

State of South Carolina  
Respondent.

In the State of South Carolina  
In the Court of Appeals

v.  
Anthony C. Davis #379518  
Appellant.

Appellate Case No: 2019-00189.

Motion to Amend Application of  
Leave of Appellant Court.

**RECEIVED**

JUN 08 2020

SC Court of Appeals

Comes Now the Appellant, Anthony C. Davis #317518,  
Moving this Honorable Court, Under S.C. Civil Rules Procedures  
Rule 15, Amending application for Leave of Appellate  
Court, to motion Kershaw County Circuit Court, deposited  
by U.S. Postal Service, Mail on, April 10, 2020.

Exhibit A: Appellants, Motion Brady and other favorable material  
and Incorporated Memorandum of Law, filed, Dec. 30, 2016.

Exhibit B: Appellants Motion to Compel Discovery, filed, Aug 7, 2017.

Exhibit C: Picture of drug evidence seized from withheld (Huawei) Model  
# Y538.

Exhibit D: Undisclosed Items From Facilitated Calls For Alleged Controlled  
buy between C.I, and Appellants Roommate, From withheld  
(Huawei model # Y538).

Exhibit E: Warrantless Search of Withheld device, and Calls made  
by agents One hour after Search execution of Warrant,  
and seizure of devices, and Appellant.

Exhibit F: Warrantless search and Call made by Agents after the 5:54pm, execution and seizure of Appellant.

Exhibit G: transcript of Perjured testimony Made by Inv. Justin Spivey, to help obtain a conviction at Appellant's trial.

Exhibit H: transcript of Perjured testimony Made by Inv. Justin Spivey

Exhibit I: transcript of Perjured testimony made by Inv. Justin Spivey.

Exhibit J- Search warrant, with time of execution for 7/15/2016 at 17:54 P.M., which is 5:54 P.M., and the date of Issuance of Search warrant on 7/11/2016, signed by Affiant Inv. Justin Spivey.

Exhibit K- Inv. Spivey's testimony to the time of Controlled buy on July 8, 2016, allegedly.

Exhibit L- Inv. Spivey being sworn in, under oath.

Exhibit M- Inv. Spivey's Perjured testimony.

Exhibit N- McCellain's testimony to the traffic stop on Mr. Davis was solely for identification purposes only.

Exhibits O-P- Shows a Brady violation for failure to produce surveilling officers report for the alleged controlled buy at Appellant's residence.

State of South Carolina  
Respondent.

In the State of South Carolina  
In the Court of Appeals

Appellate Case No. 2019-00189

v.  
Anthony C. Davis #373518  
Appellant.

Affidavit

The Appellant, Anthony C. Davis #373518, Now Comes before the <sup>Court</sup> in the Amending of Previous Motion for leave of Appellate Court. In support of his request the Appellate gives the following sworn to facts:

Brady violation #1 - undisclosed items in withheld Cell Phone HUAWEI, model # Y538, Device, see exhibit D, items 1-2\*

Exhibit D, clearly shows items erased from between 6/18/2016 to 7/8/2016 at 7:25 PM. In which the Controlled buy occurred between 2-3 pm on the same day of traffic stop of Dark SUV, which occurred on July 8, 2016 same day as testified to the courts by Investigator Justin Spivey. The time of facilitation for controlled buy that occurred on 7/8/2016, where distracted from evidence in Phone records which were suppressed by government, See exhibit K.

the undisclosed items were requested in Appellant's Brady Motion see Exhibit A; and Appellant's motion to compel discovery see Exhibits B. The government failed to disclose materially evidence favorable to the accused. The Phone records and undisclosed items, where to violate Brady occurred ~~where~~ suppressed evidence by the State and Police. That favorable undisclosed evidence of Appellant's roommate cell phone device, facilitating the controlled buy with Confidential Informant would have created a reasonable doubt to the appellant's guilt, and would have maybe required CI to testify as to who allegedly sold her cocaine, Solicitor Ms-McKellar, testifying on behalf of State that the Controlled buy was for sole purpose of creating Probable cause, and probable cause was needed to issue search warrant to search Appellant's residence, therefore the video/audio plays a big part, for it shows the Police and CI's misconduct which vitiates a probable cause, and the video also shows Informant conversing with appellants roommate Zion Williams before going to an apartment

F. Appellant contends the Phone as a whole should not have been withheld from trial for, the government had Appellant's landlord testify ~~at~~ trial that she did not have any knowledge of anyone beside's Anthony Davis, residing at residence, her testimony was used entirely to impeach my defense claims

of having a roommate name Zion Williams, and discredit my defense, where if the cell phone would have been admitted and the undisclosed items of the facilitation of the alleged Buy between Zion Williams and Informant were disclosed it would've been favorable to Appellant, and created Reasonable doubt.

Also, the withheld Cell Phone device, with C.I.'s alleged buy, had pictures in device that was extracted by the government and was used as evidence in discovery and at Grand Jury on Feb 22, 2017 to indict Appellant, and was also attempting to get admitted into evidence at trial but was objected by Appellant's Counsel see Exhibit C-#19, therefore Appellants had every authority under Brady to be disclosed the discovery in Cell Phone records with C.I. and roommate Zion Williams.

The defendant was not charged with the distribution, because of a possible Brady violation, and because the withheld Brady evidence carried within it, the potential, for the discrediting, of the Police methods employed in assembling this case, see Exhibit J, where it states by affiant that the search warrant was executed on July 15, 2016, at 17:54pm, which is 5:54pm, if you look at Exhibit E, it clearly shows outgoing call at 6:58pm on 7/15/16, and at 6:40pm on 7/15/2016, well after Appellant and cell phones are, as well as all other evidence has been seized and is in possession

of the Police, which is the same said device used to facilitate Controlled buy, that was used by appellant's roommate, and had favorable items ~~undisclosed~~ undisclosed from. Exhibit F outgoing call and warrantless search at 6:32 pm on 7/15/2016 on Appellant's Cell Phone AT&T, 2te, registered to defendant. Exhibit's F and E, also D, shows fourth Amendment violations very clearly. The undisclosed items can very well have been erased from device pertaining to Controlled buy, which clearly violates Appellant's Constitutional rights and warrants reversal, and New trial.

### Perjured testimony #

Appellant contests that his imprisonment resulted from perjured testimony knowingly used by the State Authorities to his conviction and from the deliberate suppression by those same authorities of evidence favorable to him, and government failed to produce requested Police statements, and notes, for Appellant to be able to meet the testimony of Police witness at trial, Solicitor basically coached/pled Police testifying witnesses through cross and direct examination during Pretrial Motion hearing and trial. Conviction obtained by the knowing use of perjured testimony is fundamentally unfair, and must be set aside if there is any reasonable

likelihood that the false testimony could have affected the judgement, violating Due Process.

On my trial dated August 7-8, 2017, Investigator Justin Spivey testified falsely under oath on cross examination for the Prosecution Ms. McKellar, See Exhibit I - Inv. Justin Spivey testified under oath that the occupants of the SUV, said she purchased Marijuana from someone named Black, whom y'all (agents) already knew to be Mr. Anthony Davis, and which was already documented in my report, he testified. This occurred on 7/8/2016 for the traffic stop with the occupants. But see Exhibit G - on direct examination at appellants trial by Ms. McKellar. Inv. Justin Spivey testified to doing a traffic stop on Highway 12 Lugoff SC. on Appellant, and was asked by Prosecutor Ms. McKellar, "So after you identified Mr. Davis did you use the information that you gathered through your investigation to obtain a Warrant?" Spivey answered Yes, we did, which is false for the Search Warrant was already obtained and signed by affiant Inv. Justin Spivey on July 11, 2016 see Exhibit J, this traffic stop

With appellant was three days later on July 13, 2016, it was testified that the traffic stop on Mr. Davis was solely for purpose of identifying Mr. Davis as Black see Exhibit N, by Prosecution's Mr. McKellar. If investigators knew Appellant's name or appearance on July 8, 2016 to July 13, 2016, at the traffic stop, then at least a description of appellant ~~was~~ would have been particularly described in the search warrant as a whole, and the testimony influenced the jury and gave a false impression that appellant is "Black," whom sold drugs to informant and occupants of a Dark SUV on July 8, 2016, therefore by the recanting and perjured testimony by Inv. Spivey Appellant should be entitled to a new trial, also see Exhibit M, where Spivey's testimony that he "don't Recall" the informant working off Charges and Exhibit K, where Investigator Spivey testified that Informant gave him information, and basically volunteered to go to Job Lawrens <sup>Street</sup> without officers explaining or asking her to go to said residence, which is knowingly committing perjury, for the Investigator arrested informant on July 7, 2016, by following Informant from the area of King Raigler apartments to another apartment complex in Lidgeoff, S.C., then doing a traffic stop on her, then arresting her, after searching and seizing Cocaine from her, which led to informant's cooperation with law enforcement. Exhibits O, and P, shows a Brady notation, for appellant is entitled to the officer's report who surveilled informant enter residence for controlled buy, who's Justin Spivey testified that they kept eyes on informant the entire time, without establishing whom the surveilling was.

Investigator spivey's was sworn in to tell the truth,  
the whole truth, and nothing but the truth, when  
sworn in clerk see, exhibit L, Appellant wishes  
this honorable Court grants leave, due to the above  
sworn to facts.

