 2014 order from the South Carolina Supreme Court entitled “Revised Order Concerning Personal Identifying Information and Other Sensitive Information in Appellate Court Filings.”

Respectfully Submitted,

RECEIVED

May 28 2020

SC Court of Appeals

s/ Sarah E. Shipe
Sarah E. Shipe
Appellate Defender

South Carolina Commission on Indigent Defense
Division of Appellate Defense
PO Box 11589
Columbia, S.C. 29211-1589

ATTORNEY FOR APPELLANT

This 28th day of May, 2020.