State of SC  
County of Sumter

SWORN TO AND SUBSCRIBED BEFORE ME THIS

2nd DAY OF June, 2020

Pamela Hatfield

NOTARY PUBLIC FOR SOUTH CAROLINA

COMMISSION EXPIRES: 3/15/2021

Respectfully Submitted  
Appellant, Anthony C. Davis  
W.R.C.I - W2 - Bd 3A  
P.O. Box 189  
Rembert S.C. 29128  
Anthony C. Davis 373518

Exhibit A

STATE OF SOUTH CAROLINA

COUNTY OF KERSHAW

STATE OF SOUTH CAROLINA

v.

Anthony C. Davis

Defendant.

FILED FOR RECORD

2016 DEC 30 AM 11:48

JOYCE McDONALD  
CLERK OF COURT  
KERSHAW COUNTY, S.C.

IN THE COURT OF GENERAL SESSIONS

THE FIFTH JUDICIAL CIRCUIT

Warrant/Ticket Number(s):

2016A2810200109, 2016A2810200110,

2016A2810200111, 2016A2810200112

**MOTION FOR BRADY  
AND OTHER FAVORABLE MATERIAL  
AND INCORPORATED  
MEMORANDUM OF LAW**

COMES NOW the Defendant, by and through the undersigned counsel of record, and files this Motion for Brady and Other Favorable Material and pursuant to Rules 5 and 6, SCCrimP. Defendant also submits the Incorporated Memorandum of Law requiring the production of material to the defendant within thirty days of the receipt of this request or at least ten (10) days prior to trial. As grounds therefore, the undersigned would show as follows:

1. Pursuant to Rule 5, SCCrimP Defendant requests any and all statements of Defendants; Defendant's prior record; books, papers, documents, photographs, tangible objects, buildings or places, or copies or portions thereof, which are within the possession, custody or control of the prosecution, and which are material to the preparation of his defense or are intended for use by the prosecution as evidence in chief at the trial, or were obtained from or belong to the defendant; any results or reports of physical or mental examinations, and of scientific tests or experiments, or copies thereof, which are within the possession, custody, or control of the prosecution, the existence of which is known, or by the exercise of due diligence may become known, to the attorney for the prosecution, and which are material to the preparation of the defense or are intended for use by the prosecution as evidence in chief at the trial
2. Pursuant to Rule 6, SCCrimP, any reports or papers mentioned in Sections (a) or (b) of Rule 6, SCCrimP shall be made available to the defendant or his attorney at the preliminary hearing or if no hearing is held, not later than eleven (11) days prior to the trial of the case
3. Under the United States Supreme Court decision in Brady v. Maryland, 373 U.S. 83, 83 Sup. Ct. 1194 (1963) the Solicitor has an obligation to produce all Brady material for the Defendant well in advance of the scheduled trial date.
4. Defendant claims under Brady and its progeny, as well as the language and spirit of Kyles v. Whitley, 514 U.S. 419, 131 L.Ed.2d 490, 115 Sup. Ct. 1555 (1995) and Giglio v. United States, 405 U.S. 105, 92 Sup. Ct. 763 (1972); United States v. Tashman, 478 F.2d 129 (5<sup>th</sup> Cir. 1973); and Napue v. Illinois, 360 U.S. 264, 79 Sup. Ct. 1173 (1959); Alcontá v. Texas, 355 U.S. 28 (1957); Mooney v. Halliham, 294 U.S. 103 (1935); and Moore v. Illinois, 408 U.S. 786 (1962); that he/she is entitled to

# Exhibit A

any and all reports, memoranda and documents, as well as a statement of the Circuit Solicitor and all appropriate state, federal and local law agencies as to:

- a. All statements by the defendant, whether oral or written; if written whether signed or unsigned.
- b. All handwritten notes made by police or other investigating officers of their interview or conversation with the defendant or any other witness.
- c. Any oral, written or recorded statements made by any person to the Solicitor's office, Grand Jury or any law enforcement agency in connection with this case.
- d. A copy of all tape recordings, audio or visual, made by a defendant, witness or any other person in connection with this case. If these tape recordings have been transcribed, then a copy of the transcribed conversation is also requested.
- e. Any and all investigation reports, (information or material) which tends to ~~establish the defendant's innocence, to mitigate punishment, or to impeach, discredit, or contradict the testimony of any witness whom the State will or may call at trial.~~ Giles v. Maryland 386 U.S. 66, 87 Sup. Ct. 793 (1967); Napue v. Illinois, 360 U.S. 264, 79 Sup. Ct. 1173 (1959); Giglio v. U.S.; Kyles v. Whitley; supra.
- f. The names and addresses of all witnesses interviewed by the Solicitor's office or any other law enforcement agency who might establish the defendant's innocence, mitigate punishment, or impeach, discredit, or contradict the testimony of any witness of the State whether or not the witness may testify at trial. Kyles v. Whitley, 514 U.S. 419, 131 L.Ed.2d 490, 115 Sup. Ct. 1555 (1995).
- g. Any and all photographs taken of the defendant on any portion of his body.
- h. Any and all photographs taken at the scene of the alleged crime and/or the alleged victim or prosecuting witness.
- i. Any photographs that have been exhibited to any person for the purpose of establishing identity of the perpetrator of the crime charged and the name and current address of the person or persons to whom the photographs were shown.
- j. Any scientific or medical report which tends to establish the defendant's innocence, to mitigate punishment or to impeach, discredit, or contradict the testimony or any witness whom the State will or may call at trial. Ashley v. Texas, 319 F.2d 80 (5<sup>th</sup> Cir.), cert. denied, 375 U.S. 931, 84 Sup. Ct. 331 (1963). This request shall include any reports by or to the State Law Enforcement Division (SLED) criminalistic laboratory, Federal Bureau of

Investigation laboratories, County Sheriff's Department laboratory or any other law enforcement laboratory concerning an examination made by said laboratories and/or personnel thereof, of any physical, photographic, oral or written evidence concerning the investigation of this case.

k. All reports from the State Law Enforcement Division (SLED), Sheriff's Department, or any other law enforcement agency, including Federal Bureau of Investigation, concerning fingerprints checked in connection with this case.

l. All records of arrests or criminal convictions of the defendant or any co-defendant and all State's witnesses in relation to this case. Giglio v. U.S., supra.

m. All "inconsistent" statements made by a particular witness or between witnesses, whether written or oral, that is known to the Solicitor's Office or any other law enforcement agency, including statements and other evidence that raise questions about the reliability or the credibility of a particular witness or the investigation. Kyles v. Whitley, supra.

n. Any statement or admission by a witness for or on behalf of the State with respect to the witness' memory or loss thereof.

o. Whether or not any witness called before the Grand Jury or who has or will give testimony to any investigative agency or at trial has ever been psychiatrically hospitalized or undergone psychiatric treatment, examination, mental status examination or care, and if so, a list of names and addresses of the psychiatrists, hospitals and copies of any and all relevant records and reports.

p. All notes or memoranda by psychiatrists or other medical or mental health examiners of their conversations with the defendant.

q. Any and all plea bargains, promises, rewards, reductions, dismissals, agreements not to bring criminal charges or any other inducements made to any witness herein, (whether or not they have testified before any State or Federal Grand Jury, or other investigative agency, and regardless of whether or not they will testify at trial.)

r. Any offers or grants of immunity to any witness from loss of property, fine, forfeiture, prosecution or punishment in this case or any other case, related or otherwise.

s. In addition, Defendant requests copies of any and all memoranda, reports and correspondence to and from the various law enforcement agencies of the United States and all state, county, municipal and local law enforcement agencies regarding the investigation herein.

t. Any and all physical or tangible items in the possession, custody or control of or which could reasonably be brought within the possession, custody or control of the Solicitor's Office, State, Federal or local law enforcement agency.

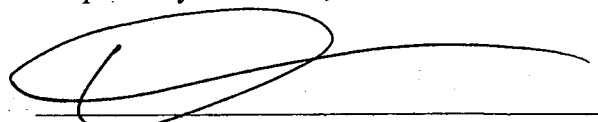
✓ 5. That the individual prosecutor or prosecutors in this case has a duty to learn of any favorable evidence known to others acting on the government's behalf in the case, including the police. Kyles v. Whitley, 514 U.S. 419, 131 L.Ed.2d 490, 115 Sup. Ct. 1555 (1995). That this Court should specifically direct the Government in the spirit of fairness and equity, seek and produce for the defendant the documents, letter, records and other items sought, irrespective of the State's determination of whether a witness' statement or a particular letter or exhibit can "help" the defendant. The Defendant and his/her attorney, not the Solicitor, should be the judge of his/her defense and the documents relevant thereto and necessary in support of same.

✓ 6. To the extent the defendant is specifically required to demonstrate the materiality of the requested information, the defendant submits this requirement is satisfied in this motion. United States v. Agurs, 427 U.S. 97 (1976).

7. That recognizing that Brady and other authorities cited require that information favorable to the defendant be made available, and further recognizing that a genuine disagreement may arise as to whether or not a particular item of evidence is favorable, it will be requested that the Court provide for an in camera inspection of the items sought to be discovered should you feel such items are not favorable to the defendant. By permitting the Court to examine the items requested, the legitimate interest of the State will be protected in that no disclosure in excess of Brady, et al., will occur. Further, it will be requested of the Court that said Order will be a continuing one, and if, prior to or during trial, the prosecution discovers additional evidence or material requested, the prosecution is hereby requested promptly to notify counsel for the defendant of the existence of the additional evidence or material.

8. It is further requested that the prosecution promptly respond to the within request by notifying counsel for the defendant of the existence and availability of the information requested herein within thirty (30) days of the receipt of this motion and at least ten (10) days prior to trial. →

Respectfully submitted,



Deborah J. Butcher, #74029  
Attorney for Defendant  
221 Glenwood Drive Street  
Manning, South Carolina 29102  
Post Office Box 486  
Manning, South Carolina 29102  
Telephone: 803.432.7599  
Facsimile: 803.432.7466

Exhibit #B

STATE OF SOUTH CAROLINA  
COUNTY OF KERSHAW

State of South Carolina,  
Plaintiff,

vs.

Anthony C. Davis,  
Defendant.

COURT OF GENERAL SESSION  
FIFTH JUDICIAL CIRCUIT

Case Numbers: 2017-GS-28-346-349

DEFENDANT'S MOTION TO  
COMPEL DISCOVERY

FILED FOR RECORD  
2017 AUG -7 AM 9:01  
JANET C. HASTY  
CLERK OF COURT  
KERSHAW COUNTY, S.C.

TO: ALL OTHER COUNSEL OF RECORD

YOU WILL PLEASE TAKE NOTICE that the Defendant, Anthony C. Davis (Davis) hereby moves, in accordance with Rule 4 SCRCrimP, for an order compelling the State to produce as part of discovery the following documents and other things:

1. All documents and other things created in connection to the drug purchase by the CI that is described in the Affidavit in support of Search Warrant Number 1659;
2. A complete copy of the audio and video recording of the drug purchase by the CI that is described in the Affidavit in support of Search Warrant Number 1659;
3. All documents or other things that are in any way related to the issuance of Search Warrant Number 1659; and
4. A complete copy of all policies and procedures of the Kershaw County Sheriff's Office that have anything to do with confidential informants.

As grounds for this Motion, Davis asserts that these documents and other things must be produced under Brady v. Maryland, 373 U.S. 83, 83 S.Ct. 1463, 10 L.Ed.2d 747 (1970) and its progeny because they were requested in Davis' Discovery Motion and because they relate directly to Davis'

Exhibit-B

assertion that the Search Warrant for the search of 206 Laurens Street, Apt. F, Camden, SC was not supported by probable cause.

**WHEREFORE**, Davis prays that this Court enter an order excluding all evidence of prior crimes and uncharged misconduct of Davis.

Respectfully Submitted,

  
**AIKEN & HIGHTOWER, PA**

---

**BY: ARTHUR K. AIKEN**  
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**ATTORNEYS FOR DEFENDANT**

Columbia, South Carolina  
August 6, 2017

Exhibit B

assertion that the Search Warrant for the search of 206 Laurens Street, Apt. F, Camden, SC was not supported by probable cause.

**WHEREFORE**, Davis prays that this Court enter an order excluding all evidence of prior crimes and uncharged misconduct of Davis.





Respectfully Submitted,

  
**AIKEN & HIGHTOWER, PA**

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**BY: ARTHUR K. AIKEN**  
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**ATTORNEYS FOR DEFENDANT**

Columbia, South Carolina  
August 6, 2017

16	<b>Name:</b> IMG_20160702_091946.jpg <b>Path:</b> Media/Internal storage/DCIM/Camera/IMG_20160702_091946.jpg <b>MD5:</b> b29caa389a0b66492732b2f3efde1849	<b>Size (bytes):</b> 373928 <b>Created:</b> 7/2/2016 9:19:47 AM <b>Source Extraction:</b> Logical <b>Meta Data:</b> <b>Camera Make:</b> HUAWEI <b>Camera Model:</b> Y538 <b>Capture Time:</b> 7/2/2016 9:19:46 AM <b>Pixel resolution:</b> 1440x2560 <b>Resolution:</b> 72x72 (Unit: Inch) <b>Make:</b> HUAWEI <b>Model:</b> Y538		
17	<b>Name:</b> IMG_20160703_180430.jpg <b>Path:</b> Media/Internal storage/DCIM/Camera/IMG_20160703_180430.jpg <b>MD5:</b> 35ffd193fb08cc829bea8d677952ddc6	<b>Size (bytes):</b> 479456 <b>Created:</b> 7/3/2016 6:04:30 PM <b>Source Extraction:</b> Logical <b>Meta Data:</b> <b>Camera Make:</b> HUAWEI <b>Camera Model:</b> Y538 <b>Capture Time:</b> 7/3/2016 6:04:29 PM <b>Pixel resolution:</b> 2560x1440 <b>Resolution:</b> 72x72 (Unit: Inch) <b>Make:</b> HUAWEI <b>Model:</b> Y538		
18	<b>Name:</b> IMG_20160711_092231.jpg <b>Path:</b> Media/Internal storage/DCIM/Camera/IMG_20160711_092231.jpg <b>MD5:</b> b3cd8f2d4983d6b7701327c3b992097d	<b>Size (bytes):</b> 268790 <b>Created:</b> 7/11/2016 9:22:31 AM <b>Source Extraction:</b> Logical <b>Meta Data:</b> <b>Camera Make:</b> HUAWEI <b>Camera Model:</b> Y538 <b>Capture Time:</b> 7/11/2016 9:22:30 AM <b>Pixel resolution:</b> 1440x2560 <b>Resolution:</b> 72x72 (Unit: Inch) <b>Make:</b> HUAWEI <b>Model:</b> Y538		
19	<b>Name:</b> IMG_20160711_215105.jpg <b>Path:</b> Media/Internal storage/DCIM/Camera/IMG_20160711_215105.jpg <b>MD5:</b> 29c48f11650489b16afc50c61deab2a6	<b>Size (bytes):</b> 1597743 <b>Created:</b> 7/11/2016 9:51:06 PM <b>Source Extraction:</b> Logical <b>Meta Data:</b> <b>Camera Make:</b> HUAWEI <b>Camera Model:</b> Y538 <b>Capture Time:</b> 7/11/2016 9:51:06 PM <b>Pixel resolution:</b> 2592x1944 <b>Resolution:</b> 72x72 (Unit: Inch) <b>Make:</b> HUAWEI <b>Model:</b> Y538		







20	<b>Name:</b> IMG_20160715_113635.jpg <b>Path:</b> Media/Internal storage/DCIM/Camera/IMG_20160715_113635.jpg <b>MD5:</b> d74c18931097da9c971beebf40df542d	<b>Size (bytes):</b> 233969 <b>Created:</b> 7/15/2016 11:36:35 AM <b>Source Extraction:</b> Logical <b>Meta Data:</b> <b>Camera Make:</b> HUAWEI <b>Camera Model:</b> Y538 <b>Capture Time:</b> 7/15/2016 11:36:35 AM <b>Pixel resolution:</b> 1440x2560 <b>Resolution:</b> 72x72 (Unit: Inch) <b>Make:</b> HUAWEI <b>Model:</b> Y538		
21	<b>Name:</b> Life.jpg <b>Path:</b> Media/Internal storage/Ringtones/Pictures/Life.jpg <b>MD5:</b> 9cd3aefe537bda38aa2c0be7a3bc1f10	<b>Size (bytes):</b> 867937 <b>Created:</b> 8/30/2015 12:05:19 PM <b>Source Extraction:</b> Logical		
22	<b>Name:</b> preview_icons_0.jpg <b>Path:</b> Media/Internal storage/HWThemes/.cache/Default.hwt/preview/preview_icons_0.jpg <b>MD5:</b> 897240edb7ca683110bc575957113b71	<b>Size (bytes):</b> 2683781 <b>Created:</b> 6/18/2016 1:33:47 AM <b>Source Extraction:</b> Logical <b>Meta Data:</b> <b>Capture Time:</b> 3/23/2015 3:35:33 PM <b>Pixel resolution:</b> 480x854 <b>Resolution:</b> 72x72 (Unit: Inch)		
23	<b>Name:</b> preview_widget_0.jpg <b>Path:</b> Media/Internal storage/HWThemes/.cache/Default.hwt/preview/preview_widget_0.jpg <b>MD5:</b> 92a0eb44f150ea4e02938cb1025e075f	<b>Size (bytes):</b> 144653 <b>Created:</b> 6/18/2016 1:33:49 AM <b>Source Extraction:</b> Logical		
24	<b>Name:</b> unlock_wallpaper_0.jpg <b>Path:</b> Media/Internal storage/HWThemes/.cache/Default.hwt/wallpaper/unlock_wallpaper_0.jpg <b>MD5:</b> 64906a856576dd39bfb58beeafcb55c6	<b>Size (bytes):</b> 2254849 <b>Created:</b> 6/18/2016 1:33:49 AM <b>Source Extraction:</b> Logical <b>Meta Data:</b> <b>Capture Time:</b> 10/8/2014 4:52:04 PM <b>Pixel resolution:</b> 480x854 <b>Resolution:</b> 300x300 (Unit: Inch)		
25	<b>Name:</b> unlock_wallpaper_1.jpg <b>Path:</b> Media/Internal storage/HWThemes/.cache/Default.hwt/wallpaper/unlock_wallpaper_1.jpg <b>MD5:</b> 47e224b1f9511ade6b143d87aa2accf6	<b>Size (bytes):</b> 870082 <b>Created:</b> 6/18/2016 1:33:49 AM <b>Source Extraction:</b> Logical <b>Meta Data:</b> <b>Capture Time:</b> 5/20/2014 5:45:04 PM <b>Pixel resolution:</b> 480x854 <b>Resolution:</b> 72x72 (Unit: Inch)		

Exhibit D

Please Copy

30	To (860) 681-3102 D Mike *	7/13/2016 10:05:40 PM(UTC-4)	Sent	What u need Source Extraction: Logical
31	To (803) 549-6019 Asa	7/13/2016 7:43:57 PM(UTC-4)	Sent	K Source Extraction: Logical
32	To (803) 427-9164 Roy *	7/13/2016 6:38:24 PM(UTC-4)	Sent	Ok Source Extraction: Logical
33	To (803) 295-6000	7/13/2016 2:26:02 PM(UTC-4)	Sent	Just girl weed man locked up Source Extraction: Logical
34	To (803) 295-6000	7/13/2016 2:17:31 PM(UTC-4)	Sent	Yea Source Extraction: Logical
35	To (803) 295-6000	7/13/2016 2:15:28 PM(UTC-4)	Sent	Renting my uhaul truck Source Extraction: Logical
36	To (803) 743-5016	7/13/2016 1:37:46 PM(UTC-4)	Sent	That 304 number said call him, he had TeX my fone Source Extraction: Logical
37	To (304) 237-8998	7/13/2016 1:35:44 PM(UTC-4)	Sent	K Source Extraction: Logical

Undisclosed Item #1-2  
Timeline (619)

#	Type	Direction	Attachments	Locations	Timestamp	Party	Description	Deleted
1	Calendar				6/18/2016 9:28:09 PM(UTC-4)		Call back 8034666909 Source Extraction: Logical	
2	Call Log	Incoming			7/8/2016 7:25:28 PM(UTC-4)	From: 8032297151	Source Extraction: Logical	
3	Call Log	Incoming			7/8/2016 7:27:48 PM(UTC-4)	From: 8034219202	Source Extraction: Logical	
4	Call Log	Incoming			7/8/2016 7:31:26 PM(UTC-4)	From: 8034219202	Source Extraction: Logical	
5	Call Log	Incoming			7/8/2016 8:07:48 PM(UTC-4)	From: 8037293950 Blakk	Source Extraction: Logical	
6	Call Log	Incoming			7/8/2016 8:10:21 PM(UTC-4)	From: 8032433587	Source Extraction: Logical	
7	Call Log	Incoming			7/8/2016 8:15:40 PM(UTC-4)	From: 8452845601 Dolf	Source Extraction: Logical	
8	Call Log	Incoming			7/8/2016 8:54:53 PM(UTC-4)	From: 8032430176 Walter	Source Extraction: Logical	
9	Call Log	Outgoing			7/8/2016 9:22:29 PM(UTC-4)	To: 8035492159 Q	Source Extraction: Logical	
10	Call Log	Outgoing			7/8/2016 9:40:59 PM(UTC-4)	To: 8035492159 Q	Source Extraction: Logical	
11	Call Log	Incoming			7/8/2016 9:46:47 PM(UTC-4)	From: 8036361432 Long Hair	Source Extraction: Logical	
12	Call Log	Incoming			7/8/2016 9:52:35 PM(UTC-4)	From: 8036361432 Long Hair	Source Extraction: Logical	
13	Call Log	Incoming			7/8/2016 9:57:00 PM(UTC-4)	From: 8452845601 Dolf	Source Extraction: Logical	
14	Call Log	Incoming			7/8/2016 10:00:57 PM(UTC-4)	From: 8034278542 V	Source Extraction: Logical	
15	Call Log	Incoming			7/8/2016 10:03:03 PM(UTC-4)	From: 8036361432 Long Hair	Source Extraction: Logical	
16	Call Log	Incoming			7/8/2016 10:46:22 PM(UTC-4)	From: 8036694717	Source Extraction: Logical	
17	Call Log	Incoming			7/8/2016 10:50:06 PM(UTC-4)	From: 8452845601 Dolf	Source Extraction: Logical	
18	Call Log	Incoming			7/8/2016 10:55:59 PM(UTC-4)	From: 8036361432 Long Hair	Source Extraction: Logical	
19	Call Log	Incoming			7/8/2016 11:08:39 PM(UTC-4)	From: 8452845601 Dolf	Source Extraction: Logical	
20	Call Log	Outgoing			7/8/2016 11:50:52 PM(UTC-4)	To: 8032723003 Dee	Source Extraction: Logical	
21	Call Log	Incoming			7/8/2016 11:53:54 PM(UTC-4)	From: 8036699058 Jaz	Source Extraction: Logical	

MAC

Sent (37)

Phone (37)

#	Party	Time	Status	Message	Deleted
1	To (803) 427-6292 P *	7/15/2016 4:13:59 PM(UTC-4)	Sent	Possibly Saturday can be a definitely Source Extraction: Logical	
2	To (803) 420-3914 Rissa *	7/15/2016 4:13:20 PM(UTC-4)	Sent	I'm here Source Extraction: Logical	
3	To (803) 420-3914 Rissa *	7/15/2016 4:03:41 PM(UTC-4)	Sent	K Source Extraction: Logical	
4	To (803) 420-3914 Rissa *	7/15/2016 3:42:23 PM(UTC-4)	Sent	Lo! o u got jokes Source Extraction: Logical	
5	To (803) 420-3914 Rissa *	7/15/2016 3:40:08 PM(UTC-4)	Sent	U gotta call me whenever u need something, u didn't call me, my cheap azz fone don't get texts rite away sumtimes. Source Extraction: Logical	
6	To (803) 669-9058 Jaz *	7/15/2016 3:38:17 PM(UTC-4)	Sent	I only got work Source Extraction: Logical	
7	To (803) 420-3914 Rissa *	7/15/2016 3:37:58 PM(UTC-4)	Sent	So y didn't u call me?, u gotta call me, sumtimes I don't get texts in time Source Extraction: Logical	
8	To (803) 669-9058 Jaz *	7/15/2016 3:35:07 PM(UTC-4)	Sent	Yea what's up Source Extraction: Logical	
9	To (803) 900-1202 Frank *	7/15/2016 3:11:22 PM(UTC-4)	Sent	Call me when you pulling in Source Extraction: Logical	
10	To (803) 420-3914 Rissa *	7/15/2016 1:49:56 PM(UTC-4)	Sent	What u talkn bout Source Extraction: Logical	
11	To (803) 713-4819 Jack *	7/15/2016 12:49:24 PM(UTC-4)	Sent	Yo I'm tryna call u it won't go thru Source Extraction: Logical	
12	To (229) 315-0620 Teek *	7/15/2016 12:47:40 PM(UTC-4)	Sent	I'm not around I said I got u Source Extraction: Logical	
13	To (803) 713-4819 Jack *	7/15/2016 12:19:24 PM(UTC-4)	Sent	King haglier Source Extraction: Logical	
14	To (229) 315-0620 Teek *	7/15/2016 11:16:11 AM(UTC-4)	Sent	1230 Source Extraction: Logical	
15	To (229) 315-0620 Teek *	7/15/2016 10:02:07 AM(UTC-4)	Sent	Yea Source Extraction: Logical	
16	To (803) 351-0217 AZahia *	7/15/2016 10:01:43 AM(UTC-4)	Sent	We leaving here in a hour meet u at the shop at 12, I can't answer no service out here Source Extraction: Logical	
17	To (803) 351-0217 AZahia *	7/14/2016 8:46:48 PM(UTC-4)	Sent	And IMA send wit u tomorrow when I finish what I got, Source Extraction: Logical	
18	To (803) 351-0217 AZahia *	7/14/2016 8:44:01 PM(UTC-4)	Sent	One thing I don't do is fun up paper, il GOT YOU my nigga Source Extraction: Logical	
19	To (860) 919-8759	7/14/2016 8:42:24 PM(UTC-4)	Sent	??? Source Extraction: Logical	
20	To (803) 351-0217 AZahia *	7/14/2016 8:41:23 PM(UTC-4)	Sent	I got u, I gotta pass your way anyway Source Extraction: Logical	
21	To (860) 919-8759	7/14/2016 8:38:56 PM(UTC-4)	Sent	Yea what u need? Source Extraction: Logical	
22	To (803) 351-0217 AZahia *	7/14/2016 8:23:23 PM(UTC-4)	Sent	I'm still her: IMA TeX u when I'm close, I gotta pass u to go home, I'm riding with someone else, me and a female, we at her family house showing them our ultrasound from our baby Source Extraction: Logical	
23	To (803) 351-0217 AZahia *	7/14/2016 8:16:00 PM(UTC-4)	Sent	I'm still there IMA stop by u on the way home Source Extraction: Logical	
24	To (803) 549-2159 Q *	7/14/2016 3:45:24 PM(UTC-4)	Sent	Yea Source Extraction: Logical	
25	To (803) 549-2159 Q *	7/14/2016 3:43:45 PM(UTC-4)	Sent	King haglier Source Extraction: Logical	
26	To (803) 351-0217 AZahia *	7/14/2016 2:56:38 PM(UTC-4)	Sent	I'm leaving here n another hour, Source Extraction: Logical	
27	To (803) 351-0217 AZahia *	7/14/2016 2:55:59 PM(UTC-4)	Sent	OK I can stop to u on my way from the met, I'm will be coming from the harbison area Source Extraction: Logical	
28	To (803) 351-0217 AZahia *	7/14/2016 12:23:45 AM(UTC-4)	Sent	Source Extraction: Logical	
29	To (803) 351-0217 AZahia *	7/14/2016 12:23:31 AM(UTC-4)	Sent	I should be ready wit these last 14 grams sum time tomorrow, Source Extraction: Logical	

Exhibit E

Please Copy

Munster

96	From: 8606813102 Mike D	7/9/2016 4:41:32 PM(UTC-4)	00:00:00				
97	From: 8452845601 Doll	7/9/2016 12:43:30 PM(UTC-4)	00:00:00				
98	From: 8032431891	7/9/2016 2:16:26 AM(UTC-4)	00:00:00				
99	From: 8035496319 Asa	7/9/2016 12:12:16 AM(UTC-4)	00:00:00				
100	From: 8032723003 Dee	7/9/2016 12:07:20 AM(UTC-4)	00:00:00				
101	From: 8039005796 Russ	7/9/2016 12:04:02 AM(UTC-4)	00:00:00				
102	From: 8452845601 Doll	7/8/2016 11:08:39 PM(UTC-4)	00:00:00				
103	From: 8452845601 Doll	7/8/2016 10:50:06 PM(UTC-4)	00:00:00				
104	From: 8452845601 Doll	7/8/2016 9:57:00 PM(UTC-4)	00:00:00				

Outgoing (193)

WARRINGTON SEARCH

#	Parties	Timestamp	Duration	Country code	Network code	Network Name	Video call	Deleted
1	To: 8034276292 P	7/15/2016 6:58:33 PM(UTC-4)	00:01:04					
2	To: 8034276292 P	7/15/2016 6:40:22 PM(UTC-4)	00:01:51					
3	To: 8034279404	7/15/2016 4:29:07 PM(UTC-4)	00:00:30					
4	To: 8034279164 Roy	7/15/2016 3:57:32 PM(UTC-4)	00:01:00					
5	To: 8032726009 Icy Black	7/15/2016 3:28:49 PM(UTC-4)	00:00:36					
6	To: 8032726009 Icy Black	7/15/2016 3:28:11 PM(UTC-4)	00:00:30					
7	To: 8034203914 Rissa	7/15/2016 1:50:02 PM(UTC-4)	00:00:22					
8	To: 8037134819 Jack	7/15/2016 1:34:39 PM(UTC-4)	00:00:02					
9	To: 8037134819 Jack	7/15/2016 12:30:41 PM(UTC-4)	00:00:02					
10	To: 8037134819 Jack	7/15/2016 12:19:11 PM(UTC-4)	00:00:02					
11	To: 8037134819 Jack	7/15/2016 12:18:57 PM(UTC-4)	00:00:01					
12	To: 8032726009 Icy Black	7/15/2016 10:49:10 AM(UTC-4)	00:00:30					
13	To: 8033510217 AZahia	7/15/2016 10:40:40 AM(UTC-4)	00:00:31					
14	To: 8035492159 Q	7/15/2016 10:36:10 AM(UTC-4)	00:00:27					
15	To: 8034276292 P	7/15/2016 10:34:28 AM(UTC-4)	00:00:36					
16	To: 8035491431 Urkk	7/15/2016 10:19:50 AM(UTC-4)	00:00:51					
17	To: 8034276292 P	7/15/2016 10:19:09 AM(UTC-4)	00:00:31					
18	To: 8035651094 Go	7/15/2016 10:18:50 AM(UTC-4)	00:00:00					
19	To: 8033510217 AZahia	7/15/2016 10:00:25 AM(UTC-4)	00:00:00					
20	To: 8034209956 Teesh	7/15/2016 9:03:35 AM(UTC-4)	00:00:51					
21	To: 8034209956 Teesh	7/15/2016 9:02:52 AM(UTC-4)	00:00:24					

22	To: 8035497598	7/14/2016 9:59:45 PM(UTC-4)	00:01:51				
23	To: 8609198759	7/14/2016 9:05:16 PM(UTC-4)	00:00:40				
24	To: 8609198759	7/14/2016 9:04:51 PM(UTC-4)	00:00:19				
25	To: 8606813102 Mike D	7/14/2016 8:05:47 PM(UTC-4)	00:00:29				
26	To: 8039001202 Frank	7/14/2016 7:29:06 PM(UTC-4)	00:00:24				
27	To: 8034276292 P	7/14/2016 6:17:36 PM(UTC-4)	00:01:20				
28	To: 8032723003 Dee	7/14/2016 6:06:04 PM(UTC-4)	00:00:25				
29	To: 8034323211	7/14/2016 6:05:30 PM(UTC-4)	00:00:24				
30	To: 8032297151	7/14/2016 4:40:33 PM(UTC-4)	00:00:00				
31	To: 8032723003 Dee	7/14/2016 4:29:52 PM(UTC-4)	00:00:22				
32	To: 8452845601 Dolf	7/14/2016 4:19:25 PM(UTC-4)	00:01:44				
33	To: 8035497598	7/14/2016 4:17:51 PM(UTC-4)	00:00:48				
34	To: 8035491431 Urkk	7/14/2016 3:59:13 PM(UTC-4)	00:00:38				
35	To: 8035651094 Go	7/14/2016 3:54:03 PM(UTC-4)	00:01:03				
36	To: 8032433689 Luck	7/14/2016 3:35:02 PM(UTC-4)	00:00:24				
37	To: 8032433689 Luck	7/14/2016 3:34:18 PM(UTC-4)	00:00:27				
38	To: 8032433689 Luck	7/14/2016 3:11:16 PM(UTC-4)	00:02:40				
39	To: 8034276593 Lala	7/14/2016 3:02:52 PM(UTC-4)	00:00:37				
40	To: 8034323211	7/14/2016 3:02:15 PM(UTC-4)	00:00:28				
41	To: 8034323211	7/14/2016 3:01:37 PM(UTC-4)	00:00:07				
42	To: 8034323211	7/14/2016 3:01:15 PM(UTC-4)	00:00:09				
43	To: 8037298300 Reil Cuzz	7/14/2016 2:00:57 PM(UTC-4)	00:01:15				
44	To: 8033510217 AZahia	7/14/2016 12:22:33 AM(UTC-4)	00:00:00				
45	To: 8034276292 P	7/13/2016 10:39:54 PM(UTC-4)	00:00:27				
46	To: 8035496019 Asa	7/13/2016 9:12:54 PM(UTC-4)	00:00:37				
47	To: 8035496019 Asa	7/13/2016 6:41:37 PM(UTC-4)	00:09:24				
48	To: 8034279164 Roy	7/13/2016 6:40:45 PM(UTC-4)	00:00:38				
49	To: 8452845601 Dolf	7/13/2016 6:21:37 PM(UTC-4)	00:16:27				
50	To: 8034209956 Teesh	7/13/2016 6:19:01 PM(UTC-4)	00:00:30				
51	To: 8034279164 Roy	7/13/2016 6:11:35 PM(UTC-4)	00:00:41				
52	To: 8037435016	7/13/2016 5:33:35 PM(UTC-4)	00:00:17				
53	To: 8037435016	7/13/2016 5:14:13 PM(UTC-4)	00:00:47				
54	To: 8037435016	7/13/2016 5:13:52 PM(UTC-4)	00:00:00				
55	To: 8037435016	7/13/2016 5:13:40 PM(UTC-4)	00:00:06				
56	To: 8037435016	7/13/2016 5:12:02 PM(UTC-4)	00:00:27				

Exhibit F  
Outgoing (230)

AT&T, ANTHONY DAVIS'S Cellphone

Please Copy

Warrant Search

#	Parties	Timestamp	Duration	Country code	Network code	Network Name	Video call	Deleted
1	To: 8622132694 Mom	7/15/2016 6:32:11 PM(UTC-4)	00:00:00					
2	To: 8622259570 700. Studia Clifton S.pat Border	7/14/2016 12:55:57 PM(UTC-4)	00:02:49					
3	To: 201	7/14/2016 12:46:12 PM(UTC-4)	00:00:00					
4	To: 2012143908	7/14/2016 12:45:06 PM(UTC-4)	00:00:04					
5	To: 8033684418 Ariv	7/14/2016 2:57:47 AM(UTC-4)	00:00:00					
6	To: 8622623696 Mooch	7/14/2016 12:30:41 AM(UTC-4)	00:00:00					
7	To: 8033052200 Miqia	7/13/2016 10:21:31 PM(UTC-4)	00:00:00					
8	To: 8033052200 Miqia	7/13/2016 10:21:23 PM(UTC-4)	00:00:00					
9	To: 2012143908	7/13/2016 3:49:38 PM(UTC-4)	00:00:22					
10	To: 8622259570 700. Studia Clifton S.pat Border	7/13/2016 3:44:59 PM(UTC-4)	00:03:39					
11	To: 8622382439	7/13/2016 1:52:03 PM(UTC-4)	00:00:05					
12	To: 8622382439	7/13/2016 1:50:15 PM(UTC-4)	00:00:16					
13	To: 8622132694 Mom	7/12/2016 3:46:58 PM(UTC-4)	00:00:16					
14	To: +18034248020	7/12/2016 1:34:05 PM(UTC-4)	00:05:34					
15	To: 8622259570 700. Studia Clifton S.pat Border	7/12/2016 11:24:21 AM(UTC-4)	00:02:05					
16	To: 8622132694 Mom	7/11/2016 11:34:06 AM(UTC-4)	00:19:03					
17	To: +18033052200 Miqia	7/10/2016 7:21:04 PM(UTC-4)	00:00:09					
18	To: 8033052200 Miqia	7/10/2016 12:17:36 AM(UTC-4)	00:00:07					
19	To: 8622623696 Mooch	7/9/2016 3:13:14 PM(UTC-4)	00:00:00					
20	To: 8622623696 Mooch	7/9/2016 12:33:30 PM(UTC-4)	00:41:22					
21	To: 8622623696 Mooch	7/9/2016 1:07:31 AM(UTC-4)	00:00:06					
22	To: +18034320752	7/8/2016 6:25:00 PM(UTC-4)	00:00:45					
23	To: 8434782578	7/8/2016 12:18:18 PM(UTC-4)	00:44:19					
24	To: 8622648343 Grandma*	7/8/2016 10:56:19 AM(UTC-4)	00:00:00					
25	To: +18034323922	7/7/2016 12:24:23 AM(UTC-4)	00:01:00					
26	To: 8622648343 Grandma*	7/6/2016 10:17:37 PM(UTC-4)	00:03:34					
27	To: 8622382439	7/6/2016 2:48:29 PM(UTC-4)	00:00:00					
28	To: 8622382439	7/6/2016 12:23:29 PM(UTC-4)	00:00:00					
29	To: 8432747635	7/5/2016 7:51:41 PM(UTC-4)	00:00:00					
30	To: 8432747635	7/5/2016 7:51:00 PM(UTC-4)	00:00:01					
31	To: 3042378998	7/5/2016 7:23:59 PM(UTC-4)	00:00:15					
32	To: 8033052200 Miqia	7/4/2016 11:15:38 PM(UTC-4)	00:00:00					
33	To: 8622132694 Mom	7/4/2016 10:03:00 PM(UTC-4)	00:04:02					
34	To: 8622648343 Grandma*	7/4/2016 10:02:25 PM(UTC-4)	00:00:03					

1-11



35	To: 8622623696 Mooch	7/4/2016 10:01:00 PM(UTC-4)	00:00:05					
36	To: 8037135996 Cman*	7/4/2016 7:11:56 PM(UTC-4)	00:00:15					
37	To: 8037135996 Cman*	7/4/2016 7:11:12 PM(UTC-4)	00:00:03					
38	To: 8037135996 Cman*	7/4/2016 3:14:39 PM(UTC-4)	00:00:10					
39	To: 8038751333	7/4/2016 3:13:56 PM(UTC-4)	00:00:00					
40	To: 8038751333	7/3/2016 11:54:43 PM(UTC-4)	00:00:20					
41	To: 8622623696 Mooch	7/3/2016 10:33:56 PM(UTC-4)	00:01:39					
42	To: 8033108622 Jennell	7/3/2016 4:18:23 PM(UTC-4)	00:07:59					
43	To: 8622132694 Mom	7/2/2016 2:18:20 PM(UTC-4)	00:01:14					
44	To: 8033475619 ***Shanelle	7/2/2016 3:56:53 AM(UTC-4)	00:00:00					
45	To: 8033684418 Ariy	7/2/2016 1:16:12 AM(UTC-4)	00:00:27					
46	To: 8622648343 Grandma*	6/29/2016 5:34:28 PM(UTC-4)	00:00:04					
47	To: 8035426676	6/28/2016 1:03:57 AM(UTC-4)	00:00:26					
48	To: 8037408257	6/28/2016 12:59:55 AM(UTC-4)	00:00:00					
49	To: 8037408257	6/28/2016 12:58:59 AM(UTC-4)	00:00:07					
50	To: 9126043246	6/26/2016 9:48:20 PM(UTC-4)	00:00:00					
51	To: 8622132692 Jaz	6/26/2016 6:34:43 PM(UTC-4)	00:00:23					
52	To: 8622382439	6/26/2016 12:17:36 AM(UTC-4)	00:00:00					
53	To: 8622648343 Grandma*	6/26/2016 12:17:26 AM(UTC-4)	00:00:00					
54	To: 8033108622 Jennell	6/25/2016 4:14:59 PM(UTC-4)	00:00:04					
55	To: 8622132692 Jaz	6/25/2016 12:31:04 PM(UTC-4)	00:00:16					
56	To: 8622132692 Jaz	6/25/2016 11:57:15 AM(UTC-4)	00:00:24					
57	To: 8622132694 Mom	6/25/2016 11:16:11 AM(UTC-4)	00:02:48					
58	To: 8622648343 Grandma*	6/25/2016 11:15:41 AM(UTC-4)	00:00:06					
59	To: 8622648343 Grandma*	6/25/2016 10:56:23 AM(UTC-4)	00:00:07					
60	To: 8622132692 Jaz	6/24/2016 6:15:00 PM(UTC-4)	00:00:25					
61	To: +18039000494	6/24/2016 10:05:23 AM(UTC-4)	00:00:31					
62	To: 9736533454 Mooch2	6/23/2016 9:47:42 PM(UTC-4)	00:00:04					
63	To: +18039000494	6/23/2016 11:23:06 AM(UTC-4)	00:00:00					
64	To: +18039000494	6/23/2016 11:21:26 AM(UTC-4)	00:00:06					
65	To: +18039000494	6/23/2016 10:47:10 AM(UTC-4)	00:00:35					
66	To: +18039000494	6/23/2016 10:30:38 AM(UTC-4)	00:00:36					
67	To: +18039000494	6/23/2016 9:32:48 AM(UTC-4)	00:00:12					
68	To: 8033684418 Ariy	6/23/2016 12:46:23 AM(UTC-4)	00:00:22					
69	To: 8033684418 Ariy	6/23/2016 12:42:53 AM(UTC-4)	00:00:28					

1 A Initially I was the sole occupant of my vehicle  
2 with my K-9, and then Sergeant Elliott arrived on  
3 the scene.

4 Q And was he driving the car that you had learned  
5 Black to drive during that investigation?

6 A Yes, he was.

7 Q What kind of car was that?

8 A It was a silver Lexus with -- I don't know the  
9 size, but it had big chrome wheels.

10 Q *Perjured testimony* So after you identified Mr. Davis, did you use the  
11 information that you gathered through your  
12 investigation to obtain a search warrant?

13 A Yes, we did. ←

*He obtained a search warrant a few days before identifying Mr. Davis*

14 Q Can you tell me that information? Did it include  
15 surveillance that you had done at Mr. Davis's a/k/a  
16 Black's residence?

17 A Yes, ma'am, it did.

18 Q And did you find Mr. Davis was the lessee of that  
19 apartment?

20 A Yes, ma'am. → *At the time of the execution of S. W., a lease form was found*

21 Q Was he the sole lessee?

22 A Yes, ma'am.

23 Q Did you see anyone else -- did you see any evidence  
24 during your entire investigation of anyone else  
25 living there other than Mr. Davis?

1 A No, ma'am.

2 Q So you obtained the search warrant. *on July 11, 2016* And when did  
3 you execute that search warrant?

4 A On July 15th of 2016.

5 Q Were you on the entry team?

6 A Yes, I was.

7 Q That you heard make reference to before?

8 A I was, yes, ma'am.

9 Q So once you did a forced entry --

10 A Uh-huh.

11 Q -- you entered the home, is that correct?

12 A Yes, ma'am.

13 Q Was anyone else in the home with Mr. Davis?

14 A No, ma'am.

15 Q And where was he located?

16 A He was located in his bedroom upstairs.

17 Q He was in his bedroom alone?

18 A Yes, ma'am.

19 Q During your cursory clearing of the residence or  
20 during your search of the residence, did you see  
21 any evidence of anyone else living in the home?

22 A No, ma'am.

23 Q And does that corroborate what you had seen during  
24 your investigation?

25 A Yes, ma'am, it did.

1 did what you see with your own eyes corroborate  
2 what the driver of the car had told you?

3 A Yes.

4 Q You and other agents?

5 A Yes.

6 Q So when she said she had come from Apartment F at  
7 King Haigler Apartments, that is what you had  
8 already known?

9 A Right.

10 Q So she just corroborated what you already knew,  
11 correct?

12 A Yes.

13 Q So when she told you that she had just purchased  
14 drugs from someone named Black, who y'all already  
15 knew to be (Mr. Anthony Davis) *how would they know and not describe me*  
16 with the story you already knew to be true? *did that go along in S.W.??*

17 A Yes. Which is why it was already documented in my  
18 report.

19 MS. MCKELLAR: No further questions for  
20 Investigator Spivey, Your Honor.

21 THE COURT: Yes, sir?

22 MR. AIKEN: Your Honor, the constable went to  
23 get the magistrate. He is my next witness.

24 THE COURT: All right.

25 Officer, Mr. Aiken questioned you about the

STATE OF SOUTH CAROLINA

COUNTY OF KERSHAW

SEARCH WARRANT

1659

Anthony Davis #373518

Date: 07/11/2016

Officer: Inv. Justin Spivey

Case #: 2016-2973

Exhibit J-

Exhibit-J

Does any Affidavit has to be signed?  
Can any person's be searched in a warrant for premises?

STATE OF SOUTH CAROLINA

COUNTY OF KERSHAW

AFFIDAVIT

IS my search warrants voided?

Personally appeared before me, one Inv. Justin Spivey, who being duly sworn, says that there is probable cause to believe that certain property subject to seizure under provisions of Section 17-13-140, 1976 Code of Laws of South Carolina, as amended, is located on the following premises in this County:

affidavit has to be sworn to and ~~initialed~~ subscribed before a judge's signature and dated also has to be signed by affiant.

DESCRIPTION OF PREMISES TO BE SEARCHED

The residence is located at 206 Laurens Street apartment F, Camden, Kershaw County, South Carolina 29020. The residence is described as an apartment located in the King Heigler apartment complex. The apartment faces Laurens Street with a black in color door with the letter F clearly posted above the door. The search is to include the apartment, curtilage, vehicles, entire property, and any and all persons on the property.

DESCRIPTION OF PROPERTY SOUGHT

- 1. COCAINE, AND OTHER ILLEGAL DRUGS.
- 2. DISTRIBUTION EQUIPMENT TO INCLUDE PACKAGING MATERIALS, SCALES, AND RECORDS OF NOTES.
- 3. DRUG PARAPHERNALIA ASSOCIATED WITH ILLEGAL DRUG ACTIVITY.
- 4. U.S. CURRENCY AND STOLEN PROPERTY BELIEVED TO BE ASSOCIATED WITH THE DISTRIBUTION OF ILLEGAL DRUGS.
- 5. WEAPONS, AMMUNITION, AND FIREARMS USED TO PROTECT THE INTEREST OF THE ILLEGAL DRUG TRADE.
- 6. DOCUMENTS INDICATING OWNERSHIP, RESIDENCY, OR FREQUENCY OF STAY OF THE PERSONS AT THE LOCATION.
- 7. TELECOMMUNICATION DEVICES THAT MAY HOLD INFORMATION RELATED TO ILLEGAL DRUG ACTIVITY.

Search means search. So no search.

Items to be seized - certain level of specificity will always be required.

Feb 8 1999  
U.S. v. Dickerson, 166 F.3d 667 (4th Cir)  
U.S. v. Olyede, 982 F.2d 133 (4th Cir 1992) Nov. 24, 1992

for example, generic descriptions of contrabands such as, "Controlled and dangerous substances" or "All controlled & dangerous substances or "Narcotic drugs" etc. are generally held to be sufficient descriptions if the affidavit suggests the presence of more than one drug (ex. in State v. Williams, 297 S.C. 401, 377 S.E. 2d 308 (1989). A warrant describing the items to be seized as "any illegal drugs" was found to

Exhibit J "general" and "over broad" Search Warrant \*

\* No description of "Person to be searched or seized" \*

\* Kershaw, SC, Jurisdiction is Lancaster County Jurisdiction \*

\* Defendant was searched & seized without being described in the warrant \*

STATE OF SOUTH CAROLINA  
SEARCH WARRANT  
COUNTY OF KERSHAW

TO ANY BONDED LAW ENFORCEMENT OFFICER OF THIS STATE OR COUNTY OR OF THE MUNICIPALITY OF CAMDEN, SOUTH CAROLINA

It appearing from the attached affidavit that there are reasonable grounds to believe that certain property subject to seizure under provisions of Section 17-13-140, 1976 Code of Laws of South Carolina, as amended, is located on the following premises:

Catchall Phrase

DESCRIPTION OF PREMISES (PERSON, PLACE, OR THINGS TO BE SEARCHED)

The residence is located at 206 Laurens Street apartment F, Camden, Kershaw County, South Carolina 29020. The residence is described as an apartment located in the King Heigler apartment complex. The apartment faces Laurens Street with a black in color door with the letter F clearly posted above the door. The search is to include the apartment, curtilage, vehicles, entire property, and any and all persons on the property.

Now, therefore, you are hereby authorized to search the subject premises for the property described below, and to seize such property if found:

DESCRIPTION OF PROPERTY

- 1. Seizure of Narcotics and Related Illegal Substances
- 2. COCAINE, AND OTHER ILLEGAL DRUGS.
- 3. DISTRIBUTION EQUIPMENT TO INCLUDE PACKAGING MATERIALS, SCALES, AND RECORDS OF NOTES.
- 4. DRUG PARAPHERNALIA ASSOCIATED WITH ILLEGAL DRUG ACTIVITY.
- 5. CURRENCY AND STOLEN PROPERTY BELIEVED TO BE ASSOCIATED WITH THE DISTRIBUTION OF ILLEGAL DRUGS.
- 6. WEAPONS, AMMUNITION, AND FIREARMS USED TO PROTECT THE INTEREST OF THE ILLEGAL DRUG TRADE.
- 7. DOCUMENTS INDICATING OWNERSHIP, RESIDENCY, OR FREQUENCY OF STAY OF THE PERSONS AT THE LOCATION.
- 8. TELECOMMUNICATION DEVICES THAT MAY HOLD INFORMATION RELATED TO ILLEGAL DRUG ACTIVITY

This Search warrant shall not be valid for more than ten days from the date of issuance.

A written inventory of all property seized pursuant to this Search Warrant shall be made to CUSTODIAN OF RECORDS / DEFENDANT(S)

within ten days from the date of this warrant, such inventory to be signed by the officer executing this warrant, and a copy of such inventory shall be furnished to the person whose premises are searched if demand for such copy is made.

A copy of this Search Warrant shall be delivered to the person in charge of the premises searched at the time of such search if practicable, and, if not, to such person as soon thereafter as is practicable; in the event the identity of the person in charge is not known or if such person cannot be found after reasonable diligence in attempting to locate the person, a copy shall be attached to a prominent place on such premises.

Kershaw

July 11<sup>th</sup>, 2016

S.C. [Signature] (L.S.)  
Signature of Judge

Invalid Warrant  
No Description  
3 Hours  
Seizure of Narcotics and Related Illegal Substances  
COCAINE, AND OTHER ILLEGAL DRUGS.  
DISTRIBUTION EQUIPMENT TO INCLUDE PACKAGING MATERIALS, SCALES, AND RECORDS OF NOTES.  
DRUG PARAPHERNALIA ASSOCIATED WITH ILLEGAL DRUG ACTIVITY.  
CURRENCY AND STOLEN PROPERTY BELIEVED TO BE ASSOCIATED WITH THE DISTRIBUTION OF ILLEGAL DRUGS.  
WEAPONS, AMMUNITION, AND FIREARMS USED TO PROTECT THE INTEREST OF THE ILLEGAL DRUG TRADE.  
DOCUMENTS INDICATING OWNERSHIP, RESIDENCY, OR FREQUENCY OF STAY OF THE PERSONS AT THE LOCATION.  
TELECOMMUNICATION DEVICES THAT MAY HOLD INFORMATION RELATED TO ILLEGAL DRUG ACTIVITY  
This Search warrant shall not be valid for more than ten days from the date of issuance.  
A written inventory of all property seized pursuant to this Search Warrant shall be made to CUSTODIAN OF RECORDS / DEFENDANT(S)  
within ten days from the date of this warrant, such inventory to be signed by the officer executing this warrant, and a copy of such inventory shall be furnished to the person whose premises are searched if demand for such copy is made.  
A copy of this Search Warrant shall be delivered to the person in charge of the premises searched at the time of such search if practicable, and, if not, to such person as soon thereafter as is practicable; in the event the identity of the person in charge is not known or if such person cannot be found after reasonable diligence in attempting to locate the person, a copy shall be attached to a prominent place on such premises.  
Kershaw  
July 11<sup>th</sup>, 2016  
S.C. [Signature] (L.S.)  
Signature of Judge

RETURN

I received the attached Search Warrant 07/11, 2016, and have executed it as follows:

On 07/15, 2016 at 1754 o'clock P M, I searched (the person) described in the warrant and (the premises)

I left a copy of the warrant with Anthony Davis + Residence Name of person searched or "at the place of search" with: Together with a receipt for the items seized.

The following is an inventory of property taken pursuant to the warrant:

- 1) baggie of "rockie" & crack cocaine located in defendant's bedroom
- 2) baggie containing several pieces of crack cocaine located in defendant's bedroom
- 3) baggie containing 41 individual baggies of cocaine located in defendant's bedroom
- 4) baggie of marijuana located in defendant's bedroom
- 5) Smart + Simple box of sandwich baggies located in defendant's bedroom
- 6) Baggie containing individual distribution baggies located in defendant's bedroom
- 7) George ID Card for Anthony C Davis located in defendant's bedroom
- 8) Fred's pharmacy pill bottle for Anthony Davis located in defendant's bedroom
- 9) Dutch Market package containing marijuana located in defendant's bedroom
- 10) Digit 2 digital scale located in defendant's bedroom
- 11) Purple notebook containing ledger located in defendant's bedroom
- 12) envelope with drug sales printed on it located in defendant's bedroom
- 13) Camden Properties memo addressed to Anthony Davis located in defendant's bedroom
- 14) Aaron's delivery receipt addressed to Anthony Davis located in defendant's bedroom
- 15) Huawei smartphone located in defendant's bedroom
- 16) ZTE smartphone located in defendant's bedroom
- 17) Three pieces dishes that appear to be used to cook crack located in kitchen
- 18) Brown bag containing distribution baggies + cut straws located in kitchen

This inventory was made in the presence of Sgt. Lawson, Sgt. Collich, Tro. Vang, Tro. Spivey, AND Sgt. Lyons, Lt. McCaskill, Dep. Barr, Dep. Barwood, Dep. Greenway, Dep. Wadley

I swear that this Inventory is a true and detailed account of all the property taken by me on the warrant.

SWORN to before me this 18<sup>th</sup> day of July, 2016  
[Signature] (L.S.)  
Signature of Judge

[Signature]  
(Signature of Officer Executing Warrant)

cc: Inmate file  
(this means you have a certified copy)

1 A It was.

2 Q It was around 2:00 or 3:00 o'clock in the  
3 afternoon?

4 A I would have to look to verify, but --

5 Q Okay.

6 (Pause.)

7 A Yes, sir, around -- between 2:00 and shortly after  
8 3:00.

9 Q And when you -- did you set up the meeting with the  
10 confidential informant?

11 A Yes, sir, I did.

12 Q Did you explain to the confidential informant that  
13 she was going to be going to 206 Laurens Street,  
14 Apartment F?

15 A No, sir, I did not explain anything as to where she  
16 was going. <sup>how?? why??</sup> She gave us information. I wasn't --

17 THE COURT: How many days after the marijuana  
18 stop was that?

19 MR. AIKEN: Same day.

20 THE COURT: Same day?

21 MR. AIKEN: The search -- excuse me, the  
22 controlled buy was the same day as the traffic  
23 stop.

24 THE COURT: Okay.

25 MR. AIKEN: And then the search was on the

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evidence that they have told untruths, Your Honor.

THE COURT: Mr. Aiken, do you have witnesses you want to present in support of your motion?

MR. AIKEN: Yes, sir.

THE COURT: All right.

MR. AIKEN: Would you like me to call them?

THE COURT: Yes, sir.

MR. AIKEN: I call Deputy Spivey.

(Witness approaches.)

THE CLERK: Place your left hand on the Bible, and raise your right hand.

(Witness complies.)

THE CLERK: Do you swear or affirm the testimony you shall give in this case will be the truth, the whole truth, and nothing but the truth, so help you God?

THE WITNESS: Yes, ma'am.

THE CLERK: Please state your full name for the record.

MR. AIKEN: May I have one moment, Your Honor?

THE COURT: Yes, sir.

MR. AIKEN: I'm trying to figure out what we are going to do about the magistrate, who will be my next witness, Your Honor.

THE COURT: All right.

1 Q You can't see any money changing hands, can you?

2 A I don't recall.

3 Q Now --

4 MR. AIKEN: If I could have just one moment,  
5 Your Honor?

6 THE COURT: Yes, sir.

7 (Pause.)

8 BY MR. AIKEN:

9 Q Was the informant paid?

10 A No, sir.

11 Q Was she working off charges?

12 A I don't recall. *false state ment.*

13 MR. AIKEN: If I could have just one moment,  
14 Your Honor?

15 THE COURT: Yes, sir.

16 (Pause.)

17 BY MR. AIKEN:

18 Q Thank you, Deputy Spivey.

19 A Okay.

20 THE COURT: By the State?

21 CROSS-EXAMINATION (IN CAMERA)

22 BY MS. MCKELLAR:

23 Q Investigator Spivey, when you were doing  
24 surveillance on the night of -- on the day of  
25 July 8th during -- before and after the car stop,

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I always like to make that motion just so I can be alerted and we can avoid talking about it in front of the jury. It is not admissible.

THE COURT: All right. How about that?

MS. MCKELLAR: Your Honor, we do intend on referring to a car stop where the Defendant was the driver. (That was for identification purposes only).

But he was charged with a driving infraction that day, Your Honor. *Not charged (warning ticket) 2 days after warrant issued* And that would be how they

identified Mr. Davis -- one of the ways they identified Mr. Davis

THE COURT: As being Black?

MS. MCKELLAR: Yes, sir. As being the individual known as Black. *how??*

THE COURT: By stopping him earlier that day?

MS. MCKELLAR: At a certain time, Your Honor. I do not know right offhand.

THE COURT: All right.

MS. MCKELLAR: And as far as the distribution is concerned, Your Honor, we had no intention of bringing that up; however, Mr. Aiken has brought that up. That was an uncharged crime.

THE COURT: All right. Mr. Aiken? She said that he was stopped earlier and they intend to use that.

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MS. MCKELLAR: I don't know of any previous charges or what they like to do in their off-time, Your Honor, I just thought out of the abundance of caution we would get the other Defendants out of the room, if Your Honor sees fit.

THE COURT: Well, you know, I don't make any orders that would have the effect of closing a courtroom since the courtroom is an open courtroom. You know, I don't put one set of people out and the other set stay in. I deny the motion.

MS. MCKELLAR: Thank you, Your Honor.

BY MR. AIKEN:

Q All right, Deputy Spivey. So how far was it from the predetermined location to King Haigler Apartments?

A I don't recall.

Q So you don't know how long that would have taken?

A No, sir, I --

Q For the confidential informant to drive?

A I don't recall, no, sir.

Q Now, you say in your incident report that the confidential informant was monitored?

A Uh-huh.

Q How was the confidential informant monitored?

A Through the audio-video device. We can listen as

1 they travel to wherever they are going. We also  
2 kept eyes on her the entire time.

3 Q How did you do that?

4 A Through surveillance.

5 Q You followed her?

6 A Yes, sir.

7 Q So y'all -- she did not leave y'all's site?

8 A No, sir.

9 Q At all?

10 A Well, whenever she walked into Apartment F.

11 Q But before that? Between the time you --

12 A From the time --

13 Q -- searched her and searched her car to the time  
14 she walked into Apartment F, there was at all times  
15 law enforcement eyes on her?

16 A Yes, sir.

17 Q Now, the video itself, it does not actually show,  
18 does it, any drugs changing hands?

19 A If you slow it down, you can actually see the drug  
20 transaction, yes, sir.

21 Q If you slow it down?

22 A Yes, sir.

23 Q How slow do you have to make it?

24 A I don't know. I'm not a computer guru. I don't  
25 know how -- the speed settings on the player.

1 a chemist, I can't get into all of the particulars  
 2 of why that happens, but it is not going to look  
 3 the same. That is why we take the pictures so that  
 4 you can see exactly what it looked like the day  
 5 that we got it.

6 Q Now, Mr. Davis, the car stop you were talking about  
 7 where you said you identified Mr. Davis, that was  
 8 actually on the 13th of August, wasn't it?

9 A I was not on the car stop. I was a part of it from  
 10 a distance. So I don't know the exact date, but  
 11 that sounds like the exact date, yes, sir.

12 Q All right. So all of the surveillance that you had  
 13 done up to that point you weren't able to identify  
 14 Mr. Davis as the person that you referred to as  
 15 Black?

16 A We identified him on whatever -- on the date that  
 17 it says that we -- whatever date that traffic stop  
 18 is is the date that we found out his true identity  
 19 to be Anthony Davis.

20 Q That would have been the 13th, right?

21 A I'm assuming that is the correct date.

22 Q Now, you said something about cars coming and  
 23 staying short periods of time and leaving. When  
 24 you were surveilling King Haigler Apartments, you  
 25 were actually surveilling more than one apartment,

Contradicts  
 Spivey's  
 Referred  
 Testimony

1 Q Did you see that individual leaving a -- one of --  
2 his residence that day?

3 A Yes.

4 Q Okay. Could you tell us about that encounter?

5 A Mr. Davis was leaving a known location on Highway  
6 12 that day. He was driving a silver-in-color  
7 Lexus. We ended up conducting a traffic stop on  
8 him, Investigator Spivey, and I was the back-up  
9 officer that day.

10 THE COURT: Can you hear?

11 MR. AIKEN: I'm having a real hard time,  
12 Judge.

13 THE COURT: I am as well. You need to talk  
14 louder, or turn up the mic, or something.

15 A Testing, testing.

16 THE CLERK: Is that better?

17 MR. AIKEN: That is better, yes, ma'am, thank  
18 you.

19 A That day we conducted a traffic stop on Mr. Davis.  
20 He was driving a silver Lexus. And we conducted a  
21 traffic stop on Highway 12 just before Highway 601.  
22 Investigator Spivey conducted a traffic stop, and I  
23 was a secondary officer there to back him up.

24 Q Did you know the individual's name at that time?

25 A Not at the time, we did not know his name.

Contradicts  
Spivey's  
Perjured  
testimony

State of South Carolina.  
Respondent.

In the State of South Carolina  
In the Court of Appeals  
Appellant Case No: 2019-00189

V.  
Anthony C. Davis # 373518  
Appellant.

Proof of Service

**RECEIVED**

JUN 08 2020

SC Court of Appeals

I appellant, Anthony C. Davis #373518, have served this motion to amend application of suspension of appeal hearing, to Court of Appeals, P.O. Box 11629, Columbia, SC, 29211, and to the Office of Attorney General, P.O. Box 11549, Columbia S.C. 29211, to move the circuit Court of Kershaw County for Motion for New trial on the grounds of after-discovered evidence, by depositing a copy of it in the United States Mail, Postage Prepaid on June 3, 2020, addressed to the Court of Appeals, Clerk of Court and Attorney General's office, by United States Postal Service

Appellant Anthony C. Davis  
W. R. C. I-W2-B3a  
P.O. Box 189  
Rembert S.C. 29128

SWORN TO AND SUBSCRIBED BEFORE ME THIS

2nd DAY OF June 2020

Pamela Hatfield  
NOTARY PUBLIC FOR SOUTH CAROLINA

COMMISSION EXPIRES: 3/15/2021

Anthony C Davis 373518

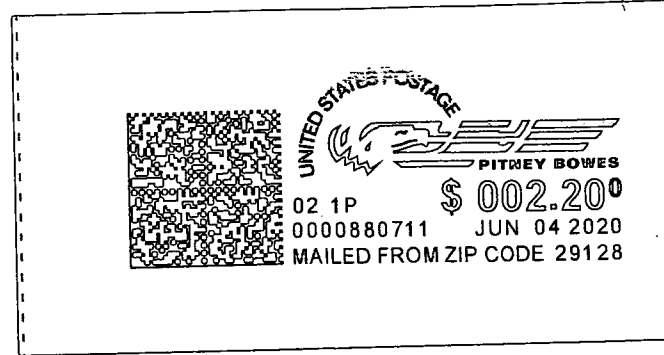
Anthony C. Davis #373518  
Water River Correctional Inst-UB-B3A  
P.O. Box 189  
Rembert, S.C., 29128

**RECEIVED**  
JUN 08 2020  
SC Court of Appeals

Dear Clerk of Court,  
I am requesting a filed copy of my previous Application  
for GRANT of leave, and a <sup>filed</sup> copy of this enclosed  
Amended Application, thank you

Anthony C. Davis #373518

Anthony C. Davis #378518  
W.R.C.I.-W2-Bd3A  
P.O. Box 189  
Rembert S.C. 29128



South Carolina Court of Appeals  
Clerk of Court, Abbott Kitchings  
P.O. Box 11629  
Columbia, SC 29211

**RECEIVED**  
JUN 08 2020  
SC Court of Appeals